



DATE: August 19, 2009

TO: Chairman and Members of the Community Development Commission

FROM: Economic and Community Development Department

SUBJECT: **REVIEW OF CONCEPT PLAN FOR LOT 26 PARKING LOT EXPANSIONS AND COASTAL RAIL TRAIL PROJECT, AND DIRECTION TO STAFF**

SYNOPSIS

Staff is requesting that the Community Development Commission review the proposed concept plan for Lot 26 Parking Lot Expansion and Coastal Bike/Pedestrian Trail project and give staff direction regarding the preferred design of the project.

BACKGROUND

Staff is proposing the expansion of an existing parking lot north of Tyson Street adjacent to the railroad right-of-way to connect with the parking lot north of Wisconsin Street. The current proposed design for the parking lot has 230 new parking spaces and a Bicycle Pedestrian Trail. On June 2, 2009, the City Council was appraised of the proposed project via a pass-through memorandum.

In the early 1980s the Oceanside Pier Area Traffic/Parking/Urban Design Study identified approximately 700 potential public parking spaces near the location of the former railroad switching yards. The additional beach public parking spaces were needed to offset the increased beach usage by the general public. In the late 1980s, the City became aware that the Atchison Topeka and Santa Fe (AT&SF) railroad company was interested in selling off excess railroad land.

In October of 1989, the Santa Fe Pacific Realty Corporation sent certified letters to all of the property owners located on the east side of Myers Street from Wisconsin to First Street (Seagaze), informing them that they had 30 days to remove all buildings that encroached into the property owned by AT&SF. The letter was sent in anticipation of the City of Oceanside purchasing excess railroad land for construction of public parking lots. In December of 1989, a Quit Claim Deed was approved and recorded by AT&SF to the Oceanside Community Development Commission for approximately 9.5 acres of excess railroad land.

The acquisition of these properties was part of a larger project to construct five parking lots (see Exhibit A), #21, 22, 23, 26 & 27, on the east and west sides of the railroad tracks within this surplus land. All of the parking lots were ultimately constructed with Redevelopment funds except the portion from Tyson to Oak Street.

In 1997, six coastal Cities signed a Memorandum of Understanding that committed the City to implement the “Coastal Rail Trail” within the excess railroad right-of-way land for the purposes of creating a bike path from Oceanside to San Diego. In March 2006, the CDC approved a Regular Coastal Permit for the consideration of a portion of the 44-mile Regional Bicycle and Pedestrian Pathway/Trail from Wisconsin to Neptune, generally located within the property that the City acquired in 1989. The proposed trail was located along the western boundary of the railroad right-of-way. The City prepared construction plans and was ready to proceed, however, due to a lack of funding, the project was not built and the Coastal Permit expired.

In 2008, the CDC approved both the Beach Resort and CityMark projects. Both projects proposed to eliminate public parking spaces located on the west side of the tracks. In accordance with the Local Coastal Plan, removal of offsite parking spaces west of the tracks requires replacement at a ratio of one-to-one. When both projects were approved, the City identified the City-owned vacant area between Oak and Tyson Streets west of the railroad tracks as the location for a future parking lot. At that time, a conceptual parking lot plan depicted that the land between Oak and Tyson Streets would provide approximately 234 new public parking spaces. The CityMark project was required to provide 148 parking spaces and the Beach Resort 40.

ANALYSIS

The proposed design for the parking lot adds 230 new parking spaces and the Bicycle Pedestrian Trail. This plan meets the requirement for the replacement of public parking spaces for the downtown projects, in addition to providing a surplus of 47 net new parking spaces while still fulfilling the City’s commitment to provide a portion of the Coastal Rail Trail in this area. In addition, NCTD has requested that the City reconfigure the existing Oak/Wisconsin Street parking lot to provide for a safer access to the proposed bike path.

Recommended Plan

The proposed parking lot design has offset the project from the rear property line of the existing residential properties by three feet, per a proposed Encroachment Removal Agreement (see Exhibit B). Historically, property owners built structures up to the rear property line with no rear setbacks. In the past, the City allowed structures to be built on rear property lines if the lot abutting was an open space lot. It is likely that the railroad right-of-way was considered open space; therefore, building permits were issued for several structures on or near the rear property lines. The proposed three-foot offset would provide enough separation to meet building code setback requirements for these structures.

Alternative

In early June 2009, staff held a meeting in the field with several property owners and residents to discuss the proposed project. As was noted earlier, the City was aware that several buildings encroached into the City-owned property. Some of these property owners have owned their properties since the City first acquired the land in 1989. Although these property owners were aware of their encroachments, they would prefer that the City relocate the bike path to Pacific Street and grant a ten-foot encroachment agreement instead of the proposed three-foot. Their opinion was that a portion of the bike path is on Pacific Street between Morse Street and Oceanside Blvd. and that most people will stay on Pacific Street for the duration up to the bike path connection to the San Luis Rey River Bike Path.

There are nineteen lots that have encroachments with the three-foot setback. If the setback was to be increased to ten feet, there would only be four lots having encroachments. The types of encroachment range from fencing, landscape, patios, parking and other various structures.

Once the City Council gives staff direction on which concept plan to proceed with, staff will bring back the design for final approval. This project will need a Development Plan and a Coastal Permit. When the project is approved, staff will send notices to the property owners to vacate their encroachments. Staff will then proceed with construction drawings and go out for bids to build the project.

FISCAL IMPACT

None at this time; however, there is \$962,118 in a Redevelopment Capital Improvement Account #933886500591. These funds are Redevelopment Bond money which can only be used for the purposes of infrastructure within the Redevelopment Project Area.

INSURANCE REQUIREMENTS

Does not apply.

COMMISSION OR COMMITTEE REPORT

The Redevelopment Advisory Committee reviewed this staff report at its August 12, 2009, meeting.

CITY ATTORNEY'S ANALYSIS

Does not apply.

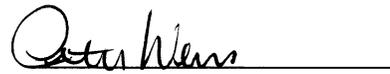
RECOMMENDATION

Staff is requesting that the Community Development Commission review the proposed concept plan for Lot 26 Parking Lot Expansion and Coastal Bike/Pedestrian Trail project and give staff direction regarding the preferred design of the project.

PREPARED BY:


Kathy Baker
Redevelopment Manager

SUBMITTED BY:


Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager
Jane McVey, Economic & Community Development Director
Scott Smith, City Engineer



ATTACHMENTS/EXHIBITS:

1. June 2, 2009 Pass Thru Memo
2. Exhibit A – Map of Downtown Parking Lots
3. Exhibit B – Proposed parking lot design

City of Oceanside

Economic & Community Development

Memorandum

DATE: June 2, 2009

TO: Honorable Mayor and City Councilmembers

THROUGH: Peter Weiss, City Manager *W*

FROM: Jane McVey, Economic and Community Development Director *JMC*
Kathy Baker, Redevelopment Manager *B*

SUBJECT: Extension of Parking lot 26

The City is in the process of constructing additional public parking spaces west of the rail road tracks. Some of these spaces were part of the approval for the Hotel and the City Mark Projects plus an additional 70-80 parking spaces are being provided. In addition to the parking spaces the City will be extending the Coastal Rail bike trail through this property.

This is land that the City of Oceanside purchased from the Atchison, Topeka and Santa Fe Railway Company several years ago. After buying this property, the City built two parking lots, one north of Tyson Street and another just north of Wisconsin Street. It has come to our attention that there are significant encroachments by adjacent property owners onto the City's property where the project is to be constructed, including several buildings built up to the property line.

The encroaching structures that interfere with the planned project will need to be removed in order for the project to proceed. To minimize the disturbance to the property owners along this edge, the City does not plan to build up to the property line, but instead plans to construct a wall three feet to the east of the property line, which may be up to six feet in height. In turn, the City plans to grant an easement to each affected property owner, to allow the property owners along this edge to use the three-foot-wide strip of City land for personal residential purposes.

