

STAFF REPORT



ITEM NO. **25**
CITY OF OCEANSIDE

DATE: June 7, 2006

TO: Chairman and Members of the Community Development Commission

FROM: Planning Department

SUBJECT: **CONSIDERATION OF A RESOLUTION APPROVING DEVELOPMENT PLAN (D-208-04), CONDITIONAL USE PERMIT (C-204-04) AND REGULAR COASTAL PERMIT (RC-207-04) FOR THE CONSTRUCTION OF A 2,000-SQUARE-FOOT MINI-MART LOCATED AT 1601 NORTH COAST HIGHWAY- CHEVRON**

SYNOPSIS

Staff recommends that the Community Development Commission approve the project and adopt the resolution as attached. The item under consideration is a Development Plan (D-208-04), Conditional Use Permit (C-204-04) and Regular Coastal Permit (RC-207-04) for the demolition of a former service bay and the construction of a 2,000-square-foot mini-mart located at 1601 North Coast Highway.

BACKGROUND

The subject site consists of a Chevron service station, which was constructed in 1971. The former service bays have been converted to a small snack shop and vending machines area. The existing building will be demolished as part of the development of this project.

The subject site is situated within the North Coast Highway neighborhood, which is characterized mainly by highway-oriented business such as service stations, motels and restaurants.

Land Use and Zoning: The subject site is located within Subdistrict 6A of the "D" Downtown District. The purpose of Subdistrict 6A is to provide sites for highway businesses and tourist/visitor uses related to the harbor and the Interstate 5 freeway, primarily oriented to visitor-serving commercial establishments.

Regular Coastal Permit: This project is also 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 coastal-dependent recreational and visitor-serving commercial.

Project Description: The project proposes to construct an approximately 2,000-square-foot mini-mart convenience store. The existing 16,252-square-foot site is inadequate to accommodate the proposed mini-mart; therefore, the applicant is processing a lot-line

adjustment. The lot-line adjustment will increase the property area 20 feet to the south of the subject site (Carpenter’s Garage & Towing parking lot) and will add approximately 1,962 square feet bringing the total project site to 18,214 square feet. The proposed floor layout is typical of a mini-mart consisting of men’s and women’s bathroom, small office, coffee bar, cashier and coolers.

The proposed design is a modern style as evident by the use of stucco, flat roof, large oversized windows and geometric forms. The proposed exterior materials are a sand and tan cement plaster, exterior trimmed in cranberry.

Subdistrict 6A requires that a minimum of 15 percent of the site be landscaped. The project proposes that 16 percent of the subject site is landscaped. The project proposes Queen and Washington Palm trees, shrubs include Sea Lavender and Lily and groundcover consists of Coyote Bush.

Vehicular access is provided from two driveways both located on North Coast Highway.

The project proposes no changes to the existing pole sign and the canopy signs. The existing monument sign will change out the copy and new wall signs will be added to the proposed building. The proposed signage is consistent with the City’s sign regulations.

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

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	N/A (pre-existing lot)	N/A (pre-existing lot)
SETBACKS Front Side Rear	10 feet 0 feet 0 feet	17 feet 7 feet 0 feet
LANDSCAPING	15%	16%
Parking	10 spaces	10 spaces
BUILDING HEIGHT	45 feet	20 feet

Conditional Use Permit: A Conditional Use Permit is required for the proposed construction of a 2,000-square-foot mini-mart. The proposed hours of operation will be 24hours a day, 7 days a week.

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.

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, and the Local Coastal Program.

Staff has reviewed the operational characteristics of the service station and believes that the proposed project will not impact surrounding land uses. The service station is situated adjacent to a major roadway and Interstate 5 and is consistent with the surrounding area, which consists of mainly highway-oriented businesses such as motels, service stations and restaurants. Staff believes that the proposed mini-mart is consistent with the surrounding neighborhood.

The proposed use, mini-mart, is consistent with the designated coastal-dependent recreational and visitor-serving commercial uses of the Local Coastal Program.

In conclusion, staff believes that the project meets the intent of the Redevelopment Plan and the underlying subdistrict goals, which encourages freeway oriented commercial uses. The design of the project is consistent in both the height and scale of the surrounding neighborhood and represents an upgrade to the subject site. The proposed project meets the development standards and is consistent with the quality of design of the surrounding commercial uses. The project is also consistent with the land use policies and development criteria of the Local Coastal Plan.

COMMISSION OR COMMITTEE REPORTS

The Redevelopment Design Review Committee (RDRC) reviewed the project at its September 17, 2004 meeting. After extensive review and discussion of the project, the Committee approved its layout and design.

The Redevelopment Advisory Committee (RAC) will review the project at its June 5, 2006 meeting. Any recommendations or comments on the project will be presented to the Commission during the hearing for the project.

FISCAL IMPACT

The proposed project will add approximately \$2,000 of tax increment yearly to the project area.

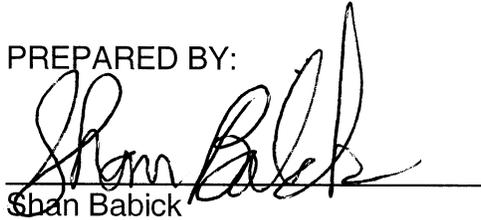
CITY ATTORNEY'S ANALYSIS

Pursuant to Oceanside Zoning Ordinance Article 4102, the 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 Development Plan (D-208-04), Conditional Use Permit (C-204-04) and Regular Coastal Permit (RC-207-04) for the construction of a 2,000-square-foot mini-mart located at 1601 North Coast Highway.

PREPARED BY:



Shan Babick
Associate Planner

SUBMITTED BY:



Steven R. Jepsen
Executive Director

REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager
Mike Blessing, Deputy City Manager
Kathy Baker, Redevelopment Manager



EXHIBITS/ATTACHMENTS

1. Resolution
2. Notice of Exemption
3. Site Plan / Floor Plans / Elevations

1 RESOLUTION NO.

2 A RESOLUTION OF THE COMMUNITY DEVELOPMENT
3 COMMISSION OF THE CITY OF OCEANSIDE APPROVING A
4 CONDITIONAL USE PERMIT, REGULAR COASTAL PERMIT AND
5 DEVELOPMENT PLAN FOR THE CONSTRUCTION OF A 2,000
6 SQUARE FOOT MINI-MART LOCATED 1601 NORTH COAST
7 HIGHWAY – APPLICANT: CHEVRON

8 WHEREAS, on June 7, 2006, the Community Development Commission held its duly noticed
9 public hearing, considered an application by Chevron for a Conditional Use Permit (C-204-04) Regular
10 Coastal Permit (RC-207-04) and Development Plan (D-208-04) for the construction of a 2,000 square
11 foot mini-mart located at 1601 North Coast Highway;

12 WHEREAS, the Redevelopment Design Review Committee (RDRC) of the City of Oceanside
13 did, on September 17, 2004, review and recommend approval of the Conditional Use Permit (C-204-
14 04) Regular Coastal Permit (RC-207-04) and Development Plan (D-208-04);

15 WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of Oceanside did, on
16 June 5, 2006, review and recommend approval of Conditional Use Permit (C-204-04) Regular Coastal
17 Permit (RC-207-04) and Development Plan (D-208-04);

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

20 WHEREAS, studies and investigations made by the Community Development Commission
21 reveal the following facts:

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

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

28 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:

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Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Drainage Fee	Ordinance No. 85-23 Resolution No. 05-R0628.1	\$2,660 per acre
Public Facility Fee	Ordinance No. 91-09 Resolution No. 05-R0628.1	\$667 per 1,000 sq. ft.
School Facilities Mitigation Fee	Ordinance No. 91-34	\$.34 per square foot
Traffic Signal Fee	Ordinance No. 87-19	\$14.70 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the .75 per cent discount)	Ordinance No. 83-01	\$239 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-0661-1	Based on meter size Typical 2” is \$19,967
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 Typical 2” is \$24,444
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Typical 2” is \$21,599

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

25 WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated
26 and collected at the time and in the manner provided in Chapter 32B of the Oceanside City Code and
27 the City expressly reserves the right to amend the fees and fee calculations consistent with applicable
28 law;

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

3 WHEREAS, pursuant to Government Code §66020(d)(1), NOTICE IS FURTHER GIVEN that
4 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction
5 described in this resolution begins on the effective date of this resolution and any such protest must be
6 in a manner that complies with Section 66020; and

7 WHEREAS, pursuant to Oceanside Zoning Ordinance §4308, this resolution becomes effective
8 upon its adoption.

9 NOW, THEREFORE, the Community Development Commission of the City of Oceanside does
10 resolve as follows:

11 FINDINGS:

12 **For the Development Plan:**

- 13 1. The site plan and physical design of the project as proposed is consistent with the
14 purposes of the City's Zoning Ordinance and the "D" Downtown District.
- 15 2. The Development Plan as proposed conforms to the Redevelopment Plan and General
16 Plan of the City.
- 17 3. The area covered by the Development Plan can be adequately, reasonably and
18 conveniently served by existing and planned public services, utilities and public facilities.
- 19 4. The project as proposed is compatible with the existing and potential development on
20 adjoining properties or in the surrounding neighborhood.
- 21 5. The location of the 2,000 square foot mini-mart and proposed conditions under which
22 this use will be operated or maintained will be consistent with the General Plan and will not be
23 detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the
24 neighborhood of such use and will not be detrimental to properties or improvements in the vicinity or
25 the general welfare of the City.
- 26 6. The project and uses will comply with the provisions of the Zoning Ordinance, including
27 any specific condition required for such use in Subdistrict 6(A).

