

# AGENDA NO. 3

## PLANNING COMMISSION RESOLUTION NO. 2007-P06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DENYING A TIME EXTENSION FOR A TENTATIVE PARCEL MAP, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND VARIANCE ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: P-1-04, D-1-04, C-4-04 and V-8-04 Time Extension  
APPLICANT: Zocco Development Inc  
LOCATION: 307 South Ditmar Street

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a time extension to a Tentative Parcel Map, Development Plan, Conditional Use Permit and Variance under the provisions of Articles 10, 41 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

to subdivide a 0.11-acre lot into two single-family lots located at 307 South Ditmar Street, which such real property is more particularly described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 22nd day of January, 2007 conduct a duly advertised public hearing as prescribed by law to consider said application.

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

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

FINDINGS:

For the Denial of a time extension for Tentative Parcel Map P-1-04:

1. The applicant has not diligently sought to finalize the approved Tentative Parcel Map and Development Plan. The Final Map has not been recorded.

1 For the Denial of a time extension for Development Plan D-1-04:

2 1. The project is inconsistent with the General Plan of the City, which includes  
3 Neighborhood Character Policies 1.13(G) that ensures compatibility with the  
4 surrounding neighborhood in the 300 block of Townsite Central and addresses density  
5 objectives.

6 2. The project's proposed massing and yard areas are incompatible with the existing and  
7 potential development on adjoining properties, and the surrounding neighborhood. The  
8 proposed massing is inconsistent with the majority of Townsite Central's developments,  
9 which have lower structural heights adjacent to the public right-of-way. The proposed  
10 yard areas are smaller than the character of the existing developments in the area. The  
11 cumulative effect of the proposed shortened yards and massing is inconsistent with  
12 existing development patterns within the 300 block of Townsite Central.

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1 For the Denial of a time extension for Conditional Use Permit C-4-04 and Variance V-8-04:

2 1. The proposed use will be detrimental to properties or improvements in the vicinity or to  
3 the general welfare of the City in that the proposed development is inconsistent with the  
4 predominant development pattern of the 300 block of Townsite Central and the  
5 Neighborhood Character Policies of the General Plan. The density proposed does not  
6 reflect the intent of the RH District, which allows a maximum of three dwelling units on  
7 a 5,000-square foot lot.

8 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
9 deny a time extension for the Tentative Parcel Map (P-1-04), Development Plan (D-1-04),  
10 Conditional Use Permit (C-4-04) and Variance (V-8-04).

11 PASSED on January 22, 2007 by the following vote, to wit:

12 AYES: Martinek, Horton, Blom and McLeod

13 NAYS: Parker

14 ABSENT: Balma

15 ABSTAIN: None

16 ADOPTED Resolution No. 2007-P06 on February 12, 2007.

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19 \_\_\_\_\_  
Dennis Martinek, Chairman  
Oceanside Planning Commission

20  
21 ATTEST:

22  
23 \_\_\_\_\_  
24 Jerry Hittleman, Secretary

25 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
26 this is a true and correct copy of Resolution No. 2007-P06.  
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28 Dated: February 12, 2007  
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**EXHIBIT "ONE"**

Lot 2, Block 15 of Bryan's Addition to Oceanside, in the City of Oceanside, County of San Diego, State of California, according to Map thereof No. 219, filed in the Office of the County Recorder of San Diego County, March 10, 1887.

Assessor's Parcel No: 150-055-14

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Planning Department