Attached is an exhibit identifying the encroachments and the expanded parking lot design. Letters are being mailed to the affected property owners and occupants this week and City staff will be conducting meetings at the site on June 15th, 2009 to lay out the concept plan and schedule of the proposed parking lot and bike trail project and to answer any questions.

If you have any questions please contact me at kbaker@ci.oceanside.ca.us or 760-435-3547.



LEGEND:
Project Location



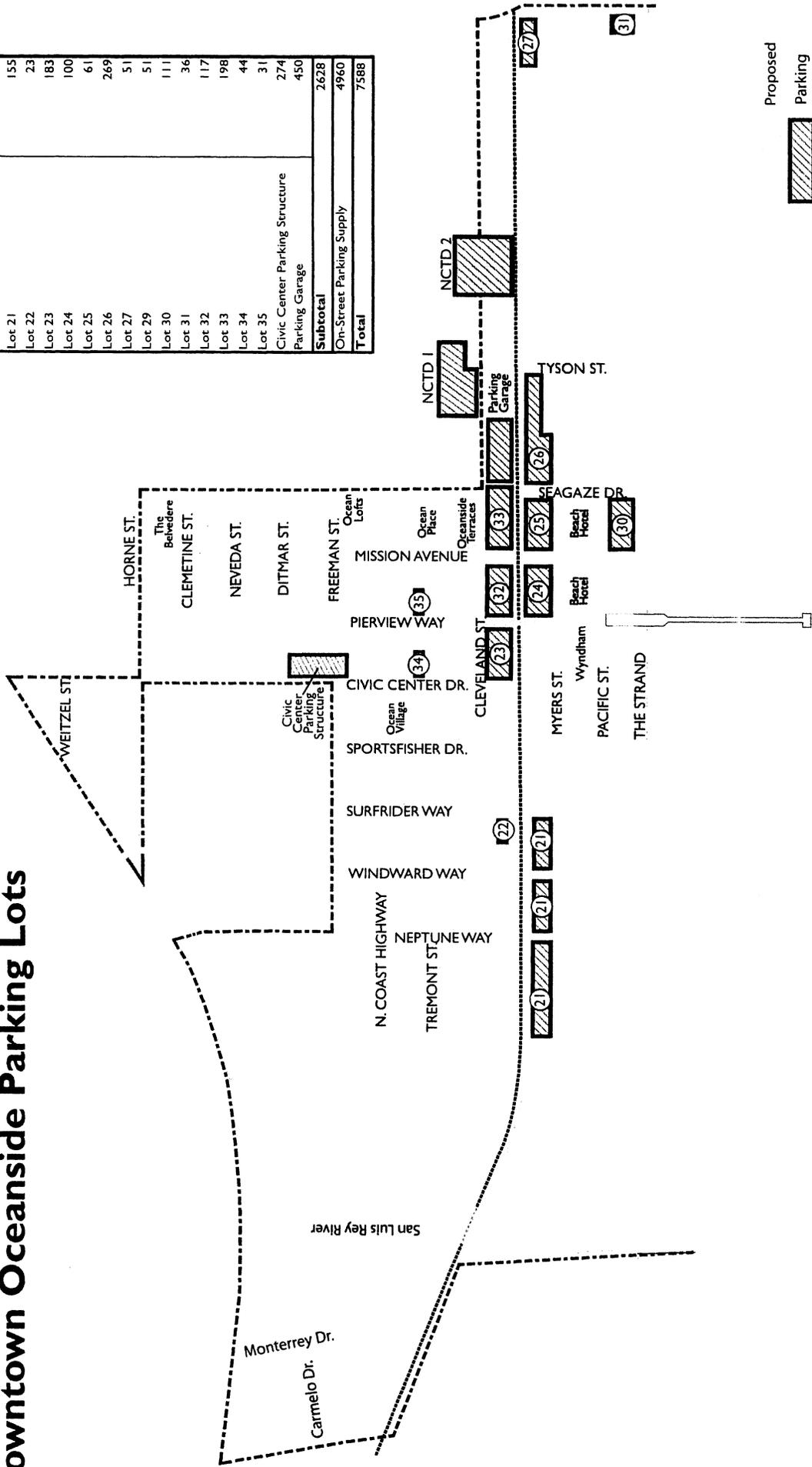
EXHIBIT
A

PROJECT: COASTAL RAIL TRAIL PARKING LOT — LOT 26

EXHIBIT NO. A

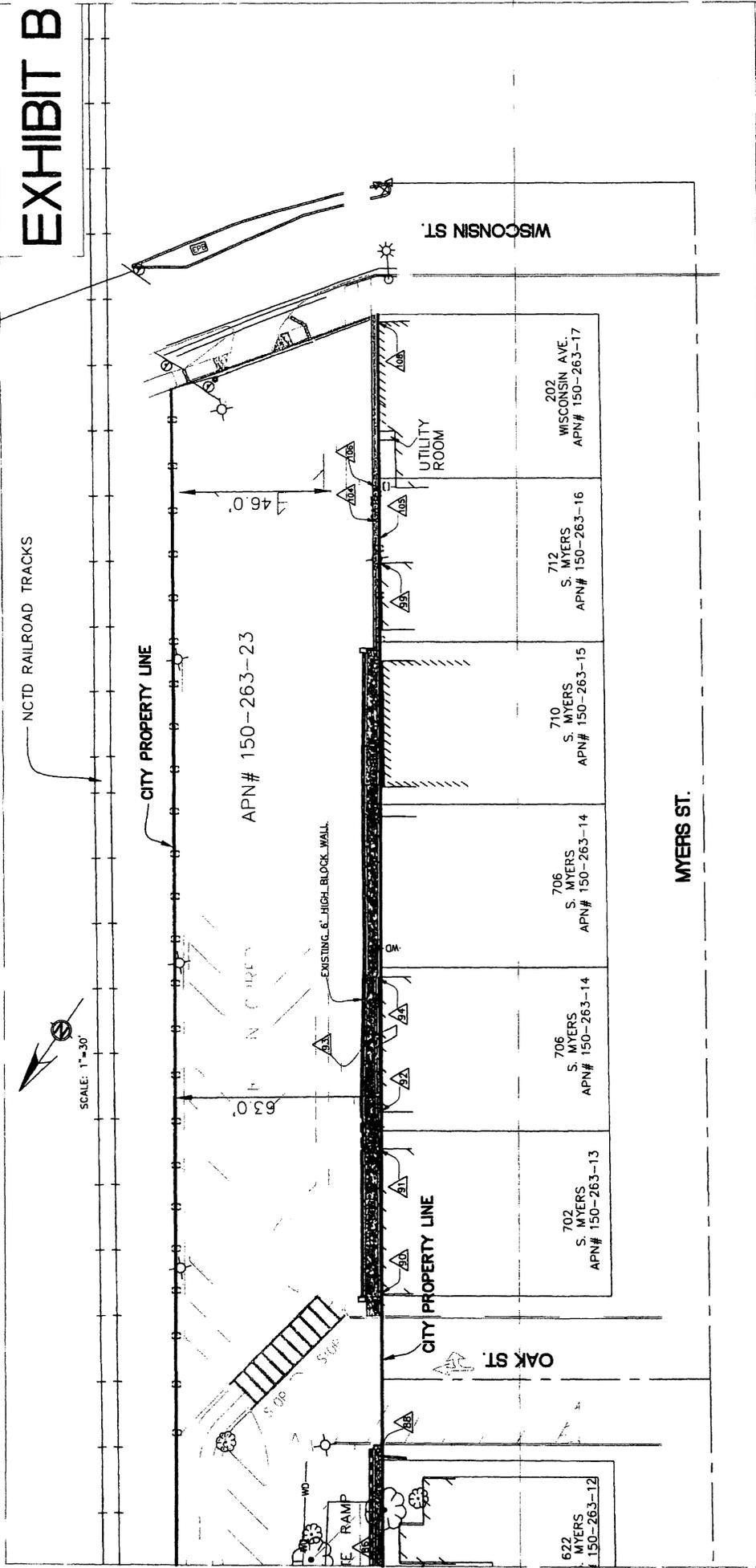
Downtown Oceanside Parking Lots

Off-Street Parking Supply	
Lot Number	Total Spaces
NCTD Lot 1	264
NCTD Lot 2	210
Lot 21	155
Lot 22	23
Lot 23	183
Lot 24	100
Lot 25	61
Lot 26	269
Lot 27	51
Lot 29	51
Lot 30	111
Lot 31	36
Lot 32	117
Lot 33	198
Lot 34	44
Lot 35	31
Civic Center Parking Structure	274
Parking Garage	450
Subtotal	2628
On-Street Parking Supply	4960
Total	7588



Proposed Parking
Undercrossing

EXHIBIT B



LEGEND:

	BLOCK/RETAINING WALL
	WOOD SLAT FENCING
	CONCRETE
	FINISH GRADE
	EASEMENT AREA
	EXISTING BUILDING
	WROUGHT IRON FENCE

ENCROACHMENTS CONTINUED:

	BUILDING CORNER AND OVERHANG
	WROUGHT IRON FENCE GATE CENTER LINE
	WROUGHT IRON FENCE, 7' HIGH
	WROUGHT IRON FENCE TEE, 7' HIGH
	BUILDING CORNER

ENCROACHMENTS:

	BLOCK WALL, 6' HIGH
	BUILDING CORNER
	BUILDING CORNER
	BUILDING CORNER AND OVERHANG
	OVERHANG
	BUILDING CORNER AND OVERHANG

PROPERTY OWNERS:

APN# 150-263-13	VIRGINIA MANOR APARTMENTS LLC
APN# 150-263-14	WOOD GREGORY/WOOD CARYL
APN# 150-263-15	VIRGINIA MANOR APARTMENTS LLC
APN# 150-263-16	VIRGINIA MANOR APARTMENTS LLC
APN# 150-263-17	VIRGINIA MANOR APARTMENTS LLC
APN# 150-263-23	CITY OF OCEANSIDE

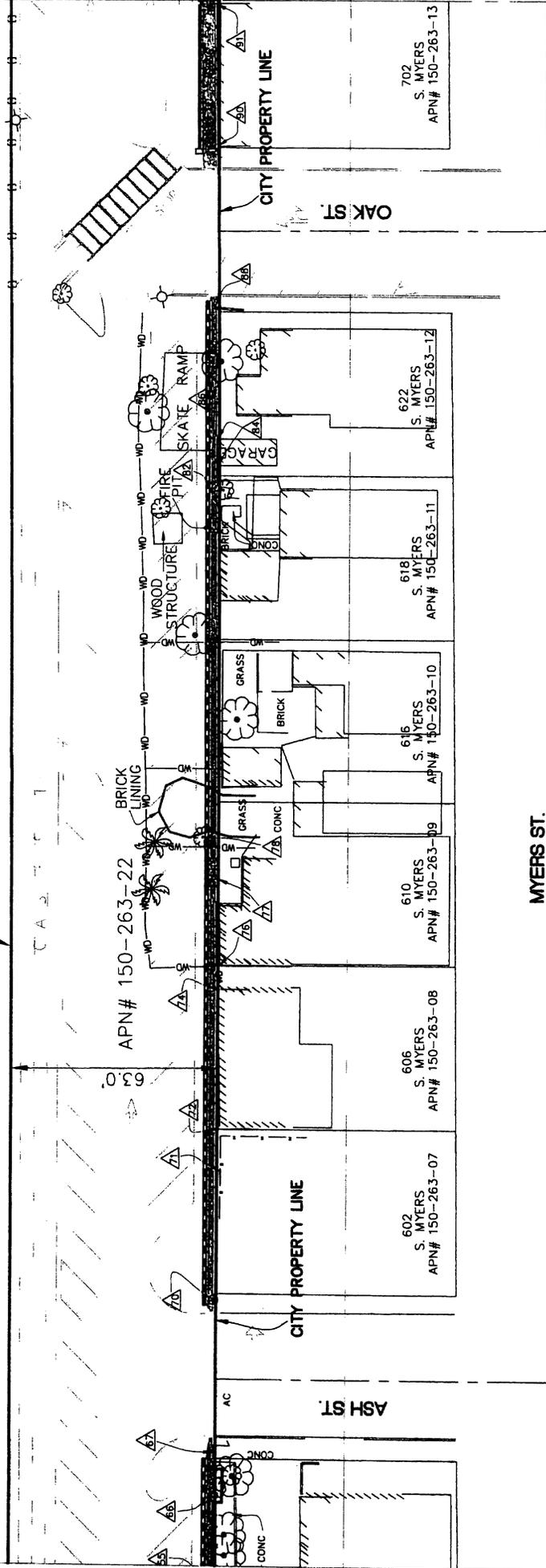
622 MYERS 150-263-12

EXHIBIT B

NCTD RAILROAD TRACKS

SCALE: 1"=30'

CITY PROPERTY LINE



PROPERTY OWNERS:

- APN# 150-263-07 602 INVESTMENT INC
- APN# 150-263-08 HAMILTON TIDA
- APN# 150-263-09 MENDOZA JACOB D / OLENNICK ALISON
- APN# 150-263-10 CROSWELL KEVIN J 03-17-98 / CROSWELL NANCY C
- APN# 150-263-11 VOUGHT RICHARD E 04-13-00 / VOUGHT JEAN A
- APN# 150-263-12 PARKS LIVING TRUST
- APN# 150-263-22 CITY OF OCEANSIDE

ENCROACHMENTS:

- △ BLOCK WALL ANGLES
- △ BLOCKWALL ANGLE
- △ TREE
- △ EDGE CONCRETE
- △ WOOD POST, 3" HIGH
- △ CHAIN LINK FENCE, 6' HIGH
- △ BUILDING CORNER

ENCROACHMENTS CONTINUED:

- △ BUILDING CORNER
- △ BUILDING CORNER AND OVERHANG
- △ EDGE OUTDOOR GRILL
- △ TREE
- △ BRICK
- △ BUILDING CORNER
- △ TREE
- △ BLOCK WALL, 6' HIGH

LEGEND:

- WD — BLOCK/RETAINING WALL
- WD — WOOD SLAT FENCING
- CONC CONCRETE
- FG FINISH GRADE
- EASEMENT AREA
- EXISTING BUILDING
- AC ASPHALT COVER
- x CHAIN LINK FENCE

702
S. MYERS
APN# 150-263-13

622
S. MYERS
APN# 150-263-12

618
S. MYERS
APN# 150-263-11

616
S. MYERS
APN# 150-263-10

610
S. MYERS
APN# 150-263-09

606
S. MYERS
APN# 150-263-08

602
S. MYERS
APN# 150-263-07

OAK ST.

MYERS ST.

ASH ST.

EXHIBIT B

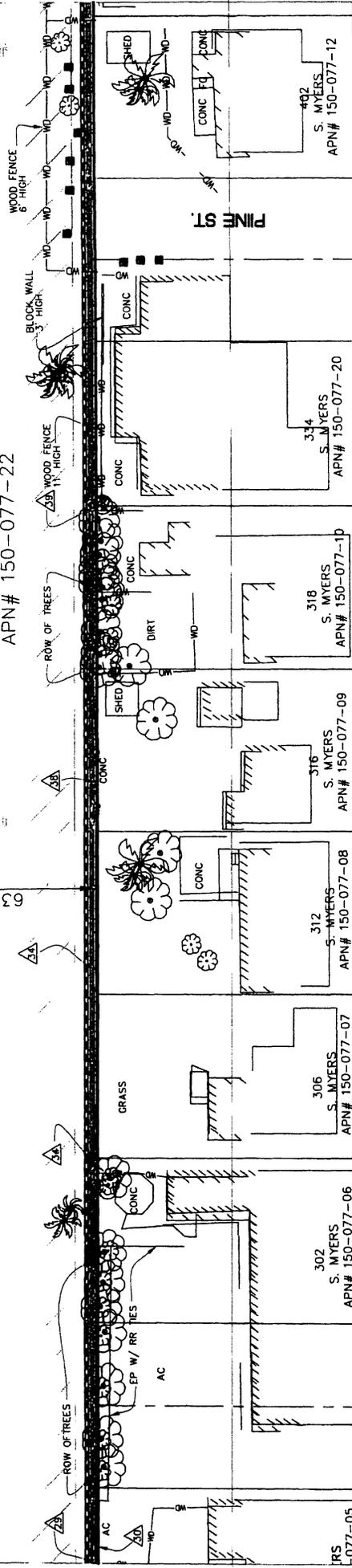
NCTD RAILROAD TRACKS

SCALE: 1"=30'

CITY PROPERTY LINE

LUCKY LAKE CREEK

APN # 150-077-22



FR ST.

MYERS ST.

PROPERTY OWNERS:

- APN# 150-077-06 MILLER HARRISON S / MILLER JOANNE
- APN# 150-077-07 MCKENNA GEORGE X & MARGARET FNO 1
- APN# 150-077-08 WOZENCRAFT LUCILLE Q 02-09-01
- APN# 150-077-09 WOZENCRAFT LUCILLE Q 02-09-01
- APN# 150-077-10 PECK ANTHONY / PECK MELODY G
- APN# 150-077-20 PATRICK DONALD A / PATRICK NORI S / LOUGHRAN FRANCIS G
- APN# 150-077-22 CITY OF OCEANSIDE

ENCROACHMENTS:

- 6' HIGH BLOCK WALL
- WOOD FENCE 5' HIGH & EDGE CONC.
- SEWER CLEAN-OUT

LEGEND:

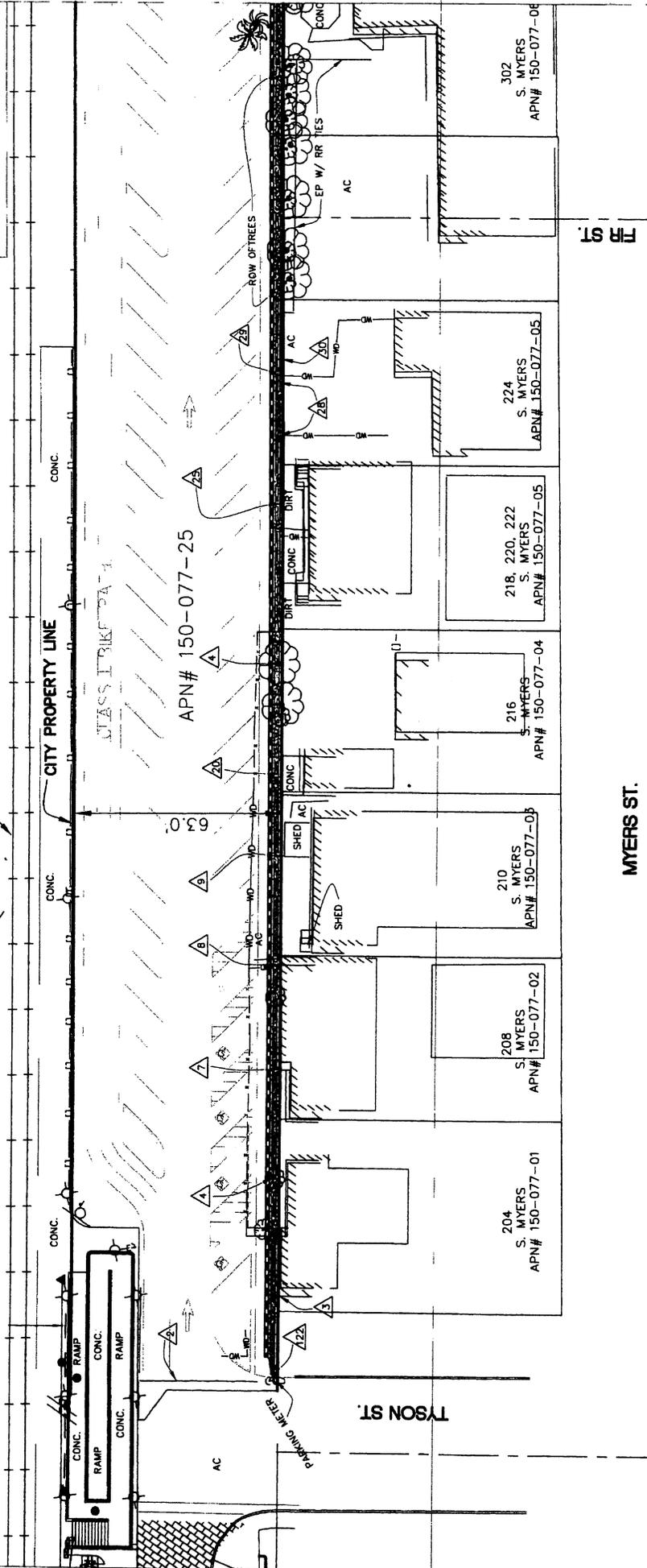
- BLOCK/RETAINING WALL
- WOOD SLAT FENCING
- CONC
- FG
- EASEMENT AREA
- EXISTING BUILDING
- ASPHALT COVER

EXHIBIT B

SCALE: 1"=30'

NCTD RAILROAD TRACKS

CITY PROPERTY LINE



PROPERTY OWNERS:

APN# 150-077-01	CELANO FRANK 1992 & FAMILY SUS/ MACDONALD JOHN H & ANNETTE K
APN# 150-077-02	CELANO FRANK 1992 & FAMILY SUS/ MACDONALD JOHN H & ANNETTE K
APN# 150-077-03	CELANO FRANK 1992 & FAMILY SUS/ PIRO MILDRED V/ LT 10-25-96
APN# 150-077-04	CONNOR E LOUISE 08-13-03/ CONNOR MICHAEL A & MOTTA KIMBE
APN# 150-077-05	YOUNG JAMES F / YOUNG JANICE L
APN# 150-077-25	CITY OF OCEANSIDE

ENCROACHMENTS:

△	LIP OF GUTTER
△	BUILDING CORNER
△	TREE
△	BUILDING CORNER
△	BUILDING CORNER
△	SHED
△	EDGE CONCRETE
△	WOOD FENCE, 6' HIGH

ENCROACHMENTS CONTINUED:

△	FENCE TEE
△	6' HIGH BLOCK WALL
△	EDGE PAVEMENT
△	GUY ANCHOR

LEGEND:

—	WOOD
—	CONC
—	FG
—	FINISH GRADE
—	EASEMENT AREA
—	EXISTING BUILDING
—	ASPHALT COVER
—	WROUGHT IRON FENCE
—	CHAIN LINK FENCE

LEGEND:

—	BLOCK/RETAINING WALL
—	WOOD SLAT FENCING
—	CONCRETE
—	FINISH GRADE
—	EASEMENT AREA
—	EXISTING BUILDING
—	ASPHALT COVER
—	WROUGHT IRON FENCE
—	CHAIN LINK FENCE

FR ST

MYERS ST.

TYSON ST.

204
S. MYERS
APN# 150-077-01

208
S. MYERS
APN# 150-077-02

210
S. MYERS
APN# 150-077-03

216
S. MYERS
APN# 150-077-04

218, 220, 222
S. MYERS
APN# 150-077-05

224
S. MYERS
APN# 150-077-05

302
S. MYERS
APN# 150-077-06