



DATE: November 5, 2007

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A REVISION TO DEVELOPMENT PLAN (D-19-90REV07) TO ALLOW CONSTRUCTION OF A 4,086-SQUARE FOOT COMMERCIAL BUILDING WITHIN AN EXISTING SHOPPING CENTER AT THE NORTHEAST CORNER OF LAKE BOULEVARD AND CANNON ROAD – FIRST BANK AT PALM TREE PLAZA – APPLICANT: FIRST BANK**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

1. Confirm issuance of a Class 32, Categorical Exemption “In-fill Development Projects”;
2. Adopt Planning Commission Resolution No. 2007-P52 approving the revision to Development Plan (D-19-90Rev07) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The vacant project site is located at the northeast corner of Lake Boulevard and Cannon Road within the Palm Tree Plaza commercial center. The overall development plan for the center was approved by the Planning Commission on December 10, 1990. Said plan included construction of a 120,732-square foot of gross floor area allocated to commercial retail businesses, office-space, restaurants, a service station and freestanding pad areas. The subject pad - Parcel (A) - was graded as part of the Walgreens Grading Plan 2735 (D-19-90REV05) and is partially improved with parking stalls, stormwater swales and landscaping.

Site Review: The Palm Tree Plaza Commercial Center encompasses approximately 11.27 acres, however the subject development's scope of work is limited to a 0.21-acre freestanding pad area. The underlying General Plan land use and zoning designation for the site is General Commercial. A Planned Block Development (PBD) overlay district was approved by the City Council for the subject site on May 24, 1995.

Surrounding uses include commercial uses to the east, residential developments to the west and south and open-space to the north. Access to the site is provided via four driveways two of which are located on Melrose Drive, one on Lake Boulevard and one on Cannon Road. A total of 473 parking spaces are available throughout the site.

Project Description: The project application is comprised of a revision to the previously approved Development Plan for the shopping center (D-19-90Rev07) as follows:

Development Plan Revision (D-19-90REV07): To construct a single-story 4,086-square foot commercial building (First Bank) and associated site improvements.

The applicant proposes construction of a single-story structure to house the business operations of First Bank. The 4,086-square foot building will not include drive-thru banking services. The applicant proposes use of "Mediterranean" architectural design, colors, materials and details in order to complement the Palm Tree Plaza shopping center's architecture. Future identification signage will be in compliance with the established comprehensive sign program for the center.

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

1. Zoning Ordinance
2. General Plan Land Use Element
3. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation on the subject property is CC (Community Commercial). 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 1.22: Landscaping

Objective: The enhancement of community and neighborhood identity through landscaping requirements that frame and soften the built environment consistent with water and energy conservation.

Policy: C. Drought tolerant materials, including native California plant species, shall be encouraged as a landscape type.

Seventeen percent of the project site will be landscaped, exceeding the minimum (15 percent) landscaping requirement applicable to the subject proposal. The proposed landscaping theme will be consistent with that of the commercial center and will incorporate a drought tolerant plant palette.

Goal 1.23: Architecture

Objective: The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

Policy: B: Structures shall work in harmony with landscaping and adjacent urban and/or topographic form to create an attractive line, dimension, scale, and/or pattern.

The “Mediterranean” architectural design for the First Bank building features details, colors and materials consistent with those of the Palm Tree Plaza. The quality of the project design will enhance the image of the center and will complement adjacent existing development.

1. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	CG (General Commercial)	CG-PBD (Commercial General Planned Block Development)	Commercial Palm Tree Plaza
North of Subject Property	OS (Open Space)	OS (Open Space)	OS (Open Space) Church
East of Subject Property:	CG (General Commercial)	CG-PBD (Commercial General Planned Block Development)	Commercial Broadmor Plaza
South of Subject Property:	MDB-R (Medium Density-B Residential)	RM-B (Residential Medium-B)	Multi-Family Residential
West of Subject Property:	MDA-R (Medium Density –A Residential)	RS (Single Family)	Residential

The proposed land use is consistent with the General Plan and Zoning Ordinance designations applicable to the site. Due to the nature and operational characteristics of the proposed financial institution the project's location - in proximity to residential uses - is not expected to adversely impact residences located across Cannon Road and Lake Boulevard, to the contrary, the proposed land use will provide a needed service to residents in the immediate area.

DISCUSSION

The project site is located within a shopping center in need of tenants that can support and generate activity to the center. Development of the First Bank financial institution on the existing pre-graded pad will provide such infill development as well as job opportunities for Ocean Hills and Lake community residents.

The project is proposed within an established area of the city on a site that possesses adequate infrastructure and services to accommodate the proposed use. The First Bank's architectural design will be consistent and will compliment the Palm Tree Plaza center. The proposed development and land use, as conditioned, will meet or exceed minimum setback, landscaping and parking requirements.

ENVIRONMENTAL DETERMINATION

The proposed project is categorical exempt from the provisions of the California Environmental Quality Act (CEQA) as per Article 19 Section 15332(a).

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot of the subject property, individuals/organizations requesting notification, applicant and their representative, and interested parties. As of November 5, 2007, no communication supporting or opposing the request has been received.

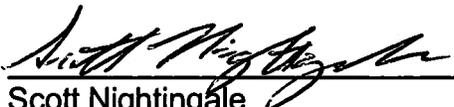
SUMMARY

Staff finds that the proposed use and building improvements, as modified by recommended conditions of project approval, will complement existing and proposed land uses within the center, serve the residents in the immediate area and will be in compliance with applicable Zoning Ordinance development standards.

Staff believes that the necessary findings in support of the revision to the Development Plan can be met. Therefore, staff recommends that the Planning Commission approve the project. The Planning Commission's action should be:

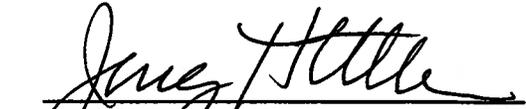
- (1) Confirm issuance of a Class 32, Categorical Exemption "In-fill Development Projects";
- (2) Adopt Planning Commission Resolution No. 2007-P52 approving the revision to Development Plan (D-19-90Rev07) with findings and conditions of approval attached herein.

PREPARED BY:



Scott Nightingale
Planner II

SUBMITTED BY:



Jerry Hittleman
City Planner

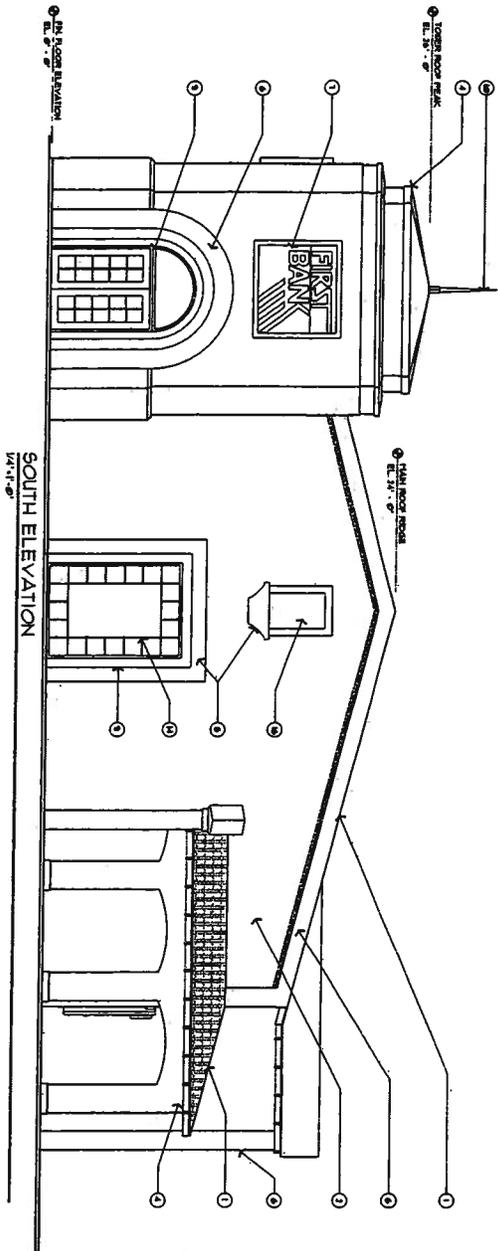
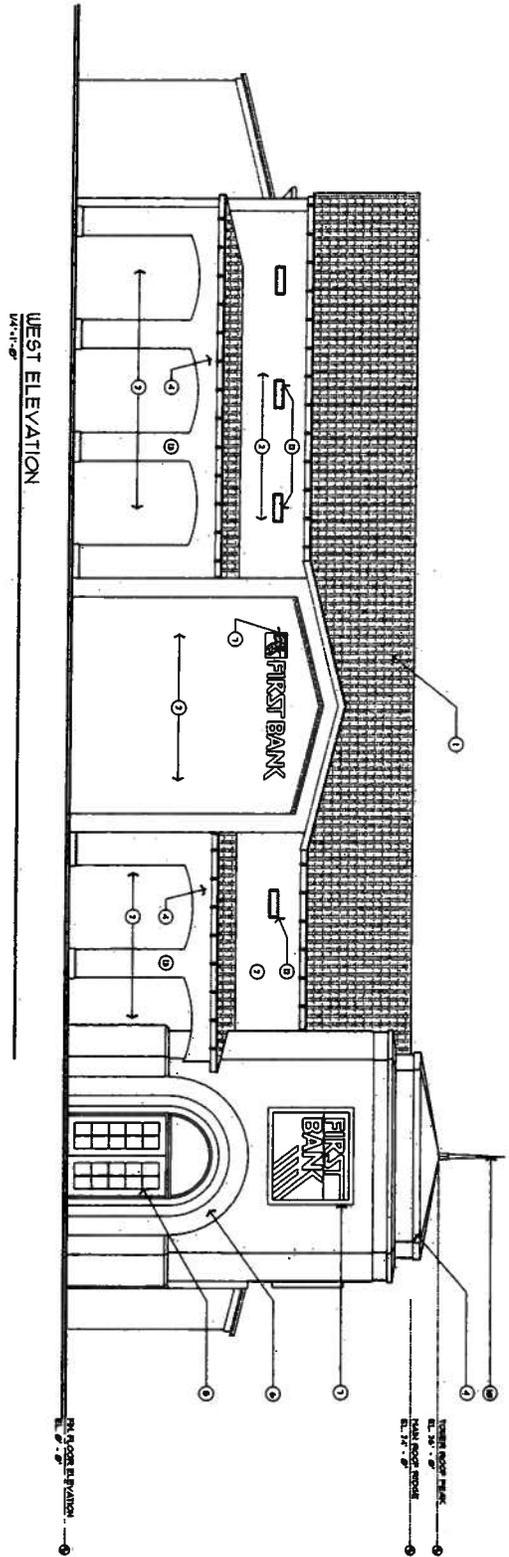
REVIEWED BY: 

Amy Volzke, Principal Planner

JH/SN/fil

Attachments:

1. Site plan, floor plan and elevations
2. Planning Commission Resolution No. 2007-P52
3. Operations and Maintenance Program for First Bank
4. Owner Approval Letter



GENERAL NOTES

1. REFER TO ARCHITECT'S GENERAL NOTES AND SPECIFICATIONS FOR MATERIALS AND FINISHES.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.
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10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.

KEYED NOTES

1. ROOF: SLAB ON CONCRETE TIE TO EXISTING STRUCTURE.
2. FINISH: EXTERIOR WALLS TO MATCH EXISTING.
3. FINISH: EXTERIOR WALLS TO MATCH EXISTING.
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Do Not Reproduce

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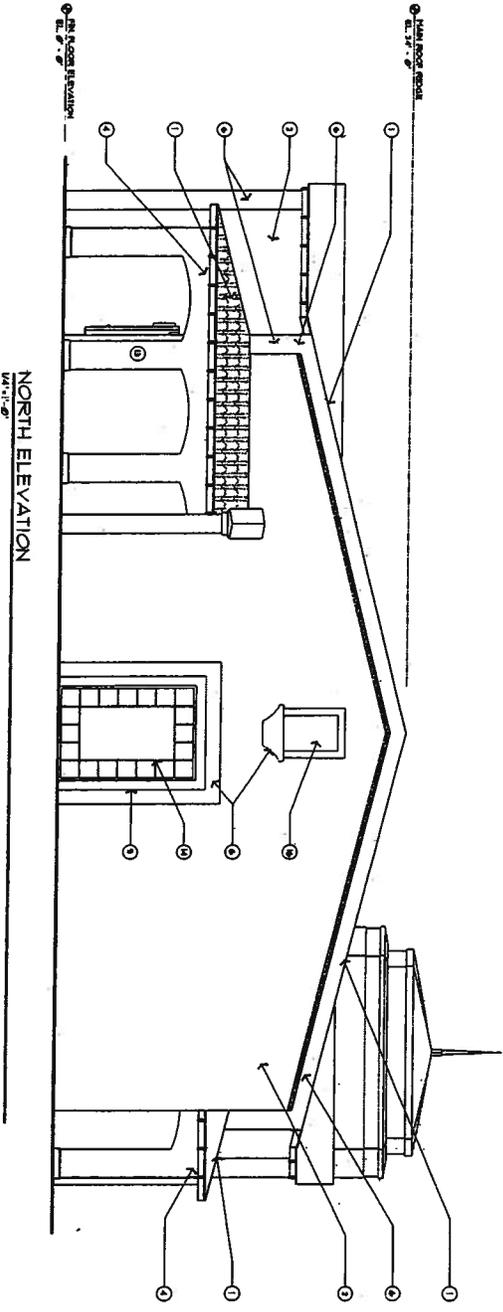
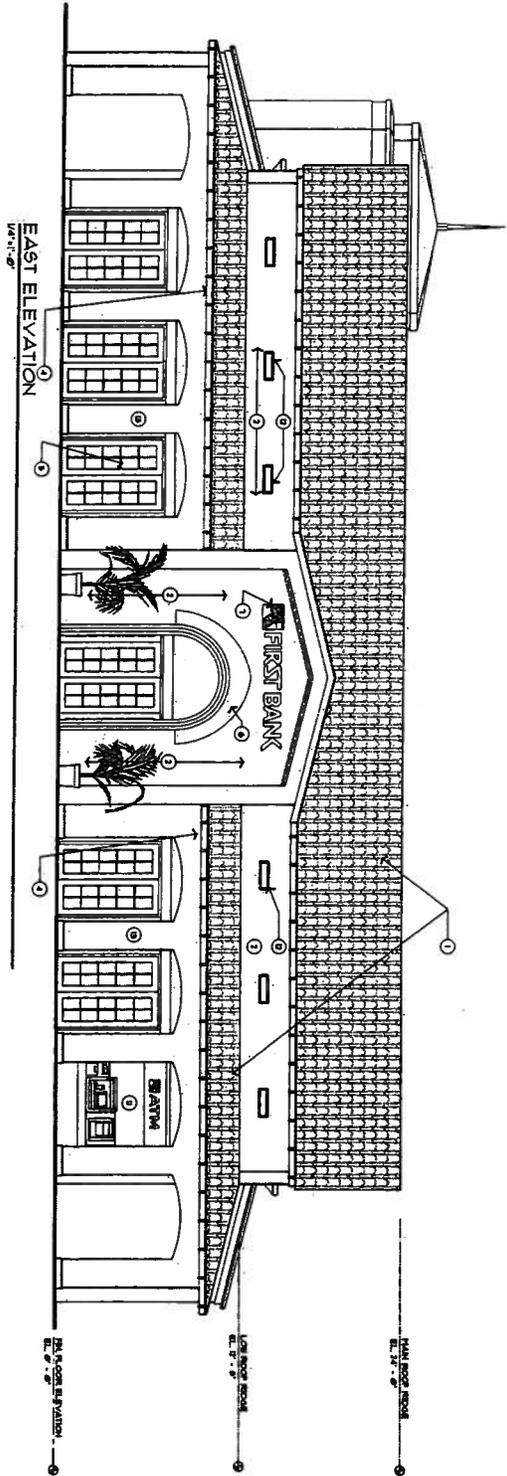
Thomas D. Auer, NCARB Architect
 15439 South Ocean Park Drive Suite 200 Channaham, MO 63011 636-426-4100

CONSULTANT
 Thomas D. Auer, NCARB
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 Suite 200 Channaham, MO 63011
 636-426-4100

NEWGROUND



A2 Sheet
FIRST BANK
 PALM TREE PLAZA
 OCEANSIDE, CALIFORNIA



NORTH ELEVATION
1/4" = 1'-0"

EAST ELEVATION
1/4" = 1'-0"

- GENERAL NOTES**
1. REFER TO SPECIFICATIONS, MATERIALS & METHODS SECTION FOR ALL MATERIALS TO BE USED.
 2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.
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- KEYED NOTES**
1. ROOF - SLAB ON CONCRETE TIE TO EXISTING DEVELOPMENT.
 2. FINISH FLOOR AS INDICATED BY ARCHITECT'S FINISH SCHEDULE.
 3. FINISH FLOOR AS INDICATED BY ARCHITECT'S FINISH SCHEDULE.
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Sheet A3

FIRST BANK
PALM TREE PLAZA
OCEANSIDE, CALIFORNIA

DESIGN CONSULTANT

Thomas D. Amer, NCARB Architect

15438 South Ocean Pkwy Drive Suite 200 Chula Vista, CA 92017 619-699-0208

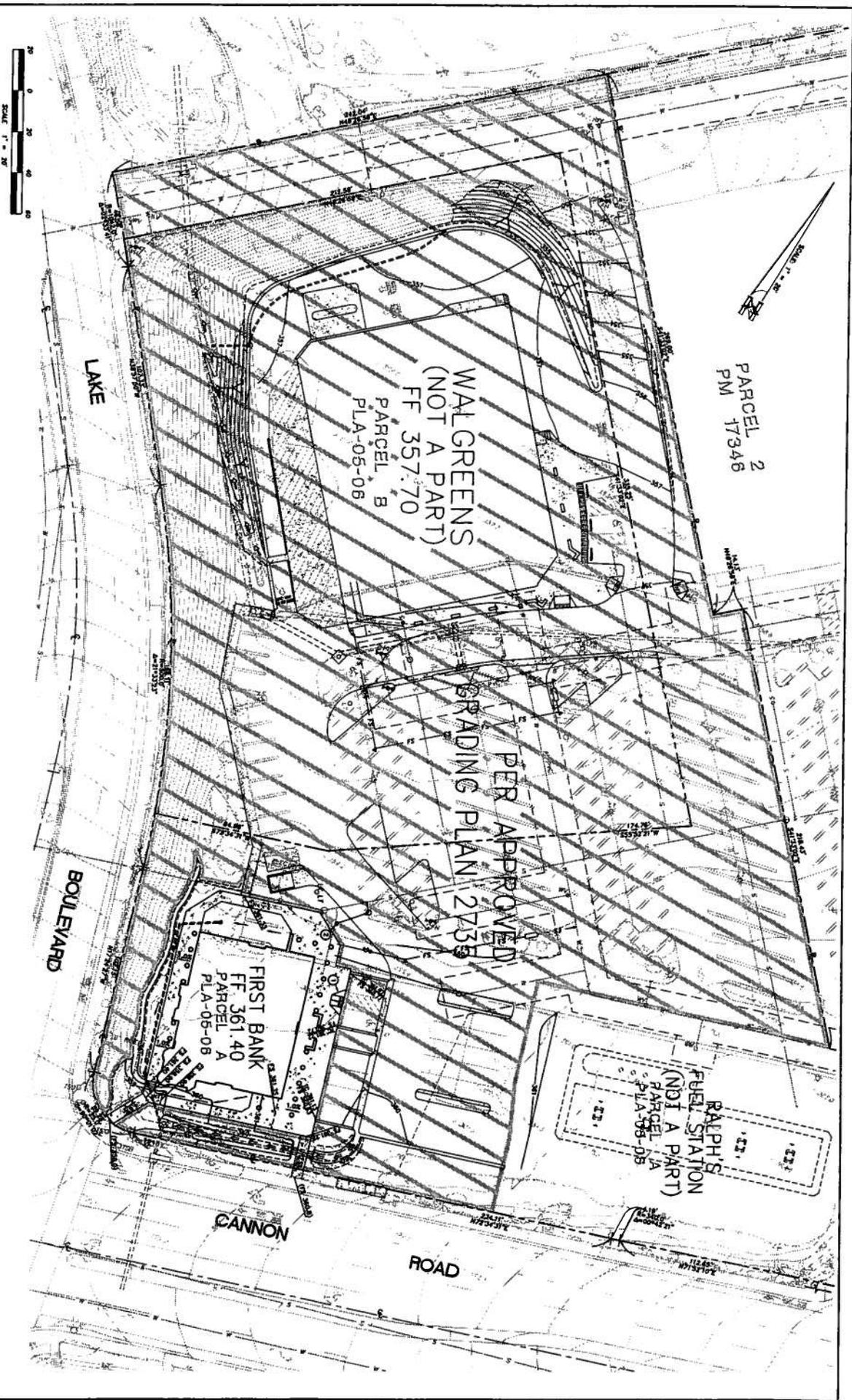
CONSULTANT

NEWGROUND

CONSTRUCTION NOTES
 ① - CONSTRUCT CURB RAMP PER ROAD SPECIFICATIONS (SEE PLAN)
 ② - INSTALL RAINWATER VALVE, NOS MODEL NO. 479P OR APPROVED EQUIVALENT

THE LOCATIONS AND SIZES OF THE CURBS, UTILITY SHOWING HEREON HAVE BEEN OBTAINED FROM AVAILABLE RECORDS AND ARE SHOWN FOR INFORMATION ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION SHOWN TO CONSTRUCTION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND TO PROTECT ALL UTILITIES AND NECESSARY PRELIMINARY WORKS SHOWN ON NOT ON THESE DRAWINGS.

PROJECT NAME	
FIRST BANK PALM TREE PLAZA	
SHEET TITLE	
PRELIMINARY GRADING PLAN	
DATE	BY
2	2



NEWGROUND
Architect

1429 South Center Freeway, Suite 200, Channahon, IL 61117

Thomas D. Auer, NCARB
Architect

CONSULTANT
MECHANICAL ENGINEER
ELECTRICAL ENGINEER
PLUMBING ENGINEER
CIVIL ENGINEER

DAVIDSON ENGINEERING
CONSULTANT
MECHANICAL ENGINEER
ELECTRICAL ENGINEER
PLUMBING ENGINEER
CIVIL ENGINEER

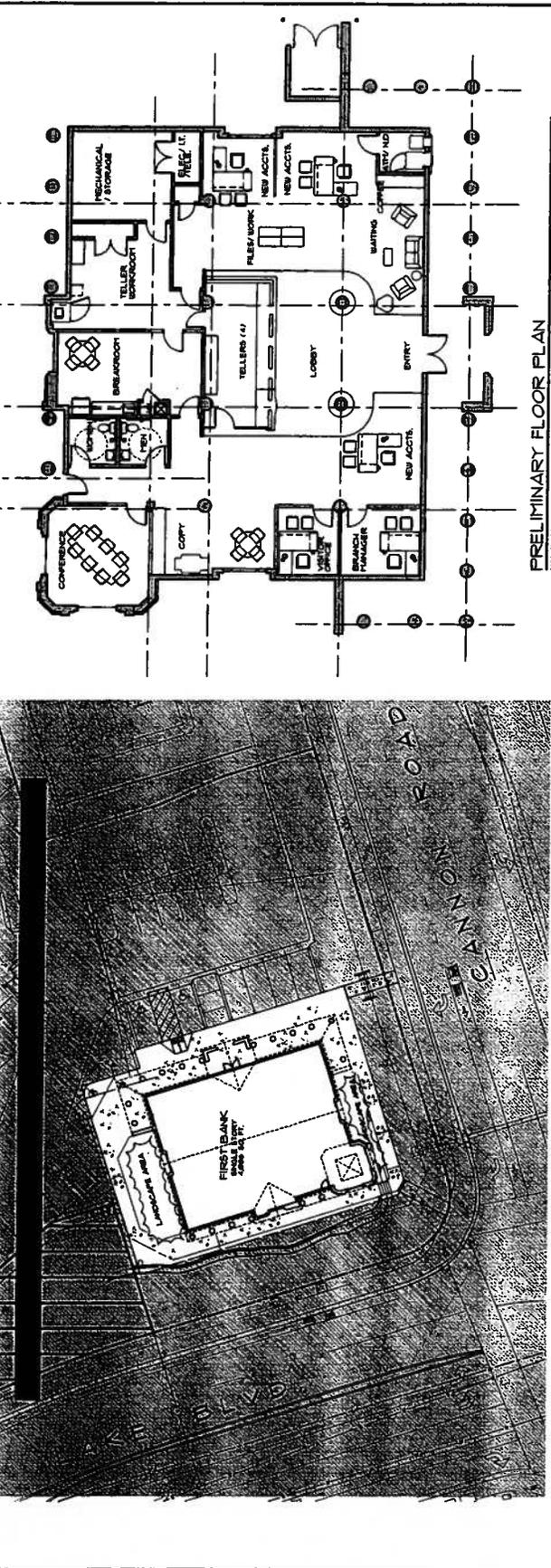
FIRST BANK
PALM TREE PLAZA
OCEANSIDE, CALIFORNIA

Sheet
A1

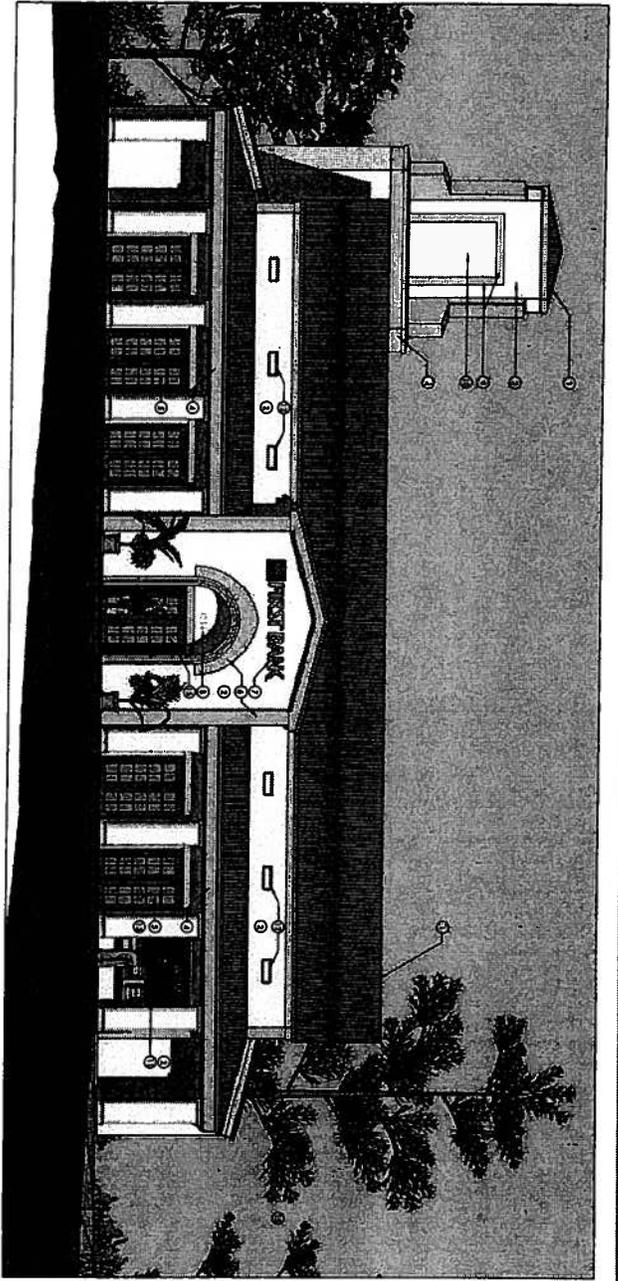
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PRELIMINARY FLOOR PLAN
1/8" = 1'-0"

PRELIMINARY SITE PLAN
1" = 20'-0"

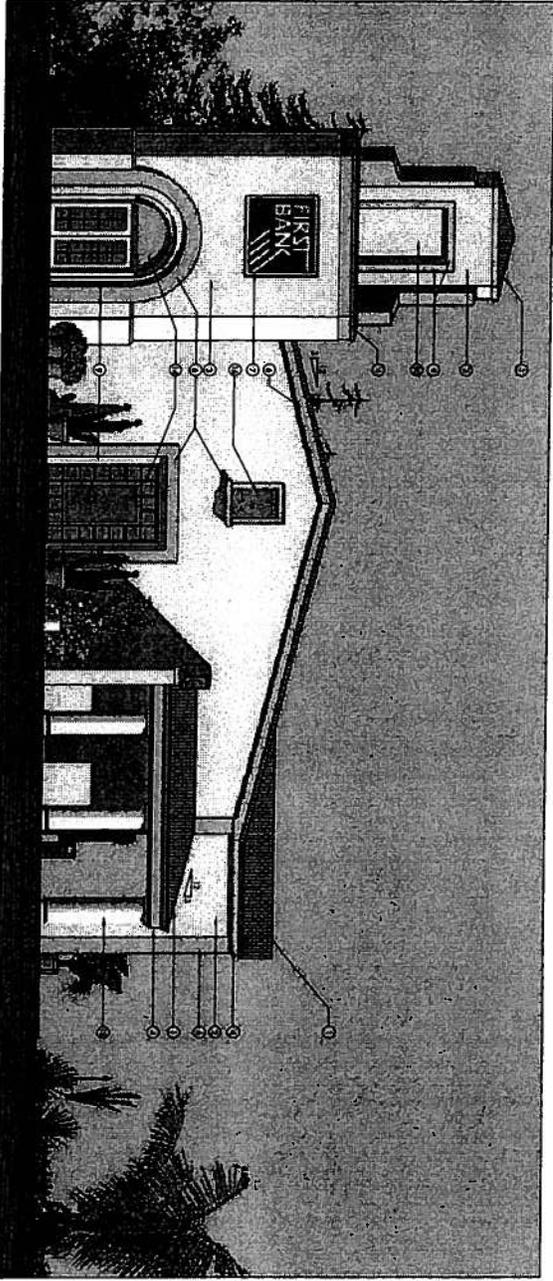


DISCLAIMER:
This document, including any drawings, is an intended part of a contract and is not to be used for any other project or for the construction of any part of a project without the architect's written approval.



PROPOSED EAST ELEVATION

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



PROPOSED SOUTH ELEVATION

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

- GENERAL NOTES**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
 3. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL AUTHORITIES.
 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 5. ALL UTILITIES SHALL BE PROTECTED AND DEEPLY REPAIRED OR REPLACED AS NECESSARY.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL EXISTING UTILITIES AND STRUCTURES.
 7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
 8. THE CONTRACTOR SHALL MAINTAIN A NEAT AND ORDERLY WORK SITE AT ALL TIMES.
 9. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL EXISTING UTILITIES AND STRUCTURES.

- REVISIONS**
1. REVISION 1: CORRECTED THE WINDOW SIZES TO MATCH THE ARCHITECTURAL PLAN.
 2. REVISION 2: ADDED CALLOUTS FOR THE NEW MATERIALS TO BE USED.
 3. REVISION 3: CORRECTED THE SIGN PLACEMENT TO BE MORE PROMINENT.
 4. REVISION 4: ADDED CALLOUTS FOR THE NEW LIGHTING FIXTURES.
 5. REVISION 5: CORRECTED THE ROOFLINE TO BE MORE ACCURATE.
 6. REVISION 6: ADDED CALLOUTS FOR THE NEW LANDSCAPING ELEMENTS.
 7. REVISION 7: CORRECTED THE DOOR SIZES TO MATCH THE ARCHITECTURAL PLAN.
 8. REVISION 8: ADDED CALLOUTS FOR THE NEW MATERIALS TO BE USED.
 9. REVISION 9: CORRECTED THE SIGN PLACEMENT TO BE MORE PROMINENT.
 10. REVISION 10: ADDED CALLOUTS FOR THE NEW LIGHTING FIXTURES.



FIRST BANK

PARADIGM ARCHITECTS

1111 KENNEDY BLVD
SUITE 100
OCEANSIDE, CA 92054

**FIRST BANK NEW BRANCH BANK
PALM TREE PLAZA**

CANNON ROAD & LAKE BOULEVARD OCEANSIDE, CALIFORNIA 92054

PROJECT NO.: 18-0000000-001

DATE: 08/14/2018

DESIGNED BY: [Name]

DRAWN BY: [Name]

CHECKED BY: [Name]

APPROVED BY: [Name]

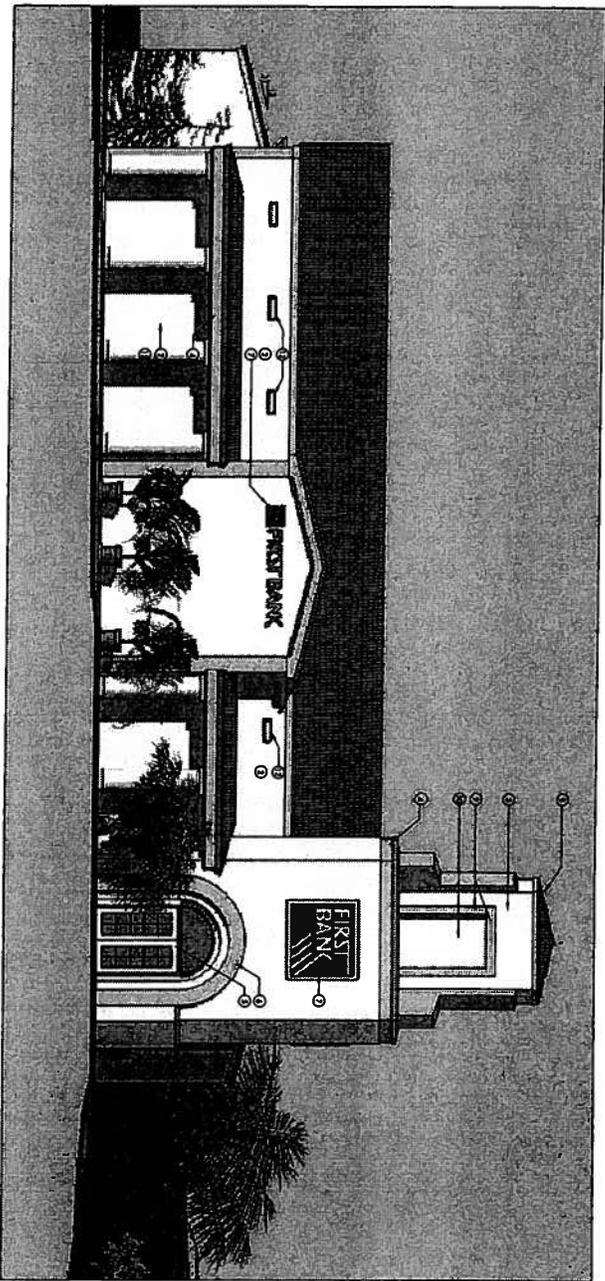
PROJECT NAME: FIRST BANK NEW BRANCH BANK PALM TREE PLAZA

SHEET NO.: **A-2**

REVISIONS

NO.	DATE	DESCRIPTION
1	08/14/2018	ISSUED FOR PERMIT

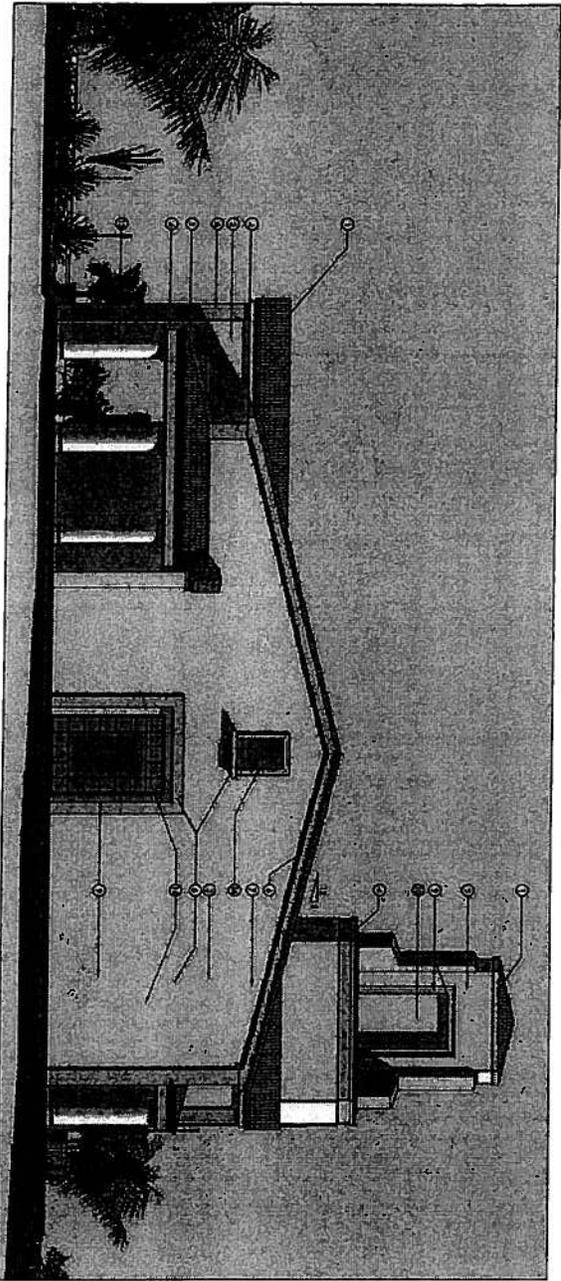
NO. 1 OF 1 SHEET(S) OF 1



PROPOSED WEST ELEVATION

1
2
3

- 1. SIGNAGE
- 2. WINDOW
- 3. ENTRY
- 4. CANOPY
- 5. WALL
- 6. ROOF
- 7. PORCH
- 8. BALCONY
- 9. TERRACE
- 10. DRIVEWAY



PROPOSED NORTH ELEVATION

1
2
3

- 1. SIGNAGE
- 2. WINDOW
- 3. ENTRY
- 4. CANOPY
- 5. WALL
- 6. ROOF
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- 10. DRIVEWAY

- GENERAL NOTES**
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 9. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DISPOSING OF ALL WASTE AND DEBRIS PROPERLY.

- ITEMS NOTED**
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FIRST BANK

PARADIGM ARCHITECTS
117 N. MISSION
SAN ANTONIO, TX 78205
TEL: 214.222.1111

FIRST BANK NEW BRANCH BANK
PALM TREE PLAZA
CANNON ROAD & LAKE BOULEVARD OCEANSIDE, CALIFORNIA 92056

PROJECT NO.: 12-10000000-001
DATE: 08.14.18
DRAWING BY: [Name]
CHECKED BY: [Name]

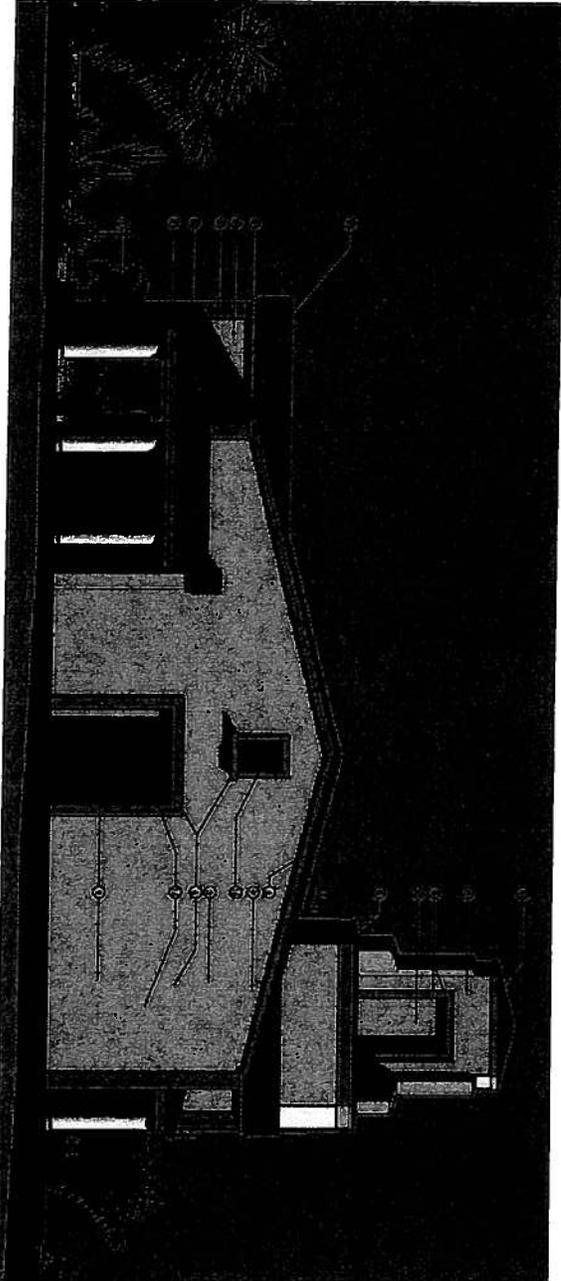
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NO. 1 OF 1 SHEET 1 OF 1

A-3

NO. 1 OF 1 SHEET 2 OF 2

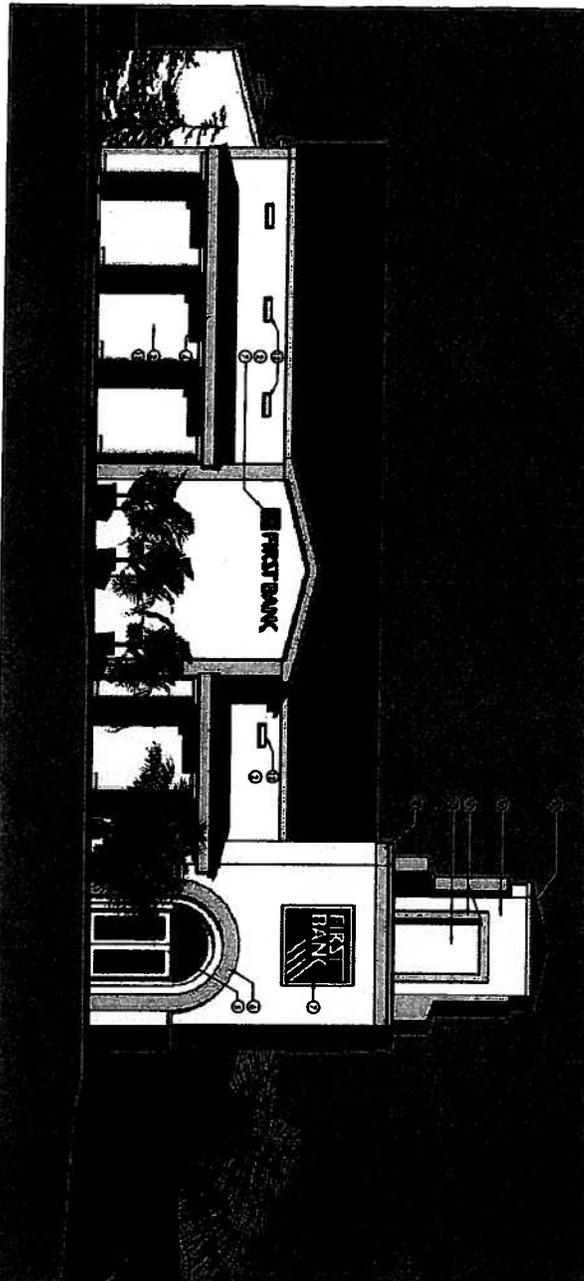
PROPOSED NORTH ELEVATION
NO. 1 OF 1



25

- 1. 1st FLOOR
- 2. 2nd FLOOR
- 3. 3rd FLOOR
- 4. 4th FLOOR
- 5. 5th FLOOR
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- 21. 21st FLOOR
- 22. 22nd FLOOR
- 23. 23rd FLOOR
- 24. 24th FLOOR
- 25. 25th FLOOR

PROPOSED WEST ELEVATION
NO. 1 OF 1



25

- 1. 1st FLOOR
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- 3. 3rd FLOOR
- 4. 4th FLOOR
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- 23. 23rd FLOOR
- 24. 24th FLOOR
- 25. 25th FLOOR

GENERAL NOTES

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2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT BEFORE INSTALLATION.
3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
4. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED BUDGET.
5. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED SCOPE.
6. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED QUALITY.
7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED SAFETY.
8. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED ENVIRONMENT.
9. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED ACCESSIBILITY.
10. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED SUSTAINABILITY.
11. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED ENERGY EFFICIENCY.
12. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED WATER EFFICIENCY.
13. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED AIR QUALITY.
14. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED SOUND ATTENUATION.
15. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED VIBRATION ATTENUATION.
16. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED LIGHTING.
17. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED HEATING, VENTILATION, AND AIR CONDITIONING.
18. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED PLUMBING.
19. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED ELECTRICAL.
20. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TELECOMMUNICATIONS.
21. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED SECURITY.
22. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED FIRE PROTECTION.
23. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED LIFE SAFETY.
24. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED OCCUPANCY.
25. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED MAINTENANCE.

END NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.
2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AND SHALL BE APPROVED BY THE ARCHITECT BEFORE INSTALLATION.
3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
4. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED BUDGET.
5. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED SCOPE.
6. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED QUALITY.
7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED SAFETY.
8. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED ENVIRONMENT.
9. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED ACCESSIBILITY.
10. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED SUSTAINABILITY.
11. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED ENERGY EFFICIENCY.
12. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED WATER EFFICIENCY.
13. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED AIR QUALITY.
14. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED SOUND ATTENUATION.
15. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED VIBRATION ATTENUATION.
16. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED LIGHTING.
17. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED HEATING, VENTILATION, AND AIR CONDITIONING.
18. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED PLUMBING.
19. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED ELECTRICAL.
20. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TELECOMMUNICATIONS.
21. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED SECURITY.
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FIRST BANK
NEW BRANCH BANK
PALM TREE PLAZA
CANNON ROAD & LAKE BOULEVARD OCEANSIDE, CALIFORNIA 92054



PARADIGM ARCHITECTS
171 N. MILPITAS AVENUE
SANTA ANITA, CA 94060
TEL: 415.948.4800
WWW.PARADIGMARCHITECTS.COM

NO. 1 OF 1 SHEET 2 OF 2

EXTERIOR ELEVATIONS

SHEET NO. **A-3**

DATE: 10/15/2010

DESIGNED BY: [Name]

CHECKED BY: [Name]

APPROVED BY: [Name]

1 PLANNING COMMISSION
2 RESOLUTION NO. 2007-P52

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 REVISION TO A DEVELOPMENT PLAN PERMIT ON
6 CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

7 APPLICATION NO: D-19-90RREV07
8 APPLICANT: First Bank
9 LOCATION: Northeast corner of Cannon Road and Lake Boulevard

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

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

16 to construct a 4,086-square foot single-story building to house a financial institution (First
17 Bank) within an existing commercial center (Palm Tree Plaza);
18 on certain real property described in the project description.

19 WHEREAS, the Planning Commission, after giving the required notice, did on the 5th day
20 of November, 2007 conduct a duly advertised public hearing as prescribed by law to consider said
21 application.

22 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
23 Guidelines thereto; this project has been found to be categorically exempt per Article 19 from
24 environmental review;

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

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

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

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
6			
7	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
8			
9			
10	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)
11			
12			
13			
14			
15	Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
16			
17	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)
18			
19			
20	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.
21			
22			
23			
24	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$4,587 per unit; Non-residential is \$24,444 for a 2" meter.
25			
26			
27			
28	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,154 per unit; Non-
29			

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 must
14 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 Development Plan:

- 21 1. The site plan and physical design of the project is consistent with the Zoning Ordinance
22 and the underlying General Commercial Planned Block Development (CG-PBD) zone.
23 Seventeen percent of the project site will be landscaped, exceeding the minimum (15%)
24 landscaping requirement applicable to the subject proposal. The proposed landscaping
25 theme will be consistent with that of the commercial center and will incorporate a drought
26 tolerant plant palette.
- 27 2. The Development Plan conforms to the commercial center and the General Plan, for the
28 City of Oceanside. The project site is located within a shopping center in need of tenants
29 that can support and generate activity to the center. Development of the First Bank financial

1 institution on the existing pre-graded pad will provide such infill development as well as job
2 opportunities for Ocean Hills and Lake community residents.

3 3. The site plan and proposed architecture of the project is consistent with the policies
4 contained within Sections 1.22 and 1.23 of the Land Use Element of the General Plan.
5 The "Mediterranean" architectural design for the First Bank building features details,
6 colors and materials consistent with those of the Palm Tree Plaza. The quality of the
7 project design will enhance the image of the center and will complement existing adjacent
8 development.

9 4. The project site can be adequately served by existing public facilities, services and
10 utilities. The project will be developed within an established area of the City on a site that
11 possesses adequate infrastructure and services to accommodate the proposed use.

12 5. The project, as proposed, is compatible with the existing and potential development on
13 adjoining properties or in the surrounding neighborhood. The proposed land use is
14 consistent with the General Plan and Zoning Ordinance designations applicable to the site.
15 Due to the nature and operational characteristics of the proposed financial institution the
16 project's location - in proximity to residential uses - is not expected to adversely impact
17 residences located across Cannon Road and Lake Boulevard, to the contrary, the proposed
18 land use will provide a needed service to residents in the immediate area.

19 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
20 approve the revision to Development Plan (D-19-90REV07) subject to the following conditions:

21 **Building:**

- 22 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
23 Building Division plan check.
- 24 2. The granting of approval under this action shall in no way relieve the applicant/project
25 from compliance with all State and Local building codes.
- 26 3. Site development, parking, access into buildings and building interiors shall comply with
27 the State's Disabled Accessibility Regulations (2001 CBC Chapter 11B).
- 28 4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the
29 property shall be underground (City Code Sec. 6.30).

- 1 5. All outdoor lighting shall comply with Chapter 39 of the City Code (Light Pollution
2 Ordinance). Where color rendition is important high-pressure sodium, metal halide or
3 other such lights may be utilized and shall be shown on final building and electrical plans.
- 4 6. Compliance with Federal Clean Water Act shall be demonstrated on the plans.
- 5 7. Separate unique addresses shall be required to facilitate utility releases. Verification that
6 the addresses have been properly assigned by the Community Development Department/
7 Planning Division must accompany the Building Permit application.
- 8 8. A complete Soils Report, Structural Calculations, and Energy Calculations/documentation
9 shall be required at the time of plan submittal to the Building Division for plan check.
- 10 9. Setbacks and type of construction shall comply with UBC Table 5-A.
- 11 10. A private sewer system design shall be submitted to the Building Division and approved
12 prior to the construction of the sewer system
- 13 11. Tenant Improvements or other construction to the existing building requires permits
14 (including all required Inspections and approvals, and Issuance of Certificate of
15 Occupancy) from the Building Division.
- 16 12. The developer shall monitor, supervise and control all building construction and supportive
17 activities so as to prevent these activities from causing a public nuisance, including, but not
18 limited to, strict adherence to the following:
 - 19 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
20 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
21 work that is not inherently noise-producing. Examples of work not permitted on
22 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
23 producing nature. No work shall be permitted on Sundays and Federal Holidays
24 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and
25 Christmas Day) except as allowed for emergency work under the provisions of the
26 Oceanside City Code Chapter 38 (Noise Ordinance).
 - 27 b) The construction site shall be kept reasonably free of construction debris as
28 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
29 approved solid waste containers shall be considered compliance with this

1 requirement. Small amounts of construction debris may be stored on-site in a neat,
2 safe manner for short periods of time pending disposal.

3 **Engineering:**

4 13. For the demolition of existing structures or surface improvements, demolition permit(s)
5 shall be secured. Grading plans shall be submitted and erosion control plans be approved
6 by the City Engineer prior to the issuance of a demolition permit. No demolition shall be
7 permitted without an approved erosion control plan.

8 14. All right-of-way alignments, street dedications, exact geometrics and widths shall be
9 dedicated and improved as required by the City Engineer.

10 15. Design and construction of all improvements shall be in accordance with standard plans,
11 specifications of the City of Oceanside and subject to approval by the City Engineer.

12 16. Prior to the first of the issuance of a building permit or the approval of an engineering plan
13 a phasing plan for the construction of public and private improvements including streets
14 and landscaping shall be approved by the City Engineer. All improvements shall be under
15 construction to the satisfaction of the City Engineer prior to the issuance of any building
16 permits. All improvements shall be completed prior to issuance of any certificates of
17 occupancy.

18 17. Legal access rights to existing parcels shall be protected.

19 18. Prior to the issuance of a building permit all improvement requirements shall be covered
20 by an appropriate development agreement and secured with sufficient improvement
21 securities or bonds guaranteeing performance and payment for labor and materials and
22 warranty against defective materials and workmanship.

23 19. Where off-site improvements, including but not limited to slopes, public utility facilities,
24 and drainage facilities, are to be constructed, the applicant shall, at his own expense, obtain
25 all necessary easements or other interests in real property and shall dedicate the same to the
26 City of Oceanside as required. The applicant shall provide documentary proof satisfactory
27 to the City of Oceanside that such easements or other interest in real property have been
28 obtained prior to the issuance of any building or improvement permit for the development.
29 Additionally, the City of Oceanside, may at its sole discretion, require that the applicant

1 obtain at his sole expense a title policy insuring the necessary title for the easement or other
2 interest in real property to have vested as applicable.

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

8 21. Approval of this development project is conditioned upon payment of all applicable impact
9 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
10 Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees,
11 park fees, reimbursements, and other applicable charges, fees and deposits shall be paid
12 prior to the issuance of any building permits, in accordance with City Ordinances and
13 policies. The developer shall also be required to join into, contribute, or participate in any
14 improvement, lighting, or other special district affecting or affected by this project.
15 Approval of the development plan shall constitute the developer's approval of such
16 payments, and his agreement to pay for any other similar assessments or charges in effect
17 when any increment is submitted for building permit approval, and to join, contribute,
18 and/or participate in such districts.

19 22. All public streets shall provide a minimum of 10 feet parkway between the face of curb
20 and the right-of-way line. Sidewalk improvements shall comply with ADA requirements.

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

26 24. Internal vehicular circulation between the parcels shall remain private and shall be
27 guaranteed by reciprocal access easement agreement(s). Maintenance shall be guaranteed
28 by a property owners' association or by an appropriate private road maintenance agreement
29 to the satisfaction of the City Engineer and the City Attorney. The pavement sections,
traffic indices, alignments, and all geometrics shall meet City standards.

- 1 25. Prior to approval of the grading plans, the developer shall contract with a geotechnical
2 engineering firm to perform a field investigation of the existing pavement on all streets
3 adjacent to the project boundary. The limits of the study shall be half-street plus 12 feet
4 along the project's frontage. The field investigation shall include a minimum of one
5 pavement boring per every 50 linear feet of street frontage. Should the existing AC
6 thickness be determined to be less than three inches or without underlying Class II base
7 material, the developer shall remove and reconstruct the pavement section as determined
8 by the pavement analysis submittal process detailed in Item No. 2 below.
- 9 26. Upon review of the pavement investigation, the City Engineer shall determine whether the
10 developer shall: 1) Repair all failed pavement sections, header cut and grind per the
11 direction of the City Engineer, and construct a two-inch thick rubberized AC overlay; or 2)
12 Perform R-value testing and submit a study that determines if the existing pavement meets
13 current City standards/traffic indices. Should the study conclude that the pavement does
14 not meet current requirements, rehabilitation/mitigation recommendations shall be
15 provided in a pavement analysis report, and the developer shall reconstruct the pavement
16 per these recommendations, subject to approval by the City Engineer.
- 17 27. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon
18 approved soil tests and traffic indices. The pavement design is to be prepared by the
19 developer's soil engineer and must be approved by the City Engineer, prior to paving.
- 20 28. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
21 construction of the project, shall be repaired or replaced as directed by the City Engineer.
- 22 29. All existing overhead utility lines within the property and/or within any full width street or
23 right-of-way abutting a new development, and all new extension services for the
24 development of the project, including but not limited to, electrical, cable and telephone,
25 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.
- 26 30. The developer shall comply with all the provisions of the City's cable television
27 ordinances including those relating to notification as required by the City Engineer.
28
29

- 1 31. The developer shall install two-inch PVC conduit, together with 1/4-inch pull-rope and
2 pull-boxes at 400 feet intervals for future signal interconnect cable on all arterial-level or
3 above streets.
- 4 32. Grading and drainage facilities shall be designed and installed to adequately accommodate
5 the local stormwater runoff and shall be in accordance with the City's Engineers Manual
6 and as directed by the City Engineer.
- 7 33. 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 & Game, U.
10 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 grading
12 permits.
- 13 34. Prior to any grading of any part of the 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 by
18 the City Engineer.
- 19 35. 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.
- 23 36. A precise grading and private improvement plan shall be prepared, reviewed, secured and
24 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
25 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage,
26 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
27 and any on-site traffic calming devices shall be shown on all Precise Grading and Private
28 Improvement Plans.
- 29 37. Landscaping plans, including plans for the construction of walls, fences or other structures
at or near intersections, must conform to intersection sight distance requirements.

1 Landscape and irrigation plans shall be approved by the City Engineer prior to the issuance
2 of occupancy permits, and a pre-construction meeting held, prior to the start of any
3 improvements.

4 38. Landscaping plans, including plans for the construction of walls, fences or other structures
5 at or near intersections, must conform to intersection sight distance requirements.
6 Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer
7 prior to the issuance of a preliminary grading permit and approved by the City Engineer
8 prior to the issuance of occupancy permits. Frontage and median landscaping shall be
9 installed prior to the issuance of any certificates of occupancy. Any project fences, sound
10 or privacy walls and monument entry walls/signs shall be shown on, bonded for and built
11 from the landscape plans. These features shall also be shown on the precise grading plans
12 for purposes of location only. Plantable, segmental walls shall be designed, reviewed and
13 constructed by the grading plans and landscaped/irrigated through project landscape plans.
14 All plans must be approved by the City Engineer and a pre-construction meeting held, prior
15 to the start of any improvements.

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

23 40. The internal drainage system between the parcels shall remain private and shall be
24 guaranteed by private drainage easement agreements. Maintenance of the private drainage
25 system shall be guaranteed by a property owners' association or by an appropriate private
26 storm drain maintenance agreement to the satisfaction of the City Engineer and the City
27 Attorney.

28 41. Storm drain facilities shall be designed and located such that the inside travel lanes on
29 streets with Collector or above design criteria shall be passable during conditions of a 100-
year frequency storm.

- 1 42. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and
2 disposed of in accordance with all state and federal requirements, prior to stormwater
3 discharge either off-site or into the City drainage system.
- 4 43. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high
5 barrier, approved by the City Engineer, shall be provided at the top of all slopes whose
6 height exceeds 20 feet or where the slope exceeds 4 feet and is adjacent to an arterial street
7 or state highway.
- 8 44. The development shall comply with all applicable regulations established by the United
9 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
10 Discharge Elimination System (NPDES) permit requirements for urban runoff and
11 stormwater discharge and any regulations adopted by the City pursuant to the NPDES.
12 regulations or requirements. Further, the applicant may be required to file a Notice of
13 Intent with the State Water Resources Control Board to obtain coverage under the NPDES.
14 General Permit for Storm Water Discharges Associated with Construction Activity and
15 may be required to implement a Storm Water Pollution Prevention Plan (SWPPP)
16 concurrent with the commencement of grading activities. SWPPPs include both
17 construction and post construction pollution prevention and pollution control measures and
18 identify funding mechanisms for post construction control measures. The developer shall
19 comply with all the provisions of the Clean Water Program during and after all phases of
20 the development process, including but not limited to: mass grading, rough grading,
21 construction of street and landscaping improvements, and construction of dwelling units.
22 The applicant shall design the Project's storm drains and other drainage facilities to include
23 Best Management Practices to minimize non-point source pollution, satisfactory to the City
24 Engineer.
- 24 45. Upon acceptance of any fee waiver or reduction by the developer, the entire project will be
25 subject to prevailing wage requirements as specified by Labor Code section 1720(b)(4).
26 The developer shall agree to execute a form acknowledging the prevailing wage
27 requirements prior to the granting of any fee reductions or waivers.
- 28 46. The developer shall prepare and submit an Operations & Maintenance (O&M) Plan to the
29 to the City Engineer with the first submittal of engineering plans. The O&M Plan shall be

1 prepared by the applicant's Civil Engineer. It shall be directly based on the project's Storm
2 Water Mitigation Plan (SWMP) previously approved by the project's approving authority
3 (Planning Commission/City Council). At a minimum the O&M Plan shall include the
4 designated responsible parties to manage the stormwater BMP(s), employee's training
5 program and duties, operating schedule, maintenance frequency, routine service schedule,
6 specific maintenance activities, copies of resource agency permits, cost estimate for
7 implementation of the O&M Plan and any other necessary elements.

8 47. The developer shall enter into a City-Standard Stormwater Facilities Maintenance
9 Agreement with the City obliging the project proponent to maintain, repair and replace the
10 Storm Water Best Management Practices (BMPs) identified in the project's approved
11 Storm Water Mitigation Plan (SWMP), as detailed in the O&M Plan into perpetuity. The
12 Agreement shall be approved by the City Attorney prior to issuance of any precise grading
13 permit and shall be recorded at the County Recorder's Office prior to issuance of any
14 building permit. Security in the form of cash (or certificate of deposit payable to the City)
15 or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance of a
16 precise grading permit. The amount of the security shall be equal to 10 years of
17 maintenance costs, as identified by the O&M Plan. The applicant's Civil Engineer shall
18 prepare the O&M cost estimate.

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

24 49. The Agreement shall include a copy of executed on-site and off-site access easements
25 necessary for the operation and maintenance of BMPs that shall be binding on the land
26 throughout the life of the project to the benefit of the party responsible for the O&M of
27 BMPs, until such time that the storm water BMP requiring access is replaced, satisfactory
28 to the City Engineer. The agreement shall also include a copy of the O&M Plan approved
29 by the City Engineer.

- 1 50. The BMPs described in the project's approved Storm Water Mitigation Plan (SWMP) shall
2 not be altered in any way, shape or form without formal approval by either an
3 Administrative Substantial Conformance issued by the Planning Division or the project's
4 final approving authority (Planning Commission/City Council) at a public hearing. The
5 determination of whatever action is required for changes to a project's approved SWMP
6 shall be made by the Planning Division.
- 7 51. Sight distance requirements at all project street intersections and driveways shall conform
8 to the intersection corner sight distance criteria as shown in the City Engineering Manual,
9 Standard Drawing T-1 or as provided by the California Department of Transportation
10 Highway Design Manual or by San Diego County Design Standards as applicable. Clear
11 space easement(s) shall be provided at the appropriate locations to the satisfaction of the
12 City Engineer.
- 13 52. A traffic control plan shall be prepared according to the City traffic control guidelines and
14 be submitted to and approved by the City Engineer prior to the start of work within open
15 City rights-of-way. Traffic control during construction of streets and driveways that have
16 been opened to public traffic shall be in accordance with construction signing, marking and
17 other protection as required by the Caltrans Traffic Manual and City Traffic Control
18 Guidelines.
- 19 53. Traffic control during construction adjacent to or within all public streets must meet
20 Caltrans standards and City Traffic Control Guidelines. Traffic control plans shall be in
21 effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.
- 22 54. A haul route shall be obtained at least 7 days prior to the start of hauling operations and
23 must be approved by the Public Works Director. Hauling operations shall be 8:00 a.m. to
24 3:30 p.m. unless approved otherwise.
- 25 55. The applicant shall pay all applicable traffic signal and thoroughfare fees.
- 26 56. The developer shall monitor, supervise and control all construction and construction-
27 supportive activities, so as to prevent these activities from causing a public nuisance,
28 including but not limited to, insuring strict adherence to the following:
29 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
12 by persons working at or providing deliveries to the site.

13 **Fire:**

- 14 57. Fire Department requirements shall be placed on plans in the notes section.
15 58. The size of fire hydrant outlets shall be 2 ½ “X 4.”
16 59. Detailed plans of underground fire service mains shall be submitted to the Oceanside
17 Fire Department for approval prior to installation.
18 60. The developer shall supply the Fire Department with updated map and hydrant locations
19 in a digital format compatible with the Fire Department’s mapping program upon
20 approval of final improvements plans.
21 61. A “Knox” key storage box shall be provided for all new construction. For buildings,
22 other than high-rise, a minimum of three complete sets of keys shall be provided. Keys
23 shall be provided for all exterior entry doors, fire protection equipment control rooms,
24 mechanical and electrical rooms, elevator controls and equipment spaces, etc. For high-
25 rise buildings, six complete sets are required.
26 62. Fire extinguishers are required and shall be included on the plans submitted for plan
27 check.
28 63. Buildings shall meet Oceanside sprinkler ordinance in effect at the time of building
29 permit application.

1 64. In accordance with the California Fire Code Sec. 901.4.4, approved address for
2 commercial, industrial, and residential occupancies shall be placed on the structure in
3 such a position as to be plainly visible and legible from the street or roadway fronting the
4 property. Numbers shall be contrasting with their background.

5 65. Commercial buildings and multi-family dwellings require six-inch address numbers.

6 66. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
7 approval prior to the issuance of building permits. A site plan indicating the fire access
8 and hydrant locations must also be submitted on CD Rom.

9 67. Buildings shall meet Oceanside Fire Department's current codes at the time of building
10 permit application.

11 68. An approved fire sprinkler system must be installed throughout the building. The system
12 shall be designed per N.F.P.A. 13, and U.B.C. Standard 9-1. The sprinkler system
13 required 24-hour supervision.

14 69. The Fire Department connection shall not be affixed to the building. The Fire
15 Department connection must be located at least 40 feet away from the building, within
16 40 feet of a fire hydrant, and on the address side of the building – unless otherwise
17 determined by the Fire Department. The hydrant shall be located on the same side of the
18 street as the Fire Department connection.

19 70. In accordance with the California Fire Code Sec. 901.4.4, approved address for
20 commercial, industrial, and residential occupancies shall be placed on the structure in
21 such a position as to be plainly visible and legible from the street or roadway fronting
22 the property. Numbers shall be contrasting with their background.

23 71. Commercial buildings and multi-family dwellings require six-inch address numbers.

24 **Planning:**

25 72. Revision to Development Plan (D-19-90Rev07) shall expire on November 5, 2009, unless
26 the Planning Commission grants a time extension.

27 73. Revision to Development Plan (D-19-90Rev-07) approves construction of a single-story
28 4,086-square foot building to house a financial institution (First Bank) and site
29 improvements shown on the plans and exhibits presented to the Planning Commission, as
modified by conditions of approval. No deviation from these approved plans and exhibits

1 shall occur without Planning Division approval. Substantial deviations shall require a
2 revision to the Development Plan or a new Development Plan.

3 74. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
4 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
5 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
6 annul an approval of the City, concerning Development Plan (D-19-90REV07). The City
7 will promptly notify the applicant of any such claim, action or proceeding against the
8 City and will cooperate fully in the defense. If the City fails to promptly notify the
9 applicant of any such claim action or proceeding or fails to cooperate fully in the
10 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold
11 harmless the City.

12 75. All mechanical rooftop and ground equipment shall be screened from public view as
13 required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,
14 mechanical equipment, screen and vents shall be painted with non-reflective paint to match
15 the roof. This information shall be shown on the building plans.

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

25 77. Landscape plans meeting the criteria of the City of Oceanside Guidelines and
26 Specifications for Landscape Developments 1985, addenda 1997, Xeriscape Principles;
27 Article V, Chapter 37, Water Conservation Ordinance No. 91-15, comply with Zoning
28 Ordinance and shall be reviewed and approved by the City Engineer prior to the issuance
29 of building permits. Landscaping shall not be installed until bonds have been posted, fees

1 paid, and plans signed for final approval. The following special landscaping requirements
2 shall be met:

- 3 a) Landscape plans shall match all plans affiliated with the project, comply with
4 sight distance and SWMP requirements.
- 5 b) Existing landscape on site and in adjacent right of way shall be protected in place
6 and supplemented or replaced as deemed necessary by the City Engineer.
- 7 c) Existing irrigation on site and in adjacent right of way shall be protected in place
8 and supplemented or replaced as deemed necessary by the City Engineer.

9 78. Trash enclosures must be provided as required by Chapter 13 of the City Code and shall
10 also include additional space for storage and collection of recyclable materials per City
11 standards. The enclosures must be built in a flat, accessible location as determined by the
12 City Engineer. The enclosure (or enclosures) shall meet City standards including being
13 constructed of concrete block, reinforced with rebar and filled with cement. A concrete
14 slab must be poured with a berm on the inside of the enclosure to prevent the bin(s) from
15 striking the block walls. The slab must extend out of the enclosure for the bin(s) to roll out
16 onto. Steel posts must be set in front of the enclosure with solid metal gates. All
17 driveways and service access areas must be designed to sustain the weight of a 50,000-
18 pound service vehicle. Driveways and service access areas shall be shown on both the
19 improvement and landscape plans submitted to the City Engineer. The specifications
20 shall be reviewed and approved by the City Engineer. The City's waste disposal
21 contractor is required to access private property to service the subject development. A
22 service agreement must be signed by the property owner and shall remain in effect for
the life of the project.

23 79. A covenant or other recordable document, approved by the City Attorney, shall be prepared
24 by the applicant and recorded prior to the issuance of building permit. The covenant shall
25 provide that the property is subject to this resolution, and shall generally list the conditions
26 of approval.

27 80. Outdoor storage or display of merchandise of materials shall meet the requirements of the
28 Zoning Ordinance.

- 1 81. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
2 written copy of the applications, staff report and resolutions for the project to the new
3 owner and or operator. This notification provision shall run with the life of the project and
4 shall be recorded as a covenant on the property.
- 5 82. Failure to meet any conditions of approval for this development and/or any applicable
6 conditions of approval for the entire Palm Tree Plaza shopping center (D-19-90) and as
7 revised thereon shall constitute a violation of the Development Plan Revision.
- 8 83. Unless expressly waived, all current zoning standards and City ordinances and policies in
9 effect at the time building permits are issued are required to be met by this project. The
10 approval of this project constitutes the applicant's agreement with all statements in the
11 Description and Justification and other materials and information submitted with this
12 application, unless specifically waived by an adopted condition of approval.
- 13 84. If any aspect of the project fencing and walls is not covered by an approved Development
14 Plan, the construction of fencing and walls shall conform to the development standards of
15 the City Zoning Ordinance. In no case, shall the construction of fences and walls
16 (including combinations thereof) exceed the limitations of the zoning code, unless
17 expressly granted by a Variance or other development approval.
- 18 85. An ADA wheel chair accessible ramp with railing shall be provided at the southern portion
19 of the site and shall meet the Building code requirements.
- 20 86. Two ADA handicapped parking stall shall be provided at the front entrance of the building.
- 21 87. All loading areas shall be designed in compliance with section 3121 of the Oceanside
22 Zoning Ordinance.
- 23 88. Loading and deliveries of merchandise shall be limited and shall comply with the specified
24 in the shopping center management plan for loading and unloading conditions of approval
25 for the Tree Palm Plaza shopping center (D-19-90).
- 26 89. Elevations, floor plans, building materials and colors, shall be substantially the same as
27 those approved by the Planning Commission and shall be shown on plans submitted to the
28 Building Division and Planning Division.
29

1 90. A lighting plan shall be submitted and approved by the City prior to issuance of building
2 permits. The plan must demonstrate compliance with the provisions of the City of
3 Oceanside Light Pollution Ordinance.

4 91. The existing Management Plan for the center shall be revised to incorporate provisions for
5 the subject development pad and proposed land use. The Management Plan is subject to
6 the review and approval of the Community Development Director and the Police Chief
7 prior to the occupancy of the project, and shall be recorded as CC&R's against the
8 property. The Management Plan shall cover the following:

9 a) Security - The Management Plan, at a minimum, shall address on-site
10 management, hours-of-operation and measures for providing appropriate security
11 for the project site.

12 b) Maintenance - The project is subject to the included Operations and
13 Maintenance Program and shall cover, but not be limited to anti-graffiti and site
14 and exterior building, landscaping, parking lots, sidewalks, walkways and
15 overall site maintenance measures and shall ensure that a high standard of
16 maintenance at this site exists at all times. The maintenance portion of the
17 management plan shall include the maintenance of the P.C.C swales, a
18 commitment for the sweeping and cleaning of parking lots, sidewalks and other
19 concrete surfaces at sufficient intervals to maintain a "like new" appearance.
20 Wastewater, sediment, trash or other pollutants shall be collected on-site and
21 properly disposed of and shall not be discharged off the property or into the
22 City's storm drain system.

23 c) Any graffiti within the center shall be removed by the center management or its
24 designated representative within 24 hours of occurrence. Any new paint used to
25 cover graffiti shall match the existing color scheme.

26 92. All signs shall meet the requirements of the Palm Tree Plaza sign program and shall be
27 approved by the City Planner. A revised Comprehensive Sign Program (CSP) shall be
28 submitted to the Community Development Department/Planning Division and approved
29 prior to the issuance of sign permits for new signs that are not included in the existing
approved CSP.

1 93. The hours-of-operation for the proposed use shall be reviewed and may be limited by the
2 Planning Commission when valid issues or complaints arise.

3 94. If at any time the commercial use operates in an incompatible manner with other existing
4 land uses within the center, it shall be subject to all such sanctions and remedies provided
5 by applicable law. Such sanctions could include the addition of new conditions and/or
6 deletion modification of existing conditions or other measures as deemed necessary to
7 protect the public health, safety and welfare of residents in the area or surrounding land
8 uses.

9 95. The project shall comply with all applicable conditions of approval set forth for the Palm
10 Tree Plaza shopping center by Resolution No. 90-P101 and 94-P02 or as subsequently
11 modified.

12 **Water Utilities:**

13 96. The fire sprinkler service connection shall not branch off of the existing fire service line.
14 The fire sprinkler service connection shall have its connection made to the existing water
15 main. Please revise and show on the plans.

16 97. Show all public utility easements on the plans.

17 98. Clearly identify the water and sewer utilities as “public” or “private” on the plans.

18 99. The developer will be responsible for developing all water and sewer utilities necessary to
19 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
20 the developer and shall be done by an approved licensed contractor at the developer’s
21 expense.

22 100. The property owner will maintain private water and wastewater utilities located on private
23 property.

24 101. Water services and sewer laterals constructed in existing right-of-way locations are to be
25 constructed by approved and licensed contractors at developer’s expense.

26 102. All Water and Wastewater construction shall conform to the most recent edition of the
27 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
28 the Water Utilities Director.
29

- 1 103. All public water and/or sewer facilities not located within the public right-of-way shall be
- 2 provided with easements sized according to the Water, Sewer, and Reclaimed Water
- 3 Design and Construction Manual. Easements shall be constructed for all weather access.
- 4 104. No trees, structures or building overhang shall be located within any water or wastewater
- 5 utility easement.
- 6 105. All lots with a finish pad elevation located below the elevation of the next upstream
- 7 manhole cover of the public sewer shall be protected from backflow of sewage by
- 8 installing and maintaining an approved type backwater valve, per the Uniform Plumbing
- 9 Code (U.P.C.).
- 10 106. A separate irrigation meter and approved backflow prevention device is required and shall
- 11 be displayed on the plans.
- 12 107. An Inspection Manhole, described by the Water, Sewer, and Reclaimed Water Design and
- 13 Construction Manual, shall be installed in each building sewer lateral and the location shall
- 14 be called out on the approved Improvement Plans.

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1 108. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
2 be paid to the City and collected by the Water Utilities Department at the time of Building
3 Permit issuance.

4 PASSED AND ADOPTED Resolution No. 2007-P52 on November 5, 2007 by the
5 following vote, to wit:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

10
11 _____
12 Dennis Martinek, Chairman
13 Oceanside Planning Commission

14 ATTEST:

15
16 _____
17 Jerry Hittleman, Secretary

18 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
19 this is a true and correct copy of Resolution No. 2007-P52.

20 Dated: November 5, 2007
21
22
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24
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28
29

Operations
And
Maintenance Program
For
First Bank

RECEIVED
JUL 05 2007
Planning Department

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Appendix

Thomas Brothers Guide Page 1107
SWMP BMP Site Map
Sample Log Sheets
Filter Information
Cost Estimates

1 PROJECT DESCRIPTION

The project site is located at the northeast corner of the intersection of Cannon Road and Lake Boulevard within Palm Tree Plaza and bears the address 3553 Cannon Road. The 1.90 acre lot has been assigned assessors parcel number 169-011-36 and can be found on page 1107 F3 of the 2005 edition of the Thomas Guide to San Diego¹.

The project site is a part of the Carlsbad Hydrologic Unit, more specifically described as the Los Monos Hydrologic Sub-Area, Basin Number 904.31 within the Agua Hedionda Hydrologic Area.

Minor grading of 0.9 acres on a portion of the lot in order to accommodate the placement of private improvements and construction of a Walgreens pharmacy is proposed under the project. Minor grading of an additional 0.4 acre portion of the lot will be undertaken for the placement of a vanilla shell building with a future commercial/retail use.

Improvements will include a net increase of 30,070 ft² of asphalt pavement and 5,538 ft² of P.C.C. pavement. This increase in paved area combined with the 14,375 ft² footprint of the Walgreens and the 6,750 ft² footprint of Shops-C represents an 11% increase in impervious area over the 39,640 ft² of impervious area in the pre-development condition. A small portion of parking lot will separate these areas proposed for development. This section of parking lot will be 11,925 ft² of the proposed increase in A.C pavement and will accommodate 21 parking spaces, 6 of which will be designated for handicapped parking.

2 SWMP SUMMARY

The Storm Water Mitigation Plan (SWMP) was formulated in accordance with federal, state and local regulations as well as the City of Oceanside SUSMP. The SWMP evaluated and addressed the anticipated and potential pollutants associated with the proposed use of the project site and their effect of the water quality environment. A summary of the findings associated with the project site and the recommended measures addressed by the SWMP are as follows:

- There are no Primary Pollutants of Concern associated with the project. Trash and debris, oil and grease, and heavy metals are determined to be Secondary Pollutants of Concern. BMPs shall be implemented to treat the Secondary Pollutants of Concern.
- The beneficial uses of all receiving waters will not be impaired nor diminished due to the construction and operation of the facility provided that all of the BMPs are implemented and all recommended actions be taken.
- Grass-lined and P.C.C swales in conjunction with drainage filters are recommended as the structural BMPs that will reduce to the maximum extent possible the expected project pollutants

A copy of the SWMP BMP Site Map is included in this Operation and Maintenance Program as Appendix B.

3 RESPONSIBLE PARTY

PALM TREE PLAZA, LLC shall be obliged, by contract with the City of Oceanside, to maintain repair, and replace the storm water BMPs as necessary into perpetuity and provide the required security to do so. Said storm water BMPs include: Filters, Grass-lined and P.C.C swales and other miscellaneous site design BMPs as described in the following sections.

¹ See Appendix A: Thomas Brothers Guide

4 INSPECTION PROGRAM

An important element of BMP effectiveness is regular inspection to ensure proper operation and maintenance. The following inspections shall be carried out for the recommended BMPs.

4.1 Filters

Catch basin, curb inlet and filter assemblies shall be inspected and serviced every 4 months at a minimum. If it is determined, based on site conditions or the condition of the filter assembly, that the inspection interval is infrequent enough for proper operation, the inspection schedule shall be reevaluated and a revised schedule shall be implemented.

4.2 Grass-Lined Swales

Grass-lined swales shall be inspected at least twice annually for erosion, damage to vegetation, and sediment and debris accumulation. Inspection shall be carried out at the end of the wet season such that summer maintenance can be scheduled before major fall runoff to be sure the swale is ready for winter. In addition to the twice annual inspections, an inspection shall be carried out after any period of heavy runoff. Monthly inspection of the swales shall be carried out in conjunction with landscaping service.² Swales shall be inspected for debris and litter, areas of sediment accumulation, and standing water during monthly inspections.

4.3 P.C.C Swales

P.C.C. swales shall be inspected at least twice annually for cracking and sediment and debris accumulation. Inspection shall be carried out at the end of the wet season such that summer maintenance can be scheduled before major fall runoff to be sure the swale is ready for winter. In addition to the twice annual inspections, an inspection shall be carried out after any period of heavy runoff. Monthly inspection of the swales shall be carried out in conjunction with landscaping service.³ Swales shall be inspected for debris and litter and areas of sediment accumulation.

4.4 Landscaping

Inspection of the landscape and irrigation system shall take place once every 4 months. If it is determined, based on site conditions or the condition of the landscaping or irrigation system, that the inspection interval is infrequent enough for proper operation as a BMP, the inspection schedule shall be reevaluated and a revised schedule shall be implemented.

4.5 Inspection Log

An inspection log shall be provided and shall be filled out after each inspection. The inspection records shall be kept a minimum of five (5) years.

5 MAINTENANCE PROGRAM

Proper maintenance is imperative for BMP effectiveness and longevity. All BMPs shall be maintained to provide optimum effectiveness in accordance with industry standards. The maintenance program for site BMPs is as follows:

5.1 Filters

5.1.1 Preventative Maintenance

Inspection of an installed filter device consists of broom cleaning and visual inspection. Debris shall be removed from around the drainage inlet, the grate shall be removed and debris shall be

² See Section 5.4.2 for Landscaping Service

³ See Section 5.4.2 for Landscaping Service

removed from the top of the filter and on the grate ledge. The visible areas of the filter shall be inspected for damage and serviceability. The grate shall be reset and debris disposed of properly.

5.1.2 Service

Service consists of the aforementioned inspection procedures plus removal of the filter assembly. The structure of the assembly shall be inspected for serviceability and shall be brush cleaned. The filter media containers shall be brush cleaned and the filter media mixed and inspected for remaining useful life. The filter and grate shall then be reset.

5.1.3 Media Change Procedure

Changing of the filter medium involves the aforementioned inspection and service procedures plus the placement of the used filter media into a DOT approved container for proper disposal. The filter media container shall be replaced with new media. The method of disposal of the used media shall comply with all federal, state and local regulations.

5.1.4 Corrective Maintenance

If it is determined, based on site conditions or the condition of the filter assembly, that the inspection and/or service interval is infrequent enough for proper operation, the inspection and/or service schedule shall be reevaluated and a revised schedule shall be implemented.

The maintenance of the filters installed in the catch basins and curb inlets shall be undertaken in accordance with the specifications set forth in the manufacturers Maintenance Guidelines for the filters. See Appendix D for the Filter Maintenance Guidelines.

5.2 Grass-Lined Swales

5.2.1 Preventative Maintenance

Inspection of the grass-lined swales shall consist of a visual inspection of erosion, damage to vegetation, and sediment and debris accumulation. Accumulated sediment and debris shall be removed. Grass shall be mowed as necessary for safety and to suppress weeds and woody vegetation. Any standing water removed during maintenance shall be disposed to a sanitary sewer at an approved discharge location. Residuals (e.g., silt, grass cuttings) shall be disposed in accordance with local and state requirements.

5.2.2 Corrective Maintenance

If it is determined that there are damaged areas within the channel (e.g., ruts or holes) it shall be repaired utilizing suitable soil that is properly tamped and seeded. If it is determined that the grass cover has become sparse, the affected areas of the channel shall be reseeded as necessary.

5.3 P.C.C. Swales

5.3.1 Preventative Maintenance

Inspection of the P.C.C. swales shall consist of a visual inspection of cracking and sediment and debris accumulation. Accumulated sediment and debris shall be removed. Any accumulated sediment and debris shall be removed.

5.3.2 Corrective Maintenance

If it is determined during inspection that there are damaged areas within the channel (e.g., cracks or holes), the affected sections shall be refinished to prevent further damage.

5.4 Landscaping

5.4.1 Preventative Maintenance

Inspection of the landscaping and irrigation shall include a visual inspection of the general condition of the plants and irrigation operating interval.

All vegetated areas are to be maintained and irrigated in a manner that promotes plant health and good coverage. In the event that erosion becomes evident, the maintenance activity shall include stabilization of the area, a reevaluation of the design and the formulation of a solution for the proper performance of the BMP.

The use of fertilizers, herbicides and pesticides shall be done in accordance with all applicable federal, state and local regulations as well as the manufacturer's specifications. Landscape waste shall be disposed of by use of a solid waste container and shall be transported off-site to the appropriate facility.

Landscape irrigation run-off shall not be allowed. Irrigation controllers shall be regulated in a manner that does not allow for significant landscape irrigation water run-off.

5.4.2 Service

Maintenance of the landscaping shall take place once a month and shall include any necessary trimming of plants, and proper disposal of trimmings. Any dying plants shall be removed and replaced with an appropriate equal, to ensure the proper operation as a BMP.

5.4.3 Corrective Maintenance

If it is determined, based on site conditions or the condition of the landscaping or irrigation system, that the maintenance interval is infrequent enough for proper operation as a BMP, the maintenance schedule shall be reevaluated and a revised schedule shall be implemented.

Any dying plants shall be removed and replaced with an appropriate equal, to ensure the proper operation as a BMP.

Faulty operation of irrigation appurtenances resulting in a condition detrimental to the water quality environment shall be corrected as soon as is practical.

5.5 Miscellaneous Maintenance Activities

Maintenance activities to be performed in addition to the BMP maintenance listed above shall include:

5.5.1 Trash

Trash shall not be allowed to accumulate in a manner that allows for its transport off-site or to the storm drain system. In the event that trash or debris is generated as a result of site activity, the trash and debris shall be disposed of in the proper manner.

5.5.1 Sweeping

All driveway and parking lot surfaces shall be kept clean by periodic sweeping. The frequency of sweeping shall be sufficient to prevent the accumulation of silt, trash, debris and motor vehicle fluids. The frequency of sweeping shall not be less than twice yearly.

5.6 Maintenance Log

A maintenance log shall be provided and shall be filled out after each repair. The records of maintenance shall be kept a minimum of five (5) years.

6 EMPLOYEE TRAINING

Persons responsible for the inspection and maintenance of site BMPs shall be trained on the requirements for inspection and effective operation and maintenance of all the BMPs implemented on site. Responsible persons shall be trained within a month of hire, and shall receive a minimum of one review session annually. A training log shall be provided and shall be filled out at each training session. The records of training shall be kept a minimum of five (5) years.

7 RECORD KEEPING

A log shall be provided and filled out for all training, inspection, and maintenance activities. The records shall be kept for a minimum of five (5) years. Samples of the log sheets are shown in Appendix C.

8 Fiscal Resources

The provision of the fiscal resources necessary to ensure the proper adherence to the SWMP and to ensure the water quality of the storm water discharged from the project site shall be the responsibility of PALM TREE PLAZA, LLC. The responsibility shall reside with the lessee if a formal agreement has been entered into between PALM TREE PLAZA, LLC and lessee for such a provision. At no such time shall the maintenance of the post-construction BMPs go unperformed for any reason.

It is estimated, at the time of the preparation of this report, that the yearly expense for all scheduled maintenance of the filter equipped catch basins is approximately \$xxx.xxx per year. This estimate does not account for any 'as needed' revisions to the maintenance schedule, any unforeseen expenses for damages or any increases due to inflationary pressures.

PALM TREE PLAZA, LLC

100 North Crescent Drive, Suite 218 · Beverly Hills, California 90210-5450 · 310.860.5400 · Fax 310.276.8277

July 3, 2007

City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

RECEIVED
JUL 05 2007
Planning Department

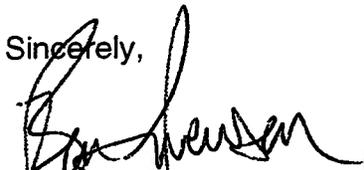
To Whom It May Concern,

This letter is to inform The City of Oceanside that Palm Tree Plaza, LLC, as owner of parcel 169-011-48, is aware of and has allowed First Bank, Inc. to submit plans to the City of Oceanside for a proposed bank building on said parcel.

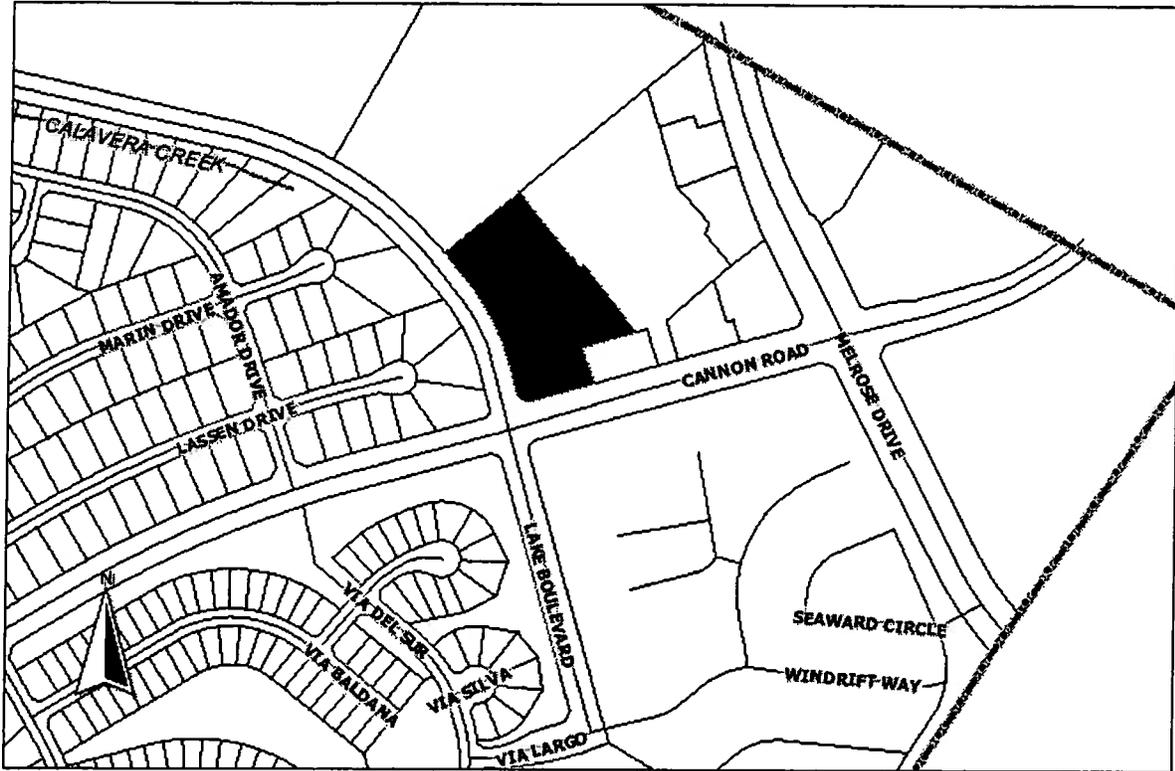
Palm Tree Plaza, LLC hereby approves the use of a bank in the Palm Tree Plaza Shopping Center and, pursuant to any further comments by The City of Oceanside or Landlord, allows the development of the proposed bank.

Please feel free to contact me with any questions or concerns.

Sincerely,



Ben Swenson
Commercial Development
(310) 860-5409



File Number: D-19-90REV07

Applicant: First Bank

Description:

Revision to DEVELOPMENT PLAN (D-19-90) to allow the construction of a commercial building within an existing shopping center located at the northeast corner of Lake Boulevard and Cannon Road. The project site is zoned CG-PBD (General Commercial Planned Block Development) and is situated within the Lake Neighborhood. – **FIRST BANK AT PALM TREE PLAZA**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

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

Application For Planning Commission Hearing

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

SCOTT

STAFF USE ONLY

ACCEPTED BY
 4/5/07 SK.

Please Print or Type All Information

PART I - APPLICANT INFORMATION

1. APPLICANT FIRST BANK	2. STATUS CLAYTON, MO	3. ADDRESS 135 N. NEWARK BL, SUITE 408 CLAYTON, MO 63005	4. PHONE/FAX 314.829.1027	5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) NEUBRAND - TIMOTHY J. LEVENS	6. ADDRESS 15450 SUITE OVERWAY DR. SUITE 300, CHESTERFIELD, MO. 63017	7. PHONE/FAX 630.898.8161
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PART II - PROPERTY DESCRIPTION

8. LOCATION CORNER OF CANNON & MERROSE	9. SIZE		
10. GENERAL PLAN	11. ZONING BUSINESS	12. LAND USE COMMERCIAL/RETAIL	13. ASSESSOR'S PARCEL NUMBER

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
4,000 SQ. FT. FINANCIAL INSTITUTION (BANK) ON EXISTING APPROVED 8,939 SQ. FT. PAD REV-7/5/07

15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING BUSINESS	17. PROPOSED LAND USE COMMERCIAL/RETAIL	18. NO. UNITS	19. DENSITY
20. BUILDING SIZE 4,000	21. PARKING SPACES EXISTING	22. % LANDSCAPE EXISTING	23. % LOT COVERAGE 100	

PART IV - ATTACHMENTS

ALL APPLICATIONS

DEV. PLANS, C.U.P.s & TENT. MAPS

<input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION	<input checked="" type="checkbox"/> 30. FLOOR PLANS AND ELEVATIONS
<input checked="" type="checkbox"/> 26. 300-FT. RADIUS MAP	<input checked="" type="checkbox"/> 27. PROPERTY OWNERS' LIST	31. CONSTRUCTION SCHEDULE
<input checked="" type="checkbox"/> 28. ENVIRONMENTAL ASSESSMENT	<input checked="" type="checkbox"/> 29. PLOT PLANS	32. OTHER

PART V - SIGNATURES

THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.

SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).

33. APPLICANT OR REPRESENTATIVE (Print):
NEUBRAND - TIMOTHY J. LEVENS

34. DATE
2-29-07

Sign: *Timothy J. Levens*

37. OWNER (Print): **Palm Tree Plaza, LLC**
 a California limited liability Co.
 By: **WFE Investments, Inc.**

38. DATE
3/15/07

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

Sign: *Victor S. Lacaquina*
 By: **RECEIVED**

35. APPLICANT (Print): **Americal Management Co., Inc.**

36. DATE
3/15/07

Sign: *Victor S. Lacaquina*

39. OWNER (Print): **Victor S. Lacaquina**
 APR 5 2007
 the Vice President

Sign: **Planning Department**



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JUL 05 2007
Planning Department

July 2, 2007

Mr. Scott Nightingale
City of Oceanside - Planning
300 North Coast Highway
Oceanside, California 92054-2885

RE: First Bank at Palm tree Plaza (Description and Justification)
Job No. 2351

Dear Mr. Nightingale:

Description: First Bank (a financial institution) desires approval to develop the previously submitted and approved 8,939 sq. ft. building pad (gross developable area)(Shops-C) at the Palm Tree Plaza commercial and retail development. The building will be a 4,086 sq. ft. financial institution with retail branch bank operations conducted during normal business hours. First Bank is only proposing a development of the building pad; therefore, net and gross developable areas are the same. The parking and utilities for the pad have been previously approved by the City of Oceanside under file #D-19-90REV05. No adjustments are being proposed to the previously approved parking layout. Additionally, no drive-up operations are being proposed. The pad engages the corner of Cannon Road and Lake Boulevard in Oceanside, CA.

Justification: The previously approved pad, site and development were submitted with the intention of it being developed by a commercial retailer; therefore, First Bank is a logical extension of that previous submittal. First Bank is a national consumer financial retailer with over \$10 billion in assets and over 180 branch banking offices in California, Illinois, Missouri and Texas. The strength and stability of First Bank clearly benefits both the development, (Palm Tree Plaza), and the citizens of the City of Oceanside.

Additionally, the original submittal was proposing an 8,939 sq. ft. building to be constructed on the pad. First Bank is proposing a 4,086 sq. ft. building with 4,853 sq. ft. of hardscape and landscaping to be constructed on the pad. Presently, a pedestrian entry is being proposed on the corner of Lake Blvd. and Cannon Road; therefore, the smaller building eliminates the need for additional hardscape to be constructed outside the boundaries of the original submittal in order to create circulation around the building. Additionally, the aesthetics of the building are harmonious with the architecture of the development and the surrounding residential community, creating a logical transition between the two.

Finally, the Walgreens is currently being constructed adjacent to the pad, and it will benefit the development and the City of Oceanside to get the construction of the pad underway while that construction is taking place. This will minimize the time the development will be torn up, the amount of noise and dust coming from the site and the general inconvenience to the neighboring residents.

Upon approval by the City of Oceanside and receipt of a building permit, the estimated construction time will be approximately 34 weeks.

I greatly appreciate the time and effort you have displayed in expediting our submittal. If you need any additional information, please feel free to call me at 636-898-8161.

Sincerely,

A handwritten signature in black ink, appearing to read 'Timothy J. Levene', with a long horizontal line extending to the right.

Timothy J. Levene
Project Architect

Enclosures

cc: T. Auer
R. Nelson
G. Sano

LEGAL DESCRIPTION

(continued)

FEET TO A POINT ON SAID WESTERLY LINE OF PARCEL 1 AND SAID EASTERLY RIGHT OF WAY OF LAKE BOULEVARD, SAID POINT ALSO BEING ON THE ARC OF A TANGENT 1042.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, A RADIAL TO WHICH BEARS NORTH 50°17'22" EAST; THENCE ALONG SAID WESTERLY LINE OF PARCEL 1 AND SAID EASTERLY RIGHT OF WAY OF LAKE BOULEVARD, NORTHWESTERLY ALONG THE ARC OF SAID 1042.00 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 01°48'54", 33.01 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 1; THENCE LEAVING SAID EASTERLY RIGHT OF WAY OF LAKE BOULEVARD, ALONG THE NORTHWESTERLY LINE OF SAID PARCEL 1, NORTH 48°26'58" EAST, 242.03 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 'B'

THAT PORTION OF PARCEL 1 OF PARCEL MAP NO. 17346, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON MARCH 30, 1994, AS FILE NO. 1994-0209262, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHWESTERLY CORNER OF SAID PARCEL 1, SAID CORNER BEING ON THE EASTERLY RIGHT OF WAY OF LAKE BOULEVARD, A VARIABLE WIDTH PUBLIC STREET, SAID CORNER ALSO BEING ON THE ARC OF A TANGENT 1042.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, A RADIAL TO WHICH BEARS NORTH 48°28'29" EAST; THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 1 AND SAID EASTERLY RIGHT OF WAY OF LAKE BOULEVARD, SOUTHEASTERLY ALONG THE ARC OF SAID 1042.00 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 01°48'54", 33.01 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WESTERLY LINE OF PARCEL 1 AND SAID EASTERLY RIGHT OF WAY OF LAKE BOULEVARD, AND CONTINUING SOUTHEASTERLY ALONG THE ARC OF SAID 1042.00 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 0°44'48", 13.58 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE AND SAID EASTERLY RIGHT OF WAY OF LAKE BOULEVARD, TANGENT FROM SAID 1042.00 FOOT RADIUS CURVE, SOUTH 38°57'50" EAST, 107.33 FEET TO THE BEGINNING OF A TANGENT 500.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, A RADIAL TO WHICH BEARS NORTH 61°02'10" EAST; THENCE CONTINUING ALONG SAID WESTERLY LINE OF PARCEL 1 AND SAID EASTERLY RIGHT OF WAY OF LAKE BOULEVARD, SOUTHEASTERLY ALONG THE ARC OF SAID 500.00 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 18°28'43", 161.26 FEET; THENCE LEAVING SAID WESTERLY LINE OF PARCEL 1 AND SAID EASTERLY RIGHT OF WAY OF LAKE BOULEVARD, NORTH 72°34'31" EAST, 84.98 FEET; THENCE NORTH 55°52'21" EAST, 174.76 FEET; THENCE NORTH 41°33'02" WEST, 335.25 FEET; THENCE SOUTH 48°26'58" WEST, 212.58 FEET TO THE TRUE POINT OF BEGINNING.

APN's 169-011-36 and -43

END OF LEGAL DESCRIPTION



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(30 days)

1. **APPLICANT:** Newground-Ralph Nelson
2. **ADDRESS:** 15450 S. Outer Forty Dr. Ste. 300
Chesterfield, MO. 63017
3. **PHONE NUMBER:** (636) 898-8168
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale
6. **PROJECT TITLE:** First Bank @ Palm Tree Plaza (D-19-90REV07)
7. **DESCRIPTION:** A Revision to an existing development plan to allow the construction of a 4,086 square foot financial institution on an existing 0.21-acre pad within an existing commercial center known as Palm tree Plaza.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Environmental Coordinator finds that the proposed project constitutes interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

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



Scott Nightingale, Planner II

Date: November 5, 2007

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee