AGENDA NO. 4

PLANNING COMMISSION

STAFF REPORT

DATE: February 26, 2007

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department

SUBJECT: **CONSIDERATION OF A CONDITIONAL USE PERMIT (C-7-06), VARIANCE (V-4-06) AND REGULAR COASTAL PERMIT (RC-4-06) FOR THE DEVELOPMENT OF A SINGLE-FAMILY RESIDENCE ON A 2,500-SQUARE FOOT LOT WITH REDUCED EXTERIOR CORNER SIDEYARD SETBACKS (3-FT. IN LIEU OF 10-FT.) LOCATED AT 526 SOUTH CLEVELAND STREET– SCHREIBER RESIDENCE – APPLICANT: DALE & DONNA SCHREIBER**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

(1) Approve Conditional Use Permit (C-7-06), Variance (V-4-06) and Regular Coastal Permit (RC-4-06).

(2) Confirm issuance of a Class 3, Categorical Exemption "New Construction or Conversion of Small Structures" ; and,

(3) Adopt Planning Commission Resolution No. 2007-P13 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The 0.23-acre site is located at the northeast corner of Minnesota Avenue and Cleveland Street, within the Townsite neighborhood. The property is developed with a one-story 1,320-square foot commercial structure constructed in 1953. The grade is relatively flat with a two-foot grade differential between the highest and lowest points of the site.

Surrounding land uses include multi-family residential developments to the west, single-family detached residence to the northeast and a mixture of multi-family and single-family residential to the southwest.

The subject site is currently zoned High Density Residential (RH-U). The General Plan land-use designation is Urban High-Density Residential (UHD-R), which permits (29-43) units per gross acre.

Project Description: The project application is comprised of three components; Conditional Use Permit (C-7-06), Variance (V-4-06) and Regular Coastal Permit (RC-4-06) as follows:

Conditional Use Permit represents a request to:
(a) Construct a single-family residence, pursuant to Article 10 (HH) of the OZO.

Variance represents a request to:
(a) Permit a three-foot corner side setback in lieu of the required ten-foot setback pursuant to Section 1050.

Local Coastal Permit represents a request for the following:
(a) To construct a single-family dwelling pursuant to the Local Coastal Program (LCP). Proposed floor plan information is summarized below.

Plan Type	No. of Units	Floor Area (Sq. Ft.)	No. of Bedrooms	Garage	Stories
1	1	2,646	4	2-Car	2

The applicant proposes development of a single-family residence on a 2,500-square foot lot. Access to the residence and garages will occur at the alley located directly to the rear of the property.

The proposed architecture incorporates art deco details and complimentary use of materials such as (stone veneer, standing seam metal roofing, glass block, ceramic wall tiles and an awning).

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

1. Zoning Ordinance
2. General Plan Land Use Element
3. California Environmental Quality Act (CEQA)
4. Coastal Act/ Local Coastal program

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation on the subject property is UHD (Urban High-Density Residential). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element

Goal 1.23: Architecture
Objective: The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.
Policy A: Architectural form, treatments and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.

The single-family detached row home reflects an art deco architectural theme. The surrounding neighborhood includes a wide variety of single-family and multi-family dwelling designs and architectural styles. The proposed single-family residence will positively contribute to the eclectic building styles within the immediate area and will encourage redevelopment and enhancement of neighboring properties.

2. Zoning Compliance

This project is located in the Urban High-Density residential (RH-U) district and complies with the requirements of that zone. The following table summarizes proposed and applicable development standards for the project site:

	MINIMUM REQUIRED	PROPOSED
MINIMUM LOT SIZE	2500 sq. ft.	2,500 (due to lot line adjustment)
PARKING SPACES	2 –Spaces/DU within a garage	2 –Spaces/DU within a garage
FRONTYARD SETBACK	10-ft.	10-ft.
SIDEYARD SETBACK	3-ft.	3-ft.
EXTERIOR SIDE-YARD	10-ft.	3-ft. (Subject to Variance)
REARYARD SETBACK	5-ft.	5-ft.
LOT WIDTH	25-ft.	25-ft
BUILDING HEIGHT	27-ft.	27-ft.

The proposed project meets all applicable requirements of the Oceanside Zoning ordinance, with the exception of the corner side yard seatback for which the applicant has requested consideration/approval of a variance.

3. **Land Use Compatibility with surrounding developments**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	UHD (Urban High-Density Residential)	RH-U (Urban High-Density Residential)	Single Family Residential
North of Subject Property	UHD (Urban High-Density Residential)	RH-U (Urban High-Density Residential)	Vacant
East of Subject Property:	RH-U (Urban High-Density Residential)	RH-U (Urban High-Density Residential)	Multi-Family Residential
South of Subject Property:	UHD (Urban High-Density Residential)	RH-U (Urban High-Density Residential)	Multi-Family Residential
West of Subject Property:	Redevelopment	D-5 (Single Family & Multi-Family)	Multi-Family Condominiums

The land use for the site has been determined by staff to be consistent with the General Plan and the Zoning Ordinance designations as urban high-density residential. Although industrial and some commercial use uses exist in proximity to the site as non-conforming uses, redevelopment in the immediate area has resulted in a slow transition away from these types of uses, toward the establishment of new housing.

4. **Local Coastal Program compliance**

The proposed project is within the appealable portion of the Coastal Zone. The proposed project complies with the zoning code and Coastal Zone requirements, and will implement the following policies of the LCP:

- Section VI: Visual Resources and Special Communities Policy 8. of the LCP The City shall ensure that all new development is compatible in height, scale, color, and form with the surrounding neighborhood.

The proposed row home design complies with the maximum height limit of 27 feet that applicable within the subject zoning district. The project will be similar in height and massing as buildings on adjacent parcels to the west, which are subject to the redevelopment zoning criteria and allow taller residential structures up to a maximum height of 35 feet.

DISCUSSION

Issue: Project Compatibility with Existing Neighborhood Character: The proposed development is in compliance with applicable row home development standards, with the exception to the corner side setback reduction. The project will be compatible with other row home developments north of Cleveland Street, within the Redevelopment project area and will compliment the multi-family condominium developments to the west of the site.

Recommendation: The project includes a unique architecture style that will encourage development and architectural enhancements to the neighborhood. Although a very eclectic mix of designs and uses exist throughout the area, no one neighborhood characteristic dominates future direction of the community.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt pursuant to Class three, Section (15303 (a)) of the California Environmental Quality Act which states that the proposed project constitutes the development of no more than three single-family residences in an urbanized area.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot and tenants within a 100-foot radius of the subject property, individuals/organizations requesting notification, applicant and their representative, and interested parties. As of February 22, 2007, no communication supporting or opposing the request has been received.

SUMMARY

The Conditional Use Permit, Variance and Regular Coastal Permit are consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets all applicable development standards with the exception of the required corner side yard setback for which a variance has been requested. The project is compatible in terms of residential density, architecture, type and site design elements with the surrounding eclectic residential developments. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached staff Resolution. Staff recommends that the Planning Commission:

-- Move to approve Conditional Use Permit (C-7-06), Variance (V-4-06) and Regular Coastal Permit (RC-4-06) and adopt Planning Commission resolution No. 2007-P13 as attached.

PREPARED BY:

Scott Nightingale
Planner II

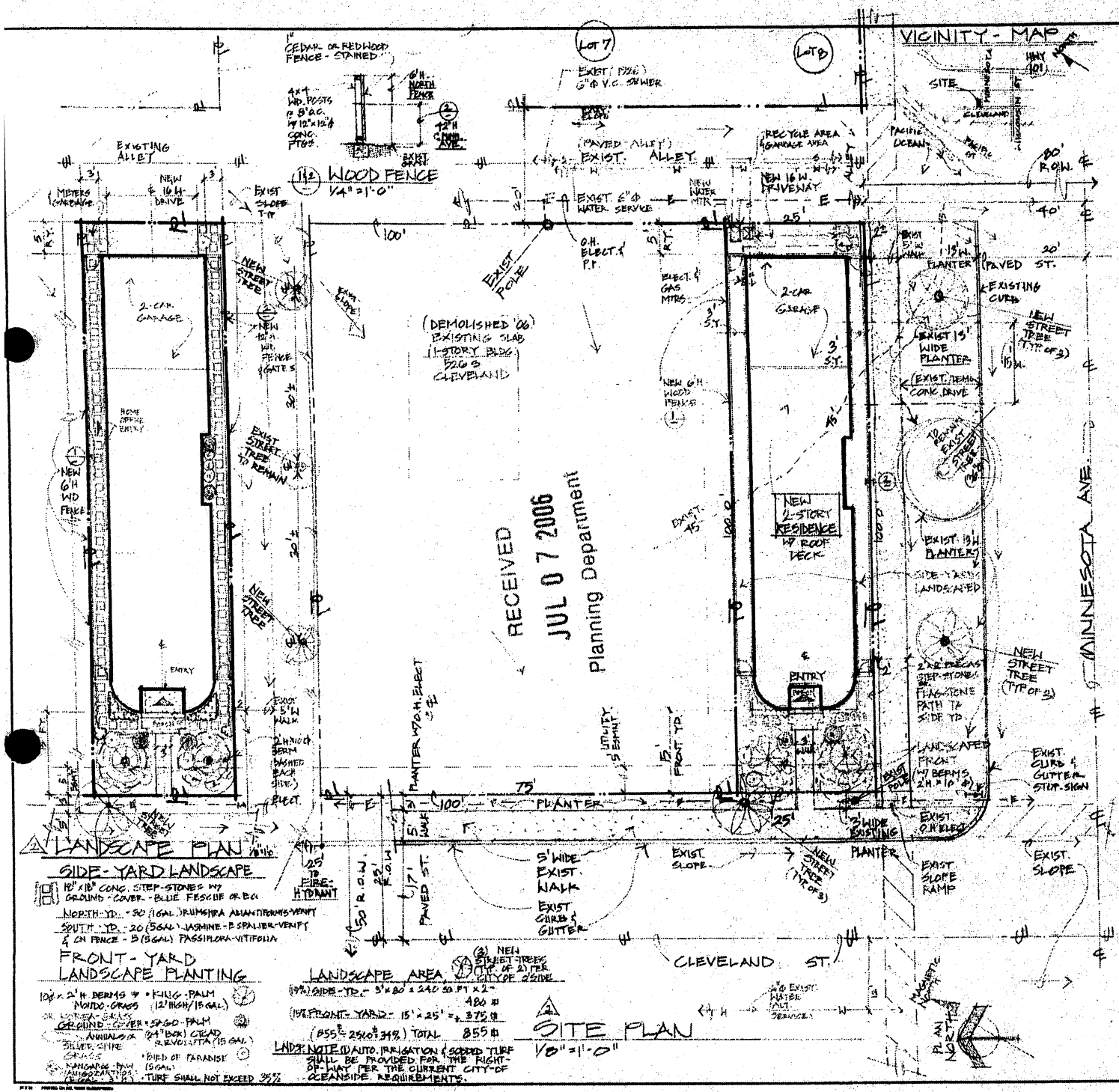
SUBMITTED BY:

Jerry Hittleman
City Planner

REVIEWED BY:
Amy Volzke, Principal Planner

JH/SN/fil

Attachments:
1. Floor/Elevation/Site Plans
2. Planning Commission Resolution No. 2007-P13
3. Historical Report
4. Site and Neighborhood photos



LANDSCAPE PLAN

SIDE-YARD LANDSCAPE

18" x 18" CONC. STEP-STONES W/ GROUND-COVER - BLUE FESCUE OR BOX

NORTH YD. - 30 (1GAL) RUMSHRA ABIANTIFRONS-VERNT

SOUTH YD. - 20 (5GAL) JASMINE - P. SPARLIER-VERNT & ON FENCE - 5 (5GAL) PASSIFLORA-VITIFOLIA

FRONT-YARD LANDSCAPE PLANTING

10'W x 2'H BERMS W/ KING-PALM (12' HIGH/15 GAL) NOTO-GRASS OR SOPER-GRASS

GROUND-COVER - SAGO-PALM, ANDALUSIA, SILVER-SPIRE, GRASS, BIRD OF PARADISE (15 GAL), MANZANITA (15 GAL), MANGANITA (15 GAL) - 3'H.

TURF SHALL NOT EXCEED 35%

LANDSCAPE AREA

(69%) SIDE-YD. - 3' x 80' = 240 SQ. FT. x 2 = 480 #

(15% FRONT-YARD - 15' x 25' = ± 375 #

(855 ÷ 2500 = 34%) TOTAL 855 #

(3) NEW STREET TREES (TYP OF 2) PER CITY OF 2'SIDE

LANDSCAPE NOTE: (1) AUTO. IRRIGATION & SODDED TURF SHALL BE PROVIDED FOR THE RIGHT-OF-WAY PER THE CURRENT CITY OF OCEANSIDE REQUIREMENTS.

SITE PLAN

1/8" = 1'-0"

1" CEDAR OR REDWOOD FENCE - STAINED

4x4 WD. POSTS @ 8' O.C. W/ 12" x 12" CONC. PTGS.

6'H. NORTH FENCE

12'H CHAIN-LINK

WOOD FENCE

1/4" = 1'-0"

PROJECT - DATA

A.P.N.	150-185-06
ADDRESS	826 S. CLEVELAND OCEANSIDE, CA.
OWNER	DALE & DONNA SCHREIBER 7136 ARGONAUTA WAY CARLSBAD, CA. 92009 TEL # (760) 423-2145 # (760) 729-1211 (WK)
SCOPE OF WORK	NEW DETACHED SINGLE FAMILY RESIDENCE
ZONE	LOCAL - COASTAL PROGRAM (LCP) GENERAL - PLAN (GP) & LAND USE ZONE HIGH-DENSITY-RESIDENTIAL (29-43 UNITS/AC)
SETBACKS	15'-FRONT / 5' REAR / 3' SIDE (25' * CORNER - 50' OF PROP. LINE)
MAX. HT.	27'
PARKING	2-CAR COVERED & 2 GUEST @ SURFACE PARKING
CITY of OCEANSIDE	FLAT - SETTING - PLA - 9-08 PLANNING # C-235 (GM)
COVERAGE	(084 @ 40%) + (1,414 @ 50%) = 57% (REQ. 60%) TOTAL
LOT-AREA	25' x 100' L. = 2,500 SQ. FT.

AREA SUMMARY

LOWER FLOOR 1,084 SQ. FT. HABITABLE

UPPER FLOOR 1,414 SQ. FT. HABITABLE

*ROOF ACCESS FLOOR ± 148 SQ. FT. HABITABLE MAX

TOTAL HABITABLE 2,646 SQ. FT.

* LOWER LEVEL - FOOTPRINT = 1,148 SQ. FT. x 10% = 148 SQ. FT.

GARAGE - AREA - 400 SQ. FT. & ENTRY - PORCH - 56 SQ. FT.

ROOF - DECK - 540 SQ. FT.

DIRECTORY

ARCHITECT: JIM WINFIELD, 121-B AVOCADO ST., LEUCADIA, CA. 92024, TEL # (760) 753-1004

CIVIL-ENGR.: CREW ENGINEERING & SURVEYING, 5725 KEARNEY VILLA RD. - STE. D, SAN DIEGO, CA. 92123, TEL # (858) 571-0555, FAX # (858) 571-0562

GENERAL NOTES

1. THIS PROJECT SHALL COMPLY WITH THE 2001 EDITION CA. BLDG. CODE (TITLE 24) WHICH ADOPTS THE 1997 U.B.C., 2000 U.P.C., 2000 U.M.C. & 2001 CA. ELECT. CODE
2. NO RETAINING WALLS ARE PROPOSED.
3. SMOKE DETECTORS SHALL BE LOCATED IN EACH BEDROOM AND IN THE HALL ADJOINING BEDROOMS.
4. APPROVED ADDRESS FOR RESIDENCES SHALL BE PLACED ON THE STRUCTURE TO BE PLAINLY-VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY. NUMBERS SHALL CONTRAST WITH WALL-COLOR.
5. RESIDENCES REQUIRE 4 INCH TALL SIGNAGE #'s.
6. ALL WATER & WASTEWATER CONST. SHALL CONFORM TO THE MOST RECENT EDITION OF: WATER, SEWER AND RECLAIMED WATER DESIGN & CONSTRUCTION MANUAL.

SHEET INDEX

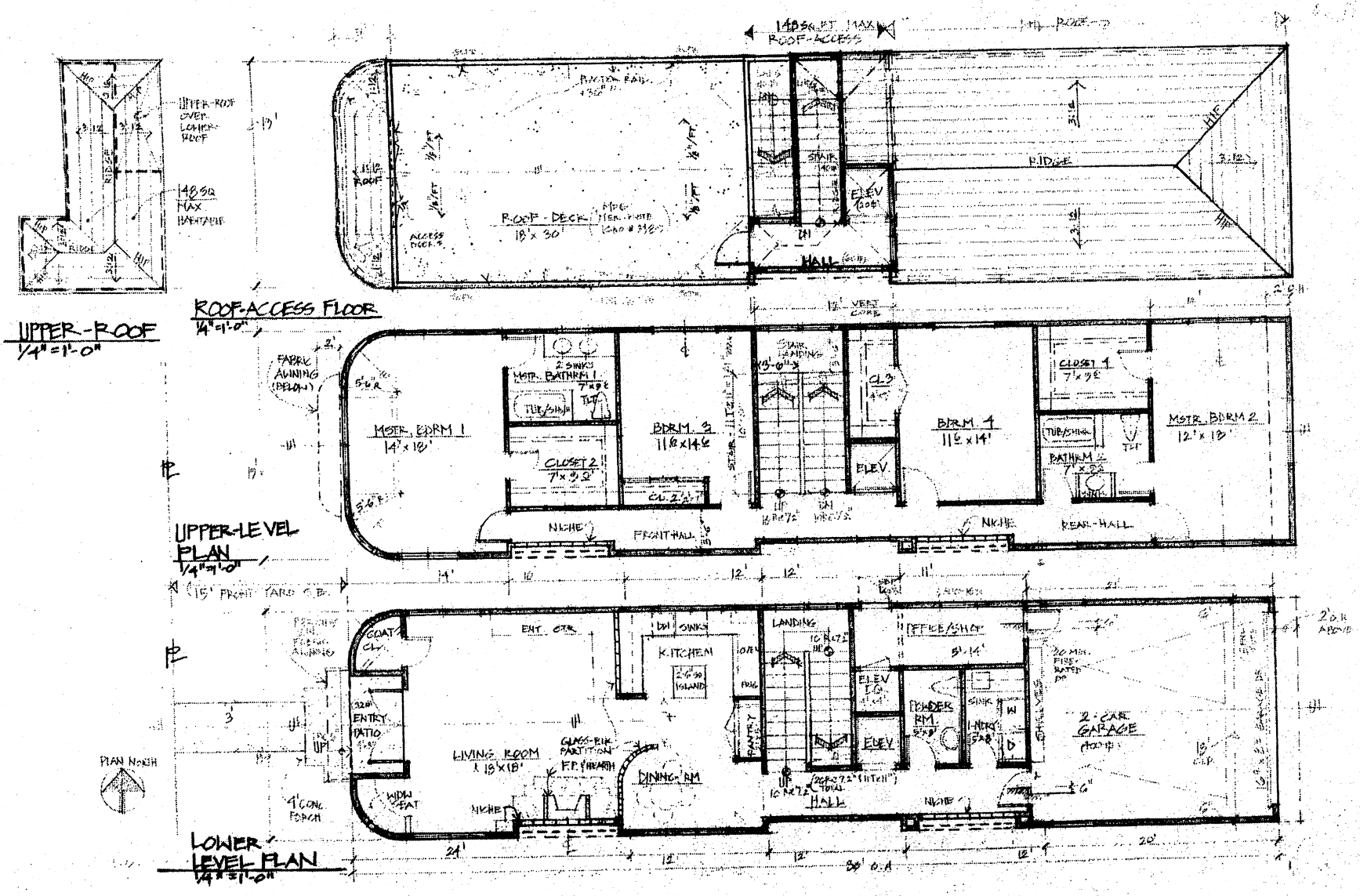
1.1 SITE PLAN & LANDSCAPE PLAN
2 FLOOR PLANS
3 ELEVATIONS
4 SECTIONS & ELEVATIONS
1 CIVIL - SITE - PLAN

REVISIONS
NOT 1 1-12-06
NOT 2 1-26-06
NOT 3 1-15-06
1 4-23-06
2 6-30-06

Date 1-9-06
Scale 1/8" = 1'-0"
Drawn JW
Job SCHREIBER
Sheet 1.1
Of Sheets

BUILDING NOTES:

1. ALL NEW DEVELOPMENT OF SINGLE-FAMILY & MULTI-FAMILY RESIDENTIAL UNITS SHALL INCLUDE HOT WATER PIPE INSULATION & INSTALLATION OF A HOT-WATER RECIRCULATION DEVICE OF DESIGN TO PROVIDE HOT WATER TO THE TAP WITHIN 15 SECONDS IN ACCORDANCE WITH CITY OF OCEANSIDE ORDINANCE #02-OR126-1.



REVISIONS

ADD 1 JAN 12 06

ADD 2 JAN 22 06

1 4-29-06

2 6-30-06

Ian Wiefield Architect

FLOOR PLANS

SCHREIBER RESIDENCE
526 S. CLEVELAND
OCEANSIDE, CA

Date 1-12-06

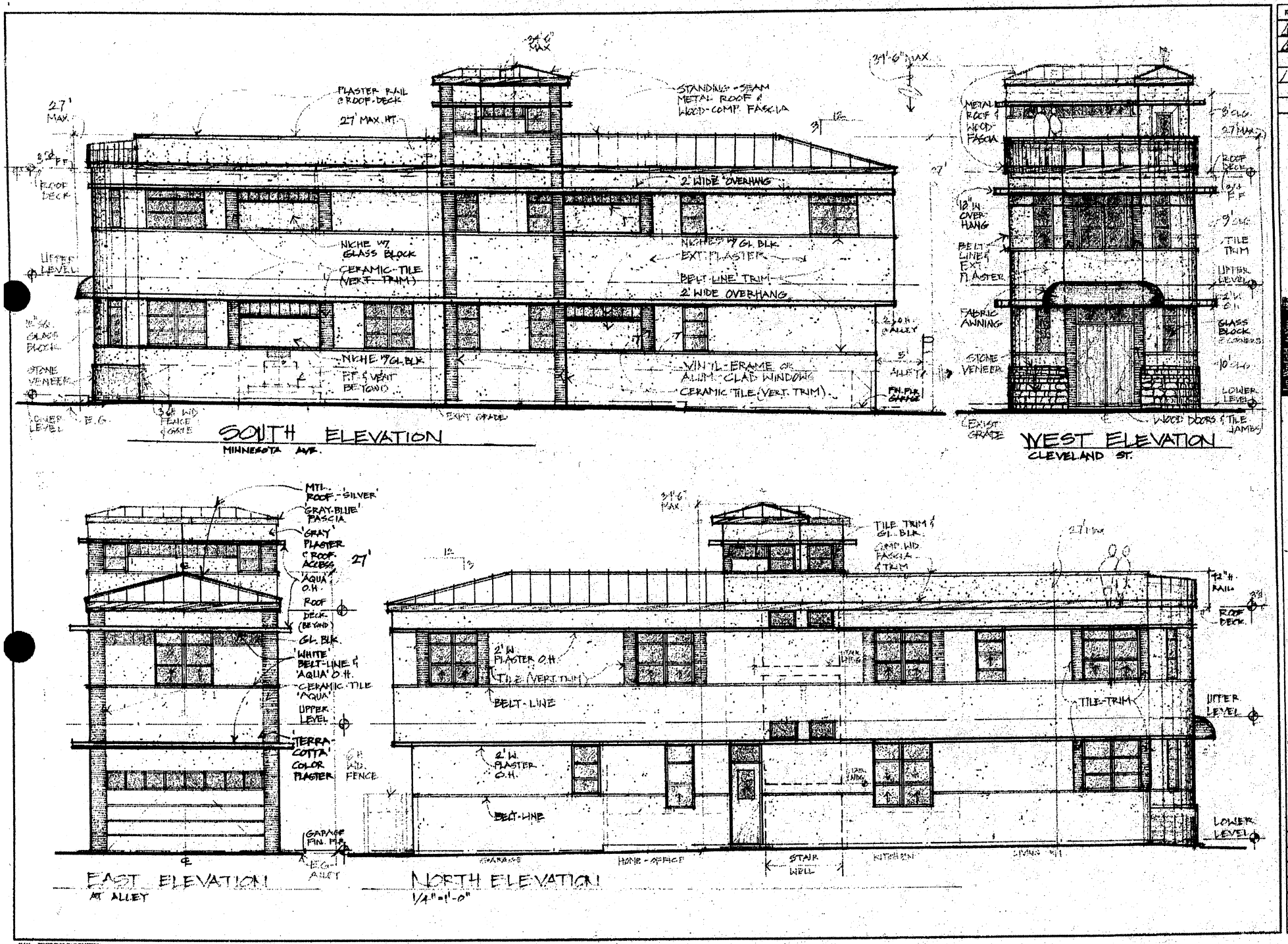
Scale 1/4"=1'-0

Drawn JW

Job SCHREIBER

Sheet 2

Of 4 Sheets

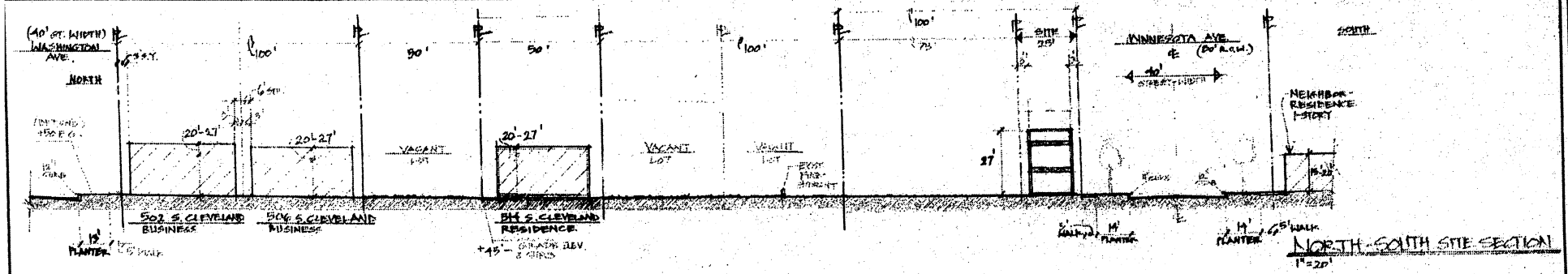


REVISIONS
1 1-29-06
2 6-30-06

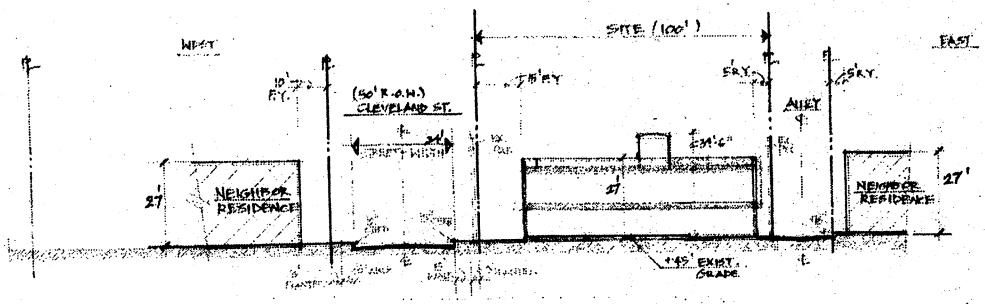
ELEVATIONS

SCHREIBER RESIDENCE
526 S. CLEVELAND
OCEANSIDE CA.

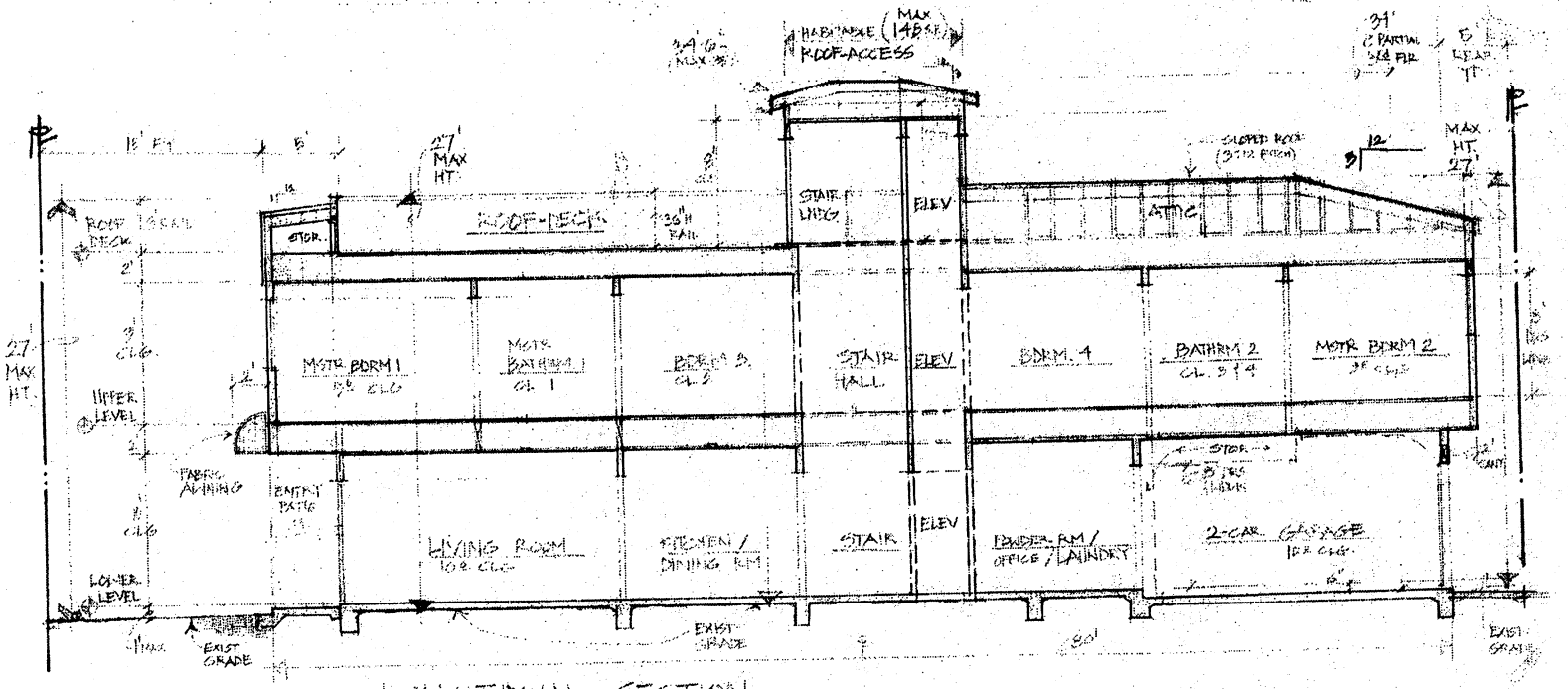
Date 4-29-06
Scale 1/4"=1'-0"
Drawn JW
Job SCHNEIDER
Sheet 3
of 1 Sheets



NORTH-SOUTH SITE SECTION
1" = 20'



EAST-WEST SITE SECTION
1" = 20'



LONGITUDINAL SECTION
1/4" = 1'-0"

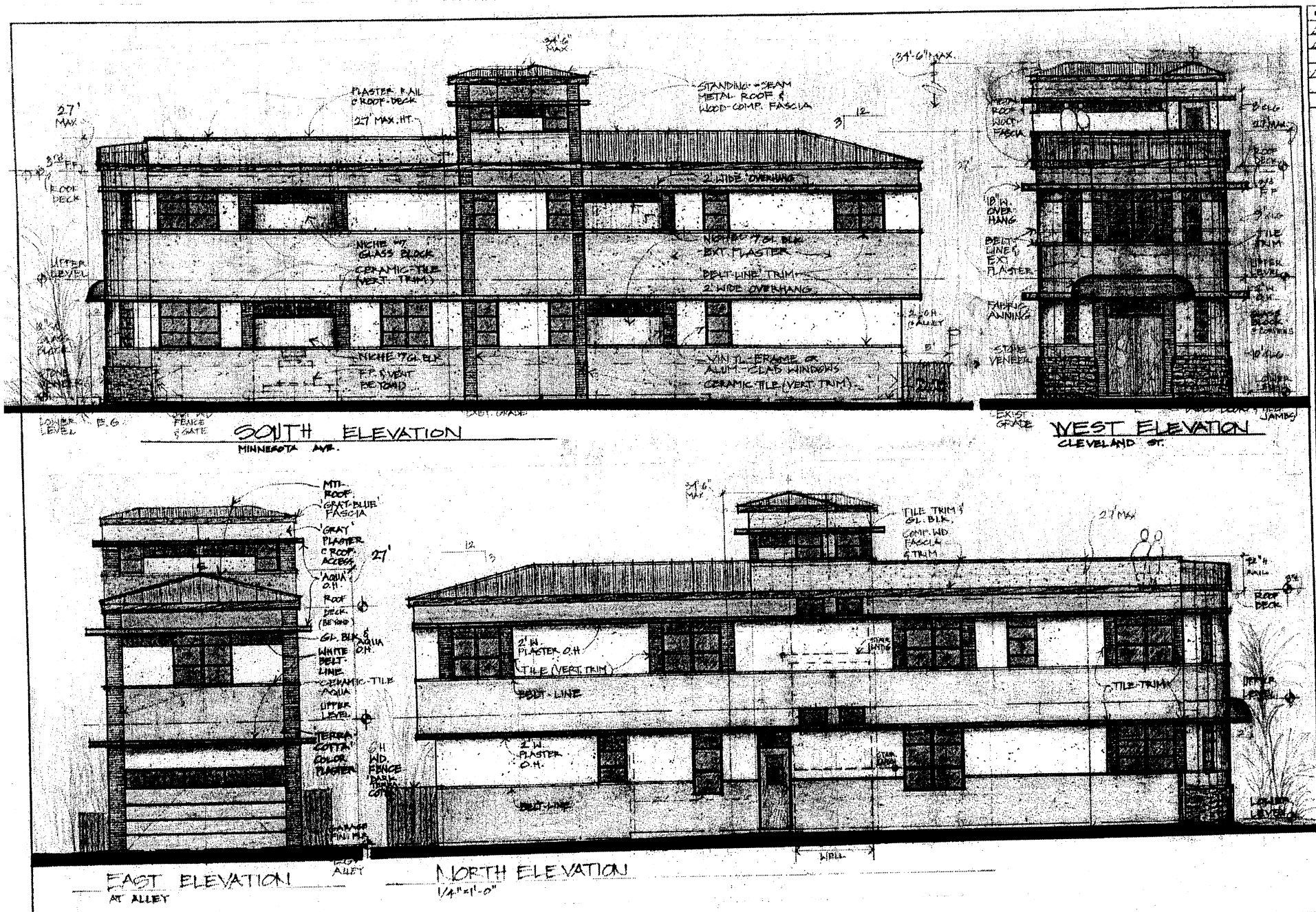
REVISIONS	BY
ADD 1-12-06	
ADD 1-26-06	
1-27-06	
2-27-06	

ELEVATIONS & SECTIONS

SCHREIBER RESIDENCE
526 S. CLEVELAND
OCEANSIDE, CA

Date 1-19-06
Scale 1/8" = 1'-0"
Drawn JJW
Job SCHREIBER
Sheet 4
Of 4 Sheets

C-7-06 / 9.19.06



REVISIONS	BY
1 1-30-06	
2 6-12-06	

COLORED ELEVATIONS

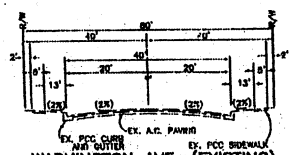
SCHREIBER RESIDENCE
526 S. CLEVELAND
OCEANSIDE, CA

Date 9-19-06
Scale 1/4"=1'-0"
Drawn JW
Job SCHNEIDER
Sheet 3 of 3 sheets

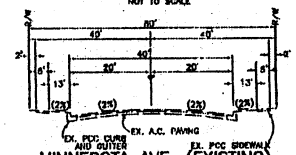
CLEVELAND STREET
LOT LINE ADJUSTMENT/ CUP

REAL PROPERTY IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

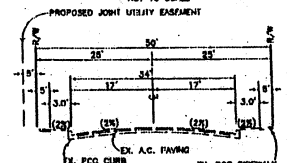
LOTS 9 AND 10 IN BLOCK 31 OF BRYAN'S ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 219, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 10, 1887.



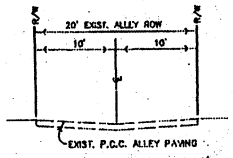
WASHINGTON AVE. (EXISTING)
TYPICAL SECTION
NOT TO SCALE



MINNESOTA AVE. (EXISTING)
TYPICAL SECTION
NOT TO SCALE



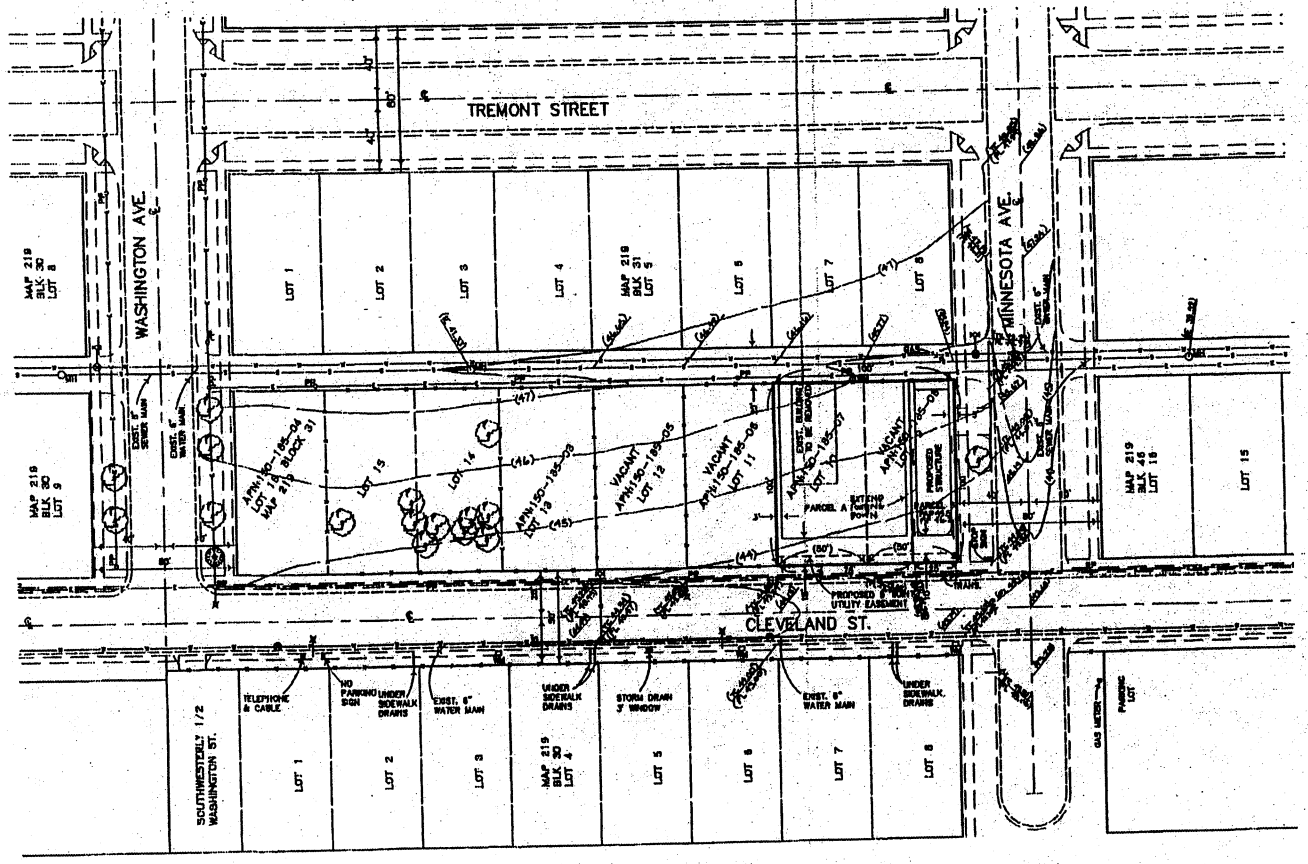
CLEVELAND STREET (EXISTING)
TYPICAL SECTION
NOT TO SCALE

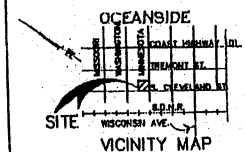


TYPICAL ALLEY SECTION
NOT TO SCALE

LEGEND

PROPERTY BOUNDARY	
PROPOSED LOT LINES	
EXIST. LOT LINES	
SETBACKS	
EXIST. TREES	
EXIST. BUILDING	
EXIST. FIRE HYD.	
EXIST. STREET LIGHT	
EXIST. SEWER	S
EXIST. WATER	W
EXIST. FENCE	X
EXIST. STORM DRAIN	
EXIST. ELECTRIC	E





VICINITY MAP

GENERAL NOTES

TOTAL ACREAGE	0.23 AC.
EXISTING ZONING	RH-U
PROPOSED ZONING	RH-U
PROPOSED LAND USE	URBAN HIGH DENSITY
GENERAL PLAN DESIGNATION	UHDR
NUMBER OF LOTS	2.0
NUMBER DWELLING UNITS	1.0
PROPOSED DENSITY	2500 SQ. FT. PER UNIT
CONTOUR INTERVAL	5' INTERVALS

GRAPHIC SCALE
(IN FEET)
1 inch = 10 ft.

OWNER/APPLICANT
DALE AND DONNA SCHREIBER
7183 ARGONAUTA WAY
CARLSBAD, CA 92009
(760) 438-2140

ENGINEER
CREW ENGINEERING AND SURVEYING
8725 KENNY VILLA ROAD, STE. "D"
SAN DIEGO, CA. 92123
(858) 571-0888
BY: Ronald C. Ashman 5/06
RONALD C. ASHMAN R.C.E. 34305
EXPIRES 9-30-07

RECEIVED
JUL 07 2006
Planning Department

CLEVELAND STREET

Date	05/19/06
Scale	1" = 30'
Drawn	S.G.
Approved	
Job	1298
Sheet	1
of	1 Sheets

NOTICE OF EXEMPTION
City of Oceanside, California

Post Date: Removal: (30 days)

1. **APPLICANT:** Dale & Donna Schreiber
2. **ADDRESS:** 7136 Argonalita Way
3. **PHONE NUMBER:** (760) 438-2140
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale
6. **PROJECT TITLE:** Schreiber Lot Line Adjustment
7. **DESCRIPTION:** A lot Line adjustment and development to a 2,500 square foot lot with a reduction in the required corner side yard setback.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Environmental Coordinator finds that the proposed project constitutes new construction. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

[ ] "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,

[ ] The project is statutorily exempt, Section_____, <name> (Sections 15260-15277); or,

[x] The project is categorically exempt, Class 1503 (a), (Section 15301-15329); or,

[ ] The project does not constitute a "project" as defined by CEQA (Section 15378).

Scott Nightingale, Planner II

Date: 2/26/07

cc: [ ] Project file [ ] Counter file [ ] Library Posting: [ ] County Clerk $50.00 Admin. Fee

PLANNING COMMISSION
RESOLUTION NO. 2007-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT, VARIANCE AND REGULAR COASTAL PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: C-7-06, V-4-06 and RC-4-06
APPLICANT: Dale and Donna Schreiber
LOCATION: 526 South Cleveland Street

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 Conditional Use Permit, a Variance and Regular Coastal Permit under the provisions of Articles 10, 41, 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

development of a 2,500-square foot lot with a single family row home;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 26th day of February, 2007 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 is statutorily exempt from CEQA per Section 1503 (a);

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:

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Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is $2,843-$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	$2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	$2.63 per square foot residential
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01 Resolution No. 06-R0334-1	$255 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. Residential is typically $3,746 per unit.
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically $4,587 per unit.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically $4,154 per unit.
Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code.	$1,000 per development project + $100 per unit plus $10,275 per unit.

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

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

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

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

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

FINDINGS:

Conditional Use Permit to allow for the Small-Lot Development:

1. The proposed development is located within the Urban High-Density Residential zone and with the exception of the requested variance for the proposed reduction in the corner side yard setback, the project meets applicable development requirements of the subject district. The proposed project is in accord with the objectives of the Zoning Ordinance and purposes of the district in which it is located.
2. The location and conditions under which the subject application is approved will insure that the project will not cause detriment to the public health safety or welfare of persons residing or working in or adjacent to the project area.
3. The project has been adequately conditioned or designed to comply with applicable requirements of the Zoning Ordinance.

For the Regular Coastal Permit:

1. The proposed project is consistent with the policies of the Local Coastal Program as implemented through the Zoning Ordinance. Specifically, the physical aspects of the project are consistent with the properties neighboring the project site. In addition, the

project will not substantially alter or impact existing public views of the coastal zone area.

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

For the Variance for the Reduction in the Corner Side yard setback:

1. The proposed three-foot corner-yard setback is consistent with similar sized lots located on Cleveland Street and North of Minnesota Avenue within the Coastal Zone. The strict applications of the requirements of the Zoning Ordinance will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification.

2. The proposed three-foot side yard setbacks will not make the property or use out-of-character with properties in the vicinity. As such, granting the Variance for the proposed small lot reduced setback will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare.

3. The granting of the reduction in setbacks will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Conditional Use Permit (C-7-06), Variances (V-4-06) and Regular Coastal Permit (RC-4-06) subject to the following conditions:

Building:

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

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

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

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

5. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and shall be shielded appropriately. Where color rendition is important high-pressure sodium, metal halide or other such lights may be utilized and shall be shown on final building and electrical plans.

6. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the plans.

7. Separate/unique addresses will/may be required to facilitate utility releases. Verification that the addresses have been properly assigned by the City's Planning Division must accompany the Building Permit application.

8. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation will be required at time of plans submittal to the Building Division for plan check.

9. A Building (Demo) Permit will be required for the demolition of any existing structures. Plans for the Demolition Permit must clearly show that all utilities (electric, gas, water, & sewer) are properly terminated/capped in accordance with the requirements of the utility service provider. All/any underground septic or water storage tanks must be removed or filled in accordance with the Uniform Plumbing Code and/or the City's Grading Ordinance.

10. The roof deck as designed equals more than 500 square feet and would require a second exit per 1004.2.3.2 Exception 5 of the UBC.

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

    a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not inherently noise-producing. Examples of work not permitted on Saturday are concrete and grout pours, roof nailing and activities of similar noise-producing nature. No work shall be permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day) except

as allowed for emergency work under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).

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

Engineering:

12. Vehicular access rights to Cleveland Street and Tremont Street shall be relinquished to the City from all abutting lots.

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

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

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

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

b) All grading and related site preparation and construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering related construction activities shall be conducted on Saturdays, Sundays or legal holidays unless written permission is granted by the City Engineer with specific limitations to the working hours and types of permitted operations. All on-site construction staging areas shall be as far as possible (minimum 100 feet) from any existing residential development. Because construction noise may still be intrusive in the

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

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

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

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

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

18. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon approved soil tests and traffic indices. The pavement design is to be prepared by the developer's soil engineer and must be approved by the City Engineer, prior to paving.

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

20. Grading and drainage facilities shall be designed and installed to adequately accommodate the local stormwater runoff and shall be in accordance with the City's Engineers Manual and as directed by the City Engineer.

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

22. Prior to any building or grading of any part of the project, a comprehensive soils and geologic investigation shall be conducted of the soils, slopes, and formations in the project. All necessary measures shall be taken and implemented to assure slope stability, erosion control, and soil integrity.

23. An erosion control plan shall be prepared, reviewed, secured and approved prior to the issuance of any building permits. The plan shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage, footprints of all structures, walls, drainage devices and utility services.

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

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

Fire:

26. Smoke detectors are required and detector locations must be indicated on the plans.

27. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the plans.

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

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

Planning:

30. This Conditional Use Permit, Variance and Regular Coastal Permit shall expire on February 26, 2009, unless a time extension is granted by the Planning Commission.

31. This Conditional Use Permit, Variance and Regular Coastal Permit approves the development of a single-family row home and a reduction of the corner sideyard requirement to three feet as shown on the plans and exhibits presented to the Planning Commission for review and approval. No deviation from these approved plans and exhibits shall occur without Planning Division approval. Substantial deviations shall require a revision to the Conditional Use Permit, Variance and Regular Coastal Permit or a new Conditional Use Permit, Variance and Regular Coastal Permit.

32. Approval of Conditional Use Permit (C-7-06), Variance (V-4-06) and Regular Coastal Permit (RC-4-06) is contingent upon approval of lot line adjustment (PLA-9-05). No permit shall be issued prior to the approval of the lot line adjustment.

33. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Conditional Use Permit (C-7-06), Variance (V-4-06) and Regular Coastal Permit (RC-4-06). The City will promptly notify the applicant of any such claim, action or proceeding against the city and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

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

35. Prior to the issuance of building permits, compliance with the applicable provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed

and approved by the Planning Division. These requirements, including the obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted on the Landscape Plan and shall be recorded in the form of a covenant affecting the subject property.

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

37. Failure to meet any conditions of approval for this development shall constitute a violation of the Conditional Use Permit, Variance and Regular Coastal Permit.

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

39. The developer's construction of all fencing and walls associated with the project shall be in conformance with the approved Plans. Any substantial change in any aspect of fencing or wall design from the approved plans shall require a revision to the project or a new Regular Coastal Permit.

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

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41. Side and rear elevations and window treatments shall be trimmed to substantially match the front elevations. A set of building plans shall be reviewed and approved by the Planning Division prior to the issuance of building permits.

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

43. The existing house is required to be photographed documented in accordance with OHPAC Policy 1.

Water Utilities:

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

45. The property owner will maintain private water and wastewater utilities located on private property.

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

47. All Water and Wastewater construction shall conform to the most recent edition of the Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by the Water Utilities Director.

48. All public water and/or sewer facilities not located within the public right-of-way shall be provided with easements sized according to the Water, Sewer, and Reclaimed Water Design and Construction Manual. Easements shall be constructed for all weather access prior to the approval of engineering design plans.

49. No trees, structures or building overhang shall be located within any water or wastewater utility easement prior to the approval of engineering design plans.

50. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover of the public sewer shall be protected from backflow of sewage by installing and maintaining an approved type backwater valve, per the Uniform Plumbing Code (U.P.C.) prior to the approval of engineering design plans.

51. The existing 8-inch sewerline in the alleyway will need to be sliplined from the nearest upstream manhole to the nearest downstream manhole. Please show or callout on plans prior to the approval of engineering design plans.

52. The existing 6-inch waterline in the alleyway will need to be upsized to 8 inches along the property frontage to the street centerline of Minnesota Avenue to comply with current City standards. Please show or callout on plans prior to the approval of engineering design plans.

53. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to be paid to the City and collected by the Water Utilities Department at the time of Building Permit issuance prior to issuance of building permits.

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

PASSED AND ADOPTED Resolution No. 2007-P-13 on February 26, 2007 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Dennis Martineck, Chairman
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. 2007-P13.

Dated: February 26, 2007

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

Primary # _____
HRI# _____
Trinomial _____
NRHP Status Code _____

Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 3 *Resource Name or #: (Assigned by recorder) 526 S. Cleveland St.

P1. Other Identifier: Bryan's Addition, Block 31, Lots 9 & 10

*P2. Location: ☐ Not for Publication ☒ Unrestricted

*a. County San Diego and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad _____ Date _____ T __; R __; __ ☐ of __ ☐ of Sec __; _____ B.M.

c. Address 526 S. Cleveland St. City Oceanside Zip 92054

d. UTM: (Give more than one for large and/or linear resources) Zone __, _____ mE/ _____ mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)
APN#150-185-07 The building is located at the northeast corner of S. Cleveland & Minnesot

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The resource consists of a one-story commercial building of approximately 1320 sq. ft. The building is still in its original location situated along one side of a corner lot with a large asphalt driveway area fronting on Minnesota Street. The building appears to be in fair condition with no particular design characteristics. It is a simple box with a flat roof and stucco covered walls. The wood frame building was built with steel trusses and a reinforced concrete foundation. The windows are wood framed. The roof is covered with a composition material.

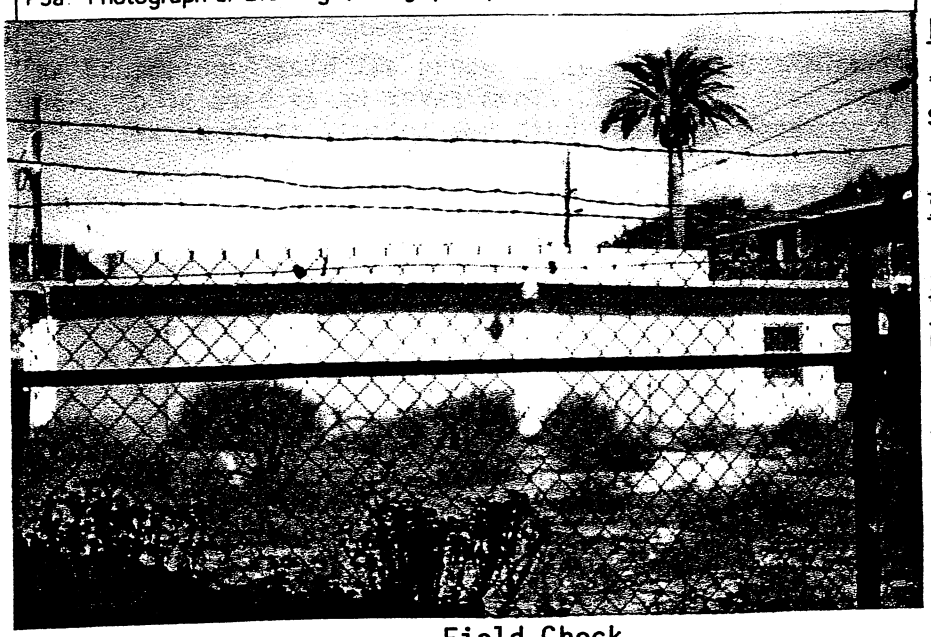
Reminiscent of the old west, a small false front has been added to the front of the building.

Please see Continutation Sheet for further information.

*P3b. Resource Attributes: (List attributes and codes) Commercial building HP5

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

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.)



P5b. Description of Photo: (view, date, accession #) View from Minnesota looking north. 11/7/05

*P6. Date Constructed/Age and Source: ☒ Historic ☐ Prehistoric ☐ Both
1953
San Diego County Assessor

*P7. Owner and Address:
Schreiber Family Trust
7163 Argonauta Way
Carlsbad, CA 92009

*P8. Recorded by: (Name, affiliation, and address)
Mary Taschner
128 S. Pacific St.
~~Oceanside, CA 92054~~

*P9. Date Recorded: 11/7/05

*P10. Survey Type: (Describe) Field Check

*P11. Report Citation: (Cite survey report and other sources, or enter "none.")

*Attachments: ☐ NONE ☒ Location Map ☒ Continuation Sheet ☒ Building, Structure, and Object Record
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record
☐ Artifact Record ☐ Photograph Record ☐ Other (List):

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MAR 14 2006
Planning Department

*Required information

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

Primary # _____
HRI # _____

*NRHP Status Code _____

Page 3 of 3 *Resource Name or #(Assigned by recorder) 526 S. Cleveland St.

B1. Historic Name: None
B2. Common Name: None
B3. Original Use: Car Wash
B4. Present Use: Vacant
*B5. Architectural Style: None
*B6. Construction History: (Construction date, alterations, and date of alterations)

The building was constructed in 1953 per the San Diego County Assessor. No alterations have been made.

*B7. Moved? (No) Yes Unknown Date: _____ Original Location: _____

*B8. Related Features: None

B9a. Architect: None b. Builder: Unknown

*B10. Significance: Theme Commercial garage Area: Oceanside, CA

Period of Significance: 1953-present Property Type: Commercial Applicable Criteria: n/a
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The building is located in an area which is in transition. At the present time, the neighborhood consists of mixed uses including residential, commercial and vacant property.

The present structure occupying the property does not qualify for nomination to the National Register of Historical Resources under any criteria. It was built to be used for commercial purposes using only basic construction methods and no rare or unique materials. It does not represent the work of a master architect or builder. It was probably built by the owner or a local carpenter. The building is not associated with any known historic events. Persons of historic standing are not associated with it. The building is unlikely to offer any information which would be of local, state or national historic inportance. This study has effectively exhausted all research potential which may have existed for this building.

B11. Additional Resource Attributes: (List attributes and codes) _____

*B12. References: Assessor's Records, San Diego County; The Oceanside Blade Tribune, 1966, 1984, 1989; Interviews with Robert Fierros and Dale Schreiber; Social Security Death Index.

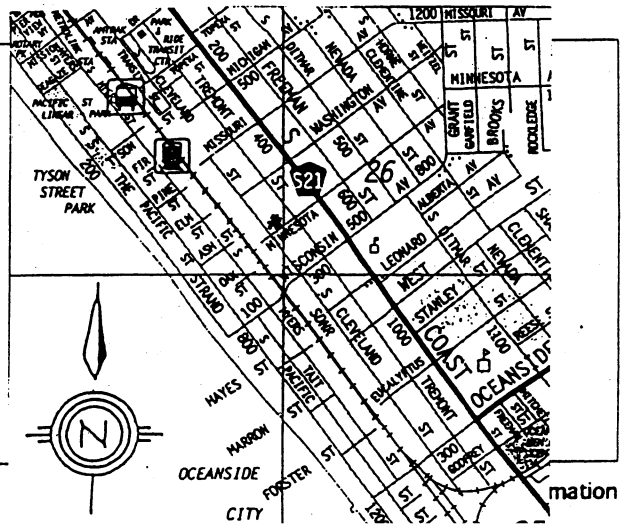
B13. Remarks:

Mary Taschner

*B14. Evaluator: Mary Taschner
128 S. Pacific St.
Oceanside, CA 92054

*Date of Evaluation: 11/7/05

(This space reserved for official comments)



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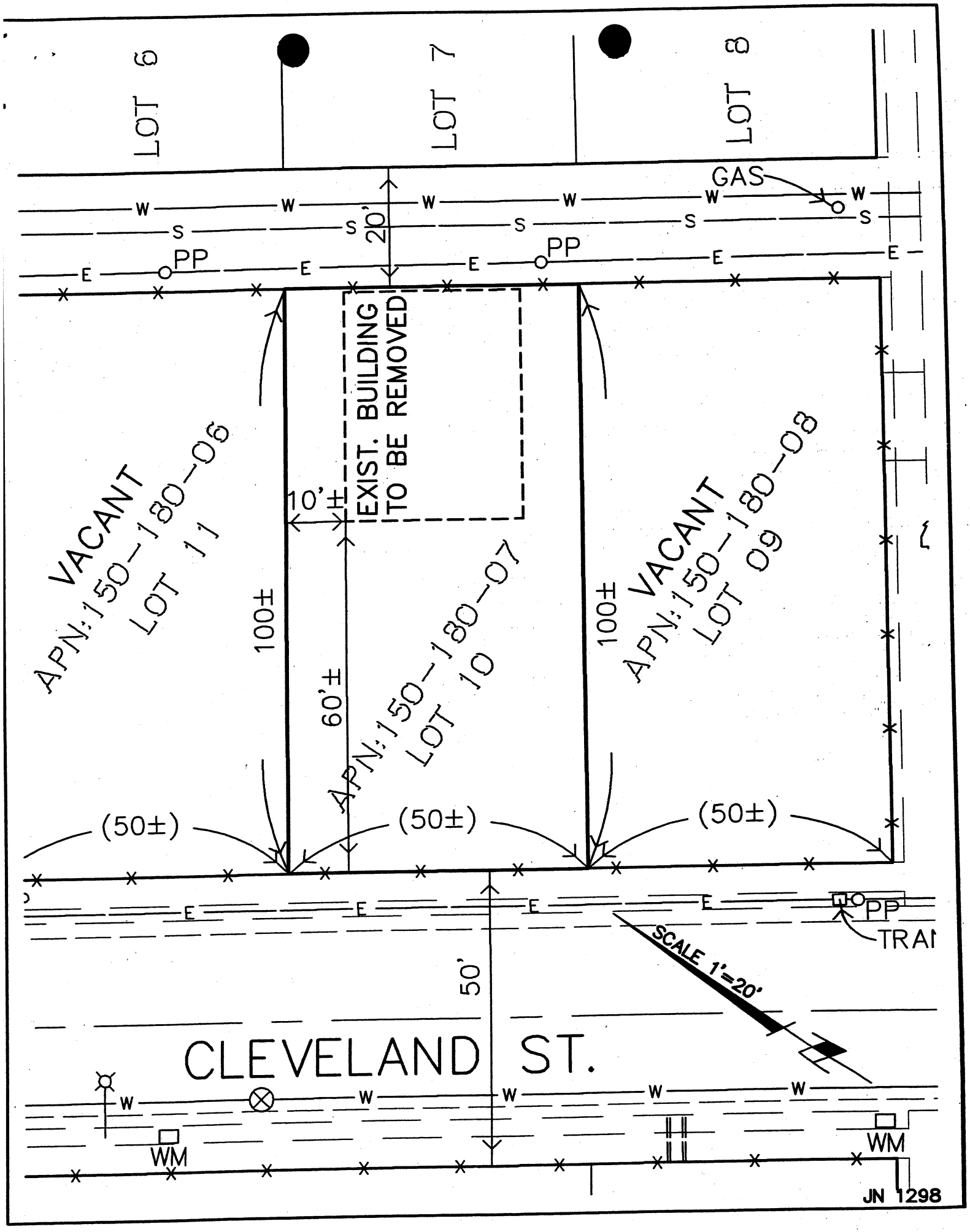
LOT 6
LOT 7
LOT 8
GAS
W
S
E
PP
20'
EXIST. BUILDING TO BE REMOVED
10'±
VACANT
APN: 150-180-06
LOT 11
VACANT
APN: 150-180-08
LOT 09
APN: 150-180-07
LOT 10
100±
60'±
(50±)
50'
SCALE 1"=20'
CLEVELAND ST.
WM
TRAI
JN 1298

Jim Wir[illegible]ld Architect
121 #B Avocado St.
Leucadia, CA 92024
760-753-1004

