



DATE: June 7, 2006

TO: Chairman and Members of the Community Development Commission

FROM: Economic Development and Redevelopment Department

SUBJECT: **CONSIDERATION OF A RESOLUTION APPROVING A VARIATION (V-204-06) FOR AN ENCROACHMENT INTO THE SIDE YARD SETBACK LOCATED AT 312-318 NORTH NEVADA STREET – NEVADA MANOR – APPLICANT: L.A. CONSTRUCTION, INC.**

SYNOPSIS

The item under consideration is a Variation for an encroachment into the side yard setback located at 312-318 North Nevada Street. Staff is recommending that the Commission approve the Variation and adopt the resolution as attached.

BACKGROUND

On September 17, 2003, the Community Development Commission approved a 15-unit condominium project (Nevada Manor) at the subject site (see attached staff report). Construction commenced in August 2005, the subterranean garage has been completed and the building walls have been erected. It is anticipated that construction will be completed in fall of 2007.

Land Use and Zoning: The subject site is located within Subdistrict 3 of the "D" Downtown District. Subdistrict 3 is primarily intended for a mix of office development, interspersed with residential development in response to market demand.

Project Description: The applicant is requesting an encroachment of 8" into the southern side yard setback. During construction, the building was "staked" incorrectly and the building was shifted 8" to the south. The southern building setback is 4' 4" where 5 feet is required. In addition, the northern setback has been increased by 8". It should be noted that the size of the building remains unchanged.

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

The need for the proposed Variation for an 8” encroachment into the side yard setback was caused by human error. Granting the requested Variation will not cause the project to be inconsistent with the General Plan or the Redevelopment Plan. Further, literal interpretation and enforcement of the development regulations and standards in this case will result in undue financial hardships, practical difficulties and construction delays. Finally, the reduction of the southern side yard setback by 8” does not affect the design of the building nor is it detrimental to the surrounding neighborhood.

COMMISSION OR COMMITTEE REPORTS

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

Not applicable.

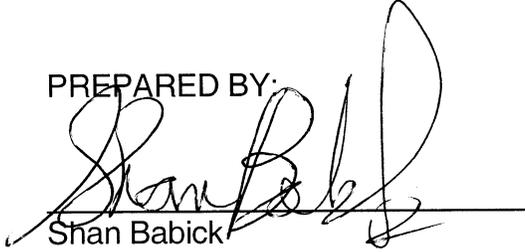
CITY ATTORNEY'S ANALYSIS

Pursuant to Oceanside Zoning Ordinance Article 4102, the Commission is authorized to hold a public hearing on the requested Variation. Consideration of the Variation 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 Variation. The resolution has been reviewed and approved as to form by the City Attorney.

RECOMMENDATION

Staff recommends that the Commission adopt the resolution approving Variation (V-204-06) for the encroachment into the side yard setback for the Nevada Manor condominium project located at 312-318 North Nevada Street.

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
4. Staff Report September 17, 2003

1 RESOLUTION NO. 06-

2 A RESOLUTION OF THE COMMUNITY DEVELOPMENT
3 COMMISSION OF THE CITY OF OCEANSIDE GRANTING A
4 VARIATION FOR A BUILDING ENCROACHMENT INTO
5 THE SOUTHERN SIDE YARD SETBACK AREA LOCATED
6 AT 312-318 NORTH NEVADA STREET - APPLICANT: L.A.
7 CONSTRUCTION, INC.

8 WHEREAS, on June 7, 2006, the Community Development Commission held its duly
9 noticed public hearing and, considered an application for a Variation (V-204-06) for a building
10 to encroach into the southern side yard setback area located at 312-318 North Nevada Street;

11 WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of Oceanside
12 did, on June 5, 2006, review and recommend approval of Variation (V-204-06);

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

15 WHEREAS, studies and investigations made by the Community Development
16 Commission reveal the following facts:

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

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

25 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes
26 effective upon its adoption.

27 NOW, THEREFORE, the Community Development Commission of the City of
28 Oceanside does resolve as follows:

FINDINGS:

Variation for the Encroachment into the Southern Side Yard Setback:

1. The application of certain regulations and development standards would result in
practical difficulties inconsistent with the intent of the Redevelopment Plan. The 8" building

1 encroachment into the southern side yard setback area was due to a surveying error. Because
2 the building is partially constructed, relocating the building 8” to the north is impractical and
3 would create an unnecessary hardship.

4 2. The exceptional circumstance or uniqueness of this particular property is that the
5 subject site is under construction and to relocate the partially constructed building to the north is
6 impractical and would cause unnecessary hardships that would not apply to other similar
7 properties within the same Subdistrict 3 zone.

8 3. Permitting the Variation will not be materially detrimental to the public welfare
9 or injurious to other properties or improvements within the same Subdistrict 3 zone.

10 4. Permitting the Variation will not be contrary to the objectives and goals of the
11 Redevelopment Plan.

12 5. Permitting the Variation will not be contrary to the General Plan.

13 SECTION 1. That Variation (V-204-06) is hereby approved subject to the following
14 conditions:

15 **Building:**

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

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

20 **Planning:**

21 3. This Variation (V-204-06) shall expire on June 7, 2008, unless implemented as
22 required by the Zoning Ordinance.

23 4. This Variation only approves a building encroachment of 8” into the southern
24 side yard setback area for the Nevada Manor project located at 312-318 North Nevada as shown
25 on the plans and exhibits presented to the Community Development Commission for review and
26 approval. No deviation from these approved plans and exhibits shall occur without Planning
27 Department approval. Substantial deviations shall require a revision to the Variation or a new
28 Variation.

5. The applicant, permittee or any successor-in-interest shall defend, indemnify and
hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or
proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul

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

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

AYES:

NAYS:

ABSENT:

ABSTAIN:

Chairman

ATTEST:

Secretary

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

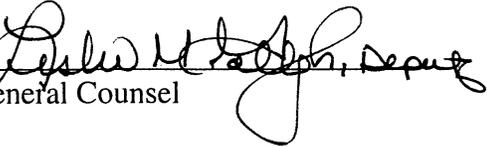
by  Deputy
General Counsel

EXHIBIT "A"

Parcel A:

Lot 10 in Block 73 of J. H. McNeil's Addition to Oceanside, in the City of Oceanside, County of San Diego, State of California, according to Map thereof No. 299, filed in the Office of the County Recorder of San Diego County, on June 30, 1886.

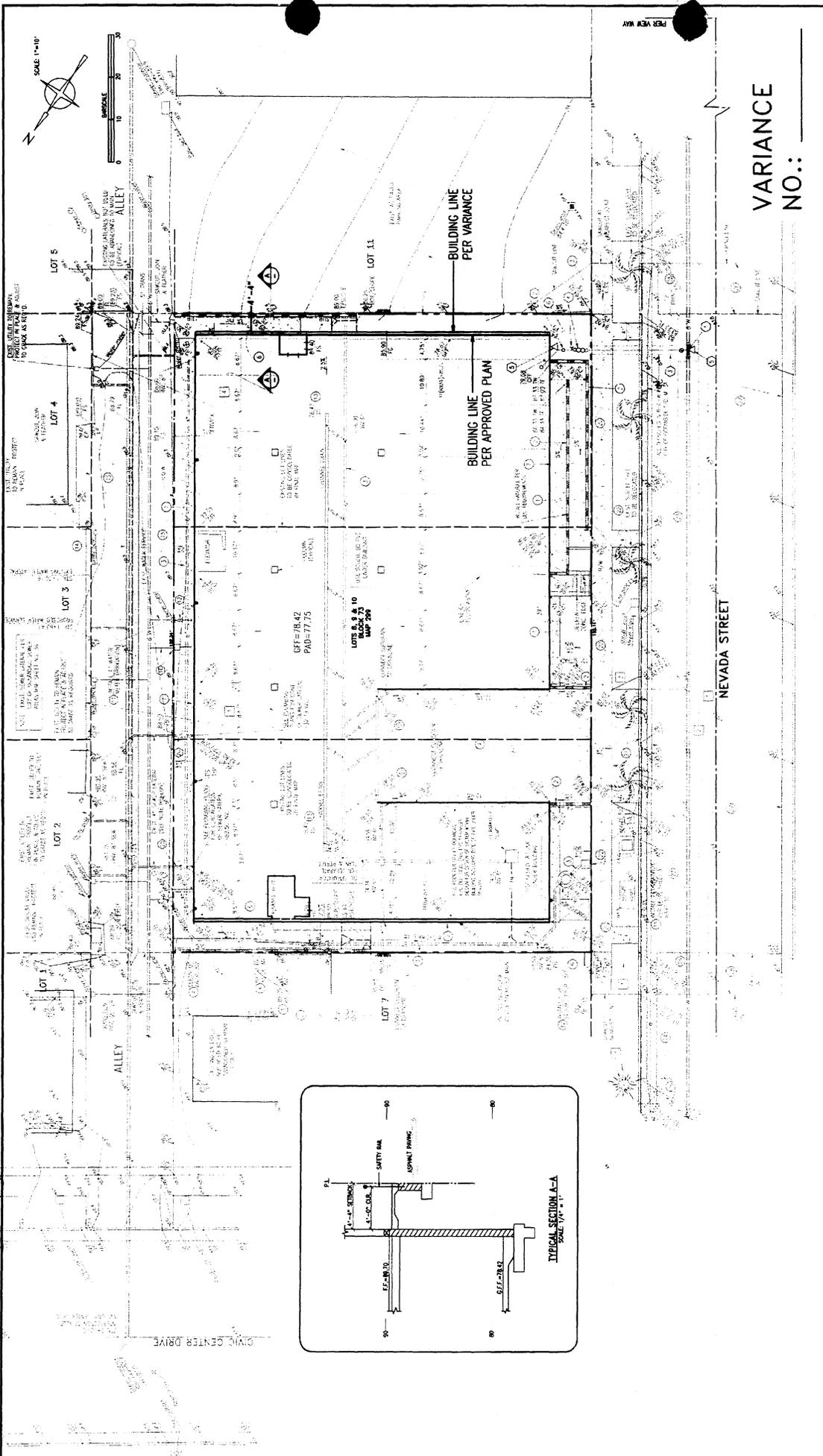
Parcel B:

Lot 9 in Block 73 of J.H. McNeil's Addition to Oceanside, in the City of Oceanside, County of San Diego, State of California, according to Map thereof No. 299, filed in the Office of the County Recorder of San Diego County on June 30, 1886.

Parcel C:

Lot 8 in Block 73 of J. H. McNeil's Addition to Oceanside, in the City of Oceanside, County of San Diego, State of California, according to Map thereof No. 299, filed in the Office of the County Recorder of San Diego County, on June 30, 1886.

Assessor's Parcel No: 147-108-02, 147-108-03, 147-108-04



VARIANCE
NO.:

SHEET	CITY OF OCEANSIDE PLANNING DEPARTMENT	SHEETS
PRECISE GRADING PLAN "NEVADA MANOR" 312, 316 & 318 NEVADA STREET		
APPROVED	DATE	
ENGINEER OF WORK	PLANNING	2501
C.E.E. 1088		

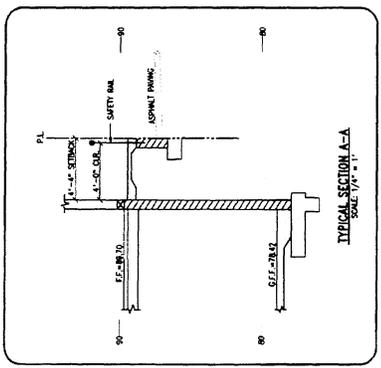
1-201-02

BENCHMARK: CITY OF OCEANSIDE BM1
 Description: LOTS A-4 MASS CAP
 Location: SOUTHERLY PORTION OF INTERSECTION
 OF 3RD & CLEVELAND
 Record From: CITY DATUM BOOK 152-5
 Elevation: 92.787
 Datum: M.S.L.

NO. 27
 DESCRIPTION: ASHED IMPROVEMENTS IN THE PUBLIC EASE, 24-6
 AND LOCATIONS OF ASHED PIT AND STRUCTURES
 ASHED CONCRETE AL. 19' BLOC. 45 SHOWN 14'-14"

APPROVED DATE

TOAL ENGINEERING, INC.
 Civil Engineers, Land Planners, Land Surveyors
 2777 Avenida de las Americas, Suite 200
 San Diego, California 92122
 Ph. (619) 492-8586 Fax. (619) 498-6625 E-mail: "toal@toal.com"





DATE: September 17, 2003

TO: Chairman and Members of the Community Development Commission

FROM: Planning Department

SUBJECT: **CONSIDERATION OF A TENTATIVE MAP (T-201-02), DEVELOPMENT PLAN (D-207-02) AND CONDITIONAL USE PERMIT (C-204-02) FOR A 15-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT LOCATED AT 312 – 318 NORTH NEVADA STREET – APPLICANT: WESTERN RETECHS, INC.**

SYNOPSIS

The item under consideration is a Tentative Map (T-201-02), Development Plan (D-207-02), and Conditional Use Permit (C-204-02) for a 15-unit condominium project situated on a 15,222 square foot site located on the east side of Nevada Street between Civic Center Drive and Pier View Way. Staff is recommending approval of the Tentative Map, Development Plan, and Conditional Use Permit.

BACKGROUND

Site Review: The subject site is located on the east side of Nevada Street between Civic Center Drive and Pier View Way and consists of three pre-existing parcels that total 15,222 square feet in size. Each of the parcels currently maintains a structure which was originally constructed as a single-family residence, however, these structures have since converted into office uses. These structures will be either moved or demolished as part of the development of the proposed project. Since these residences are over 45 years old an Historic Assessment was prepared to determine its historical significance. The Historic Assessments are attached to the staff report.

Surrounding uses include City administration and office uses to the west, north and south. Residential as well as office uses are situated to the east.

Land Use and Zoning: The project site is located within Subdistrict 3 of the "D" Downtown District. Subdistrict 3 is "primarily intended for a mixed office development interspersed with residential development, in response to market demands". Condominiums are permitted with the approval of a Conditional Use Permit.

Project Description: The project application consists of several components, which include a Tentative Map, Development Plan and Conditional Use Permit. Each

discretionary request is described as follows:

Tentative Map and Development Plan : The project itself consists of a 15-unit condominium project. The Tentative Map proposes to re-subdivide the existing three lots into a one-lot condominium map.

The design of the project is a contemporary Spanish Mediterranean theme that is four stories in arrangement and approximately 55 feet in height as measured from Nevada Street. Parking for each of the units will be provided within a subterranean garage as well as ten “at-grade” garage spaces that are accessed from the rear alley. Access to the subterranean garage is from Nevada Street.

There are two floor plans proposed that are 1,707 and 1,720 square feet in size. Each of the floor plans are comprised of three bedrooms and two baths. Additionally, project amenities include a gymnasium and individual storage rooms that are situated on the first floor, as well as a rooftop terrace that contains a spa, sitting area and barbecue facilities. Each unit will have balcony and a storage room, which is situated on the first floor. Access to each of the units will be from a centralized lobby on the first floor adjacent to Nevada Street as well as from an elevator in the subterranean garage.

The overall project density is approximately 43 dwelling units per acre. A total of 32 percent of the site is dedicated to open space and landscaping.

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

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	5,000 sq.ft.	15,222 sq.ft.
SETBACKS		
Front	10 feet	10 feet
Side	5 feet	5 feet
Rear	5 feet	5 feet
LANDSCAPING	15%	32 %
PARKING	30 spaces	34 spaces
BUILDING HEIGHT	35 feet (max.) 65 feet (max. with CUP)	55 feet (max.)

Conditional Use Permit: Current regulations establish the base density of a residential project at 29 dwelling units per acre. Densities above 29 dwelling units per acre must possess design features to warrant the density proposed. Base district height limitations are 35 feet, however, additional height up to 65 feet may be granted by the Community

Development Commission if considered appropriate. Multi-family residential uses also require approval of a Conditional Use Permit within the underlying subdistrict.

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.

As mentioned, an Historic Assessment has been prepared to determine the cultural significance of the subject site. The site does have a long and interesting ownership history and local importance, however, no significant cultural resources exist on the site today. The existing structures will either be moved or demolished as part of the project. In the event, that the structures are demolished, photo documentation is required prior to demolition.

ANALYSIS

Staff's review of the project centered on the project's consistency with the underlying development regulations, as well as the project's compatibility with surrounding land uses.

In reviewing the project, staff believes that the project is consistent with the permitted intent and purpose of the underlying subdistrict. The project site is located within Subdistrict 3 of the "D" Downtown District. Subdistrict 3 is "primarily intended for a mixed office development interspersed with residential development, in response to market demands". Due to the success of several projects within the redevelopment area, market demands for residential uses have significantly increased.

The project, as designed, meets all of the required development regulations of the "D" Downtown District. The request of additional height as well as the density of the project is supportable. The project does possess design features that justify the density as requested. These design features include the subterranean parking garage and project amenities such as the gymnasium, individual storage rooms and roof-top terrace.

Staff also believes that the increase in height is necessary to address the site's shape and size, as well as maintain economic viability of the project. Under current regulations the maximum allowable base height is 35 feet. However, additional height up to 65 feet can be approved with a CUP if deemed appropriate by the CDC.

In conclusion, staff believes that the project meets the intent of the Redevelopment Plan and the underlying subdistrict goals.

COMMISSION OR COMMITTEE REPORT

The Redevelopment Design Review Committee (RDRC) has reviewed the project at its March 14, 2003 meeting. RDRC unanimously approved the project.

The Redevelopment Advisory Committee (RAC) will review the project at its September 17, 2003 meeting. Formal recommendations from these bodies, including RAC, will be

presented to the CDC during the public hearing for the project.

FISCAL IMPACT

The proposed project will add approximately \$60,000 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 hearing. After conducting the public hearing, the Commission shall affirm, modify, or deny the project. The resolutions have been reviewed and approved as to form by the City Attorney.

RECOMMENDATION

Staff believes that the proposed project is consistent with the City's Redevelopment Plan and Downtown "D" District Ordinance. As such, staff recommends that the Community Development Commission approve the proposed project and adopt the resolution as attached.

PREPARED BY:



Gerald S. Gilbert
Planning Director

SUBMITTED BY:



Steven R. Jepsen
City Manager

REVIEWED BY:

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



GSG/vnm

EXHIBITS/ATTACHMENTS

1. Resolution approving Tentative Map (T-201-02), Development Plan (D-207-02), Conditional Use Permit (C-204-02)
2. Site Plans, Floor Plans and Elevations
3. Historic Assessments

OCEANSIDE COMMUNITY DEVELOPMENT COMMISSION
RESOLUTION NO.

A RESOLUTION OF THE OCEANSIDE COMMUNITY DEVELOPMENT COMMISSION APPROVING A TENTATIVE MAP (T-201-02), DEVELOPMENT PLAN (D-207-02), AND CONDITIONAL USE PERMIT (C-204-02) FOR A 15-UNIT RESIDENTIAL CONDOMINIUM PROJECT LOCATED AT 312-318 NORTH NEVADA STREET – APPLICANT: WESTERN RETECHS, INC.

WHEREAS, the Community Development Commission, at its duly noticed public hearing held on September 17, 2003, considered an application for a Tentative Map, Development Plan, and Conditional Use Permit for a 15-unit residential condominium project located at 312-318 North Nevada Street;

WHEREAS, the applicant is Western Retechs, Inc.; and

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

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>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. R91-38	\$2200 per residential unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 89-231	Based on location
Water Connection Fees or Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 99-21	Fee based on capacity or meter size

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Sewer Connection Fees or	Oceanside City Code	Fee based on capacity or
4	Wastewater System Buy-in fees	§ 29.11.1	meter size.
5		Resolution No. 87-97	
6		Ordinance No. 99-20	
7	San Diego County Water	SDCWA Ordinance No.	Based on meter size.
8	Authority Capacity Fees	2000-3	

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

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

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

19 WHEREAS, the Community Development Commission, after giving the required notice,
20 did on the 17th day of September, 2003, conduct a duly advertised public hearing as prescribed by
21 law to consider said application; and

22 WHEREAS, studies and investigations made by the Community Development
23 Commission reveal the following facts:

24 FINDINGS:

25 **For the Tentative Map:**

1. The proposed subdivision for 15 condominium units, with conventional "air space" ownership, is consistent with the General Plan of the City and the effective zoning regulations.

- 1 2. The subject site is physically suitable for the density and type of the proposed
2 development.
- 3 3. The design of the subdivision and the proposed improvements will not cause significant
4 environmental impact or damages.
- 5 4. The design of the subdivision and the project improvements will not conflict with any
6 public easements for access through or upon the property within the proposed
7 subdivision.
- 8 5. The subdivision complies with all other applicable ordinances, regulations and
9 guidelines of the City of Oceanside, including but not limited to the Local Coastal Plan
10 and the Local Floodplain Ordinance.

11 **For the Development Plan:**

- 12 1. That the site plan and physical design of the project as proposed is consistent with the
13 purposes of the "D" Downtown District.
- 14 2. That the Development Plan as proposed conforms to the Redevelopment Plan of the
15 City.
- 16 3. That the area covered by the Development Plan can be adequately, reasonably and
17 conveniently served by existing and planned public services, utilities and public
18 facilities.
- 19 4. That the project as proposed is compatible with the existing and potential development
20 on adjoining properties or in the surrounding neighborhood.

21 **For the Conditional Use Permit to Exceed the Base Density and Increase in Height:**

- 22 1. In accordance with the zoning criteria, the project merits a density increase due to its
23 excellent design features including a private gymnasium, individual unit storage area and
24 its inclusion of an underground parking facility that is at least 50% below grade and
25 provides for at least 75% of the project's required parking for the residential component.
- 26 2. The proposed density will be adequately contained and facilitated within the project
27 development. As such, the project density will not have any detrimental impact upon the
28 public health, safety, or welfare of persons working or residing in the neighboring areas.

1 3. The proposed density is a part of a project development that represents a high-quality
2 urban design.

3 WHEREAS, the Community Development Commission finds that the project was
4 determined to have no major significant adverse effects upon the environment as a qualifying
5 "In-Fill Development Project" in accordance with the provisions of the State guidelines of the
6 California Environmental Quality Act and, therefore, the project is exempt from further
7 environmental review.

