



DATE: February 9, 2009

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE PARCEL MAP (P-8-08) AND DEVELOPMENT PLAN REVISION (D-26-02REV08) TO SUBDIVIDE A 1.87-ACRE SITE INTO TWO SEPARATE PARCELS AND CONSTRUCT A THREE-STORY 23,260-SQUARE FOOT OFFICE BUILDING LOCATED NORTHEAST OF VALLEY GLEN DRIVE AND VISTA WAY WITHIN THE MIRA COSTA NEIGHBORHOOD – 3186 VISTA WAY PARCEL 2 – APPLICANT: DEI, LLC**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 32, Categorical Exemption “In-Fill Development Projects”; and,
- (2) Adopt Planning Commission Resolution No. 2009-P09 approving the Tentative Parcel Map (P-8-08) and Development Plan Revision (D-26-02REV08) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The subject site consist of 1.87 gross acres and encompasses a three-story mixed-use office building with a restaurant at the first story on the eastern portion of the lot, and a vacant pre-graded pad located directly to the west. The existing three-story mixed-use restaurant and office building located on the eastern portion of the parcel was approved in 2002 by the Planning Commission and was constructed in 2004. The existing commercial structure is comprised of two floors of office space on the upper floors and a restaurant on the first floor. The adjacent vacant pad located at the eastern portion of the lot is relatively flat and was pre-graded at the same time as development of the existing three-story commercial building.

The property is currently comprised of one parcel, which will be subdivided into two parcels as part of the development process.

The underlying land use designation for the subject site is Special Commercial (SC) and the zoning is CS-HO (Commercial Space Highway Orientated). The larger neighborhood area encompassing the project site is the Mira Costa Neighborhood.

Project Description: The project application is comprised of two components; Tentative Parcel Map (P-8-08) and Development Plan Revision (D-26-02REV08), as follows:

Tentative Parcel Map (P-8-08) represents a request for the following:

- (a) To subdivide a 39,558-square foot parcel into two separate commercial lots consisting of :
 - (Parcel 1: 16,298 square feet with an existing three-story mixed-use restaurant and commercial office building)
 - (Parcel 2: 23,260 square feet vacant parcel to be developed with a three-story office building)

Development Plan Revision (D-26-02REV08) represents a request for the following:

- (a) To develop an approximate 0.701-gross acre newly created parcel with a 23,260-square foot, three-story office building with 31 exterior parking stalls around the perimeter of the new building, and the first floor consisting of 12 covered parking stalls and a three-storage areas, and associated site improvements. The building will include a common corridor, roof top deck area, stairs, and common restroom facilities. There will also be an indoor area for employee lunches and breaks. The building offices will be leased and subject to future tenant improvements. This building has been designed in Spanish style architecture, using earth tones and tile accents.

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

- 1. General Plan Land Use Element
- 2. Zoning Ordinance

ANALYSIS – KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation on the subject property is Special Commercial (SC). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

Section 2.24 Special Commercial

Policy A: Special Commercial shall designate commercial sites within and/or adjacent to area with unique characteristics, such as scenic areas, historic areas, freeway off-ramps, the Coastal Zone, and other unique or special areas.

The proposed development of the three-story office building would be consistent with the goals and objectives established in the City of Oceanside's General Plan in terms of the property's location near the Interstate 78 and near the El Camino Country Club and Golf Course, which has been established as a scenic area. Development of the property would not impact the surrounding area, and would provide additional commercial activity in accordance with the General Plan, Zoning Ordinance and the City's fiscal sustainability study.

2. Zoning Compliance

This project is located in the Commercial Space Highway Orientated (CS-HO) District and complies with the requirements of that zoning designation. The following table summarizes proposed and applicable development standards for the project site:

| | DEVELOPMENT REGULATIONS | PROPOSED |
|--------------------|---|---|
| MINIMUM LOT SIZE | 10,000 square feet | Parcel 1: (1.17 acres) Parcel 2: (0.701 acres) |
| OFF-STREET PARKING | 1 per 300 sq. ft. (39 Stalls Required) | 44 parking spaces |
| FRONT YARD | 15 feet | 26.10 feet |
| SIDE YARD | 0 feet | 11.2 feet (north side) 36.1 feet (south side) |
| REAR YARD | 0 feet | 73.1 feet |
| HEIGHT | Max. 50 feet | 45.6 feet |
| LOT COVERAGE | Max. 50% | 27% |
| LANDSCAPING | 15% | 27% |

DISCUSSION

Issue: Are the proposed building elevations out of character with the surrounding improvements?

Recommendation: Staff recognizes that the applicant has proposed a development that would be compatible with the surrounding developments in terms of design and height of the proposed building. This development of the three-story office building would provide infill development that would conform with the visual appearance of the area and provide the type of architecture design that would be consistent with the existing development to the east.

The proposed building elevations will not obscure views of the Ocean or any scenic vista, because the property is at a substantially lower elevation than a majority of the surrounding developments, especially the residential developments to the north and north east of the site along the golf course.

Issue: *Project compatibility with existing surrounding development.*

Recommendation: The proposed project meets or exceeds all of the development regulations set forth in the Zoning Ordinance. In addition, commercial offices are permitted within the Commercial Space Highway Orientated District without obtaining a conditional use permit and the proposed structure will complement the existing development in the area, in both design and intended use.

The following table lists existing land uses surrounding the project site:

| LOCATION | GENERAL PLAN | ZONING | LAND USE |
|-------------------|--------------|--------|--|
| Subject Property: | SC | CS-HO | Proposed offices |
| North: | OS | OS | El Camino Country Club and Golf Course |
| East: | SC | CS-HO | Office uses and Hotel |
| South: | N/A | N/A | Highway 78 |
| West: | SC | CS-HO | Office buildings |

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt pursuant to Class 32, Article 19, Section 15332 In-Fill Development Projects, of the California Environmental Quality Act.

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 5, 2009, no communication supporting or opposing the request has been received.

SUMMARY

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

- Move to approve Tentative Parcel Map (P-8-08) and Development Plan Revision (D-26-02REV08) and adopt Planning Commission Resolution No. 2009-P09 as attached.

PREPARED BY:



Scott Nightingale
Planner II

SUBMITTED BY:



Jerry Hittleman
City Planner

JH/SN/fil

Attachments:

1. Tentative Parcel Map/ Architectural Plans/Conceptual Landscape Plans
2. Planning Commission Resolution No. 2009-P09

SEP - 8 2008
Planning Department

SITE PLAN (PARCEL 2)

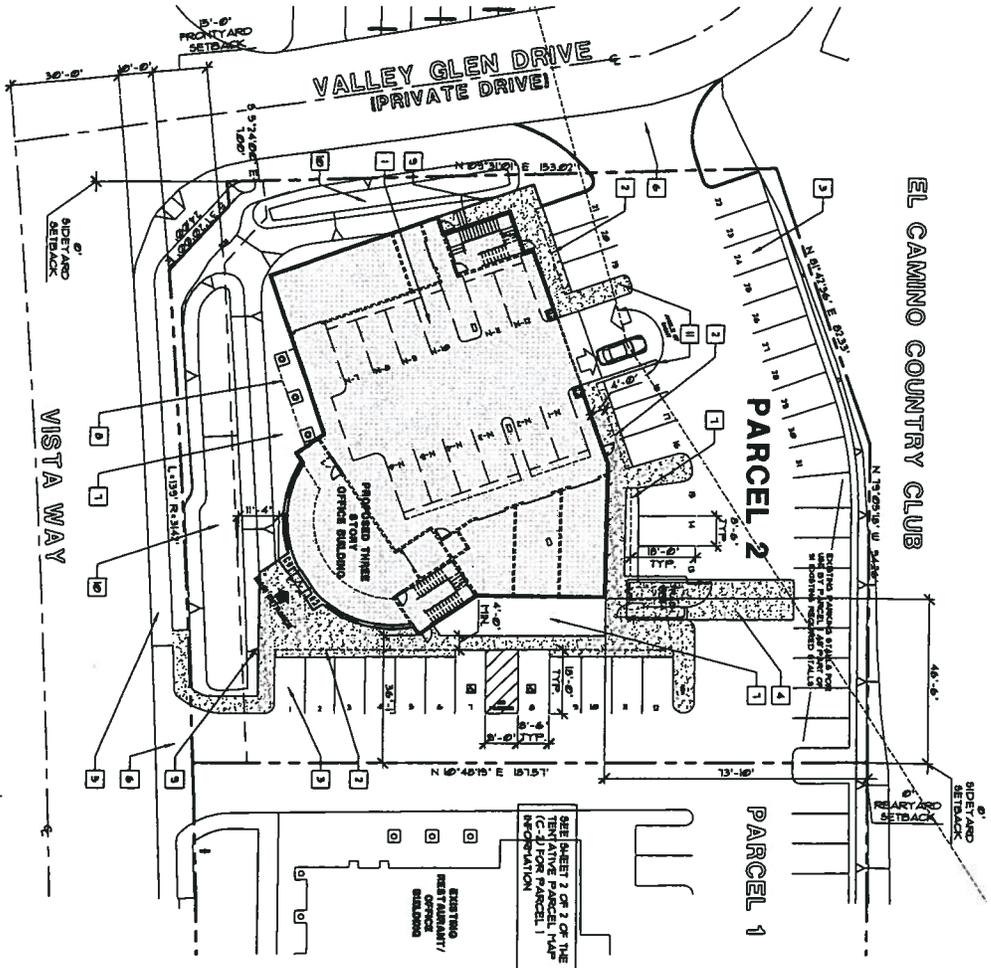
SCALE: 1/8" = 1'-0"

LEGEND:

- DOG EX. FINE HYDRANT
- NEW CONCRETE WALK

SITE PLAN NOTES:

1. NEW PARKING STALLS AT GRADE (800 SQ. FT. TOTAL) ASSIGNED STALLS WITHIN (OVERLAP (TYP))
2. DASHED LINE INDICATING 2'-0" PARKING STALL OVERLAP (TYP)
3. EXISTING ASPHALT PAVED PARKING AREA (TYP. 5.47' DECORATIVE GUARDRAIL OF 32 STALLS)
4. NEW CONCRETE PAVING FOR TRUCK GROUP
5. EXISTING CONCRETE SIDEWALK CURB AND GUTTER
6. EXISTING CONCRETE APPROACH
7. LANDSCAPED PLANTING AREA, SEE LANDSCAPE PLAN
8. DASHED LINE INDICATING DECK ABOVE
9. EXISTING STORMWATER RETENTION GRADE SQUARE
10. RAISED 6" THICK CONCRETE MEDIAN



