



DATE: November 19, 2007

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE PARCEL MAP (P-22-06) AND DEVELOPMENT PLAN (D-31-06) TO SUBDIVIDE A 7.42-ACRE SITE INTO 6 INDIVIDUAL FEE LOTS WITH 6 INDUSTRIAL BUILDINGS TOTALING 130,354 SQUARE FEET IN SIZE AND LOCATED ON THE SOUTH TERMINUS AND EAST SIDE OF ROCKY POINT DRIVE. THE PROJECT SITE IS ZONED PD-1 RANCHO DEL ORO SPECIFIC PLAN (LIGHT INDUSTRIAL) AND IS SITUATED WITHIN THE IVEY RANCH/RANCHO DEL ORO NEIGHBORHOOD – PACIFIC COAST BUSINESS PARK “C” LOTS 18 and 19 – APPLICANT: HEADLANDS REALTY CORPORATION**

RECOMMENDATION

Staff recommends that the Planning Commission adopt Planning Commission Resolution No. 2007-P57 approving Tentative Parcel Map (P-22-06) and Development Plan (D-31-06) as attached.

PROJECT DESCRIPTION AND BACKGROUND

Background:

The site is located at the terminus and east side of Rocky Point Dr., within the Pacific Coast Business Park Industrial Master Development Plan area. The original 124.31-acre Pacific Coast Business Park Industrial Master Development Plan area subdivision map was processed as part of Tentative Parcel Map and Development Plan (P-8-04, D-17-04). The City approved the Pacific Coast Business Park project with PC Resolution No. 2005-P45 and certified the Environmental Impact Report for the project with PC Resolution No. 2005-P46, allowing for phasing of individual lot development. Lots 18 and 19 are part of the approved Tentative Parcel Map P-8-04.

The original Tentative Parcel Map and Development Plan established the original pad area and determined the criteria for each future phase and/or lot proposed for development, which is regulated by the Pacific Coast Business Park Industrial Master Development Plan and the Oceanside Zoning Ordinance for Light Industrial (LI). The Zoning Ordinance and/or the General Plan regulations would apply where the adopted

Master Development Plan is silent. As designed, this project either meets or exceeds the established development regulations and original vision of the master planned development.

Site Review: The project involves development of two vacant parcels totaling 7.42 acres, and is two of the original 30 lots created within the 124.31-acre Pacific Coast Business Park Industrial Master Development Plan area. The site is zoned PD-1 and is regulated by the PCBP Industrial Master Development Plan which establishes development and land use standards similar to the IL (Limited Industrial) zoning designation of the Oceanside Zoning Ordinance. The General Plan designation is S-1-84 (Rancho Del Oro Specific Plan) on the Land Use Map. Surrounding land uses include: light industrial complexes to the east, and undeveloped portions of the Pacific Coast Business Park Master Industrial Plan area to the north, south, and west.

Under the current proposal, all six proposed fee lots would be developed as one project and would provide for a combined total building floor area of 130,354 square feet, with 226 total parking spaces. Lots 18 and 19 were graded as part of the larger mass grading operation for the entire Pacific Coast Business Park Industrial Master Development Plan area, and are proposing to import approximately 10, 300 CY of dirt from the adjacent lot referred to as Park “B” in order to create a suitable pad area consistent with the PCBP Master Plan. The development pad is relatively flat and proposes a conceptual finish grade approximately five feet above the finish grade of Rocky point Dr., and gradually sloping to the south where the finished pad area would be elevated approximately nine feet above the terminus of Rocky Point Dr. The adjacent developed industrial park to the east would be approximately five feet above the finish grade of Park “C”. This is one of three Business Parks, Park “C” being developed over a total of six parcels originally envisioned as part of the areas overall master plan for industrial development.

Project Description: The project application is comprised of two components; Tentative Parcel Map (P-22-06), and Development Plan (D-31-06), as follows:

Tentative Parcel Map (P-22-06) represents a request for the following:

- (a) To subdivide two existing parcels totaling 7.42 acres into six fee lots with each lot containing its own attached industrial building as follows:

<i>Parcel</i>	<i>Parcel Gross s.f.</i>	<i>Building No.</i>	<i>Building Gross s.f.</i>
Parcel 1	61,631 s.f.	C1	27,160 s.f.
Parcel 2	63,347 s.f.	C2	23,280 s.f.
Parcel 3	48,548 s.f.	C3	21,625 s.f.
Parcel 4	47,748 s.f.	C4	18,489 s.f.
Parcel 5	50,404 s.f.	C5	21,500 s.f.
Parcel 6	51,427 s.f.	C6	18,300 s.f.

Subdivision of the subject site would be conducted pursuant to Article VI of the Oceanside Subdivision Ordinance; and as required, projects that have multiple buildings

on sites over 2.5 acres shall have a minimum lot size of 5,000 s.f. based upon the Pacific Coast Business Park Industrial Master Development Plan requirements. Access to the proposed parcels would occur via one of two private driveways directly off Rocky Point Drive, an internal public roadway segment contained within the larger Pacific Coast Business Park Industrial Master Development Plan area.

Development Plan (D-31-06) represents a request for the following:

- (a) To construct six single story medium sized industrial buildings with a combined square footage of 130,354 square feet and will be located on approximately 40 percent of the combined 7.42-acre site. Architectural design is proposed to be contemporary in style, and would be constructed using tilt up concrete panels finished in earth tone colors and green storefront glazing along the front elevations of the industrial units. In order to enhance the fenestration and form of the buildings, projected metal canopies with soffit lighting, and vertical façade wall elements are proposed. Incorporation of these design elements would establish defined entry points and provide for a sense of individual industrial units rather than one single large unit. The added variations in building elements, along with the visual relief provided in the materials palette supports a superior product and highly integrated design being established for the industrial park. Overall design of the buildings establishes a maximum height of 27 feet for the six medium size buildings.

The applicant’s project includes six industrial style buildings with all six of the industrial buildings sharing a common wall. The following table summarizes each building and maximum allowable office area permitted within Park “C”:

<i>Building No.</i>	<i>Floor Area (Sq. Ft.)</i>	<i>15%Office (Sq. Ft.) 1st Floor</i>	<i>15%Office (Sq. Ft.) 2nd Floor (Mezzanine)</i>
C1	27,160 s.f.	958 s.f.	969 s.f.
C2	23,280 s.f.	958 s.f.	969 s.f.
C3	21,625 s.f.	958 s.f.	969 s.f.
C4	18,489 s.f.	958 s.f.	969 s.f.
C5	21,500 s.f.	958 s.f.	969 s.f.
C6	18,300 s.f.	958 s.f.	969 s.f.

The applicant has identified that this proposal is being processed without any users identified for tenancy. Depending on market conditions, the property owner and/or applicant have indicated that each building will be sold/or leased to individual tenants. Any future building owner and/or tenant will be subject to the use restrictions of the IL zone and/or the use restrictions outlined in the resolution based on the on-site parking conditions.

Traffic impacts have been considered as part of the larger Pacific Coast Business Park Industrial Master Development Plan area traffic and parking allocation models. As

designed, this project conforms with the average daily trips that have been assigned to lots 18, and 19 by the City's Transportation and Engineering Department. In order to ensure that more intense type uses do not expand beyond the limits of the sites available transportation/traffic and parking infrastructure, a maximum allowable percentage of more intense office type uses has been added to the Tentative Parcel Map and will be part of the projects conditions of approval.

Building and lot coverage for each individual lot is lower than the maximum allowable 75 percent lot coverage. Each newly created lot and each building sited on each lot provides for a range of between 38 percent and 46 percent lot coverage for each of the six proposed parcels, and would have an overall lot coverage of 40 percent for the entire development of Park "C".

The project meets or exceeds the minimum required setbacks established by the approved PCBP Industrial Master Development Plan, in that each newly created lot either observes the conditions of the Development Plan, and where silent, the project meets the requirements of the underlying IL zone regulations.

The project proposes an excess of 40 parking spaces. The total 226 off-street parking spaces will be distributed based on the required off-street parking count for each lot and unit, but would not exceed the maximum allowable office square footage for Park C. This project will also provide a total of six loading docks to meet the required loading space regulations established within Section 3103 of the OZO.

The elevation of lots 18 and 19 would limit visibility of rooftop equipment from adjacent properties or by those traveling along the public rights-of-ways near the business park. Staff has also established a condition that will require the project to adhere to the rooftop and mechanical equipment screening regulations.

Site landscaping has been evaluated and determined to meet the required landscape criteria established within the Pacific Coast Business Park Industrial Master Development Plan. In particular, this project meets the landscape palette and exceeds the minimum required 15 percent landscape coverage requirement for each individual lot and when considered as a whole. In all, 23.5 percent of the total lot area will be devoted to an enhanced landscape palette. Special attention was given to assure the continuation of landscape themes between lots within the larger Pacific Coast Business Park Industrial Master Development Plan area. Integrated throughout Park "C" and the landscaped environment would be a total of two outdoor employee areas, each designed with benches, picnic tables, trash receptacles, and adequate landscaping necessary to buffer the areas from the internal circulation and parking areas.

Signage is not proposed as part of the project. All signage associated to individual development would meet the stringent criteria established within the Pacific Coast Business Park Industrial Master Development Plan and would need to be approved by the PCBP Review Board prior to submittal to the City.

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

1. Zoning Ordinance
2. General Plan Land Use Element
3. Pacific Coast Business Park Industrial Master Development Plan
4. California Environmental Quality Act (CEQA)
5. The Subdivision Ordinance

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation on the subject property is S-1-84 (Rancho Del Oro Specific Plan) on the Land Use Map. 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 1.2: Site Design

Objective: To provide high-quality site design, all proposed land development projects shall take advantage of natural or manmade environments to maximize energy conservation, natural air circulation, public safety, visual aesthetics, private and common open spaces, privacy, and land use compatibility.

Policy: **C.** New development or land uses shall provide coordinated site design wherever possible with existing or proposed adjacent land uses to provide complimentary site design, unified circulation access, and joint use of ancillary facilities.

The site is physically suitable for the type of uses proposed, in that the entire Pacific Coast Business Park Industrial Master Development Plan area was originally designed to accommodate small to medium light industrial type tenants, and the proposal to develop Lots 18 and 19 is consistent with the overall Master Plan envisioned for the area. Each building is currently designed for multiple tenant occupancy with tilt-up concrete shell construction.

In all, the project will make available industrial facilities that will be available to medium sized industrial companies and/or ancillary services supporting larger companies. Each building provides between 18,300 square feet and 27,160 square feet of building floor area. Each new tenant will process tenant improvements for interior modifications at a future time.

The concrete tilt up structures have been designed and sited in a manner that provides for a business park type development consistent throughout the RDO community, and that establishes setbacks from public right-of-ways to the maximum

extent feasible. In order to provide for a subdued transition from the natural environment, the applicant is proposing to finish the structure in muted brown earth tone colors and integration of ample landscaped buffer and slope areas.

2. Zoning Compliance

This project is located within the Pacific Coast Business Park Industrial Master Development Plan area and as designed complies with the requirements of that zone. The following table summarizes proposed and applicable development standards for the project site:

	MINIMUM REQUIRED Section 4 PCBP Industrial Master Development Plan	PROPOSED
LOT SIZE	5,000 sq ft for projects that have multiple buildings on sites over 2.5 acres	47,748 – 63,347 sq ft
LOT COVERAGE	75% (max)	38 – 46 %
SETBACKS		
Front	10-feet	100 – feet
Corner Side	“	66 - feet
Rear	“	88 - feet
PARKING	Total required: <u>173 spaces</u> <u>W/ 15 % Office – 213 spaces</u> a) 15% office @ 1:300 19,553 sq feet = <u>66 spaces</u> b) 85% Limited Industrial @ 1:750 110,801 sq feet = <u>147 spaces</u>	Total provided: <u>226 spaces</u>
BUILDING HEIGHT	80-feet (max)	27-feet (max) 1-story

The proposed project meets all applicable requirements of the Pacific Coast Business Park Industrial Master Development Plan as denoted above, and will exceed the required number of parking spaces required for the 6 proposed industrial buildings to be located at the terminus of Rocky Point Dr on the east side.

3. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	S-1-84 (Rancho Del Oro Specific Plan)	PD-1 PCBP Master Development Plan	Light Industrial
North of Subject Property	S-1-84 (Rancho Del Oro Specific Plan)	PD-1 PCBP Master Development Plan	Undeveloped Light Industrial
East of Subject Property:	S-1-84 (Rancho Del Oro Specific Plan)	PD-1	Light Industrial
South of Subject Property:	S-1-84 (Rancho Del Oro Specific Plan)	PD-1 PCBP Master Development Plan	Undeveloped Light Industrial
West of Subject Property:	S-1-84 (Rancho Del Oro Specific Plan)	PD-1 PCBP Master Development Plan	Undeveloped Light Industrial

The proposed Industrial Business Park Development has been determined to be compatible with the adjacent Light Industrial complex located to the east; as well, as the surrounding undeveloped area and Master Plan vision for the area and with their respective General Plan and Zoning Ordinance designations. Staff has concluded that the design of PCBP Park "C" and the type of improvements proposed will not result in any serious public safety or health issues due to the proximity of the site and the types of uses immediately adjacent to the site.

DISCUSSION

Issue: Project Compatibility with the Existing Developed and Undeveloped Areas: The proposed business park development would be consistent with, and compatible to, the Light industrial type developments in the surrounding area and would provide for industrial uses which are important to the City's future economic base and diversity of job opportunities close to residential development. Access is available to the site, and site design has incorporated adjacent environmental sensitivities as part of each lot and the larger project layout.

Recommendation: Staff finds that the overall design of the project is consistent with the existing developed and undeveloped areas vision for development, and no known opposition to the project has been noted. Staff supports the project as submitted by the applicant, subject to conditions of approval contained within the draft resolution.

ENVIRONMENTAL DETERMINATION

An Environmental Impact Report (EIR) was prepared and certified for the Pacific Coast Business Park Initial Tentative Parcel Map (P-8-04) and Development Plan (D-17-04) that created the Pacific Coast Business Park Master Development Plan. The proposed project to further subdivide Parcels 18, and 19 and construct 6 industrial buildings is consistent with the extent of the initial CEQA review; therefore, further environmental review is not required at this time.

SUMMARY

In summary, staff believes that the proposed Tentative Parcel Map and Development Plan are consistent with the requirements of the Pacific Coast Business Park Industrial Master Development Plan, Zoning Ordinance, and the land use policies outlined in the General Plan. The project meets or exceeds all development standards and is compatible with the areas surrounding development pattern and architectural styles found throughout the Rancho Del Oro industrial area. As such, staff recommends that the Planning Commission approve the project. The Commission's action should be:

- Move to approve Tentative Parcel Map (P-22-06) and Development Plan (D-31-06) and adopt Planning Commission Resolution No. 2007-P57 as attached.

PREPARED BY:



Richard Greenbauer
Senior Planner

SUBMITTED BY:



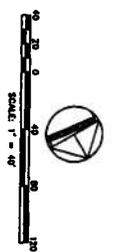
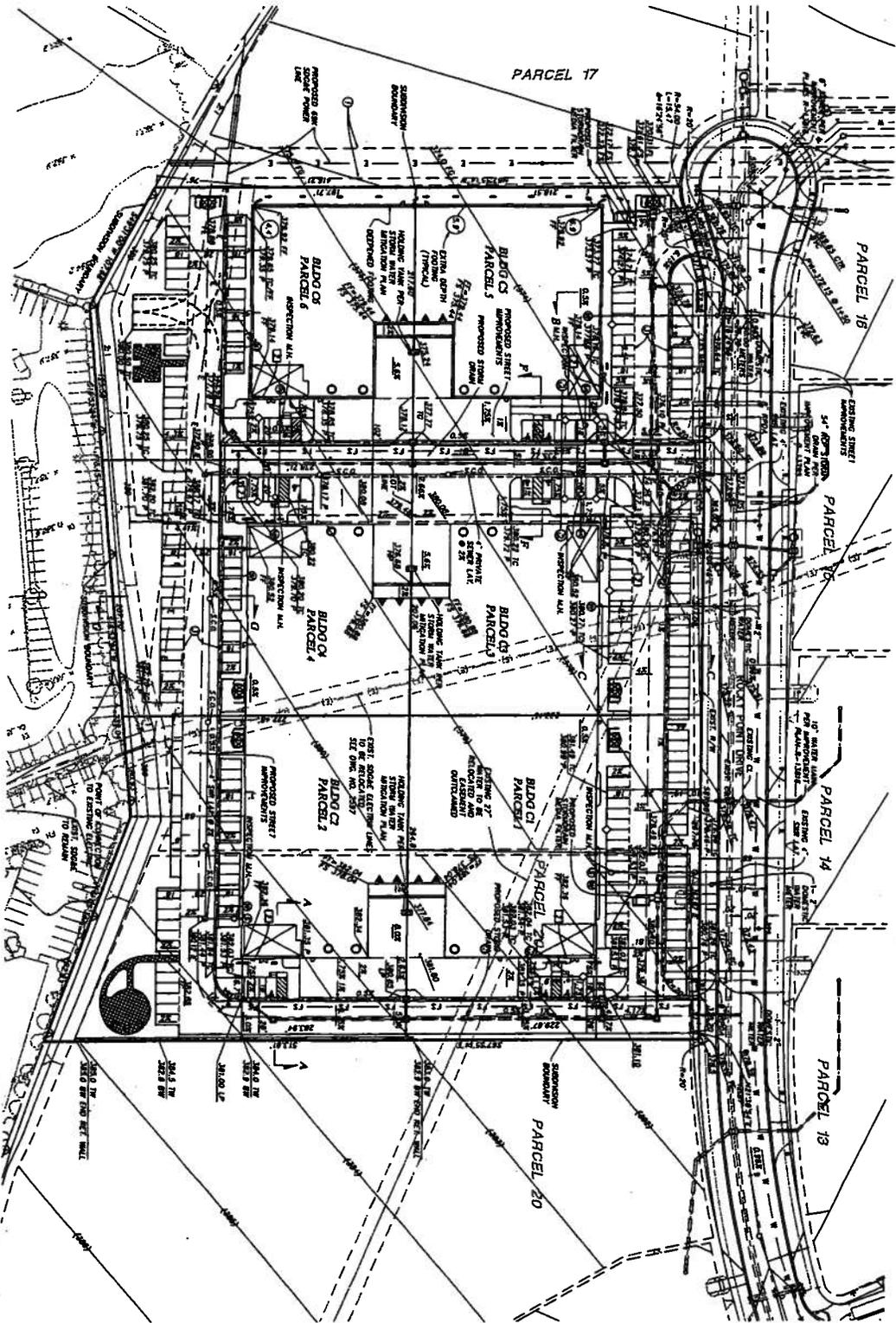
Jerry Hittleman
City Planner

JH/RG/fil

Attachments:

1. Tentative Parcel Map, Development Plans, and Landscape Plans
2. Planning Commission Resolution No. 2007-P57
3. Planning Commission Resolution No. 2005-P45
4. Planning Commission Resolution No. 2005-P46

TENTATIVE PARCEL MAP PACIFIC COAST BUSINESS PARK - PARK C



- EXHIBIT NOTES:**
1. 24" SORE CEMENT PIPE PER DOC NO. 2007-001200
 2. 18" RIBBON IRON PIPE PER EXHIBIT PER
 3. 12" RIBBON IRON PIPE PER EXHIBIT PER
 4. EXHIBIT SHALL BE CHANGED PER ALL PARCELS

SITE TABULATION:

ACRES	AREA
2.42	103,105
2.42	103,105
6.67	288,297
6.58	284,396
6.58	284,396
TOTAL	1,045,199

BUILDING TABULATION:

BUILDING NO.	BUILDING AREA/SF
C1	22,180
C2	22,180
C3	44,360
C4	44,360
C5	44,360
C6	44,360
TOTAL	185,800

PARKING TABULATION:

PARKING REQUIRED	1/780 SF	182 SPACES
EXISTING PARKING	1,780 SF	817 SPACES
PROPOSED PARKING	1,780 SF	817 SPACES
TOTAL PARKING	3,560 SF	1,634 SPACES

PARCEL TABULATION:

PARCEL NO.	ACRES	AREA	PERCENTAGE
1	61.631	2,678,107	25.5%
2	61.631	2,678,107	25.5%
3	48.948	2,128,800	20.2%
4	47.748	2,068,800	19.7%
5	47.748	2,068,800	19.7%
6	51.477	2,230,800	21.4%
TOTAL	310.183	13,253,614	100%

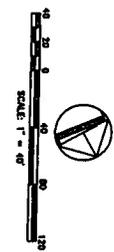
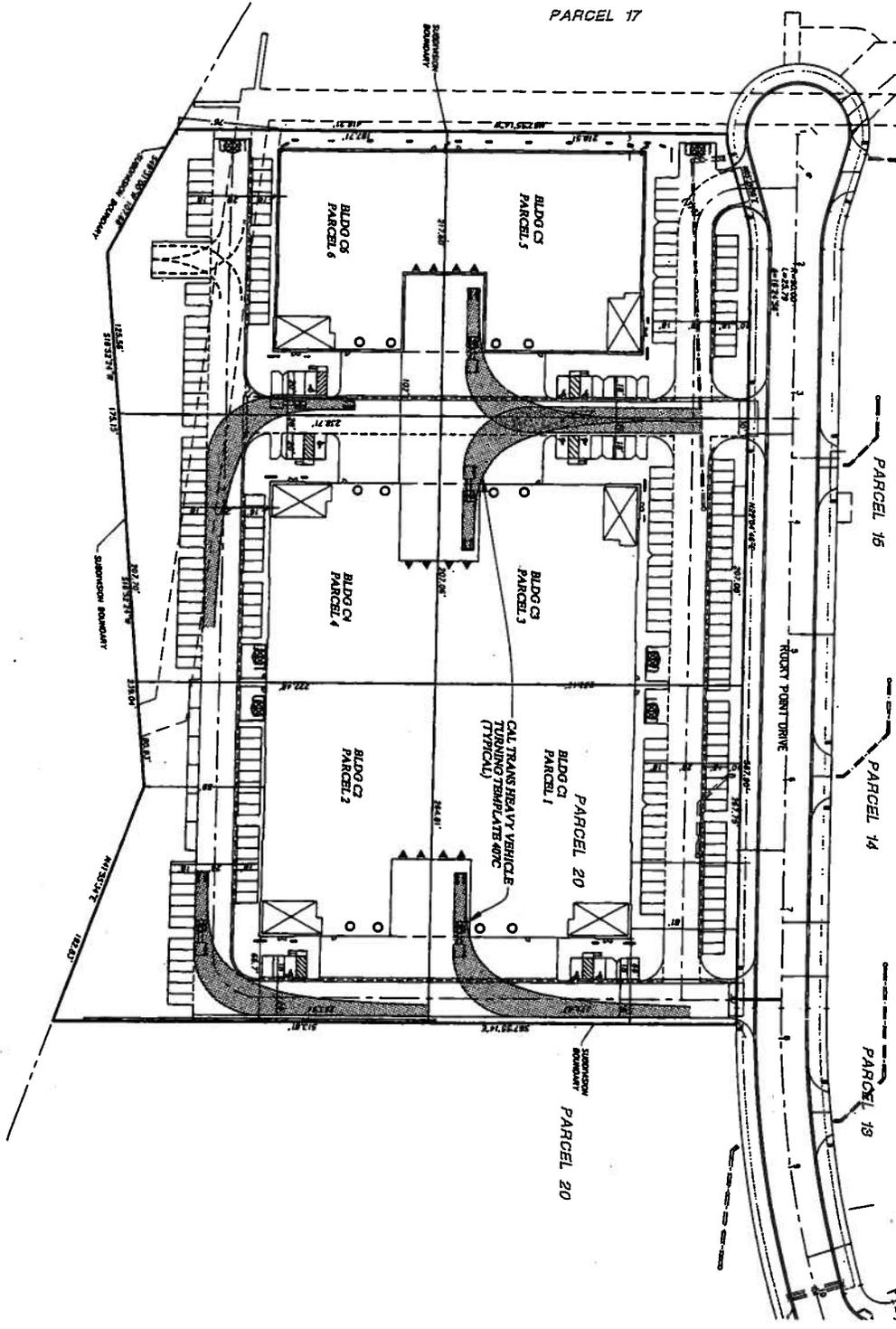
- SITE PLAN NOTES:**
1. EXISTING LOT TO BE ADJUSTED ON PARCEL 1.
 2. EXISTING LOT TO BE ADJUSTED ON PARCEL 2.

