



DATE: July 28, 2008

TO: Chairperson and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A TIME EXTENSION OF A PREVIOUSLY APPROVED TENTATIVE PARCEL MAP (P-11-05), DEVELOPMENT PLAN (D-28-05) AND VARIANCE (V-14-05) TO SUBDIVIDE A 3.63-ACRE LOT AND CREATE 17 INDUSTRIAL CONDOMINIUM UNITS WITHIN TWO INDUSTRIAL BUILDINGS AT 4096 CALLE PLATINO, WITHIN THE IVEY RANCH/RANCHO DEL ORO NEIGHBORHOOD – ESSEX RDO TIME EXTENSION – APPLICANT: ESSEX RANCHO DEL ORO LLC**

RECOMMENDATION

Staff recommends that the Planning Commission approve the time extension for Tentative Parcel Map (P-11-05), Development Plan (D-28-05) and Variance (V-14-05) and adopt Planning Commission Resolution No. 2008-P43 as attached.

PROJECT DESCRIPTION AND BACKGROUND

Background: On May 8, 2006, the Planning Commission adopted Resolution No. 2006-P28 by a vote of 7-0 approving a Tentative Parcel Map, Development Plan and a Variance for the development of two industrial buildings totaling 39,140 square feet, and subdivided into 17 individual industrial condominium units.

Site Review: The subject site is an undeveloped 3.63-acre parcel located on the south west corner of Avenida Del Oro and Calle Platino within an industrially designated area within the Rancho Del Oro (RDO) Specific Plan Area (S-1-84), and is subject to the RDO Industrial Master Plan Development Plan criteria. The property is zoned PD-1 (Planned Development Rancho Del Oro Industrial) and the land use designation is Industrial (Rancho Del Oro S-1-84).

Project Description: The applicant has requested a time extension to an approved Tentative Parcel Map, Development Plan and Variance described as follows:

Tentative Parcel Map (P-11-05 TE08): represents the following:

The creation of a total of 17 industrial condominium units within two proposed industrial buildings. The 23,540-square foot industrial building referred to as building 1 would consist of 10 industrial condominium units and the 15,600-square foot industrial building would consist of seven industrial condominium units.

Development Plan (D-28-05 TE08): represents a request for the following:

A time extension for the previously approved development plan to construct two industrial buildings for a total square footage of 39,140 square feet. No changes to the previously approved plans and conditions are proposed with this entitlement for a time extension.

Variance (V-14-05 TE08): represents a request for the following:

A time extension for the previously approved variance to allow sections of the proposed retaining walls to be at a maximum height of 17 feet measured from existing grade. The properties unique lot configuration and existing topography limits developments, and the approved variance for exceeding the allowable wall heights is necessary for development of the site.

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

1. General Plan Land Use Element
2. Zoning Ordinance
3. California Environmental Quality Act (CEQA)
4. Subdivision Ordinance

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation on the subject property is Rancho Del Oro Planned Industrial Development (S-1-84). The proposed project meets the existing land use designation, and is consistent with the current zoning designation and the surrounding properties as follows:

2. The Rancho Del Oro Industrial Specific Plan (S-1-84)

Section III Overall Plan Objectives and Policies

Policy 1: Locate industrial development to maximize frontage on and access from major streets and to minimize traffic related impacts on residential development.

The approved industrial development and industrial condominium map would not only improve the economic vitality of the area, but physically improve the area with the proposed design and superior architecture designs. Infill of the vacant property to permit this development would not only help enhance the street frontage along this intersection, but would compliment the industrial properties abutting the lot. The Time Extension is solely for the extension of time to finalize the map, no change in the previously approved plans and entitlements will be implemented with this Time Extension.

3. Zoning Compliance

This project is located in the Rancho Del Oro Planned Development (PD-1) Zone. No changes in Development and the Zoning Ordinance have occurred since the original approval, therefore the original entitlements and development standards are maintained through this development of the Essex Industrial Development.

The following table summarizes proposed and applicable development standards for the Sterling Planned Commercial Development (PD-3) Districts and the project site:

	MINIMUM REQUIRED RDO Specific Plan Industrial (PD-1)	PROPOSED RDO Specific Plan Industrial (PD-1)
LOT SIZE	20,000 sq feet	Existing 3.63 ac
LOT COVERAGE	50%	24.7%
SETBACKS		
Front	15-feet	15feet
Side	5-feet	5-feet
Corner Side	10-feet	5-feet
Rear	5-feet	5-feet
PARKING	Total required: <u>113 spaces</u> a) Office @ 4:1,000 24,750 sq feet = <u>99 spaces</u> b) Warehouse @ 1:1,000 13,222 sq feet = <u>14 spaces</u>	Total provided: <u>115 spaces</u>
BUILDING HEIGHT	The lesser of 45-feet (max) or 4-stories	24-feet, 4-inches (max) 1-story

The proposed industrial development meets most applicable requirements of the Rancho Del Oro Industrial Planned Development and the project as proposed is compatible with existing and potential Industrial type uses in the neighborhood.

DISCUSSION

Issue: Will the proposed time extension for this Tentative Parcel Map, Development Plan, and Variance meet the current regulations?: The proposed time extension for the development of the two industrial buildings and condominium map would be consistent with, and compatible with the Rancho Del Oro Specific Plan, and the surrounding industrial developments in the surrounding area, due to the fact that the Time Extension proposal would not implement any changes to the previously approved plans or add additional entitlements.

Recommendation: Staff finds that the overall design of the project is consistent with the existing property, and with the surrounding properties. This project has not changed from the time of its approval, and the time extension is necessary for the implementation of the development of the industrial buildings and condominium map. The project would be consistent with all development regulations as specified in the Rancho Del Oro specific plan, with the exception of the required Variance for the retaining wall exceeding the allowable height of eight feet. The Proposed 17-foot retaining walls would be needed to allow for more developable area for this project, and due to the variation in topography, and site constraints the proposed Variance is warrant. No conditions are required for this time extension and the May 8, 2006 Planning Commission resolution (2006-P28) will be similar to this resolution for approval of a time extension.

ENVIRONMENTAL DETERMINATION

The proposed project was previously reviewed pursuant to the California Environmental Quality Act (CEQA) and was determined that the project is exempt from any CEQA requirements, based on the previous approval. No additional environmental review is necessary at this time.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record within a 1500-foot radius of the subject property, individuals and or organizations requesting notification, applicant and other interested parties. As of July 17, 2008, no communication supporting or opposing the request has been received.

SUMMARY

The proposed project is in compliance with the goals objectives and polices set forth by the approved Tentative Parcel Map (P-11-05), Development Plan (D-28-05), Variance (V-14-05) and the Rancho Del Oro Specific Plan (S-1-84). The time extension would allow the developer to finalize the industrial condominium map and move forward to develop the two industrial buildings. The Commission's action should be:

- Move to approve a Time Extension for the Tentative Parcel Map (P-11-05TE08), Development Plan Revision (D-28-05TE08) and Variance (V-14-05TE08) by adopting Planning Commission Resolution No. 2008-P43 as attached.

PREPARED BY:

SUBMITTED BY:


Scott Nightingale
Planner II


Jerry Hittleman
City Planner

REVIEWED BY: 
Richard Greenbauer, Senior Planner

JH/SN/fil

Attachments:

1. Site and Floor Plans
2. Planning Commission Resolution No. 2008-P43
3. Planning Commission Resolution No.2006-P28
4. Planning Commission Staff Repot dated May 8, 2006

GRADING PLAN DESIGN NOTES

1. ALL GRADING AND DRAINAGE IMPROVEMENTS SHALL BE COMPLETED IN ACCORDANCE WITH THE CITY'S GRADING SPECIFICATIONS. THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS (ISSUED BY THE CITY ENGINEER) SHALL BE APPLIED TO ALL GRADING AND DRAINAGE WORK. THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS (ISSUED BY THE CITY ENGINEER) SHALL BE APPLIED TO ALL GRADING AND DRAINAGE WORK. THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS (ISSUED BY THE CITY ENGINEER) SHALL BE APPLIED TO ALL GRADING AND DRAINAGE WORK.
2. THE GRADING SHALL BE FOR ELEVATIONS OVER 1 FEET IN GRADING. REPAIRS TO EXISTING GRADING SHALL BE FOR ALL SLOPES. REPAIRS TO EXISTING GRADING SHALL BE FOR ALL SLOPES. REPAIRS TO EXISTING GRADING SHALL BE FOR ALL SLOPES.
3. ALL GRADING SHALL BE DONE UNDER THE OBSERVATION OF A CURT AND ALL SLOPES SHALL BE TRIMMED TO THE FINISH GRADE TO PRODUCE A SMOOTH AND UNIFORM SURFACE OF CROSS-SLOPE. ALL GRADING SHALL BE DONE UNDER THE OBSERVATION OF A CURT AND ALL SLOPES SHALL BE TRIMMED TO THE FINISH GRADE TO PRODUCE A SMOOTH AND UNIFORM SURFACE OF CROSS-SLOPE.
4. ALL GRADING SHALL BE DONE UNDER THE OBSERVATION OF A CURT AND ALL SLOPES SHALL BE TRIMMED TO THE FINISH GRADE TO PRODUCE A SMOOTH AND UNIFORM SURFACE OF CROSS-SLOPE.

GENERAL NOTES

1. THE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS (ISSUED BY THE CITY ENGINEER) AND THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS (ISSUED BY THE CITY ENGINEER).
2. THE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS (ISSUED BY THE CITY ENGINEER) AND THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS (ISSUED BY THE CITY ENGINEER).
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PRECISE GRADING PLAN FOR ESSEX RANCHO DEL ORO PARCEL N MAP 12334

GRADING PLAN DESIGN CERTIFICATES

1. ALL GRADING SHALL BE DONE UNDER THE OBSERVATION OF A CURT AND ALL SLOPES SHALL BE TRIMMED TO THE FINISH GRADE TO PRODUCE A SMOOTH AND UNIFORM SURFACE OF CROSS-SLOPE.

2. THESE GRADING PLANS HAVE BEEN REVIEWED BY THE UNDERSIGNED AND FOUND TO BE IN CONFORMANCE WITH THE REQUIREMENTS AND SPECIFICATIONS OF THE CITY OF OCEANSIDE, CALIFORNIA.

DATE: _____

SOILS ENGINEER CERTIFICATION

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF CALIFORNIA, HAVE REVIEWED THE GRADING PLANS AND SPECIFICATIONS FOR THE PROJECT AND HAVE FOUND THEM TO BE IN CONFORMANCE WITH THE REQUIREMENTS AND SPECIFICATIONS OF THE CITY OF OCEANSIDE, CALIFORNIA.

DATE: _____

DECLARATION OF ENGINEER OF WORK

I HEREBY DECLARE THAT THE DESIGN OF THE IMPROVEMENTS AS SHOWN ON THESE PLANS COMPLETES THE DESIGN OF THE IMPROVEMENTS AS SHOWN ON THESE PLANS. I HAVE SUPERVISED THE CONSTRUCTION OF THE IMPROVEMENTS AND HAVE FOUND THEM TO BE IN CONFORMANCE WITH THE REQUIREMENTS AND SPECIFICATIONS OF THE CITY OF OCEANSIDE, CALIFORNIA.

DATE: _____

CIVIL ENGINEER CERTIFICATION

I HEREBY CERTIFY THAT AS THE ENGINEER IN RESPONSIBLE CHARGE OF WORK FOR THIS PROJECT, I HAVE SUPERVISED THE CONSTRUCTION OF THE IMPROVEMENTS AND HAVE FOUND THEM TO BE IN CONFORMANCE WITH THE REQUIREMENTS AND SPECIFICATIONS OF THE CITY OF OCEANSIDE, CALIFORNIA.

DATE: _____

LEGEND FOR WORK TO BE DONE

DESCRIPTION	SIZED DIMS.	QTY
PROPORTION		
EXISTING ELEVATION		
FILL SLOPE (2:1)		
FINISH SURFACE ELEVATION		
DIRECTION OF FLOW		
TOP WALL/TOP FINISH ELEVATION		
RETENTION WALL BY OTHERS		
3" X 6" OVER 5' CLASS II BARS (MIN)		
5' X 6" OVER 5' CLASS II BARS (MIN)		
1 1/2" X 6" OVER 5' CLASS II BARS (MIN)		
4" THICK P.C.C. SPUR WALL WITH 1/2" W/8		
DRAINAGE		
PIPE DRAINAGE PIPE, SEE PER PLAN		
OPEN DRAIN, BRICKS OR EQUAL		
CURB OUTLET - TYPE A		
PANHOLE VENTED 80-SHALE		
P.C.C. REINFORCED CONCRETE		
SEWER (ADDITIONAL)		
SEWER MANHOLE		
5" PVC (10') SEWER MAIN		
WATER (ADDITIONAL)		
6" PVC (10') FIRE MAIN		
PROTECT WATER SERVICE AND METER		
INSTALL WATER SERVICE AND METER		
PRE SERVICE		
F.O.C. & P.V.		
6" DIRT VAULT		
PRE-TYPED ASSEMBLY (CONCRETE)		
THURST BLOCKS		
DOUBLE CHECK-DETECTION CHECK ASSEMBLY		
CITY OF OCEANSIDE STANDARD DRAWINGS		

LEGAL DESCRIPTION

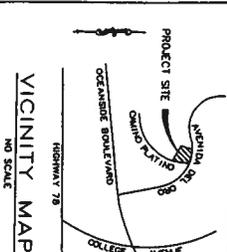
LEGAL DESCRIPTION: PARCEL N MAP 12334, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED SEPTEMBER 15, 1982 IN THE OFFICE OF THE COUNTY RECORDER BY SAID COUNTY.

OWNER/PERMITEE

OWNER/PERMITEE: ESSEX RANCHO DEL ORO, OCEANSIDE, CALIFORNIA. PROJECT NO. 2004.

BENCHMARK

NO.	DESCRIPTION	DATE
1	THE B BASS CAP ON THE CORNER OF RETAINMENT WALL	
2	TOP OF C.C. OF THE BRICKS AND COLLECTOR BOX	
3	CITY OF OCEANSIDE 78 132 P.C. 49	
4	U.S.C. & G.S.	



REFERENCED DRAWINGS

PLANS REVISED AND APPROVED BY TRAFFIC SECTION, CIVIL DEPT.	DATE	APPROVED BY WATER UTILITIES DEPT.	DATE	APPROVED BY FIRE DEPARTMENT	DATE

APPROVED CHANGES:

NO.	DESCRIPTION	APPROVED	DATE

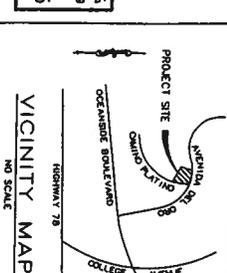
1. ALL GRADING SHALL BE DONE UNDER THE OBSERVATION OF A CURT AND ALL SLOPES SHALL BE TRIMMED TO THE FINISH GRADE TO PRODUCE A SMOOTH AND UNIFORM SURFACE OF CROSS-SLOPE.

2. THESE GRADING PLANS HAVE BEEN REVIEWED BY THE UNDERSIGNED AND FOUND TO BE IN CONFORMANCE WITH THE REQUIREMENTS AND SPECIFICATIONS OF THE CITY OF OCEANSIDE, CALIFORNIA.

3. THE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS (ISSUED BY THE CITY ENGINEER) AND THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS (ISSUED BY THE CITY ENGINEER).

4. ACTUAL QUANTITIES MAY VARY DUE TO SHORAGES, CLEANING AND DRIVING.

K&S ENGINEERING
 Planning Engineering Surveying
 2801 Mission Coast, Suite 200
 San Diego, CA 92108
 (619) 584-5885



REFERENCED DRAWINGS

PLANS REVISED AND APPROVED BY TRAFFIC SECTION, CIVIL DEPT.	DATE	APPROVED BY WATER UTILITIES DEPT.	DATE	APPROVED BY FIRE DEPARTMENT	DATE

APPROVED CHANGES:

NO.	DESCRIPTION	APPROVED	DATE

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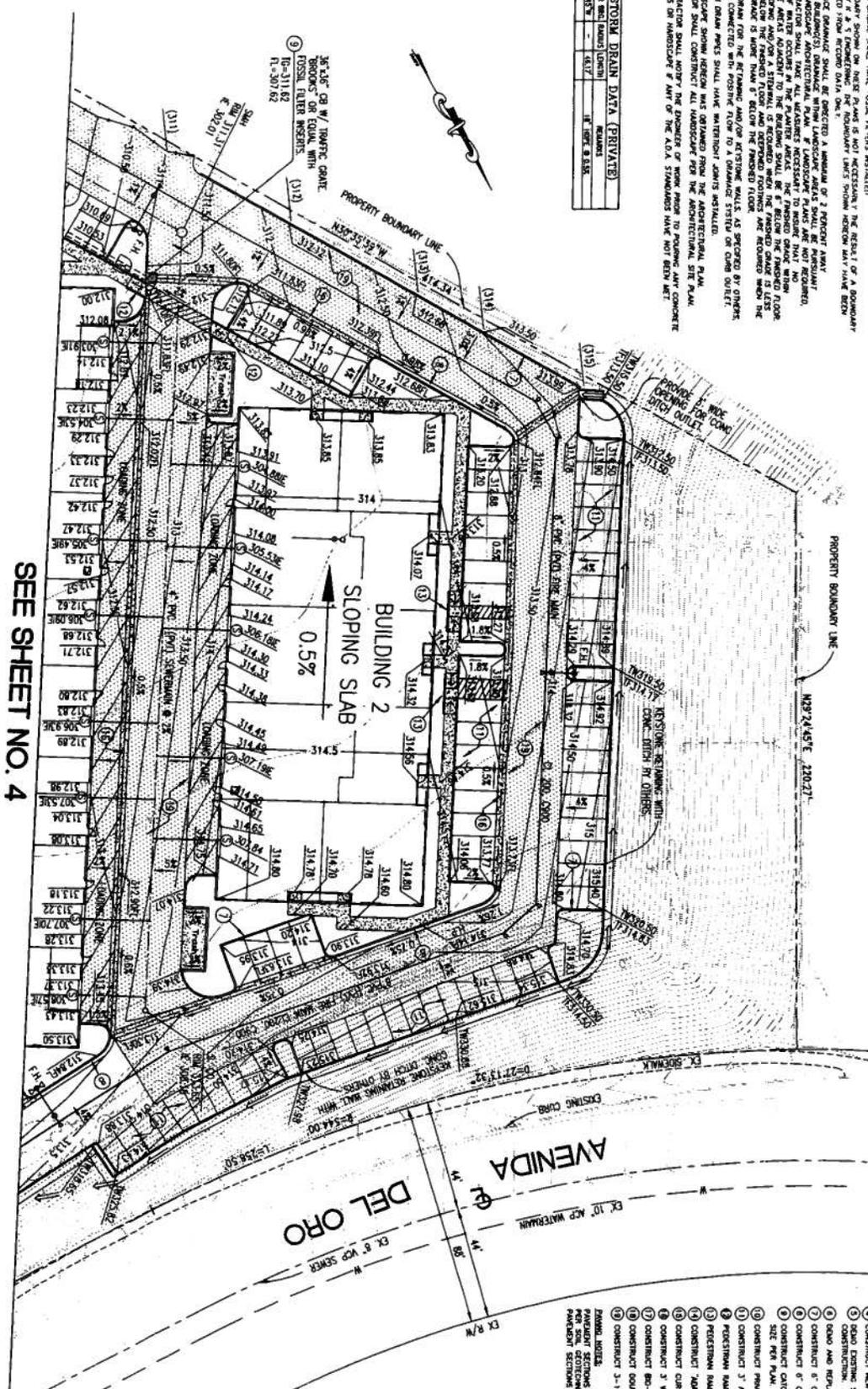
K&S ENGINEERING
 Planning Engineering Surveying
 2801 Mission Coast, Suite 200
 San Diego, CA 92108
 (619) 584-5885

NOTES

1. ALL EXISTING SHOWN ARE FINISHED SURFACE UNLESS OTHERWISE SHOWN.
2. THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND LOCATIONS OF THE BUILDING.
3. CONSTRUCTION TO VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITIES.
4. EXISTING UTILITIES SHALL HAVE 10% MINIMUM COVER.
5. ALL SURFACE DRAINAGE SHALL BE DIRECTED TO THE STREET OR TO A DRAINAGE CANAL.
6. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES.
7. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES.
8. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES.
9. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES.
10. THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES.

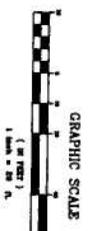
STORM DRAIN DATA (PRIVATE)

NO.	DATE	BY	REVISION
1	08/11/17	W. J. B. B.S.	ISSUED FOR PERMITS
2	08/11/17	W. J. B. B.S.	ISSUED FOR PERMITS



SEE SHEET NO. 4

K&S ENGINEERING
 Planning Engineering Surveying
 2000 Redwood Court, Suite 200
 San Diego, CA 92108
 Phone: 619-594-1100
 Fax: 619-594-1101



APPROVED CHANGES:

NO.	DESCRIPTION	DATE

BENCHMARK:
 THE 1/4" BRASS CAP ON THE CORNER
 OF THE
 100' X 100' OF E.A. THOMAS AND
 COLLEGE BLVD.
 CITY OF OCEANSIDE, CA 92054
 ELEVATION: 123.74
 DATE: 12/18/88
 BY: W.J.B.

PROJECT: ESSEX RANCHO DEL ORO OCEANSIDE, CA

OWNER: ESSEX RANCHO DEL ORO

DESIGNED BY: W. J. B. B.S.

CHECKED BY: W. J. B. B.S.

DATE: 08/11/17

SHEET: 3 OF 4

CONSTRUCTION NOTES

1. VERIFY EXISTING ADJACENT 1" AWAY FROM EX. CONC. CURB, ROAD AND REGION EX. CURB APPROX 18" U.
2. DEMO AND REMOVE EXISTING P.C.C. SIDEWALK, APPROX 60 U.
3. CONSTRUCT NEW P.C.C. SIDEWALK, APPROX 60 U.
4. CONSTRUCT NEW 6" CONC. CURB, APPROX 60 U.
5. DEMO EXISTING SIDEWALK AND RECONSTRUCT IN CONTACT WITH NEW CONSTRUCTION.
6. DEMO AND REPLACE IN SAME LOCATION, NEW P.C.C. SIDEWALK, APPROX 30 U.
7. CONSTRUCT 6" CURB PER G-1.
8. CONSTRUCT 6" CURB AND CUTTER PER G-2.
9. CONSTRUCT CATCH BASIN (BROOKS ON EQUAL) WITH 14" X 14" METERS, SIZE PER PLAN.
10. CONSTRUCT PRIVATE STORM DRAIN PER PER STORM DRAIN DATA ON THIS SHEET.
11. CONSTRUCT 3" AC OVER 4" CLASS 1 BASE (TYP).
12. RECONSTRUCT SIDEWALK PER PER DETAIL ON SHEET 2.
13. CONSTRUCT SIDEWALK PER PER DETAIL ON SHEET 2.
14. CONSTRUCT SIDEWALK PER PER DETAIL ON SHEET 2.
15. CONSTRUCT SIDEWALK PER PER DETAIL ON SHEET 2.
16. CONSTRUCT SIDEWALK PER PER DETAIL ON SHEET 2.
17. CONSTRUCT SIDEWALK PER PER DETAIL ON SHEET 2.
18. CONSTRUCT SIDEWALK PER PER DETAIL ON SHEET 2.
19. CONSTRUCT SIDEWALK PER PER DETAIL ON SHEET 2.
20. CONSTRUCT SIDEWALK PER PER DETAIL ON SHEET 2.

1 PLANNING COMMISSION
2 RESOLUTION NO. 2008-P43

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

7 APPLICATION NO: P-11-05, D-28-05, V-14-05 TE08
8 APPLICANT: JRMC Real Estate, Inc.
9 LOCATION: 4096 Calle Platino

10 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES
11 RESOLVE AS FOLLOWS:

12 WHEREAS, there was filed with this Commission a verified petition on the forms
13 prescribed by the Commission requesting a time extension to a Tentative Parcel Map,
14 Development Plan and Variance under the provisions of Articles 10, 41 & 43 of the Zoning
Ordinance of the City of Oceanside to permit the following:

15 a time extension for an existing Tentative Parcel Map, Development Plan, and Variance to
16 subdivide a 3.63-acre lot to create 17 industrial condominium units within two industrial
17 buildings at 4096 Calle Platino;

18 on certain real property described in the project description.

19 WHEREAS, the Planning Commission, after giving the required notice, did on the 28th day
20 of July, 2008, conduct a duly advertised public hearing as prescribed by law to consider said
21 application.

22 WHEREAS, pursuant to the California Environmental Quality Act of 1970, the project is
23 exempt from environmental review.

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

26 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the
27 project is subject to certain fees, dedications, reservations and other exactions as provided below:

28 ///
29 ///
//

<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. 05-R0628-1	\$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 05-R0628-1	\$2,843 per acre
Public Facility Fee	Ordinance No. 91-09 Resolution No. 05-R0628-1	\$2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot
Traffic Signal Fee	Ordinance No. 87-19	\$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Based on meter size Typical \$4,395
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 \$6,035
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-3	\$4,326 per unit

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

27 WHEREAS, unless otherwise provided by this resolution, all impact fees shall be
28 calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside
29

1 City Code and the City expressly reserves the right to amend the fees and fee calculations
2 consistent with applicable law;

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

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

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

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

13 FINDINGS:

14 For the Time Extension of the Tentative Parcel Map (P-11-05TE08):

- 15 1. The proposed subdivision creates 17 industrial condominium units that are consistent
16 with the Rancho Del Oro Industrial Planned Development. The subdivision map is
17 consistent with the Subdivision Ordinance and the Planning Commission's May 8, 2006
18 previously approved map. The project does not interfere with the efficient and proper
19 provision of City services. Pursuant to Section 601 of the Subdivision Ordinance, this
20 Tentative Parcel Map has been prepared in a manner acceptable to the Engineering
21 Division. The Time Extension to Tentative Parcel Map (P-11-05) proposes the same
22 subdivision as the previously approved Tentative Parcel Map approved on May 8, 2006.
- 23 2. The subdivision map is consistent with the General Plan of the City, including Sections
24 2.1 *Industrial Development* and 2.12 *Light Industrial*. The site is physically suitable for
25 the proposed development, which are 17 industrial units on 3.63 acres. The 17 industrial
26 condominium units shall provide employment opportunities to the citizens and foster
27 economic activity to the area.
- 28 3. The developer has diligently worked to complete obligations within the original two-year
29 period. The developer is near completion of the map and has been working diligently
with the Engineering Division on finalizing the map.

- 1 4. That the design of the subdivision or the proposed improvements will not cause
2 substantial environment damage with the proposed mitigation or substantially and
3 avoidably injure fish or wildlife or their habitat.

4 For the Time Extension of the Development Plan (D-28-05TE08):

- 5 1. The site plan and physical design of the project as proposed is consistent with the
6 purposes of the Zoning Ordinance. The project meets or exceeds the requirements of the
7 Rancho Del Oro Planned Unit Industrial, Articles 13, 41, and 43 of the Oceanside
8 Zoning Ordinance. No physical changes or City policies have been implemented since
9 the previous approval that would affect the project.
- 10 2. The time extension to the development plan as proposed conforms to the Rancho Del Oro
11 Specific Plan and the General Plan of the City. The proposal satisfies the Land Use
12 Element Objectives 2.1 Industrial Development. The time extension proposal shall
13 allow an additional two years to complete the development of the industrial buildings
14 and allow a development that would promote economic activity to the area as specified
15 in the objectives and policies of the industrial development section of the land use
16 element.
- 17 3. The area covered by the proposed time extension to the development plan can be
18 adequately, reasonably and conveniently served by existing and planned public services,
19 utilities, and public facilities.

19 For the Time Extension for Variance (V-14-05TE08):

- 20 1. That there are special circumstances or conditions applicable to the development site,
21 including size, shape, topography, location and surroundings that warrant granting of the
22 Variance for a wall system that measures 17 feet tall along limited sections of the wall.
23 The topography of the rough graded lot and the lot orientation creates unusable portions
24 of the lot that lie within otherwise disturbed and developable parts of the property. Other
25 properties in the Rancho Del Oro Master Development Plan area have been approved
26 with over height walls. In this instance, the strict application of the requirements of the
27 Zoning Ordinance would deprive such property of privileges and use enjoyed by other
28 property in the vicinity and under identical zoning classification because it would deprive
29

1 the property owner of the use of property in areas of the lot that are considered
2 developable and have been previously disturbed.

3 2. Granting the variance will not be detrimental or injurious to property or improvements
4 in the vicinity of the development site, or to the public health, safety or general welfare
5 because the retaining walls have been designed to meet the City of Oceanside and/or State
6 of California engineering standards as referenced by project specific exhibits, studies, and
7 calculations. In addition, the retaining walls will be constructed at a significant distance
8 away from any public right-of-way or roadway adjacent to the property.

9 3. Granting the variance is consistent with the purposes of the Zoning Ordinance and will
10 not constitute a grant of special privilege inconsistent with limitations on other properties
11 in the vicinity and in the same zoning district. The over height walls are located entirely
12 within private property boundaries wall and does achieve a well-balanced design and
13 landscape screening in order to be compatible with the surrounding industrial park.

14 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
15 approve the Time Extension for Tentative Parcel Map (P-11-05), Development Plan (D-28-05) and
16 Variance (V-14-05) subject to the following conditions:

17 1. This Tentative Parcel Map, Development Plan and Variance shall expire July 28, 2010,
18 unless implemented as required by the Subdivision and Zoning Ordinance.

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2. That all of the conditions of Resolution No. 2006-P28 adopted on May 8, 2006 continue to apply, except that Condition No. 74 which is amended to change the expiration date to July 28, 2010.

PASSED AND ADOPTED Resolution No. 2008-P43 on July 28, 2008 by the following vote, to wit:

- AYES:
- NAYS:
- ABSENT:
- ABSTAIN:

Claudia Troisi, Chairperson
Oceanside Planning Commission

ATTEST:

Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2008-P43.

Dated: July 28, 2008

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PLANNING COMMISSION
RESOLUTION NO. 2006-P28

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A
TENTATIVE PARCEL MAP, DEVELOPMENT PLAN, AND
VARIANCE ON CERTAIN REAL PROPERTY IN THE CITY
OF OCEANSIDE

APPLICATION: P-11-05, D-28-05, V-14-05
APPLICANT: Essex Rancho Del Oro LLC
LOCATION: 4096 Calle Platino

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Tentative Parcel Map, Development Plan, and Variance under the provisions of Articles 10, and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

a subdivision on a 3.63-acre lot to create 17 industrial condominium units within two-industrial buildings, with associated site improvements;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 8th day of May 2006, conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project has been found to be categorically exempt per Article 19 from environmental review;

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

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

WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the project is subject to certain fees, dedications, reservations and other exactions as provided below:

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Drainage Fee	Ordinance No. 85-23 Resolution No. 05-R0628-1	\$2,660-\$14,937 depending on location
Public Facility Fee	Ordinance No. 91-09 Resolution No. 05-R0628-1	\$667 per thousand sq. ft.
School Facilities Mitigation Fee	Ordinance No. 91-34	\$0.34 per square foot for Oceanside. \$0.36 per square foot for Vista.
Traffic Signal Fee	Ordinance No. 87-19	\$14.70 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01	\$239 per vehicle trip
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. 5/8" = \$3,746 1" = \$6,257 2" = \$19,967
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Fee based on capacity or water meter size. 5/8" = \$4,587 1" = \$7,660 2" = \$24,444
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2000-3	Fee based on meter size. 5/8" = \$4,154 1" = \$6,646 2" = \$21,599

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

WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside

1 City Code and the City expressly reserves the right to amend the fees and fee calculations
2 consistent with applicable law;

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

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

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

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

13 FINDINGS:

14 For the Tentative Parcel Map:

- 15 1. The proposed subdivision creates parcels that are consistent and meet or exceed the
16 requirements of an industrial development within the PD-1, Rancho Del Oro Industrial
17 Master Development Plan Area. The subdivision map is consistent with the General
18 Plan of the City.
- 19 2. The proposed building pad has been previously graded as part of the Rancho Del Oro
20 mass grading permit GP-665 and all requests for fine grading will conform to the
21 topography of the site, therefore, making it suitable for industrial development. The
22 3.63-acre site is physically suitable to allow for a total of two buildings comprising of 17
23 condominium units and one common area lot, with appropriate off-street parking spaces.
- 24 3. The subdivision complies with all other applicable ordinances, regulations and
25 guidelines of the City.
- 26 4. The design of the subdivision or proposed improvements will not conflict with
27 easements, acquired by the public at large, for access through the use of property within
28 the subdivision.
29

1 5. That the design of the subdivision or the proposed improvements will not cause
2 substantial environment damage or substantially and avoidably injure fish or wildlife or
3 their habitat.

4 For the Development Plan:

- 5 1. The site plan and physical design of the project is consistent with the Zoning Ordinance
6 and the Rancho Del Oro Master Development Plan, PD-1.
- 7 2. The Development Plan conforms to the General Plan of the City, including but not limited
8 to the LI (Light Industrial) designation.
- 9 3. The project site can be adequately served by existing public facilities, services and
10 utilities.
- 11 4. The project, as proposed, is compatible with the existing and potential development on
12 adjoining properties or in the surrounding neighborhood.
- 13 5. The site plan and parameters for the architecture and physical design of the project is
14 consistent with the policies contained within Sections 1.21 and 1.23 of the Land Use
15 Element of the General Plan.

16 For the Variance:

- 17 1. That there are special circumstances or conditions applicable to the development site,
18 including size, shape, topography, location and surroundings that warrant granting of the
19 Variance for a wall system that measures 17 feet tall along limited sections of the wall.
20 The topography of the rough graded lot and the lot orientation creates unusable portions
21 of the lot that lie within otherwise disturbed and developable parts of the property. Other
22 properties in the Rancho Del Oro Master Development Plan area have been approved
23 with over height walls. In this instance, the strict application of the requirements of the
24 Zoning Ordinance would deprive such property of privileges and use enjoyed by other
25 property in the vicinity and under identical zoning classification because it would
26 deprive the property owner of the use of property in areas of the lot that are considered
27 developable and have been previously disturbed.
- 28 2. Granting the variance will not be detrimental or injurious to property or improvements
29 in the vicinity of the development site, or to the public health, safety or general welfare
because the retaining walls have been designed to meet the City of Oceanside and/or

1 State of California engineering standards as referenced by project specific exhibits,
2 studies, and calculations. In addition, the retaining walls will be constructed at a
3 significant distance away from any public right-of-way or roadway adjacent to the
4 property.

- 5 3. Granting the variance is consistent with the purposes of the Zoning Ordinance and will
6 not constitute a grant of special privilege inconsistent with limitations on other
7 properties in the vicinity and in the same zoning district. The over height walls are
8 located entirely within private property boundaries wall and does achieve a well-
9 balanced design and landscape screening in order to be compatible with the surrounding
10 industrial park.

11 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
12 approve the environmental exemption and approve Tentative Parcel Map (P-11-05), Development
13 Plan (D-28-05), and Variance (V-14-05) and based on the following conditions of approval:

14 **Building:**

- 15 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
16 Building Division plan check. (Currently the 2001 California Code of Regulations, and
17 2004 California Electrical Code).
- 18 2. The granting of approval under this action shall in no way relieve the applicant/project
19 from compliance with all State and Local building codes.
- 20 3. Site development, parking, access into buildings and building interiors shall comply with
21 the State's Disabled Accessibility Regulations. (2001 California Building Code (CBC),
22 Chapter 11B)
- 23 4. 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 5. All electrical, communication, CATV, etc. service lines within the exterior lines of the
27 property shall be underground (City Code Sec. 6.30).
- 28 6. All outdoor lighting must comply with Chapter 39 of the City Code (Light Pollution
29 Ordinance). Where color rendition is important, high-pressure sodium, metal halide or
other such lights may be utilized and shall be shown on building and electrical plans.

- 1 7. Compliance with the Federal Clean Water Act must be demonstrated on the plans.
- 2 8. The developer shall monitor, supervise and control all building construction and
3 supporting activities so as to prevent these activities from causing a public nuisance,
4 including, but not limited to, strict adherence to the following:
 - 5 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
6 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
7 work that is not inherently noise-producing. Examples of work not permitted on
8 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
9 producing nature. No work shall be permitted on Sundays and Federal Holidays
10 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
11 Christmas Day) except as allowed for emergency work under the provisions of the
12 Oceanside City Code Chapter 38 (Noise Ordinance).
 - 13 b) The construction site shall be kept reasonably free of construction debris as
14 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
15 approved solid waste containers shall be considered compliance with this
16 requirement. Small amounts of construction debris may be stored on-site in a neat,
17 safe manner for short periods of time pending disposal.
- 18 9. Separate/unique addresses will be required to facilitate utility releases. Verification that
19 the addresses have been properly assigned by the City's Planning Division must
20 accompany the Building Permit application.
- 21 10. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation
22 will be required at time of plans submittal to the Building Division for plan check.
- 23 11. Setbacks, Type of Construction, Allowable Area must comply with UBC Table 5-A, 5B,
24 and Chapter 5 of the 1997 UBC.
- 25 12. This project must be designed per the recently adopted 2002 NEC, and 2005 Energy
26 Standards.
- 27 13. This design shall meet all the requirements of the recent code changes; The 2002 NEC
28 (as of August 1, 2005), 2005 Energy Standards (as of October 1, 2005).
- 29 14. Retaining walls that will be installed as a part of this design must be designed per the
Soils report for the whole project.

1 **Engineering:**

2 15. Vehicular access rights to Avenida Del Oro shall be relinquished to the City from abutting
3 lot. Vehicular access rights to Calle Platino shall be relinquished to the City from abutting
4 lot except for at the two approved driveway locations.

5 16. Design and construction of all improvements shall be in accordance with standard plans,
6 specifications of the City of Oceanside and subject to approval by the Public Works
7 Director.

8 17. Prior to issuance of a building permit all improvement requirements shall be covered by
9 a development agreement and secured with sufficient improvement securities or bonds
10 guaranteeing performance and payment for labor and materials, setting of monuments,
11 and warranty against defective materials and workmanship.

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

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

28 20. Pursuant to the State Map Act, improvements shall be required at the time of development.
29 A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to

1 these improvement conditions and a certificate setting forth the recordation shall be placed
2 on the map.

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

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

11 a) Dirt, debris and other construction material shall not be deposited on any public
12 street or within the City's stormwater conveyance system.

13 b) All grading and related site preparation and construction activities shall be
14 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No
15 engineering related construction activities shall be conducted on Saturdays,
16 Sundays or legal holidays unless written permission is granted by the Public Works
17 Director with specific limitations to the working hours and types of permitted
18 operations. All on-site construction staging areas shall be as far as possible
19 (minimum 100 feet) from any existing residential development. Because
20 construction noise may still be intrusive in the evening or on holidays, the City of
21 Oceanside Noise Ordinance also prohibits "any disturbing excessive, or offensive
22 noise which causes discomfort or annoyance to reasonable persons of normal
23 sensitivity."

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

26 d) A haul route shall be obtained at least 7 days prior the start of hauling operations
27 and must be approved by the Public Works Director. Hauling operations shall be
28 8:00 a.m. to 3:30 p.m. unless approved otherwise.

29 23. A traffic control plan shall be prepared according to the City traffic control guidelines
and be submitted to and approved by the Public Works Director prior to the start of work

1 within open City rights-of-way. Traffic control during construction of streets that have
2 been opened to public traffic shall be in accordance with construction signing, marking
3 and other protection as required by the Caltrans Traffic Manual and City Traffic Control
4 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless
5 approved otherwise.

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

17 25. All streets shall provide a minimum of 10 feet parkway between the face of curb and the
18 right of way line. Sidewalk improvements shall comply with ADA requirements.

19 26. Sight distance requirements at the project driveway or street shall conform to the corner
20 sight distance criteria as provided by the California Department of Transportation Highway
21 Design Manual.

22 27. Streetlights shall be maintained and installed on all public streets per City Standards.
23 The system shall provide uniform lighting, and be secured prior to occupancy. The
24 developer shall pay all applicable fees, energy charges, and/or assessments associated
25 with City-owned (LS-2 rate schedule) streetlights and shall also agree to the formulation
26 of, or the annexation to, any appropriate street lighting district.

27 28. Prior to approval of the grading plans, the developer shall contract with a geotechnical
28 engineering firm to perform a field investigation of the existing pavement on all streets
29 adjacent to the project boundary (Avenida Del Oro and Calle Platino). The limits of the
study shall be half-street plus twelve feet along the project's frontage. The field

1 investigation shall include a minimum of one pavement boring per every fifty linear feet
2 of street frontage. Should the existing AC thickness be determined to be less than three
3 inches or without underlying Class II base material, the developer shall remove and
4 reconstruct the pavement section as determined by the pavement analysis submittal
5 process detailed in Item No. 2 below.

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

15 30. Any street shall be improved as required by the Public Works Director.

16 31. Pavement sections for all driveways and parking areas shall be based upon approved soil
17 tests and traffic indices. The pavement design is to be prepared by the developer's soil
18 engineer and must be approved by the Public Works Director, prior to paving.

19 32. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
20 construction of the project, shall be repaired or replaced as directed by the Public Works
21 Director.

22 33. Grading and drainage facilities shall be designed and installed to adequately accommodate
23 the local storm water runoff and shall be in accordance with the City's Engineers Manual
24 and as directed by the Public Works Director.

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

- 1 35. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic
2 investigation shall be conducted of the soils, slopes, and formations in the project. All
3 necessary measures shall be taken and implemented to assure slope stability, erosion
4 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
5 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
6 the Public Works Director.
- 7 36. This project shall provide year-round erosion control including measures for the site
8 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
9 control plan, designed for all proposed stages of construction, shall be reviewed, secured
10 by the applicant with cash securities and approved by the Public Works Director.
- 11 37. A precise grading and private improvement plan shall be prepared, reviewed, secured and
12 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
13 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage,
14 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
15 and any on site traffic calming devices shall be shown on all Precise Grading and Private
16 Improvement Plans.
- 17 38. Landscaping plans, including plans for the construction of walls, fences or other structures
18 at or near intersections, must conform to intersection sight distance requirements.
19 Landscape and irrigation plans for disturbed areas must be submitted to the Public Works
20 Director prior to the issuance of a preliminary grading permit and approved by the Public
21 Works Director prior to the issuance of occupancy permits. Frontage and median
22 landscaping shall be installed prior to the issuance of any certificates of occupancy. Any
23 project fences, sound or privacy walls and monument entry walls/signs shall be shown on,
24 bonded for and built from the landscape plans. These features shall also be shown on the
25 precise grading plans for purposes of location only. Plantable, segmental walls shall be
26 designed, reviewed and constructed by the grading plans and landscaped/irrigated through
27 project landscape plans. All plans must be approved by the Public Works Director and a
28 pre-construction meeting held, prior to the start of any improvements.
- 29 39. Open space areas and down-sloped areas visible from a collector-level or above roadway
and not readily maintained by the property owner, shall be maintained by a homeowners'

1 association that will insure installation and maintenance of landscaping in perpetuity.
2 These areas shall be indicated on the final map and reserved for an association.
3 Future buyers shall be made aware of any estimated monthly costs. The disclosure,
4 together with the CC&R's, shall be submitted to the Transportation/Engineering
5 Department for review prior to the recordation of final map. In the event the homeowner's
6 association dissolves, responsibility for irrigation and maintenance of the slopes (open
7 space areas) adjacent to each property shall become that of the individual property owner.

8 40. The drainage design on the tentative map is conceptual only. The final design shall be
9 based upon a hydrologic/hydraulic study to be approved by the Public Works Director
10 during final engineering. All drainage picked up in an underground system shall remain
11 underground until it is discharged into an approved channel, or as otherwise approved by
12 the Public Works Director. All public storm drains shall be shown on City standard plan
13 and profile sheets. All storm drain easements shall be dedicated where required. The
14 applicant shall be responsible for obtaining any off-site easements for storm drainage
15 facilities. The existing concrete terrace drain on the westerly slope shall be protected in
16 place and replaced if damaged to maintain drainage flow and protect the integrity of the
17 slope.

18 41. 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
20 discharge either off-site or into the City drainage system.

21 42. 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
23 Discharge Elimination System (N.P.D.E.S.) permit requirements for urban runoff and
24 stormwater discharge and any regulations adopted by the City pursuant to the N.P.D.E.S.
25 regulations or requirements. Further, the applicant may be required to file a Notice of
26 Intent with the State Water Resources Control Board to obtain coverage under the
27 N.P.D.E.S. General Permit for Storm Water Discharges Associated with Construction
28 Activity and may be required to implement a Storm Water Pollution Prevention Plan
29 (SWPPP) concurrent with the commencement of grading activities. SWPPPs include
both construction and post construction pollution prevention and pollution control

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

8 43. Upon acceptance of any fee waiver or reduction by the developer, the entire project will
9 be subject to prevailing wage requirements as specified by Labor Code section
10 1720(b)(4). The developer shall agree to execute a form acknowledging the prevailing
11 wage requirements prior to the granting of any fee reductions or waivers.

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

23 45. The developer shall enter into a City-Standard Stormwater Facilities Maintenance
24 Agreement with the City obliging the project proponent to maintain, repair and replace
25 the stormwater Best Management Practices (BMPs) identified in the project's approved
26 Storm Water Mitigation Plan (SWMP), as detailed in the O&M Plan into perpetuity.
27 The agreement shall be approved by the City Attorney prior to issuance of any precise
28 grading permit and shall be recorded at the County Recorder's Office prior to issuance of
29 any building permit. Security in the form of cash (or certificate of deposit payable to the
City) or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance

1 of a precise grading permit. The amount of the security shall be equal to 10 years of
2 maintenance costs, as identified by the O&M Plan. The applicant's Civil Engineer shall
3 prepare the O&M cost estimate. The O&M cost estimate shall be approved by the
4 Public Works Director prior to approval of any engineering plans for the project.

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

10 47. The agreement shall include a copy of executed on-site and off-site access easements
11 necessary for the operation and maintenance of BMPs that shall be binding on the land
12 throughout the life of the project to the benefit of the party responsible for the O&M of
13 BMPs, until such time that the storm water BMP requiring access is replaced,
14 satisfactory to the Public Works Director. The agreement shall also include a copy of
15 the O&M Plan approved by the Public Works Director.

16 48. The project shall provide BMP in accordance with the approved Storm Water Mitigation
17 Plan (SWMP).

18 **Transportation/Traffic:**

19 49. The proposed project driveway located on the project's south/easterly boundary shall be
20 improved to 28 feet wide with ADA complaint ramp. The driveway shall provide "enter
21 only" access to the project site and the existing use to the south of the proposed project.
22 "Exit only" access will take place at the existing southerly driveway.

23 50. ADA compliant pedestrian access shall be provided at all project driveways.

24 51. The project shall pay their fair share toward future capacity enhancement measures on
25 College Boulevard per resolution 2004-P52:

26 a) For the segment of College Boulevard between Avenida de la Plata and Oceanside
27 Boulevard: \$34,095; and

28 b) For the segment of College Boulevard between Old Grove Road and Avenida de la
29 Plata: \$56,379.

1 52. The project will be required to contribute their fair share toward future adaptive signal
2 hardware at the following intersections:

3 a) College Boulevard at Avenida de la Plata: \$624

4 b) College Boulevard at Oceanside Boulevard: \$3,336

5 53. A traffic control plan shall be prepared according to the City traffic control guidelines
6 and be submitted to and approved by the Transportation Manager prior to the start of
7 work within open City rights-of-way. Traffic control during construction of streets that
8 have been opened to public traffic shall be in accordance with construction signing,
9 marking and other protection as required by the Caltrans Traffic Manual and City Traffic
10 Control Guidelines.

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

14 55. A haul route shall be obtained at least 7 days prior to the start of hauling operations and
15 must be approved by the Transportation/Engineering Director. Hauling operations shall
16 be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

17 56. The applicant shall pay all applicable traffic signal and thoroughfare fees.

18 **Fire:**

19 57. Submit a copy of as built plans on a CD for all projects on the job site.

20 58. Submit a copy of As-Built plans on a CD for all projects on the job site before final
21 occupancy.

22 59. The fire hydrants shall be installed and tested prior to placing any combustible materials
23 on the job site.

24 60. Detailed plans of underground fire service mains shall be submitted to the Oceanside
25 Fire Department for approval prior to installation.

26 61. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design
27 and Processing Manual Standard Drawing No. M-13.

28 62. All weather access roads shall be installed and made serviceable prior to and maintained
29 during time of construction.

- 1 63. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per
2 Vehicle Code Section 22500.1 and in accordance with the Fire Department Standard
3 Guidelines for Emergency Access. This note must be provided on the site plan.
- 4 64. A "Knox" key storage box shall be provided for all new construction. For buildings,
5 other than high-rise, a minimum of three complete sets of keys shall be provided. Keys
6 shall be provided for all exterior entry doors, fire protection equipment control rooms,
7 mechanical and electrical rooms, elevator controls and equipment spaces, etc. For high-
8 rise buildings, six complete sets are required.
- 9 65. Fire extinguishers are required and shall be included on the plans submitted for plan
10 check.
- 11 66. An approved fire sprinkler system must be installed throughout the building. The system
12 shall be designed per N.F.P.A. 13, and U.B.C. Standard 9-1. The sprinkler system
13 required 24-hour supervision.
- 14 67. When fire sprinklers systems are required in buildings of undermined use, they shall
15 have a sprinkler density of .33 GPM/sq. ft. with a minimum design area of 3,000 square
16 feet.
- 17 68. The Fire Department connection shall not be affixed to the building. The Fire
18 Department connection must be located at least 40 feet away from the building, within
19 40 feet of a fire hydrant, and on the address side of the building – unless otherwise
20 determined by the Fire Department. The hydrant shall be located on the same side of the
21 street as the Fire Department connection.
- 22 69. In accordance with the California Fire Code Sec. 901.4.4, approved address for
23 commercial, industrial, and residential occupancies shall be placed on the structure in
24 such a position as to be plainly visible and legible from the street or roadway fronting the
25 property. Numbers shall be contrasting with their background.
- 26 70. Multi-tenant buildings require identification on the rear exit doors with individual suite
27 numbers or letters.
- 28 71. Industrial buildings require 12-inch address numbers.
- 29 72. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
approval prior to the issuance of building permits.

1 73. Buildings shall meet Oceanside Fire Department's current codes at the time of building
2 permit application.

3 **Planning:**

4 74. This Tentative Parcel Map, Development Plan, and Variance shall expire on May 8, 2008,
5 unless implemented as per the Zoning Ordinance or unless the Planning Commission
6 grants a time extension.

7 75. This Tentative Parcel Map, Development Plan, and Variance approves a development
8 comprising of two-industrial buildings with a total of 37,972 square feet of building floor
9 area, 18 total lots comprising of 17 condominium units and one common lot, a 17-foot
10 maximum height retaining wall, 115 parking spaces, and other improvements, as shown on
11 the plans and exhibits presented to the Planning Commission for review and approval, and
12 as modified by said conditions of approval. No deviation from these approved plans and
13 exhibits shall occur without the approval of the City Planner. Substantial deviations shall
14 require a revision to the Development Plan and/or Variance, or a new Development Plan
15 and/or Variance.

16 76. A total of 115 required off-street parking spaces shall be provided on-site based on 24,750
17 square feet of office space floor area and 13,222 square feet of warehouse space floor area,
18 at all times.

19 77. Uses generating additional parking shall not be allowed unless a revision to this permit is
20 first obtained and/or a separate use permit is first granted by the Planning Commission
21 demonstrating that adequate off-street parking is provided on-site.

22 78. The following table identifies each building, distribution of use areas based on a total of
23 37,972 square feet of building floor area, and the required parking calculation, and as
24 identified by the approved exhibits, for each buildings approved by the Development Plan:

BLDG #	Total Area/ Parking Spaces	OFFICE 4:1,000 (parking)	WAREHOUSE 1:1,000 (parking)
1	22,836 sq. ft./ 66 spaces	14,132 sq. ft. 57 spaces	8,704 sq. ft. 9 spaces
2	15,136 sq. ft./ 47 spaces	10,618 sq. ft. 42 spaces	4,518 sq ft 5 spaces

- 1 79. Off-street parking spaces for the project site shall be kept available and useable for the
2 parking of owner's, tenant's and/or visitor's automobiles for each building referenced by
3 this permit and/or exhibits.
- 4 80. All lighting showcasing building architecture shall be shown on the building plans and
5 prior to building permit approval.
- 6 81. Outdoor storage or display of merchandise of materials shall meet the requirements of the
7 Zoning Ordinance.
- 8 82. All site lighting shall adhere to the adopted City of Oceanside Light Pollution Ordinance.
- 9 83. Elevations, siding materials, colors, roofing materials and floor plans shall be
10 substantially the same as those approved by the Planning Commission. These shall be
11 shown on plans submitted to the Building Division and Planning Division.
- 12 84. Prior to the recordation of any Final Maps, the applicant and/or permittee shall provide
13 evidence of a recorded reciprocal access agreement for the shared access drive serving each
14 of the 17 units on-site.
- 15 85. Prior to the recordation of the Final Map and/or issuance of the first building permit, the
16 applicant and/or permittee shall provide to the City an Operations and Maintenance
17 (O&M) plan for review and diligently pursue recordation of such a plan as a covenant to be
18 recorded for the property with the County of San Diego Recorder's Office.
- 19 86. Prior to issuance of any occupancy permit, the applicant and/or permittee shall provide a
20 final O&M document that has been recorded with the County of San Diego Recorder's
21 Office.
- 22 87. The O&M Plan shall include specific reference to the project site. Items to be included in
23 any O&M plan shall include the site referenced by this permit and shall identify O&M
24 items as they related to, but are not limited by: site maintenance and management
25 responsibilities for the referenced parcel, areas within the public right-of-way, as well as
26 any adjoining public parkways and/or pedestrian paths; landscaping; irrigation; hardscape;
27 site furnishing; walls; fences; safety and security; lighting; site cleanliness and graffiti
28 removal; and other on-going maintenance issue deemed appropriate by the City Planner.
29

- 1 88. A City approved and County of San Diego Recorder's Office recorded O&M plan shall be
2 incorporated by reference with and to this permit prior to recording, and shall operate in
3 perpetuity with this permit.
- 4 89. The applicant and/or permittee shall provide a copy of this permit identifying the use
5 limitations based on the 115 off-street parking spaces provided on-site, as well as a copy of
6 the County of San Diego Recorder's Office recorded O&M plan to any prospective tenants
7 and/or property owners.
- 8 90. Prior to the issuance of the first building permit, the applicant and/or permittee shall
9 illustrate compliance with the applicable provisions of the City's anti-graffiti (Ordinance
10 No. 93-19/Section 20.25 of the City Code) which shall be noted on the building permit
11 plan set for reference. These requirements, which include the obligation to remove all
12 graffiti within 24 hours.
- 13 91. Unless expressly prohibited by the City of Oceanside Fire Division, all retaining walls over
14 four feet in height shall be landscaped and irrigated, at all times.
- 15 92. Planting on the retaining walls shall be required to cover 50 percent of retaining walls in
16 excess of four feet in height within two years of the issuance of the first construction and/or
17 building permit.
- 18 93. All walls and landscaping will be maintained in a disease free and graffiti-free manner, at
19 all times.
- 20 94. Prior to issuance of any building permits, the applicant and/or permittee shall show
21 evidence on a building plan set that all mechanical rooftop equipment are screened from
22 public views. All mechanical rooftop and ground equipment shall be screened from public
23 view as required by the Zoning Ordinance. This information shall be shown on the
24 building permit plan set.
- 25 95. Outdoor eating areas shall not be removed or converted, and all outdoor eating area
26 furnishings shall be kept in good condition and shall be operable, at all times.
- 27 96. Outdoor eating areas shall be kept clean in a neat, debris-free, and graffiti-free manner, at
28 all times.
- 29

- 1 97. Prior to issuance of the first building permit, the applicant and/or permittee shall identify
2 an on-site Employee Transportation Program, as referenced in the Rancho Del Oro Master
3 Development Plan.
- 4 98. Prior to the issuance of the Final Map, all building, architectural, and landscape plan shall
5 be submitted to the City for review and approval of a building permit or permits. Unless
6 the City regulations identify otherwise, the submittal will be the set submitted for the
7 review and approval of the Planning Commission and stamped as an exhibit.
- 8 99. Failure to meet any conditions of approval for this development shall constitute a violation
9 of Tentative Parcel Map (P-11-05), Development Plan (D-28-05), and Variance (V-14-05).
- 10 100. Unless expressly waived, all current Rancho Del Oro Industrial Master Development Plan,
11 zoning standards, and City ordinances and policies in effect at the time building permits are
12 issued are required to be met by this project. The approval of this project constitutes the
13 applicant and/or permittee's agreement with all statements in the Description and
14 Justification, Operations and Maintenance (O&M) plan and other materials and
15 information submitted with this application, unless specifically waived by an adopted
16 condition of approval.
- 17 101. Elevations, siding materials, colors, roofing materials and floor plans shall be
18 substantially the same as those approved by the Planning Commission. These shall be
19 shown on plans submitted to the Building Division and Planning Division.
- 20 102. Prior to the approval of a building permit the areas for 1) refuse, and 2) recycling collection
21 shall be illustrated in plan view as dedicated areas for each refuse and recycling, and per
22 City of Oceanside, Municipal Code, Chapter 13. An area calculation shall be provided on
23 building plans in order to illustrate compliance with all applicable refuse and recycling
24 elements of the Zoning Ordinance and/or adopted City policy.

24 **Landscape:**

- 25 103. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
26 Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall
27 be reviewed and approved by the City Engineer prior to the issuance of building permits.
28 Landscaping shall not be installed until bonds have been posted, fees paid, and plans
29 signed for final approval. The following special landscaping requirements shall be met:

- 1 a) The developer shall be responsible for irrigating and landscaping all embankments
2 within the project, and all slopes along major streets.
- 3 b) To mitigate the loss of landmark and/or mature existing trees on-site the
4 determination of replacement shall be based on tree number, type, and caliper
5 (caliper measured 2 1/2 feet from the base of the tree at existing grade). The total
6 number of tree caliper lost shall be equal to the total number of caliper replaced.
7 Replacement trees shall be a minimum of 15-gallon container stock. A field survey
8 shall be performed under the supervision of the City Landscaping Section to
9 evaluate the existing tree population and the replacement requirements. The
10 existing trees to remain or proposed for removal shall be identified on the
11 Preliminary Grading Plan, Precise Grading Plan and Landscape Plan. The existing
12 tree type, location, and caliper shall be shown on the above plans. Replacement
13 trees shall be identified and shown on the Landscape Plan and shall be subject to
14 review and approval by the City Engineer. The sum of caliper replacement, not
15 planted on-site, shall be donated to the City in monetary form.

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

25 105. Existing irrigation shall be protected in place and repaired, or replaced if necessary to the
26 satisfaction of the City Engineer. Existing trees and vegetation shall be protected in place
27 and supplemented or replaced if necessary to the satisfaction of the City Engineer.

28 106. Prior to the issuance of occupancy permits, the City's Landscape Technician/Inspector shall
29 review each unit requested for occupancy to ensure that the installation of planting and

1 irrigation has occurred in conformance with the approved schematic drawings. The
2 irrigation system will also be tested to ensure adequate operation and coverage.

3 107. Prior to approval of a grading permit, the developer shall provide a tree survey and
4 mitigation schedule for trees to be removed from site and shall meet current City of
5 Oceanside requirements.

6 108. Prior to the approval of a grading permit, the developer shall provide Landscape plans to
7 be consistent with approved conceptual landscape and/or grading plans.

8 **Water:**

9 109. All public water and/or sewer facilities not located within the public right-of-way shall be
10 provided with easements sized according to the Water, Sewer, and Reclaimed Water
11 Design and Construction Manual. Easements shall be constructed for all weather access.

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

14 111. The property owner will maintain private water and wastewater utilities located on private
15 property.

16 112. A separate irrigation meter and approved backflow prevention device is required.

17 113. The developer shall construct a public reclamation water system that will serve each lot
18 and or parcels that are located in the proposed project in accordance with the City of
19 Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located
20 in the public right-of-way or in a public utility easement.

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

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

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

1 117. An Inspection Manhole, described by the Water, Sewer, and Reclaimed Water Design and
2 Construction Manual, shall be installed in each building sewer lateral and the location
3 shall be called out on the approved Improvement Plans.

4 118. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are
5 to be paid to the City and collected by the Water Utilities Department at the time of
6 Building Permit issuance.

7 119. All Water and Wastewater construction shall conform to the most recent edition of the
8 Water, Sewer, and Reclaimed Water Design and Construction Manual.

9 PASSED AND ADOPTED Resolution No. 2006-P28 on May 8, 2006, by the following
10 vote, to wit:

11 AYES: Neal, Parker, Horton, Blom, Martinek, Beach and Balma

12 NAYS: None

13 ABSENT: None

14 ABSTAIN: None

15
16 _____
17 Robert F. Neal, Chairman
Oceanside Planning Commission

18 ATTEST:

19
20 _____
Jerry Hittleman, Secretary

21 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
22 this is a true and correct copy of Resolution No. 2006-P28.

23
24 Dated: _____ May 8, 2006

Original

DATE: May 8, 2006

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE PARCEL MAP (P-11-05), DEVELOPMENT PLAN (D-28-05), AND VARIANCE (V-14-05) TO SUBDIVIDE A 3.63-ACRE LOT TO CREATE 17 INDUSTRIAL CONDOMINIUM UNITS WITHIN 2-INDUSTRIAL BUILDINGS AT 4096 CALLE PLATINO. THE PROJECT SITE IS ZONED PD-1 (RANCHO DEL ORO PLANNED DEVELOPMENT) AND IS SITUATED WITHIN THE IVEY RANCH/RANCHO DEL ORO NEIGHBORHOOD – ESSEX RANCHO DEL ORO – APPLICANT: ESSEX RANCHO DEL ORO LLC**

RECOMMENDATION

Staff recommends that the Planning Commission approve Tentative Parcel Map (P-11-05), Development Plan (D-28-05), and Variance (V-14-05) and adopt Planning Commission Resolution No. 2006-P28 as attached.

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The 3.63-acre vacant project site is located in an industrially designated area within the Rancho Del Oro (RDO) Specific Plan Area (S-1-84), and is subject to the RDO Industrial Master Plan Development Plan criteria. The current project proposes to develop a two building 18-lot subdivision in order to create 17 industrial condominium units and one common area lot.

The RDO Specific Plan covers approximately 1,950 acres and is a land use plan that allows a variety of uses. The plan establishes the general framework for land use types, circulation, grading, density management and major infrastructure requirements. The plan further divides the area into residential villages and tracts, commercial centers, office-professional sites and industrial areas.

The RDO Specific Plan provides general land use regulations for the entire Specific Plan area. However, to develop property within the specific plan, individual master plans were developed. These master plans established use provisions and development standards for each of the land use types throughout the Specific Plan area. The site is subject to the established RDO Industrial Master Development Plan criteria.

Each industrial project within the RDO Master Plan (PD-1) Area was subdivided by Planning Commission resolution No. 82-P11 approving Tentative Parcel Map P-52-81 and is subject to development and use provisions outlined in the adopted Industrial Master Development Plan, referenced as D-31-85 adopted by City Council Resolution No. 85-241. Use restrictions are referenced in the plan and are also referenced by the LI (Limited Industrial) base zone use restrictions, and development regulations are also outlined in the plan.

All projects proposed within the RDO Master Planned area are subject to a traffic study. Staff analyzed the project for conformity with the established traffic generation criteria of RDO Master Development Plan and finds the traffic study addresses impacts through mitigation. The traffic mitigation measures are incorporated into the project resolution for reference.

Project Description: The project application consists of a Tentative Parcel Map, Development Plan, and Variance as follows:

Tentative Parcel Map: As part of the City's Transportation and Engineering Department review, it has been determined that this project requires the processing of a Tentative Parcel Map based on the City of Oceanside Subdivision Ordinance, adopted February 27, 1991, section 301(C). The ordinance allows for industrially designated projects proposing a subdivision of five or more parcels to process a Tentative Parcel Map instead of a Tentative Map.

The criteria clarifies that a project is exempt from processing a Tentative Map as per Subdivision Map Act (SMA) Chapter 2, Article 1, section 66426. This project meets the criteria for the Tentative Map exemption based on existing right-of-way access and can be processed as a Tentative Parcel Map in order to create a condominium complex on an industrially designated lot.

The project will create 17 new commercial condominium units and one common area parcel on an existing 3.63-acre parcel. Each of the new condominium units will provide floor areas ranging between 1,350 and 3,000 square feet. The common area lot provides site amenities and vehicular access to be available for tenants and visitors to the industrial park.

At their discretion, new tenants will have the option to consolidate suites and occupy more than one suite at a time. Future tenants, however, will be restricted to on-site uses and

parking ratios as outlined in this report. Uses that require additional off-street parking will need to be assessed at a future date and may not be allowed should they require additional off-street parking.

Development Plan: The entire site was graded as part of the larger grading operation approved as part of grading permit GP-665 for the RDO Master Development Plan area. Precise grading is proposed in order to develop the project. The site proposes to excavate additional areas on the site. In all, a total of 8,098 cubic yards of dirt will be excavated, with 7,602 cubic yards exported off-site and 496 cubic yards redistributed on-site.

The project proposes to construct two new shell buildings for a total combined building floor area of 37,972 square feet. Building 1 provides 23,540 square feet and Building 2 provides 15,600 square feet of building floor area. The overall lot coverage for the project is 24.7 percent, where a maximum 50-percent lot coverage is allowed.

Each of the two new shell buildings will be further separated into individual and smaller units with most units sharing a common wall. Units comprising of warehouse areas provide office areas on the storefront of each unit. Some units only provide office areas and do not include warehouse space.

The project meets or exceeds the minimum and permissive required setbacks established by the Master Development Plan. All minimum and permissive building and parking setbacks will be observed under the current design. As designed, the project setbacks are 73 feet-2 inches from the front property line, 63 feet along the street side property line, 39 feet-10 inches from the rear property line and 143 feet-11 inches from the interior side property line.

The required minimum front yard setback is 15 feet, while the required side and rear yard setbacks are each 5 feet. The permissive front yard setbacks range between 27 and 35 feet based on one or two-story construction. The maximum building height is one-story construction measuring 25 feet-4 inches, which is below the 45 feet or four-story maximum height limit.

Refer to the chart below for a general list of project specific development regulations:

	MINIMUM REQUIRED PD-1	PROPOSED PD-1
LOT SIZE	20,000 square feet	3.63 acres
LOT COVERAGE	50% (max)	24.7 %
SETBACKS		
<i>Parking</i> (minimum)		

Front	7-15 feet	greater than 7/15 feet
Side/Rear (permissive)	5-feet	greater than 5-feet
Front	17-25 feet	greater than 25-feet
Side/Rear	5-feet	greater than 5-feet
<u>Building</u> (minimum)		
Front	15-feet	greater than 15-feet
Side/Rear (permissive)	5-feet	greater than 5-feet
Front	27-35 feet	na
Side/Rear	10 or 20-feet (1 or 2-story)	na
PARKING	Total required: <u>113 spaces</u> a) Office @ 4:1,000 24,750 sq feet = <u>99 spaces</u> b) Warehouse @ 1:1,000 13,222 sq feet = <u>14 spaces</u>	Total provided: <u>115 spaces</u>
BUILDING HEIGHT	The lesser of 45-feet (max) or 4-stories	24-feet, 4-inches (max) 1-story

The project provides a total of 115 off-street parking spaces, where 113 spaces are required based on the uses established by floor area in the above table. The parking calculation is based on parking ratio of four spaces per 1,000 square feet of office floor area and one space per 1,000 square feet of warehouse floor area. Of the 115 parking spaces, eight spaces shall be designated for handicap parking.

In order to satisfy the off-street parking, the project designates 24,750 square feet for industrial office type uses and 13,222 square feet for warehouse area. For the types of uses requested, Building 1 provides a required 66 parking stalls while Building 2 provides 47 parking stalls.

The RDO Master Development Plan allows for parking requirements that are different from the City's Zoning Ordinance. The plan allows for sites containing in excess of 50 parking spaces to provide up to 40 percent compact parking spaces. This project does not include any compact parking spaces, however, a limited number of spaces are substandard from the typical large space measuring 9 feet by 19 feet. Each substandard space is measured 9 feet by 17 feet, which conforms with established parking provisions.

Loading areas are located between the two main buildings. This type of loading provides for adequate location and space for the type of development proposed. All loading bays are situated at the rear of each unit and along a shared access aisle. All warehouse space front the access aisle and will limit conflicts between any automobile and truck paths of travel on the project site.

Vehicle access on and off-site is accommodated by two points of ingress/egress. One access drive is dedicated to the site situated approximately midway along the property line adjacent Calle Platino, and a second access drive is shared with the adjacent property to the west on Calle Platino. The shared access drive provides a median separating directional traffic flow onto each of the lots served.

The interconnectivity of the pedestrian network allows for effective pedestrian connections onto the site, as well as provides opportunities to easily walk off-site. Outdoor bike racks will be made available for those that wish to travel to the site by bicycle. Each new lot and building provides bike racks for two bicycles.

Site construction and design is reflective and is typical of what exists throughout much of the business park and the immediate surrounding area. The design proposes two concrete tilt-up buildings. Slight variations in the building rooflines and staggering of the façades along most elevations will add aesthetic interest for the tilt-up shell. The overall building design will be compatible with surrounding and existing industrial type development. The color scheme used for the buildings includes earth tone colors over smooth surface exterior wall areas. The roof parapet will be trimmed using a stylish cornice projection that will help add interest.

Site landscaping shall meet the required landscape criteria established by the RDO Master Landscape Plan and the established landscape palette. Approximately, 33.6 percent of the entire site will be landscaped and an excess of 60 percent of the front and side yard setbacks shall provide appropriate landscaping. A 1,020-square foot outdoor employee eating area is also proposed. This exceeds the minimum required 500-square foot criteria. The area also meets the design features including accessibility, location, landscape, and furnishing requirements.

The landscape palette proposes consistency with the larger master planned area, including a prominent blend of existing and new plantings to include Queen Palms, Eucalyptus, Pine, Brisbane Box, Sycamore, and Purple Plum throughout the site. Groundcover will vary and when mature, the landscaping will provide effective visual relief for each of the two main buildings, retaining walls, as well as all related on-site accessory structures. Although the lot sits at a lower elevation than Avenida Del Oro on the east, the building rooftops will be partially screened from view with existing and newly installed landscaping.

Refuse and recycling storage areas will be constructed of materials to blend with the main buildings, with each providing trellis' for enhanced screening. Signage is not proposed as part of the project. All signage associated to this individual development shall meet the criteria established by the RDO Industrial Master Development Plan.

Variance: This project includes the request for over height retaining walls. On industrially zone lots, the Zoning Ordinance allows retaining walls to be maximum height of 3.5 feet in the front yard abutting the street and 8 feet in all other yards. This project proposes retaining walls that vary in height, with one section measuring 17 feet in total height as measured from grade. The applicant is processing and Variance to request approval of an over height retaining wall prior to installation.

The unique lot orientation and existing topography on this corner lot does limit the project from achieving similar development as experienced by other nearby and surrounding project sites. Staff believes that because of the location and site characteristics of the existing vacant lot, that the strict application of the requirements of the Zoning Ordinance will deprive this lot of similar privileges experienced by other nearby properties.

Staff reviewed the request and finds that the wall height can be justified based on the location and the limited visual impacts that will be experienced from the public vantage point. Although the wall is situated parallel Avenida Del Oro, the wall will be constructed below the Avenida Del Oro right-of-way street elevation. As such, the wall is situated internal to the project and will be largely visible to tenants or visitor that travel onto the site. Based on the location of the wall and the enhanced landscaping to be installed for added screening, staff believes that the wall will have very limited visual impacts for those that drive or walk along any adjacent public rights-of-ways.

Other large scale and over height walls have been approved in the immediate area, and specifically at a project site located just west of the intersection located at Corporate Center Drive and Avenida De La Plata. The wall constructed at that location is situated external to the project and does create visual impacts from the public vantage point.

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

1. Rancho Del Oro Industrial Master Development Plan
2. Zoning Ordinance
3. General Plan Land Use Element
4. California Environmental Quality Act (CEQA)
5. The Subdivision Ordinance

ANALYSIS

KEY PLANNING ISSUES

1. Does the proposed project fit within the area and consider adjacent parcels in

- regards to the intensity of development proposed, and as per the General Plan regulations?
2. Does the project propose development that is consistent with adopted City ordinances and policies for the underlying land use and zoning designation, as it relates to use, site design, and the required development standards?

DISCUSSION

GENERAL: Review for conformity with the applicable development regulations of the Rancho Del Oro Industrial Master Development Plan, Zoning Ordinance, and/or the General Plan. This industrial project and condominium subdivision meets or exceeds the established development regulations for the project site.

LAND USE AND COMPATIBILITY: As established by the Rancho Del Oro Master Development Plan, each project is subject to approval by the established RDO Architectural Review Committee, which review project conformity with the industrial park development standards. The RDO Architectural Review Committee provided a letter in support for the current project, and identified that the overall project scope is suitable at this location. Several existing industrial development projects similar in size and intensity exist in the immediate area.

The development is compatible with surrounding development. With exception of the over height walls, the project will meet and/or exceeds the development standards outlined by the Rancho Del Oro Master Development Plan and/or the Zoning Ordinance. As designed, this project meets the intent of the Rancho Del Oro Master Development Plan, General Plan, Zoning Ordinance, and Subdivision Ordinance in that it provides appropriate industrial development within an industrially designated zone.

Since smaller offices and warehouse suites are proposed, staff believes that this project will fulfill a need for the business park by providing smaller tenant opportunities and will promote smaller industrial type users and businesses. Although specific uses are not outlined under the current proposal, future tenants will be subject to the use restrictions of the RDO Master Development, Zoning Ordinance and/or project resolution, as attached, referencing office and warehouse uses limited by the established number of total off-street parking spaces.

The site is physically suitable for the type of uses proposed, in that the Rancho Del Oro Master Development Plan area is being developed with a variety and range of similar smaller, medium and larger industrial buildings. Future tenants may opt to conduct business related to manufacturing, research and development, and/or other uses appropriate for the industrial park.

ENVIRONMENTAL DETERMINATION

The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA).

SUMMARY

In summary, staff believes that the proposed Tentative Parcel Map, Development Plan, and Variance are consistent with the requirements of the approved Rancho Del Oro Master Development Plan, General Plan, Zoning Ordinance, and Subdivision Ordinance. The project meets or exceeds all required development standards. The project is compatible in the area based on location and zoning, and fits with surrounding development patterns and reflects a compatible architecture style within the Rancho Del Oro industrial area. As such, staff recommends that the Planning Commission:

- Approve Tentative Parcel Map (P-11-05), Development Plan (D-28-05), and Variance (V-14-05) and adopt Planning Commission Resolution No. 2006-P28 as attached.

PREPARED BY:

SUBMITTED BY:

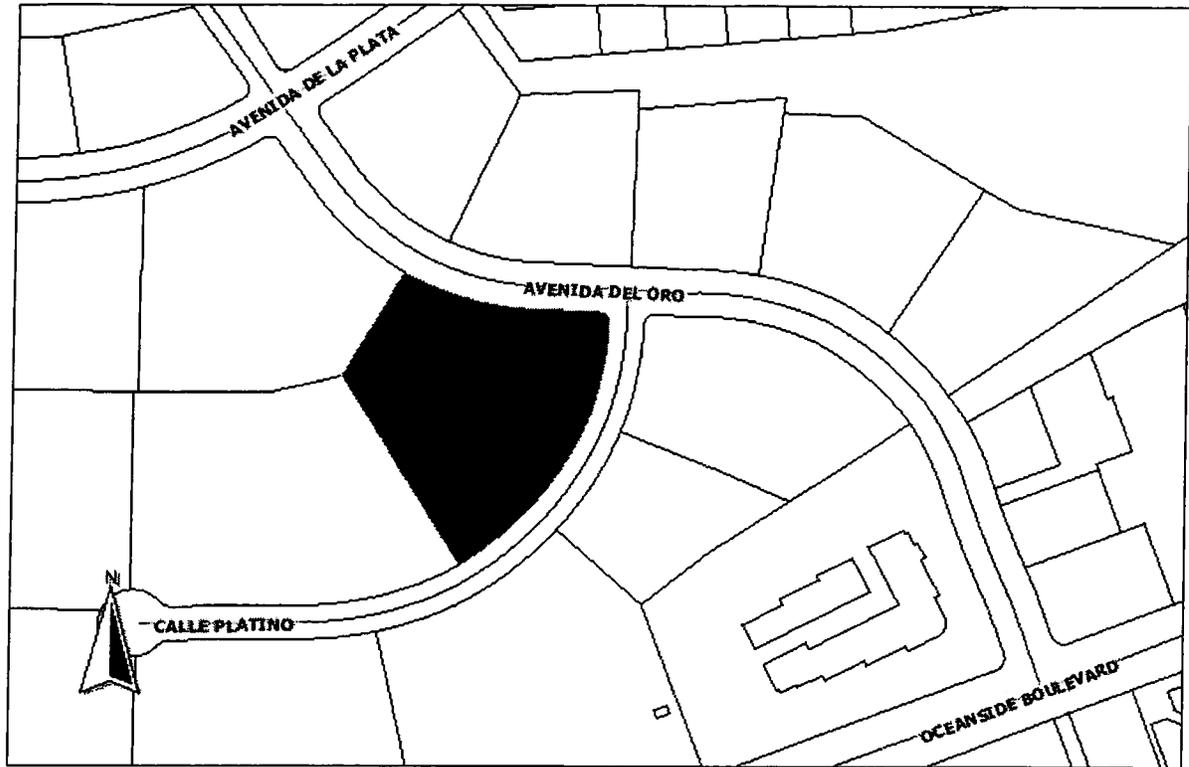
Roman Anissi
Senior Planner

Jerry Hittleman
Acting City Planner

JH/RA/fil

Attachments:

1. Site Plan, Floor Plan, Elevations, and Landscape Plans
2. Planning Commission Resolution No. 2006-P28



File Numbers: P-11-05TE08, D-28-05TE08, V-14-05TE08

Applicant: JRMC Real Estate, Inc.

Description:

A Time Extension for a TENTATIVE PARCEL MAP (P-11-05), DEVELOPMENT PLAN (D-28-05), and VARIANCE (V-14-05) to subdivide a 3.63-acre lot and create a 17-unit industrial condominium within two buildings located at 4096 Calle Platino. The project site is zoned PD-1 (Rancho Del Oro Planned Industrial) and is situated within the Ivey Ranch Rancho Del Oro Neighborhood. – **ESSEX RDO TIME EXTENSION**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

City of Oceanside, Planning Division
300 N. Coast Highway
Oceanside, CA 92054
(760) 435-3520



Application for Public Hearing

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

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Planning Department

STAFF USE ONLY

ACCEPTED

F. Burton
S. Nightingale
4/7/08

BY

F.B.
S.N.

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT
ESSEX RANCHO DEL ORO LLC
BURREL MAGNUSSON

2. STATUS
OWNER

3. ADDRESS
18012 SKY PARK CIRCLE STE 200
IRVINE, CA 92614

4. PHONE/FAX/E-mail
PH 949.798.8100
FX 949.798.5904

5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)
MIKE RAMSEY - LUSARDI CONSTRUCTION CO.

6. ADDRESS
1570 LINDA VISTA DRIVE
SAN MARCOS, CA

7. PHONE/FAX/E-mail
(760) 744-3133
EXT. 1310

PART II - PROPERTY DESCRIPTION

8. LOCATION
RANCHO DEL ORO BUSS. PARK
4096 CALE PLATINO, OCEANSIDE, CA

9. SIZE
3.63 AC.

10. GENERAL PLAN
PD-1

11. ZONING
PD-1

12. LAND USE
INDUSTRIAL

13. ASSESSOR'S PARCEL NUMBER
162-503-25

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
CONSTRUCTION OF 2 INDUSTRIAL CONDO BUILDINGS WITH OFFICE AND WAREHOUSE SPACE IN EACH SITE

15. PROPOSED GENERAL PLAN

16. PROPOSED ZONING
PD

17. PROPOSED LAND USE
INDUSTRIAL

18. NO. UNITS
17

19. DENSITY

20. BUILDING SIZE
B1 = 23,540 SF
B2 = 15,600 SF

21. PARKING SPACES
115 PROVIDED

22. % LANDSCAPE
33.6%

23. % LOT COVERAGE or FAR
24.7%

PART IV - ATTACHMENTS

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

PART V - SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print):
MIKE RAMSEY
LUSARDI CONSTRUCTION CO.

34. DATE
SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).

Sign:

35. OWNER (Print)
ESSEX RANCHO DEL ORO LLC
BURREL D. MAGNUSSON
36. DATE
3-24-08

I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Sign:

SCOTT

ESSEX RANCHO DEL ORO
REQUEST FOR TIME EXTENSION
DESCRIPTION & JUSTIFICATION

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Request for Time Extension

The applicant Essex Rancho Del Ore L.L.C. is requesting a time extension for the approved Tentative Map (P-11-05), Development Plan (D-28-05), Variance (V-14-05) with the previously approved date of 5/08/06. The project is currently finishing the Engineering plan check and will have to be resubmitted through the Building Dept. plan check process to comply with the current building codes.

Location & Regulation

Essex Rancho Del Oro is an approximate 3.63 acre in-fill site strategically located within the Rancho Del Oro Specific Plan in the city of Oceanside, California. The property is on the southwest corner of Avenida Del Oro and Calle Platino. With immediate access to Interstate 5 and Highway 78 and Highway 76, the project is centrally located to service all of north San Diego County. This project is regulated by, the Rancho del Oro Master Plan PD-1 Industrial zone, as per the Oceanside Zoning Ordinance. The project also has to be approved by the "Rancho Del Oro Technology Park Planning and Development Board" (Project has secured the Board's approval).

Size

The project will total approximately 39,000 square feet and consist of seventeen (17) smaller industrial condominium units in two buildings. With unit sizes ranging from approximately 1,350 square feet to 3,000 square feet and contiguous units to accommodate even larger users, the project will be able to accommodate a cross section of users from local, small businesses to regional and national high-tech assembly companies interested in owning their real estate rather than leasing.

Features

The two buildings will be of concrete tilt up construction with 16 feet clear height under roof structure. Each unit will be designed with a ground level loading door and provided with 200 amps of 277/480 volt electrical power. All of the units will be fire sprinklered with a .45/3000 gpm system. All of the units will be single story. Office areas will include two rest rooms and a finished general office area that can be built out by the user to suit their individual requirements. Some units will have coffee bars included in the office areas. The parking ratio will exceed the city's requirement and average approximately three (3) cars per thousand square feet of space. The number of bicycle parking spaces will comply with the minimum requirement by the city's standards. The project will have two trash enclosures to comply with the requirements of the city and

each trash enclosure will be capable to accommodate one bin for solid waste and one bin for recycling.

The project will have 1,020 square-feet outdoor employee eating area with furniture located at the northeast corner of the site. Complete onsite Fire department and truck access.

Required permits and Variance

In order to accomplish, required onsite Fire Department access, size of buildings, industrial condominiums, site features and city's requirements the project will need to include the approval of a Tentative Parcel Map, a variance for over-height retaining walls, and Development Plan to develop 17-units on an 18-lot industrial condominium complex in the Rancho del oro (RDO) Master Plan.

Enclosed with this document please find the Tentative Parcel Map, Site development Plan and letter of variance with exhibits for over-height retaining walls.

Marketing

The units will be offered for sale. The pricing for units within Essex Rancho Del Oro will range from \$195 to \$295 per square foot for the individual condominium units. Competing projects in this size range planned for the Oceanside market, range in price from \$180 to \$325. The units will be marketed by Grubb & Ellis/BRE Commercial. Our market research has demonstrated that there is a demand within north San Diego County and specifically the City of Oceanside for flex space of this size that can be owned by individual users rather than leased to them.

EXHIBIT "A"

All that certain real property situated in the County of San Diego, State of California, described as follows:

Parcel N of Parcel Map No. 12314, in the City of Oceanside, County of San Diego, State of California, filed September 15, 1982 in the Office of the County Recorder of San Diego County.

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CITY OF OCEANSIDE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

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:
ESSEX RANCHO DEL ORO, TENTATIVE PARCEL MAP (P-11-05), DEVELOPMENT PLAN (D-28-05), VARIANCE (V-14-05)

PROJECT LOCATION - SPECIFIC:
4096 Calle Platino

PROJECT LOCATION - GENERAL:
City of Oceanside

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:
Subdivision of a previously disturbed 3.63-acre lot in the Rancho Del Oro Business Park in order to a 17-unit commercial condominium project comprising of 18 newly created lots.

NAME OF PUBLIC AGENCY APPROVING PROJECT:
City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:
Essex Rancho Del Oro
C/o Burrel Magnusson
3146 Redhill Avenue, Suite 150
Costa Mesa, CA 92626
(310) 884-2800

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)

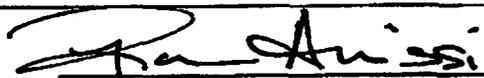
STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)

CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION(S) 15303(c)

REASONS WHY PROJECT IS EXEMPT:

Project proposes urban infill, where the site has been previously disturbed and graded in preparation for development. This project will not have a significant effect on the environment.

Contact Person: Roman Anissi, Senior Planner


SIGNATURE DATE
For: Jerry Hittleman, Acting City Planner