PROJECT DATA:

| | |
|---------------------------------|--|
| SITE INFORMATION: | 2023 SQ. FT. |
| NO. OF STALLS: | 180 STALLS |
| ZONING INFORMATION: | COTTAGE/CORNER, SPECIAL ZONING |
| GENERAL PLAN: | RESIDENTIAL |
| BACKLASH: | NO |
| FRONT YARD (VISTA WAY): | 5'-0" |
| SIDE YARD (VALLEY GLEN DR): | 5'-0" |
| REAR YARD: | 5'-0" |
| BUILDING HEIGHT PROPOSED: | 48'-0" |
| OFF-STREET PARKING REQUIRED: | 10 STALLS / 200 SQ. FT. OF LEASE SPACE |
| STORAGE: | 1 STALL / 200 SQ. FT. OF LEASE SPACE |
| OFF-STREET PARKING PROVIDED: | 11 STALLS |
| PROPOSED COVERED PARKING: | 8 STALLS |
| TOTAL: | 19 STALLS |
| MAX. ALLOWABLE AREA PER PARCEL: | 1354 SQ. FT. |
| OFFICE (42 STALLS): | 2200 SQ. FT. |
| STORAGE (11 STALLS): | 2200 SQ. FT. |
| PROPOSED AREA PER USE: | 1354 SQ. FT. |
| STORAGE: | 1354 SQ. FT. |

BUILDING INFORMATION:

| | |
|---------------------------------|----------------|
| BUILDING USE: | OFFICE |
| OCCUPANCY CLASSIFICATION: | TYPE V, 1-HOUR |
| CONSTRUCTION TYPE: | TYPE V, 1-HOUR |
| BUILDING GROSS SQUARE FOOTAGES: | 9,414 SQ. FT. |
| FIRST LEVEL: | 1353 SQ. FT. |
| THIRD LEVEL: | 1353 SQ. FT. |
| TOTAL: | 2706 SQ. FT. |
| BUILDING LEASE SQUARE FOOTAGES: | 1612 SQ. FT. |
| FIRST LEVEL (STORAGE): | 9483 SQ. FT. |
| THIRD LEVEL (OFFICE): | 9483 SQ. FT. |
| TOTAL: | 18966 SQ. FT. |

DESCRIPTION OF WORK:

PROVIDED CONSTRUCTION OF A NEW THREE-STORY OFFICE STRUCTURE ON AN EXISTING VACANT LOT. STRUCTURE TO CONSIST OF TWO GRADES OF OFFICE FLOOR SPACE OVER AN EXISTING STORAGE LEASE SPACE AND EXISTING STORAGE LEASE SPACES.

LEGAL DESCRIPTION:

BEING A SUBDIVISION OF PARCEL 2 OF PARCEL 1, 1.75 ACRES, MORE OR LESS, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, FILE NO. 98-03106 OF OFFICIAL RECORDS.

CIVIL ENGINEER:

PHILIP A. BENDER, INC.
11111 JEFFERSON ST., SUITE 301
OCEANSIDE, CA 92054
PHONE: (760) 731-3246
FAX: (760) 731-3246

LANDSCAPE:

DEVELOP LANDSCAPE GROUP
JEFFREY A. SMITH, AIA
1715 JEFFERSON STREET
SUITE 301
OCEANSIDE, CA 92054
PHONE: (760) 731-3246
FAX: (760) 731-3246

SHEET SCHEDULE:

| | |
|-----|---|
| A-1 | COVER SHEET / SITE PLAN |
| C-1 | CIVIL - TITLE SHEET |
| C-2 | CIVIL - TENTATIVE MAP / REVISED DEVELOPMENT PLAN |
| L-1 | LANDSCAPE - PRELIMINARY LAND PLAN |
| L-2 | LANDSCAPE - EXISTING TREE SURVEY |
| L-3 | LANDSCAPE - CONSTRUCTION DETAILS |
| A-2 | LANDSCAPE - EASTMENT PLAN |
| A-3 | BUILDING FLOOR PLANS |
| A-4 | BUILDING ELEVATIONS |
| A-5 | BUILDING SECTIONS |
| C-3 | REFERENCE SHEETS |
| C-4 | TENTATIVE MAP / DEVELOPMENT PLAN, AS PERMISSIBLY APPROVED |

PROJECT ADDRESS:

3186 VISTA WAY
OCEANSIDE, CA 92054

A.P.N.:

65-350-34

LOCATION MAP:



OWNER / APPLICANT:

DEI, LLC
PO BOX 1048
VISTA, CA 92083

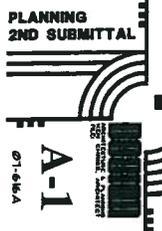
OWNER'S REPRESENTATIVE:

GENEAL PROPERTIES, INC.
4TH FLOOR, SUITE 400
1000 HERBOLD ROAD, SUITE 510
VISTA, CA 92081
PHONE: (760) 731-1488
FAX: (760) 731-1488

ARCHITECT:

4 DESIGN ARCHITECTURE & PLANNING
11111 JEFFERSON ST., SUITE 301
OCEANSIDE, CA 92054
PHONE: (760) 431-7155
FAX: (760) 431-7155

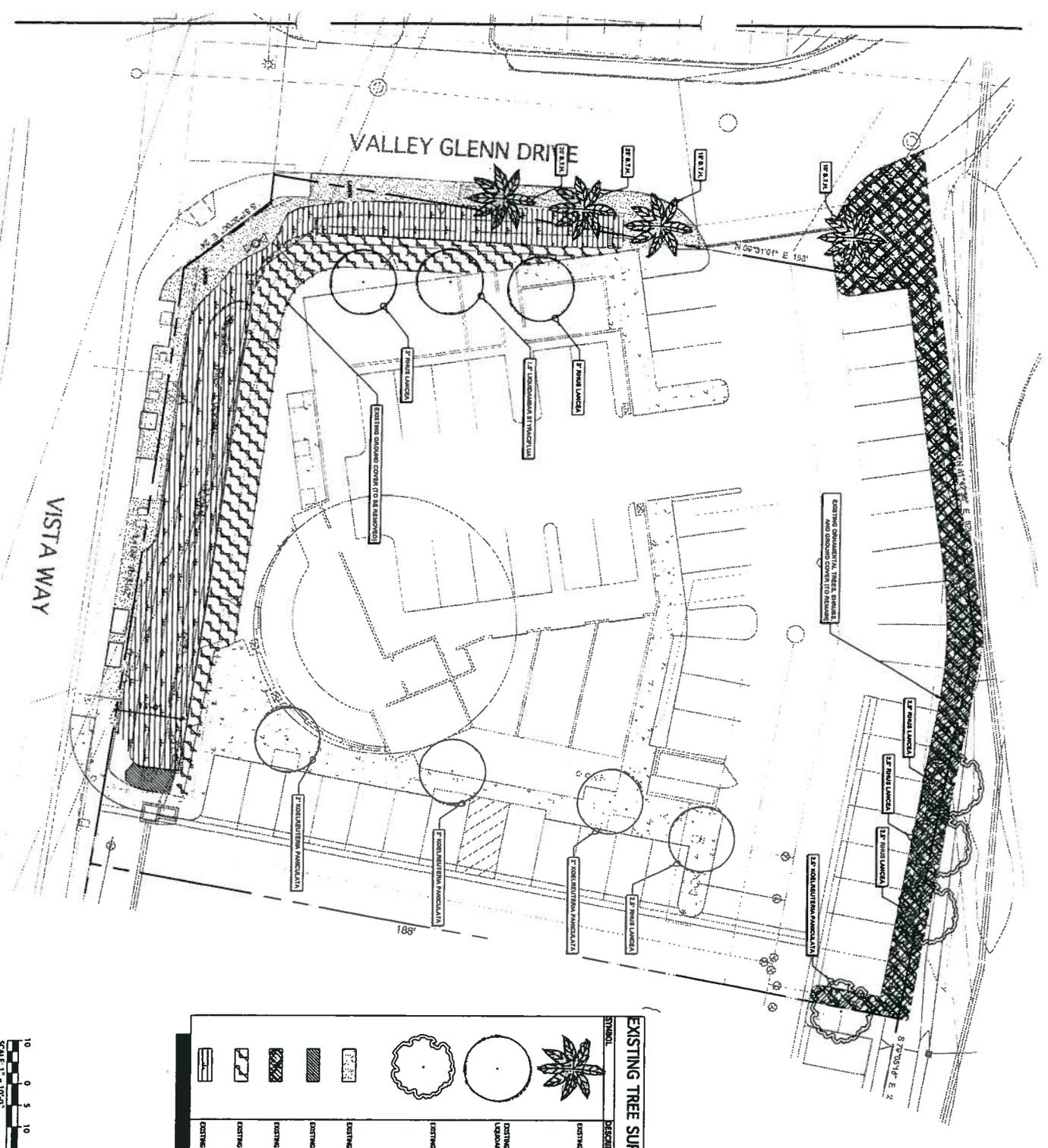
SITE PLAN



PLANNING
2ND SUBMITTAL

A-1

07-45A

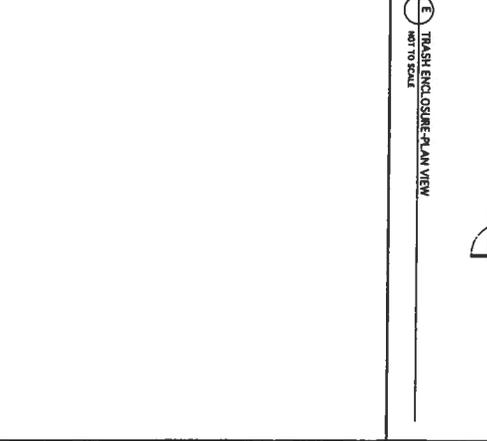
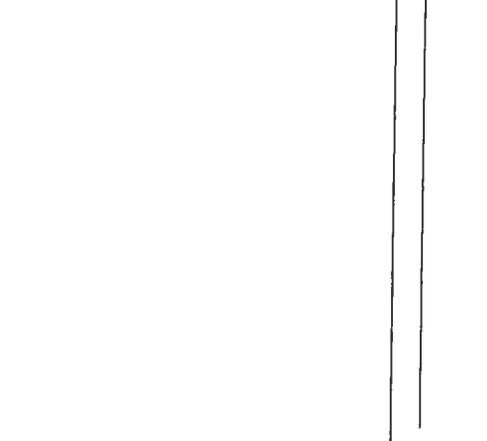
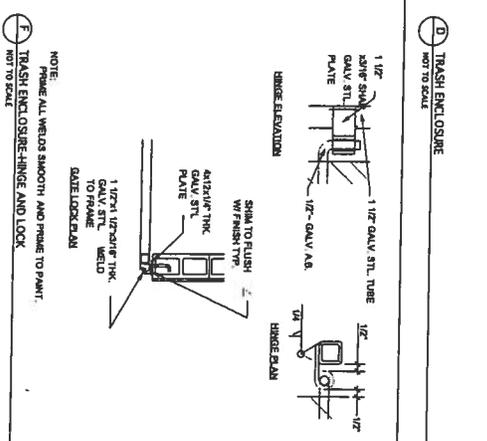
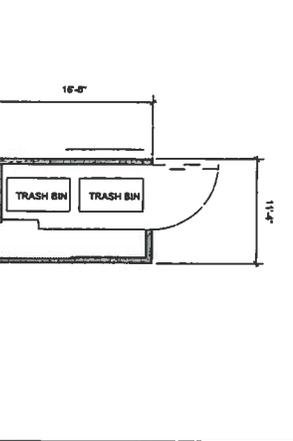
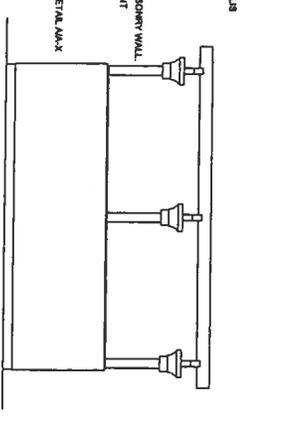
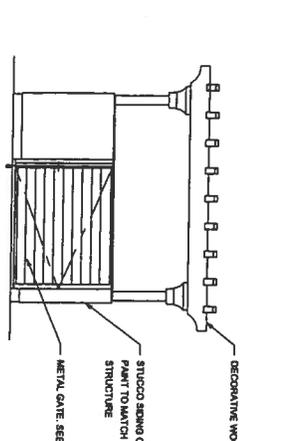
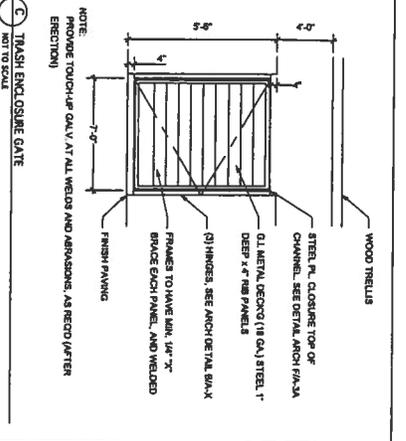
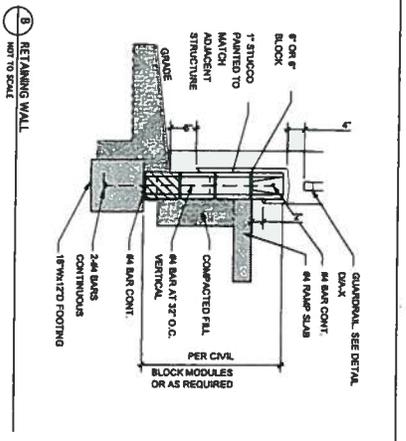
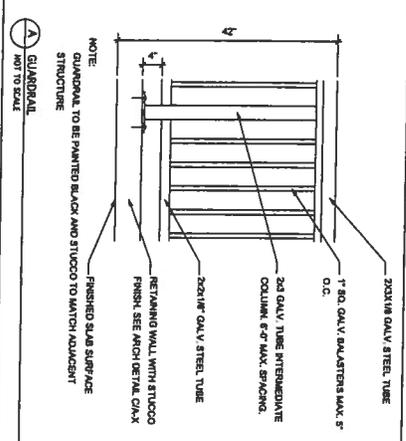


| SYMBOL | DESCRIPTION |
|--------|--|
| | EXISTING MANGROVE ROSETTA PALM TREES TO BE SAVED |
| | EXISTING RED LAGERIA, NON-BENTONIA PAVANICULATA, AND LIQUIDAMBAR STYRACIUM TO BE REMOVED |
| | EXISTING TREES TO BE SAVED AND PROTECTED IN PLACE |
| | EXISTING LAMN (TO BE REMOVED IN PLACE) |
| | EXISTING AGAVE PLANT MATERIAL (TO BE SAVED) |
| | EXISTING ORNAMENTAL TREES, SHRUBS AND ROUND CROWN (TO BE SAVED) |
| | EXISTING ROUND CROWN (TO BE REMOVED) |
| | EXISTING TROPICAL LIND BUSHWALD TO BE SAVED AND TO BE PROTECTED IN PLACE |



PLST DATE: 0-23-00

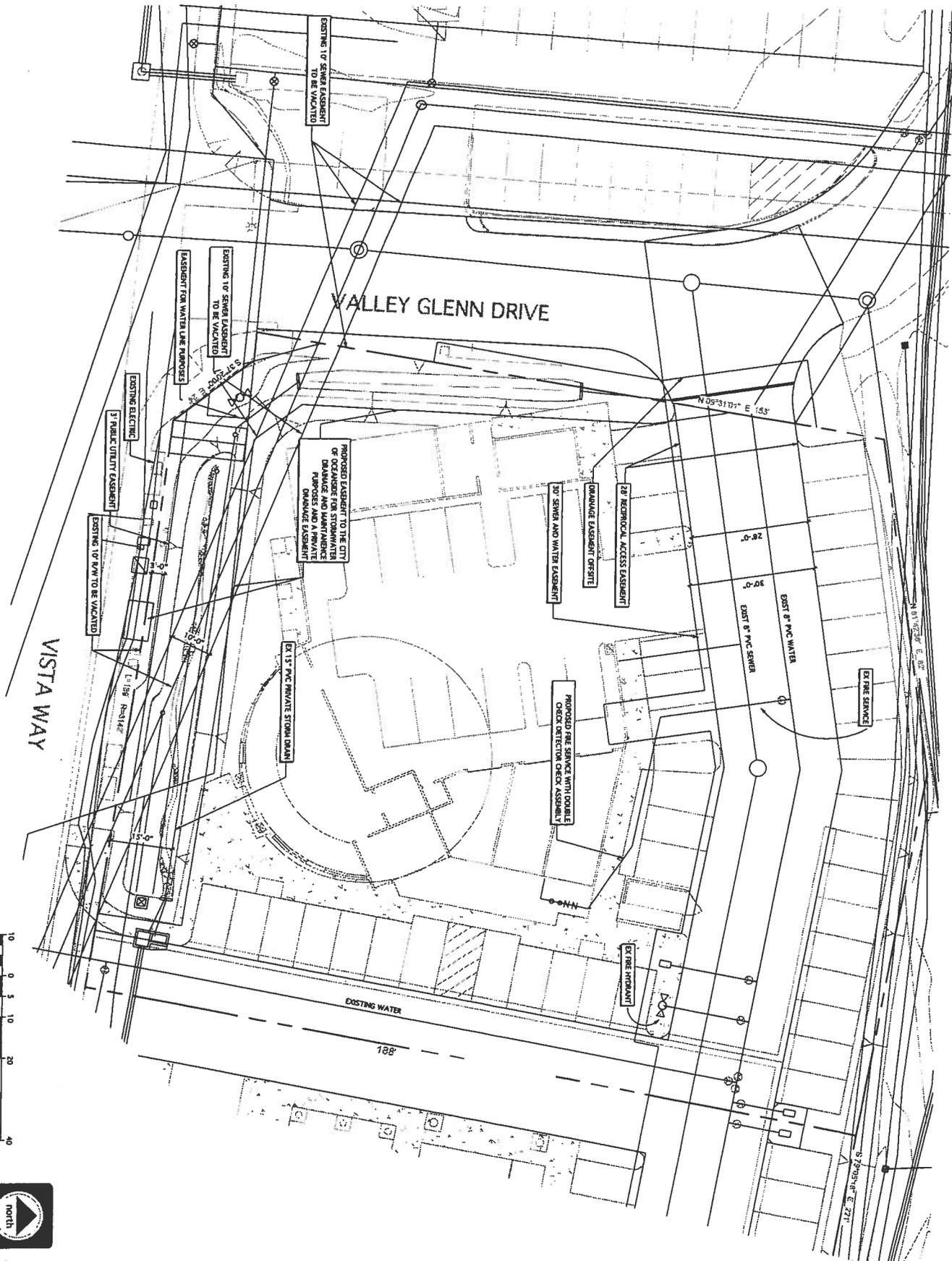
| | | | | | | |
|----------------------------------|---------------------|----------------------|--|---|--|--|
| SHEET 2 OF 1 SHEETS | PROJECT NO.: 08-010 | EXISTING TREE SURVEY | DATE: 7-13-00 SCALE: 1" = 10'-0" DRAWN BY: JES CHECKED BY: JI | VISTA WAY OFFICE BUILDING 3100 VISTA WAY OCEANSIDE, CALIFORNIA | | |
|----------------------------------|---------------------|----------------------|--|---|--|--|



PLPT DATE: 6-23-08

| | | | | | |
|--|--|--|-----------------------------|---------------------------|-----------------------|
| | | | CONSTRUCTION DETAILS | PROJECT NO. 08-018 | SHEET 3 |
| | | | DATE: 7-13-08 | DRAWN BY: ELL | CHECKED BY: ST |

VISTA WAY OFFICE BUILDING
3100 VISTA WAY
OCEANSIDE, CALIFORNIA



VALLEY GLENN DRIVE

VISTA WAY



PLAT DATE: 8-23-06

SHEET 4
OF 4 SHEETS

PROJECTIONS: SCS-810

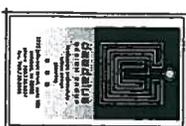
LASPELANT PLAN

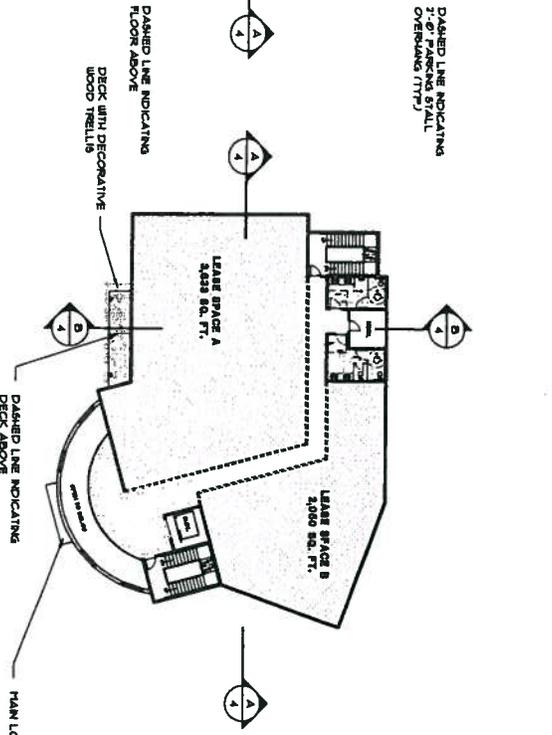
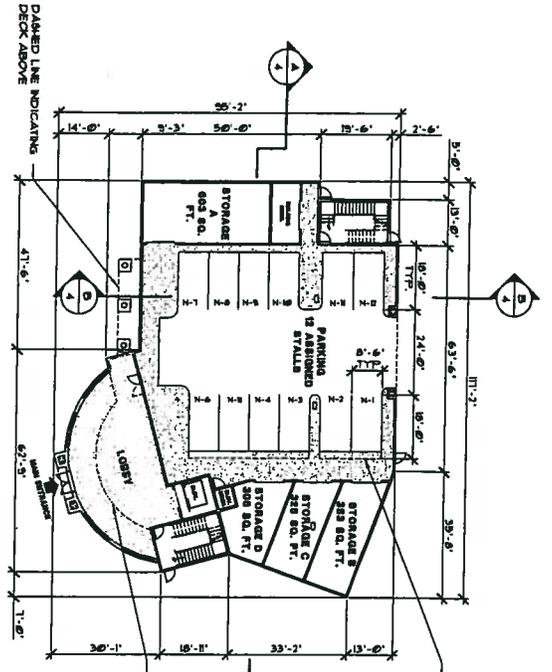
| REVISION | DATE |
|----------|------|
| 1 | |
| 2 | |
| 3 | |
| 4 | |

| DESCRIPTION | DATE |
|-----------------------|---------|
| APPROVAL: J. J. J. J. | 8/23/06 |
| APPROVAL: J. J. J. J. | 8/23/06 |
| APPROVAL: J. J. J. J. | 8/23/06 |

DATE: 7-23-06
SCALE: 1" = 10'-0"
DRAWN BY: J.A.
CHECKED BY: J.S.

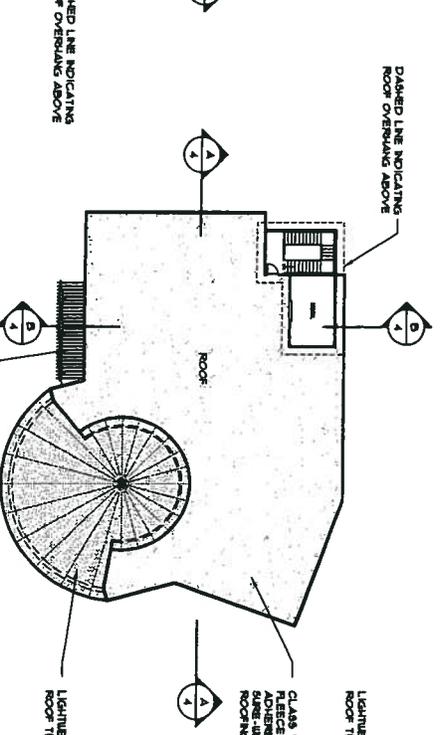
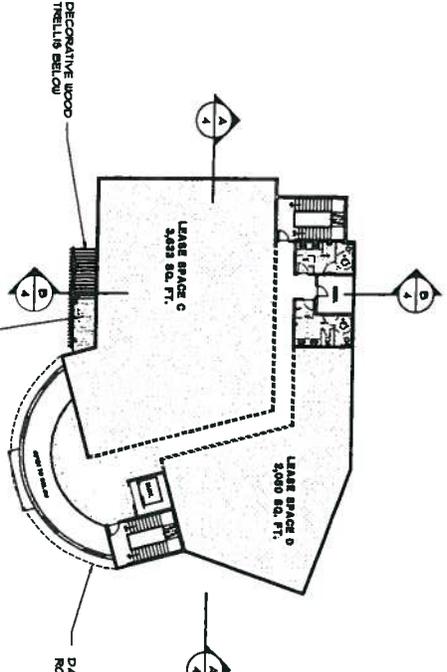
VISTA WAY OFFICE BUILDING
3186 VISTA WAY
OCEANSIDE, CALIFORNIA





BUILDING DATA

| | |
|-------------------------------|----------------|
| FIRST FLOOR GROSS AREA | 9,414 SQ. FT. |
| LEASE STORAGE AREA (D STALLS) | 1,620 SQ. FT. |
| COVERED PARKING (12 STALLS) | 3,671 SQ. FT. |
| SECOND FLOOR GROSS AREA | 1,900 SQ. FT. |
| LEASE SPACE (SUITE A + B) | 4,650 SQ. FT. |
| THIRD FLOOR GROSS AREA | 1,900 SQ. FT. |
| LEASE SPACE (SUITE C + D) | 4,000 SQ. FT. |
| TOTAL GROSS AREA | 23,214 SQ. FT. |
| TOTAL LEASE SPACE | 12,650 SQ. FT. |



BUILDING FLOOR PLANS

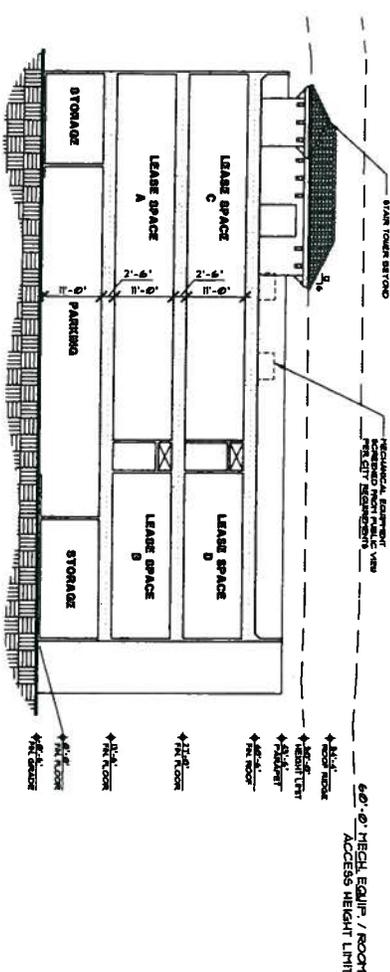
SCALE: 1/8" = 1'-0"
 TOTAL GROSS AREA 23,214 SQ. FT.

BUILDING FLOOR PLANS

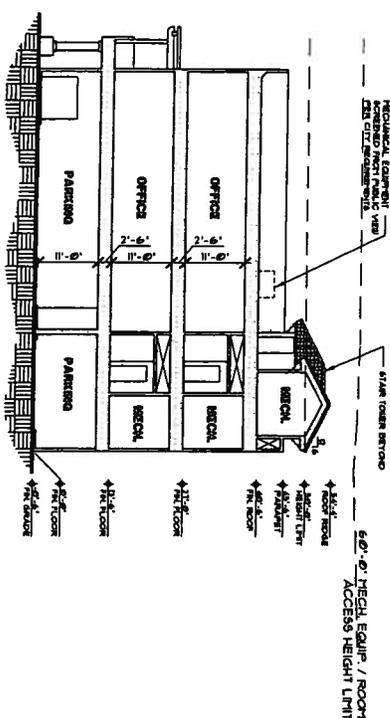
PLANNING 2ND SUBMITTAL

4DESIGN ARCHITECT
 1015 S. GARDEN AVENUE
 ANAHEIM, CA 92805
 714.944.4444
 4DESIGN ARCHITECT
 1015 S. GARDEN AVENUE
 ANAHEIM, CA 92805
 714.944.4444

A-2
 07-165A



SECTION A



SECTION B

BUILDING SECTIONS

SCALE: 3/32" = 1'-0"

CONSTRUCTION OUTLINE

CONSTRUCTION CONSTRUCTION TO BE TYPE V 1-HOUR CONSTRUCTION WITH FIRE SPRINKLERS. FIRST FLOOR, THE FLOOR SHALL HAVE A CONCRETE SLAB THAT IS Poured IN PLACE. OTHER FLOORS, THE FLOOR SHALL BE PLYWOOD OVER TRUSS JOIST.

EXTERIOR WALLS: THE EXTERIOR WALLS SHALL BE 2X6 WITH STYCO FINISH OVER EXPANDED POLYSTYRENE INSULATION. THE EXTERIOR SIDE AND SMOOTH FINISH GYPSUM BOARD AT THE INTERIOR SIDE.

INTERIOR WALLS: THE INTERIOR NONPARTING WALLS SHALL BE 2X4 STEEL FRAMING WITH GYPSUM BOARD COVERING AND A SPLYAT ON SMOOTH FINISH KITCHEN RESTROOMS FLOOR GYPHUM BOARD.

FLOOR: FLOORS TO BE LIGHT WEIGHT CONCRETE OVER WHITE FIBER REINFORCED SYSTEM.

CEILING: THE CEILING SHALL BE GYPHUM BOARD WITH STYCO FINISH OVER EXPANDED POLYSTYRENE INSULATION. THE EXTERIOR SIDE AND SMOOTH FINISH GYPSUM BOARD AT THE INTERIOR SIDE.

INSULATION: ALL THE FINISHED EXTERIOR WALLS TO RECEIVE FIBERGLASS BATT INSULATION AND BATT FLOOR JOIST TO RECEIVE FIBERGLASS INSULATION.

DOORS: EXTERIOR ENTRANCE DOORS TO BE GLASS AND ALUMINUM. INTERIOR DOORS TO BE SOLID CORE METAL DOORS.

GLASS AND GLAZING: ALL WINDOWS TO BE FULL GLAZED LOUVE GLASS ALUMINUM WINDOW WALL SYSTEM WITH FINISH.

PAINTING: EXTERIOR TO BE PAINTED INTERIOR PAINT SHALL BE USED IN ALL KITCHEN AND RESTROOM AREAS. ALL SURFACES TO BE QUALITY MATERIALS.

EXPOSED METAL: ALL METAL THAT IS EXPOSED TO THE EXTERIOR SHALL BE GALVANIZED.

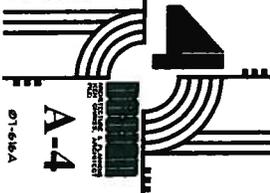
PLUMBING: ALL FIXTURES TO BE AMERICAN STANDARD OR AN APPROVED EQUAL. ALL WATER HEATERS TO BE GAS-FIRED.

MECHANICAL: INSTALL A CENTRAL FORCED AIR HEATING UNIT, HEAT TO BE GAS-FIRED. ALL COOL WALLS BE PER THE VAPOR RETARDATIONAL CODE.

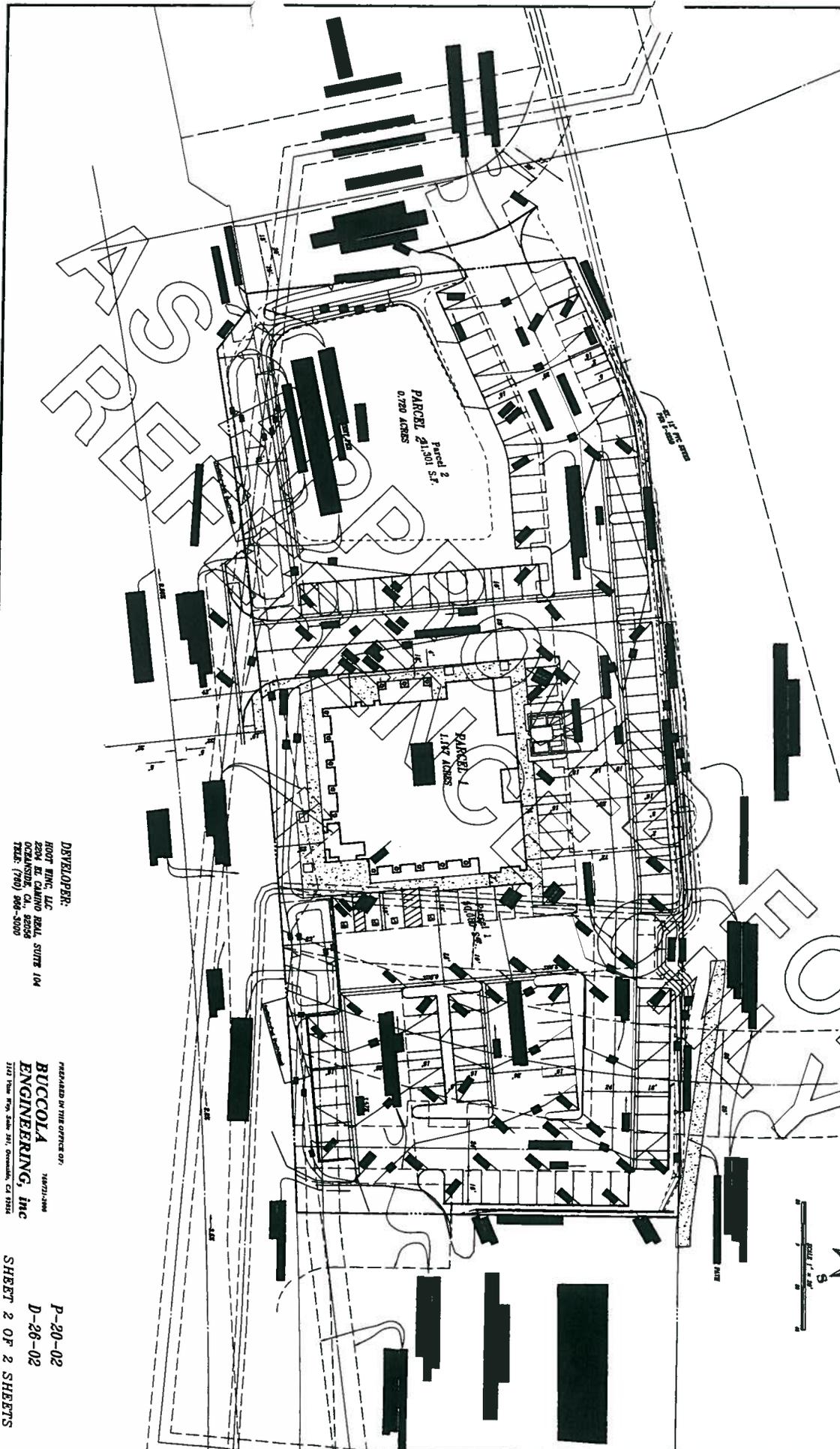
ELECTRICAL: ALL ELECTRICAL WORK TO BE PER CODE. ALL ELECTRICAL CODE, FIRE ALARM SYSTEM, TELEPHONE, AND COMPUTER WITH INTERNET SYSTEM.