8 NOW, THEREFORE, the Community Development Commission of the City of Oceanside
9 does resolve that Tentative Map (T-202-01), Development Plan (D-207-02) and Conditional
10 Use Permit (C-204-02) are hereby approved subject to the following conditions:

11 Building:

- 12 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
13 Building Department plan check.
- 14 2. The granting of approval under this action shall in no way relieve the applicant/project
15 from compliance with all State and local building codes.
- 16 3. Site development, parking, access into buildings and building interiors shall comply with
17 Part 2, Title 24, C.C.R. (Disabled Access - Nonresidential buildings - D.S.A.).
- 18 4. Site development, common use areas, access and adaptability of apartments and
19 condominiums shall comply with Part 2, Title 24, C.C.R. (Disabled Access & Adaptability
20 - HCD).
- 21 5. All electrical, communication, CATV, etc. service lines, within the exterior lines of the
22 property shall be underground (City Code Sec. 6.30).
- 23 6. The building plans for this project are required by State law to be prepared by a licensed
24 architect or engineer and must be in compliance with this requirement prior to submittal
25 for building plan review.
- 26 7. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance)
27 and shall be shielded appropriately. Where color rendition is important high-pressure

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1 sodium, metal halide or other such lights may be utilized and shall be shown on final
2 building and electrical plans.

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

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

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

19 Fire:

20 9. The final plans submitted for any building permits shall meet the City's current adopted
21 fire codes.

22 10. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
23 approval prior to the issuance of building permits.

24 11. Fire extinguishers are required and shall be included on the plans submitted for plan
25 check.

26 12. A minimum fire flow of 2,500 gallons per minute shall be provided.

27 13. The size of new required fire hydrant outlets shall be 2-1/2" x 2-1/2" x 4".

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- 1 14. The fire hydrants shall be installed and tested prior to placing any combustible materials
2 on the job site.
- 3 15. The developer shall supply the Fire Department with an updated map and hydrant
4 locations in a digital format compatible with the Fire Department's mapping program
5 upon approval of final improvement plans.
- 6 16. An approved fire sprinkler system must be installed throughout the building. The system
7 shall be designed in accordance with N.F.P.A. 13, and U.B.C. standard 9-1. The
8 sprinkler system shall be equipped with 24-hour monitoring services.
- 9 17. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design
10 and Processing Manual Standard Drawing No. M-13.
- 11 18. The residential building consisting of 4 stories above a basement garage shall be
12 constructed with standpipes in accordance with U.B.C. Table 9A. Not less than one (1)
13 standpipe shall be provided during construction, and the standpipe(s) shall be installed
14 before the progress of construction is more than 35 feet above grade. Two and one-half-
15 inch valve hose connections shall be provided at approved accessible locations adjacent
16 to useable stairs.
- 17 19. A "knox" key storage box shall be provided for the development. The number of
18 complete sets of knox keys provided to the Fire Department shall be at the discretion of
19 the Fire Marshall. Keys shall be provided for all exterior entry doors, fire protection
20 equipment control rooms, mechanical and electrical rooms, elevator controls and
21 equipment spaces, etc.
- 22 20. In accordance with the Uniform Fire Code Sec. 901.1.4.4, approved addresses for Multi-
23 Family Residential Occupancies shall be displayed as 6-inch high numbers and placed on
24 the structure in such a position as to be plainly visible and legible from the street or
25 roadway fronting the property. Address numbers shall contrast with their background.

26 Engineering:

- 27 21. With the exception of the private driveway access points approved herewith, vehicular access
28 rights to Nevada Street shall be relinquished to the City from all abutting lots.

- 1 22. All right-of-way alignments, street dedications, exact geometrics and widths shall be
2 dedicated and improved as required by the City Engineer.
- 3 23. Design and construction of all improvements shall be in accordance with standard plans,
4 specifications of the City of Oceanside and subject to approval by the City Engineer.
- 5 24. Prior to the issuance of a grading permit, the Developer shall notify and host a
6 neighborhood meeting with all of the area residents located within 300 feet of the project
7 site, and residents of property along any residential streets to be used as a "haul route", to
8 inform them of the grading and construction schedule, haul routes, and to answer
9 questions.
- 10 25. The developer shall provide public street dedication as required to serve the property.
- 11 26. The approval of the tentative map shall not mean that closure, vacation, or abandonment
12 of any public street, right of way, easement, or facility is granted or guaranteed to the
13 subdivider. The subdivider is responsible for applying for all closures, vacations, and
14 abandonments as necessary. The application(s) shall be reviewed and approved or
15 rejected by the City under separate process(es) per codes, ordinances, and policies in
16 effect at the time of the application.
- 17 27. Prior to approval of the final map, all improvement requirements, shall be covered by a
18 subdivision agreement and secured with sufficient improvement securities or bonds
19 guaranteeing performance and payment for labor and materials, setting of monuments, and
20 warranty against defective materials and workmanship.
- 21 28. The tract shall be recorded and developed as one. A construction-phasing plan for the
22 construction of public and private improvements, including landscaping and streets, shall
23 be reviewed and approved by the City Engineer prior to the recordation of the final map.
- 24 29. Prior to the issuance of any building permits all engineering improvements including
25 landscaping, landscaped medians, frontage, and drainage improvements shall be
26 constructed to the satisfaction of the City Engineer. Prior to issuance of a building permit,
27 the subdivider shall record the final map.

28 ////

1 30. Prior to issuance of any certificates of occupancy, the City Engineer shall require the
2 dedication and construction of necessary utilities, arterials and streets and other
3 improvements outside the area of any particular final map, if such is needed for storm
4 drainage, circulation, parking, access or for the welfare or safety of future occupants of the
5 development and other impacted properties. The boundaries of any multiple development
6 increment shall be subject to the approval of the City Engineer.

7 31. Prior to the issuance of any grading, improvement or building permits for a model
8 complex, a construction-phasing plan for the entire project shall be reviewed and
9 approved by the Planning Director, City Engineer and Building Director. All
10 improvements shall be constructed to the satisfaction of the City Engineer prior to the
11 issuance of any building permits. All public and private improvements including
12 landscaping, drainage, and streets or arterials that are found to be required to serve the
13 model complex shall be completed prior to the issuance of any certificates of occupancy.

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

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

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- 1 34. The developer shall monitor, supervise and control all construction and construction-
2 supportive activities, so as to prevent these activities from causing a public nuisance,
3 including but not limited to, insuring strict adherence to the following:
- 4 a) Dirt, debris and other construction material shall not be deposited on any public
5 street or within the City's storm water conveyance system.
 - 6 b) All grading and related site preparation and construction activities shall be limited
7 to the hours of 7 AM to 6 PM, Monday through Friday. No earthmoving or
8 grading operation shall be conducted on Saturdays, Sundays or legal holidays unless
9 written permission is granted by the City Engineer with specific limitations to the
10 working hours and types of permitted operations. All on-site construction staging
11 areas and construction parking shall be approved by the City Engineer. Because
12 construction noise may still be intrusive in the evening or on holidays, the City of
13 Oceanside Noise Ordinance also prohibits "any disturbing excessive, or offensive
14 noise which causes discomfort or annoyance to reasonable persons of normal
15 sensitivity."
 - 16 c) The construction site shall accommodate the parking of all motor vehicles used by
17 persons working at or providing deliveries to the site.
- 18 35. All traffic signal contributions, highway thoroughfare fees, park fees, reimbursements,
19 and other applicable charges, fees and deposits shall be paid prior to the issuance of any
20 building permits, in accordance with City Ordinances and policies. The subdivider shall
21 also be required to join into, contribute, or participate in any improvement, lighting, or
22 other special district affecting or affected by this project. Approval of the tentative map
23 shall constitute the developer's approval of such payments, and his agreement to pay for
24 any other similar assessments or charges in effect when any increment is submitted for
25 final map or building permit approval, and to join, contribute, and/or participate in such
26 districts.
- 27 36. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon
28 approved soil tests and traffic indices. The pavement design is to be prepared by the

1 subdivider's Soil Engineer and must be approved by the City Engineer, prior to paving. All
2 streets shall be improved with curbs and gutters.

3 37. Full width alley improvements including the installation of a longitudinal concrete alley
4 gutter shall be constructed in accordance with the standard plans and specifications of the
5 City of Oceanside and as approved by the City Engineer. Standard six inch curb and gutter
6 shall be installed along the property frontage on Nevada Street.

7 38. The developer shall contract with an engineering firm to perform R-value testing of the existing
8 pavement on the adjacent streets. The limits of the study shall be half-width plus 12 (twelve) feet
9 along the subdivision's frontage on Nevada Street. The Developer shall submit a study that shall
10 analyze whether the existing pavement meets current City standards/traffic indices. If the study
11 concludes that the pavement does not meet City standards/traffic indices, rehabilitation/mitigation
12 recommendations shall be included in the study and the Subdivider shall reconstruct the street per
13 the recommendations to the satisfaction of the City Engineer.

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

16 40. All existing overhead utility lines within the subdivision and within any full width street or
17 right-of-way abutting a new subdivision, and all new extension services for the
18 development of the project, including but not limited to, electrical, cable and telephone,
19 shall be placed underground per Section 901.G. of the Subdivision Ordinance (R91-166)
20 and as required by the City Engineer and current City policy.

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

23 42. Grading and drainage facilities shall be designed and installed to adequately accommodate
24 the local storm water runoff and shall be in accordance with the City's Engineers Manual
25 and as directed by the City Engineer.

26 43. The applicant shall obtain any necessary permits and clearances from all public agencies
27 having jurisdiction over the project due to its type, size, or location, including but not
28 limited to the U. S. Army Corps of Engineers, California Department of Fish & Game,

1 U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
2 (including NPDES), San Diego County Health Department, prior to the issuance of
3 grading permits.

4 44. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic
5 investigation shall be conducted of the soils, slopes, and formations in the project. All
6 necessary measures shall be taken and implemented to assure slope stability, erosion
7 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
8 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
9 the City Engineer.

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

14 46. A precise grading and private improvement plan shall be prepared, reviewed, secured and
15 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
16 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage,
17 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
18 and any on-site traffic calming devices shall be shown on all Precise Grading and Private
19 Improvement Plans.

20 47. Landscaping plans, including plans for the construction of walls, fences or other structures
21 at or near intersections, must conform to intersection sight distance requirements.
22 Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer
23 prior to the issuance of a preliminary grading permit and approved by the City Engineer
24 prior to the issuance of building permits. Frontage and median landscaping shall be
25 installed prior to the issuance of any building permits. Project fences, sound or privacy
26 walls and monument entry walls/signs shall be designed, reviewed and constructed in
27 accordance with the landscape plans and shown for location only on grading plans.
28 Plantable, segmental walls shall be designed, reviewed and constructed in accordance with

1 grading plans and landscaped/irrigated through project landscape plans. All plans must be
2 approved by the City Engineer and a pre-construction meeting held, prior to the start of any
3 improvements.

4 48. Open space areas and down-sloped areas visible from a collector-level or above roadway
5 and not readily maintained by the property owner, shall be maintained by a homeowners'
6 association that will insure installation and maintenance of landscaping in perpetuity.
7 These areas shall be indicated on the final map and reserved for an association. In either
8 case, future buyers shall be made aware of any estimated monthly costs. The disclosure,
9 together with the CC&R's, shall be submitted to the City Engineer for review prior to the
10 recordation of final map. In the event the homeowner's association dissolves,
11 responsibility for irrigation and maintenance of the slopes (open space areas) adjacent to
12 each property shall become that of the individual property owner.

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

20 50. Storm drain facilities shall be designed and located such that the inside travel lanes on
21 streets with a Collector or above design criteria shall be passable during conditions of a
22 100-year frequency storm.

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

26 52. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high
27 barrier, approved by the City Engineer, shall be provided at the top of all slopes whose

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1 height exceeds 20 feet or where the slope exceeds 4 feet and is adjacent to an arterial
2 street or state highway.

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

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

24 55. The Subdivider shall submit an Operations & Maintenance (O&M) Plan and Manual to the
25 Engineering Division with the first submittal of engineering plans. The Plan and the Manual
26 shall be prepared by the applicant's Civil Engineer. It shall be directly based on the project's
27 Storm Water Mitigation Plan (SWMP) previously approved by the project's approving authority
28 (Planning Commission/City Council. It shall be approved by the City Engineer prior to the

1 approval of any plans by the Engineering Division. At a minimum the O&M Plan and Manual
2 shall describe the designated responsible parties to manage the storm water BMP(s), employee's
3 training program and duties, operating schedule, maintenance frequency, routine service
4 schedule, specific maintenance activities, copies of resource agency permits, and any other
5 necessary activities. Construction-phase requirements proposed in the Plan and Manual shall be
6 incorporated in and referenced by the project's Erosion Control Plans to the satisfaction of the
7 City Engineer prior to approval of any construction plans for the project.

8 56. The Subdivider shall enter into a City-Standard Stormwater Facilities Maintenance Agreement
9 with the City obligating the project proponent to maintain, repair and replace the storm water
10 best management practices (BMPs) identified in the project's approved Storm Water Mitigation
11 Plan (SWMP), as detailed in the O&M Plan and Manual into perpetuity. The agreement shall
12 be approved by the City Attorney prior to issuance of any precise grading permit and shall be
13 recorded at the County Recorder's Office prior to issuance of any building permit. Security in
14 the form of cash or certificate of deposit or an irrevocable letter of credit shall be required prior
15 to issuance of a precise grading permit. The amount of the security shall be equal to 10 years of
16 maintenance costs. The O&M cost estimate shall be prepared by the applicant's Civil Engineer.
17 The O&M cost estimate shall be approved by the City Engineer prior to approval of any
18 engineering plans for the project.

19 The City requires that a copy of the Operation & Maintenance (O&M) Plan and Manual
20 approved by the City Engineer be attached to the approved Maintenance Agreement prior to its
21 review by the City Attorney. At a minimum, maintenance agreements shall require the
22 inspection and servicing of all structural BMPs on an annual basis. The project proponent shall
23 complete and maintain O&M forms to document all maintenance requirements. Parties
24 responsible for the O&M plan shall retain records for at least 5 years. These documents shall be
25 made available to the City for inspection upon request at any time.

26 The Agreement shall include a copy of executed onsite and offsite access easements necessary
27 for the operation and maintenance of BMPs that shall be binding on the land throughout the life
28 of the project to the benefit of the party responsible for the O&M of BMPs, until such time that
the storm water BMP requiring access is replaced, satisfactory to the City Engineer.

57. The type, model, or dimensions of the BMPs described in the project's approved Storm Water

1 Mitigation Plan (SWMP) shall not be altered in any way, shape or form without formal approval
2 by the project's final approving authority at a public hearing, if such hearing was required for
3 the approval of the project.

4 Planning:

5 58. This Tentative Map, Development Plan and Conditional Use Permit approve only the
6 following: a 15-unit residential condominium project. Any substantial modification in
7 the design or layout shall require a revision to the Tentative Map, Development Plan, and
8 Conditional Use Permit or a new Tentative Map, Development Plan, and Conditional
9 Use Permit.

10 59. This Tentative Map, Development Plan, Conditional Use Permit shall expire on
11 September 17, 2006, unless implemented as required by the Zoning Ordinance, or unless
12 a time extension is granted by the Community Development Commission.

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

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

21 a) Local street trees in parkways shall be planted at a minimum 15-gallon container
22 size or 10 – 12-foot Brown Trunk Height (BTH), and spaced in accordance with the
23 City's adopted Landscape Design Guidelines manual. Approved root barriers shall
24 be incorporated.

25 b) All decorative pavements and hardscape materials, shown on the plans approved by
26 the Community Development Commission, shall be included on the final landscape
27 plans.

28 62. 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

1
2 owner and or operator. This notification's provision shall run with the life of the project.

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

5 64. 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
7 approval of this project constitutes the applicant's agreement with all statements in the
8 Description and Justification, Management Plan and other materials and information
9 submitted with this application, unless specifically waived by an adopted condition of
10 approval.

11 65. The owner of the property shall be responsible for trash abatement on the site, and shall
12 keep the site free of litter, trash and other nuisances.

13 66. All retaining and other freestanding walls, fences, and enclosures shall be architecturally
14 designed in a manner similar to and consistent with the primary structures (stucco block,
15 split-face block or slump stone, whichever is appropriate as determined by the Planning
16 Director) or unless otherwise shown on the conceptual landscape plan. These items shall
17 be approved by the Planning Department prior to the issuance of building permits.

18 67. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially
19 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 68. The architectural features and materials of the east side and rear building elevations shall
22 be the same as the street side elevations. Final design is subject to the review and approval
23 of the Planning Director.

24 69. A covenant or other recordable document approved by the City Attorney shall be prepared
25 by the subdivider and recorded prior to the approval of the final map. The covenant shall
26 provide that the property is subject to this Resolution, and shall generally list the conditions
27 of approval.

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1 70. The developer is prohibited from entering into any agreement with a cable television
2 franchisee of the City which gives such franchisee exclusive rights to install, operate,
3 and/or maintain its cable television system in the development.

4 71. Lease and rental agreements shall be for the dwelling unit with the garage. The garage
5 shall be used for the purpose of vehicular parking and the owner or tenant shall not lease
6 or rent the garage separately from the dwelling unit.

7 72. The following unit type, as approved by the Community Development Commission, shall
8 be indicated on plans submitted to the Building Department and Planning Department for
9 building permit:

11	Plan Type	Square Footage	Bedrooms	Bathrooms
12	=====			
13	Plan A	1,720 sq.ft.	3	2
14	Plan B	1,707 sq.ft.	3	2
15	=====			

16 73. An association of homeowners (HOA) shall be formed and Covenants, Conditions and
17 Restrictions (C.C.&R's) shall provide for the maintenance of all common open space,
18 medians and commonly owned fences and walls and adjacent parkways. The
19 maintenance shall include normal care and irrigation of landscaping, repair and
20 replacement of plant material and irrigation systems as necessary, and general cleanup of
21 the landscaped and open area, parking lots and walkways. The C.C.&R's shall be subject
22 to the review and approval of the City Attorney prior to the approval of the final map.
23 The C.C.&R's are required to be recorded prior to or concurrently with the final map.
24 Any amendments to the C.C.&R's in which the association relinquishes responsibility for
25 the maintenance of any common open space shall not be permitted without the specific
26 approval of the City of Oceanside. Such a clause shall be a part of the C.C.&R's. The
27 C.C.&R's shall also contain provisions for the following:

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

- b) Maintenance of all common areas, and onsite and frontage landscaping.
- c) Permanent provisions for City-ordinance-required trash pickup within the complex including the city-mandated re-cycling requirements. The cost for trash collection and on-site pickup arrangements shall be part of the HOA's responsibilities.

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

75. An architectural lighting plan shall be prepared and submitted for review and approval prior to the issuance of building permits. This plan is subject to the review and approval by the Planning Director.

76. Prior to issuance of building permits, detailed engineering calculations shall be submitted indicating that the building construction would be able to attenuate interior noise to less than 45 dB for all units.

77. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Tentative Map (T-201-02), Development Plan (D-207-02) and Conditional Use Permit (C-204-02). The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

78. This project shall comply with all provisions of the City's Affirmative Fair Housing Marketing Agreement policy. Such agreement shall be submitted to and approved by the Housing and Neighborhood Services Director prior to the recordation of a final map or the issuance of a building permit for the project, whichever comes first.

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- 1 79. The developer shall make the best faith efforts to have the building at 318 N. Nevada
2 Street relocated and preserved in accordance with good preservation practices, preferably
3 near its current location.
- 4 80. Demolition or relocation of the buildings at 312, 316, and 318 N. Nevada Street shall not
5 occur until the development project is ready to proceed.
- 6 81. The houses at 312, 316, and 318 North Tremont Street shall be maintained in a safe
7 manner, protected from the elements and vandalism until relocation and/or demolition
8 occurs.
- 9 82. Prior to building permits issued for demolition or relocation, photo documentation in
10 accordance to OHPAC Policy 1 shall be completed.

11 Water Utilities:

- 12 83. All public water and/or sewer facilities not located within the public right-of-way shall be
13 provided with easements sized according to the Engineer's Manual. Easements shall be
14 constructed for all weather access.
- 15 84. No trees, structures or building overhang shall be located within any water or wastewater
16 utility easement.
- 17 85. The property owner will maintain private water and wastewater utilities located on private
18 property.
- 19 86. A separate irrigation meter and approved backflow prevention device is required.
- 20 87. The developer shall construct a public reclamation water system that will serve each lot
21 and or parcels that are located in the proposed project in accordance with the City of
22 Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located
23 in the public right-of-way or in a public utility easement.
- 24 88. Water services and sewer laterals constructed in existing right-of-way locations are to be
25 constructed by approved and licensed contractors at developer's expense.
- 26 89. The developer will be responsible for developing all water and sewer utilities necessary to
27 develop the property. Any relocation of water and/or sewer utilities is the responsibility of

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1 the developer and shall be done by an approved licensed contractor at the developer's
2 expense.

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

7 91. 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
9 Building Permit issuance.

10 92. All water and wastewater construction shall conform to the most recent edition of the
11 City of Oceanside Engineer's Manual, or as approved by the Water Utilities Director.

12 93. The property owner, per City Ordinance #83-44, shall maintain all Sewer laterals.

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1 94. All new development of multi-family residential units shall include hot water pipe
2 insulation and installation of a hot water recirculation device or design to provide hot
3 water to the tap within 15 seconds in accordance with City of Oceanside Ordinance No.
4 02-OR126-1

5 PASSED AND ADOPTED by the Oceanside Community Development Commission of
6 the City of Oceanside this _____ day of _____, 2003 by the following vote:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11 _____
12 Chairman

13 ATTEST:

14 _____
15
16 Secretary

17 APPROVED AS TO FORM:

18 OFFICE OF THE CITY ATTORNEY

19
20 by *Chris Analla, Assistant*

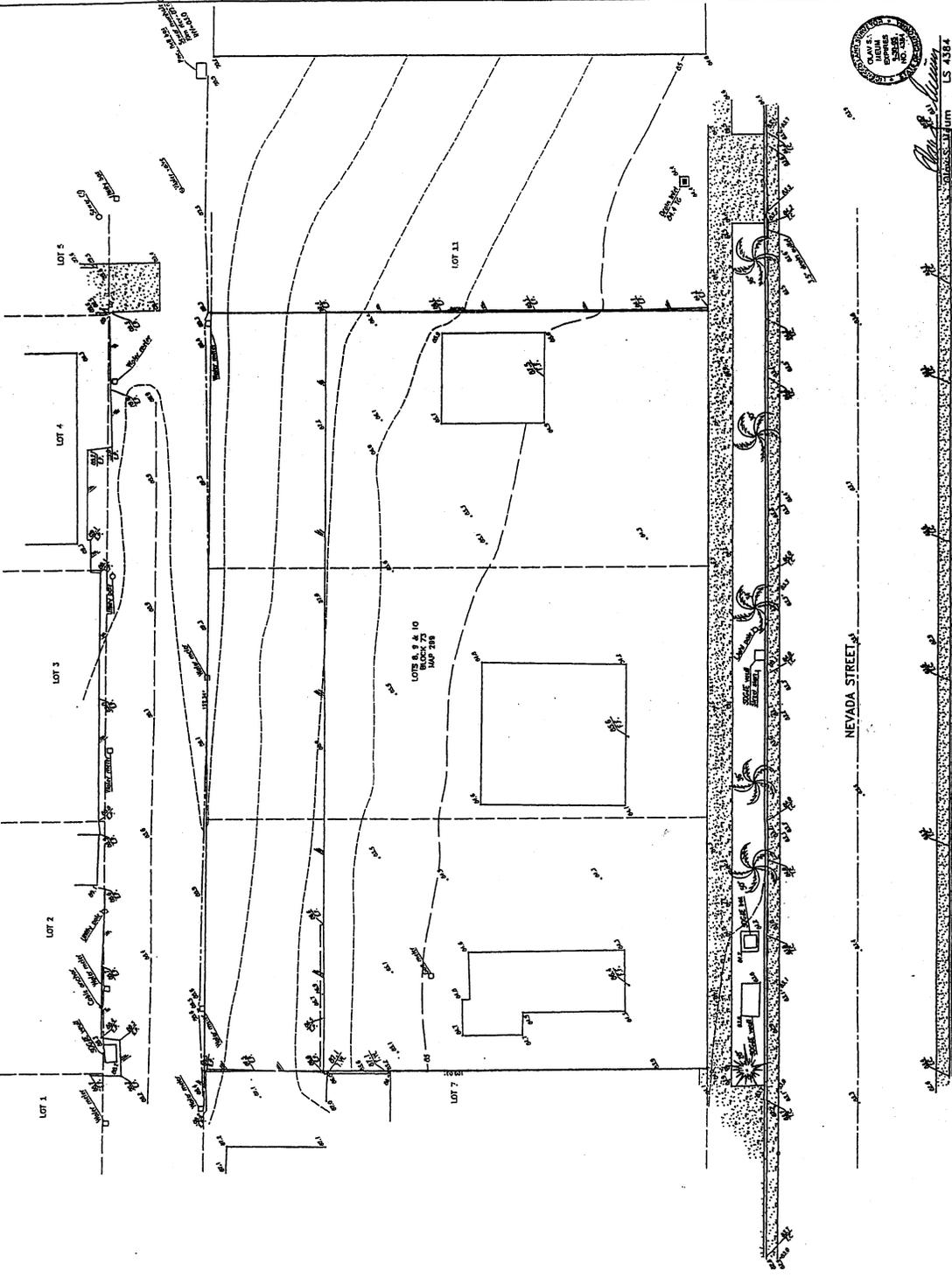
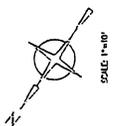
21 City Attorney
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25
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TOPOGRAPHIC SURVEY
 LOTS 8, 9 & 10, BLOCK 73, TRACT 23
 OCEANSIDE, CALIFORNIA
 LEV YAMUSHI

TOAL ENGINEERING, INC.
 Civil Engineers, San Francisco
 139 Avenida
 San Clemente, Ca
 Ph. (949) 932-8586 Fax (949) 932-8522 E-Mail: toalengr@earthlink.net

REV.	DATE	DESCRIPTION
1	04-13-03	ISSUE FOR PERMIT
2	04-13-03	ISSUE FOR PERMIT
3	04-13-03	ISSUE FOR PERMIT
4	04-13-03	ISSUE FOR PERMIT
5	04-13-03	ISSUE FOR PERMIT
6	04-13-03	ISSUE FOR PERMIT
7	04-13-03	ISSUE FOR PERMIT
8	04-13-03	ISSUE FOR PERMIT
9	04-13-03	ISSUE FOR PERMIT
10	04-13-03	ISSUE FOR PERMIT

10874
 SHEET 1 OF 1



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TENTATIVE MAP

NEVADA MANOR

OCEANSIDE, CALIFORNIA

ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES

TENTATIVE MAP SITE DATA

DEVELOPER
WESTERN PACIFIC, INC.
 17 ASHLAND ROAD
 LAGUNA HILLS, CA 92653

DATE OF EXAMINATION
APRIL 14, 2003

DATE OF PREPARATION
7-21-00

ASSESSOR'S PARCEL NO.
141-108-02, 03, & 04

TOTAL AREA
0.35 ACRES/15,175 SQ. FT.

EXISTING & PROPOSED
 ZONING
**COMMUNITY/RECREATION
 DISTRICT 3**

EXISTING ZONING
**COMMUNITY/RECREATION
 DISTRICT 3**

CORNER INTERVAL
1 FOOT

NUMBER OF LOTS
1

NUMBER OF BUILDING UNITS
15

MAXIMUM SLOPE GRADIENT
15%

% OF REQUIRED LANDSCAPING
25%

% OF PROJECT IN STREETS
NONE

PROPOSED GARAGE
3,110 SQ.

PERCENT OF PROJECT
 IN PARKING
100% OF 3,072

STREET CALCULATIONS
 CROSS AREA
635.6625

OFFSTREET PARKING REQUIRED
30

OFFSTREET PARKING PROVIDED
11

GROSS FLOOR AREA OF
 EXISTING BUILDING
1,048 SF

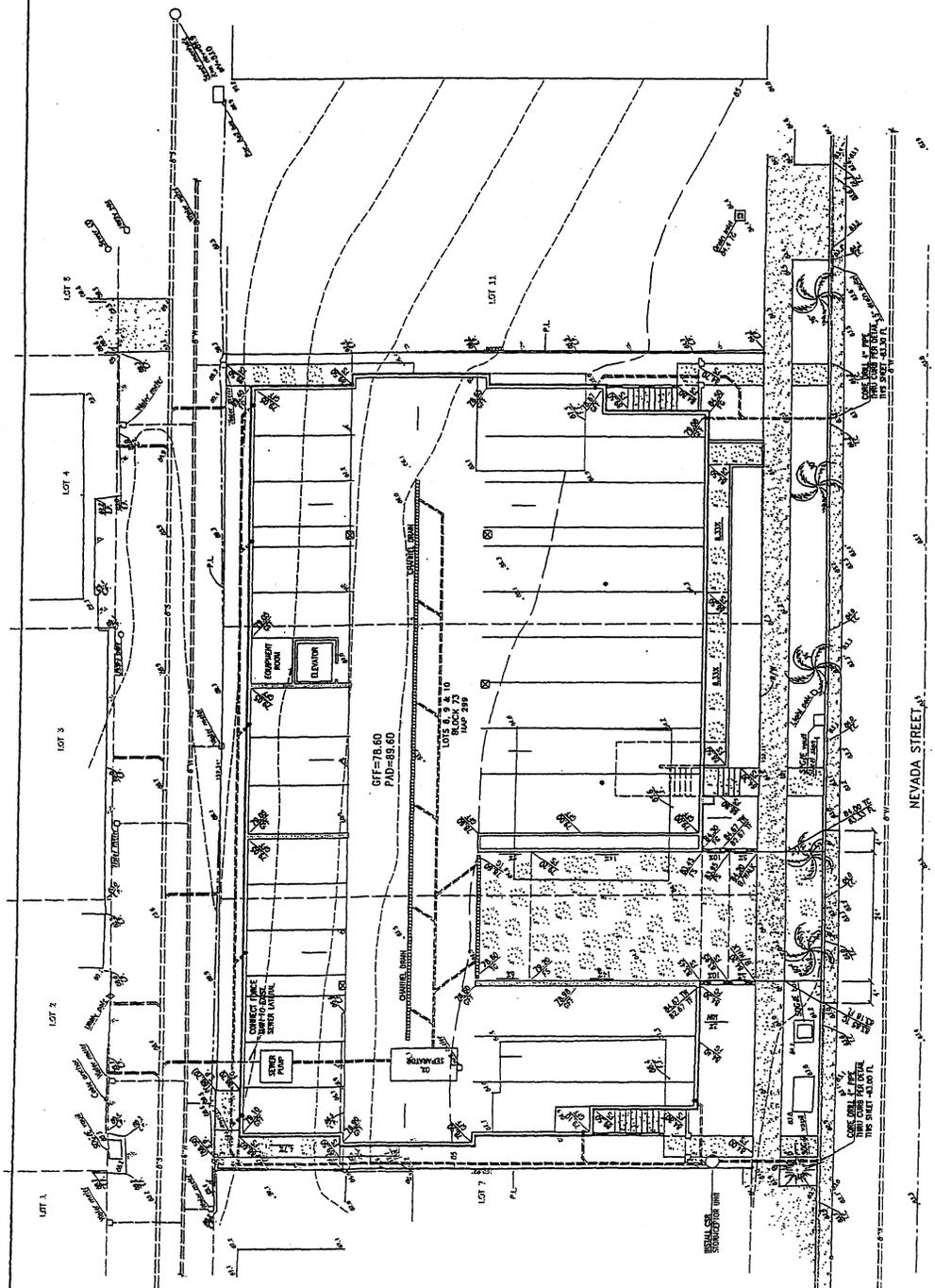
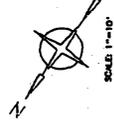
GROSS FLOOR AREA OF
 PROPOSED BUILDING
49,921 SF

AMOUNT OF PROPOSED
 BUILDING COVERAGE
11,871 SF (78.5%)

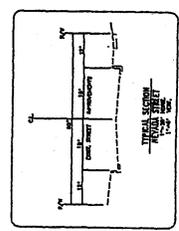
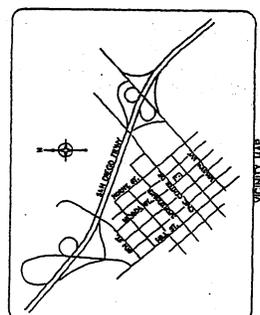
PERCENT OF COMMON
 OPEN SPACE
23.1%

PLANS PREPARED BY:
THE ENGINEERING CENTER
 139 AVENIDA PAVARRO
 SAN CLEMENTE, CA 92672
 RAYMOND R. TOL
 P.E. (043) 082-0586

DATE: 8/19/03
 R.C.E. 10589



RECEIVED
 AUG 21 2003
 Planning Department



OUTLINE SPECIFICATIONS

GENERAL
 CODES AND ORDINANCES OF THE COUNTY OF SAN DIEGO AND THE STATE OF CALIFORNIA SHALL BE THE MINIMUM CONDITIONS REQUIRED FOR CONSTRUCTION CONTRACT AND SHALL TAKE PRECEDENCE OVER ANY OTHER SPECIFICATIONS OR REQUIREMENTS. ALL SPECIFICATIONS SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ORDINANCE REQUIREMENTS.

STRUCTURAL FRAME
FOUNDATION:
 REINFORCED CONCRETE SLAB ON GRADE, WATERPROOFED.
FLOORS 1-2:
 STEEL FRAME WITH COMPOSITE CONCRETE-STEEL DECKING
EXTERIOR WALLS: 2x HOOD STUDS AT 16" ON CENTER
PARTITION WALLS: 2x HOOD STUDS AT 16" ON CENTER
ROOF:
 3/4" STRUCTURAL FLYWOOD OVER TRUS-JOIST RAFTER/JOISTS

ROOFING
 1. CLASS A HOT MOP ASPHALT AND GRAVEL.
 2. LIGHT WEIGHT CONC TILE OVER BOB UNDERLAYMENT.

FENESTRATION
 ALL WINDOWS SHALL BE VINYL, DUAL GLAZED FLATE GLASS CONFORMING TO CURRENT USC SAFETY STANDARDS.

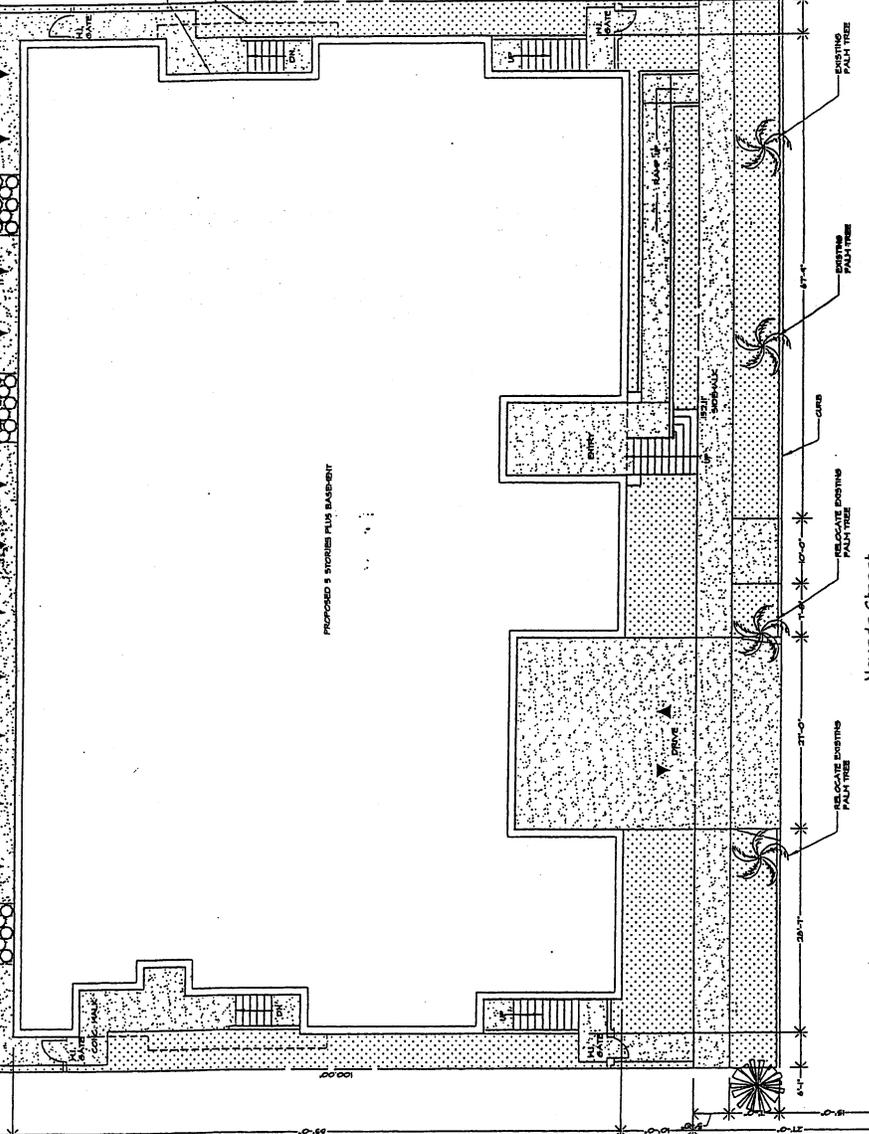
FINISHES
EXTERIOR: 7/8" EXTERIOR STUCCO, SAND FINISH LA HABRA STUCCO X-55 TRIM.
INTERIOR: 5/8" GYPSUM HALL BOARD WALLS AND CEILINGS, NAVADO WHITE.

INSULATION
 CEILING: R-50
 WALLS: R-15

PLUMBING
 PER UNIT, SINK (1), LAVS (2), TOILETS (2) MISHMOSHERS (2) LAUNDRY (1)
 ROOF DRAINS 1/4" INTERNAL DOWNSPOTS

ELECTRICAL
 ELECTRICAL OUTLETS AND SWITCHES AS REQUIRED PER NATIONAL ELECTRICAL CODE.

HVAC
 INDIVIDUAL UNIT EXTERNALLY DUCTED



Plot Plan



Markwell Allee
 Architect
 10000 KAY AVE. FALLBROOK, CA 92038
 PH (619) 739-8441
 FAX (619) 739-3133

3 Unit Condominium
 Nevada Street
 OCEANSIDE, CALIFORNIA

NO.	DATE	DESCRIPTION
1		

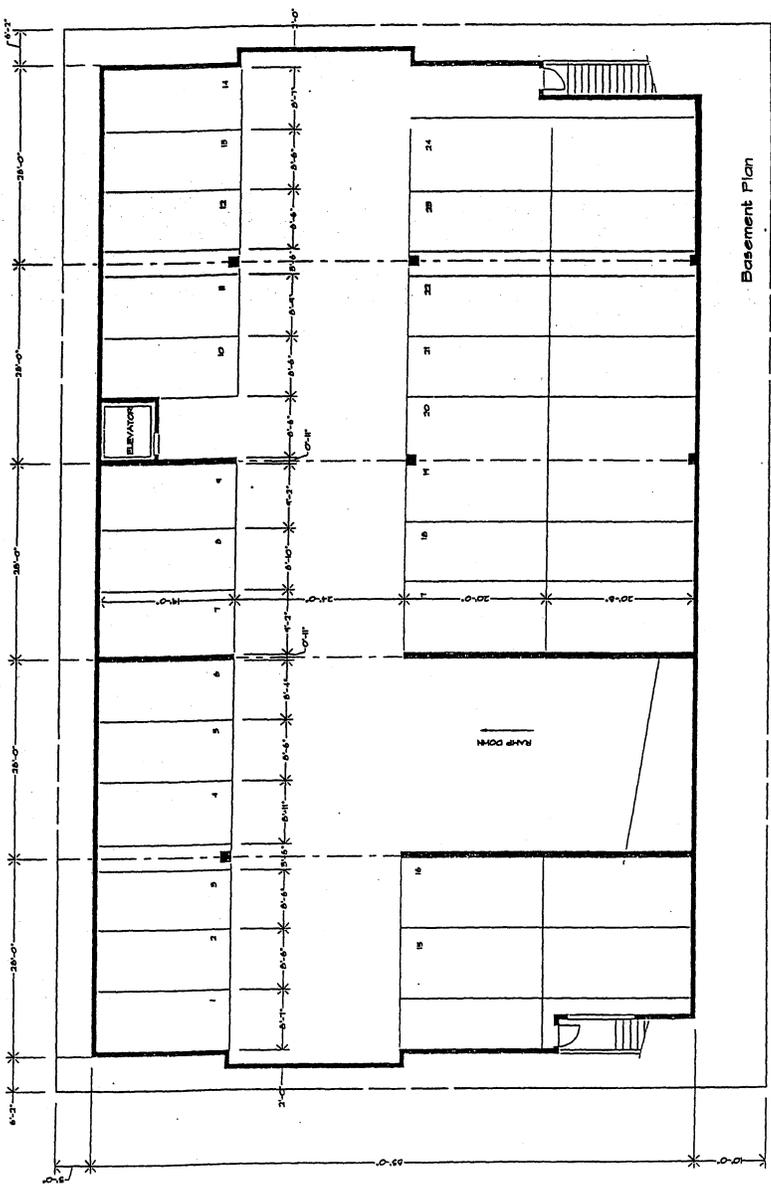
DATE	04-15-2007
UNITS	13
AREA	10,000
SCALE	1/8" = 1'-0"
PROJECT	13 UNIT CONDOMINIUM
LOCATION	NEVADA STREET
CITY	OCEANSIDE, CALIFORNIA

13 Unit Condominium
 Nevada Street
 OCEANSIDE, CALIFORNIA

David Markwell alias
 architect
 122 SOUTH MAIN AVE. FALLBROOK, CA 92038
 PH. (619) 739-8411 FAX (619) 739-8133



Basement Plan

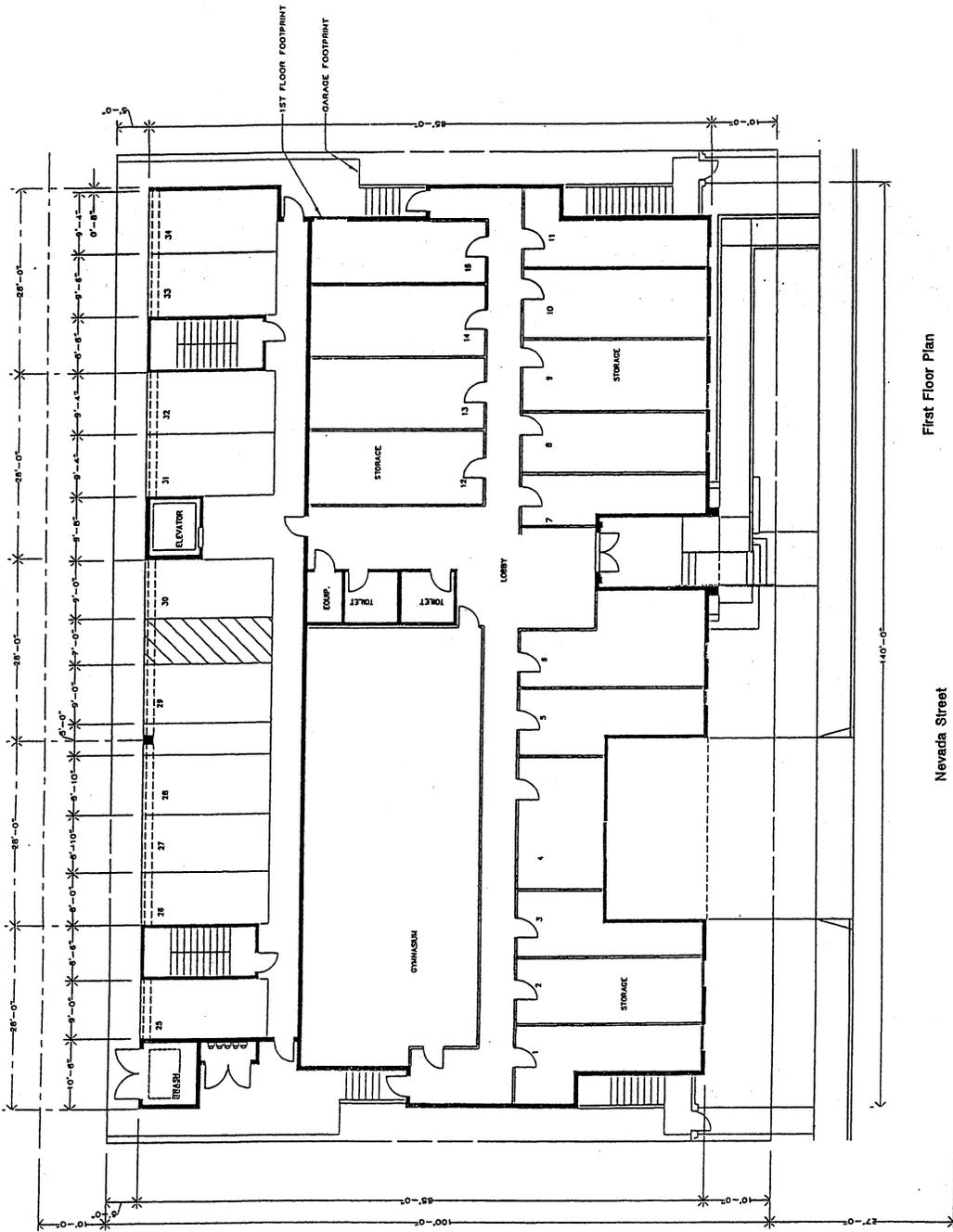




martwell allee
architect
101 MAIN AVE PALMBOEK, CA 92028
PH (760) 733-8844 FAX (760) 733-2723

Unit Condominium
Nevada Street
OCEANSIDE, CALIFORNIA

DATE: 08-28-03
SCALE: 1/8" = 1'-0"
DRAWN BY: [unintelligible]
CHECKED BY: [unintelligible]
PROJECT: [unintelligible]



First Floor Plan

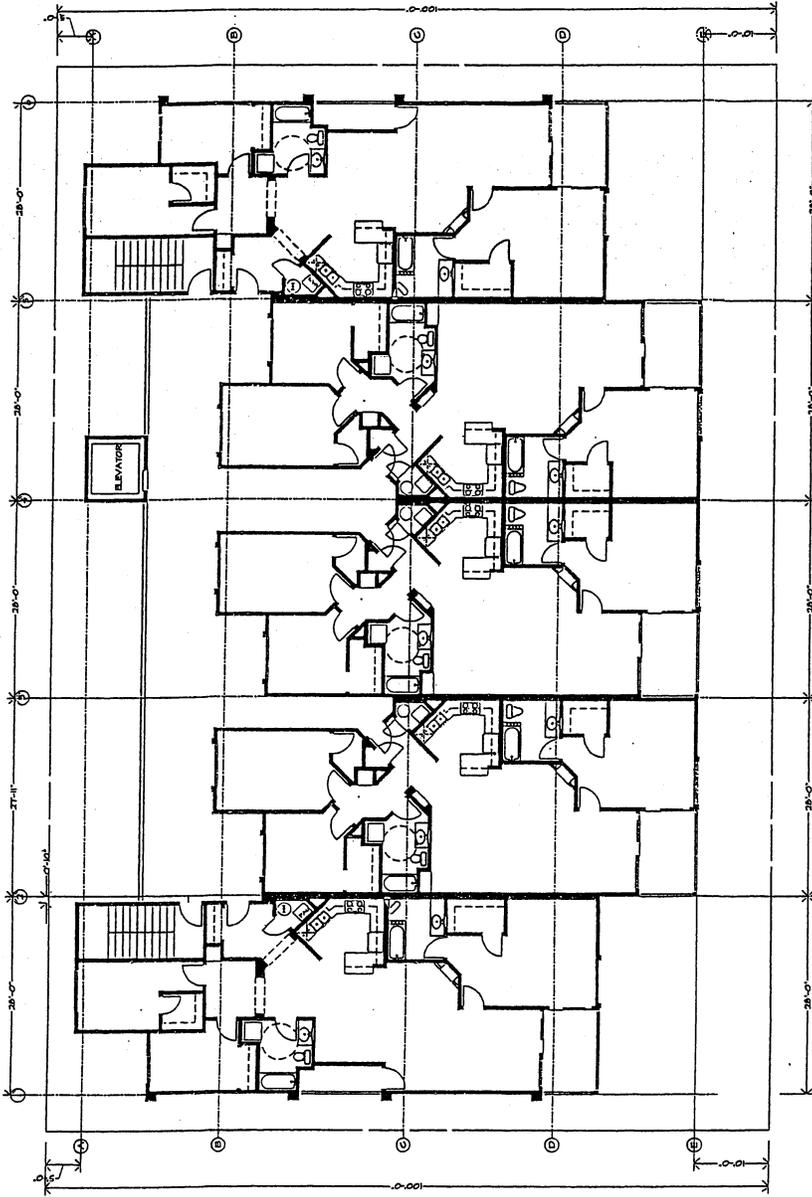
Nevada Street



David Markwell alias
 architect
 1207N MAIN AVE FALLENBROOK, CA 92028
 (415) 734-4411 FAX (415) 734-1213

13 Unit Condominium
 Nevada Street
 Oceanside, California

DATE	08/11/04
BY	DM
CHECKED	DM
SCALE	AS SHOWN
PROJECT	13 UNIT CONDOMINIUM
NO.	08/11/04
REVISION	



Third Floor Plan

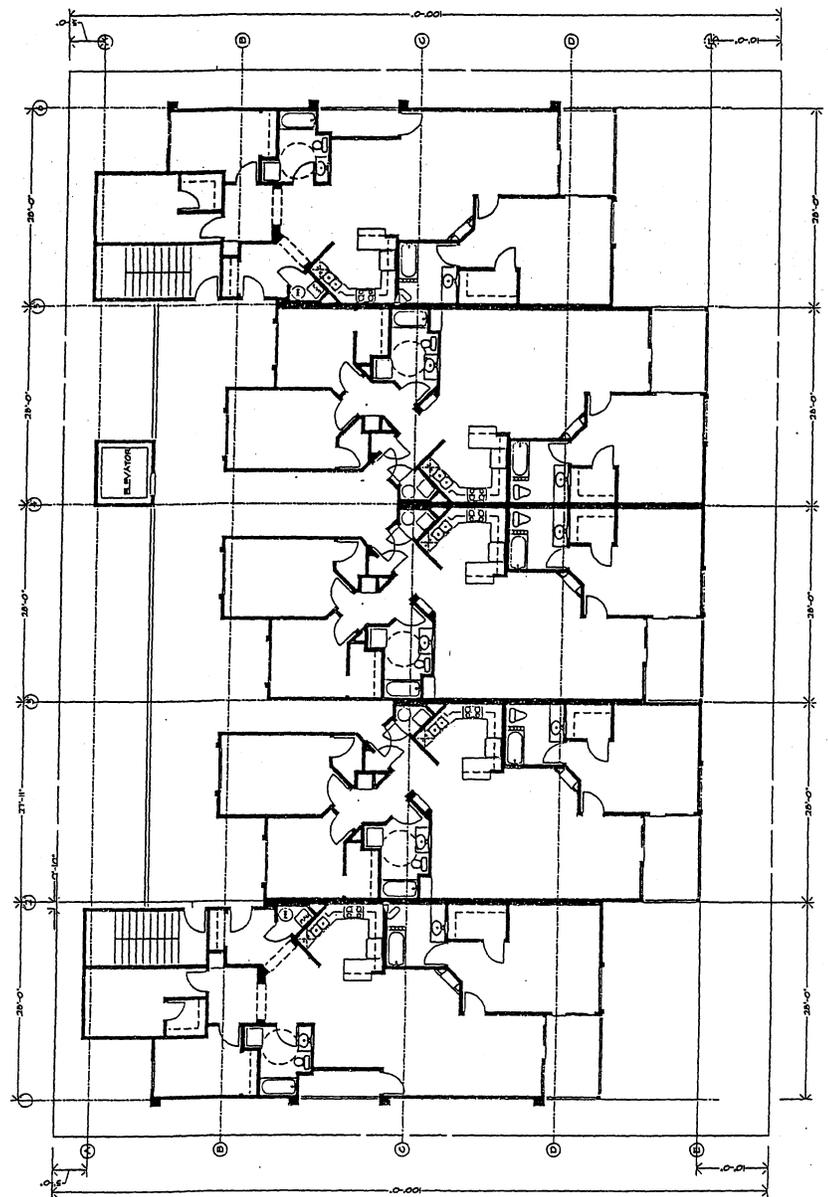


David Markwell **architect**
132 SOUTH MAIN AVE. FALLENBROOK, CA 95026
PH (925) 733-8441 FAX (925) 733-7173

13 Unit Condominium
Nevada Street
OCEANSIDE, CALIFORNIA

PROJECT	13 Unit Condominium
DATE	11/11/05
SCALE	AS SHOWN
DATE	11/11/05
DATE	04/27/06

6



Fourth Floor Plan



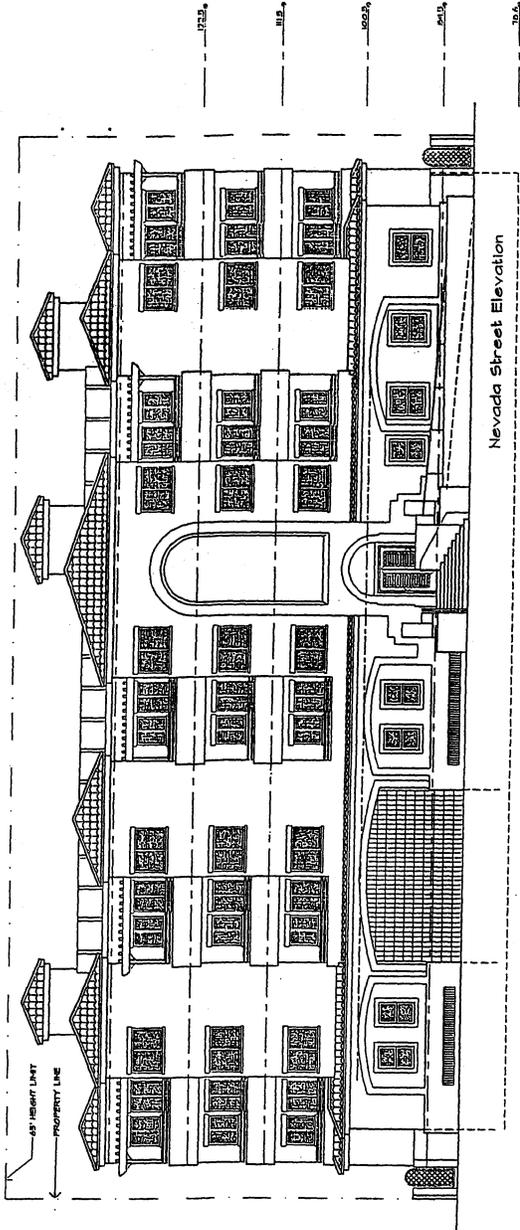
David Martvelli
Architect
1920 SOUTH MAIN AVE. PALM BEACH, FL 33480
TEL: (561) 833-1111 FAX: (561) 833-1112

15 Unit Condominium
Nevada Street
Oceanside, California

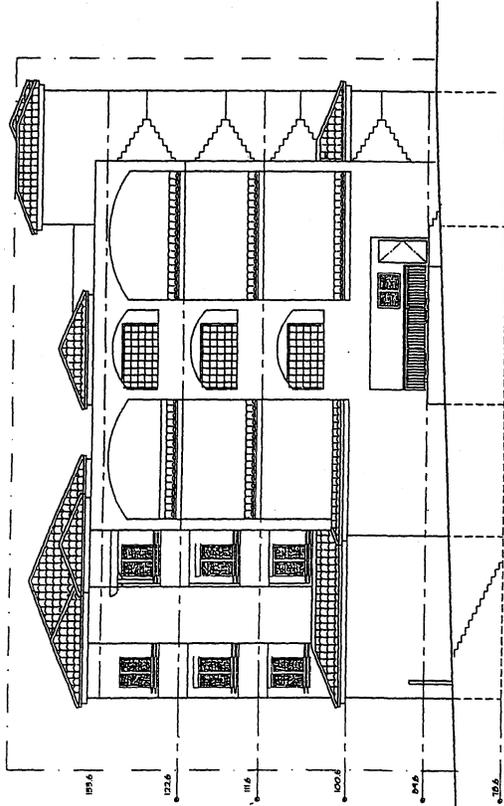
DATE	04-11-03
BY	DM
CHKD	DM
APP'D	DM
SCALE	AS SHOWN
PROJECT	15 Unit Condominium
LOCATION	Nevada Street, Oceanside, CA



865-011



Nevada Street Elevation



South Elevation

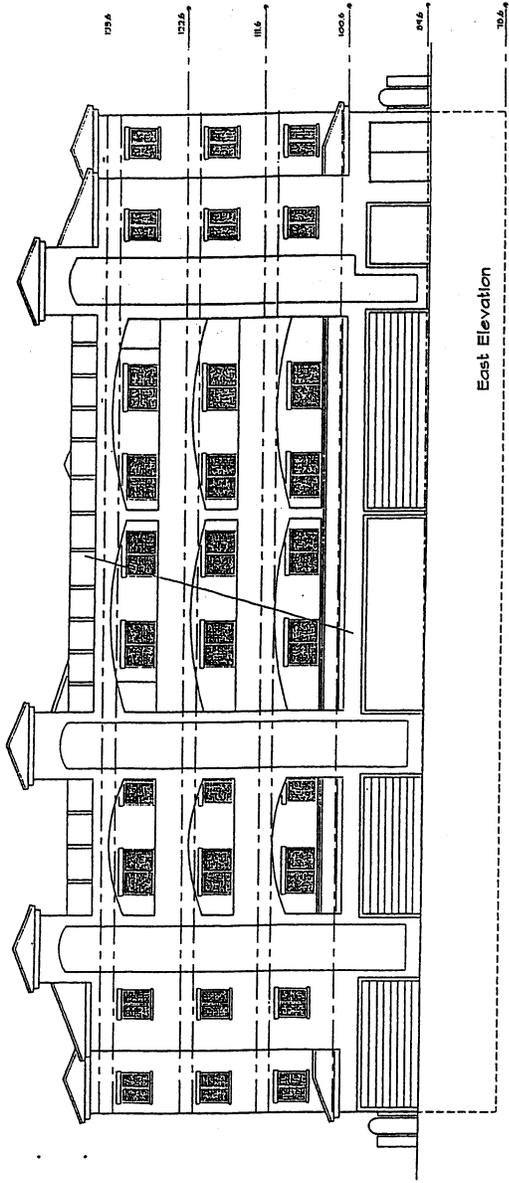
Scale 1/8" = 1'-0"



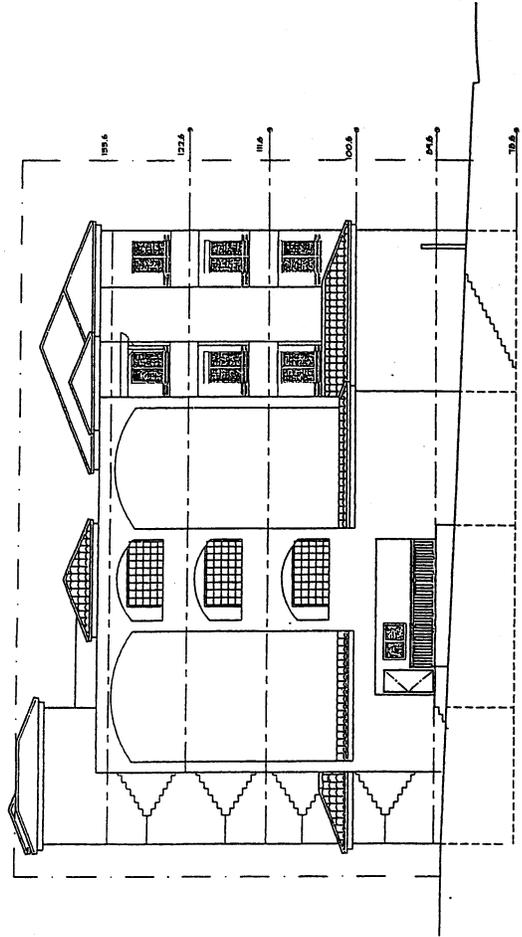
David Markwell architect
 FOUR HAN AVE. PALMDALE, CA 93550
 (805) 739-1844 FAX (805) 739-1713

13 Unit Condominium
 Nevada Street
 OCEANSIDE, CALIFORNIA

PROJECT	LA-0018
DATE	11/11
SCALE	1/8" = 1'-0"
DESIGNER	DM
DATE	04-20-05



East Elevation



North Elevation



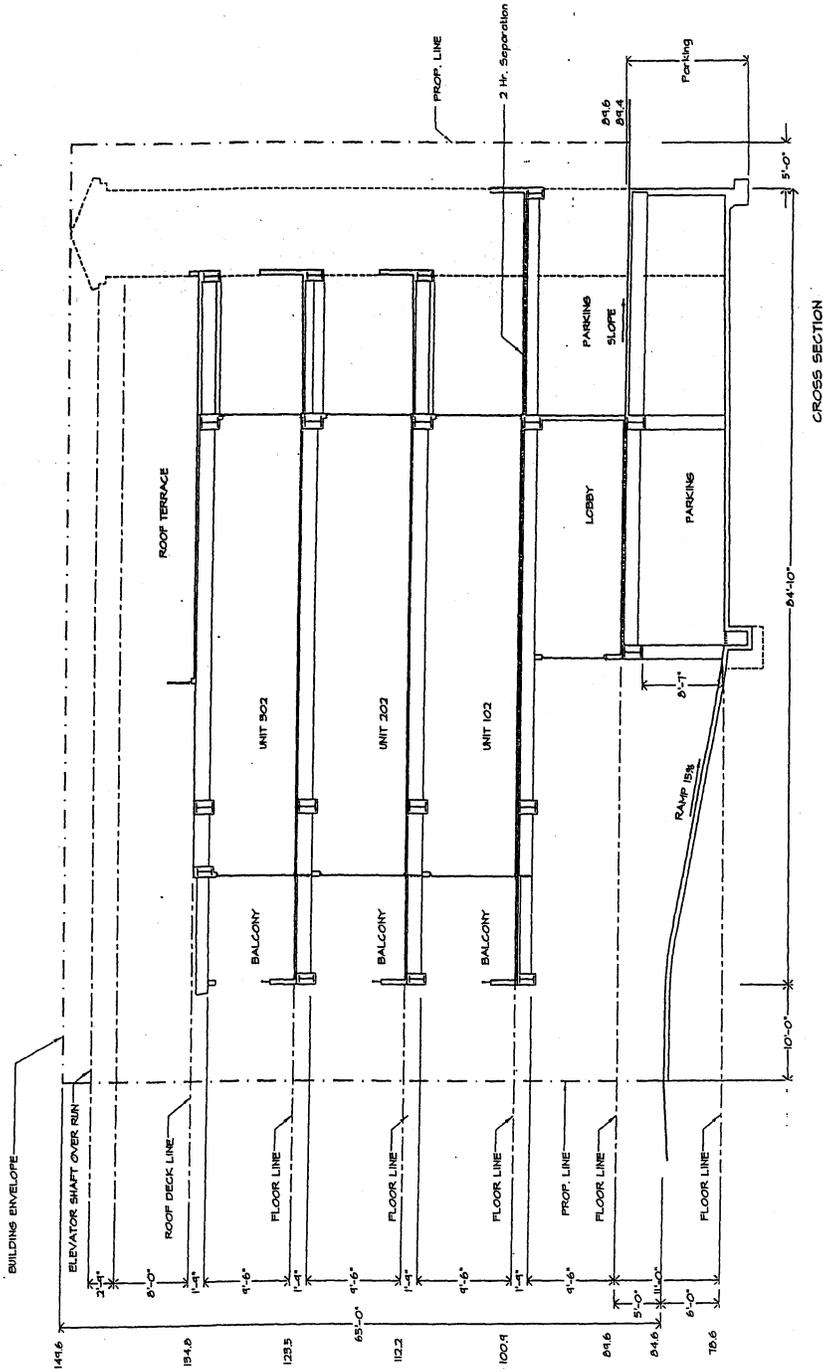
David Markwell LLC
 ARCHITECT
 100 SOUTH MAIN AVE. FALSBORO, CA 92028
 PH: (760) 753-4444
 FAX: (760) 753-7278
 E-MAIL: DMARKWELL@GMAIL.COM

13 Unit Condominium
 Nevada Manor
 OCEANSIDE, CALIFORNIA

PROJECT	13 Unit Condominium
DATE	1/14/08
SCALE	3/8" = 1'-0"
DATE	3/18/10
SCALE	3/8" = 1'-0"
DATE	04/20/10
SCALE	3/8" = 1'-0"

10

Second Set Revised QLS 1/1



CROSS SECTION

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:
Nevada Manor

PROJECT LOCATION - SPECIFIC:
312-318 North Nevada Street

PROJECT LOCATION - GENERAL:
North Nevada and Pier View Way
City of Oceanside

VARIATION (V-204-06)

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:
VARIATION (V-204-06) for a building encroachment of 8" into the southern side yard setback of a 15 unit multi-family condominium units situated on a 15,222 sq. ft. site, located at 312-318 North Nevada Street.

NAME OF PUBLIC AGENCY APPROVING PROJECT:
City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:
L.A. Construction, Inc.
12 Carmel Woods
Laguna Niguel, CA 92677
(949) 632-4268

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)

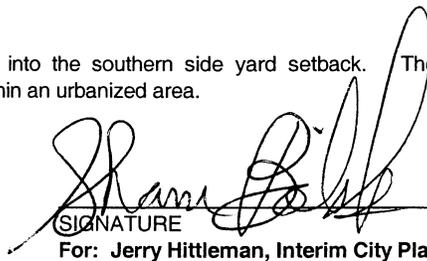
STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)

CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION 15332(b)

REASONS WHY PROJECT IS EXEMPT:

The project involves a building encroachment of 8" into the southern side yard setback. The project is multi-family housing development situated on a less than 5-acres site within an urbanized area.

Contact Person: Shan Babick, Associate Planner



(SIGNATURE) DATE
May 2, 2006

For: Jerry Hittleman, Interim City Planner

CITY HALL, 300 NORTH COAST HIGHWAY, OCEANSIDE CA 92054, TELEPHONE (760) 435-3520, FAX (760) 435-3538