

**STAFF REPORT****CITY OF OCEANSIDE**

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DATE: June 18, 2008

TO: Chairman and Members of the Community Development Commission

FROM: Economic and Community Development Department

SUBJECT: **CONSIDERATION OF A RESOLUTION APPROVING TENTATIVE PARCEL MAP (P-208-06), DEVELOPMENT PLAN (D-214-06) AND REGULAR COASTAL PERMIT (RC-216-06) FOR THE CONSTRUCTION OF A RESIDENTIAL DUPLEX DEVELOPMENT LOCATED AT 807 NORTH PACIFIC STREET – APPLICANTS: TOM AND SHERYL CROW**

**SYNOPSIS**

The item under consideration is a Tentative Parcel Map, Development Plan and Regular Coastal Permit for the construction of a residential duplex development located at 807 North Pacific Street. Staff is recommending that the Commission approve the project and adopt the resolution as attached.

**BACKGROUND**

The subject site consists of an existing legal parcel totaling 5,000 square feet in size that was part of the original A.J. Myers subdivision of 1885. The subject site currently maintains a single-family residence which will be demolished as part of the development.

The subject site is relatively flat, however, the rear (western) portion drops off steeply down the bluff with a 22-foot grade differential between the highest and lowest points of the site. The project proposes to export 633 cubic yards of soil due to the excavation of the basement.

The subject site is situated within the North Pacific Street corridor neighborhood, which consists of old apartment buildings and condominiums interspersed with some single-family residential.

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

**Land Use and Zoning:** The subject site is located within Subdistrict 5 of the "D" Downtown District. Subdistrict 5 is primarily intended to provide a high-density residential neighborhood in an urban setting in close proximity to shopping,

employment, transportation and recreational facilities. The maximum density within this zone is 43 dwelling units per acre. The project proposes a density of 17.4 dwelling units per acre.

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

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

**Project Description:** The project application consists of several components, which include a Tentative Parcel Map, Development Plan and Regular Coastal Permit. Each discretionary request is described as follows:

Tentative Parcel Map and Development Plan: The project proposes a residential duplex development with the units either 2,200 or 2,530 square feet in size situated on a 5,000-square-foot lot. The project proposes a 2-story building over a basement. The proposed basement will not be visible from The Strand (west). The proposed project is a Modern design as evident by the smooth stucco finish, flat roof and sleek windows.

Subdistrict 5 requires that a minimum of 25 percent of the site be landscaped. The project proposes that approximately 30 percent of the subject site is landscaped. The project proposes Cypress and Palm trees, shrubs include Azalea and Pygmy Palms and groundcover consists of Dichondra.

Vehicular access to the units will be provided from North Pacific Street and pedestrian access will also be provided from North Pacific Street.

The overall project density is 17.4 dwelling units per acre. Outlined below is the residential unit breakdown:

Plan Type	Sq.Ft.	Bedrms.	Baths	Units
Plan 1	2,200	3	3	1
Plan 2	2,530	3	3.5	1
Total				2

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

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	5,000 square feet	5,000 square feet
SETBACKS Front Side Rear	10 feet 3 feet 5 feet	*5 feet 3 feet 33 feet
LANDSCAPING	25%	30%
PARKING	4 spaces	4 spaces
BUILDING HEIGHT	27 feet	27 feet
DENSITY	43 du. Ac.(Maximum)	17.4 du. Ac.

\*Block face average.

Regular Coastal Permit: This project requires a coastal permit because the subject site is situated within the coastal zone.

**Environmental Determination:** A Certificate of Exemption has been prepared for the project. Under the provisions of the California Environmental Quality Act, the Community Development Commission will consider the exemption during its hearing on the project.

The Historic Assessment has been prepared to determine the cultural significance of the subject site. The Historic Assessment chronicles the creation, ownership, and development of the subject site and concludes that the site does have a long and interesting ownership history; however, no significant cultural resources exist on the site today.

**ANALYSIS**

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

Since the proposed project is an infill project, staff's review centered on the project's compatibility with the existing residential patterns. The surrounding area consists of older apartments interspersed with newer condominium development and single-family residences. Staff believes that the proposed residential duplex development is

consistent with the surrounding neighborhood in both product type and size. Staff also reviewed the project's architectural compatibility and scale with the surrounding neighborhood. Staff believes that the proposed design and scale (at 27 feet high) is compatible to the newer development located on the North Pacific Street corridor.

Staff's review of the project examined the consistency of the development with the underlying zoning regulations and policies of the Local Coastal Program. The project is located within the "appealable area" which is defined as the first 300 feet east of The Strand. Staff evaluated the proposed residence and its effect on public coastal views. The project is located near the center of the block and the project front yard setback is consistent with the other residential buildings located within the same block, therefore, the potential public coastal view blockage will be minimal. The proposed building rear (western) footprint will not exceed the rear building footprints of the other residential buildings located on the same block, therefore, potential view blockage from the northern or southern properties will be minimal. The project has been conditioned to provide a "see through" front yard gate made of wrought iron or similar material.

In conclusion, staff believes that the project meets the intent of the Redevelopment Plan and goals, which encourage the development of new residential uses. The design of the project is consistent in both the height and scale of the surrounding neighborhood. The proposed project is consistent with the quality of design of the newer residences located along North Pacific Street.

### **COMMISSION OR COMMITTEE REPORTS**

The Redevelopment Design Review Committee (RDRC) reviewed the project at its April 25, 2008, meeting and approved the project on a 4-0 vote.

The Redevelopment Advisory Committee (RAC) approved the project at its May 28, 2008 meeting on a 6-0 vote with the added condition that the proposed basement cannot be utilized as living quarters.

### **FISCAL IMPACT**

The proposed project will add approximately \$32,000 of tax increment yearly to the project area.

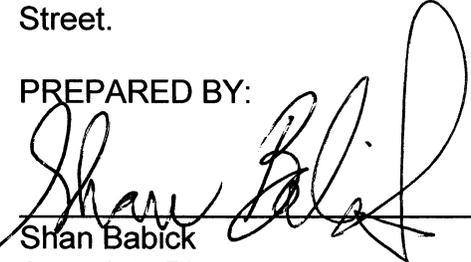
### **CITY ATTORNEY'S ANALYSIS**

Pursuant to Oceanside Zoning Ordinance Article 41, Section 4102, and Article 43, Section 4305, the Community Development Commission is authorized to hold a public hearing on this project's applications. Consideration of the project should be based on the evidence presented at the public hearing. After conducting the public hearing, the Commission shall approve, conditionally approve, or disapprove the project. The resolution has been reviewed and approved as to form by the City Attorney.

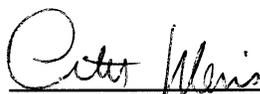
**RECOMMENDATION**

Staff recommends that the Commission adopt the resolution approving Tentative Parcel Map (P-208-06), Development Plan (D-214-06) and Regular Coastal Permit (RC-216-06) for the construction of a residential duplex development located at 807 North Pacific Street.

PREPARED BY:

  
Shan Babick  
Associate Planner

SUBMITTED BY:

  
Peter A. Weiss  
Executive Director

REVIEWED BY:

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



**EXHIBITS/ATTACHMENTS**

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

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RESOLUTION NO. 08-

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE APPROVING A TENTATIVE PARCEL MAP, DEVELOPMENT PLAN, AND REGULAR COASTAL PERMIT FOR THE CONSTRUCTION OF A RESIDENTIAL DUPLEX LOCATED AT 807 NORTH PACIFIC STREET – APPLICANT: TOM AND SHERL CROW

WHEREAS, on June 18, 2008, the Community Development Commission held its duly noticed public hearing, considered an application for a Tentative Parcel Map (P-208-06), Development Plan (D-214-06) and Regular Coastal Permit (RC-216-06) for the construction of a residential duplex located at 807 North Pacific Street;

WHEREAS, the Redevelopment Design Review Committee (RDRC) of the City of Oceanside did, on April 25, 2008, review and recommend approval of Tentative Parcel Map (P-208-06), Development Plan (D-214-06) and Regular Coastal Permit (RC-216-06);

WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of Oceanside did, on May 28, 2008 review and recommend approval of Tentative Parcel Map (P-208-06), Development Plan (D-214-06) and Regular Coastal Permit (RC-216-06);

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

WHEREAS, a Categorical Exemption was prepared by the Resource Officer of the City of Oceanside for this application pursuant to the California Environmental Quality Act of 1970 and the State Guidelines implementing the Act. The project is considered an infill development and will not have a detrimental effect on the environment;

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 Government 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>
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1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3			
4	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
5			
6	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	\$2,843 per acre
7			
8	Public Facility Fee	Ordinance No. 91-09 Resolution No. 05-R0334-1	\$2,072 per unit
9			
10	School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot
11			
12	Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
13			
14	Thoroughfare Fee	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table)
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17			
18	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$3,746 per unit;
19			
20			
21			
22	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on meter size. Residential is typically \$4,587 per unit;
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24			
25			
26			
27	San Diego County Water	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically
28	Authority Capacity Fees		



1 map is consistent with the General Plan, Redevelopment Plan, Article 12 of the Downtown District  
2 and the Subdivision Ordinance of the City of Oceanside by creating one 5,000 square foot lot  
3 where the minimum lot size is 5,000 square feet.

