

# CITY OF STANTON STANTON CITY HALL, 7800 KATELLA AVENUE, STANTON, CA

# PLANNING COMMISSION REGULAR MEETING

# WEDNESDAY, NOVEMBER 6, 2019, 6:30 P.M.

# AGENDA

Supportive and descriptive documentation for agenda items, including staff reports, is available for review in the Planning Secretary's Office.

In compliance with the American Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Community Development Department at (714) 379-9222, extension 210. Notification by noon on the Monday prior to the Commission meeting will enable the City to make the reasonable arrangements to assure accessibility to this meeting.

Please turn off all cellular phones and pagers while the Planning Commission meeting is in session.

# 1. CALL TO ORDER

#### 2. PLEDGE OF ALLEGIANCE

3. <u>ROLL CALL</u>

Chairperson Ash Vice Chairman Frazier Commissioner Marques Commissioner Moua Commissioner Grand

PC Agenda – Regular Meeting – November 6, 2019 – Page 1 Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the Public Counter at City Hall located at 7800 Katella Avenue, Stanton CA, during normal business hours.

# 4. SPECIAL PRESENTATION

None.

# 5. <u>APPROVAL OF MINUTES</u>

The Planning Commission approve minutes for the Regular Meeting of April 3, 2019.

# 6. **PUBLIC COMMENTS**

At this time members of the public may address the Planning Commission regarding any items within the subject matter jurisdiction of the Planning Commission, for a maximum of three (3) minutes, provided that **NO** action may be taken on non-agenda items.

# 7. PUBLIC HEARINGS

7A. PUBLIC HEARING TO CONSIDER PRECISE PLAN DEVELOPMENT (PPD)-797, TENTATIVE TRACT MAP (TM)19-02 AND PLANNED DEVELOPMENT PERMIT (PDP)19-01 TO SUBDIVIDE A 17,500 SQUARE FOOT SITE FOR THE CONSTRUCTION OF SIX TOWNHOME UNITS, A PRIVATE DRIVEWAY, AND COMMON OPEN SPACE FOR THE PROPERTY LOCATED AT 7320 KATELLA AVENUE, IN THE HIGH DENSITY RESIDENTIAL (RH ) ZONE.

#### **RECOMMENDED ACTION**

That the Planning Commission:

- Conduct public hearing;
- Find that the effects of the proposed project are Categorically Exempt from the requirements to prepare additional environmental documentation per California Environmental Quality Act (CEQA) Guidelines, Section 15332, Class 32 (In-fill Development Projects);
- Adopt Resolution No. 2498 approving Precise Plan of Development PPD-797;
- Adopt Resolution No. 2499 approving Tentative Map TM19-02; and
- Adopt Resolution No. 2500 approving Planned Development Permit PDP19-01.

7B. PUBLIC HEARING TO CONSIDER PRECISE PLAN DEVELOPMENT PPD-796, TENTATIVE PARCEL MAP TM19-01 AND VARIANCE V19-01 TO SUBDIVIDE A 0.51 ACRE SITE FOR THE DEVELOPMENT OF A HOUSING SUBDIVISION CONSISTING OF THE CONSTRUCTION OF FOUR CONDOMINIUM UNITS, A PRIVATE DRIVEWAY, COMMON OPEN SPACE AND A VARIANCE FOR THE REDUCTION OF THE MINIMUM PRIVATE DRIVEWAY LENGTH FOR THE PROPERTY LOCATED AT 7162 KERMORE LANE IN THE MEDIUM DENSITY RESIDENTIAL (RM) ZONE

#### **RECOMMENDED ACTION**

That the Planning Commission:

- Conduct a public hearing;
- Declare that the project is categorically exempt per the California Environmental Quality Act (CEQA), under Section 15332, Class 32 (In-Fill Development Projects);
- Adopt Resolution No. 2495 approving Precise Plan of Development (PPD-796);
- Adopt Resolution No. 2496 approving Tentative Parcel Map (TM19-01); and
- Adopt Resolution No. 2497 approving Variance (V19-01).

# 8. <u>NEW BUSINESS</u>

None.

# 9. OLD BUSINESS

None.

# 10. PLANNING COMMISSION COMMENTS

At this time Commissioners may report on items not specifically described in the agenda which are of interest to the Commission <u>provided no discussion or action may be taken</u> except to provide staff direction to report back or to place the item on a future agenda.

# 11. PLANNER'S REPORT

## 12. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California, the foregoing agenda was posted at the Post Office, Stanton Community Services Center and City Hall, not less than 72 hours prior to the meeting. Dated this 31<sup>st</sup> day of October, 2019.

Amy Stonich, AICI

Contract City Planner

#### DRAFT MINUTES OF THE PLANNING COMMISSION OF THE CITY OF STANTON REGULAR MEETING WEDNESDAY, APRIL 3, 2019

#### 1. CALL TO ORDER

The members of the Planning Commission of the City of Stanton met in regular session in the City Council Chambers at 6:32 p.m., Chairperson Ash presiding.

#### 2. PLEDGE OF ALLEGIANCE

Led by Chairperson Ash.

#### 3. ROLL CALL

Present: Chairperson Ash, Commissioner Van, Commissioner Marques, Commissioner Moua

Absent: None.

Excused: Vice Chairman Frazier

#### 4. SPECIAL PRESENTATION

None.

#### 5. APPROVAL OF MINUTES

The minutes of the Planning Commission's Regular Meeting on October 3, 2018 were approved.

Motion/Second: Moua/ Ash

Motion approved by the following vote:

AYES:	Grand, Moua
NOES:	None
ABSTAIN:	Van, Marques
ABSENT:	Frazier

#### 6. PUBLIC COMMENTS

Chairperson Ash opened the floor for public comments.

There were no public comments.

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#### 7. PUBLIC HEARINGS

# 7A. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO A PREVIOUSLY APPROVED PROJECT AND A CONDITIONAL USE PERMIT TO ALLOW FOR ALCOHOL SALES, LIVE ENTERTAINMENT AND AN ARCADE IN CONJUNCTION WITH RESTAURANT USES LOCATED AT 12775-12975 BEACH BLVD. IN THE CG (COMMERCIAL GENERAL) ZONE WITH A SOUTH GATEWAY MIXED USE (SGMX) OVERLAY.

Community & Economic Development Director Kelly Hart introduced the project. She noted the project was a proposal to amend a previous approval for a development to include LED signs and request approval of a conditional use permit for the proposed new use of a market hall with alcohol sales, live entertainment and an arcade.

Director Hart presented the site plan. She outlined the modifications to the site plan and noted Major-2 will maintain the same general building area as previously considered but the area as amended will be one consolidated unit to operate a market hall including fifteen restaurant spaces, seven retail spaces, a coffee shop, a flower shop, a brewery, a bar, and an arcade. She noted a conditional use permit would be required for alcohol sales, live entertainment and an arcade.

Director Hart explained the applicant, Frontier Real Estate Investments LLC, is proposing to amend the previously approved project. She noted the proposed amendments would consist of modifications to buildings Major-2 and Shops-3 of the inline buildings and consist of: façade alterations, an increase in square footage by the addition of patios and an electrical room, a conditional use permit to allow alcohol sales, live entertainment and an arcade, and an amendment to the previously approved Planned Development Permit to for tenant signage.

Director Hart explained the square footage would be increased to include a new outdoor area to the western. She outlined the changes to the building elevations and noted the façade modifications would feature a more modern design, and would be incorporated onto the east and west façades of the Major-2 space. Director Hart spoke of the illuminated pillars that are to be installed and a large hedge growing in between the pillars.

Director Hart provided the proposed floor plan depicting fifteen restaurants spaces, seven retail spaces, a coffee shop, a flower shop, a brewery, a bar, and an arcade. Part of the market hall is to include communal seating areas and outdoor seating areas and an assortment of games and live entertainment. She noted all proposed amendments are associated with a proposed market hall concept. She clarified that in order for the amendments to the PDP to be valid, the conditional use permit for the market hall would have to be approved by the Commission.

Director Hart outlined the proposed hours of operation for both indoor operations and outdoor operations and for live entertainment. She explained conditions were in place to memorialize the proposed hours of operation and to condition the live entertainment to meet noise level requirements and explained the way noise level requirements would be enforced.

She explained a conditional use permit is required as the proposed market hall consists of a

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variety of restaurant uses that would sell alcoholic beverages and would feature a market hall. She noted the applicant is requesting to sell alcohol for on-site and off-site consumption. She stated the market hall was to cater to both adults and children.

Director Hart explained the applicant is proposing to amend the PDP in order to allow for revisions to accommodate the use of LED signage consisting of a pylon sign which is already permitted by right but the proposal is to allow for changeable copy signage and the tv sign. She noted standards will ensure the lighting generated by the signs is kept at an appropriate level for the businesses and residences. This includes light dimming and security the signage won't create hazards.

Director Hart noted the recommended action before the Commission was to conduct a public hearing, declare that the project amendments and the conditional use permit are consistent with the approved Mitigated Negative Declaration (SCH#2017101007) for the original project; adopt Resolution No. 2490 adopting an amendment to Precise Plan of Development PPD-789; adopt Resolution No. 2491 adopting an amendment to Planned Development Permit PDP 17-01; and adopt Resolution No. 2492 adopting Conditional Use Permit C19-01 for alcohol sales, live entertainment and an arcade in conjunction with restaurant uses.

Commissioner Marques noted he wants reassurance that any noncompliance with the requirements will trigger a review of the conditional use permit.

Director Hart noted there are catch-all conditions and if there are substantiated complaints, staff will investigate and conduct an analysis of whether there is a problem to address the issue. If the issue is not addressed, staff will further enforce the conditions or automatically reduce hours of operation or eliminate them.

Chairperson Ash opened the floor for a public hearing.

Developer Representative Tom Carpenter from Frontier Real Estate Investments LLC spoke about the history of the site. He noted the site is fully under construction and this change came up while they were already under construction. He explained why they chose to move forward with the change and thanked staff for their efforts.

Commissioner Marques thanked the developer for the foresight to bring this to the City of Stanton and opined it will be a beautiful project. He noted he likes the project because it reminds him of various other projects in other larger cities.

Commissioner Van had no questions and stated she loves there will be more food options in Stanton because it is in high demand and Stanton can be known as a food destination.

Chairperson Ash asked for details regarding the large sign and its placement.

Mr. Carpenter pointed out where the sign will be.

Commissioner Marques noted it would be north of the driveway.

Director Hart confirmed the sign would be north of the driveway and parking spaces with

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appropriate traffic visibilities.

Chairperson Ash noted some concerns with the large number of possible tenant spaces and the number of empty spaces now.

Mr. Carpenter spoke about the types of tenants that will be at the site and noted there is a lot of interest. He stated the concept is different than a food hall and explained the benefits of their proposal.

Chairperson Ash closed the public hearing.

Commissioner Moua noted he think the proposal will be good for the community.

Motion/Second: Marques/Moua

Motion was unanimously passed, by the following vote:

AYES:	Ash, Moua, Marques, Van
NOES:	None
ABSTAIN:	None
ABSENT:	Frazier

# 8. <u>NEW BUSINESS</u>

None.

#### 9. OLD BUSINESS

None.

# 10. PLANNING COMMISSION COMMENTS

Commissioner Van noted she is new and is overwhelmed by the amount of paper received by the commissioners and proposed going paperless like the City Council. She noted it is easier to view PDF's on the computer and save money.

# 11. DIRECTOR'S REPORT

Community & Economic Development Director Hart noted a joint City Council Planning Commission meeting for a bus tour to look at new developments throughout the region on April 16, 2019 at 11:30 to end at 5.

She noted an ordinance would be presented to the Commission next month.

# 12. ADJOURNMENT

Commission adjourned at 7:02 p.m.

Rose Rivera Senior Planner

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- TO: Chairperson and Members of the Planning Commission
- DATE: November 6, 2019
- SUBJECT: PUBLIC HEARING TO CONSIDER PRECISE PLAN DEVELOPMENT (PPD)-797, TENTATIVE TRACT MAP (TM)19-02 AND PLANNED DEVELOPMENT PERMIT (PDP)19-01 TO SUBDIVIDE A 17,500 SQUARE FOOT SITE FOR THE CONSTRUCTION OF SIX TOWNHOME UNITS, A PRIVATE DRIVEWAY, AND COMMON OPEN SPACE FOR THE PROPERTY LOCATED AT 7320 KATELLA AVENUE, IN THE HIGH DENSITY RESIDENTIAL (RH) ZONE.

#### **RECOMMENDED ACTION**

That the Planning Commission:

- Conduct public hearing;
- Find that the effects of the proposed project are Categorically Exempt from the requirements to prepare additional environmental documentation per California Environmental Quality Act (CEQA) Guidelines, Section 15332, Class 32 (In-fill Development Projects);
- Adopt Resolution No. 2498 approving Precise Plan of Development PPD-797;
- Adopt Resolution No. 2499 approving Tentative Map TM19-02; and
- Adopt Resolution No. 2500 approving Planned Development Permit PDP19-01.

#### AGENDA ITEM 7A

# BACKGROUND

The applicant, Shaneen Tuley of Olympia Capital Corporation, is proposing to demolish the existing single family residence in order develop six townhomes. To accommodate this proposed project, the Applicant has requested the following Planning entitlements:

- Precise Plan of Development (PPD-797) 20.530.030 of the Stanton Municipal Code (SMC) requires a site permit for the construction of two or more new dwelling units on a lot or in conjunction with the submittal of a subdivision;
- Tentative Tract Map (TM19-02) Required for the requested property subdivision to include six numbered lots and one lettered lot for condominium purposes; and
- Planned Development Permit (PDP19-01) 20.520.020 of the SMC requires a Planned Development Permit to allow modifications to applicable development standards.

# ANALYSIS/JUSTIFICATION

**PROJECT LOCATION** - The project site is located on the south side of Katella Avenue, between Knott Street and Western Avenue. The subject site is a 17,500 square foot (0.40 acres) parcel that currently has a single family residence. The property is in the High Density Residential (RH) zone and carries a General Plan designation of High Density Residential. Surrounding zoning and uses include a condominium subdivision known as Sunshine Village to the west and south in the RH zone; and a Motel 6 to the east in the Commercial Neighborhood (CN) zone with a General Mixed Use Overlay.

**PROJECT DESCRIPTION** - The Applicant is proposing to construct a new residential subdivision on an existing 0.40 acre site (Assessor's Parcel Number: 131-641-06). The site currently houses a single family residence. The project would consist of the construction of two buildings consisting of six (6) townhomes, a private common drive aisle, and common and private open space. The two proposed buildings contain three, three-story units ranging in size from 2,310-2,316 square feet of living space. Each unit includes a two-car garage along with an additional uncovered parking spot accessible from the private communal drive aisle. There is one common (lettered) lot, which would consist of the common private driveway, landscaping, and common open space areas.

In terms of density, the proposed project would be constructed at a ratio of 15 dwelling units per acre. This density is consistent with the General Plan, which allows up to 18 dwelling units per acre. The RM zone allows a density range between 11.1-18 dwelling units per acre (du/ac). In terms of setbacks, a 20-foot setback is provided along the front property line along Kermore Lane; a 12-foot side yard setback is provided along the western and eastern property line; and a 25-foot setback along the rear property line.

**PARKING/CIRCULATION** - The project site would have access to Katella Avenue from the common drive aisle. The common drive aisle would also provide access to garages, parking spaces and guest parking spaces for the six units. Section 20.320.070(J)(3)(a)

of the SMC states that driveways serving 10 or less dwelling units shall be a minimum of 20 feet in width for two-way traffic. Further, Section 20.320.070(J)(3)(c) of the SMC states that driveways serving 10 or less dwelling units with garages on either side shall be increased a minimum of five feet to accommodate vehicle maneuvering. The common drive aisle would be 25 feet in width which would comply with SMC.

In regards to parking, Table 3-6 in Section 20.320.030 of the SMC requires a twobedroom condominium to provide three parking spaces per dwelling unit. In addition, one guest parking space is required for every three dwelling units. To meet this requirement, the Applicant is proposing a two-car garage with one additional parking space adjacent to each garage per unit and two guest parking spaces located adjacent to the open space area at the rear of the development. In total, there would be six offstreet parking spaces provided, which would equate to 3.3 parking spaces provided per unit which exceeds the minimum requirement.

**FLOOR PLANS-** The six units consist of three stories. The first floor consists of a main entry, bathroom, loft, garage and private yard. The second floor plan consists of a living room, dining room, powder room, laundry space, and kitchen. The third floor plan contains a master bedroom and master bathroom, a second bedroom, bathroom, and a den. As proposed, the living space would range between 2,338 – 2,310 square feet, with the two street-fronting units to be slightly larger than the remaining units.

**DESIGN AND ARCHITECTURE-** The proposed units feature a modern architecture with an earth tone palette. Elevations are enhanced with wall offsets, significant vertical and horizontal articulation and special architectural elements and materials. Each unit will be provided with a private outdoor fenced yard/patio and two balconies at the third floor level. The details of the two buildings include exposed wood paneling, large windows, vinyl doors, wood sectional garage door.

**PRIVATE AND COMMON OPEN SPACE** – To meet private open space requirements as specified in SMC Section 20.420.050, each dwelling unit includes a private yard which is 188 square feet in size, and balcony areas ranging from 97-99 square feet for each unit. In regards to common open space, the development has been designed to meet the minimum five percent (5%) of the lot area by providing two common open space areas at the Southeast and Southwest corners of the site. The project site is 17,500 square feet (0.40 acres) in size and therefore 875 square feet of common open space is required. The Applicant is proposing a total of 933 square feet of common open space area equates to 5.3% of the total site which exceeds the minimum.

**PLANNED DEVELOPMENT PERMIT** – The applicant is requesting a Planned Development Permit (PDP) which will allow for greater flexibility from the strict application of the SMC. The intent of the PDP is to encourage a high quality development which incorporates enhanced amenities while still meeting the goals and intent of the General Plan.

The applicant is requesting approval of a Planned Development Permit to allow for modified setbacks in certain portions of the project in order to design a high quality, housing subdivision. The project meets the purpose of the Planned Development Permit by providing a development that exceeds site and design standards of normal developments that are created using strict application of the development standards found in the SMC. The development utilizes high quality architectural designs and materials, and incorporates varying architectural treatments including wall offsets, significant vertical and horizontal articulation on the elevations of the homes. The development provides private outdoor living areas for each home, in addition to two open space areas. The project site as a whole incorporates extensive landscaping enhanced paving, and landscaped edges that provide a sense of place within the development.

It is the applicant's desire to provide for a housing development that will benefit the area as an aesthetically pleasing component of the overall neighborhood by redeveloping a large underutilized residential lot with units that will provide additional housing opportunities.

#### **ENVIRONMENTAL IMPACT**

Staff recommends that the Planning Commission find that the effects of the proposed project are Categorically Exempt from the requirements to prepare additional environmental documentation per California Environmental Quality Act (CEQA) Guidelines, Section 15332, Class 32 (In-fill Development Projects).

#### PUBLIC NOTIFICATION

Notice of Public Hearing was mailed to all property owners within a five hundred-foot radius of the subject property and made public through the agenda-posting process.

Prepared by,

An Burein

Rose Rivera Senior Planner

Approved by,

Amy Stonich, AICP Contract City Planner

#### **ATTACHMENTS**

- A. PC Resolution No. 2498
- B. PC Resolution No. 2499
- C. PC Resolution No. 2500
- D. Vicinity Map
- E. Color Renderings
- F. Site Plan/Landscape Plan/Floor Plans/Elevations
- G. Tentative Tract Map

#### **RESOLUTION NO. 2498**

#### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF STANTON, CALIFORNIA APPROVING PRECISE PLAN OF DEVELOPMENT (PPD)-797 FOR THE DEVELOPMENT OF A HOUSING SUBDIVISION CONSISTING OF SIX (6) TOWNHOMES, A COMMON DRIVEWAY AND PRIVATE AND COMMON OPEN SPACE FOR THE PROPERTY LOCATED AT 7320 KATELLA AVENUE IN THE HIGH DENSITY RESIDENTIAL (RH) ZONE

**WHEREAS**, on November 6, 2019, the Planning Commission of the City of Stanton conducted a duly noticed public hearing concerning the request to approve Precise Plan of Development (PPD)-797 to develop six (6) townhomes, a common driveway, and private and common open space for the property located at 7320 Katella Avenue;

**WHEREAS**, the Commission has carefully considered all pertinent testimony and information contained in the Staff report prepared for this application as presented at the public hearing;

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (California Code of Regulations, title 14, § 15000 et seq.), the City is the lead agency for the proposed Project;

**WHEREAS**, the State CEQA Guidelines state that there exist categories of projects that are exempt from CEQA;

WHEREAS, in accordance with CEQA and the State CEQA Guidelines, the City has determined approval of the Project is exempt from the requirements of CEQA and the State CEQA Guidelines pursuant to State CEQA Guidelines section 15332, Class 32 (In-fill Development Projects); and

WHEREAS, all legal prerequisites have occurred prior to the adoption of this Resolution.

#### NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF STANTON DOES HEREBY FIND:

**SECTION 1**: The Planning Commission exercises its independent judgment and finds that the Project, as conditioned hereby, is categorically exempt under CEQA, Section 15332, Class 32 (In-fill Development Projects) which consists of in-fill development meeting the conditions described in Section 15332 of the CEQA Guidelines; that is, (a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, (the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, (c) the project site has no value as habitat for endangered, rare or threatened species, (d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and (e) the site can be adequately served by all required utilities and public services. The Planning Commission finds and determines that the Property is located within an "urbanized area", as that term is defined in Section 15387 of the CEQA Guidelines,

#### ATTACHMENT A

and meets the aforementioned conditions and will not cause a significant effect on the environment and is, therefore, categorically exempt from the provisions of CEQA.