BUILDING SECTIONS

PLANNING
2ND SUBMITTAL



TENTATIVE PARCEL MAP and DEVELOPMENT PLAN
for
HOOT WINC - OCEANSIDE



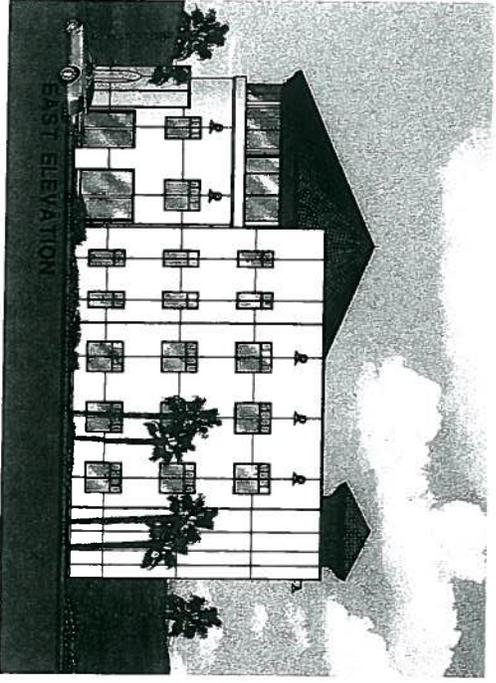
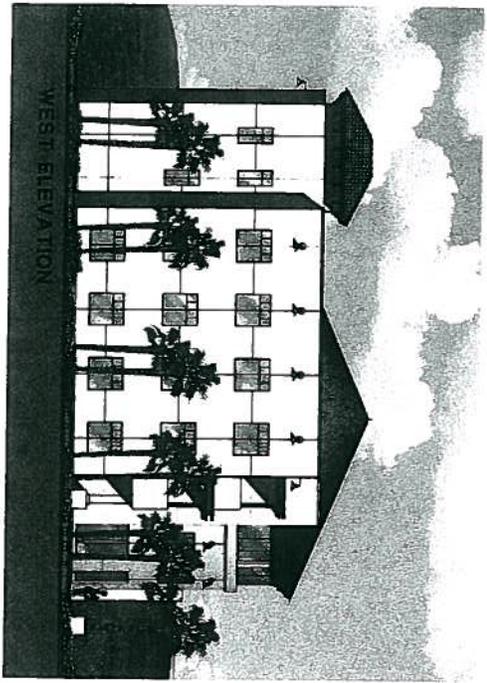
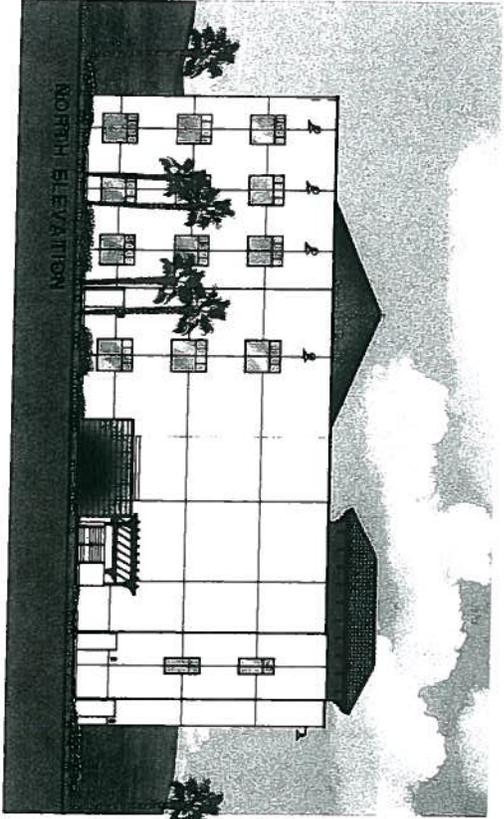
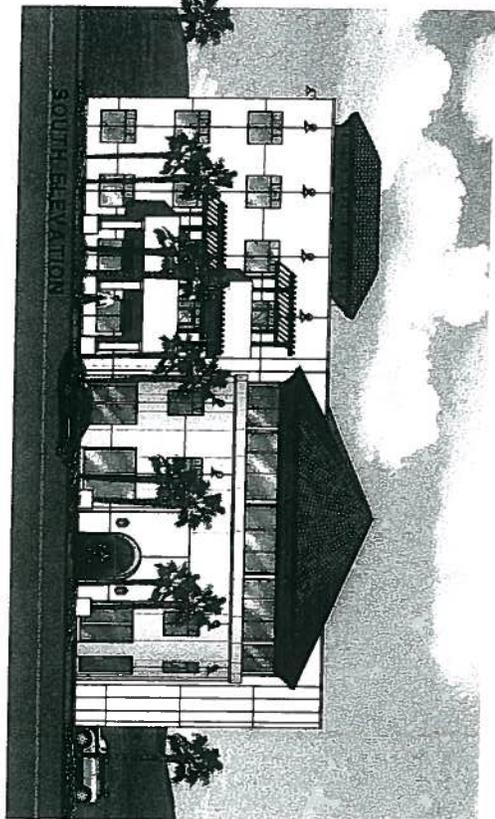
DEVELOPER:
HOOT WINC, LLC REAL, SUITE 104
2504 EL CAMINO
OCEANSIDE, CA, 92054
TEL: (760) 966-3000

PREPARED IN THE OFFICE OF:
BUCCOLA
ENGINEERING, Inc
1117 West 19th, Suite 201, Oceanside, CA 92054

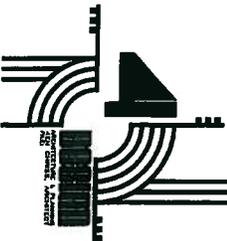
P-20-02
D-26-02
SHEET 2 OF 2 SHEETS

J.N. 100-129

RECEIVED
JUN 05 2008
Planning Department



BUILDING ELEVATIONS

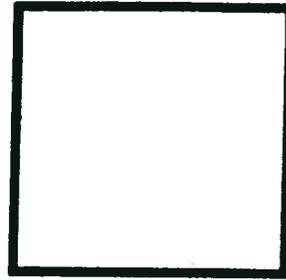


Greene Properties, Inc.
3186 Vista Way
Oceanside, California

COLOR AND MATERIAL BOARD



ROOFING
CLAY TILE
US TILE CARMEL BLEND

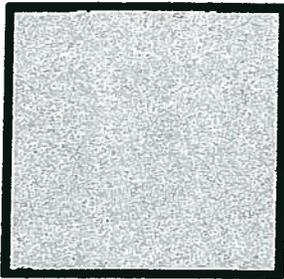


STUCCO
898(1) FEATHER
VISTA PAINT

RECEIVED

JUN 05 2008

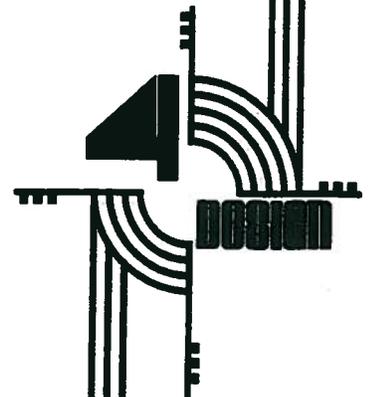
Planning Department



WINDOWS AND DOORS
ALUMINUM
METALLIC SILVER FINISH



WOOD
84(4) HOOT OWL
VISTA PAINT



1 PLANNING COMMISSION
2 RESOLUTION NO. 2009-P09

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

7 APPLICATION NO: P-8-08, D-26-02REV08
8 APPLICANT: DEI LLC
9 LOCATION: North east of Valley Glen Drive and Vista Way

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 Tentative Parcel Map and Development Plan under
14 the provisions of Articles 11 and 43 of the Zoning Ordinance of the City of Oceanside to permit
the following:

15 the development of a 23,260 square foot three-story office building;
16 on certain real property described in the project description.

17 WHEREAS, the Planning Commission, after giving the required notice, did on the 9th day
18 of February, 2009 conduct a duly advertised public hearing as prescribed by law to consider said
19 application.

20 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
21 Guidelines thereto; this project is not subject to CEQA per Article 19 Section 15332, In-fill
22 Development Projects, and therefore, the project is exempt from CEQA;

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

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

27 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that
28 the project is subject to certain fees, dedications, reservations and other exactions as provided
29 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 | \$0.713 per square foot or \$713 per thousand square feet for non-residential uses |
| School Facilities Mitigation Fee | Ordinance No. 91-34 | \$.42 per square foot non-residential for Oceanside (\$.42 for Vista and 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. Non-residential is \$19,967 for a 2" meter. |
| 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. Non-residential is \$24,444 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;

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

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

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

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

11 FINDINGS:

12 For the Tentative Parcel Map:

- 13 1. The proposed subdivision creates two parcels that are congruent with the Commercial
14 Space Highway Orientated (CS-HO) zoning designation and the policies set forth in
15 Sections 2.24 and 2.27 of the General Plan of the City.
- 16 2. The site is physically suitable to allow for the development of an office building totaling
17 23,260 square feet. The existing site is 1.87-acres and consist of a three story office
18 building with the first story consisting of a restaurant, and the site const of a vacant pre-
19 graded commercial pad to the west. This proposed land subdivision would subdivide the
20 existing 1.87-acres site into two separate parcels consisting of a 1.17-acre lot that would
21 consist of the existing building located at 3186 Vista Way, and the newly created parcel
22 two would consist of a vacant and pre-graded pad of 0.701 –acres
- 23 3. The project was reviewed under the provisions of California Environmental Quality Act
24 (CEQA) and has been found not to be subject to environmental review under Section
25 15332, In-Fill Development Projects.
- 26 4. The design of the parcels or proposed improvements will not conflict with easements,
27 acquired by the public at large for access through the use of property within this
28 subdivision. All access to the property would be reciprocal to the newly created parcels
29 One and Two and would be used for parking and access.
5. The subdivision complies with all other applicable ordinances, regulations and guidelines
of the City, in terms of minimum lot sizes, density, and lot configurations.

1 For the Development Plan Revision:

- 2 1. The site plan and physical design of the project is consistent with the Zoning Ordinance.
3 The development is meeting all setback requirements and is exceeding applicable
4 landscape requirements.
- 5 2. The Development Plan conforms to the policies set forth in Sections 2.24 and 2.27 of the
6 General Plan of the City.
- 7 3. The project site can be adequately served by existing public facilities, services, and utilities.
- 8 4. The project, as proposed, is compatible with the existing and potential development on
9 adjoining properties or in the surrounding neighborhood. Commercial offices are
10 permitted within the Commercial Space Highway Orientated District and will
11 complement the existing development in the area.
- 12 5. The site plan and parameters for the architecture and physical design of the project is
13 consistent with the policies contained within Section 1.2 of the Land Use Element of the
14 General Plan. The development and architecture of the proposed three story office
15 building would be compatible with the uses in the surrounding areas, and would be very
16 similar to the architecture design as the three story office building to the east and the
west of the site.

17 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
18 approve Tentative Parcel Map (P-8-08) and Development Plan Revision (D-26-02REV08)
19 subject to the following conditions:

20 **Building:**

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

- 1 6. All outdoor lighting must 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 building and electrical plans.
- 4 7. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
5 plans.
- 6 8. The developer shall monitor, supervise and control all building construction and supporting
7 activities so as to prevent these activities from causing a public nuisance, including, but not
8 limited to, strict adherence to the following:
- 9 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
10 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work
11 that is not inherently noise-producing. Examples of work not permitted on
12 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
13 producing nature. No work shall be permitted on Sundays and Federal Holidays
14 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
15 Christmas Day) except as allowed for emergency work under the provisions of the
16 Oceanside City Code Chapter 38 (Noise Ordinance).
- 17 b) The construction site shall be kept reasonably free of construction debris as
18 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
19 approved solid waste containers shall be considered compliance with this
20 requirement. Small amounts of construction debris may be stored on-site in a neat,
21 safe manner for short periods of time pending disposal.
- 22 9. Separate/unique addresses will/may be required to facilitate utility releases. Verification
23 that the addresses have been properly assigned by the City's Planning Division must
24 accompany the Building Permit application.
- 25 10. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation
26 will be required at time of plans submittal to the Building Division for plan check.
- 27 11. A private sewer system design must be submitted to the Building Division. and approved
28 prior to the construction of the sewer system. If a gravity flow system is not used, an
29 engineered mechanical system must be submitted and approved by the Planning,
Engineering, Water, and Building Divisions.

1 12. Tenant Improvements or other construction to the existing building requires permits
2 (including all required Inspections and approvals, and Issuance of Certificate of
3 Occupancy) from the Building Division.

4 **Engineering:**

5 13. Vehicular access rights to Vista Way shall be relinquished to the City from all abutting
6 lots except for the project driveway as shown on the tentative parcel map approved by
7 the Planning Commission.

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

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

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

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

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

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- a) Dirt, debris and other construction material shall not be deposited on any public street or within the City’s stormwater conveyance system.
 - b) All grading and related site preparation and construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering related construction activities shall be conducted on Saturdays, Sundays or legal holidays unless written permission is granted by the City Engineer with specific limitations to the working hours and types of permitted operations. All on-site construction staging areas shall be as far as possible (minimum 100 feet) from any existing residential development. Because construction noise may still be intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance also prohibits “any disturbing excessive or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity.”
 - c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site. An alternate parking site can be considered by the City Engineer in the event that the lot size is too small and cannot accommodate parking of all motor vehicles.
 - d) A haul route shall be obtained at least 7 days prior the start of hauling operations and must be approved by the City Engineer. Hauling operations shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.
19. It is the responsibility of the developer/owner to evaluate and determine that all soil imported as part of this development is free of hazardous and/or contaminated material as defined by the City and the County of San Diego Department of Environmental Health. Exported or imported soils shall be properly screened, tested, and documented regarding hazardous contamination.
20. A traffic control plan shall be prepared according to the City traffic control guidelines and approved to satisfaction of the City Engineer prior to the start of work within the City right-of-way. Traffic control during construction of streets that have been opened to public traffic shall be in accordance with construction signing, marking and other

1 protection as required by the Caltrans Traffic Manual and City Traffic Control
2 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless
3 approved otherwise.

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

16 22. Sidewalk improvements shall comply with ADA requirements. The City-maintained
17 ADA ramps must be fully located within the City right-of-way.

18 23. Sight distance requirements at the project driveway or street shall conform to the corner
19 sight distance criteria as provided by SDRSD, DS-20A and or DS-20B.

20 24. The developer/owner shall pay all applicable fees, energy charges, and/or assessments
21 associated with City-owned (LS-2 rate schedule) streetlights and shall also agree to the
22 formulation of, or the annexation to, any appropriate street lighting district.

23 25. This project's Private Drive shall be maintained by an association. The pavement
24 sections, traffic indices, alignments, and all geometrics shall meet public street
25 standards.

26 26. Prior to approval of the grading plans, the developer/owner shall contract with a
27 geotechnical engineering firm to perform a field investigation of the existing pavement
28 on Vista Way. The limits of the study shall be half-street plus 12 feet along the project's
29 frontage. The field investigation shall include a minimum of one pavement boring per

1 every 50 linear feet of street frontage. Should the existing AC thickness be determined
2 to be less than the current minimum standard for AC and Class II Base as set forth in the
3 table for City of Oceanside Pavement Design Guidelines in the City of Oceanside
4 Engineers Manual, the developer/owner shall remove and reconstruct the pavement
5 section as determined by the pavement analysis submittal process detailed in the
6 condition No. 15 listed below.

7
8 27. Upon review of the pavement investigation, the City Engineer shall determine whether
9 the developer/owner shall: 1) Repair all failed pavement sections, header cut and grind
10 per the direction of the City Engineer, and construct a two-inch thick rubberized AC
11 overlay; or 2) Perform R-value testing and submit a study that determines if the existing
12 pavement meets current City standards/traffic indices. Should the study conclude that
13 the pavement does not meet current requirements, rehabilitation/mitigation
14 recommendations shall be provided in a pavement analysis report, and the
15 developer/owner shall reconstruct the pavement per these recommendations, subject to
16 approval by the City Engineer.

17 28. Pavement sections for all streets, 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/owner's soil engineer and must be approved by the City Engineer, prior to
20 paving.

21 29. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
22 construction of the project, shall be repaired or replaced as directed by the City
23 Engineer.

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

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

29 32. The developer/owner shall obtain any necessary permits and clearances from all public
agencies having jurisdiction over the project due to its type, size, or location, including

1 but not limited to the U. S. Army Corps of Engineers, California Department of Fish &
2 Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality
3 Control Board (including NPDES), San Diego County Health Department, prior to the
4 issuance of grading permits.

5 33. The approval of the tentative parcel map shall not mean that proposed grading or
6 improvements on adjacent properties, including any City properties/right-of-way or
7 easements is granted or guaranteed to the developer/owner. The developer/owner is
8 responsible for obtaining permission to grade to construct on adjacent properties.
9 Should such permission be denied, the tentative parcel map shall be subject to going
10 back to the public hearing or subject to a substantial conformity review.

11 34. Prior to any grading of any part of the tract, a comprehensive soils and geologic
12 investigation shall be conducted of the soils, slopes, and formations in the project. All
13 necessary measures shall be taken and implemented to assure slope stability, erosion
14 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
15 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved
16 by the City Engineer.

17 35. This project shall provide year-round erosion control including measures for the site
18 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
19 control plan, designed for all proposed stages of construction, shall be reviewed, secured
20 by the developer/owner with cash securities and approved by the City Engineer.

21 36. A precise grading plan shall be prepared, reviewed, secured and approved prior to the
22 issuance of any building permits. The plan shall reflect all pavement, flatwork,
23 landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,
24 footprints of all structures, walls, drainage devices and utility services. Parking lot
25 striping and any on-site traffic calming devices shall be shown on precise grading plan.

26 37. Landscaping plans, including plans for the construction of walls, fences or other
27 structures at or near intersections, must conform to the intersection sight distance
28 requirements. Landscape and irrigation plans for disturbed areas must be submitted to
29 the City Engineer prior to the issuance of a preliminary grading permit and approved by

1 the City Engineer prior to the issuance of occupancy permits. Any project fences, sound
2 or privacy walls and monument entry walls/signs shall be shown on, bonded for and
3 built from the landscape plans. These features shall also be shown on the precise
4 grading plans for purposes of location only. Plantable, segmental walls shall be
5 designed, reviewed and constructed by the grading plans and landscaped/irrigated
6 through project landscape plans. A pre-construction meeting should be held prior to the
7 start of any improvements. Trash enclosures shall be constructed per the City Standards.

8
9 38. Open space areas and down-sloped areas visible from a collector-level or above roadway
10 and not readily maintained by the property developer/owner, shall be maintained by an
11 association that will insure installation and maintenance of landscaping in perpetuity.
12 These areas shall be indicated on the parcel map and reserved for an association. Future
13 buyers shall be made aware of any estimated monthly costs. The disclosure, together
14 with the CC&R's, shall be submitted to the City Engineer for review prior to the
15 recordation of the parcel map.

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

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
42. Following approval of the Storm Water Mitigation Plan (SWMP) by the City Engineer and prior to issuance of grading permits, the developer/owner shall submit and obtain approval of an Operation & Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer. The O&M Plan shall include an approved and executed maintenance mechanism pursuant to Section 4.1 of the Interim Standard Urban Storm Water Mitigation Plan (ISUSMP). The O&M shall satisfy the minimum maintenance requirements pursuant to Section 4.3 of the ISUSMP. At a minimum the O&M Plan shall include the designated responsible party to manage the stormwater BMP(s), employee 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, a security to provide maintenance in the event of noncompliance to the O&M Plan, and any other necessary elements. The developer/owner shall provide the City with access to site for the purpose of BMP inspection and maintenance by entering into an Access Rights Agreement with the City. The developer/owner shall complete and maintain O&M forms to document all operation, inspection, and maintenance activities. The developer/owner shall retain records for a minimum of five years. The records shall be made available to the City upon request.

20
21
22
23
24
25
26
27
28
29
43. The developer/owner shall enter into a City-Standard Stormwater Facilities Maintenance Agreement with the City obliging the developer/owner 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 Agreement shall be approved by the City Attorney prior to issuance of any precise grading permit and shall be recorded at the County Recorder's Office prior to issuance of any building permit. 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 prior to issuance of a precise grading permit. 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.