4 2. The proposed building on the site will conform to the topography of the site,  
5 therefore, making it suitable for residential development. The subject site is physically suitable to  
6 allow for the development of a residential duplex in that the project meets or exceeds all  
7 development standards.

8 3. The subdivision complies with all other applicable ordinances, regulations and  
9 guidelines of the City.

10 4. The design of the subdivision or proposed improvements will not conflict with  
11 easements, acquired by the public at large, for access through or use of property within the  
12 subdivision.

13 5. The design of the subdivision or the proposed improvements will not cause  
14 substantial environment damage or substantially and avoidably injure fish or wildlife or their  
15 habitat because the proposed project is an infill site that does not contain any sensitive habitat, river  
16 or blue stream, wildlife, cultural resources, riparian habitat, sensitive landforms and/or geologic  
17 formations or minerals, sensitive fauna and marine life.

18 **For the Development Plan:**

19 1. The site plan and physical design of the project as proposed is consistent with the  
20 purposes of the City's Zoning Ordinance and the "D" Downtown District in that the  
21 architectural design of the proposed structure and the landscaping of the open space meets or  
22 exceeds the minimum development standards of the "D" Downtown District. The proposed  
23 project meets the minimum setbacks, landscape, open space, height and parking spaces as  
24 stipulated within the "D" Downtown District development standards.

25 2. The Development Plan as proposed conforms to the Redevelopment Plan, and  
26 General Plan of the City in that the residential duplex development is consistent with the land  
27 uses of the Redevelopment Plan and the project meets the minimum setbacks, landscape, open  
28 space, height and parking spaces as stipulated within the "D" Downtown District development  
standards. In addition, the project is consistent with the newer development located within the  
surrounding neighborhood.

1           3.       The area covered by the Development Plan can be adequately, reasonably and  
2 conveniently served by existing and planned public services, utilities and public facilities. The  
3 proposed residential duplex development project will not create public service and facility  
4 demands exceeding the capacity of existing and planned infrastructure.

5           4.       The proposed project, a residential duplex development, is compatible with the  
6 newer development within the surrounding neighborhood in that in comparing the project's  
7 product type and corresponding square footages to the unit types and square footages that exist in  
8 the area, it can be found that the proposed unit sizes are comparable in size and would have a  
9 positive effect on the area.

10          5.       The site plan and physical design of the project is consistent with Section 1.24 and  
11 1.25 of the Land Use Element of the General Plan, and Section 3039 of the Oceanside Zoning  
12 Ordinance (Hillside Development Provisions), in that the grade differentials from the highest and  
13 lowest points of the subject site does not qualify this project and therefore would not be subject to  
14 the guidelines of the Land Use Element of the General Plan.

**For the Regular Coastal Permit:**

15          1.       The granting of the Regular Coastal Permit is consistent with the purposes of the  
16 California Coastal Act of 1976. The proposed residential duplex is consistent with the High  
17 Density Land Use as depicted in the Local Coastal Program Land Use Map. In addition, the  
18 project location (in the middle of the block) does not impede public access to the beach or  
19 impact public coastal views.

20          2.       The proposed project is consistent with the policies of the Local Coastal Program  
21 as implemented through the City Zoning Ordinance. The proposed residential duplex is  
22 consistent with the High Density Land Use as depicted in the Local Coastal Program Land Use  
23 Map. The project will not substantially alter or impact the existing coastal views through the  
24 public rights-of-way view corridors by providing a 5 foot front yard setback which is consistent  
25 with the existing buildings located within the same block.

26          3.       The proposed project will not obstruct any existing or planned public beach  
27 access; therefore, the project is in conformance with the policies of Chapter 3 of the Coastal  
28 Act. The subject site is located north of the Neptune Way public access/view corridor and,  
therefore, the proposed project will not obstruct and/or block any existing and/or proposed

1 public beach access.

2 SECTION 1. That Parcel Map (P-208-06), Development Plan (D-214-06) and Regular  
3 Coastal Permit (RC-216-06) are hereby approved subject to the following conditions:

4 **Building:**

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

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

10 3. All electrical, communication, CATV, etc. service lines, within the exterior lines  
11 of the property shall be underground. (City Code Sec. 6.30)

12 4. All outdoor lighting must comply with Chapter 39 of the City Code. (Light  
13 Pollution Ordinance) Where color rendition is important, high-pressure sodium, metal halide or  
14 other such lights may be utilized and shall be shown on building and electrical plans.

15 5. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on  
16 the plans.

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

20 a) Building construction work hours shall be limited to between 7 a.m. and  
21 6 p.m. Monday through Friday, and on Saturday from 7 a.m. to 6 p.m. for work that is not  
22 inherently noise-producing. Examples of work not permitted on Saturday are concrete and  
23 grout pours, roof nailing and activities of similar noise-producing nature. No work shall be  
24 permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4<sup>th</sup>, Labor  
25 Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work under the  
26 provisions of the Oceanside City Code Chapter 38. (Noise Ordinance)

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

1 pending disposal.

2 7. A complete soils report, structural and energy calculations will be required at  
3 time of plans submittal to the Building Division for plan check.

4 8. A building (demolition) permit shall be required for the demolition of any  
5 existing structures. Plans for the Demolition Permit shall clearly depict that all utilities  
6 (electric, gas, water & sewer) are properly terminated/capped in accordance with the  
7 requirements of the utility service provider. Any underground septic or water storage tanks  
8 must be removed or filled in accordance with the Uniform Plumbing Code and/or the City's  
9 Grading Ordinance.

10 9. Separate/unique addresses will/may be required to facilitate utility releases.  
11 Verification that the addresses have been properly assigned by the City's Planning Department  
12 shall accompany the Building Permit application.

12 **Engineering:**

13 10. The project involves demolition of an existing structure or surface improvements,  
14 the grading plans shall be submitted and erosion control plans be approved by the City Engineer  
15 prior to the issuance of a demolition permit. No demolition shall be permitted without an approved  
16 erosion control plan.

17 11. Vehicular access rights to Pacific Street shall be relinquished to the City from this  
18 lot, except for the proposed project driveway.

19 12. Design and construction of all improvements shall be in accordance with  
20 standard plans, specifications of the City of Oceanside and subject to approval by the City  
21 Engineer.

22 13. Prior to issuance of a building permit all improvement requirements shall be  
23 covered by a development agreement and secured with sufficient improvement securities or  
24 bonds guaranteeing performance and payment for labor and materials, setting of monuments,  
25 and warranty against defective materials and workmanship.

26 14. The approval of the tentative parcel map shall not mean that closure, vacation, or  
27 abandonment of any public street, right of way, easement, or facility is granted or guaranteed to  
28 the developer/owner. The developer/owner is responsible for applying for all closures,  
vacations, and abandonments as necessary. The application(s) shall be reviewed and approved

1 or rejected by the City of Oceanside under separate process (es) per codes, ordinances, and  
2 policies in effect at the time of the application.

3 15. Prior to approval of the parcel map or any increment, all improvement  
4 requirements, within such increment or outside of it if required by the City Engineer, shall be  
5 covered by a subdivision agreement and secured with sufficient improvement securities or bonds  
6 guaranteeing performance and payment for labor and materials, setting of monuments, and  
7 warranty against defective materials and workmanship.

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

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

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

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

1           20.     Prior to any grading of any part of the tract or project, a comprehensive soils and  
2 geologic investigation shall be conducted of the soils, slopes, the existing bluff and formations in  
3 the project. All necessary measures shall be taken and implemented to assure bluff/slope stability,  
4 erosion control, and soil integrity. The geotechnical report shall include detailed analysis of the  
5 bluff remediation, the proposed plantable caissons and its structural integrity and well as drainage  
6 impact on the bluff (due to rainfall and irrigation). No grading shall occur until a detailed grading  
7 plan, to be prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved  
8 by the City Engineer.

9           21.     The bluff area will require a bluff stabilization system adequate to satisfy all City  
10 and State safety requirements and be satisfactory to the City Engineer.

11           22.     The bluff stabilization system shall be required to last the life of the structure  
12 without the need for any maintenance or future additional support issues.

13           23.     The side and rear of the property will require shoring system sufficient to support  
14 the excavation while the foundation and wall systems are constructed. This shoring and support  
15 will remain even after the walls and support foundation are built.

16           24.     The construction method and design of the bluff stabilization shall be required  
17 such that no encroachment will be necessary or required at the base of the bluff on the adjacent  
18 properties. All work will be performed within the property lines of the proposed project.

19           25.     All bluff stabilization construction and permanent structures shall be designed to  
20 be safe and stable in compliance with all City and State requirements.

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

- 24           a)     Dirt, debris and other construction material shall not be deposited on any public  
25 street or within the City's storm water conveyance system.
- 26           b)     All grading and related site preparation and construction activities shall be  
27 limited to the hours of 7 AM to 6 PM, Monday through Friday. No engineering  
28 related construction activities shall be conducted on Saturdays, Sundays or legal  
holidays unless written permission is granted by the City Engineer with specific  
limitations to the working hours and types of permitted operations. All on-site  
construction staging areas shall be as far as possible (minimum 100 feet) from  
any existing residential development. Because construction noise may still be

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intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance also prohibits “any disturbing excessive or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity.”

- c) The construction site (or an appropriate site to the satisfaction of the City Engineer) shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.
- d) A haul route shall be obtained at least 7 days prior the start of hauling operations and must be approved by the City Engineer. Hauling operations shall be 8:00 A.M. to 3:30 P.M. unless approved otherwise.

27. It is the responsibility of the owner/developer to evaluate and determine that all soil imported as part of this development is free of hazardous and/or contaminated material as defined by the City and the County of San Diego Department of Environmental Health. Exported or imported soils shall be properly screened, tested, and documented regarding hazardous contamination.

28. A traffic control plan shall be prepared according to the City traffic control guidelines and be submitted to and approved by the City Engineer prior to the start of work within open City rights-of-way. Traffic control during construction of streets that have been opened to public traffic shall be in accordance with construction signing, marking and other protection as required by the Caltrans Traffic Manual and City Traffic Control Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.

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

1           30. Pacific Street shall be constructed with curbs and gutters and sidewalk. Remove  
2 existing G-1 curb and gutter and construct new curb and gutter per G-2.

3           31. Pacific Street shall provide a minimum of 10 feet parkway between the face of curb  
4 and the right of way line. Existing sidewalk shall be removed and a new sidewalk shall be  
5 constructed in compliance with ADA requirements and all pedestrian ramps for public access must  
6 be fully located within public right-of-way.

7           32. Sight distance requirements at the project driveway or street shall conform to the  
8 corner sight distance criteria as provided by SDRSD DS-20A and or DS-20B.

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

12           34. Prior to approval of the grading plans, the developer/owner shall contract with a  
13 geotechnical engineering firm to perform a field investigation of the existing pavement on Pacific  
14 Street and /or other streets adjacent to the project boundary. The limits of the study shall be half-  
15 street plus twelve (12) feet along the project's frontage. The field investigation shall include a  
16 minimum of one pavement boring per every fifty (50') linear feet of street frontage. Should the  
17 existing AC thickness be determined to be less than the current minimum standard for AC and  
18 Class II Base as set forth in the table for City of Oceanside Pavement Design Guidelines in the City  
19 of Oceanside Engineers Manual, the Developer shall remove and reconstruct the pavement section  
20 as determined by the pavement analysis submittal process detailed in the condition just listed below  
21 this condition.

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

1           36.     Pavement sections for Pacific Street, alleys, driveways and parking areas shall be  
2 based upon approved soil tests and traffic indices. The pavement design is to be prepared by the  
3 developer's/owner's soil engineer and must be approved by the City Engineer, prior to paving.

4           37.     Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged  
5 during construction of the project, shall be repaired or replaced as directed by the City Engineer.

6           38.     All existing overhead utility lines within the subdivision/property, and all new  
7 extension services for the development of the project, including but not limited to, electrical,  
8 cable and telephone, shall be placed underground per Section 901.G. of the Subdivision  
9 Ordinance (R91-166) and as required by the City Engineer and current City policy.

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

12          40.     Grading and drainage facilities shall be designed and installed to adequately  
13 accommodate the local storm water runoff and shall be in accordance with the City's Engineers  
14 Manual and as directed by the City Engineer. The lot drainage shall be discharged to Pacific  
15 Street.

16          41.     The developer/owner shall obtain any necessary permits and clearances from all  
17 public agencies having jurisdiction over the project due to its type, size, or location, including but  
18 not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, U. S.  
19 Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board (including  
20 NPDES), San Diego County Health Department, prior to the issuance of grading permits.

21          42.     The approval of the tentative parcel map shall not mean that proposed grading or  
22 improvements on adjacent properties (including any City properties/Right-of-Way or  
23 easements) is granted or guaranteed to the developer/owner. The developer/owner is  
24 responsible for obtaining permission to grade to construct on adjacent properties. Should such  
25 permission be denied, the tentative parcel map shall be subject to going back to the public hearing  
26 or subject to a substantial conformity review.

27          43.     This project shall provide year-round erosion control including measures for the site  
28 required for the project grading. Prior to the issuance of grading permit, an erosion control plan,  
designed for all proposed stages of construction, shall be reviewed, secured by the applicant with  
cash securities and approved by the City Engineer.

1           44.    A precise grading and improvement plan (Pacific Street) shall be prepared,  
2 reviewed, secured and approved prior to the issuance of any building permits. The plan shall  
3 reflect all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping,  
4 and signage, footprints of all structures, walls, drainage devices and utility services.

5           45.    Landscaping plans, including plans for the construction of walls, fences or other  
6 structures at or near intersections, must conform to intersection sight distance requirements.  
7 Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer prior to  
8 the issuance of a preliminary grading permit and approved by the City Engineer prior to the  
9 issuance of occupancy permits. Frontage and median landscaping shall be installed prior to the  
10 issuance of any certificates of occupancy. Any project fences, sound or privacy walls and  
11 monument entry walls/signs shall be shown on, bonded for and built from the landscape plans.  
12 These features shall also be shown on the precise grading plans for purposes of location only.  
13 Plantable, segmental walls shall be designed, reviewed and constructed by the grading plans and  
14 landscaped/irrigated through project landscape plans. All plans must be approved by the City  
15 Engineer and a pre-construction meeting held, prior to the start of any improvements.

16           46.    Open space areas and down-sloped areas visible from a collector-level or above  
17 roadway and not readily maintained by the property owner, shall be maintained by a Maintenance  
18 Agreement that will insure installation and maintenance of landscaping in perpetuity. These areas  
19 shall be indicated on the final map and included within the Maintenance Agreement. Future  
20 buyers shall be made aware of any estimated monthly costs. The disclosure, together with the  
21 Maintenance Agreement, shall be submitted to the City Engineer for review prior to the  
22 recordation of final map.

23           47.    The drainage design on the tentative parcel map is conceptual only. The final  
24 design shall be based upon a hydrologic/hydraulic study to be approved by the City Engineer  
25 during final engineering. All drainage picked up in an underground system shall remain  
26 underground until it is discharged into Pacific Street, or as otherwise approved by the City  
27 Engineer. All public storm drains shall be shown on City standard plan and profile sheets. All  
28 storm drain easements shall be dedicated where required. The applicant shall be responsible for  
obtaining any off-site easements for storm drainage facilities. The drainage facilities on the bluff  
and at the base of the bluff shall be calculated and installed in such a fashion that no significant

1 impact will be imposed on the property owned by the adjacent property owner (s).

2 48. Storm drain facilities shall be designed and located such that the insides travel lanes  
3 on Pacific Street shall be passable during conditions of a 100-year frequency storm.

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

7 50. The development shall comply with all applicable regulations established by the  
8 United States Environmental Protection Agency (USEPA) as set forth in the National Pollutant  
9 Discharge Elimination System (NPDES) permit requirements for urban runoff and storm water  
10 discharge and any regulations adopted by the City pursuant to the NPDES. Regulations or  
11 requirements. Further, the developer/owner may be required to file a Notice of Intent with the  
12 State Water Resources Control Board to obtain coverage under the NPDES. General Permit for  
13 Storm Water Discharges Associated with Construction Activity and may be required to  
14 implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the  
15 commencement of grading activities. SWPPPs include both construction and post construction  
16 pollution prevention and pollution control measures and identify funding mechanisms for post  
17 construction control measures. The developer/owner shall comply with all the provisions of the  
18 Clean Water Program during and after all phases of the development process, including but not  
19 limited to: mass grading, rough grading, construction of street and landscaping improvements,  
20 and construction of dwelling units. The developer/owner shall design the Project's storm drains  
21 and other drainage facilities to include Best Management Practices to minimize non-point  
22 source pollution, satisfactory to the City Engineer.

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

27 52. The project requires the submission and approval of a Runoff Assessment Report  
28 (RAR); the Developer/owner shall prepare and submit an Operations & Maintenance (O&M)  
Plan to the City Engineer with the first submittal of engineering plans. The O&M Plan shall be  
prepared by the developer's/owner's Civil Engineer. It shall be directly based on the project's

1 RAR previously approved by the project's approving authority (Community Development  
2 Commission). At a minimum the O&M Plan shall include the designated responsible parties to  
3 manage the storm water BMP(s), employee's training program and duties, operating schedule,  
4 maintenance frequency, routine service schedule, specific maintenance activities, copies of  
5 resource agency permits, cost estimate for implementation of the O&M Plan and any other  
6 necessary elements.

7 53. The developer/owner shall enter into a City-Standard Stormwater Facilities  
8 Maintenance Agreement with the City obliging the project proponent to maintain, repair and  
9 replace the Storm Water Best Management Practices (BMPs) identified in the project's  
10 approved RAR, as detailed in the O&M Plan into perpetuity. The Agreement shall be approved  
11 by the City Attorney prior to issuance of any precise grading permit and shall be recorded at the  
12 County Recorder's Office prior to issuance of any building permit. Security in the form of cash  
13 (or certificate of deposit payable to the City) or an irrevocable, City-Standard Letter of Credit  
14 shall be required prior to issuance of a precise grading permit. The amount of the security shall  
15 be equal to 10 years of maintenance costs, as identified by the O&M Plan, but not to exceed a  
16 total of \$25,000. The applicant's Civil Engineer shall prepare the O&M cost estimate.

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

22 55. The Agreement shall include a copy of executed onsite and offsite access  
23 easements necessary for the operation and maintenance of BMPs that shall be binding on the  
24 land throughout the life of the project to the benefit of the party responsible for the O&M of  
25 BMPs, satisfactory to the City Engineer. The agreement shall also include a copy of the O&M  
26 Plan approved by the City Engineer.

27 56. The BMPs described in the project's approved RAR shall not be altered in any  
28 way, shape or form without formal approval by either an Administrative Substantial  
Conformance issued by the Community Development Department/Planning Division or the

1 project's final approving authority (Planning Commission/Community Development  
2 Commission/City Council) at a public hearing. The determination of whatever action is required  
3 for changes to a project's approved RAR shall be made by the Economic and Community  
4 Development Department.

5 57. The Developer/owner shall provide a copy of the title/cover page of an approved  
6 Runoff Assessment Report (RAR) with the first engineering submittal package. If the project  
7 triggers the City's Stormwater requirements but no approved Stormwater document (RAR)  
8 exists, the appropriate document shall be submitted for review and approval by the Public  
9 Works Department. The RAR shall be prepared by the applicant's Civil Engineer. All  
10 Stormwater documents shall be in compliance with the latest edition of submission  
11 requirements.

12 58. In the event that the conceptual plan does not match the conditions of approval,  
13 the resolution of approval shall govern.

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

- 21 a. Final landscape plans shall accurately show placement of all plant material such as but  
22 not limited to trees, shrubs, and groundcovers.
- 23 b. Landscape Architect shall be aware of all utility, sewer, storm drain easement and place  
24 planting locations accordingly to meet City of Oceanside requirements.
- 25 c. All required landscape areas shall be maintained by the owner. The landscape areas  
26 shall be maintained per City of Oceanside requirements.
- 27 d. The proposed project shall meet the minimum requirements set forth by Redevelopment  
28 in all areas including landscape and setbacks.

- 1 e. Proposed landscape species shall be native or naturalized to fit the site and meet climate  
2 changes indicative to their planting location. The selection of plant material shall also  
3 be based on cultural, aesthetic, and maintenance considerations. In addition proposed  
4 landscape species shall be low water users as well as meet all fire department  
5 requirements.
- 6 f. All planting areas shall be prepared with appropriate soil amendments, fertilizers, and  
7 appropriate supplements based upon a soils report from an agricultural suitability soil  
8 sample taken from the site.
- 9 g. Ground covers or bark mulch shall fill in between the shrubs to shield the soil from the  
10 sun, evapotranspiration and run-off. All the flower and shrub beds shall be mulched to  
11 a 3” depth to help conserve water, lower the soil temperature and reduce weed growth.
- 12 h. Root barriers shall be installed adjacent to all paving surfaces, where a paving surface is  
13 located within 6 feet of a trees trunk. Root barriers shall extend 5 feet in each direction  
14 from the centerline of the trunk, for a total distance of 10 feet. Root barriers shall be 24  
15 inches in depth. Installing a root barrier around the tree’s root ball is unacceptable.
- 16 i. All fences, gates, walls, stone walls, retaining walls, and plantable walls shall obtain  
17 planning department approval for these items in the conditions or application stage prior  
18 to 1<sup>st</sup> submittal of working drawings.
- 19 j. For the planting and placement of trees and their distances from hardscape and other  
20 utilities/ structures the landscape plans shall follow the City of Oceanside’s (current)  
21 Tree Planting Distances and Spacing Standards.
- 22 k. An automatic irrigation system shall be installed to provide coverage for all planting  
23 areas shown on the plan. Low precipitation equipment shall provide sufficient water for  
24 plant growth with a minimum water loss due to water run-off.
- 25 l. Irrigation systems shall use high quality, automatic control valves, controllers and other  
26 necessary irrigation equipment. All components shall be of non-corrosive material. All  
27 drip systems shall be adequately filtered and regulated per the manufacturer’s  
28 recommended design parameters.
- m. All irrigation improvements shall follow the City of Oceanside Guidelines and Water  
Conservation Ordinance.
- n. The landscape plans shall match all plans affiliated with the project.

- 1 o. Landscape plans shall comply with Biological and/or Geotechnical reports, as required,  
2 shall match the grading and improvement plans, comply with SWMP Best Management  
3 Practices and meet the satisfaction of the City Engineer.
- 4 p. Existing landscaping on and adjacent to the site shall be protected in place and  
5 supplemented or replaced to meet the satisfaction of the City Engineer.

6 60. All landscaping, fences, walls, etc. on the site, in medians within the public right-  
7 of-way and within any adjoining public parkways shall be permanently maintained by the  
8 owner, his assigns or any successors-in-interest in the property. The maintenance program shall  
9 include: a) normal care and irrigation of the landscaping b) repair and replacement of plant  
10 materials c) irrigation systems as necessary d) general cleanup of the landscaped and open areas  
11 e) parking lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result in  
12 the City taking all appropriate enforcement d to citations. This maintenance program condition  
13 shall be recorded with a covenant as required by this resolution.

14 **Fire:**

15 61. Smoke detectors are required, and detector locations must be indicated on the  
16 plans.

17 62. All proposed and existing fire hydrants within 400 feet of the subject site shall be  
18 depicted on the site plan.

19 63. In accordance with the California Fire Code Sec. 901.4.4, City approved  
20 addresses for commercial occupancies shall be placed on the structure in such a position as to be  
21 plainly visible and legible from the street or roadway fronting the property. Numbers shall be  
22 contrasting with their background.

23 64. Multifamily residential buildings require 6 inch address numbers.

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

26 66. Buildings shall meet Oceanside Fire Departments current codes at the time of  
27 building permit application.

28 **Economic/Redevelopment:**

67. This Tentative Parcel Map (P-208-06), Development Plan (D-214-06) and  
Regular Coastal Permit (RC-216-06) shall expire on June 18, 2010, unless implemented as  
required by the Zoning Ordinance.

1           68. This Tentative Map, Development Plan and Regular Coastal Permit approve only  
2 a residential duplex as shown on the plans and exhibits presented to the Community  
3 Development Commission for review and approval. No deviation from these approved plans  
4 and exhibits shall occur without Economic and Community Development Department approval.  
5 Substantial deviations shall require a revision to the Tentative Parcel Map, Development Plan,  
6 and Regular Coastal Permit or a new Tentative Parcel Map, Development Plan and Regular  
7 Coastal Permit.

8           69. The applicant, permittee or any successor-in-interest shall defend, indemnify and  
9 hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
10 proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul  
11 an approval of the City, concerning Tentative Parcel Map (P-208-06), Development Plan (D-  
12 214-07) and Regular Coastal Permit (RC-216-06). The City will promptly notify the applicant  
13 of any such claim, action or proceeding against the City and will cooperate fully in the defense.  
14 If the City fails to promptly notify the applicant of any such claim action or proceeding or fails  
15 to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend,  
16 indemnify or hold harmless the City.

17           70. All mechanical rooftop and ground equipment shall be screened from public  
18 view as required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,  
19 mechanical equipment, screen and vents shall be painted with non-reflective paint to match the  
20 roof. This information shall be shown on the building plans.

21           71. Landscape plans, meeting the criteria of the City's Landscape Guidelines and  
22 Water Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall  
23 be reviewed and approved by the City Engineer and City Planner prior to the issuance of  
24 building permits. Landscaping shall not be installed until bonds have been posted, fees paid,  
25 and plans signed for final approval.

26           72. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-  
27 way and in any adjoining public parkways shall be permanently maintained by the owner, his  
28 assigns or any successors in interest in the property. The maintenance program shall include  
normal care and irrigation of the landscaping; repair and replacement of plant materials;  
irrigation systems as necessary; and general cleanup of the landscaped and open areas, parking

1 lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result in the City  
2 taking all appropriate enforcement actions by all acceptable means including but not limited to  
3 citations and/or actual work with costs charged to or recorded against the owner. This condition  
4 shall be recorded with the covenant required by this resolution.

5 73. Front yard landscaping with a complete irrigation system, in compliance with  
6 Water Conservation Ordinance No. 91-15, shall be required.

7 74. All multi-family unit dwelling projects shall dispose of or recycle solid waste in  
8 a manner provided in City Ordinance 13.3.

9 75. A letter of clearance from the affected school district in which the property is  
10 located shall be provided as required by City policy at the time building permits are issued.

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

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

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

25 79. Failure to meet any conditions of approval for this development shall constitute a  
26 violation of the Tentative Parcel Map (P-208-06), Development Plan (D-214-06) and Regular  
27 Coastal Permit (RC-216-06).

28 80. Unless expressly waived, all current zoning standards and City ordinances and  
policies in effect at the time building permits are issued are required to be met by this project.  
The approval of this project constitutes the applicant's agreement with all statements in the

1 Description and Justification, and other materials and information submitted with this  
2 application, unless specifically waived by an adopted condition of approval.

3 81. The developer's construction of all fencing and walls associated with the project  
4 shall be in conformance with the approved Development Plan. Any substantial change in any  
5 aspect of fencing or wall design from the approved Development Plan shall require a revision to  
6 the Development Plan or a new Development Plan.

7 82. If any aspect of the project fencing and walls is not covered by an approved  
8 Development Plan, the construction of fencing and walls shall conform to the development  
9 standards of the City Zoning Ordinance. In no case, shall the construction of fences and walls  
10 (including combinations thereof) exceed the limitations of the zoning code, unless expressly  
11 granted by a Variation or other development approval.

12 83. The following unit type and floor plan mix, as approved by the Community  
13 Development Commission, shall be indicated on plans submitted to the Building Division and  
14 Economic and Community Development Department for building permit:

	Sq.Ft.	# Bedrms	# Baths	# Units	%
15 Plan 1	2,200	3	3	1	50
16 Plan 2	2,530	3	3.5	1	50

17 84. Side and rear elevations and window treatments shall be trimmed to substantially  
18 match the front elevations. A set of building plans shall be reviewed and approved by the  
19 Economic and Community Development Department prior to the issuance of building permits.

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

24 86. This project is subject to the provisions of the Local Coastal Plan for Coastal  
25 Housing. The developer shall obtain a Coastal Affordable Housing Permit from the Director of  
26 Housing and Neighborhood Services prior to issuance of building permits or recordation of a  
27 final map, whichever occurs first.

28 87. A private Maintenance Agreement (MA) shall provide for the maintenance of the  
adjacent parkways and common area and shall be recorded against this property prior to

1 recordation of the Final Map. The maintenance shall include normal care and irrigation of  
2 landscaping, repair and replacement of plant material and irrigation systems as necessary; and  
3 general cleanup of the parkway. The MA shall be subject to the review and approval of the City  
4 Attorney prior to the approval of the final map. The MA is required to be recorded prior to or  
5 concurrently with the final map. Any amendments to the MA in which the owners relinquish  
6 responsibility for the maintenance of any common open space shall not be permitted without the  
7 prior written approval of the City of Oceanside. Such a clause shall be included in the MA.  
8 The MA shall also contain provisions for the following:

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

11 b) Maintenance of all common areas, parkway, and on-site and frontage  
12 landscaping.

13 88. The project shall prepare a Management Plan. The Management Plan is subject to  
14 the review and approval of the Redevelopment Manager prior to the occupancy of the project, and  
15 shall be recorded as CC&R's against the property. The Management Plan shall cover the  
16 following:

17 a) Maintenance - The Management Plan shall cover, but not be limited to anti-  
18 graffiti and site and exterior building, landscaping, parking lots, sidewalks, walkways and overall  
19 site maintenance measures and shall ensure that a high standard of maintenance at this site exists at  
20 all times. The maintenance portion of the management plan shall include a commitment by the  
21 property owner to maintain the retaining and slope located in rear (western) portion of the subject  
22 site.

23 89. The proposed basements shall not be utilized as living quarters.

24 90. Any front yard gates shall consist of a "see through" material such as wrought iron.

25 **Water Utilities:**

26 91. All public water and/or sewer facilities not located within the public right-of-way  
27 shall be provided with easements sized according to the City's Engineers Manual. Easements  
28 shall be constructed for all weather access.

92. No trees, structures or building overhang shall be located within any water or  
wastewater utility easement.

1           93.     The property owner will maintain private water and wastewater utilities located  
2 on private property.

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

5           95.     The developer will be responsible for developing all water and sewer utilities  
6 necessary to develop the property. Any relocation of water and/or sewer utilities is the  
7 responsibility of the developer and shall be done by an approved licensed contractor at the  
8 developer's expense.

9           96.     All lots with a finish pad elevation located below the elevation of the next  
10 upstream manhole cover of the public sewer shall be protected from backflow of sewage by  
11 installing and maintaining an approved type backwater valve, per the Uniform Plumbing Code  
12 (U.P.C.).

13           97.     Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees  
14 are to be paid to the City and collected by the Water Utilities Department at the time of Building  
15 Permit issuance.

16           98.     All Water and Wastewater construction shall conform to the most recent edition of  
17 the City's Engineers Manual, or as approved by the Water Utilities Director.

18           99.     All new development of multi-family residential units shall include hot water pipe  
19 insulation and installation of a hot water re-circulation device or design to provide hot water to  
20 the tap within 15 seconds in accordance with City of Oceanside Ordinance No. 02-0R126-1.

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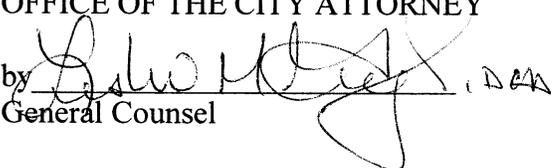
1           100.       Separation between water service and sewer laterals shall be a minimum of 10-  
2 feet.

3           PASSED AND ADOPTED by the Oceanside Community Development Commission of  
4 the City of Oceanside this \_\_\_ day of \_\_\_\_\_ 2008 by the following vote:

5 AYES:  
6 NAYS:  
7 ABSENT:  
8 ABSTAIN:

9 \_\_\_\_\_  
Chairman

10 ATTEST:  
11 \_\_\_\_\_  
12 Secretary

13 APPROVED AS TO FORM:  
14 OFFICE OF THE CITY ATTORNEY  
15 by    
16 General Counsel

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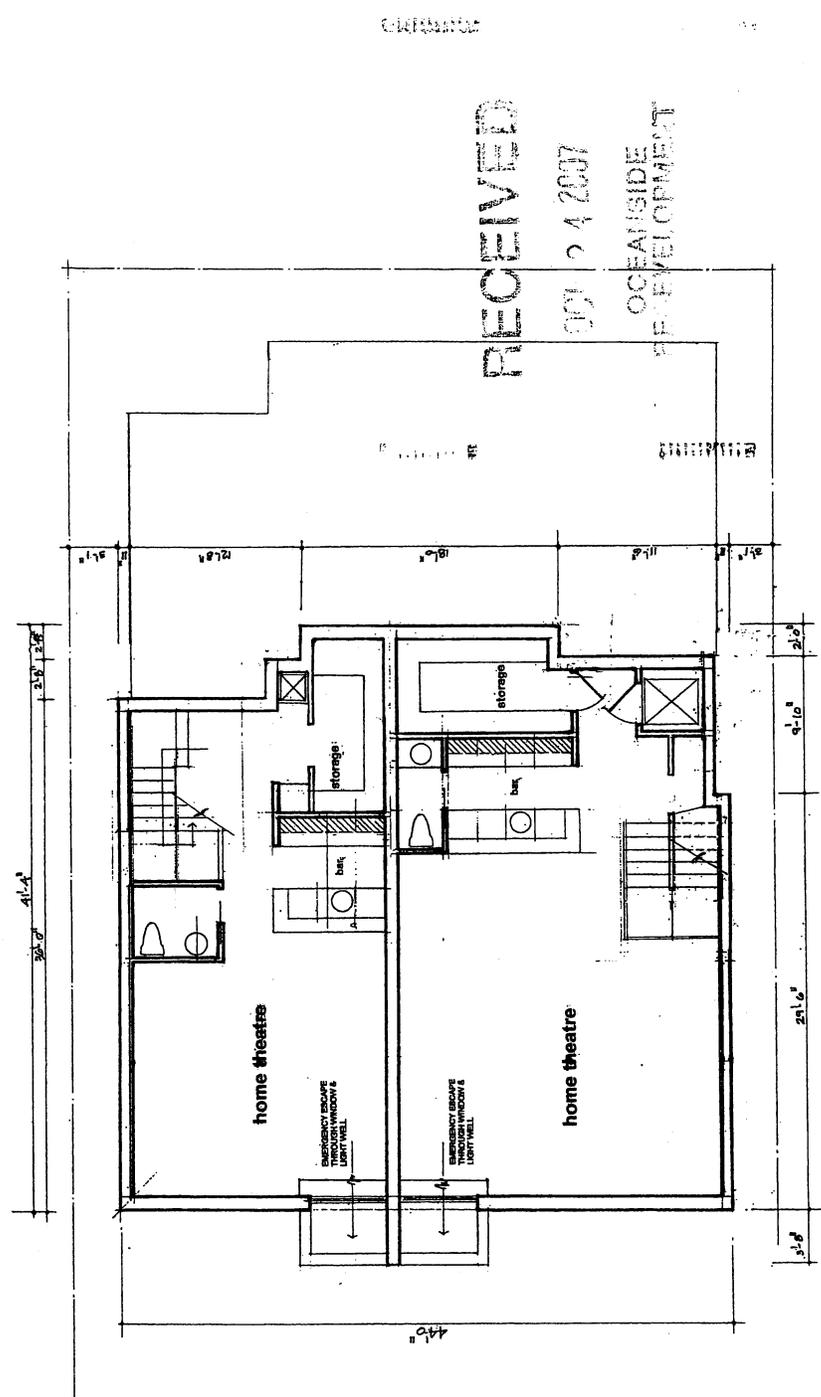
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David Lee Soanes, Ltd.  
 8278 Paseo Puyco, Carlsbad CA 92008  
 Phone 760.478.0025 fax 760.478.0077 email dsnaes@dalesnaes.com  
 architects "all courses architecture" and interior "and engineering"  
 landscape management "landscape architecture" interior design

Duplex @ 807 North Pacific  
 807 North Pacific Street  
 Oceanside, Calif. 92054

Date	16 OCT 2007
Sheet	100-111-01
Drawn	DLS
Job	100-111-01
Sheet	2
Of	2

basement floor plan

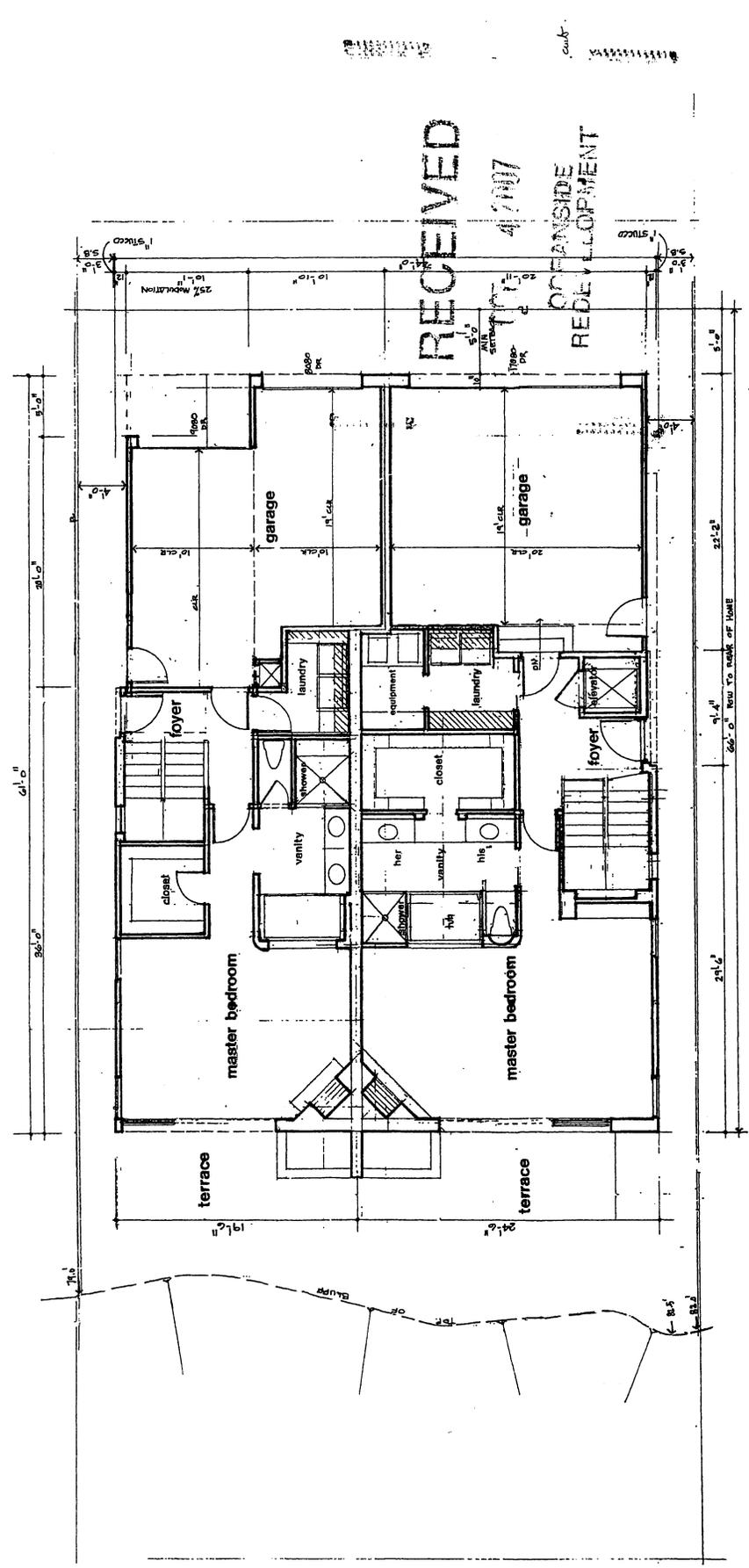


Date	14 OCT 2008
Scale	1/8" = 1'-0"
Drawn	DLB
Job	8888 - OC
Sheet	3
Of	Sheets

Duplex @ 807 North Pacific  
 807 North Pacific Street  
 Oceanview, California

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 architects, interior architects, landscape architects, and engineering  
 construction management

REVISIONS	BY	DATE
1	DLB	10/14/08
2	DLB	10/14/08
3	DLB	10/14/08



BUILDING DATA:

Plan A	928 sf	Plan B	770 sf
Second Floor	1,250 sf	Mezzanine	1,250 sf
Living Area	2,530 sf	Basement	715 sf
Garage	485 sf		450 sf

2,200 sf of living area and 715 sf of basement are entirely below grade.

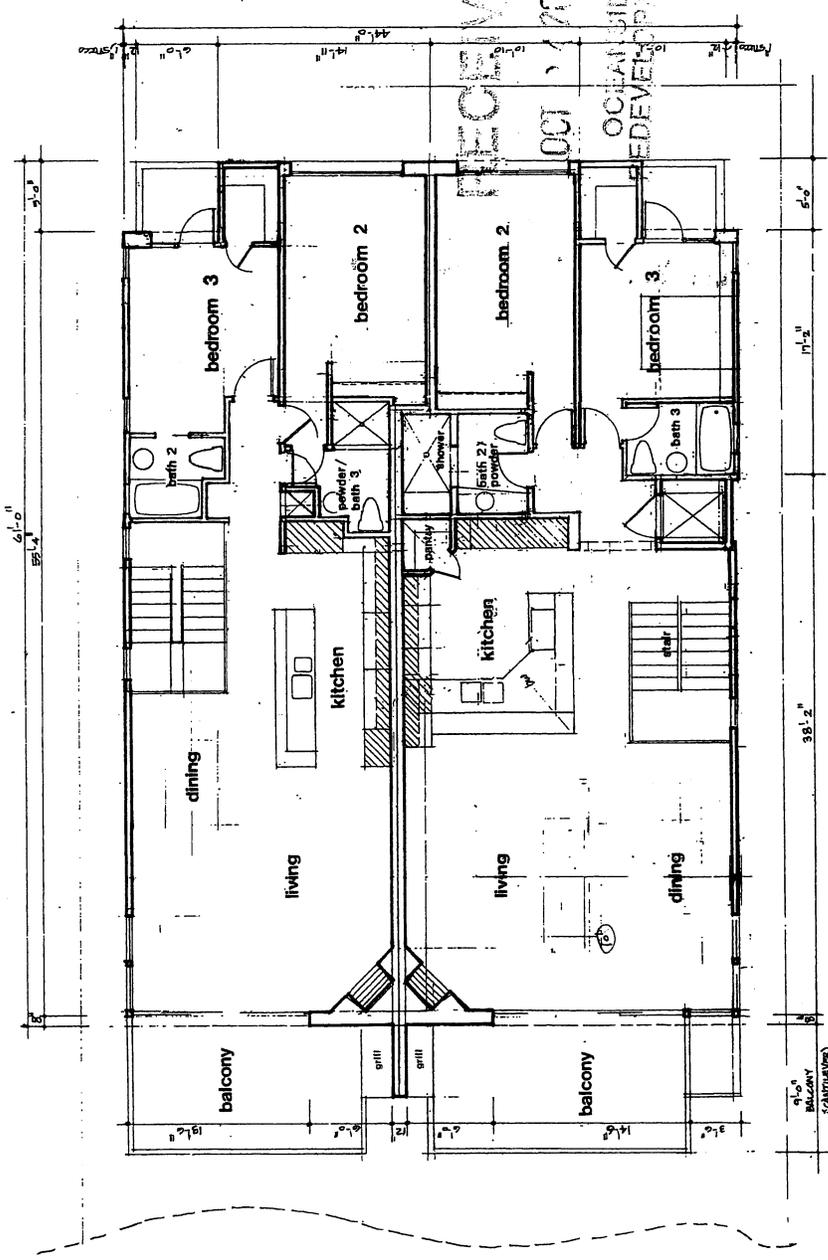
first floor plan

NO.	DATE	BY	REVISIONS
1	10/01/09	DLB	ISSUED FOR PERMITS
2	10/01/09	DLB	REVISIONS
3	10/01/09	DLB	REVISIONS
4	10/01/09	DLB	REVISIONS

**david lee soanes, ltd.**  
 8378 Paseo Povero, Carlsbad CA 92008  
 phone 760 476 0933, fax 760 476 0937, email soanes@davidleesoanes.com  
 architecture • interior architecture • landscape architecture • interior design  
 construction management • project management • and planning • civil engineering

**Duplex @ 807 North Pacific**  
 807 North Pacific Street  
 Oceanside, California

Date	10 OCT 2009
Scale	1/4" = 1'-0"
Drawn	DLB
Job	8009-OC
Sheet	<b>4</b>
Of	5 sheets



**second floor plan**

**BUILDING DATA:**

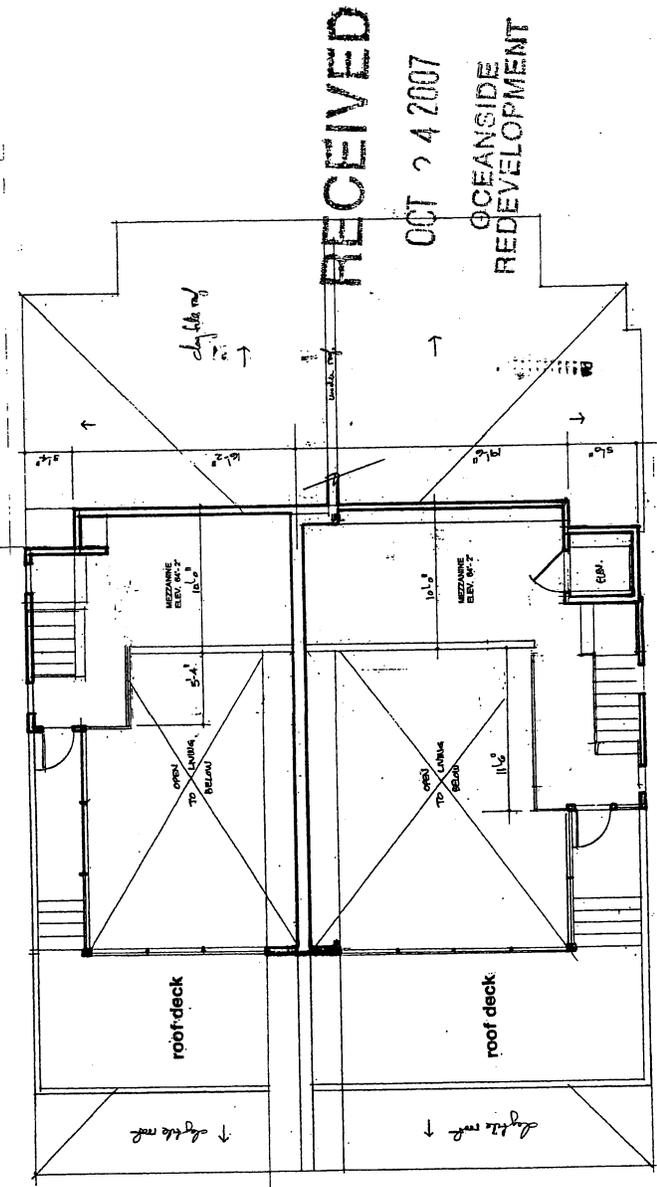
	Plan A	Plan B
First Floor	1,123 sf	1,170 sf
Mezzanine	250 sf	250 sf
Living Area =	2,393 sf	2,509 sf
Basement	465 sf	450 sf
Garage	465 sf	450 sf

entirely below grade

Duplex @ 807 North Pacific  
 807 North Pacific Street  
 Oceanside, CA

david lee soanes, ltd.  
 5378 Pismo Pointe, Carlsbad CA 92008  
 phone 760 478 0555 fax 760 478 0837 email soanes@davidlee.net  
 website: "gold course architecture" and "parking" civil engineering  
 or "management" landscape architecture "interior design"

REVISIONS	BY



mezzanine level  
 roof plan



State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**PRIMARY RECORD**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_  
NRHP Status Code 6Z

Other Listings \_\_\_\_\_  
Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date \_\_\_\_\_

Page 1 of 3

\*Resource Name or #: (Assigned by recorder) 807 N. Pacific Street

\*P1. Other Identifier: Cora Holt Property

\*P2. Location:  Not for Publication  Unrestricted \*

a. County: San Diego

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

\*b. USGS 7.5' Quad Oceanside Date: 1975 T11S R 5W; ¼ of ¼ of Sec; B.M.: SB

c. Address: 807 N. Pacific Street City: Oceanside Zip: 92054

d. UTM: (Give more than one for large or linear resources) Zone ; Me/ mN

e. Other Locational Data (e.g., parcel #, directions to resource, elevation, etc., as appropriate): APN: 143-227-05; Lot 5, Block 36, A.J. Myers Addition

\*P3a. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries): The resource consists of a very small (753 sq ft), wood frame, rectangular, one story, Ranchesque beach cottage. The exterior of the house is stucco clad, the front facade is asymmetrical, and the foundation is reinforced concrete. The double, medium pitched, side gabled roof is covered with composition shingles. The roof has narrow and clipped eaves, with an open rake and fascia board. Vertical fish scale end trim boards are present in the gable ends. Horizontal louvered vents are located beneath the gable apexes. The fenestration consists of wood framed, one-over-one, double hung windows of varying shapes and sizes. The house is accessed from the sidewalk through a gated wood fence, into a bricked patio, then up two steps to a small entry stoop with a single wood door. A partially walled, gridded patio cover with wood post supports extends from the south side of the house. A single-car garage was added to the front facade. Landscaping consists of lawn, trees, and shrubs. The house appears to be maintained and is in good condition.



\*P3b. Resource Attributes: (List attributes and codes) HP2 -single-family residence

P4. Resources Present:  Building  Structure  Object  Site  District  Element of District  Other (Isolates, etc.)

P5b. Description of Photo: (View, date, accession #) Facade looking west, 10/25/05, 984:1

\*P6. Date Constructed/Age and Source  Historic  Prehistoric  Both  
Constructed 1939 per Residential Building Record

\*P7. Owner and Address: T & S Investments, LLC  
45035 Via Tornado  
Temecula, CA 92590

\*P8. Recorded by (Name, affiliation, and address): Ruth Alter,  
Archaeos, 11209 Golden

Birch Way, San Diego, CA 92131 \*P9. Date Recorded: 11/09/05 \*P10. Type of Survey: (Describe) Field

Check \*P11. Report Citation (Cite survey report and other sources, or enter "none".) None Attachments:  NONE

Location Map  Sketch Map  Continuation Sheet  Building, Structure, and Object Record  Archaeological Record  District Record  Linear Resource Record  Milling Station Record  Rock Art Record  Artifact Record  Photograph Record  Other (List):

State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_

Page 2 of 3

\*Resource Name or # (Assigned by recorder) 807 N. Pacific Street

\*Recorded by Ruth Alter Date 11/09/05  Continuation  Update

The subject property passed through a number of owners prior to its development. According to the chain of title, in November, 1914, the Oceanside Development Company sold the lot to Edward DeMoulin, a native of Illinois, and a resident of Los Angeles at the time of the property's purchase. He and his wife Anna, principals of the DeMoulin Investment Trust, owned many other Oceanside properties. They sold this property to Mabel Brindjone and her son Gardiner Howland, who were also residents of Los Angeles, in December, 1923.

In July, 1927, Anna Curran purchased the lot from Brindjone and Howland. Mrs. Curran was the wife of William E. Curran, a member of an old Oceanside family. The couple, residents of Third Street, held a number of other local holdings as well. Their son Frank Curran became the mayor of San Diego.

The Currans sold the property about a year later, in July, 1928, to Julius Von Cloedt, a native of Germany, and his wife Jean, a native of Scotland. Probably Los Angeles real estate agents, the couple transferred title to the property the same day to Oceanside residents George L. and Irean McKeehan. Mr. McKeehan, as well as his father and brother, were active in the community. In May, 1933, title to the property was granted to Mr. McKeehan's mother Minnie; Mrs. McKeehan deeded it back to her daughter-in-law Irean in September, 1938. The next month, the property was purchased by Cora Holt.

Miss Holt appears to have been responsible for the construction of the subject house which, per the Residential Building Record, was completed sometime in 1939. It is not known whether she resided in the small beach cottage or rented it out. About four years later, in September, 1942, James and Angela Atwood acquired the house. The property then went through a quick succession of owners including J. Lansing and Isabel White (May, 1944-April, 1944); Charles and Elizabeth Smith (April, 1946-July, 1946); Edward and Jane Haase (July, 1946-March, 1948); Bertha Forteville (March, 1948-June, 1949); Robert and Earline Craig (June, 1949-March, 1953); Madelein Winton (March, 1953-February, 1954); and Rollin and Earline Moody, formerly Earline Craig (February, 1954-December, 1954). The pattern of sale likely indicates that the house was likely used for speculative or rental purposes rather than as a personal residence.

Frederick and Opal Nessler acquired title in December, 1954. The couple resided in the house and were responsible for the addition of the garage and patio improvements associated with the house. Following Mrs. Nessler's death, in October, 1996, Mrs. Nessler's executor, Evelyn Shrug, sold the house to Howard and Jennifer Benedict. Frank and Mary Kay Vretenar took title from the Benedicts in May, 1999. The current owner, T & S Investments, LLC, acquired the property in October, 2005.

State of California — The Resources Agency  
 DEPARTMENT OF PARKS AND RECREATION  
 BUILDING, STRUCTURE, AND OBJECT RECORD

Primary # \_\_\_\_\_  
 HRI# \_\_\_\_\_

Page 3 of 3

Resource Name or # (Assigned by recorder) 807 N. Pacific Street

\*NRHP Status Code 6Z

B1. Historic Name: Cora Holt Property

B2. Common Name: None

B3. Original Use: Single-family residence B4. Present Use Single-family residence

\*B5. Architectural Style: Ranchesque Beach Cottage

\*B6. Construction History: (Construction date, alternations, and date of alterations)

The resource was constructed in 1939 per the Residential Building Record. The garage was added in 1955 and patio improvements were made in 1956.

\*B7. Moved?  No  Yes  Unknown Date: \_\_\_\_\_ Original Location: \_\_\_\_\_

\*B8. Related Features: None

B9a. Architect: Unknown b. Builder: Unknown

\*B10. Significance: Theme: residential development Area Oceanside, California

Period of Significance 1869 to 1960 Property Type Residential Applicable Criteria N/A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The subject complex is located in the A.J. Myers Addition, north of downtown Oceanside. This is an area that saw early residential development, with many of the oldest houses being smaller single-family dwellings situated in a quiet portion of the developing town. The area would have been close enough to walk to the town center to purchase necessary goods or services, but far enough away to avoid town bustle. Beginning in the late 1970s, the majority of these houses were demolished to make way for the larger multi-storied apartments and condominiums that now dominate the neighborhood.

The subject resource is very typical of the area for its time of construction. The property remained undeveloped until just prior to World War II, and the residence was probably intended for speculative and/or rental purposes. The site's proximity to the Pacific Ocean would have made this an attractive beach cottage. The resource appears to have been a rental for much of its history.

The resource is not associated with any known significant historic event or events. The design of the building is not distinctive and does not represent the work of a master architect or craftsman. The resource is not constructed of rare or unique materials and is unlikely to yield important information relevant to local, state or national history. The building's locational and associational integrity are intact, but its design and feeling and been compromised by the addition of the garage and patio improvements. The setting, while still residential, has been altered by the introduction of large, multi-unit residential buildings, stylistic changes, and increased density. Once considered on the edge of town, the City has long since grown up around the neighborhood, which is considered desirable because of its proximity to the Pacific Ocean.

B11. Additional Resource Attributes: (List attributes and codes) None

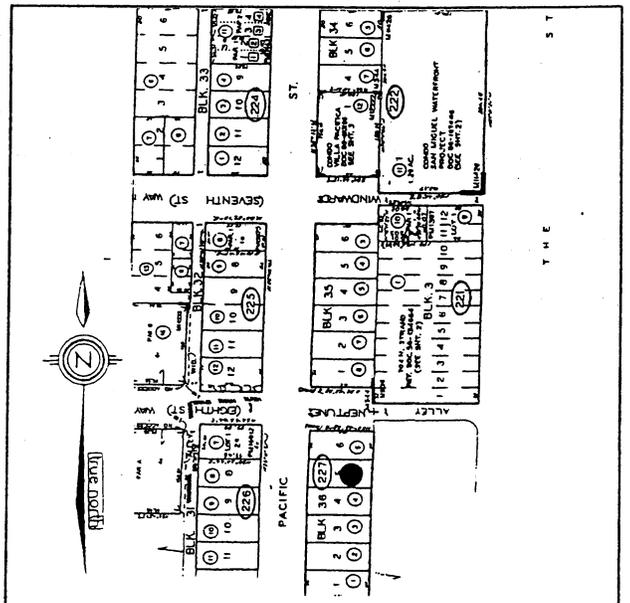
\*B12. References: Assessor's records, San Diego County; Hawthorne, K., Oceanside, Where Life is Worth Living, 2001. Donning Company Publishers, Virginia Beach, Virginia; McAlester, V. and L, A Field Guide to American Houses, 1991. Alfred A. Knopf, New York.

B13. Remarks:

\*B14. Evaluator: Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131

Date of Evaluation: 11/09/05

(This space reserved for official comments.)



**CITY OF OCEANSIDE  
PLANNING DEPARTMENT**

# NOTICE OF EXEMPTION

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

**PROJECT TITLE AND FILE NUMBER:**

TENTATIVE PARCEL MAP (P-208-06), DEVELOPMENT PLAN (D-214-06) AND REGULAR COASTAL PERMIT (RC-216-06) FOR THE CONSTRUCTION OF A RESIDENTIAL DUPLEX LOCATED AT 807 NORTH PACIFIC STREET.

**PROJECT LOCATION - SPECIFIC:**  
807 North Pacific Street

**PROJECT LOCATION - GENERAL:**  
Neptune Way & Pacific Street

TENTATIVE PARCEL MAP (P-208-06)  
DEVELOPMENT PLAN (D-214-06)  
REGULAR COASTAL PERMIT (RC-216-06)

**DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:**

For the construction of a residential duplex located at 807 North Pacific Street.

**NAME OF PUBLIC AGENCY APPROVING PROJECT:**

City of Oceanside

**NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:**

David Soanes  
6378 Paseo Potrero  
Carlsbad, CA 92009  
(760) 476-0933

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

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

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

**CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION 15301(b)**

**REASONS WHY PROJECT IS EXEMPT:**

The proposed project is for the construction of a residential duplex located at 807 North Pacific Street. The subject site is less than 5-acres in size, therefore, it is exempt from environmental review.

Contact Person: Shan Babick, Associate Planner

SIGNATURE

May 8, 2008

DATE

For: **Jerry Hittleman, Planning Director**