

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: EOT-17076 - EXTENSION OF TIME - SITE DEVELOPMENT**  
**PLAN REVIEW - APPLICANT/OWNER: AQUINO BENITO ARMAND ET AL**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. This Extension of Time will expire on October 6, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-4647) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**\*\* STAFF REPORT \*\***

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |   |
|---|---|
| 10/06/04  | The City Council approved a General Plan Amendment (GPA-4649) to amend a portion of the Southwest Sector Plan of the General Plan from (Public Facility) to ML (Medium Low Density Residential); Rezoning (ZON-4646) from R-E (Residence Estates) to R-PD6 (Residential Planned Development - 6 Units per Acre); Site Development Plan Review (SDR-4647) for a 14 Unit Single Family Residential Development; Variance (VAR-4648) to allow a 2.5 acre R-PD subdivision where 5.0 acres is required for a 14 unit single family residential subdivision where 5.0 acres is required for a 14 unit single family residential planned development and a Waiver (WVR-4846) to Title 18.12.160 to allow approximately 157 feet between street intersections where 220 feet is the minimum distance separation required and a Waiver of Title 18.12.105 to allow a Private Drive to be 679 feet where 200 feet is the maximum length permitted on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road. The Planning Commission and staff recommended approval on 08/26/04. |
| 12/16/04  | The Planning Commission approved a Tentative Parcel Map (TMP-5585) for a 14-lot Single Family Residential Subdivision on 2.45 acres adjacent to the northwest corner of Smoke Ranch Road and Michael Way. Staff recommended approval of the request.  |
| 11/01/06  | The City Council will consider a related Extension of Time (EOT-17074) of an approved Rezoning (ZON-4646) from R-E (Residence Estates) to R-PD6 (Residential Planned Development - 6 Units per Acre) and Extension of Time (EOT-17075) of an approved Variance (VAR-4648) that allowed a 2.5 acre R-PD subdivision where 5.0 acres is required for a 14 unit single family residential planned development on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road.   |
| 11/01/06  | The City Council will consider a Review of Condition (ROC-17081) Number 4 of an approved Site Development Plan Review (SDR-4647) to allow zero foot setbacks on all sides where a minimum if 20 feet are required in the front of the house, 10 feet on the side, 22 feet on the corner side, and 20 feet in the rear on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road.  |
| <b><i>Related Building Permits/Business Licenses</i></b>                  |   |
|   | A Drainage Study (DS-3961) was submitted on 05/10/06 and finalized on 06/26/06. Civil Improvement Plans were submitted on 07/26/06, but denied on 08/22/06. A final map has not been submitted and no building permits have been issued on the subject site.  |

| <b><i>Details of Application Request</i></b> |      |
|--|------|
| <b><i>Site Area</i></b>                      |      |
| Gross Acres                                  | 2.45 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b> | <b>Planned Land Use</b>                       | <b>Existing Zoning</b>   |
|-----------------------------|--------------------------|---|--|
| Subject Property            | Undeveloped              | ML (Medium Low Density Residential)           | R-E (Residence Estates) under Resolution of Intent to R-PD6 (Residential Planned Development 6 Units per Acre) |
| North                       | Single Family Dwellings  | L (Low Density Residential)                   | R-1 (Single Family Residential)  |
| South                       | Single Family Dwellings  | L (Low Density Residential)                   | R-1 (Single Family Residential)  |
| East                        | Multi-Family Dwellings   | MLA (Medium Low Attached Density Residential) | R-PD6 (Residential Planned Development 6 Units per Acre)   |
| West                        | Single Family Dwellings  | L (Low Density Residential)                   | R-1 (Single Family Residential)  |

| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
|---|-------------------|------------------|--------------------------|
| <b>Special Area Plan</b>                          |                   | <b>X</b>         |                          |
| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
| <b>Special Purpose and Overlay Districts</b>      |                   | <b>X</b>         |                          |
| <b>Trails</b>                                     |                   | <b>X</b>         |                          |
| <b>Rural Preservation Overlay District</b>        |                   | <b>X</b>         |                          |
| <b>Development Impact Notification Assessment</b> |                   | <b>X</b>         |                          |
| <b>Project of Regional Significance</b>           |                   | <b>X</b>         |                          |

**PROJECT DESCRIPTION**

This is a request for an Extension of Time of an approved Site Development Plan Review (SDR-4647) that allowed a 14-unit single family residential planned development on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road.

**ANALYSIS**

This is the first Extension of Time for the subject Site Development Plan Review (SDR-4647), which was approved by the City Council on 10/06/04. There was an associated General Plan Amendment (GPA-4649), Variance (VAR-4648), Waiver (WVR-4846), and Rezoning (ZON-4646) also approved by City Council. The Extension of Time is needed to comply with Condition of Approval Number 3 from the Tentative Map (TMP-5585). The Condition states Approval by the City Council of an application for Review of Condition Number 4 of the Site

Development Plan Review (SDR-4647) to amend the minimum setbacks to zero feet prior to the approval of a Final Map Technical Review or Civil Improvement plans. The Review of Condition (ROC-17081) will be heard in at the 11/01/06 City Council meeting with the related Extension of Time applications. Therefore, the Extension of Time can be supported to allow for additional time to comply with the previous conditions of approval.

**Previous Conditions of Approval from Site Development Plan Review (SDR-4647)**

1. A General Plan Amendment (GPA-4649) from PF (Public Facility) to ML (Medium-Low Density Residential) land use designation, rezoning (ZON-4646) R-E (Residence Estates) to R-PD6 (Residential Planned Development - 6 Units Per Acre), and Variance (VAR4648) approved by the City Council.
2. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
3. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. The setbacks for this development are a minimum of 20 feet to the front of the house, 10 feet on the side, 22 feet on the corner side, and 20 feet in the rear.
5. All development shall be in conformance with the site plan; landscape plan and building elevations, dated stamped August 18, 2004 except as amended by conditions herein.
6. The maximum building height allowed shall not exceed 2 stories or 35 feet whichever is less.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
11. All City Code requirements and design standards of all City departments must be met except as amended by conditions herein.
12. The applicant shall meet with Planning and Development Staff to develop an address plan prior to the issue of permits.
13. The proposed gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. Site development to comply with all applicable conditions of approval for ZON-4646 and all other subsequent site-related actions.
17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard private street/private drive intersections are proposed within this subdivision.

## **FINDINGS**

As there have been no notable changes on the site since the approval of the original application, staff has no objection to this request for an Extension of Time. The Extension of Time will allow conformance to the conditions of approval from the related tentative map case. A condition of approval has been added, which recommends that the extension be allowed for two years or until such time as another Extension of Time application is approved.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      N/A

**ASSEMBLY DISTRICT**                      N/A

**SENATE DISTRICT**                      N/A

**NOTICES MAILED**                      N/A

**APPROVALS**                      0

**PROTESTS**                      0