

CITY OF STANTON STANTON CITY HALL, 7800 KATELLA AVENUE, STANTON, CA PLANNING COMMISSION REGULAR MEETING WEDNESDAY, NOVEMBER 20, 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. <u>PLEDGE OF ALLEGIANCE</u>

3. <u>ROLL CALL</u>

Chairperson Ash Vice Chairman Frazier Commissioner Marques Commissioner Moua Commissioner Grand

PC Agenda – Regular Meeting – November 20, 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>

None.

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. CONTINUED 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

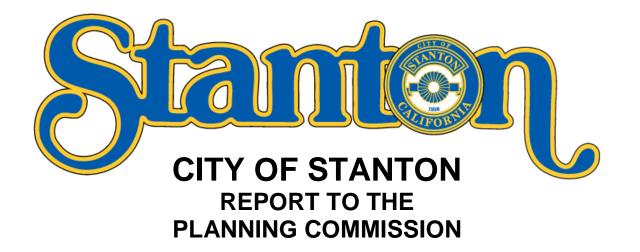
At this time Commissioners may report on items not specifically described in the agenda which are of interest to the Commission <u>provided no discussion or action may be taken</u> except to provide staff direction to report back or to place the item on a future agenda.

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 14th day of November, 2019.

Amy Stonich, AICP City Planner



- TO: Chairman and Members of the Planning Commission
- DATE: November 20, 2019
- SUBJECT: CONTINUED 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

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- Adopt Resolution No. 2497 approving Variance (V19-01).

BACKGROUND

This item was continued from the November 6, 2019 Planning Commission meeting due to lack of quorum.

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,

Hose Avera

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 20, 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 line and a minimum of ten feet from the western and eastern side 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.
- E. 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 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

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.

<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 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.

- THERE SHALL BE NO RELEASE OF UTILITIES IN CONNECTION WITH THIS 51. PERMIT UNTIL ALL 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 20, 2019 by the following vote, to wit:

- AYES: COMMISSIONERS:
- NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Elizabeth Ash, Chairperson Stanton Planning Commission

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 20, 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:

<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 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.

<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 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 20, 2019 by the following vote, to wit:

[Signatures on the following page]

SIGNATURE PAGE FOR RESOLUTION NO. 2496

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Elizabeth Ash, Chairperson Stanton Planning Commission

Amy Stonich, AICP Planning Commission Secretary

> Resolution No. 2496 November 20, 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 20, 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.

<u>SECTION 3</u>: 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 20, 2019 by the following vote, to wit:

- AYES: COMMISSIONERS:
- NOES: COMMISSIONERS:
- ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

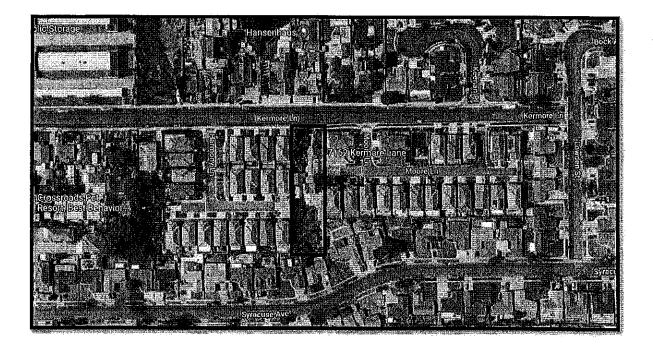
Elizabeth Ash, Chairperson Stanton Planning Commission

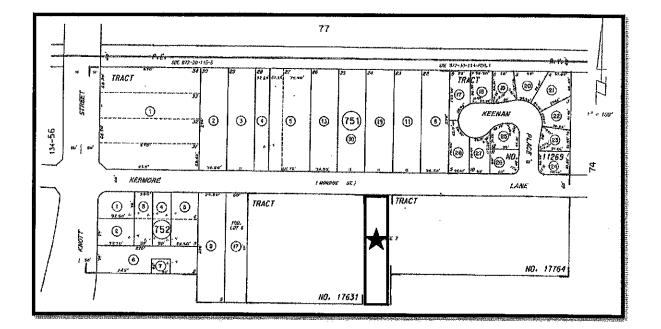
Amy Stonich, AICP Planning Commission Secretary

> Resolution No. 2497 November 20, 2019 Page 4

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

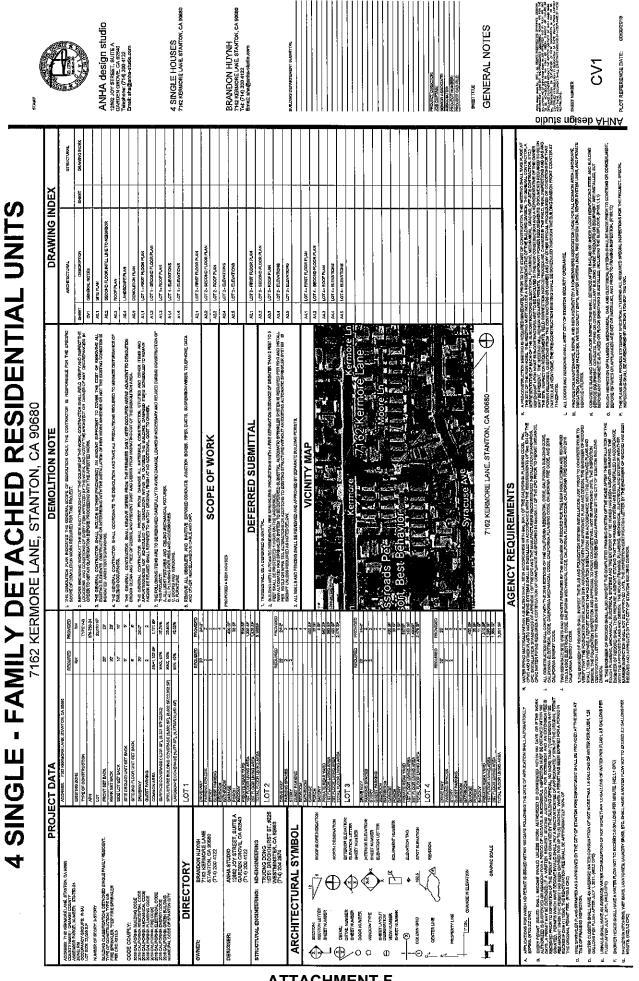
ANHA design studio 12862 JOY STREET, SUITE A GARDEN GROVE, CA 92840

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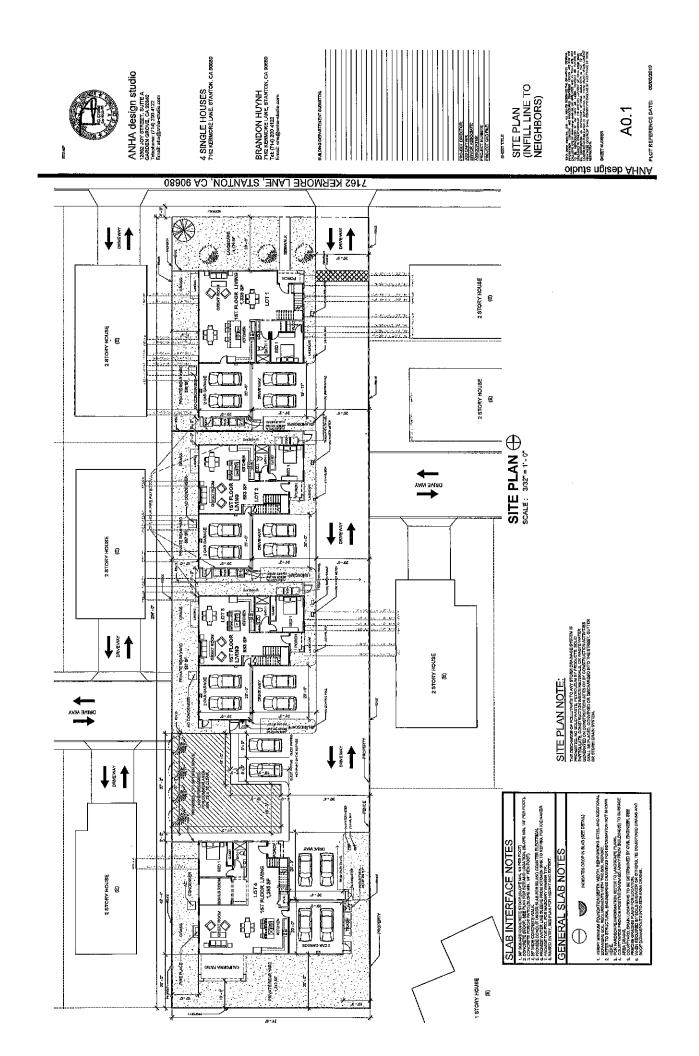
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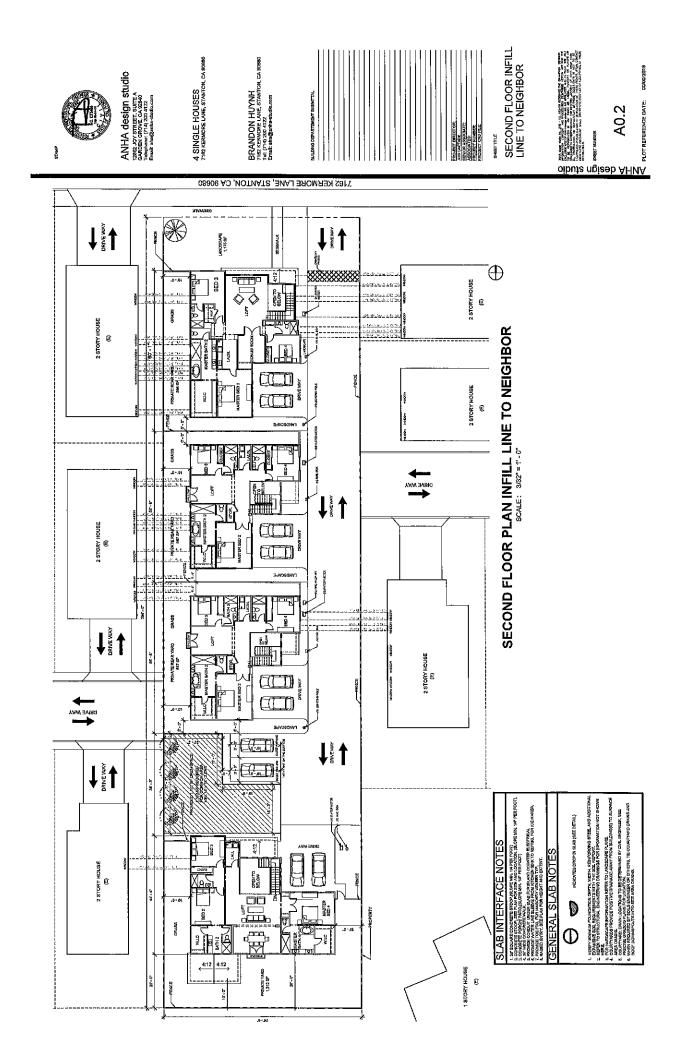
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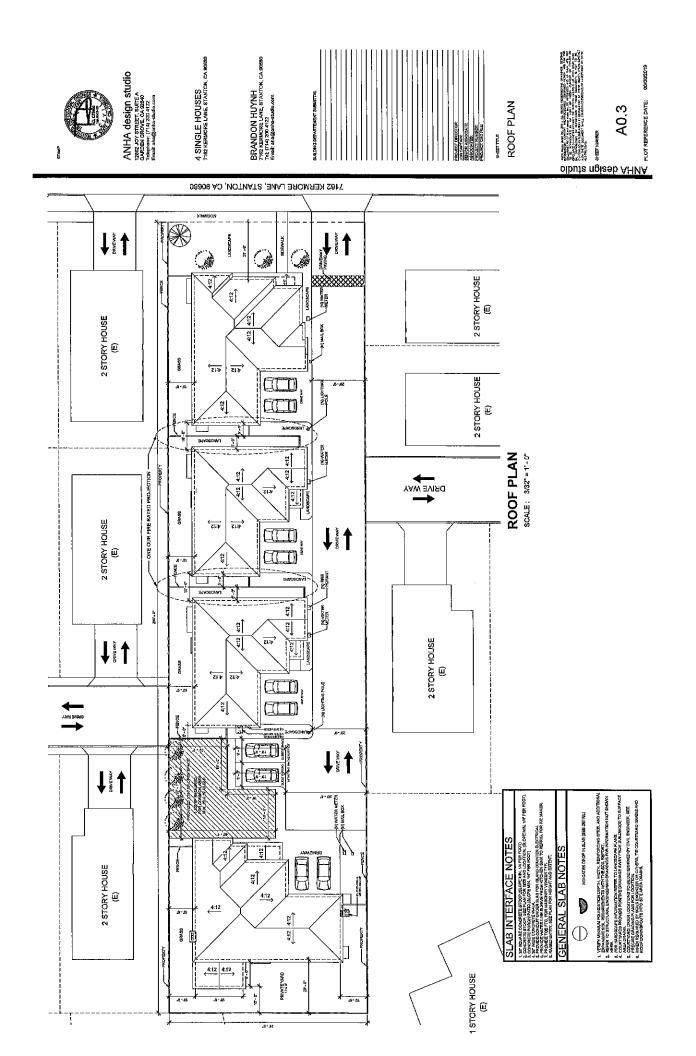
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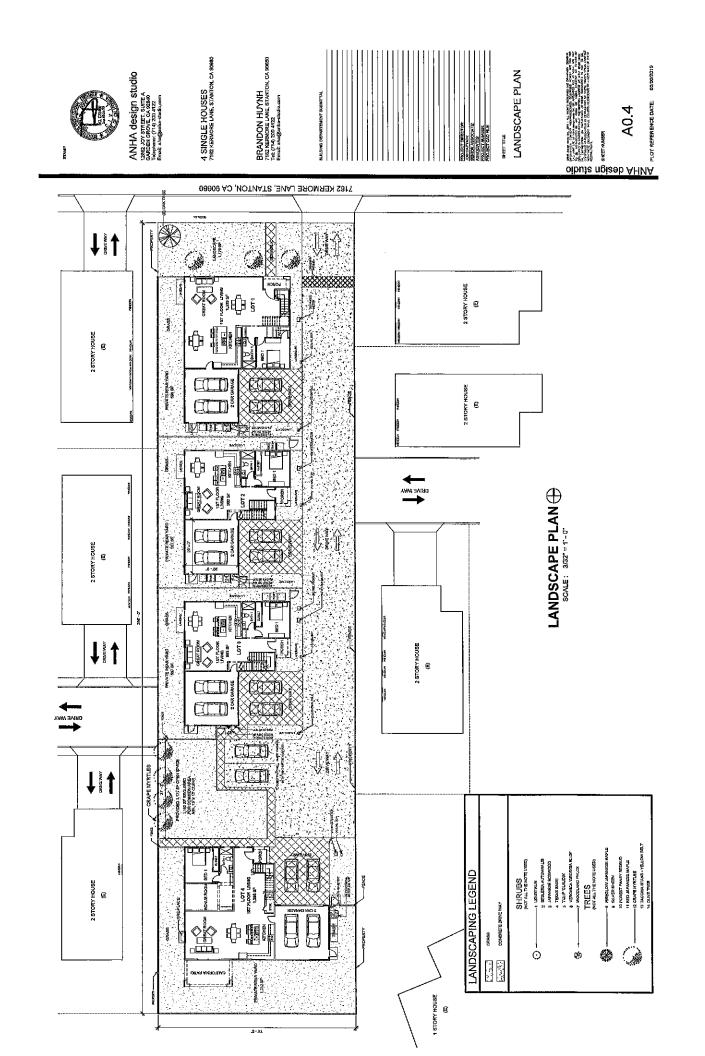


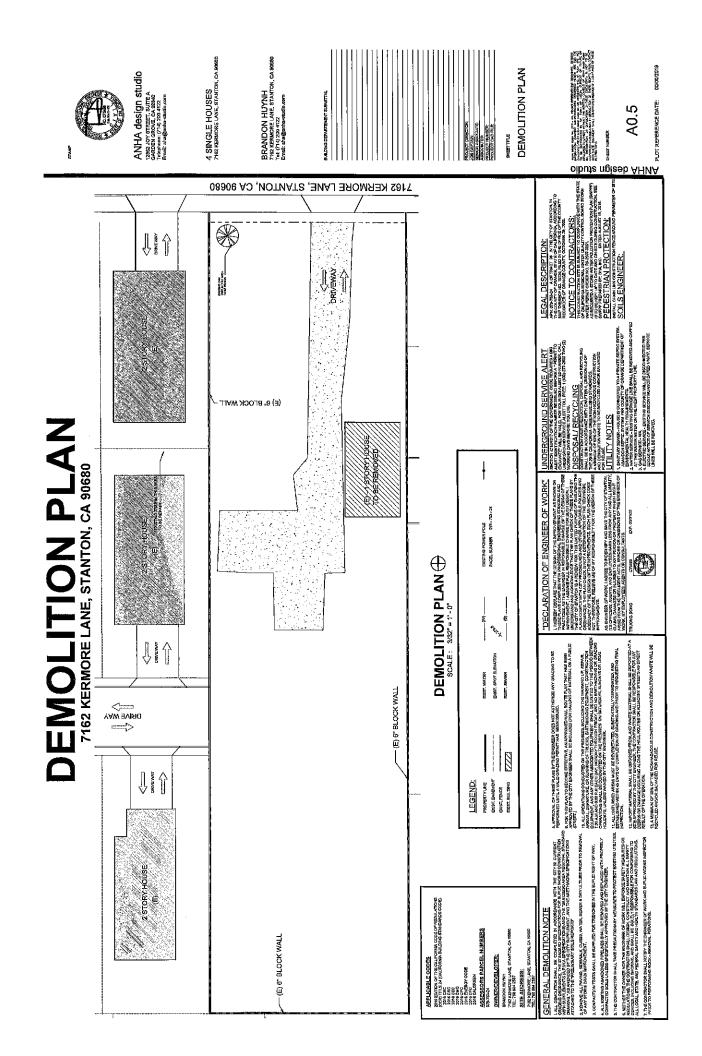
ATTACHMENT F

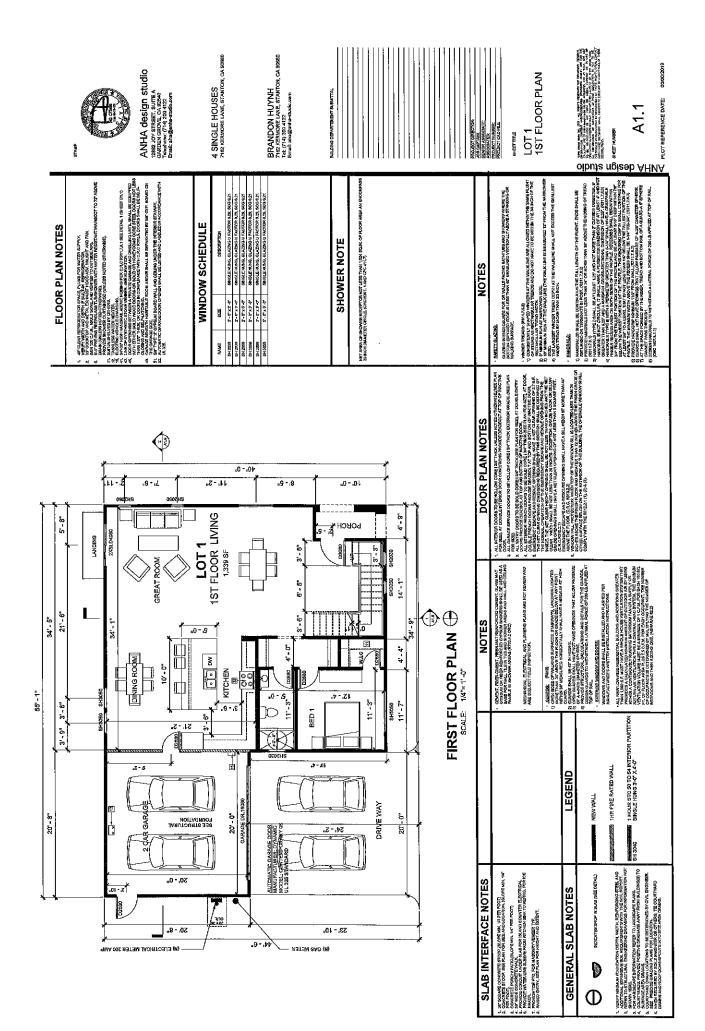






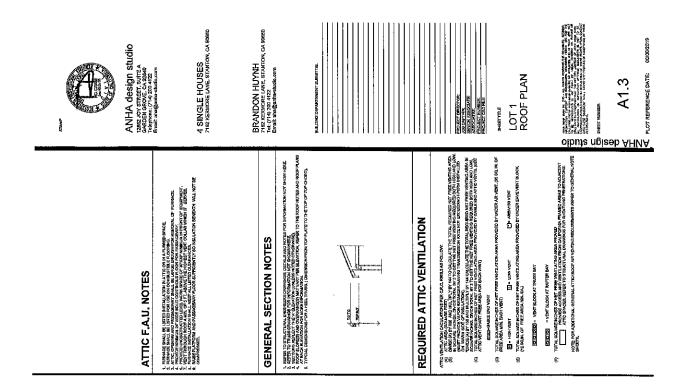


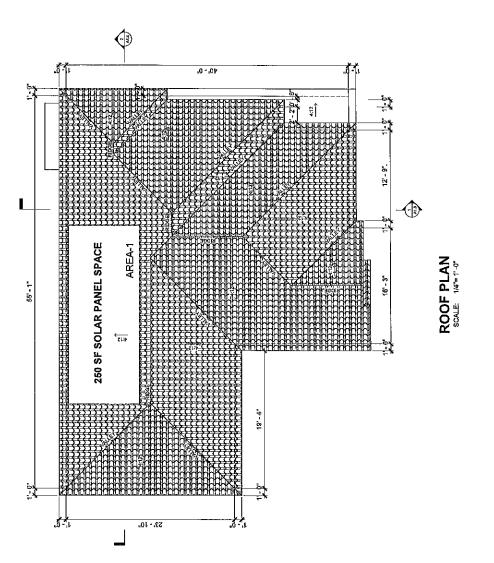


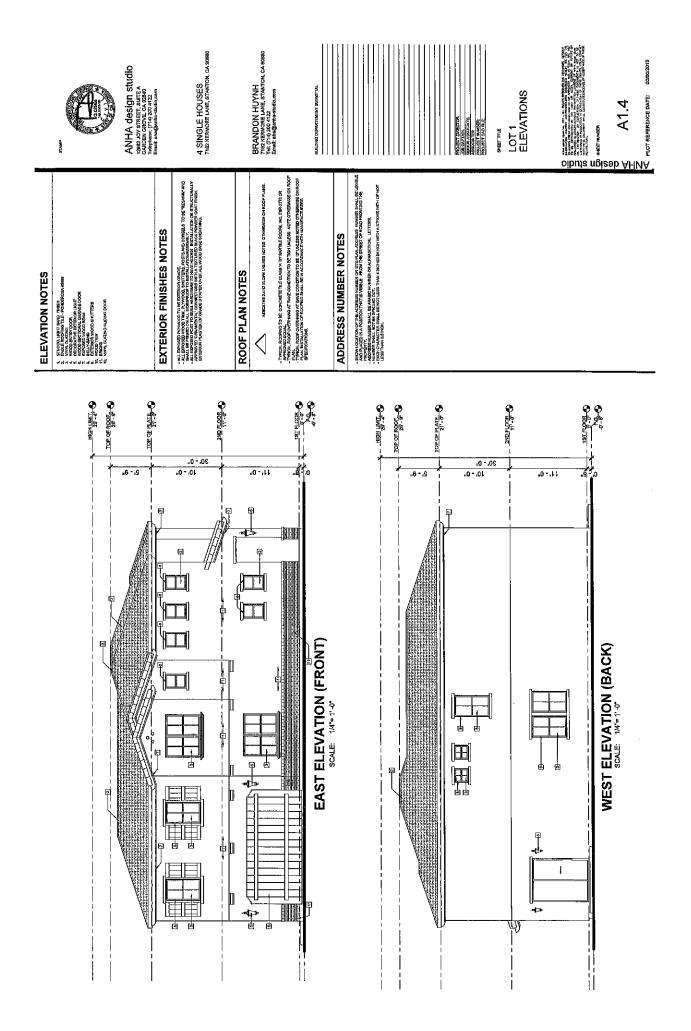


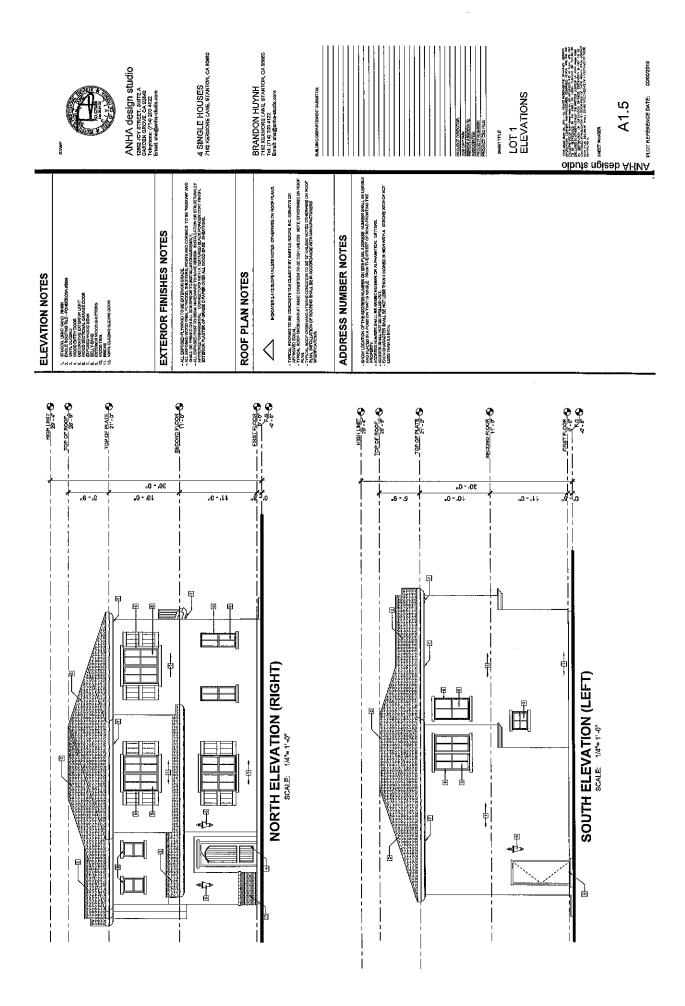
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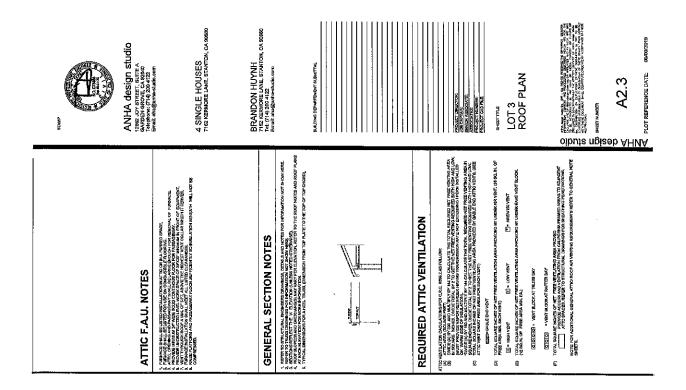


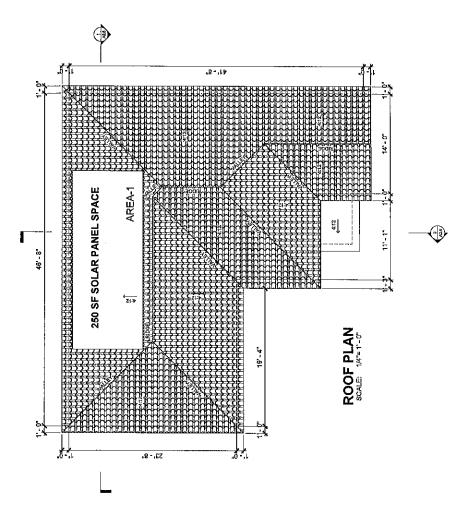


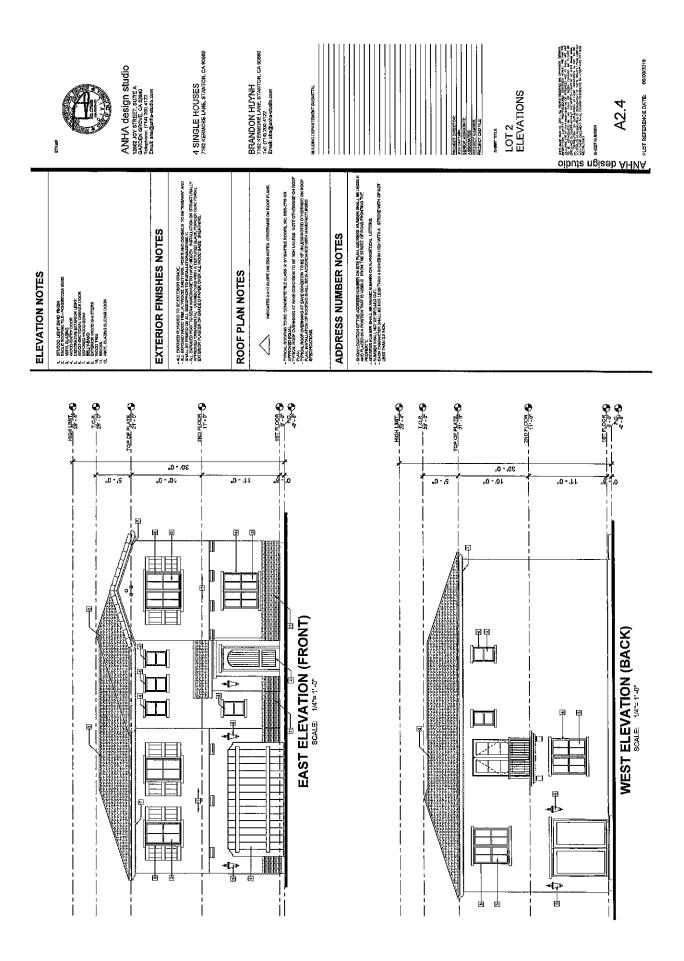


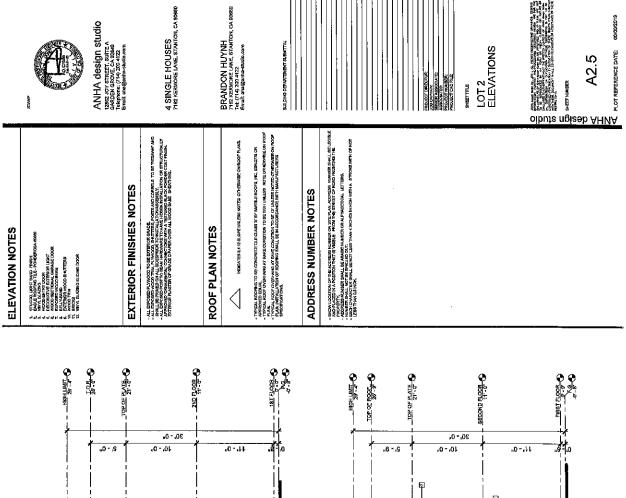
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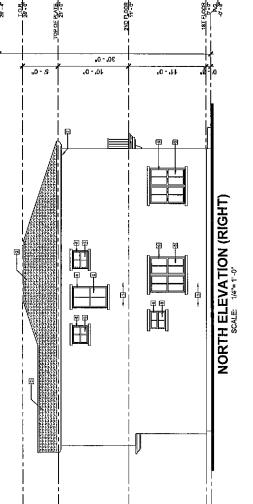
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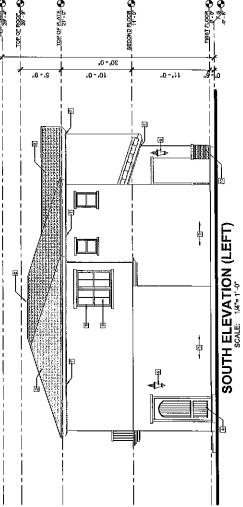


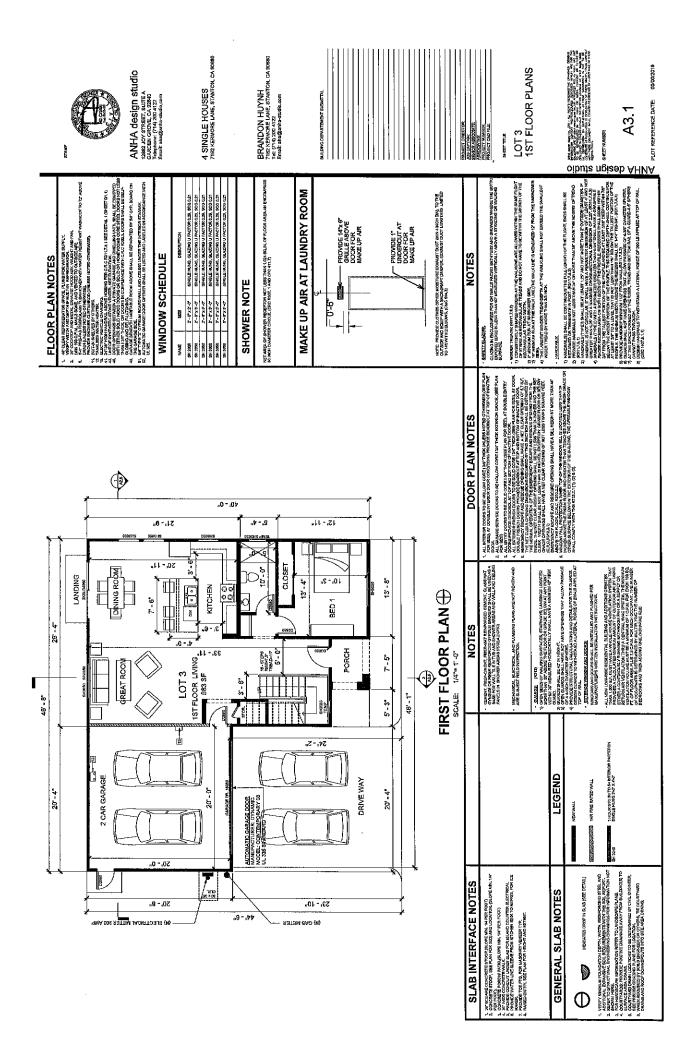




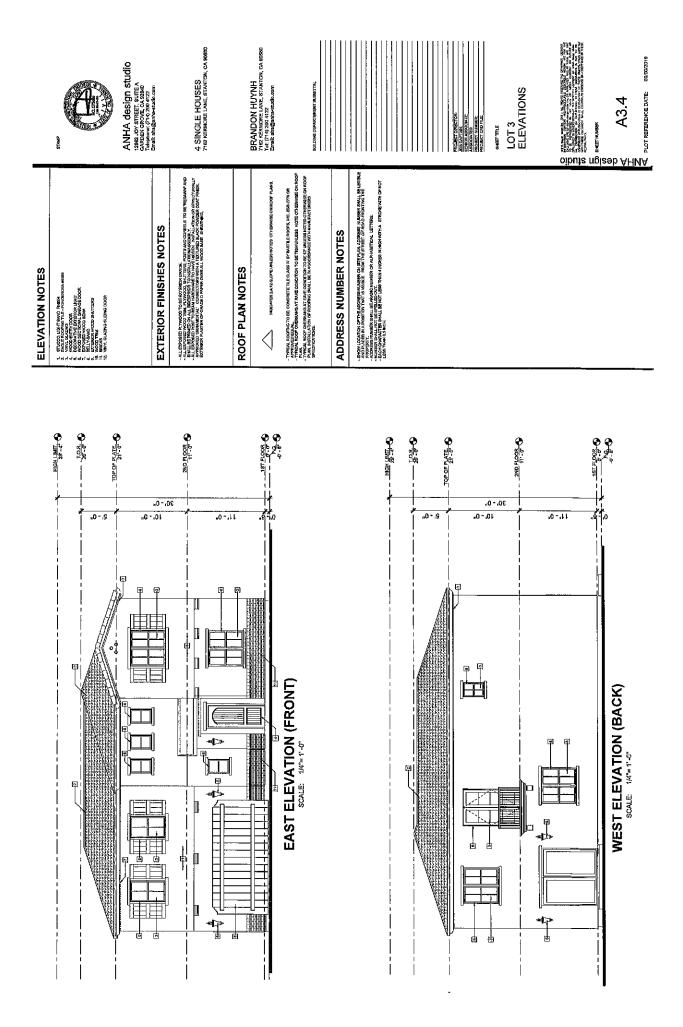


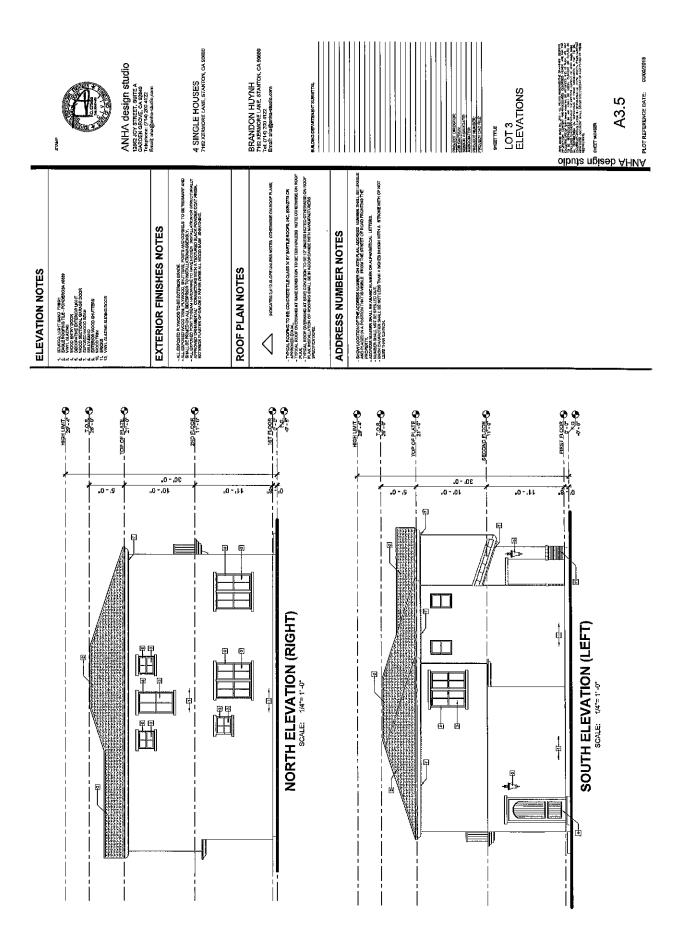




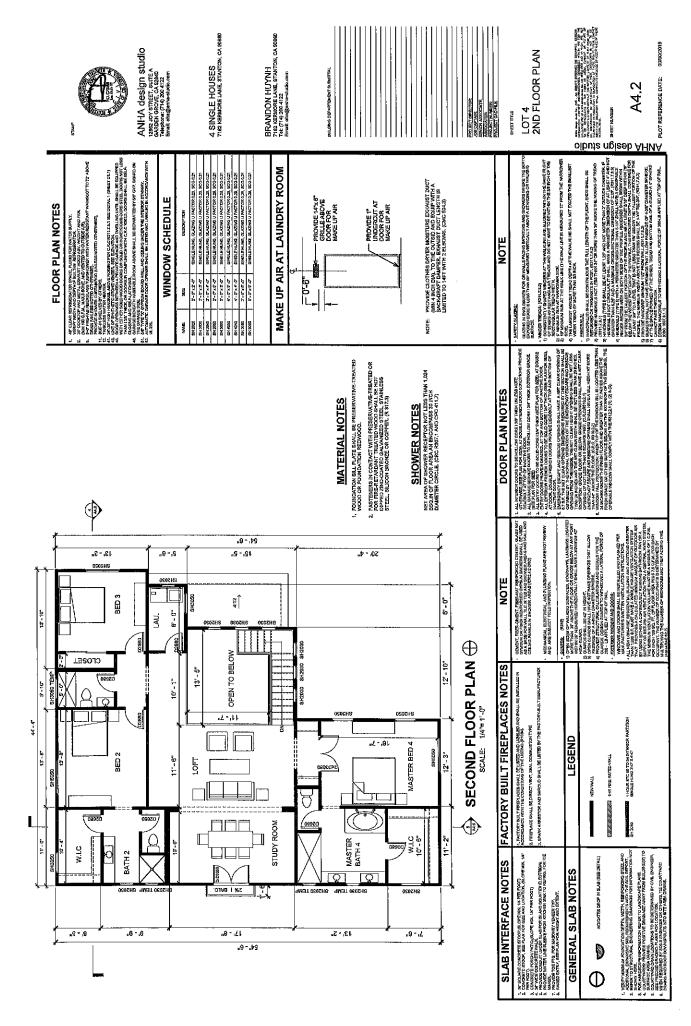


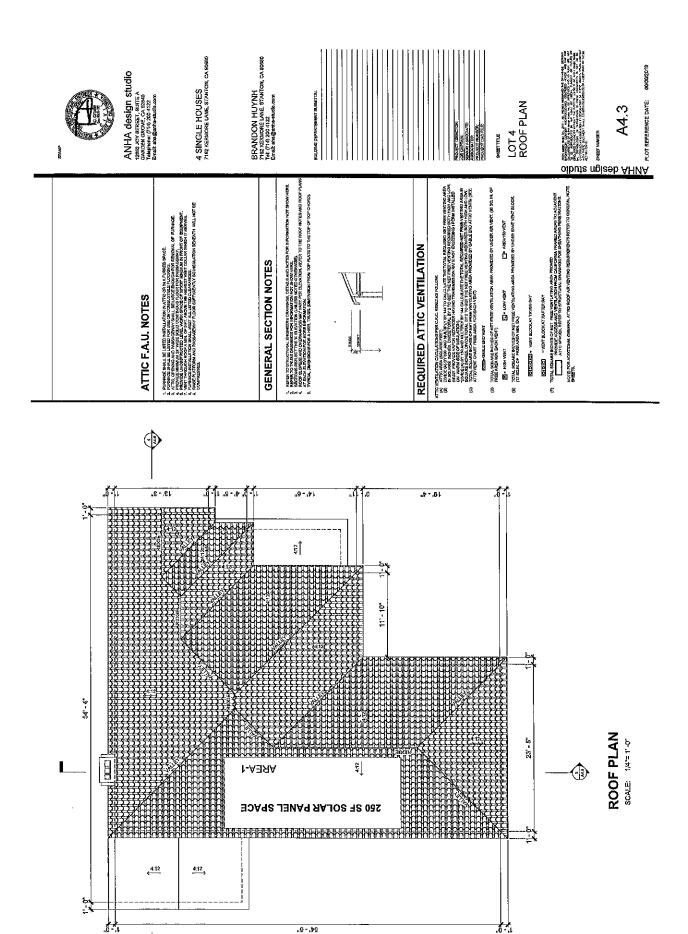
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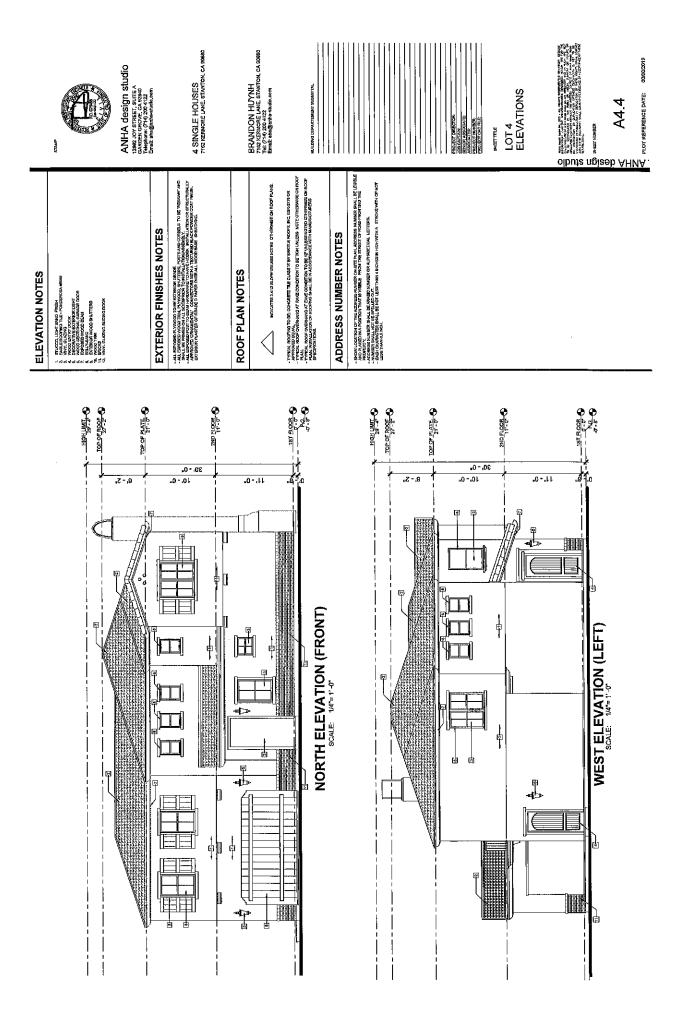


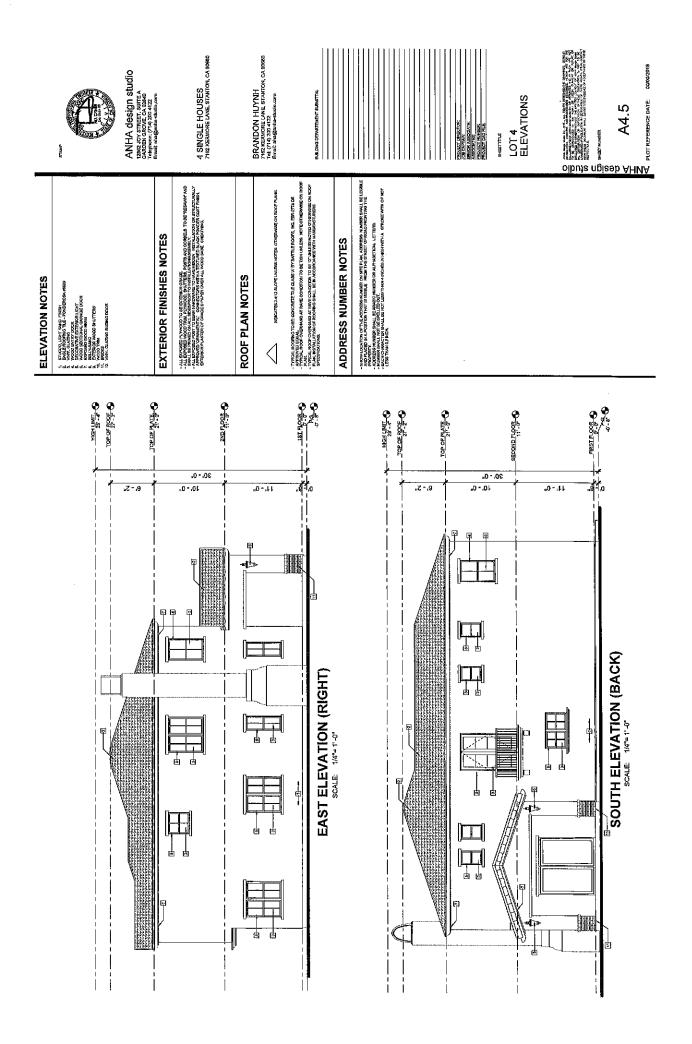


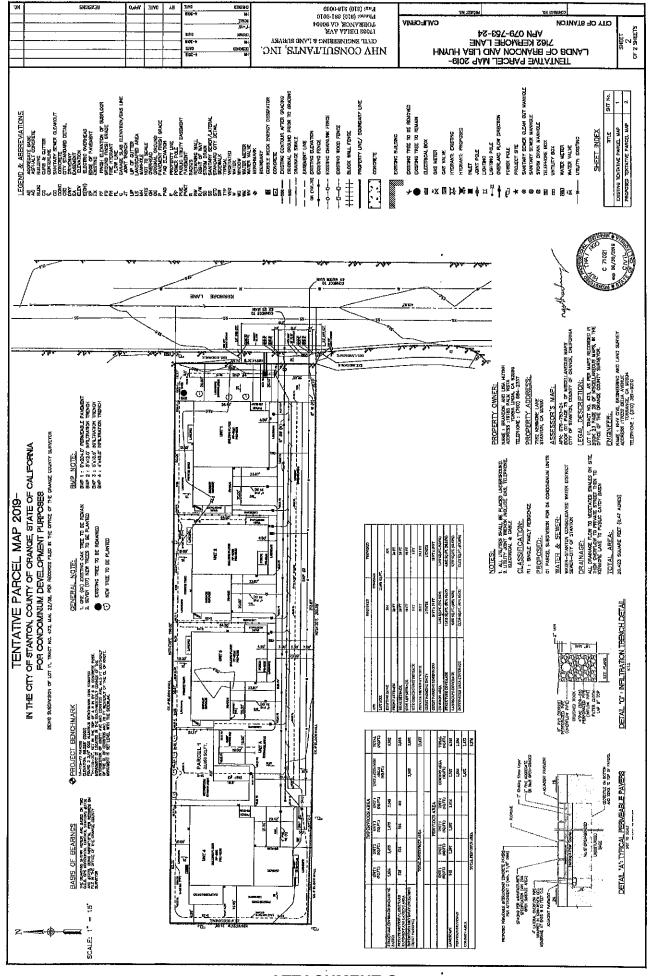
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