**<u>SECTION 2</u>**: That in accordance with the requirements as set forth in Section 20.530.050 of the Stanton Municipal Code:

- A. The project is allowed within the subject zone. The proposed project is for six (6) townhomes within the High Density Residential (RH) zone. Section 20.210.020 of the Stanton Municipal Code states that attached multi-family dwellings, in the RH zone are permitted, subject to approval of a Site Plan and Design Review. The applicant is also requesting approval of a planned development permit to modify development standards which include the side yard setback to accommodate the project. With approval of the associated applications, the project would be in full conformance with the zoning code.
- B. The project is designed so that:
  - i. The project will not be detrimental to the public health, safety, or general welfare, and not detrimental to adjacent property. The project includes the demolition of an existing single family residence and construction of a two (2) buildings, each proposing three (3) townhomes, totaling six (6) units. Conditions of approval have been included to ensure that during the construction phase, appropriate measures are taken to minimize the impacts of the construction activities in the residential neighborhood. In addition, the project has been designed to ensure appropriate parking has been provided on the property, and no additional drive-cuts would be required on the streets so on-street parking would not be impacted for the neighboring properties;
  - ii. Architectural design and functional plan of the structures and related improvements are of high aesthetic quality and compatible with adjacent developments. The project will use high quality architectural designs and materials, and incorporate varying architectural treatments including wall offsets, significant vertical and horizontal articulation and special architectural elements and materials on the elevations of the homes. The project provides private outdoor living areas for each home, in addition to two open space areas. The site as a whole incorporates extensive landscaping enhanced paving, and landscaped edges that provide a sense of place within the project;
  - iii. Structures and related improvements are suitable for the proposed use of the property and provide adequate consideration of the existing and contemplated uses of land and orderly development in the general area of the subject site. The proposed structures are multi-family attached dwelling units and the proposed uses of the structures are residential uses. The exterior of the structures are designed to be compatible with the existing neighborhood, and the residential use of the property is consistent with the existing and future use of the neighborhood; and

- iv. The project's site plan and design is consistent with the City's Design Standards and Guidelines, if any. The City does not currently have any adopted design guidelines. However, the project is designed to be compatible with the existing and recent residential developments within the neighborhood and the city.
- C. Compliant with the Zoning Code, Municipal Code Title 16 (Buildings and Construction). and all other applicable City regulations and policies. The project includes the demolition of an existing single family residence and development of six (6) townhomes on a property within the RH zone. A planned development permit is proposed to allow for modifications of some of the development standards. Efficient site layout and design; adequate yards, spaces, walls, and fences, parking, loading, and landscaping that fit within neighboring properties and developments. The project consists of six (6) townhomes. A perimeter wall would be provided along the project property lines. The SMC requires a two-bedroom condominium to provide three parking spaces per dwelling unit plus one guest parking space for every three dwelling units. The required parking is provided by a two-car garage and one additional parking space for each unit. In addition, two guest parking spaces are provided in the common area to meet this requirement. In total, there would be six off-street parking spaces provided, which would equate to 3.3 parking spaces provided per unit which exceeds the minimum requirement.
- D. Compatible and appropriate scale to neighboring properties and development; appropriate relationship to land use and development of adjacent properties, including topographic and other physical characteristics of the land. The project includes the construction of six (6) townhomes, a private driveway, and associated site improvements. As proposed, the project meets the minimum required 20-foot front setback, is less than the maximum height permitted, and is less than the maximum building lot coverage permitted. The topography of the land and adjacent areas is generally flat, and the new development would not create a significant topographical difference in property heights.
- E. Compatible architectural style with the character of the surrounding area, both to avoid repetition of identical design where not desired, and ensure compatibility in design where designed; compatible in color, material, and composition of the exterior elevations to neighboring visible structures; harmonious relationship with existing and proposed developments and the avoidance of both excessive variety and monotonous repetition. The project is consistent in design features as the newer developments within the neighborhood and city. The project would utilize stucco as the main façade material and include architectural accents such as exposed wood paneling, large windows, vinyl doors, and wood sectional garage doors.
- F. Compatible with the General Plan and any applicable specific plan. The project consistent with the general plan. Specifically, Action H-1.1.2 (a), Vacant and Underutilized Sites Inventory. The project would consist of six (6) townhomes constructed on an underutilized lot in a high density residential zone. Further, it would meet Goal H-1.1, which provides for a variety and range of types of housing stock.

**<u>SECTION 3</u>**: The Planning Commission hereby finds that all of the facts, findings and conclusions set forth above in this Resolution are true and correct.

**SECTION 4**: That based upon the above findings, the Planning Commission recommends that the City Council approve Precise Plan of Development PPD-797 for the construction of six (6) townhomes along with a common driveway, common and private open space areas and guest parking, subject to the following Conditions:

# A. That all conditions of the Planning Division be met, including the following:

- 1. PPD-797 shall terminate if Planned Development Permit PDP19-01 is allowed to expire.
- 2. PPD-797 shall terminate if Tentative Tract Map TM19-02 is allowed to expire or the Final Tract Map is not filed in a timely manner.
- 3. The project/use shall be constructed, developed, used, operated and permanently maintained in accordance with the terms of the application, plan drawings submitted, and conditions imposed in this Resolution of Approval, the Resolution of Approval for Tentative Tract Map 19003 (TM19-02), and the Resolution of Approval for Planned Development Permit (PDP) 19-01.
- 4. The development and/or use shall be in conformity with all applicable provisions of the Stanton Municipal Code and Planned Development Permit PDP19-01 and shall conform to the requirements of the Subdivision Map Act, as applicable.
- 5. Low-water use landscaping shall be installed and permanently maintained in a neat and orderly manner in the area indicated in the approved Site Plan and Preliminary Landscape Plan. Each planter area shall be enclosed with raised minimum 6-inch concrete curbing and shall be provided with an automatic sprinkler system that shall guarantee an adequate supply of water to fulfill the intent of continual plant maintenance.
- 6. Prior to the issuance of a certificate of occupancy, all common area and HOA maintained landscaping areas as depicted in the approved Landscape Plan must be installed and planted.
- 7. Trees to be located along Katella Avenue shall be a minimum of 36-inch box in size, while shrubs must be 5 gallons in size. For the interior of the subdivision, trees must be a minimum of 24-inch box in the common areas and on the remainder of the interior while shrubs must be 5 gallons in size.
- 8. Prior to issuance of permits, the applicant shall submit a final landscape, irrigation and lighting plan indicating the common area improvements, and include the furniture and light standards in the private streets and in the common open space area. The landscape plan shall include all calculations and certifications as required by the Section 20.315.050 of the Stanton Municipal Code and the adopted Water Efficient Ordinance Guidelines.
- 9. Decorative paving and/or stamped concrete shall be provided as indicated on the approved Site Plan to the satisfaction of the Community Development Department.
- 10. Two (2) guest parking spaces shall be continually maintained in the common area and posted with a sign or painted on the paved surface.

- 11. All exterior lighting shall be kept at a reasonable level of intensity and directed away from adjacent properties and public streets to minimize glare.
- 12. Walls and fences visible from Katella Avenue and property lines shall be constructed of a decorative split-face block, or other decorative masonry to the satisfaction of the Community Development Department, and improved with anti-graffiti coating.
- 13. Solid fencing within the front setback area shall be a maximum of 42 inches in height, unless within a traffic visibility area, at which point the maximum height shall be 30 inches.
- 14. All interior fences between private open spaces may consist of any fencing material as permitted in the Zoning Code.
- 15. All utilities located on the site that are unable to be placed underground shall be screened with decorative paneling, fencing, and landscaping to the satisfaction of the Community Development Department.
- 16. CC&R's, Articles of Incorporation and By-Laws for the homeowner's association shall be reviewed and approved by City Staff, the City Attorney and the Department of Real Estate (DRE) prior to recordation and issuance of Certificate of Occupancy.
- 17. CC&R's shall include a restriction which prohibits garage conversions and also requires that all garages be maintained for the parking of vehicles.
- 18. The Applicant shall provide the Planning Division proof of review and approval of the CC&R's by the DRE prior to recordation. A copy of the recorded CC&R's shall be submitted to the Planning Division prior to the release of utilities.
- 19. The CC&R's shall specifically dictate responsibilities between the homeowners association and private property owners for the maintenance, both interior and exterior, of all buildings, plumbing and electrical facilities.
- 20. The CC&R's shall specifically dictate responsibilities between the homeowners association and private property owners for the maintenance of the common and private open space areas.
- 21. The CC&R's shall prohibit the removal of the common open space areas, as approved on the Site Plan.
- 22. The CC&R's shall specifically identify any and all exclusive use easement areas and dictate the responsibilities between private property owners and the homeowners association.
- 23. CC&R's shall include a provision as to the use and maintenance of guest parking spaces, driveways, common open space and restrictive open space. Guest parking spaces are to be used by guests only and are not for use by residents. Long term parking of more than 72 hours is also prohibited in guest parking spaces. Movement of a vehicle directly from one guest parking space to another shall not constitute a break in the 72 hour regulation.
- 24. The CC&R's shall contain provisions prohibiting over night vehicular parking and/or storage of recreational vehicles on the site.

- 25. CC&R's shall prohibit parking and any type of obstruction of the required fire access lanes.
- 26. CC&R's shall prohibit the construction of additional entries/exists into individuals residences.
- 27. No person on vehicle machinery related to the construction of the project shall be on the property prior to 7:30 a.m. No construction shall occur until 8:00 a.m. The Public Works Director or the Community Development Director may further restrict the hours and days of construction based on substantiated complaints received from surrounding neighbors and/or require an onsite inspector to be paid for by the Applicant/Developer (1-4 hour minimum charge per day).
- 28. The Applicant/Owner shall acknowledge the conditions of approval as adopted by the City Council. Such acknowledgment shall be in writing and received by the City within 30 days of approval by the City Council. In addition, the Applicant shall record the Conditions of Approval in the Office of the County Recorder. Proof of recordation shall be provided to the Planning Division prior to Certificate of Occupancy.
- 29. All utilities within the development including electrical and/or cable TV service, shall be placed in an underground facility to the satisfaction of the City Engineer.
- 30. All required school impact fees shall be paid prior to issuance of building permits.
- 31. All required park In-lieu fees shall be paid prior to the issuance of building permits. The required fees for single family dwelling units (attached and detached) are \$11,173.00 per unit.
- 32. All required residential impact fees shall be paid prior to issuance of building permits. The required fee for high density dwelling units is \$1,049.
- 33. All required sewer connection fees shall be paid prior to the issuance of building permits.
- 34. THERE SHALL BE NO RELEASE OF UTILITIES IN CONNECTION WITH THIS PERMIT UNTIL ALL STANDARD AND/OR SPECIAL PLANNING, ENGINEERING, BUILDING, AND FIRE CONDITIONS HAVE BEEN COMPLETED TO THE SATISFACTION OF THE CITY OF STANTON.
- 35. Any color scheme or materials alterations from those approved by the Planning Commission must be approved through the Community Development Director.
- 36. Any changes to the approved plans which occur through the Building plan check must also be approved by authorized Planning Staff.
- 37. Any deviations to the approved Tract Map, Planned Development Permit, Site Plan, Floor Plans, Elevations and Landscape Plan must also be approved by the Planning Division. Any approval by the Building Division does not constitute approval by the Planning Division.
- 38. Prior to initiation of any work in the public right-of-way, an encroachment permit must be obtained from the Engineering Division.

39. A Sign Application for all entry monument signage must be submitted to and approved by the Community Development Director prior to issuance of building permits.

#### C. That all requirements of the Building Division be met, including the following:

- 1. Applicant shall furnish, three (3) complete sets of plans (Structural, Mechanical, Electrical, and Plumbing) designed and signed in ink by the required licensed professionals. Said plans submitted shall contain structural calculations. Mechanical plans shall include duct and equipment data. Plumbing plans shall include isometric drawing of drain vents and water system.
- 2. All plans shall meet the 2016 Title 24 Energy Code.
- 3. All plans shall be designed in conformance with the 2016 California Building Code, 2016 California Plumbing Code, 2016 California Mechanical Code, the 2016 California Electrical, the 2016 Green Building Standards, 2016 Title 24 Energy Code and Code as amended by City Ordinance.
- 4. Electrical plans shall include service, panel schedules and feeder size. Panel schedules and motors shall comply with requirements of the 2016 edition of the California Electrical Codes.
- 5. Provide approval by the Orange County Fire Authority.
- 6. The conditions of approval will be required to be copied on the approved set of plans prior to issuance of building permits. All the conditions must be completed prior to final approval and issuance of the Certificate of Occupancy.
- 7. Applicant will be required to have all the contractors and sub-contractors recycle construction materials to the maximum feasible extent. All recyclable construction materials are to be taken to an approved Transfer Station.
- 8. Applicant will be required to submit a Waste Management plan (WMP) for the demolition and new construction phases of the project. All recyclable construction materials are to be taken to an approved Transfer Station.
- 9. A stamped soils investigation report shall be submitted with the plans for plans check. Report shall include soil bearing capacity, seismic study, in compliance with the Seismic Hazard Mapping Act of the State of California, grading, paving, sulfate test and other pertinent information under good engineering practice.
- 10. At plan check submittal. Plans shall include mandatory requirements for and Electric ready vehicle charging.
- 11. At plan check submittal. Plans shall include mandatory requirements for Solar ready buildings.

- 12. Prior to demolition, an asbestos report shall be submitted with a clearance letter from the South Coast Air Quality Management District (SCAQMD) prior to the issuance of a demolition permit.
- 13. Common walls separating townhouses shall be assigned a fire-resistance rating in accordance with Section R302.2 items 1 or 2. CRC 2016.

# D. That all requirements of the Engineering Division be met, including the following:

#### <u>General</u>

- 1. Applicant shall submit Improvement Plans prepared by a Registered Civil Engineering for public works (off-site) improvements. Plan check fees shall be paid in advance.
- 2. City public works encroachment permit shall be taken out for all work in the public right-of-way prior to start of work. All work shall be done in accordance with Orange County RDMD or APWA and City standards and to the satisfaction of the City Inspector and completed before issuance of Certificate of Occupancy.
- 3. All existing off-site improvements (sidewalk, curb & gutter, driveways, and street paving) at the development site which are in a damaged condition or demolished due to the proposed work shall be reconstructed to the satisfaction of the City Engineer. When reconstructing full width sidewalk, curb & gutter, and driveways shall be fully improved. Structural sections of the street pavement shall be reconstructed per the requirements of an approved pavement rehabilitation report prepared by a Registered Civil Engineer.
- 4. No construction materials or construction equipment shall be stored on public streets.
- 5. All trucks hauling materials in and out of the project site shall be subject to restricted time and days of operation and truck route as determined by the City Engineer.
- 6. Applicant shall pay sewer connection fees to the City for connection to the City/County sewer system, if applicable.

#### Site Specific

- An on-site grading and drainage plan shall be prepared and submitted to the City Engineer for approval. Plan shall be 24" X 36", ink on mylar, with elevations to nearest 0.01 foot, scale 1"=10'. Plan shall be prepared by Registered Civil Engineer. Public works improvements may be shown on this plan. Grading plan check fees must be paid in advance.
- 2. Prior to the issuance of building permit, pad certification by the Design Civil Engineer and Soil Engineer is required.

- 3. Applicant shall properly maintain all BMPs installed on the site, as listed in the approved Water Quality Management Plan (WQMP), including requirements for vector control.
- 4. Applicant shall identify parties responsible for the long-term maintenance and operation of the structural treatment control BMPs for the life of the project and a funding mechanism for operation and maintenance. This shall be identified prior to approval of the WQMP.
- 5. Applicant shall submit a Water Quality Management Plan incorporating Best Management Practices (BMP) in conformance with the requirements of NPDES. Requirements of the WQMP will include construction of onsite water treatment, and maximization of infiltration.
- D. That all requirements of the Orange County Fire Authority be met, including the following:
- 1. The applicant or responsible party shall submit the plans listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

Prior to issuance of a grading permit, or a building permit if a grading permit is not required:

• Fire master plan (service code PR145)

#### Prior to issuance of a building permit:

- Architectural (service codes PR200-PR285), when required by the OCFA "Plan Submittal Criteria Form"
- Underground piping for private hydrants and fire sprinkler systems (service code PR470-PR475).
- Underground piping (service code PR470-PR475), if private hydrants are installed/modified or a fire sprinkler system is required by code or installed voluntarily.
- Fire sprinkler system (service codes PR400-PR465)

#### Prior to concealing interior construction:

• Fire alarm system (service code PR500-PR520), if provided voluntarily, or required by code.

\*Signatures on the following page\*

# SIGNATURE PAGE FOR RESOLUTION NO. 2498

**ADOPTED, SIGNED AND APPROVED** by the Planning Commission of the City of Stanton at a regular meeting held on November 6, 2019 by the following vote, to wit:

AYES:	COMMISSIONERS:	
NOES:	COMMISSIONERS:	
ABSENT:	COMMISSIONERS:	
ABSTAIN:	COMMISSIONERS:	

Elizabeth Ash, Chairperson Stanton Planning Commission

Amy Stonich, AICP Planning Commission Secretary

#### **RESOLUTION NO. 2499**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF STANTON, CALIFORNIA APPROVES TENTATIVE TRACT MAP 19003 (TM19-02) TO SUBDIVIDE A LEGAL PARCEL (0.40 ACRES) FOR CONDOMINIUM PURPOSES FOR THE DEVELOPMENT OF A HOUSING SUBDIVISION CONSISTING OF SIX (6) TOWNHOMES, A COMMON DRIVEWAY AND PRIVATE AND COMMON OPEN SPACE FOR THE PROPERTY LOCATED AT 7320 KATELLA AVENUE IN THE HIGH DENSITY RESIDENTIAL (RH) ZONE

WHEREAS, on November 6, 2019, the Planning Commission of the City of Stanton conducted a duly noticed public hearing concerning the request to approve Tentative Tract Map TM19-02 (TM19-02), a subdivision a 0.40 acre legal parcel located at 7320 Katella Avenue for the development of six (6) townhomes for condominium purposes;

**WHEREAS**, the Commission has carefully considered all pertinent testimony and information contained in the Staff report prepared for this application as presented at the public hearing;

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (California Code of Regulations, title 14, § 15000 et seq.), the City is the lead agency for the proposed Project;

**WHEREAS**, the State CEQA Guidelines state that there exist categories of projects that are exempt from CEQA;

WHEREAS, in accordance with CEQA and the State CEQA Guidelines, the City has determined approval of the Project is exempt from the requirements of CEQA and the State CEQA Guidelines pursuant to State CEQA Guidelines section 15332, Class 32 (In-fill Development Projects); and

WHEREAS, all legal prerequisites have occurred prior to the adoption of this Resolution.

#### NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF STANTON DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

**<u>SECTION 1</u>**: That in accordance with the requirements as set forth in Section 19.10.100 and 19.10.110 of the Stanton Municipal Code:

A. The proposed map is consistent with the City's General Plan designation of High Density Residential for the subject property. The project is developed at 15 dwelling units to the acre, and the maximum density for the High Density Residential designation is 18 dwelling units per acre. The project would be developed on a large, underutilized infill property that houses one single family residence. The project is also consistent with Goal CD-1.2 which is to promote an attractive streetscape and public right-of-way, especially along major, primary and secondary corridors, that is consistent with the desired vision and image of Stanton. The architectural details, complementary building materials and color scheme are appropriate for the project's location on Katella Avenue,

#### ATTACHMENT B

which is identified in the General Plan as a major arterial. In addition, the project provides street trees, landscape and treatment in the front yard setback area to enhance the visual corridor along Katella Avenue. Action H-1.1.2 (a), Vacant and Underutilized Sites Inventory. The project consists of six (6) townhomes constructed on an underutilized lot in a high density residential zone. Further, it would meet Goal H-1.1, which provides for a variety and range of types of housing stock.

- B. The proposed map and project design, with the approval of a Planned Development Permit and associated applications, would comply with the RH zone, the base zoning on the property.
- C. The site is physically suitable for the proposed type and density of development. The site is large enough to accommodate the proposed residential units, parking is sufficient to meet the needs of the proposal, street access, turnaround radius, private and common open space areas, and emergency vehicle access. The project is a permitted use in the RH zone.
- D. The requirements of CEQA have been satisfied. Based on the environmental assessment, the subject property is less than five acres in size, within the City limits, and is substantially surrounded by urban uses. The project is also consistent with the General Plan and SMC. The project would not result in any significant effects relating to traffic, noise, air quality or water quality and has no value as habitat for endangered, rare or threatened species. The project site can be adequately served by all required utilities and public services. All required documentation has been completed for the project in compliance with CEQA. As such, the project is considered categorically exempt.
- E. The design of the proposed subdivision will not conflict with easements of record or established by court judgment, acquired by the public at-large, for access through or use of the property. Upon review of the project by the Engineering Department, there is no known conflict with any easements, or rights-of-way as there are no known easements on the property.
- F. Design and improvement of the proposed subdivision will not cause substantial environmental damage, serious public health problems, or substantial and avoidable injury to fish and game. Based on the initial study completed for this development, the project would not cause substantial damage, serious public health problems, or substantial unavoidable injury to fish and wildlife. There is no recorded habitat or endangered species in the City, there are no waterways, canals, or streams in or within the surrounding area of the project that would affect fish and wildlife, there are no known hazardous materials located within the project site, and the site is not registered as a Superfund Site with the EPA.
- G. The proposed project will not result in the discharge of waste into an existing community sewer system that would result in or add to a violation of existing requirements of the Santa Ana Regional Water Quality Control Board. A Preliminary Water Quality

Management Plan was drafted for the project. As part of the WQMP, filtration devices and bioswales would be utilized to ensure all water within the project remains on-site and there would be no expected discharge into the sewer system or storm drain.

**SECTION 2:** The Planning Commission exercises its independent judgment and finds that the Project, as conditioned hereby, is categorically exempt under CEQA, Section 15332, Class 32 (In-fill Development Projects) which consists of in-fill development meeting the conditions described in Section 15332 of the CEQA Guidelines. that is, (a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, (the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, (c) the project site has no value as habitat for endangered, rare or threatened species, (d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and (e) the site can be adequately served by all required utilities and public services. The Planning Commission finds and determines that the Property is located within an "urbanized area", as that term is defined in Section 15387 of the CEQA Guidelines, and meets the aforementioned conditions and will not cause a significant effect on the environment and is, therefore, categorically exempt from the provisions of CEQA.

**<u>SECTION 3</u>**: The Planning Commission hereby finds that all of the facts, findings and conclusions set forth above in this Resolution are true and correct.

**SECTION 4:** That based upon the above findings, the Planning Commission approves Tentative Tract Map TM19-02 (TM19-02) to subdivide a 0.40-acre legal parcel for condominium purposes for the development of six (6) townhome units, common driveway and common and private open space, subject to the conditions of approval for PPD-797 and PDP19-01 for the property located at 7320 Katella Avenue in the RH zone;

#### A. That all conditions of the Planning Division be met, including the following:

- 1. All applicable conditions of approval for PPD-797 and PDP19-01 shall be required for Tentative Tract TM19-02 (TM19-02).
- 2. The project and/or use shall be in conformity with all applicable provisions of the Stanton Municipal Code and shall conform to the requirements of the Subdivision Map Act, as applicable.
- B. That all requirements of the Engineering Division be met , including the following:

#### **Subdivision**

1. All survey monuments destroyed shall be replaced and tied out in conformance with the County of Orange Surveyor's requirements.

- 2. The private drive entrance, private drives, and end of private drive turn-around areas of the Property shall be approved by the Orange County Fire Authority.
- 3. All grading, drainage, storm drain construction, private street or drive improvements, utility installation, landscaping, irrigation, and all other Subdivision improvements shall meet the City of Stanton standards.
- 4. The Final Map, when submitted to the City for approval, shall be prepared by, or under the direction of, a California registered civil engineer licensed to survey or a licensed land surveyor.
- 5. At the time of filing of the Final Map with the City for approval the Subdivider shall provide a Preliminary Title Report dated not more than 30 days prior to the filing date. In addition to other items the Preliminary Title Report shall show in what name the ownership of the property is held, show all trust deeds including the name of the trustees, show all easements and names of easement holders, show all fee interest holders, and show all interest holders whose interest could result in a fee ownership. The title company account for this title report shall remain open until the Final Map is recorder.
- 6. All right-of-way, easements, abandonments, and vacations shall be shown on the Final Map. Public right-of-way shall be dedicated to the City in fee simple absolute. The purpose, use, and holder of the easement rights for all easements shall clearly be stated on the final map.
- 7. At the time of filing the Final Map to the City for approval the Subdivider shall also submit for approval of the City a Subdivision Agreement between the Subdivider and the City properly executed by the Subdivider, including appropriate bonds and insurance, which sets forth the requirements and responsibilities of both the City and the Subdivider relative the subdivision being created.
- 8. Pursuant to the regulations of the Subdivision Map Act all required off-site and public improvements shall be completed prior to the recordation of the final map, or in lieu thereof, be financially secured by surety bonds, to be held by the City, issued to ensure that all the improvements will be completed in a timely manner. Bond amounts shall be determined by the City. Subdivider shall provide a 100% Performance Bond, a 50% Labor and Materials Bond, a 50% Warranty Bond, and insurance coverage per City requirements.
- 9. At the time of filing of the Final Map with the City for approval the Subdivider shall submit to the City plans and specifications and cost estimates for all improvements including, but not limited to, public and private street rights-of-way, drainage easements, culverts, drainage structures and drainage channels, water lines, sewer lines, utility lines, and other required and necessary improvements. All improvement plans, specifications, and cost estimates shall be approved by the City Engineer prior to submitting the Final Map to the City for approval.

- 10. Improvement plans shall include plans for all improvements related to the Subdivision including landscape plans, irrigation plans, and street lighting plans for all public right-ofway areas and all private areas.
- 11. Subdivider shall provide easements for public and private utilities as needed and as approved by the City.
- 12. At the time of filing of the Final Map with the City for approval the Subdivider shall also provide to the City the proposed Covenants, Conditions, and Restrictions (CC&Rs) for the subdivision.
- 13. Prior to final acceptance of the Subdivision improvements all subdivision survey monuments shall be set, and Corner Records and center line ties shall be filed with the Orange County Surveyor, and if required by law, the filing and recording of Record of Survey with the Orange County Recorder.
- 14. Prior to final acceptance of the Subdivision improvements the Subdivider shall provide the City with As-Built mylar and electronic copies of the all subdivision plans and improvements, in a format acceptable to the City.
- 15. Subdivider shall place a County Surveyor Statement certificate on the final map for the signature of the Orange County Surveyor stating that " I have examined this map and have found that all mapping provisions of the Subdivision Map Act have been complied with and I am satisfied said map is technically correct."
- 16. At the time of filing of the Final Map with the City for approval the Subdivider shall also provide to the Orange County Surveyor for boundary and technical plan check all Final Map documents required by the Orange County Surveyor. Subdivider shall notify the City in writing that the required Final Map documents have been submitted to the Orange County Surveyor for boundary and technical plan check.
- 17.All streets or drives shown on the Final Map shall show proposed street names which will be subject to approval of the City.
- 18. At the time of filing of the Final Map with the City for approval the Subdivider shall provide to the City evidence that all utility providers with recorded title interest in the property have been informed of the of the pending filing of the Final Map with the City for approval, and also provide all utility provider's responses received.
- 19. At the time of filing of the Final Map with the City for approval the Subdivider shall provide to the City with a preliminary soils report covering the Subdivision related area.
- 20. All improvements shall meet the City Flood Management requirements.

- 21. At the time of filing of the Final Map with the City for approval the Subdivider shall provide to the City with a Hydrology Report, and a Hydraulics Report, including all necessary and required calculation, maps, exhibits, and reference material.
- 22. The subdivider and subdivision construction shall meet all of the City's Stormwater/NPDES Requirements, City Local Implementation Plan (LIP), California's General Permit for Stormwater Discharges Associated with Construction Activity, Notice of Intent (NOI) requirements of the State Water Resources Control Board and notification of the issuance of a Waste Discharge Identification (WDID) Number for Projects subject to this requirement, and shall provide a Water Quality Management Plan (WQMP), and a Stormwater Pollution Prevention Plan (SWPPP), and shall use Best Management Practices (BMP).
- 23. The applicant must provide the City with access rights to the property at least once per year to perform State mandated environmental inspections.
- 24. The applicant must incorporate the WQMP conditions into the covenants, conditions, and restrictions (CC&R) for the project.
- C. That all requirements of the Building Division be met, including the following:
  - 1. All applicable conditions of approval for PPD-797 also shall be required for Tentative Tract Map 19003 (TM19-02).
  - 2. Applicant shall obtain approval of Final Tract Map prior to issuance of building permits.
- D. That all requirements of the Orange County Fire Authority be met, including the following:
  - 1. All applicable conditions of approval for PPD-797 also shall be required for Tentative Tract Map TM19-02 (TM19-02) and Planned Development Permit PDP19-01.

\*Signatures on the following page\*

## SIGNATURE PAGE FOR RESOLUTION NO. 2499

**ADOPTED, SIGNED AND APPROVED** by the Planning Commission of the City of Stanton at a regular meeting held on November 6, 2019 by the following vote, to wit:

AYES:	COMMISSIONERS:	
NOES:	COMMISSIONERS:	
ABSENT:	COMMISSIONERS:	
ABSTAIN:	COMMISSIONERS:	·

Elizabeth Ash, Chairperson Stanton Planning Commission

Amy Stonich, AICP Planning Commission Secretary

#### **RESOLUTION NO. 2500**

#### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF STANTON, CALIFORNIA APPROVING PLANNED DEVELOPMENT PERMIT (PDP)19-02 FOR THE DEVELOPMENT OF A HOUSING SUBDIVISION CONSISTING OF SIX (6) TOWNHOMES, A COMMON DRIVEWAY AND PRIVATE AND COMMON OPEN SPACE FOR THE PROPERTY LOCATED AT 7320 KATELLA AVENUE IN THE HIGH DENSITY RESIDENTIAL (RH) ZONE

**WHEREAS**, on November 6, 2019, the Planning Commission of the City of Stanton conducted a duly noticed public hearing for the consideration of Planned Development Permit (PDP) 19-02 to develop six (6) townhomes, including a common driveway, and private and common open space for the property located at 7320 Katella Avenue, with modified zoning standards;

**WHEREAS**, the Commission has carefully considered all pertinent testimony and information contained in the Staff report prepared for this application as presented at the public hearing;

**WHEREAS**, the State CEQA Guidelines state that there exist categories of projects that are exempt from CEQA;

WHEREAS, in accordance with CEQA and the State CEQA Guidelines, the City has determined approval of the Project is exempt from the requirements of CEQA and the State CEQA Guidelines pursuant to State CEQA Guidelines section 15332, Class 32 (In-fill Development Projects); and

WHEREAS, all legal prerequisites have occurred prior to the adoption of this Resolution.

# NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF STANTON DOES HEREBY FIND:

**<u>SECTION 1</u>**: That in accordance with the requirements as set forth in Section 20.520.060 of the Stanton Municipal Code:

A. The Planned Development Permit will be allowed within the subject base zone, be consistent with the General Plan and any applicable specific plan, be generally in compliance with all of the applicable provisions of this Development Code, and ensure compatibility of property uses within the surrounding neighborhood of the proposed development.

The proposed development is consistent with the General Plan. Specifically, Action H-1.1.2 (a) as it would redevelop an underutilized lot in a high density residential zone with six (6) townhome units. Further, it would meet Goal H-1.1, by providing for a variety and range of types of housing stock. Lastly, it would meet Goal CD-1.2 by promote an attractive streetscape and public right-of-way, especially along major, primary and secondary corridors, that is consistent with the desired vision and image of Stanton. The architectural details, complementary building materials and color scheme are

#### ATTACHMENT C

appropriate for the project's location on Katella Avenue which is identified in the General Plan as a major arterial. In addition, the project provides street trees and extensive landscape treatment in the front yard setback area to enhance the visual corridor along Katella Avenue.

The development complies with all the applicable provisions of the development code, apart from the proposed modifications as part of the Planned Development Permit. The proposed use is compatible with the surrounding neighborhood. The project site is surrounded by a mix of commercial and residential uses - a condominium subdivision known as Sunshine Village to the west and south in the RH zone; and a Motel 6 to the east in the Commercial Neighborhood (CN) zone with a General Mixed Use Overlay.

B. The proposed project will produce a comprehensive development of superior quality and excellence of design than might otherwise occur from more typical development applications.

The project meets the purpose of the Planned Development Permit by providing a development that exceeds site and design standards of normal developments that are created using strict application of the development standards found in the Stanton Municipal Code. The development utilizes high quality architectural designs and materials, and incorporates varying architectural treatments including wall offsets, significant vertical and horizontal articulation on the elevations of the homes. The development provides private outdoor living areas for each home, in addition to two open space areas. The site as a whole incorporates extensive landscaping enhanced paving, and landscaped edges that provide a sense of place within the development.

C. Proper standards and conditions have been imposed to ensure the protection of the public health, safety, and welfare.

Associated PC Resolution No. 2498 for PPD-797 and PC Resolution No. 2499 for TM19-02 include multiple conditions of approval that have been imposed on the project to ensure the protection of the public health, safety, and welfare.

D. Proper on-site traffic circulation (e.g., pedestrian and vehicular) and control is designed into the development to ensure protection for fire suppression and police surveillance equal to or better than what would normally be created by compliance with the minimum setback and parcel width standards identified in Article 2 (Zone-Specific Standards).

The circulation on the property is suitable for the proposed residential use and has been reviewed by the Orange County Fire Authority (OCFA) to ensure adequate circulation is provided for public and emergency vehicle access. The property is accessible from a single entry off Katella Avenue. To ensure the emergency vehicles have proper circulation, along with providing safe pedestrian access, modified setbacks have been allowed through the Planned Development Permit.

E. The subject parcel is adequate in terms of size, shape, topography, and circumstances to accommodate the proposed development.

The property is a rectangular, relatively flat parcel measuring approximately 0.40 acres of land area. The topography of the land and adjacent areas is generally flat, and the new development would not create a significant topographical difference in property heights. The property has adequate depth and width to accommodate the proposed development. The Planned Development Permit (PDP) allows for flexibility in the efficient use of land and to allow effective design responses to site features.

F. Adequate public services and facilities exist, or will be provided, in compliance with the conditions of approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of public services to properties in the vicinity to be a detriment to public health, safety, and general welfare.

The proposed map is consistent with the City's General Plan designation of High Density Residential for the subject property. The project is developed at 15 dwelling units to the acre, and the maximum density for the High Density Residential designation is 18 dwelling units per acre. The General Plan identifies the property as General Mixed Overlay District allows for a density of up to At the time of the General Plan adoption, through the EIR process, it was determined that there are adequate public services to accommodate the added population growth anticipated for General Plan build out. The proposed project would develop at a significantly lower density, is located within an urbanized area, is accessible by existing streets, and is located within the service areas of all existing utilities and public services for the area.

G. The proposed development, as conditioned, will not have a substantial adverse effect on surrounding properties or their allowed use.

The project will not have substantial adverse effect on surrounding properties. The project includes the demolition of an existing single family residence and construction of six (6) townhomes. Conditions of approval have been included to ensure that during the construction phase, appropriate measures are taken to minimize the impacts of the construction activities in the residential neighborhood. In addition, the project has been designed to ensure appropriate parking has been provided on the property so on-street parking would not be impacted for the neighboring properties. Perimeter walls will be constructed, and enhanced landscaping along the street frontage will be provided to enhance the aesthetic quality of the streetscape.

H. If the development proposes to mix residential and commercial uses whether done in a vertical or horizontal manner, the residential use is designed in a manner that it is appropriately buffered from the commercial use and is provided sufficiently enhanced amenities to create a comfortable and healthy residential environment and to provide a positive quality of life for the residents. The enhanced amenities may include additional landscaping, additional private open space, private or separated entrances, etc.

The proposed development is not a mixed-use project as it is strictly single-family residential townhomes.

I. The design, location, operating characteristics, and size of the proposed development will be compatible with the existing and future land uses in the vicinity, in terms of aesthetic values, character, scale, and view protection.

The project is consistent in design features as the newer developments within the neighborhood and city. The project would utilize stucco as the main façade material and include architectural accents such as exposed wood paneling, large windows, vinyl doors, and wood sectional garage doors. The surrounding neighborhood is a mixture of commercial and residential structures and the proposed development is designed to enhance the existing neighborhood.

**SECTION 2:** The Planning Commission exercises its independent judgment and finds that the Project, as conditioned hereby, is categorically exempt under CEQA, Section 15332, Class 32 (In-fill Development Projects) which consists of in-fill development meeting the conditions described in Section 15332 of the CEQA Guidelines; that is, (a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, (the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, (c) the project site has no value as habitat for endangered, rare or threatened species, (d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and (e) the site can be adequately served by all required utilities and public services. The Planning Commission finds and determines that the Property is located within an "urbanized area", as that term is defined in Section 15387 of the CEQA Guidelines, and meets the aforementioned conditions and will not cause a significant effect on the environment and is, therefore, categorically exempt from the provisions of CEQA.

<u>SECTION 3</u>: The Planning Commission hereby finds that all of the facts, findings and conclusions set forth above in this Resolution are true and correct.

**SECTION 4**: That based upon the above findings, the Planning Commission approves Planned Development Permit PDP19-02 based on the findings listed in Section 1 and the conditions of approval in accordance with Exhibit "A" attached hereto and made a part of this Resolution.

\*Signatures on the following page\*

#### SIGNATURE PAGE FOR RESOLUTION NO. 2500

**ADOPTED, SIGNED AND APPROVED** by the Planning Commission of the City of Stanton at a regular meeting held on November 6, 2019 by the following vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

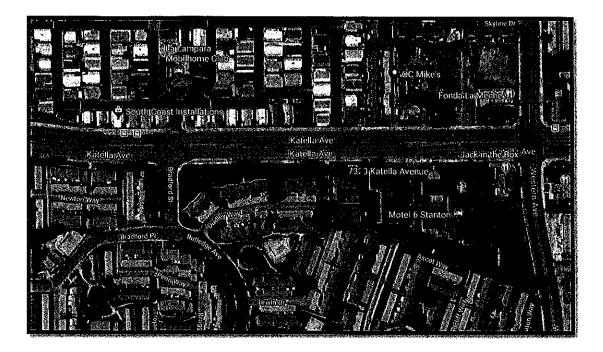
ABSTAIN: COMMISSIONERS:

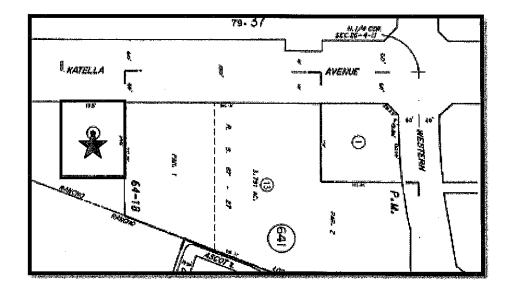
Elizabeth Ash, Chairperson Stanton Planning Commission

Amy Stonich, AICP Planning Commission Secretary

# 7320 KATELLA AVENUE

Vicinity Map





# ATTACHMENT D



ATTACHMENT E

# 6 UNITS TOWNHOUSE 7320 KATELLA AVENUE, STANTON, CA 90680

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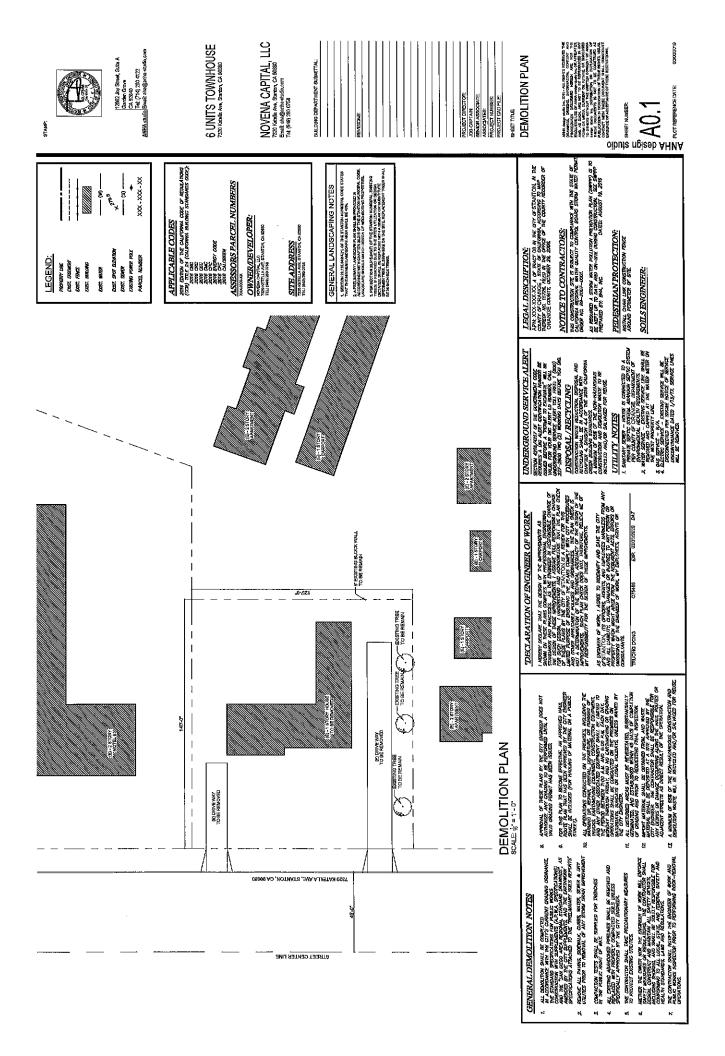
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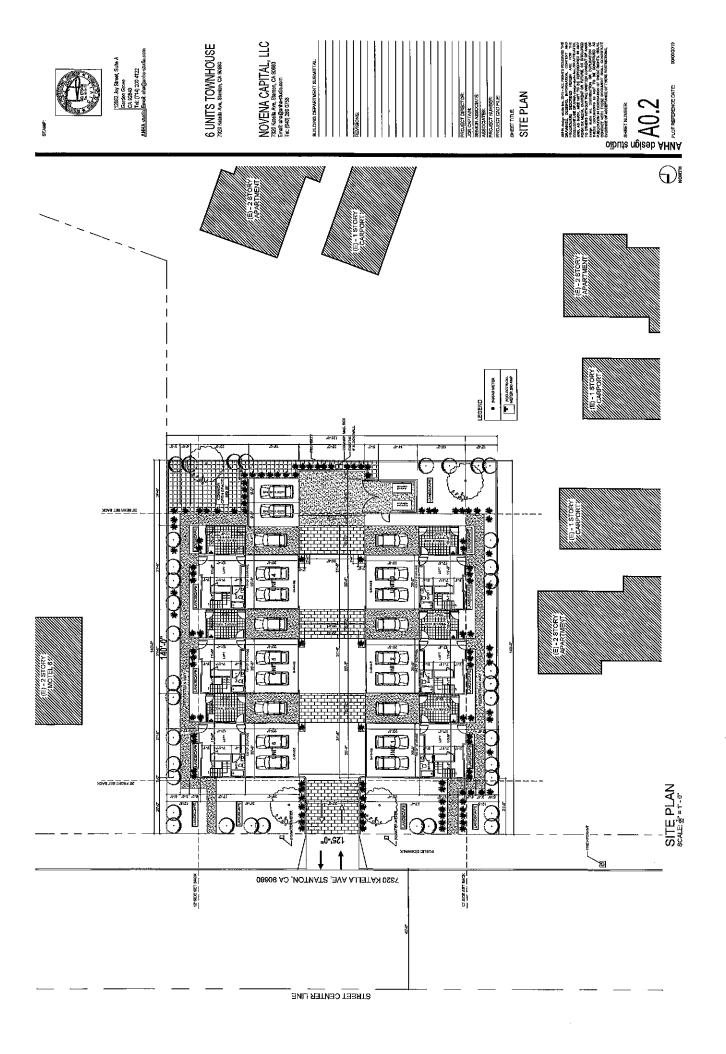
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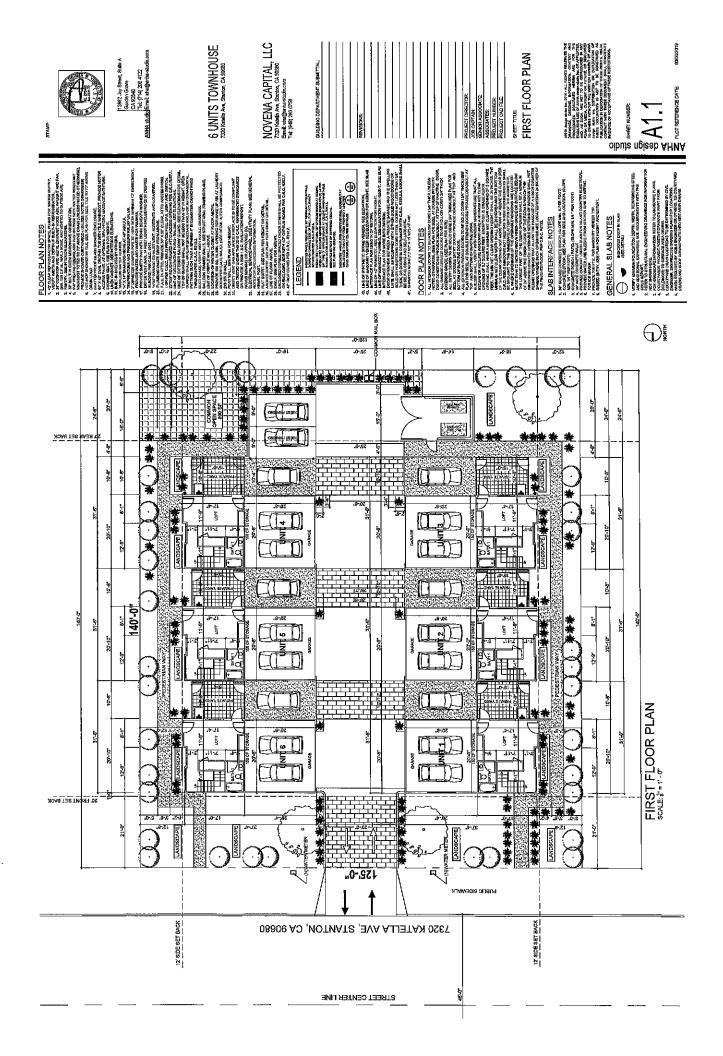
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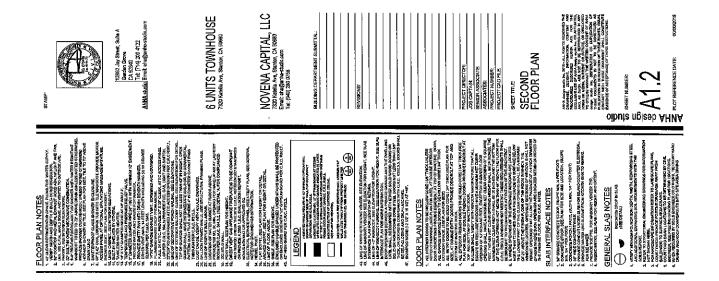
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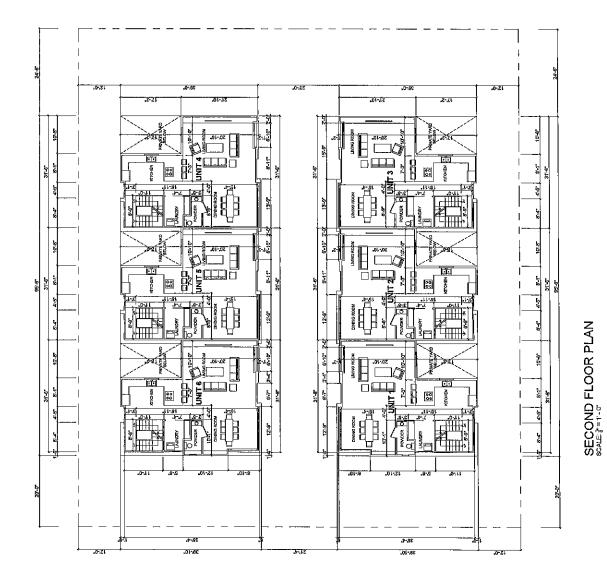