28 **For the Regular Coastal Permit:**

1. The granting of the Regular Coastal Permit is consistent with the purposes of the
California Coastal Act of 1976.

1 2. The proposed project is consistent with the policies of the Local Coastal Program as
2 implemented through the City Zoning Ordinance. In addition, the project will not substantially alter or
3 impact the existing coastal views through the public rights-of-way view corridors.

4 3. The proposed project will not obstruct any existing or planned public beach access;
5 therefore, the project is in conformance with the policies of Chapter 3 of the Coastal Act.

6 **For the Conditional Use Permit:**

7 1. The project is located within Subdistrict 6A of the Redevelopment Area as identified by
8 Zoning Ordinance 095-006. The specific purpose for the Subdistrict is to provide sites for highway
9 businesses and tourist/visitor uses related to the harbor and the Interstate 5 freeway, primarily oriented to
10 visitor-serving commercial establishments. The proposed mini-mart establishment is consistent with the
11 Subdistrict purpose of the Zoning Ordinance and the purpose of the district in which the site is located.

12 2. The proposed mini-mart establishment is consistent with the General Plan and the
13 Redevelopment Plan. In addition, the approved business operation is subject to certain conditions and
14 limitations, whereby, the approved operations and activities will not constitute a public nuisance or be a
15 detriment to neighboring persons, property, improvements, or the general welfare of the City.

16 3. The proposed mini-mart establishment complies with the provisions of the Zoning
17 Ordinance including any specific condition required for the proposed use in the district in which it is
18 located.

19 SECTION 1. That Conditional Use Permit (C-204-04) Regular Coastal Permit (RC-207-04)
20 and Development Plan (D-208-04) are hereby approved subject to the following conditions:

21 **Building:**

22 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
23 Building Department plan check.

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

26 3. The building plans for this project are required by State law to be prepared by a licensed
27 architect or engineer and must be in compliance with this requirement prior to submittal for building
28 plan review.

 4. Site development, parking, access into buildings and building interiors shall comply
with the State and Local Disabled Accessibility Regulations (2001 CBC Chapter 11B).

1 5. All electrical, communication, CATV, etc. service lines, within the exterior lines of the
2 property shall be underground. (City Code Sec. 6.30)

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

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

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

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

19 8. In addition, to the required soils report, submit a "Benzene Vapor Risk Assessment"
20 report for this property (under the new building or paving).

21 9. A demolition permit shall be required for the demolition of the existing structures. Plans
22 for the demolition shall depict clearly all utilities are properly terminated/capped in accordance with the
23 requirements of the utility service provider.

24 **Engineering:**

25 10. If the project involves demolition of an existing structure or surface improvements, the
26 grading plans shall be approved by the Public Works Director prior to the issuance of a demolition
27 permit. No demolition shall be permitted without an approved erosion control plan.

28 11. All right-of-way alignments, street dedications, exact geometrics and widths shall be
dedicated and improved as required by the Public Works Director.

1 12. Design and construction of all improvements shall be in accordance with standard plans,
2 specifications of the City of Oceanside and subject to approval by the Public Works Director.

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

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

11 15. The developer shall provide public street dedication as required to serve the property to
12 provide a 10' wide parkway on North Coast Highway.

13 16. The lot line adjustment proposed for the project shall be recorded prior to the issuance of
14 any permits for the areas subject to such lot line adjustment.

15 17. The approval of the project lot shall not mean that closure, vacation, or abandonment of
16 any public street, right of way, easement, or facility or the approval of the proposed lot line adjustment
17 is granted or guaranteed to the developer. The developer is responsible for applying for all closures,
18 vacations, abandonments and lot line adjustment as necessary. The application(s) shall be reviewed
19 and approved or rejected by the City under separate process (es) per codes, ordinances, and policies in
20 effect at the time of the application.

21 18. A construction-phasing plan for the construction of on-site public and private
22 improvements shall be reviewed and approved by the Public Works Director prior to the issuance of
23 any grading or improvement permits. Prior to the issuance of any building permits all offsite or
24 frontage improvements including landscaping and any required streets or arterials shall be under
25 construction to the satisfaction of the Public Works Director. All improvements shall be completed prior
26 to issuance of any certificates of occupancy.

27 19. Where proposed off-site improvements, including but not limited to slopes, public utility
28 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

1 other interest in real property have been obtained prior to issuance of any grading, building or
2 improvement permit for the project. Additionally, the City, may at its sole discretion, require that the
3 applicant obtain at his sole expense a title policy insuring the necessary title for the easement or other
4 interest in real property to have vested with the City of Oceanside or the applicant, as applicable.

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

8 a) Dirt, debris and other construction material shall not be deposited on any public
9 street or within the City's storm water conveyance system.

10 b) All grading and related site preparation and construction activities shall be
11 limited to the hours of 7 a.m. to 6 p.m., Monday through Friday. No engineering related construction
12 activities shall be conducted on Saturdays, Sundays or legal holidays unless written permission is granted
13 by the Public Works Director with specific limitations to the working hours and types of permitted
14 operations. All on-site construction staging areas shall be as far as possible (minimum 100 feet) from
15 any existing residential development. Because construction noise may still be intrusive in the evening
16 or on holidays, the City of Oceanside Noise Ordinance also prohibits "any disturbing excessive or
17 offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity."

18 c) The construction site shall accommodate the parking of all motor vehicles used
19 by persons working at or providing deliveries to the site.

20 d) A haul route shall be obtained at least 7 days prior to the start of hauling
21 operations and must be approved by the Public Works Director. Hauling operations shall be 8:00 a.m.
22 to 3:30 p.m. unless approved otherwise.

23 21. All drainage fees, traffic signal contributions, highway thoroughfare fees, park fees,
24 reimbursements, and other applicable charges, fees and deposits shall be paid prior to recordation of the
25 map or the issuance of any building permits, in accordance with City Ordinances and policies. The
26 developer shall also be required to join into, contribute, or participate in any improvement, lighting, or
27 other special district affecting or affected by this project. Approval of the project shall constitute the
28 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 22. A traffic control plan shall be prepared according to the City traffic control guidelines
2 and be submitted to and approved by the Public Works Director prior to the start of work within open
3 City rights-of-way. Traffic control during construction of streets that have been opened to public traffic
4 shall be in accordance with construction signing, marking and other protection as required by the
5 Caltrans Traffic Manual and City Traffic Control Guidelines. Traffic control plans shall be in effect
6 from 8:00 a.m. to 3:30 p.m. unless approved otherwise.

7 23. All streets shall provide a minimum of 10 feet parkway between the face of curb and the
8 right of way line. Sidewalk and driveway improvements shall comply with ADA requirements and
9 constructed per San Diego Regional Standard Drawing G-14A.

10 24. The most southerly driveway on North Coast Highway shall be relocated approximately
11 5' to the South to and widened up to 36' and constructed per the City's Standard Drawing M-10 as
12 depicted on the site plan.

13 25. Sight distance requirements at the project driveway shall conform to the corner sight
14 distance criteria as provided by the California Department of Transportation Highway Design Manual.

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

20 27. The Developer shall repair all failed pavement sections, header cut and grind per the
21 direction of the Public Works Inspector, and construct a two (2) inch thick rubberized AC overlay.

22 28. New pavement sections for all streets, alleys, driveways and parking areas shall be based
23 upon approved soil tests and traffic indices. The pavement design is to be prepared by the developer's
24 soil engineer and must be approved by the Public Works Director, prior to paving.

25 29. Any existing broken pavement, concrete curb & gutter or sidewalk adjacent to the
26 property site or any damaged during construction of the project, shall be repaired or replaced as
27 directed by the Public Works Director.

28 30. All existing overhead utility lines within the development and/or within any full width
street or right-of-way abutting a new development, and all new extension services for the development
of the project, including but not limited to, electrical, cable and telephone, shall be placed underground

1 per Section 901.G. of the Subdivision Ordinance (R91-166) and as required by the Public Works
2 Director and current City policy.

3 31. The developer shall comply with all the provisions of the City's cable television
4 ordinances including those relating to notification as required by the Public Works Director.

5 32. Grading and drainage facilities shall be designed and installed to adequately
6 accommodate the local storm water runoff and shall be in accordance with the City's Engineers Manual
7 and as directed by the Public Works Director.

8 33. The applicant shall obtain any necessary permits and clearances from all public agencies
9 having jurisdiction over the project due to its type, size, or location, including but not limited to the U.
10 S. Army Corps of Engineers, California Department of Fish and Game, U. S. Fish and Wildlife Service
11 and/or San Diego Regional Water Quality Control Board (including NPDES), San Diego County
12 Health Department, prior to the issuance of grading permits.

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

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

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

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

1 issuance of building permits. Landscape plans shall be approved and secured prior to the issuance of
2 any building permits. Any project fences, sound or privacy walls and monument entry walls/signs shall
3 be shown on, bonded for and built from the landscape plans. These features shall also be shown on the
4 precise grading plans for purposes of location only. Plantable, segmental walls shall be designed,
5 reviewed and constructed by the grading plans and landscaped/irrigated through project landscape
6 plans. All plans must be approved by the Public Works Director and a pre-construction meeting held,
7 prior to the start of any improvements.

8 38. The drainage design on the development plan is conceptual only. The final design shall
9 be based upon a hydrologic/hydraulic study to be approved by the Public Works Director during final
10 engineering. All drainage picked up in an underground system shall remain underground until it is
11 discharged into an approved channel, or as otherwise approved by the Public Works Director. All
12 public storm drains shall be shown on City standard plan and profile sheets. All storm drain easements
13 shall be dedicated where required. The applicant shall be responsible for obtaining any off-site
14 easements for storm drainage facilities.

15 39. Storm drain facilities shall be designed and located such that the inside travel lanes on
16 streets with Collector or above design criteria shall be passable during conditions of a 100-year
17 frequency storm.

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

21 41. The development shall comply with all applicable regulations established by the United
22 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge
23 Elimination System (N.P.D.E.S.) permit requirements for urban runoff and storm water discharge and
24 any regulations adopted by the City pursuant to the N.P.D.E.S. regulations or requirements. Further,
25 the applicant may be required to file a Notice of Intent with the State Water Resources Control Board to
26 obtain coverage under the N.P.D.E.S. General Permit for Storm Water Discharges Associated with
27 Construction Activity and may be required to implement a Storm Water Pollution Prevention Plan
28 (SWPPP) concurrent with the commencement of grading activities. SWPPPs include both construction
and post construction pollution prevention and pollution control measures and identify funding
mechanisms for post construction control measures. The developer shall comply with all the provisions

1 of the Clean Water Program during and after all phases of the development process, including but not
2 limited to: mass grading, rough grading, construction of street and landscaping improvements, and
3 construction of dwelling units. The applicant shall design the Project's storm drains and other drainage
4 facilities to include Best Management Practices to minimize non-point source pollution, satisfactory to
5 the Public Works Director.

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

10 43. The Developer shall prepare and submit an Operations & Maintenance (O&M) Plan to
11 the Engineering Division with the first submittal of engineering plans. The O&M Plan shall be
12 prepared by the applicant's Civil Engineer. It shall be directly based on the project's Storm Water
13 Mitigation Plan (SWMP) previously approved by the project's approving authority Community
14 Development Commission. The O&M Plan shall be approved by the Public Works Director prior to
15 approval of any plans by the Engineering Division. At a minimum the O&M Plan shall include the
16 designated responsible parties to manage the storm water BMP(s), employee's training program and
17 duties, operating schedule, maintenance frequency, routine service schedule, specific maintenance
18 activities, copies of resource agency permits, cost estimate for implementation of the O&M Plan and
19 any other necessary elements.

20 44. The Developer shall enter into a City-Standard Stormwater Facilities Maintenance
21 Agreement with the City obliging the project proponent to maintain, repair and replace the storm water
22 Best Management Practices (BMPs) identified in the project's approved Storm Water Mitigation Plan
23 (SWMP), as detailed in the O&M Plan into perpetuity. The Agreement shall be approved by the City
24 Attorney prior to issuance of any precise grading permit and shall be recorded at the County Recorder's
25 Office prior to issuance of any building permit. Security in the form of cash (or certificate of deposit
26 payable to the City) or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance
27 of a precise grading permit. The amount of the security shall be equal to 10 years of maintenance costs,
28 as identified by the O&M Plan. The applicant's Civil Engineer shall prepare the O&M cost estimate.
The O&M cost estimate shall be approved by the Public Works Director prior to approval of any
engineering plans for the project.

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

6 46. The Agreement shall include a copy of executed onsite and offsite access easements
7 necessary for the operation and maintenance of BMPs that shall be binding on the land throughout the
8 life of the project to the benefit of the party responsible for the O&M of BMPs, until such time that the
9 storm water BMP requiring access is replaced, satisfactory to the City Engineer. The agreement shall
10 also include a copy of the O&M Plan approved by the Public Works Director.

11 47. The BMPs described in the project's approved Storm Water Mitigation Plan (SWMP)
12 shall not be altered in any way; shape or form without formal approval by the project's final approving
13 authority Community Development Commission at a public hearing, if such hearing was required for
14 the approval of the project.

15 48. ADA complaint pedestrian access shall be provided at all project driveways.

16 49. Sight distance requirements at all driveway and street intersections shall conform to the
17 intersection corner sight distance criteria as provided by the California Department of Transportation
18 Highway Design Manual and to the satisfaction of the Public Works Director.

19 50. Traffic control during construction adjacent to or within all public streets must meet
20 Caltrans standards and City Traffic Control Guidelines. Traffic control plans shall be in effect from
21 8:00 a.m. to 3:30 p.m. unless approved otherwise.

22 51. The applicant shall pay all applicable traffic signal and thoroughfare fees.

23 **Fire:**

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

25 53. Fire Department requirements must be placed on plans in the notes section.

26 54. A "Knox" key storage box shall be provided for all new construction. For buildings,
27 other than high-rise, a minimum of 3 complete sets of keys shall be provided. Keys shall be provided
28 for all exterior entry doors, fire protection equipment control rooms, mechanical and electrical rooms,
elevator controls and equipment spaces, etc. For high-rise buildings, 6 complete sets are required.

1 55. In accordance with the Uniform Fire Code Sec. 901.1.4.4, approved addresses for
2 Commercial Occupancies shall be placed on the structure in such a position as to be plainly visible and
3 legible from the street or roadway fronting the property. Numbers shall contrast with their background.

4 56. Commercial buildings require 6-inch address numbers.

5 57. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
6 approval prior to the issuance of building permits.

7 58. Buildings shall meet Oceanside Fire Department current adopted codes at the time of
8 building permit application.

9 **Planning:**

10 59. This Conditional Use Permit, Development Plan and Regular Coastal Permit shall expire
11 on June 7, 2008, unless implemented as required by the Zoning Ordinance.

12 60. This Conditional Use Permit, Development Plan and Regular Coastal Permit approves only
13 the construction of a 2,000 square foot mini-mart as shown on the plans and exhibits presented to the
14 Community Development Commission for review and approval. No deviation from these approved plans
15 and exhibits shall occur without Planning Department approval. Substantial deviations shall require a
16 revision to the Conditional Use Permit, Development Plan and Regular Coastal Permit or a new
17 Conditional Use Permit, Development Plan and Regular Coastal Permit.

18 61. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
19 harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding
20 against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the
21 City, concerning Conditional Use Permit C-204-04, Development Plan D-208-04 and Regular Coastal
22 Permit RC-207-04. The City will promptly notify the applicant of any such claim, action or proceeding
23 against the city and will cooperate fully in the defense. If the City fails to promptly notify the applicant
24 of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not,
25 thereafter, be responsible to defend, indemnify or hold harmless the City.

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

1 63. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
2 Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall be reviewed and
3 approved by the City Engineer and Planning Director prior to the issuance of building permits.
4 Landscaping shall not be installed until bonds have been posted, fees paid, and plans signed for final
5 approval. The following special landscaping requirements shall be met:

6 a) The developer shall be responsible for irrigating and landscaping all embankments
7 within the project, and all slopes along major streets.

8 64. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and in
9 any adjoining public parkways shall be permanently maintained by the owner, his assigns or any
10 successors in interest in the property. The maintenance program shall include normal care and irrigation of
11 the landscaping; repair and replacement of plant materials; irrigation systems as necessary; and general
12 cleanup of the landscaped and open areas, parking lots and walkways, walls, fences, etc. Failure to
13 maintain landscaping shall result in the City taking all appropriate enforcement actions by all acceptable
14 means including but not limited to citations and/or actual work with costs charged to or recorded against
15 the owner. This condition shall be recorded with the covenant required by this resolution.

16 65. A trash enclosure must be provided as required by Chapter 13 of the City Code and shall
17 also include additional space for storage and collection of recyclable materials per City standards.
18 Recycling is required by City Ordinance. The enclosure must be built in a flat, accessible location as
19 determined by the City Engineer. The enclosure shall meet City standards including being constructed of
20 concrete block, reinforced with rebar and filled with cement. A concrete slab must be poured with a berm
21 on the inside of the enclosure to prevent the bin(s) from striking the block walls. The slab must extend out
22 of the enclosure for the bin(s) to roll out onto. Steel posts must be set in front of the enclosure with solid
23 metal gates. All driveways and service access areas must be designed to sustain the weight of a 50,000-
24 pound service vehicle. Trash enclosures, driveways and service access areas shall be shown on both the
25 improvement and landscape plans submitted to the City Engineer. The specifications shall be reviewed
26 and approved by the City Engineer. The City's waste disposal contractor is required to access private
27 property to service the trash enclosures. A service agreement must be signed by the property owner and
28 shall remain in effect for the life of the project. All trash enclosures shall be designed to provide user
access without the use and opening of the service doors for the bins. Trash enclosures shall have design

1 features such as materials and trim similar to that of the rest of the project. This design shall be shown on
2 the landscape plans and shall be approved by the Planning Director.

3 66. The project shall prepare a Management Plan. The Management Plan is subject to the
4 review and approval of the Planning Director and the Police Chief prior to the occupancy of the project,
5 and shall be recorded as CC&R's against the property. The Management Plan shall cover the following:

6 a) Security - The Management Plan, at a minimum, shall address on-site management,
7 hours-of-operation and measures for providing appropriate security for the project site.

8 b) Maintenance - The Management Plan shall cover, but not be limited to anti-
9 graffiti and site and exterior building, landscaping, parking lots, sidewalks, walkways and overall site
10 maintenance measures and shall ensure that a high standard of maintenance at this site exists at all
11 times. The maintenance portion of the management plan shall include a commitment for the sweeping
12 and cleaning of parking lots, sidewalks and other concrete surfaces at sufficient intervals to maintain a
13 "like new" appearance. Wastewater, sediment, trash or other pollutants shall be collected on site and
14 properly disposed of and shall not be discharged off the property or into the City's storm drain system.

15 c) Any graffiti within the center shall be removed by the center management or its
16 designated representative within 24 hours of occurrence. Any new paint used to cover graffiti shall match
17 the existing color scheme.

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

20 68. A covenant or other recordable document approved by the City Attorney shall be prepared
21 by the applicant developer and recorded prior to the issuance of building permits. The covenant shall
22 provide that the property is subject to this Resolution, and shall generally list the conditions of approval.

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

28 70. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
written copy of the applications, staff report and resolutions for the project to the new owner and or

1 operator. This notification's provision shall run with the life of the project and shall be recorded as a
2 covenant on the property.

3 71. Failure to meet any conditions of approval for this development shall constitute a violation
4 of the Conditional Use Permit, Regular Coastal Permit and Development Plan.

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

10 73. Less than 25 percent of shelf space shall be devoted to off-sale alcoholic beverages.

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

15 75. Side and rear elevations and window treatments shall be trimmed to substantially match
16 the front elevations. A set of building plans shall be reviewed and approved by the Planning
17 Department prior to the issuance of building permits.

18 76. Elevations, siding materials, colors, roofing materials and floor plans shall be
19 substantially the same as those approved by the Community Development Commission. These shall be
20 shown on plans submitted to the Building Department and Planning Department.

21 **Water Utilities:**

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

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

27 79. The property owner will maintain private water and wastewater utilities located on
28 private property.

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

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

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

7 83. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are
8 to be paid to the City and collected by the Water Utilities Department at the time of Building Permit
9 issuance.

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

12 PASSED AND ADOPTED by the Oceanside Community Development Commission of the
13 City of Oceanside this _____ day of _____ 2006 by the following vote:

14 AYES:

15 NAYS:

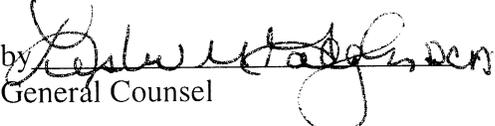
16 ABSENT:

17 ABSTAIN:

18 _____
19 Chairman

20 ATTEST:
21 _____
22 Secretary

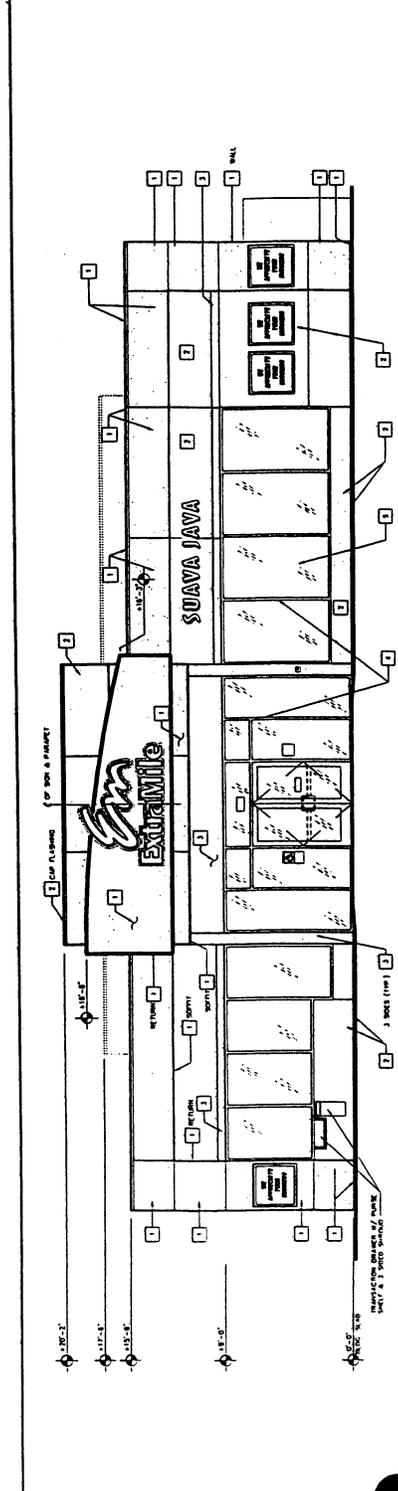
23 APPROVED AS TO FORM:
24 OFFICE OF THE CITY ATTORNEY

25 by 
26 General Counsel

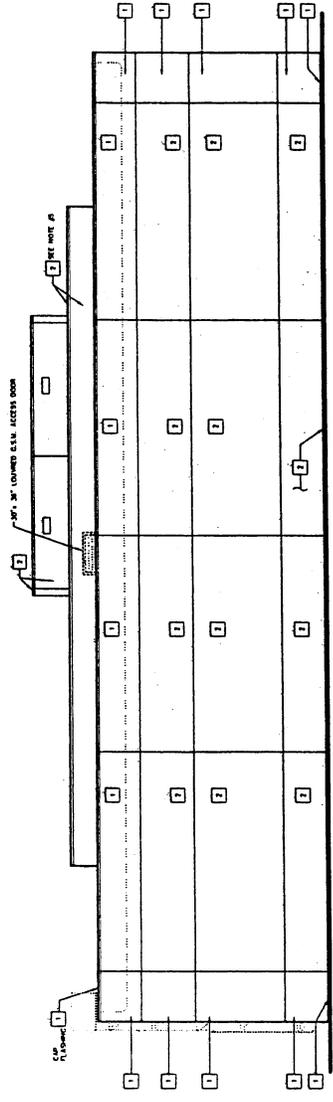
27
28

MARK	FINISH DESCRIPTION	COLOR	INTERNAL/EXTERNAL/COVER
1	MED. DASH "STUCCO"	CAFÉ AU LAIT (SEM GLOSS)	CERAMIC PLASTER
2	MED. DASH "STUCCO"	MILKING (SEM GLOSS)	CERAMIC PLASTER
3	EXCIT STONE ABOVE WINDOWS AND ENTRY COLUMNS	CHAMBERLAY (SEM GLOSS)	CERAMIC PLASTER
4	STOREFRONT FRAME	DARK BRONZE ANODIZED	
5	GLAZING ON STOREFRONT	1" THERMAL LOW E CLEAR	METAL CABINET BY MANUFACTURER
6	ELECTRICAL SWITCHGEAR	MATCH WALL	

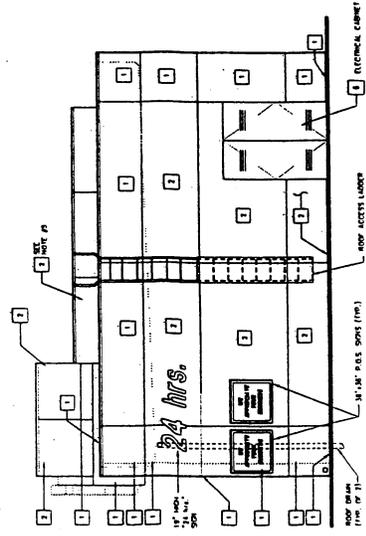
FOR NOTES ON BUILDING INFORMATION - SEE SHEET 6



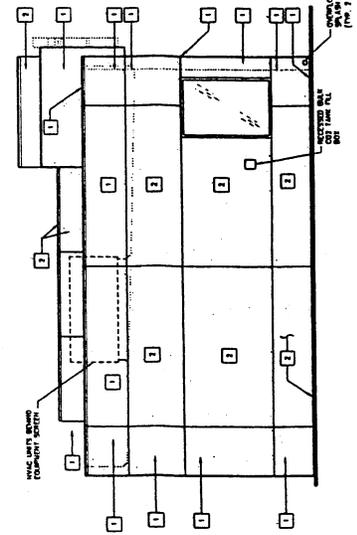
NORTH ELEVATION
SCALE 1/4"=1'-0"



SOUTH ELEVATION
SCALE 1/4"=1'-0"



WEST ELEVATION
SCALE 1/4"=1'-0"



EAST ELEVATION
SCALE 1/4"=1'-0"

Chevron

TRHL ARCHITECTURE - ENGINEERING SERVICES
1000 WEST 10TH AVENUE, SUITE 1000
DENVER, CO 80202

PLANNING
EXTERIOR ELEVATIONS

SCALE: 1/4"=1'-0" JOB: 08110
DATE: 06/17/11
DRAWN BY: JLM
CHECKED BY: JLM
DATE: 06/17/11

DATE: 06/17/11
SCALE: 1/4"=1'-0"
JOB: 08110
DATE: 06/17/11
DRAWN BY: JLM
CHECKED BY: JLM
DATE: 06/17/11

DATE: 06/17/11
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JOB: 08110
DATE: 06/17/11
DRAWN BY: JLM
CHECKED BY: JLM
DATE: 06/17/11



**CITY OF OCEANSIDE
PLANNING DEPARTMENT**

NOTICE OF EXEMPTION

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

**PROJECT TITLE AND FILE NUMBER:
CHEVRON MINI-MART (D-208-04, C-204-04 & RC-207-04)**

**PROJECT LOCATION - SPECIFIC:
APN 143-090-17
1601 North Coast Highway**

**PROJECT LOCATION - GENERAL:
City of Oceanside**

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:
Construction of a 2,000 square foot mini-mart at an existing Chevron gas station located at 1601 North Coast Highway on a 16,252 square foot site.

NAME OF PUBLIC AGENCY APPROVING PROJECT:
City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:
Chevron
2401 E. Katella Ave. Suite 400
Anaheim, CA 92806
714-935-0050

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(S) 15301(e)

REASONS WHY PROJECT IS EXEMPT:

The project involves only a 2,000 square foot addition to an existing service station, which is considered a minor alteration of a facility involving less than 10,000 square feet.

Contact Person: Shan M. Babick, Associate Planner

SIGNATURE

For: Gerald Gilbert, Planning Director

September 27, 2005

DATE