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
44. At a minimum, maintenance agreements shall require the staff training, inspection and maintenance of all BMPs on an annual basis. The developer/owner 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 five years. These documents shall be made available to the City for inspection upon request at any time.
45. 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.
46. The BMPs described in the project's approved SWMP shall not be altered in any way, unless reviewed and approved to the satisfaction of the City Engineer. The determination of whatever action is required for changes to a project's approved SWMP shall be made by the City Engineer.
47. The developer/owner shall provide a copy of the title/cover page of an approved SWMP with the first engineering submittal package. The SWMP shall be prepared by the applicant's Civil Engineer. All stormwater documents shall be in compliance with the latest edition of submission requirements.
48. 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 developer/owner. The developer/owner 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. The City of Oceanside retains its full legislative discretion to consider any application to vacate a public street or right-of-way.
49. 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/owner a copy of the proposed parcel map; (b) they object or

1 do not object to the filing of the parcel map without their signature; © in case of a
2 proposed street and or easement dedication affected by their existing easement, they will
3 sign a "subordination certificate" or "joint-use certificate" on the parcel map when
4 required by the governing body. In addition, the developer/owner shall furnish proof to
5 the satisfaction of the City Engineer that no new encumbrances have been created that
6 would subordinate the City's interest over areas to be dedicated for public road purposes
7 since submittal of the project.

8 50. In the event that the conceptual plan does not match the conditions of approval, the
9 resolution of approval shall govern.

10 51. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines
11 and Specifications for Landscape Development (latest revision), Water Conservation
12 Ordinance No. 91-15, Engineering criteria, City code and ordinances, including the
13 maintenance of such landscaping, shall be reviewed and approved by the City Engineer
14 prior to the issuance of building permits. Landscaping shall not be installed until bonds
15 have been posted, fees paid, and plans signed for final approval. The following
16 landscaping requirements shall be required prior to plan approval and certificate of
17 occupancy:

- 18 a) Final landscape plans shall accurately show placement of all plant material such
19 as but not limited to trees, shrubs, and groundcovers.
- 20 b) Landscape Architect shall be aware of all utility, sewer, storm drain easement
21 and place planting locations accordingly to meet City of Oceanside requirements.
- 22 c) All required landscape areas shall be maintained by owner. The landscape areas
23 shall be maintained per City of Oceanside requirements.
- 24 d) Proposed landscape species shall be native or naturalized to fit the site and meet
25 climate changes indicative to their planting location. The selection of plant
26 material shall also be based on cultural, aesthetic, and maintenance
27 considerations. In addition proposed landscape species shall be low water users
28 as well as meet all Fire Department requirements.
- 29

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
- e) All planting areas shall be prepared with appropriate soil amendments, fertilizers, and appropriate supplements based upon a soils report from an agricultural suitability soil sample taken from the site.
 - f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil from the sun, evapo-transpiration and run-off. All the flower and shrub beds shall be mulched to a three-inch depth to help conserve water, lower the soil temperature and reduce weed growth.
 - g) The shrubs shall be allowed to grow in their natural forms. All landscape improvements shall follow the City of Oceanside Guidelines.
 - h) Root barriers shall be installed adjacent to all paving surfaces, where a paving surface is located within six feet of a trees trunk on-site (private) and within 10 feet of a trees trunk in the right-of-way (public). Root barriers shall extend five feet in each direction from the centerline of the trunk, for a total distance of 10 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around the tree's root ball is unacceptable.
 - i) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall obtain Planning Division approval for these items in the conditions or application stage prior to first submittal of working drawings.
 - j) For the planting and placement of trees and their distances from hardscape and other utilities/structures the landscape plans shall follow the City of Oceanside's (current) Tree Planting Distances and Spacing Standards.
 - k) An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low precipitation equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off.
 - l) Irrigation systems shall use high quality, automatic control valves, controllers and other necessary irrigation equipment. All components shall be of non-corrosive material. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters.

- 1 m) All irrigation improvements shall follow the City of Oceanside Guidelines and
2 Water Conservation Ordinance.
3
4 n) The landscape plans shall match all plans affiliated with the project.
5
6 o) Landscape plans shall comply with Biological and/or Geotechnical reports, as
7 required, shall match the grading and improvement plans, comply with SWMP
8 Best Management Practices and meet the satisfaction of the City Engineer.
9
10 p) Existing landscaping on and adjacent to the site shall be protected in place and
11 supplemented or replaced to meet the satisfaction of the City Engineer.

12 52. In the event that the conceptual landscape plan (CLP) does not match the conditions of
13 approval, the resolution of approval shall govern.

14 53. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way
15 and within any adjoining public parkways shall be permanently maintained by the
16 owner, his assigns or any successors-in-interest in the property. The maintenance
17 program shall include: a) normal care and irrigation of the landscaping b) repair and
18 replacement of plant materials c) irrigation systems as necessary d) general cleanup of
19 the landscaped and open areas e) parking lots and walkways, walls, fences, etc. Failure
20 to maintain landscaping shall result in the City taking all appropriate enforcement
21 actions including but not limited to citations. This maintenance program condition shall
22 be recorded with a covenant as required by this resolution.

23 **Fire:**

24 54. Submit a copy of as-built plans on a CD for all projects on the job site.

25 55. A minimum fire flow of 2,000 gallons per minute shall be provided.

26 56. The size of fire hydrant outlets shall be 2 ½" X 2 ½" X 4".

27 57. All proposed and existing fire hydrants within 400 feet of the project shall be shown on
28 the site plan.

29 58. The fire hydrants shall be installed and tested prior to placing any combustible materials
on the job site.

59. Provide on-site hydrants and mains capable of supplying the required fire flow.

- 1 60. The developer shall supply the Fire Department with updated map and hydrant locations
2 in a digital format compatible with the Fire Department's mapping program upon
3 approval of final improvements plans.
- 4 61. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design
5 and Processing Manual Standard Drawing No. M-13.
- 6 62. All weather access roads shall be installed and made serviceable prior to and maintained
7 during time of construction.
- 8 63. The Fire Department access roadway shall be provided with adequate turning radius for
9 Fire Department apparatus a 50-foot outside and 30-foot inside radius.
- 10 64. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per
11 Vehicle Code Section 22500.1 and in accordance with the Fire Department Standard
12 Guidelines for Emergency Access.
- 13 65. A "Knox" key storage box shall be provided for all new construction.
- 14 66. Fire extinguishers are required and shall be included on the plans submitted for plan
15 check.
- 16 67. An approved fire sprinkler system must be installed throughout the building. The
17 system shall be designed per N.F.P.A. 13, and U.B.C. Standard 9-1. The sprinkler
18 system requires 24-hour supervision.
- 19 68. The Fire Department connection shall be located on the address side of the building –
20 unless otherwise determined by the Fire Department. The hydrant shall be located on
21 the same side of the street as the Fire Department connection.
- 22 69. In accordance with the California Fire Code Sec. 505, approved address for commercial,
23 industrial, and residential occupancies shall be placed on the structure in such a position
24 as to be plainly visible and legible from the street or roadway fronting the property.
25 Numbers shall be contrasting with their background.
- 26 70. Commercial buildings and multi-family dwellings require six-inch address numbers.
- 27 71. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
28 approval prior to the issuance of building permits. A site plan indicating the fire access
29 and hydrant locations must also be submitted on CD Rom.
72. Buildings shall meet Oceanside Fire Department's current codes at the time of building
permit application.

1 **Planning:**

- 2 73. Tentative Parcel Map and Development Plan Revision shall expire on February 9, 2011,
3 unless implemented as per the Zoning Ordinance or unless the Planning Commission
4 grants a time extension.
- 5 74. This Tentative Parcel Map (P-8-08) and Development Plan Revision (D-26-02REV08)
6 approves only the development of a 23,260-sqaure foot three-story office building with
7 first floor covered parking on a newly created parcel two consisting of 0.701 acres and
8 development of 1.17-acre parcel known as Parcel 1, as shown on the plans and exhibits
9 presented to the Planning Commission for review and approval. No deviation from these
10 approved plans and exhibits shall occur without City Planner approval. Substantial
11 deviations shall require a revision to the Development Plan revision or a new
12 Development Plan Revision.
- 13 75. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
14 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
15 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
16 annul an approval of the City, concerning Tentative Parcel Map (P-8-08) and
17 Development Plan Revision (D-26-02REV08)). The City will promptly notify the
18 applicant of any such claim, action or proceeding against the city and will cooperate
19 fully in the defense. If the City fails to promptly notify the applicant of any such claim
20 action or proceeding or fails to cooperate fully in the defense, the applicant shall not,
21 thereafter, be responsible to defend, indemnify or hold harmless the City.
- 22 76. A letter of clearance from the affected school district in which the property is located
23 shall be provided as required by City policy at the time building permits are issued.
- 24 77. A covenant or other recordable document approved by the City Attorney shall be prepared
25 by the subdivider and recorded prior to the approval of the final map. The covenant shall
26 provide that the property is subject to this resolution, and shall generally list the conditions
27 of approval.
- 28 78. Prior to the issuance of building permits, compliance with the applicable provisions of the
29 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be
reviewed and approved by the City Planner. These requirements, including the obligation
to remove or cover with matching paint all graffiti within 24 hours, shall be noted on the

1 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
2 property.

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

7 80. Failure to meet any conditions of approval for this development shall constitute a violation
8 of the Parcel Map and Development Plan.

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

14 82. All site lighting shall adhere to the adopted City of Oceanside Light Pollution Ordinance.

15 83. Elevation materials, colors, roofing materials and floor plans shall be substantially the
16 same as those approved by the Planning Commission. These shall be shown on the plans
17 submitted to the Building Division and Planning Division.

18 84. All mechanical rooftop and ground equipment shall be screened from public view as
19 required by the Zoning Ordinance. Prior to issuance of any building permits, the
20 applicant/permittee shall show evidence on a building plan set that all mechanical
21 rooftop equipment is screened from public views.

22 85. Outdoor eating areas shall not be removed or converted. All outdoor eating area
23 furnishings shall be kept in good condition and shall be operable at all times.

24 **Water Utilities:**

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

29 87. The property owner shall maintain private water and wastewater utilities located on
private property.

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

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

17 ///////////////
18 ///////////////
19 ///////////////
20 ///////////////
21 ///////////////
22 ///////////////
23 ///////////////
24 ///////////////
25 ///////////////
26 ///////////////
27 ///////////////
28 ///////////////
29 ///////////////

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

4 PASSED AND ADOPTED Resolution No. 2009-P09 on February 9, 2009 by the
5 following vote, to wit:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

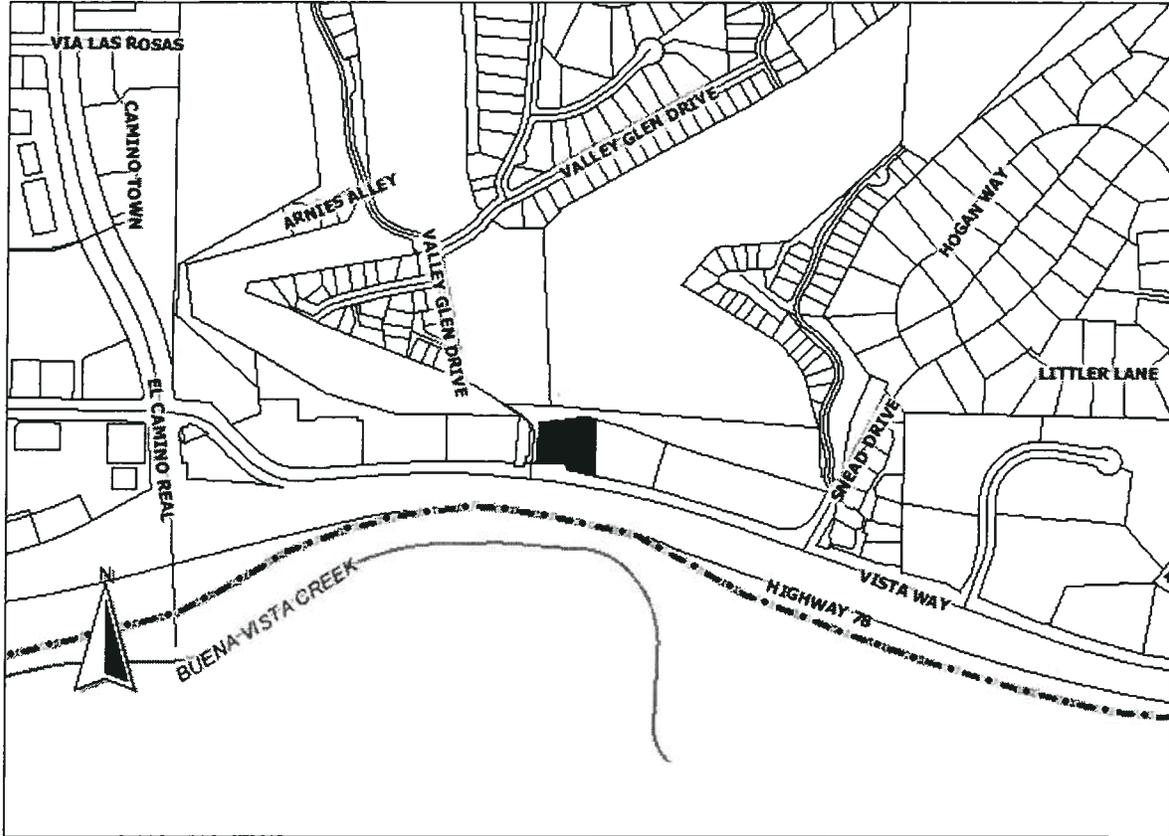
10
11 _____
12 Claudia Troisi, Chairperson
13 Oceanside Planning Commission

14 ATTEST:

15 _____
16 Jerry Hittleman, Secretary

17
18 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
19 this is a true and correct copy of Resolution No. 2009-P09.

20 Dated: _____
21 February 9, 2009
22
23
24
25
26
27
28
29



File Number: P-8-08, D-26-02REV08

Applicant: DEI L.L.C.

Description:

TENTATIVE PARCEL MAP (P-8-08) and DEVELOPMENT PLAN Revision (D-26-02REV08) to subdivide an existing 1.867-acre commercial lot into two separate parcels to construct a 23,260-square foot three-story commercial office building on the newly created 0.701-acre lot located north east of the intersection of Vista Way and Valley Glen Drive and situated within the CS-HO District and the Mira Costa Neighborhood. – **3186 VISTA WAY PARCEL 2**

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 Public Hearing

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

RECEIVED
JUN 05 2008
Planning Department

STAFF USE ONLY

ACCEPTED 6/5/08 BY SN.

Please Print or Type All Information

PART I - APPLICANT INFORMATION

| | |
|---|---------------------------------------|
| 1. APPLICANT DEI L.L.C. | 2. STATUS Owner |
| 3. ADDRESS 1800 Thibodo Rd ste 320 Vista, CA. 92081 | 4. PHONE/FAX/E-mail (760) 727-6888 |
| 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) 4 Design Architecture & Planning | 7. PHONE/FAX/E-mail (760) 433-1785 |
| 6. ADDRESS 707 Mission Ave, Oceanside, Ca. 92054 | |

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

PART II - PROPERTY DESCRIPTION

| | | |
|--|---------------------|----------------------------|
| 8. LOCATION North Side of Vista Way and East of Valley Glen Drive | | |
| 10. GENERAL PLAN Special Commer. | 11. ZONING CS-HO | 12. LAND USE Commercial |

| | |
|-----------------------|--|
| 9. SIZE 1.87 Acres | 13. ASSESSOR'S PARCEL NUMBER 165-350-36 |
|-----------------------|--|

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
Parcel 1 - 16298 sf Existing building with first floor restaurant and two floors of offices above.
Parcel 2 - 23260 sf New building - Main lobby and parking with storage on 1st floor and two floors of offices above.

REV - 9/8/08, 10/24/08

| | | | | |
|---|----------------------------------|---------------------------------------|--|--------------------|
| 15. PROPOSED GENERAL PLAN Special Commercial | 16. PROPOSED ZONING CS-HO | 17. PROPOSED LAND USE Office Space | 18. NO. UNITS N/A | 19. DENSITY N/A |
| 20. BUILDING SIZE Parcel 1 - 16298 S.F. Parcel 2 - 23260 S.F. | 21. PARKING SPACES 135 Spaces | 22. % LANDSCAPE 27% | 23. % LOT COVERAGE or FAR 48.5% (FAR) | |

PART IV - ATTACHMENTS

| | | |
|--|--|--|
| <input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION | <input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION | <input checked="" type="checkbox"/> 26. TITLE REPORT |
| <input checked="" type="checkbox"/> 27. NOTIFICATION MAP & LABELS | <input checked="" type="checkbox"/> 28. ENVIRONMENTAL INFO FORM | <input checked="" type="checkbox"/> 29. PLOT PLANS |
| <input checked="" type="checkbox"/> 30. FLOOR PLANS AND ELEVATIONS | <input checked="" type="checkbox"/> 31. CERTIFICATION OF POSTING | 32. OTHER (See attachment for required reports) |

PART V - SIGNATURES

| | | | |
|--|---|--|--|
| 33. APPLICANT OR REPRESENTATIVE (Print): KATHARINE S. ISSA | 34. DATE 5/9/08 | 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). | |
| Sign: <i>Katharine S Issa</i> | 35. OWNER (Print): KATHARINE S. ISSA | 36. DATE 5/9/08 | |
| I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. | | Sign: <i>Katharine S Issa</i> | |

RECEIVED

JUN - 5 2008

RECEIVED

7/26/2007
Planning Department

JUN 4 2008

3186 Vista Way – Parcel 2 Oceanside

June 2008
Tentative Parcel Map/ Revised Development Plan
Description and Justification

This is a request for a Tentative Parcel Map and a revision to an approved Development Plan (P-20-02 and D-26-02) to provide construction of a new three story office structure on Parcel 2.

The project site will be Parcel 2 at 3186 Vista Way in Oceanside, California, A.P.N. number 165-350-36. Currently, there is no structure on this parcel.

The existing three story structure located on Parcel 1 was approved in 2002 and constructed in 2004. The structure houses two floors of office lease space on the upper floors with a restaurant on the ground floor. The exterior design is a mission style structure of stucco and concrete tiles with arched entry ways and columned patios. The ground floor has a large window wall system and the upper office spaces have smaller openings with matching styles.

The proposed new mission style structure will be on the vacant parcel at the corner of Vista Way and the private drive to El Camino Country Club, Valley Glen Drive, which was left undeveloped from the original approval.

This structure has been designed to reflect the exterior architectural elements of the existing structure in height, color, finishes, arches, window styles, and columns. The structure's main lobby entry on the grade level will be centered on a semi-circled three story common use atrium. This entry is to give the structure a strong, visible identity for the upper floor lease office spaces from Vista Way and state road 78. The proposed and existing structures will utilize the existing surface parking stalls constructed during the initial phase of the project.

The ground floor will include 12 assigned, secure parking stalls in an open garage with access to 11'-0" tall storage areas for the exclusive use of the tenants of the new structure. The upper floors are designed to be divided into 2 to 4 tenant spaces per floor with shared restroom facilities and entry lobbies overlooking the common atrium.

RECEIVED
JUN - 5 2008
Planning Department

Development Standards Chart For Parcel 2

The project site is zoned Special Commercial (CS-HO) and the proposed uses of professional office and storage is allowed for this site. Please see the following chart in regards to required and proposed development standards for this zone and uses.

| STANDARD | REQUIRED | PROPOSED |
|---------------------------|-------------------------------|---------------------------|
| Lot Size | 10,000 sq. ft. | 31,301 sq. ft./ .72 acres |
| Lot coverage | 50 percent max | 27% |
| Front Yard Setback | 15' | 26'-10" |
| Side Yard Setback | 0'-0" | 11'-2" and 36'-1" |
| Rear Yard Setback | 0'-0" | 73'-10" |
| Height | 50'-0" | 45'-6" |
| Parking (Total) | 39 stalls | 44 stalls |
| Per use: | | |
| Office (1/300 sq. ft.) | 11,366 sq. ft. = 38 stalls | 43 stalls |
| Storage (1/2,000 sq. ft.) | 1,620 sq. ft. = 1 stall | 1 stall |

Parking

The Oceanside Zoning Ordinance parking requirements for commercial office use is 1 stall for every 300 sq. ft. of lease space. The proposed lease space square footage is 11,366 sq. ft.; for a requirement of 38 stalls.

There are an existing 43 stalls located on Parcel 2; with 11 of these stalls dedicated to the required parking for the existing 3 story structure on Parcel 1. The remaining 32 stalls are for use by the proposed structure on Parcel 2.

The project proposes to provide an additional 12 assigned stalls within the proposed 3 story office structure on Parcel 2 for a total of 44 stalls for use by Parcel 2. The proposed structure on Parcel 2 and its uses requires only 38 stalls and will have an excess of 5 stalls

This project meets or exceeds all development standards in the City of Oceanside Zoning Ordinance for this site and use. We ask for your approval of this project.

Legal Description

Being a subdivision of Parcel 1 of Parcel Map No. 18021 filed in the office of the County Recorder of San Diego on April 24, 1998 as file No. 1998-0237100 of official records together with a portion of the north half of section 32, township 11 south, range 4 west, San Bernardino Meridian described in a grant deed recorded on October 13, 2004 as Document No. 2004-0973441 in the City Of Oceanside , County of San Diego, State Of California..

RECEIVED
JUN 05 2008
Planning Department



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date: 2/9/09
Removal: 8/9/09
(180 days)

1. **APPLICANT:** DEI LLC
2. **ADDRESS:** 1800 Thibodo Rd. Ste. 320
Vista CA. 92081
3. **PHONE NUMBER:** (760) 727-6888
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale, Planner II
6. **PROJECT TITLE:** 3186 Vista Way Parcel 2 (P-8-08 & D-26-02REV08)
7. **DESCRIPTION:** Proposal to subdivide a 1.87 acres site into two separate parcels and construct a 23,260 three story office building located north east of Valley Glen Drive and Vista Way.

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 alterations involving such things as interior partitions, plumbing and electrical conveyances, and the project is categorically exempt. 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 32, "In-fill Development" (Section 15332); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).



Scott Nightingale, Planner II

Date: February 9, 2009

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee