



DATE: January 14, 2008

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/ Planning Division

SUBJECT: **CONSIDERATION OF A CONDITIONAL USE PERMIT (C-27-07) AND DEVELOPMENT PLAN REVISION (D-24-04REV) FOR A K-12 CHARTER SCHOOL AT 3660 AND 3682 OCEAN RANCH BOULEVARD, WITHIN THE IVEY RANCH/RANCHO DEL ORO NEIGHBORHOOD – PACIFIC VIEW CHARTER SCHOOL – APPLICANT: GERI COLE**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Approve Conditional Use Permit (C-27-07) and a Development Plan Revision (D-24-04 Rev) by Adopting Planning Commission Resolution No. 2008-P03 with findings and conditions of approval attached herein.
- (2) Confirm issuance of a Class Thirty Two (32), Categorical Exemption "In-Fill Development Projects".

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The site is located north of Ocean Ranch Boulevard and east of Rancho Del Oro Drive, within the northern portion of the Venture Commerce Center industrial business park. The center is comprised of seven freestanding tilt up style construction buildings within each parcel. Pacific View Charter School would occupy Buildings 6 and 7, and would allocate interior space in a manner that allows for eight classrooms, 32 offices, four computer labs, a biology lab, a conference room, a book room, a study hall, a faculty and staff lounge, and a nursery room for students with infants. The two buildings proposed for establishment of the charter school are currently empty and designed for light industrial type uses, and as part of the overall discretionary review are seeking approval to modify the exterior finish design of the rear portions of the building in a manner that would provide a consistent storefront appearance on all elevations of Buildings 6 and 7.

The property is zoned Limited Industrial (IL) on the City of Oceanside Zoning Map, and is designated Light Industrial (LI) on the General Plan Land Use Map. The establishment of public or private schools within a limited industrial zoned business park requires discretionary review and approval of a Conditional Use Permit.

Surrounding land uses adjacent to the Venture Commerce Center include open space slope areas to the north and east, light industrial uses to the east, retail and an extended stay hotel to the south, and El Corazon to the west across Rancho Del Oro Drive.

Project Description: The project application is comprised of the following required entitlements:

Conditional Use Permit (C-27-07) represents a request for the following:

- (a) To permit the establishment of a Charter School Operation within Buildings 6 and 7 of a IL (Limited Industrial) zoned Business Park located at 3660 and 3682 Ocean Ranch Blvd.

Currently the school has an enrollment of 374 students with 73 students being enrolled in grades kindergarten through eighth (K-8), and 291 of the students enrolled in grades 9 through 12. It is anticipated that the proposed relocation into the Venture Commerce Center would allow for the expansion of their enrollment to a maximum of 500 students (est. 150 students in K-8 and 350 in 9-12) with a maximum staffing of 35 persons (i.e. teachers, administrators, and assistants). Not included in the maximum enrollment, is a proposal to expand their virtual online learning program. Due to the nature of online learning and technological advances in telecommuting capabilities, it is uncertain how to obtain an exact figure on the number of potential students that the Charter School could enroll in the virtual online learning program. In order to ensure that intensification of the site does not occur beyond what has been studied, the Charter School would be restricted from allowing online learning students to engage in any on campus activities.

The school would operate as an independent study school, where students K-8 participate in a classroom activity one day per week, while grades 9 -12 meet with instructors once a week and are offered workshops throughout the week as needed per student. Parent/Educational Support meetings with teachers occur once a week for grades 9 -12, and once every two to three weeks for grades K-8. Student's schedules would vary based on students' required courses and schedules. Drop-off would be located along the south elevation of Building 7, the northern most building within Venture Commerce Center, and would provide parking within 91 allocated spaces located on the north and west portions of the site. Students are supervised while on campus and strict operational management during the course of the day is monitored by school staff. A draft Operational Management Plan that details the day to day operations and management of the school has been attached for review.

A traffic and on-site circulation assessment of the proposed use was prepared by RBF Consulting, and staff has agreed with the conclusion that no impacts to on-site circulation, parking, or traffic would occur as a result of a change in use from office/industrial to a Charter School use with a maximum enrollment of 500 students. In order to ensure that the project is consistent with the assessment conducted for the Pacific View Charter School, the City's Transportation and Engineering Department have conditioned the project to submit a circulation management plan to the City Engineer for approval prior to issuance of building permits. In order to ensure that intensification on-site does not occur beyond the limits of the sites available transportation/traffic and parking infrastructure, a maximum allowable student enrollment has been placed upon this discretionary approval.

The project has been allocated 91 parking spaces, and based upon the school trip generation analysis that estimated a peak demand of 60 parking spaces; an approximate 31 surplus parking spaces would be available during these peak demand periods. Although not every assumption on day-to-day operations can be studied to ensure that adequate parking is available, staff has conditioned the project to obtain a special events permit for any event that would generate a student body count on-site of over ¼ (125 students) of the maximum allowed (500 students). This condition would require further review and analysis on circulation, parking, and traffic prior to obtaining approvals for the special events permit.

Development Plan Revision (D-24-04Rev) represents a request for the following:

- (a) To permit minor exterior architectural design modifications to Buildings 6 and 7, and interior tenant improvements to establish mezzanine and access improvements required for school type uses. The two small sized industrial buildings would have a combined square footage of 32,095 square feet and would be located on approximately 31.3 percent of the combined 8.48-acre site. Architectural design modifications proposed would include removal of the existing vertical lift doors, and the construction of storefront window and door systems consistent with that found throughout the Venture Commerce Center. Overall physical design of the buildings would not be altered, and the required approvals from the Ocean Ranch Business Association have been submitted as part of the application package.

Signage is not proposed as part of this projects approval. All signage associated with Pacific View Charter School would be required to meet the stringent criteria established within the Venture Commerce Center and would need to be approved by the Ocean Ranch Business Association prior to submittal to the City.

The project is subject to the following Ordinances and City policies:

1. Zoning Ordinance
2. General Plan Land Use Element
3. Ocean Ranch Master Development Plan
4. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation for the subject property is IL (Light Industrial). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element

Goal 1.11: Balanced Land Use

Objective: To develop and use lands for the long-term provision of balanced, self-sufficient and efficient community.

Policy A: The City shall establish and enforce a balanced distribution of land uses to organize the City in a hierarchy of activity centers and land use so as to foster a sense of neighborhood, community, and regional identity.

Surrounding land uses include a combination of personal service/office type uses, commercial retail facilities, the proposed El Corazon Master Plan, and open space slope areas. The total area dedicated to school type uses within the Venture Commerce Center has been calculated at approximately 32,095 square feet or 31.3 percent of the light industrial business park, with the remainder consisting of warehouse type uses. Establishment and operation of the charter school use has been determined by staff to provide an overall balance of goods and services in close proximity to the residential areas of the Rancho Del Oro neighborhood, and with an end result of providing a sense of community to the residents in close proximity to the area, while providing an alternative method of education for the children of Oceanside and the surrounding Southern California region.

Policy C: The City shall continuously monitor the impact and intensity of land use and land use distribution to ensure that the City's circulation system is not overburdened beyond design capacity.

The proposed use has been reviewed and analyzed to ensure that traffic impacts and parking deficiencies would not arise. Trip generation for the subject use has been determined by staff to be consistent with the overall intensity of development of the site, and does not warrant further review. The subject charter school use would generate significantly less daily trips than the previously approved medical offices originally reviewed and approved as part of Conditional Use Permit (C-8-06). In order to further ensure that the use does not intensify in a manner that could contribute to an impact on the City's circulation system, appropriate conditions of approval have been placed upon conditional use permit (C-27-07).

2. Zoning Compliance

This project site is located within the Ivey Ranch/Rancho Del Oro Neighborhood on a (IL) Limited Industrial zoned parcel, and subject to approval of a conditional use permit is consistent with the requirements of the zone district pertinent to public/or private school uses. In order to appropriately calculate parking requirements for the proposed Charter School, a trip generation analysis using SANDAG provided values was conducted. The project has been allocated 91 parking spaces, and based upon the school trip generation analysis that estimated a peak demand of 60 parking spaces an approximate 31 surplus parking spaces would be available during these peak demand periods. The following table depicts the trip generation rates of the proposed Charter School compared to the previously approved Medical Office and the Land Use for the existing industrial center:

LAND USE	DAILY TRIPS	AM PEAK HOUR TRIPS	PM PEAK HOUR TRIPS
Pacific View Charter School	489	108 54 In 54 Out	99 27 In 72 Out
General Plan Land Use	514	62 50 In 12 Out	62 12 In 50 Out
Medical Office C-8-06	1,605	96 77 In 19 Out	177 53 In 124 Out
Difference School - General Plan Land Use	-25	+46	+37
Difference School – Medical Office C-8-06	-1,116	+4 In +42 Out +12 -23 In + 35 Out	+15 In +22 Out -78 -26 In – 52 Out

** Numerical Values are based on the Highest Daily Average out of the Five Weekdays*

While peak trip generations would be slightly higher than the Land Use calculations for a business park, the overall trip generation from the previously approved medical office use would be significantly reduced. It should be further noted, that implementation of a Circulation Management Plan and Operations Management Plan would ensure that no conflicts to parking, circulation, or traffic would occur as a result of establishing a Charter School within a Limited Industrial Business Park.

3. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	Light Industrial (LI)	Limited Industrial (IL)	Office/Industrial
North of Subject Property	Light Industrial (LI)	Limited Industrial (IL)	Landscaped Open Space Area
East of Subject Property:	Light Industrial (LI)	Limited Industrial (IL)	Office/Industrial
South of Subject Property:	Light Industrial (LI)	Limited Industrial (IL)	Commercial/ Retail
West of Subject Property:	Light Industrial (LI)	Planned Development (PD-1)	Undeveloped City Property/ El Corazon Park

DISCUSSION

Issue: Project Compatibility with the Existing Industrial Uses within the Venture Commerce Center

The primary issue of compatibility of a charter school in a limited industrial business park is derived from the fact that most industrial facilities generate less daily trips associated with day to day operations. In order to ensure that impacts typically associated with the establishment of more intense type uses do not occur, a conditional use permit to establish a semi-public school is required. While the daily trips generated from a charter school would be higher than typical limited industrial type uses, the daily trips would be significantly less than the approved medical offices originally proposed for Buildings 6 and 7 of the Venture Commerce Center. The location of Buildings 6 and 7 of the Venture Commerce Center are situated in the northern portion of the limited industrial business park, and are separated from the majority of the centers tenants through lot configuration and parking area site layout. Strict adherence to an Operational Management Plan and Circulation Plan, both of which are required to be approved as part of the projects overall discretionary action, would ensure compatibility with the surrounding land uses, while providing for a mix of land uses that would not be detrimental to the health, safety, or welfare of persons frequenting the Venture Commerce Center. The subject project would assist in providing for a balanced distribution of land uses necessary to sustain and benefit the local neighborhood and surrounding communities as a whole, and that is consistent with the City's General Plan.

Recommendation: Staff concludes that the establishment of the charter school facility within the limited industrial park area will not negatively impact existing uses within the center, or significantly alter the nature of the industrial land use development and supports the applicant's request.

ENVIRONMENTAL DETERMINATION

Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA), 1970. Based on that review, staff finds that the proposed project constitutes in fill development, and the project is categorically exempt, Class 32, "In Fill Development Projects" (Section 15332).

PUBLIC NOTIFICATION

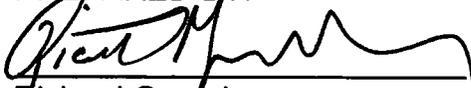
Pursuant to Article 41 of the Oceanside Zoning Ordinance, Legal notice was published in the North County Times and notices were sent to property owners of record/and occupants within a 1500-foot radius of the subject property, to individuals/organizations requesting notification, and to the applicant. Copies of this agenda item have been mailed to the applicant and their representative.

SUMMARY

The request for approval of a Conditional Use Permit to allow the establishment and operation of a K-12 Charter School use and a Development Plan Revision (D-24-04Rev) to allow minor exterior modifications to Buildings 6 and 7 is consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets all applicable development standards and will not impact existing land uses in the immediate area. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached resolution. Staff recommends that the Planning Commission:

- Move to approve Conditional Use Permit (C-27-07) and Development Plan Revision (D-24-04Rev) by adopting Planning Commission Resolution No. 2008-P03 as attached.

PREPARED BY:



Richard Greenbauer
Senior Planner

SUBMITTED BY: ~



Jerry Hittleman
City Planner

JH/RG/fil

Attachments:

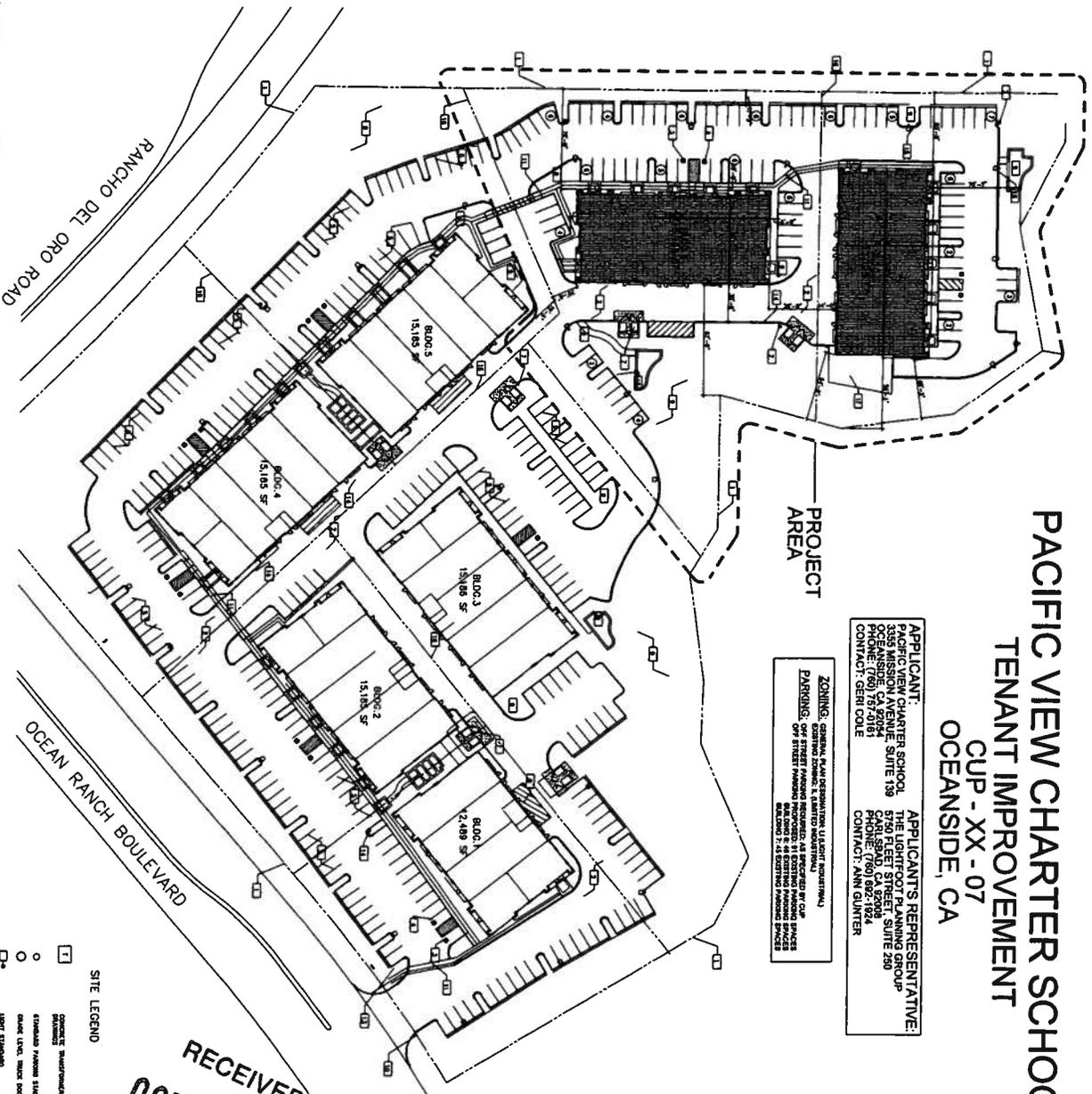
1. Floor/Site Plans
2. Planning Commission Resolution No. 2008-P03
3. Existing Conditions Site Photo
4. Draft Pacific View Charter School Management Plan

PACIFIC VIEW CHARTER SCHOOL TENANT IMPROVEMENT CUP-XX-07 OCEANSIDE, CA

APPLICANT: PACIFIC VIEW CHARTER SCHOOL
3355 MISSION AVENUE, SUITE 139
OCEANSIDE, CA 92054
PHONE: (760) 431-2784
CONTACT: GERRI COLE

APPLICANT'S REPRESENTATIVE: THE LIGHTFOOT PLANNING GROUP
1700 W. 10TH STREET, SUITE 250
CARLSBAD, CA 92008
PHONE: (760) 431-2784
CONTACT: ANN GUNTER

ZONING: COMMERCIAL PLANNING (CUP)
PARKING: ONE STREET PARKING REQUIRED, AS INDICATED BY CUP
PERMITTED TO BE CONSIDERED AS EXISTING PARKING SPACES
UNLESS OTHERWISE NOTED. SEE EXISTING PARKING SPACES
AND CUP-XX-07 FOR MORE INFORMATION.



OVERALL SITE PLAN - EXISTING VENTURE COMMERCE CENTER

SCALE: 1"=40'-0"



SITE LEGEND

[Symbol]	CONCRETE STRUCTURE, IN PLACE
[Symbol]	EXISTING PARKING SPACES (SEE CUP-XX-07)
[Symbol]	EXISTING UTILITY, TRUNK, MAIN
[Symbol]	UTILITY TRENCH
[Symbol]	ACCIDENT CHAIR BRIDGE
[Symbol]	EXISTING CONCRETED DRIVE
[Symbol]	EXISTING CONCRETED DRIVE

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Planning Department

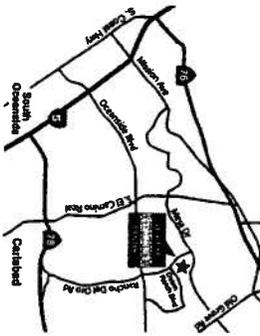
SHEET INDEX

- 1-1 TITLE SHEET & OVERALL SITE PLAN
- 1-2 BLDG. 1 SECOND FLOOR PLAN
- 1-3 BLDG. 1 FIRST FLOOR PLAN
- 1-4 BLDG. 2 SECOND FLOOR PLAN
- 1-5 BLDG. 2 FIRST FLOOR PLAN
- 1-6 BLDG. 3 SECOND FLOOR PLAN
- 1-7 BLDG. 3 FIRST FLOOR PLAN
- 1-8 BLDG. 4 SECOND FLOOR PLAN
- 1-9 BLDG. 4 FIRST FLOOR PLAN
- 1-10 BLDG. 5 SECOND FLOOR PLAN
- 1-11 BLDG. 5 FIRST FLOOR PLAN

SITE PLAN NOTES

- (1) EXISTING UTILITY TRENCH
- (2) EXISTING CONCRETED DRIVE
- (3) EXISTING CONCRETED DRIVE
- (4) EXISTING CONCRETED DRIVE
- (5) EXISTING CONCRETED DRIVE
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- (20) EXISTING CONCRETED DRIVE

VICINITY MAP



EXISTING SITE DATA

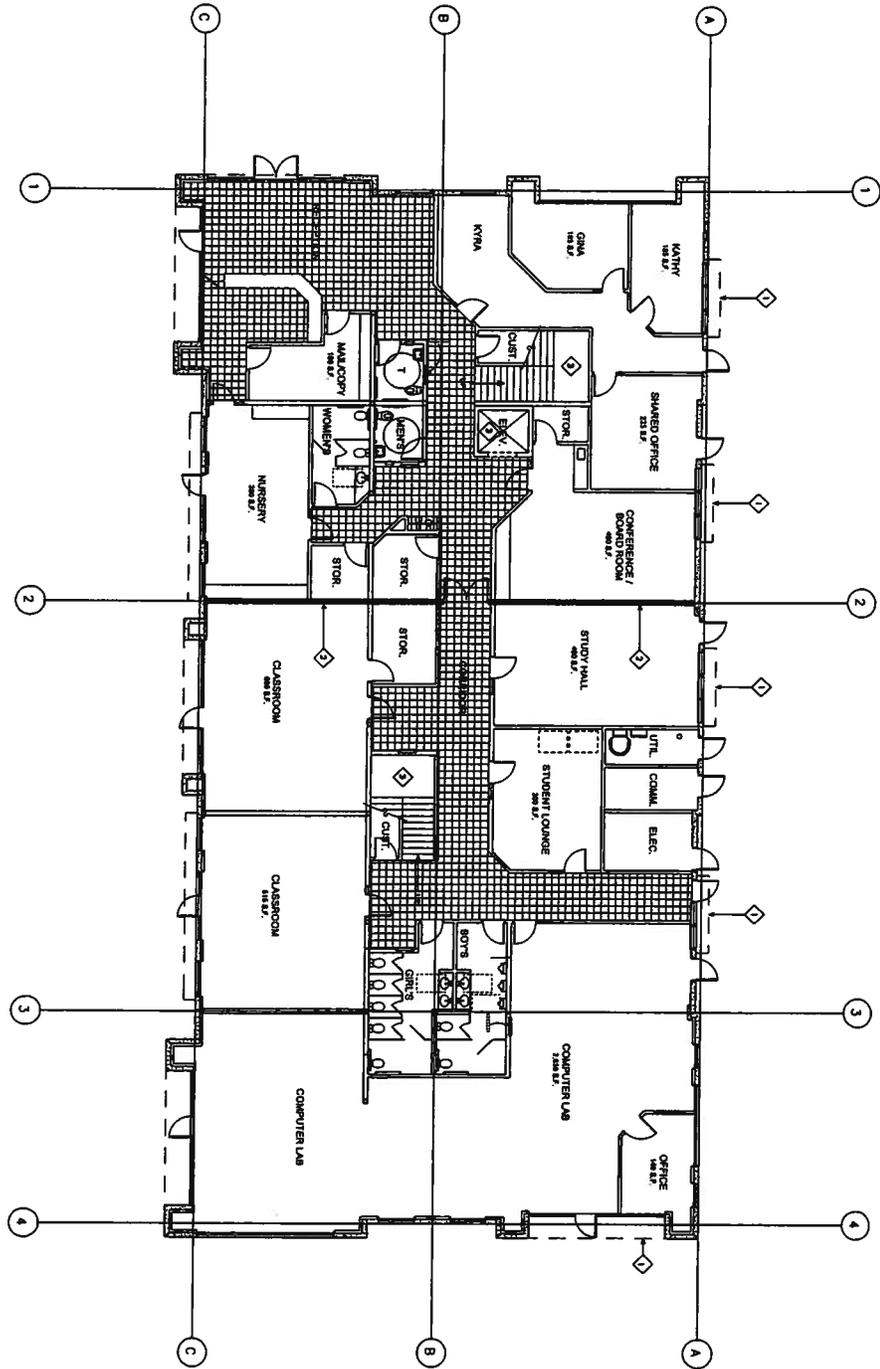
BLDG. NO.	FLOOR PLAN	TOTAL AREA (SQ FT)	TOTAL FLOOR AREA (SQ FT)	TOTAL FLOOR AREA (SQ FT)
BUILDING 1	2ND FLOOR	1,200	1,200	1,200
BUILDING 1	1ST FLOOR	1,200	1,200	1,200
BUILDING 2	2ND FLOOR	1,200	1,200	1,200
BUILDING 2	1ST FLOOR	1,200	1,200	1,200
BUILDING 3	2ND FLOOR	1,200	1,200	1,200
BUILDING 3	1ST FLOOR	1,200	1,200	1,200
BUILDING 4	2ND FLOOR	1,200	1,200	1,200
BUILDING 4	1ST FLOOR	1,200	1,200	1,200
BUILDING 5	2ND FLOOR	1,200	1,200	1,200
BUILDING 5	1ST FLOOR	1,200	1,200	1,200
BUILDING 6	2ND FLOOR	1,200	1,200	1,200
BUILDING 6	1ST FLOOR	1,200	1,200	1,200
BUILDING 7	2ND FLOOR	1,200	1,200	1,200
BUILDING 7	1ST FLOOR	1,200	1,200	1,200

LR DESIGN ASSOCIATES
4883 AVENUE DE LA PLATA, SUITE 200 OCEANSIDE, CA 92056
TEL: (760) 431-2784 FAX: (760) 431-2784 www.lrdesign.com

PACIFIC VIEW CHARTER SCHOOL
TENANT IMPROVEMENT
CUP-XX-07
OCEANSIDE, CA



TITLE SHEET
OVERALL SITE PLAN
LPGA JOB NO. 0707
DATE: 07/18/07
REVISIONS:
SHEET: T-1



PROPOSED FIRST FLOOR PLAN - BUILDING 6
 PACIFIC VIEW CHARTER SCHOOL TENANT IMPROVEMENT
 SCALE: 1/8"=1'-0"

KEY NOTES

- 1. BATHING ROLL-UP DOOR TO BE REMOVED AND BEH. ALUMINUM STOREFRONT SYSTEM PROPOSED TO MATCH EXISTING.
- 2. PROPOSED OFF-SHORE OCCUPANT ASSESSMENT HALL.
- 3. PROPOSED VERTICAL CIRCULATION.

FIRST FLOOR BUILDING DATA

OCCUPANCY: 2- 3,750 SQUARE FEET
 2- 3,750 SQUARE FEET
 AREA: 7,500 SQUARE FEET
 7,500 SQUARE FEET PROPOSED

LR DESIGN ASSOCIATES
 4183 AVENIDA DE LA PLATA SUITE 300 OCEANSIDE, CA 92056
 PHONE: 760-941-2847 FAX: 760-941-2848 WWW.LRDESIGNASSOCIATES.COM

**PACIFIC VIEW CHARTER SCHOOL
 TENANT IMPROVEMENT**
 OCEANSIDE, CA

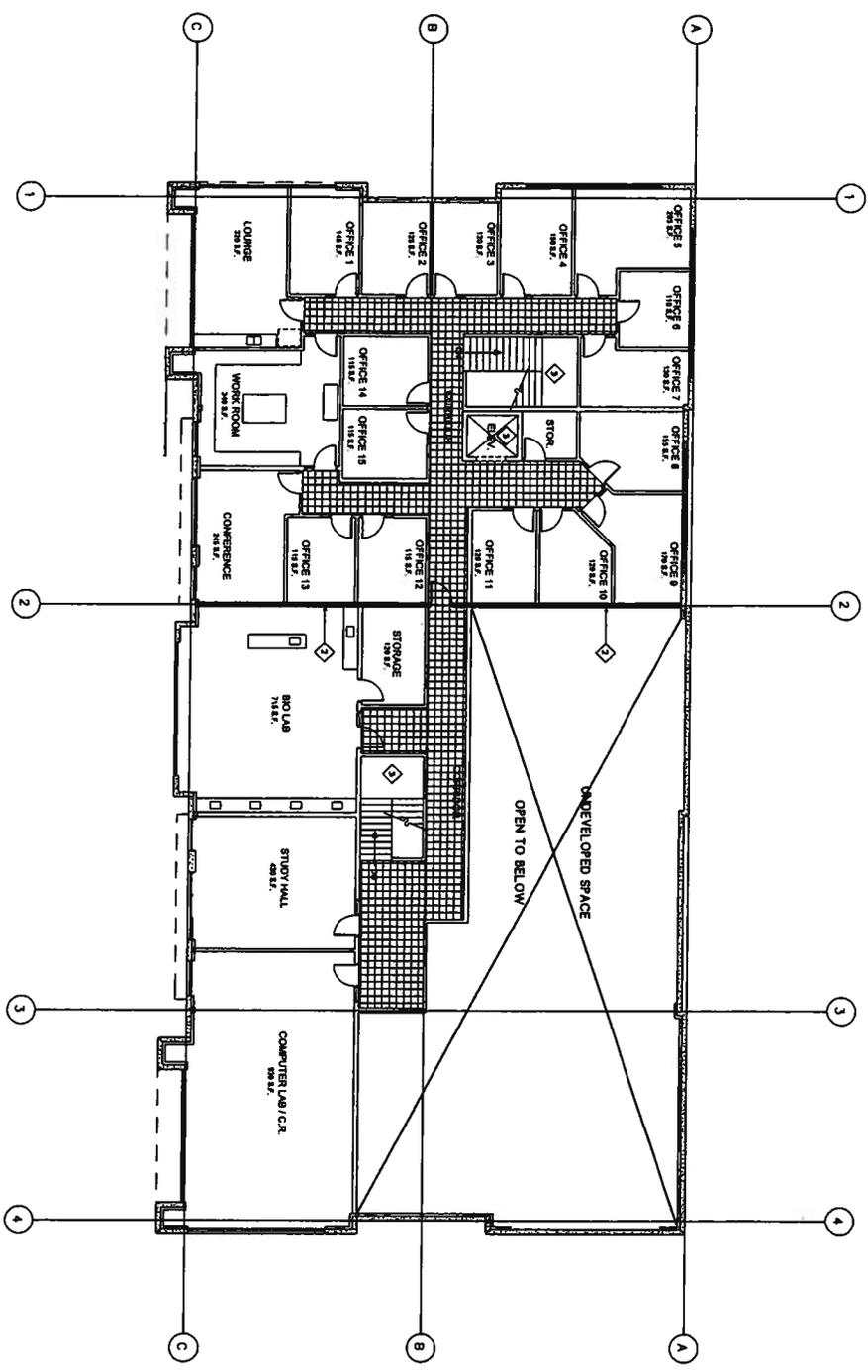


DATE: 07/18/07	DATE: 07/18/07
REVISIONS:	REVISIONS:
ISSUING & NEW WORK FIRST FLOOR PLAN	ISSUING & NEW WORK FIRST FLOOR PLAN
LPDA JOB NO. 0707	LPDA JOB NO. 0707

SHEET: A-1	SHEET: A-1
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PROPOSED SECOND FLOOR PLAN - BUILDING 6
PACIFIC VIEW CHARTER SCHOOL TENANT IMPROVEMENT : CUP-XX-07

SCALE 1/8"=1'-0"



KEY NOTES

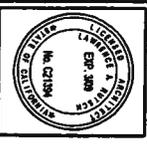
1. ALUMINUM STORAGE SYSTEM PROPOSED TO MATCH EXISTING.
2. PROPOSED ONE-HOUR OCCUPANCY SEPARATION WALL.
3. PROPOSED VERTICAL CIRCULATION.

SECOND FLOOR BUILDING DATA

OCCUPANCY: 50-1400 SQUARE FEET
 AREA: 3231 SQUARE FEET EXISTING
 1280 SQUARE FEET PROPOSED

DESIGN ASSOCIATES
 480 AVENUE DE LA GRATA SUITE 200 OCEANSIDE, CA 92056
 PHONE 760-941-4807 FAX 760-941-6284 www.DESIGNASSOCIATES.com

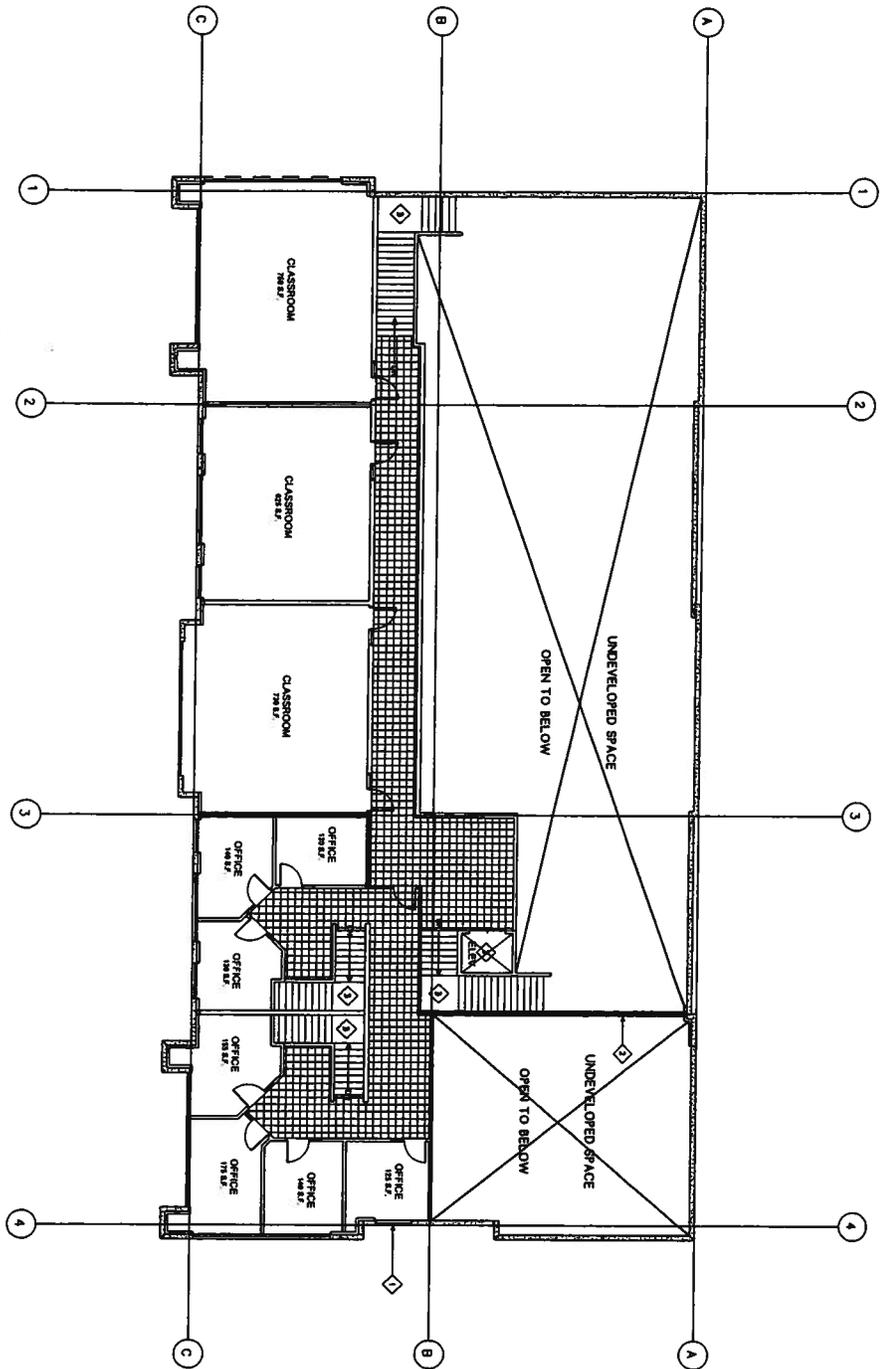
**PACIFIC VIEW CHARTER SCHOOL
 TENANT IMPROVEMENT**
 CUP-XX-07
 OCEANSIDE, CA



DATE: 07/20/07	REVISIONS:
AREA: 3231 SQUARE FEET EXISTING 1280 SQUARE FEET PROPOSED	
PROJECT: A-2	

BUILDING 7 NEW WORK - SECOND FLOOR PLAN
PACIFIC VIEW CHARTER SCHOOL TENANT IMPROVEMENT : CUP-XX-07

SCALE: 1/8"=1'-0"



KEY NOTES

1. ALUMINUM STORMDOOR SYSTEM PROPOSED TO MATCH EXISTING.
2. PROPOSED ONE-HOUR OCCUPANCY SEPARATION WALL.
3. PROPOSED VERTICAL CIRCULATION.

SECOND FLOOR BUILDING DATA

OCCUPANCY: B-1770 SQUARE FEET
 AREA: 4390 SQUARE FEET PROPOSED
 4390 SQUARE FEET PROPOSED

PACIFIC VIEW CHARTER SCHOOL
TENANT IMPROVEMENT
 CUP-XX-07
 OCEANSIDE, CA

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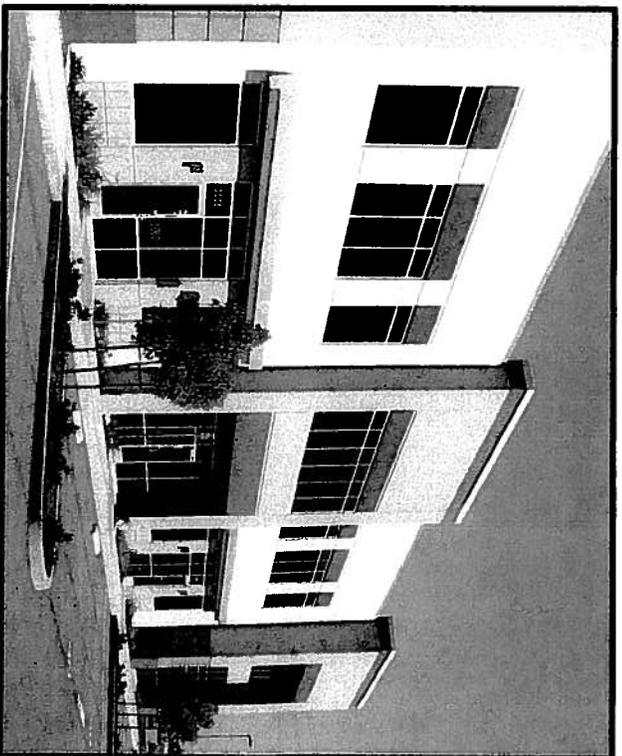
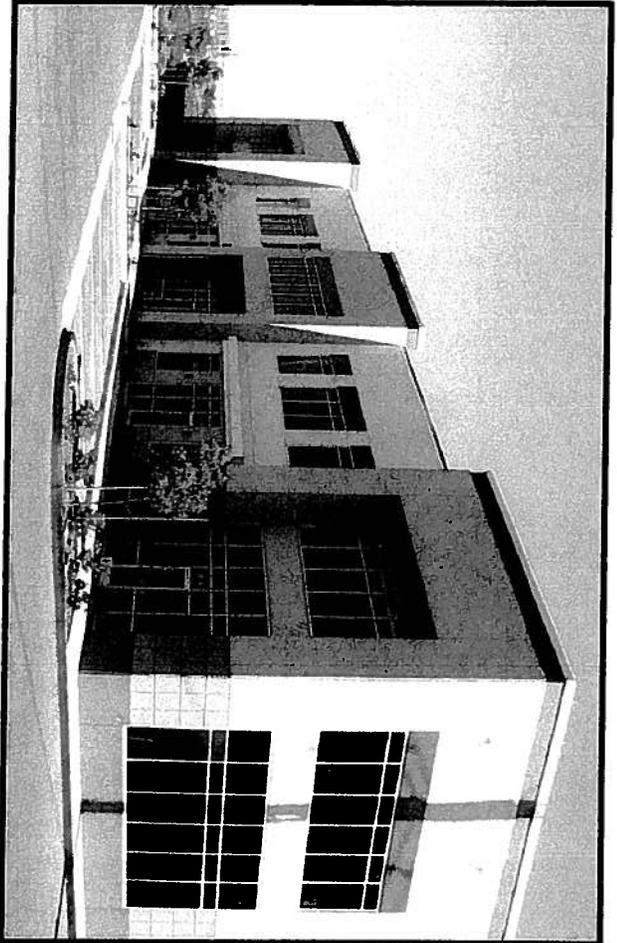


ISSUED FOR NEW WORK SECOND FLOOR PLAN
 UFGA JOB NO. 0707
 DATE: 7/18/07
 REVISIONS:

SHEET: A-4

Color/Materials Exhibit

All colors and materials to match existing buildings



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CUP - 27 - 07
OCEANSIDE, CA

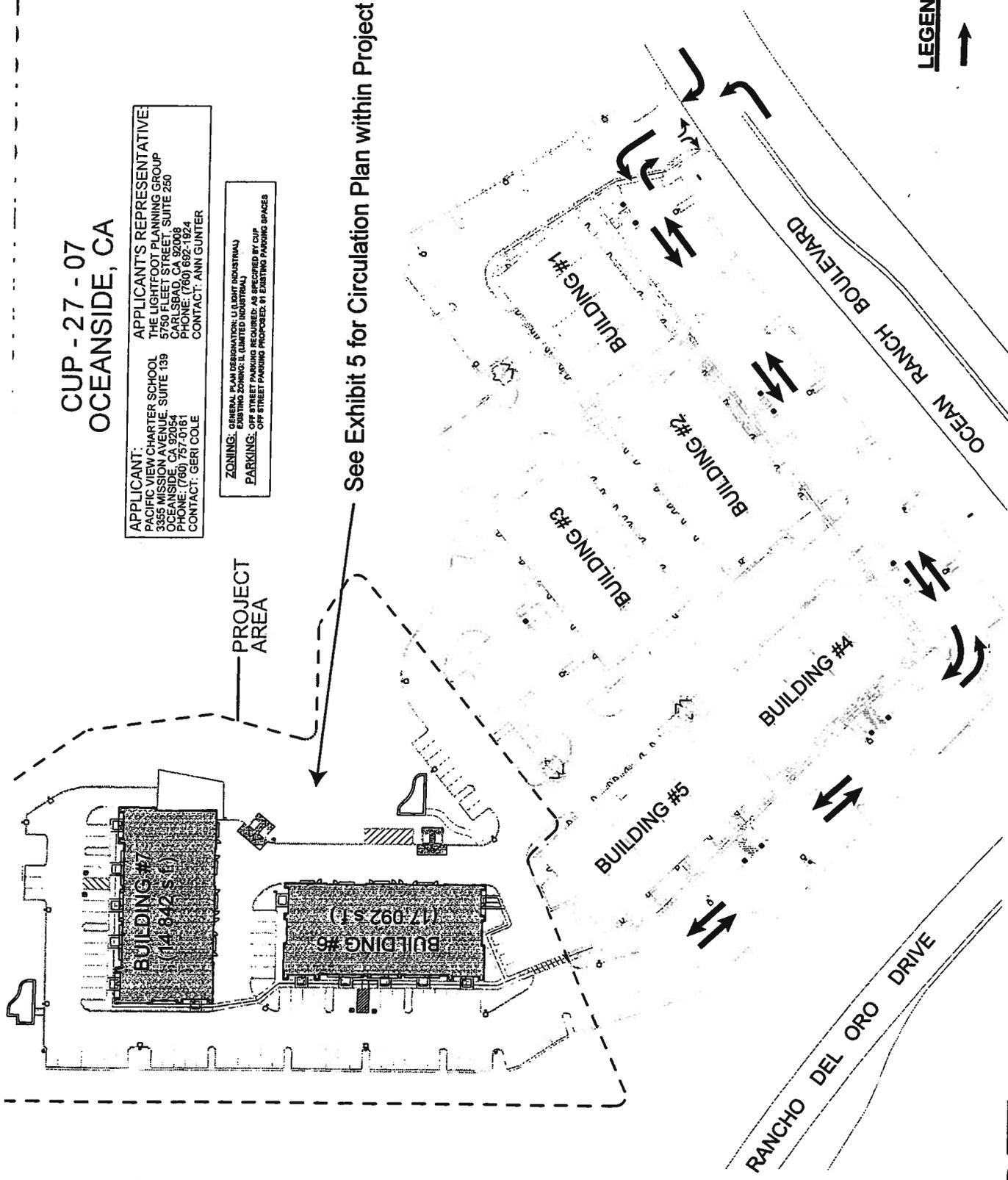
APPLICANT:
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OCEANSIDE, CA 92054
PHONE: (760) 757-0161
CONTACT: GERRI COLE

APPLICANT'S REPRESENTATIVE:
THE LIGHTFOOT PLANNING GROUP
5750 FLEET STREET, SUITE 250
CARLSBAD, CA 92008
PHONE: (760) 692-1924
CONTACT: ANN GUNTER

ZONING: GENERAL PLAN DESIGNATION: U (LIGHT INDUSTRIAL)
EXISTING ZONING: I (LIMITED INDUSTRIAL)
PARKING: ON-SITE PARKING REQUIRED: AS SPECIFIED BY CUP
OFF-STREET PARKING PROVIDED BY EXISTING PARKING SPACES

PROJECT AREA

See Exhibit 5 for Circulation Plan within Project Area.



LEGEND:

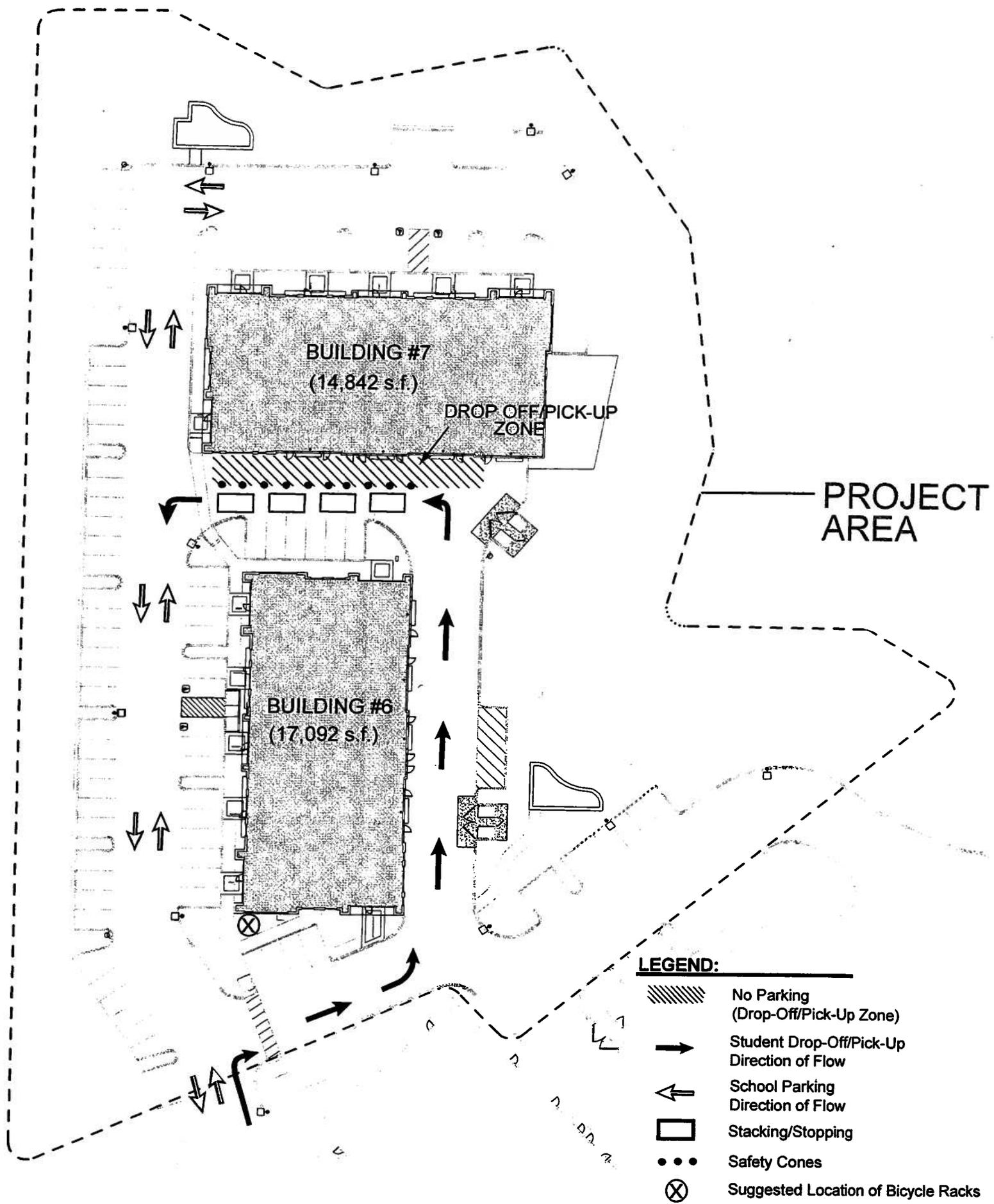


Direction of Flow



PROPOSED SCHOOL CIRCULATION WITHIN VENTURE COMMERCE CENTER

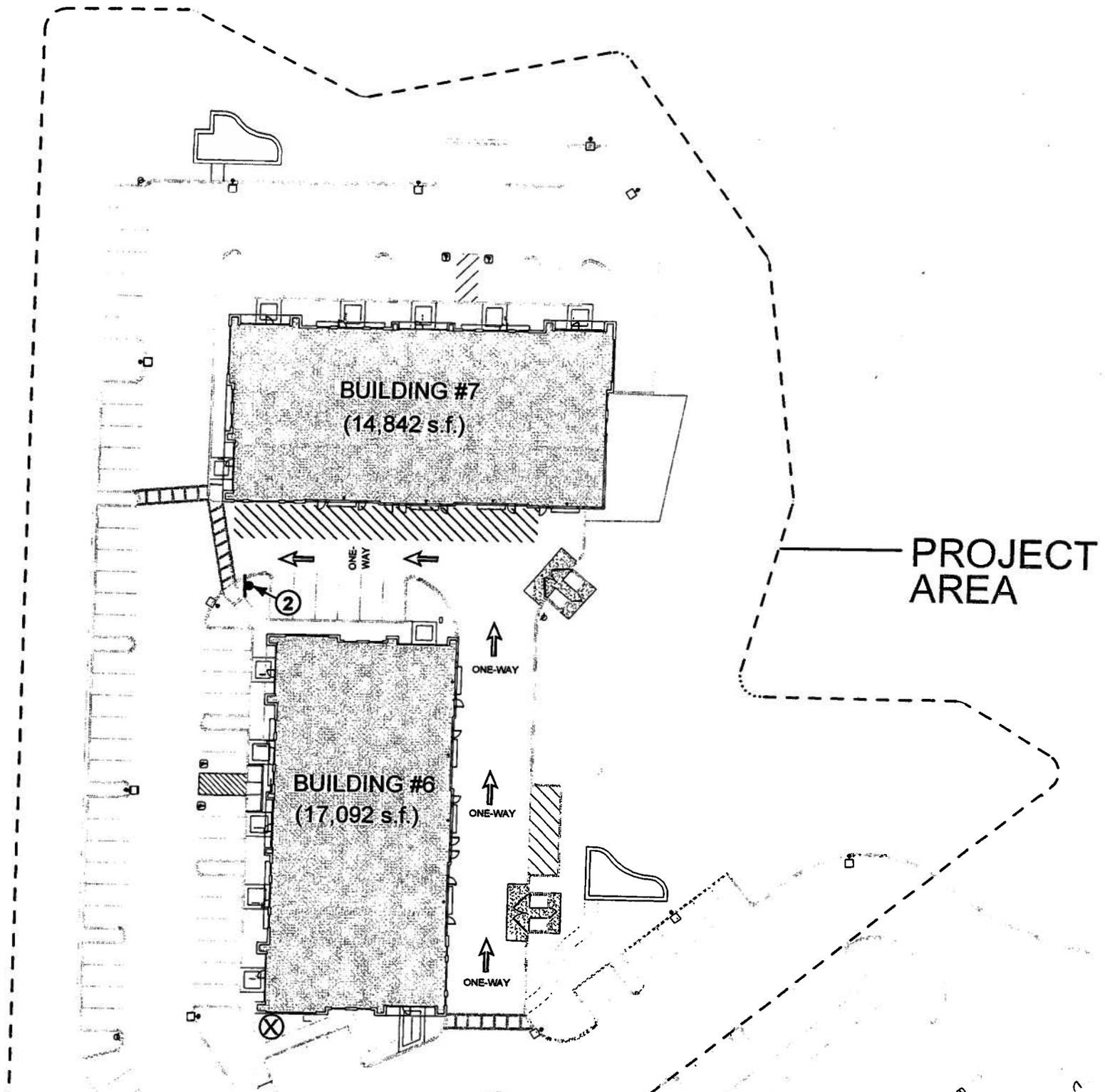
JN 55-100332 SEPTEMBER 2007



PROPOSED SCHOOL CIRCULATION WITHIN PROJECT AREA

JN 55-100332 SEPTEMBER 2007

Exhibit 5



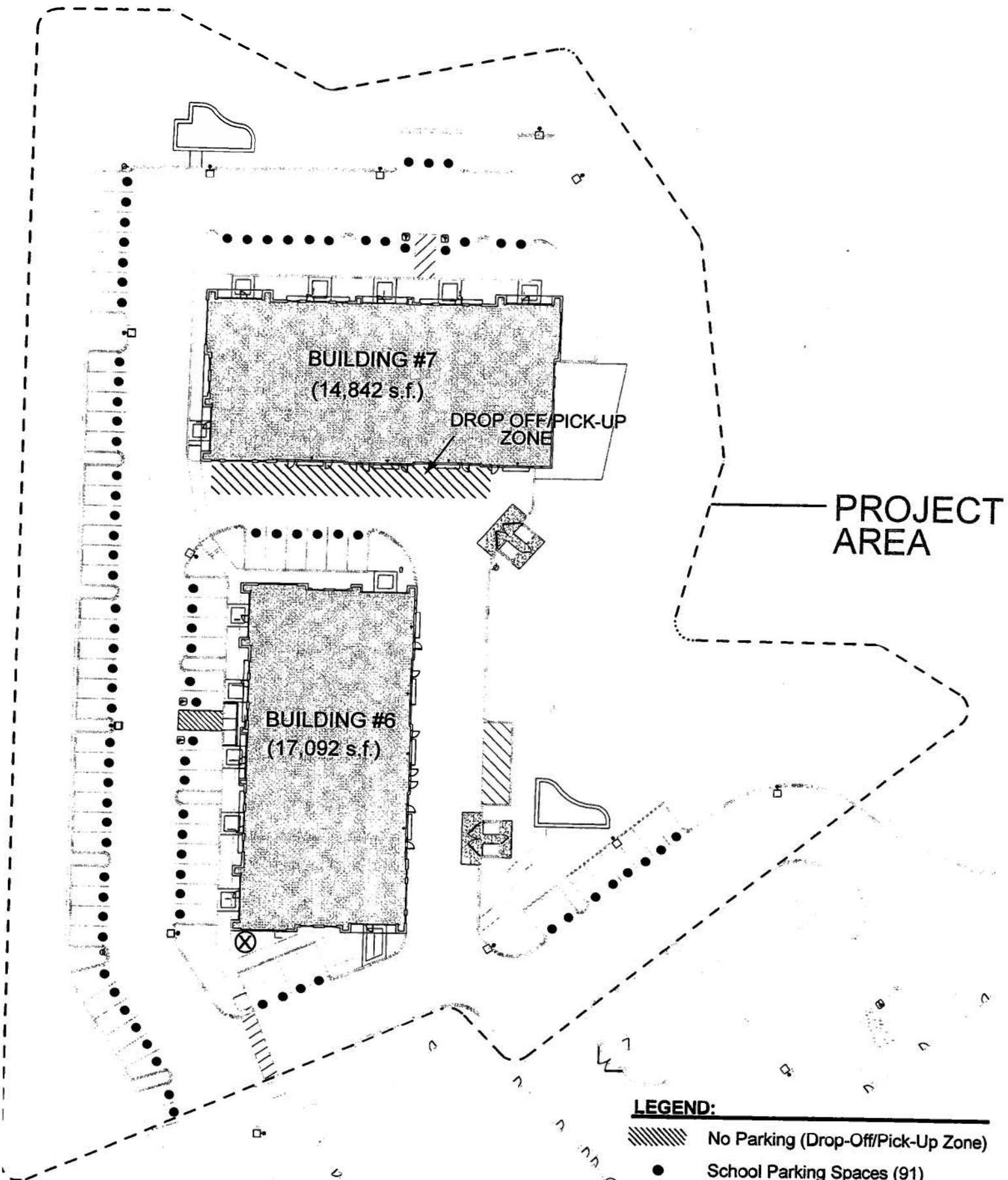
PROJECT AREA

LEGEND:

-  No Parking (Drop-Off/Pick-Up Zone)
-  Signage
-  Directional Striping
-  Crosswalk
-  "To Student Drop-Off/Pick-Up" Sign (with arrow)
-  "Do Not Enter - "One-Way Only" Sign
-  Suggested Location of Bicycle Racks



PROPOSED SIGNING AND STRIPING WITHIN PROJECT AREA



PROJECT AREA

BUILDING #7
(14,842 s.f.)

DROP OFF/PICK-UP ZONE

BUILDING #6
(17,092 s.f.)

LEGEND:

-  No Parking (Drop-Off/Pick-Up Zone)
-  School Parking Spaces (91)
-  Suggested Location of Bicycle Racks



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PLANNING COMMISSION
RESOLUTION NO. 2008-P03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT AND A DEVELOPMENT PLAN REVISION ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: C-27-07, D-24-04 Rev
APPLICANT: Pacific View Charter School
LOCATION: 3660 and 3682 Ocean Ranch Boulevard

THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES RESOLVE AS FOLLOWS:

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Conditional Use Permit and Development Plan Revision under the provisions of Articles 13, 41, and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

establishment of a 32,095-square foot charter school within two existing limited industrial buildings, and modifications to the exterior finish design of the buildings that includes new storefront windows and doors;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 14th day of January, 2008 conduct a duly advertised public hearing as prescribed by law to consider said application;

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project is exempt from environmental review;

WHEREAS, there is hereby imposed on the subject development project certain fees, dedications, reservations and other exactions pursuant to state law and city ordinance;

WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the project is subject to certain fees, dedications, reservations and other exactions as provided below:

WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction

1 described in this resolution begins on the effective date of this resolution and any such protest must
2 be in a manner that complies with Section 66020;

3 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes
4 effective 10 days from its adoption in the absence of the filing of an appeal or call for review;

5 WHEREAS, studies and investigations made by this Commission and in its behalf reveal
6 the following facts:

7 FINDINGS:

8 For the Conditional Use Permit:

- 9 1. That the proposed location of the use is in accord with the objectives of the Zoning
10 Ordinance and the purposes of the district in which the site is located.
- 11 2. That the proposed location of the conditional use and the proposed conditions under
12 which it would be operated or maintained will be consistent with the General Plan; will
13 not be detrimental to the public health, safety or welfare of persons residing or working
14 in or adjacent to the neighborhood of such use; and will not be detrimental to properties
15 or improvements in the vicinity or to the general welfare of the City.
- 16 3. That the proposed conditional use will comply with the provisions of the Zoning
17 Ordinance, including any specific condition required for the proposed conditional use in
18 the district in which it would be located.
- 19 4. That the charter school activities will not interfere with the primary limited industrial
20 uses in the vicinity, and there will be no public health and safety issues related to the
21 location of the school use.
- 22 5. That the buildings will meet the requirements imposed by the Uniform Building Code
23 for assembly occupancy.

23 For the Development Plan Revision:

- 24 1. The site plan and physical design of the project is consistent with the Zoning Ordinance
25 and the underlying Limited Industrial (IL) zone district.
- 26 2. The project site can be adequately served by existing public facilities, services and
27 utilities.
- 28 3. The project, as proposed, is compatible with the existing and potential development on
29 adjoining properties or in the surrounding neighborhood. Schools Public or Private are

1 permitted subject to a conditional use permit within the Limited Industrial district and
2 will not detract from the existing development in the area.

- 3 4. The site plan and architectural design modifications of the project is consistent with the
4 policies contained within Sections 1.2 of the Land Use Element of the General Plan.

5 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
6 approve Conditional Use Permit (C-27-07) and Development Plan Revision (D-24-04Rev)
7 subject to the following conditions:

8 **Building:**

- 9 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
10 Building Division plan check. (Currently the 2001 California Building Code, and 2004
11 California Electrical Code)
- 12 2. The granting of approval under this action shall in no way relieve the applicant/project
13 from compliance with all State and Local building codes.
- 14 3. Site development, parking, access into buildings and building interiors shall comply with
15 the State's Disabled Accessibility Regulations. (2001 California Building Code (CBC),
16 Chapter 11B)
- 17 4. The building plans for this project are required by State law to be prepared by a licensed
18 architect or engineer and must be in compliance with this requirement prior to submittal
19 for building plan review.
- 20 5. All electrical, communication, CATV, etc. service lines within the exterior lines of the
21 property shall be underground (City Code Sec. 6.30).
- 22 6. If the City of Oceanside has jurisdiction instead of the State of California then the
23 Buildings original design would be a change of use. This is a change in use as defined in
24 the California Building Code (CBC) from F/S-2 to an E-1. Prior to Occupancy, the
25 building must comply with all CBC requirements for the new use, and a new Certificate
26 of Occupancy (C of O) must be issued by the Building Division. In order for a new C of
27 O to be issued, a licensed architect or engineer must submit an analysis to the Building
28 Division showing the status of the building with respect to the code requirements for the
29 new use. If the building does not currently comply with the requirements for the new

1 use, a permit will be necessary for the work necessary to bring the building into
2 compliance, and the C of O will be issued upon completion of the permit.

3 7. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
4 plans.

5 8. The developer shall monitor, supervise and control all building construction and
6 supporting activities so as to prevent these activities from causing a public nuisance,
7 including, but not limited to, strict adherence to the following:

8 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
9 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
10 work that is not inherently noise-producing. Examples of work not permitted on
11 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
12 producing nature. No work shall be permitted on Sundays and Federal Holidays
13 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and
14 Christmas Day) except as allowed for emergency work under the provisions of the
15 Oceanside City Code Chapter 38 (Noise Ordinance).

16 b) The construction site shall be kept reasonably free of construction debris as
17 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
18 approved solid waste containers shall be considered compliance with this
19 requirement. Small Amounts of construction debris may be stored on-site in a neat,
20 safe manner for short periods of time pending disposal.

21 9. Plans submitted after January 1st 2008 must comply with the State adopted ICC codes.

22 10. Energy Calculations/documentation will be required at time of plans submittal to the
23 Building Division for plan check.

24 11. Submit verification of Jurisdictional Authority from the State's Office of the "Division
25 of the State Architect" to establish their position on jurisdictional responsibilities for this
26 project.

27 12. Tenant Improvements or other construction to the existing building requires permits
28 (including all required Inspections and approvals, and Issuance of Certificate of
29 Occupancy) from the Building Division.

1 13. Disabled Access for the outside of Buildings along one way driveway where doors open
2 out must be on a separate walking surface so occupants leaving the Building do not step
3 into the path of oncoming vehicles. The surface of the walking surface must have
4 detectable warnings per Chapter 11 of the California Building Code.

5 **Engineering:**

6 14. Parking lot signing and striping shall be provided at key points around the two school
7 buildings to direct drop-off/pick-up traffic for peak school hours to the satisfaction of the
8 City Engineer.

9 15. A circulation management plan shall be submitted for the City Engineer's review prior
10 to issuance of any building permits for the project. No certificate of occupancy shall be
11 issued prior to the City Engineer's approval of the circulation management plan.

12 16. The applicant shall be responsible for the enforcement of the circulation management
13 plan during the life of the project. The circulation management plan shall detail
14 operational requirements and enforcement responsibilities during peak school hours.

15 17. The applicant shall provide parents with maps and information regarding the
16 requirements of the circulation management plan prior to the opening of the school and
17 at appropriate intervals thereafter.

18 18. Reciprocal access and parking agreement(s) shall be secured for the entire site.
19 Appropriate documents shall be submitted for the City Engineer's review prior to
20 issuance of any building permits and recorded prior to issuance of any certificate of
21 occupancy for the project.

22 **Fire:**

23 19. Smoke detectors are required, and detector locations must be indicated on the plans.

24 20. All proposed and existing fire hydrants within 400 feet of the project shall be shown on
25 the site plan.

26 21. A "Knox" key storage box shall be provided for all new construction. For buildings,
27 other than high-rise, a minimum of three complete sets of keys shall be provided. Keys
28 shall be provided for all exterior entry doors, fire protection equipment control rooms,
29 mechanical and electrical rooms, elevator controls and equipment spaces, etc. For high-
rise buildings, six complete sets are required.

- 1 22. All security gates shall have a Knox-box override and as required have strobe activation
- 2 capability.
- 3 23. Fire extinguishers are required and shall be included on the plans submitted for plan
- 4 check.
- 5 24. Provide a fire alarm system as required per C.F.C. Article 10 and N.F.P.A. 72
- 6 25. Buildings shall meet Oceanside sprinkler ordinance in effect at the time of building
- 7 permit application.
- 8 26. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
- 9 approval prior to the issuance of building permits.
- 10 27. Buildings shall meet Oceanside Fire Department's current codes at the time of building
- 11 permit application.

12 **Planning:**

- 13 28. This Conditional Use Permit and Development Plan Revision shall expire on January 14,
- 14 2010 unless implemented as required by the Zoning Ordinance.
- 15 29. This Conditional Use Permit approves only a K-12 charter public school at a maximum
- 16 enrollment of 500 students (Virtual On line Learning Program Students Shall not be
- 17 Counted Toward the 500 student cap) within two buildings totaling approximately 32,095
- 18 square feet, and located within the Venture Commerce Center as shown on the plans and
- 19 exhibits presented to the Planning Commission for review and approval. No deviation
- 20 from these approved plans and exhibits shall occur without the Planning Division
- 21 approval. Substantial deviations shall require a revision to the Conditional Use Permit or a
- 22 new Conditional Use Permit.
- 23 30. Virtual On line Learning Program Students shall be restricted from attending any events,
- 24 meetings, activities, or educational classes within the Pacific View Charter School
- 25 Facilities. In the event that future school curriculum changes require on site interaction
- 26 with Virtual On Line Learning Students, a revision to the Conditional Use Permit or a new
- 27 Conditional Use Permit shall be submitted to the City for formal review and approval by
- 28 the Planning Commission.
- 29

- 1 31. No additional increase in useable floor area or intensification of uses within the two
2 buildings located at 3660 and 3682 Ocean Ranch Boulevard shall be permitted as part of
3 this application for discretionary approval.
- 4 32. Prior to the issuance of any building permits, all private improvement plans submitted for
5 review and approval by the City Engineer shall include the required (10) bicycle racks
6 requested by NCTD.
- 7 33. The school shall be limited to a maximum enrollment of 500 students (Virtual On line
8 Learning Program Students Shall not be Counted Toward the 500 student cap). Annually
9 in October, the applicant shall submit to the City a copy of the executed school affidavit
10 that has been submitted to the State of California Department of Education (CDE) and
11 the Oceanside Unified School District reflecting the actual number of students that are
12 enrolled at the school, including the Independent Study Program which shall not exceed
13 the maximum enrollment established by this approval and the number of Virtual On Line
14 Learning Program Students enrolled at Pacific View Charter School.
- 15 34. Nursery facilities associated with Pacific View Charter School shall be restricted for use
16 by enrolled students only. A licensed day care facility is not authorized as part of this
17 discretionary approval.
- 18 35. No special event functions/activities (i.e. graduations, plays, activities that require over
19 one quarter of the maximum student body (125) to be on-site at any one time) shall be
20 permitted on-site without prior submittal and approval of a special event permit from the
21 City's Park and Recreation Division, and shall be subject to review and approval by the
22 City Planner and City Engineer or their designees.
- 23 36. All existing and new mechanical rooftop equipment shall be screened from public view as
24 required by the Zoning Ordinance. That is, on all four sides and top. The roof racks,
25 mechanical equipment, screen and vents shall be painted with non-reflective paint to match
26 the roof. This information shall be shown on the building plans.
- 27 37. All student pick-up and drop-off shall be via the rear of the northern most building (No. 7).
28 The area denoted on Figure 1 of the Management Plan as "No Parking (Drop-Off/ Pick-Up
29 Zone)" and located to the east of Building 6 shall not be used for any Pick-up or Drop-Off

1 of students or guest. The front of the facility shall be maintained and managed to prevent
2 traffic congestion for students and the public.

3 38. Any proposed new signs shall be in conformance with the Venture Commerce Center
4 Comprehensive Sign Program (CSP-3-06) and shall be submitted to the Planning Division
5 for review and approval by the City Planner or their Designee.

6 39. The applicant shall provide student drop-off and parking attendants to assist in parking of
7 vehicles and dropping off of students within the designated drop-off and parking areas
8 identified within the approved Circulation Management Plan.

9 40. A covenant or other recordable document approved by the City Attorney shall be prepared
10 by the applicant and recorded prior to the issuance of building permits. The covenant shall
11 provide that the property is subject to this resolution, and shall generally list the conditions
12 of approval.

13 41. Prior to issuance of any building permits for the project, a Final Pacific View Charter
14 School Operation Management Plan shall be submitted to the City Planner for review,
15 and prior to issuance of any certificate of occupancy the City Planner shall approve the
16 final version of the Pacific View Charter School Operation Management Plan.

17 42. Prior to issuance of building permits, compliance with the applicable provisions of the
18 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
19 and approved by the Planning Division. These requirements, including the obligation to
20 remove or cover with matching paint all graffiti within 24 hours shall be recorded in the form
21 of a covenant affecting the subject property.

22 43. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
23 written copy of the applications, staff report and resolutions for the project to the new
24 owner and or operator. This notification's provision shall run with the life of the project
25 and shall be recorded as a covenant on the property.

26 44. Failure to meet any conditions of approval for this development shall constitute a violation
27 of the Conditional Use Permit.

28 45. Unless expressly waived, all current zoning standards and City ordinances and policies in
29 effect at the time building permits are issued are required to be met by this project. The
approval of this project constitutes the applicant's agreement with all statements in the

1 Description and Justification, Management Plan, and other materials and information
2 submitted with this application, unless specifically waived by an adopted condition of
3 approval.

4 46. This Conditional Use Permit shall be called for review by the Planning Commission if
5 complaints are filed and verified as valid by the Code Enforcement Office concerning the
6 violation of any of the approved conditions or assumptions made by the application.

7 PASSED AND ADOPTED Resolution No. 2007-P03 on January 14, 2008 by the
8 following vote, to wit:

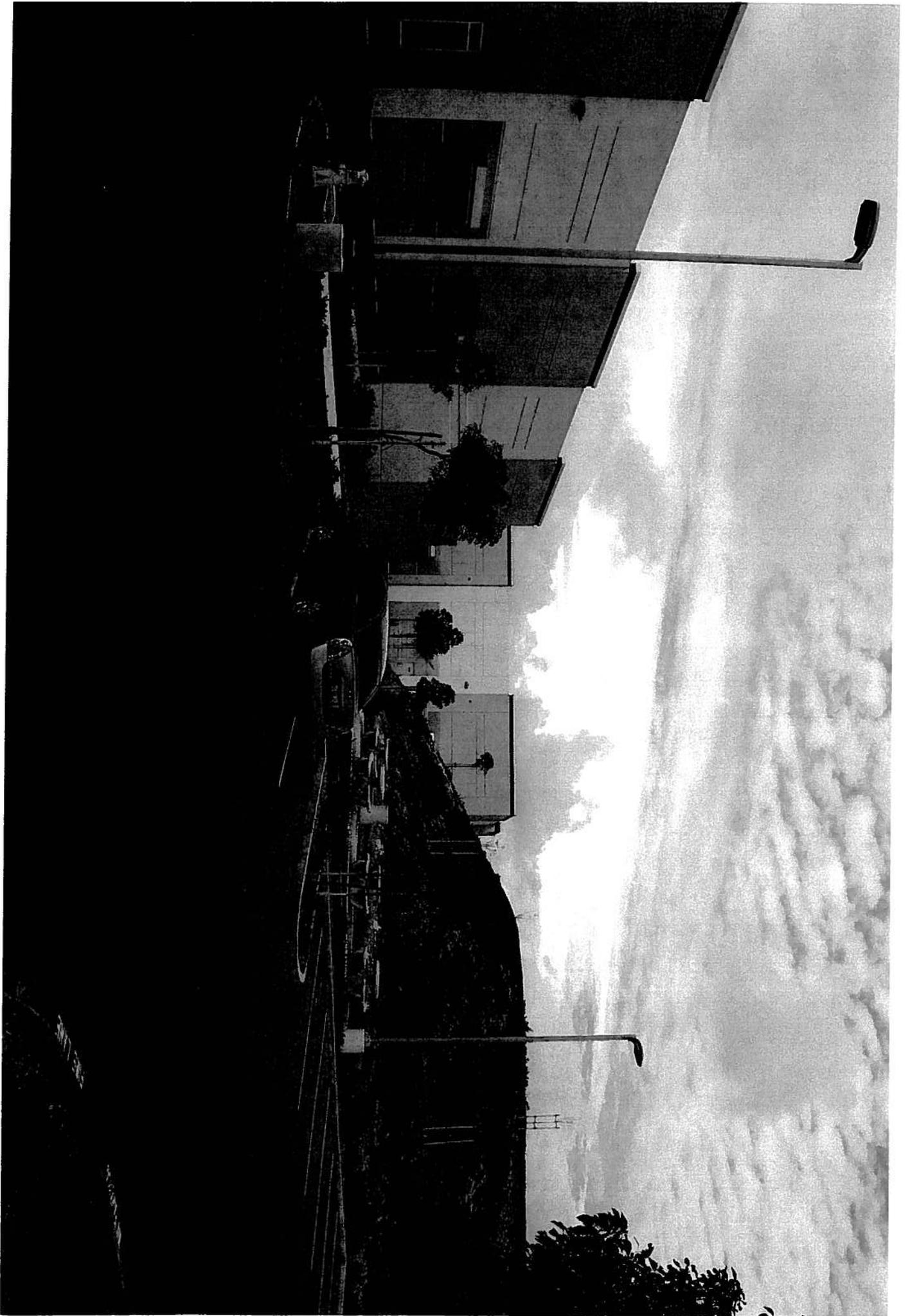
- 9 AYES:
- 10 NAYS:
- 11 ABSENT:
- 12 ABSTAIN:

13
14 _____
15 Dennis Martinek, Chairman
16 Oceanside Planning Commission

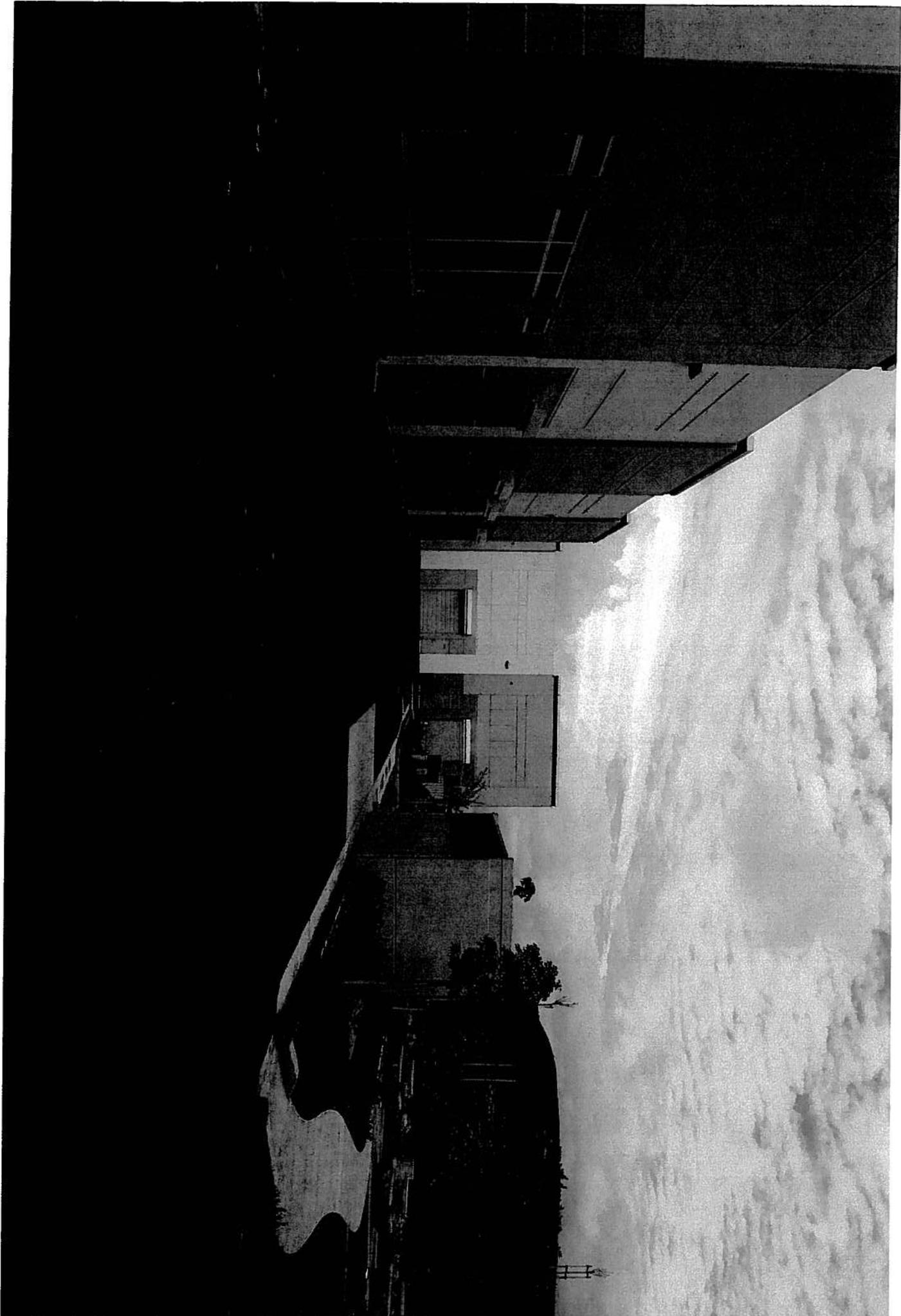
17 ATTEST:
18
19 _____
20 Jerry Hittleman, Secretary

21 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
22 this is a true and correct copy of Resolution No. 2007-P03.

23 Dated: January 14, 2008

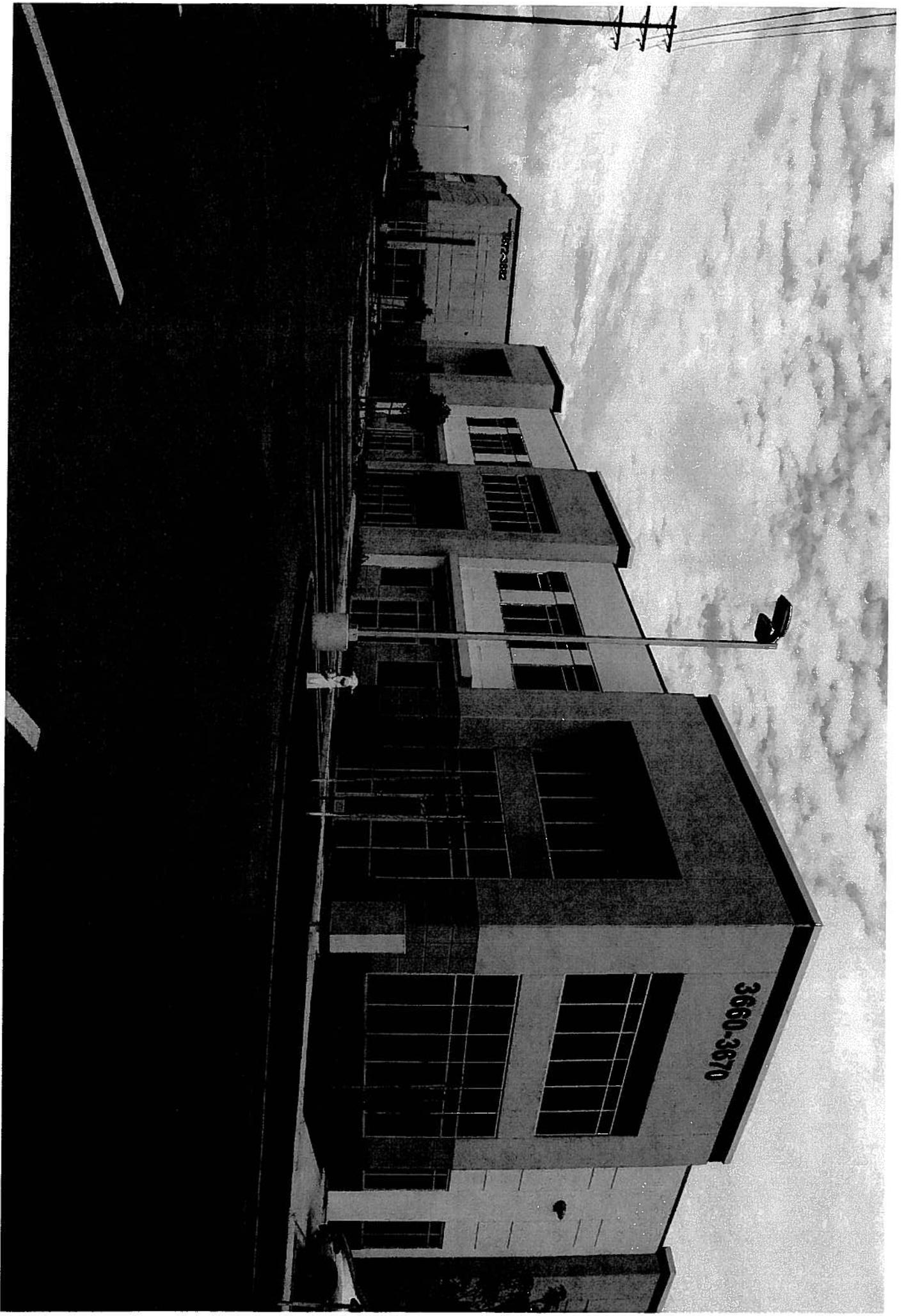






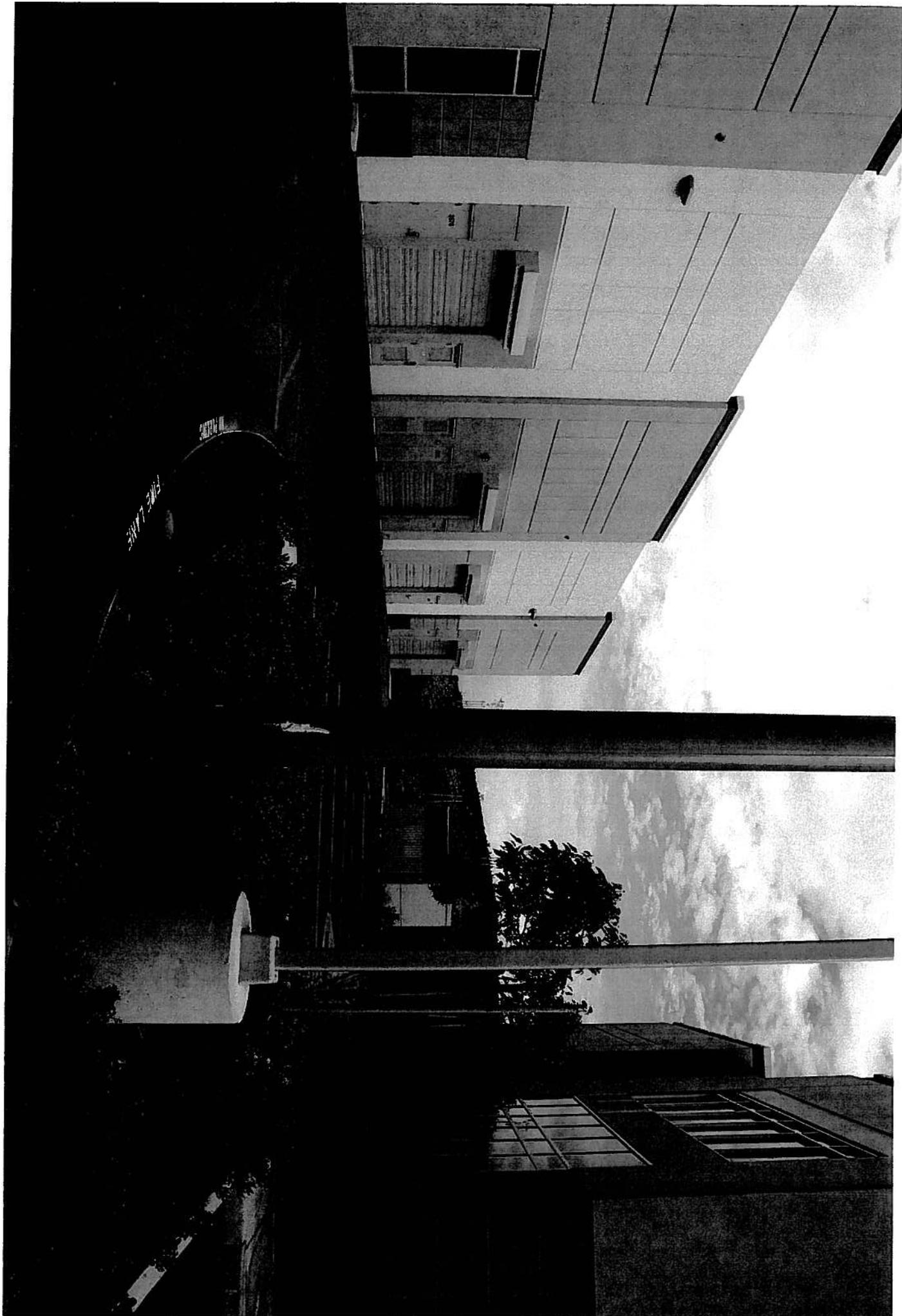
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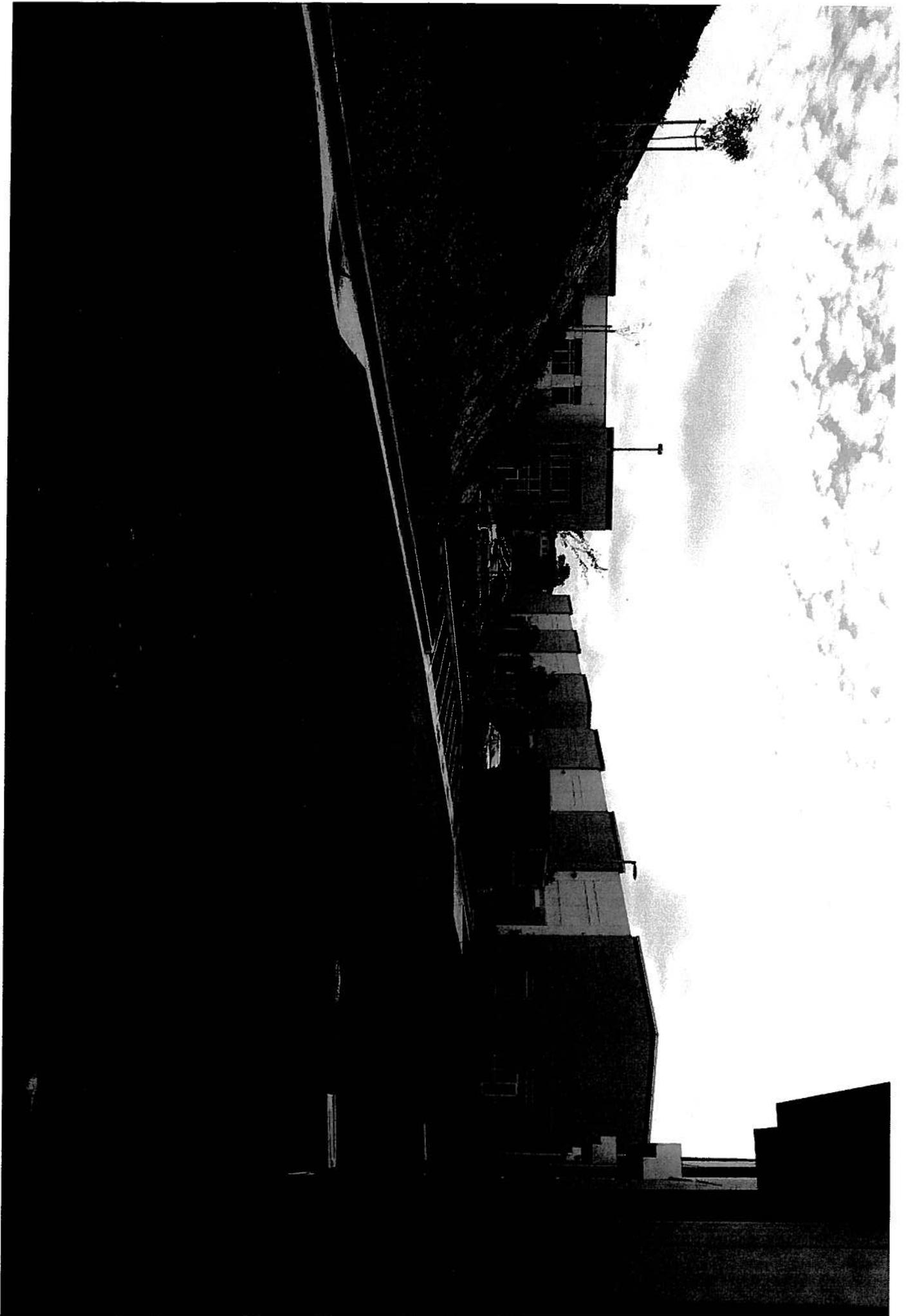
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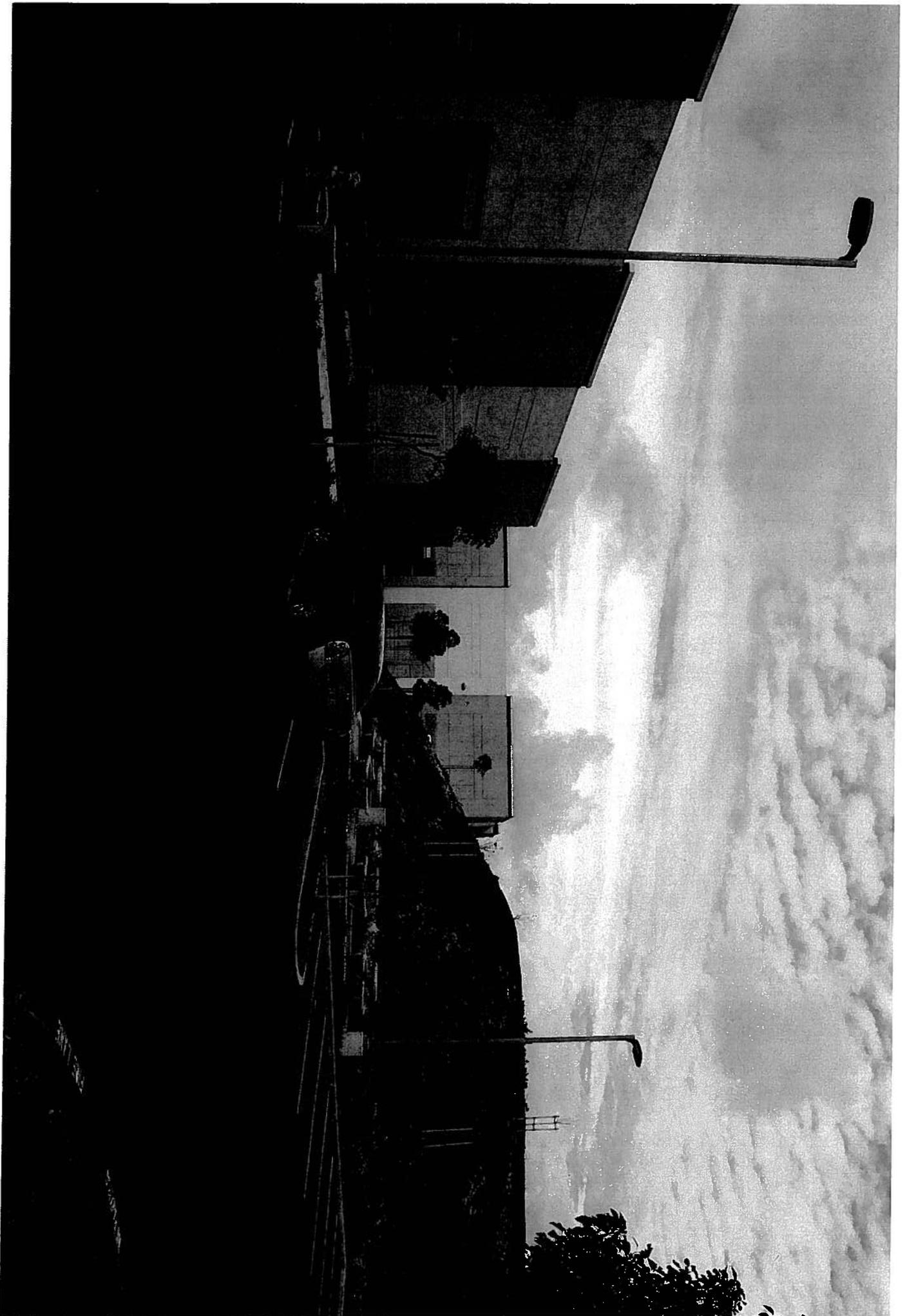












**Pacific View Charter School
Operational Management Plan
Venture Commerce Center Facility**

Scope

This Operational Management Plan is intended to describe procedures associated with the operation and management of the Pacific View Charter School facilities within the Venture Commerce Center located east of Rancho Del Oro Drive and North of Ocean Ranch Blvd.

Overview

The Pacific View Charter School is a California Public School (#37-73569-3731221) sponsored by the Oceanside Unified School District, which began operating in September of 1999.

Pacific View Charter School provides an educational alternative for students in the kindergarten through twelfth grades, using the Personalized Learning Model. Unlike a typical school, the students do not attend classroom-based instruction on a daily basis. The school offers students learning opportunities through an alternative educational program that utilizes an independent study based program. During the school year, students may attend class once per week on staggered days, or use the on-site computer lab and receive tutoring as necessary.

In addition to the Independent Study Program students who are served at the campus, Pacific View Charter School also offers a Virtual On-Line Learning Program, whose students do not come to the campus. Teachers in this program are also remote, and will not have any office or workstations at the school facility. This program has been used on a limited basis, but is projected to be substantially expanded over the next few years to serve more students in San Diego and the contiguous counties. Because the enrollment in the Virtual On-Line Learning Program does not affect the operations at the Venture Commerce Center facility, the balance of this management plan focuses on the Independent Study Program of Pacific View Charter School.

Location

Pacific View Charter School will occupy two buildings, which are designated Building 6 and Building 7 within the Venture Commerce Center. Building 6 will be used for the 9th grade through 12th grade students. Building 7 will be used for the Kindergarten through 8th grade students. The two buildings include eight classrooms, thirty-two offices, four computer labs, a biology lab, a conference room, a textbook warehouse, a study hall, and a staff lounge plus associated corridors and restrooms.

Enrollment

Pacific View Charter School had a total enrollment during the 2006/07 school year of 364 students. Of these, 73 students were enrolled in grades K-8 and 291 students were enrolled in grades 9 through 12.

Expansion in enrollment is projected to a maximum of approximately 500 students, estimated to be comprised of 150 students in Kindergarten through 8th grade, and 350 students in 9th grade through 12th grade.

As noted above, the school also plans to expand their virtual online learning program for enrolled students. These students would not attend classes on campus.

Student Enrollment Certification

California Basic Educational Data System (CBEDS) is a system that collects annually: basic student and staff data; includes student enrollment, graduates, dropouts, course enrollment, enrollment in alternative education, gifted and talented education, and more. This report is due annually in October. It is submitted to the California Department of Education (CDE) and the Oceanside Unified School District. The Pacific View Charter School will certify to the Oceanside Unified School District as part of this report the number of students that are enrolled in the Independent Study Program and the Virtual On-Line Learning Program, a copy of which will also be provided to the City of Oceanside Planning Department. The CDE does not require this differentiation at this time.

School Class Schedule and Business Hours

Elementary Classes - Kindergarten through 8th grade (K-8) students may attend class one day per week. Each classroom has a maximum of 20 students. With two classrooms allocated to grades K through 8, a maximum of 40 students would be attending classes at any given time. Multiple grades will be grouped together within the 20 students per class.

High-School Classes - High school students may attend classes one or more days per week Monday through Friday. Two classrooms are provided for the high school students, with each classroom accommodating a maximum of 20 students for a maximum of 40 high school students attending classes at any given time. In addition, a biology lab and computer lab are available to the high school students for classroom learning.

Class Times - Classes for the Kindergarten through 8th grade students will be held between 8:30 a.m. and 12:30 p.m. on Mondays, Tuesdays and Thursdays, while classes for grades 9 through 12 will be held during 1 hour to 2 ½ hour sessions between 8:00 a.m. and 4:00 p.m. Monday through Friday. Typical monthly schedules for the elementary and high school students are attached.

Teacher Meetings - A key component of the instructional model is parental involvement, and parents must attend regularly scheduled meetings with the teachers to discuss the students' progress and learning program. In addition to the weekly classroom time, each family of students in Kindergarten through 5th grade attends a one-hour meeting once

every three weeks. Each family of students in grades 6 through 8 attends a one-hour meeting once every two weeks. The high school students and their families attend a one-hour meeting once every week. These appointments are scheduled between the hours 8:00 a.m. and 4:00 p.m.

Staff - At maximum enrollment, a total staff of 35 is projected, including teachers, administrators and assistants. Staff is onsite weekdays between 7:30 am and 4:30 pm

Nursery - In the event any of the enrolled high school students have infants, an onsite nursery is provided. For students that have newborns or small minors (0-2 years of age) there are often limited options for child care which prevents them from attending classes. The independent learning structure of Pacific View Charter School provides increased options for continuing education, and the nursery area is intended to provide an opportunity for onsite babysitting during teacher meetings and class periods. A typical stay at the nursery would be for 1-2 hours. The maximum number at the nursery is projected to be four (4) children. Depending on need, the school may pursue future licensing to elevate this from a babysitting service to licensed day care, which would also be available only to enrolled students. The nursery will be open on an as-needed basis, during normal school hours.

Site Access and Parking

The location of the Pacific View Charter School was selected to provide an easily accessed location central to their primary service area. A total of 91 parking spaces are provided adjacent to both buildings occupied by the school as shown on Exhibit 1. These will be available to teachers and staff, parents and students for attending meetings or classes. The school reserves the right to designate or direct staff, student, parent and guest parking if determined to be desirable for management of onsite parking and circulation.

Many students are driven to school by their parents, and a supervised student drop-off and pick-up zone between the buildings will be provided during the peak school hours to facilitate efficient vehicular circulation. Signing and striping will be provided at key points around the two school buildings to direct traffic to this drop-off/pick-up zone between the buildings.

Prior to the opening of the school, parents will be sent information and a map showing the school circulation plan and location of the student drop-off and pick-up area. Parents will be also informed at their one-on-one meetings with the teachers of any changes to on-site circulation or parking routines. School staff will supervise the designated student drop-off/pick-up zone during the peak periods when parents drop off and pick up their children at School.

Hazardous Materials

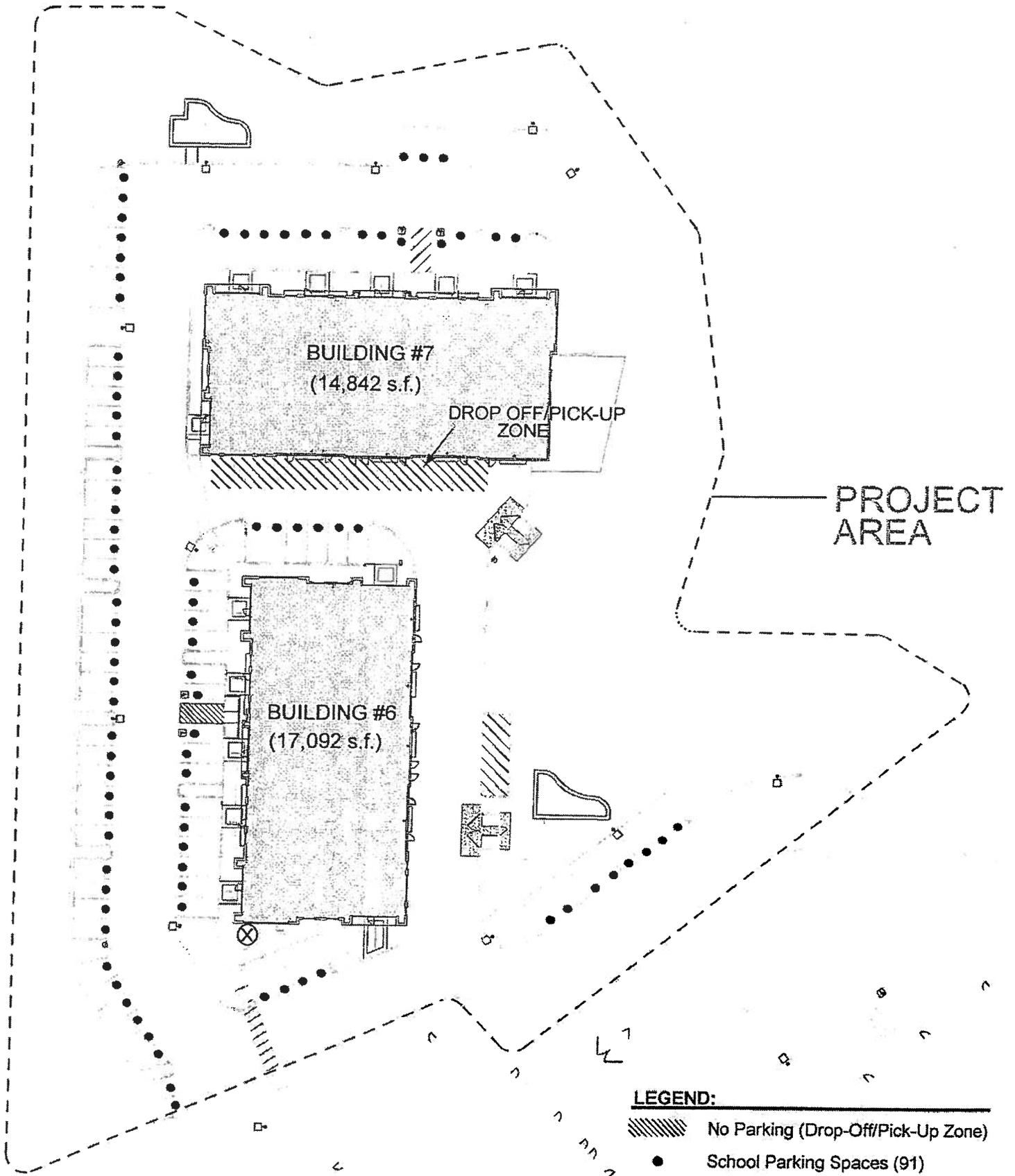
No hazardous materials will be located on site. Custodial operations will be contracted out and no site storage of hazardous materials is anticipated.

Security

The Business Manager will be the central point of contact for any security concerns at the school.

Revisions to Management Plan

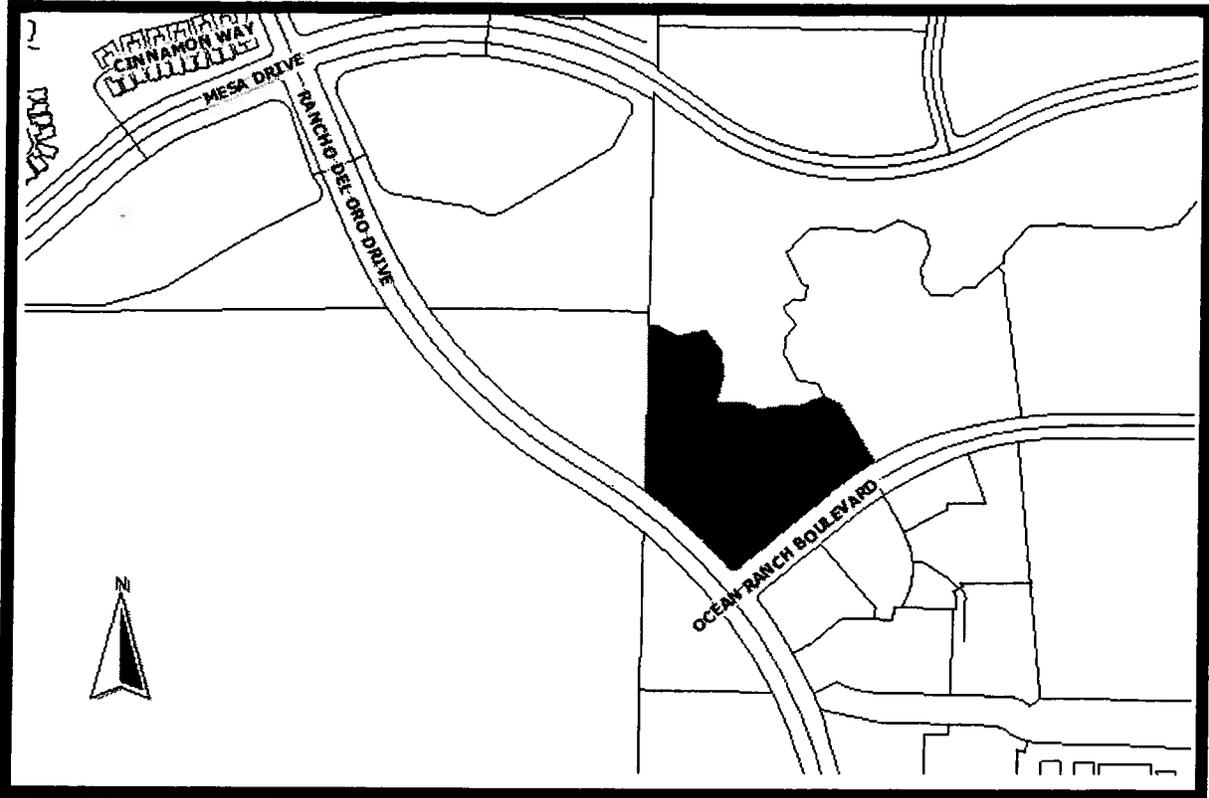
It is recognized that from time to time, there may be changes to this Management Plan that are desired or needed to meet evolving business practices or address changes in business activities. Any changes or revisions in this Management Plan must be submitted to the Planning Department.



LEGEND:

-  No Parking (Drop-Off/Pick-Up Zone)
-  School Parking Spaces (91)
-  Suggested Location of Bicycle Racks





File Number: D-24-04 Rev., C-27-07

Applicant: Pacific View Charter School

Description:

DEVELOPMENT PLAN REVISION (D-24-04 Rev.) and CONDITIONAL USE PERMIT (C-27-07) to modify the exterior door and window finish materials on the existing Limited Industrial Buildings and establish a charter school within Buildings 6 and 7 of the Venture Commerce Center located at 3660 and 3682 Ocean Ranch Blvd. The project site is zoned IL (Limited Industrial) and is situated within the Ivey Ranch/ Rancho Del Oro Neighborhood. **PACIFIC VIEW CHARTER SCHOOL**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

City of Oceanside, Planning Division
300 N. Coast Highway
Oceanside, CA 92054 (760) 435-3520

Application For Planning Commission Hearing

Planning Department (760) 435-3520
 Oceanside Civic Center
 300 North Coast Highway
 Oceanside, California 92054-2885

Please Print Or Type All Information

STAFF USE ONLY

ACCEPTED	BY
7/25/07	SN.

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT Pacific View Charter School	2. STATUS Buyer	RECEIVED JUL 25 2007 Planning Department	GPA	
3. ADDRESS 3355 Mission Ave., Suite 139 Oceanside CA 92054	4. PHONE / FAX 760-757-0161		MASTER/SP.PLAN	
			ZONE CH.	
			TENT. MAP	
			PAR. MAP	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) The Lightfoot Planning Group -Attn Doug Barrett			DEV. PL	D-24-04 Rev 07
			C.U.P.	C-27-07
6. ADDRESS 5750 Fleet Street, Suite 250 Carlsbad, CA 92008	7. PHONE (760) 692-1924 phone (760) 692-1935 fax		VARIANCE	
			COASTAL	

PART II - PROPERTY DESCRIPTION

8. LOCATION North East corner of Rancho del Oro and Ocean Ranch Boulevard in the Rancho Del Oro Business Center (Buildings 6 and 7).	9. SIZE 8.48 Acres
10. GENERAL PLAN LI - Light Industrial	11. ZONING IL-Limited Industrial
12. LAND USE Existing Vacant Buildings	13. ASSESSOR'S PARCEL NUMBER 160-572-04

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION The CUP will be for operation of a charter public school.	REV-10/4/07
---	--------------------

15. PROPOSED GENERAL PLAN No Change	16. PROPOSED ZONING No Change	17. PROPOSED LAND USE No Change	18. NO. UNITS N/A	19. DENSITY N/A
20. BUILDING SIZE 32,095 Sq. Ft.	21. PARKING SPACES 91 Provided	22. % LANDSCAPE N/A	23. % LOT COVERAGE N/A	

PART IV - ATTACHMENTS

ALL APPLICATIONS		DEV. PLANS, C.U.P.s & TENT. MAPS	
<input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION	<input checked="" type="checkbox"/> 30. FLOOR PLANS & ELEVATIONS	
<input checked="" type="checkbox"/> 26. 300-FT. RADIUS MAP	<input checked="" type="checkbox"/> 27. PROPERTY OWNERS' LIST	<input type="checkbox"/> 31. CONSTRUCTION SCHEDULE	
<input checked="" type="checkbox"/> 28. ENVIRONMENTAL ASSESSMENT	<input checked="" type="checkbox"/> 29. PLOT PLANS	<input type="checkbox"/> 32. OTHER	

PART V - SIGNATURES

THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.		SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).	
33. APPLICANT OR REPRESENTATIVE (Print): Gina Campbell, Director	34. DATE 7/23/07	37. OWNER (Print) LB/VCC - OCEANSIDE, LLC	38. DATE 07/20/07
Sign: <i>Gina Campbell</i>		Sign: <i>MATES REZUE, V.P.</i>	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		RECEIVED JUL 25 2007	
35. APPLICANT (Print): Gina Campbell, Director	36. DATE 7/23/07	39. OWNER (Print): Planning Department	40. DATE
Sign: <i>Gina Campbell</i>		Sign: <i>Planning Department</i>	

RICHTARS

Pacific View Charter School
Conditional Use Permit (C-27-07)
Revision of Development Plan (D-24-04 rev)

Description and Justification
December 2007 (rev)

This application is for a Conditional Use Permit for the Pacific View Charter School, a public charter school, at the Venture Commerce Center in Ocean Ranch. The school use is proposed for Buildings 6 and 7, located at 3660-3682 Ocean Ranch Boulevard. The buildings are situated on the north side of Ocean Ranch Boulevard and east of Rancho Del Oro Drive and are currently vacant. A CUP (C-08-06) was previously approved to allow medical office uses for these 2 buildings (Buildings 6 and 7) and for a suite in Building 2. The charter school would take the place of the medical office in Buildings 6 and 7. The suite located at 3612 Ocean Ranch Boulevard in Building 2 would remain as medical office.

The property (APN: 160-572-04) has a General Plan designation of LI (Light Industrial) and is zoned IL (Limited Industrial) within the Ivey Ranch/Rancho Del Oro neighborhood area. This is an existing 100,689 square foot multi-tenant, light industrial complex. The two school buildings are located in a northern wing of the Venture Commerce Center. The land uses surrounding the property include open space slopes to the north and east, industrial to the east and south, with the proposed El Corazon Park and Rancho del Oro Drive to the west.

Student Enrollment and Staff

Pacific View Charter School currently (Fall 2007) operates in a professional office complex at 3355 Mission Avenue in Oceanside. At that site, total enrollment was 364 students for the 2006-2007 school year. Of those enrolled, 73 were in grades Kindergarten through 8th grade (K-8) and 291 were in grades 9 through 12.

All of the students and faculty would be located to the proposed new facility. With the relocation, they are projecting expansion in their enrollment from 364 students to a maximum of approximately 500 students, estimated to be comprised of 150 students in K-8, and 350 students in grades 9-12. At maximum enrollment, a total staff of 35 is projected, including teachers, administrators and assistants.

In addition to the Independent Study Program students who are served at the campus, Pacific View Charter School also offers a Virtual On-Line Learning Program, whose students do not come to the campus. Teachers in this program are also remote, and will not have any office or workstations at the school facility. This program has been used on a limited basis, but is projected to be substantially expanded over the next few years to serve more students in San Diego and the contiguous counties. A more detailed description of this program is provided in attachment A. Because the enrollment in the Virtual On-Line Learning Program does not affect the operations at the Venture Commerce Center facility, the balance of this project information focuses on the Independent Study Program of Pacific View Charter School.

Schedule

The school is an independent study school which is unlike a traditional school. Students in grades K-8 participate in classroom learning activities one day per week. Students in grades 9-12 meet with their instructor once a week and are able to take various supplemental workshops throughout the week but their participation varies greatly from student to student. Each class will accommodate a maximum of 20 students. A total of eight classrooms are planned for the new facility.

Students at the 9th through 12th grade level meet with their teacher one time per week for one hour. Their educational support person (typically their parent) must attend that meeting. During this meeting the teacher discusses and critiques completed assignments, and assigns new course work. The Kindergarten through 8th grade students meet with their teacher and parent typically every two to three weeks.

Pacific View Charter School will occupy two buildings at the site. Building 6 is going to be used for the 9th through 12th grade students. Building 7 is going to be used for the Kindergarten through 8th grade students. The school will occupy 32,095 square feet of two existing buildings which will include eight classrooms, thirty-two offices, four computer labs, a biology lab, a conference room, a book room, a study hall, a faculty and staff lounge plus associated corridors and restrooms as well as other administrative uses. A nursery room is included in Building 6 to accommodate any students with infants, allowing them to attend class or teacher meetings. Depending on need, the school may pursue future licensing to elevate this from a babysitting service to licensed day care, which would be available only to their students.

Building Modifications (Development Plan Revision)

The building exteriors will remain predominantly as built. Minor exterior changes will be made to add windows for offices as needed and roll up doors will be replaced on the back of all units on both buildings with windows that will match those on the front of the buildings. Interior tenant improvements will include construction of the offices and classrooms on the ground floor and mezzanine level. A small area on the east of Building 7 is proposed to be converted to a paved and covered lunch area.

Parking and Onsite Circulation

Off street parking for schools is determined on a case-by-case basis, through the Conditional Use Permit process, to account for differences in operational characteristics. A total of 91 spaces have been allocated for Pacific View Charter School within the Venture Commerce Center. These spaces are located in proximity to the school buildings and will provide convenient spaces for staff, parents and students. A traffic analysis and on-site circulation assessment was prepared for the school, which included an evaluation of parking requirements. The peak parking demand was estimated to be approximately 60 parking stalls, so the available 91 parking spaces would easily accommodate the proposed charter school use.

Many students attending weekly classes or labs are dropped off and picked up, so a designated drop-off/pick-up area will be provided between Buildings 6 and 7. The proposed circulation will include a one-way loop around Building 6 to the drop-off/pick-up area. Signing and on-pavement striping will be provided at key points around the two school buildings to direct traffic to the drop-off/pick-up zone to limit potential conflict or congestion. Because the school buildings are located at the

northern end of the center, it allows for circulation around the school to be controlled without affecting other tenants. School staff will supervise the designated student drop-off/pick-up zone during the peak periods.

REQUIRED FINDINGS - CONDITIONAL USE PERMIT

Pacific View Charter School:

The City of Oceanside Zoning Ordinance stipulates that three specific findings must be made before a Conditional Use Permit can be adopted. The following findings are for the Conditional Use Permit to allow Pacific View Charter School to operate within the existing building.

1. That the proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located.

The proposed location of the Pacific View Charter School in the Venture Commerce Center is in accordance with the purposes of the Planned Industrial zone district. The use is located in an existing center with adequate access and is adjacent to public transportation. The use complements other existing uses in the center as a whole. Pacific View Charter School will help to develop the area of the center that has yet to be occupied.

2. That the proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety, or welfare of the persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to the properties or improvements in the vicinity or to the general welfare of the city.

The inclusion of an educational component within the Venture Commerce Center will be compatible with the surrounding land uses. The proposed use will be suitable in this location which was previously unoccupied. Landscaping and public utilities already exist and serve the site. The proposed project will serve the public by providing quality educational opportunities for the children of Oceanside and the surrounding communities. The project is consistent with the General Plan in that it will not be detrimental to the public health, safety, or welfare of persons residing or working within the commercial center and surrounding neighborhood.

3. That the proposed conditional use will comply with the provisions of the Zoning Ordinance, including any specific condition required for the proposed conditional use in the district in which it would be located.

The proposed conditional use complies with the provisions of the Zoning Ordinance in terms of size, location and neighborhood compatibility. The proposed use meets all the Planned Industrial Development district regulations and no variances are requested.

Attachment A

Pacific View Charter School

Virtual On-Line Learning Program

The School's Virtual On-Line Learning Program (VOLP) is a software system designed to help teachers by facilitating the management of educational courses for their students, especially by helping teachers and learners with course administration. The system can often track the learners' progress, which can be monitored by teachers. The software system is the primary tool for distance education. These systems usually run on servers, to serve the course to students multimedia and/or web pages. Components of these systems usually include templates for content pages, discussion forums, chat, quizzes and exercises such as multiple-choice, true/false and one-word-answer. Teachers fill in these templates and then release them for learners to use. Services generally provided include access control, provision of e-learning content, communication tools, and administration of the user groups.

We will begin marketing the VOLP program beginning in January '08. The School can serve students in San Diego and the contiguous counties; Riverside, Imperial, and Orange. Projected enrollment in this program is estimated to be 150-200 students for the 2008/09 school year, and this Program is anticipated to grow every year in student enrollment. However; it will not impact or affect the facilities at Venture Commerce Center, as described below.

Facilities

VOLP students will not have to access the Schools main campus at Venture Commerce Center (VCC). The students will have their software shipped directly to their homes. They will interface directly with their teachers electronically through webcams. Teachers that are assigned to the VOLP will not be assigned individual workstations at VCC. Public information meetings and mandatory assessments will be completed at other facilities throughout the contiguous counties and therefore these activities will not impact the VCC facility.

VOLP makes it possible for an instructor to present to students, through a single, consistent, and intuitive interface, all the components required for a course of education or training. The VOLP implements all the following elements:

- The syllabus for the course
- Administrative information including the timing of sessions, details of pre-requisites and co-requisites, credit information, and how to get help
- A notice board for up-to-date course information
- Student registration
- Basic teaching materials. The complete content of the course, copies of visual aids used in lectures or other classes where it is being used to support a campus-based course.
- Additional resources, including reading materials, and links to outside resources in libraries and on the Internet.
- Self-assessment quizzes which can be scored automatically

Student Enrollment Certification

California Basic Educational Data System (CBEDS) is a system that collects annually: basic student and staff data; includes student enrollment, graduates, dropouts, course enrollment, enrollment in alternative education, gifted and talented education, and more. This report is due annually in October. It is submitted to the California Department of Education (CDE) and the Oceanside Unified School District. The Pacific View Charter School will certify to the Oceanside Unified School District as part of this report the number of students that are enrolled in the Independent Study Program and the Virtual On-Line Learning Program. The CDE does not require this differentiation at this time.

RECEIVED
JUL 25 2007
Planning Department**LEGAL DESCRIPTION**

Real property in the City of Oceanside, County of San Diego, State of California, described as follows:

Parcel A:

Unit(s) 601, 602, 603, 604, 605, 606, 701, 702, 703, 704, 705 and 706 as shown and defined on that certain Condominium Plan for Venture Commerce Center – Ocean Ranch Phase 2, recorded August 7, 2006 as Instrument no. 2006-0556952 of Official Records, together with an appurtenant undivided 2.7044% (as to Unit 601); 4.3814% (as to Unit 602); 5.7957% (as to Unit 603); 6.2953% (as to Unit 604); 6.0326% (as to Unit 605) 6.9825% (as to Unit 606); 2.7044% (as to Unit 701); 4.3814% (as to Unit 702); 5.7957% (as to Unit 703); 6.2953% (as to Unit 704); 6.0326% (as to Unit 705) and 6.9825% (as to Unit 706) interest in and to the Common Area, being a portion of Parcel 1 of Parcel Map No. 19985, in the City of Oceanside, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County on April 28, 2006 as Instrument no. 2006-0299079 of Official Records, excepting therefrom that portion of the Common Area described in Condominium Plan Venture Commerce Center - Ocean Ranch Phase I recorded May 4, 2006 as instrument no. 2006- 0315425 of Official Records; and as said Common Area is further defined and described in that certain Declaration of Covenants and Restrictions Establishing a Plan for Condominium Ownership for Venture Commerce Center – Ocean Ranch, recorded April 28, 2006 as Instrument no. 2006-0299080 of Official Records and as amended by Corrective Amendment to Declaration of Covenants and Restrictions Venture Commerce Center - Ocean Ranch Condominium Project Phase I recorded August 7, 2006 as instrument no. 2006-0556951 of Official Records and Declaration of Annexation Venture Commerce Center - Ocean Ranch Condominium Project Phase II recorded August 7, 2006 as instrument no. 2006-0556953 and as amended on August 18, 2006 as instrument no. 2006-0591402 both of Official Records.

Reserving therefrom certain exclusive, restricted and/or non-exclusive easements for access and other purposes, over and across the Common Area, as said Common Area is further set forth and defined in that certain Declaration of Covenants and Restrictions Establishing a Plan for Condominium Ownership for Venture Commerce Center – Ocean Ranch, recorded April 28, 2006 as Instrument no. 2006-0299080 of Official Records and as amended by Corrective Amendment to Declaration of Covenants and Restrictions Venture Commerce Center - Ocean Ranch Condominium Project Phase I recorded August 7, 2006 as instrument no. 2006-0556951 of Official Records and Declaration of Annexation Venture Commerce Center - Ocean Ranch Condominium Project Phase II recorded August 7, 2006 as instrument no. 2006-0556953 and as amended on August 18, 2006 as instrument no. 2006-0591402 both of Official Records.

Parcel B:

The exclusive right to use those portions of the Exclusive Use Common Areas designated as P316, P315, P203, P204 & P205, being those parking spaces designated as appurtenant to Unit 601; P311, P312, P242, P243, P206, P207 & P208 being those parking spaces designated as appurtenant to Unit 602; P310, P309, P308, P246, P247, P209, P210 & P314 being those parking spaces designated as appurtenant to Unit 603; P305, P306, P250, P251, P313, P235 & P236 being those parking spaces designated as appurtenant to Unit 604; P301, P302, P252, P253, P254, P237, P238 & P239 being those parking spaces designated as appurtenant to Unit 605; P298, P299, P300, P258, P259, P240, P241, P244, P245 & P307, being those parking spaces

designated as appurtenant to Unit 606; P264, P265, P248, P249, P304 & P303, being those parking spaces designated as appurtenant to Unit 701; P267, P268, P290, P291, P255, P256, P257 & P297 being those parking spaces designated as appurtenant to Unit 702; P286, P287, P288, P271, P272, P296, P295, P294 & P293 being those parking spaces designated as appurtenant to Unit 703; P284, P285, P274, P275, P292, P260, P261 & P262 being those parking spaces designated as appurtenant to Unit 704; P281, P276, P277, P263, P266, P269 & P270 being those parking spaces designated as appurtenant to Unit 705; P279, P280, P278, P273, P289, P283 & P282 being those parking spaces designated as appurtenant to Unit 704 defined in Parcel A herein above; together with the heating and air conditioning equipment also being appurtenant to the Unit(s) defined in Parcel A herein above, said Exclusive Use Common Areas are further defined in that certain Declaration of Covenants and Restrictions Establishing a Plan for Condominium Ownership for Venture Commerce Center – Ocean Ranch, recorded April 28, 2006 as Instrument no. 2006-0299080 of Official Records and as amended by Corrective Amendment to Declaration of Covenants and Restrictions Venture Commerce Center - Ocean Ranch Condominium Project Phase I recorded August 7, 2006 as instrument no. 2006-0556951 of Official Records and Declaration of Annexation Venture Commerce Center - Ocean Ranch Condominium Project Phase II recorded August 7, 2006 as instrument no. 2006-0556953, and as amended on August 18, 2006 as instrument no. 2006-0591402, both of Official Records.

Parcel C:

Certain non-exclusive easements for ingress and egress and other purposes, which easements shall be appurtenant to the Condominium Unit(s) described in Parcel A herein above, over and across the Common Area, as set forth and defined in that certain Declaration of Covenants and Restrictions Establishing a Plan for Condominium Ownership for Venture Commerce Center – Ocean Ranch, recorded April 28, 2006 as Instrument no. 2006-0299080 of Official Records and as amended by Corrective Amendment to Declaration of Covenants and Restrictions Venture Commerce Center - Ocean Ranch Condominium Project Phase I recorded August 7, 2006 as instrument no. 2006-0556951 of Official Records and Declaration of Annexation Venture Commerce Center - Ocean Ranch Condominium Project Phase II recorded August 7, 2006 as instrument no. 2006-0556953 and as amended on August 18, 2006 as instrument no. 2006-0591402 both of Official Records.

APN: 160-572-04-00



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
(180 days)

1. **APPLICANT:** Gina Campbell, Director PVCS
2. **ADDRESS:** 3355 Mission Ave., Suite 139 Oceanside, CA, 92054
3. **PHONE NUMBER:** (760) 757-0161
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Richard Greenbauer, Senior Planner
6. **PROJECT TITLE:** Pacific View Charter School (C-27-07) and (D-24-04Rev.)
7. **DESCRIPTION:** The applicant request approval of a Conditional Use Permit and Development Plan Revision in order to establish a K-12 Charter School within Buildings 6 and 7 of the Venture Commerce Center located at 3660 and 3682 Ocean Ranch Blvd. The proposed location is zoned Limited Industrial (IL) on the City's Official Zoning Map and has a General Plan designation of (LI) Light Industrial.

ADMINISTRATIVE DETERMINATION: Planning Department staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, staff finds that the proposed project constitutes in fill development. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section _____, <name> (Sections 15260-15277); or,
- The project is categorically exempt, Class 32, "In-Fill Development Project" (Section 15332); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Richard Greenbauer, Senior Planner

Date:

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee