



DATE: March 10, 2008

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE PARCEL MAP (P-8-07) TO SUBDIVIDE TWO EXISTING 3.55-ACRE LOTS INTO FOUR PARCELS LOCATED AT THE PALM TREE PLAZA SHOPPING CENTER AT THE NORTHWEST CORNER OF CANNON ROAD AND LAKE BOULEVARD – PALM TEE PLAZA PARCEL MAP – APPLICANT: AMERICAL MANAGEMENT CO. INC.**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 1, Categorical Exemption “Existing Facilities;” and
- (2) Adopt Planning Commission Resolution No. 2008-P12 approving Tentative Parcel Map P-8-07 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: On December 10, 1990, the Planning Commission reviewed the subject commercial site for development and moved to approve a Development Plan (D-19-90), Conditional Use Permits (C-23-90 & C-24-90) and Variance (V-19-90). The current development Plan approved the construction and operation of a 120,732-square foot shopping center.

Two years later a Tentative Parcel Map (P-10-91) was approved by the Planning Commission on March 9, 1992 for the subdivision of eight lots within the existing shopping center for financial purposes.

On November 9, 2006 a lot line adjustment was recorded for the development of lots A and B. The eight approved parcels exist today and break up the Palm Tree Plaza Shopping Center in separate parcels of land for separate land ownership.

Site Review: The subject site is located at the south west portion of the Palm Tree Plaza commercial shopping center and is comprised of lots one (1) and eight (8) of the original parcel map approval (P-10-91), which was approved by Planning Commission for an eight-lot subdivision. Parcels one and eight out of the original eight-lot subdivision consist of a total of 3.55 acres and are located at the southwest and northwestern areas of the shopping center. The two existing lots consist of a recently constructed Walgreens and an approved First Bank office building and a vacant pad that was previously approved for a gas service station that has expired and is no longer in the process for development. The surrounding land uses are primarily single-family residential to the north and west, multi-family residential to the east and a religious facility located to the east of the commercial center. The Palm Tree Plaza Shopping Center is comprised of general retail uses, such as Hollywood Video, Walgreens, Ralphs Grocery store, Petco, McDonalds, First Bank and other smaller commercial retail uses throughout the site.

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

Tentative Parcel Map P-8-07 represents a request for the following: To subdivide two existing lots into three developable legal lots and one letter-lot designated for access (Ingress/Egress) to all the parcels in the shopping center.

The applicant proposes to subdivide the 3.55-acre site into four lots in accordance with the following schedule:

Acreage (Gross and Net)	
=====	
Parcel 1	1.64
Parcel 2	0.78
Parcel 3	0.78
Parcel (A)	0.35
=====	
	18.988

The application does not propose any development rights in conjunction with this subdivision. The subdivision is for financing purposes only in accordance with certain provisions of State of California subdivision law. The future development of the subdivided lots will require site development permits through development review processes and requiring approval by the Planning Commission or the City Planner.

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 General Commercial. The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

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.

This Tentative Parcel map proposal includes three numeric lots (1,2,3) and one lettered (A) lot that would comply with General Plan Objective 2.0 and its policies. The surrounding land uses and land divisions are compatible with the Palm Tree Plaza Commercial Center and the provisions of the Subdivision Map Act. If applicable the project is subject to on-site improvements and appropriately conditioned for payment of fees for off-site improvements. The subdivision is not associated with any environmentally sensitive areas.

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 proposed tentative subdivision would allow for the creation of four separate parcels from two previously approved parcels. The proposed land division will meet all the provisions of the development regulations for lot sizes and widths as specified by the zoning ordinance. The four-lot subdivision will enable individual ownership or allow opportunities for additional future developments that have been analyzed. Therefore, the proposed subdivision would not create additional impacts to the center, such as intensity and traffic. The proposed subdivision will enable the Walgreens, the vacant parcel and First Bank business to possess individual ownership of the proposed parcels. All future parcels will have reciprocal agreements in terms of access and parking and will be subject to the Palm Tree Plaza Shopping Center's management plan. Each proposed parcel will not be limited in the required parking ratios per lot and any new developments on the vacant parcel will be required to meet the provisions of the Oceanside zoning ordinance in terms of development regulations and parking ratios.

2. Zoning Ordinance Compliance

The originally approved parcel map allowed for individual land ownership that well exceeded the zoning ordinance requirements of the time. The proposed four-lot subdivision to create three numeric lots (1,2,3) and one letter-lot (A) will meet or exceed all provision of the Oceanside Zoning Ordinance in regards to minimum lot sizes, lot widths and land uses.

The subdivision and any future developments is conditioned to meet all the provision of the existing Palm Tree Plaza Management Plan in place, and shall comply with all provisions in the Oceanside Zoning Ordinance and Municipal Codes pertaining to usage of the sites.

3. 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 Division.

DISCUSSION

Issue: Future Commercial occupancies on the vacant parcel meeting the development regulations

Recommendation: The proposed tentative parcel map will be consistent with the development regulations of the Zoning Ordinance and the Subdivision Map Act. The proposed lot lines will not change the physical layout of the site and all parking within parcels (1,2,3) and lot (A) will be reciprocal and shared between all. The development of the vacant parcel will not impact the surrounding area. Staff believes that vacant site and the surrounding parcels will not be impacted by any new developments, due to the existing supply of ample parking and the strict guidelines of the zoning ordinance.

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 March 10, 2008, no communication supporting or opposing the request has been received.

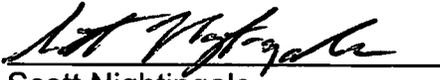
SUMMARY

The proposed Tentative Parcel Map P-8-07 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-P12 approving Tentative Parcel Map P-8-07 with findings and conditions of approval attached herein.

PREPARED BY:



Scott Nightingale
Planner II

SUBMITTED BY:



Jerry Hittleman
City Planner

REVIEWED BY:



Richard Greenbauer, Senior Planner

SN/JH/fil

Attachments:

1. Site Plan
2. Planning Commission Resolution No. 2008-P12
3. Planning Commission Resolution Nos. 92-P17 and 90-P101

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PLANNING COMMISSION
RESOLUTION NO. 2008-P12

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-8-07
APPLICANT: Americal Development Co. Inc.
LOCATION: Northwest corner of Cannon Road and Melrose Drive

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 under the provisions of Articles 11 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:

to subdivide two existing lots into a total of four separate lots.;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 10th day of March, 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 Division, 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:

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
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
School Facilities Mitigation Fee	Ordinance No. 91-34	\$0.42 per square foot non-residential for Oceanside
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 \$35,160 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;

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

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

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

9 FINDINGS:

10 For the Tentative Parcel Map:

- 11 1. The proposed subdivision is consistent with the General Plan, including General Plan
12 Goals 1.1, 2.0 and 2.1, and the proposal is consistent with the goals of the Commercial
13 General District and the Palm Tree Plaza Development Plan.
- 14 2. The proposed subdivision will not cause substantial environmental damage and has
15 been found to be categorically exempt from CEQA.
- 16 3. The proposed subdivision will not conflict with easements, acquired by the public at
17 large, for access through or use of property within Parcel A of the proposed Tentative
18 Parcel Map.
- 19 4. The proposed subdivision complies with all other applicable ordinances, regulations,
20 and guidelines of the City of Oceanside, in regards to setbacks, minimum lot sizes and
21 lot widths.

22 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
23 approve Tentative Parcel Map (P-8-07) subject to the following conditions:

24 Fire Prevention:

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

27 Engineering:

- 28 2. In addition to conditions listed herein, all conditions listed in Planning Commission
29 Resolution No. 90-P101 approving Development Plan D-19-90, Planning Commission
Resolution No. 94-P02 approving Revision to Development Plan D-19-90 and

1 Planning Commission Resolution No. 92-P17 approving Tentative Parcel Map P-10-91
2 shall remain in effect for the subject property.

3 3. The approval of this tentative parcel map does not intend to alter the effects of Parcel Map
4 No. 17346 or any of the covenants, conditions, and restrictions referenced thereon.

5 4. No new development or revision of previously entitled development shall be permitted
6 with this Tentative Parcel Map.

7 5. With the exception of the access points approved by the City Engineer, vehicular access
8 rights to Lake Boulevard and Cannon Road shall be relinquished by the property owner to
9 the City on the final parcel map.

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

12 7. Prior to issuance of any subsequent building permits a phasing plan for the construction
13 of public or private improvements including landscaping, shall be approved by the City
14 Engineer.

15 8. For the demolition of any existing structures or surface improvements, grading plans shall
16 be submitted and erosion control plans be approved by the City Engineer prior to the
17 issuance of a demolition permit. No demolition shall be permitted without an approved
18 erosion control plan.

19 9. Existing legal access shall be sustained to all parcels of Parcel Map No. 17346
20 prior to the recordation of the final parcel map.

21 10. Prior to approval of the final parcel map, all outstanding improvement requirements shall
22 be covered by a subdivision agreement and secured with sufficient improvement securities
23 or bonds guaranteeing performance and payment for labor and materials, and warranty
24 against defective materials and workmanship.

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

29 12. Prior to approval of the final parcel map a phasing plan for the construction of any
outstanding public or private improvements, including landscaping, shall be approved by
the City Engineer. All improvements shall be under construction to the satisfaction of the

1 City Engineer prior to the issuance of any subsequent building permits. All improvements
2 shall be completed prior to issuance of certificates of occupancy.

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

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

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

26 16. Approval of this development project is conditioned upon payment of all applicable impact
27 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
28 Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees,
29 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,

1 or participate in any improvement, lighting, or other special district affecting or affected by
2 this project. Approval of the tentative parcel map shall constitute the subdivider's approval
3 of such payments, and his agreement to pay for any other similar assessments or charges in
4 effect when any increment is submitted for final parcel map or building permit approval,
5 and to join, contribute, and/or participate in such districts.

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

12 18. Sight distance and clear space easement requirements at the project driveways shall
13 conform to the corner sight distance criteria as provided by SDRSD DS-20A and or DS-
14 20B.

15 19. Streetlights shall be provided and maintained along the subdivision's frontage per City
16 Standards. The system shall provide uniform lighting, and be secured prior to issuance of
17 any subsequent Certificates of Occupancy. The developer shall pay all applicable fees,
18 energy charges, and/or assessments associated with City-owned (LS-2 rate schedule)
19 streetlights and shall also agree to the formulation of, or the annexation to, any appropriate
20 street lighting district.

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

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

27 22. Open space areas and down-sloped areas visible from a collector-level or above roadway
28 and not readily maintained by the owner of the nearest parcel, shall be maintained by a
29 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

1 disclosure, together with the CC&R's, shall be submitted to the City Engineer for review
2 prior to the recordation of the parcel map.

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

6 24. Any development on the site shall comply with all applicable regulations established by
7 the United States Environmental Protection Agency (USEPA) as set forth in the National
8 Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff
9 and stormwater discharge and any regulations adopted by the City pursuant to the
10 NPDES regulations or requirements. Further, the applicant may be required to file a
11 Notice of Intent with the State Water Resources Control Board to obtain coverage under
12 the NPDES. General Permit for Storm Water Discharges Associated with Construction
13 or Industrial Activity and may be required to implement a Storm Water Pollution
14 Prevention Plan (SWPPP) concurrent with the commencement of construction or
15 industrial activities. SWPPPs include both construction and post construction pollution
16 prevention and pollution control measures and identify funding mechanisms for post
17 construction control measures. The developer shall comply with all the provisions of the
18 Clean Water Program during and after all phases of the development process. The
19 applicant shall design the Project's storm drains and other drainage facilities to include
20 Best Management Practices to minimize non-point source pollution, satisfactory to the
21 City Engineer.

22 25. Upon acceptance of any fee waiver or reduction by the subdivider, the entire project will
23 be subject to prevailing wage requirements as specified by Labor Code section
24 1720(b)(4). The subdivider shall agree to execute a form acknowledging the prevailing
25 wage requirements prior to the granting of any fee reductions or waivers.

26 26. If the project triggers Stormwater quality requirements per the City's Standard Urban
27 Storm Water Mitigation Plan (SUSMP) current at the time of development, but no
28 previously approved Stormwater document (Storm Water Management Plan or Runoff
29 Assessment Report) exists for the site, the appropriate document(s) shall be submitted
for review and approval by the City Engineer.

1 27. If previously approved Stormwater document (Storm Water Management Plan or Runoff
2 Assessment Report) exists for the site, the appropriate document(s) shall be updated for
3 compliance with the applicable SUSMP requirements current at the time of
4 development.

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

11 **Planning:**

12 29. This Tentative Parcel Map (P-8-07) shall expire 24 months from its approval, unless
13 this time period is extended by the provisions of Section 408 or 409 of the Subdivision
14 Ordinance of the City of Oceanside.

15 30. This Tentative Parcel Map (P-8-07) approves the subdivision of one 3.5-acre site, and
16 other improvements, as shown on the plans and exhibits presented to the Planning
17 Commission for review and approval, and as modified by said conditions of approval.
18 No deviation from these approved plans and exhibits shall occur without the approval
19 of the City Planner and/or the Planning Commission. Substantial deviations shall
20 require a revision to the Tentative Parcel Map (P-8-07).

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

24 32. Prior to the recordation of any Final Maps, the applicant and/or permittee shall provide
25 evidence of a recorded reciprocal access agreement for the shared access drive serving
26 each of the parcels.

27 33. An association shall be formed and Covenants, Conditions and Restrictions (C.C. &
28 R's) shall provide for the maintenance of all common open space, medians and
29 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

1 open area, parking lots and walkways. The C.C. & R's shall be subject to the review
2 and approval of the City Attorney prior to the approval of the Final Parcel Map. The
3 C.C. & R's are required to be recorded prior to or concurrently with the Final Parcel
4 Map. Any amendments to the C.C. & R's in which the association relinquishes
5 responsibility for the maintenance of any common open space shall not be permitted
6 without the specific approval of the City of Oceanside. Such a clause shall be a part of
7 the C.C. & R's. The C.C. & R's shall also contain provisions for the following:

- 8 a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
9 b) Maintenance of median landscaping by the Association.
10 c) Provisions for the maintenance of all common open space and open space
11 easements on private lots, including provisions establishing mechanisms to
12 ensure adequate and continued monetary funding for such maintenance by the
13 homeowners' association.

14 PASSED AND ADOPTED Resolution No. 2008-P12 on March 10, 2008 by the
15 following vote, to wit:

16 AYES:

17 NAYS:

18 ABSENT:

19 ABSTAIN:

20 _____
21 Dennis Martinek, Chairman
22 Oceanside Planning Commission

23 ATTEST:

24 _____
25 Jerry Hittleman, Secretary

26 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
27 this is a true and correct copy of Resolution No. 2008-P12.

28 Dated: _____
29 March 10, 2008

1 PLANNING COMMISSION
2 RESOLUTION NO. 92-P17

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

7
8 APPLICATION NO: P-10-91
9 APPLICANT: Lakerose Properties Ltd.
10 LOCATION: North side of Cannon Road between Lake Boulevard
11 and Melrose Drive.
12

13 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES
14 RESOLVE AS FOLLOWS:
15

16 WHEREAS, there was filed with this Commission a verified
17 petition on the forms prescribed by the Commission requesting a
18 Tentative Parcel Map under the provisions of Article 4 of the
19 Subdivision Ordinance and Article 11 of the Zoning Ordinance of the
20 City of Oceanside to permit the following:
21

22 an eight (8) lot parcel map of a 11.3 acre site for
23 financial purposes

24 on certain real property legally described as shown on EXHIBIT "A"
25 attached hereto and incorporated herein by reference thereto.

26 WHEREAS, the Planning Commission, after giving the required
27 notice, did on the 9th day of March, 1992 conduct a duly advertised
28 public hearing as prescribed by law to consider said application.

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

For the Tentative Parcel Map:

1. The proposed parcel map for eight (8) lots for financial
purposes is consistent with the underlying General Plan and
Zoning classification.

WHEREAS, the Planning Commission finds the project exempt from
provisions of California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission
does hereby APPROVE TENTATIVE PARCEL MAP (P-10-91) subject to the
following conditions:

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3 Building:

- 4 1. The granting of approval under this action shall in no way
5 relieve the applicant/project from compliance with all State
6 and local building codes.
- 7 2. All electrical, communication, CATV, etc. service lines,
8 within the exterior lines of the property shall be underground
9 (City Code Sec. 6.30).

10 Engineering:

- 11 3. All conditions of Planning Commission Resolution 90-P101 shall
12 apply to this project.
- 13 4. This project shall participate in the Lake Boulevard
14 improvements as required by the City Engineer and condition
15 #47 of Planning Commission Resolution 90-P101. The
16 participation shall be identified and the condition satisfied
17 prior to the issuance of building permits.
- 18 5. Concurrent with the recordation of the Parcel Map, cross-
19 access easements and maintenance agreements shall be recorded.
20 The cross-access easements and maintenance agreements shall
21 include all on-site parking and drive areas and all common
22 open space and landscaping areas including the parkways and
23 medians within the Lake Boulevard, Melrose Drive and Cannon
24 Road.

25 Planning:

- 26 6. This Tentative Parcel Map shall expire on March 23, 1994,
27 unless a time extension is granted by the Planning Commission.
- 28 7. This Tentative Parcel Map is subject to all conditions of
Planning Commission Resolution 90-P101.
8. A covenant or other recordable document approved by the City
Attorney shall be prepared by the applicant (developer or
subdivider) and recorded prior to the approval of the final
map. The covenant shall provide that the property is subject
to this Resolution and shall generally list the conditions of
approval.
9. Failure to meet any conditions of approval for this
development shall constitute a violation of the Tentative
Parcel Map or the underlying Development Plan for the shopping
center.
10. Unless expressly waived, all current zoning standards and City
ordinances and policies in effect at the time the Parcel Map

2 16. This project is subject to the development restrictions
3 identified in the City's Water Conservation Ordinance No. 91-
15.

4 PASSED on March 9, 1992 by the following vote, to wit:

5 AYES: Martinek, Tubbs, Wilson, Miller, Caballero, Krieger,
6 Skinner

7 NAYES: None

8 ABSENT: None

9 ABSTAIN: None

10 ADOPTED on this 23rd day of March, 1992.

11 Hollis W. Skinner
12 Hollis W. Skinner, Chairman

13 ATTEST:

14 Michael J. Blessing
15 Michael J. Blessing, Secretary

16 I, MICHAEL J. BLESSING, Secretary of the Oceanside Planning
17 Commission, hereby certify that this is a true and correct copy of
18 Resolution No. 92-P17.

19 Dated: 23 March '92

MICHAEL J. BLESSING, Secretary
OCEANSIDE PLANNING COMMISSION

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BUCCOLA ENGINEERING, inc.

LAKEROSE PLAZA

LEGAL DESCRIPTION

PARCEL 2 OF PARCEL MAP NO. 10839, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 24, 1980 AS FILE NO. 80-433378 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN LAKE BOULEVARD AS WAS DEDICATED ON PARCEL MAP NO. 6695, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 23, 1977 AS FILE NO. 77-532009 OF OFFICIAL RECORDS:

ALSO EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE BOUNDARIES OF SOUTH RIDGE TRAILS UNIT NO. 1, ACCORDING TO MAP THEREOF NO. 10232, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 1, 1981.

DESCRIPTION AND JUSTIFICATION

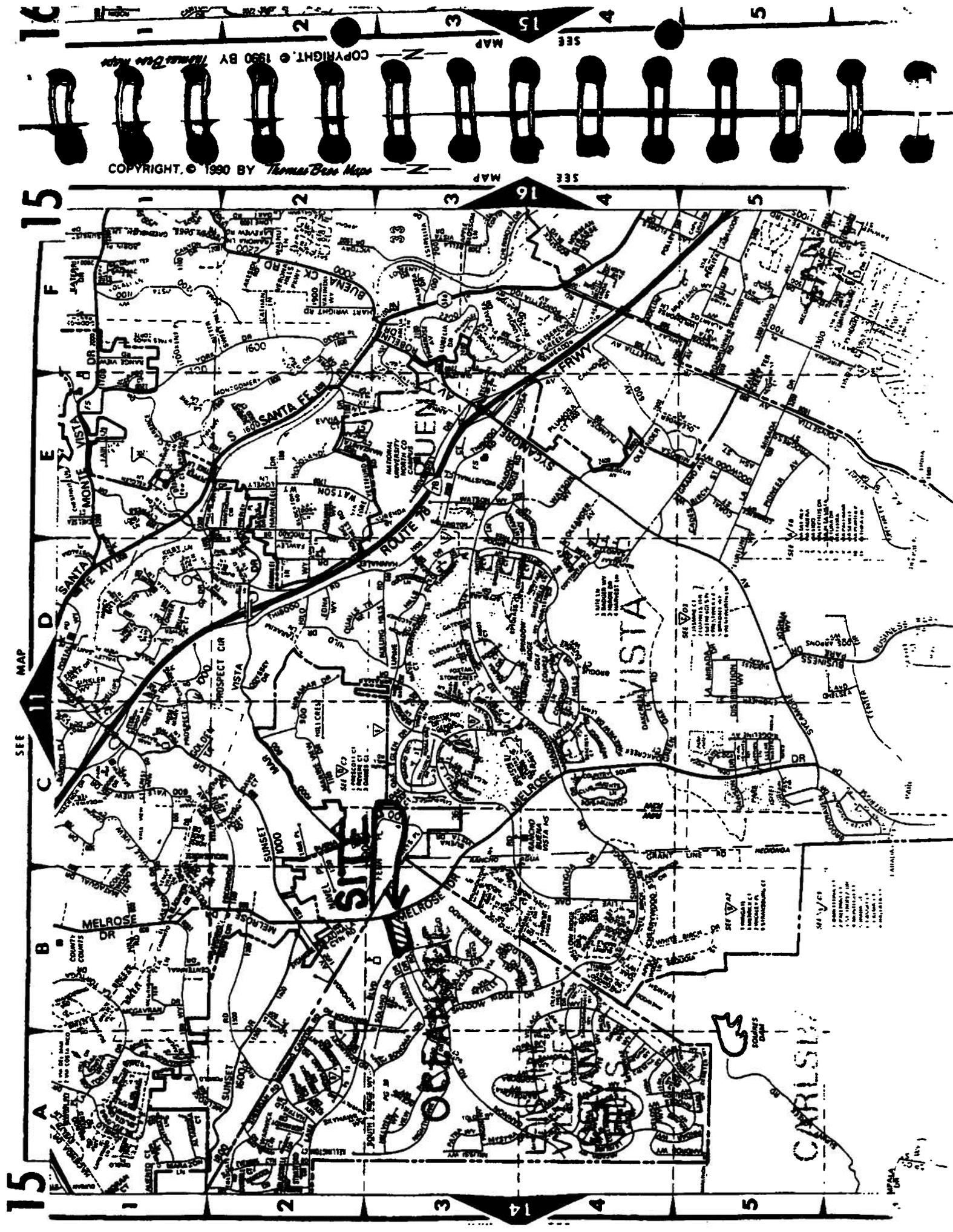
THIS SUBDIVISION CREATES AN EIGHT (8) UNIT PARCEL MAP FOR FINANCIAL PURPOSES OVER AN EXISTING APPROVED DEVELOPMENT PLAN D-19-90.

WE HEREBY REQUEST WAIVER OF THE TENTATIVE PARCEL MAP PURSUANT TO THE CITY OF OCEANSIDE SUBDIVISION ORDINANCE.

P-10-91

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CITY OF OCEANSIDE

INITIAL STUDY

I. PROJECT DESCRIPTION AND SETTING

1. Name of Proponent Lakerose Properties, Ltd.
2. Address and Phone Number of Proponent:
9595 Wilshire Boulevard, Suite 300, Beverly Hills, California 90212
(213) 550-8777
3. Name of Proposal, if applicable Lakerose
4. APN(s) 169-011-13 5. Application(s)# P-10-91
6. Have previous EIR's been prepared in area? Yes Proximity: West
For which project? Southridge Trails
7. Project Description: The proposed project would subdivide a 13.52 acre
parcel which currently contains an existing commercial shopping center
(ie. Lakerose Plaza) into eight (8) lots under individual ownership.
The applicant indicates that the project is proposed for financial
reasons.
8. Environmental Setting: The site is partially developed as a neighborhood
shopping center located north of Cannon Road between Lake Boulevard to
the west and Melrose Avenue to the east. The site has been graded and
prepared for commercial development in accordance with previous
discretionary actions. A substantial portion of the site is currently
built and operational.
9. Environmental Summary: The proposed parcelization within an approved and
partially developed shopping center would have no direct physical
impacts. Cumulative impacts (eg. air quality) were assessed in con-
junction with previous discretionary actions associated with approval
of the shopping center (D-19-90) and determined not significant. The

proposed project may enhance or promote build out of the center;
however, no significant growth inducing impacts would occur because
previous project approvals, in accordance with existing zoning and in
conformance with the General Plan, were determined to not have signifi-
cant impacts on the environment.

II. **ENVIRONMENTAL IMPACTS - IS THERE SUBSTANTIAL EVIDENCE IN THE RECORD WHICH INDICATES THE POTENTIAL FOR SIGNIFICANT ENVIRONMENTAL IMPACTS ASSOCIATED WITH THE FOLLOWING ISSUES? PLEASE REFER TO SECTION V OF THIS INITIAL STUDY FOR A DISCUSSION OF ALL "NO" RESPONSES.**

Please refer to Section I.9. for impact analysis summary.

1. EARTH. Will the proposal result in:	YES	MAYBE	NO	MAJOR
a. Unstable earth conditions or in changes in geologic substructures?	_____	_____	X	_____
[] Geologic site survey for subsurface conditions is recommended.				
[] Effect of Excavation needs verification.				
[] Slope stability is questioned.				
[] Soil sample tests and special foundation design are recommended.				
[] Other				
b. Disruptions, displacements, compaction or over-covering of the soil?	_____	_____	X	_____
c. Change in topography or ground surface relief features?	_____	_____	X	_____
d. The destruction, covering or modification of any unique geologic or physical features?	_____	_____	X	_____
[] Geologic site survey for subsurface conditions is recommended.				
[] Effect of excavation needs verification.				
[] Other				
e. Any increase in wind or water erosion of soils on or off the site?	_____	_____	X	_____
f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	_____	_____	X	_____
[] Tsunami hazard is expected, storm conditions, sand supply and movement needs verification.				

	YES	MAYBE	NO	MAJOR
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure or similar hazards?	_____	_____	<u>X</u>	_____
[] Seismic shaking is expected.				
[] Slope stability is questioned.				
[] Soil sample tests and special foundation design are recommended.				
[] Geologic site survey for subsurface conditions is recommended.				
[] Effect of excavation is questioned.				
2. AIR. Will the proposal result in:				
a. Substantial air emissions or deterioration of ambient air quality?	_____	_____	<u>X</u>	_____
b. The creation of objectionable odors?	_____	_____	<u>X</u>	_____
c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	_____	_____	<u>X</u>	_____
3. WATER. Will the proposal result in:				
a. Changes in currents or the course or direction of water movements, in either marine or fresh waters?	_____	_____	<u>X</u>	_____
b. Changes in absorption rates, drainage patterns or the rate and amount of surface water runoff?	_____	_____	<u>X</u>	_____
c. Alterations to the course or flow of flood waters?	_____	_____	<u>X</u>	_____
d. Change in the amount of surface water in any water body?	_____	_____	<u>X</u>	_____
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	_____	_____	<u>X</u>	_____
f. Alteration of the direction or rate of flow of ground waters?	_____	_____	<u>X</u>	_____
g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of any aquifer by cuts or excavations?	_____	_____	<u>X</u>	_____

	YES	MAYBE	NO	MAX
h. Substantial reduction in the amount of water otherwise available for public water supplies?	_____	_____	<u>X</u>	_____
i. Exposure of people or property to water related hazards such as flooding or tidal waves?	_____	_____	<u>X</u>	_____
4. PLANT LIFE. Will the proposal result in:				
a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	_____	_____	<u>X</u>	_____
b. Reduction of the numbers of any unique, rare or endangered of plants?	_____	_____	<u>X</u>	_____
c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	_____	_____	<u>X</u>	_____
d. Reduction in acreage of any agricultural crop?	_____	_____	<u>X</u>	_____
5. ANIMAL LIFE. Will the proposal result in:				
a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms or insects)?	_____	_____	<u>X</u>	_____
b. Reduction of the numbers of any unique, rare or endangered species of animals?	_____	_____	<u>X</u>	_____
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	_____	_____	<u>X</u>	_____
d. Deterioration to existing fish or wildlife habitat?	_____	_____	<u>X</u>	_____
6. NOISE. Will the proposal result in:				
a. Increases in existing noise levels?	_____	_____	<u>X</u>	_____
b. Exposure of people to severe noise levels?	_____	_____	<u>X</u>	_____
7. LIGHT AND GLARE. Will the proposal produce new light and glare?	_____	_____	<u>X</u>	_____
8. LAND USE. Will the proposal result in a substantial alteration of the present or planned land use of an area?	_____	_____	<u>X</u>	_____

	YES	MAYBE	NO	MAJOR
9. NATURAL RESOURCES. Will the proposal result in:				
a. Increase in the rate of use of any natural resources?	_____	_____	<u> X </u>	_____
b. Depletion of any non renewable resource such as fuel for energy generation or mineral extractions?	_____	_____	<u> X </u>	_____
10. RISK OF UPSET. Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	_____	_____	<u> X </u>	_____
11. POPULATION. Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?	_____	_____	<u> X </u>	_____
12. HOUSING. Will the proposal affect existing housing, create a demand for additional housing?	_____	_____	<u> X </u>	_____
13. TRANSPORTATION/CIRCULATION. Will the proposal result in:				
a. Generation of substantial additional vehicular movement?	_____	_____	<u> X </u>	_____
b. Effects on existing parking facilities, or demand for new parking?	_____	_____	<u> X </u>	_____
c. Substantial impact upon existing transportation systems?	_____	_____	<u> X </u>	_____
d. Alterations to present patterns of circulation or movement of people and/or goods?	_____	_____	<u> X </u>	_____
e. Alterations to waterborne, rail or air traffic?	_____	_____	<u> X </u>	_____
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	_____	_____	<u> X </u>	_____
14. PUBLIC SERVICES. Will the proposal have a negative effect upon, or result in a need for new or altered governmental services in any of the following areas:				
a. Fire protection?	_____	_____	<u> X </u>	_____
b. Police protection?	_____	_____	<u> X </u>	_____
c. Schools?	_____	_____	<u> X </u>	_____
d. Parks or other recreational facilities?	_____	_____	<u> X </u>	_____
e. Maintenance of public facilities, including roads?	_____	_____	<u> X </u>	_____
f. Other governmental services?	_____	_____	<u> X </u>	_____

		YES	MAYBE	NO	MAJOR
15.	ENERGY. Will the proposal result in:	_____	_____	<u> X </u>	_____
	a. Use of substantial amounts of fuel or energy?	_____	_____	<u> X </u>	_____
	b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	_____	_____	<u> X </u>	_____
16.	UTILITIES. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:				
	a. Power or natural gas?	_____	_____	<u> X </u>	_____
	b. Communications systems?	_____	_____	<u> X </u>	_____
	c. Water?	_____	_____	<u> X </u>	_____
	d. Sewer or septic tanks?	_____	_____	<u> X </u>	_____
	e. Storm water drainage?	_____	_____	<u> X </u>	_____
	f. Solid waste and disposal?	_____	_____	<u> X </u>	_____
17.	HUMAN HEALTH. Will the proposal result in:				
	a. Creation of any health hazard or potential health hazard (excluding mental health)?	_____	_____	<u> X </u>	_____
18.	AESTHETICS. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	_____	_____	<u> X </u>	_____
19.	RECREATION. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?	_____	_____	<u> X </u>	_____
20.	ARCHAEOLOGICAL/HISTORICAL. Will the proposal result in an alteration of a significant archaeological or historical site, structure, object or building?	_____	_____	<u> X </u>	_____
21.	PUBLIC INTEREST. Is there known public controversy concerning the environmental effects of the project?	_____	_____	<u> X </u>	_____

III. MANDATORY FINDINGS OF SIGNIFICANCE

A.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?	_____	_____	<u> X </u>	_____
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YES MAYBE NO MAJOR

B. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)

_____ _____ X _____

C. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)

_____ _____ X _____

D. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

_____ _____ X _____

IV. MITIGATION MEASURES

None required.

V. DISCUSSION OF ALL "NO" RESPONSES ON THE INITIAL STUDY CHECKLIST

Based on review of the City's Environmental Data Base, relevant background studies, previous environmental documentation and staff input, it has been determined that no substantial evidence exists in the public record which indicates the potential for significant environmental impacts associated with the project as proposed including conditions of approval imposed by the City.

Initial Study Prepared By: Tim Cox and accepted as to content by the City Environmental Review Committee.

VI. **DETERMINATION**

On the basis of this initial evaluation, the City Environmental Review Committee finds:

- [x] The proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- [] The proposed project **COULD** have a significant effect on the environment, but there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **NEGATIVE DECLARATION** will be prepared.
- [] The proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

DATE: February 10, 1992



Resource Officer

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PLANNING COMMISSION
RESOLUTION NO. 90-P101

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A DEVELOPMENT PLAN, CONDITIONAL USE PERMITS AND VARIANCE AND ALSO DENYING A VARIANCE ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: D-19-90, C-23-90, C-24-90, V-19-90
APPLICANT: Lakerose Properties
LOCATION: North of Cannon Road, between Lake Boulevard and Melrose Drive

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 Development Plan, Conditional Use Permits and Variance under the provisions of Article 11 of the Zoning Ordinance of the City of Oceanside to permit the following:

a neighborhood shopping center with 120,732 square feet of floor area on an 11.37 acre (net) site

on certain real property legally described as shown on EXHIBIT "A" attached hereto and incorporated herein by reference thereto.

WHEREAS, the Planning Commission, after giving the required notice, did on the 10th day of December, 1990 conduct a duly advertised public hearing as prescribed by law to consider said application.

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

For the Development Plan:

- The site plan and the physical design of the project is consistent with the purposes of the Zoning Ordinance. Additional conditions have been placed on the project to assure its compatibility with adjacent land uses and with the intent of the Land Use Element of the General Plan.
- The area covered by the Development Plan can be adequately, reasonably and conveniently served by existing and planned public services, utilities, and public facilities. Public services and utilities are existing in this area and the project has been conditioned to provide for or pay for its fair share.

For the Conditional Use Permits:

- The project has been designed and conditioned so that the conditional uses are sensitive to neighboring residential, City park, and elementary school uses. Hours of operation have been limited and the Comprehensive Sign Package review is required to focus on the conditional uses's sensitivity to the adjacent residential uses.

The project was designed and is conditioned so that it is consistent with the Zoning Ordinance and the General Plan. Approval will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or the general welfare of the City.

For Approval of the Variance for the Light Standards:

- Twenty foot high light standards are not uncommon in other commercial areas of the City and the actual light source is only 18.5 feet above ground. In addition, twelve foot light standards are inefficient and will require more light standards to achieve equal illumination. The proposed increase in height will result in more efficient lighting. Residential areas are sited well above the shopping center, further minimizing the impact of the shopping center's lighting. The project has also been conditioned to maintain an average illumination of 1.5 foot candles.

Strict application of the Zoning Ordinance will deprive the property of privileges enjoyed by other property in identical zoning classifications and granting the application will not be detrimental or injurious to property and improvements in the vicinity of the development site, or to the public health, safety, or general welfare.

Granting the Variance is consistent with the purposes of the Zoning Ordinance and will not constitute a grant of special privilege inconsistent with limitation on other properties in the vicinity and in the same zoning district.

For the Denial of the Variance for the Building Height:

- The main retail building's architectural features that extend above the district height limit are elements that primarily accommodate the supermarket's sign and to increase the main retail area's visibility. There are no special circumstances or conditions applicable to the development site that would warrant the approval of the Variance.

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2 Granting the Variance is inconsistent with the purposes of
3 the Zoning Ordinance and will constitute a grant of special
4 privilege inconsistent with limitations on other properties
5 in the same Zoning District.

6 WHEREAS, the Planning Commission finds that a Negative
7 Declaration stating that if the conditions of approval are
8 implemented, there will not be a significant adverse impact upon
9 the environment has been prepared.

10 NOW, THEREFORE, BE IT RESOLVED that the Planning
11 Commission does hereby APPROVE DEVELOPMENT PLAN D-19-90,
12 CONDITIONAL USE PERMIT C-23-90 and CONDITIONAL USE PERMIT C-24-
13 90; and take the following actions under VARIANCE V-19-90:
14 approve the request to exceed the height limitation for light
15 standards and DENY the request to exceed the building height
16 limitation; subject to the following conditions:

17 Building:

- 18
- 19 1. Applicable Building Codes and Ordinances shall be based on
20 the date of submittal for Building Department plan check.
 - 21 2. The granting of approval under this action shall in no way
22 relieve the applicant/project from compliance with all State
23 and local building codes.
 - 24 3. Site development, parking, access into buildings and
25 building interiors shall comply with C.A.C. Title 24, Part 2
26 (Handicapped Access - Nonresidential buildings - O.S.A.)
 - 27 4. All electrical, communication, CATV, etc. service lines,
28 within the exterior lines of the property shall be
underground (City Code Sec. 6.30).
 1. Application for Building Permit will not be accepted for
this project until plans indicate that they have been
prepared by a licensed design professional (Architect or
Engineer). The design professional's name, address, phone
number, State license number and expiration date shall be
printed in the title block of the plans.
 6. Area analysis to show that buildings can be of sizes
indicated and shall be included in building plans submitted
for building permit.

Engineering:

7. Vehicular access rights to Lake Boulevard and Melrose Drive
shall be relinquished to the City from all abutting lots
except at locations approved by the City Engineer.

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8. Property line returns, knuckles, and all other street right of way alignments and widths shall be dedicated and improved as required by the City Engineer.
 9. The project plan shall be submitted and approved as one.
 10. Where proposed 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 as required. The applicant shall provide documentary proof satisfactory to the City that such easements or other interest in real property have been obtained prior to the approval of the final map. Additionally, the City, 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.
 11. All streets shall be improved with concrete curbs and gutters, street lights, five (5) ft. wide sidewalks and pavement, providing a parkway width of at least ten (10) feet, except where turnouts are provided, unless altered by the City Engineer.
 12. Curb return radii shall be 35 feet at the intersections of Cannon Road, Melrose Drive and Lake Boulevard. All other curb return radii in the tract shall be a minimum of twenty-five (25) ft.
 13. All street dedications, alignments, widths, and exact geometrics shall be as approved by the City Engineer.
 14. The developer shall provide public street dedication as required to serve the property.
 15. The exact alignment, width and design of all median islands, turning lanes, travel lanes, driveways, striping, and all other traffic control devices and measures, including turnouts, bike lanes, and width transitions, shall be approved by the City Engineer.
 16. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon soil tests and traffic index. The pavement design to be prepared by the subdivider's soil engineer must be approved by the City Engineer.
 17. All traffic signal contributions, highway thoroughfare fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be paid prior to the issuing of any building permits in accordance with City policies. The

- 1 subdivider or developer shall also be required to join into,
2 contribute, or participate in any improvement lighting, or
3 other special district affecting or affected by this
4 project. Approval of the tentative map or project shall
5 constitute the developer's approval of all such payments,
6 and his agreement to pay for any other similar assessments
7 or charges in effect at the time any increment is submitted
8 for final map or building permit approval, and to join,
9 contribute, or participate in such districts.
- 10 18. Design and construction of all improvements shall be in
11 accordance with standard plans, specifications of the City
12 of Oceanside and subject to approval by the City Engineer.
13 Parking lot striping shall be shown on precise
14 grading/private improvement plans for parking lots.
- 15 19. A raised landscaped concrete median shall be required along
16 Cannon Road and Melrose Drive as determined by the City
17 Engineer.
- 18 20. All streets shall be improved with street name signs, and
19 traffic control devices, as required by the City Engineer.
- 20 21. Traffic signals shall be constructed at the intersections of
21 Cannon Road and Melrose Drive and at Cannon Road and Lake
22 Boulevard. The design, construction and operation shall be
23 as required by the City Engineer. The timing of
24 construction of these signals shall depend upon the phasing
25 of the recordation and development of the tract increments,
26 as determined by the City Engineer.
- 27 22. The developer shall pay traffic signal fees as required by
28 the City's Traffic Signal Fee Ordinance.
- 23 23. The developer shall pay thoroughfare fees as required by the
24 City's Thoroughfare Fee Ordinance.
- 25 24. Sight distance requirements at all street intersections
26 shall conform to the intersectional sight distance criteria
27 as provided by the California Department of Transportation
28 Highway Design Manual.
- 29 25. Landscaping plans for trees, bushes and shrubs, or plans for
30 the construction of walls, fences or other structures at or
31 near intersections must conform to sight distance
32 requirements and must be submitted to and approved by the
33 City Engineer prior to the issuance of building permits and
34 prior to the implementation of any landscape improvements.
- 35 26. Traffic control during the construction of streets which
36 have been opened to public travel shall be in accordance
37 with construction signing, marking and other protection as
38 required by the State Department of Transportation
(CalTrans) Traffic Manual.

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2 27. Sediment, silt and grease traps shall be included in
3 drainage improvements.
- 4 28. Grading and drainage facilities shall be designed to
5 adequately accommodate the local storm water runoff and
6 shall be in accordance with standard plans and
7 specifications of the City of Oceanside and subject to the
8 approval of the City Engineer.
- 9 29. This subdivision or project is subject to payment of Master
10 Plan of Drainage acreage fees, to be paid prior to approval
11 of the final map or building permit. All storm drains and
12 appurtenances shall be designed and installed to the
13 satisfaction of the City Engineer. On and off-site drains
14 shall be shown on City standard plans and profile sheets.
15 Storm drain easements shall be dedicated where required.
- 16 30. Storm drain facilities shall be designed and located such
17 that the inside travel lanes on Cannon Road, Melrose Drive
18 and Lake Boulevard shall be passable during conditions of a
19 100-year frequency storm.
- 20 31. Storm drain easements shall be dedicated when required. The
21 subdivider or developer shall be responsible for obtaining
22 any off-site easements for storm drainage facilities.
- 23 32. All drainage picked up in an underground system shall remain
24 in underground system until outlet into an approved channel.
- 25 33. On-site grading design and construction shall be in
26 accordance with the City's current Grading Ordinance.
- 27 34. Prior to any grading of any part of the tract or project, a
28 comprehensive soils and geologic investigation shall be
conducted of the soils, slopes, and formations in the tracts
or projects. All necessary measures shall be taken and
implemented to assure slope stability, erosion control, and
soil integrity. No grading shall occur until a detailed
grading plan, to be prepared in accordance with the Grading
Ordinance and Zoning Ordinance, is approved by the City
Engineer.
35. The applicant shall provide adequate erosion control devices
for the borrow sites at the completion of each phase of
grading. This shall include landscaping and temporary
irrigation systems on exposed slopes to be approved by the
Engineering Department.
36. The entire project shall be served with a water system
adequate enough for fire protection and domestic supply,
with hydrants and other appurtenances as needed. The main
lines shall be dedicated to the City, and appropriate
easements shall be provided. The sewer system to serve the
tract shall be designed and constructed to City standards.

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All other utilities to serve the project, including electrical, telephone, and cable T.V., shall be constructed underground.

37. All existing overhead utility lines across the frontage of the project shall be undergrounded. All new extension services for the development of the project, including electrical and telephone, shall be constructed underground. The applicant shall be required to underground all overhead utilities unless this condition is appealed to and waived by City Council, within the appropriate appeal period.

38. Street lights shall be installed along Cannon Road, Melrose Drive and Lake Boulevard under the City's LS-2 rate schedule (City owned). The subdivider or developer shall pay all applicable fees, energy charges, and/or assessments and shall agree to the formulation of or the annexation to any appropriate street lighting district. Street light plans shall be submitted and approved prior to recordation of Final Map or issuance of building permits whichever is applicable.

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

40. Any broken concrete curb, gutter or sidewalk shall be repaired or replaced as required by the City Engineer.

41. The developer shall install 1-1/2 inch P.V.C. conduit and 1/4 inch pull rope on the frontage of Cannon Road, Melrose Drive and Lake Boulevard and above, for signal interconnect cable. Pull boxes shall be spaced 200 feet apart.

42. Full intersection improvements shall be constructed by this development at the intersection of Cannon Road with Melrose Drive, and Cannon Road with Lake Boulevard. The improvements shall include pedestrian crosswalks, traffic signals and all necessary pavement and striping transitions to effect proper orientation and alignment of all travel lanes. The appropriate drainage structures shall be constructed to adequately convey drainage. Cross gutters shall not be permitted.

43. All curb and gutter, including medians, along Cannon Road shall be eight (8) inches with the appropriate transitions off-site to the existing curb and gutter. (This may require the removal of some existing curb and gutter).

44. Melrose Drive shall be dedicated and improved as a prime arterial (TI-10); 124' right-of-way with the appropriate intersection transitions. The improvements shall be to the dimensions and configuration as shown on the Development Plan. Melrose Drive, across the frontage of Parcel A of

1
2 Parcel Map 14100, shall be improved with two lanes
3 northerly, an additional left turn pocket at the project's
4 proposed entry off Melrose, two left turn lanes (northerly)
5 and the appropriate transitions at the intersection with
6 Cannon and all signing and striping to the satisfaction of
7 the City Engineer. The existing pavement sections shall be
8 evaluated and the appropriate repairs and modifications
9 shall be constructed by this development.

10 45. Cannon Road shall be dedicated and improved (TI-9) to the
11 dimensions and configurations as shown on the Development
12 Plan. The improvements shall be half width plus twelve (12)
13 feet (if required) and shall include the
14 construction/modifications of the raised median to the
15 satisfaction of the City Engineer. The existing pavement
16 sections shall be evaluated and the appropriate repairs and
17 modifications shall be constructed by this development.

18 46. The raised medians along Cannon Road and Melrose Drive shall
19 be landscaped in accordance with current City policy. The
20 developer shall be responsible for the maintenance of the
21 landscaping within the parkways along the public streets
22 fronting the project and for the medians within Cannon Road
23 and Melrose Drive.

24 47. The developer shall participate in the Lake Boulevard
25 improvements as required by the City Engineer and as a
26 requirement from the underlying Parcel Map.

27 48. The project's hydrology and hydraulic analyses shall address
28 the street flow along Melrose Drive, Cannon Road and Lake
Boulevard. The appropriate drainage structures shall be
constructed by the development to the satisfaction of the
City Engineer.

49. The project entries shall maintain a maximum of five percent
(5%) grade, measured from the curb line, for a minimum of
fifty (50) feet.

50. All required public improvement plans shall be required to
be approved and the appropriate securities in place prior to
the issuance of building permits for the project. All
public improvements shall be completed prior to the issuance
of occupancy permits for the project.

51. All intersections, including the project entries, shall meet
the City and CalTrans site distance criteria. The
appropriate exhibits shall be submitted for each
intersection and entry verifying the sight distance criteria
has been met. No vertical obstructions greater than thirty
(30) inches shall be permitted within the sight line.

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52. A precise grading/private improvement plan, in accordance with City standards, shall be required to be approved and all required construction items completed prior to the issuance of building permits for the project.
53. The project entry off Melrose (northbound) shall be restricted to a left turn in only. The appropriate median improvements and signing shall be shown on the improvement plans.
54. An easement to the City of Oceanside for access to Lake Boulevard Park shall be granted no later than thirty (30) days after Planning Commission approval.
55. The access driveway to Lake Boulevard Park, on the shopping center's property, shall be constructed by the owners of the center and accepted by the City prior to the issuance of the first occupancy permit.

Fire:

56. Provide minimum fire flow of 3,000 gallons per minute.
57. Fire hydrants shall be 2-1/2".
58. The fire hydrants shall be installed and tested prior to placing any combustible materials on the job site.
59. Fire hydrants shall be located as indicated on a map filed in the Fire Prevention Bureau.
60. All-weather access roads shall be installed and made serviceable prior to and during time of construction. Sec. 10.301(c) and (d) Uniform Fire Code.
61. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per City Vehicle Code Section 22500.1.
62. All security gates shall have a Knox-box override.
63. Fire extinguishers are required and shall be included on the plans submitted for plan check.
64. Fire lanes shall be twenty-eight (28) feet minimum.
65. Cul-de-sacs shall be forty (40) feet radius.
66. All buildings shall be sprinklered and monitored by an approved Central Station prior to building final.
67. Fire alarm system plans shall be submitted for approval prior to installation.

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- 1 68. Buildings shall meet Oceanside Sprinkler Ordinance in effect
- 2 at the time of building permit application.
- 3 69. All open areas shall be landscaped with approved fire
- 4 retardant/anti-erosion type plants with an approved
- 5 permanent irrigation system and maintenance program.
- 6 70. Permits plans for all underground installations shall be
- 7 submitted to Fire Prevention for plan check and approval
- 8 prior to issuing building permits. All underground
- 9 installations require detailed plans.
- 10 71. All commercial kitchens require automatic fire extinguishing
- 11 system plans to be submitted to Fire Prevention for plan
- 12 check and approval prior to issuing building permits.
- 13 72. Show the proposed addressing - size and locations. Fire
- 14 Department addressing at the rear of the buildings.
- 15 73. Detailed plans for the underground water system for the fire
- 16 sprinkler system and fire hydrants are required. Fire
- 17 sprinkler calculations shall include the underground lateral
- 18 from the water main in the street. Fire sprinkler plans
- 19 shall be submitted for plan check and approval prior to
- 20 issuance of building permits.

21 Planning:

- 22 74. This Development Plan, Conditional Use Permits and Variance
- 23 shall expire on December 10, 1992, unless implemented as
- 24 required by the Zoning Ordinance.
- 25 75. Park fees shall be paid as required by City policy at the
- 26 time building permits are issued.
- 27 76. A letter of clearance from the affected school district in
- 28 which the property is located shall be provided as required
- by City Policy at the time building permits are issued.
77. A public facilities fee shall be paid as required by City
- policy at the time building permits are issued.
78. Landscape plans, meeting the criteria of the City's
- Landscape Guidelines, including the maintenance of such
- landscaping, shall be reviewed and approved by the Public
- Services Department, City Engineer and Planning Director
- prior to the issuance of building permits. Landscaping
- shall not be installed until bonds have been posted, fees
- paid, and plans signed for final approval. The following
- special landscaping requirements shall be met:
 - (a) Median landscaping shall be shown on the plan for
 - Cannon Road and Melrose Drive and shall meet the

1
2 criteria of the City of Oceanside and/or CalTrans
Landscape Median Guidelines.

3 (b) The developer shall be responsible for landscaping all
4 embankments 3 feet and over in height. All embankments
5 5 feet in height and over (and all slopes along major
streets) shall be landscaped and irrigated.

6 (c) Arterial street trees in parkways shall be planted at a
7 minimum of 30 feet on center, each side of street, as a
solitary planting. Approved root barriers shall be
incorporated.

8 (d) Minimum twenty-four (24) inch box trees shall be
9 planted on the slope between the park site and the
shopping center. They shall be planted at a minimum of
10 twenty (20) feet on the center; in addition to other
11 landscaping, shall adequately provide visual screening
of the shopping center from City park users and shall
12 provide a proper buffer area between the shopping
center and the City park.

13 (e) The maintenance of all landscaping shall be described
in the shopping center's Management Plan.

14 79. Trash enclosures must be provided as required by Chapter 13
15 of the City Code and shall also include additional space
for storage and collection of recyclable materials per City
16 standards. The enclosures must be built in a flat,
accessible location as determined by the City Engineer.
17 The enclosures shall meet City standards including being
constructed of concrete block, reinforced with Rebar and
18 filled with cement. A concrete slab must be poured with a
berm on the inside of the enclosure to prevent the bin(s)
19 from striking the block walls. The slab must extend out of
the enclosure for the bin(s) to roll out onto. Steel posts
20 must be set in front of the enclosure with gates of chain
link and lattice. All driveways and service access areas
21 must be designed to sustain the weight of a 50,000 pound
service vehicle. Trash enclosures and driveways and
22 service access areas shall be shown on both the improvement
and landscape plans submitted to the City Engineer. The
23 specifications shall be reviewed and approved by the City
Engineer. If Oceanside Disposal, Inc. is required to
24 access private property to service the trash enclosures, a
service agreement must be signed by the property owner.

25 80. Trash enclosures shall have design features such as
26 materials and trim similar to that of the rest of the
project.

27 81. Approval of this project does not include signs that may be
28 illustrated on the approved Development Plan. A
Comprehensive Sign Package shall be submitted to the

1
2 Planning Department and approved prior to the issuance of
3 sign permits. No temporary or portable signs shall be
4 permitted after 39 days of the date of occupancy begins.
5 All signs shall be designed in a manner sensitive to all
6 adjacent uses. The Comprehensive Sign Package shall include
7 the following restrictions:

- 8 a. All signs along Cannon Road shall be oriented away from
9 the apartment complex to the south.
10 b. No signs shall be permitted on the rear of the
11 buildings that are adjacent to the park.
12 c. No signs shall be permitted on the west-facing wall of
13 the drugstore building.
14 d. No pole signs shall be permitted along Lake Boulevard
15 and Cannon Road.

16 82. Prior to the transfer of ownership and/or operation of the
17 site the owner shall provide a written copy of the
18 applications, staff report and resolutions for the project
19 to the new owner and or operator. This notification's
20 provision shall run with the life of the project.

21 83. Failure to meet any conditions of approval for this
22 development shall constitute a violation of the Conditional
23 Use Permits and Development Plan.

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

85. The Conditional Use Permits shall be called for review by
the Planning Commission if complaints are filed and verified
as valid by the Code Enforcement Office concerning the
violation of any of the approved conditions or assumptions
made by the application.

86. The applicant shall be responsible for trash abatement on
the site, and shall keep the site free of litter, trash and
other nuisances.

87. A six foot high decorative masonry wall shall be constructed
on the north property line. The wall shall be shown on the
landscape and improvement or grading plans.

88. All retaining and other free-standing walls, fences, and
enclosures shall be architecturally designed in a manner

- 1
2 similar to and consistent with the primary structures
(stucco block, split-face block or slump stone). These
3 items shall be approved by the Planning Department prior to
the issuance of building permits.
- 4 89. Elevations, siding materials, colors, roofing materials and
5 floor plans shall be substantially the same as those
approved by the Planning Commission. These shall be shown
6 on plans submitted to the Building Department and Planning
Department.
- 7 90. Side and rear elevations and window treatments shall be
8 trimmed to substantially match the front elevations. A set
of building plans shall be reviewed and approved by the
9 Planning Department prior to the issuance of building
permits.
- 10 91. A covenant or other recordable document approved by the City
11 Attorney shall be prepared by the developer and recorded
prior to issuance of building permits. The covenant shall
12 provide that the property is subject to this Resolution, and
shall generally list the conditions of approval.
- 13 92. All landscaping, fences, walls, etc. on the site, in medians
14 in the public right-of-way and in any adjoining public
parkways shall be permanently maintained by the owner, his
15 assigns or any successors in interest in the property. The
maintenance program shall include normal care and irrigation
16 of the landscaping; repair and replacement of plant
materials; irrigation systems as necessary; and general
17 cleanup of the landscaped and open areas, parking lots and
walkways, walls, fences, etc. Failure to maintain
18 landscaping and the site in general may result in the
setting of a public hearing to revoke the approval. This
19 condition shall be recorded with the covenant required by
this Resolution.
- 20 93. The Conditional Use Permits are granted for the following
21 use only: A 6,500 square foot drive-thru bank and a 1,000
square foot service station/convenience market. Any change
22 in the use or any change in the structure will require a
revision to the Conditional Use Permit or a new Conditional
Use Permit.
- 23 94. This Development Plan approves only the following: A
24 120,732 square foot commercial development on a 11.37 acre
(net) property. Any substantial modification in the design
25 or layout shall require a revision to the Development Plan
or a new Development Plan.
- 26 95. All mechanical roof-top equipment shall be placed in roof
27 wells and screened from public view as required by the
Zoning Ordinance. All ground equipment shall be screened
28 from public view as required by the Zoning Ordinance. That
is, on all four sides and top. The roof jacks, mechanical

1
2 equipment, screen and vents shall be painted with non-
3 reflective paint to match the roof. This information shall
4 be shown on the building plans and included in the shopping
5 center's management plan.

- 6
7
8 96. The project shall require the establishment of a management
9 plan. The management plan shall be reviewed and approved by
10 the Planning Director and shall include provisions for on-
11 site management and maintenance of the project site which
12 includes but is not limited to landscaping and the
13 structures. The Management Plan shall be recorded by deed
14 by the County Recorder prior to the issuance of building
15 permits so that this shopping center is subject to the
16 provisions of the Management Plan.
- 17
18 97. All outdoor lighting shall be properly shielded and directed
19 so as to prevent glare on surrounding properties. The light
20 source of the lighting for the northeast corner of the
21 shopping center shall not be directly visible from the
22 adjacent residential use northeast of the project.
23 Additionally, all lighting shall comply with all City codes
24 and ordinances in effect at the time of building permit
25 issuance including light pollution control measures.
- 26
27 98. All trash and recycling containers shall be kept within the
28 designated trash enclosures. This condition shall be
included in the shopping center's Management Plan.
99. A minimum of one tree for every six spaces shall be
distributed throughout the parking lot as approved by the
Planning Director.
100. Parking at the rear of the main retail area shall be clearly
designated as employee parking. This condition shall be
included in the shopping center's Management Plan.
101. Bicycle parking shall be provided at a rate of five-percent
of the minimum requirement for automobile parking as
approved by the Planning Director.
102. No convenience markets, other than the proposed gasoline
station/convenience market near the intersection of Melrose
Drive and Cannon Road, shall be allowed within this
development. This condition shall be included in the
shopping center's Management Plan.
103. The drive-through bank shall be limited to the following
hours of operation: 8:00 a.m. to 6:00 p.m. Monday through
Sunday. This condition shall be included in the shopping
center's Management Plan.
104. All exterior loading and unloading operations shall take
place only during the hours of 7:00 a.m. and 9:00 p.m.
Monday through Sunday and shall take place only on

1
2 designated loading areas. This condition shall be included
in the shopping center's Management Plan.

3 105. The following uses shall be prohibited within this shopping
4 center:

5 a. Any regulated uses listed in Section 3602 of the Zoning
6 Ordinance (as defined by Section 3603). This list
includes:

- 7 1. Adult Bookstores
- 8 2. Adult Entertainment Businesses
- 9 3. Adult Motion Picture Theaters
- 10 4. Adult Theaters
- 11 5. Arcades
- 12 6. Bars and Cocktail Lounges
- 13 7. Bath Houses
- 14 8. Dance Establishments
- 15 9. Escort Services
- 16 10. Figure Studios
- 17 11. Liquor Stores
- 18 12. Massage Establishments
- 19 13. Peep-Show Establishments
- 20 14. Pool Rooms, Billiard Rooms, and Shooting Galleries
- 21 15. Tattoo Establishments

22 This condition shall be included in the shopping center's
23 Management Plan.

24 106. The freestanding masonry wall and all other block walls
25 behind the shopping center shall be treated with approved
26 anti-graffiti paint. The first eight (8) feet of all
27 building sides facing the City park shall be treated with
28 approved anti-graffiti paint. Regular maintenance for these
walls shall be described in the shopping center's Management
Plan.

107. Site lighting shall maintain an average foot candle of 1.5
throughout the shopping center. A photometric study showing
this requirement shall be submitted for the Planning
Department's review and approval. This requirement shall be
included as part of the shopping center's Management Plan.

108. Light standards shall be limited to 20 feet in overall
height, with the light source at not more than 18.5 feet
above ground. Light standards shall be prohibited behind
the main retail area. Light sources at the rear of the
center shall be attached to buildings and shall not be more
than fifteen (15) feet in height.

109. No outdoor vending machines are permitted within this
shopping center. This condition shall be included in the
shopping center's management plan.

1
2 110. No outdoor display of merchandise shall be permitted. This
3 condition shall be included in the shopping center's
4 management plan. This condition does not apply to outdoor
5 Christmas tree sales.

6 111. All shopping carts shall be regularly collected from the
7 parking lot so that parking and circulation is not impeded.
8 This condition shall be included in the shopping center's
9 management plan.

10 112. All establishments within this shopping center that provide
11 shopping carts to customers shall store all shopping carts
12 indoors. This condition shall be included in the shopping
13 center's management plan.

14 113. All buildings within the shopping center shall conform to
15 the thirty (30) foot height limitation of the CN (Commercial
16 Neighborhood) Zoning District. All structures that exceed
17 the base district height limit shall be re-designed to
18 conform to the maximum allowable height; and shall be
19 subject to the review and approval of the Planning
20 Commission. Each freestanding building pad shall be subject
21 to an Administrative Development Plan (ADP) review. Each
22 building elevation shall be reviewed and approved by the
23 Planning Commission.

24 Water Utilities:

25 114. All public water and/or sewer facilities not located within
26 the public right-of-way, shall be provided with adequate
27 sized easements.

28 115. No trees or structures shall be located within any public
utility easement.

116. Water facilities located on private property shall be
private lines and shall be maintained by the owner.

117. Sewer facilities located on private property shall be
private lines and shall be maintained by the owner.

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118. The developer shall be responsible for developing all water and sewer facilities necessary to this property. Any relocation of water or sewer lines are the responsibility of the developer.

PASSED on December 10, 1990 by the following vote, to wit:

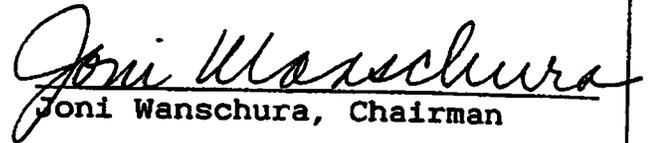
AYES: Sullivan, Jakovac, Boyer, Wilson, Skinner, Wanschura

NAYES: None

ABSENT: Cassan

ABSTAIN: None

ADOPTED on this 10th day of December, 1990.


Joni Wanschura, Chairman

ATTEST:


Michael J. Blessing, Secretary

I, MICHAEL J. BLESSING, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 90-P101.

Dated: 10 December '90

MICHAEL J. BLESSING, Secretary
OCEANSIDE PLANNING COMMISSION

BUCCOLA ENGINEERING, inc.

LEGAL DESCRIPTION

PARCEL 2 OF PARCEL MAP NO. 10839, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 24, 1980 AS FILE NO. 80-433378 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN LAKE BOULEVARD AS WAS DEDICATED ON PARCEL MAP NO. 6695, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DECEMBER 23, 1977 AS FILE NO. 77-532009 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE BOUNDARIES OF SOUTH RIDGE TRAILS UNIT NO. 1, ACCORDING TO MAP THEREOF NO. 10232, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 1, 1981.

D-19-90, C-23-90, C-24-90, V-19-90



File Number: P-8-07

Applicant: Americal Management Co. Inc.

Description:

TENTATIVE PARCEL MAP (P-8-07) to permit a lot parcel map within the Palm Tree Plaza Shopping Center located at the southwest corner of Lake Boulevard and Cannon Road. The project site is zoned CG-PBD (General Commercial Planned Block Development) and is situated within the Ocean Hills Neighborhood. – **PALM TREE PLAZA PACEL MAP**

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
OCT 09 2007

STAFF USE ONLY

ACCEPTED	BY
RECEIVED 10/9/07 Planning Department	SU

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT AMERICAL MANAGEMENT CO. INC	2. STATUS DEVELOPER
3. ADDRESS 100 N. CRESCENT DR., SUITE 218 BEVERLY HILLS, CA, 90210	4. PHONE/FAX/E-mail TEL: (310) 860-5400 FAX: (310) 550-1767
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) BEN SWENSON	
6. ADDRESS SAME AS ABOVE	7. PHONE/FAX/E-mail TEL: (310) 860-5409 FAX: (310) 276-8277

GPA
MASTER/SP.PLAN
ZONE CH.
TENT. MAP
PAR. MAP P 8-07
DEV. PL.
C.U.P.
VARIANCE
COASTAL
O.H.P.A.C.

PART II - PROPERTY DESCRIPTION

8. LOCATION N.E. CORNER OF CANNON ROAD & LAKE BOULEVARD	9. SIZE
10. GENERAL PLAN GENERAL COMMERCIAL	11. ZONING CG-PBD
12. LAND USE COMMERCIAL	13. ASSESSOR'S PARCEL NUMBER 169-011-47, 169-011-48

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
TENTATIVE PARCEL MAP DIVIDING PARCELS 'A' AND 'B' OF PLA-05-06 INTO PARCELS '1', '2', '3', AND 'A' AS SHOWN ON THE PROPOSED TPM

REV-12/18/07

15. PROPOSED GENERAL PLAN GENERAL COMMERCIAL	16. PROPOSED ZONING CG-PBD	17. PROPOSED LAND USE COMMERCIAL	18. NO. UNITS -NA-	19. DENSITY -NA-
20. BUILDING SIZE -NA-	21. PARKING SPACES -NA-	22. % LANDSCAPE -NA-	23. % LOT COVERAGE or FAR -NA-	

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 TM
<input checked="" type="checkbox"/> 30. PROPOSAL MAPS AND OVERLAYS	<input checked="" type="checkbox"/> 31. CERTIFICATION OF POSTING	32. OTHER (See attachment for required reports)

PART V - SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print): BEN SWENSON	34. DATE 10/3/07	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>Ben Swenson</i>	35. OWNER (Print) SEE EXHIBIT "A" ATTACHED	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		36. DATE 10/3/07 Sign:

SCOTT

First Bank Tentative Map

Description and Justification

The proposed Tentative Map will divide Parcel 'A' of the Certificate of Compliance for Parcel Line Adjustment PLA-05-06 recorded November 9, 2006 as Document No. 2006-0802139 of official records. As a result of the proposed division, Parcels '1', '2', and 'A' will be created as shown on the Tentative Map. No physical improvements are proposed per this project.

The proposed project is located within the existing Palm Tree Plaza commercial shopping center located at the intersection of Lake Boulevard and Cannon Road. Currently, Parcels '1' and '2' contain vacant pads. When developed, Parcels '1', and '2' will each house a separate business. The lot sizes, lot coverage percentages, and landscape coverage percentages are given by:

Parcel No.	Acreage	Building Lot Coverage		Landscape Lot Coverage	
		Acres	Percentage	Acres	Percentage
1	0.78 Gross/Net	0.10	12.82	0.22	28.21
2	0.78 Gross/Net	-NA-	-NA-	0.15*	19.23*
A	0.35 Gross/Net	-NA-	-NA-	0.05	14.29

* Landscape percentage is based on the assumption that the existing slope along Cannon Road will remain as in the existing condition.

These businesses contained within these parcels will bring additional income to Americal Management Company, Inc. in the form of lease agreements. Additionally, the businesses will provide jobs and shopping opportunities to the surrounding neighborhood and in turn to the City of Oceanside.

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 Planning Department

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OCT 09 2007
Planning Department

RECEIVED
OCT - 9 2007
Planning Department

LEGAL DESCRIPTION

PARCELS 'A' AND 'B' OF THAT CERTAIN CERTIFICATE
OF COMPLIANCE, FOR PARCEL LINE ADJUSTMENT
PLA-05-06, RECORDED NOVEMBER 9, 2006 AS
DOCUMENT NO. 2006-0802139 OF OFFICIAL RECORDS.

ASSESSOR'S PARCEL NUMBER

A.P.N. 169-011-47, 48



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(30 days)

1. **APPLICANT:** AMERICAL MANAGEMENT CO. IINC.
2. **ADDRESS:** 100 N. Crescent Dr., Ste. 218
Beverly Hills, CA. 90210
3. **PHONE NUMBER:** (310) 860-5400
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale, Planner II
6. **PROJECT TITLE:** Palm Tree Plaza Parcel Map (P-8-07)
7. **DESCRIPTION:** A request to subdivide two existing parcels into four legal commercial lots.

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 one, "subdivision of existing commercial lands" (Section 15301) (k); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).


Scott Nightingale, Planner II

Date: 3/10/08

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee