ITEM NO. 21

STAFF REPORT

CITY OF OCEANSIDE

DATE: December 22, 2010

TO: Chairman and Members of the Community Development Commission

FROM: Economic and Community Development Department

SUBJECT: **A RESOLUTION APPROVING A REGULAR COASTAL PERMIT (RRP-10-00004) FOR THE ADDITION OF A 364-SQUARE FOOT BALCONY AND SPIRAL STAIRCASE TO AN EXISTING SINGLE FAMILY RESIDENCE LOCATED AT 202 SOUTH PACIFIC STREET – SHEAFE PROJECT - APPLICANT- SHARON SHEAFE**

SYNOPSIS

Staff and RAC recommend that the Commission adopt a resolution approving Regular Coastal Permit (RRP-10-00004) for a 364-square foot balcony and spiral staircase to an existing single family residence located at 202 South Pacific Street.

BACKGROUND

The subject site consists of an existing legal parcel 5,825 square feet in size that was part of the original Riverside Terrace subdivision of 1885. The subject site currently maintains a single family residence.

On January 20, 1999, the Community Development Commission approved a 1,563 square-foot addition and remodel to the existing residential building. The project included the addition of 2 bedrooms and 2 baths, a home office, expansion of the dining room, remodeling the kitchen and family room and expansion of the existing garage.

The subject site is situated within the South Pacific neighborhood, which consists of old apartment buildings and single family homes interspersed with some new condominium buildings.

The existing single family residence situated on the subject site is over 45 years old; therefore, a Historic Assessment was prepared to determine its historical significance. The Historic Assessment prepared for the residence is attached to the staff report.

Land Use and Zoning: The subject site is located within Subdistrict 5A of the "D" Downtown District. Subdistrict 5A is primarily intended to provide a medium-density residential neighborhood at South Pacific Street with an urban setting in close proximity to shopping, employment, transportation and recreational facilities.

Regular Coastal Permit: The project is situated within the Coastal Zone and requires a Regular Coastal Permit. Under the provisions of the Local Coastal Plan the project site is designated as High-Density Residential. Multifamily and single-family are primarily the uses allowed within this land use designation.

The project is also situated within the Coastal Zone "appeal jurisdiction". Any local action by the City on this proposed coastal development permit may be appealed to the California Coastal Commission.

Project Description: The proposed project consists of the addition of a 364 square-foot balcony and exterior spiral stairway to an existing single family residence located at 202 South Pacific Street. The proposed balcony is to be situated entirely above the enclosed front porch located on the southwestern portion of the existing residence. The height of the proposed balcony is 17 feet as measured from the top of the glass rail. The proposed spiral stairway is located immediately south of the balcony on the southwestern portion of the property. Access to the balcony will be entirely from the proposed stairway. There will be no access to the balcony from the interior of the residence. The balcony will consist of wood and the open spiral staircase consists of treated wrought iron. The proposed glass railing pattern of the balcony is consistent with the window patterns of the front (western) façade of the existing residence.

Outlined below is a comparison chart summarizing the required development criteria with the proposed project:

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	5,000 square feet	5,825 square feet (existing lot)
SETBACKS Front Side Corner Side Rear	 10 feet 3 feet 10 feet 5 feet	 10 feet 3 feet *8 feet 5 feet
LANDSCAPING	25%	29%
PARKING	2 spaces	3 spaces
BUILDING HEIGHT	27 feet (Maximum)	25 feet
DENSITY	43 du. Ac.(Maximum)	7.4 du. Ac.

*Original structure (built in 1889) was built with an 8-foot corner side yard setback

Environmental Determination: A Certificate of Exemption has been prepared for the project under Section 15300.2. (f) And 15301 (4) of the California Environmental Quality Act (CEQA). Under the provisions of CEQA, the Community Development Commission will consider the exemption during its hearing on the project.

The Historic Assessment has been prepared to determine the cultural significance of the existing residence (see attachment). The Historic Assessment chronicles the creation, ownership, and development of the subject site and concludes that the site does have historic significance. The proposed project does not increase the size of the residence and the balcony will be situated entirely above the enclosed porch. The spiral staircase is situated south of the balcony in front of the improvements made to the residence in 1999-2000. The location of the balcony and spiral staircase does not detract or reduce the overall aesthetics of the original historic residence. In addition, the proposed glass railing pattern of the balcony is consistent with the window patterns of the front (western) façade of the existing residence.

ANALYSIS

Staff's analysis focused on the compatibility of the project with existing development patterns of the area and the project's consistency with the underlying Redevelopment Plan, Zoning Ordinance, and the Local Coastal Program.

Redevelopment Plan: Section 301 of the Redevelopment Plan states that the Agency proposes to eliminate and prevent the spread of blight and deterioration by rehabilitation of existing structures. The proposed project is consistent with the Redevelopment Plan in that it improves the existing structure and makes the residence more economically valuable.

Local Coastal Plan: Staff's review of the project examined the consistency of the development with the underlying zoning regulations and policies of the Local Coastal Program. The project is located within the "appealable area" which is defined as the first 300 feet east of The Strand. Staff evaluated the proposed project and its effect on public coastal views. The project provides a 10-foot-wide front yard setback and the proposed balcony will be located entirely above the existing enclosed porch. The proposed spiral staircase is located on the southern portion of the property. In addition, the stairway is open and the proposed glass balcony railings allows for views for the properties located south of the subject site. The proposed balcony will have minimal effect on public views for those properties located both north and south of the subject site.

In conclusion, staff believes that the project meets the intent of the Redevelopment Plan and goals, which encourages the rehabilitation of existing residential structures. The proposed balcony design compliments the existing structure and is consistent with the design of similar single family residences located along the South Pacific Street corridor.

COMMISSION OR COMMITTEE REPORTS

The Redevelopment Advisory Committee (RAC) reviewed the project at its December 1, 2010, meeting and the results will be presented orally before the Commission.

FISCAL IMPACT

Not applicable.

CITY ATTORNEY'S ANALYSIS

Pursuant to the City of Oceanside Local Coastal Program Land Use Plan, the Community Development Commission is authorized to hold a public hearing on this project application. Consideration of the project should be based on the evidence presented at the public hearing. After conducting the public hearing, the Commission shall approve, conditionally approve, or disapprove the project. The resolution has been reviewed and approved as to form by the City Attorney.

RECOMMENDATION

Staff and the RAC recommend that the Commission adopt the resolution approving Regular Coastal Permit (RRP-10-00004) for the addition of a 364-square foot balcony and spiral staircase to an existing single family residence located at 202 South Pacific Street.

PREPARED BY:

Shan Babick
Associate Planner

SUBMITTED BY:

Peter A. Weiss
Executive Director

REVIEWED BY:
Michelle Skaggs Lawrence, Deputy City Manager
Jane McVey, Economic and Community Development Director
Kathy Baker, Redevelopment Manager

EXHIBITS/ATTACHMENTS

1. Resolution
2. Site Plan / Floor Plans / Elevations
3. Notice of Exemption
4. Historic Report

RESOLUTION NO. 10-

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE APPROVING A REGULAR COASTAL PERMIT FOR IMPROVEMENTS TO AN EXISTING SINGLE FAMILY RESIDENCE LOCATED AT 202 SOUTH PACIFIC STREET-SHEAFE PROJECT-APPLICANT: SHARON SHEAFE

WHEREAS, on December 22, 2010, the Community Development Commission held its duly noticed public hearing, considered an application for a Regular Coastal Permit (RRP-10-00003) for improvements to a single family residence located at 202 South Pacific Street;

WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of Oceanside did, on December 1, 2010 review and recommend approval of Regular Coastal Permit (RRP-10-00003);

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

WHEREAS, a Categorical Exemption was prepared by the Resource Officer of the City of Oceanside for this application pursuant to the California Environmental Quality Act of 1970 and the State Guidelines implementing the Act. This project is exempt under Section 15300.2. (f) and 15301 (4) of the California Environmental Quality Act;

WHEREAS, pursuant to Government Code §66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020; and

WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes effective upon its adoption.

NOW, THEREFORE, the Community Development Commission of the City of Oceanside does resolve as follows:

FINDINGS:

For the Regular Coastal Permit:

1. The granting of the Regular Coastal Permit is consistent with the purposes of the California Coastal Act of 1976. The proposed 364 square-foot balcony and exterior spiral

staircase is consistent with the High Density Land Use as depicted in the Local Coastal Program Land Use Map.

2. The proposed project is consistent with the policies of the Local Coastal Program as implemented through the City Zoning Ordinance. The proposed 364 square-foot balcony and spiral staircase is consistent with the High Density Land Use as depicted in the Local Coastal Program Land Use Map. The project will not substantially alter or impact the existing coastal views through the public rights-of-way view corridors due to the 10-foot wide front yard setback and the proposed balcony will be situated entirely above the existing enclosed front porch located on the southwestern portion of the residence.

3. The proposed project will not obstruct any existing or planned public beach access; therefore, the project is in conformance with the policies of Chapter 3 of the Coastal Act. The proposed project is located south of the Tyson Street public view corridor/access and therefore, will not obstruct any existing or future public beach pedestrian access.

SECTION 1. That Regular Coastal Permit (RRP-10-00003) is hereby approved subject to the following conditions:

Building:

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Department plan check (Currently the 2007 California Building Code and 2007 California Electrical Code).

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

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

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

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

Fire:

4. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior to the issuance of building permits.

Economic/Redevelopment:

5. This Regular Coastal Permit (RRP-10-00003) shall expire on December 22, 2012, unless implemented as required by the Zoning Ordinance.

6. This Regular Coastal Permit approve only a 364 square-foot balcony and an exterior spiral staircase as shown on the plans and exhibits presented to the Community Development Commission for review and approval.

7. No deviation from these approved plans and exhibits shall occur without Economic and Community Development Department approval. Substantial deviations shall require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.

8. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Regular Coastal Permit (RRP-10-00003). The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

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

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

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

12. Failure to meet any conditions of approval for this development shall constitute a violation of the Regular Coastal Permit (RRP-10-00003).

13. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at the time building permits are issued are required to be met by this project. The approval of this project constitutes the applicant's agreement with all statements in the Description and Justification, and other materials and information submitted with this application, unless specifically waived by an adopted condition of approval.

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14. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially the same as those approved by the Community Development Commission. These shall be shown on plans submitted to the Building Division and Economic and Community Development Department.

PASSED AND ADOPTED by the Oceanside Community Development Commission of the City of Oceanside this ___day of _____ 2010 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

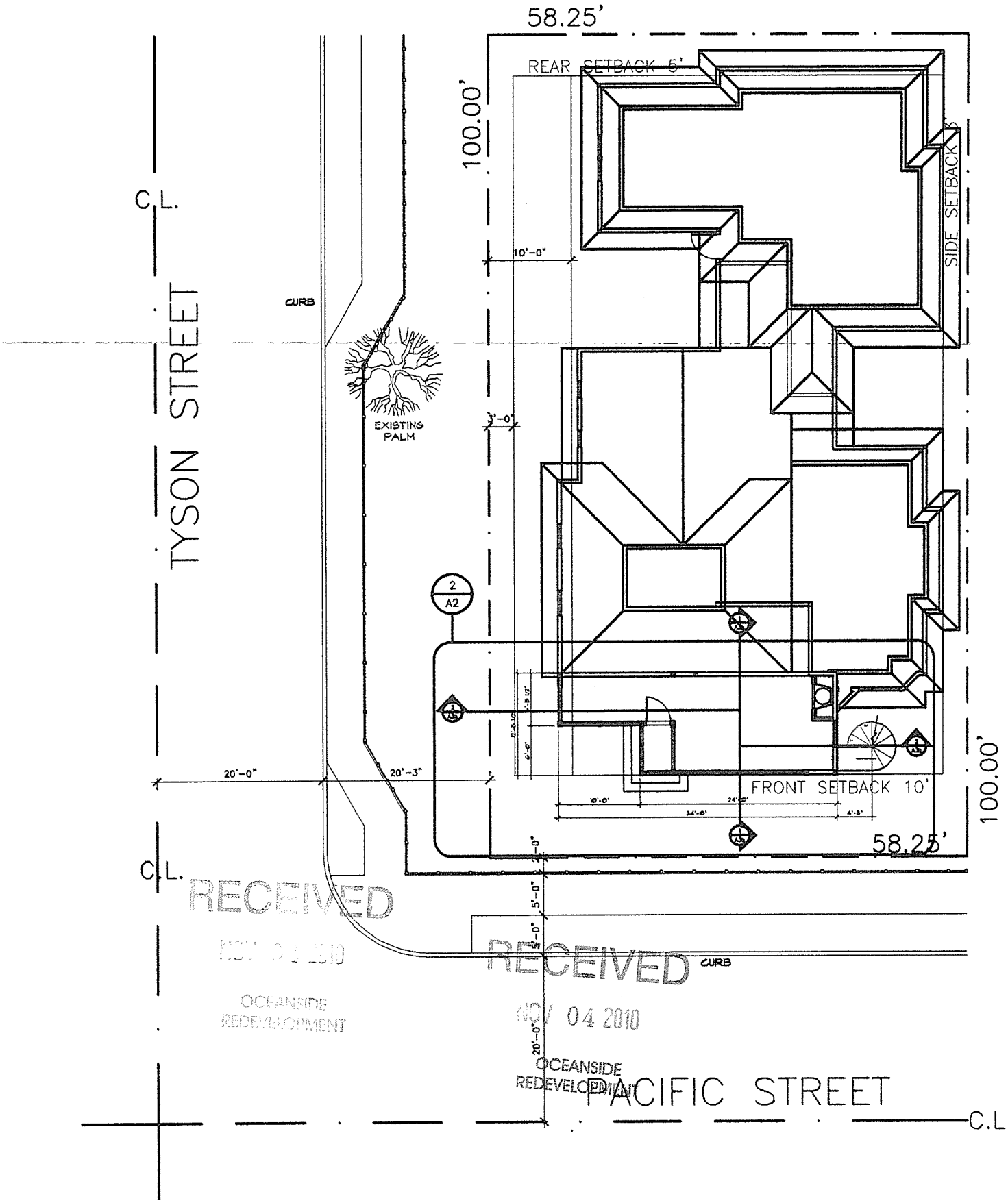
_____
Chairman

ATTEST:

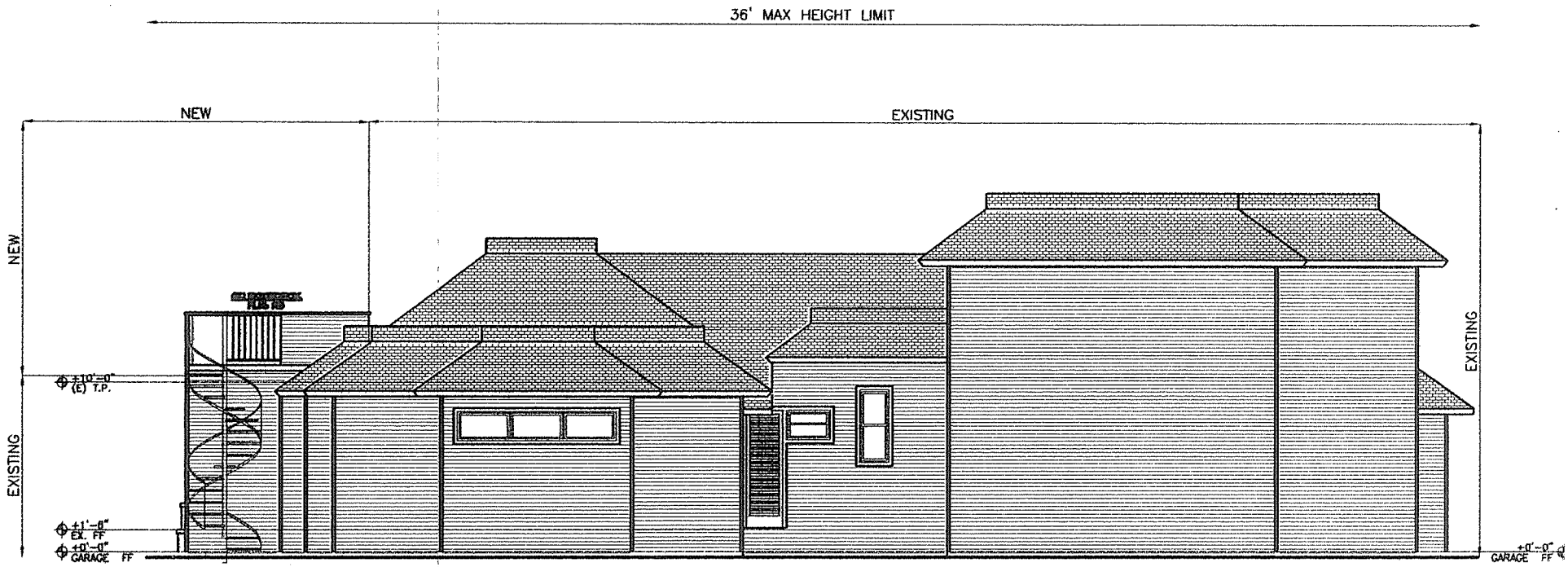
_____
Secretary

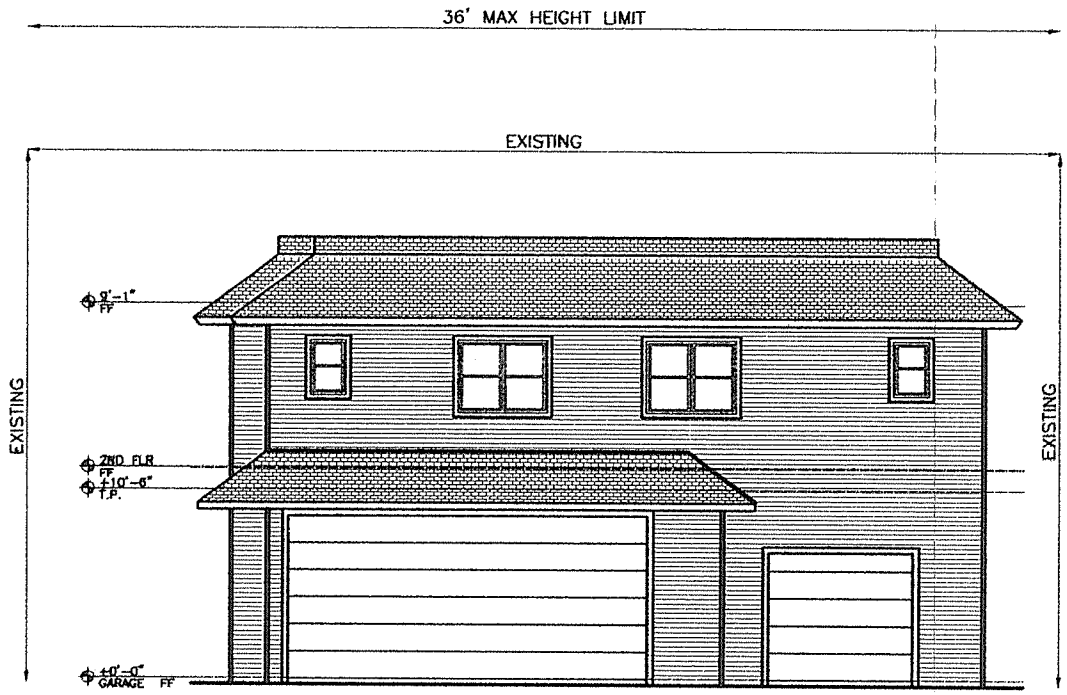
APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

by_____
General Counsel



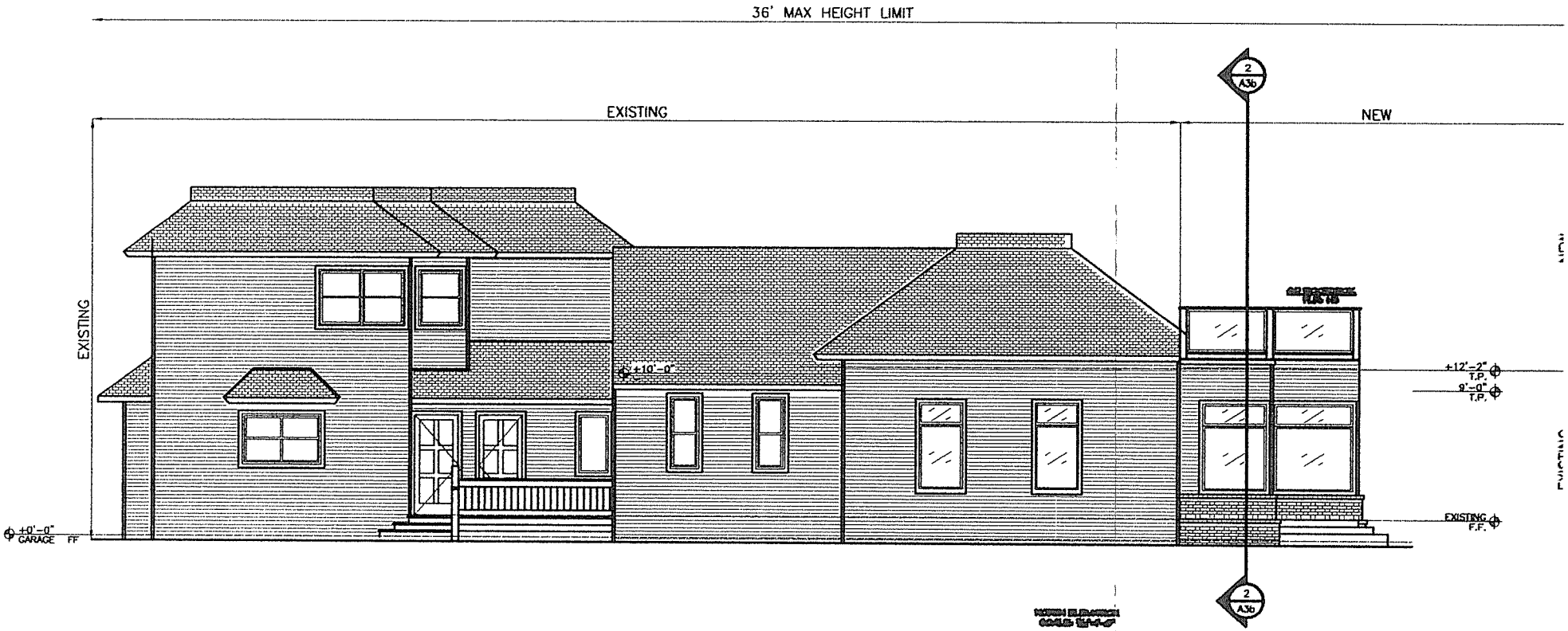
SITE PLAN
SCALE: 1/16"=1'-0"


36' MAX HEIGHT LIMIT
NEW
EXISTING
NEW
EXISTING
EXISTING
+10'-0"
(E) T.P.
+1'-0"
EX. FF
+0'-0"
GARAGE FF
+0'-0"
GARAGE FF



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

36' MAX HEIGHT LIMIT
NEW
EXISTING
NEW
EXISTING
EXISTING
1
A3a
1
A3a
10'-0"
(E) T.P.
+1'-6"
(E) F.F.
0'-0"
F.G.
+1'-6"
(E) F.F.
+0'-0"
F.G.


36' MAX HEIGHT LIMIT
EXISTING
NEW
EXISTING
2
A3b
+10'-0"
+12'-2"
T.P.
9'-0"
T.P.
EXISTING
F.F.
+0'-0"
GARAGE FF
2
A3b

CITY OF OCEANSIDE
PLANNING DEPARTMENT

NOTICE OF EXEMPTION

TO: X RECORDER/COUNTY CLERK
COUNTY OF SAN DIEGO
P.O. BOX 1750
SAN DIEGO, CA 92112-4147

PROJECT TITLE AND FILE NUMBER:
REGULAR COASTAL PERMIT (RRP-10-00003) FOR IMPROVEMENTS TO A SINGLE FAMILY RESIDENCE LOCATED AT 202 SOUTH PACIFIC STREET

PROJECT LOCATION - SPECIFIC:
202 South Pacific Street

PROJECT LOCATION - GENERAL:
Tyson and S. Pacific

REGULAR COASTAL PERMIT (RRP-10-00003)

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:
For a 364 square-foot deck and spiral staircase addition to an existing single family residence located at 202 South Pacific Street.

NAME OF PUBLIC AGENCY APPROVING PROJECT:
City of Oceanside
NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:
Shuithya Yong
8085 Hudson Drive
San Diego, CA 92119
(801) 641-8099

Exempt Status per the Guidelines to Implement the California Environmental Quality Act (CEQA)
(Public Resources Code Section 21000 et. al.):

__**NOT SUBJECT TO CEQA PER THE GENERAL RULE, SECTION 15061(B)(3)**

__**STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)**

X _CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION 15301(4)

REASONS WHY PROJECT IS EXEMPT:
The proposed project is a Regular Coastal Permit for a 364 square foot balcony and spiral staircase addition to an existing single family residence located at 202 South Pacific Street. There is no increase in living area and the proposed addition is for accessory structures on existing single family residence located in an infill area, therefore, it is exempt from environmental review.

Contact Person: Shan Babick, Associate Planner

November 16, 2010
SIGNATURE DATE
For: Jerry Hittleman, Planning Director

ARCHAEOS

11209 Golden Birch Way, San Diego, California 92131
Telephone and Fax (858) 549-2181

November 15, 2010

Shan Babick
Oceanside Redevelopment Agency
300 N. Coast Highway
Oceanside, CA 92054

REFERENCE: ANALYSIS OF PROPOSED IMPROVEMENT FOR 202 S. PACIFIC STREET, OCEANSIDE, CALIFORNIA 92054 (Archaeos Job No. 1138)

This letter report details the findings of the analysis of an improvement - the addition of a spiral staircase - proposed for the building at 202 S. Pacific Street, Oceanside, California 92054 (Figures 1 and 2). The subject building known as the Pishon Residence, was included in the 1992 Oceanside Cultural Resource Survey (Flanigan, Carrico, & Carrico 1992). Constructed about 1889, the house is recognized as one of the oldest extant beach cottages in the city.

At the time of the 1992 survey, only the rear wing of the house was original; the main body of the house was likely added about 1910, followed by the addition of an enclosed porch. In response to the demolition of all but the north wall of the house, a more detailed historical study of the property was conducted (Alter 2000) at the request of the Oceanside Historic Preservation Commission. The report concluded that the early modifications had been made between 1907 and 1925. These included the removal of a bay window on the south wall and the addition of a small ancillary building, probably a one-car garage, located at the rear of the property, on the alley. The enclosed porch was probably added during the late 1920s or early 1930s, when the building housed the Shore House Café (Figures 3 and 4).

Because, in essence, the historic building had been destroyed, the building ceased to retain its former historical significance under Criterion C - architecture. However, because of the importance of the property's owners and occupants, it was still considered important under Criterion B - association with historical individuals. These included Captain N.J. Pishon who moved to Oceanside about 1889 as a retiree and served on the Oceanside Wharf committee, and John A. Tulip, Oceanside's station agent for the Santa Fe Railroad. The building also housed the Shore House Café, a popular Oceanside eatery.

Because the building no longer retains architectural significance under Criterion C, the addition of the proposed spiral staircase on the west wall would not create adverse impacts to this

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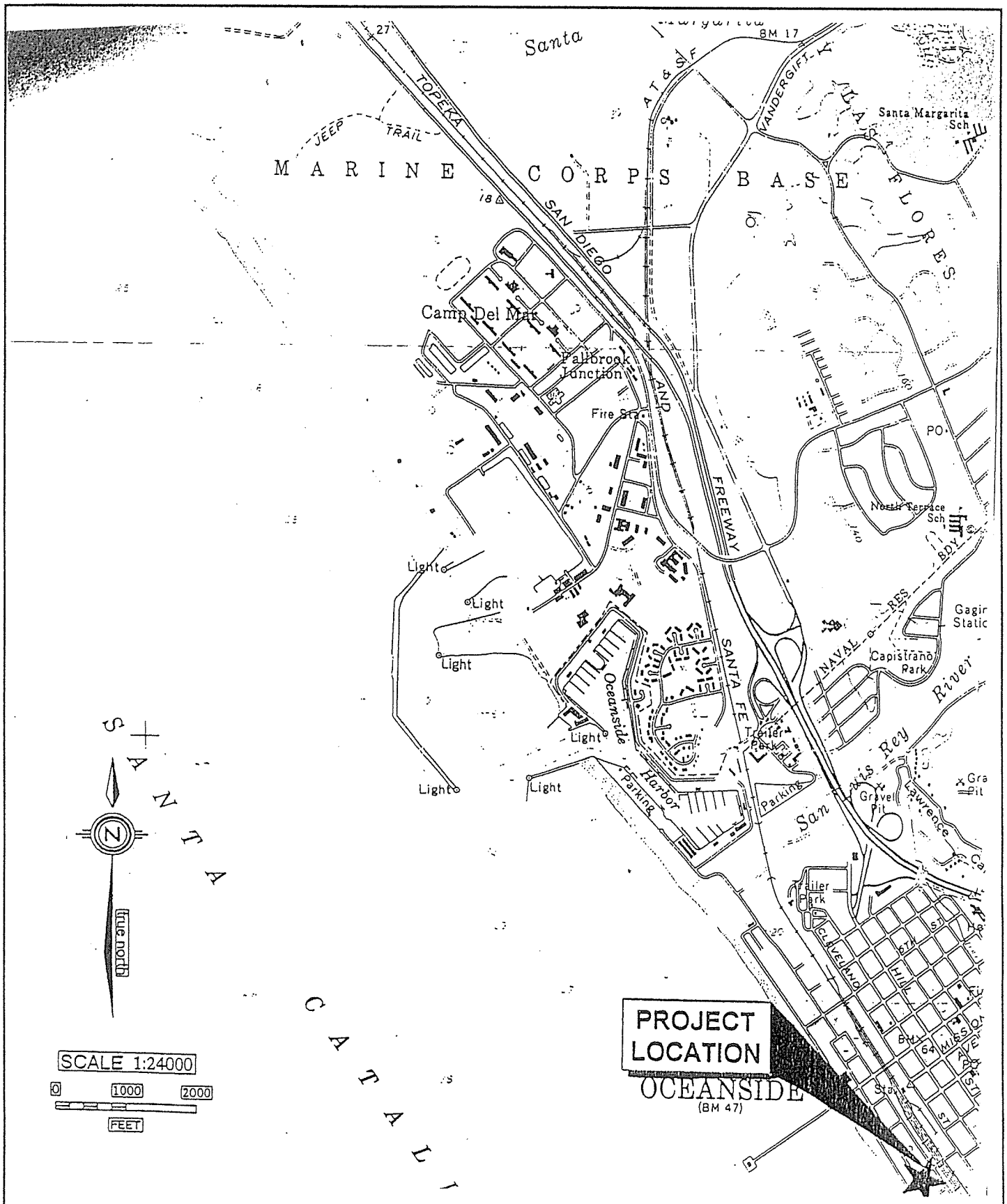
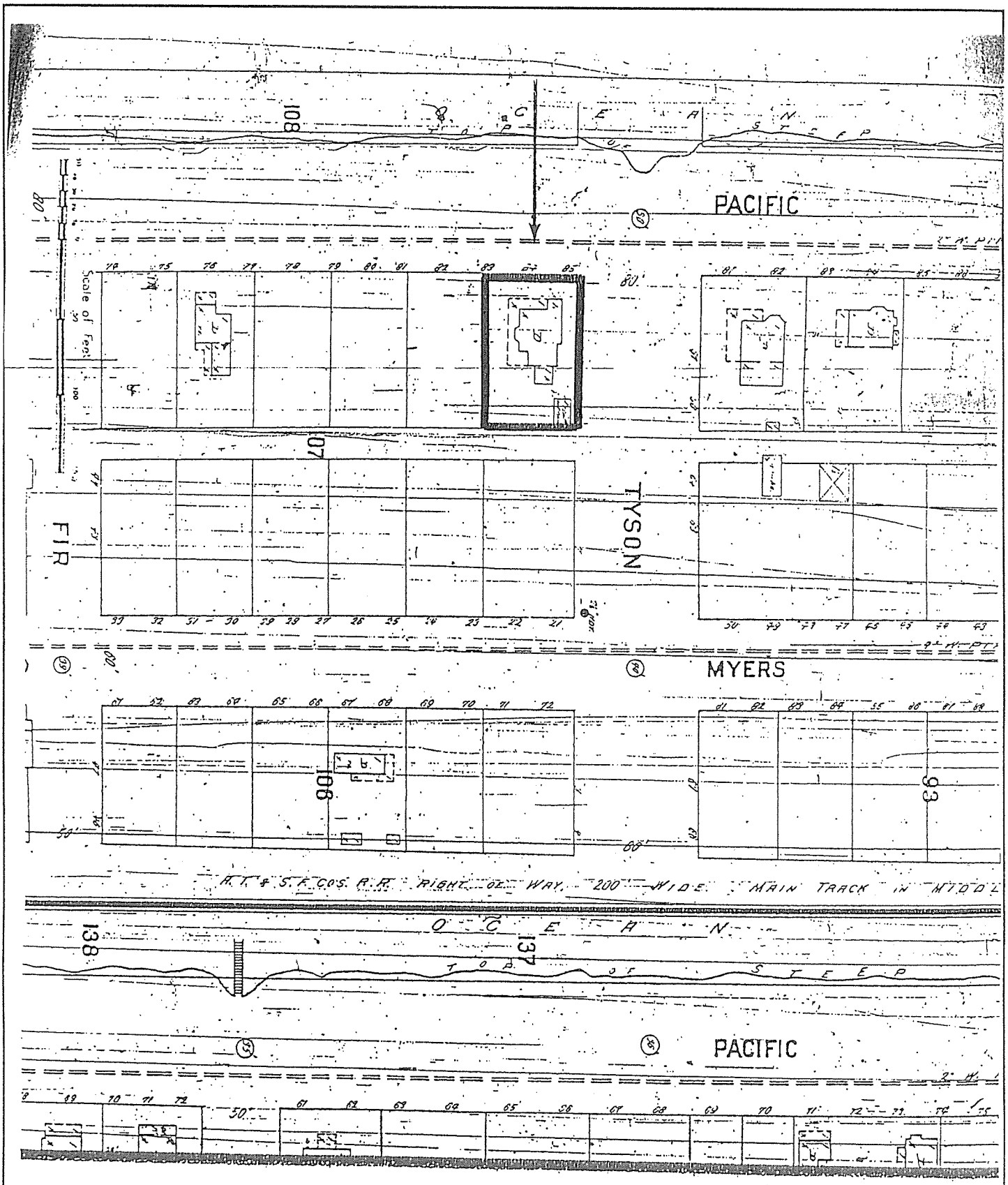
Regional location in San Diego County

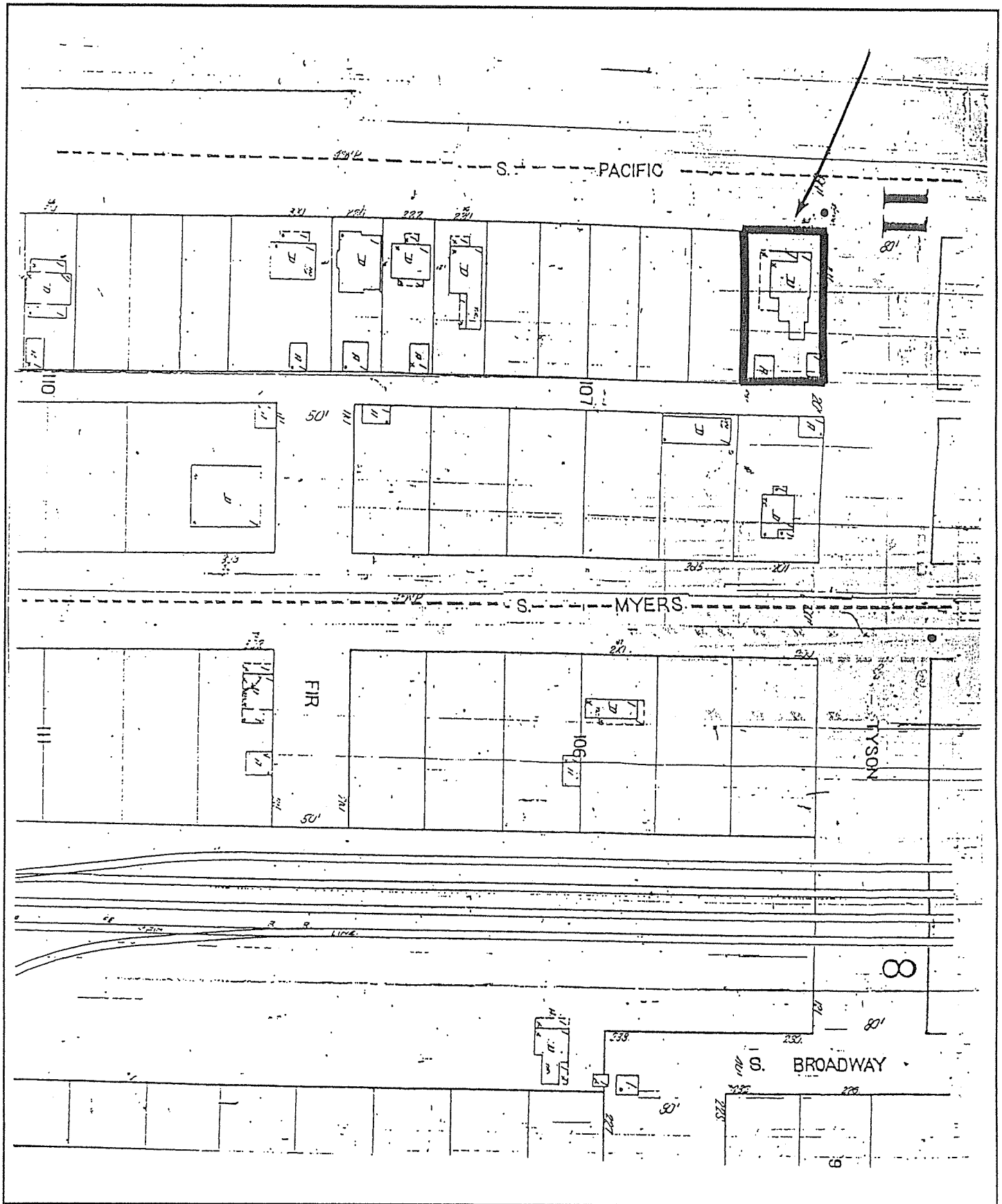
Figure 1



ARCHAEOS 11209 Golden Birch Way San Diego, CA 92131	Project location on USGS 7.5' Oceanside quadrangle	Figure 2



ARCHAEOS 11209 Golden Birch Way San Diego, CA 92131	1907 Sanborn Fire Insurance Map	Figure 3



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San Diego, CA 92131

1925 Sanborn Fire Insurance Map

Figure 4

Since no adverse impacts to cultural resources would be incurred with project implementation, mitigative measures are not required.

Should you have any questions regarding this assessment, please contact me at 858-549-2181.

Sincerely,

Ruth C. Alter

Ruth C. Alter
Principal

References

Alter, R.C.
2000 *Results of Historical Study Conducted for 202 S. Pacific Street, Oceanside, California 92054*. On file with the City of Oceanside.

Flanigan, S.K., S.H. Carrico, and R.L. Carrico
1992 "Oceanside, California's Pride: 1992 Cultural Resource Survey." On file with the City of Oceanside.

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San Diego, CA 92131

Proposed project.

Figure 5