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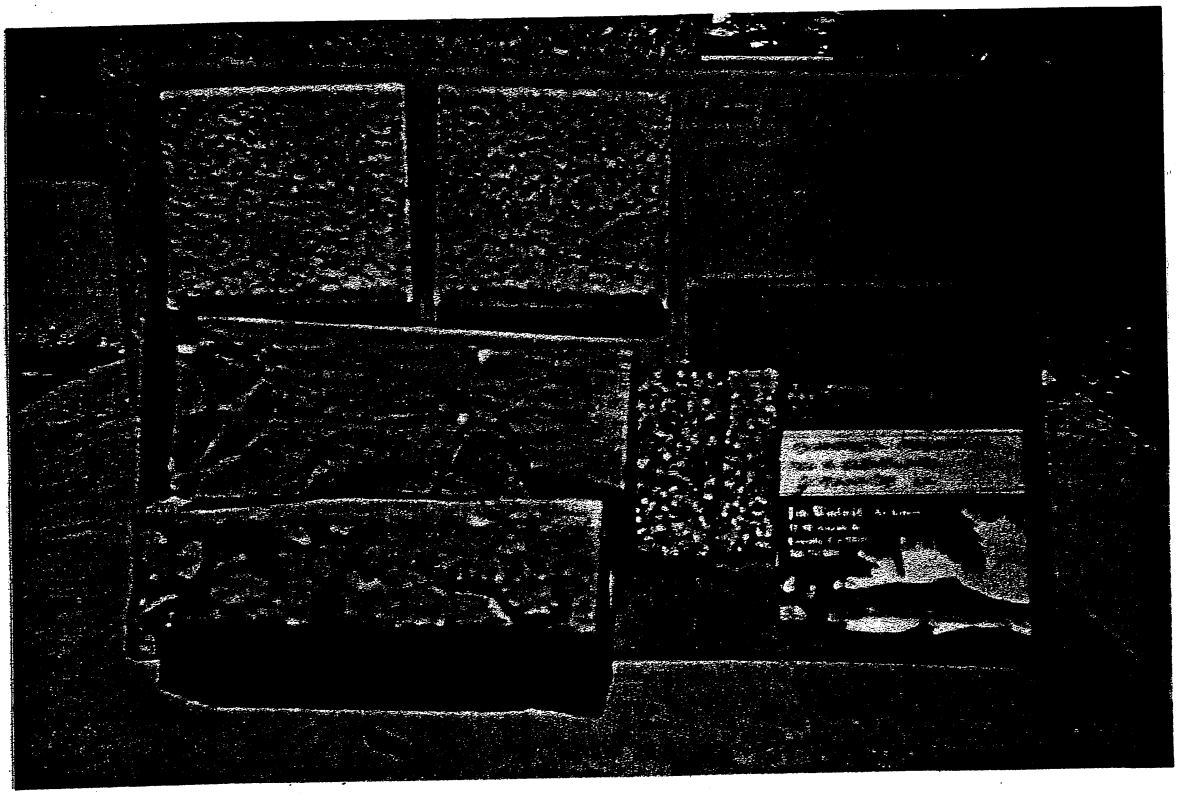
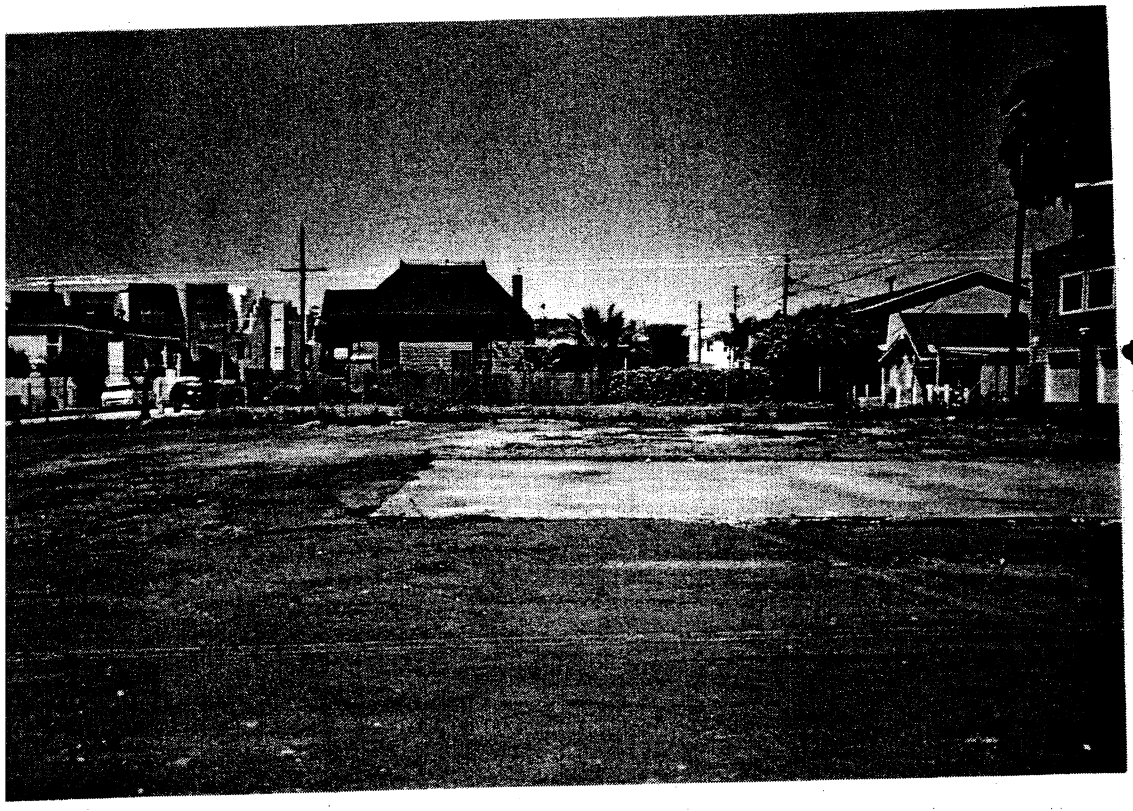
MAY 23 2006
Planning Department

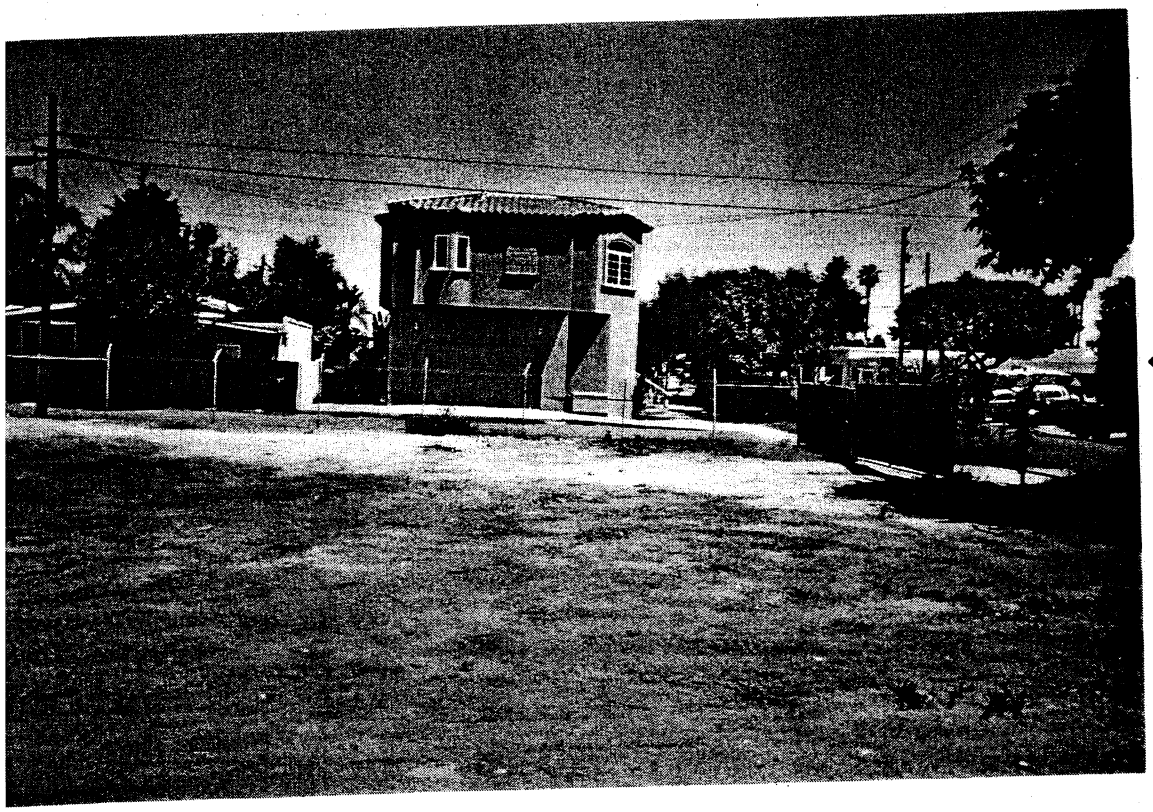
CORR. # 17
#C-7-06

SCHREIBER RESIDENCE MATERIALS-BOARD:
526 S. CLEVELAND
OCEANSIDE, CA.





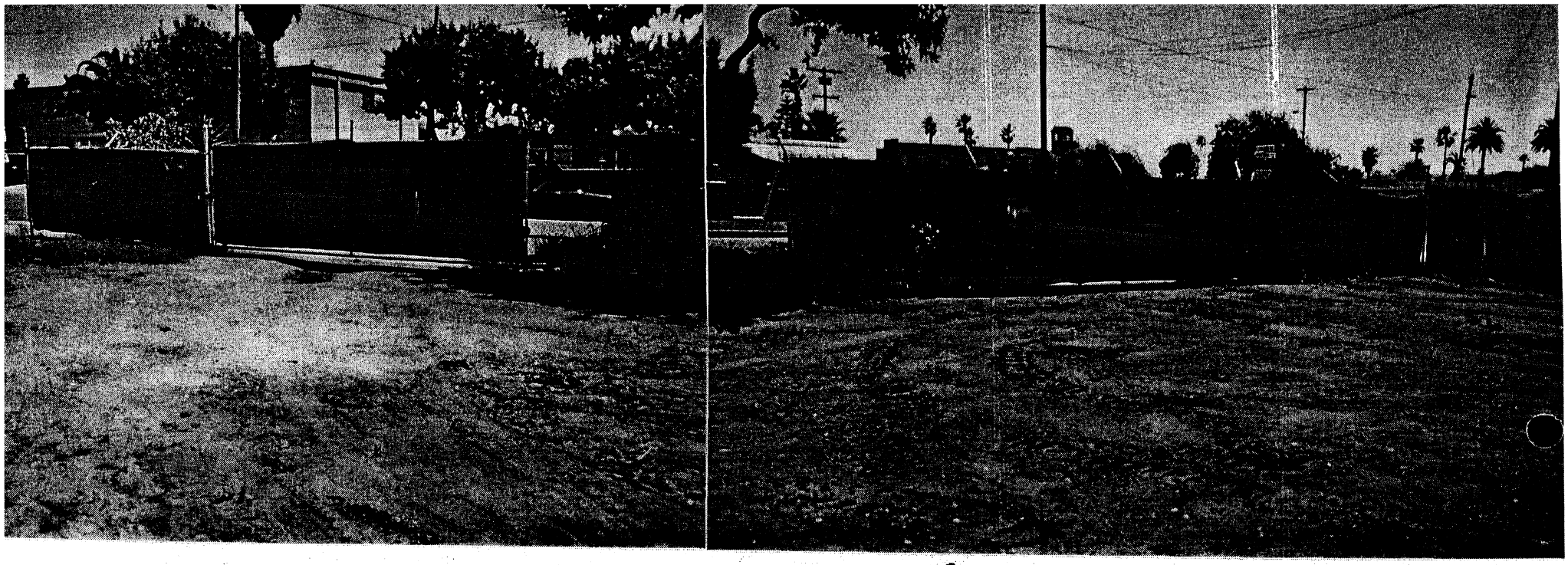
FROM SITE TO NORTH



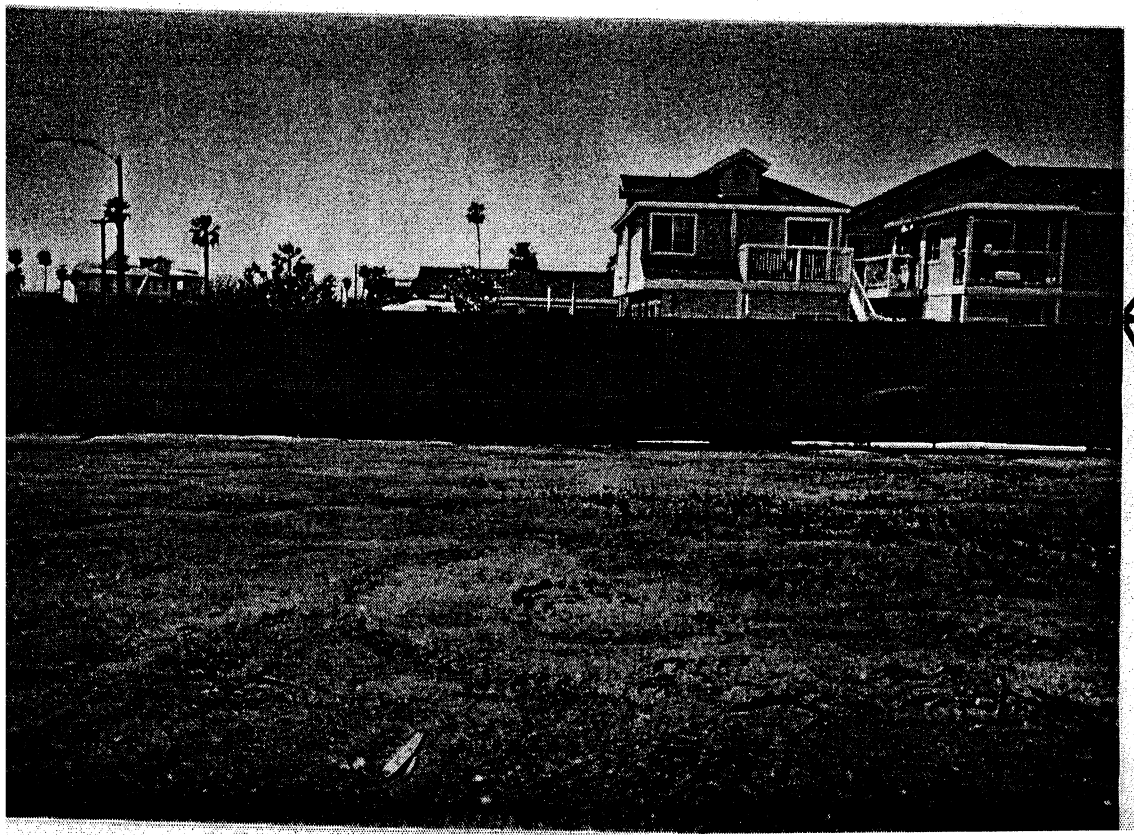
FROM SITE TO EAST

#20 - (C-7-06)
SITE PHOTOS
SCHREIBER RES
526 S. Cleveland

RECEIVED
MAY 23 2006

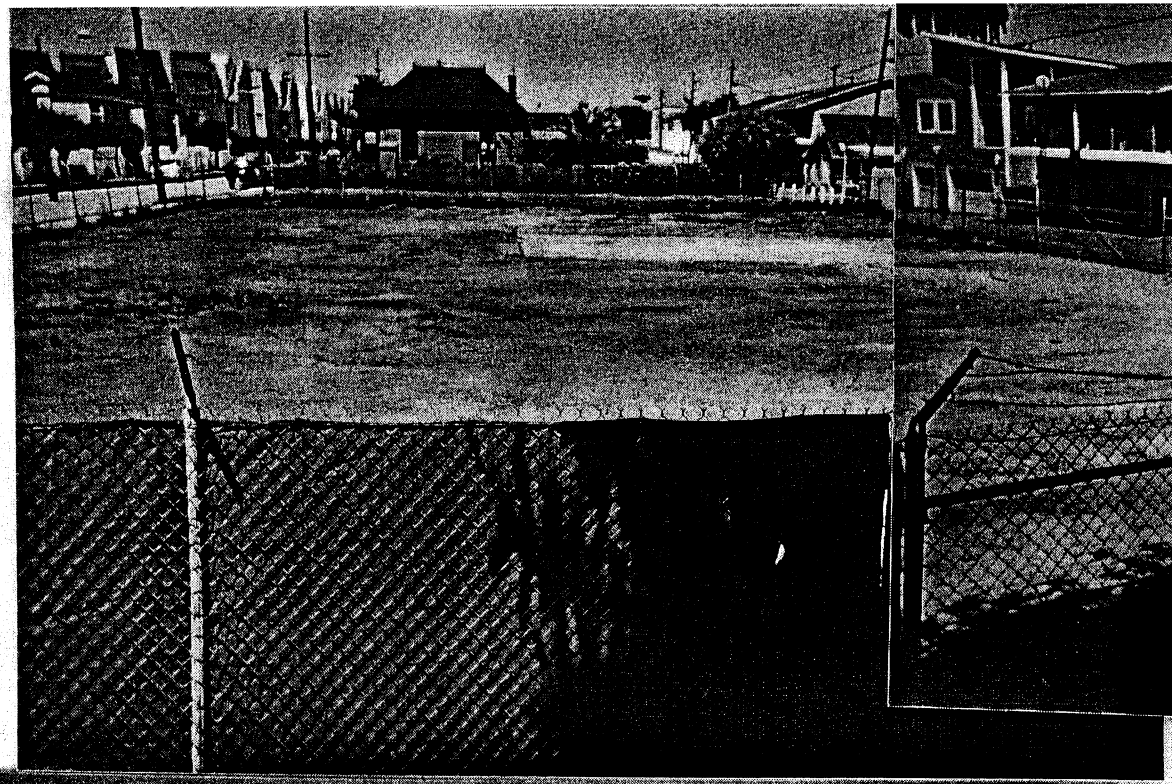


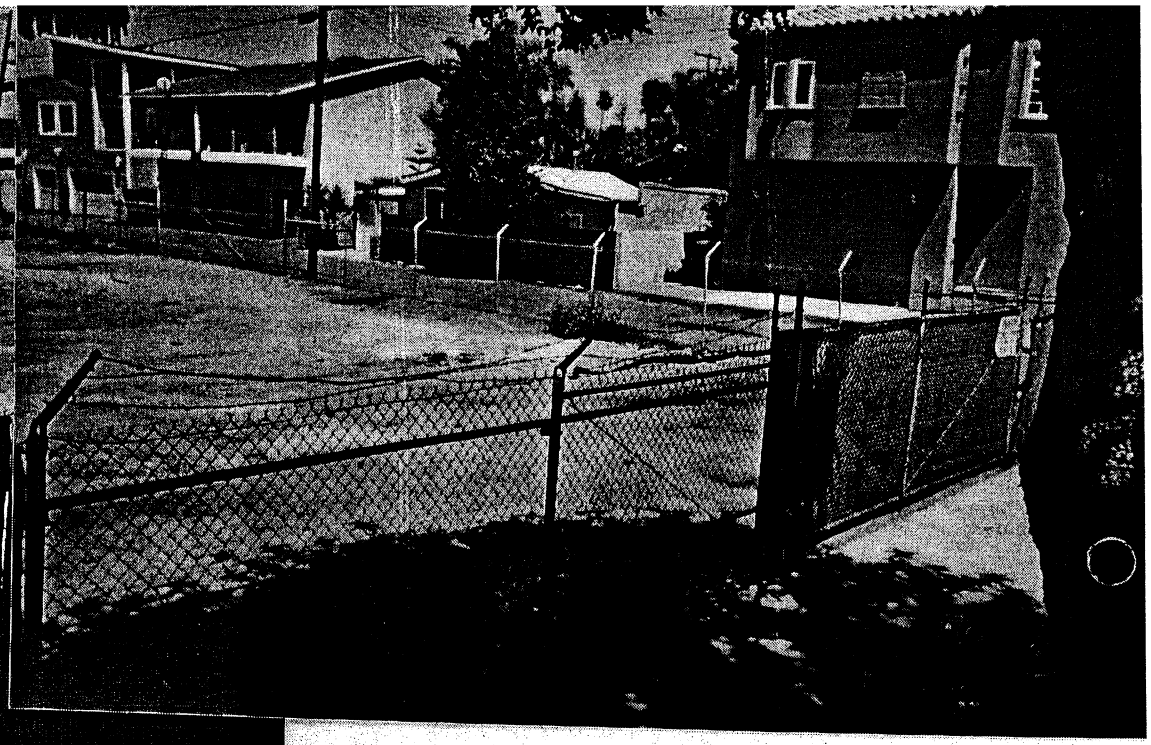
FROM-SITE TO SOUTH



FROM-SITE TO WEST

#20 -(C·7·06)
SITE PHOTOS
SCHREIBER RES.
526 S. Cleveland
OCEANSIDE, CA.

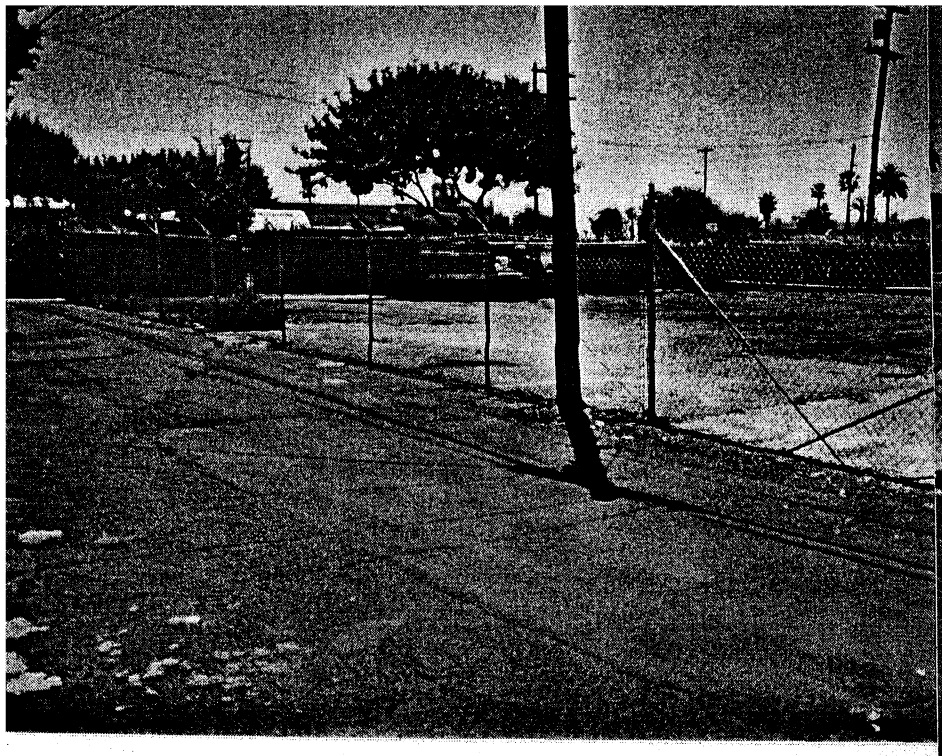




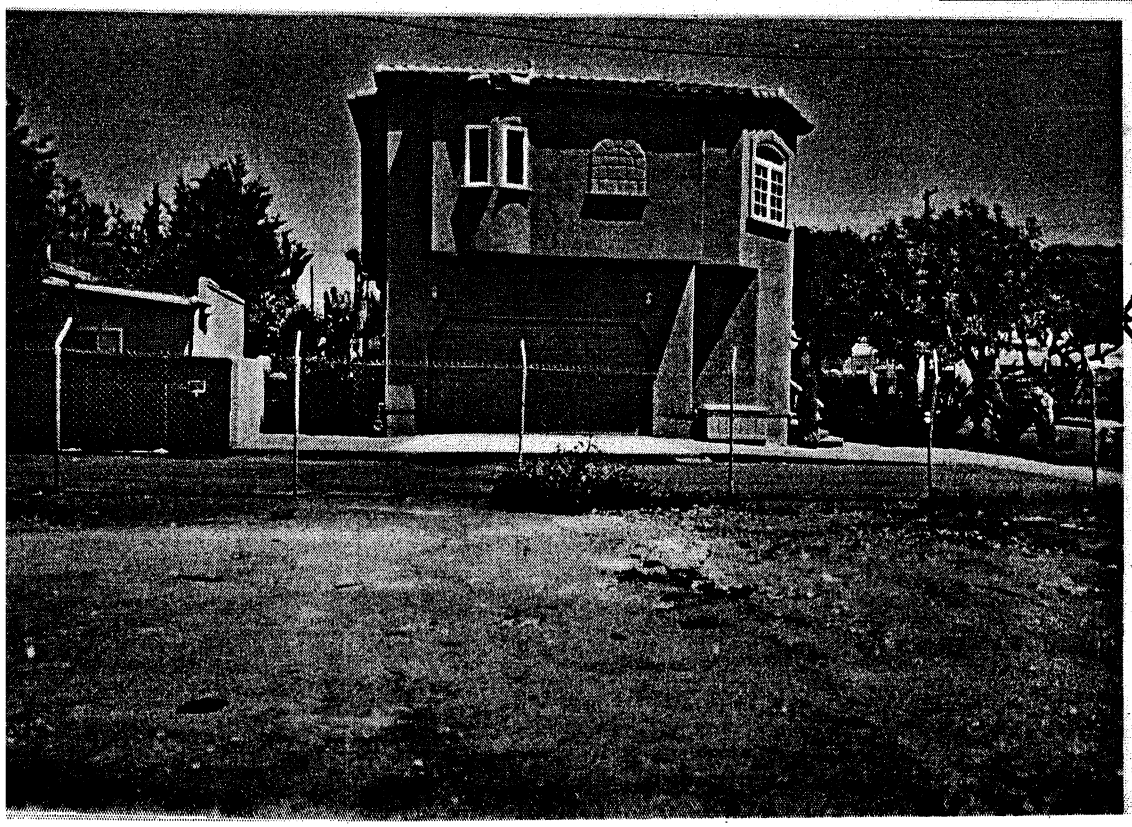
↑ ONTO-SITE FROM SOUTH

← ONTO-SITE FROM NORTH

#20 - (C-7-06)
SITE-PHOTOS
SCHREIBER RES.
526 S. Cleveland
OCEANSIDE, CA.

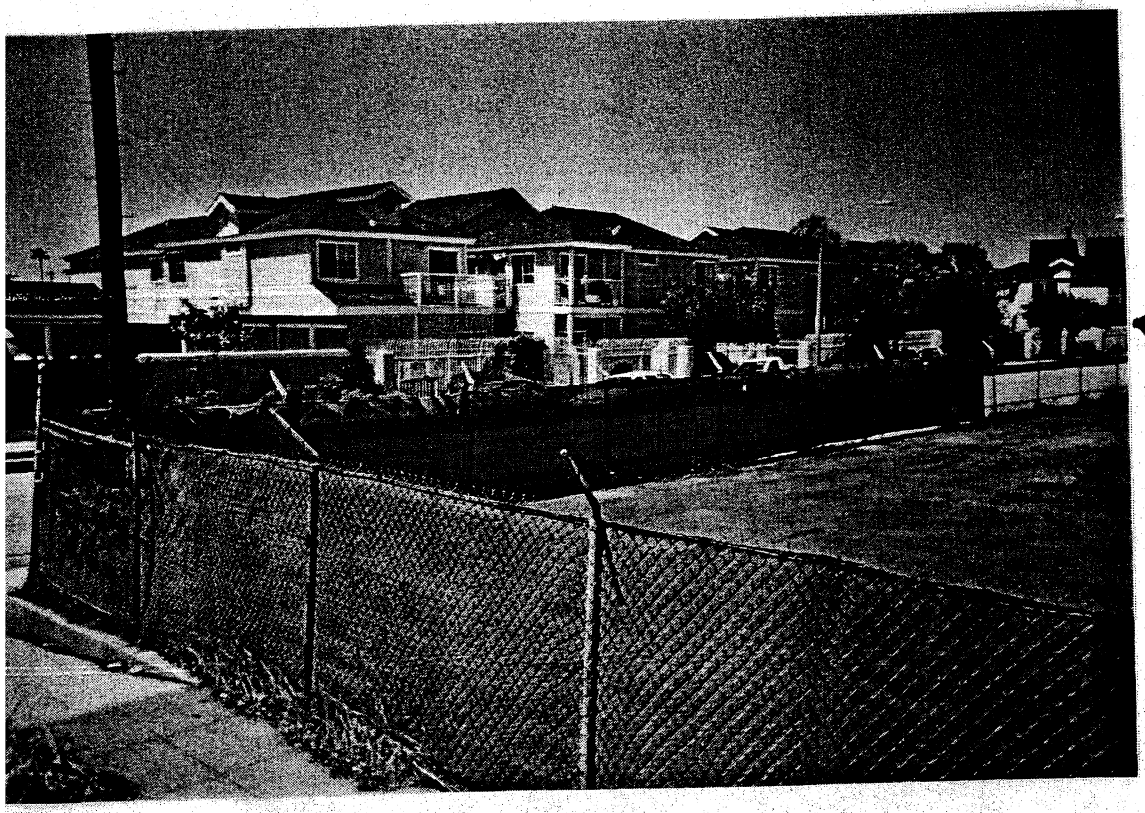


ONTO-SITE FROM EAST
@ ALLEY



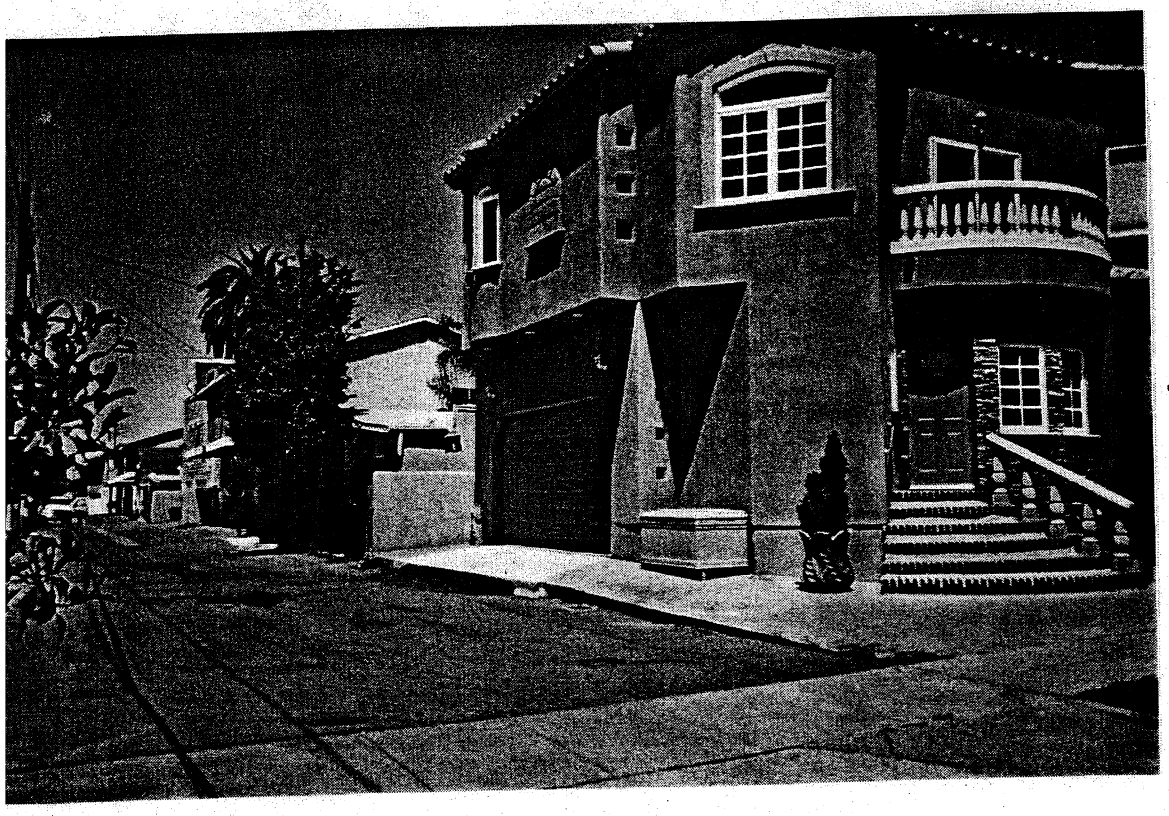
ONTO-SITE
FROM WEST

#20 - (C-7-06)
SITE-PHOTOS
SCHREIBER RES.
526 S. Cleveland
OCEANSIDE, CA



WEST NEIGHBOR

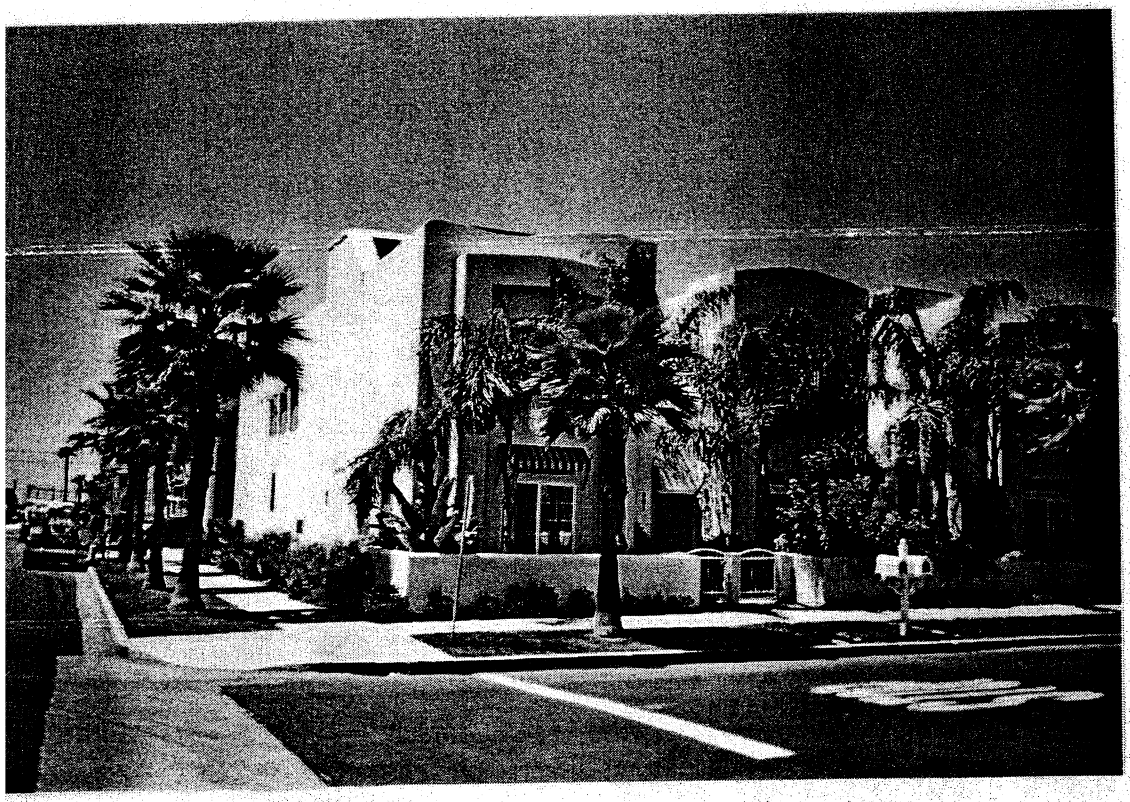
Across Cleveland St.



EAST NEIGHBOR

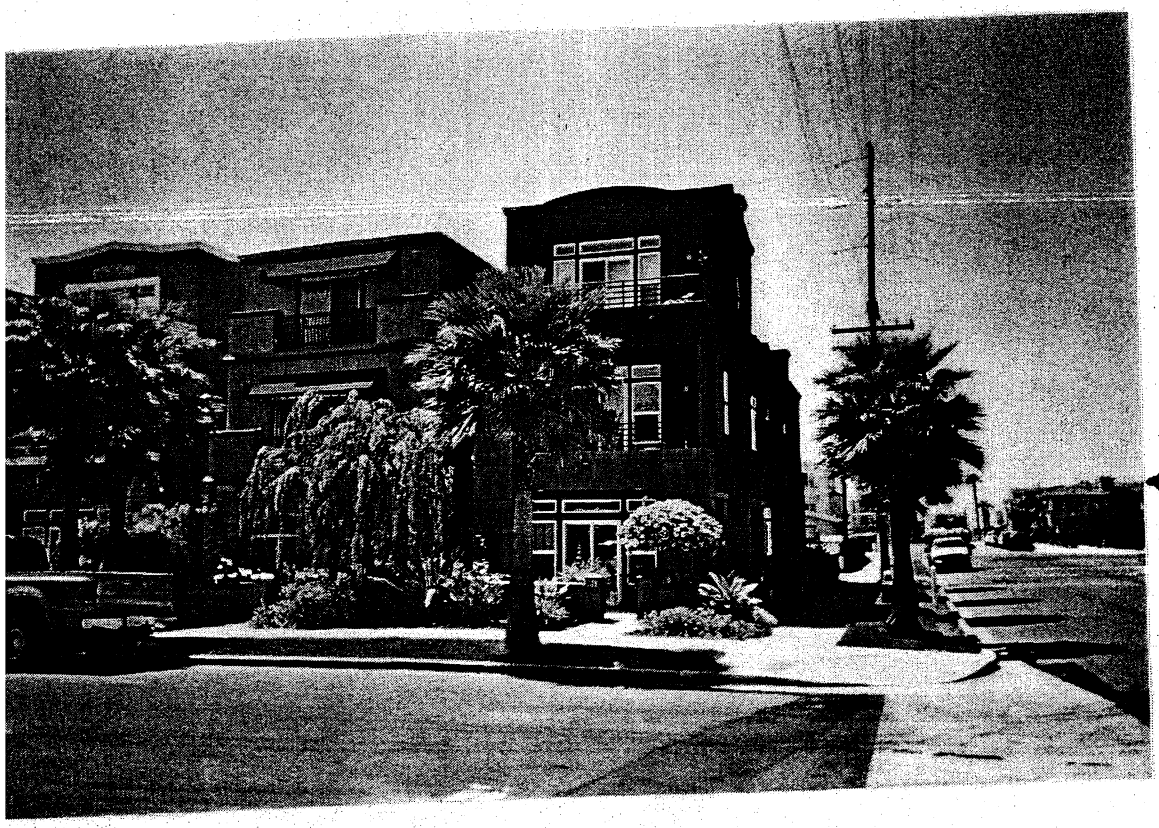
Across Alley (From MINNESOTA AVE.)

#20 -(C-7-06)
SCHREIBER RES.
526 S. Cleveland
OCEANSIDE, CA.



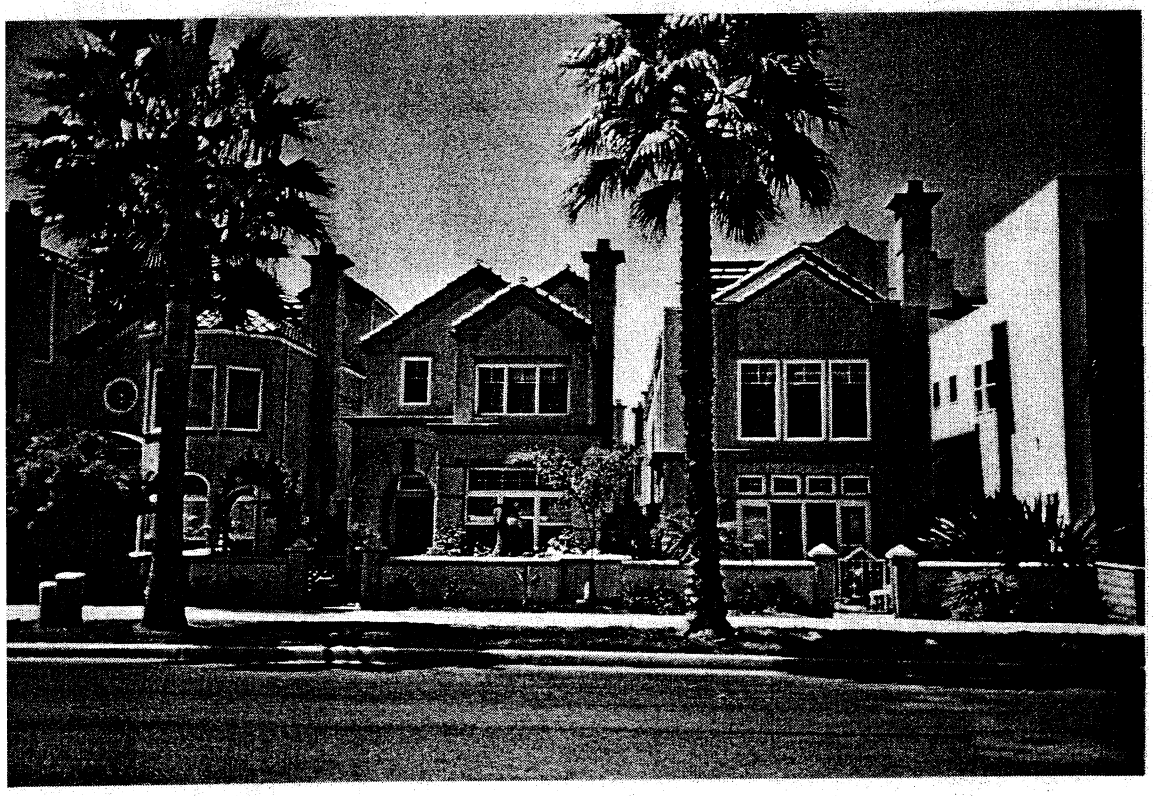
NORTH CLEVELAND CORNER-LOT

NORTH CLEVELAND SIDE-YARD



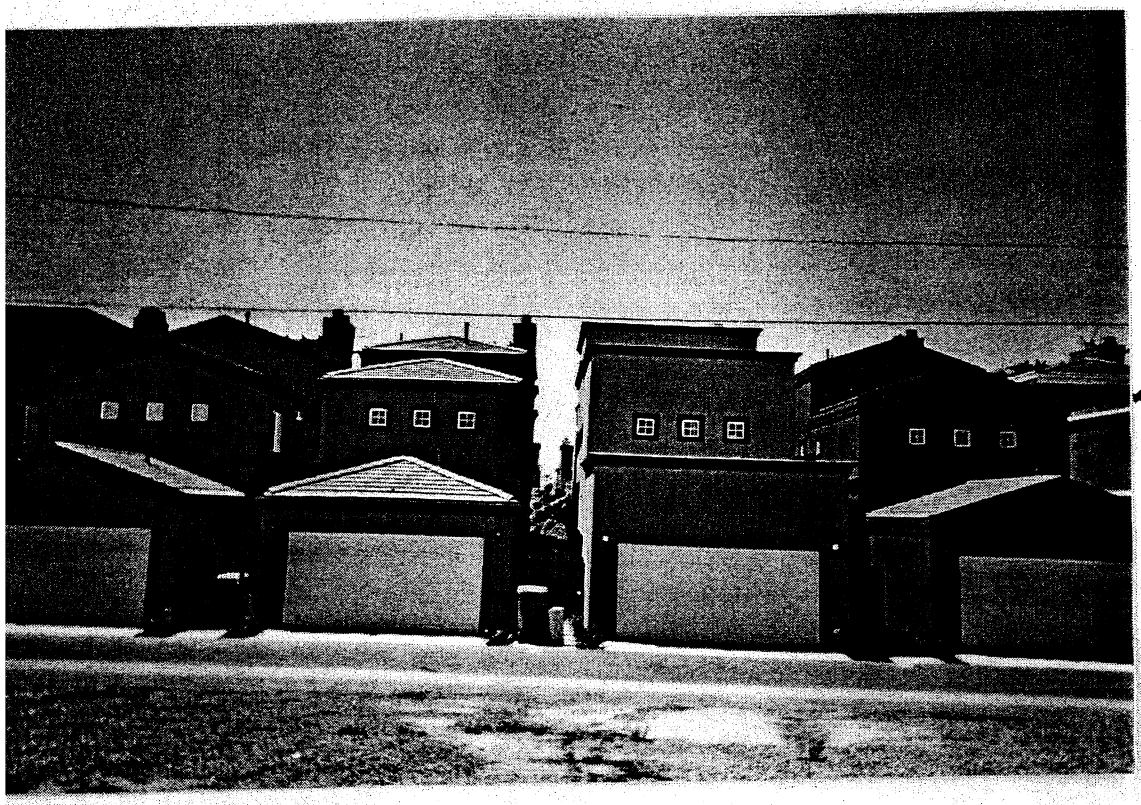
NORTH CLEVELAND CORNER-LOT

816 N.
CLEVELAND

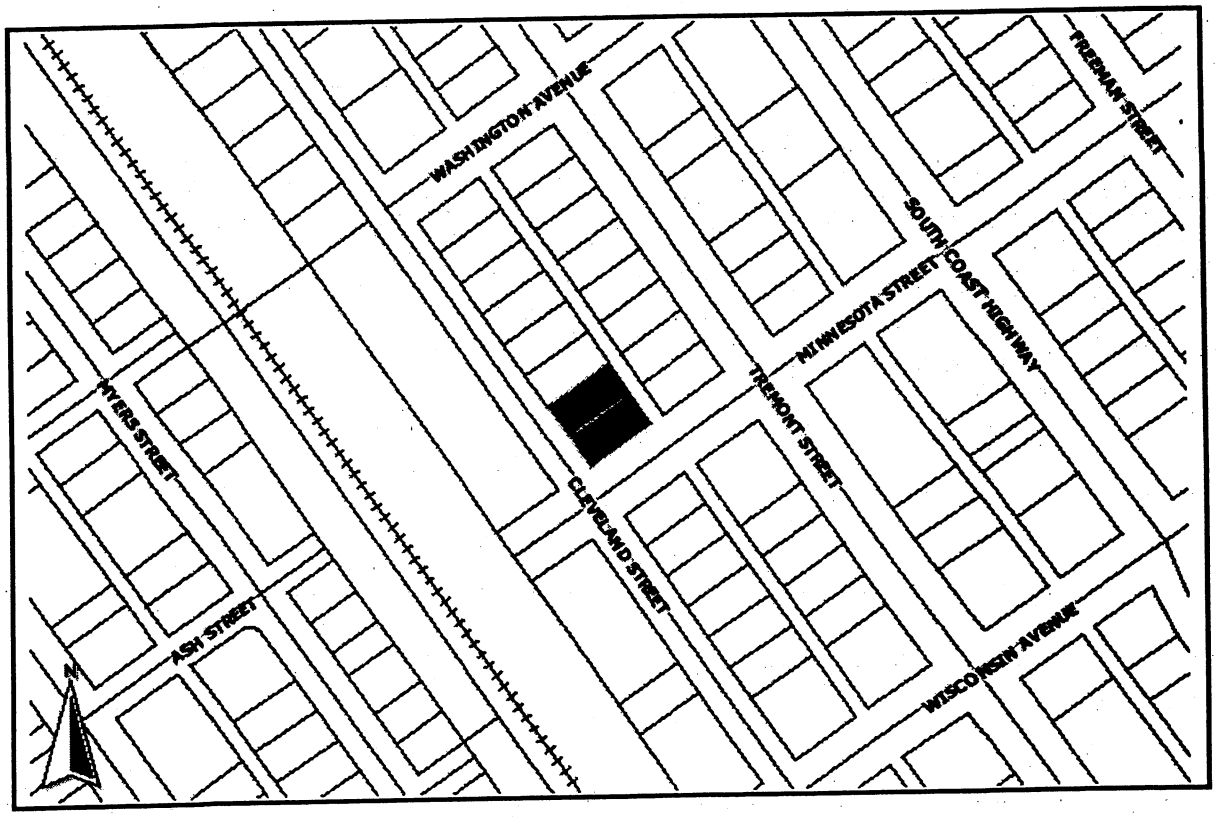


CLEVELAND
STREET
ELEVATION

NORTH CLEVELAND STREET-ELEVATION



NORTH CLEVELAND ALLEY ELEVATION



File Number: **C-7-06, V-4-06, and RC-4-06**

Applicant: **Jim Winfield**

Description:

CONDITIONAL USE PERMIT (C-7-06), VARIANCE (V-4-06), and REGULAR COASTAL PERMIT (RC-4-06) for the development of a single-family residence on a 2,500 square foot lot with reduced exterior corner sideyard setbacks (3-ft. in lieu of 10-ft.) located at 526 South Cleveland Street. The project site is zoned RH-U (Urban High Density Residential) and is situated within the Townsite Neighborhood and the Coastal Zone. **SCHREIBER RESIDENCE**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

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

Date: February 14, 2007

Public Hearing Coastal Permit
Identification No. RC-4-06

NOTICE OF PUBLIC HEARING
COASTAL DEVELOPMENT PERMIT

This is a notice to you as an interested party that the City of Oceanside Planning Commission will hold a public hearing on the Coastal Permit application of Dale and Donna Schreiber. This application was received on March 14, 2006. The application is described as follows:

For the development of a single-family residence on a 2,500-square foot lot with reduced exterior corner sideyard setbacks (3-ft. in lieu of 10-ft.) located at 526 South Cleveland Street.

The project site is zoned RH-U (Residential Urban High Density) and is situated within the Townsite Neighborhood and the Coastal zone.

Said hearing will be held on February 26, 2007, at 7:00 p.m. in the Council Chamber of City Hall, 300 North Coast Hwy., Oceanside, California at which time and place any and all interested persons may appear and be heard. Interested persons may contact the Planning Division at (760) 435-3520 after February 21, 2007, to be informed of the place on the agenda and the approximate time of hearing.

If you have any questions or comments regarding this matter, or want to be notified of the decision, contact the City of Oceanside, Planning Division at (760) 435-3520. Written comments may be submitted prior to the hearing and will be made part of the public record and provided to the Planning Commission.

If you disagree with the decision of the Planning Commission concerning this project's conformance to the Local Coastal Plan, you may appeal the decision to the City Council. The appeal, accompanied by the appropriate fee must be filed in the City Clerk's Office, 300 North Coast Hwy., Oceanside, no later than 5:00 p.m. on March 8, 2007 (10 days from the adoption of the Planning Commission Resolution).

The project is "appealable" to the California Coastal Commission under Section 30603(a) of the California Public Resources Code. An aggrieved person may appeal the decision to the Coastal Commission within ten (10) working days following the Commission receipt of the Notice of Final Action on this project. The Notice of Final Action is mailed after the City's last action, such as Planning Commission resolution, Community Development Commission resolution (for projects in the Redevelopment Area), or City Council resolution (for projects involving a zone change or which resulted in a local appeal). Please contact the Planning Department at (760) 435-3520 for this information.

Appeals must be in writing. The Coastal Commission, San Diego District Office is at 7575 Metropolitan Drive, Suite 103, San Diego, California 92108-4402. The phone number is (619) 767-2370.

ROMAN \ ULF

Application For Planning Commission Hearing

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

Please Print or Type All Information

STAFF USE ONLY	
ACCEPTED 3/14/06	BY SIV.
HEARING	
GPA	
MASTER/SP.PLAN	
ZONE CH.	
TENT. MAP	
PAR. MAP	
DEV. PL.	
C.U.P.	C-7-06
VARIANCE	V-4-06
COASTAL	RC-4-06
O.H.P.A.C.	

PART I – APPLICANT INFORMATION

1. APPLICANT: DALE & DONNA SCHREIBER
2. STATUS: OWNER
3. ADDRESS: 7136 ARGONAUTA WAY CARLSBAD, CA. 92009
4. PHONE/FAX: (760) 438-2140
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing): JIM WINFIELD - ARCHITECT
6. ADDRESS: 121-B AVOCADO ST. LEUCADIA, CA. 92024
7. PHONE/FAX: (760) 753-1004 fax 760-754-2958

PART II – PROPERTY DESCRIPTION

8. LOCATION: 526 S. CLEVELAND - CORNER OF CLEVELAND & MINNESOTA (TOWNSITE)
9. SIZE: 25' W. x 100' D.
10. GENERAL PLAN: REDEVELOPMENT
11. ZONING: RH-U
12. LAND USE: VACANT HI-DENSITY RES.
13. ASSESSOR'S PARCEL NUMBER: 150-185-08

PART III – PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION: NEW SINGLE FAMILY RESIDENCE W/ VARIANCE FOR 3' SIDE-YARD SETBACK ON MINNESOTA STREET.
15. PROPOSED GENERAL PLAN: (SAME) REDEVELOPMENT
16. PROPOSED ZONING: RH-U (SAME)
17. PROPOSED LAND USE: S.F.R.
18. NO. UNITS: 1
19. DENSITY: 17.2
20. BUILDING SIZE: LOWER 19'x80' = 1,520 SQ.FT.
21. PARKING SPACES: 2 COVERED
22. % LANDSCAPE: 34%
23. % LOT COVERAGE: 59%

PART IV – ATTACHMENTS REV - 5/23/06, 7/7/06

ALL APPLICATIONS				DEV. PLANS, C.U.P.s & TENT. MAPS	
✓	24. DESCRIPTION/JUSTIFICATION	✓	25. LEGAL DESCRIPTION	✓	30. FLOOR PLANS AND ELEVATIONS
✓	26. 300-FT. RADIUS MAP	✓	27. PROPERTY OWNERS' LIST	✓	31. CONSTRUCTION SCHEDULE
✓	28. ENVIRONMENTAL ASSESSMENT	✓	29. PLOT PLANS	✓	32. OTHER, color, mat., volum, 8½x11

PART V – SIGNATURES

THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.

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).

33. ~~APPLICANT OR~~ REPRESENTATIVE (Print): JIM WINFIELD ARCH. — 34. DATE: 2·21·06
Sign: Jim Winfield

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

35. APPLICANT (Print): Dale Schreiber — 36. DATE: 3-7-06
Sign: 3-7-06

37. OWNER (Print): DALE SCHREIBER — 38. DATE: 3/7/06
Sign: 3/7/06

39. OWNER Print): — 40. DATE:
Sign: 3-7-06

RECEIVED
MAR 14 2006
Planning Department

Jim Winfield Architect
121 #B Avocado St.
Leucadia, CA 92024
760-753-1004

RECEIVED
MAR 14 2006
Planning Department

SCHREIBER RESIDENCE
526. S. CLEVELAND
OCEANSIDE, CA. APN 150-185-08

DESCRIPTION / JUSTIFICATION

WHILE THE REDEVELOPMENT AREA (SOUTH OF THE OCEANSIDE TRANSIT-CENTER) BECOMES RE-VITALIZED, NUMEROUS IN-FILL SITES BECOME VACANT OR NEGLECTED. OUR SITE, AT THE N.E. CORNER OF CLEVELAND ST. & MINNESOTA AVE. IS ONE OF THOSE SITES. THE PREVIOUS OCCUPANT WAS "BOB'S CARB-SHOP", AN AUTO-REPAIR SHOP & PARKING-LOT.

THIS PRIMARILY RESIDENTIAL AREA HAS AUTO-SHOP BUSINESSES TO THE EAST, ALONG TREMONT STREET. ON THE OTHER HAND, CLEVELAND ST. IS PRIMARILY SINGLE FAMILY RESIDENTIAL WITH SOME CONDO-DEVELOPMENT FURTHER NORTH ON CLEVELAND ST.

OUR CLIENT, MR. & MRS. SCHREIBER, WISH TO BUILD A RETIREMENT-HOME WITH ELEVATOR ACCESS TO ALL FLOORS, WITH OCEAN VIEWS AND BREEZES, THIS RESIDENCE SHALL BE A WELCOME IMPROVEMENT TO THE CLEVELAND STREET RESIDENTIAL-AREA

2/15/07

Schreiber Residence 526 S. Cleveland
APN # 150·185·08 Oceanside CA.

ARCH. STYLE - AMERICAN ART-DECO

MATERIALS - STONE-VENEER BASE & HORIZ. BANDS OF VARYING PLASTER & GRAY ASPHALT, ARCH.-GRADE SHINGLES ON ROOF OR STANDING SEAM MTL. ROOF

COLORS - 'TERRA-COTTA' - BOTTOM BAND & OFF-WHITE' ABOVE TO DENOTE 2 FLOORS. ROOF-DECK HAS 'AQUA' BAND & 'GRAY' AT ROOF

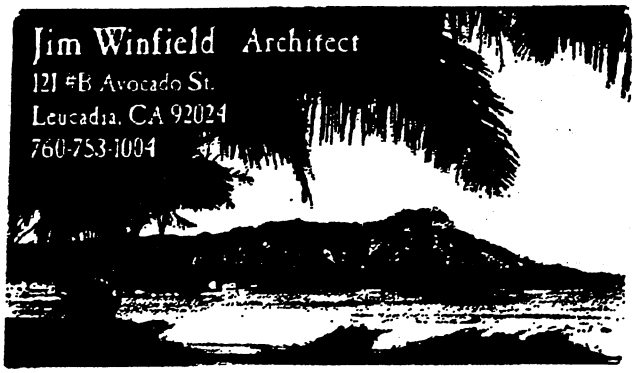
WINDOWS - VINYL-FRAME OR ALUM. CLAD w/ WOOD-INTERIOR. DOUBLE-HUNG WDWS w/ TRANSOMS ABOVE. DBL. GLAZED

CORNER-RADIUS @ CLEVELAND & MINNESOTA STREET TO REFLECT CORNER LOT

BLUE-AWNING (FABRIC) ON FRONT-DOOR OF CLEVELAND ST.

4 NICHES ALONG MINNESOTA AVE. w/ GLAZED BLUE-GREEN CERAMIC-TILE & GLASS-BLOCK.

HORIZONTAL BANDS @ EACH TOP-OF-FLOOR IN AQUA PLASTER w/ TRIMS IN 'AQUA'-TILE



JIM Winfield
Architect

RECEIVED
FEB 15 2007
Planning Department

RECEIVED
JUL 07 2006
Planning Department

AMENDMENT TO SUBMITTAL 2
Planning Corrections for RC-4-06
July 7, 2006

PROPOSED SINGLE FAMILY HOME ON 25'LOT AT THE CORNER OF 526 S. CLEVELAND ST and MINNESOTA ST.

VARIANCES

On March 25, 2002 the Planning Commission adopted a change to the zoning ordinance as follows: Article 10 Residential Districts: RH-U: "L-8: Single Family Detached Units on a minimum of 2,500 square foot lots are allowed with a Conditional Use Permit within the RH Districts when determined to be compatible with existing and future land uses and plans. The change was subsequently adopted by the City Council.

Because the Zoning Ordinance requires a 3'' side yard setback and a corner lot setback of 10', a variance is needed in order to develop the corner lot at the intersection of Cleveland and Minnesota Streets with a single family home on a 25' wide lot. Without the variance, the home could only be 12' wide.

The City of Oceanside requires that three specific findings must be made before a Variance can be approved. The proposed findings relate to the Variance for a deviation from the required 10' corner lot setback.

1. *That because of special circumstances or conditions applicable to the development site – including size, shape, topography, location or surroundings – strict application of the requirements of this ordinance deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.*

Other property in the vicinity along South Cleveland St. and southerly of this project has developed under Condition L-8 which allows for less than 5000 Sq. Ft. Lots (Row Home Development"). No corner lots have yet been developed on South Cleveland St. or South Myers St. This area of South Cleveland St. is in transition. There still exist commercial and industrial uses which became non-conforming in 1975. Development. with the introduction of 2500 Sq. Ft. Lots "Row Home Development ", will help the area to transition to a residential neighborhood. The recent introduction of "Row Home Development" on South Cleveland St. and the "Row Home Development" which has occurred on North Cleveland St. and North Tremont St. over the past 10 years has proven successful in accelerating the transition from a commercial/industrial neighborhood to a residential neighborhood. In order for corner lots to become a part of "Row Home Development:" a variance must be granted because the size of the lot would be too small to be developed. Row Home Development on Corner Lots on North Cleveland St. and North Tremont St. has been granted variations in order to have consistent development in the area. The new development regulations for a minimum 2500 Sq. Ft. lot are impossible to meet on a corner lot unless a Variance is granted for a 3' side yard setback on the corner side of the lot.

2. *That granting the variance will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety of general welfare.*

The granting of this Variance will not be detrimental or injurious to properties or improvements in the vicinity. The neighborhood is in transition from commercial/industrial to residential. The introduction of "Row Home Development" in this area of South Cleveland St. and South Tremont St. will allow for the phasing out of non-conforming uses. The reduction of the setback on Minnesota St. from 10' to 3' will not affect any property or improvements in a detrimental or injurious way. Minnesota St. stops at South Cleveland St. because of the railroad tracks. Minnesota St. is an East/West Street that transitions to South Cleveland St. for vehicular movement. Minnesota Street has a Stop Sign at the intersection with South Cleveland St. The street circulation will not be impacted because of the reduction of the corner lot setback being reduced from 10' to 3'. The new vehicular access to the site will be from the alley behind the site. A vehicular access across the sidewalk from Minnesota St. will be eliminated. The granting of the variance will allow the safe development of the site ensuring that the health, safety, and welfare of the residents will be maximized.

3. *That granting the variance is consistent with the purposes of the Zoning Ordinance and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district.*

The Variance is a direct result of the transition of the neighborhood from a commercial/industrial neighborhood to a completely residential neighborhood. Granting the Variance will accommodate "Row Home Development" which meets the purpose of Condition L-8 and the purposes of an urban high density residential zoning district. The granting of the Variance will allow the beginning of a "Row Home Development" which is expected to occur along the complete block of 500 South Cleveland Street and phase out a non-conforming industrial site which will require a similar variance if it is to be compatible with the rest of the block. A "Row Home Development" envisions compatible development along an entire block. The granting of this Variance is a beginning for the entire block to be developed.

Respectfully Submitted

LOUIS TASCHNER
Representative for Dale L. Schreiber

LEGAL DESCRIPTION

Real property in the City of Oceanside, County of San Diego, State of California, described as follows:

Lots 9 and 10 in Block 31 of Bryan's Addition, in the City of Oceanside, County of San Diego, State of California, according to map thereof no. 219, filed in the Office of the County Recorder of San Diego County, March 10, 1887.

APN: 150-185-07-000 and 150-185-08-00

NOTICE OF EXEMPTION
City of Oceanside, California

Post Date:
Removal:
(30 days)

1. **APPLICANT:** Dale & Donna Schreiber
2. **ADDRESS:** 7136 Argonalita Way
3. **PHONE NUMBER:** (760) 438-2140
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale
6. **PROJECT TITLE:** Schreiber Lot Line Adjustment
7. **DESCRIPTION:** A lot Line adjustment and development to a 2,500 square foot lot with a reduction in the required corner side yard setback.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Environmental Coordinator finds that the proposed project constitutes new construction. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

[ ] "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,

[ ] The project is statutorily exempt, Section_____, <name> (Sections 15260-15277); or,

[x] The project is categorically exempt, Class 1503 (a), (Section 15301-15329); or,

[ ] The project does not constitute a "project" as defined by CEQA (Section 15378).

Scott Nightingale, Planner II

Date: 2/26/07

cc: [X] Project file [ ] Counter file [ ] Library

Posting: [ ] County Clerk $50.00 Admin. Fee