



DATE: January 22, 2007

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE MAP (T-10-04), DEVELOPMENT PLAN (D-26-04) AND CONDITIONAL USE PERMIT (C-31-04) FOR A 9-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION ON A 1.82-ACRE SITE LOCATED AT THE NORTHWEST CORNER OF DIXIE STREET AND GRACE STREET – DIXIE STREET DEVELOPMENT – APPLICANT: RED POINT HOMES**

RECOMMENDATION

Staff recommends that the Planning Commission approve Tentative Map (T-10-04), Development Plan (D-26-04) and Conditional Use Permit (C-31-04) and adopt Planning Commission Resolution No. 2007-P08 as attached.

PROJECT DESCRIPTION AND BACKGROUND

Background: The project originally proposed a 10-unit single-family residential development on a 1.82-acre site located at the northwest corner of Dixie and Grace Streets. This project was denied without prejudice by the Planning Commission on August 22, 2005. The reasons for denial were that there was not sufficient guest parking, the project was not designed to be compatible with existing residential development to the north, and that there was not sufficient open space. The revised project proposes a 9-lot single-family subdivision with increased open space, additional guest parking and a more sensitive design relative to residents to the north.

Site Review: The subject site consists of two lots, which was part of the original Dixie Heights Addition recorded in 1925. The two lots each have one single-family unit that both front on Dixie Street. The two existing single-family units will be removed as part of this development. Due to the age of the units, a historical analysis was prepared to determine the historical significance of the existing units (see attached report). The analysis concluded that the units did not have locational or architectural significance and therefore can be removed.

The subject site is rectangular in shape and slopes slightly down in a southwesterly direction. The high point of the subject site is located in the northeastern portion, which has an elevation of 160 feet above mean sea level (MSL). The low point is located at the southwestern portion of the site at 151 MSL (adjacent to Dixie Street). Surface water drains to the southwestern portion of the site and is discharged through a 6-inch PVC pipe into the public stormwater collection system located in Dixie Street across from Lot No. 1. The soil report indicates that the first two feet of the soil will be removed and recompactd on-site.

Surrounding land uses include single-family residential located west, south and north of the subject site and the Friendly Church of God is located west of the site and the First Baptist Church is located east of the site.

The underlying land use designation for the site is RS (3.6 to 5.9 dwelling units per acre) and the General Plan Land Use Category is Single-Family Residential Detached. The proposed density is 4.9 dwelling units per acre, which is above the base density of 3.6 dwelling unit per acre. The subject site is situated within the Loma Alta Neighborhood.

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

Tentative Map and Development Plan: The proposed project consists of the subdivision of two parcels of land totaling 1.82 acres in size into 9 single-family residential lots ranging in size from 6,030 square feet – 7,595 square feet. Lot 10, a 4,718-square foot lot located in the center of the development, is proposed to be an open space/recreation area for use by all residents in the project.

There are two floor plans with two elevations for each floor plan. The proposed architecture is contemporary with features including front porches, turrets, gabled and hipped roofs, window shutters, columns, and brick and wood siding. The proposed exterior colors are light browns and yellows with gray asphalt shingled roofs.

Listed below is the project breakdown for each product type (see floor plans and elevations for specific details):

Plan Type	Sq.Ft.	Bedrms.	Baths	Garage	Units	%
Plan 1	2,775	4	2.5	3	5	50
Plan 2	3,710	5	3.5	3	5	50

Vehicle access will be provided via a private street from Dixie Street with the exception of Lot No. 8, which has direct access from Dixie Street. Internal circulation will be accomplished via interior private driveway that is 36 feet wide curb-to-curb which allows for parking on both sides. The private street provides 17 guest parking spaces interspersed throughout the site. In addition, street parking spaces are provided along Dixie and Grace Streets.

The project will be landscaped with planting themes that are consistent with the neighborhood. Specifically, the project calls for the utilization of trees such as Magnolia for the parkway along Dixie and Grace Streets and Tipu and Orchid trees for the frontyard landscaping. The shrubs will include Lily of the Nile, New Zealand Flax and Indian Hawthorne, and groundcover will include turf and Star Jasmine.

Staff was concerned with the "walling-off" effect on Grace Street due to approximately 300 lineal feet of a 6-foot high privacy fence. To mitigate this, there will be a 6-foot high ornamental iron fence adjacent to the parking spaces (between Lot Nos. 6 and 7) transitioning south into a 6-foot high combination fence (2-foot high split-face block wall and 4-foot high ornamental iron) finally transitioning into a privacy fence consisting of a 4-foot high block wall and 2-foot high wrought iron fence. In addition, vines and ground cover will be planted adjacent to the combination fences to further soften up the fence.

Conditional Use Permit: A Conditional Use Permit is requested to exceed the 3.6 dwelling units per acre base density. The project's overall density is approximately 5.5 dwelling units per acre, which is above the base density established for the Single-Family Residential General Plan Land Use Category (3.6-5.9).

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. The Subdivision Ordinance

ANALYSIS

KEY PLANNING ISSUES

1. Is the proposed project consistent with the existing neighborhood in regards to the density (RS 3.6 –5.9 dwelling units per acre)?
2. Is the proposed project consistent with the underlying land use designation and zoning development criteria?
3. Can the findings be made to support the density increase above the 3.6-dwelling unit base density?

DISCUSSION

In reviewing the application staff's analysis focused on the compatibility of the project with existing development patterns of the area.

The analysis centered on the project's compatibility with the existing residential patterns. The Loma Alta Neighborhood primary development pattern consists of tract subdivisions intermixed with estate residential development with some multi-family residential. Staff believes that the single-family residential developments created by this subdivision are consistent and compatible with the development pattern in the surrounding neighborhood under the same site constraints.

The analysis centered on the project's compatibility with the existing residential patterns. Due to this concern staff has inventoried the adjacent single-family developments as a basis of comparison. Listed below are the area's residential square footages:

Surrounding Single-Family Residential Units

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	<u>Dixie Village</u>	<u>Hyta</u>	<u>Proposed Project</u>
<u>Unit Size:</u>	1,892	2,436	2,775
	2,209	2,973	3,710

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In comparing the project square footages to the square footages of the surrounding neighborhood, staff believes that the units are comparable in size and consistent with the area's development pattern.

In addition to the issue of unit size, staff compared the project's proposed architecture with the surrounding neighborhood. The predominant architectural theme throughout the existing neighborhoods is a Ranch Style design. In comparing the proposed architectural elevations with existing neighborhoods, staff is of the opinion that the architectural design proposed is compatible with the existing older neighborhood.

Conditional Use Permit: A CUP is required for all residential projects that propose a density above the allowable base density (3.6-5.9 dwelling units per acre for the RS zone). Section 2.32 of the Land Use Element of the General Plan, requires that projects which exceed the base density must possess an excellence of design features, in addition to exceeding the development standards in the surrounding neighborhood. These standards include but are not limited to superior architecture, landscaping, recreational facilities, private and semi-private open space areas, varied frontyard setbacks, meandering sidewalks, floor areas and lot standards that exceed the norm and village centers.

In staff's opinion, the project meets or exceeds the floor areas in the surrounding neighborhood and is consistent with the lot sizes. Due to the private street design, the proposed project will provide several amenities including varied frontyard setbacks, offset garages, varying orientation of the homes and designated areas for porches. In addition, the applicant has met extensively with the surrounding neighborhood and has gained preliminary support from that group.

In summary, the proposed project provides a quality single-family residential product in generally a single-family residential zone. The applicant has addressed all issues related to the denial without prejudice for the original 10-lot project including adequate guest parking, "good neighbor" design (walls and rear elevations), and shared recreation amenities. The architecture and landscaping proposed is consistent with the surrounding neighborhood. The proposed project will provide a residential product that will compliment the surrounding neighborhood design.

ENVIRONMENTAL DETERMINATION

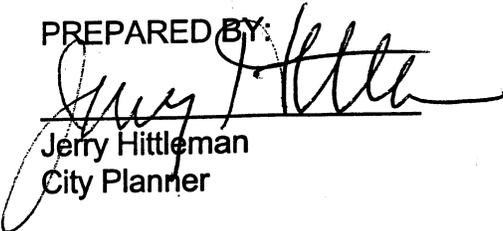
The project is exempt under the provisions of the California Environmental Quality Act (CEQA).

SUMMARY

Staff believes that the proposed Tentative Map, Development Plan and Conditional Use Permit are consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets or exceeds all development standards and the project is compatible in residential product type and density with the surrounding neighborhood. As such, staff recommends that the Planning Commission approve the project. The Commission's action should be:

- Move to approve Tentative Map (T-10-04), Development Plan (D-26-04), and Conditional Use Permit (C-31-04) and adopt Planning Commission Resolution No. 2006-P67 as attached.

PREPARED BY:



Jerry Hittleman
City Planner

JH/fil

Attachments:

1. Tentative Map, Site Plan, Floor Plans, Elevations & Landscape Plan
2. Planning Commission Resolution No. 2007-P08
3. Historical Analysis

RED BUS STOP REQUIREMENTS:
 BENCH WITH WARD LEG
 WABASH VALLEY MODEL
 #P3070

TRASH RECEPTACLE
 WABASH VALLEY MODEL #A3 300

32 1/2" TRASH RECEPTACLE LINER
 MODEL #A3 310

TRASH RECEPTACLE DOWNSIDE LID
 WABASH VALLEY MODEL #OT 100

SURFACE MOUNT POST PACKAGE
 WABASH VALLEY MODEL #A3 100

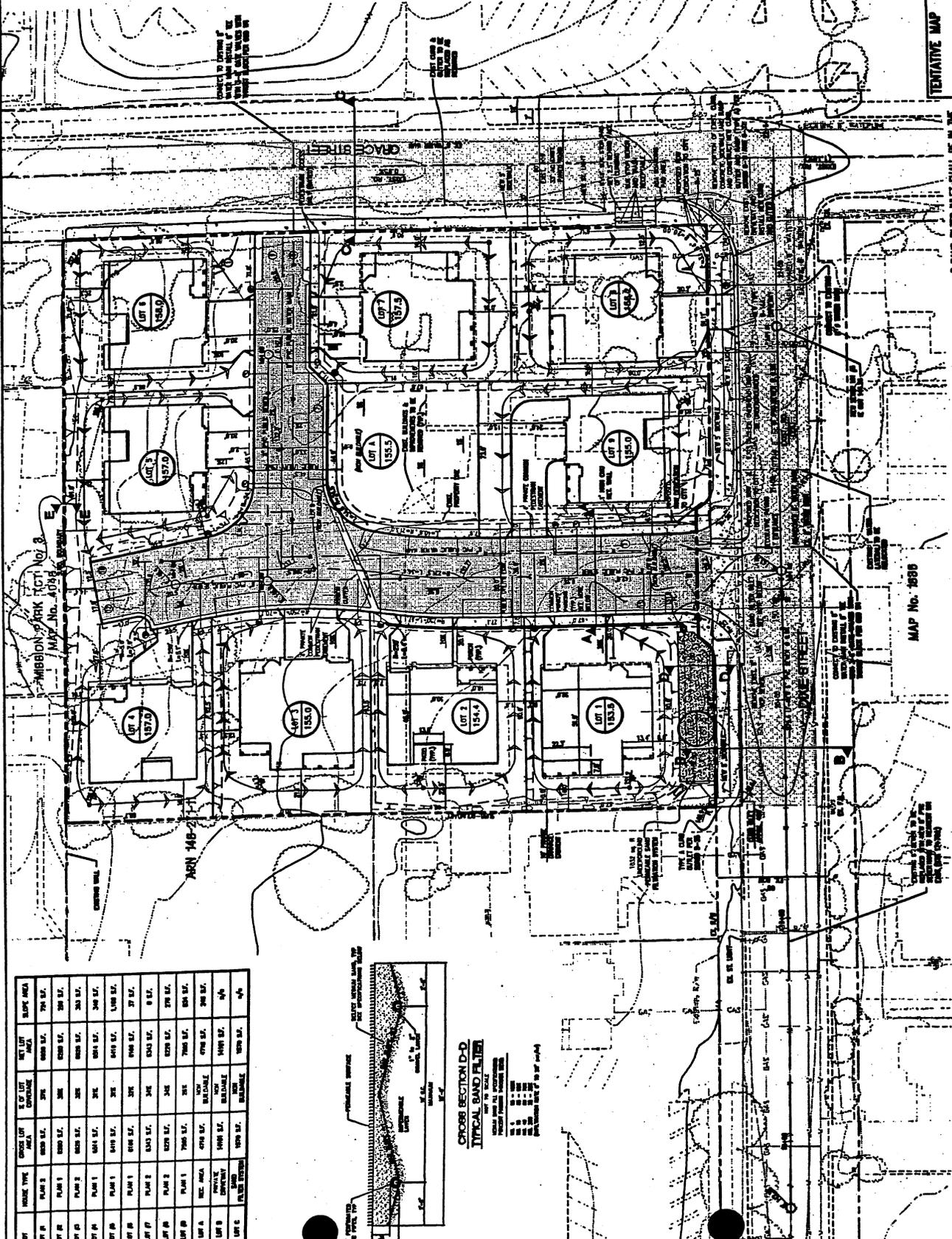


T-10-04
 SHEET
 2
 OF
 2

RED FORT HOMES DIXIE STREET

TENTATIVE MAP

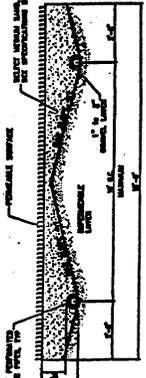
THE CITY OF OAKLAND, CALIFORNIA



NOTES:
 1. PARKING SPACES ALONG COMMON DRIVEWAY (LOT D) ARE SHOWN FOR ILLUSTRATION ONLY. PARKING STRIPING WILL NOT BE APPLIED.

2. SAND FILTER INLET SHALL BE IN THE FORM OF A REVERSE CURB OUTLET OR SIDEWALK UNDERDRAIN AND SHALL BE SIZED TO ACCEPT ONLY THE CURB.

LOT	HOUSE TYPE	HOUSE LOT AREA	S.F. LOT COVERAGE	NET LOT AREA	SLUPE AREA
LOT 1	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 2	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 3	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 4	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 5	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 6	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 7	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 8	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 9	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 10	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 11	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 12	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 13	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 14	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 15	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 16	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
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LOT 24	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
LOT 25	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.
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LOT 100	PLAN 1	6000 S.F.	20%	4800 S.F.	750 S.F.



CROSS SECTION D-D
 TYPICAL SAND FILTER

MAP No. 1688

1 PLANNING COMMISSION
2 RESOLUTION NO. 2007-P08

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 TENTATIVE MAP, DEVELOPMENT PLAN AND
6 CONDITIONAL USE PERMIT ON CERTAIN REAL
PROPERTY IN THE CITY OF OCEANSIDE

7 APPLICATION NO: T-10-04, D-26-04 and C-31-04
8 APPLICANT: Red Point Homes
9 LOCATION: Northwest corner of Dixie and Grace Streets

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 Tentative Map, Development Plan and Conditional
14 Use Permit under the provisions of Articles 10, 41 & 43 of the Zoning Ordinance of the City of
Oceanside to permit the following:

15 subdivision of a 1.82-acre site into nine single-family residential lots;
16 on certain real property described in the project description.

17 WHEREAS, the Planning Commission, after giving the required notice, did on the 22nd
18 day of January, 2007 conduct a duly advertised public hearing as prescribed by law to consider
19 said application.

20 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
21 Guidelines thereto; this project has been found to be categorically exempt per Article 19 Section
22 15332 from environmental review;

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

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

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1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. R91-38	\$3,503 per unit
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 89-231	\$2,843-15,964 depending on location
6			
7	Public Facility Fee	Ordinance No. 91-09 Resolution No. R91-39	\$2,072 per unit for residential
8			
9	School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot
10			
11	Traffic Signal Fee	Ordinance No. 87-19	\$15.71 per vehicle trip
12	Thoroughfare Fee (For commercial and industrial please note the .75 per cent discount)	Ordinance No. 83-01	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
15	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 02-OR-332-1	Based on meter size Typical \$3,746
16			
17			
18	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 02-OR-333-1	Based on water meter size Typical \$4,598
20			
21	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2000-3	Based on meter size. Typical \$4,154
23	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
25			

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

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

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

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

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

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

15 FINDINGS:

16 For the Tentative Map:

- 17 1. The proposed subdivision creates parcels that are consistent and exceed the requirements
18 of the RS zoning designation. The subdivision map is consistent with the General Plan
19 of the City.
- 20 2. The proposed building pads on the site will conform to the topography of the site,
21 therefore, making it suitable for residential development. The 1.82-acre site is physically
22 suitable to allow for the development of nine single-family lots.
- 23 3. The subdivision complies with all other applicable ordinances, regulations and
24 guidelines of the City.
- 25 4. The design of the subdivision or proposed improvements will not conflict with
26 easements, acquired by the public at large, for access through the use of property within
27 the subdivision.
- 28 5. The design of the subdivision or the proposed improvements will not cause substantial
29 environment damage with the proposed mitigation or substantially and avoidably injure
fish or wildlife or their habitat.

1 For the Development Plan:

- 2 1. The site plan and physical design of the project is consistent with the Zoning Ordinance
3 and the underlying Single-Family Residential (RS) zoning designation.
4 2. The Development Plan conforms to the General Plan of the City.
5 3. The project site can be adequately served by existing public facilities, services and
6 utilities.
7 4. The project, as proposed, is compatible with the existing and potential development on
8 adjoining properties or in the surrounding neighborhood.
9 5. The site plan and parameters for the architecture and physical design of the project is
10 consistent with the policies contained within Sections 1.24 and 1.25 of the Land Use
11 Element of the General Plan.

12 For the Conditional Use Permit for the Increase in Base Density:

- 13 1. The development portion of the subject property is zoned RS with a corresponding Land
14 Use designation of Residential Single-Family District (3.6-5.9 dwelling units per acre).
15 The project density 4.9 dwelling units per acre are consistent with the density range of
16 3.6-5.9 dwelling units per acre established by the Single-Family Residential District.
17 2. The location and conditions under which the subject application must comply insure that
18 the project will not cause detriment to the public health safety or welfare of persons
19 residing or working in or adjacent to the project area.
20 3. The project has been adequately conditioned or designed to comply with applicable
21 requirements of the Zoning Ordinance.
22 4. The project proposes an excellence in design features in accordance with Section 2.32 of
23 the General Plan including offset garages, varied front yard setbacks and various
24 orientation of the units on the lots.

25 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
26 approve Tentative Map (T-10-04), Development Plan (D-26-04) and Conditional Use Permit (C-
27 31-04) subject to the following conditions:

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1 **Building:**

- 2 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
3 Building Division plan check.
- 4 2. The granting of approval under this action shall in no way relieve the applicant/project
5 from compliance with all State and local building codes.
- 6 3. All electrical, communication, CATV, etc. service lines, within the exterior lines of the
7 property shall be underground (City Code Sec. 6.30).
- 8 4. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance)
9 and shall be shielded appropriately. Where color rendition is important high-pressure
10 sodium, metal halide or other such lights may be utilized and shall be shown on final
11 building and electrical plans.
- 12 5. The developer shall monitor, supervise and control all building construction and supportive
13 activities so as to prevent these activities from causing a public nuisance, including, but not
14 limited to, strict adherence to the following:
- 15 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
16 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
17 work that is not inherently noise-producing. Examples of work not permitted on
18 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
19 producing nature. No work shall be permitted on Sundays and Federal Holidays
20 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
21 Christmas Day) except as allowed for emergency work under the provisions of the
22 Oceanside City Code Chapter 38 (Noise Ordinance).
- 23 b) The construction site shall be kept reasonably free of construction debris as
24 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
25 approved solid waste containers shall be considered compliance with this
26 requirement. Small amounts of construction debris may be stored on-site in a neat,
27 safe manner for short periods of time pending disposal.
- 28 6. Separate/unique addresses will/may be required to facilitate utility releases. Verification
29 that the addresses have been properly assigned by the City's Planning Division must
accompany the Building Permit application.

- 1 7. Building (Demo) Permits will be required for the demolition of the existing structures.
2 Plans for the Demolition Permits must clearly show that all utilities (electric, gas, water,
3 & sewer) are properly terminated/capped in accordance with the requirements of the
4 utility service provider. All/any underground septic or water storage tanks must be
5 removed or filled in accordance with the Uniform Plumbing Code and/or the City's
6 Grading Ordinance.
- 7 8. A complete soils report, structural calculations and Energy calculations/documentation
8 must be submitted at the time that plans are submitted to the Building Division.

9 **Engineering:**

- 10 9. The project involves demolition of an existing structure or surface improvements, the
11 grading plans shall be submitted and erosion control plans be approved by the City
12 Engineer and/or Public Works Director prior to the issuance of a demolition permit. No
13 demolition shall be permitted without an approved erosion control plan.
- 14 10. With the exception of the private driveway access points approved herewith, vehicular
15 access rights to Dixie and Grace Streets shall be relinquished to the City from all abutting
16 lots.
- 17 11. Design and construction of all improvements shall be in accordance with standard plans,
18 specifications of the City of Oceanside and subject to approval by the City Engineer
19 and/or Public Works Director.
- 20 12. Prior to the issuance of a grading permit, the developer shall notify and host a
21 neighborhood meeting with all of the area residents located within 300 feet of the project
22 site, and residents of property along any residential streets to be used as a "haul route", to
23 inform them of the grading and construction schedule, haul routes, and to answer
24 questions.
- 25 13. The developer shall provide public street dedication as shown on the approved tentative
26 map and as required to serve the property.
- 27 14. The approval of the tentative map shall not mean that closure, vacation, or abandonment
28 of any public street, right-of-way, easement, or facility is granted or guaranteed to the
29 subdivider. The subdivider is responsible for applying for all closures, vacations, and
abandonments as necessary. The application(s) shall be reviewed and approved or

1 rejected by the City of Oceanside under separate process (es) per codes, ordinances, and
2 policies in effect at the time of the application.

3 15. Prior to approval of the final map, all improvement requirements shall be covered by a
4 subdivision agreement and secured with sufficient improvement securities or bonds
5 guaranteeing performance and payment for labor and materials, setting of monuments, and
6 warranty against defective materials and workmanship.

7 16. The tract shall be recorded as one. The tract may be developed in phases. A construction-
8 phasing plan for the construction of public and private improvements, including
9 landscaping and streets shall be reviewed and approved by the City Engineer and/or Public
10 Works Director prior to the recordation of the final map.

11 17. Prior to the issuance of any grading, improvement or building permits for a model
12 complex, a construction-phasing plan for the entire project shall be reviewed and
13 approved by the City Planner, the City Engineer and/or Public Works Director and
14 Building Official. All improvements shall be under construction to the satisfaction of the
15 City Engineer and/or Public Works Director prior to the issuance of any building permits.
16 All public and private improvements including landscaping, drainage, and streets or
17 arterials that are found to be required to serve the model complex shall be completed
18 prior to the issuance of any certificates of occupancy.

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

29 19. Pursuant to the State Map Act, improvements shall be required at the time of development.
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 20. The developer shall monitor, supervise and control all construction and construction-
4 supportive activities, so as to prevent these activities from causing a public nuisance,
5 including but not limited to, insuring strict adherence to the following:

- 6 a) Dirt, debris and other construction material shall not be deposited on any public
7 street or within the City's stormwater conveyance system.
- 8 b) All grading and related site preparation and construction activities shall be
9 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No
10 earthmoving or grading operation shall be conducted on Saturdays, Sundays or
11 legal holidays unless written permission is granted by the City Engineer and/or
12 Public Works Director with specific limitations to the working hours and types of
13 permitted operations. All on-site construction staging areas shall be as far as
14 possible (minimum 100 feet) from any existing residential development.
15 Because construction noise may still be intrusive in the evening or on holidays,
16 the City of Oceanside Noise Ordinance also prohibits "any disturbing excessive,
17 or offensive noise which causes discomfort or annoyance to reasonable persons
18 of normal sensitivity."
- 19 c) The construction site shall accommodate the parking of all motor vehicles used by
20 persons working at or providing deliveries to the site.

21 21. Approval of this development project is conditioned upon payment of all applicable impact
22 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
23 Code. All drainage, traffic signal contributions, highway thoroughfare fees, park fees,
24 reimbursements, and other applicable charges, fees and deposits shall be paid prior to the
25 issuing of any building permits, in accordance with City Ordinances and policies. The
26 subdivider shall also be required to join into, contribute, or participate in any improvement,
27 lighting, or other special district affecting or affected by this project. Approval of the
28 tentative map shall constitute the developer's approval of such payments, and his
29 agreement to pay for any other similar assessments or charges in effect when any increment

1 is submitted for final map or building permit approval, and to join, contribute, and/or
2 participate in such districts.

3 22. Project public streets shall provide a minimum of 10 feet parkway between the face of curb
4 and the right-of-way line. Sidewalk improvements shall comply with ADA requirements.
5 The sidewalk's location in the parkway shall be approved by the City Engineer and/or
6 Public Works Director.

7 23. This project's interior driveways shall remain private and shall be maintained by an
8 association. The pavement sections, traffic indices, alignments, and all geometrics shall
9 meet all public street standards to the satisfaction of the City Engineer and/or Public Works
10 Director and the Fire Marshal.

11 24. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon
12 approved soil tests and traffic indices. The pavement design is to be prepared by the
13 subdivider's soil engineer and must be approved by the City Engineer and/or Public
14 Works Director, prior to paving. All streets shall be improved with curbs and gutters.

15 25. Prior to approval of the grading plans, the developer shall contract with a geotechnical
16 engineering firm to perform a field investigation of the existing pavement on all streets
17 adjacent to the project boundary. The limits of the study shall be half-street plus twelve
18 (12) feet along the project's frontage on Dixie and Grace Streets. The field investigation
19 shall include a minimum of one pavement boring per every fifty (50) linear feet of street
20 frontage. Should the existing AC thickness be determined to be less than three (3) inches
21 or without underlying Class II base material, the developer shall remove and reconstruct
22 the pavement section as determined by the pavement analysis submittal process detailed in
23 Item No. 2 below.

24 26. Upon review of the pavement investigation, the City Engineer and/or Public Works
25 Director shall determine whether the developer shall: 1) Repair all failed pavement
26 sections, header cut and grind per the direction of the City Engineer and/or Public Works
27 Director, and construct a two-inch thick rubberized AC overlay; or 2) Perform R-value
28 testing and submit a study that determines if the existing pavement meets current City
29 standards/traffic indices. Should the study conclude that the pavement does not meet
current requirements, rehabilitation/mitigation recommendations shall be provided in a

1 pavement analysis report, and the developer shall reconstruct the pavement per these
2 recommendations, subject to approval by the City Engineer and/or Public Works Director.

3 27. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
4 construction of the project, shall be repaired or replaced as directed by the City Engineer
5 and/or Public Works Director.

6 28. All existing overhead utility lines within the subdivision and within any full width street or
7 right-of-way abutting a new subdivision, and all new extension services for the
8 development of the project, including but not limited to, electrical, cable and telephone,
9 shall be placed underground per Section 901.G. of the Subdivision Ordinance (R91-166)
10 and as required by the City Engineer and/or Public Works Director and current City
11 policy.

12 29. The developer shall comply with all the provisions of the City's cable television ordinances
13 including those relating to notification as required by the City Engineer and/or Public
14 Works Director.

15 30. Grading and drainage facilities shall be designed and installed to adequately accommodate
16 the local stormwater runoff and shall be in accordance with the City's Engineers Manual
17 and as directed by the City Engineer and/or Public Works Director.

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

24 32. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic
25 investigation shall be conducted of the soils, slopes, and formations in the project. All
26 necessary measures shall be taken and implemented to assure slope stability, erosion
27 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
28 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
29 the City Engineer and/or Public Works Director.

- 1 33. This project shall provide year-round erosion control including measures for the site
2 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
3 control plan, designed for all proposed stages of construction, shall be reviewed, secured
4 by the applicant with cash securities and approved by the City Engineer and/or Public
5 Works Director.
- 6 34. A precise grading and private improvement plan shall be prepared, reviewed, secured and
7 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
8 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage,
9 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
10 and any on site traffic calming devices shall be shown on all Precise Grading and Private
11 Improvement Plans
- 12 35. Landscaping plans, including plans for the construction of walls, fences or other structures
13 at or near intersections, must conform to intersection sight distance requirements.
14 Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer
15 and/or Public Works Director prior to the issuance of a preliminary grading permit and
16 approved by the City Engineer and/or Public Works Director prior to the issuance of
17 building permits. Frontage and median landscaping shall be installed prior to the issuance
18 of any building permits. Project fences, sound or privacy walls and monument entry
19 walls/signs shall be designed, reviewed and constructed by the landscape plans and shown
20 for location only on grading plans. Plantable, segmental walls shall be designed, reviewed
21 and constructed by the grading plans and landscaped/irrigated through project landscape
22 plans. All plans must be approved by the City Engineer and/or Public Works Director
23 and a pre-construction meeting held, prior to the start of any improvements.
- 24 36. Open space areas and down-sloped areas visible from a collector-level or above roadway
25 and not readily maintained by the property owner, shall be maintained by a homeowners'
26 association that will insure installation and maintenance of landscaping in perpetuity.
27 These areas shall be indicated on the final map and reserved for an association. Future
28 buyers shall be made aware of any estimated monthly costs. The disclosure, together with
29 the CC&R's, shall be submitted to the City Engineer and/or Public Works Director for
review prior to the recordation of final map.

1 37. The drainage design on the tentative map is conceptual only. The final design shall be
2 based upon a hydrologic/hydraulic study to be approved by the City Engineer and/or
3 Public Works Director during final engineering. All drainage picked up in an
4 underground system shall remain underground until it is discharged into an approved
5 channel, or as otherwise approved by the City Engineer and/or Public Works Director.
6 All public storm drains shall be shown on City standard plan and profile sheets. All
7 storm drain easements shall be dedicated where required. The applicant shall be
8 responsible for obtaining any off-site easements for storm drainage facilities.

9 38. The proposed drainage design shall reduce the peak flow rate (cfs) under the developed
10 condition to an amount at least 42 percent less than existing conditions. Calculations
11 shall be provided showing peak flow reduction and detention capacity to the satisfaction
12 of the City Engineer and/or Public Works Director. The maintenance of the detention
13 facilities shall be the responsibility of the Home Owners Association (HOA).

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

17 40. The development shall comply with all applicable regulations established by the United
18 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
19 Discharge Elimination System (N.P.D.E.S.) permit requirements for urban runoff and
20 storm water discharge and any regulations adopted by the City pursuant to the
21 N.P.D.E.S. regulations or requirements. Further, the applicant may be required to file a
22 Notice of Intent with the State Water Resources Control Board to obtain coverage under
23 the N.P.D.E.S. General Permit for Storm Water Discharges Associated with
24 Construction Activity and may be required to implement a Storm Water Pollution
25 Prevention Plan (SWPPP) concurrent with the commencement of grading activities.
26 SWPPPs include both construction and post construction pollution prevention and
27 pollution control measures and identify funding mechanisms for post construction
28 control measures. The developer shall comply with all the provisions of the Clean Water
29 Program during and after all phases of the development process, including but not
limited to: mass grading, rough grading, construction of street and landscaping

1 improvements, and construction of dwelling units. The applicant shall design the
2 Project's storm drains and other drainage facilities to include Best Management Practices
3 to minimize non-point source pollution, satisfactory to the City Engineer and/or Public
4 Works Director.

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

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

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

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

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

12 46. The BMPs described in the project's approved Storm Water Mitigation Plan (SWMP)
13 shall not be altered in any way, shape or form without formal approval by either an
14 Administrative Substantial Conformance issued by the Community Development
15 Department/Planning Division or the project's final approving authority (Planning
16 Commission/City Council) at a public hearing. The determination of whatever action is
17 required for changes to a project's approved SWMP shall be made by the Community
18 Development Department/Planning Division.

19 47. Maintenance of Storm Drain Facilities upstream from the outlet structure on the
20 southwest corner of the project shall be the responsibility of the development.

21 **Traffic:**

22 48. Five-foot sidewalk (not including 6" top of curb) shall be installed on the north side
23 Dixie Street and the west side of Grace Street for the full length of the project. The
24 sidewalk shall be ADA compliant and be non-contiguous to the curb.

25 49. Dixie Street and Grace Street, along the project frontage, shall be improved one-half street
26 width, plus 12 feet with PCC curb and gutter to the satisfaction of the Transportation
27 Manager.

28 50. All private streets and alleys shall be constructed to the satisfaction of the Transportation
29 Manager.

- 1 51. ADA complaint pedestrian access shall be provided at all project driveways and street
2 curb returns.
- 3 52. Sight distance requirements at all driveway and street intersections shall conform to the
4 intersection corner sight distance criteria as provided by the California Department of
5 Transportation Highway Design Manual.
- 6 53. A traffic control plan shall be prepared according to the City traffic control guidelines
7 and be submitted to and approved by the Transportation Manager prior to the start of
8 work within open City rights-of-way. Traffic control during construction of streets that
9 have been opened to public traffic shall be in accordance with construction signing,
10 marking and other protection as required by the Caltrans Traffic Manual and City Traffic
11 Control Guidelines.
- 12 54. Traffic control during construction adjacent to or within all public streets must meet
13 Caltrans standards and City Traffic Control Guidelines. Traffic control plans shall be in
14 effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.
- 15 55. A haul route shall be obtained at least 7 days prior to the start of hauling operations and
16 must be approved by the Transportation Manager. Hauling operations shall be 8:00 a.m.
17 to 3:30 p.m. unless approved otherwise.
- 18 56. Streetlights shall be installed on Dixie Street along the frontage of the project. The system
19 shall be designed to provide uniform lighting, and be secured prior to the recordation of
20 map or building permit issuance, if a map is not recorded. The subdivider shall pay all
21 applicable fees, energy charges, and/or assessments associated with City-owned (LS-2 rate
22 schedule) streetlights and shall also agree to the formulation of, or the annexation to, any
23 appropriate street lighting district.
- 24 57. The applicant shall pay all applicable traffic signal and thoroughfare fees.
- 24 **Fire:**
- 25 58. Smoke detectors are required, and detector locations must be indicated on the plans.
- 26 59. The size of fire hydrant outlets shall be 2 ½ "X 4".
- 27 60. The fire hydrants shall be installed and tested prior to placing any combustible materials
28 on the job site.
- 29

- 1 61. Detailed plans of underground fire service mains shall be submitted to the Oceanside
2 Fire Department for approval prior to installation.
- 3 62. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design
4 and Processing Manual Standard Drawing No. M-13.
- 5 63. All weather access roads shall be installed and made serviceable prior to and maintained
6 during time of construction.
- 7 64. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per
8 Vehicle Code Section 22500.1 and in accordance with the Fire Department Standard
9 Guidelines for Emergency Access.
- 10 65. In accordance with the California Fire Code Sec. 901.4.4, approved address for
11 commercial, industrial, and residential occupancies shall be placed on the structure in
12 such a position as to be plainly visible and legible from the street or roadway fronting the
13 property. Numbers shall be contrasting with their background.
- 14 66. Single-family dwellings require 4-inch address numbers.
- 15 67. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
16 approval prior to the issuance of building permits.
- 17 68. Buildings shall meet Oceanside Fire Department's current codes at the time of building
18 permit application.

18 **Planning:**

- 19 69. This Tentative Map, Development Plan and Conditional Use Permit shall expire on
20 January 22, 2009, unless the Planning Commission grants a time extension.
- 21 70. This Tentative Map, Development Plan and Conditional Use Permit approves only a 9-lot
22 single-family residential subdivision as shown on the plans and exhibits presented to the
23 Planning Commission for review and approval. No deviation from these approved plans
24 and exhibits shall occur without Planning Division approval. Substantial deviations shall
25 require a revision to the Development Plan or a new Development Plan.
- 26 71. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
27 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
28 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
29 annul an approval of the City, concerning Tentative Map T-10-04, Development Plan D-

1 26-04 and Conditional Use Permit C-31-04. The City will promptly notify the applicant
2 of any such claim, action or proceeding against the City and will cooperate fully in the
3 defense. If the City fails to promptly notify the applicant of any such claim action or
4 proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be
5 responsible to defend, indemnify or hold harmless the City.

6 72. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
7 Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall
8 be reviewed and approved by the City Engineer and City Planner prior to the issuance of
9 building permits. Landscaping shall not be installed until bonds have been posted, fees
10 paid, and plans signed for final approval. The following special landscaping requirements
11 shall be met:

- 12 a) Parkway tree plantings along collector roads shall be a minimum of two-inch
13 diameter trees so as to ensure a mature landscape theme is achieved in a reasonable
14 amount of time.
- 15 b) The developer shall be responsible for irrigating and landscaping all embankments
16 within the project, and all slopes along major streets.
- 17 c) Street/parkway trees (minimum 15-gallon) shall be planted at a minimum of one
18 tree per unit or lot and two trees per corner lot. Approved root barriers shall be
19 incorporated.
- 20 d) Collector street trees in parkways shall be planted at a minimum of 30 feet on
21 center, each side of street, as a solitary planting. Approved root barriers shall be
22 incorporated.
- 23 e) Local street trees in parkways shall be planted at a minimum of 30 feet on center,
24 each side of street, as a solitary planting. Approved root barriers shall be
25 incorporated.
- 26 f) To mitigate the loss of landmark and/or mature existing trees on-site the
27 determination of replacement shall be based on tree number, type, and caliper
28 (caliper measured 2 1/2 feet from the base of the tree at existing grade). The total
29 number of tree caliper lost shall be equal to the total number of caliper replaced.
Replacement trees shall be a minimum of 15-gallon container stock. A field survey

1 shall be performed under the supervision of the City Landscaping Section to
2 evaluate the existing tree population and the replacement requirements. The
3 existing trees to remain or proposed for removal shall be identified on the
4 Preliminary Grading Plan, Precise Grading Plan and Landscape Plan. The existing
5 tree type, location, and caliper shall be shown on the above plans. Replacement
6 trees shall be identified and shown on the Landscape Plan and shall be subject to
7 review and approval by the City Engineer and City Planner.

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

17 74. Model Landscape plans and Front Yard Landscape plans, designed in compliance with
18 Water Conservation Ordinance No. 91-15 shall be submitted as schematic drawings and
19 shall be approved and signed by the Engineering Department and the Planning Division
20 prior to the issuance of building permits. No bonding shall be required. Precise Grading
21 Plans for model homes shall be prepared by a Civil Engineer and shall be approved by the
22 City Engineer prior to the issuance of building permits. Prior to the issuance of occupancy
23 permits, the City's Landscape Technician/Inspector shall review each unit requested for
24 occupancy to ensure that the installation of planting and irrigation has occurred in
25 conformance with the approved schematic drawings. The irrigation system will also be
26 tested to ensure adequate operation and coverage.

27 75. All single-family unit dwelling projects shall dispose of or recycle solid waste in a
28 manner provided in City Ordinance 13.3.

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

- 1 77. A covenant or other recordable document approved by the City Attorney shall be prepared
2 by the subdivider and recorded prior to the approval of the final map. The covenant shall
3 provide that the property is subject to this resolution, and shall generally list the conditions
4 of approval.
- 5 78. Prior to the issuance of building permits, compliance with the applicable provisions of the
6 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
7 and approved by the Planning Division. These requirements, including the obligation to
8 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
9 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
10 property.
- 11 79. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
12 written copy of the applications, staff report and resolutions for the project to the new
13 owner and or operator. This notification's provision shall run with the life of the project
14 and shall be recorded as a covenant on the property.
- 15 80. Failure to meet any conditions of approval for this development shall constitute a violation
16 of the Tentative Map, Conditional Use Permit and Development Plan.
- 17 81. Unless expressly waived, all current zoning standards and City ordinances and policies in
18 effect at the time building permits are issued are required to be met by this project. The
19 approval of this project constitutes the applicant's agreement with all statements in the
20 Description and Justification, Management Plan and other materials and information
21 submitted with this application, unless specifically waived by an adopted condition of
22 approval.
- 23 82. Along Grace Street, a 6-foot high ornamental iron fence adjacent to the parking spaces
24 (between Lot No. 6 & 7) shall be constructed that will transition south into a 6-foot high
25 combination fence (2-foot high split face-block wall and 4-foot high ornamental iron)
26 finally transitioning into a privacy fence consisting of a 4-foot high block wall and 2-foot
27 high wrought iron fence.
- 28 83. The developer's construction of all fencing and walls associated with the project shall be in
29 conformance with the approved Development Plan. Any substantial change in any aspect

1 of fencing or wall design from the approved Development Plan shall require a revision to
2 the Development Plan or a new Development Plan.

3 84. If an approved Development Plan does not cover any aspect of the project fencing and
4 walls, the construction of fencing and walls shall conform to the development standards of
5 the City Zoning Ordinance. In no case, shall the construction of fences and walls
6 (including combinations thereof) exceed the limitations of the zoning code, unless
7 expressly granted by a Variance or other development approval.

8 85. All rear wood fences adjacent to public right-of-way and/or visible from the public right-
9 of-way will be stained or otherwise finished with a waterproof material.

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

- 21 a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
- 22 b) Provisions regulating individual patio covers, room additions and other
23 appurtenances.
- 24 c) Maintenance of the parkway landscaping by the association.
- 25 d) Provisions for the maintenance of all common open space and open space
26 easements on private lots, including provisions establishing mechanisms to ensure
27 adequate and continued monetary funding for such maintenance by the
28 homeowners' association.
- 29

- e) Provisions that restrict any private use of open space easement areas. Restrictions shall include, but are not limited to, removing retaining walls, installing structures such as trellises, decks, retaining walls and other hardscape and any individual landscape improvements.
- f) Provisions prohibiting the homeowners association from relinquishing its obligation to maintain the common open space and open space easement areas without prior consent of the City of Oceanside.
- g) An acknowledgement that the City of Oceanside does not have a view preservation ordinance and that views may be subject to change with maturing off-site landscape and the potential for future off-site building.

87. All street names shall be approved by the Planning Division prior to the approval of the final map for each phase of development.

88. Any project entrance signs shall meet the requirements of the Sign Ordinance and be approved by the City Planner. The following unit type and floor plan mix, as approved by the Planning Commission, shall be indicated on plans submitted to the Building Division and Planning Division for building permit:

	Sq.Ft.	# Bedrms.	# Baths	#Garage Spaces	# Stories
Plan 1	2,775	4	2.5	3	2
Plan 2	3,710	5	3.5	3	2

89. 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.

90. 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.

91. This project is subject to the provisions of Chapter 14C of the City Code regarding Inclusionary Housing.

92. This project shall comply with all provisions of the City's Affirmative Fair Housing Marketing Agreement Policy as required in the project's Affirmative Fair Housing Marketing Agreement. Such Agreement shall be submitted to and approved by the

1 Housing and Neighborhood Services Director prior to the issuance of a building permit
2 for the project.

3 **Water Utilities:**

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

7 94. No trees, structures or building overhang shall be located within any water or wastewater
8 utility easement.

9 95. The property owner will maintain private water and wastewater utilities located on private
10 property.

11 96. The developer shall construct a public reclamation water system that will serve each lot
12 and or parcels that are located in the proposed project in accordance with the City of
13 Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located
14 in the public right-of-way or in a public utility easement.

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

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

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

25 100. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
26 be paid to the City and collected by the Water Utilities Department at the time of Building
27 Permit issuance.

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

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

5 103. The existing 6-inch sewer line on Dixie Street shall be upsized to 8-inch from the cleanout
6 adjacent to the project as shown on the City sewer base map at STA. 14+30 to the manhole
7 at STA 10+43.

8 PASSED AND ADOPTED Resolution No. 2007-P08 on January 22, 2007 by the
9 following vote, to wit:

10 AYES:

11 NAYS:

12 ABSENT:

13 ABSTAIN:

14
15 _____
Dennis Martinek, Chairman
Oceanside Planning Commission

16 ATTEST:

17
18 _____
19 Jerry Hittleman, Secretary

20 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
21 this is a true and correct copy of Resolution No. 2007-P08.

22
23 Dated: January 22, 2007



RECEIVED

February 10, 2005

FEB 14 2005

Planning Department

Michael Dunham
MJD Partners, Inc.
3670 Camino Marglesa
Escondido, CA 92025-7954

Reference: Dixie Street Historic Study (Affinis Job No. 1976)

Mr. Dunham:

Stephen R. Van Wormer has completed the historic study for the Dixie Street project. The Primary Record and Building, Structure, Object Record are attached, along with the chain of title. There are copies for your files and for submittal to the City of Oceanside.

Mr. Van Wormer and Ms. Susan Walter conducted extensive archival research addressing the names in the chain of title. No significant information could be found regarding any of the past owners of the property. The house itself is not architecturally or historic significant. The property does not represent a significant historic resource. Therefore, no further measures are required beyond this documentation of the property.

If you have any questions, please call me at (619) 441-0144 extension 18.

Mary Robbins-Wade, RPA
Director of Cultural Resources

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 6

*Resource Name or #: 1914 Dixie St., Oceanside, CA.

P1. Other Identifier:

*P2. Location: Not for Publication Unrestricted

*a. County: San Diego

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad: Oceanside Date: 1967 T 11 south; R 5 west; in the South West ¼ of the South West ¼ of Sec 24, San Bernardino; M.D. B.M.

c. Address: 1914 Dixie St. City: Oceanside Zip: 92054

d. UTM: N/A (G.P.S.)

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation:

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

This single story "L" shaped, Minimal Traditional style house appears to be supported by a concrete perimeter foundation. The moderately sloped roof is covered with asphalt shingles. Wood framed double hung sash windows are placed at irregular intervals around the building in pairs and as single windows. The main entrance is centered on the east side of the main north - south oriented wing in a small recessed porch. It has a solid wooden front door. At the north end of the main wing is a small easterly projecting wing that forms the "L" foot print of the building. This smaller north wing appears to be a separate attached residence with its own entry door, which is centered on the south side of the wing under a full length covered porch. The entire building is finished on the outside with wide, horizontally placed, tongue and groove board siding that has been painted dark gray. A simple, white painted, vertical tongue and groove trim made from the same boards as the siding has been placed under the gables. A garage situated to the east of the north wing is finished in an identical manner as the house.

*P3b. Resource Attributes: (List attributes and codes) HP2 (Single Family Housing)

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

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

See continuation sheet

P5b. Description of Photo: (View, date, accession #)
See continuation sheet

*P6. Date Constructed/Age and Sources: Historic Prehistoric Both

*P7. Owner and Address: Stillman Family Marital Trust
1914 Dixie St. Oceanside, CA 92054

*P8. Recorded by: (Name, affiliation, and address)
Stephen R. Van Wormer
Affinis 847 Jamacha Road
El Cajon, CA. 92019

*P9. Date Recorded: Feb 6, 2005

*P10. Survey Type: (Describe)
Single Building

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

*Attachments: NONE Location Map Sketch 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): DPR 523A (1/95)

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

Primary # _____
HRI# _____

Page 2 of 6 *NRHP Status Code__ *Resource Name or # (Assigned by recorder) 1914 Dixie St., Oceanside, CA.

- B1. 1914 Dixie St., Oceanside, CA.
- B2. Common Name: -
- B3. Original Use: Single Family Residence
- B4. Present Use: Residential

B5. Architectural Style: Minimal Traditional.

B6. Construction History: (Construction date, alterations, and date of alterations)

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

*B8. Related Features:

B9a. Architect: Undetermined b. Builder: Undetermined

*B10. Significance: Not Significant

Theme: N/A

Area:

Period of Significance: N/A Property Type: Single Family Housing

Applicable Criteria: N/A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

Significance Statement

The property was first subdivided in 1887 as Lots 8 and 9 of Maxson and Griffins Subdivision (Subdivision Map 1887). The lots were purchased by Samuel Tyson in July 1888 (Deeds 131:217). Over the decades the property has passed through numerous owners that are listed in the attached Chain of Title. Extensive research in newspaper indexes and local directories did not encounter any significant information on any of the past owners in reference to the property. The house currently on these lots does not appear to have been built until after 1946. It does not appear on the 1948 U.S.G.S. San Luis Rey Quadrangle, that was based on 1946 aerial photography. It is a simple Minimal Traditional style house with no outstanding or unique design characteristics or decorative elements. Minimal Traditional style houses were popular in Southern California from the early 1930s to about 1950 (McAlester and McAlester 1986). The house, therefore, was probably constructed between 1946 and 1950, certainly before 1955. Houses of this age and style are quite common throughout San Diego County. In summary, the house at 1914 Dixie Street in Oceanside, California is not historically or architecturally significant. Although originally subdivided in 1887, the current building was not constructed on the property until the middle of the 20th century. It is a simple Minimal Traditional style house with no outstanding architectural features. This style of house from this time period is quite common throughout San Diego County.

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

*B12. References: See Continuation Sheet.

B13. Remarks:

*B14. Evaluator: Stephen Van Wormer _____

Date of Evaluation: February 2005 _____

(This space reserved for official comments.)

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

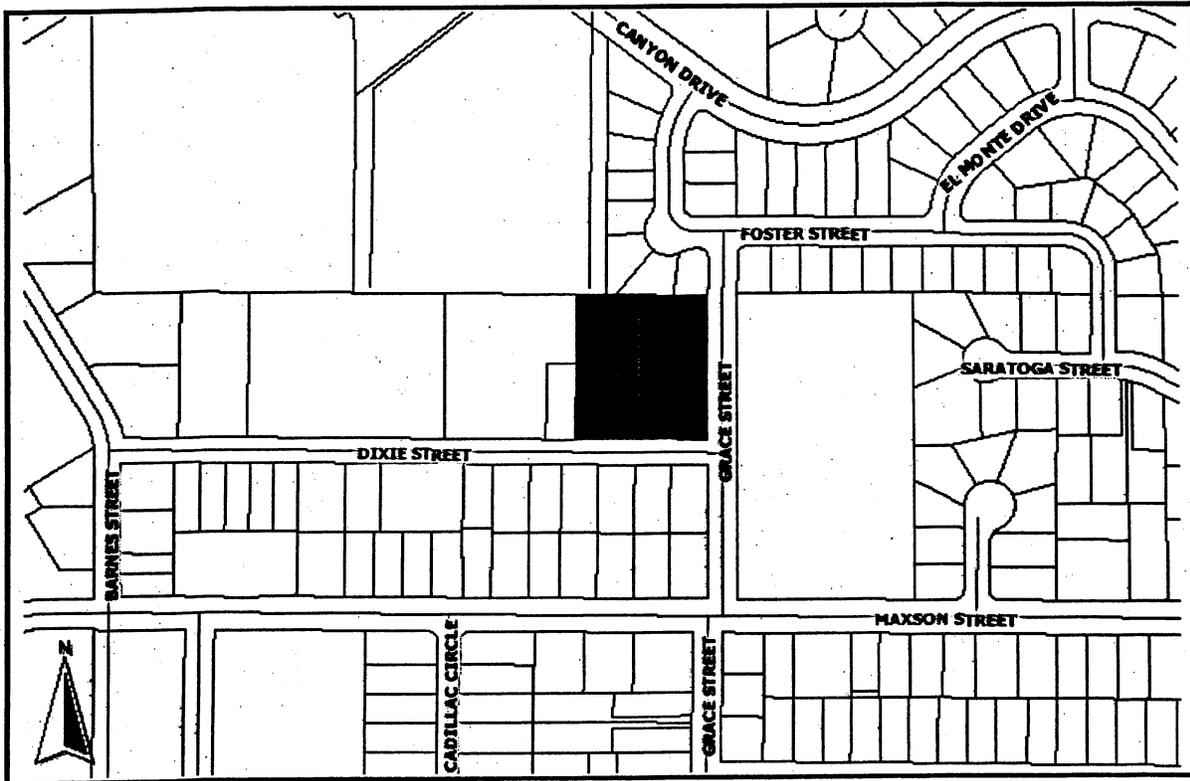
Primary # _____
HRI# _____
Trinomial _____

Page 3 of 6 *Resource Name or # (Assigned by recorder) 1914 Dixie St., Oceanside, CA.

*Recorded by: Stephen R. Van Wormer *Date: February 2005 Continuation Update State of California

1914 Dixie Street, Oceanside, California, looking northwestery.





File Number: T-10-04, D-26-04, C-31-04

Applicant: Red Point Homes

Description:

TENTATIVE MAP (T-10-04), DEVELOPMENT PLAN (D-26-04), and CONDITIONAL USE PERMIT (C-31-04) for a 9-lot subdivision on a 1.82-acre site located at the northwest corner of Dixie Street and Grace Street. The project site is zoned RS (Residential Single-Family) and is situated within the Loma Alta Neighborhood.
DIXIE STREET DEVELOPMENT

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

Application For Planning Commission Hearing

PLANNING DEPARTMENT (760) 966-4770
 OCEANSIDE CIVIC CENTER
 300 N. COAST HIGHWAY
 OCEANSIDE, CA 92054-2885

STAFF USE ONLY

ACCEPTED

9-9-2004

BY

[Signature]

PLEASE PRINT OR TYPE ALL INFORMATION

RECEIVED HEARING

PART I - APPLICANT INFORMATION

SEP 09 2004
 Planning Department

1. APPLICANT:

Red Point Homes

2. STATUS

Planning Department

G.P.A

MASTER / SP.PLA
 ZONE CHANGE

3. ADDRESS: 609 S. Vulcan, Suite 302

Encinitas, CA 92024

4. PHONE / FAX

(760) 632-5382

TENTATIVE MAP
 PARCEL MAP

T-10-04

5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) **Tait Consulting, Inc., Bruce Tait**

DEV. PL.
 C.U.P.

D-26-04
 C-31-04

6. ADDRESS

702 Civic Center Drive
 Oceanside, CA 92054

7. PHONE / FAX

(760) 433-1166 / (760)433-1017

VARIANCE
 COASTAL

O.H.P.A.C.

PART II - PROPERTY DESCRIPTION

8. LOCATION

North-West Corner of Dixie Street and Grace Street

9. SIZE

Project: 1.82 Ac.

10. GENERAL PLAN

SFD-R

11. ZONING

RS

12. LAND USE

Single Family
 Detached Residential

13. ASSESSOR'S PAR. NO.

148-271-09 & 10

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION:

Ten Lot Subdivision

REV-12/27/04, 5/17/05, 7/13/05, 12/8/05, 5/11/06

15. PROPOSED GEN. PLAN

SFD-R

16. PROPOSED ZONING

RS

17. PROPOSED LAND USE

Single Family Detached Res.

18. # UNITS

10 Lots

19. DENSITY

5.5 D.U./Ac.

20. BUILDING SIZE

Not Applicable

21. PARKING SPACES

3 Garage Spaces

22. % LANDSCAPING

At least 50% of front yard

23. % LOT COVERAGE

31 %

PART IV - ATTACHMENTS

REV-8/23/06
 DEV. PLANS, CUP'S & TENT. MAPS

ALL APPLICATIONS

24. DESCRIPTION/JUSTIFICATION

25. LEGAL DESCRIPTION

30. FLOOR PLANS & ELEVATIONS

26. 300 FT. RADIUS MAP

27. PROPERTY OWNERS' LIST

31. CONSTRUCTION SCHEDULE

28. ENVIRONMENTAL ASSESSMENT

29. PLOT PLANS

32. OTHER, Technical Reports

PART V - SIGNATURES

THE APPLICANT OR HIS 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

Tait Consulting, Inc.

34. DATE

8/13/04

35. APPLICANT (Print)

Red Point Homes

Brent Mitchell

36. DATE

37. OWNER (Print)

Stillman Family Trust

38. DATE

Name: Floyd Murray Stillman

/ Title: Trustee

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

35. APPLICANT (Print)

Red Point Homes

Brent Mitchell

36. DATE

39. OWNER (Print)

Murray Stillman

40. DATE

8/24/04

Sign:

Sign:

Sign:

[Signature: Murray Stillman]

**Red Point Homes
Dixie Street
Tentative Map and Conditional Use Permit
Description and Justification
August 2006**

RECEIVED
AUG 23 2006
Planning Department

Location and Density

The proposed development would create nine house lots and 3 common lots (private driveway, common opens space and a storm water filtration lot) on a site that currently has frontage on Dixie and Grace Streets. The existing land consists of two parcels totaling 1.82 acres. There are two existing homes on the site that have driveway access on Dixie Street. These homes will be removed. Of the project gross acreage, 0.003 acres is to be dedicated as public street. The remaining net acreage of the subdivision is 1.82 acres.

The previous owner of the property has lived on the property since 1937. The age of the small home is not known, but the larger home was built by the previous owner in 1950. Each home is a single story home with a detached garage. The homes are modest in appearance and simple in architectural style. The previous owner raised show horses on the property until 1970, after which he retired and lived on the property until approximately 2004

The site is generally flat, sloping gently from northeast to southwest at approximately a 2 to 3 percent grade.

The property is zoned RS with adjoining property to the west, south and north zoned RS as well, except for the northwest corner which is zoned RM-C. The property to the east is zoned PS.

The Land Use Map of the General Plan designates the site as SFD-R (3.6 to 5.9 D.U. / Ac.). The surrounding area is also designated SFD-R, except the area to the northwest, which is MD-C.

This site is within the Loma Alta Neighborhood Plan Area in Community Plan Area D.

This project proposes nine home lots at a density of 4.95 D.U. / Ac. The lot sizes of the ten new residential lots range from 6030 to 7595 s.f.

Therefore, this project is consistent with both the Single Family Detached General Plan designation and the RS zoning.

Development Plan

Lot Layout:

This tentative map will create nine residential lots and three private common lots. The average lot size for the nine new home lots is 6467 s.f., which is above the minimum lot size. In addition, the average pad size is approximately 6020 s.f.

The layout of the site has provided for a secluded atmosphere, since eight of the nine home sites are accessed from a private internal driveway.

The site layout also minimizes the number of access points to the existing streets. Grace Street is designated as a collector street, so the layout avoids any connection to that street. There is one lot with a driveway accessing Dixie Street. The driveway is set to the west side of the lot to provide as much distance as possible from the intersection. The remaining homes take access from an internal private driveway which connects to Dixie as far to the west as possible.

The project will include a centrally located, passive recreation area of approximately 4700 s.f. The landscape concept plan provides for a trellised concrete paved and surrounding turf for barbeques and picnics and related recreation. The perimeters of the area are to be landscaped with a buffer of trees and shrubs.

Architecture:

Plan Information

The project will feature two, two-story plan types:

Plan 1	2,775 ± sf	4 bedrooms + 2½ baths	3-car garages
Plan 2	3,710 ± sf	5 bedrooms + 3½ baths	3-car garages

Architectural Features

Four varied architectural elevations will be utilized; all reflecting locations in the country that are more "seasonal" in climate, meaning areas where the seasons of winter, spring, summer and fall are more distinct. The Plan 1 homes will be elevated using Colonial and Craftsman architecture, while the Plan 2 will use Traditional and Victorian architecture. All four building sides will be elevated and articulated. Review of the project's Conceptual Architecture will show elevations that include architectural highlights of: front porches, turrets, gable roofs, hip roofs, window shutters, brick, stone, wood siding, varied roof color, varied garage doors, window surrounds, and columns. The architectural elements incorporated into the design are reflective of more expensive and upscale

neighborhoods and will greatly assist in improving the land value, and hence, the potential for improvement of neighboring properties.

Landscape Theme & Front Yard Landscaping

The project is designed to incorporate landscaping that is "seasonal," including planting materials that are both evergreen and deciduous, providing a palette that is varied in texture and color throughout the year.

The applicant will install all front yard landscaping as a standard feature in the base sales price of the homes. Installing the front yard landscaping will assist in keeping the landscape theme consistent and uniform.

North Boundary Window Locations

The projects northern perimeter lots (Lots 4, 5 & 6) abut the rear yards of three lots located on Foster Street. The applicant has worked with the neighborhood, and the standard window locations for these three lots have been altered in order to eliminate direct line-of-sight view from the bedrooms into the rear of the Foster Street lots.

Fencing

The project perimeter fencing consists of decorative slump stone block with a pre-cast cap, with portions of the fence on Grace Street consisting of a 4 foot high base with 2 feet of tubular steel fencing above, adding significantly to the street scene of the neighborhood. Interior side yard fencing consists of cedar and Douglas fir wood fencing,

Street and Driveway Paving

The project interior street paving will consist of either decorative concrete paving or interlocking pavers at the project's entry throat (the first 130 lf), with asphalt paving comprising the balance. Each home's driveway will be concrete.

Grading and Drainage:

The property has an average slope of approximately 2%. There are no rock outcroppings, no ridges, hilltops, lakes, ponds, or other significant natural features on the site.

The site currently drains to the southwest. This existing runoff sheet flows across the curb into the existing gutter where it flows to the west to an existing cross gutter, across Dixie and into a storm drain inlet on the south side of the street.

As proposed, the majority of the runoff from the site will be filtered through a combination of bioswales and a sand filter in Lot C. A Drainage Report and a Storm Water Mitigation Plan is submitted with this application.

The increase in flow from the site is minimal and the Drainage Study shows that the existing gutter will be able to convey the increased flow. The hydrology study prepared for this project shows that the existing inlet to the west, on the south side of Dixie Street, is not adequate to accept the flow in the street prior to development. However, the Drainage Report for the Dixie Village project indicates that the majority of the runoff from that site will be intercepted by a proposed underground storm system. This will actually reduce the flows in Dixie Street sufficiently to enable the existing inlet to function properly.

The filtration of runoff from the site will improve the quality of the runoff in the area.

Because this site has been designed to fit the existing drainage pattern, the amount of proposed grading is very low. The proposed grading will be 2600 CY or 1430 CY per graded acre.

Water Utilities:

Sewer service is to be via a new public sewer line in a public utility easement and will connect to an existing 8" sewer line in Dixie.

Water service would be provided by the construction of a new water line connecting the existing 8" line in Dixie Street with the existing 8" line in Grace Street. The new line will be set in a public utility easement through the site. There will be individual meters to each parcel from the new water line.

Transportation / Streets / Parking

Grace Street is designated as a Collector Street and Dixie is a Local Street in the Transportation Element of the General Plan. The existing right of way along both Dixie and Grace Streets provides for a 30' half width; therefore additional width is not needed. However, the property lines at northwest corner of the said intersection meet at an angle point instead of a curve, so a dedication of right of way is proposed to provide a 20' radius curve at this point. In addition, new right of way will be dedicated at the project entrance, so that the public ADA path of travel will stay in the Dixie Street right of way.

This project will be installing street lights along Grace and Dixie Streets in accordance with the City of Oceanside Engineers Design and Procedure Manual, as shown on the tentative map. This will improve the existing level of night time lighting in the area.

The project proposes a common driveway that is wide enough to accommodate parking for 15 additional cars, avoiding the necessity for parking in driveways. This increases the onsite parking to 56% above the minimum requirements.

Soils and Geotechnical:

GeoSoils, Inc. has performed a preliminary geotechnical evaluation of the property (copies enclosed with the application). A summary of their findings follows:

1. The top few feet (2.5 to 5 feet) of soil should be removed and recompactd.
2. Selective grading or foundations designed for medium to highly expansive soils must be utilized.
3. Overexcavation of transition lots is recommended.
4. Corrosion resistance must be considered in the design of foundations and piping.

Maintenance:

The only common maintenance items anticipated for this project are the private driveway, the common passive recreation area, the common storm water filtration device, and the landscaping along the frontage of Dixie and Grace Streets.

A home owners association will be formed for the express purpose of maintaining the above items. Codes Covenants and Restrictions (CC&R's) will be prepared as required by the Planning Commission Resolution for items required by the typical conditions of approval for the project.

Conditional Use Permit

We believe that the density of the project should be allowed above the base density for the following reasons:

1. The average lot areas exceed the minimums required by the zoning ordinance.
2. This project exceeds the standards established by City policy.
3. The plan calls for access to 89% of the new homes with a private entrance driveway off of Dixie Street. This has the following advantages:
 - a. it minimizes disturbance to traffic flow on Dixie.
 - b. it eliminates the need for another intersection on Grace
 - c. it allows for a secluded community ambiance
4. This is an infill project designed to provide a logical transition from the multi-family project to the northwest and the RS zoned property in the remaining area around this project.
5. This density is a practical density for a site that lies within one block of commercial property, 3 or 4 blocks from I-5 and about 6 blocks from the Townsite Area.
6. The site has been designed in a way that will provide for minimum visual impact on the surrounding neighborhood, since it will be a product that is similar in density to the surrounding area and will have a perimeter screen wall and landscaping which will provide further visual and acoustic separation.
7. The layout of the site provides for a secluded community feeling without a requirement for a gated entrance.
8. As indicated in the above sections, this project will include superior architecture:
 - a. Four elevations
 - b. Enhanced architectural features: front porches, turrets, gable roofs, hip roofs, window shutters, brick, stone, wood siding, varied roof color, varied garage doors, window surrounds, and columns.
 - c. Enhanced project landscaping and builder installed front yard landscaping
 - d. Decorative masonry and tubular steel perimeter fencing
 - e. Enhanced street and home driveway paving
9. The project will include a passive recreation area for barbeques and picnics and related recreation.
10. Neighborhood Support: Red Point Homes has expended great effort in coordinating with the neighborhood and has had several phone conversations and meetings with neighborhood representatives to address their concerns. A petition has been provided to staff showing that these neighbors overwhelmingly support the project. Red Point conducted a Dixie Street Project Neighborhood Meeting one evening. During the meeting Red Point Homes reviewed the plans and answered questions. The neighbors were very pleased with the resolutions to their concerns and intended to circulate a petition in which they request that the site plan remain as is.

Conditional Use Permit Findings

1. The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the RS zone in which the site is located. This project meets all of the requirements of the ordinance. The proposed parcel sizes meet size and shape requirements and the proposed houses are provided with required setbacks.

This project is consistent with the purposes of the Zoning Ordinance, which include: the preservation of the character and quality of residential neighborhoods; fostering of convenient, harmonious, and workable relationships among land uses; and achievement of the arrangement of land uses described in the Land Use Element of the General Plan. This project does not conflict with the character of the existing neighborhood. The project is harmonious with the existing and allowable land uses in the area and has a workable relationship with the surrounding properties. It is consistent with the Land Use Element of the General Plan.

This project is also consistent with the Specific Purposes of the Residential District in which it lies.

- a. It is consistent with the General Plan and standards of public health and safety.
- b. It provides for adequate light, air, privacy, and the vertical separation and perimeter screen wall provide for protection against excessive noise, population density (consistent with Land Use Element and Zoning), traffic congestion (consistent with the Transportation Element) and other adverse environmental effects.
- c. It protects the adjoining residential lots from excessive loss of sun, light, quiet, and privacy since its density and setbacks are consistent with the surrounding neighborhood and its setting is somewhat below the majority of the surrounding area.
- d. It is compatible in design to the surrounding neighborhoods.
- e. It does not create an adverse effect on the existing or planned public services and facilities needed to accommodate planned population densities. The necessary access, sewer, water and drainage is provided in the design of the new project infrastructure. In addition, the area water system will be enhanced by the addition of the proposed water loop through the subdivision.

2. For the reasons stated above, the proposed location of the conditional use and the proposed conditions under which it could be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

3. In addition, for the same reasons, the proposed conditional use will comply with the provisions of the Zoning Ordinance, including any specific conditions required for the proposed conditional use in the district in which it would be located.

Construction Schedule

Construction Item

Months From

Start Date

Grading

1 month

Site Improvements

2 months

Home Improvements

7 months

EXHIBIT "A"

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

Lots Eight (8) and Nine (9) of Dixie Heights Addition, in the City of Oceanside, County of San Diego, State of California, according to Map thereof No. 1836, filed in the office of the County Recorder of San Diego County, May 19, 1925.

SCHEDULE B

At the date hereof Exceptions to coverage in addition to the printed exceptions and exclusions in said policy form would be as follows:

- A. Property taxes, including general and special taxes, personal property taxes, if any, and any assessments collected with taxes, to be levied for the fiscal year 2004 - 2005 which are a lien not yet payable.

- B. Property taxes, including general and special taxes, personal property taxes, if any, and any assessments collected with taxes, for the fiscal year 2003 - 2004.

1st Installment:	\$165.03 (Paid)
2nd Installment:	\$165.03 (Delinquent) This amount is valid until April 10, after which penalties apply
Penalty (including cost):	\$26.50 Due with installment amount if paid after April 10
Exemption:	\$-0-
Code Area:	07000
Assessment No.:	148-271-09-00

Said matter affects Lot 8.

- C. Property taxes, including general and special taxes, personal property taxes, if any, and any assessments collected with taxes, for the fiscal year 2003 - 2004.

1st Installment:	\$402.03 (Paid)
2nd Installment:	\$402.03 (Delinquent) This amount is valid until April 10, after which penalties apply
Penalty (including cost):	\$50.20 Due with installment amount if paid after April 10
Exemption:	\$7,000.00
Code Area:	07000
Assessment No.:	148-271-10-00

Said matter affects Lot 9.

- D. Supplemental or escaped assessments of property taxes, if any, assessed pursuant to the Revenue and Taxation Code of the State of California.

- 1. Any invalidity or defect in the title of Vestees in the event such trust is invalid or fails to confer sufficient powers in the trustees or in the event there is lack of compliance with the terms and provisions of the trust instrument

END OF SCHEDULE B EXCEPTIONS

PLEASE REFER TO THE "NOTES AND REQUIREMENTS SECTION" WHICH FOLLOWS FOR INFORMATION NECESSARY TO COMPLETE THIS TRANSACTION



**CITY OF OCEANSIDE
PLANNING DEPARTMENT**

NOTICE OF EXEMPTION

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

PROJECT TITLE AND FILE NUMBER:
DIXIE STREET SUBDIVISION (T-10-04, D-26-04 & C-31-04)

PROJECT LOCATION - SPECIFIC:
Northwest corner of the intersection of Dixie and Grace streets

PROJECT LOCATION - GENERAL:
City of Oceanside

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:
A 10-unit single-family subdivision situated on 1.82 acres.

NAME OF PUBLIC AGENCY APPROVING PROJECT:
City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:
Red Point Homes
609 S. Vulcan, Suite 302
Encinitas, CA 92024
(760) 632-5382

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) 15332

REASONS WHY PROJECT IS EXEMPT:

In accordance with CEQA Section 15332, the proposed project is consistent with the applicable general plan designation and policies and zoning designations; and the development comprises an area of no more than 5 acres in size; and has no native habitat; and will not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by existing utilities and public services.

Contact Person: Shan Babrick, Associate Planner

SIGNATURE

August 2, 2005

DATE

For: Gerald S. Gilbert, Planning Director