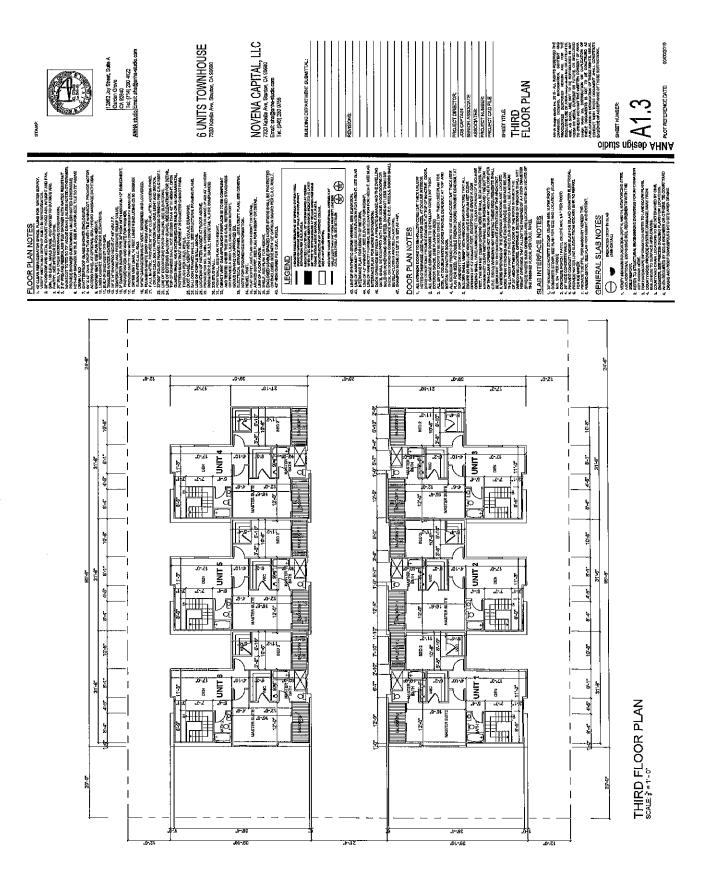


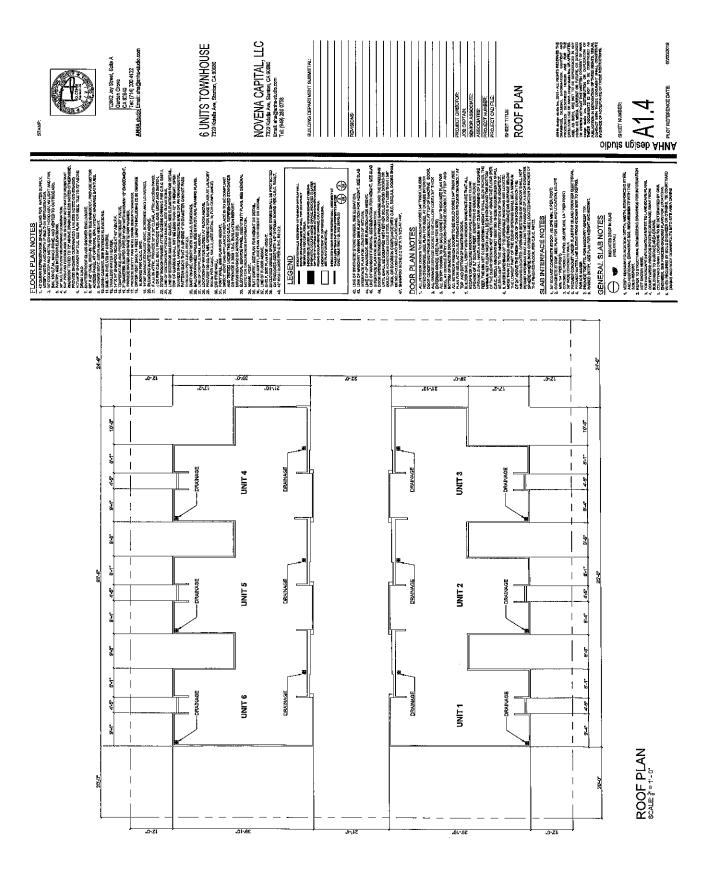


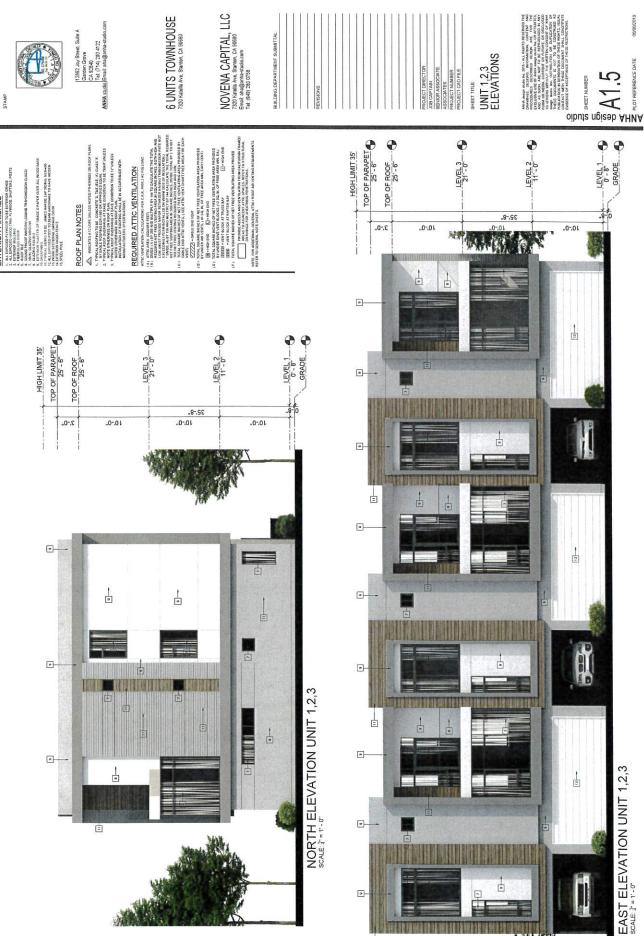


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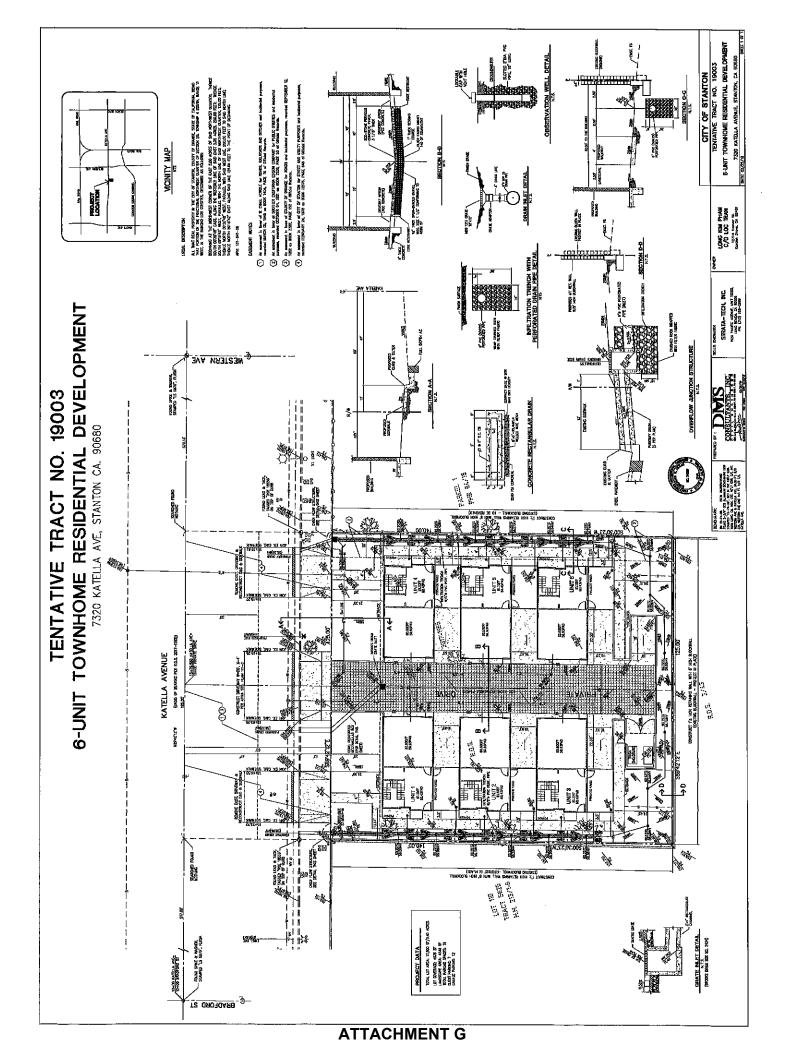
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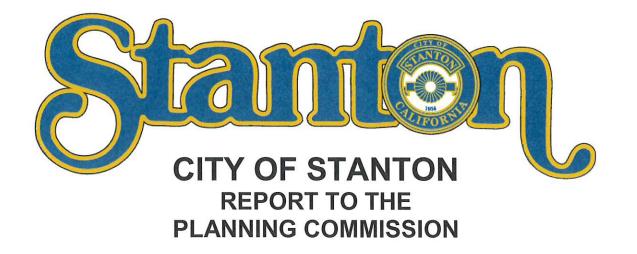








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- TO: Chairman and Members of the Planning Commission
- DATE: November 6, 2019
- SUBJECT: PUBLIC HEARING TO CONSIDER PRECISE PLAN DEVELOPMENT PPD-796, TENTATIVE PARCEL MAP TM19-01 AND VARIANCE V19-01 TO SUBDIVIDE A 0.51 ACRE SITE FOR THE DEVELOPMENT OF A HOUSING SUBDIVISION CONSISTING OF THE CONSTRUCTION OF FOUR CONDOMINIUM UNITS, A PRIVATE DRIVEWAY, COMMON OPEN SPACE AND A VARIANCE FOR THE REDUCTION OF THE MINIMUM PRIVATE DRIVEWAY LENGTH FOR THE PROPERTY LOCATED AT 7162 KERMORE LANE IN THE MEDIUM DENSITY RESIDENTIAL (RM) ZONE

### **RECOMMENDED ACTION**

That the Planning Commission:

- Conduct a public hearing;
- Declare that the project is categorically exempt per the California Environmental Quality Act (CEQA), under Section 15332, Class 32 (In-Fill Development Projects);
- Adopt Resolution No. 2495 approving Precise Plan of Development (PPD-796);
- Adopt Resolution No. 2496 approving Tentative Parcel Map (TM19-01); and
- Adopt Resolution No. 2497 approving Variance (V19-01).

### BACKGROUND

The Applicant, Kermore Development, LLC is proposing to construct four single family detached condominium units on a 0.51 acre parcel located at 7162 Kermore Lane. To accommodate this proposed project, the Applicant has requested the following Planning entitlements:

- Precise Plan of Development (PPD-796) Section 20.530.030 of the Stanton Municipal Code (SMC) requires a development permit for the construction of two or more new dwelling units on a lot or in conjunction with the submittal of a subdivision;
- Tentative Parcel Map (TM19-01) Required for the property subdivision to include four numbered lots for condominium purposes; and
- Variance (V19-01) To allow a reduction in the minimum private driveway length as required by Section 20.320.070(J)(3)(c) of the SMC.

# ANALYSIS/JUSTIFICATION

**PROJECT LOCATION** – The project site is located on the south side of Kermore Lane, between Knott Avenue and Lowden Street. The project site is a 22,050 square foot vacant parcel. The property is in the Medium Density Residential (RM) zone and General Plan designation of Medium Density Residential. Surrounding zoning and uses include a subdivision known as Harmony Lane to the west and east in the RM zone; single family residences to the north in the RM zone; and single family residences to the south in the Single Family Residential (RL Single family) zone.

**PROJECT DESCRIPTION** – The Applicant is proposing to construct a new residential subdivision on an existing 0.51 acre site (Assessor's Parcel Number: 079-753-24). The site previously housed a dilapidated single family dwelling and accessory structures which were recently demolished. The project proposal consists of the construction of four new single family residential units, a private common driveway, and common and private open space. The proposed homes would consist of two-story units ranging in size from 2,476 - 3,168 square feet. Each unit includes an attached two-car garage with access from the common driveway. There is one common (lettered) lot, which would consist of the common private driveway, landscaping, and common open space areas.

In terms of density, the proposed project would be constructed at a ratio of eight dwelling units per acre. This density is consistent with the General Plan, which allows up to 11 dwelling units per acre. The RM zone allows a density range between 6.1-11 dwelling units per acre (du/ac). In terms of setbacks, a 20-foot setback is provided along the front property line along Kermore Lane; a ten-foot side yard setback is provided along the western property line; a varying side yard setback ranging from 10 feet to 24 feet is provided along the eastern property line; and a 20 foot setback is provided along the northern property line. The distance between habitable structures is ten feet, with a five-foot wide side yard separation provided to each housing unit separated by a fence.

**CIRCULATION/PARKING/VARIANCE REQUEST** – The project site includes access to Kermore Lane from one common driveway. The proposed private common driveway also provides vehicular access to the garages for the four units. Section 20.320.070(J)(3)(a)of the SMC states that driveways serving 10 or less dwelling units shall be a minimum of 20 feet in width for two-way traffic. Further, Section 20.320.070(J)(3)(c) of the SMC states that driveways serving 10 or less dwelling units with garages on either side shall be increased a minimum of five feet to accommodate vehicle maneuvering. The common driveway would only provide a width of 24 feet 2 inches where adjacent to the private driveways. In order to maintain the minimum 25 foot width of the common driveway adjacent to the garages, the Applicant is requesting a variance to allow for a reduction in the minimum private driveway length.

The property is a long, narrow lot which measures 74 feet 6 inches in width and 296 feet in length. After meeting the minimum 10 foot side yard setback on the western property line, the minimum 20 foot garage length with an addition 4 inches for the garage wall, and the minimum 20 foot private driveway for parking, there is only 24 feet 2 inches to accommodate the common driveway in the areas that are adjacent to the private driveways. The SMC requires the private driveways to be a minimum 20 feet in length in order to be counted as a parking space. However, for commercial parking lots, the required parking stall length is 19 feet for a standard stall, and 18 feet for a compact parking space, with the required 25 foot drive aisle. This would net a total parking and maneuvering area of 44 feet in a commercial parking scenario. If utilizing the commercial standards, the parking driveway would have a depth of 19 feet, and the drive aisle would then have a width of 25 feet 2 inches, which would meet the minimum standard. The driveway standard in the code to require a 20 foot x 20 foot parking pad was intended to maintain a consistent standard with the parking requirement for the enclosed garage. However, the purpose for having this dimension requirement for the enclosed garage is to ensure an individual would be able to walk around the perimeter of the vehicle within the enclosed space. As the parking spaces located in the open driveway area can be accessed without any impediments, the reduction in the parking space, or drive aisle would not create a hindrance, and maintains the minimum dimension standards required to successfully and safely perform vehicle maneuvers. In addition, the property to the north, which also proposed a four-unit townhome subdivision on a parcel with the identical lot width, was granted a variance in March of 2019 for a reduction in the driveway width to accommodate a similar development.

In regards to parking, Table 3-6 in Section 20.320.030 of the SMC requires a four bedroom condominium to provide four parking spaces per dwelling unit. In addition, one guest parking space is required for every three dwelling units. To meet this requirement, the Applicant is proposing a two-car garage with two parking spaces on each driveway per unit and two guest parking spaces located adjacent to the open space area between units 3 and 4. In total, there would be 18 off-street parking spaces provided, which would equate to 4.5 parking spaces provided per unit.

To ensure the parking spaces are available and utilized appropriately, staff is recommending several conditions of approval in Resolution No. 2495 (PPD-796). The conditions of approval include: Planning Condition No. A31, which would require language to be included in the Declaration of Covenants, Conditions, and Restrictions (CC&R's) to require the Homeowners Association (HOA) to provide an affidavit on a yearly basis indicating that all parking spaces are used for the parking of two vehicles per garage. Planning Condition No. A-14 would require a minimum of two guest parking spaces to be continually maintained and to be clearly marked as guest parking spaces.

**FLOOR PLANS** – The proposed project includes three floor plan options, which have similar layouts. All four of the units would be two stories with a porch entry, a kitchen, a great room, a bedroom and bathroom on the first floor. The second floor of all four units would have a loft, a laundry room, three bedrooms, and three bathrooms. The two interior lots would feature identical floor plans. As proposed, living space would range from 2,476 to 3,168 square feet.

**DESIGN AND ARCHITECTURE** – The dwelling units feature elevations which include earth tone stucco with trims and treatments around the windows. The homes will also provide architectural enhancements such as shutters, brick veneer and decorative metal balconies to create aesthetically appealing homes. The project also provides architectural features including concrete tile roofs, stucco sand finish exteriors; vinyl windows and wood sectional garage doors. Staff worked with the applicant to ensure that the proposed development provided an enhanced appearance and neighborhood atmosphere along Kermore Lane. To accomplish this, Lot 1 has been oriented towards Kermore Lane, and has been enhanced with the front entry porch that also faces Kermore Lane

**PRIVATE AND COMMON OPEN SPACE** – Both private and common open space areas are provided for each dwelling unit. Section 20.420.050(E)(1)(b) of the SMC, requires a minimum of five percent of the total site area to be dedicated for usable open space for active and recreational uses, and this area shall have a minimum of 15 feet in width. The project site is 22,050 square feet (0.51 acres) in size and therefore 1,103 square feet of common open space would be required. The Applicant is proposing 1,171 square feet of common open space located between Units 3 and 4 which would consist of open turf and trees. The Applicant intends to install all the landscaping on the site, inclusive of the private open space areas. Staff is recommending Planning Condition No. A23 in Resolution No. 2495 (PPD-796), which would prohibit any required above ground utilities.

Section 20.420.050(E)(6)(a) of the SMC requires that each dwelling unit provide a minimum area of 150 square feet in private open space. The project would provide private open spaces for each unit ranging from 567 to 1,312 square feet. As proposed, the front yard landscape treatments and the common open space areas identified in the preliminary landscape plan would be installed by the Applicant. In order to provide additional privacy to surrounding single story units, Staff is recommending Planning Condition Nos. A-11 and 12 in Resolution No. 2495 (PPD-796), which would require the Applicant to install one 24 inch box tree within the private open space area of every unit and require the new property owners of the units to continuously maintain the trees, identified in the final landscape plan. The new property owner shall be responsible for maintaining the trees within their private yards. If the trees were ever removed, the property owner shall be responsible for replacing the tree with a tree of a similar size. This will provide visual coverage from the abutting property to the east.

### **ENVIRONMENTAL IMPACT**

Staff recommends that the Planning Commission find that the effects of the proposed project are Categorically Exempt from the requirements to prepare additional environmental documentation per California Environmental Quality Act (CEQA) Guidelines, Section 15332, Class 32 (In-fill Development Projects).

### **PUBLIC NOTIFICATION**

Notice of Public Hearing was mailed to all property owners within a five hundred-foot radius of the subject property, posted at three public places, and made public through the agenda-posting process.

Prepared by,

Approved by,

Rose Rivera Senior Planner

Amy Stonich, AICP

Contract City Planner

### **ATTACHMENTS**

- A. PC Resolution No. 2495
- B. PC Resolution No. 2496
- C. PC Resolution No. 2497
- D. Vicinity Map
- E. Color Renderings
- F. Site Plan/Landscape Plan/Floor Plans/Elevations
- G. Tentative Parcel Map

### **RESOLUTION NO. 2495**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF STANTON, CALIFORNIA APPROVING PRECISE PLAN OF DEVELOPMENT PPD-796 FOR THE DEVELOPMENT OF A HOUSING SUBDIVISION CONSISTING THE CONSTRUCTION OF FOUR (4) CONDOMINIUM UNITS, A PRIVATE STREET AND COMMON OPEN SPACE FOR THE PROPERTY LOCATED AT 7162 KERMORE LANE IN THE MEDIUM DENSITY RESIDENTIAL (RM) ZONE

WHEREAS, on November 6, 2019, the Planning Commission of the City of Stanton conducted a duly noticed public hearing concerning the request to approve Precise Development Plan (PPD-796) to develop a housing subdivision consisting of the construction of four (4) single family detached condominium units, a private street and common open space, for the property located at 7162 Kermore Lane in the Medium Density Residential (RM) zone; and

**WHEREAS**, the Commission has carefully considered all pertinent testimony and information contained in the Staff report prepared for this application as presented at the public hearing; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (California Code of Regulations, title 14, § 15000 et seq.), the City is the lead agency for the proposed Project; and

WHEREAS, the State CEQA Guidelines state that there exist categories of projects that are exempt from CEQA; and

WHEREAS, in accordance with CEQA and the State CEQA Guidelines, the City has determined approval of the Project is exempt from the requirements of CEQA and the State CEQA Guidelines pursuant to State CEQA Guidelines section 15332, Class 32 (In-fill Development Projects); and

# NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF STANTON DOES HEREBY FIND:

**SECTION 1**: The Planning Commission exercises its independent judgment and finds that the Project, as conditioned hereby, is categorically exempt under CEQA, Section 15332, Class 32 (In-fill Development Projects) which consists of in-fill development meeting the conditions described in Section 15332 of the CEQA Guidelines that is, (a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, (the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, (c) the project site has no value as habitat for endangered, rare or threatened species, (d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and

### ATTACHMENT A

(e) the site can be adequately served by all required utilities and public services. The Planning Commission finds and determines that the Property is located within an "urbanized area", as that term is defined in Section 15387 of the CEQA Guidelines, and meets the aforementioned conditions and will not cause a significant effect on the environment and is, therefore, categorically exempt from the provisions of CEQA.

<u>SECTION 2:</u> That in accordance with the requirements as set forth in Section 20.530.050 of the Stanton Municipal Code (SMC):

- A. The development is permitted within the RM zone. In Table 2-2 in Section 20.210.020 of the SMC, single family dwellings are permitted by right, subject to standards in Chapter 20.420 of the SMC. The dwelling units are setback 20 feet from the front property line, 20 feet from the rear property lines, which meets the development standard requirements indicated in Section 20.210.030 of the SMC. In addition, the project would satisfy the parking requirements outlined in Table 3-6 in Section 20.320.030 of the SMC, by providing a two-car garage for each unit with two additional parking spaces on the private driveways and two onsite guest parking spaces in the common area.
- B. The project is designed so that:
  - i. The project will not be detrimental to the public health, safety, or general welfare, and not detrimental to adjacent property. The project includes the construction of four single family detached dwelling units. Conditions of approval have been included to ensure that during the construction phase, appropriate measures are taken to minimize the impacts of the construction activities in the residential neighborhood. In addition, the project has been designed to ensure appropriate parking has been provided on the property so that on-street parking would not be impacted for the neighboring properties; and
  - ii. Architectural design and functional plan of the structures and related improvements are of high aesthetic quality and compatible with adjacent developments. The project will use quality architectural designs and materials, and incorporate varying architectural treatments including stucco and veneers with trims and treatments around the windows, shutters, brick veneers and ornate metal balconies on the elevations of the homes. The common space area will include a large turf area and shade trees; and
  - iii. Structures and related improvements are suitable for the proposed use of the property and provide adequate consideration of the existing and contemplated uses of land and orderly development in the general area of the subject site. The proposed structures are single family detached dwelling units and the proposed use of the structures is residential in nature. The exterior of the structures are designed to be consistent with

the existing residential neighborhood, and the residential use of the property is consistent with the existing and future use of the neighborhood; and

- iv. The project's site plan and design is consistent with the City's Design Standards and Guidelines, if any. The City does not currently have any adopted design guidelines. However, the project is designed to be compatible with the existing and recent residential developments within the neighborhood and the city.
- C. The project would meet all requirements of the SMC, including Title 20 (Zoning), Title 16 (Buildings and Construction) and all other applicable City regulations and policies. The development complies with all the regulations within Chapter 20.210 (Residential Zones), specifically the development standards for the RM zone. The development provides the minimum required off-street parking identified in Chapter 20.320 (Off-Street Parking and Loading Standards). The project is conditioned to comply with Title 16 (Building and Construction) and all other applicable City regulations and policies. With approval of the precise plan of development, tentative map, and variance to deviate from the minimum private driveway length, the development would be in full compliance with the municipal code and all other city regulations and policies.
- D. Efficient site layout and design; adequate yards, spaces, walls, and fences, parking, loading, and landscaping that fit within neighboring properties and developments. The development consists of four single family dwelling units. This requires a total of eight covered parking spaces and eight uncovered parking spaces on-site plus one guest parking space for every three units which the development. A total of nine spaces is required. Parking is provided by a two-car garage and two-car driveway in the front setback of every lot and a total of two guest parking spaces in the common area. A shared private driveway provides safe vehicle maneuvering by allowing vehicles to exit the site without the need to back into a public street. The development provides landscaping throughout the project area and a large landscaping area along the front setback of the property.
- Compatible and appropriate scale to neighboring properties and development; Ε. appropriate relationship to land use and development of adjacent properties, including topographic and other physical characteristics of the land. The project includes the construction of four single family detached homes, a private street, private common open space, and associated site improvements. As proposed. the development meets the minimum required 20 foot front setback, is less than the maximum height permitted, and is less than the maximum building lot coverage permitted. The topography of the land and adjacent areas is generally flat, and the new development would not create a significant topographical difference in property heights. The neighboring properties consist of single and two-story residential structures. The height of the proposed homes is 29 feet 4inches, which is consistent with SMC development standards which specify a maximum height of 32 feet. The homes in the adjacent Harmony Lane subdivision which is directly adjacent to the proposed project, was constructed at

Resolution No. 2495 November 6, 2019 Page 3 heights of 25 to 26 feet. As such, the proposed development would be compatible in height and massing with surrounding properties.

- F. Compatible architectural style with the character of the surrounding area, both to avoid repetition of identical design where not desired, and ensure compatibility in design where designed; compatible in color, material, and composition of the exterior elevations to neighboring visible structures; harmonious relationship with existing and proposed developments and the avoidance of both excessive variety and monotonous repetition. The project is consistent in design features to the newer developments within the neighborhood and city. The project would utilize stucco as the main façade material and include architectural accents such as the use of window shutters, rock or brick veneer and wrought iron treatments. The project also provides architectural features including concrete tile roofs, stucco sand finish exteriors, vinyl windows and wood sectional garage doors. The use of consistent architecture with the recent developments is to give the appearance on this small street of cohesion in the overall development.
- G. Compatible with the General Plan and any applicable specific plan. The development would be consistent with the general plan. Specifically, Action H-4.1.3(a) Development of housing for large families. The development would consist of larger single family residential dwellings consisting of four bedrooms, four bathrooms, and great rooms within the residence which would accommodate the needs of larger families. Additionally, with the proposed bedroom and bathroom on the first floor of the four units, the development could accommodate multigenerational families.

**SECTION 3**: The Planning Commission hereby finds that all of the facts, findings and conclusions set forth above in this Resolution are true and correct.

**SECTION 4**: That based upon the above findings, the Planning Commission approves Precise Development Plan (PPD-796) to develop a housing subdivision consisting of the construction of four (4) condominium units, a private street and common open space, for the property located at 7162 Kermore Lane, subject to the following Conditions:

### A. That all conditions of the Planning Division be met, including the following:

- 1. Precise Plan of Development (PPD-796) shall terminate if Tentative Parcel Map (TM19-01) is allowed to expire or the Final Map is not filed in a timely manner.
- 2. Precise Plan of Development (PPD-796) shall terminate if Variance (V19-01) is denied or allowed to expire.
- 3. The project/use shall be constructed, developed, used, operated and permanently maintained in accordance with the terms of the application, plan drawings submitted and conditions imposed in this Resolution of Approval and

the Resolutions of Approval for Tentative Parcel Map (TM19-01) and Variance (V19-01).

- 4. The development and/or use shall be in conformity with all applicable provisions of the SMC and shall conform to the requirements of the Subdivision Map Act, as applicable.
- 5. The Parcel Map shall be finaled and recorded with the County and the City of Stanton's Engineering Department prior to issuance of Building Permits.
- 6. The Applicant(s)/Owner(s) shall apply for an address change for each unit before issuance of building permits.
- 7. The project shall install dual-glazed windows.
- 8. Low-water use landscaping shall be installed and permanently maintained in a neat and orderly manner in the area indicated in the approved Site Plan and Preliminary Landscape Plan. Each planter area shall be enclosed with raised minimum 6-inch concrete curbing and shall be provided with an automatic sprinkler system that shall guarantee an adequate supply of water to fulfill the intent of continual plant maintenance.
- 9. Final Landscape and Irrigation Plans with all required water efficiency calculations and certifications must be submitted in compliance with the Water Efficient Landscape Ordinance and in accordance with Chapter 20.315 of the SMC.
- 10. All landscaping areas shall be installed and planted prior to the issuance of a certificate of occupancy.
- 11. The Applicant(s)/Owner(s) shall plant 24-inch box trees in the private open space of every unit and the trees shall be identified in the Final Landscape Plan.
- 12. Lot owners for each residential unit are required to continuously maintain the 24inch box trees within their private open space installed by the Applicant(s)/Owner(s). If the trees were to be removed, the lot owner shall be responsible for replacing the tree with a tree of a similar size at the time of removal.
- 13. The private street shall be constructed to the satisfaction of the City Engineer.
- 14. A minimum of two guest parking spaces per unit shall be continually maintained and posted with a sign or painted on the paved surface.
- 15. All entrances, exits, and aisles shall be clearly indicated and such other devices provided as may be necessary to ensure safe movement of vehicles.

- 16. Signs shall be posted along prohibiting parking of vehicles at any time along the common driveway. The CC&R's shall also provide a prohibition of parking along the common driveway for any period of time.
- 17. Two (2) guest parking spaces shall be permanently provided and accessible at all times.
- 18. All exterior lighting shall be kept at a reasonable level of intensity and directed away from adjacent properties and public streets to minimize glare.
- 19. Proposed perimeter and interior walls/fences shall comply with Chapter 20.310 of the SMC and material shall be approved by the Planning Division.
- 20. If any perimeter wall that is proposed to remain is damaged by the Applicant(s)/Owners(s) during any portion of the demolition and construction process, the damaged property must be repaired at the cost of the Applicant(s)/Owner(s).
- 21. All perimeter walls must satisfy the traffic visibility area requirements as outlined in Section 20.305.100 of the SMC.
- 22. A concrete pad shall be provided in the private open space areas of each unit for the storage of trash receptacles. A path of travel shall also be provided from the private yards to the public right-of-way for the placement of the trash receptacles on the public street.
- 23. Vector control shall be completed on the property prior to demolition and grading.
- 24. All utilities within the development including electrical and/or cable TV service, shall be installed underground in compliance with the SMC.
- 25. Any utilities required to be placed above ground (i.e. transformer, etc.) shall not be placed within the area designated to meet the requirement for common open space.
- 26. All required school impact fees shall be paid prior to issuance of building permits.
- 27. All required park In-lieu fees shall be paid prior to the issuance of building permits. The required fees for single family dwelling units (attached and detached) are \$11,173.00 per unit.
- 28. All required sewer connection fees shall be paid prior to the issuance of building permits.

- 29. All required residential impact fees shall be paid prior to issuance of building permits. The required fee for medium density residential units is \$1,120 per unit.
- 30. Two vehicles shall be able to be parked within each garage at all times.
- 31. An annual affidavit from the Homeowners Association (HOA) must be provided to the City on a yearly basis that identifies that the garages and open parking spaces are being used and open for parking purposes as required per this resolution.
- 32. CC&R's, Articles of Incorporation and By-Laws for the homeowner's association shall be reviewed and approved by the City Staff and the City Attorney, and the California Bureau of Real Estate (CalBRE) prior to recordation and issuance of Certificate of Occupancy.
- 33. CC&R's shall include a restriction which requires that all garages be maintained for the parking of vehicles.
- 34. The Applicant shall provide the Planning Division proof of review and approval of the CC&R's by the CalBRE prior to recordation. A copy of the recorded CC&R's shall be submitted to the Planning Division prior to the release of utilities.
- 35. The CC&R's shall require that for the original sale of the completed homes, the Developer must disclose, in a manner approved by the City Attorney's Office and Community Development Director the specific number and nature of any dog kennels within 300 feet of the development boundaries. The CC&R's shall also include an acknowledgment by the Buyer that he/she is aware that the residence is located next to existing dog kennel (including the number and nature of dog kennels within 300 feet of the development boundaries) and that as long as the dog kennels are in existence, the owner and his/her successors/tenants/assigns will be subject to noise such as barking dogs.
- 36. The CC&R's shall specifically dictate responsibilities between the homeowners association and private property owners for the maintenance, both interior and exterior, of all buildings, plumbing and electrical facilities.
- 37. The CC&R's shall specifically dictate responsibilities between the homeowners association and private property owners for the maintenance of the common and private open space areas.
- 38. The CC&R's shall prohibit the removal of the common open space areas as approved on the Site Plan.

- 39. The CC&R's shall specifically identify all exclusive use easement areas and dictate the responsibilities between private property owners and the homeowners association.
- 40. CC&R's shall include a provision as to the use and maintenance of guest parking spaces, driveways, common open space and restricted open space. Guest parking spaces are to be used by guests only and are not for use by residents. Long term parking of more than 72 hours is also prohibited in guest parking spaces. Movement of a vehicle directly from one guest parking space to another shall not constitute a break in the 72 hour regulation.
- 41. The CC&R's shall contain provisions prohibiting overnight vehicular parking and/or storage of recreational vehicles on the site.
- 42. CC&R's shall prohibit parking and any type of obstruction of the required fire access lanes.
- 43. CC&R's shall prohibit the construction of additional entries/exits into individual residences.
- 44. No person or vehicle machinery related to the construction of the project shall be on the property or adjacent public rights-of-way prior to 7:30 a.m. No construction activities shall occur until 8:00 a.m. Monday through Saturday. Construction activities are strictly prohibited on Sundays and federal holidays. All construction activities shall cease by 7:00 p.m. Monday through Saturday. The Public Works Director or the Community Development Director may further restrict the days per week and hours of construction based on substantiated complaints received from surrounding neighbors and/or require an onsite inspector to be paid for by the Applicant(s)/Owner(s) (1-4 hour minimum charge per day).
- 45. Any color scheme or material alterations from those approved by the Planning Commission must be approved through the Community Development Director or City Planner.
- 46. Prior to issuance of building permits, any changes to the approved plans which occur through Building plan check must be approved by authorized Planning staff.
- 47. Any deviations to the approved Parcel Map, Site Plan, Floor Plans, Elevations and Landscape Plan must first be approved by the Planning Division. Any approval by the Building Division does not constitute approval by the Planning Division.

- 48. Any deviations from the approved Parcel Map, Site Plan, Floor Plans, Elevations, and Landscape Plan must be identified on each submittal to the Building Division.
- 49. Prior to initiation of any work in the public right-of-way, an encroachment permit must be obtained from the Engineering Division.
- 50. The Applicant shall acknowledge the conditions of approval as adopted by the City Council. Such acknowledgment shall be in writing and received by the City within 30 days of approval by the City Council. In addition, the Applicant shall record the Conditions of Approval in the Office of the County Recorder. Proof of recordation shall be provided to the Planning Division prior to Certificate of Occupancy.
- 51. THERE SHALL BE NO RELEASE OF UTILITIES IN CONNECTION WITH THIS ALL PERMIT UNTIL STANDARD AND/OR SPECIAL PLANNING. ENGINEERING. BUILDING. AND FIRE CONDITIONS HAVE BEEN COMPLETED TO THE SATISFACTION OF THE CITY OF STANTON.
- 52. The Applicant(s)/Owner(s) shall indemnify, protect, defend, and hold the City of Stanton, and/or any of its officials (appointed or elected), officers, employees, agents, departments, agencies, and instrumentalities thereof, harmless from any and all allegations, claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to arbitrations, mediations, and other such procedures), judgments, orders, and decisions (collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, legislative bodies, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval or finding issued by the City and/or any of its officials, officers, employees, agents, legislative bodies, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the Modified Project, whether such Actions are brought under the Ralph M. Brown Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure Sections 1085 or 1094.5, or any other federal, state, or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that Applicant(s)/Owner(s) shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the Applicant(s)/Owner(s) of any Action brought and City shall cooperate with applicant in the defense of the Action.

- 53. The Applicant(s)/Owner(s) or successor in interest shall be the real party in interest and shall assume primary responsibility for the defense of any legal action or proceeding commenced against the City to challenge the City's approval of Precise Plan of Development (PPD-796) and/or other City approvals related to Precise Plan of Development (PPD-796). The Applicant(s)/Owner(s) or successor in interest shall reimburse the City for all reasonable Attorneys' fees and other reasonable costs incurred by the City in defending such action or proceeding.
- 54. By accepting approval of Precise Plan of Development (PPD-796), subject to the conditions set forth herein, the Applicant(s)/Owner(s) or successor in interest shall be deemed to have agreed to the terms and conditions set forth herein and the City shall have the right to enforce in its sole discretion such terms and conditions by pursuing any and all available legal and equitable remedies.
- 55. As a condition of issuance of this approval, the applicant shall agree, at its sole cost and expense, to defend, indemnify, and hold harmless the City, its officers, employees, agents, and consultants, from any claim, action, or proceeding brought by a third-party against the City, its officers, agents, and employees, which seeks to attack, set aside, challenge, void, or annul an approval of the City Council, Planning Agency, or other decision-making body, or staff action concerning this project. The City agrees to promptly notify the applicant of any such claim filed against the City and fully co-operate in the defense of any such action. The City may, at its sole cost and expense, elect to participate in the defense of any such action under this condition.
- 56. The Applicant(s)/Owner(s) shall agree and consent in writing within 30 days to the conditions of approval as adopted by the Planning Commission. In addition, the Applicant(s)/Owner(s) shall record the conditions of approval in the Office of the County Recorders. Proof of recordation shall be provided to the Planning Division prior to final of the building permit.
- 57. In accordance with policies adopted by the City, the Applicant(s)/Owner(s) shall be responsible for any cost incurred as a result of local law enforcement or code enforcement investigations/inspections, which result in a finding of violation of any applicable laws and/or conditions of approval. The Applicant/Owner shall have 30 days from the date of receipt of invoices to make payment to the City of Stanton.
- 58. As a condition of issuance of this approval, the applicant shall agree, at its sole cost and expense, to defend, indemnify, and hold harmless the City, its officers, employees, agents, and consultants, from any claim, action, or proceeding brought by a third-party against the City, its officers, agents, and employees, which seeks to attack, set aside, challenge, void, or annul an approval of the City Council, Planning Agency, or other decision-making body, or staff action concerning this project. The City agrees to promptly notify the applicant of any

such claim filed against the City and fully co-operate in the defense of any such action. The City may, at its sole cost and expense, elect to participate in the defense of any such action under this condition.

# B. That all requirements of the Building Division be met, including the following:

- 1. Applicant shall furnish, three (3) complete sets of plans (Structural, Mechanical, Electrical, and Plumbing) designed and signed in ink by the required licensed professionals. Said plans submitted shall contain structural calculations. Mechanical plans shall include duct and equipment data. Plumbing plans shall include isometric drawing of drain vents and water system.
- 2. All plans shall meet the 2016 Title 24 Energy Code.
- 3. All plans shall be designed in conformance with the 2016 California Building Code, 2016 California Plumbing Code, 2016 California Mechanical Code, the 2016 California Electrical, the 2016 Green Building Standards, 2016 Title 24 Energy Code and Code as amended by City Ordinance.
- 4. All plans submitted after January 1, 2020 shall meet 2019 California Building Codes.
- 5. Electrical plans shall include service, panel schedules and feeder size. Panel schedules and motors shall comply with requirements of the 2016 edition of the California Electrical Codes.
- 6. Prior to issuance of building permits, provide approval by the Orange County Fire Authority.
- 7. Prior to issuance of building permits, the conditions of approval will be required to be copied on the approved set of plans. All the conditions must be completed prior to final approval and issuance of the Certificate of Occupancy.
- 8. Applicant shall have all the contractors and sub-contractors recycle construction materials to the maximum feasible extent. All recyclable construction materials are to be taken to an approved Transfer Station.
- 9. Applicant shall submit a Waste Management plan (WMP) for the demolition and new construction phases of the project. All recyclable construction materials are to be taken to an approved Transfer Station.
- 10. At plan check submittal. A stamped soils investigation report shall be submitted with the plans. Report shall include soil bearing capacity, seismic study, in compliance with the Seismic Hazard Mapping Act of the State of California,

grading, paving, sulfate test and other pertinent information under good engineering practice.

- 11. At plan check submittal. Plans shall include mandatory requirements for and Electric ready vehicle charging.
- 12. At plan check submittal. Plans shall include mandatory requirements for solar ready buildings.

### Building conditions include the following OCFA conditions:

1. Plans need to show compliance with the 2016 California Building Code (CBC), 2016 California Fire Code (CFC), NFPA standards, and local amendments.

# C. That all requirements of the Engineering Division be met, including the following:

- 1. Applicant shall submit Improvement Plans prepared by a Registered Civil Engineering for public works (off-site) improvements. Plan check fees shall be paid in advance.
- 2. City public works encroachment permit shall be taken out for all work in the public right-of-way prior to start of work. All work shall be done in accordance with Orange County RDMD or APWA and City standards and to the satisfaction of the City Inspector and completed before issuance of Certificate of Occupancy.
- 3. All existing off-site improvements (sidewalk, curb & gutter, driveways, and street paving) at the development site which are in a damaged condition or demolished due to the proposed work shall be reconstructed to the satisfaction of the City Engineer. When reconstructing full width sidewalk, curb & gutter, and driveways shall be fully improved. Structural sections of the street pavement shall be reconstructed per the requirements of an approved pavement rehabilitation report prepared by a Registered Civil Engineer.
- 4. No construction materials or construction equipment shall be stored on public streets.
- 5. All trucks hauling materials in and out of the project site shall be subject to restricted time and days of operation and truck route as determined by the City Engineer.
- 6. Prior to issuance of permits, the Applicant shall pay sewer connection fees to the City for connection to the City/County sewer system, if applicable.

## Site Specific

- 7. An on-site grading and drainage plan shall be prepared and submitted to the City Engineer for approval. Plan shall be 24" X 36", ink on mylar, with elevations to nearest 0.01 foot, scale 1"=10'. Plan shall be prepared by Registered Civil Engineer. Public works improvements may be shown on this plan. Grading plan check fees must be paid in advance.
- 8. Prior to the issuance of building permit a pad certification by the Design Civil Engineer and Soil Engineer is required.
- 9. Applicant shall submit a Water Quality Management Plan incorporating Best Management Practices (BMP) in conformance with the requirements of NPDES. Requirements of the WQMP will include construction of onsite water treatment, and maximization of infiltration.
- 10. Applicant shall properly maintain all BMPs installed on the site, as listed in the approved Water Quality Management Plan (WQMP).
- 11. Prior to approval of the WQMP, Applicant shall identify parties responsible for the long-term maintenance and operation of the structural treatment control BMPs for the life of the project and a funding mechanism for operation and maintenance.

# D. That all requirements of the Orange County Fire Authority be met including the following:

1. The applicant or responsible party shall submit the plans listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified.

Prior to issuance of a building permit, if a grading permit is not required:

• Fire master plan (service code PR 145)

Prior to issuance of a building permit:

- Architectural (service codes PR200-PR285), when required by the OCFA "Plan Submittal Criteria Form"
- Fire sprinkler system (service codes PR 400-465)

<u>SECTION 5</u>. The documents and materials associated with this Resolution that constitute the record of proceedings on which these findings are based are located at Stanton City Hall, 7800 Katella Avenue, Stanton, California 90680. The Community Development Director is the custodian of the record of proceedings.

**ADOPTED, SIGNED AND APPROVED** by the Planning Commission of the City of Stanton at a regular meeting held on November 6, 2019 by the following vote, to wit:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Elizabeth Ash, Chairperson Stanton Planning Commission

Amy Stonich, AICP Planning Commission Secretary

> Resolution No. 2495 November 6, 2019 Page 14

### **RESOLUTION NO. 2496**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF STANTON, CALIFORNIA APPROVING TENTATIVE PARCEL MAP TM19-01 (TM19-01) TO SUBDIVIDE A LEGAL PARCEL (0.51 ACRES) FOR CONDOMINIUM PURPOSES FOR THE DEVELOPMENT OF FOUR SINGLE FAMILY DETACHED HOMES, INCLUDING A PRIVATE COMMON DRIVEWAY AND PRIVATE AND COMMON OPEN SPACE FOR THE PROPERTY LOCATED AT 7162 KERMORE LANE IN THE MEDIUM DENSITY RESIDENTIAL (RM) ZONE

**WHEREAS**, on November 6, 2019, the Planning Commission of the City of Stanton conducted a duly noticed public hearing concerning the request to approve Tentative Parcel Map TM19-01 (TM19-01), a subdivision a 0.51 acre legal parcel located at 7162 Kermore Lane for the development of four single family detached homes for condominium purposes; and

WHEREAS, the Commission has carefully considered all pertinent testimony and information contained in the Staff report prepared for this application as presented at the public hearing; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code, § 21000 et seq.) ("CEQA") and the State CEQA Guidelines (California Code of Regulations, title 14, § 15000 et seq.), the City is the lead agency for the proposed Project; and

**WHEREAS**, the State CEQA Guidelines state that there exist categories of projects that are exempt from CEQA; and

WHEREAS, in accordance with CEQA and the State CEQA Guidelines, the City has determined approval of the Project is exempt from the requirements of CEQA and the State CEQA Guidelines pursuant to State CEQA Guidelines section 15332; and

WHEREAS, all legal prerequisites have occurred prior to the adoption of this Resolution.

### NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF STANTON DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

**SECTION 1**: That in accordance with the requirements as set forth in Section 19.10.100 and 19.10.110 of the Stanton Municipal Code:

A. The proposed map is consistent with the City's General Plan designation of Medium Density Residential for the subject property. The project is developed at eight dwelling units to the acre, and the maximum density for the Medium Density Residential designation is 11 dwelling units per acre. The development would also implement Strategy LU-3.1.2 to encourage infill and mixed use development within feasible development sites. The project would be developed on an underutilized infill property that has been vacant for many years. Further, the project would implement Action H-4.1.3(a) for the development of housing for large families. The development would

### ATTACHMENT B

consist of larger single family residential dwellings which consist of four bedrooms, four bathrooms, and great rooms within the residence. The homes are also designed to provide a bedroom on the first floor, providing opportunities for multi-generational living arrangements.

- B. The proposed map and project design, with the approval of the precise plan of development, tentative map, and variance to deviate from the minimum driveway width, would comply with the RM (Medium Density Residential) zone, the base zoning on the property.
- C. The site is physically suitable for the proposed type and density of development. The site is large enough to accommodate the proposed residential units, parking is sufficient to meet the needs of the proposal, street access, private and common open space areas, and emergency vehicle access. The development is a permitted use in the RM zone.
- D. The requirements of CEQA have been satisfied. Based on the environmental assessment, the subject property is less than five acres in size, within the City limits, and is substantially surrounded by urban uses. The project is also consistent with the General Plan and SMC. The project would not result in any significant effects relating to traffic, noise, air quality or water quality and has no value as habitat for endangered, rare or threatened species. The project site can be adequately served by all required utilities and public services. All required documentation has been completed for the project in compliance with CEQA. As such, the project is considered categorically exempt.
- E. The design of the proposed subdivision will not conflict with easements of record or established by court judgment, acquired by the public at-large, for access through or use of the property. Upon review of the project by the Engineering Department, there is no known conflict with any easements, or rights-of-way as there are no known easements on the property.
- F. Design and improvement of the proposed subdivision will not cause substantial environmental damage, serious public health problems, or substantial and avoidable injury to fish and game. Based on the environmental assessment completed for this development, the project would not cause substantial damage, serious public health problems, or substantial unavoidable injury to fish and wildlife. There is no recorded habitat or endangered species in the City, there are no waterways, canals, or streams in or within the surrounding area of the project that would affect fish and wildlife, there are no known hazardous materials located within the project site, and the site is not registered as a Superfund Site with the EPA.
- G. The proposed project will not result in the discharge of waste into an existing community sewer system that would result in or add to a violation of existing requirements of the Santa Ana Regional Water Quality Control Board. A Preliminary Water Quality Management Plan (WQMP) was drafted for the project. As part of the WQMP, filtration

devices and bioswales would be utilized to ensure all water within the project remains on-site and there would be no expected discharge into the sewer system or storm drain.

**SECTION 2:** The Planning Commission exercises its independent judgment and finds that the Project, as conditioned hereby, is categorically exempt under CEQA, Section 15332, Class 32 (In-fill Development Projects) which consists of in-fill development meeting the conditions described in Section 15332 of the CEQA Guidelines. that is, (a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, (the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, (c) the project site has no value as habitat for endangered, rare or threatened species, (d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and (e) the site can be adequately served by all required utilities and public services. The Planning Commission finds and determines that the Property is located within an "urbanized area", as that term is defined in Section 15387 of the CEQA Guidelines, and meets the aforementioned conditions and will not cause a significant effect on the environment and is, therefore, categorically exempt from the provisions of CEQA.

**SECTION 3:** The Planning Commission hereby finds that all of the facts, findings and conclusions set forth above in this Resolution are true and correct.

**SECTION 4**: That based upon the above findings, the Planning Commission recommends that the City Council approve Tentative Parcel Map TM19-01 (TM19-01) to subdivide a 0.51-acre legal parcel for condominium purposes for the development of four single family detached homes, with common and private open space, subject to the conditions of approval for PPD-796 and V19-01 for the property located at 7162 Kermore Lane in the RM zone:

### A. That all conditions of the Planning Division be met, including the following:

- 1. All applicable conditions of approval for PPD-796 and V19-01 shall be required for Tentative Parcel Map TM19-01 (TM19-01).
- 2. The development and/or use shall be in conformity with all applicable provisions of the Stanton Municipal Code and shall conform to the requirements of the Subdivision Map Act, as applicable.

# B. That all requirements of the Engineering Division be met, including the following:

### **Subdivision**

1. Prior to final map submittal, the private drive entrance, private drives, and end of private drive turn-around areas of the Property shall be approved by the Orange County Fire Authority.

- 2. All grading, drainage, storm drain construction, private street or drive improvements, utility installation, landscaping, irrigation, and all other Subdivision improvements shall meet the City of Stanton standards.
- 3. The Final Map, when submitted to the City for approval, shall be prepared by, or under the direction of, a California registered civil engineer licensed to survey or a licensed land surveyor.
- 4. At the time of filing of the Final Map with the City for approval the Subdivider shall provide a Preliminary Title Report dated not more than 30 days prior to the filing date. In addition to other items the Preliminary Title Report shall show in what name the ownership of the property is held, show all trust deeds including the name of the trustees, show all easements and names of easement holders, show all fee interest holders, and show all interest holders whose interest could result in a fee ownership. The title company account for this title report shall remain open until the Final Map is recorder.
- 5. All right-of-way, easements, abandonments, and vacations shall be shown on the Final Map. Public right-of-way shall be dedicated to the City in fee simple absolute. The purpose, use, and holder of the easement rights for all easements shall clearly be stated on the final map.
- 6. At the time of filing the Final Map to the City for approval the Subdivider shall also submit for approval of the City a Subdivision Agreement between the Subdivider and the City properly executed by the Subdivider, including appropriate bonds and insurance, which sets forth the requirements and responsibilities of both the City and the Subdivider relative the subdivision being created.
- 7. At the time of filing of the Final Map with the City for approval the Subdivider shall submit to the City plans and specifications and cost estimates for all improvements including, but not limited to, public and private street rights-of-way, drainage easements, culverts, drainage structures and drainage channels, water lines, sewer lines, utility lines, and other required and necessary improvements. All improvement plans, specifications, and cost estimates shall be approved by the City Engineer prior to submitting the Final Map to the City for approval.
- 8. Improvement plans shall include plans for all improvements related to the Subdivision including landscape plans, irrigation plans, and street lighting plans for all public right-of-way areas and all private areas.
- 9. Subdivider shall provide easements for public and private utilities as needed and as approved by the City.
- 10. At the time of filing the Final Map, Subdivider shall provide the City the proposed Covenants, Conditions, and Restrictions (CC&Rs) for the subdivision.

- 11. Prior to final acceptance of the Subdivision improvements, all subdivision survey monuments shall be set, and Corner Records and center line ties shall be filed with the Orange County Surveyor, and if required by law, the filing and recording of Record of Survey with the Orange County Recorder.
- 12. Prior to final acceptance of the Subdivision improvements, the Subdivider shall provide the City with As-Built mylar and electronic copies of the all subdivision plans and improvements, in a format acceptable to the City.
- 13. Subdivider shall place a County Surveyor Statement certificate on the final map for the signature of the Orange County Surveyor stating that "I have examined this map and have found that all mapping provisions of the Subdivision Map Act have been complied with and I am satisfied said map is technically correct."
- 14. At the time of filing the Final Map, the Subdivider shall provide all Final Map documents required by the Orange County Surveyor for boundary and technical plan check. Subdivider shall notify the City in writing that the required Final Map documents have been submitted to the Orange County Surveyor for boundary and technical plan check.
- 15. All streets or drives shown on the Final Map shall show proposed street names which will be subject to approval of the City.
- 16. At the time of filing the Final Map, , the Subdivider shall provide the City evidence that all utility providers with recorded title interest in the property have been informed of the pending filing of the Final Map with the City for approval, and also provide all utility provider's responses received.
- 17. At the time of filing the Final Map, the Subdivider shall provide the City with a preliminary soils report covering the Subdivision related area.
- 18. The applicant must incorporate the WQMP conditions into the covenants, conditions, and restrictions (CC&R) for the project.
- C. That all requirements of the Building Division be met, including the following:
  - 1. All applicable conditions of approval for PPD-796 and V19-01 also shall be required for Tentative Parcel Map TM19-01 (TM19-01).
  - 2. Applicant shall obtain approval of Final Parcel Map prior to issuance of building permits.
- D. That all requirements of the Orange County Fire Authority be met, including the following:
  - 1. All applicable conditions of approval for PPD-796 and V19-01 also shall be required for Tentative Parcel Map TM19-01 (TM19-01).

**ADOPTED, SIGNED AND APPROVED** by the Planning Commission of the City of Stanton at a regular meeting held on November 6, 2019 by the following vote, to wit:

AYES:	COMMISSIONERS:	
NOES:	COMMISSIONERS:	
ABSENT:	COMMISSIONERS:	
ABSTAIN:	COMMISSIONERS:	

Elizabeth Ash, Chairperson Stanton Planning Commission

Amy Stonich, AICP Planning Commission Secretary

> Resolution No. 2496 November 6, 2019 Page 6

### **RESOLUTION NO. 2497**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF STANTON APPROVING VARIANCE V19-01 TO ALLOW FOR A VARIANCE FROM THE ZONING REQUIREMENT FOR MINIMUM PRIVATE DRIVEWAY LENGTH TO ALLOW FOR THE DEVELOPMENT OF A HOUSING SUBDIVISION ON A 0.51 ACRE SITE LOCATED AT 7162 KERMORE LANE IN THE MEDIUM DENSITY RESIDENTIAL (RM) ZONE

# THE PLANNING COMMISSION OF THE CITY OF STANTON HEREBY RESOLVE AS FOLLOWS:

**WHEREAS**, on November 6, 2019, the Planning Commission of the City of Stanton held a duly noticed public hearing concerning the request to approve Variance V19-01 to allow for a variance from the zoning code requirement that driveways serving 10 or less dwelling units with garages on either side shall be increased a minimum of five feet on the side adjacent to the garage for two-way traffic for the property located at 7162 Kermore Lane in the Medium Density Residential (RM) zone; and

WHEREAS, Kermore Development, LLC ("Applicant") filed applications for approval of a Precise Plan of Development (PPD-796), Tentative Parcel Map (TM19-01) and Variance (V19-01) for the development of a 0.51 acre site ("Project Site"), located at 7162 Kermore Lane for the development of a housing subdivision consisting of the construction of four condominium units, a private street and common open space ("Project"); and

**WHEREAS,** the Project would require the following approvals from the City: Precise Plan of Development, Tentative Parcel Map and a Variance; and

WHEREAS, Staff has reviewed the environmental assessment form submitted by the Applicant in accordance with the City's procedures. Based upon the information received and staff's assessment of the information, staff recommended that the project be determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA), Section 15332, Class 32 (In-fill Development Projects); and

**WHEREAS,** the Commission has carefully considered all pertinent testimony and information contained in the staff report prepared for this application as presented at the public hearing; and

WHEREAS, the findings and conclusions made by the Planning Commission in this Resolution are based upon the oral and written evidence presented as well as the entirety of the administrative record for the Project, which is incorporated herein by this reference. The findings are not based solely on the information provided in this Resolution; and

### ATTACHMENT C

WHEREAS, all legal prerequisites have occurred prior to the adoption of this Resolution.

# NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF STANTON DOES HEREBY FIND:

**<u>SECTION 1</u>**: The Planning Commission hereby finds that all of the facts, findings and conclusions set forth above in this resolution are true and correct.

SECTION 2: CEQA. The Planning Commission exercises its independent judgment and finds that the Project, as conditioned hereby, is categorically exempt under CEQA, Section 15332, Class 32 (In-fill Development Projects) which consists of in-fill development meeting the conditions described in Section 15332 of the CEQA Guidelines; that is, (a) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, (the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, (c) the project site has no value as habitat for endangered, rare or threatened species, (d) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and (e) the site can be adequately served by all required utilities and public services. The Planning Commission finds and determines that the Property is located within an "urbanized area", as that term is defined in Section 15387 of the CEQA Guidelines, and meets the aforementioned conditions and will not cause a significant effect on the environment and is, therefore, categorically exempt from the provisions of CEQA.

**SECTION 3**: That in accordance with the findings as set forth in Chapter 20.555.050 of the Stanton Municipal Code:

A. There are special circumstances or conditions applicable to the subject property (e.g., location, shape, size, surroundings, topography, or other physical features, etc.) that do not apply generally to other properties in the vicinity under an identical zoning classification.

Because of special circumstances relating to the size of the property, this variance is necessary in order to construct homes that are equivalent to existing homes in the surrounding RM zones of the city. The subject site is located in the RM zone and is located north on Kermore Lane, east of Knott Avenue. The property is 22,050 square feet (0.51 acres) in size and has a lot width of 74.5 lineal feet and a depth of 296 lineal feet. The lot is large enough in area to accommodate four single family dwelling units, but due to the narrowness of the lot, the subject property would not be able to build to the allowable unit density as other RM zoned properties in the vicinity.

B. Strict compliance with Zoning Code requirements would deprive the subject property of privileges enjoyed by other property in the vicinity and under an identical zoning classification.

The property is zoned RM which allows for up to 11 dwelling units to the acre. The project proposal has met all development standards with the exception of the required private driveway length. As the property width is smaller than the standard lots within the RM zone, the subject property has been deprived of the ability to construct multiple dwelling units to the allowable density per SMC. After the minimum 10 foot side yard setback on the eastern property line, the minimum 20 foot garage length with an addition 4 inches for the garage wall, and the minimum 25 foot common driveway in the areas that are adjacent to the private driveways are met, there is only 19 feet 2 inches to accommodate the private driveway. The SMC requires the private driveways to be a minimum 20 feet in length in order to be counted as a parking space. However, for commercial parking lots, the required parking stall length is 19 feet for a standard stall, and 18 feet for a compact parking space, with the required 25 foot drive aisle. This would net a total parking and maneuvering area of 44 feet in a commercial parking scenario. If utilizing the commercial standards, the parking driveway would have a depth of 19 feet 2 inches, and the drive aisle would then have a width of 25 feet, which would meet the minimum standard. The driveway standard in the code to require a 20 foot x 20 foot parking pad was to maintain a consistent standard with the parking requirement for the enclosed garage. However, the purpose for having this dimension requirement for the enclosed garage is to ensure an individual would be able to walk around the perimeter of the vehicle within the enclosed space. As the parking spaces located in the open driveway area can be accessed without any impediments, the reduction in the parking space, or drive aisle would not create a hindrance, and it is maintaining the minimum dimension standards required to successfully and safely perform vehicle maneuvers.

C. Approving the Variance would not constitute a grant of special privilege inconsistent with the limitations on other properties in the same vicinity and zone in which the subject property is situated.

Granting a variance for the private driveway length does not constitute a grant of special privilege to this particular lot because the project will allow the development of homes of similar density and size to those in the vicinity and zone. Approving the Variance would not constitute a grant of special privilege as the variance is necessary in order for the site to be developed in the same manner as other RM zoned properties.

D. The requested Variance would not allow a use or activity that is not otherwise expressly authorized by the regulations governing the subject parcel.

Section 20.210.020 of the SMC permits residential developments, including single family dwelling units in the RM zone. The variance to allow for a reduction in the private driveway length does not result in the establishment of a use that is not expressly allowed in the RM zone.

**SECTION 4**: That based upon the above findings, the Planning Commission approves Variance (V19-01) to allow a variance from the zoning requirement for minimum driveway width to allow for the development of a housing subdivision on a property 22,050 square feet in size, located at 7162 Kermore Lane in the RM zone, subject to the following Conditions:

### A. That all conditions of the Planning Division be met, including the following:

1. Approval of Variance (V19-01) is contingent upon approval of Precise Development Plan (PPD-796) and Tentative Parcel Map (TM19-01) for the proposed project.

All applicable conditions of approval for PPD-796 and TM19-01 shall be required for V19-01.

- B. That all requirements of the Building Division be met.
- C. That all requirements of the Engineering Division be met.

### D. That all requirements of the Orange County Fire Authority be met.

<u>SECTION 5</u>: The documents and materials associated with this Resolution that constitute the record of proceedings on which these findings are based are located at Stanton City Hall, 7800 Katella Avenue, Stanton, California 90680. The Community Development Director is the custodian of the record of proceedings.

**ADOPTED, SIGNED AND APPROVED** by the Planning Commission of the City of Stanton at a regular meeting held on November 6, 2019 by the following vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

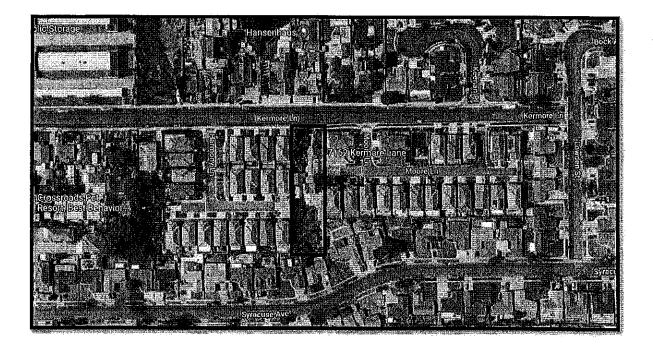
Elizabeth Ash, Chairperson Stanton Planning Commission

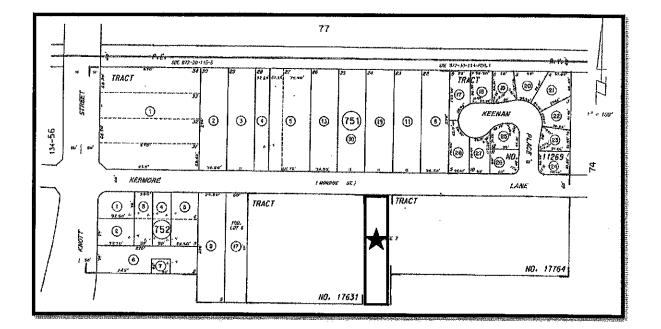
Amy Stonich, AICP Planning Commission Secretary

> Resolution No. 2497 November 6, 2019 Page 5

## 7162 KERMORE LANE

Vicinity Map





**ATTACHMENT D** 

# COLOR ELEVATIONS - 4 UNITS DETACHED CONDO 7162 KERMORE LANE, STANTON, CA 90680



KERMORE LANE ELEVATION SCALE: 1/8"=1'-0"

**ATTACHMENT E** 

- MATERIAL LEGEND: 1. STUCCON REWHOUSE WHITE #405005 2. EAGLE ROOFING TILE PONDERCOSA # 5689 3. VINYL GLAZING 4. WOOD ENTRY DOOR 5. DECORATIVE EXTERIOR LIGHT 6. WOOD SECTIONAL, GARAGE DOOR 7. EXPOSED WOOD BEAM 8. BELIX BAND 8. BELIX BAND 9. EXTERIOR WOOD SHUTTERS 10. WOOD TRIM 11. BRICK





4. TRIM WOOD TRIM















BRANDON HUYNH 7162 KERMORE LANE STANTON, CA 90680

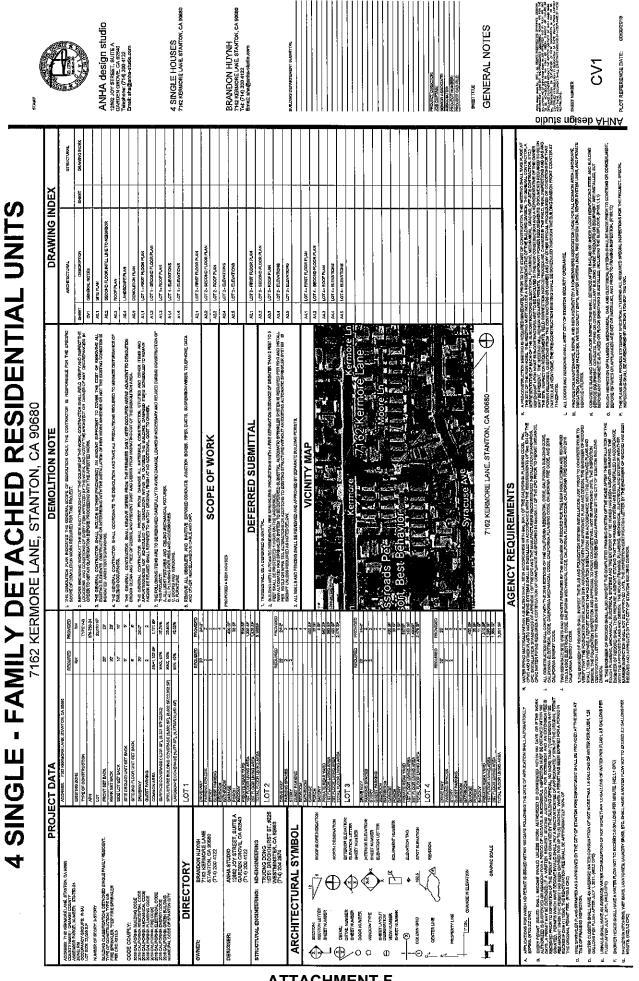
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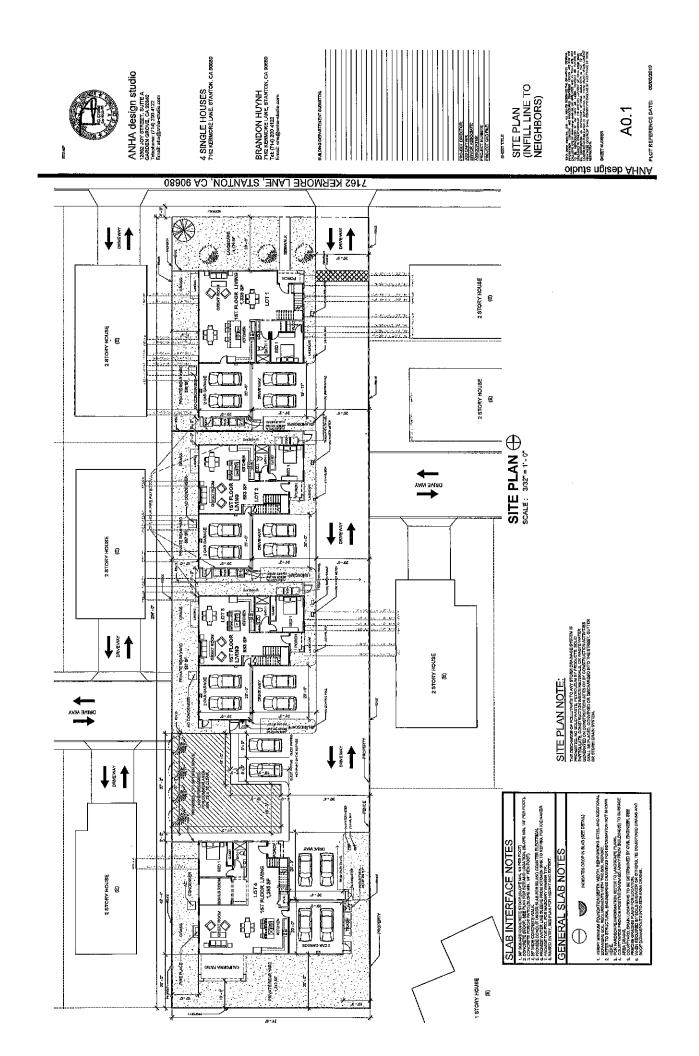
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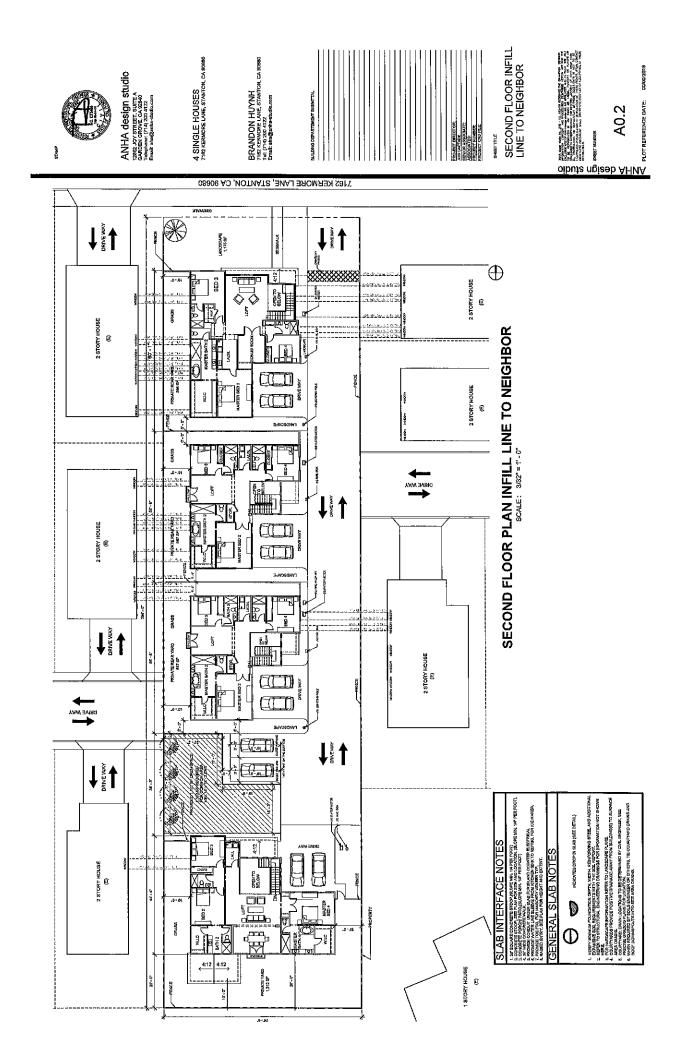
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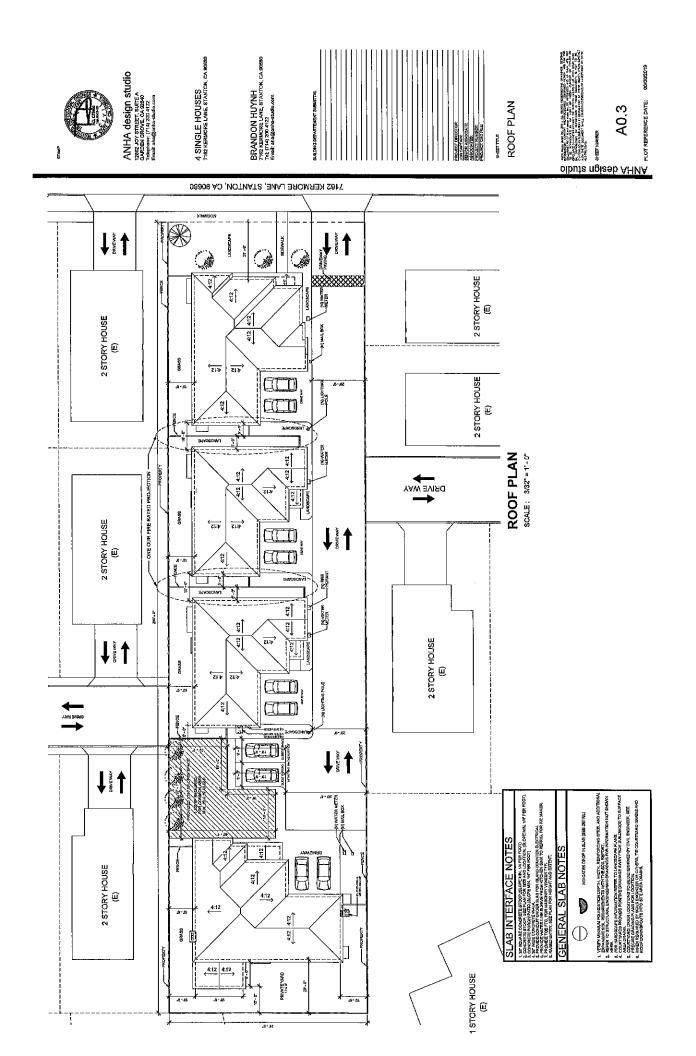
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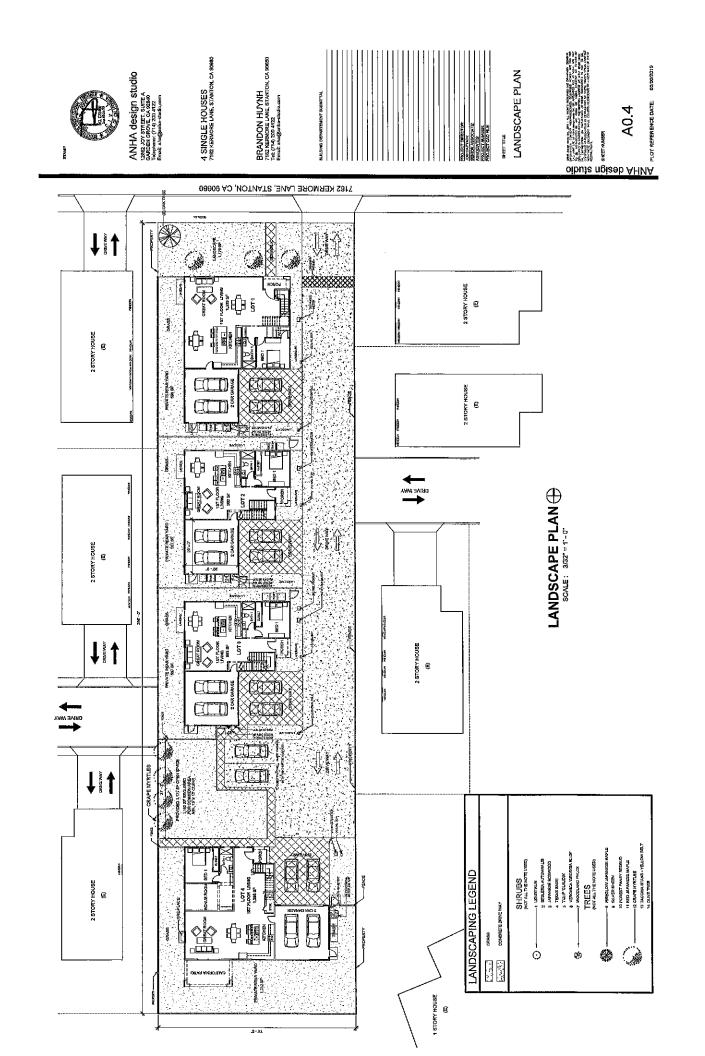


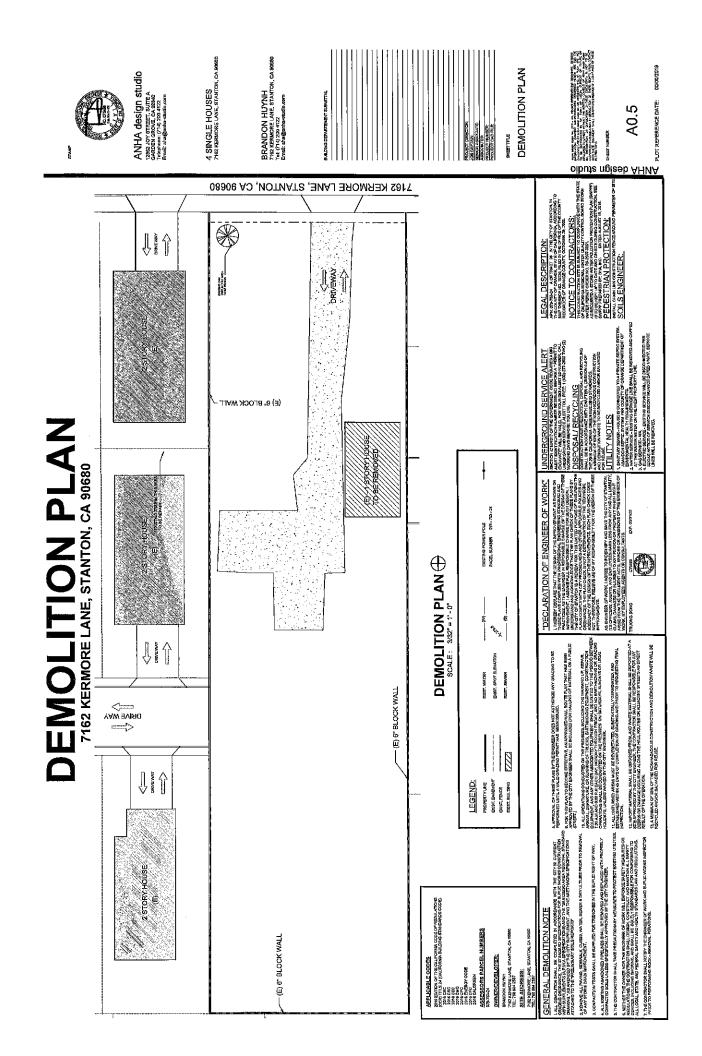
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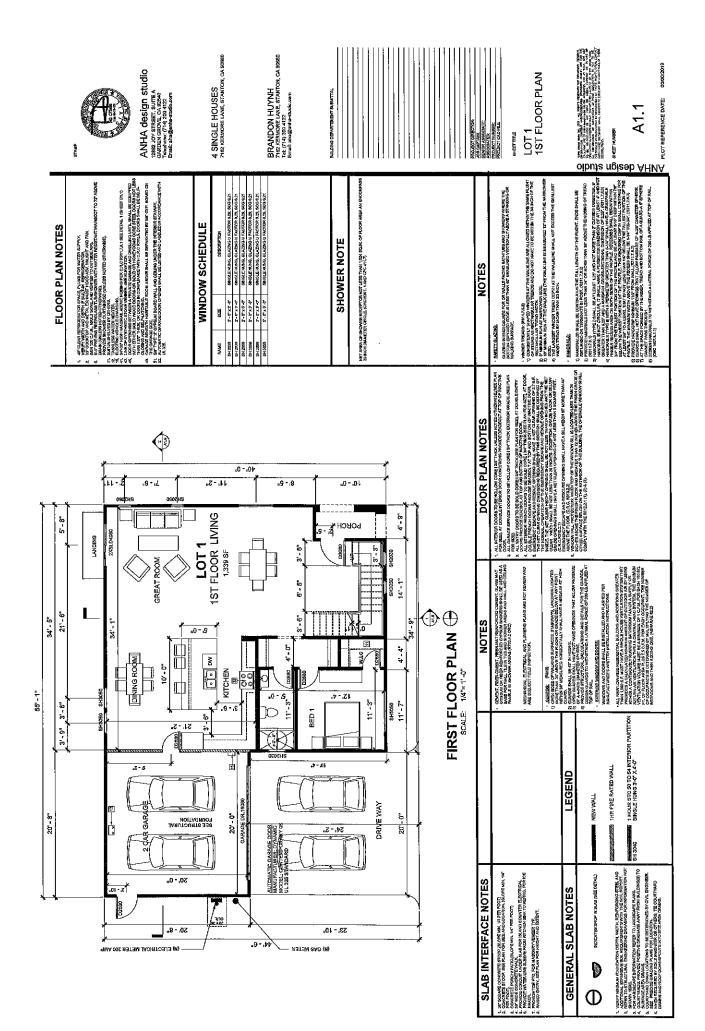






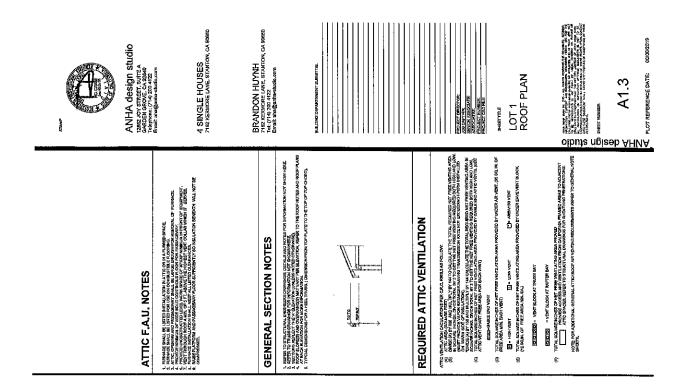


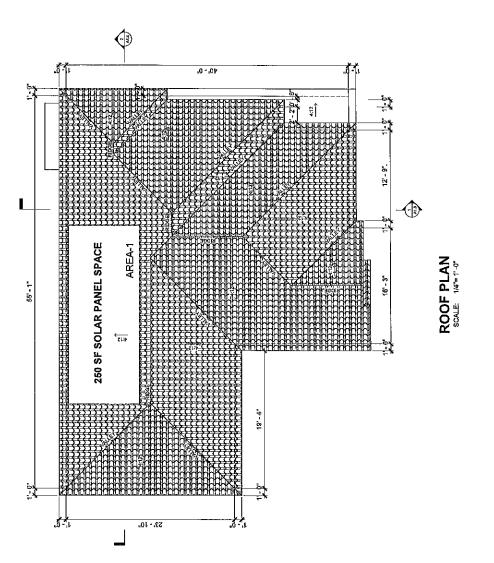


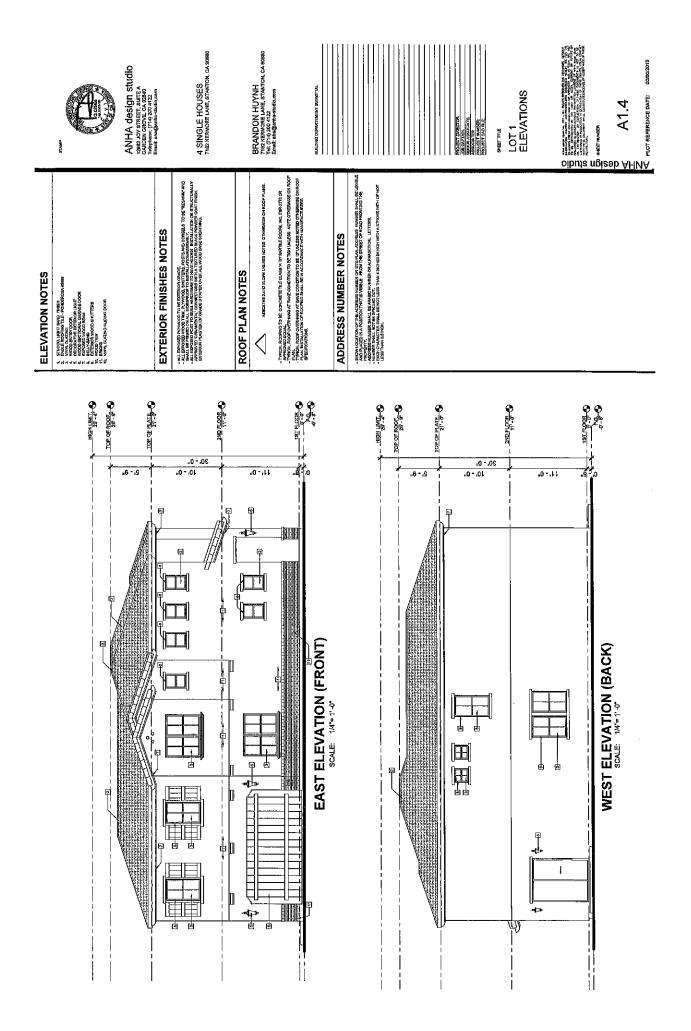


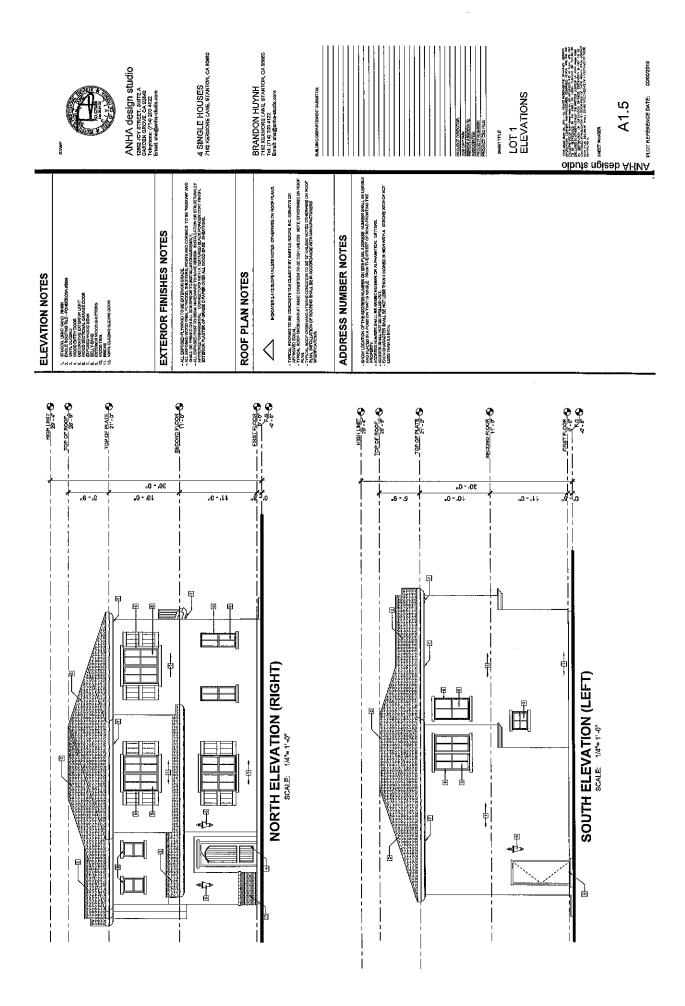
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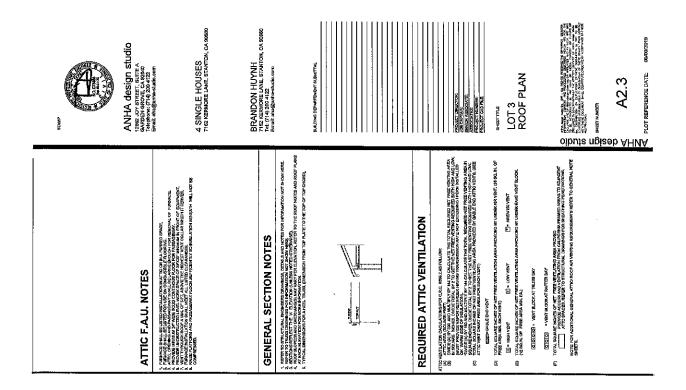


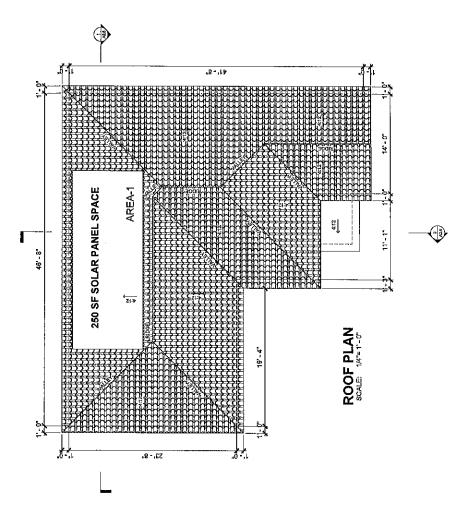


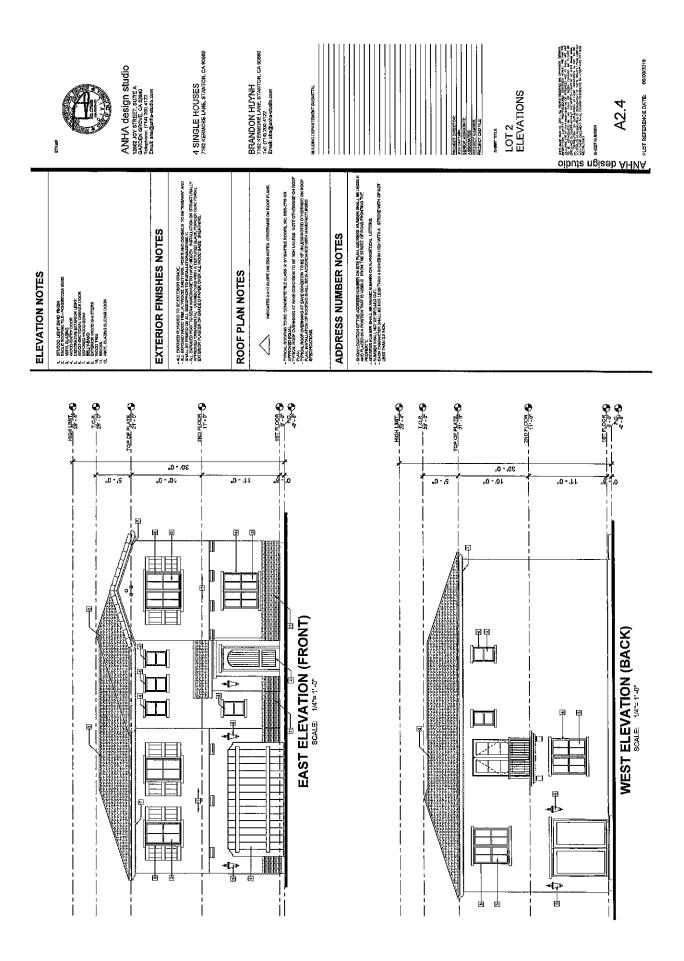


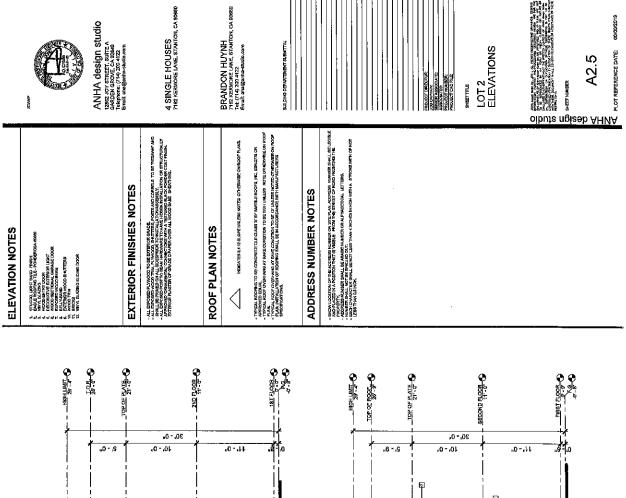
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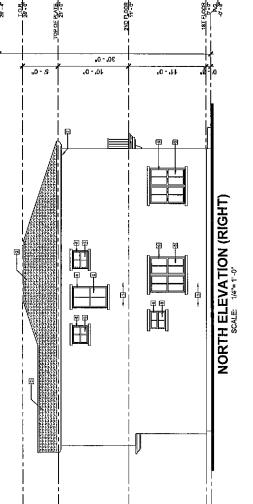
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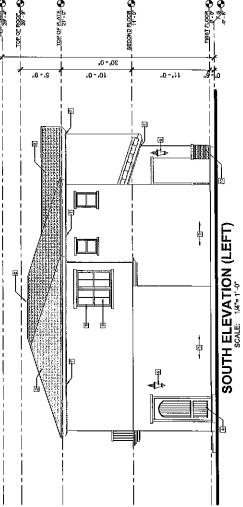


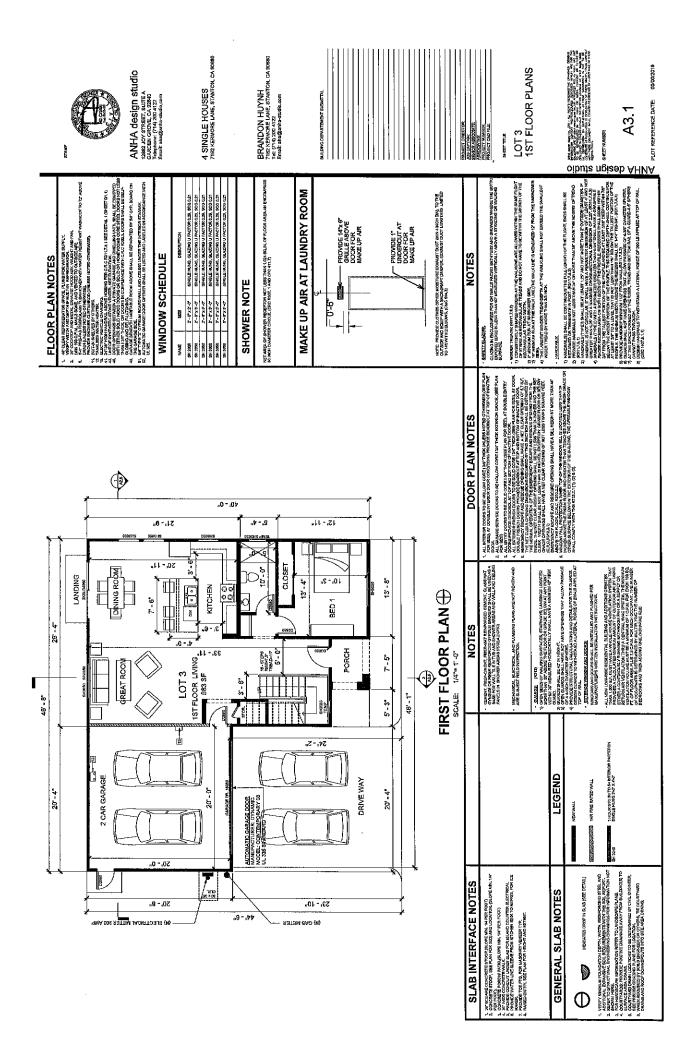




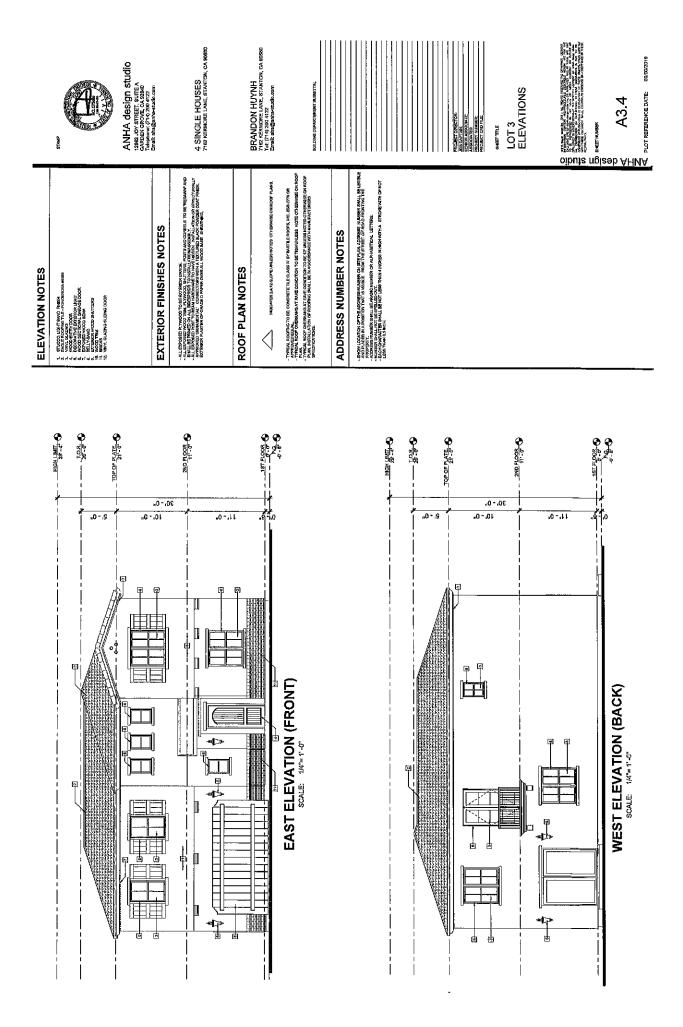


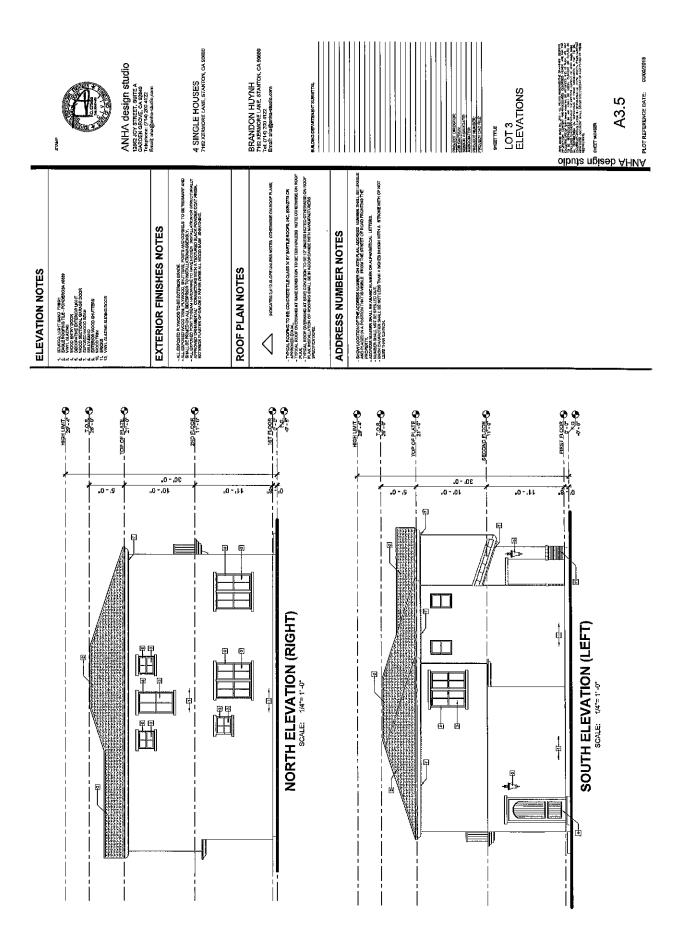




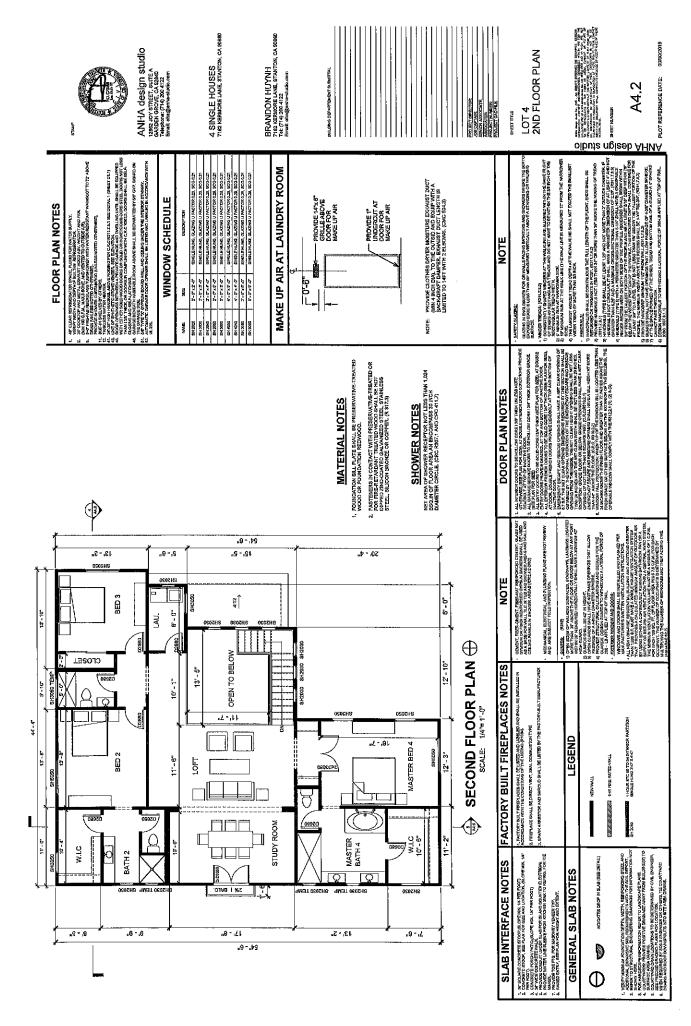


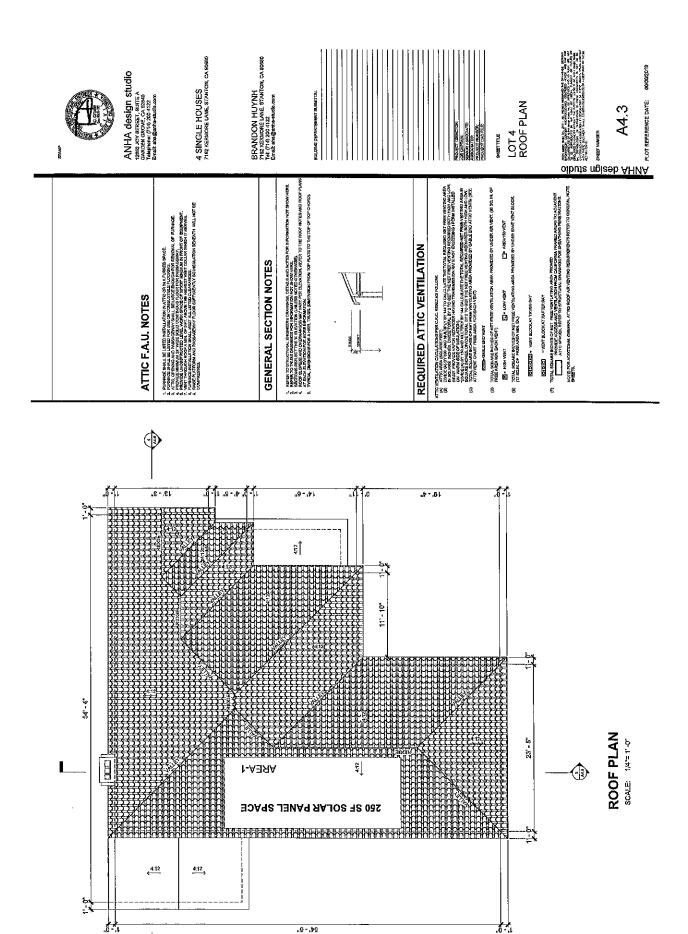
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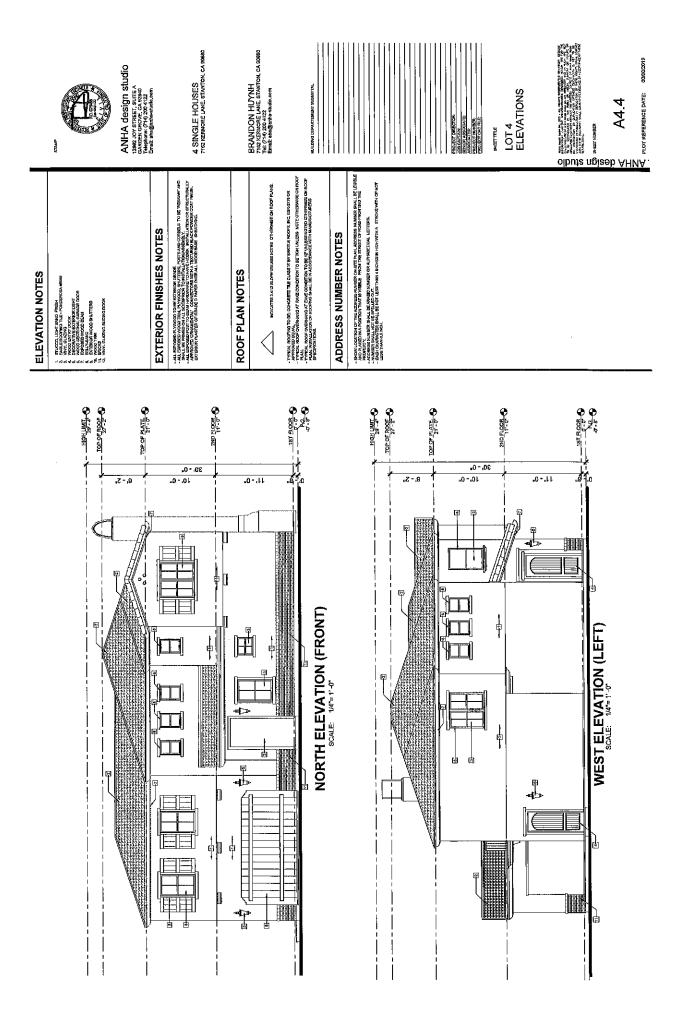


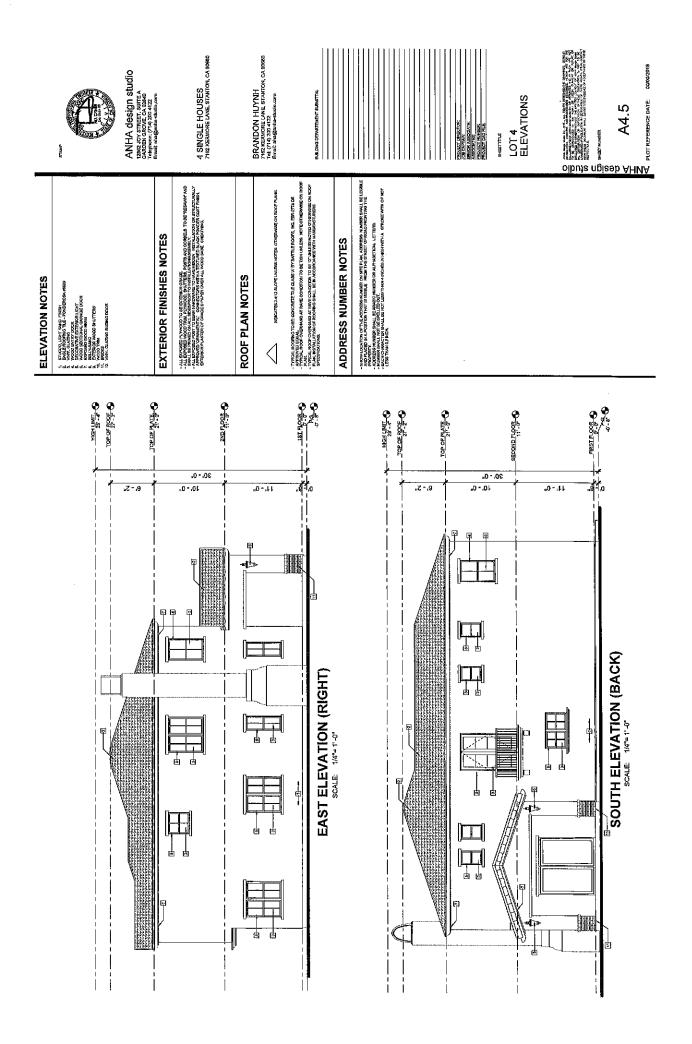


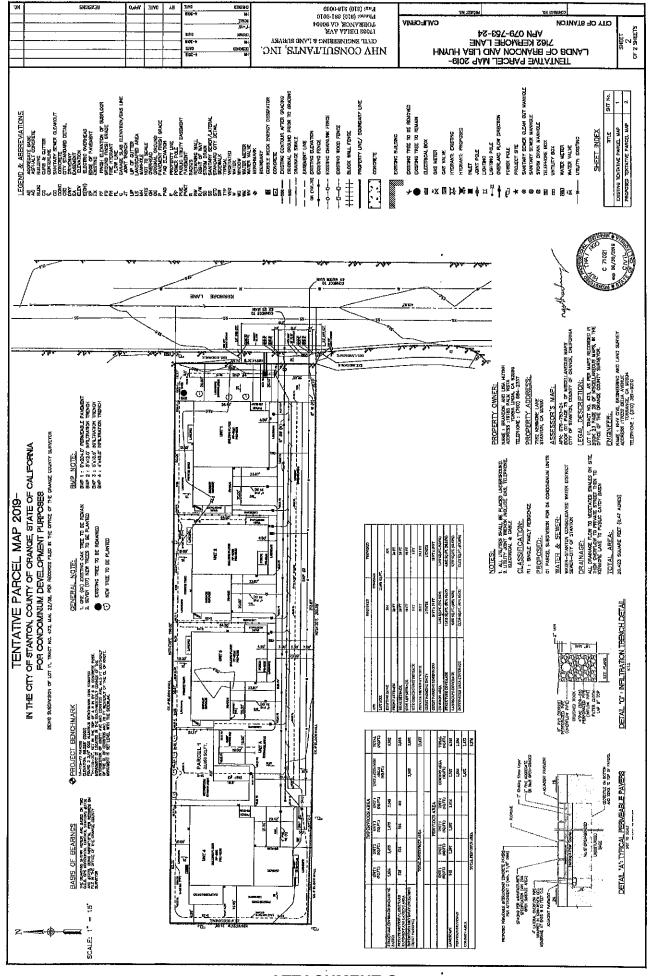
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