REVISION	DATE OF REVISION	BY
1	11/17/20	...
2	11/17/20	...
3	11/17/20	...
4	11/17/20	...

dhainc
 ENGINEERING & ARCHITECTURE
 1000 S. GARDEN ST. SUITE 100
 ANAHEIM, CA 92805-1310
 (714) 931-8700

TENTATIVE PARCEL MAP
PACIFIC COAST BUSINESS PARK
 CITY OF COCKER, CALIFORNIA

TENTATIVE PARCEL MAP PACIFIC COAST BUSINESS PARK - PARK C HEAVY VEHICLE TURNING TEMPLATES



DATE OF REVISION	DESCRIPTION
12/17/02	RESPONSE TO COMMENTS
07/02/02	RESPONSE TO COMMENTS
04/02/02	RESPONSE TO COMMENTS
01/17/02	RESPONSE TO COMMENTS



Bhalinc & Associates, Inc.
 ENGINEERS, ARCHITECTS, PLANNERS
 10000 PACIFIC COAST HIGHWAY, SUITE 100
 SAN DIEGO, CALIFORNIA 92121
 (619) 591-9900

TENTATIVE PARCEL MAP
PACIFIC COAST BUSINESS PARK
 CITY OF OAKLAND, CALIFORNIA

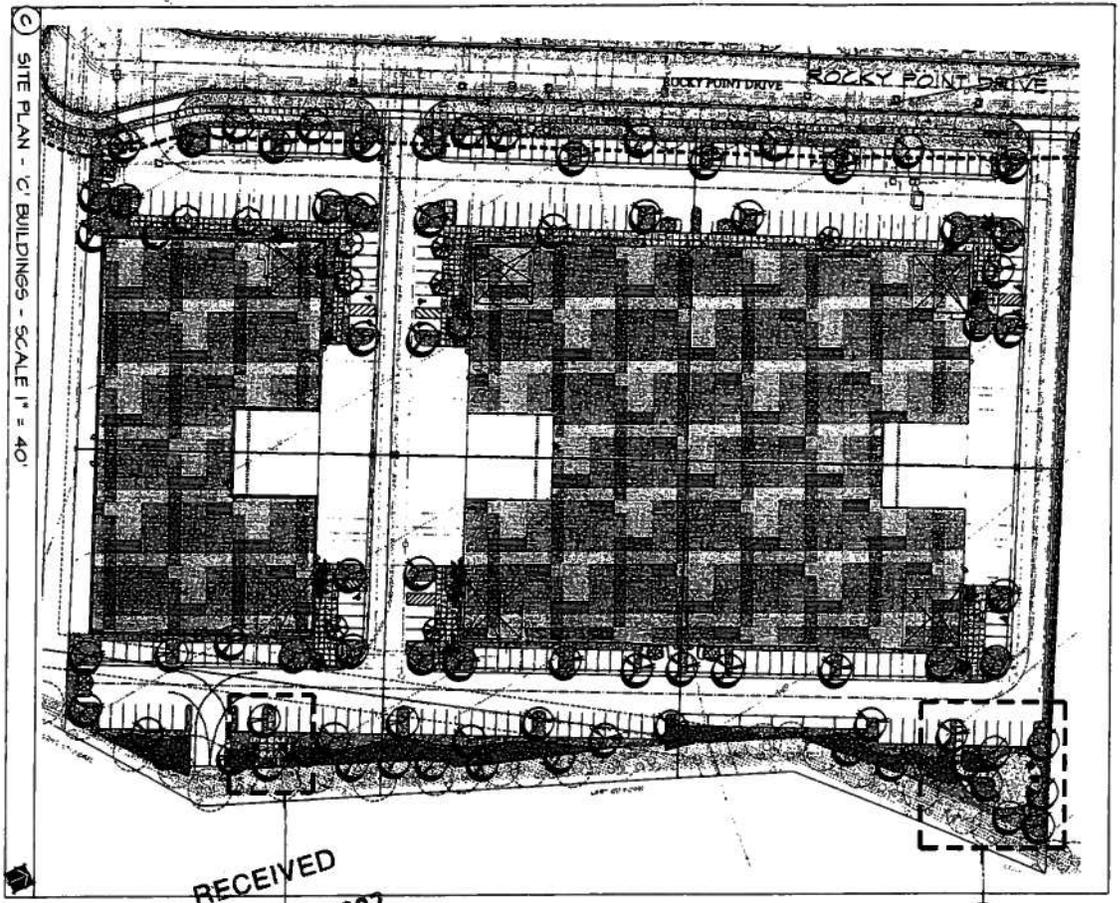


Enlarged Site Plan - Park C

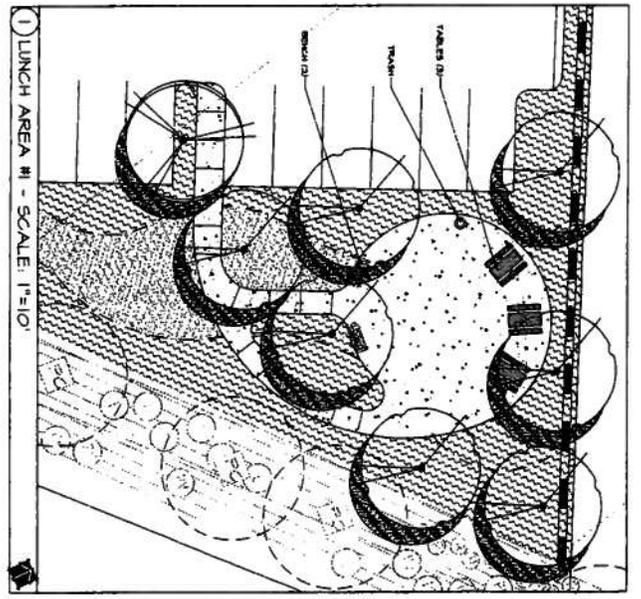
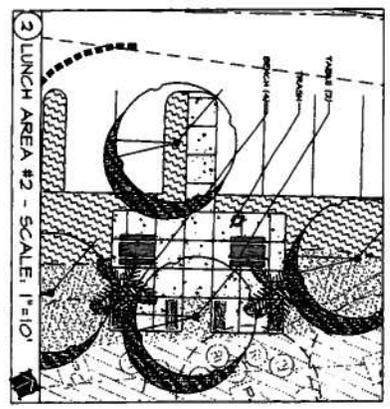
PACIFIC COAST BUSINESS PARK
Oceanside, CA.



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RECEIVED
MAR 21 2007
Planning Department



PLANTING LEGEND

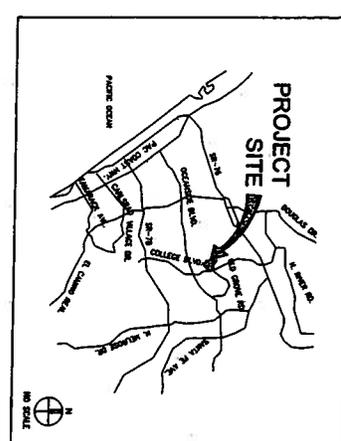
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PACIFIC COAST BUSINESS CENTER
 OceanSide, CA



RECEIVED
 SEP - 5 2007
 Planning Department



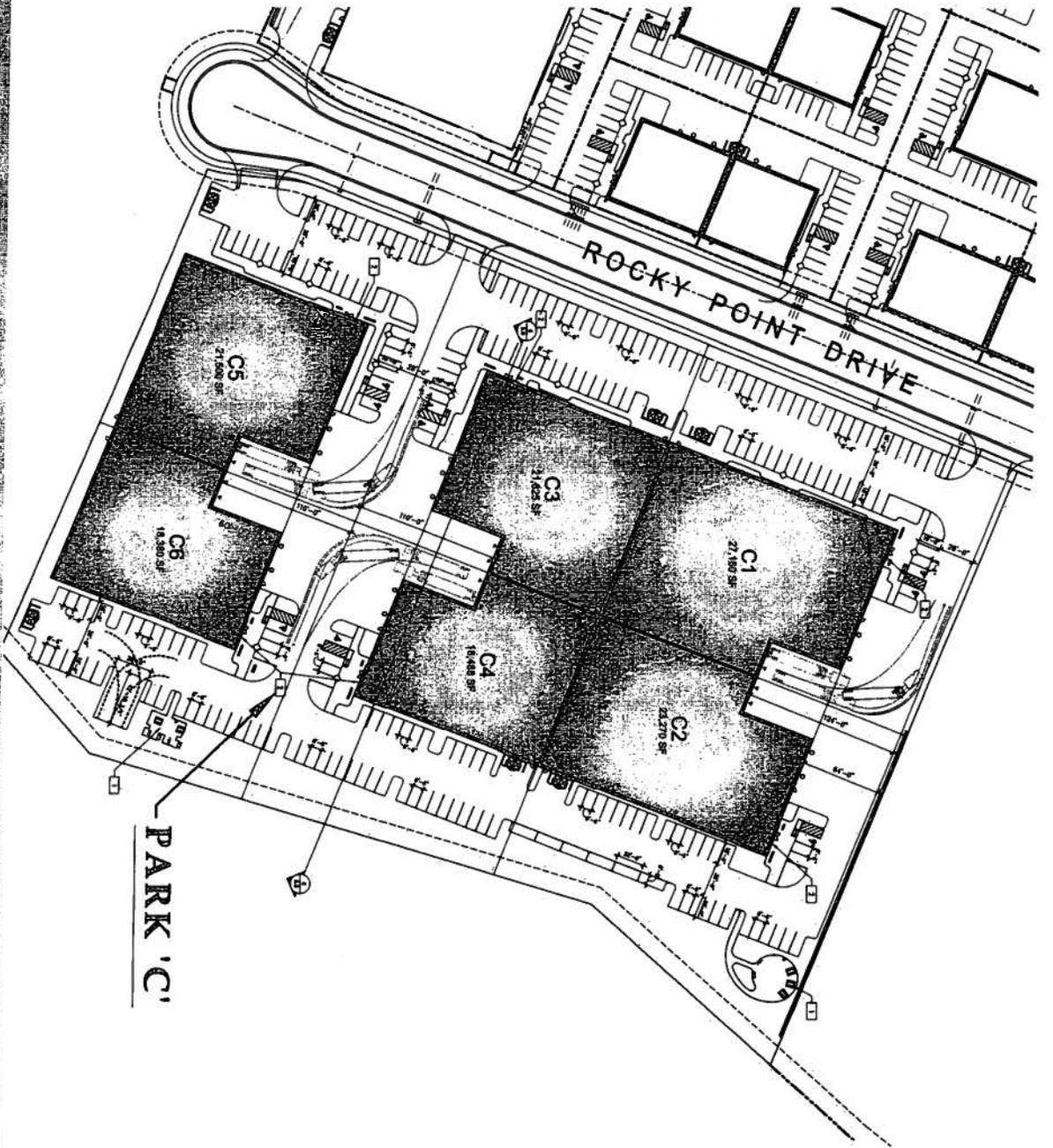
BUSINESS PARK 'C'	
SHEET INDEX	
ARCHITECTURAL	
A10	ORIGINAL SITE PLAN - PARK C
A11	REVISION 01/02/04 - PARK C
A12	REVISION 02/02/04 - PARK C
A13	REVISION 03/02/04 - PARK C
A14	REVISION 04/02/04 - PARK C
A15	REVISION 05/02/04 - PARK C
A16	REVISION 06/02/04 - PARK C
A17	REVISION 07/02/04 - PARK C
A18	REVISION 08/02/04 - PARK C
A19	REVISION 09/02/04 - PARK C
A20	REVISION 10/02/04 - PARK C
A21	REVISION 11/02/04 - PARK C
A22	REVISION 12/02/04 - PARK C
A23	REVISION 01/03/05 - PARK C
A24	REVISION 02/03/05 - PARK C
A25	REVISION 03/03/05 - PARK C
A26	REVISION 04/03/05 - PARK C
A27	REVISION 05/03/05 - PARK C
A28	REVISION 06/03/05 - PARK C
A29	REVISION 07/03/05 - PARK C
A30	REVISION 08/03/05 - PARK C
A31	REVISION 09/03/05 - PARK C
A32	REVISION 10/03/05 - PARK C
A33	REVISION 11/03/05 - PARK C
A34	REVISION 12/03/05 - PARK C
A35	REVISION 01/04/06 - PARK C
A36	REVISION 02/04/06 - PARK C
A37	REVISION 03/04/06 - PARK C
A38	REVISION 04/04/06 - PARK C
A39	REVISION 05/04/06 - PARK C
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A44	REVISION 10/04/06 - PARK C
A45	REVISION 11/04/06 - PARK C
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A49	REVISION 03/05/07 - PARK C
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A97	REVISION 03/09/11 - PARK C
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A99	REVISION 05/09/11 - PARK C
A100	REVISION 06/09/11 - PARK C



ENLARGED SITE PLAN PARK 'C'

PACIFIC COAST BUSINESS ENTERPRISES

Oceanside, California



BUSINESS PARK 'C'

PROJECT DATA

BUILDING	SUCC. AREA	SQ. FT. AREA	OFFICE
BUILDING C1	27,180 SF	27,180 SF	900 SF
BUILDING C2	14,270 SF	14,270 SF	900 SF
BUILDING C3	21,620 SF	21,620 SF	900 SF
BUILDING C4	18,480 SF	18,480 SF	900 SF
BUILDING C5	27,600 SF	27,600 SF	900 SF
BUILDING C6	18,480 SF	18,480 SF	900 SF
TOTAL BUILDING AREA	136,630 SF	136,630 SF	5,400 SF

SITE DATA

SITE AREA (GROSS)	103,700 SF (3,742 AD)
PAD AREA	29,200 SF (847 AD)
SLOPE AREA	24,200 SF (734 AD)
COVERAGE	40,200 SF (1,234 AD)
BUILDING TOTAL	136,630 SF
F.A.L.	0.42
PARKING PROVIDED	233 SPACES
PARKING REQUIRED	282 SPACES (750)

SITE PLAN NOTES

- 1. LIGHT FIXTURES / LIGHTING PLAN
- 2. EXISTING UTILITIES TO BE REPORTED BY EACH BUILDING WITH DIMENSIONS
- 3. 6'-0" x 10'-0" PARKING STALL
- 4. 8'-0" x 10'-0" PARKING STALL
- 5. 8'-0" x 12'-0" PARKING STALL

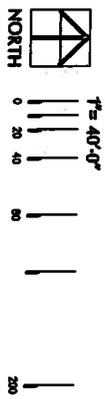
KEY PLAN & LEGEND

LOOK FROM NORTH

○ DRIVE LANE

□ OFFICE/MEETING

PROJECT SITE



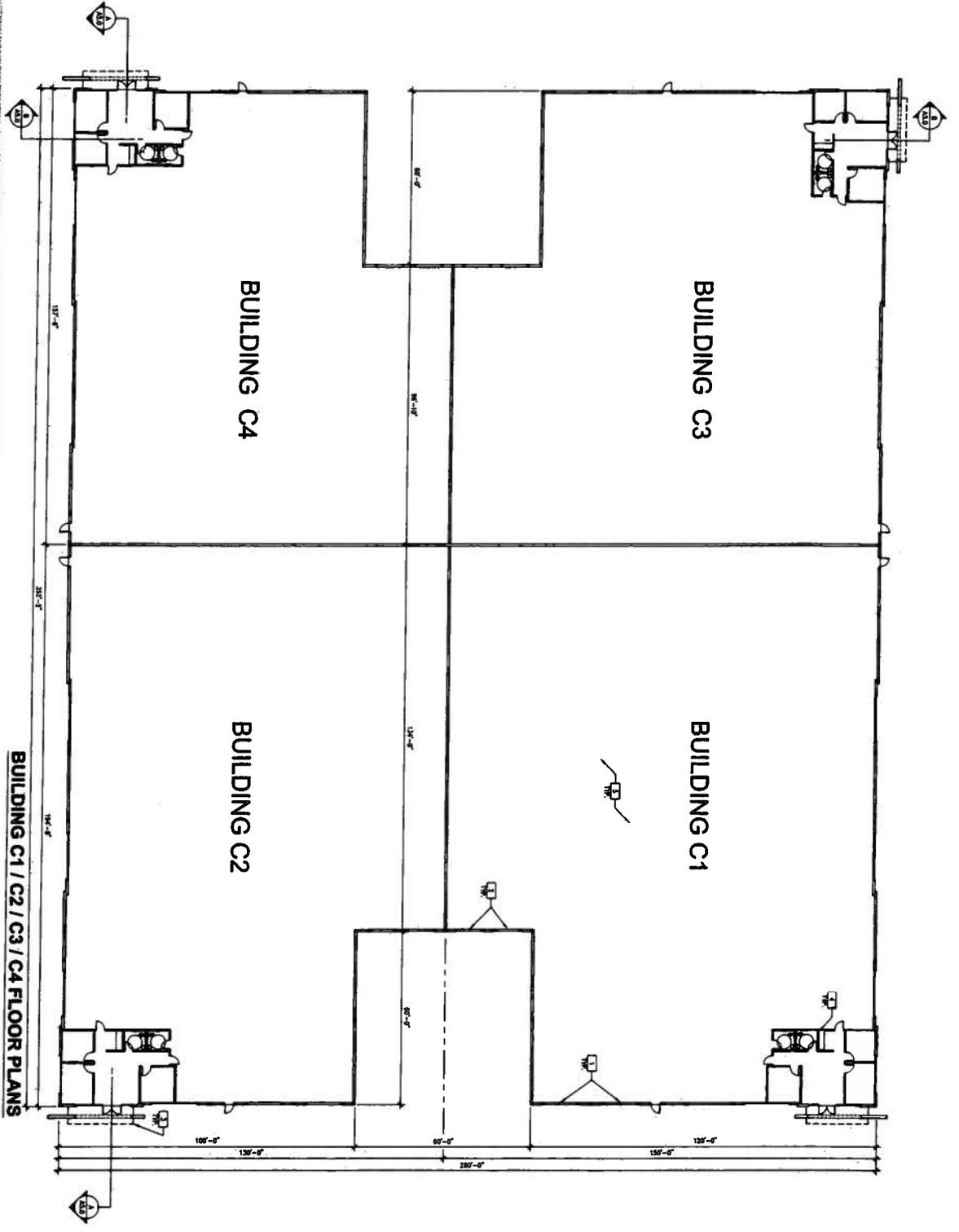


Revised: July 4, 2007

BUILDING C1 / C2 / C3 / C4 FLOOR PLANS

PACIFIC COAST BUSINESS PARK

Oceanside, California

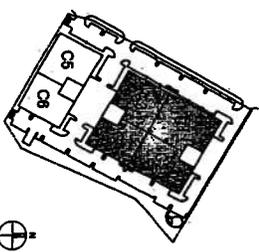


BUILDING C1 / C2 / C3 / C4 FLOOR PLANS

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

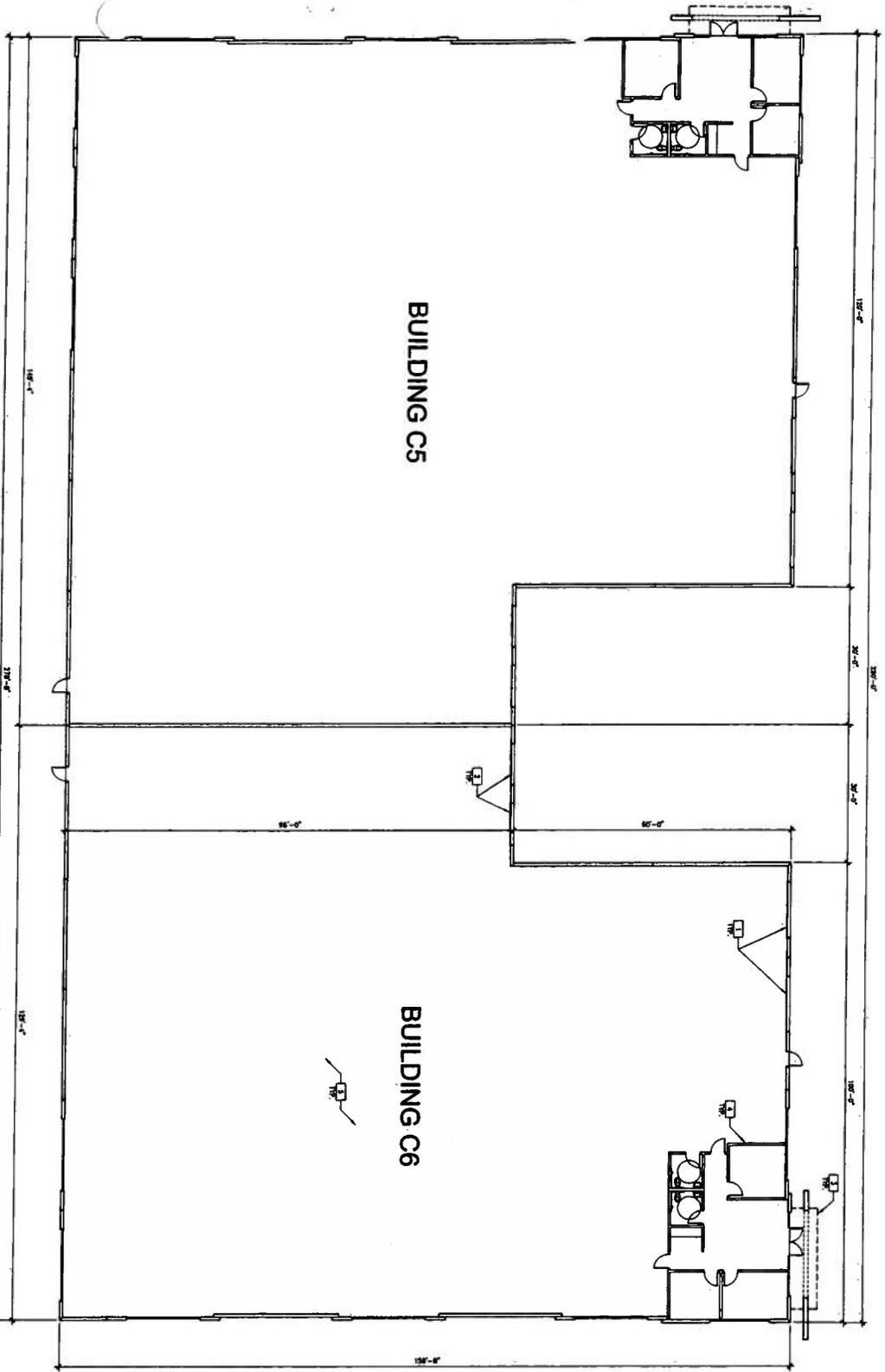
- FLOOR PLAN NOTES**
- 1. ALL OF ROOM TYPES.
 - 2. LIVING ROOM, HALL, UP ROOM, TRUCK.
 - 3. OFFICE OR CLOSET OR STORAGE.
 - 4. OFFICE, OFFICE LAYOUT, MEETING, OFFICE, OFFICE.
 - 5. OFFICE, OFFICE LAYOUT, MEETING, OFFICE, OFFICE.
 - 6. OFFICE, OFFICE LAYOUT, MEETING, OFFICE, OFFICE.

KEY PLAN



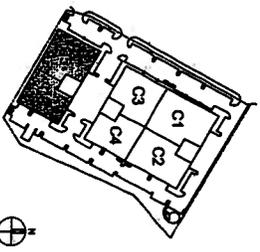
NO SCALE

- FLOOR PLAN NOTES**
- 1. ALL ROOMS FINISH.
 - 2. LUBRICATE DOOR HALLS OR ROOMS FINISH.
 - 3. FINISH OF COMMON AREAS.
 - 4. FINISH OF COMMON AREAS.
 - 5. FINISH OF COMMON AREAS.
 - 6. FINISH OF COMMON AREAS.
 - 7. FINISH OF COMMON AREAS.
 - 8. FINISH OF COMMON AREAS.
 - 9. FINISH OF COMMON AREAS.
 - 10. FINISH OF COMMON AREAS.



BUILDING C5 / C6 FLOOR PLANS
SCALE: 1/8" = 1'-0"

KEY PLAN



PACIFIC COAST BUSINESS PARK
Oceanside, California

BUILDING C5 / C6 FLOOR PLANS

REVISED: 11/19/2007






REVISIONS: JUNE 1, 1998 BY

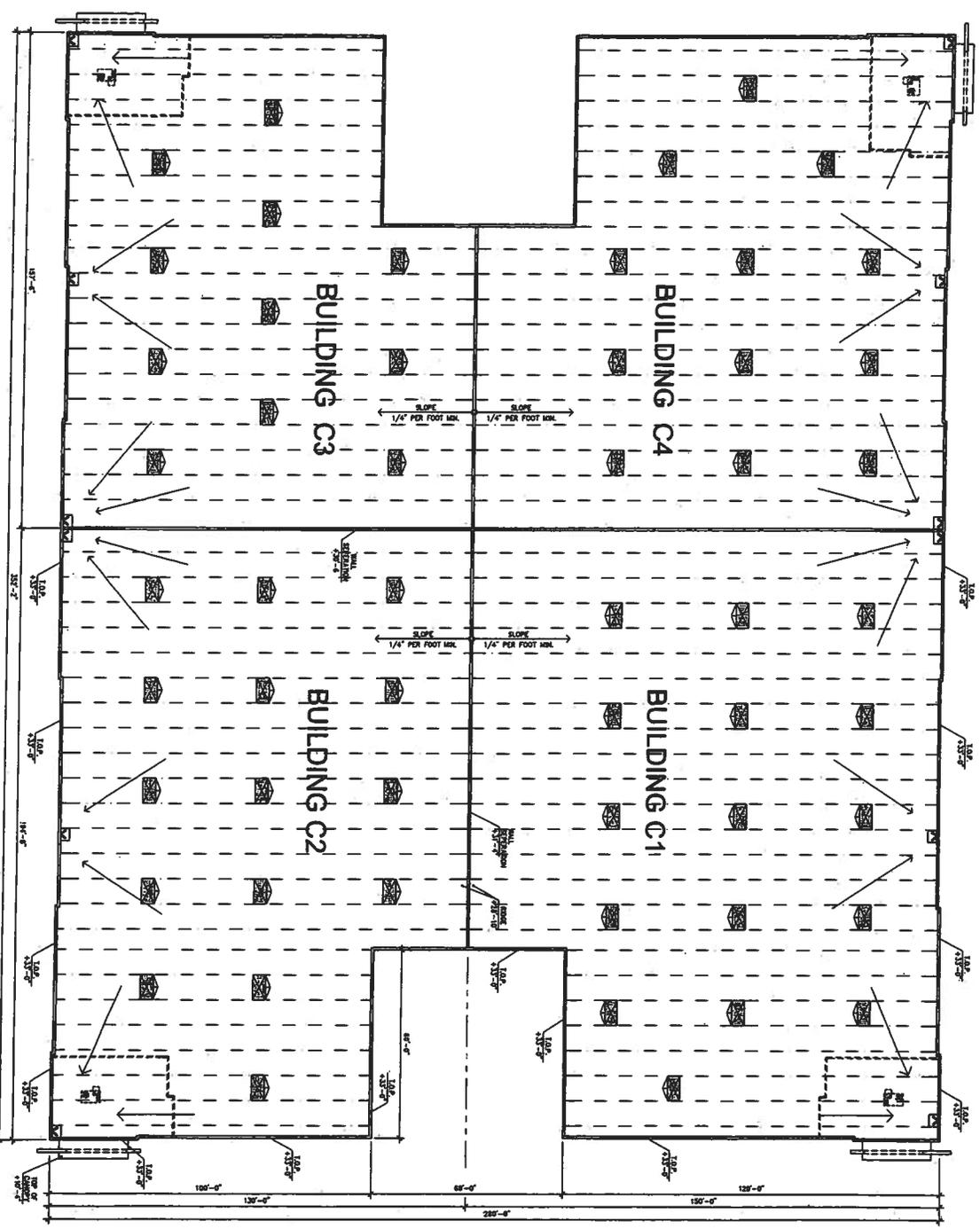
BUILDING C1 / C2 / C3 / C4 FLOOR PLANS

PACIFIC COAST BUSINESS PARK

Oceanside, California

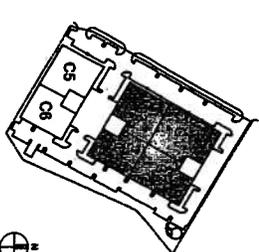
BUILDING C1 / C2 / C3 / C4 FLOOR PLANS

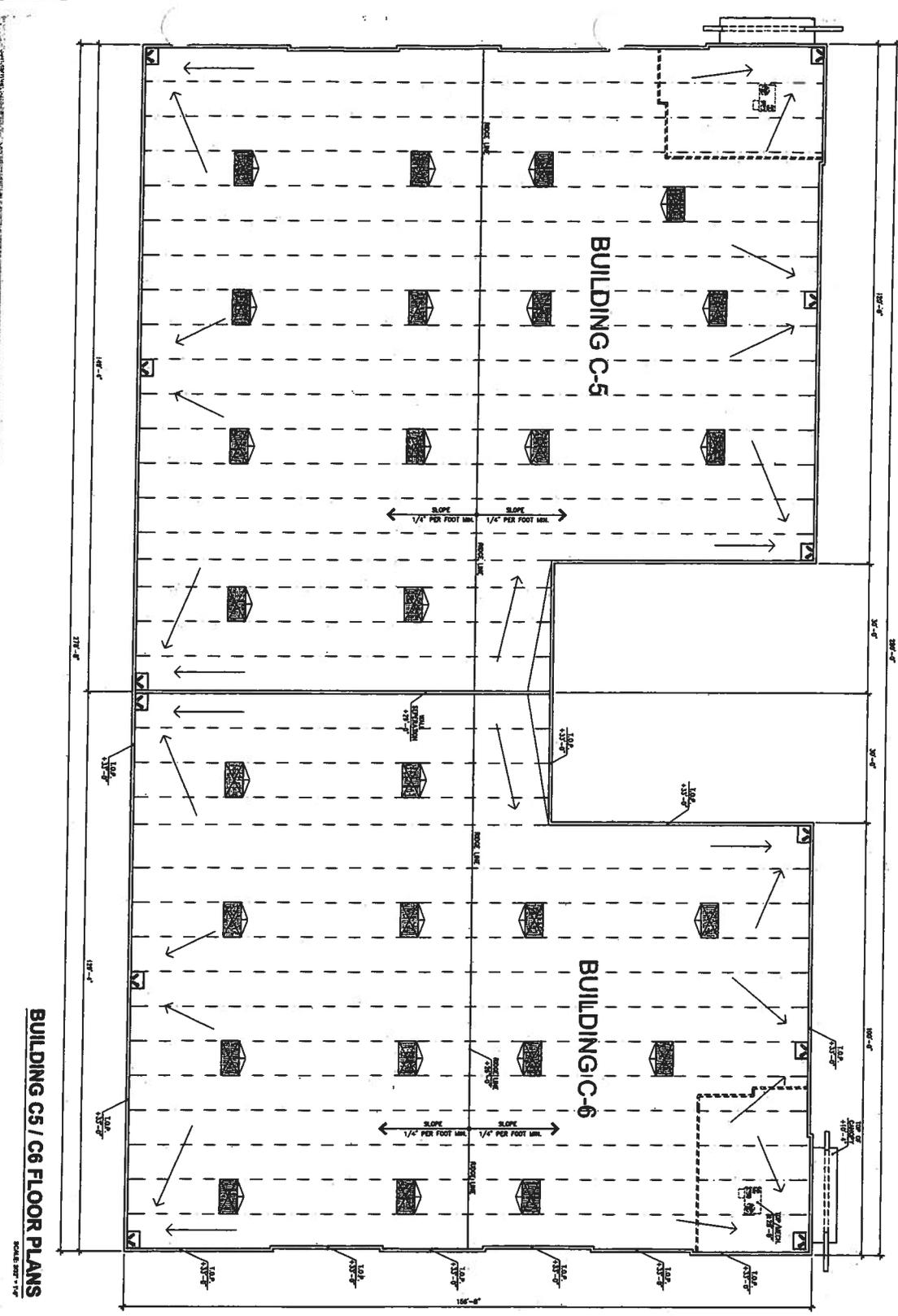
SCALE: 1/8" = 1'-0"



ROOF NOTES
 SEE ALL ROOF ASSEMBLIES
 MINIMUM SLOPE: 1/4" PER FOOT MINIMUM SLOPE: 1/4" PER FOOT
 (SEE SCHEDULE)
 NOTE: SEE ROOF SCHEDULE 1/4" PER FOOT

KEY PLAN

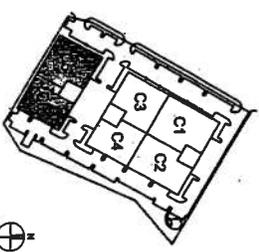




ROOF NOTES

1. REFER TO ALL ROOF SPECIFICATIONS.
 2. INSTALL ROOF FLY SHEATH, SCHEDULE 40 GALVANIZED STEEL DECKING WITH 1/4" ROOF JOIST.
 3. (SEE DRAWING).
 4. NOTE: MIN. ROOF SLOPE: 1/4" PER FOOT.

KEY PLAN



N
 NO SCALE

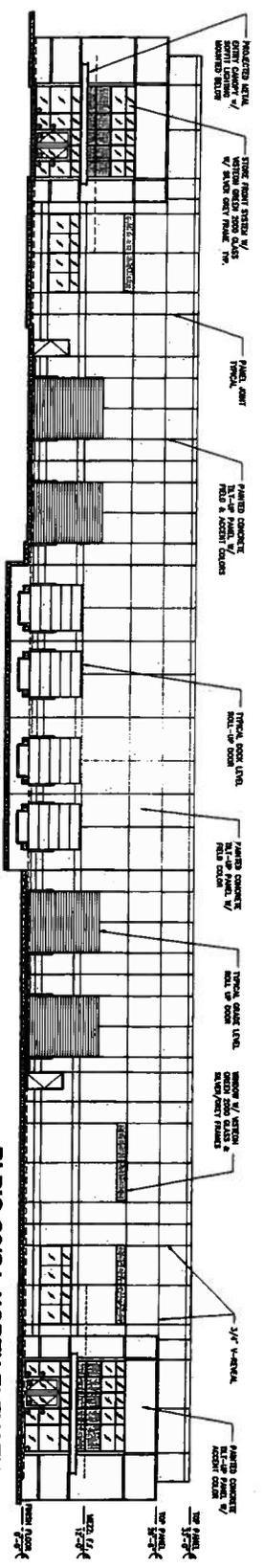


REVISED: 01/16/18 1:2017

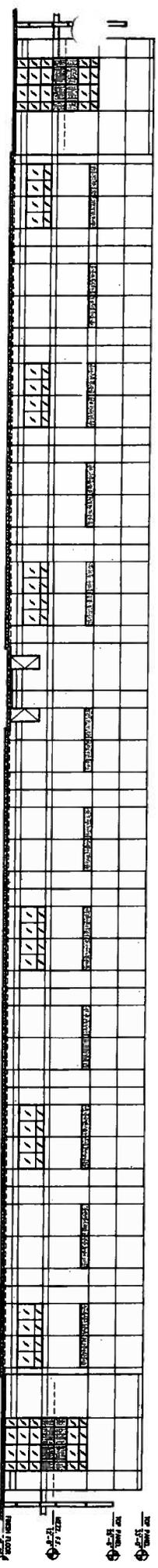
BUILDING C1/C2/C3/C4 ELEVATIONS

PACIFIC COAST BUSINESS PARK

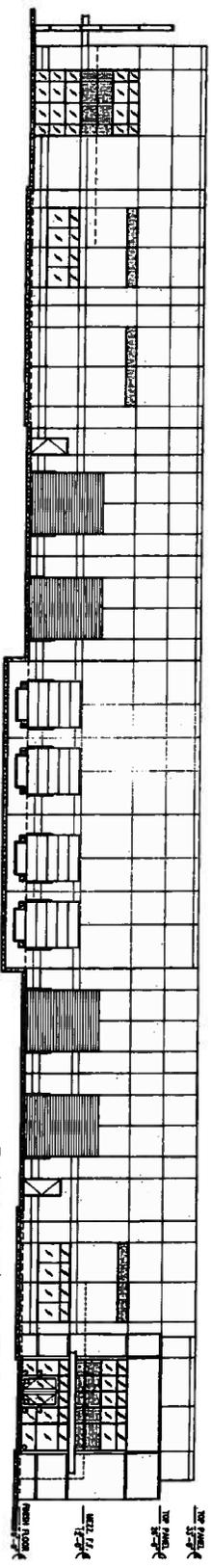
Oceanside, California



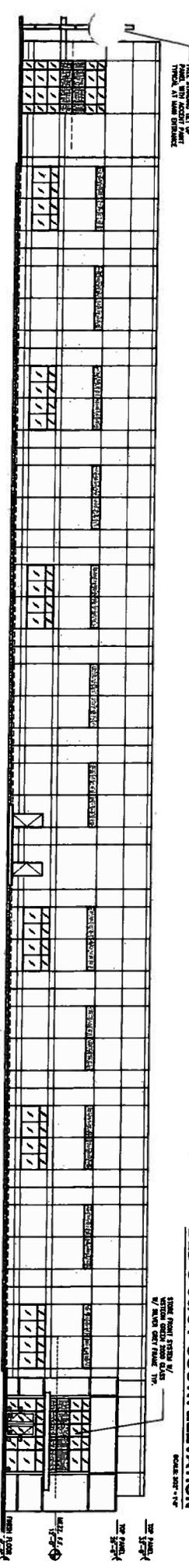
BLD'G C2/C1 NORTH ELEVATION
SCALE: 3/8" = 1'-0"



BLD'G C4/C2 EAST ELEVATION
SCALE: 3/8" = 1'-0"



BLD'G C3/C4 SOUTH ELEVATION
SCALE: 3/8" = 1'-0"



BLD'G C1/C3 WEST ELEVATION
SCALE: 3/8" = 1'-0"



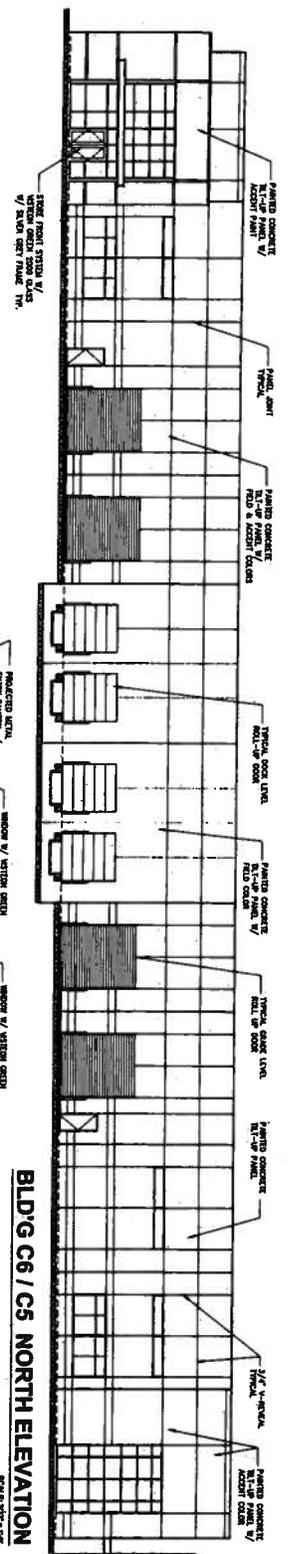
Construction Documents

BUILDING C5 / C6 ELEVATIONS

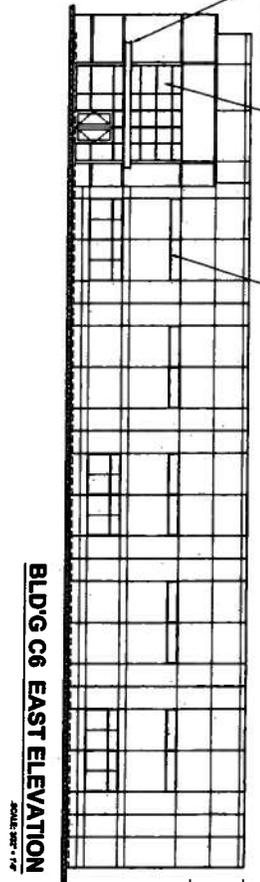
PACIFIC COAST BUSINESS PARK

Oceanside, California

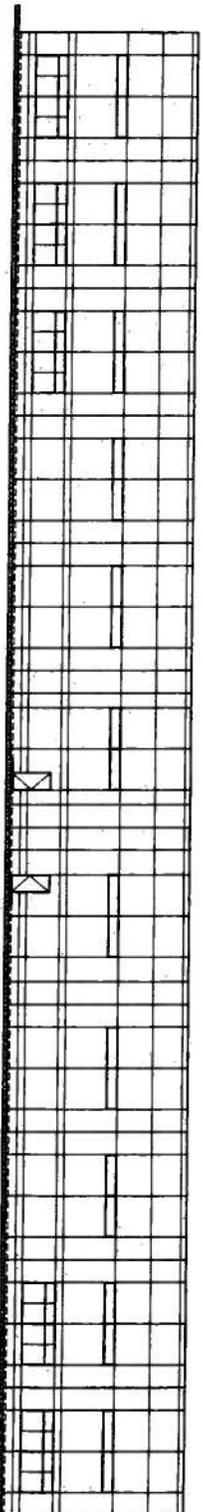
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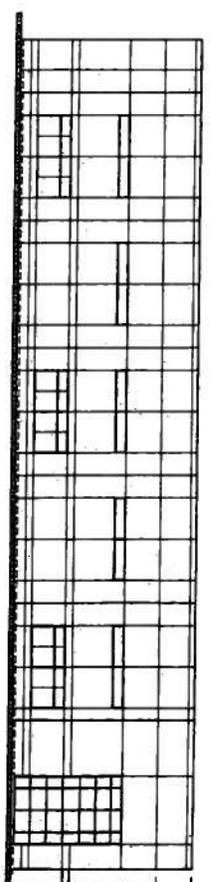
BLD'G C6 / C5 NORTH ELEVATION
SCALE: 3/8" = 1'-0"



BLD'G C6 EAST ELEVATION
SCALE: 3/8" = 1'-0"



BLD'G C5 / C6 SOUTH ELEVATION
SCALE: 3/8" = 1'-0"



BLD'G C5 WEST ELEVATION
SCALE: 3/8" = 1'-0"

1 PLANNING COMMISSION
2 RESOLUTION NO. 2007-P57

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN ON
6 CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

6 APPLICATION NO: P-22-06, D-31-06
7 APPLICANT: Pacific Coast Business Park, LLC
8 LOCATION: Southeast of the intersection of Old Grove Rd. and Ave. Del Oro

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

11 WHEREAS, there was filed with this Commission a verified petition on the forms
12 prescribed by the Commission requesting a Tentative Parcel Map and Development Plan under
13 the provisions of Articles 13 and 43 of the Zoning Ordinance of the City of Oceanside to permit
14 the following:

15 the subdivision of a 7.42-acre parcel into 6 individual industrial fee lots with 6 multi-
16 tenant industrial buildings;
17 on certain real property described in the project description.

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 19th
19 day of November, 2007 conduct a duly advertised public hearing as prescribed by law to consider
20 said application.

21 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
22 Guidelines thereto; an Environmental Impact Report (EIR) was prepared for the Pacific Coast
23 Business Park Initial Tentative Parcel Map and Development Plan that created the Pacific Coast
24 Business Park Master Development Plan, and the proposed project to further subdivide Parcels 18
25 and 19 and construct 6 industrial buildings on 6 individual fee lots is consistent with the extent of
26 the initial CEQA review; therefore, further environmental review is not required at this time.

27 WHEREAS, the documents or other material which constitute the record of
28 proceedings upon which the decision is based will be maintained by the City of Oceanside
29 Planning Division, 300 North Coast Highway, Oceanside, California 92054.

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$.713 per square foot or \$713 per thousand square feet for non-residential uses and \$2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	\$.42 per square foot non-residential for Oceanside (\$.42 for Vista and Fallbrook) \$2.63 per square foot residential (\$2.63 for Vista; \$2.63 for Fallbrook)
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the .75 per cent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$3,746 per unit; Non-residential is \$19,967 for a 2" meter.

1 WHEREAS, the current fees referenced above are merely fee amount estimates of the
2 impact fees that would be required if due and payable under currently applicable ordinances and
3 resolutions, presume the accuracy of relevant project information provided by the applicant, and
4 are not necessarily the fee amount that will be owing when such fee becomes due and payable;

5 WHEREAS, unless otherwise provided by this resolution, all impact fees shall be
6 calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside
7 City Code and the City expressly reserves the right to amend the fees and fee calculations
8 consistent with applicable law;

9 WHEREAS, the City expressly reserves the right to establish, modify or adjust any fee,
10 dedication, reservation or other exaction to the extent permitted and as authorized by law;

11 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that
12 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction
13 described in this resolution begins on the effective date of this resolution and any such protest
14 must be in a manner that complies with Section 66020;

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

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

19 FINDINGS:

20 For the Tentative Parcel Map:

- 21 1. The proposed subdivision creates parcels that exceed the requirements of the PCBP
22 Master Development Plan zoning document, and that is consistent with the General
23 Plan designation of PD-1 RDO Specific Plan for Industrial Land Uses.
- 24 2. The proposed building pads on Parcels 18 and 19 will conform to the topography of the
25 site; therefore, making it suitable for industrial development. The 7.42-acre parcel is
26 physically suitable to allow for the development of 6 industrial buildings on 6
27 individual industrial fee lots.
- 28 3. The subdivision complies with all other applicable ordinances, regulations and
29 guidelines of the City.

1 4. The design of the subdivision or proposed improvements will not conflict with
2 easements, acquired by the public at large, for access through or the use of property
3 within the subdivision.

4 5. That the design of the subdivision or the proposed improvements will not cause
5 substantial environmental damage or substantially and avoidably injure fish or wildlife
6 or their habitat.

7 For the Development Plan:

8 1. The site plan and physical design of the project is consistent with the Zoning Ordinance
9 and the underlying PCBP Industrial Master Plan that regulates zoning for the subject
10 parcel.

11 2. The Development Plan conforms to the General Plan of the City.

12 3. The project site can be adequately served by existing public facilities, services, and
13 utilities.

14 4. The project, as proposed, is compatible with the existing and potential development on
15 adjoining properties or in the surrounding neighborhood.

16 5. The site plan and parameters for the architecture and physical design of the project is
17 consistent with the policies contained within Sections 1.2 of the Land Use Element of
18 the General Plan.

19 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
20 approve Tentative Parcel Map (P-22-06) and Development Plan (D-31-06) subject to the
21 following conditions:

22 Building:

23 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
24 Building Division plan check.

25 2. The granting of approval under this action shall in no way relieve the applicant/project
26 from compliance with all State and local building codes.

27 3. Site development, parking, access into buildings and building interiors shall comply with
28 Part 2, Title 24, C.C.R. (Disabled Access - Nonresidential buildings - D.S.A.).

29 4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the
property shall be underground (City Code Sec. 6.30).

- 1 5. The building plans for this project are required by State law to be prepared by a licensed
2 architect or engineer and must be in compliance with this requirement prior to submittal
3 for building plan review.
- 4 6. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance)
5 and shall be shielded appropriately. Where color rendition is important high-pressure
6 sodium, metal halide or other such lights may be utilized and shall be shown on final
7 building and electrical plans.
- 8 7. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
9 plans.
- 10 8. Separate/unique addresses will/may be required to facilitate utility releases. Verification
11 that the addresses have been properly assigned by the City's Planning Division must
12 accompany the Building Permit application.
- 13 9. A complete Soils Report, Structural Calculations, & Energy
14 Calculations/documentation will be required at time of plans submittal to the Building
15 Division for plan check.
- 16 10. A private sewer system design must be submitted to the Building Division and
17 approved prior to the construction of the sewer system. If a gravity flow system is not
18 used, an engineered mechanical system must be submitted and approved by
19 Engineering, Water, and Building Divisions.
- 20 11. Tenant Improvements or other construction to the existing building requires permits
21 (including all required Inspections and approvals, and Issuance of Certificate of
22 Occupancy) from the Building Division.
- 23 12. The developer shall monitor, supervise and control all building construction and
24 supportive activities so as to prevent these activities from causing a public nuisance,
25 including, but not limited to, strict adherence to the following:
 - 26 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
27 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
28 work that is not inherently noise-producing. Examples of work not permitted on
29 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
producing nature. No work shall be permitted on Sundays and Federal Holidays
(New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,

1 Christmas Day) except as allowed for emergency work under the provisions of the
2 Oceanside City Code Chapter 38 (Noise Ordinance).

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

8 **Engineering:**

- 9 13. Vehicular access rights to adjacent public road shall be relinquished to the City from all
10 abutting lots except at approved access locations shown on the tentative parcel map.
- 11 14. All right-of-way alignments, street dedications, exact geometrics and widths shall be
12 dedicated and improved as required by the City Engineer.
- 13 15. Design and construction of all improvements shall be in accordance with standard
14 plans, specifications of the City of Oceanside and subject to approval by the City
15 Engineer.
- 16 16. Prior to issuance of a building permit all improvement requirements shall be covered by
17 a development agreement and secured with sufficient improvement securities or bonds
18 guaranteeing performance and payment for labor and materials, setting of monuments,
19 and warranty against defective materials and workmanship.
- 20 17. Prior to issuance of a building permit a phasing plan for the construction of public and
21 private improvements including landscaping, shall be approved by the City Engineer.
- 22 18. The approval of the tentative map shall not mean that closure, vacation, or
23 abandonment of any public street, right-of-way, easement, or facility is granted or
24 guaranteed to the developer. The developer is responsible for applying for all closures,
25 vacations, and abandonments as necessary. The application(s) shall be reviewed and
26 approved or rejected by the City of Oceanside under separate process (es) per codes,
27 ordinances, and policies in effect at the time of the application.
- 28 19. Prior to approval of the parcel map or any increment, all improvement requirements,
29 within such increment or outside of it if required by the City Engineer, shall be covered
by a subdivision agreement and secured with sufficient improvement securities or bonds

1 guaranteeing performance and payment for labor and materials, setting of monuments,
2 and warranty against defective materials and workmanship.

3 20. Prior to approval of the first parcel map a phasing plan for the construction of public and
4 private improvements including landscaping, streets and arterials shall be approved by the
5 City Engineer. All improvements shall be under construction to the satisfaction of the
6 City Engineer prior to the issuance of any building permits. All improvements shall be
7 completed prior to issuance of any certificates of occupancy.

8 21. Where proposed off-site improvements, including but not limited to slopes, public utility
9 facilities, and drainage facilities, are to be constructed, the applicant shall, at his own
10 expense, obtain all necessary easements or other interests in real property and shall
11 dedicate the same to the City of Oceanside as required. The applicant shall provide
12 documentary proof satisfactory to the City of Oceanside that such easements or other
13 interest in real property have been obtained prior to issuance of any grading, building or
14 improvement permit for the development. Additionally, the City of Oceanside, may at its
15 sole discretion, require that the applicant obtain at his sole expense a title policy insuring
16 the necessary title for the easement or other interest in real property to have vested with
17 the City of Oceanside or the applicant, as applicable.

18 22. Pursuant to the State Map Act, improvements shall be required at the time of
19 development. A covenant, reviewed and approved by the City Attorney, shall be recorded
20 attesting to these improvement conditions and a certificate setting forth the recordation
21 shall be placed on the map.

22 23. Prior to the issuance of a grading permit, the developer shall notify and host a
23 neighborhood meeting with all of the area residents located within 300 feet of the
24 project site, and residents of property along any residential streets to be used as a "haul
25 route", to inform them of the grading and construction schedule, haul routes, and to
26 answer questions.

27 24. The developer shall monitor, supervise and control all construction and construction-
28 supportive activities, so as to prevent these activities from causing a public nuisance,
29 including but not limited to, insuring strict adherence to the following:

- a) Dirt, debris and other construction material shall not be deposited on any public street or within the City's stormwater conveyance system.

- 1 b) All grading and related site preparation and construction activities shall be
2 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No
3 engineering related construction activities shall be conducted on Saturdays,
4 Sundays or legal holidays unless written permission is granted by the City Engineer
5 with specific limitations to the working hours and types of permitted operations.
6 All on-site construction staging areas shall be as far as possible (minimum 100
7 feet) from any existing residential development. Because construction noise may
8 still be intrusive in the evening or on holidays, the City of Oceanside Noise
9 Ordinance also prohibits “any disturbing excessive or offensive noise which
10 causes discomfort or annoyance to reasonable persons of normal sensitivity.”
11 c) The construction site shall accommodate the parking of all motor vehicles used by
12 persons working at or providing deliveries to the site.
13 d) A haul route shall be obtained at least 7 days prior the start of hauling operations
14 and must be approved by the City Engineer. Hauling operations shall be 8:00 a.m.
15 to 3:30 p.m. unless approved otherwise.
- 16 25. A traffic control plan shall be prepared according to the City traffic control guidelines
17 and be submitted to and approved by the City Engineer prior to the start of work within
18 open City rights-of-way. Traffic control during construction of streets that have been
19 opened to public traffic shall be in accordance with construction signing, marking and
20 other protection as required by the Caltrans Traffic Manual and City Traffic Control
21 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless
22 approved otherwise.
- 23 26. Approval of this development project is conditioned upon payment of all applicable impact
24 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
25 Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees,
26 park fees, reimbursements, and other applicable charges, fees and deposits shall be paid
27 prior to recordation of the map or the issuance of any building permits, in accordance with
28 City Ordinances and policies. The developer shall also be required to join into, contribute,
29 or participate in any improvement, lighting, or other special district affecting or affected by
 this project. Approval of the tentative map (project) shall constitute the developer's
 approval of such payments, and his agreement to pay for any other similar assessments or

1 charges in effect when any increment is submitted for final map or building permit
2 approval, and to join, contribute, and/or participate in such districts.

3 27. All streets shall provide a minimum of 10 feet parkway between the face of curb and the
4 right-of-way line. Sidewalk improvements shall comply with ADA requirements.

5 28. Sight distance requirements at the project driveway or street shall conform to the corner
6 sight distance criteria as provided by SDRSD DS-20A and or DS-20B.

7 29. Streetlights shall be maintained and installed on all public streets per City Standards. The
8 system shall provide uniform lighting, and be secured prior to occupancy. The developer
9 shall pay all applicable fees, energy charges, and/or assessments associated with City-
10 owned (LS-2 rate schedule) streetlights and shall also agree to the formulation of, or the
11 annexation to, any appropriate street lighting district.

12 30. Pavement sections for all driveways and parking areas shall be based upon approved soil
13 tests and traffic indices. The pavement design is to be prepared by the developer's soil
14 engineer and must be approved by the City Engineer, prior to paving.

15 31. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
16 construction of the project, shall be repaired or replaced as directed by the City Engineer.

17 32. All existing overhead utility lines within the development and/or within any full width
18 street or right-of-way abutting a new development, and all new extension services for the
19 development of the project, including but not limited to, electrical, cable and telephone,
20 shall be placed underground per Section 901.G. of the Subdivision Ordinance (R91-166)
21 and as required by the City Engineer and current City policy. The proposed relocation of
22 the 69 kw power line shall be per SDG&E approval.

23 33. The developer shall comply with all the provisions of the City's cable television ordinances
24 including those relating to notification as required by the City Engineer.

25 34. Grading and drainage facilities shall be designed and installed to adequately accommodate
26 the local stormwater runoff and shall be in accordance with the City's Engineers Manual
27 and as directed by the City Engineer.

28 35. The applicant shall obtain any necessary permits and clearances from all public agencies
29 having jurisdiction over the project due to its type, size, or location, including but not
limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, U.
S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board

1 (including NPDES), San Diego County Health Department, prior to the issuance of grading
2 permits.

3 36. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic
4 investigation shall be conducted of the soils, slopes, and formations in the project. All
5 necessary measures shall be taken and implemented to assure slope stability, erosion
6 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
7 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
8 the City Engineer.

9 37. This project shall provide year-round erosion control including measures for the site
10 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
11 control plan, designed for all proposed stages of construction, shall be reviewed, secured
12 by the applicant with cash securities and approved by the City Engineer.

13 38. A precise grading and private improvement plan shall be prepared, reviewed, secured and
14 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
15 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage,
16 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
17 and any on-site traffic calming devices shall be shown on all Precise Grading and Private
18 Improvement Plans.

19 39. Landscaping plans, including plans for the construction of walls, fences or other structures
20 at or near intersections, must conform to intersection sight distance requirements.
21 Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer
22 prior to the issuance of a preliminary grading permit and approved by the City Engineer
23 prior to the issuance of occupancy permits. Frontage and median landscaping shall be
24 installed prior to the issuance of any certificates of occupancy. Any project fences, sound
25 or privacy walls and monument entry walls/signs shall be shown on, bonded for and built
26 from the landscape plans. These features shall also be shown on the precise grading plans
27 for purposes of location only. Plantable, segmental walls shall be designed, reviewed and
28 constructed by the grading plans and landscaped/irrigated through project landscape plans.
29 All plans must be approved by the City Engineer and a pre-construction meeting held,
prior to the start of any improvements. Trash enclosures shall be constructed per the City
Standards.

- 1 40. Open space areas and down-sloped areas visible from a collector-level or above roadway
2 and not readily maintained by the property owner, shall be maintained by an owners'
3 association that will insure installation and maintenance of landscaping in perpetuity.
4 These areas shall be indicated on the final map and reserved for an association.
5 Future buyers shall be made aware of any estimated monthly costs. The disclosure,
6 together with the CC&R's, shall be submitted to the City Engineer for review prior to the
7 recordation of final map.
- 8 41. The drainage design on the tentative map is conceptual only. The final design shall be
9 based upon a hydrologic/hydraulic study to be approved by the City Engineer during final
10 engineering. All drainage picked up in an underground system shall remain underground
11 until it is discharged into an approved channel, or as otherwise approved by the City
12 Engineer. All public storm drains shall be shown on City standard plan and profile sheets.
13 All storm drain easements shall be dedicated where required. The applicant shall be
14 responsible for obtaining any off-site easements for storm drainage facilities.
- 15 42. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and
16 disposed of in accordance with all state and federal requirements, prior to stormwater
17 discharge either off-site or into the City drainage system.
- 18 43. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high
19 barrier, approved by the City Engineer, shall be provided at the top of all slopes whose
20 height exceeds 20 feet or where the slope exceeds 4 feet and is adjacent to an arterial
21 street or state highway.
- 22 44. The development shall comply with all applicable regulations established by the United
23 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
24 Discharge Elimination System (NPDES) permit requirements for urban runoff and
25 stormwater discharge and any regulations adopted by the City pursuant to the NPDES
26 regulations or requirements. Further, the applicant shall file a Notice of Intent with the
27 State Water Resources Control Board to obtain coverage under the NPDES General
28 Permit for Storm Water Discharges Associated with Construction Activity and
29 implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the
commencement of grading activities. SWPPPs include both construction and post
construction pollution prevention and pollution control measures and identify funding

1 mechanisms for post construction control measures. The developer shall comply with all
2 the provisions of the Clean Water Program during and after all phases of the
3 development process, including but not limited to: mass grading, rough grading,
4 construction of street and landscaping improvements, and construction of dwelling units.
5 The applicant shall design the Project's storm drains and other drainage facilities to
6 include Best Management Practices to minimize non-point source pollution, satisfactory
7 to the City Engineer.

8 45. Upon acceptance of any fee waiver or reduction by the developer, the entire project will
9 be subject to prevailing wage requirements as specified by Labor Code section 1720(b)
10 (4). The developer shall agree to execute a form acknowledging the prevailing wage
11 requirements prior to the granting of any fee reductions or waivers.

12 46. If the project required the submission and approval of a Storm Water Mitigation Plan
13 (SWMP), the developer shall prepare and submit an Operations & Maintenance (O&M)
14 Plan to the City Engineer with the first submittal of engineering plans. The O&M Plan
15 shall be prepared by the applicant's Civil Engineer. It shall be directly based on the
16 project's SWMP previously approved by the project's approving authority (Planning
17 Commission/City Council). At a minimum the O&M Plan shall include the designated
18 responsible parties to manage the storm water BMP(s), employee's training program and
19 duties, operating schedule, maintenance frequency, routine service schedule, specific
20 maintenance activities, copies of resource agency permits, cost estimate for
21 implementation of the O&M Plan and any other necessary elements.

22 47. The developer shall enter into a City-Standard Stormwater Facilities Maintenance
23 Agreement with the City obliging the project proponent to maintain, repair and replace
24 the Storm Water Best Management Practices (BMPs) identified in the project's approved
25 SWMP, as detailed in the O&M Plan into perpetuity. The Agreement shall be approved
26 by the City Attorney prior to issuance of any precise grading permit and shall be
27 recorded at the County Recorder's Office prior to issuance of any building permit.
28 Security in the form of cash (or certificate of deposit payable to the City) or an
29 irrevocable, City-Standard Letter of Credit shall be required prior to issuance of a precise
grading permit. The amount of the security shall be equal to 10 years of maintenance

1 costs, as identified by the O&M Plan, but not to exceed a total of \$25,000. The
2 applicant's Civil Engineer shall prepare the O&M cost estimate.

3 48. At a minimum, maintenance agreements shall require the staff training, inspection and
4 maintenance of all BMPs on an annual basis. The project proponent shall complete and
5 maintain O&M forms to document all maintenance activities. Parties responsible for the
6 O&M plan shall retain records at the subject property for at least 5 years. These
7 documents shall be made available to the City for inspection upon request at any time.

8 49. The Agreement shall include a copy of executed on-site and off-site access easements
9 necessary for the operation and maintenance of BMPs that shall be binding on the land
10 throughout the life of the project to the benefit of the party responsible for the O&M of
11 BMPs, satisfactory to the City Engineer. The agreement shall also include a copy of the
12 O&M Plan approved by the City Engineer.

13 50. The BMPs described in the project's approved SWMP shall not be altered in any way,
14 shape or form without formal approval by either an Administrative Substantial
15 Conformance issued by the Development Services Department/Planning Division or the
16 project's final approving authority (Planning Commission/City Council) at a public
17 hearing. The determination of whatever action is required for changes to a project's
18 approved SWMP shall be made by the Development Services Department/Planning
19 Division.

20 51. The approval of the tentative map shall not mean that closure, vacation, or abandonment
21 of any public street, right-of-way, easement, or facility is granted or guaranteed to the
22 developer. The developer is responsible for applying for all closures, vacations, and
23 abandonments as necessary. The application(s) shall be reviewed and approved or
24 rejected by the City of Oceanside under separate process (es) per codes, ordinances, and
25 policies in effect at the time of the application. The City of Oceanside retains its full
26 legislative discretion to consider any application to vacate a public street or right-of-way.

27 52. The Final Parcel Map submitted for recordation shall include an Office Area Tabulation
28 Chart and all applicable notes consistent with the approved Tentative Parcel Map that
29 allocates a maximum of 15% of the total square footage of the industrial buildings for
office purposes within Park "C", subject to review and approval by the City Planner or
their designee.

1 53. Landscape plans meeting the criteria of the City of Oceanside Guidelines and
2 Specifications for Landscape Developments 1985, addenda 1997, Xeriscape Principles;
3 Article V, Chapter 37, Water Conservation Ordinance No. 91-15, shall comply with the
4 Zoning Ordinance and shall be reviewed and approved by the City Engineer prior to the
5 issuance of building permits. Landscaping shall not be installed until bonds have been
6 posted, fees paid, and plans signed for final approval. The following special landscaping
7 requirements shall be met:

- 8 a) Street trees shall be located 30'-0" on center per the current City of Oceanside
9 Street Tree Memorandum.
- 10 b) Provide location of site furnishings including the required (10) bicycle racks,
11 employee areas, and signage on the landscape plans. Enhanced paving shall be
12 sealed and shown on the landscape plans with details.
- 13 c) Landscape plans shall match all plans affiliated with the project; comply with
14 SWMP requirements and sight distance requirements. Plant
15 palette/sizing/locations and standards for landscape establishment, shall comply
16 with the PCBP Industrial Master Development Plan.
- 17 d) Trash enclosures in compliance with City Guidelines and requirements, shall be
18 shown on the landscape plans with details.

19 54. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and
20 in any adjoining public parkways shall be permanently maintained by the owner, his
21 assigns or any successors in interest in the property. The maintenance program shall
22 include normal care and irrigation of the landscaping; repair and replacement of plant
23 materials; irrigation systems as necessary; and general cleanup of the landscaped and open
24 areas, parking lots and walkways, walls, fences, etc. Failure to maintain landscaping shall
25 result in the City taking all appropriate enforcement actions by all acceptable means
26 including but not limited to citations and/or actual work with costs charged to or recorded
27 against the owner. This condition shall be recorded with the covenant required by this
28 resolution.

Fire:

29 55. Fire Department Requirements shall be placed on plans in the notes section.

56. A minimum fire flow of 2500 gallons per minute shall be provided.

- 1 57. The size of fire hydrant outlets shall be 2 ½ "X 2 ½" X 4".
- 2 58. All proposed and existing fire hydrants within 400 feet of the project shall be shown on
3 the site plan.
- 4 59. Detailed plans of underground fire service mains shall be submitted to the Oceanside
5 Fire Department for approval prior to installation.
- 6 60. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design
7 and Processing Manual Standard Drawing No. M-13.
- 8 61. Apparatus access roads shall have a minimum unobstructed width of 28 feet. A
9 minimum vertical clearance of 14 feet shall be provided for the apparatus access roads.
- 10 62. The Fire Department access roadway shall be provided with adequate turning radius for
11 Fire Department apparatus. A-50 foot outside and 30-foot inside radius. U.F.C. Sec. 902
- 12 63. Provide a secondary fire apparatus access road that is built and maintained in accordance
13 with U.F.C. 902.
- 14 64. The access shall be a minimum of 28 feet in width.
- 15 65. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per City
16 Vehicle Code Section 22500.1 and in accordance with the Fire Department Standard
17 Guidelines for Emergency Access.
- 18 66. A "Knox" key storage box shall be provided for ALL new construction. For buildings,
19 other than high-rise, a minimum of three complete sets of keys shall be provided. Keys
20 shall be provided for all exterior entry doors, fire protection equipment control rooms,
21 mechanical and electrical rooms, elevator controls and equipment spaces, etc. For high-
22 rise buildings, six complete sets are required.
- 23 67. Buildings shall meet Oceanside sprinkler ordinance in effect at the time of building
24 permit application.
- 25 68. In accordance with the Uniform Fire Code Sec. 901.1.4.4, approved addresses for
26 commercial, industrial, and residential occupancies shall be placed on the structure in
27 such a position as to be plainly visible and legible from the street or roadway fronting the
28 property. Numbers shall contrast with their background.
- 29 69. Multi-tenant buildings require identification on the rear exit doors with individual suite
70. Commercial buildings and multi-family dwellings require 6-inch address numbers.

- 1 71. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
2 approval prior to the issuance of building permits.
- 3 72. Buildings shall meet Oceanside Fire Department's current codes at the time of building
4 permit application.

5 **Planning:**

- 6 73. Final landscape plans submitted for review and approval shall include half (1/2) diamond
7 designed planter areas within the parking lot for Park C, and shall be consistent with the
8 design standards established within Section 3019 of the Oceanside Zoning Ordinance,
9 subject to review and approval by the City Planner or their designee.
- 10 74. Tentative Parcel Map and Development Plan shall expire on November 19, 2009, unless
11 the Planning Commission grants a time extension.
- 12 75. This Tentative Parcel Map and Development Plan approves only a 6 individual fee lot
13 industrial subdivision with 6 industrial buildings shown on the plans and exhibits
14 presented to the Planning Commission for review and approval. No deviation from these
15 approved plans and exhibits shall occur without Planning Division approval. Substantial
16 deviations shall require a revision to the Development Plan or a new Development Plan.
- 17 76. Pacific Coast Business Park (Park "C") shall be limited to a maximum office square
18 footage not to exceed 15% of the total square footage approved for all 6 industrial
19 buildings. Request to exceed the 15% maximum allowable office area will require
20 additional environmental review prior to expansion into areas previously allotted for
21 industrial type uses.
- 22 77. Prior to issuance of building permits for any tenant improvements within Park "C", an
23 office area tabulation breakdown to ensure that the total office area for Park "C" does not
24 exceed the maximum permitted area of 15% shall be provided on building plans and
25 approved by the PCBP Review Board, subject to final review and approval by the City
26 Planner or their designee.
- 27 78. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold
28 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
29 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
annul an approval of the City, concerning Tentative Parcel Map P-22-06 and
Development Plan D-31-06. The City will promptly notify the applicant of any such

1 claim, action or proceeding against the city and will cooperate fully in the defense. If
2 the City fails to promptly notify the applicant of any such claim action or proceeding or
3 fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible
4 to defend, indemnify or hold harmless the City.

5 79. A letter of clearance from the affected school district in which the property is located
6 shall be provided as required by City policy at the time building permits are issued.

7 80. A covenant or other recordable document approved by the City Attorney shall be prepared
8 by the subdivider and recorded prior to the approval of the final map. The covenant shall
9 provide that the property is subject to this resolution, and shall generally list the
10 conditions of approval.

11 81. Prior to the issuance of building permits, compliance with the applicable provisions of the
12 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be
13 reviewed and approved by the Planning Division. These requirements, including the
14 obligation to remove or cover with matching paint all graffiti within 24 hours, shall be
15 noted on the Landscape Plan and shall be recorded in the form of a covenant affecting the
16 subject property.

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

21 83. Failure to meet any conditions of approval for this development shall constitute a
22 violation of the Parcel Map and Development Plan.

23 84. Unless expressly waived, all current zoning standards and City ordinances and policies in
24 effect at the time building permits are issued are required to be met by this project. The
25 approval of this project constitutes the applicant's agreement with all statements in the
26 Description and Justification, Pacific Coast Business Park Master Industrial Plan and
27 other materials and information submitted with this application, unless specifically
28 waived by an adopted condition of approval.

29 85. An association shall be formed and Covenants, Conditions and Restrictions (C.C. & R's)
shall provide for the maintenance of all common open space, medians and commonly
owned fences and walls and adjacent parkways. The maintenance shall include normal

1 care and irrigation of landscaping, repair and replacement of plant material and irrigation
2 systems as necessary; and general cleanup of the landscaped and open area and walkways.
3 The C.C. & R's shall be subject to the review and approval of the City Attorney prior to
4 the approval of the final map. The C.C. & R's are required to be recorded prior to or
5 concurrently with the final map. Any amendments to the C.C. & R's in which the
6 association relinquishes responsibility for the maintenance of any common open space
7 shall not be permitted without the specific approval of the City of Oceanside. Such a
8 clause shall be a part of the C.C. & R's. The C.C. & R's shall also contain provisions for
9 the following:

- 10 a) Provisions for the maintenance of all common open space and open space
11 easements on private lots, including provisions establishing mechanisms to ensure
12 adequate and continued monetary funding for such maintenance by the property
13 association.
- 14 b) Provisions that restrict any private use of open space easement areas. Restrictions
15 shall include, but are not limited to, removing retaining walls, installing structures
16 such as trellises, decks, retaining walls and other hardscape and any individual
17 landscape improvements.
- 18 c) Provisions prohibiting the property owners association from relinquishing its
19 obligation to maintain the common open space and open space easement areas
20 without prior consent of the City of Oceanside.
- 21 d) Provisions for restricting and ensuring that the limited industrial buildings do not
22 transition into more intense type uses that require greater numbers of parking
23 spaces and generate higher traffic volumes to the surrounding roadways beyond
24 what was originally calculated within the EIR for the original Pacific Coast
Business Park development applications (P-8-04/ D-17-04).

25 **Environmental:**

26 86. Prior to issuance of grading permits for previously ungraded areas or undisturbed soils,
27 the applicant shall confirm to the City of Oceanside that a qualified paleontologist has
28 been retained to carry out an appropriate mitigation program. (A qualified
29 paleontologist is defined as an individual with a M.S. or Ph.D. in paleontology or
geology who is familiar with paleontological procedures and techniques). The

1 paleontologist shall attend pre-grade meetings to consult with grading and excavation
2 contractors.

3 87. A paleontological monitor shall be on-site during grading operations in previously un-
4 graded areas or undisturbed soils to evaluate the presence of fossils within previously
5 undisturbed sediments of highly sensitive geologic formations (i.e. Santiago Formation)
6 and moderately sensitive formations (river terrace deposits) to inspect cuts for
7 contained fossils (a paleontological monitor is defined as an individual who has
8 experience in the collection and salvage of fossil materials). The paleontological
9 monitor shall work under the direction of a qualified paleontologist.

10 88. When fossils are discovered the paleontologist (or paleontological monitor) shall
11 recover them. In most cases, this fossil salvage can be completed in a short period to
12 time. However, some fossil specimens (such as a complete whale skeleton) may
13 require an extended salvage time. In these instances, paleontologist (or paleontological
14 monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery
15 of small fossil remains such as isolated mammal teeth, it may be necessary in certain
16 instances to set up a screen-washing operation on the site.

17 89. Prepared fossils along with copies of all pertinent field notes, photographs and maps
18 shall be deposited (with the applicant's permission) in a scientific institution with
19 paleontological collections such as the San Diego Natural History Museum. A final
20 summary report shall be completed and distributed to the City or other interested
21 agencies which outlines the results of the mitigation program. This report shall include
22 discussions of the methods used, stratigraphy exposed, fossils collected and
23 significance of recovered fossils.

23 **Water Utilities:**

24 90. The developer will be responsible for developing all water and sewer utilities necessary to
25 develop the property. Any relocation of water and/or sewer utilities is the responsibility
26 of the developer and shall be done by an approved licensed contractor at the developer's
27 expense.

28 91. The property owner will maintain private water and wastewater utilities located on private
29 property.

- 1 92. Water services and sewer laterals constructed in existing right-of-way locations are to be
2 constructed by approved and licensed contractors at developer's expense.
- 3 93. All Water and Wastewater construction shall conform to the most recent edition of the
4 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
5 the Water Utilities Director.
- 6 94. Depending on the designated Standard Industrial Code (SIC) classification, the subject
7 facility shall submit a Notice of Intent (NOI) application for coverage under the State's
8 General Industrial NPDES Permit for storm water. It is the applicants' responsibility to
9 contact San Diego Regional Water Quality Control Board (SD-RWQCB) and verify the
10 need for coverage under the above referenced permit.
- 11 95. All the proposed natural and/or structural Best Management Practices (BMPs) must be
12 designed based on the pollutant types and pollutant loads generated from the facility.
- 13 96. Prior to approval of Final Engineered Design Plans, all public water and/or sewer
14 facilities not located within the public right-of-way shall be provided with easements
15 sized according to the Water, Sewer, and Reclaimed Water Design and Construction
16 Manual. Easements shall be constructed for all weather access.
- 17 97. No trees, structures, or building overhangs shall be located within any water or
18 wastewater utility easement.
- 19 98. Prior to approval of Final Engineered Design Plans, all lots with a finish pad elevation
20 located below the elevation of the next upstream manhole cover of the public sewer shall
21 be protected from backflow of sewage by installing and maintaining an approved type
22 backwater valve, per the Uniform Plumbing Code (U.P.C.).
- 23 99. Prior to approval of Final Engineered Design Plans, the developer shall construct a public
24 reclamation water system that will serve each lot and or parcels that are located in the
25 proposed project in accordance with the City of Oceanside Ordinance No. 91-15. The
26 proposed reclamation water system shall be located in the public right-of-way or in a
27 public utility easement.
- 28 100. Prior to approval of Final Engineered Design Plans, a separate irrigation meter and
29 approved backflow prevention device is required and shall be displayed on the plans.
101. Prior to approval of Final Engineered Design Plans, an Inspection Manhole, described by
the Water, Sewer, and Reclaimed Water Design and Construction Manual, shall be

1 PLANNING COMMISSION
2 RESOLUTION NO. 2005-P45

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN ON
6 CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

7 APPLICATION NO: P-8-04 and D-17-04
8 APPLICANT: Pacific Coast Business Park, LLC
9 LOCATION: Southwest of the intersection of College Boulevard and Old
10 Grove Road

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

13 WHEREAS, there was filed with this Commission a verified petition on the forms
14 prescribed by the Commission requesting a Tentative Parcel Map and Development Plan under
15 the provisions of Articles 13 and 43 of the Zoning Ordinance of the City of Oceanside to permit
16 the following:

17 to subdivide a 127.39-acre site into 30-industrial lots;
18 on certain real property described in the project description.

19 WHEREAS, the Planning Commission, after giving the required notice, did on the 22nd
20 day of August, 2005 conduct a duly advertised public hearing as prescribed by law to consider
21 said application.

22 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
23 Guidelines thereto; an Environmental Impact Report (EIR) was prepared and circulated for this
24 project. Traffic impacts on College Boulevard were found to be unmitigable, therefore, a
25 Statement of Overriding Considerations are attached as Exhibit "A" and are hereby adopted with
26 this resolution;

27 WHEREAS, the documents or other material which constitutive the record of
28 proceedings upon which the decision is based will be maintained by the City of Oceanside
29 Planning Department, 300 North Coast Highway, Oceanside, California 92054.

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
6 Drainage Fee	Ordinance No. 85-23 Resolution No. 89-231	\$8,024 per acre
7		
8 Public Facility Fee	Ordinance No. 91-09 Resolution No. R91-39	\$.441 per square foot
9		
10 School Facilities Mitigation Fee	Ordinance No. 91-34	\$.34 per square foot non-residential
11		
12 Traffic Signal Fee	Ordinance No. 87-19	\$13.70 per vehicle trip
13		
14 Thoroughfare Fee (For commercial and industrial please note the .75 per cent discount)	Ordinance No. 83-01	\$177 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
15		
16		
17		
18 Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 02-OR-332-1	Based on meter size Typical \$17,908
19		
20		
21 Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 02-OR-333-1	Based on meter size Typical \$21,923
22		
23		
24 San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2000-3	Based on meter size. Typical is \$10,421 for a 2" meter.
25		

26 WHEREAS, the current fees referenced above are merely fee amount estimates of the
27 impact fees that would be required if due and payable under currently applicable ordinances and
28 resolutions, presume the accuracy of relevant project information provided by the applicant, and
29 are not necessarily the fee amount that will be owing when such fee becomes due and payable;

1 WHEREAS, unless otherwise provided by this resolution, all impact fees shall be
2 calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside
3 City Code and the City expressly reserves the right to amend the fees and fee calculations
4 consistent with applicable law;

5 WHEREAS, the City expressly reserves the right to establish, modify or adjust any fee,
6 dedication, reservation or other exaction to the extent permitted and as authorized by law;

7 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that
8 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction
9 described in this resolution begins on the effective date of this resolution and any such protest
10 must be in a manner that complies with Section 66020;

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

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

15 FINDINGS:

16 For the Tentative Parcel Map:

- 17 1. The proposed subdivision creates parcels and units that are consistent and exceed the
18 requirements of the PD-1 zoning designation. The subdivision map is consistent with
19 the General Plan of the City.
- 20 2. The proposed building pads on the site will conform to the topography of the site,
21 therefore, making it suitable for industrial development. The 127.39-acre site is
22 physically suitable to allow for the development of 30 industrial lots.
- 23 3. The subdivision complies with all other applicable ordinances, regulations and
24 guidelines of the City.
- 25 4. The design of the subdivision or proposed improvements will not conflict with
26 easements, acquired by the public at large, for access through the use of property within
27 the subdivision.
- 28 5. That the design of the subdivision or the proposed improvements will not cause
29 substantial environment damage with the proposed mitigation or substantially and
avoidably injure fish or wildlife or their habitat.

1 For the Development Plan:

- 2 1. The site plan and physical design of the project is consistent with the Zoning Ordinance
3 and the underlying PD-1 zone.
- 4 2. The Development Plan conforms to the General Plan of the City.
- 5 3. The project site can be adequately served by existing public facilities, services and
6 utilities.
- 7 4. The project, as proposed, is compatible with the existing and potential development on
8 adjoining properties or in the surrounding neighborhood.
- 9 5. The site plan and parameters for the architecture and physical design of the project is
10 consistent with the policies contained within Sections 1.24 and 1.25 of the Land Use
11 Element of the General Plan.

12 For Approval of the Waiver for the Requirement to Underground Facilities:

- 13 1. The high voltage (above 34.5 KV) of the overhead 69 KV transmission lines makes the
14 conversion of the existing overhead utilities impractical.

15 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
16 certify the Environmental Impact Report (EIR) and adopt the mitigation measures provided
17 therein, and approve Tentative Parcel Map (P-8-04) and Development Plan (D-17-04) subject to
18 the following conditions:

18 Building:

- 19 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
20 Building Department plan check.
- 21 2. The granting of approval under this action shall in no way relieve the applicant/project
22 from compliance with all State and local building codes.
- 23 3. Site development, parking, access into buildings and building interiors shall comply with
24 Part 2, Title 24, C.C.R. (Disabled Access - Nonresidential buildings - D.S.A.).
- 25 4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the
26 property shall be underground (City Code Sec. 6.30).
- 27 5. The building plans for this project are required by State law to be prepared by a licensed
28 architect or engineer and must be in compliance with this requirement prior to submittal
29 for building plan review.

1 6. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance)
2 and shall be shielded appropriately. Where color rendition is important high-pressure
3 sodium, metal halide or other such lights may be utilized and shall be shown on final
4 building and electrical plans.

5 7. The developer shall monitor, supervise and control all building construction and
6 supportive 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 a.m. and 6 p.m.
9 Monday through Friday, and on Saturday from 7 a.m. to 6 p.m. for work that is not
10 inherently noise-producing. Examples of work not permitted on Saturday are
11 concrete and grout pours, roof nailing and activities of similar noise-producing
12 nature. No work shall be permitted on Sundays and Federal Holidays (New
13 Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas
14 Day) except as allowed for emergency work under the provisions of the Oceanside
15 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
20 neat, safe manner for short periods of time pending disposal.

20 **Engineering:**

21 8. Vehicular access rights to College Boulevard, Old Grove Road and Avenida Del Oro
22 shall be relinquished to the City from all abutting lots. Except for approved driveway
23 openings, vehicular access rights to all other streets shall be relinquished from all
24 abutting lots.

25 9. All right-of-way alignments, street dedications, exact geometrics and widths shall be
26 dedicated and improved as required by the City Engineer, or other designated City
27 representative.

28 10. The design of the subdivision or the type of improvements shall not conflict with
29 easements, acquired by the public at large, for access through the use of property within
the proposed subdivision. All such public easements are protected by this project.

- 1 11. Design and construction of all improvements shall be in accordance with standard
2 plans, specifications of the City of Oceanside and subject to approval by the City
3 Engineer, or other designated City representative.
- 4 12. The approval of the tentative map shall not mean that closure, vacation, or
5 abandonment of any public street, right-of-way, easement, or facility is granted or
6 guaranteed to the subdivider. The subdivider is responsible for applying for all
7 closures, vacations, and abandonments as necessary. The application(s) shall be
8 reviewed and approved or rejected by the City under separate process(es) per codes,
9 ordinances, and policies in effect at the time of the application.
- 10 13. Existing access to the post office property west of Avenida Del Oro (APN 161-512-10)
11 shall be maintained during grading and construction of the project.
- 12 14. Prior to approval of the final map or any increment, all improvement requirements, within
13 such increment or outside of it if required by the City Engineer, or other designated City
14 representative, shall be covered by a subdivision agreement and secured with sufficient
15 improvement securities or bonds guaranteeing performance and payment for labor and
16 materials, setting of monuments, and warranty against defective materials and
17 workmanship.
- 18 15. Prior to approval of the first final map, a phasing plan for the construction of public and
19 private improvements including landscaping, the City Engineer shall approve streets and
20 arterials, or other designated City representative. All improvements shall be under
21 construction to the satisfaction of the City Engineer, or other designated City
22 representative, prior to the issuance of building permits. All improvements shall be
23 completed prior to issuance of any certificate of occupancy. Prior to the issuance of a
24 building permit, the subdivider shall record the final map.
- 25 16. Prior to the issuance of any certificates of occupancy, the City Engineer, or other
26 designated City representative, shall require the dedication and construction of necessary
27 utilities, arterials and streets and other improvements outside the area of the particular
28 final map, if such are needed for storm drainage, circulation, parking, access or for the
29 welfare or safety of future occupants of the development and other impacted properties.
The boundaries of any multiple development increment shall be subject to the approval of
the City Engineer, or other designated City representative.

- 1 17. Where proposed off-site improvements, including but not limited to slopes, public utility
2 facilities, and drainage facilities, are to be constructed, the applicant shall, at his own
3 expense, obtain all necessary easements or other interests in real property and shall
4 dedicate the same to the City as required. The applicant shall provide documentary proof
5 satisfactory to the City that such easements or other interest in real property have been
6 obtained prior to the approval of the final map or issuance of any grading, building or
7 improvement permit for the development. Additionally, the City, may at its sole
8 discretion, require that the applicant obtain at his sole expense a title policy insuring the
9 necessary title for the easement or other interest in real property to have vested with the
10 City of Oceanside or the applicant, as applicable.
- 11 18. Pursuant to the State Map Act, improvements shall be required at the time of
12 development. A covenant, reviewed and approved by the City Attorney, shall be
13 recorded attesting to these improvement conditions and a certificate setting forth the
14 recordation shall be placed on the map.
- 15 19. Prior to the issuance of a grading permit, the Developer shall notify and host a
16 neighborhood meeting with all of the area residents located within 300 feet of the
17 project site, and residents of property along any residential streets to be used as a "haul
18 route", to inform them of the grading and construction schedule, haul routes, and to
19 answer questions.
- 20 20. The developer shall monitor, supervise and control all construction and construction-
21 supportive activities, so as to prevent these activities from causing a public nuisance,
22 including but not limited to, insuring strict adherence to the following:
- 23 a) Dirt, debris and other construction material shall not be deposited on any public
24 street or within the City's storm water conveyance system.
- 25 b) All grading and related site preparation and construction activities shall be
26 limited to the hours of 7 a.m. to 6 p.m., Monday through Friday. No engineering
27 related construction activities shall be conducted on Saturdays, Sundays or legal
28 holidays unless written permission is granted by the City Engineer with specific
29 limitations to the working hours and types of permitted operations. All on-site
construction staging areas shall be as far as possible (minimum 100 feet) from
any existing residential development. Because construction noise may still be

1 intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance
2 also prohibits "any disturbing excessive, or offensive noise which causes
3 discomfort or annoyance to reasonable persons of normal sensitivity."

4 c) The construction site shall accommodate the parking of all motor vehicles used by
5 persons working at or providing deliveries to the site.

6 21. All drainage fees, traffic signal contributions, highway thoroughfare fees, park fees,
7 reimbursements, and other applicable charges, fees and deposits shall be paid prior to
8 recordation of the map or the issuance of any building permits, in accordance with City
9 Ordinances and policies. The subdivider shall also be required to join into, contribute,
10 or participate in any improvement, lighting, or other special district affecting or affected
11 by this project. Approval of the tentative map shall constitute the developer's approval
12 of such payments, and his agreement to pay for any other similar assessments or charges
13 in effect when any increment is submitted for final map or building permit approval,
14 and to join, contribute, and/or participate in such districts.

15 22. This project's street pavement sections, traffic indices, alignments, and all geometrics
16 shall meet public street standards.

17 23. Prior to the issuance of a grading permit, the developer shall contract with a
18 geotechnical engineering firm to perform a field investigation, including R-value
19 testing, of the existing pavement on all streets adjacent to the project boundary. The
20 limits of the study shall be half-width plus twelve (12) feet along the subdivision's
21 frontage. The field investigation shall include a minimum of one pavement boring
22 every fifty (50) linear feet of street frontage. The Developer shall submit a study that
23 shall analyze whether the existing pavement meets current City standards/traffic
24 indices. If the study concludes that the pavement does not meet City standards/traffic
25 indices, the rehabilitation/mitigation recommendations shall be included in the study
26 and the Subdivider shall reconstruct the street per the recommendations to the
27 satisfaction of the City Engineer, or other designated City representative.

28 24. Pavement sections for all streets, alleys, driveways and parking areas shall be based
29 upon approved soil tests and traffic indices. The pavement design is to be prepared by
the subdivider's soil engineer and must be approved by the City Engineer, or other
designated City representative, prior to paving.

- 1 25. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
2 construction of the project, shall be repaired or replaced as directed by the City Engineer,
3 or other designated City representative.
- 4 26. Grading and drainage facilities shall be designed and installed to adequately accommodate
5 the local storm water runoff and shall be in accordance with the City's Engineers Manual
6 and as directed by the City Engineer, or other designated City representative.
- 7 27. The applicant shall obtain any necessary permits and clearances from all public agencies
8 having jurisdiction over the project due to its type, size, or location, including but not
9 limited to the U. S. Army Corps of Engineers, California Department of Fish and Game,
10 U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
11 (including NPDES), San Diego County Health Department, prior to the issuance of
12 grading permits.
- 13 28. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic
14 investigation shall be conducted of the soils, slopes, and formations in the project. All
15 necessary measures shall be taken and implemented to assure slope stability, erosion
16 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
17 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved
18 by the City Engineer, or other designated City representative.
- 19 29. This project shall provide year-round erosion control including measures for the site
20 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
21 control plan, designed for all proposed stages of construction, shall be reviewed, secured
22 by the applicant with cash securities and approved by the City Engineer, or other
23 designated City representative.
- 24 30. Landscaping plans, including plans for the construction of walls, fences or other structures
25 at or near intersections, must conform to intersection sight distance requirements.
26 Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer,
27 or other designated City representative, prior to the issuance of a preliminary grading
28 permit and approved by the City Engineer, or other designated City representative, prior to
29 the issuance of building permits. Frontage and median landscaping shall be installed
prior to the issuance of any building permits. Project fences, sound or privacy walls and
monument entry walls/signs shall be designed, reviewed and constructed by the landscape

1 plans and shown for location only on grading plans. Plantable, segmental walls shall be
2 designed, reviewed and constructed by the grading plans and landscaped/irrigated through
3 project landscape plans. The City Engineer must approve all plans, or other designated
4 City representative, and a pre-construction meeting held, prior to the start of any
5 improvements.

6 31. Open space areas and down-sloped areas visible from a collector-level or above
7 roadway and not readily maintained by the property owner, shall be maintained by a
8 homeowners' association that will insure installation and maintenance of landscaping in
9 perpetuity. These areas shall be indicated on the final map and reserved for an
10 association.

11 32. Future buyers shall be made aware of any estimated monthly costs. The disclosure,
12 together with the CC&R's, shall be submitted to the City Engineer, or other designated
13 City representative, for review prior to the recordation of final map. In the event the
14 property's association dissolves, responsibility for irrigation and maintenance of the
15 slopes (open space areas) adjacent to each property shall become that of the individual
16 property owner.

17 33. The drainage design on the tentative map is conceptual only. The final design shall be
18 based upon a hydrologic/hydraulic study to be approved by the City Engineer, or other
19 designated City representative, during final engineering. All drainage picked up in an
20 underground system shall remain underground until it is discharged into an approved
21 channel, or as otherwise approved by the City Engineer, or other designated City
22 representative. All public storm drains shall be shown on City standard plan and profile
23 sheets. All storm drain easements shall be dedicated where required. The applicant shall
24 be responsible for obtaining any off-site easements for storm drainage facilities.

25 34. Storm drains shall be designed and located such that the inside-travel lanes on streets with
26 Collector or above design criteria shall be passable during conditions of a 100-year
27 frequency storm.

28 35. The subdivider is responsible for the design and construction of major off-site drainage
29 improvements downstream of the subdivision to the satisfaction of the City Engineer, or
other designated City representative, as follows:

- 1 a) Prior to issuance of any building, grading, or improvement permits for the
2 subdivision, the subdivider's civil engineer shall analyze downstream drainage
3 facilities to identify the closest point of connection to an adequately sized existing
4 drainage course or facility capable to carry cumulative runoff flows from the entire
5 drainage basin in which the subdivision is located.
- 6 b) Prior to the issuance of any building, grading, or improvement permits, the
7 subdivider's civil engineer shall complete the design of all drainage facilities for
8 the collection and conveyance of said cumulative runoff flows.
- 9 c) Prior to the issuance of any building, grading, or improvement permits, the
10 construction of said facilities shall be covered by a development agreement and
11 secured with sufficient sureties guaranteeing performance and payment for labor
12 and materials, and warranty against defective materials and workmanship.
- 13 d) Prior to the issuance of any building, grading, or improvement permits, the
14 construction of said major offsite drainage facilities shall be completed to the
15 satisfaction of the City Engineer, or other designated City representative.

16 36. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and
17 disposed of in accordance with all state and federal requirements, prior to stormwater
18 discharge either off-site or into the City drainage system.

19 37. The developer shall comply with all the provisions of the City's cable television
20 ordinances including those relating to notification as required by the City Engineer, or
21 other designated City representative.

22 38. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high
23 barrier, approved by the City Engineer, or other designated City representative, shall be
24 provided at the top of all slopes whose height exceeds 20 feet or where the slope
25 exceeds 4 feet and is adjacent to an arterial street or state highway.

26 39. All existing overhead utility lines with the exception of the 69KV lines, within the
27 subdivision and within any full width street or right-of-way abutting a new subdivision,
28 and all new extension services for the development of the project, including but not
29 limited to, electrical, cable and telephone, shall be placed underground per Section 901.G.
of the Subdivision Ordinance (R91-166) and as required by the City Engineer and current
City policy. The undergrounding of the existing 69KV overhead utilities is waived per

1 Section 901.G 3. a. of the Subdivision Ordinance (R91-166) due to the existing
2 overhead electrical or transmission lines are in excess of 34.5 KV.

3 40. A precise grading and private improvement plan shall be prepared, reviewed, secured and
4 approved prior to the issuance of any building permits. The plan shall reflect all
5 pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping,
6 signage, footprints of all structures, walls, drainage devices and utility services. Parking
7 lot striping and any on site traffic calming devices shall be shown on all Precise Grading
8 and Private Improvement Plans.

9 41. The development shall comply with all applicable regulations established by the United
10 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
11 Discharge Elimination System (N.P.D.E.S.) permit requirements for urban runoff and
12 storm water discharge and any regulations adopted by the City pursuant to the
13 N.P.D.E.S. regulations or requirements. Further, the applicant may be required to file
14 a Notice of Intent with the State Water Resources Control Board to obtain coverage
15 under the N.P.D.E.S. General Permit for Storm Water Discharges Associated with
16 Construction Activity and may be required to implement a Storm Water Pollution
17 Prevention Plan (SWPPP) concurrent with the commencement of grading activities.
18 The SWPPP shall include both construction and post construction pollution prevention
19 and pollution control measures and shall identify funding mechanisms for post
20 construction control measures. The developer shall comply with all the provisions of
21 the Clean Water Program during and after all phases of the development process,
22 including but not limited to: mass grading, rough grading, construction of street and
23 landscaping improvements, and construction of dwelling units. The applicant shall
24 design the Project's storm drains and other drainage facilities to include Best
25 Management Practices to minimize non-point source pollution, satisfactory to the City
26 Engineer, or other designated City representative.

26 **Traffic:**

27 42. ADA complaint pedestrian access shall be provided at all project driveways and the
28 intersections of Old Grove Road at Street "D", Old Grove Road at Avenida Del Oro,
29 Avenida Del Oro at Street "B", Street "A" at Street "B", Street "B" at Street "C", and
Street "C" at Street "D".

- 1 43. Sight distance requirements at all driveway and street intersections shall conform to the
2 intersection corner sight distance criteria as provided by the California Department of
3 Transportation Highway Design Manual.
- 4 44. The project applicant shall contribute a fair share of 13 percent toward the cost of re-
5 striping the east leg of the intersection of Oceanside Boulevard at College Boulevard to
6 include a total of three eleven-foot wide westbound through lanes with an exclusive
7 eleven-foot wide right turn pocket. This improvement will include modification of the
8 existing center median island with additional traffic signal equipment and signal loop
9 detectors for the additional westbound through lane.
- 10 45. The project will be required to contribute 33 percent of \$2,228,438 to be applied toward
11 future capacity enhancement measures on College Boulevard between Thunder Drive
12 and Aztec Street.
- 13 46. Old Grove Road between College Boulevard and Mesa Drive shall be constructed
14 within 100-feet of right of way with a 14-foot, landscaped center median and 16-foot
15 parkways with 5-feet of sidewalk on both sides. The construction of Old Grove Road
16 shall be completed to the satisfaction of the Transportation Manager.
- 17 47. Avenida Del Oro from the Avenida de la Plata to Old Grove Road shall be constructed
18 within 82-feet of right of way with 15-foot parkways and 5-foot sidewalks on both
19 sides. The construction of Avenida Del Oro shall be completed to the satisfaction of the
20 Transportation Manager.
- 21 48. Avenida Del Oro from Oceanside Boulevard to Old Grove Road shall be re-striped with
22 four travel lanes. The re-striping of Avenida Del Oro shall be completed to the
23 satisfaction of the Transportation Manager.
- 24 49. All internal project streets shall be constructed within 68-feet of right-of-way with 14-
25 foot parkways and 5-foot sidewalks on both sides. The construction of all internal
26 project streets shall be completed to the satisfaction of the Transportation Manager.
- 27 50. The intersection of El Camino Real at Mesa Drive shall be improved by adding a
28 westbound right turn pocket. This improvement shall include modification of the
29 traffic signal to provide for exclusive left turn phasing in both eastbound and westbound
directions on Mesa Drive. The intersection improvement shall be completed to the
satisfaction of the Transportation Manager.

- 1 51. The intersection of Ocean Ranch Road at Old Grove Road shall be improved by adding
2 a northbound to eastbound right turn overlapping signal phase. The intersection
3 improvement shall be completed to the satisfaction of the Transportation Manager.
- 4 52. A new traffic signal shall be installed at the intersection of Avenida de la Plata at
5 Corporate Center Drive. The new traffic signal shall be constructed to the satisfaction
6 of the Transportation Manager.
- 7 53. The existing traffic signal on Rancho Del Oro at Oceanside Boulevard shall be
8 improved with the addition of a southbound to westbound right turn overlapping phase
9 and a westbound to northbound right turn overlapping phase. The traffic signal shall
10 also be re-timed. All improvements to the traffic signal shall be completed to the
11 satisfaction of the Transportation Manager.
- 12 54. The project shall contribute a fair-share of 69 percent toward the cost of adaptive signal
13 system hardware at the following intersections:
- 14 a) College Boulevard at Silverbluff Drive;
 - 15 b) College Boulevard at Frazee Road;
 - 16 c) College Boulevard at Chroma Drive;
 - 17 d) College Boulevard at Mesa Drive;
 - 18 e) College Boulevard at Avenida Empresa;
 - 19 f) College Boulevard at Old Grove Road;
 - 20 g) College Boulevard at Avenida de la Plata;
 - 21 h) College Boulevard at Marvin Street;
 - 22 i) College Boulevard at Roselle Street;
 - 23 j) College Boulevard at Barnard Drive; and
 - 24 k) College Boulevard at Vista Way.
- 25 55. A traffic control plan shall be prepared according to the City traffic control guidelines
26 and be submitted to and approved by the Transportation Manager prior to the start of
27 work within open City rights-of-way. Traffic control during construction of streets that
28 have been opened to public traffic shall be in accordance with construction signing,
29 marking and other protection as required by the Caltrans Traffic Manual and City
Traffic Control Guidelines.

1 56. Traffic control during construction adjacent to or within all public streets must meet
2 Caltrans standards and City Traffic Control Guidelines. Traffic control plans shall be in
3 effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.

4 57. A haul route shall be obtained at least 7 days prior to the start of hauling operations and
5 must be approved by the Transportation Manager. Hauling operations shall be 8:00
6 a.m. to 3:30 p.m. unless approved otherwise.

7 58. Streetlights shall be installed along all internal project streets and on Old Grove Road and
8 Avenida Del Oro along the frontage of the project. The system shall be designed to
9 provide uniform lighting, and be secured prior to the recordation of map or building
10 permit issuance, if a map is not recorded. The subdivider shall pay all applicable fees,
11 energy charges, and/or assessments associated with City-owned (LS-2 rate schedule)
12 streetlights and shall also agree to the formulation of, or the annexation to, any appropriate
13 street lighting district.

14 59. The applicant shall pay all applicable traffic signal and thoroughfare fees.

15 60. The project should pay CalTrans a fair-share of 52.4 percent of the total cost to install an
16 eastbound to southbound right-turn overlapping phase on State Route 76 at Old Grove
17 Road. This will include modification to the existing signal heads on State Route 76
18 and shall be coordinated and approved by Caltrans District 11.

19 61. The project should pay CalTrans a fair share of 52.4 percent of the total cost to install
20 an eastbound to southbound right-turn overlapping phase on SR 76 at Rancho Del Oro
21 Drive. This will include modification to the existing signal heads on SR 76.
22 Additionally, the existing westbound to southbound left turn pocket on SR 76 at
23 Rancho Del Oro Drive should be lengthened to the satisfaction of CalTrans and the
24 Traffic Engineer. These improvements shall be coordinated and approved by Caltrans
25 District 11.

26 **Planning:**

27 62. Tentative Parcel Map and Development Plan shall expire on August 22, 2007, unless the
28 Planning Commission grants a time extension.

29 63. This Tentative Parcel Map and Development Plan approves only a 30-lot industrial
subdivision as shown on the plans and exhibits presented to the Planning Commission for

1 review and approval. No deviation from these approved plans and exhibits shall occur
2 without Planning Department approval. Substantial deviations shall require a revision to
3 the Development Plan or a new Development Plan.

4 64. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
5 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
6 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
7 annul an approval of the City, concerning Development Plan D-17-04 and Tentative
8 Parcel Map P-8-04. The City will promptly notify the applicant of any such claim,
9 action or proceeding against the city and will cooperate fully in the defense. If the City
10 fails to promptly notify the applicant of any such claim action or proceeding or fails to
11 cooperate fully in the defense, the applicant shall not, thereafter, be responsible to
12 defend, indemnify or hold harmless the City.

13 65. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
14 Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall
15 be reviewed and approved by the City Engineer and Planning Director prior to the
16 issuance of building permits. Landscaping shall not be installed until bonds have been
17 posted, fees paid, and plans signed for final approval. The following special landscaping
18 requirements shall be met:

- 19 a) Parkway tree plantings along collector and arterial roads shall be a minimum of
20 two-inch diameter trees so as to ensure a mature landscape theme is achieved in a
21 reasonable amount of time.
- 22 b) The developer shall be responsible for irrigating and landscaping all embankments
23 within the project, and all slopes along major streets.
- 24 c) Arterial street trees in parkways shall be planted at a minimum of 30 feet on
25 center, each side of street, as a solitary planting. Approved root barriers shall be
26 incorporated.
- 27 d) Local street trees in parkways shall be planted at a minimum of 30 feet on center,
28 each side of street, as a solitary planting. Approved root barriers shall be
29 incorporated.

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66. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and in any adjoining public parkways shall be permanently maintained by the owner, his assigns or any successors in interest in the property. The maintenance program shall include normal care and irrigation of the landscaping; repair and replacement of plant materials; irrigation systems as necessary; and general cleanup of the landscaped and open areas, parking lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result in the City taking all appropriate enforcement actions by all acceptable means including but not limited to citations and/or actual work with costs charged to or recorded against the owner. This condition shall be recorded with the covenant required by this resolution.
67. A letter of clearance from the affected school district in which the property is located shall be provided as required by City policy at the time building permits are issued.
68. A covenant or other recordable document approved by the City Attorney shall be prepared by the subdivider and recorded prior to the approval of the final map. The covenant shall provide that the property is subject to this resolution, and shall generally list the conditions of approval.
69. Prior to the issuance of building permits, compliance with the applicable provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed and approved by the Planning Department. These requirements, including the obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted on the Landscape Plan and shall be recorded in the form of a covenant affecting the subject property.
70. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written copy of the applications, staff report and resolutions for the project to the new owner and or operator. This notification's provision shall run with the life of the project and shall be recorded as a covenant on the property.
71. Failure to meet any conditions of approval for this development shall constitute a violation of the Parcel Map and Development Plan.

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2 72. Unless expressly waived, all current zoning standards and City ordinances and policies in
3 effect at the time building permits are issued are required to be met by this project. The
4 approval of this project constitutes the applicant's agreement with all statements in the
5 Description and Justification, Pacific Coast Business Park Plan and other materials and
6 information submitted with this application, unless specifically waived by an adopted
7 condition of approval.

8 73. An association shall be formed and Covenants, Conditions and Restrictions (C.C. & R's)
9 shall provide for the maintenance of all common open space, medians and commonly
10 owned fences and walls and adjacent parkways. The maintenance shall include normal
11 care and irrigation of landscaping, repair and replacement of plant material and irrigation
12 systems as necessary; and general cleanup of the landscaped and open area and walkways.
13 The C.C. & R's shall be subject to the review and approval of the City Attorney prior to
14 the approval of the final map. The C.C. & R's are required to be recorded prior to or
15 concurrently with the final map. Any amendments to the C.C. & R's in which the
16 association relinquishes responsibility for the maintenance of any common open space
17 shall not be permitted without the specific approval of the City of Oceanside. Such a
18 clause shall be a part of the C.C. & R's. The C.C. & R's shall also contain provisions for
19 the following:

- 20 a) Provisions for the maintenance of all common open space and open space
21 easements on private lots, including provisions establishing mechanisms to ensure
22 adequate and continued monetary funding for such maintenance by the property
23 association.
24 b) Provisions that restrict any private use of open space easement areas. Restrictions
25 shall include, but are not limited to, removing retaining walls, installing structures
26 such as trellises, decks, retaining walls and other hardscape and any individual
27 landscape improvements.
28 c) Provisions prohibiting the property owners association from relinquishing its
29 obligation to maintain the common open space and open space easement areas
without prior consent of the City of Oceanside.

1 74. All street names shall be approved by the Planning Department prior to the approval of
2 the final map for each phase of development.

3 **Environmental:**

4 75. Prior to issuance of grading permits the applicant shall confirm to the City of Oceanside
5 that qualified paleontologist has been retained to carry out an appropriate mitigation
6 program. (A qualified paleontologist is defined as an individual with a M.S. or Ph.D. in
7 paleontology or geology who is familiar with paleontological procedures and
8 techniques). The paleontologist shall attend pre-grade meetings to consult with grading
9 and excavation contractors.

10 76. A paleontological monitor shall be on-site during grading operations in previously un-
11 graded areas to evaluate the presence of fossils within previously undisturbed sediments
12 of highly sensitive geologic formations (i.e. Santiago Formation) and moderately
13 sensitive formations (river terrace deposits) to inspect cuts for contained fossils (a
14 paleontological monitor is defined as an individual who has experience in the collection
15 and salvage of fossil materials). The paleontological monitor shall work under the
16 direction of a qualified paleontologist.

17 77. When fossils are discovered the paleontologist (or paleontological monitor) shall
18 recover them. In most cases, this fossil salvage can be completed in a short period to
19 time. However, some fossil specimens (such as a complete whale skeleton) may
20 require an extended salvage time. In these instances, paleontologist (or paleontological
21 monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery
22 of small fossil remains such as isolated mammal teeth, it may be necessary in certain
instances to set up a screen-washing operation on the site.

23 78. Prepared fossils along with copies of all pertinent field notes, photographs and maps
24 shall be deposited (with the applicant's permission) in a scientific institution with
25 paleontological collections such as the San Diego Natural History Museum. A final
26 summary report shall be completed and distributed to the City or other interested
27 agencies which outlines the results of the mitigation program. This report shall include
28 discussions of the methods used, stratigraphy exposed, fossils collected and
29 significance of recovered fossils.

1 79. A six-foot high block sound wall shall be constructed to replace the existing ornamental
2 fence located north of Lot No. 1 north of Old Grove Road adjacent to the open space
3 area as depicted on the Tentative Parcel Map. The approximately 500-lineal feet sound
4 wall shall be depicted on both the preliminary grading plans and the landscape plans.
5 The sound wall shall be constructed concurrently during preliminary grading and
6 completed prior to issuance of any building permits.

7 **Water Utilities:**

8 80. All public water and/or sewer facilities not located within the public right-of-way shall
9 be provided with easements sized according to the City's Engineers Manual. Easements
10 shall be constructed for an all weather access.

11 81. No trees or structures or building overhang shall be located within any water or
12 wastewater utility easement.

13 82. The property owner shall maintain private water and wastewater utilities located on
14 private property.

15 83. A separate irrigation meter is required and approved backflow prevention device is
16 required.

17 84. The developer shall construct a public reclamation water system that will serve each lot
18 and or parcels that are located in the proposed project in accordance with the City of
19 Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be
20 located in the public streets or in a public utility easement.

21 85. Water services and sewer laterals constructed in existing right-of-way locations are to
22 be constructed by approved and licensed contractors at developer's expense.

23 86. The developer shall be responsible for developing all water and sewer facilities
24 necessary to develop the property. Any relocation of water and/or sewer lines is the
25 responsibility of the developer and shall be done by an approved licensed contractor at
26 the developer's expense.

27 87. All lots with a finish pad elevation located below the elevation of the next upstream
28 manhole cover of the public sewer shall be protected from backflow of sewage by
29 installing and maintaining an approved type backwater valve, per of the Uniform
Plumbing Code.

- 1 88. An Inspection Manhole, described by the City's Engineers Manual, shall be installed in
- 2 each building sewer lateral and the location shall be called out on the approved
- 3 improvement plans.
- 4 89. The water and wastewater buy-in fees and the San Diego County Water Authority Fees
- 5 are to be paid to the City and collected by the Water Utilities Department at the time of
- 6 building permit issuance.
- 7 90. All water and wastewater construction shall conform to the most recent edition of the
- 8 City's Engineers Manual, or as approved by the Water Utilities Director.
- 9 91. A water and sewer study must be prepared by the developer at the developer's expense
- 10 and reviewed and approved by the Water Utilities Department. Off-site sewer
- 11 improvements will be required based on the City depth of flow criteria. Offsite water
- 12 improvements will be required based on the existing water system ability to meet the
- 13 site water demands.
- 14 92. A 27" line valve shall be installed on the existing 27" water line on Old Grove Road
- 15 between College Boulevard and where the water line currently traverses the property.
- 16 93. Available flow volume in the brine line will require a system capacity analysis based on
- 17 existing contractual flow agreements. All lots with proposed connections to the brine
- 18 line will require onsite load equalization tanks and telemetry per City standards.
- 19 94. If the existing sewer and water stub-outs located at Calle Niquel are not connected, they
- 20 shall be abandoned back to the main lines located in Avenida De La Plata.

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1 95. The proposed 24" waterline from North Santa Fe to Old Grove Road shall be
2 constructed and accepted by the Water Utilities Department prior to certificate of
3 occupancy.

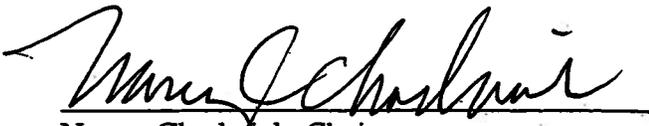
4 PASSED AND ADOPTED Resolution No. 2005-P45 on August 22, 2005 by the
5 following vote, to wit:

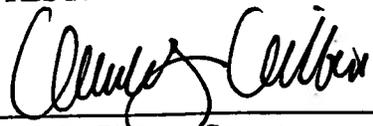
6 AYES: Chadwick, Schaffer, Parker, Todd, Neal, Nack and Horton

7 NAYS: None

8 ABSENT: None

9 ABSTAIN: None

11 
12 _____
13 Nancy Chadwick, Chairperson
14 Oceanside Planning Commission

14 ATTEST:
15 
16 _____
17 Gerald S. Gilbert, Secretary

18 I, GERALD S. GILBERT, Secretary of the Oceanside Planning Commission, hereby certify
19 that this is a true and correct copy of Resolution No. 2005-P45.

20
21 Dated: August 22, 2005

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT A OF RANCHO DEL ORO-MASTER SUBDIVISION MAP EAST, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 11409, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 27, 1985.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 4 WEST, AS SHOWN ON SAID MAP NO. 11409, BEING ALSO AN ANGLE IN THE WESTERLY BOUNDARY OF SAID LOT "A"; THENCE ALONG SAID WESTERLY BOUNDARY SOUTH $00^{\circ}53'04''$ WEST 199.93 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH $00^{\circ}53'04''$ WEST 850.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT "A"; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID LOT "A" SOUTH $89^{\circ}17'31''$ EAST 464.19 FEET (RECORD SOUTH $89^{\circ}16'58''$ EAST 464.10 FEET); THENCE NORTH $77^{\circ}38'45''$ EAST 231.30 FEET (RECORD NORTH $77^{\circ}39'33''$ EAST 231.09 FEET) TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY OF AVENIDA DEL ORO AS SHOWN ON SAID MAP NO. 11409, SAID INTERSECTION BEING ALSO A POINT IN THE WESTERLY LINE OF THAT CERTAIN 70.00 FEET WIDE EASEMENT FOR PUBLIC HIGHWAY PER DOCUMENT NO. 82-071328, RECORDED MARCH 16, 1982, RECORDS OF SAID COUNTY; THENCE ALONG THE WESTERLY LINE OF SAID EASEMENT NORTH $34^{\circ}57'55''$ WEST, 32.58 FEET (RECORD NORTH $34^{\circ}57'05''$ WEST) TO THE BEGINNING OF A TANGENT 935.00 FOOT RADIUS CURVE CONCAVE EASTERLY; THENCE NORTHERLY ALONG SAID CURVE, AND EASEMENT, THROUGH A CENTRAL ANGLE OF $49^{\circ}33'34''$; AN ARC DISTANCE OF 808.75 FEET; THENCE LEAVING SAID WESTERLY EASEMENT LINE NORTH $89^{\circ}06'56''$ WEST 519.77 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

LOT B OF RANCHO DEL ORO-MASTER SUBDIVISION MAP EAST, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 11409, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 27, 1985.

Exhibit "A"

FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE PACIFIC COAST BUSINESS PARK PROJECT ENVIRONMENTAL IMPACT REPORT (SCH NO. 2004071011)

1. INTRODUCTION

1.1 Findings and Statement of Overriding Considerations

The California Environmental Quality Act, Public Resources Code Sections 21000-21178 ("CEQA") and the State CEQA Guidelines for Implementation of the California Environmental Quality Act, Cal. Code Regs., Tit. 14, Sections 15000-15387 ("CEQA Guidelines") are "intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects." (CEQA § 21002 (emphasis added).) CEQA's mandate and principles are implemented, in part, through the requirement that agencies adopt findings before approving projects for which EIRs are certified which identify one or more significant environmental effects that would occur if the project is implemented. (See CEQA § 21081(a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(CEQA Guidelines §15091(a).)

Section 21061.1 of CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." Section 15364 of the CEQA Guidelines adds "legal" considerations to the definition of "feasible." The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 401, 417.) "[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable

balancing of the relevant economic, social and technological factors.” (Id.; see also Sequoyah Hills Homeowners Ass'n v. City of Oakland (1993) 23 Cal.App.4th 704, 715.)

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines §§ 15093, 15043(b); see also CEQA § 21081(b).)

The following Findings and Statement of Overriding Consideration are made relative to the conclusions of the Final Environmental Impact Report for the Pacific Coast Business Park (SCH 2004071011) (“Final EIR”).

1.2 Document Format

These findings have been organized into the following sections:

- (1) This Section 1 provides an introduction to these Findings.
- (2) Section 2 provides a summary of the Project, overview of the discretionary actions required for approval of the Project, and a statement of the Project's objectives.
- (3) Section 3 provides a summary of public participation in the environmental review, an overview of the administrative record that has been developed for the Project, and general findings regarding the Mitigation, Monitoring and Reporting Program (“MMRP”), the Project and CEQA compliance.
- (4) Section 4 sets forth findings regarding those environmental impacts that were determined either not to be relevant to the Project or not to be significant.
- (5) Section 5 sets forth findings regarding significant or potentially significant environmental impacts identified in the Final EIR that the City of Oceanside (“City”) has determined can be reduced to a less-than-significant level through the imposition of mitigation measures included in the MMRP for the Project.
- (6) Section 6 sets forth findings regarding significant environmental impacts identified in the Final EIR that the City has determined will remain significant and unavoidable after mitigation.
- (7) Section 7 sets forth findings regarding alternatives to the Project that were determined not to be feasibly implemented by the City.
- (8) Section 8 consists of a Statement of Overriding Considerations, which sets forth the City's reasons for finding that specific economic, legal, social, technological, and other considerations associated with the Project outweigh the Project's potential unavoidable environmental effects.

2. PROJECT SUMMARY

2.1 Pacific Coast Business Park Project Description

The gross area within the industrial site boundaries is approximately 124 acres, with an adjacent 28-acre parcel to be partially used for dirt stockpile. This area is part of the industrially-designated area within the central portion of the City of Oceanside.

The project analyzed in the Final EIR is the development of an industrial business park including the establishment of the building pads, supporting infrastructure, and development guidelines for ultimate buildings through the Industrial Master Development Plan Text. Specific buildings and uses within the Pacific Coast Business Park will be required to comply with the regulations in the Industrial Master Development Plan. The Industrial Master Development Plan will provide for establishment of CC & Rs for the Pacific Coast Business Park; these CC & Rs will require a Board of Directors, with a Pacific Coast Business Park Design Review Board acting under that Board of Directors. All Site Development Plans within the Pacific Coast Business Park must be approved by this Review Board. Following this approval, any Site Development Plan must meet all City requirements and approvals; these would include, but are not limited to, Administrative Development Plan reviews, Conditional Use Permits, Variance requests, Building Permits, and subdivision ordinance and building code provisions.

Pacific Coast Business Park is being divided into 30 industrial parcels, with major streets and infrastructure provided by the Master Developer, to facilitate build out with a variety of business park and industrial uses. The site has been designed to accommodate a broad range of product types in the business market, from multi-tenant and small single-user buildings to larger manufacturing and warehouse uses. The site layout has been designed to allow flexibility in combining two or more adjacent parcels to accommodate build-to-suit, lot sales and leased spaces.

The entire site will be graded to develop the pads and roadways. The project proposes a volume of cutting of 1,569,500 cubic yards, with maximum cut slopes of 25 feet. The volume of fill is 1,444,900 cubic yards, with maximum fill slopes of 65 feet. As such, cut and fill do not balance, but leave an excess of 124,600 cubic yards. Approximately one-half acre of the off-site slopes to Ocean Ranch to the west will receive fill. The excess material will be placed as off-site fill onto an approximately nine-acre area at the eastern end of the 28-acre property north of Old Grove (the Corporate Office Park site). The off-site fill will be placed as a stockpile and will be planted with a ground cover and irrigated for erosion control. The balance of the 28-acre property is not part of this project.

College Boulevard is the eastern boundary of the site, and the extension of Old Grove Road will form the northern boundary of the proposed development area. Project access from the south will be from Oceanside Boulevard by way of Avenida de la Plata and Avenida del Oro; Avenida del Oro will be extended north through the property to connect to Old Grove Road. Project access from the north will be from Old Grove Road. Three lanes of Old Grove Road are planned to be constructed by the Ocean Ranch project, and are anticipated to be in place prior to the construction of Pacific Coast

Business Park. This project will complete the roadway, including the median curb, gutter, landscaping, parkway curb, sidewalk, and final utility installation.

2.2 Discretionary Actions

Discretionary actions necessary for the development include an Industrial Master Development Plan and a Tentative Parcel Map.

2.3 Statement of Project Objectives

The development is proposing an industrial business park with a development intensity consistent with surrounding industrial parks. It will be divided into large parcels, with streets and infrastructure to facilitate build out with a variety of business park and industrial uses. This project will implement the designated land uses of the City of Oceanside's General Plan, Rancho del Oro Specific Plan, and the Industrial Master Development Plan being processed as a part of this project.

The site has been designed to accommodate a broad range of product types in the business market, with the flexibility to combine adjacent lots to accommodate various sizes of buildings and types of users, while ensuring a high quality, cohesive and aesthetic development which takes into account the surrounding built environment.

3. PUBLIC PARTICIPATION AND RECORD OF PROCEEDINGS

3.1 Public Input

There have been opportunities for public review and comment, including but not limited to the public forums set forth below:

EIR Notice of Preparation, July 6 – August 8, 2004

Draft EIR Public Review, March 21 – May 5, 2005

Planning Commission Hearing, July 25, 2005

3.2 Record of Proceedings

For purposes of CEQA and these Findings and Statement of Overriding Considerations, the Record of Proceedings for the Projects consists of the following documents and other evidence at a minimum:

- The Notice of Preparation and all other public notices issued by the City in conjunction with the Project;
- The Draft EIR;
- The Final EIR;
- All written comments and verbal public testimony presented during the public comment period on the Draft EIR or during a noticed public hearing for the Project at which such testimony was taken;
- The MMRP;
- All findings, ordinances, and resolutions adopted by the City in connection with the Project, and all documents incorporated by reference therein;

- All final reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's actions on the Project;
- All documents submitted to the City by other public agencies or members of the public in connection with the Project, up through the close of the public hearing;
- Minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Project;
- Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings;
- Matters of common knowledge to the City, including, but not limited to federal, state, and local laws and regulations;
- The City's General Plan and Municipal Code;
- Any documents expressly cited in these findings in addition to those cited above; and
- Any other materials required to be in the record of proceedings by Section 21167.6 (e) of CEQA.

The custodian of the documents comprising the record of proceedings is the City Clerk, whose office is located at 300 North Coast Highway, Oceanside, CA 92054. Copies of all these documents, which constitute the record of proceedings upon which the City's decision is based, are and at all relevant times have been available upon request at all times at the offices of the City.

The City has relied on all of the documents listed above in reaching its decision on the Project, even if not every document was formally presented to the Planning Commission or City Staff as part of the City files generated in connection with the Project. Without exception, any documents set forth above not found in the Project files fall into two categories. First, many of them reflect prior planning or legislative decisions of which the City was aware in approving the Project. Second, other of the documents influenced the expert advice provided to City Staff or consultants, who then provided advice to the Planning Commission. For that reason, such documents form part of the underlying factual basis for the City's decisions relating to the adoption of the Project.

3.3 General Findings

The City hereby finds as follows:

3.4.1 The foregoing statements are true and correct;

3.4.2 The City is the "Lead Agency" for the Project evaluated in the Final EIR and independently reviewed and analyzed the Draft EIR and Final EIR for the Project;

3.4.3 The Notice of Preparation of the Draft EIR was circulated for public review between July 6 and August 8, 2004. It requested that responsible agencies respond as to the scope and content of the environmental information germane to that agency's specific responsibilities;

3.4.4 The public review period for the Draft EIR was for 45 days between March 21 and May 5, 2005.

3.4.5 The Draft EIR and Final EIR were completed in compliance with CEQA;

3.4.6 The Final EIR was presented to the Planning Commission as the decision-making body for the City and the Planning Commission reviewed and considered the information contained in the Final EIR prior to approving the Project;

3.4.7 The Final EIR reflects the City's independent judgment and analysis;

3.4.8 The City evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith, and reasoned responses to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information to the Draft EIR regarding environmental impacts. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final EIR;

3.4.9 The City finds that the Final EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period;

3.4.10 The Final EIR evaluated the following direct and cumulative impacts: Biological Resources, Paleontological Resources, Hydrology/Water Quality, and Transportation/Traffic Circulation. Additionally, the Final EIR considered Growth Inducing Impacts of the project, as well as a reasonable range of Project alternatives. All of the significant environmental impacts of the Project were identified in the Final EIR.

3.4.11 CEQA requires the lead agency approving a project to adopt a MMRP for the changes to the project that it has adopted or made a condition of project approval in order to ensure compliance with CEQA during project implementation. A MMRP has been prepared for the Project and has been adopted concurrently with these findings. The City will use the MMRP to track compliance with Project mitigation measures and to ensure that the mitigation measures are enforceable;

3.4.12 In determining whether the Project may have a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the City has complied with CEQA Sections 21080.5 and 21082.2;

3.4.13 The impacts of the Project have been analyzed to the extent feasible at the time of certification of the Final EIR;

3.4.14 The City made no decisions related to approval of the Project prior to the certification of the Final EIR by the Planning Commission. The City also did not commit

to a definite course of action with respect to the Project prior to the certification of the Final EIR by the Planning Commission;

3.4.15 Copies of all the documents incorporated by reference in the Final EIR are and have been available upon request during all regular business hours at the offices of the City Clerk and/or Planning Department.

3.4.16 Having reviewed the information contained in the Draft EIR, Final EIR, the record of proceedings, as well as the requirements of CEQA and the CEQA Guidelines regarding re-circulation of Draft EIRs, and having analyzed the changes in the Draft EIR which have occurred since the close of the public review period, the City finds that there is no significant new information regarding adverse environmental impacts of the Project in the Final EIR and finds that re-circulation of the Draft EIR is not required; and

3.4.17 Having received, reviewed, and considered all information and documents in the Final EIR, as well as all other information in the record of proceedings on this matter, the following Findings and Statement of Overriding Considerations are hereby adopted by the City as the CEQA Lead Agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the Project.

4. ENVIRONMENTAL ISSUES DETERMINED NOT TO BE POTENTIALLY AFFECTED BY THE PROJECT

Based on the City's assessment of the Project and responses to the Notice of Preparation for the Project, certain environmental issues were determined by the City to be either (i) inapplicable to the Project based upon the nature of the Project and/or the absence of any potential impact related to the issue or (ii) potentially impacted to a degree deemed to be less than significant. Accordingly, the City concluded that these issues did warrant further consideration in the Final EIR other than as set forth in Section V of the Final EIR. No substantial evidence has been presented to or identified by the City that would modify or otherwise alter the City's less-than-significant determination for each of the following environmental issues: (1) Cultural Resources, (2) Geotechnical Conditions, (3) Aesthetics, (4) Agriculture, (5) Air Quality, (6) Land Use and Planning, (7) Hazards and Hazardous Materials, (8) Mineral Resources, (9) Noise, (10) Population and Housing, (11) Public Services, and (12) Recreation.

5. FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH ARE DETERMINED NOT TO BE SIGNIFICANT OR WHICH CAN BE SUBSTANTIALLY LESSENEED OR AVOIDED THROUGH FEASIBLE MITIGATION MEASURES

As discussed in more detail in the Final EIR, including the appendices to the Final EIR, the City has determined based on the threshold criteria for significance presented in the Final EIR that certain environmental effects of the Project will not manifest at levels which have been determined by the City to be significant or, if significant, feasible mitigation measures identified in the Final EIR and adopted by the City as conditions of Project approval will result in the avoidance or substantial reduction of those effects.

Environmental effects related to the Project in the following areas were found to be either insignificant or capable of being mitigated to a level of insignificance: Biological Resources, Paleontological Resources, Hydrology and Water Quality, and Transportation/Traffic. As explained in the Final EIR, after some investigation and inquiry, impacts to Biological Resources and Hydrology and Water Quality are not considered significant and do not require mitigation. No substantial evidence has been presented to or identified by the City which would modify or otherwise alter the City's less-than-significant determination for these environmental issues. As a result, CEQA does not require any further findings regarding these environmental impacts.

5.1 Paleontological Resources

Environmental Impacts: The Project could cause the loss of fossil material considered to be of high scientific value.

Finding: Pursuant to CEQA Section 21081(a)(1) and CEQA Guidelines section 15091(a)(1), the City finds that conditions, changes, or alterations have been required in, or incorporated into, the Project which will reduce the potential significant environmental effect identified in the Final EIR to below a level of significance.

Facts in Support of Findings:

(a) The Project is entirely underlain by the Eocene Santiago Formation, which is known to be fossil-bearing. In this area the Santiago Formation consists primarily of sandstone, clayey siltstone, and claystone. The sandstones and claystones of the Santiago Formation will likely be encountered in pad excavation or utility trenches.

(b) Fossils encountered during Project construction could be damaged or destroyed. Much of the fossil material in the Santiago Formation is considered to be of high scientific value, and its loss would be considered a significant impact.

Mitigation Measures:

The following mitigation measures, which are also set forth in the Final EIR, are feasible and are made binding through the MMRP. These mitigation measures will avoid damage to or loss of fossil material by creating a process to identify and preserve such material during grading operations. As a result, these measures mitigate the potential direct and cumulative impacts of the Project on paleontological resources to below a level of significance.

(a) Prior to issuance of grading permits, the applicant shall confirm to the City of Oceanside that a qualified paleontologist has been retained to carry out the mitigation program. (A qualified paleontologist is defined as an individual with a M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.) The paleontologist shall attend pre-grade meetings to consult with grading and excavation contractors.

(b) A paleontological monitor shall be onsite during grading operations to evaluate the presence of fossils within previously undisturbed sediments of the Santiago Formation to inspect cuts for contained fossils. (A paleontological monitor

is defined as an individual who has experience in the collection and salvage of fossil materials.) The paleontological monitor shall work under the direction of a qualified paleontologist.

(c) When fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. Some fossil specimens (such as a complete whale skeleton) may require an extended salvage time. In these instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading. To allow recovery of small fossil remains such as isolated mammal teeth, it may be necessary in certain instances to set up a screen-washing operation on the site.

(d) Prepared fossils along with copies of all pertinent field notes, photos, and maps shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed and distributed to the City and other interested agencies which outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

5.2 Traffic/Transportation

Environmental Impacts: The Project will generate additional traffic on surrounding streets and highways, which are already congested and are forecast to become more congested even without the Project. This additional traffic has the potential to cause significant environmental impacts.

Finding: Pursuant to CEQA Section 21081(a)(1) and CEQA Guidelines section 15091(a)(1), the City finds that conditions, changes, or alterations have been required in, or incorporated into, the Project which will reduce certain potential significant environmental effects associated with traffic impacts and identified in the Final EIR to below a level of significance.

Facts in Support of Finding:

(a) The Pacific Coast Business Park is projected to generate 16,800 trips on a daily basis. The am peak hour is projected at 2088 trips, and the pm peak hour is projected at 2096 trips.

(b) As discussed in greater detail in the Final EIR and the Traffic Impact Study included as Appendix D to the Final EIR, traffic levels with the Project were forecast under a variety of scenarios, including existing development plus the Project, near-term anticipated development plus the Project and Year 2020 anticipated development plus the Project.

(c) Forecasts suggest that the Project may cause significant traffic impacts at the following street segment:

- Westbound Oceanside Boulevard between College Boulevard and Arroyo Avenue in both am and pm peak hours

(d) Forecasts also suggest that the Project may cause significant traffic impacts at the following intersections:

- El Camino Real/Oceanside Boulevard, pm peak hour
- El Camino Real/Mesa Drive, pm peak hour
- Ocean Ranch Road/Old Grove Road, am peak hour
- Avenida de la Plata/Corporate Center Drive, both peak hours
- Rancho del Oro Drive/Oceanside Boulevard, pm peak hour

Mitigation Measures:

The following mitigation measures, which are also set forth in the Final EIR, will avoid or substantially lessen the impacts on traffic resulting from the Project by facilitating the smooth flow of traffic and reducing traffic delays. As a result, these measures mitigate the potential direct and cumulative traffic impacts of the Project identified above to below a level of significance. Some of these measures are the sole responsibility of the Pacific Coast Business Park project, and some require the Project to contribute on a fair-share basis. These mitigation obligations are feasible and are made binding through the MMRP.

Intersections.

The impact at El Camino Real/Oceanside Boulevard will be mitigated to a level below significance by extending the eastbound and westbound left-turn lanes.

The impact to the intersection of El Camino Real/Mesa Drive will be mitigated to a level below significance by re-striping the westbound approach for dual left-turns and a shared through/right-turn lane.

The impact at Ocean Ranch Road/Old Grove Road will be mitigated to a level below significance by the addition of a northbound right-turn overlap to the signal.

Installation of a signal at Avenida de la Plata/Corporate Center Drive will mitigate impacts there to a level below significance.

The impact at Rancho del Oro Drive/Oceanside Boulevard will be mitigated to a level below significance by a southbound right-turn overlap, a westbound right-turn overlap, and signal re-timing.

Street Segments.

The impact on Oceanside Boulevard between College Boulevard and Arroyo Avenue will be mitigated by the re-striping of the westbound lanes in order to add another westbound travel lane between College Boulevard and Gateway Center Drive. This measure will reduce impacts to a level below significance.

Creative Measures:

The City requires that “creative measures” be provided to ameliorate certain traffic impacts even if such impacts are less than significant under CEQA and the CEQA Guidelines. The City requires creative measures for the following street segments:

- SR 76 between El Camino Real and Old Grove Road.

Future plans for SR-76 include widening the roadway to six lanes. Creative measures as mitigation that would be reviewed and approved by CALTRANS include:

- Installation of eastbound right-turn overlaps at Old Grove Road and Rancho del Oro.
- Extension of the westbound left-turn lane at Rancho del Oro.

6. FINDINGS REGARDING SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH REMAIN SIGNIFICANT AND UNA VOIDABLE AFTER MITIGATION

As discussed further in the Final EIR and the appendices to the Final EIR, the Project may cause certain traffic impacts on College Boulevard that cannot be mitigated to a level below significance through the implementation of feasible mitigation measures.

6.1 Traffic/Transportation

Environmental Impacts: College Boulevard between SR 76 and SR 78 is impacted under all traffic scenarios, with or without the Project. Segments of College Boulevard are projected to incur significant impacts as a result of the Project. Although measures will be implemented to mitigate these impacts, these measures will not reduce traffic impacts to a level below significance. No feasible measures are available to reduce traffic impacts to a less-than-significant level.

Finding: The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures that would avoid or substantially lessen the Project's traffic impacts on certain segments of College Boulevard.

Facts in Support of Findings:

(a) Based on the various forecasts of traffic generated by the Project, the Pacific Coast Business Park may have a significant impact on traffic on the following segments of College Boulevard:

- Northbound College Boulevard between Chroma Drive and Mesa Drive, both peak hours
- Northbound College Boulevard between Avenida de la Plata and Oceanside Boulevard, pm peak hour
- Northbound College Boulevard between Town Center Drive and Frazee Road, pm peak hour
- Southbound college Boulevard between Oceanside Boulevard and Olive Drive, pm peak hour

(b) No feasible mitigation measures exist to avoid or substantially lessen the traffic impacts on these segments of College Boulevard. One potential mitigation measure that could increase the capacity of College Boulevard would be to construct additional through lanes along College Boulevard. This issue has been

examined in the College Boulevard No Improvement and Widening Alternatives Environmental Impact Report, and a Statement of Facts and Findings was issued in September of 2004. As the General Plan noted in 1995:

While strong attempts should be made to construct the full 6-lane facilities [on College Boulevard], existing development on most segments makes such upgrading unlikely. Accordingly, the 4- and 6-lane designations are made with the knowledge that peak-hour congestion will occur. College Boulevard will be a strong candidate for special capacity-enhancing treatment.

(City of Oceanside, Circulation Element, General Plan, 1995.) Given the intensive development along College Boulevard in this area, a widening project would cause a substantial adverse impact to property owners whose property would have to be acquired for the project. Such an undertaking would also entail enormous expense. As a result, widening College Boulevard would have unacceptable economic, legal and social impacts that make that mitigation measure infeasible.

Mitigation Measures: The following mitigation measures, which are discussed further in the Final EIR, will partially ameliorate the Project's traffic impacts on College Boulevard between SR 76 and SR 78. These measures will reduce impacts by facilitating the smooth flow of traffic and reducing traffic delays, but the segments of College Boulevard identified as having significant impacts will not see those impacts reduced to a level below significance. The Project is required to contribute on a fair-share basis for these mitigation measures. Some of these improvements are "creative measures" required by the City of Oceanside even though the Project will not cause significant traffic impacts at the intersections and/or street segments at the locations of these measures. These mitigation obligations are feasible and are made binding through the MMRP. The City establishes separate accounts for each specific improvement or mitigation under a Deferred Revenue program. The money paid to the City from the developer is placed in the account until the improvement can be made and/or until the full amount needed to do the improvement is reached, and the improvement is constructed.

The project will contribute its fair share towards adaptive traffic signals to be set at the following intersections:

- College Boulevard/Frazer Road
- College Boulevard/Chroma Drive
- College Boulevard/Silverbluff
- College Boulevard/Mesa Drive
- College Boulevard/Empressa
- College Boulevard/Old Grove Road
- College Boulevard/Avenida de la Plata
- College Boulevard/Marvin Street
- College Boulevard/Roselle Street
- College Boulevard/Barnard Street
- College Boulevard/Vista Way

Additionally, the project will contribute its fair share towards the improvements to College Boulevard between Aztec Street and Olive Drive identified in the Ocean Ranch Condition of Approval. These improvements include widening for additional lanes to meet Circulation Element requirements in this roadway segment.

7. FINDINGS REGARDING ALTERNATIVES

Because the Project may cause significant environmental effects that will not be avoided or substantially lessened by mitigation measures, the City must consider the feasibility of any environmentally superior alternatives to the Project. An alternative may be feasible if it is capable of achieving the objectives of the project in a timely manner and taking into account economic, environmental, social, legal and technological and other factors.

7.1 The No Project Alternative: The No Project Alternative would not allow the proposed development, leaving the land in its present condition and no new impacts to traffic would occur.

Finding: The City finds that specific economic, environmental, legal, social, technological, or other considerations make infeasible the No Project Alternative identified in the Final EIR.

Facts in Support of Finding: While the No Project Alternative essentially maintains the physical status quo onsite, compared to the Project, it would:

- Fail to realize the Project objective of developing an industrial business park with a development intensity consistent with surrounding industrial parks.
- Fail to provide the many jobs expected to be created by the development of 30 industrial parcels as contemplated by the Project.
- Fail to provide the City of Oceanside an important source of revenue.
- Potentially violate the property owner's rights to make reasonable beneficial use of the property consistent with uniformly applied policies, ordinances, regulations, and constitutional protections and reasonable investment backed expectations of development and use consistent with the General Plan, designating the property to be developed for industrial uses.
- Re-direct the needed industrial development to be developed elsewhere, with likely impacts to that area.
- Be inconsistent with the General Plan.
- Transfer the responsibility and costs of the buildout of Old Grove Avenue to other entities.
- Eliminate the construction of Avenida del Oro across the property, a roadway assumed in the Circulation Element.
- Fail to eliminate low levels of service on College Boulevard – significant impacts are predicted even without the Project.

7.2 The Reduced Density Alternative: A reduced density alternative would limit the total square footage of building, by reducing the acreage available for development or building area on the lots, with the balance of the property remaining as undeveloped land.

Finding: The City finds that specific economic, legal, social, technological, or other considerations make infeasible the Reduced Density Alternative identified in the EIR.

Facts in Support of the Finding: Compared to the Project, the Reduced Density Alternative would:

- Fail to realize the Project objective of developing an industrial business park with a development intensity consistent with surrounding industrial parks.
- Fail to provide as many jobs as are expected to be created by the development of 30 industrial parcels as contemplated by the Project.
- Reduce the important revenue that the Project would be expected to provide the City of Oceanside.
- Potentially violate the property owner's rights to make reasonable beneficial use of the property consistent with uniformly applied policies, ordinances, regulations, and constitutional protections and reasonable investment backed expectations of development and use consistent with the General Plan.
- Re-direct needed industrial development to be developed elsewhere, with likely impacts to that area.
- Be inconsistent with the General Plan by preventing development with the intensity called for by the General Plan.
- Reduce the mitigation and related benefits associated with the Project and paid for by the Project developer, such as (i) construction of Avenida del Oro across the property, a roadway assumed in the Circulation Element, and (ii) buildout of Old Grove Road.
- Fail to eliminate low Levels of Service on College Boulevard – significant impacts are predicted even without the Project.

7.2 The Alternative Location Alternative: This alternative would place the Project at an alternative location. The CEQA Guidelines only require consideration of alternative locations that would avoid or substantially lessen any of the significant effects of a project. (CEQA Guidelines § 15126(f)(2)(A).)

Finding: The City finds that specific economic, legal, social, technological, or other considerations make infeasible the No Project Alternative identified in the EIR.

Facts in Support of Finding: The only significant effect from the Project that is not mitigated to a less-than-significant level is traffic on segments of College Boulevard. Traffic Levels of Service remain low with or without the Project at this

location. Because, no alternative location would “substantially lessen” traffic impacts on College Boulevard, this alternative is infeasible.

8. OVERRIDING CONSIDERATIONS

If a project has substantial environmental impacts that cannot be avoided or substantially reduced by feasible mitigation measures or project alternatives, CEQA and the CEQA Guidelines permit a public agency to approve the project only if the agency makes findings that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the project’s unavoidable adverse environmental effects and thereby render those adverse effects acceptable. (CEQA § 21081(b); CEQA Guidelines § 15093.)

The City is approving the Pacific Coast Business Park even though the Project may have unavoidable significant impacts on traffic on certain segments of College Boulevard as described in the Final EIR. The City finds that the benefits of the Project outweigh the adverse environmental effects for each of the following reasons:

- A. The Project will lead to the creation of many high-quality jobs for the community. As documented in the economic analysis by ERA dated June 21, 2005, the project is estimated to include 3,540 direct employment jobs, plus an additional 164 induced and indirect jobs within the City of Oceanside.
- B. The Project will be a source of important tax revenue for the City. As documented in the economic analysis by ERA dated June 21, 2005, the City of Oceanside’s share of total property tax revenue is estimated at build out to be \$282,623 annually.
- C. The Project will be consistent with the General Plan and accordingly will contribute to planned and orderly growth and development in the City.
- D. The Project will utilize efficiently land that is currently vacant and underutilized for seasonal agricultural purposes, as compared with surrounding land uses.
- E. Although traffic impacts on certain segments of College Boulevard are significant under CEQA and the CEQA Guidelines, the segments will operate at low Levels of Service with or without the Project. The addition of Project-related traffic will not be so comparatively or marginally onerous as to justify disrupting otherwise valuable development.

Therefore, after considering the Final EIR and the public record of proceedings, and because the City finds that the benefits of the Project outweigh the significant adverse environmental effects, the City hereby adopts this Statement of Overriding Considerations.

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PLANNING COMMISSION
RESOLUTION NO. 2005-P46

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PACIFIC COAST BUSINESS PARK ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: P-8-04 and D-17-04
APPLICANT: Pacific Coast Business Park, LLC
LOCATION: Southwest of the intersection of College Boulevard and Old Grove Road

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

WHEREAS, a Final Environmental Impact Report was prepared and circulated for public and agency review and proper notification was given in accordance with the California Environmental Quality Act; and

WHEREAS, the Planning Commission, after giving the required notice, did on the 22nd day of August, 2005, conduct a duly advertised public hearing on the content of the Final Environmental Impact Report and the Mitigation Monitoring and Reporting program; and

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

For the Final Environmental Impact Report:

1. The Final Environmental Impact Report was completed in compliance with the provisions of the California Environmental Quality Act (CEQA).
2. There are certain significant environmental effects detailed in the Environmental Impact Report which have been avoided or substantially lessened by the establishment of measures which are detailed in Exhibit "A" Environmental Findings and Statement of Overriding Considerations for the Pacific Coast Business Park.
3. The Final Environmental Impact Report and Mitigation and Monitoring and Reporting Programs for the business park (included in the Final EIR) and were presented to the Planning Commission, and the Planning Commission reviewed and considered the information contained in these documents prior to making a decision on the shopping

1 center and revised reclamation plan. The Final Environmental Impact Report and
2 Mitigation and Monitoring and Reporting Program for the business park have been
3 determined to be accurate and adequate documents, which reflect the independent
4 judgment of the City.

5 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
6 CERTIFY the Final Environmental Impact Report for the Pacific Coast Business Park project
7 Tentative Parcel Map (P-8-04) and Development Plan (D-17-04) subject to the following
8 recommendations and conditions:

9 1. Pursuant to Public resources Code Section 21081.6 the Planning Commission adopts the
10 Mitigation Monitoring and Reporting Program (MMRP) for the business park and finds
11 and determines that said programs are designed to ensure compliance with the mitigation
12 measures during project implementation.

13 2. Notice is HEREBY GIVEN that the time within which judicial review must be sought on
14 this decision is governed by the provisions of the California Environmental Quality Act.

15 PASSED AND ADOPTED Resolution No. 2005-P46 on August 22, 2005 by the

16 following vote, to wit:

17 AYES: Chadwick, Schaffer, Parker, Todd, Neal, Nack and Horton

18 NAYS: None

19 ABSENT: None

20 ABSTAIN: None

21 
22 Nancy Chadwick, Chairperson
23 Oceanside Planning Commission

24 ATTEST:

25 

26 Gerald S. Gilbert, Secretary

27 I, GERALD S. GILBERT, Secretary of the Oceanside Planning Commission, hereby certify that
28 this is a true and correct copy of Resolution No. 2005-P46.

29 Dated: August 22, 2005

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT A OF RANCHO DEL ORO-MASTER SUBDIVISION MAP EAST, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 11409, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 27, 1985.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 4 WEST, AS SHOWN ON SAID MAP NO. 11409, BEING ALSO AN ANGLE IN THE WESTERLY BOUNDARY OF SAID LOT "A"; THENCE ALONG SAID WESTERLY BOUNDARY SOUTH $00^{\circ}53'04''$ WEST 199.93 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH $00^{\circ}53'04''$ WEST 850.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT "A"; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID LOT "A" SOUTH $89^{\circ}17'31''$ EAST 464.19 FEET (RECORD SOUTH $89^{\circ}16'58''$ EAST 464.10 FEET); THENCE NORTH $77^{\circ}38'45''$ EAST 231.30 FEET (RECORD NORTH $77^{\circ}39'33''$ EAST 231.09 FEET) TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY OF AVENIDA DEL ORO AS SHOWN ON SAID MAP NO. 11409, SAID INTERSECTION BEING ALSO A POINT IN THE WESTERLY LINE OF THAT CERTAIN 70.00 FEET WIDE EASEMENT FOR PUBLIC HIGHWAY PER DOCUMENT NO. 82-071328, RECORDED MARCH 16, 1982, RECORDS OF SAID COUNTY; THENCE ALONG THE WESTERLY LINE OF SAID EASEMENT NORTH $34^{\circ}57'55''$ WEST, 32.58 FEET (RECORD NORTH $34^{\circ}57'05''$ WEST) TO THE BEGINNING OF A TANGENT 935.00 FOOT RADIUS CURVE CONCAVE EASTERLY; THENCE NORTHERLY ALONG SAID CURVE, AND EASEMENT, THROUGH A CENTRAL ANGLE OF $49^{\circ}33'34''$; AN ARC DISTANCE OF 808.75 FEET; THENCE LEAVING SAID WESTERLY EASEMENT LINE NORTH $89^{\circ}06'56''$ WEST 519.77 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

LOT B OF RANCHO DEL ORO-MASTER SUBDIVISION MAP EAST, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 11409, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 27, 1985.

Exhibit "A"

FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE PACIFIC COAST BUSINESS PARK PROJECT ENVIRONMENTAL IMPACT REPORT (SCH NO. 2004071011)

1. INTRODUCTION

1.1 Findings and Statement of Overriding Considerations

The California Environmental Quality Act, Public Resources Code Sections 21000-21178 ("CEQA") and the State CEQA Guidelines for Implementation of the California Environmental Quality Act, Cal. Code Regs., Tit. 14, Sections 15000-15387 ("CEQA Guidelines") are "intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects." (CEQA § 21002 (emphasis added).) CEQA's mandate and principles are implemented, in part, through the requirement that agencies adopt findings before approving projects for which EIRs are certified which identify one or more significant environmental effects that would occur if the project is implemented. (See CEQA § 21081(a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(CEQA Guidelines §15091(a).)

Section 21061.1 of CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors." Section 15364 of the CEQA Guidelines adds "legal" considerations to the definition of "feasible." The concept of "feasibility" also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (City of Del Mar v. City of San Diego (1982) 133 Cal.App.3d 401, 417.) "[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable

balancing of the relevant economic, social and technological factors.” (Id.; see also Sequoyah Hills Homeowners Ass'n v. City of Oakland (1993) 23 Cal.App.4th 704, 715.)

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines §§ 15093, 15043(b); see also CEQA § 21081(b).)

The following Findings and Statement of Overriding Consideration are made relative to the conclusions of the Final Environmental Impact Report for the Pacific Coast Business Park (SCH 2004071011) (“Final EIR”).

1.2 Document Format

These findings have been organized into the following sections:

- (1) This Section 1 provides an introduction to these Findings.
- (2) Section 2 provides a summary of the Project, overview of the discretionary actions required for approval of the Project, and a statement of the Project's objectives.
- (3) Section 3 provides a summary of public participation in the environmental review, an overview of the administrative record that has been developed for the Project, and general findings regarding the Mitigation, Monitoring and Reporting Program (“MMRP”), the Project and CEQA compliance.
- (4) Section 4 sets forth findings regarding those environmental impacts that were determined either not to be relevant to the Project or not to be significant.
- (5) Section 5 sets forth findings regarding significant or potentially significant environmental impacts identified in the Final EIR that the City of Oceanside (“City”) has determined can be reduced to a less-than-significant level through the imposition of mitigation measures included in the MMRP for the Project.
- (6) Section 6 sets forth findings regarding significant environmental impacts identified in the Final EIR that the City has determined will remain significant and unavoidable after mitigation.
- (7) Section 7 sets forth findings regarding alternatives to the Project that were determined not to be feasibly implemented by the City.
- (8) Section 8 consists of a Statement of Overriding Considerations, which sets forth the City's reasons for finding that specific economic, legal, social, technological, and other considerations associated with the Project outweigh the Project's potential unavoidable environmental effects.

2. PROJECT SUMMARY

2.1 Pacific Coast Business Park Project Description

The gross area within the industrial site boundaries is approximately 124 acres, with an adjacent 28-acre parcel to be partially used for dirt stockpile. This area is part of the industrially-designated area within the central portion of the City of Oceanside.

The project analyzed in the Final EIR is the development of an industrial business park including the establishment of the building pads, supporting infrastructure, and development guidelines for ultimate buildings through the Industrial Master Development Plan Text. Specific buildings and uses within the Pacific Coast Business Park will be required to comply with the regulations in the Industrial Master Development Plan. The Industrial Master Development Plan will provide for establishment of CC & Rs for the Pacific Coast Business Park; these CC & Rs will require a Board of Directors, with a Pacific Coast Business Park Design Review Board acting under that Board of Directors. All Site Development Plans within the Pacific Coast Business Park must be approved by this Review Board. Following this approval, any Site Development Plan must meet all City requirements and approvals; these would include, but are not limited to, Administrative Development Plan reviews, Conditional Use Permits, Variance requests, Building Permits, and subdivision ordinance and building code provisions.

Pacific Coast Business Park is being divided into 30 industrial parcels, with major streets and infrastructure provided by the Master Developer, to facilitate build out with a variety of business park and industrial uses. The site has been designed to accommodate a broad range of product types in the business market, from multi-tenant and small single-user buildings to larger manufacturing and warehouse uses. The site layout has been designed to allow flexibility in combining two or more adjacent parcels to accommodate build-to-suit, lot sales and leased spaces.

The entire site will be graded to develop the pads and roadways. The project proposes a volume of cutting of 1,569,500 cubic yards, with maximum cut slopes of 25 feet. The volume of fill is 1,444,900 cubic yards, with maximum fill slopes of 65 feet. As such, cut and fill do not balance, but leave an excess of 124,600 cubic yards. Approximately one-half acre of the off-site slopes to Ocean Ranch to the west will receive fill. The excess material will be placed as off-site fill onto an approximately nine-acre area at the eastern end of the 28-acre property north of Old Grove (the Corporate Office Park site). The off-site fill will be placed as a stockpile and will be planted with a ground cover and irrigated for erosion control. The balance of the 28-acre property is not part of this project.

College Boulevard is the eastern boundary of the site, and the extension of Old Grove Road will form the northern boundary of the proposed development area. Project access from the south will be from Oceanside Boulevard by way of Avenida de la Plata and Avenida del Oro; Avenida del Oro will be extended north through the property to connect to Old Grove Road. Project access from the north will be from Old Grove Road. Three lanes of Old Grove Road are planned to be constructed by the Ocean Ranch project, and are anticipated to be in place prior to the construction of Pacific Coast

Business Park. This project will complete the roadway, including the median curb, gutter, landscaping, parkway curb, sidewalk, and final utility installation.

2.2 Discretionary Actions

Discretionary actions necessary for the development include an Industrial Master Development Plan and a Tentative Parcel Map.

2.3 Statement of Project Objectives

The development is proposing an industrial business park with a development intensity consistent with surrounding industrial parks. It will be divided into large parcels, with streets and infrastructure to facilitate build out with a variety of business park and industrial uses. This project will implement the designated land uses of the City of Oceanside's General Plan, Rancho del Oro Specific Plan, and the Industrial Master Development Plan being processed as a part of this project.

The site has been designed to accommodate a broad range of product types in the business market, with the flexibility to combine adjacent lots to accommodate various sizes of buildings and types of users, while ensuring a high quality, cohesive and aesthetic development which takes into account the surrounding built environment.

3. PUBLIC PARTICIPATION AND RECORD OF PROCEEDINGS

3.1 Public Input

There have been opportunities for public review and comment, including but not limited to the public forums set forth below:

EIR Notice of Preparation, July 6 – August 8, 2004

Draft EIR Public Review, March 21 – May 5, 2005

Planning Commission Hearing, July 25, 2005

3.2 Record of Proceedings

For purposes of CEQA and these Findings and Statement of Overriding Considerations, the Record of Proceedings for the Projects consists of the following documents and other evidence at a minimum:

- The Notice of Preparation and all other public notices issued by the City in conjunction with the Project;
- The Draft EIR;
- The Final EIR;
- All written comments and verbal public testimony presented during the public comment period on the Draft EIR or during a noticed public hearing for the Project at which such testimony was taken;
- The MMRP;
- All findings, ordinances, and resolutions adopted by the City in connection with the Project, and all documents incorporated by reference therein;

- All final reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's actions on the Project;
- All documents submitted to the City by other public agencies or members of the public in connection with the Project, up through the close of the public hearing;
- Minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Project;
- Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings;
- Matters of common knowledge to the City, including, but not limited to federal, state, and local laws and regulations;
- The City's General Plan and Municipal Code;
- Any documents expressly cited in these findings in addition to those cited above; and
- Any other materials required to be in the record of proceedings by Section 21167.6 (e) of CEQA.

The custodian of the documents comprising the record of proceedings is the City Clerk, whose office is located at 300 North Coast Highway, Oceanside, CA 92054. Copies of all these documents, which constitute the record of proceedings upon which the City's decision is based, are and at all relevant times have been available upon request at all times at the offices of the City.

The City has relied on all of the documents listed above in reaching its decision on the Project, even if not every document was formally presented to the Planning Commission or City Staff as part of the City files generated in connection with the Project. Without exception, any documents set forth above not found in the Project files fall into two categories. First, many of them reflect prior planning or legislative decisions of which the City was aware in approving the Project. Second, other of the documents influenced the expert advice provided to City Staff or consultants, who then provided advice to the Planning Commission. For that reason, such documents form part of the underlying factual basis for the City's decisions relating to the adoption of the Project.

3.3 General Findings

The City hereby finds as follows:

3.4.1 The foregoing statements are true and correct;

3.4.2 The City is the "Lead Agency" for the Project evaluated in the Final EIR and independently reviewed and analyzed the Draft EIR and Final EIR for the Project;

3.4.3 The Notice of Preparation of the Draft EIR was circulated for public review between July 6 and August 8, 2004. It requested that responsible agencies respond as to the scope and content of the environmental information germane to that agency's specific responsibilities;

3.4.4 The public review period for the Draft EIR was for 45 days between March 21 and May 5, 2005.

3.4.5 The Draft EIR and Final EIR were completed in compliance with CEQA;

3.4.6 The Final EIR was presented to the Planning Commission as the decision-making body for the City and the Planning Commission reviewed and considered the information contained in the Final EIR prior to approving the Project;

3.4.7 The Final EIR reflects the City's independent judgment and analysis;

3.4.8 The City evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith, and reasoned responses to the comments. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information to the Draft EIR regarding environmental impacts. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final EIR;

3.4.9 The City finds that the Final EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period;

3.4.10 The Final EIR evaluated the following direct and cumulative impacts: Biological Resources, Paleontological Resources, Hydrology/Water Quality, and Transportation/Traffic Circulation. Additionally, the Final EIR considered Growth Inducing Impacts of the project, as well as a reasonable range of Project alternatives. All of the significant environmental impacts of the Project were identified in the Final EIR.

3.4.11 CEQA requires the lead agency approving a project to adopt a MMRP for the changes to the project that it has adopted or made a condition of project approval in order to ensure compliance with CEQA during project implementation. A MMRP has been prepared for the Project and has been adopted concurrently with these findings. The City will use the MMRP to track compliance with Project mitigation measures and to ensure that the mitigation measures are enforceable;

3.4.12 In determining whether the Project may have a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the City has complied with CEQA Sections 21080.5 and 21082.2;

3.4.13 The impacts of the Project have been analyzed to the extent feasible at the time of certification of the Final EIR;

3.4.14 The City made no decisions related to approval of the Project prior to the certification of the Final EIR by the Planning Commission. The City also did not commit

to a definite course of action with respect to the Project prior to the certification of the Final EIR by the Planning Commission;

3.4.15 Copies of all the documents incorporated by reference in the Final EIR are and have been available upon request during all regular business hours at the offices of the City Clerk and/or Planning Department.

3.4.16 Having reviewed the information contained in the Draft EIR, Final EIR, the record of proceedings, as well as the requirements of CEQA and the CEQA Guidelines regarding re-circulation of Draft EIRs, and having analyzed the changes in the Draft EIR which have occurred since the close of the public review period, the City finds that there is no significant new information regarding adverse environmental impacts of the Project in the Final EIR and finds that re-circulation of the Draft EIR is not required; and

3.4.17 Having received, reviewed, and considered all information and documents in the Final EIR, as well as all other information in the record of proceedings on this matter, the following Findings and Statement of Overriding Considerations are hereby adopted by the City as the CEQA Lead Agency. These Findings set forth the environmental basis for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the Project.

4. ENVIRONMENTAL ISSUES DETERMINED NOT TO BE POTENTIALLY AFFECTED BY THE PROJECT

Based on the City's assessment of the Project and responses to the Notice of Preparation for the Project, certain environmental issues were determined by the City to be either (i) inapplicable to the Project based upon the nature of the Project and/or the absence of any potential impact related to the issue or (ii) potentially impacted to a degree deemed to be less than significant. Accordingly, the City concluded that these issues did warrant further consideration in the Final EIR other than as set forth in Section V of the Final EIR. No substantial evidence has been presented to or identified by the City that would modify or otherwise alter the City's less-than-significant determination for each of the following environmental issues: (1) Cultural Resources, (2) Geotechnical Conditions, (3) Aesthetics, (4) Agriculture, (5) Air Quality, (6) Land Use and Planning, (7) Hazards and Hazardous Materials, (8) Mineral Resources, (9) Noise, (10) Population and Housing, (11) Public Services, and (12) Recreation.

5. FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH ARE DETERMINED NOT TO BE SIGNIFICANT OR WHICH CAN BE SUBSTANTIALLY LESSENEED OR AVOIDED THROUGH FEASIBLE MITIGATION MEASURES

As discussed in more detail in the Final EIR, including the appendices to the Final EIR, the City has determined based on the threshold criteria for significance presented in the Final EIR that certain environmental effects of the Project will not manifest at levels which have been determined by the City to be significant or, if significant, feasible mitigation measures identified in the Final EIR and adopted by the City as conditions of Project approval will result in the avoidance or substantial reduction of those effects.

Environmental effects related to the Project in the following areas were found to be either insignificant or capable of being mitigated to a level of insignificance: Biological Resources, Paleontological Resources, Hydrology and Water Quality, and Transportation/Traffic. As explained in the Final EIR, after some investigation and inquiry, impacts to Biological Resources and Hydrology and Water Quality are not considered significant and do not require mitigation. No substantial evidence has been presented to or identified by the City which would modify or otherwise alter the City's less-than-significant determination for these environmental issues. As a result, CEQA does not require any further findings regarding these environmental impacts.

5.1 Paleontological Resources

Environmental Impacts: The Project could cause the loss of fossil material considered to be of high scientific value.

Finding: Pursuant to CEQA Section 21081(a)(1) and CEQA Guidelines section 15091(a)(1), the City finds that conditions, changes, or alterations have been required in, or incorporated into, the Project which will reduce the potential significant environmental effect identified in the Final EIR to below a level of significance.

Facts in Support of Findings:

(a) The Project is entirely underlain by the Eocene Santiago Formation, which is known to be fossil-bearing. In this area the Santiago Formation consists primarily of sandstone, clayey siltstone, and claystone. The sandstones and claystones of the Santiago Formation will likely be encountered in pad excavation or utility trenches.

(b) Fossils encountered during Project construction could be damaged or destroyed. Much of the fossil material in the Santiago Formation is considered to be of high scientific value, and its loss would be considered a significant impact.

Mitigation Measures:

The following mitigation measures, which are also set forth in the Final EIR, are feasible and are made binding through the MMRP. These mitigation measures will avoid damage to or loss of fossil material by creating a process to identify and preserve such material during grading operations. As a result, these measures mitigate the potential direct and cumulative impacts of the Project on paleontological resources to below a level of significance.

(a) Prior to issuance of grading permits, the applicant shall confirm to the City of Oceanside that a qualified paleontologist has been retained to carry out the mitigation program. (A qualified paleontologist is defined as an individual with a M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.) The paleontologist shall attend pre-grade meetings to consult with grading and excavation contractors.

(b) A paleontological monitor shall be onsite during grading operations to evaluate the presence of fossils within previously undisturbed sediments of the Santiago Formation to inspect cuts for contained fossils. (A paleontological monitor

is defined as an individual who has experience in the collection and salvage of fossil materials.) The paleontological monitor shall work under the direction of a qualified paleontologist.

(c) When fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. Some fossil specimens (such as a complete whale skeleton) may require an extended salvage time. In these instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading. To allow recovery of small fossil remains such as isolated mammal teeth, it may be necessary in certain instances to set up a screen-washing operation on the site.

(d) Prepared fossils along with copies of all pertinent field notes, photos, and maps shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed and distributed to the City and other interested agencies which outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

5.2 Traffic/Transportation

Environmental Impacts: The Project will generate additional traffic on surrounding streets and highways, which are already congested and are forecast to become more congested even without the Project. This additional traffic has the potential to cause significant environmental impacts.

Finding: Pursuant to CEQA Section 21081(a)(1) and CEQA Guidelines section 15091(a)(1), the City finds that conditions, changes, or alterations have been required in, or incorporated into, the Project which will reduce certain potential significant environmental effects associated with traffic impacts and identified in the Final EIR to below a level of significance.

Facts in Support of Finding:

(a) The Pacific Coast Business Park is projected to generate 16,800 trips on a daily basis. The am peak hour is projected at 2088 trips, and the pm peak hour is projected at 2096 trips.

(b) As discussed in greater detail in the Final EIR and the Traffic Impact Study included as Appendix D to the Final EIR, traffic levels with the Project were forecast under a variety of scenarios, including existing development plus the Project, near-term anticipated development plus the Project and Year 2020 anticipated development plus the Project.

(c) Forecasts suggest that the Project may cause significant traffic impacts at the following street segment:

- Westbound Oceanside Boulevard between College Boulevard and Arroyo Avenue in both am and pm peak hours

(d) Forecasts also suggest that the Project may cause significant traffic impacts at the following intersections:

- El Camino Real/Oceanside Boulevard, pm peak hour
- El Camino Real/Mesa Drive, pm peak hour
- Ocean Ranch Road/Old Grove Road, am peak hour
- Avenida de la Plata/Corporate Center Drive, both peak hours
- Rancho del Oro Drive/Oceanside Boulevard, pm peak hour

Mitigation Measures:

The following mitigation measures, which are also set forth in the Final EIR, will avoid or substantially lessen the impacts on traffic resulting from the Project by facilitating the smooth flow of traffic and reducing traffic delays. As a result, these measures mitigate the potential direct and cumulative traffic impacts of the Project identified above to below a level of significance. Some of these measures are the sole responsibility of the Pacific Coast Business Park project, and some require the Project to contribute on a fair-share basis. These mitigation obligations are feasible and are made binding through the MMRP.

Intersections.

The impact at El Camino Real/Oceanside Boulevard will be mitigated to a level below significance by extending the eastbound and westbound left-turn lanes.

The impact to the intersection of El Camino Real/Mesa Drive will be mitigated to a level below significance by re-striping the westbound approach for dual left-turns and a shared through/right-turn lane.

The impact at Ocean Ranch Road/Old Grove Road will be mitigated to a level below significance by the addition of a northbound right-turn overlap to the signal.

Installation of a signal at Avenida de la Plata/Corporate Center Drive will mitigate impacts there to a level below significance.

The impact at Rancho del Oro Drive/Oceanside Boulevard will be mitigated to a level below significance by a southbound right-turn overlap, a westbound right-turn overlap, and signal re-timing.

Street Segments.

The impact on Oceanside Boulevard between College Boulevard and Arroyo Avenue will be mitigated by the re-striping of the westbound lanes in order to add another westbound travel lane between College Boulevard and Gateway Center Drive. This measure will reduce impacts to a level below significance.

Creative Measures:

The City requires that “creative measures” be provided to ameliorate certain traffic impacts even if such impacts are less than significant under CEQA and the CEQA Guidelines. The City requires creative measures for the following street segments:

- SR 76 between El Camino Real and Old Grove Road.

Future plans for SR-76 include widening the roadway to six lanes. Creative measures as mitigation that would be reviewed and approved by CALTRANS include:

- Installation of eastbound right-turn overlaps at Old Grove Road and Rancho del Oro.
- Extension of the westbound left-turn lane at Rancho del Oro.

6. FINDINGS REGARDING SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION

As discussed further in the Final EIR and the appendices to the Final EIR, the Project may cause certain traffic impacts on College Boulevard that cannot be mitigated to a level below significance through the implementation of feasible mitigation measures.

6.1 Traffic/Transportation

Environmental Impacts: College Boulevard between SR 76 and SR 78 is impacted under all traffic scenarios, with or without the Project. Segments of College Boulevard are projected to incur significant impacts as a result of the Project. Although measures will be implemented to mitigate these impacts, these measures will not reduce traffic impacts to a level below significance. No feasible measures are available to reduce traffic impacts to a less-than-significant level.

Finding: The City finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures that would avoid or substantially lessen the Project's traffic impacts on certain segments of College Boulevard.

Facts in Support of Findings:

(a) Based on the various forecasts of traffic generated by the Project, the Pacific Coast Business Park may have a significant impact on traffic on the following segments of College Boulevard:

- Northbound College Boulevard between Chroma Drive and Mesa Drive, both peak hours
- Northbound College Boulevard between Avenida de la Plata and Oceanside Boulevard, pm peak hour
- Northbound College Boulevard between Town Center Drive and Frazee Road, pm peak hour
- Southbound college Boulevard between Oceanside Boulevard and Olive Drive, pm peak hour

(b) No feasible mitigation measures exist to avoid or substantially lessen the traffic impacts on these segments of College Boulevard. One potential mitigation measure that could increase the capacity of College Boulevard would be to construct additional through lanes along College Boulevard. This issue has been

examined in the College Boulevard No Improvement and Widening Alternatives Environmental Impact Report, and a Statement of Facts and Findings was issued in September of 2004. As the General Plan noted in 1995:

While strong attempts should be made to construct the full 6-lane facilities [on College Boulevard], existing development on most segments makes such upgrading unlikely. Accordingly, the 4- and 6-lane designations are made with the knowledge that peak-hour congestion will occur. College Boulevard will be a strong candidate for special capacity-enhancing treatment.

(City of Oceanside, Circulation Element, General Plan, 1995.) Given the intensive development along College Boulevard in this area, a widening project would cause a substantial adverse impact to property owners whose property would have to be acquired for the project. Such an undertaking would also entail enormous expense. As a result, widening College Boulevard would have unacceptable economic, legal and social impacts that make that mitigation measure infeasible.

Mitigation Measures: The following mitigation measures, which are discussed further in the Final EIR, will partially ameliorate the Project's traffic impacts on College Boulevard between SR 76 and SR 78. These measures will reduce impacts by facilitating the smooth flow of traffic and reducing traffic delays, but the segments of College Boulevard identified as having significant impacts will not see those impacts reduced to a level below significance. The Project is required to contribute on a fair-share basis for these mitigation measures. Some of these improvements are "creative measures" required by the City of Oceanside even though the Project will not cause significant traffic impacts at the intersections and/or street segments at the locations of these measures. These mitigation obligations are feasible and are made binding through the MMRP. The City establishes separate accounts for each specific improvement or mitigation under a Deferred Revenue program. The money paid to the City from the developer is placed in the account until the improvement can be made and/or until the full amount needed to do the improvement is reached, and the improvement is constructed.

The project will contribute its fair share towards adaptive traffic signals to be set at the following intersections:

- College Boulevard/Frazee Road
- College Boulevard/Chroma Drive
- College Boulevard/Silverbluff
- College Boulevard/Mesa Drive
- College Boulevard/Empressa
- College Boulevard/Old Grove Road
- College Boulevard/Avenida de la Plata
- College Boulevard/Marvin Street
- College Boulevard/Roselle Street
- College Boulevard/Barnard Street
- College Boulevard/Vista Way

Additionally, the project will contribute its fair share towards the improvements to College Boulevard between Aztec Street and Olive Drive identified in the Ocean Ranch Condition of Approval. These improvements include widening for additional lanes to meet Circulation Element requirements in this roadway segment.

7. FINDINGS REGARDING ALTERNATIVES

Because the Project may cause significant environmental effects that will not be avoided or substantially lessened by mitigation measures, the City must consider the feasibility of any environmentally superior alternatives to the Project. An alternative may be feasible if it is capable of achieving the objectives of the project in a timely manner and taking into account economic, environmental, social, legal and technological and other factors.

7.1 The No Project Alternative: The No Project Alternative would not allow the proposed development, leaving the land in its present condition and no new impacts to traffic would occur.

Finding: The City finds that specific economic, environmental, legal, social, technological, or other considerations make infeasible the No Project Alternative identified in the Final EIR.

Facts in Support of Finding: While the No Project Alternative essentially maintains the physical status quo onsite, compared to the Project, it would:

- Fail to realize the Project objective of developing an industrial business park with a development intensity consistent with surrounding industrial parks.
- Fail to provide the many jobs expected to be created by the development of 30 industrial parcels as contemplated by the Project.
- Fail to provide the City of Oceanside an important source of revenue.
- Potentially violate the property owner's rights to make reasonable beneficial use of the property consistent with uniformly applied policies, ordinances, regulations, and constitutional protections and reasonable investment backed expectations of development and use consistent with the General Plan, designating the property to be developed for industrial uses.
- Re-direct the needed industrial development to be developed elsewhere, with likely impacts to that area.
- Be inconsistent with the General Plan.
- Transfer the responsibility and costs of the buildout of Old Grove Avenue to other entities.
- Eliminate the construction of Avenida del Oro across the property, a roadway assumed in the Circulation Element.
- Fail to eliminate low levels of service on College Boulevard – significant impacts are predicted even without the Project.

7.2 The Reduced Density Alternative: A reduced density alternative would limit the total square footage of building, by reducing the acreage available for development or building area on the lots, with the balance of the property remaining as undeveloped land.

Finding: The City finds that specific economic, legal, social, technological, or other considerations make infeasible the Reduced Density Alternative identified in the EIR.

Facts in Support of the Finding: Compared to the Project, the Reduced Density Alternative would:

- Fail to realize the Project objective of developing an industrial business park with a development intensity consistent with surrounding industrial parks.
- Fail to provide as many jobs as are expected to be created by the development of 30 industrial parcels as contemplated by the Project.
- Reduce the important revenue that the Project would be expected to provide the City of Oceanside.
- Potentially violate the property owner's rights to make reasonable beneficial use of the property consistent with uniformly applied policies, ordinances, regulations, and constitutional protections and reasonable investment backed expectations of development and use consistent with the General Plan.
- Re-direct needed industrial development to be developed elsewhere, with likely impacts to that area.
- Be inconsistent with the General Plan by preventing development with the intensity called for by the General Plan.
- Reduce the mitigation and related benefits associated with the Project and paid for by the Project developer, such as (i) construction of Avenida del Oro across the property, a roadway assumed in the Circulation Element, and (ii) buildout of Old Grove Road.
- Fail to eliminate low Levels of Service on College Boulevard – significant impacts are predicted even without the Project.

7.2 The Alternative Location Alternative: This alternative would place the Project at an alternative location. The CEQA Guidelines only require consideration of alternative locations that would avoid or substantially lessen any of the significant effects of a project. (CEQA Guidelines § 15126(f)(2)(A).)

Finding: The City finds that specific economic, legal, social, technological, or other considerations make infeasible the No Project Alternative identified in the EIR.

Facts in Support of Finding: The only significant effect from the Project that is not mitigated to a less-than-significant level is traffic on segments of College Boulevard. Traffic Levels of Service remain low with or without the Project at this

location. Because, no alternative location would “substantially lessen” traffic impacts on College Boulevard, this alternative is infeasible.

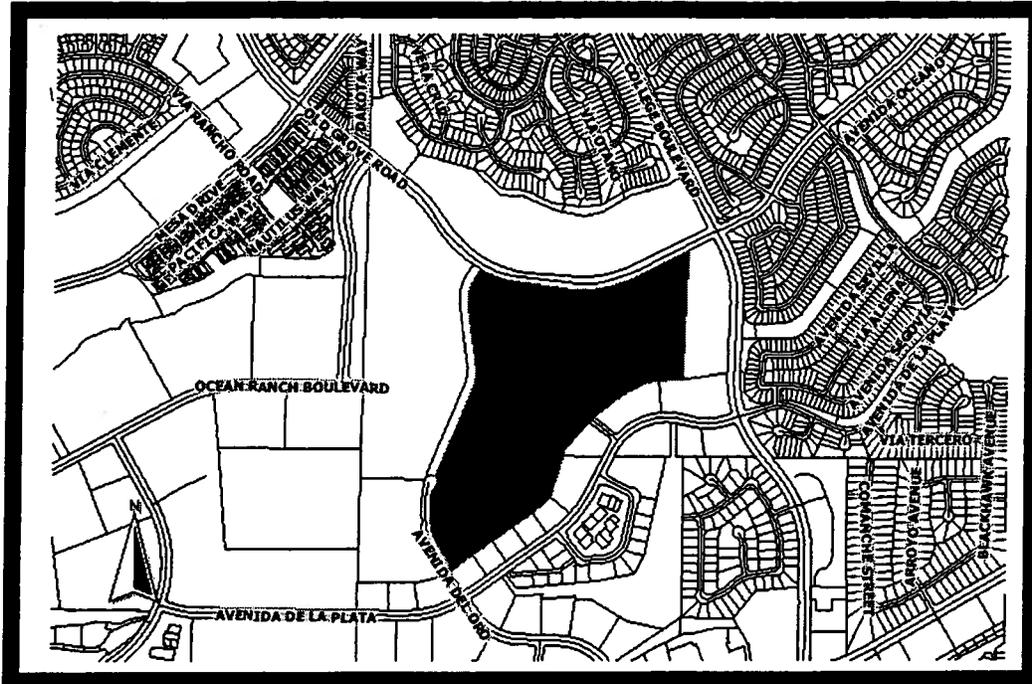
8. OVERRIDING CONSIDERATIONS

If a project has substantial environmental impacts that cannot be avoided or substantially reduced by feasible mitigation measures or project alternatives, CEQA and the CEQA Guidelines permit a public agency to approve the project only if the agency makes findings that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the project’s unavoidable adverse environmental effects and thereby render those adverse effects acceptable. (CEQA § 21081(b); CEQA Guidelines § 15093.)

The City is approving the Pacific Coast Business Park even though the Project may have unavoidable significant impacts on traffic on certain segments of College Boulevard as described in the Final EIR. The City finds that the benefits of the Project outweigh the adverse environmental effects for each of the following reasons:

- A. The Project will lead to the creation of many high-quality jobs for the community. As documented in the economic analysis by ERA dated June 21, 2005, the project is estimated to include 3,540 direct employment jobs, plus an additional 164 induced and indirect jobs within the City of Oceanside.
- B. The Project will be a source of important tax revenue for the City. As documented in the economic analysis by ERA dated June 21, 2005, the City of Oceanside’s share of total property tax revenue is estimated at build out to be \$282,623 annually.
- C. The Project will be consistent with the General Plan and accordingly will contribute to planned and orderly growth and development in the City.
- D. The Project will utilize efficiently land that is currently vacant and underutilized for seasonal agricultural purposes, as compared with surrounding land uses.
- E. Although traffic impacts on certain segments of College Boulevard are significant under CEQA and the CEQA Guidelines, the segments will operate at low Levels of Service with or without the Project. The addition of Project-related traffic will not be so comparatively or marginally onerous as to justify disrupting otherwise valuable development.

Therefore, after considering the Final EIR and the public record of proceedings, and because the City finds that the benefits of the Project outweigh the significant adverse environmental effects, the City hereby adopts this Statement of Overriding Considerations.



File Number: P-22-06, D-31-06 - PCBP Park C

Applicant: Headlands Realty Corporation

Description:

Consideration of a TENTATIVE PARCEL MAP (P-22-06) and DEVELOPMENT PLAN (D-31-06) to subdivide a 7.42-acre site into 6 individual fee lots in order to develop 6 buildings totaling 130,354 square feet in size and located east of Rocky Point Drive which is east of Avenida Del Oro and south of Old Grove Road. The project site is zoned PD-1 Rancho Del Oro Specific Plan (Light Industrial) and is situated within the Ranch/Rancho Del Oro Neighborhood – **PACIFIC COAST BUSINESS PARK LOTS 18 & 19 – Applicant: Headlands Realty Corporation**

Environmental Determination:

An Environmental Impact Report (EIR) was prepared and certified for the Pacific Coast Business Park Initial Tentative Parcel Map (P-8-04) and Development Plan (D-17-04) that created the Pacific Coast Business Park Master Development Plan. The proposed project to further subdivide Parcel 30 and construct four industrial buildings with 40 condominium units is consistent with the extent of the initial CEQA review; therefore, further environmental review is not required at this time.

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

STAFF USE ONLY

ACCEPTED BY
 11/9/06 SN.

Please Print Or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT Headlands Realty Corporation	2. STATUS Owner
3. ADDRESS 17777 Center Court Drive N, Suite 100 Cerritos, CA 90703	4. PHONE/FAXING (562) 345-9216 phone fax
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) The Lightfoot Planning Group attn: Ann Gunter/Joy Chung	
6. ADDRESS 5750 Fleet Street, Suite 250 Carlsbad, CA 92008	7. PHONE (760) 692-1924 phone (760) 692-1935 fax

GPA	
MASTER/SP.PLAN	
ZONE CH.	
TENT. MAP	
X PAR. MAP	P-2206
X DEV. PL	D-31-06
C.U.P.	
VARIANCE	
COASTAL	
O.H.P.A.C.	

PART II - PROPERTY DESCRIPTION

8. LOCATION Pacific Coast Business Park, east of Avenida del Oro and south of Old Grove Road, Lots 18 and 19 of PCBP Parcel Map	9. SIZE 7.42 ACRES
10. GENERAL PLAN PD-1 RDO Specific Plan Industrial	11. ZONING Industrial (PCBP Master Plan)
12. LAND USE Industrial	13. ASSESSOR'S PARCEL NUMBER portion of 161-512-09

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
Development Plan and Tentative Parcel Map for 6 medium industrial buildings on fee lots. (Park C)
 REV - 3/1/07, 6/13/07, 7/5/07

15. PROPOSED GENERAL PLAN No Change	16. PROPOSED ZONING No Change	17. PROPOSED LAND USE Industrial	18. NO. UNITS N/A	19. DENSITY N/A
20. BUILDING SIZE 18,386 - 27,437 SQ. FT.	21. PARKING SPACES 232	22. % LANDSCAPE 23.5%	23. % LOT COVERAGE 40%	

PART IV - ATTACHMENTS

ALL APPLICATIONS		DEV. PLANS, C.U.P.s & TENT. MAPS	
X 24. DESCRIPTION/JUSTIFICATION	X 25. LEGAL DESCRIPTION	X 30. FLOOR PLANS & ELEVATIONS	
X 26. 300-FT. RADIUS MAP	X 27. PROPERTY OWNERS' LIST	N/A 31. CONSTRUCTION SCHEDULE	
X 28. ENVIRONMENTAL ASSESSMENT	X 29. PLOT PLANS	X 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.

33. APPLICANT OR REPRESENTATIVE (Print): **LARRY COCHRUN** 34. DATE: **10/30/06**

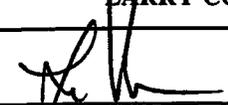
Sign: 

37. OWNER (Print): **LARRY COCHRUN** 38. DATE: **10/30/06**

Sign: 

I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

35. APPLICANT (Print): **LARRY COCHRUN** 36. DATE: **10/30/06** 39. OWNER (Print): **RECEIVED** 40. DATE:

Sign:  Sign: **NOV - 9 2006**

**Pacific Coast Business Park
PARK C
Development Plan and Tentative Parcel Map**

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**Description and Justification
September 2007 revised**

This application consists of a Development Plan and Tentative Parcel Map for six medium sized industrial buildings on individual fee lots. The proposed buildings range in size from 18,489 square feet to 27,160 square feet. The project is composed of parcels 18 and 19 totaling 7.42-acres within Pacific Coast Business Park, east of Rocky Point Drive. The General Plan land use designation is PD-1 RDO Specific Plan; zoning designations are Light Industrial per the PCBP Master Development Plan. The proposed light industrial use is permitted for the site under the current zoning and land use designations.

The property is surrounded on all sides by light industrially designated land uses. The pads and infrastructure for the Pacific Coast Business Park are currently under construction, and the project site is being graded with slope landscaping in accordance with the approved plans.

TENTATIVE PARCEL MAP

The parcel map includes 6 industrial buildings on individual fee lots. There will be minimal earthwork required to prepare the site for building construction, following completion of the pad. A total of 3,000 cubic yards of cut and 13,300 cubic yards of fill are proposed. The remaining fill needed for the site will be imported from an approved site.

The storm drain system on site is divided up into two areas. The site slopes down from east to west, with catch basins in the driveways to collect the runoff water. Two stormwater media filters are located close to Rocky Point Drive to treat the water before being released into the master storm drain system of Pacific Coast Business Park.

DEVELOPMENT PLAN

The proposed project is a 136,168 square foot business center which will consist of 6 industrial buildings. Buildings 1 - 4 are situated as a group, sharing two walls each. The remaining Buildings 5 and 6 are situated with one common wall. The 6 buildings will be located on 40% of the site.

Architecture

The proposed design is a contemporary architectural style appropriate to a multi-tenant business park, utilizing materials and form to define the structures. Earth-tone colors used on the tilt-up concrete panels with green storefront glazing at the entries comprise the majority of the building. Projected metal canopies over each entry with soffit lighting help to define the entrances. The color palette will be used to enhance the landscape plantings and blend with site surroundings including picnic areas, walks and trash enclosures. The buildings have a maximum height of 27 feet, with an interior clear height of 21 feet. Each building has a dock-height loading area to provide access for large delivery trucks. In addition, each building has two at-grade roll-up doors as well as standard access doors for access to the warehouse area.

Landscape Concept Plan

The proposed landscaping will complement the site layout and architectural design. Landscaping is located along the site perimeters, throughout the parking lots, and accent plantings adjacent to the proposed buildings. Entryways have trees and small shrubs indicated to create a soft and inviting entrance. Trees have been located throughout the parking lot areas. Accent trees have also been placed along the sides of the buildings, helping to visually break up the wall planes. Lastly, two employee eating areas have been included along the eastern boundary. Both areas contain picnic tables, benches and trash receptacles, with canopy trees helping to shade the area and landscape areas providing separation from the parking lot.

Circulation

Access into this portion of the business park will be provided by 3 driveways from Rocky Point Drive. Two of the driveways are located to provide simple access to the loading docks for the buildings. The driveways provide circulation through the entire parcel.

Parking

The project exceeds the minimum parking requirements. A total of 1 parking space per 750 square feet is required for typical industrial uses. As proposed, the project provides a total of 221 parking spaces. The applicant's experience with similar buildings is that there is a higher demand for office spaces within this building type than the typical 10% assumed in the parking rate, and therefore the project is designed with sufficient parking to allow 15% of the total building area in office space. All loading areas are screened from view with the buildings placed on the site so that the front facades face the surrounding public right-of-ways or other parcels.

JUSTIFICATION

The proposed project will provide an attractive and useful option for industrial/office uses to the Pacific Coast Business Park. The project complies and exceeds development regulations and there are no requested deviations from the City of Oceanside's established standards. Park C features include:

1. Providing new office space and options for small to medium businesses looking to purchase an industrial building.
2. Buildings are built to have a maximum building height of 27 feet, when 80 feet is allowed.
3. 23.5% of landscape on site, at least when 15% is required.
4. A lower lot coverage percentage of 40%, when 75% is the permitted maximum lot coverage.
5. Minimum building setbacks of 100 feet from internal streets when 10 feet is required.

**ATTACHMENT A
Required Findings**

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DEVELOPMENT PLAN

The City of Oceanside Zoning Ordinance stipulates that five specific findings must be made before a Development Plan can be approved. This proposal meets those conditions as follows:

1. **That the site plan and physical design on the project as proposed is consistent with the purposes of the Zoning Ordinance.**

Park C of PCBP will be located on a parcel designated for Light Industrial uses. Located within the Pacific Coast Business Park, the proposed project will provide additional business services to the City of Oceanside in an appropriate setting. The project will also strengthen the City's economic base and create employment opportunities for residents in surrounding neighborhoods. The proposed project does not have a negative impact on surrounding neighborhoods, and therefore the proposed uses are in compliance with the Zoning Ordinance and appropriate for a site of this nature.

2. **That the Development Plan as proposed conforms to the General Plan of the City.**

The proposed project meets all goals and objectives of the RDO Specific Plan and industrial land use category. The proposed multi-tenant business center complies with the Industrial design policies, and with all applicable sections of each Element of the General Plan.

3. **That the area covered by the Development Plan can be adequately, reasonably and conveniently served by existing and planned public services, utilities and public facilities.**

A 130,761 square foot business center use is proposed on the site in compliance with the City's designated zoning and land use for this property. Existing public utilities are available to serve the development on this infill site. A licensed civil engineer, landscape architect and other technical professionals have generated City-approved analyses and reports to ensure this development will be adequately served by the appropriate type, size and amount of utilities.

4. **That the project as proposed is compatible with existing and potential development on adjoining properties or in the surrounding neighborhood.**

Located within the Pacific Coast Business Park, the site is zoned for industrial and business uses and fits within the existing framework of the surrounding neighborhood.

5. **That the site plan and physical design of the project is consistent with the policies contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan, the Development Guidelines for Hillsides, and Section 3039 of this ordinance.**

The subject site does not contain undevelopable land or qualifying slopes, and is therefore not subject to provisions of the Land Use Element or the Development Guidelines for Hillsides in Section 3039 of the Zoning Ordinance.

**PACIFIC COAST BUSINESS PARK
PARK C**

**Legal Description
August 2007**

Parcel 18 of Parcel Map no. 20306, in the City of Oceanside, County of San Diego, State of California, according to map thereof filed in the office of the County Recorder of San Diego County July 24, 2007 as File No. 2007-0494309, Official Records.

Parcel 19 of Parcel Map no. 20306, in the City of Oceanside, County of San Diego, State of California, according to map thereof filed in the office of the County Recorder of San Diego County July 24, 2007 as File No. 2007-0494309, Official Records.

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