AGENDA NO. 3

PLANNING COMMISSION STAFF REPORT

DATE: February 25, 2008

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **TENTATIVE PARCEL MAP (P-7-07) TO SUBDIVIDE AN EXISTING LOT AND BUILDING TO CREATE 12 INDUSTRIAL CONDOMINIUMS ON AN EXISTING 1.22-ACRE PARCEL LOCATED AT 3546 SEAGATE WAY, WHICH IS THE SOUTHWEST CORNER OF CORPORATE CENTRE DRIVE AND SEAGATE WAY. THE PROJECT SITE IS ZONED PD-1 (RANCHO DEL ORO PLANNED DEVELOPMENT - LIGHT INDUSTRIAL) AND IS SITUATED WITHIN THE IVEY RANCH/RANCHO DEL ORO NEIGHBORHOOD. – SEAGATE CORPORATE CENTER – APPLICANT: ROCK-SEA, LLC**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

(1) Confirm issuance of a Class 1, Categorical Exemption 15301(k) for the subdivision of existing industrial building; and

(2) Adopt Planning Commission Resolution No. 2008-P09 approving Tentative Parcel Map P-7-07 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The subject site is Parcel 10 of Parcel Map 20077, which is a 1.22-acre lot situated within the Rancho del Oro Planned Development (PD-1) Industrial District. The surrounding land uses are primarily industrial, including *Custom Industry*, *Limited Industry*, and *Research and Development Industry*. Other land uses adjacent to the project site include office, *Retail Sales, Personal Improvement Services*, and *Religious Assembly*. There are 56 existing off-street parking spaces on-site.

Background: The Seagate Corporate Center (P-9-04, D-21-04) was previously considered and approved by the Planning Commission on March 28, 2005. Planning Commission Resolution No. 2005-P22 approved the creation of 14 lots on a 33.46-acre site, 53 industrial condominium units, and the construction of 16 industrial buildings totaling 384,500 square feet.

This application, P-7-07, is specific for Parcel 10 of the aforementioned 14 lot subdivision. The existing 15,000-square foot building on Parcel 10 was approved by Planning Commission Resolution No. 2005-P22. The floor area ratio (FAR) for this building is 0.29. The building is two stories and divided into several office suites.

Project Description: The application consists of a Tentative Parcel Map.

Tentative Parcel Map P-7-07 represents a request for the following: To subdivide an existing 15,294-square foot building into 12 industrial condominium units.

Rock-Sea LLC is proposing to subdivide an existing building into 12 condominium units. The proposed land use for these units is 450.S *Business and professional offices*. Pursuant to Section 1320, this is a permitted land use.

The project is subject to the following Ordinances, City policies, and the State of California Government Code:

1. General Plan
2. Zoning Ordinance
3. Subdivision Ordinance
4. The Rancho del Oro Specific Plan

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation on the subject property is Rancho del Oro Specific Plan (S-1-84). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

Land Use Element I. Community Enhancement

Goal 1.1 Balanced Land Use

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

Policies:

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

B. The City shall analyze proposed land uses for assurance that the land use will contribute to the proper balance of land uses within the community or provide a significant benefit to the community.

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

The proposal is to subdivide a previously approved two-story industrial building into 12 office condominiums. The proposed occupancy is commercial offices. The site sufficiently provides for off-street parking associated with this land use. Parcel 10's existing 56 off-street parking spaces provide a ratio of 1 off-street parking space per 273 square feet of floor area. To monitor the demand for off-street parking, the proposed subdivision has been specifically conditioned to limit occupancies to the current allocation of parking spaces. Staff acknowledges that land uses with lower parking ratios (retail sales, personal services, banking, restaurants) are not likely to occupy all 12 of the proposed suites; in addition, the scope of these land uses is further limited by local land use regulations.

Land Use Element II. Community Development

Goal The continual long term enhancement of the community through the development and use of land which is appropriate and orderly with respect to type, location, timing, and intensity.

Objective 2.0 Subdivision of Land or Real Property: To create legal divisions of land or real property that shall provide long-term enhancement for the community.

Policies:

A. No proposed division of land or real property shall be created which fails to implement the General Plan, City policies and ordinances, or development standards.

B. Any City action creating a legal division of land or real property shall identify and consider adjacent and surrounding land uses and land divisions to assure compatibility and proper integration.

C. A subdivision of land or real property must provide adequate on-site improvements consistent with the general plan, including street design, drainage and sanitary facilities, and easements.

D. A subdivision of land or real property must include provisions for off-site improvements or the payment of fees for off-site improvements consistent with the General Plan, including temporary and permanent school facilities, road and bridge improvements, parks, and sewers.

E. A subdivision of land or real property must be designed to accommodate, protect, and preserve environmentally sensitive areas identified in the General Plan.

The proposed 12 condominium units comply with General Plan Objective 2.0 and its policies. The surrounding land uses and land divisions are compatible with the proposed office condominiums. On-site improvements, including 56 off-street parking spaces, are adequate and consistent with local policies and regulations. The subdivision has been appropriately conditioned for payment of fees for off-site improvements. The subdivision is not associated with any environmentally sensitive areas.

Objective 2.1 Industrial Development: To promote industries which are consistent with community enhancement and provide stable tax bases and a balance of employment opportunities.

Policies:

A. Industrially designated lands shall be devoted to industrial uses for the preservation of the City's economic future, employment opportunities, and general welfare.
B. Industrial land uses shall be compatible with surrounding land uses and available community facilities.
C. Ancillary commercial, office, and recreational uses may be permitted when clearly oriented to support the industrial development and serve its population.
D. Storage and warehousing facilities and services shall not be directly accessible to the general public.

The proposed occupancy is commercial office. The proposed land use, 450.S *Business and professional offices*, is permitted within the IL District. A variety of land uses are permitted at this site and most would not cause undue stress of the current allotment of off-street parking requirements. The proposal is specifically conditioned to comply with local regulations for outdoor activities, including outdoor storage.

2. Zoning Ordinance Compliance

The previous Planning Commission action approving Development Plan D-21-04 found that the 15,000-square foot building satisfied local Zoning Ordinance requirements. The proposed subdivision to create 12 condominium units does not impinge upon this determination.

The subdivision has been specifically conditioned to prepare a management plan and comply with the following Zoning Ordinance regulations: size of outdoor storage areas, screening requirements for outdoor storage, eligible materials to store outdoors, use of parking areas, time restraints on outdoor storage, the number of off-street parking spaces, sign requirements, limitations on uses that generate additional off-street parking, and generally requiring compliance with previous entitlements, the Zoning Ordinance, and the RDO Industrial Master Development Plan.

The site is required to provide 51 off-street parking spaces and 56 off-street parking spaces are currently provided on-site. The required parking ratio for office land uses are one off-street parking space per 300 square feet of building area.

3. Rancho del Oro Specific Plan

The Seagate Parcel Map is located within the Rancho del Oro Specific Plan (S-1-84) and Planned Development (PD-1) zoning district. The zoning provisions that apply to industrial sites, including 3546 Seagate Way, are those of the Rancho del Oro Industrial Master Industrial Development Plan and the Rancho del Oro Business and Industrial Park. These documents permit land uses such as 450.S *Business and professional offices*, but notably medical offices are prohibited.

4. Subdivision Ordinance compliance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance (Articles III, IV, VI and Section 301.C). Pursuant to Section 601 of the Subdivision Ordinance, this Tentative Parcel Map has been prepared in a manner acceptable to the Engineering Department.

DISCUSSION

Issue: *Commercial occupancies, such as Personal Improvement Services, within Industrial Districts.*

Recommendation: The proposed building occupancy (office) and the proposed land use (450.S *Business and professional offices*) are permitted within the Rancho del Oro Business and Industrial Park, the Rancho del Oro Industrial Master Development Plan, and within the IL District. During 2004 and 2005, the building was proposed and approved as a two-story office building. The proposed occupancy is consistent with previous applications. The site provides adequate parking for the proposed land use and has been suitably conditioned regarding outdoor activities, such as storage.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt pursuant to Article 19 Categorical Exemptions, Section 15301(k) for the division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record within a 1,500-foot radius of the subject property, individuals and or organizations requesting notification, applicant and other interested parties. As of February 20, 2008, no communication supporting or opposing the request has been received.

SUMMARY

The proposed Tentative Parcel Map P-7-07 as conditioned is consistent with the requirements of the Subdivision Ordinance, the Zoning Ordinance, the Rancho del Oro Specific Plan, and the land use policies of the General Plan. The project has been conditioned to meet or exceed all applicable development standards. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached Resolution. Staff recommends that the Planning Commission:

-- Adopt Planning Commission Resolution No. 2008-P09 approving Tentative Parcel Map P-7-07 with findings and conditions of approval attached herein.

PREPARED BY:

Juliana von Hacht
Associate Planner

REVIEWED BY:
Richard Greenbauer, Senior Planner

SUBMITTED BY:

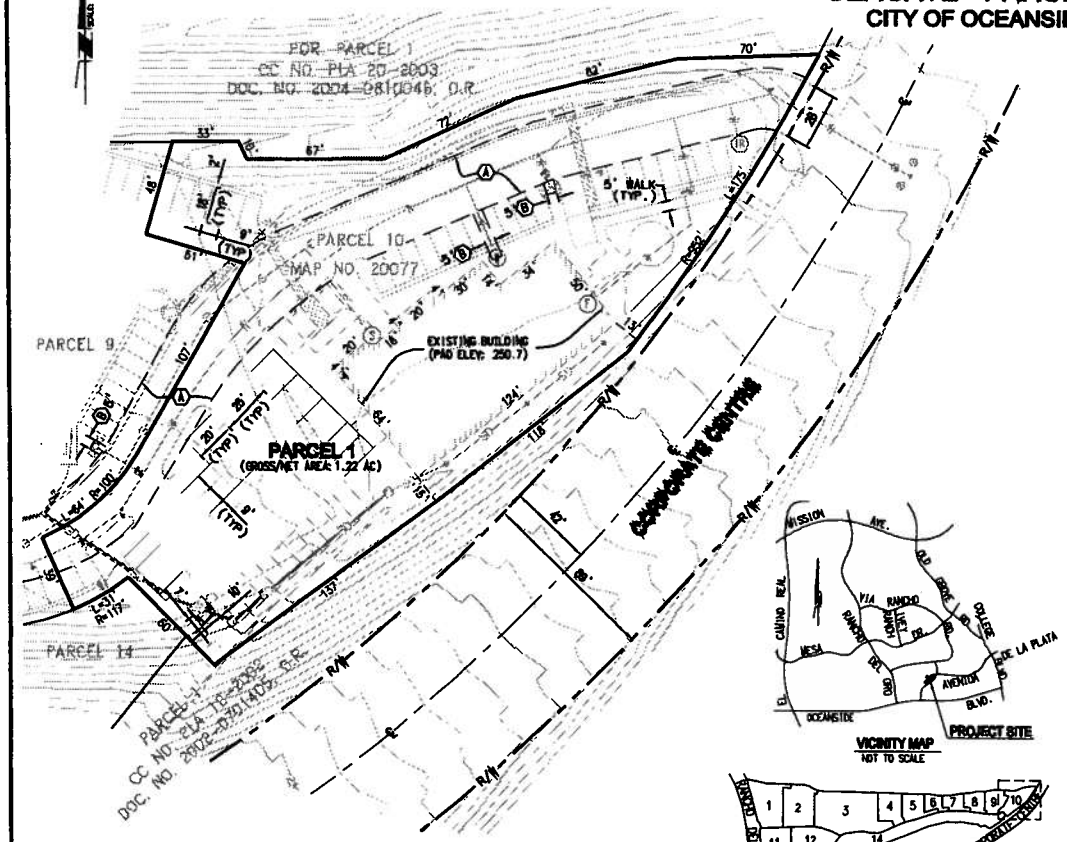
Jerry Hittleman
City Planner

JH/JH/fil

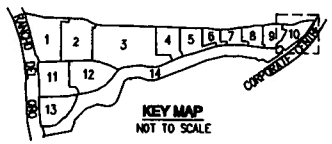
Attachments:
1. Site Plan and Elevations
2. Planning Commission Resolution No. 2008-P09

SHEET 1 OF 1

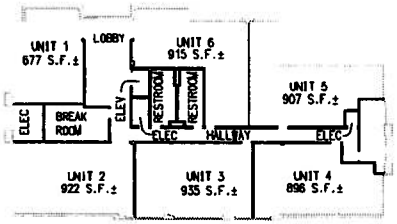
TENTATIVE PARCEL MAP (P-7-07)
FOR CONDOMINIUM PURPOSES
SEAGATE - PARCEL 10
CITY OF OCEANSIDE



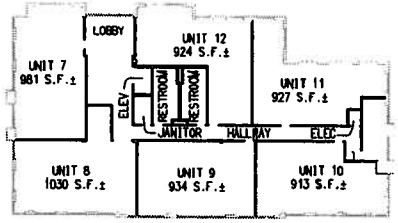
VICINITY MAP
NOT TO SCALE



KEY MAP
NOT TO SCALE



FIRST FLOOR



SECOND FLOOR

GENERAL NOTES

1. EXISTING LAND USE: LIGHT INDUSTRIAL
2. PROPOSED LAND USE: LIGHT INDUSTRIAL
3. EXISTING ZONING: IL
4. ADJACENT LAND USE: OPEN SPACE, LIGHT INDUSTRIAL
5. SEWER AND WATER SERVICE PROVIDED BY THE CITY OF OCEANSIDE.
6. IF ANY, ALL PUBLIC STREET IMPROVEMENTS, AND STORM DRAIN FACILITIES WILL BE IN CONFORMANCE AND CONSTRUCTED PER CITY OF OCEANSIDE STANDARDS.
7. ALL UTILITIES ARE UNDERGROUND, AND PROVIDED BY:
   GAS.....SAN DIEGO GAS AND ELECTRIC CO.
   ELECTRICAL..SAN DIEGO GAS AND ELECTRIC CO.
   TELEPHONE...SBC
   CABLE TV....COX CABLE
8. UTILITY DESIGN IS IN COMPLIANCE WITH WATER, SEWER, AND STORM DRAIN MASTER PLAN.
9. THE PROJECT SITE LIES WITHIN THE OCEANSIDE UNIFIED SCHOOL DISTRICT.
10. ALL SLOPES ARE CONSTRUCTED AT A RATIO OF 2:1 UNLESS OTHERWISE NOTED.
11. TOPOGRAPHY PROVIDED BY RBF CONSULTING, FEBRUARY, 2007.
12. ASSESSOR'S PARCEL NUMBER: 162-600-15 AND 162-600-10.
13. DEVELOPMENT ENTITLEMENT AS PER RESOLUTION 2005-P2
14. ACCESS TO PARCEL HEREON WILL BE SERVED BY A RECIPROCAL ACCESS EASEMENT COVERING PARCELS 1 THROUGH 13 OF PARCEL MAP 20077.
15. EXISTING HYDROLOGY REPORT PREPARED BY RBF CONSULTING, DATED JULY 28, 2005.
16. EXISTING GEOTECHNICAL REPORT PREPARED BY LEIGHTON AND ASSOCIATES, INC. UNDER PROJECT NO. 04111-001 DATED MAY 9, 2005 AND REVISED OCTOBER 21, 2005.
17. EXISTING LANDSCAPING - 12%
18. EXISTING BUILDING COVERAGE - 14% (7,628 SF)
19. PROPOSED GRADING - NONE
20. THE SQUARE FOOTAGE OF THE CONDOMINIUM UNITS SHOWN HEREON ARE GROSS SQUARE FOOTAGE.
21. STORM WATER MITIGATION PLAN PREPARED BY RBF CONSULTING, DATED OCTOBER 4, 2004.
22. FLOOD ZONE DESIGNATION: ZONE X.

LEGEND

(A) DENOTES A SANITARY SEWER AND WATER EASEMENT DEDICATED TO THE CITY OF OCEANSIDE ON PARCEL MAP 20077, A RECIPROCAL ACCESS EASEMENT, AND A PRIVATE UTILITY EASEMENT

(B) DENOTES A WATER EASEMENT DEDICATED TO THE CITY OF OCEANSIDE ON PARCEL MAP 20077

	EX. FIRE HYDRANT
F	EX. FIRE SERVICE
S	EX. SEWER SERVICE
W	EX. WATER SERVICE
SD	EX. STORM DRAIN LINE
S	EX. SEWER LINE
W	EX. WATER LINE
MAP No. 20077	EXISTING MAP NUMBER
PARCEL 1	EXISTING PARCEL NUMBER
PARCEL 1	PROPOSED PARCEL NUMBER
	PROPOSED PARCEL LINE
R/W	RIGHT-OF-WAY LINE
	EASEMENT LINE

BENCH MARK

CITY OF OCEANSIDE BENCHMARK AD-40

FOUND CHISELED SQUARE ON TOP OF CURB, W.P.C. OF NORTHWEST CURB RETURN OF MESA DRIVE AND VANILLA WAY, PER CITY OF OCEANSIDE FIELD BOOK 165 PAGE 38 (ELEVATION = 151.30 FEET) 1983 ADJUSTED ELEVATION = 151.25 FEET.

LEGAL DESCRIPTION

IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, BEING PARCEL 10 OF PARCEL MAP NO. 20077, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY.

STATEMENT OF OWNERSHIP

WE, ROCK-SEA LLC, DO HEREBY STATE AND DISPOSE THAT WE ARE THE OWNERS OF THE PROPERTY COMPRISING THIS TENTATIVE PARCEL MAP AND THAT WE HAVE CONSENTED TO THE PREPARATION AND RECORDATION OF SAID MAP AS SHOWN WITHIN THE DISTINCT BORDER LINE.

DATED THIS _____
DAY OF _____, 2007.

BY: ROCKEFELLER GROUP DEVELOPMENT CORPORATION

_____
GREG KORTH
REGIONAL DIRECTOR

OWNER / DEVELOPER:

ROCK-SEA, LLC. /
ROCKEFELLER DEVELOPMENT CORPORATION
1221 AVENUE OF THE AMERICAS
NEW YORK, NY 10020
(949) 468-1808

LAND USE SUMMARY

NUMBER OF LOTS: 1
NUMBER OF UNITS: 12
NUMBER OF PARKING SPACES: 56
GROSS ACREAGE: 1.22 ACRES

REGISTERED PROFESSIONAL ENGINEER
TIMOTHY V. TYLER
No. C60283
Exp. 06-30-08
CIVIL
STATE OF CALIFORNIA

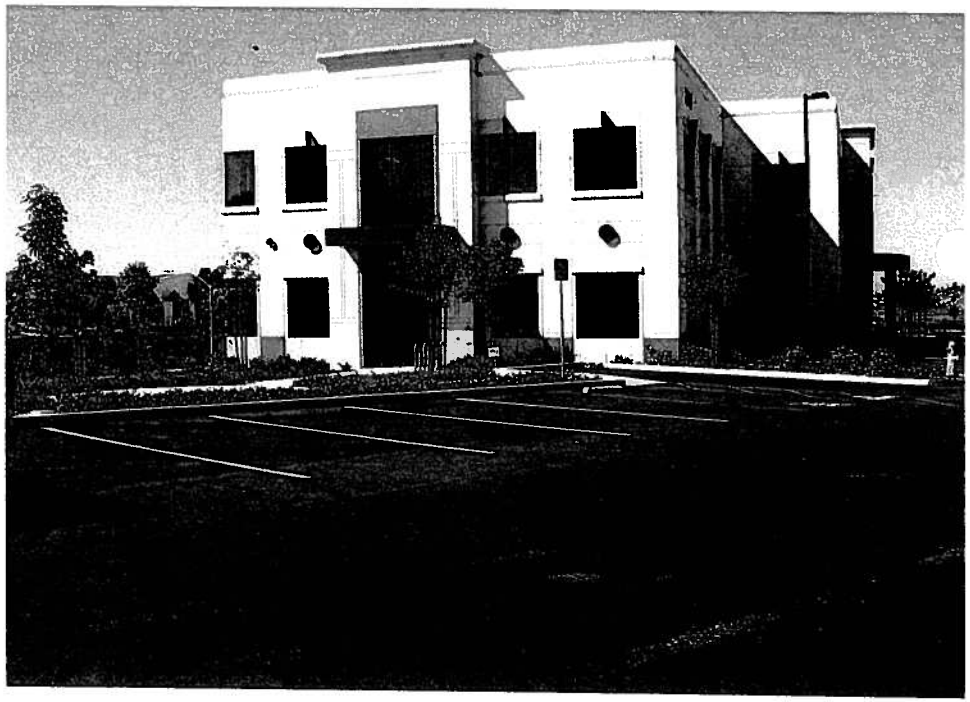
DATE PREPARED:
DECEMBER 11, 2007

RBF CONSULTING

J.N. 55-100423

H:\PDATA\55100423\CADD\DLV\001-10N.DWG KHAKER 2/21/08 9:38 am

NO PARKING



PLANNING COMMISSION
RESOLUTION NO. 2008-P09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATIVE PARCEL MAP ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO:	P-7-07
APPLICANT:	Rock-Sea LLC
LOCATION:	3546 Seagate Way

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 Tentative Parcel Map and Development Plan under the provisions of Articles 13 and 30 of the Zoning Ordinance of the City of Oceanside and Articles III, IV, and VI of the Subdivision Ordinance to permit the following:

the subdivision of an existing 15,294-square foot building, situated on Parcel 10 of Parcel Map 20077, into 12 industrial condominium units;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 25th day of February, 2008 conduct a duly advertised public hearing as prescribed by law to consider said application.

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

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

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

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

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

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

WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside

City Code and the City expressly reserves the right to amend the fees and fee calculations consistent with applicable law;

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

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 Tentative Parcel Map:

1. The proposed subdivision is consistent with the General Plan, including General Plan Goals 1.1, 2.0 and 2.1, and the proposal is consistent with the goals of the Rancho del Oro Specific Plan (S-1-84), the Rancho del Oro Master Industrial Development Plan, and the Rancho del Oro Business and Industrial Park.
2. By reference to Planning Commission Resolution 2005-P22, this 1.22-acre site has been previously found suitable for the development of a 15,000-square foot building.
3. The site is physically suitable to subdivide an existing 15,294-square foot building into 12 condominiums.
4. The proposed subdivision will not cause substantial environmental damage and has been found to be categorically exempt from CEQA.
5. The proposed subdivision will not conflict with easements, acquired by the public at large, for access through or use of, property within Parcel 10 of Parcel Map 20077.
6. The proposed subdivision complies with all other applicable ordinances, regulations, and guidelines of the City of Oceanside, including by not limited the Rancho del Oro Master Industrial Development Plan and the Rancho del Oro Business and Industrial Park

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Tentative Parcel Map (P-7-07) subject to the following conditions:

Fire Prevention:

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

Engineering:

3. In addition to conditions listed herein, all of the conditions listed in Planning Commission Resolution No. 2005-P22 for Tentative Parcel Map No. P-9-04 and Development Plan No. D-21-04 shall remain in effect for the subject property.
4. No new development or revision of previously entitled development shall be permitted with this Tentative Parcel Map.
5. With the exception of the access point approved by the City Engineer, vehicular access rights to Corporate Centre Drive shall be relinquished by the property owner to the City.
6. All right-of-way alignments, street dedications, exact geometrics and widths shall be dedicated and improved as required by the City Engineer.
7. Design and construction of all improvements shall be in accordance with standard plans, specifications of the City of Oceanside and subject to approval by the City Engineer.
8. Prior to issuance of a building permit a phasing plan for the construction of public and private improvements including landscaping, shall be approved by the City Engineer.
9. For the demolition of any existing structures or surface improvements, grading plans shall be submitted and erosion control plans be approved by the City Engineer prior to the issuance of a demolition permit. No demolition shall be permitted without an approved erosion control plan.
10. Legal access shall be provided to all parcels of Parcel Map No. 20077 prior to the recordation of the final parcel map.
11. Prior to approval of the final parcel map, all improvement requirements shall be covered by a subdivision agreement and secured with sufficient improvement securities

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

12. Prior to approval of the final parcel map a phasing plan for the construction of public and private improvements including landscaping, and streets shall be approved by the City Engineer. All improvements shall be under construction to the satisfaction of the City Engineer prior to the issuance of any building permits. All improvements shall be completed prior to issuance of any certificates of occupancy.

13. The subdivision shall be recorded and developed as one. The City Engineer shall require the dedication and construction of necessary utilities, streets and other improvements outside the area of a final parcel map, if such is needed for circulation, parking, access or for the welfare or safety of future occupants of the development.

14. Prior to approval of the final parcel map, the subdivider shall provide the City of Oceanside with a certification from each public utility and each public entity owning easements within the proposed project stating that: (a) they have received from the developer a copy of the proposed map; (b) they object or do not object to the filing of the map without their signature; (c) in case of a street dedication affected by their existing easement, they will sign a "subordination certificate" or "joint-use certificate" on the map when required by the governing body. In addition, the subdivider shall furnish proof to the satisfaction of the City Engineer that no new encumbrances have been created that would subordinate the City's interest over areas to be dedicated for public road purposes since submittal of the project.

15. Where off-site improvements, including but not limited to slopes, public utility facilities, and drainage facilities, are to be constructed, the applicant shall, at his own expense, obtain all necessary easements or other interests in real property and shall dedicate the same to the City of Oceanside as required. The applicant shall provide documentary proof satisfactory to the City of Oceanside that such easements or other interest in real property have been obtained prior to the approval of the final parcel map. Additionally, the City of Oceanside, may at its sole discretion, require that the applicant obtain at his sole expense a title policy insuring the necessary title for the easement or other interest in real property to have vested with the City of Oceanside or the applicant, as applicable.

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

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

18. A minimum of 10 feet parkway shall be provided by the owner of the subject property between the face of curb and the right-of-way line along the development's frontage. Sidewalk improvements shall comply with ADA requirements. A minimum four feet wide continuous strip of the parkway shall be landscaped and maintained by the owner of the subject property in perpetuity to the satisfaction of the City Engineer.

19. Sight distance and clear space easement requirements at the project driveway shall conform to the corner sight distance criteria as provided by SDRSD DS-20A and or DS-20B.

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

21. This project's interior circulation shall remain private and shall be maintained by an association. The pavement sections, traffic indices, alignments, and all geometrics shall meet public street standards.

22. Private reciprocal access, parking, drainage and utility easements shall be recorded over all private driveways and parking lots within the subdivision boundary to the satisfaction of the City Engineer prior to the recordation of the parcel map.

23. Open space areas and down-sloped areas visible from a collector-level or above roadway and not readily maintained by the owner of the nearest condominium unit, shall be maintained by a property owners' association that will insure installation and maintenance of landscaping in perpetuity. These areas shall be indicated on the final parcel map and reserved for an association. Future buyers shall be made aware of any estimated monthly costs. The disclosure, together with the CC&R's, shall be submitted to the City Engineer for review prior to the recordation of the parcel map.

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

25. The development shall comply with all applicable regulations established by the United States Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and stormwater discharge and any regulations adopted by the City pursuant to the NPDES regulations or requirements. Further, the applicant may be required to file a Notice of Intent with the State Water Resources Control Board to obtain coverage under the NPDES. General Permit for Storm Water Discharges Associated with Construction or Industrial Activity and may be required to implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of construction or industrial activities. SWPPPs include both construction and post construction pollution prevention and pollution control measures and identify funding mechanisms for post construction control measures. The developer shall comply with all the provisions of the Clean Water Program during and after all phases of the development process. The applicant shall design the Project's storm drains and other drainage facilities to include

Best Management Practices to minimize non-point source pollution, satisfactory to the City Engineer.

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

27. The Storm Water Mitigation Plan (SWMP) approved for the underlying parcel under Parcel Map No. 20077 and Planning Commission Resolution No. 2005-P22 shall be brought in compliance with current standards by the subdivider's Civil Engineer to the satisfaction of the City Engineer. If deemed necessary by the subdivider's Civil Engineer or by the City Engineer, the subdivider shall prepare and submit a current Operations & Maintenance (O&M) Plan to the to the City Engineer with the first submittal of engineering plans. The O&M Plan shall be prepared by the applicant's Civil Engineer. It shall be directly based on the project's SWMP previously approved by the project's approving authority (Planning Commission/City Council) and any update(s) or amendment(s) approved by the City Engineer. At a minimum the O&M Plan shall include the designated responsible parties to manage the stormwater BMP(s), employee's training program and duties, operating schedule, maintenance frequency, routine service schedule, specific maintenance activities, copies of resource agency permits, cost estimate for implementation of the O&M Plan and any other necessary elements.

28. The Stormwater Facilities Maintenance Agreement approved for the underlying parcel under Parcel Map No. 20077 and Planning Commission Resolution No. 2005-P22 (recorded as Document No. 2006-0577844 on August 14, 2006) shall be brought in compliance with current standards to the satisfaction of the City Engineer and the City Attorney. If deemed necessary, by the City Engineer or the City Attorney, the subdivider shall enter into a new or amended City-Standard Stormwater Facilities Maintenance Agreement with the City obliging the project proponent to maintain, repair and replace the Storm Water Best Management Practices (BMPs) identified in the project's approved SWMP, as detailed in the O&M Plan into perpetuity. The new or amended Agreement, if any, shall be approved by the City Attorney and shall be

recorded prior to approval of the parcel map at the County Recorder's Office. Security in the form of cash (or certificate of deposit payable to the City) or an irrevocable, City-Standard Letter of Credit shall be required. The amount of the security shall be equal to 10 years of maintenance costs, as identified by the O&M Plan, but not to exceed a total of $25,000. The applicant's Civil Engineer shall prepare the O&M cost estimate.

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

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

31. The BMPs described in the project's approved SWMP shall not be altered in any way, shape or form without formal approval by either an Administrative Substantial Conformance issued by the City Planner or the project's final approving authority (Planning Commission/City Council) at a public hearing. The determination of whatever action is required for changes to a project's approved SWMP shall be made by the City Planner.

32. The subdivider shall provide a copy of the title/cover page of the approved SWMP with the first engineering submittal package. All Stormwater documents shall be in compliance with the latest edition of submission requirements.

33. The approval of the tentative parcel map shall not mean that closure, vacation, or abandonment of any public street, right-of-way, easement, or facility is granted or guaranteed to the subdivider. The subdivider is responsible for applying for all closures, vacations, and abandonments as necessary. The application(s) shall be reviewed and approved or rejected by the City of Oceanside under separate process(es) per codes, ordinances, and policies in effect at the time of the application.

Planning:

34. This Tentative Parcel Map (P-7-07) shall expire on February 25, 2010, unless implemented as per the Zoning Ordinance or unless the Planning Commission grants a time extension.

35. This Tentative Parcel Map (P-7-07) approves the subdivision of one 15,294-square foot industrial building into 12 industrial condominium units, 46 required off-street parking spaces and 10 additional off-street parking space, and other improvements, as shown on the plans and exhibits presented to the Planning Commission for review and approval, and as modified by said conditions of approval. No deviation from these approved plans and exhibits shall occur without the approval of the City Planner and/or the Planning Commission. Substantial deviations shall require a revision to the Tentative Parcel Map (P-7-07).

36. Fifty-one (51) off-street parking spaces shall be provided on-site (based upon the 15,294 square feet building having a Business and Professional Office land use that requires one off-street parking space per 300 square-feet of building area).

37. Outdoor storage activities shall comply with Section 3020 of the Zoning Ordinance. Due to the site configuration, an Alternate Outdoor Storage Permit shall not be issued. Outdoor storage of merchandise, materials or equipment shall be permitted within the PD-1 Light Industrial District if the following standards are met:

    a) Storage area shall be less than 35 percent of the unit to which it is associated.

    b) Storage area shall meet the screening requirements of Section 3020(D) and applicable standards of Section 3040.

    c) Storage area shall be located immediately adjacent to the unit's entry door.

    d) Merchandise, materials and equipment shall not be stored in required parking areas, driveways, fire lanes, setback areas, landscape areas, or on sidewalks or walkways.

    e) Storage area shall be limited to materials, products or equipment used, produced, sold or manufactured on the site of a conforming business.

    f) Storage area does not remove native plant habitat and complies with all local, state and federal environmental protection laws.

g) Storage area shall meet all federal, state, regional and City requirements for discharge and drainage including, but not limited to requirements of Regional Water Quality Control Board (RWQCB) and National Pollution Discharge Elimination System (NPDES).

h) There are no hazardous materials stored within the storage area.

i) Storage area is visually buffered. Buffering shall be consistent with the screening of outdoor facilities requirements set forth in Section 3020(D).

j) The storage area and the stored materials are maintained in a clean and orderly manner.

k) Outdoor storage shall not be permitted over night. All goods and materials shall be stored within the building during evening hours. During the hours that the business is closed, all goods and materials shall be stored within the building. Outdoor storage shall be temporary and removed at the end of each business day. Goods and materials shall be located within 5 feet of the unit's building wall.

38. Uses generating additional parking shall not be allowed unless a revision to this permit is first obtained and/or a separate use permit is first granted by the Planning Commission demonstrating that adequate off-street parking is provided on-site.

39. Medical and dental offices are not permitted land uses.

40. Off-street parking spaces for the project site shall be kept available and useable for the parking of owner's, tenant's and/or visitor's automobiles for each building referenced by this permit and/or exhibits.

41. Outdoor storage or display of merchandise of materials shall meet the requirements of the Zoning Ordinance.

42. Building signs are subject to CSP-2-07 Seagate Corporate Center Comprehensive Sign Ordinance.

43. Prior to the recordation of any Final Maps, the applicant and/or permittee shall provide evidence of a recorded reciprocal access agreement for the shared access drive serving each of the 12 units on-site.

44. An association shall be formed and Covenants, Conditions and Restrictions (C.C. & R's) shall provide for the maintenance of all common open space, medians and

commonly owned fences and walls and adjacent parkways. The maintenance shall include normal care and irrigation of landscaping, repair and replacement of plant material and irrigation systems as necessary; and general cleanup of the landscaped and open area, parking lots and walkways. The C.C. & R's shall be subject to the review and approval of the City Attorney prior to the approval of the Final Parcel Map. The C.C. & R's are required to be recorded prior to or concurrently with the Final Parcel Map. Any amendments to the C.C. & R's in which the association relinquishes responsibility for the maintenance of any common open space shall not be permitted without the specific approval of the City of Oceanside. Such a clause shall be a part of the C.C. & R's. The C.C. & R's shall also contain provisions for the following:

a) Prohibition of parking or storage of recreational vehicles, trailers or boats.

b) Maintenance of median landscaping by the Association.

c) Provisions for the maintenance of all common open space and open space easements on private lots, including provisions establishing mechanisms to ensure adequate and continued monetary funding for such maintenance by the homeowners' association.

d) Provisions that restrict any private use of open space easement areas. Restrictions shall include, but are not limited to, removing retaining walls, installing structures such as trellises, decks, retaining walls and other hardscape and any individual landscape improvements.

e) Provisions prohibiting the homeowners association from relinquishing its obligation to maintain the common open space and open space easement areas without prior consent of the City of Oceanside.

f) Provisions requiring compliance with PD-1 Rancho del Oro Industrial Master Development Plan.

g) Provisions requiring compliance with Planning Commission Resolution 2005-P22.

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h) Provisions requiring compliance with Condition 37, as adopted herein.

i) Provisions that identify the quantity of required off-street parking spaces and identify methods for monitoring compliance with Condition 36, as adopted herein.

PASSED AND ADOPTED Resolution No. 2008-P09 on February 25, 2008 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

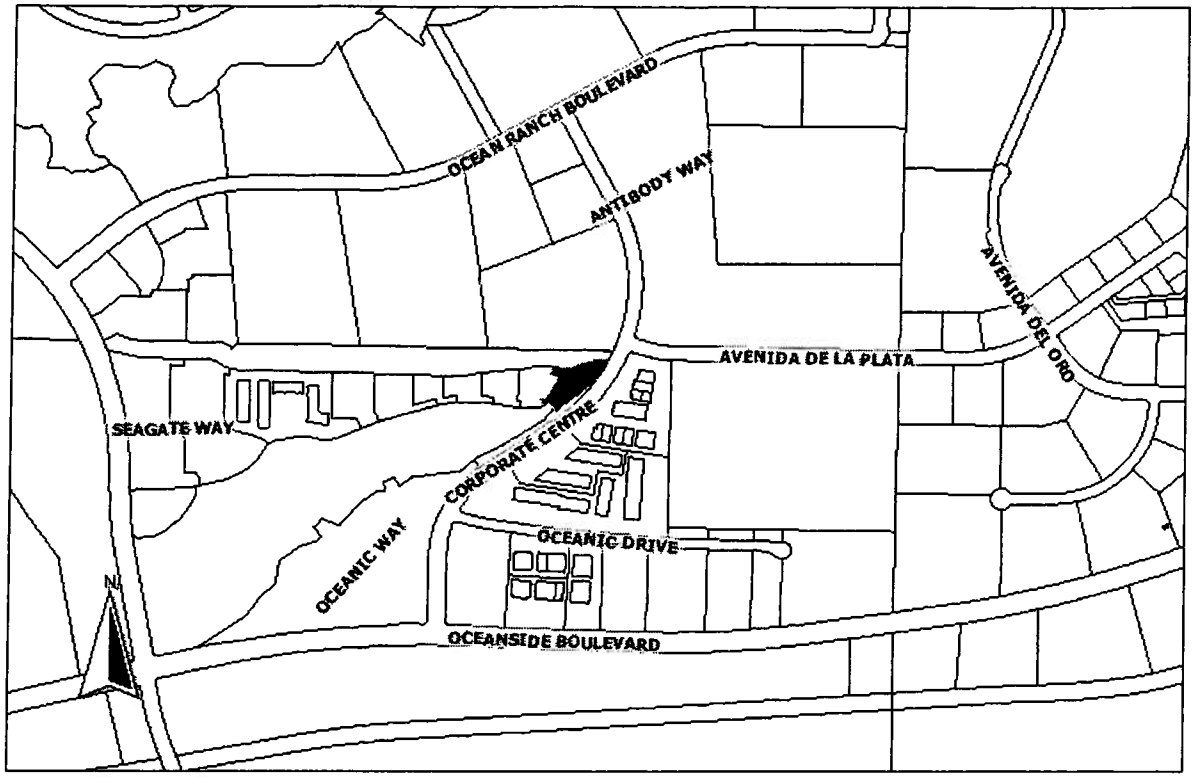
Dennis Martinek, Chairman
Oceanside Planning Commission

ATTEST:

Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2008-P09.

Dated: February 25, 2008



File Number: P-7-07

Applicant: Rock-Sea, LLC

Description:

TENTATIVE PARCEL MAP (P-7-07) to subdivide an existing lot and building to create 12 industrial condominiums on an existing 1.22-acre parcel located at 3546 Seagate Way, which is the southwest corner of Corporate Centre Drive and Seagate Way. The project site is zoned PD-1 (Rancho del Oro Planned Development - Light Industrial) and is situated within the Ivey Ranch/Rancho Del Oro Neighborhood. -- **SEAGATE CORPORATE CENTER**

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

SEAGATE CORP. CNT. PARCEL 10

Application for Public Hearing
Community Development Department / Planning Division
(760) 435-3520
Oceanside Civic Center 300 North Coast Highway
Oceanside, California 92054-2885

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STAFF USE ONLY	
ACCEPTED 9/5/07	BY SN.

Please Print or Type All Information

PART I – APPLICANT INFORMATION

1. APPLICANT ROCK-SEA, LLC	2. STATUS OWNER
3. ADDRESS 1221 AVENUE OF THE AMERICAS NEW YORK, NY 10020	4. PHONE/FAX/E-mail (949) 468-1808
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) RBF CONSULTING	
6. ADDRESS 5050 AVENIDA ENCINAS, SUITE 260 CARLSBAD, CA 92008	7. PHONE/FAX/E-mail (760)476-9193 760 476-9198

HEARING	
GPA	
MASTER/SP.PLAN	
ZONE CH.	
TENT. MAP	
PAR. MAP	P- 7-07
DEV. PL.	
C.U.P.	
VARIANCE	
COASTAL	
O.H.P.A.C.	

PART II – PROPERTY DESCRIPTION

8. LOCATION SOUTHWEST CORNER OF INTERSECTION AT CORPORATE CENTER AND AVENIDA DE LA PLATA	9. SIZE 1.22 ACRES

10. GENERAL PLAN	11. ZONING	12. LAND USE	13. ASSESSOR'S PARCEL NUMBER
LIGHT INDUSTRIAL	IL	IL	162-600-15, 162-600-10

PART III – PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION

TENTATIVE PARCEL MAP FOR CONDOMINIUM ENTITLEMENT PURPOSES.

REV- 11/6/07, 12/11/07, 12/20/07

15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING	17. PROPOSED LAND USE	18. NO. UNITS	19. DENSITY
LIGHT INDUSTRIAL	IL	IL	12	9.8 UNITS/ACRE

20. BUILDING SIZE	21. PARKING SPACES	22. % LANDSCAPE	23. % LOT COVERAGE or FAR
7,628 SF	56	12%	14%

PART IV – ATTACHMENTS

X	24. DESCRIPTION/JUSTIFICATION	X	25. LEGAL DESCRIPTION	X	26. TITLE REPORT
X	27. NOTIFICATION MAP & LABELS	X	28. ENVIRONMENTAL INFO FORM		29. PLOT PLANS
X	30. FLOOR PLANS AND ELEVATIONS		31. CERTIFICATION OF POSTING		32. OTHER (See attachment for required reports)

PART V – SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print):	34. DATE	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).
RBF CONSULTING	08·27·07	

Sign:	35. OWNER (Print)	36. DATE
Kate Maker	Rock-Sea LLC by Tom McGrath	8/22/07

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

Sign: [signature] JULIANA

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Seagate – Parcel 10:
Description and Justification

RBF Consulting is submitting, on behalf of Rock-Sea, LLC, the Tentative Parcel Map for Seagate – Parcel 10. The purpose of the submittal is to entitle the property for condominium purposes.

Parcel 10 is located in the City of Oceanside at the southwest corner of the intersection at Corporate Center Road and Avenida de la Plata. The site contains one existing two-story office building and associated parking lot built as part of the Seagate Corporate Center (D-21-04, P-09-04). The building currently has 12 suites. The 12 suites are to be entitled for commercial condominium purposes. No new units are being created. Both the building structure and parking area are to remain with no modifications. No new improvements are proposed as part of this tentative map submittal.

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is Seagate Way. pw Bldg 10

OCEANSIDE BUILDING DEPARTMENT

300 N. Coast Hwy – (760) 435-3950

APPLICATION & PERMIT

JOB ADDRESS: 3544 SEAGATE WAY	DATE OF APP.: 9/16/05	CONTRACTOR / OWNER-BUILDER: Lusardi Construction	CONTR. STATE LIC. NO.: 207287	VALUATION: 684,100	PERMIT NO.: 169085
PROPERTY OWNER NAME: SEAGATE CORPORATE CENTER, LP.	PHONE: (760) 431-5600	CONTRACTOR'S ADDRESS: 1570 Linda Vista	CONTRACTOR PHONE: 760 744 3138	INSP. AREA: 3 / MAP GRID: 1086-J5	
MAILING ADDRESS (STREET, CITY, ZIP): 5600 AVENIDA ENCINAS #100, CARLSBAD, CA 92008		CITY: S. Marcos CA / STATE: / ZIP CODE: 92069	CITY BUSINESS LIC. #: 3493	PLAN ID NO.: 05-1153	VALIDATION STAMP: MAY 2 2 2006
LOT: 9	SUBDIVISION:	ASSESSOR'S PARCEL NO.: 162-082-34	ARCHITECT / ENGINEER: Smith Arch.	ARCH / ENG LIC. NO.: C11701	STD PLAN: —
TYPE CONST: VN	OCC GROUP: B/S1/F1	OCC LOAD:	FIRE SPRINK: ☑ YES ☐ NO	ARCH / ENG ADDRESS: 12220 El Camino Real #200	ARCH / ENG PHONE: 858 793 4777	USE CODE: OLD	UNITS: —

DESCRIPTION OF WORK: "Seagate Corporate Center" New Concrete Tilt-up Building Two Story

FLOOR AREA: 15,294

STATE CODE EDITION: ☑ 2001 ☐ _____

NEIGHBORHOOD	CENSUS TRACT	COASTAL ZONE	REDEV AREA	HOT WATER CONSERVATION	FLOOD PLAIN	URM / CE CASE/ETC.
A-R	185.08	☐ YES ☑ NO	☐ YES ☑ NO	☐ YES ☑ NO	☐ YES ☑ NO	—

QTY	PLUMBING	EA	Issuance $
10	FIXTURE TRAP		$ 60.00
1	BUILDING SEWER		$ 15.00
2	WATER HEATER		$ 15.00
	GAS SYSTEM		$
1	INSTALL/ALTER/REPAIR WATER PIPE		$ 3.00
1	VACUUM BREAKER/BACKFLOW DEV		$ 7.50
	POOL HEATER/SOLAR		$
	LAWN SPRINKLER SYSTEM		$
			$
	TOTAL PLUMBING		$ 100.50

QTY	MECHANICAL	EA	Issuance $
	INSTALL FURN		$
	EVAP COOLER		$
4	AIR COND/HT PUMP		$ 36.00
	BOILER /COMP		$
	AIR HANDLER		$
2	VENT FAN		$ 9.00
	EXHAUST HOOD		$
			$
	TOTAL MECHANICAL		$ 45.00

QTY	ELECTRICAL	EA	Issuance $
✓	NEW CONST EA AMP ☐ 1 PH. ☑ 3 PH		$
	SERVICE UPGRADE ☐ 1 PH. ☐ 3 PH		
	New 1200 A. - Existing _____ A.		$ 780.00
	REMODEL – NO. CKTS _____		$
	TEMP POWER POLE/PEDESTAL		$
	ADDITIONAL POLES		$
	POWER PEDESTAL		$
			$
	TOTAL ELECTRICAL		$ 780.00

OSHA PERMIT – Required when excavations exceed 5 ft. deep and/or for construction or demolition of structures over 3 stories in height.

EXPIRATION – This permit will expire if the work has not started within one calendar year from the issuance date, or if the work starts and then stops for a period of six months. One extension of up to six months may be granted if requested in writing.

COMPLETION – All work authorized by this permit must be completed within 3 years from the issuance date. A one year extension may be granted by City Council action.

DESCRIPTION	ACCOUNT NO.	AMOUNT
BUILDING PERMIT	274630.4222.00001	$ 2,594 50
PLAN CHECK PAID	274620.4502.00001	$
ALL-INCLUSIVE PERMIT	274630.4222.00002	$
PLUMBING	274630.4222.00003	$ 100 50
ELECTRICAL	274630.4222.00003	$ 780 00
MECHANICAL	274630.4222.00003	$ 45 00
ENERGY PERMIT	274630.4222.00001	$ 259 45
ENERGY PLAN CHECK PAID	274620.4502.00003	$
DISABLED ACCESS PERMIT	274630.4222.00009	$ 155 67
DISABLED ACCESS PC PAID	274620.4502.00002	$
MICROFILM	274610.4501.00003	$ 5 00
SMIP (RESIDENTIAL)	905.2510.22005	$
SMIP (NON-RESIDENTIAL	905.2510.22006	$ 143 85
SIGN PERMIT	274650.4222.0001	$
		$
		$
PARK FEE	5980.4810.00006	$
PUBLIC FACILITIES FEE	5030.4810.00001	$ 10,201 10

NOTE: Drainage, Traffic Signal, and other Engineering Division Fees are collected separately.

TOTAL FEES $ 14,285.07

I certify that I have read this application and state that the information hereon is correct. I agree to comply with all city, county and state laws relating to building construction, and hereby authorize representatives of the City of Oceanside and County of San Diego to enter upon the above-mentioned property for inspection purposes.

APPLICANT SIGNATURE: [signature]

APPLICANT PRINT NAME: Dan Crouch

☐ PROP OWNER ☐ CONTRACTOR ☐ AGENT ☐ BY PHONE/FAX

APPROVED BY: P. Malloy

DATE: 5/22/06

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LEGAL DESCRIPTION

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

PARCEL A:

PARCEL 10 OF PARCEL MAP NO. 20077, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 14, 2006 AS INSTRUMENT NO. 2006-0577840 OF OFFICIAL RECORDS.

RESERVING THEREFROM IN FAVOR OF THE GRANTOR AN EASEMENT AND RIGHT OF WAY FOR RECIPROCAL ACCESS AND PUBLIC UTILITIES AND APPURTENANCES THERETO, OVER, UNDER, ALONG AND ACROSS THOSE PORTIONS OF PARCEL 10 PARCEL MAP 20077, DESIGNATED AND DELINEATED AS "PROPOSED RECIPROCAL ACCESS EASEMENT" AND "PROPOSED PRIVATE UTILITY EASEMENT".

PARCEL B:

AN EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PORTION OF SECTION 21, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERLY TERMINUS OF THE EASTERLY LINE OF PARCEL 2, SHOWN AS NORTH 00 DEGREE 59'59" EAST 2000.05 FEET ON MAP NO. 14168 RECORDED MARCH 15, 2001 AS INSTRUMENT NO. 01-0150424 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE SOUTHERLY ALONG SAID EASTERLY LINE SOUTH 00 DEGREES 59'59" WEST 1999.95 FEET TO THE NORTHEAST CORNER OF SAID SECTION 21; THENCE CONTINUING SOUTHERLY ALONG SAID MAP NO. 14168 SOUTH 00 DEGREE 51'59" WEST 1309.84 FEET TO THE EASTERLY TERMINUS OF THAT LINE SHOWN AS NORTH 88 DEGREES 58'00" WEST 5198.85 FEET ON SAID MAP NO. 14168; THENCE WESTERLY ALONG SAID LINE NORTH 88 DEGREES 58'25" WEST 1733.48 FEET TO THE INTERSECTION OF THE NORTHEASTERLY PROLONGATION OF THAT CERTAIN COURSE SHOWN ON NORTH 38 DEGREES 55'00" EAST 378.00 FEET IN GRANT DEED RECORDED FEBRUARY 23, 2001 AS INSTRUMENT NO. 01-0103813 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE SOUTHWESTERLY ALONG SAID NORTHEASTERLY PROLONGATION AND SAID CERTAIN COURSE SHOWN AS NORTH 38 DEGREES 55'00" EAST 378.00 FEET IN SAID GRANT DEED, SOUTH 38 DEGREES 54'41" WEST 102.45 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID GRANT DEED SOUTH 38 DEGREES 54'41" WEST 301.75 FEET; THENCE LEAVING SAID GRANT DEED NORTH 54 DEGREES 48'18" EAST 305.05 FEET TO THE WESTERLY SIDELINE OF CORPORATE CENTER AS SHOWN ON SAID MAP NO. 14168, BEING A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 958.00 FEET, A RADIAL LINE TO WHICH BEARS SOUTH 56 DEGREES 38'20" EAST; THENCE NORTHERLY ALONG SAID WESTERLY SIDELINE AND SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 4 DEGREES 56'27" AN ARC LENGTH OF 82.61 FEET; THENCE LEAVING SAID WESTERLY SIDELINE SOUTH 88 DEGREES 21'41" WEST 102.84 FEET TO TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN PARCEL A ABOVE.

PARCEL C:

AN EASEMENT AND RIGHT OF WAY FOR RECIPROCAL ACCESS AND PUBLIC UTILITIES AND APPURTENANCES THERETO, OVER, UNDER, ALONG AND ACROSS THAT PORTION OF PARCEL MAP 20077, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER AUGUST 14, 2006 AS INSTRUMENT NO. 2006-0577840 OF OFFICIAL RECORDS, DESIGNATED AND DELINEATED AS "PROPOSED RECIPROCAL ACCESS EASEMENT" AND "PROPOSED PRIVATE UTILITY EASEMENT".

EXCEPTING THEREFROM THAT PORTION LYING WITHIN PARCELS A AND B.

APN: 162-082-44-00 (Old APN) 162-600-10-00 & 162-600-15-00 (New APN's)

NOTICE OF EXEMPTION
City of Oceanside, California

Post Date:
Removal:
(30 days)

1. **APPLICANT:** Rock-Sea LLC
2. **ADDRESS:** 1221 Avenue of the Americas, New York, NY 10020
3. **PHONE NUMBER:** (949) 468-1808
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Juliana von Hacht
6. **PROJECT TITLE:** P-7-07 Seagate Parcel 10
7. **DESCRIPTION:** the subdivision of an existing building to create 12 commercial condominiums

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 the demolition of an existing single-family dwelling. 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,

[X] The project is categorically exempt, Class 1, Existing facilities (Section 15301(k) for the division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt

[ ] The project does not constitute a "project" as defined by CEQA (Section 15378).

Date: 25 Feb 2008

Juliana von Hacht, Associate Planner

cc: [x] Project file [x] Counter file [x] Library Posting: [ ] County Clerk $50.00 Admin. Fee