



DATE: March 26, 2007

TO: Chairman and Members of the Planning Commission

FROM: Planning Division

SUBJECT: **TIME EXTENSION TO TENTATIVE PARCEL MAP (P-6-04), DEVELOPMENT PLAN (D-10-04), CONDITIONAL USE PERMIT (C-21-04), REGULAR COASTAL PERMIT (RC-6-04) AND THE DEFERMENT OF UNDERGROUND OVERHEAD UTILITIES FOR A 3-UNIT CONDOMINIUM DEVELOPMENT AT 1626 BROADWAY WITHIN THE SOUTH OCEANSIDE NEIGHBORHOOD AND THE COASTAL ZONE - BIELAWSKI CONDOMINIUMS - APPLICANT: SEAN BIELAWSKI**

**RECOMMENDATION**

Staff recommends that the Planning Commission by motion:

- (1) Approve a time extension for Tentative Parcel Map (P-6-04), Development Plan (D-10-04), Conditional Use Permit (C-21-04), Regular Coastal Permit (RC-6-04), and the deferment of underground overhead utilities;
- (2) Adopt Planning Commission Resolution No. 2007-P15 with findings and conditions of approval attached herein.

**PROJECT DESCRIPTION AND BACKGROUND**

**Background:** On February 28, 2005, the Planning Commission considered a Tentative Parcel Map (P-6-04), Development Plan (D-10-04), Conditional Use Permit (C-21-04), and Regular Coastal Permit (RC-6-04) proposing a three unit condominium development in the South Oceanside Neighborhood. The Planning Commission adopted Resolution No. 2005-P17, including condition 44 that limits the approval to a two-year term unless a time extension is approved by the Planning Commission.

On April 25, 2005, staff reviewed an application for Substantial Conformity (SC-21-05). This application's approval allowed minor alterations to the garage and second floor master bedroom layout.

On January 25, 2007, the applicant applied for a time extension of the original Planning Commission action which adopted Resolution 2005-P17.

**Site Review:** The site is located at 1626 South Broadway, which is mid-block between Morse and Whaley Streets. The underlying land use designation for the site is Medium Density Residential (MDR-C). The zoning for the site is Medium Density-C Residential (RM-C) District. The project is situated within the South Oceanside Neighborhood. Under the provisions of the Local Coastal Plan the project site is designated as R-3.

A single-family home built in 1951 exists on-site and was surveyed to determine its historic value (and this report was attached to the 2005 Staff Report). The site is surrounded by mainly multi-family residential uses with single-family detached units interspersed. The railroad tracks are across the street and west of the site.

The subject site is approximately 8,100 square feet in size. The site slopes down slightly to the west with elevations between 43 feet MSL (Mean Sea Level) and 42 MSL.

**Project Description:** The applicant has requested a time extension for a project that includes a Tentative Parcel Map, Development Plan, Conditional Use Permit, Regular Coastal Permit and the deferral of undergrounding of the overhead utilities. Each discretionary request is described as follows:

Tentative Parcel Map (P-6-04) represents a request for the following:

- (a) A time extension of a previously approved tentative parcel map to create three condominium units on an 8,100-square foot lot. Extension of tentative subdivision maps are subject to City Council Policy No. 300-05 and Sections 705, 408, and 409 of the Subdivision Ordinance.
- (b) A time extension of a previously approved deferment of the requirement to underground all overhead utilities, pursuant to the City of Oceanside Subdivision Ordinance and the Subdivision Map Act.

Development Plan (D-10-04) represents a request for the following:

- (c) A time extension of a previously approved development plan that includes the demolition of the existing single-family residence and the construction of three dwelling units pursuant to Sections 1050 and 4308.C of the Oceanside Zoning Ordinance.

Conditional Use Permit (C-21-04) represents a request for the following:

- (d) A time extension of a previously approved conditional use permit to exceed the base district density of 15.1 dwelling units per gross acre pursuant to Sections 1050 and 4108.B of the Oceanside Zoning Ordinance.

Local Coastal Permit (RC-6-04) represents a request for the following:

- (e) A time extension of a previously approved Regular Coastal Permit to demolish an existing structure and construct three dwelling units pursuant to the Local Coastal Program (LCP) and the aforementioned sections of the Zoning Ordinance.

The project proposes three different floor plans, each consisting of two or three bedrooms and 2.5-baths, as follows:

Plan Type	Stories	Floor Area	No. of Bedrooms	Garage	Total Outdoor Space
Unit 1	1	1,909 SF	2	2	481 SF
Unit 2	2	1,990 SF	3	2	1,010 SF
Unit 3	2	2,165 SF	3	2	450 SF

All of the garages are at ground level and enclosed. None of the units have direct (internal) access from the garages. Units 1 and 2 share a four-car parking garage which has private storage areas; unit 3 has an enclosed two-car garage. Vehicular access to the garages will be provided from the alley. Pedestrian access to the dwelling units will be provided from Broadway Street.

Architectural features include roof and sun decks, awnings and varied rooflines. Exterior materials consist of gray and white stucco, metal cable rails and standing seam metal roofs.

The Conceptual Landscape Plan includes *Pittosporum*, *Camellia*, *Stelitzia*, *Diets*, *Nandia*, or *Hermerocalis* and *Campanula*, *Geranium*, and *Impatiens* for groundcover. The Conceptual Landscape Plan includes trees, such as *Cassia*, *Eryobrya*, *Washingtonia*, *Syagrus*, or *Dicksonia antarica*. Two *Washingtonia robusta* street trees are provided.

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

1. General Plan Land Use Element
2. Zoning Ordinance
3. California Environmental Quality Act (CEQA)
4. Coastal Act/ Local Coastal program
5. The Subdivision Ordinance
6. City Council Policy

## **ANALYSIS**

### **KEY PLANNING ISSUES**

#### **1. General Plan conformance**

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

#### **Land Use Element**

##### **Goal 1.23: Architecture**

**Objective:** The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

**Policy: A.** Architectural form, treatments, and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.

The structure is designed in the Modern style, a trim building with clean lines and exposed materials, such as metal cable railings, galvanized metal scuppers, and masonry walls. The stucco and masonry walls either recess or protrude to enhance visual interest and provide interplay of light and shadow. The architectural lines and finish materials will create a structure that enhances the image of the streetscape and contributes to the overall appearance of the surrounding area.

##### **Goal 2.32: Residential Development, Potential Range of Residential Densities**

**Objective:** To direct and encourage the proper type, location, timing, and design of housing to benefit the community consistent with the enhancement and establishment of neighborhoods and a well balanced and organized City.

**Policy: A.** Residential projects that possess an excellence of design features shall be granted the ability to achieve densities above the base density.

The project proposes design features and development standards exceeding the minimum required; for example, a large lot, increased floor areas, varied roof lines, an articulated front elevation, enclosed parking; superior architectural design and superior landscape materials.

## 2. Zoning Compliance

This project is located in the Medium Density - C Residential (RM-C) District and complies with the requirements of that zoning designation. The following table summarizes proposed and applicable development standards for the project site:

	ZONING AND LCP REQUIREMENTS	PROPOSED
MINIMUM LOT SIZE	7,500 SF	8,100 existing SF
OFF-STREET PARKING	6-parking spaces	6-parking spaces
REQUIRED FRONT YARD	15-feet	15-feet
REQUIRED SIDE YARDS	5 - 10-feet	5 - 10-feet
REQUIRED REAR YARD	5-feet	5-feet
MAXIMUM HEIGHT	27-feet	27-feet

The project meets all applicable requirements of the Oceanside Zoning Ordinance.

## 3. Local Coastal Program compliance

The project is outside of the appealable area of the Local Coastal Plan and complies with the zoning code and Local Coastal Plan requirements. The following policies of the LCP will be implemented as a part of this project:

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

The project's height, scale, color, and form are compatible with the surrounding area. To determine compatibility, the 2005 Staff Report inventoried multi-family condominium developments located in the surrounding neighborhood. What follows is a list comparing the surrounding multi-family residential units.

	Kyle	Turner	Project
Unit Size:	2,519	2,371	1,909
	2,579	2,644	1,990
	2,724	2,165	
Density:	14.5	16.1	16.1

The South Oceanside Neighborhood consists of mainly multi-family residential buildings interspersed with single-family detached development. Staff finds that the proposed product type (multi-family condominium) and density (16.1 dwelling units per acre) is consistent and compatible with the development pattern within the South Oceanside Neighborhood and the surrounding area. The project's unit size is consistent with adjacent multi-family condominium developments.

The predominant architectural themes throughout the neighborhood are contemporary designs inter-mixed with Mediterranean-Spanish style designs. Staff finds that contemporary architecture is consistent and compatible with the surrounding neighborhood.

Staff also evaluated the proposed development's effects on public coastal views. The proposed project is located in the middle of the block between Morse and Whaley Streets east of the railroad tracks. The subject site location will not block public views.

#### **4. Subdivision Ordinance compliance**

The tentative parcel map was previously found to be in compliance with the Subdivision Ordinance. No project changes are proposed as part of this application.

#### **5. City Council Policy compliance**

It is the City Council Policy (NO. 300-05) that the maximum period for which a tentative subdivision map may be extended at any one time shall not exceed two years and that no extension of any tentative subdivision map shall be approved unless the Planning Commission finds that: (a) The tentative subdivision map as originally approved is consistent with, and complies with, the General Plan, Comprehensive Zoning Ordinance, subdivision ordinances, grading ordinance, and all other development ordinances, regulations, policies, and fee requirements in effect at the time that the Planning Commission considers the extension application; and (b) The tentative subdivision map, as originally

approved, will not substantially threaten the public health, safety, or welfare of others residing or working in the vicinity; or (c) Although the Planning Commission cannot make the findings as required in (a) and (b) above, the applicant is willing to enter into a binding commitment to modify the original approval of the tentative subdivision map so that the Planning Commission could make the above findings as to the map as modified.

## **DISCUSSION**

### **Issue: Approval of a time extension**

The application is conditioned for a maximum of 24 months from the original expiration date of February 28, 2005. Staff finds that the time extension application is consistent and complies with local regulations, ordinances, and the General Plan; and with the Subdivision Map Act. The tentative parcel map will not threaten public health, safety, or the welfare of others residing and or working in the vicinity of the project.

## **ENVIRONMENTAL DETERMINATION**

The proposed project is categorically exempt pursuant to Class 3, Article 19, Section 15303(b) of the California Environmental Quality Act which states that examples of this exemption include, but are not limited to a duplex or similar multi-family residential structure, totaling no more than four dwelling units.

## **PUBLIC NOTIFICATION**

Legal notice was published in the North County Times on March 16, 2007, and notices were sent to property owners of record (and tenants) within a 300 ft. (and tenants within a 100 ft) radius of the subject property, individuals/organizations requesting notification, applicant, and interested parties. As of March 19, 2007, no communication supporting or opposing the request has been received.

## **SUMMARY**

In reviewing the proposed time extension application staff finds that the project is consistent with development criteria of the Subdivision Ordinance, Zoning Ordinance and the applicable land use policies of the General Plan as well as the

Local Coastal Plan and City Council Policy. The project is consistent with the density, size and design within the surrounding neighborhood. Staff believes that the time extension of the original approval will not be detrimental to the public's health, safety, or welfare. Therefore, staff recommends extending the time of the original date of expiration. The Commission's action should be:

- Move to approve a time extension for Tentative Parcel Map (P-6-04), Development Plan (D-10-04), Conditional Use Permit (C-12-04), Regular Coastal Permit (RC-6-04), and deferment of underground overhead utilities and adopt Planning Commission Resolution No. 2007-P15 as attached.

PREPARED BY:

  
\_\_\_\_\_  
Juliana von Hacht  
Associate Planner

SUBMITTED BY:

  
\_\_\_\_\_  
Jerry Hittleman  
City Planner

REVIEWED BY:

  
\_\_\_\_\_  
Amy Volzke, Principal Planner

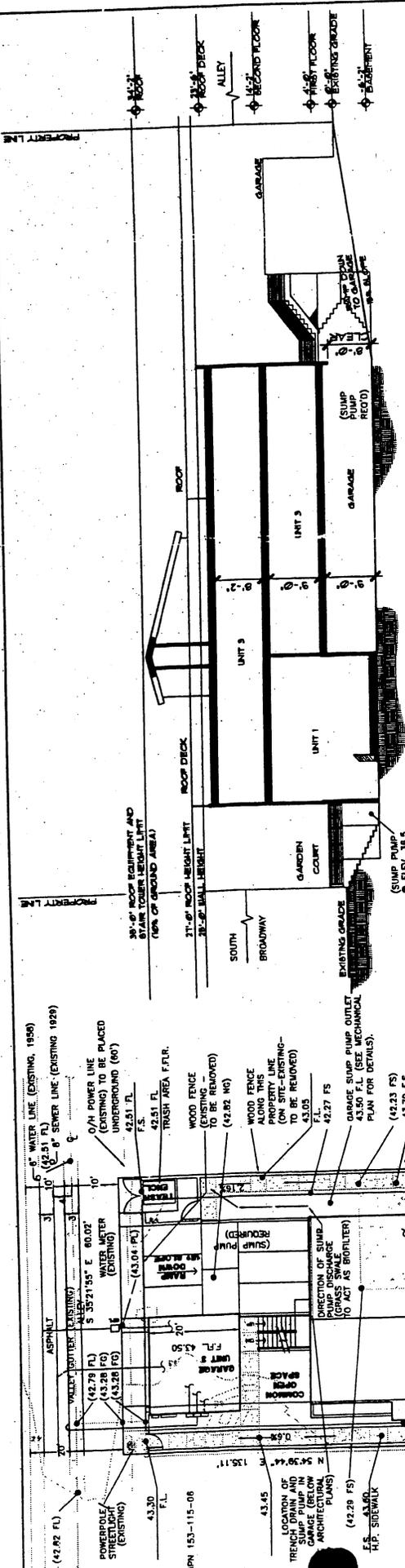
JH/JH/fil

Attachments:

1. Plans
2. Planning Commission Resolution No. 2007-P15
3. Planning Commission Resolution No. 2005-P17

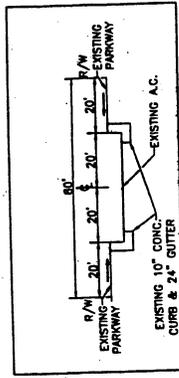




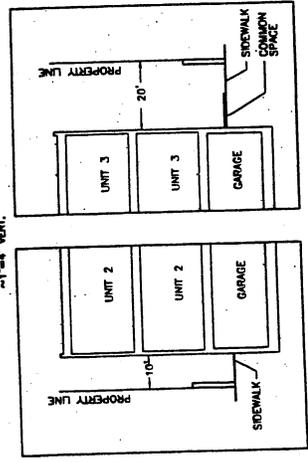


**SECTION A-A**  
SCALE 1/8" = 1'-0"  
HORIZ. & VERT.

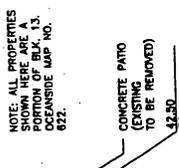
NOTE: GEOSOLS DETAIL NO. 2, PER PROJECT GEOTECHNICAL ENGINEER, IS REQUIRED IN AREAS WHERE WALLS EXTEND BELOW GRADE.



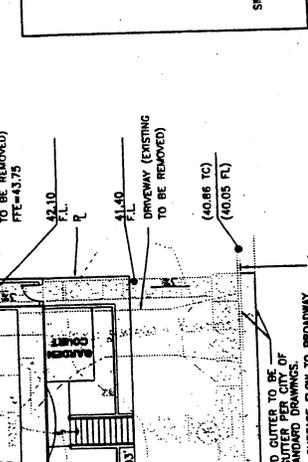
**EXISTING ALLEY (20')**  
SCALE 1/8" = 1'-0"  
HORIZ. & VERT.



**TYPICAL SECTIONS FROM ALLEY**  
SCALE: N.T.S.



**EXISTING BROADWAY**  
SCALE 1/8" = 1'-0"  
HORIZ. & VERT.

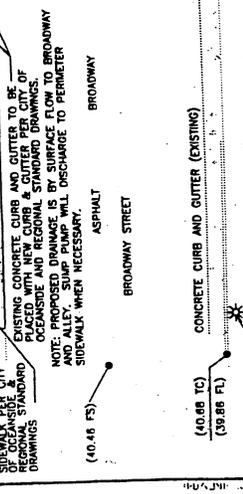


**TYPICAL SECTIONS FROM BROADWAY**  
SCALE: N.T.S.

DATE	3	CITY OF OCEANSIDE ENGINEERING DEPARTMENT	3
PROJECT NO.	100 SOUTH BROADWAY, FOR TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES, 3 UNITS.	PROJECT 11	P-8-01
DESIGNED BY	APPROVED BY	DATE	11/24/20
DRAWN BY	CHECKED BY	DATE	11/24/20
SCALE	AS NOTED		

BENCHMARK	CITY OF OCEANSIDE BENCHMARK F-44.
DESCRIPTION	BRASS CAP STAMPED "CIS BM F-44" ON TOP
LOCATION	OF CURB NORTHWEST CORNER RETURN OF CASSIDY AND CLEARVIEW STREETS
DATE	153-115-7
BY	R. OF S 11207
DATE	11/24/20
SCALE	AS NOTED

**GRADING PLAN**  
SCALE 1" = 10'-0"



NOTE: PROPOSED DRAINAGE IS BY SURFACE TO BROADWAY AND SLOPE SHALL BE SUFFICIENT TO PERMIT SIDEWALK WHEN NECESSARY.

CUTTING CONCRETE CURB AND GUTTER TO BE PLACED WITH NEW CURB & GUTTER PER CITY OF OCEANSIDE AND REGIONAL STANDARD DRAWINGS.

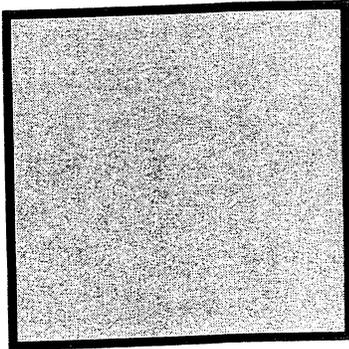
NEW 5' PUBLIC CITY OF OCEANSIDE & REGIONAL STANDARD DRAWINGS.

NOTE: PROPOSED DRAINAGE IS BY SURFACE TO BROADWAY AND SLOPE SHALL BE SUFFICIENT TO PERMIT SIDEWALK WHEN NECESSARY.

# 1626 BROADWAY

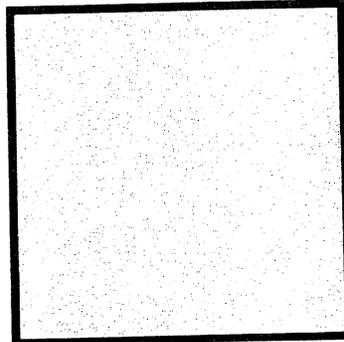
Oceanside, California

## COLOR AND MATERIAL BOARD

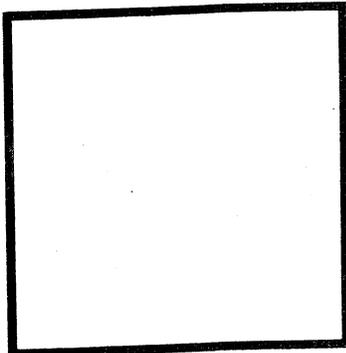


STUCCO  
VISTA PAINT  
OPERA EVENING  
8365

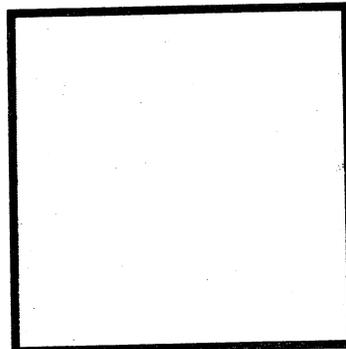
RECEIVED  
JUL 08 2004  
Planning Department



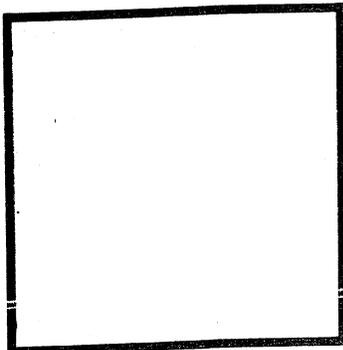
STUCCO  
VISTA PAINT  
GREEN SHADOW  
8368



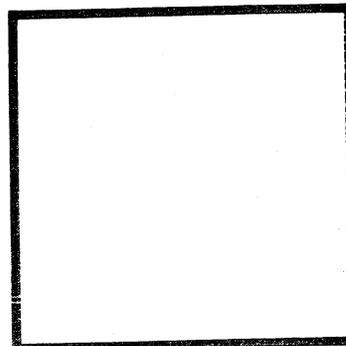
STUCCO  
WHITE DELIGHT  
8436



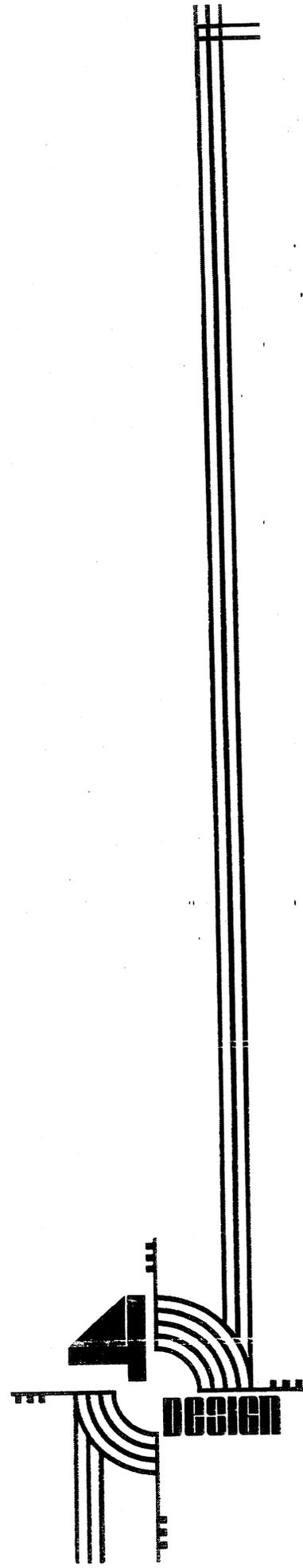
EXPOSED METAL  
VISTA PAINT  
DOLPHIN DANCE  
8257



ROOFING  
FOLLANSBEE STEEL  
TERNE II  
STAINLESS



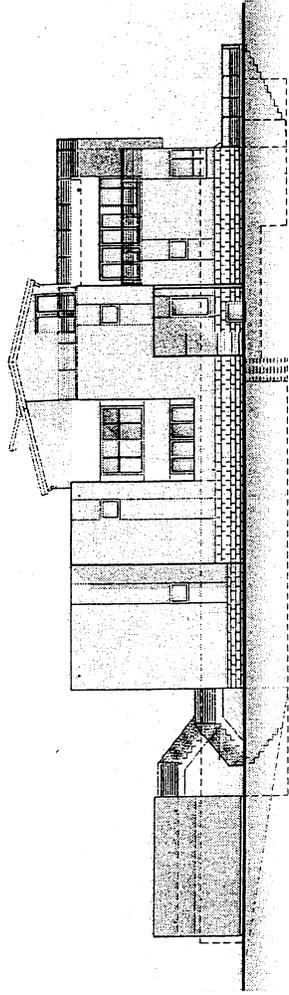
MASONRY  
ORCO BLOCK  
CONCRETE COLOR



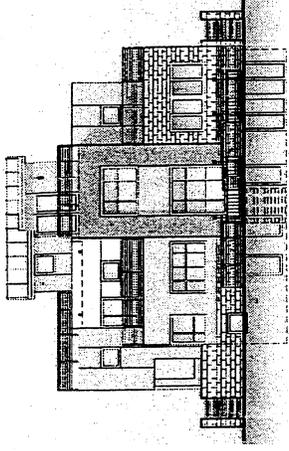
RECEIVED

NOV 12 2004

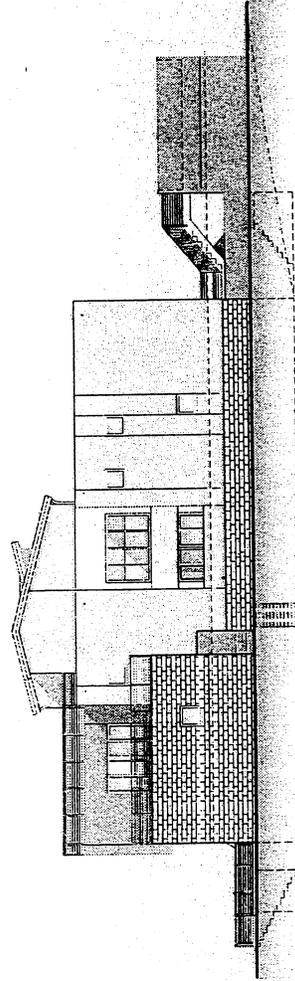
City of Portland



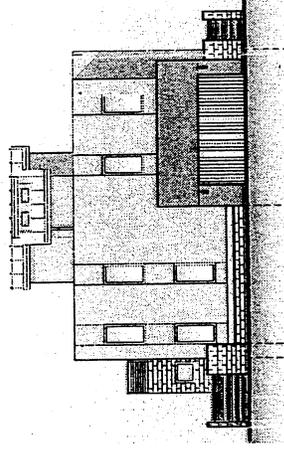
NORTH ELEVATION



WEST ELEVATION

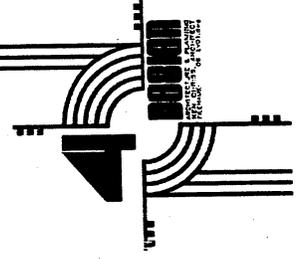


SOUTH ELEVATION



EAST ELEVATION

1626 BROADWAY



# 1626 South Broadway

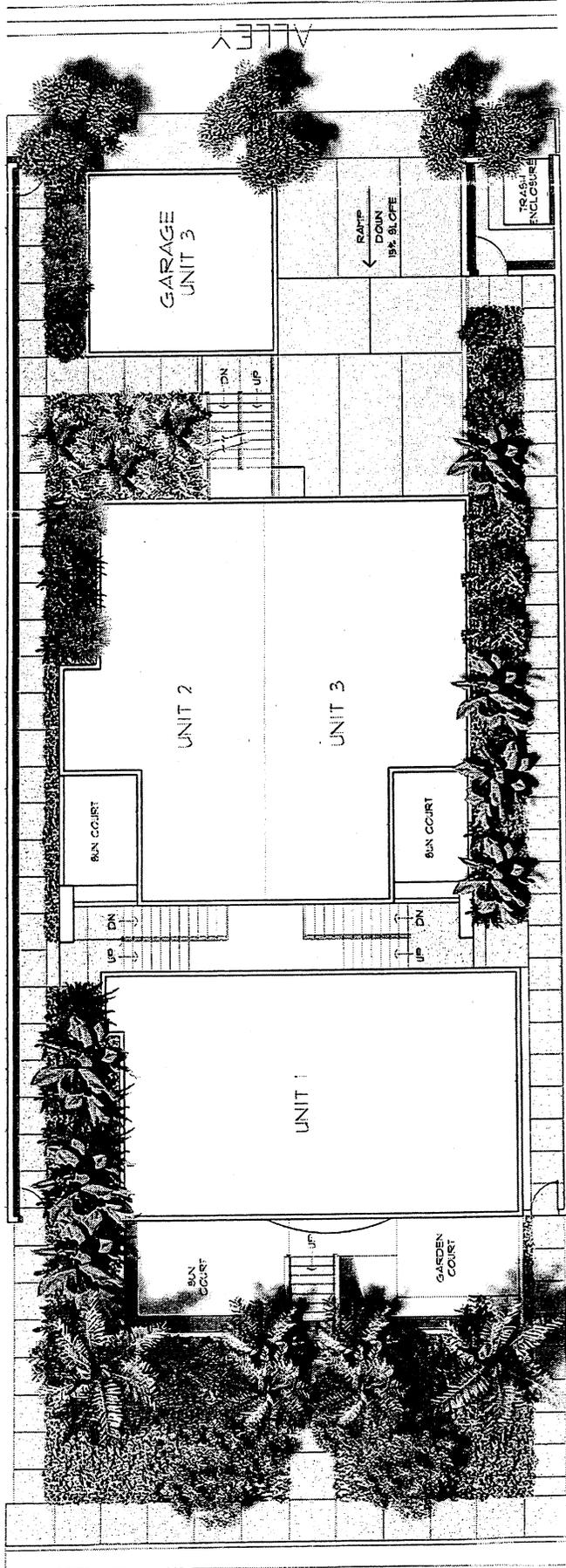
## 3-Unit Condominium Project

Oceanside, California

### Landscape Concept Plan

RECEIVED  
 DEC 20 2004  
 Planning Department

EXISTING THREE  
 UNIT CONDOMINIUM



EXISTING SINGLE FAMILY RESIDENCE

This is a graphic representation of a planning / development concept. The final development will reflect the comments and conditions of all the subsequent architectural, planning, environmental, engineering, and/or landscape approvals.



Copley Design Collaborative  
 1155 Sportfisher Drive, Suite 280  
 Oceanside, CA 92054  
 Phone (760) 901-4454 Fax (760) 901-4459  
 12-15-2004  
 Job # 4106



Not to Scale

1 PLANNING COMMISSION  
2 RESOLUTION NO. 2007-P15

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE  
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A TIME  
5 EXTENSION FOR A TENTATIVE PARCEL MAP,  
6 DEVELOPMENT PLAN, CONDITIONAL USE PERMIT,  
7 REGULAR COASTAL PERMIT, AND THE DEFERRAL OF  
UNDERGROUNDING OVERHEAD UTILITIES ON CERTAIN  
REAL PROPERTY IN THE CITY OF OCEANSIDE

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8 APPLICATION NO: P-6-04, D-10-04, C-21-04, RC-6-04 Time Extension  
9 APPLICANT: Sean Bielawski  
10 LOCATION: 1626 Broadway

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

13 WHEREAS, there was filed with this Commission a verified petition on the forms  
14 prescribed by the Commission requesting a time extension to a Tentative Parcel Map,  
15 Development Plan, Conditional Use Permit, Regular Coastal Permit and the deferral of  
16 undergrounding overhead utilities under the provisions of Articles 10, 41 & 43 of the Zoning  
Ordinance of the City of Oceanside to permit the following:

17 three-unit residential condominium;  
18 which such real property is more particularly described in the project description.

19 WHEREAS, the Planning Commission, after giving the required notice, did on the 26th  
20 day of March, 2007, conduct a duly advertised public hearing as prescribed by law to consider said  
21 application.

22 WHEREAS, pursuant to the California Environmental Quality Act of 1970, the project is  
23 categorically exempt from environmental review per Article 19, Section 15061 (B)(3);

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

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

28 //

29 //

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	\$2,843 per acre
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot
Traffic Signal Fee	Ordinance No. 87-19	\$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Based on 5/8" size meter \$12,925 per unit
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on 5/8" size meter \$4,326 per unit
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-3	\$166 per unit

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

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

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

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

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

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

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

13 FINDINGS:

14 For the Time Extension to the Tentative Parcel Map, Development Plan, Conditional Use Permit,  
15 Regular Coastal Permit; and the deferral of undergrounding overhead utilities:

- 16 1. The project has been conditioned for payment of all applicable impact fees, and therefore  
17 will be paying its fair share toward needed public services.
- 18 2. There have been no changes in City policy, nor have there been any substantial change  
19 affecting the surrounding area since the original approval, and therefore this time extension  
20 will not adversely affect the City's General Plan or any existing applicable City policy.
- 21 3. The applicant has made a diligent good faith effort to record the final map within the time  
22 period originally approved.

23 For the Tentative Parcel Map:

- 24 1. The proposed subdivision creates parcels that are consistent with and exceed the  
25 requirements of the RM-C zoning designation. The subdivision map is consistent with the  
26 General Plan of the City.
- 27 2. The proposed building on the site will conform to the topography of the site, therefore,  
28 making it suitable for residential development. The 8,100-square foot site is physically  
29 suitable to allow for the development of three condominium units.

- 1 3. The subdivision complies with all other applicable ordinances, regulations and guidelines  
2 of the City.
- 3 4. The design of the subdivision or proposed improvements will not conflict with easements,  
4 acquired by the public at large, for access through or use of property within the  
5 subdivision.
- 6 5. The design of the subdivision or the proposed improvements will not cause substantial  
7 environment damage or substantially and avoidably injure fish or wildlife or their habitat.

8 For the Development Plan:

- 9 1. The site plan and physical design of the project is consistent with the Zoning Ordinance  
10 and the underlying Urban High Density Residential (RM-C) zone.
- 11 2. The Development Plan conforms to the General Plan of the City.
- 12 3. The project site can be adequately served by existing public facilities, services and utilities.
- 13 4. The project, as proposed, is compatible with the existing and potential development on  
14 adjoining properties or in the surrounding neighborhood.
- 15 5. The site plan and parameters for the architecture and physical design of the project are  
16 consistent with the policies contained within Sections 1.22 and 1.23 of the Land Use  
Element of the General Plan.

17 For the Regular Coastal Permit:

- 18 1. The proposed project is consistent with the policies of the Local Coastal Program as  
19 implemented through the Zoning Ordinance. Specifically, the proposed height at 27-feet,  
20 bulk and scale is consistent with the properties within the surrounding neighborhood. In  
21 addition, the subject site location is east of the railroad tracks and therefore the proposed  
22 project will not substantially alter or impact existing public views of the coastal zone area.
- 23 2. The proposed project is situated east of the railroad tracks and will not obstruct any  
24 existing or planned public beach access; therefore, the project is in conformance with the  
25 policies of Chapter 3 of the Coastal Act.

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

- 27 1. The development portion of the subject property is zoned RM-C with a corresponding  
28 Land Use designation of Residential Medium Density (15.1-20.9 dwelling units per acre).

1 The project density of 16.1 dwelling units per acre is consistent with the density range of  
2 15.1-20.9 dwelling units per acre established by the Medium Density Residential District.

3 2. The location and conditions under which the subject application must comply insure that  
4 the project will not cause detriment to the public health safety or welfare of persons  
5 residing or working in or adjacent to the project area.

6 3. The project has been adequately conditioned or designed to comply with applicable  
7 requirements of the Zoning Ordinance.

8 4. The project proposes an excellence in design features in accordance with Section 2.32 of  
9 the General Plan including increased floor areas, varied roof lines and an articulated front  
10 elevation.

11 For the Deferral of the Requirement to Underground Facilities:

12 1. The subdivision contains three condominium units, which is less than ten residential units  
13 stipulated as a finding for deferring the underground conversion.

14 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
15 approve the time extension for Tentative Parcel Map (P-6-04), Development Plan (D-10-04),  
16 Conditional Use Permit (C-21-04), Regular Coastal Permit (RC-6-04) and the deferral of  
17 undergrounding overhead utilities subject to the following conditions:

18 Engineering:

19 1. The time at which this Tentative Parcel Map (P-6-04) and the deferral of undergrounding  
20 of overhead utilities expire shall be extended for a period of 24 months from the original  
21 expiration date of February 28, 2007.

22 Fire Prevention:

23 2. Smoke detectors are required, and detector locations must be indicated on the plans.

24 Planning:

25 3. The time at which this Development Plan (D-6-04), Conditional Use Permit (C-21-04),  
26 and Regular Coastal Permit (RC-6-04) expires shall be extended 24 months from the  
27 original expiration date of February 28, 2007.

28 4. That all of the conditions of Planning Commission Resolution No. 2005-P17 adopted on  
29 February 28, 2005 continue to apply, except that Condition No. 44 which is amended to  
extend the expiration date an additional 24 months by the adoption of this resolution.

1 **Water Utilities:**

2 5. The property owner will maintain private water and wastewater utilities located on private  
3 property.

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

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

10 8. All lots with a finish pad elevation located below the elevation of the next upstream  
11 manhole cover of the public sewer shall be protected from backflow of sewage by  
12 installing and maintaining an approved type backwater valve, per the Uniform Plumbing  
13 Code (UPC).

14 9. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to  
15 be paid to the City and collected by the Water Utilities Department at the time of Building  
16 Permit issuance.

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

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1 11. 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 PASSED AND ADOPTED Resolution No. 2007-P15 on March 26, 2007 by the  
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11 \_\_\_\_\_  
12 Dennis Martinek, Chairman  
13 Oceanside Planning Commission

14 ATTEST:

15 \_\_\_\_\_  
16 Jerry Hittleman, Secretary

17 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
18 this is a true and correct copy of Resolution No. 2007-P15.

19 Dated: March 26, 2007  
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PLANNING COMMISSION  
RESOLUTION NO. 2005-P17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATIVE PARCEL MAP, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND REGULAR COASTAL PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: P-6-04, D-10-04, C-21-04, RC-6-04  
APPLICANT: Sean Bielawski  
LOCATION: 1626 South Broadway Street

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Tentative Parcel Map, Development Plan, Conditional Use Permit and Regular Coastal Permit under the provisions of Articles 10, 41, and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

three-unit residential condominium;  
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 28<sup>th</sup> day of February, 2005 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project has been found to be categorically exempt per Article 19 from environmental review per the General Rule, Section 15061 (B)(3)

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

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

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<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. R91-38	\$2,200 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 89-231	\$9,575 per acre
Public Facility Fee	Ordinance No. 91-09 Resolution No. R91-39	\$1,301 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.14 per square foot
Traffic Signal Fee	Ordinance No. 87-19	\$13.70 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01	\$177 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 02-OR-332-1	Based on meter size Typical \$3,360
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 02-OR-333-1	Based on capacity or water meter size Typical \$4,114
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2004-08	Based on meter size. Residential is typically \$2,461 per unit
Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code	\$1,000 per development project + \$100 per unit plus \$10,275 per unit

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

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

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

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

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

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

19 FINDINGS:

20 For the Tentative Parcel Map:

- 21 1. The proposed subdivision creates parcels that are consistent with and exceed the  
22 requirements of the RM-C zoning designation. The subdivision map is consistent with  
23 the General Plan of the City.
- 24 2. The proposed building on the site will conform to the topography of the site, therefore,  
25 making it suitable for residential development. The 8,100-square foot site is physically  
26 suitable to allow for the development of three condominium units.
- 27 3. The subdivision complies with all other applicable ordinances, regulations and guidelines  
28 of the City.

- 1 4. The design of the subdivision or proposed improvements will not conflict with  
2 easements, acquired by the public at large, for access through or use of property within  
3 the subdivision.
- 4 5. The design of the subdivision or the proposed improvements will not cause substantial  
5 environment damage or substantially and avoidably injure fish or wildlife or their habitat.

6 For the Development Plan:

- 7 1. The site plan and physical design of the project is consistent with the Zoning Ordinance  
8 and the underlying Urban High Density Residential (RM-C) zone.
- 9 2. The Development Plan conforms to the General Plan of the City.
- 10 3. The project site can be adequately served by existing public facilities, services and  
11 utilities.
- 12 4. The project, as proposed, is compatible with the existing and potential development on  
13 adjoining properties or in the surrounding neighborhood.
- 14 5. The site plan and parameters for the architecture and physical design of the project are  
15 consistent with the policies contained within Sections 1.24 and 1.25 of the Land Use  
16 Element of the General Plan.

17 For the Regular Coastal Permit:

- 18 1. The proposed project is consistent with the policies of the Local Coastal Program as  
19 implemented through the Zoning Ordinance. Specifically, the proposed height at 27-feet,  
20 bulk and scale is consistent with the properties within the surrounding neighborhood. In  
21 addition, the subject site location is east of the railroad tracks and therefore the proposed  
22 project will not substantially alter or impact existing public views of the coastal zone area.
- 23 2. The proposed project is situated east of the railroad tracks and will not obstruct any existing  
24 or planned public beach access; therefore, the project is in conformance with the policies of  
Chapter 3 of the Coastal Act.

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

- 26 1. The development portion of the subject property is zoned RM-C with a corresponding Land  
27 Use designation of Residential Medium Density (15.1-20.9 dwelling units per acre). The  
28 project density of 16.1 dwelling units per acre is consistent with the density range of 15.1-  
29 20.9 dwelling units per acre established by the Medium Density Residential District.

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- 2. The location and conditions under which the subject application must comply insure that the project will not cause detriment to the public health safety or welfare of persons residing or working in or adjacent to the project area.
- 3. The project has been adequately conditioned or designed to comply with applicable requirements of the Zoning Ordinance.
- 4. The project proposes an excellence in design features in accordance with Section 2.32 of the General Plan including increased floor areas, varied roof lines and an articulated front elevation.

For the Deferral of the Requirement to Underground Facilities:

- 1. The subdivision contains three condominium units, which is less than ten residential units stipulated as a finding for deferring the underground conversion.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Tentative Parcel Map (P-6-04), Development Plan (D-10-04), Conditional Use Permit (C-21-04) and Regular Coastal Permit (RC-6-04) subject to the following conditions:

Building:

- 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Department plan check.
- 2. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all State and local building codes.
- 3. Site development, common use areas, access and adaptability of apartments and condominiums shall comply with Part 2, Title 24, and C.C.R. (Disabled Access & Adaptability - HCD).
- 4. The building plans for this project are required by State law to be prepared by a licensed architect or engineer and must be in compliance with this requirement prior to submittal for building plan review.
- 5. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and shall be shielded appropriately. Where color rendition is important high-pressure sodium, metal halide or other such lights may be utilized and shall be shown on final building and electrical plans.

- 1 6. The developer shall monitor, supervise and control all building construction and supportive  
2 activities so as to prevent these activities from causing a public nuisance, including, but not  
3 limited to, strict adherence to the following:
    - 4 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00  
5 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for  
6 work that is not inherently noise-producing. Examples of work not permitted on  
7 Saturday are concrete and grout pours, roof nailing and activities of similar noise-  
8 producing nature. No work shall be permitted on Sundays and Federal Holidays  
9 (New Year's Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day,  
10 Christmas Day) except as allowed for emergency work under the provisions of the  
11 Oceanside City Code Chapter 38 (Noise Ordinance).
    - 12 b) The construction site shall be kept reasonably free of construction debris as  
13 specified in Section 13.17 of the Oceanside City Code. Storage of debris in  
14 approved solid waste containers shall be considered compliance with this  
15 requirement. Small amounts of construction debris may be stored on-site in a neat,  
16 safe manner for short periods of time pending disposal.
  - 17 7. Separate unique addresses will be required to facilitate utility releases. Verification that  
18 the addresses have been properly assigned by the City's Planning Department must  
19 accompany the Building Permit application.
  - 20 8. A building (demolition) permit will be required for the demolition of existing structures.
- 21 Engineering:
- 22 9. The Subdivider shall replace the substandard curb and gutter along the subdivision  
23 boundary with new concrete curb/gutter per San Diego Regional Standard G-2.
  - 24 10. The Subdivider shall not be allowed to install the proposed Type A curb outlet. No direct  
25 connection to City curb and gutter is permitted per the local ordinance. All drainage shall  
26 be designed as surface flow.
  - 27 11. Vehicular access rights to Broadway Street shall be relinquished to the City from all  
28 abutting lots.
  - 29 12. All right-of-way alignments, street dedications, exact geometrics and widths shall be  
dedicated and improved as required by the City Engineer.

- 1 13. The Subdivider shall construct new sidewalk along the subdivision boundary on Broadway  
2 Street. The proposed sidewalk location shall not be contiguous with the curb and gutter as  
3 shown on the Tentative Parcel Map. The proposed sidewalk shall be located adjacent to  
4 the property line. The Subdivider shall be responsible for landscape and irrigation of the  
5 existing/future parkway. Maintenance of the parkway shall be the responsibility of the  
6 future homeowners. CC&Rs creating this maintenance responsibility shall be recorded  
7 against all lots created by this subdivision and disclosed to all future owners prior to sale.
- 8 14. Design and construction of all improvements shall be in accordance with standard plans,  
9 specifications of the City of Oceanside and subject to approval by the City Engineer.
- 10 15. Prior to the issuance of a grading permit, the Developer shall notify and host a  
11 neighborhood meeting with all of the area residents located within 300 feet of the project  
12 site, and residents of property along any residential streets to be used as a "haul route", to  
13 inform them of the grading and construction schedule, haul routes, and to answer  
14 questions.
- 15 16. The approval of the tentative map shall not mean that closure, vacation, or abandonment  
16 of any public street, right-of-way, easement, or facility is granted or guaranteed to the  
17 Subdivider. The Subdivider is responsible for applying for all closures, vacations, and  
18 abandonments as necessary. The application(s) shall be reviewed and approved or  
19 rejected by the City under separate process(es) per codes, ordinances, and policies in  
20 effect at the time of the application.
- 21 17. Prior to approval of the Parcel Map, all improvement requirements, shall be covered by a  
22 subdivision agreement and secured with sufficient improvement securities or bonds  
23 guaranteeing performance and payment for labor and materials, setting of monuments, and  
24 warranty against defective materials and workmanship.
- 25 18. Prior to issuance of a building permit, the parcel map shall be ready for recordation.
- 26 19. Prior to the issuance of any grading, improvement or building permits, a construction-  
27 phasing plan for the entire project shall be reviewed and approved by the Planning  
28 Director, City Engineer and Building Director. All improvements shall be constructed to  
29 the satisfaction of the City Engineer prior to the issuance of any building permits.

- 1 20. Pursuant to the State Map Act, improvements shall be required at the time of development.  
2 A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to  
3 these improvement conditions and a certificate setting forth the recordation shall be placed  
4 on the map.
- 5 21. The developer shall monitor, supervise and control all construction and construction-  
6 supportive activities, so as to prevent these activities from causing a public nuisance,  
7 including but not limited to, insuring strict adherence to the following:
  - 8 a) Dirt, debris and other construction material shall not be deposited on any public  
9 street or within the City's storm water conveyance system.
  - 10 b) All grading and related site preparation and construction activities shall be  
11 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No  
12 earthmoving or grading operation shall be conducted on Saturdays, Sundays or  
13 legal holidays unless written permission is granted by the City Engineer with  
14 specific limitations to the working hours and types of permitted operations. All on-  
15 site construction staging areas shall be as far as possible (minimum 100 feet)  
16 from any existing residential development. Because construction noise may still  
17 be intrusive in the evening or on holidays, the City of Oceanside Noise  
18 Ordinance also prohibits "any disturbing excessive, or offensive noise which  
19 causes discomfort or annoyance to reasonable persons of normal sensitivity."  
20 c) The construction site shall accommodate the parking of all motor vehicles used  
21 by persons working at or providing deliveries to the site.
- 22 22. All traffic signal contributions, highway thoroughfare fees, park fees, reimbursements,  
23 and other applicable charges, fees and deposits shall be paid prior to the issuing of any  
24 building permits, in accordance with City Ordinances and policies. The Subdivider shall  
25 also be required to join into, contribute, or participate in any improvement, lighting, or  
26 other special district affecting or affected by this project. Approval of the tentative map  
27 shall constitute the developer's approval of such payments, and his agreement to pay for  
28 any other similar assessments or charges in effect when any increment is submitted for  
29 final map or building permit approval, and to join, contribute, and/or participate in such  
districts.

- 1 23. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon  
2 approved soil tests and traffic indices. The pavement design is to be prepared by the  
3 Subdivider's soil engineer and must be approved by the City Engineer, prior to paving.  
4 All streets shall be improved with curbs and gutters.
- 5 24. Prior to approval of the grading plans, the developer shall contract with a geotechnical  
6 engineering firm to perform a field investigation of the existing pavement on all streets  
7 adjacent to the project boundary. The limits of the study shall be half-street plus twelve  
8 (12) feet on Broadway Street. The field investigation shall include a minimum of one  
9 pavement boring per every twenty (20) linear feet of street frontage. Should the existing  
10 AC thickness be determined to be less than three (3) inches or without underlying Class  
11 II base material, the Subdivider shall remove and reconstruct the pavement section as  
12 determined by the pavement analysis submittal process detailed in Item No. 2 below.
- 13 25. Upon review of the pavement investigation, the City Engineer shall determine whether the  
14 Subdivider shall: 1) Repair all failed pavement sections, header cut and grind per the  
15 direction of the Public Works Inspector, and construct a two (2) inch thick rubberized AC  
16 overlay; or 2) Perform R-value testing and submit a study that determines if the existing  
17 pavement meets current City standards/traffic indices. Should the study conclude that the  
18 pavement does not meet current requirements, rehabilitation/mitigation recommendations  
19 shall be provided in a pavement analysis report, and the Subdivider shall reconstruct the  
20 pavement per these recommendations, subject to approval by the City Engineer.
- 21 26. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during  
22 construction of the project, shall be repaired or replaced as directed by the City Engineer.
- 23 27. The undergrounding of the existing overhead utilities is deferred as approved by the  
24 Planning Commission. The developer shall pay an in-lieu fee, based upon the length of  
25 utilities to be placed underground, and at the rate in effect at building permit issuance or  
26 as established by the City Engineer per Section 901.G. of the Subdivision Ordinance  
(R91-166) and as required by the City Engineer and current City policy.
- 27 28. The developer shall comply with all the provisions of the City's cable television ordinances  
28 including those relating to notification as required by the City Engineer.
- 29

- 1 29. Grading and drainage facilities shall be designed and installed to adequately accommodate  
2 the local storm water runoff and shall be in accordance with the City's Engineers Manual  
3 and as directed by the City Engineer.
- 4 30. The applicant shall obtain any necessary permits and clearances from all public agencies  
5 having jurisdiction over the project due to its type, size, or location, including but not  
6 limited to the U. S. Army Corps of Engineers, California Department of Fish and Game, U.  
7 S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board  
8 (including NPDES), San Diego County Health Department, prior to the issuance of grading  
9 permits.
- 10 31. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic  
11 investigation shall be conducted of the soils, slopes, and formations in the project. All  
12 necessary measures shall be taken and implemented to assure slope stability, erosion  
13 control, and soil integrity. No grading shall occur until a detailed grading plan, to be  
14 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by  
15 the City Engineer.
- 16 32. This project shall provide year-round erosion control including measures for the site  
17 required for the phasing of grading. Prior to the issuance of grading permit, an erosion  
18 control plan, designed for all proposed stages of construction, shall be reviewed, secured  
19 by the applicant with cash securities and approved by the City Engineer.
- 20 33. A precise grading and private improvement plan shall be prepared, reviewed, secured and  
21 approved prior to the issuance of any building permits. The plan shall reflect all pavement,  
22 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage,  
23 footprints of all structures, walls, drainage devices and utility services. Parking lot striping  
24 and any on-site traffic calming devices shall be shown on all Precise Grading and Private  
25 Improvement Plans.
- 26 34. Landscaping plans, including plans for the construction of walls, fences or other structures  
27 at or near intersections, must conform to intersection sight distance requirements.  
28 Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer  
29 prior to the issuance of a preliminary grading permit and approved by the City Engineer  
prior to the issuance of building permits. Frontage and median landscaping shall be

1 installed prior to the issuance of any building permits. Project fences, sound or privacy  
2 walls and monument entry walls/signs shall be designed, reviewed and constructed by the  
3 landscape plans and shown for location only on grading plans. Plantable, segmental walls  
4 shall be designed, reviewed and constructed by the grading plans and landscaped/irrigated  
5 through project landscape plans. All plans must be approved by the City Engineer and a  
6 pre-construction meeting held, prior to the start of any improvements.

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

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

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

26 38. The development shall comply with all applicable regulations established by the United  
27 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant  
28 Discharge Elimination System (N.P.D.E.S.) permit requirements for urban runoff and  
29 storm water discharge and any regulations adopted by the City pursuant to the N.P.D.E.S.  
regulations or requirements. Further, the applicant may be required to file a Notice of

1 Intent with the State Water Resources Control Board to obtain coverage under the  
2 N.P.D.E.S. General Permit for Storm Water Discharges Associated with Construction  
3 Activity and may be required to implement a Storm Water Pollution Prevention Plan  
4 (SWPPP) concurrent with the commencement of grading activities. SWPPPs include both  
5 construction and post construction pollution prevention and pollution control measures and  
6 identify funding mechanisms for post construction control measures. The developer shall  
7 comply with all the provisions of the Clean Water Program during and after all phases of  
8 the development process, including but not limited to: mass grading, rough grading,  
9 construction of street and landscaping improvements, and construction of dwelling units.  
10 The applicant shall design the Project's storm drains and other drainage facilities to include  
11 Best Management Practices to minimize non-point source pollution, satisfactory to the City  
12 Engineer.

13 39. Upon acceptance of any fee waiver or reduction by the Subdivider, the entire project will  
14 be subject to prevailing wage requirements as specified by Labor Code section  
15 1720(b)(4). The Subdivider shall agree to execute a form acknowledging the prevailing  
16 wage requirements prior to the granting of any fee reductions or waivers.

17 **Fire:**

18 40. In accordance with the Uniform Fire Code Sec. 901.1.4.4, approved addresses for  
19 residential occupancies shall be placed on the structure in such a position as to be plainly  
20 visible and legible from the street or roadway fronting the property. Numbers shall  
21 contrast with their background.

22 41. Multi-family dwellings require six-inch address numbers.

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

25 43. Buildings shall meet Oceanside Fire Department current adopted codes at the time of  
26 building permit application.

27 **Planning:**

28 44. This Tentative Parcel Map, Development Plan, Conditional Use Permit and Regular  
29 Coastal Permit shall expire on February 28, 2007, unless a time extension is granted by the  
Planning Commission.

1 45. This Tentative Parcel Map (P-6-04), Development Plan (D-10-04), Conditional Use Permit  
2 (C-21-04) and Regular Coastal Permit (RC-6-04) approves only a three-unit residential  
3 condominium as shown on the plans and exhibits presented to the Planning Commission  
4 for review and approval. No deviation from these approved plans and exhibits shall occur  
5 without Planning Department approval. Substantial deviations shall require a revision to  
6 the Parcel Map, Development Plan, Conditional Use Permit and Regular Coastal Permit or  
7 a new Parcel Map, Development Plan, Conditional Use Permit and Regular Coastal  
8 Permit.

9 46. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
10 harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
11 proceeding against the City, its agents, officers, or employees to attack, set aside, void or  
12 annul an approval of the City, concerning Parcel Map (P-6-04), Development Plan (D-10-  
13 04), Conditional Use Permit (C-21-04) and Regular Coastal Permit (RC-6-04). The City  
14 will promptly notify the applicant of any such claim, action or proceeding against the  
15 City and will cooperate fully in the defense. If the City fails to promptly notify the  
16 applicant of any such claim action or proceeding or fails to cooperate fully in the  
17 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold  
18 harmless the City.

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

- 25 a) Local street trees in parkways shall be planted at a minimum of 30 feet on center,  
26 each side of street, as a solitary planting.
- 27 b) All landscaping, fences, walls, etc. on the site, in medians in the public right-of-  
28 way and in any adjoining public parkways shall be permanently maintained by the  
29 owner, his assigns or any successors-in-interest in the property. The maintenance  
program shall include normal care and irrigation of the landscaping; repair and

1 replacement of plant materials; irrigation systems as necessary; and general cleanup  
2 of the landscaped and open areas, parking lots and walkways, walls, fences, etc.  
3 Failure to maintain landscaping shall result in the City taking all appropriate  
4 enforcement actions by all acceptable means including but not limited to citations  
5 and/or actual work with costs charged to or recorded against the owner. This  
6 condition shall be recorded with the covenant required by this resolution.

7 48. All multi-family unit dwelling projects shall dispose of or recycle solid waste in a  
8 manner provided in City Code 13.3.

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

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

15 51. Prior to the issuance of building permits, compliance with the applicable provisions of  
16 the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be  
17 reviewed and approved by the Planning Department. These requirements, including the  
18 obligation to remove or cover with matching paint all graffiti within 24 hours, shall be  
19 noted on the Landscape Plan and shall be recorded in the form of a covenant affecting  
20 the subject property.

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

25 53. Failure to meet any conditions of approval for this development shall constitute a violation  
26 of the Tentative Parcel Map, Development Plan, Conditional Use Permit and Regular  
27 Coastal Permit.

28 54. Unless expressly waived, all current zoning standards and City ordinances and policies in  
29 effect at the time building permits are issued are required to be met by this project. The  
approval of this project constitutes the applicant's agreement with all statements in the

1 Description and Justification, Management Plan and other materials and information  
2 submitted with this application, unless specifically waived by an adopted condition of  
3 approval.

4 55. The developer's construction of all fencing and walls associated with the project shall be in  
5 conformance with the approved Development Plan. Any substantial change in any aspect  
6 of fencing or wall design from the approved Development Plan shall require a revision to  
7 the Development Plan or a new Development Plan.

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

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

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

- 26 a) Prohibition of parking or storage of recreational vehicles, trailers or boats.  
27 b) Provisions regulating individual patio covers, room additions and other  
28 appurtenances.  
29

- 1 c) Provisions for the maintenance of all common open space and open space
- 2 easements on private lots, including provisions establishing mechanisms to ensure
- 3 adequate and continued monetary funding for such maintenance by the
- 4 homeowners' association.
- 5 d) Provisions that restrict any private use of open space easement areas. Restrictions
- 6 shall include, but are not limited to, removing retaining walls, installing structures
- 7 such as trellises, decks, retaining walls and other hardscape and any individual
- 8 landscape improvements.
- 9 e) Provisions prohibiting the homeowners association from relinquishing its
- 10 obligation to maintain the common open space and open space easement areas
- 11 without prior consent of the City of Oceanside.
- 12 f) An acknowledgement that the City of Oceanside does not have a view preservation
- 13 ordinance and that views may be subject to change with maturing off-site landscape
- 14 and the potential for future off-site building.
- 15 g) There shall be no subletting of first floor rooms.

59. The following unit type and floor plan mix, as approved by the Planning Commission, shall be indicated on plans submitted to the Building Department and Planning Department for building permit:

	Sq.Ft.	# Bedrms.	# Baths	#Garage Spaces	# Stories	# Units	%
19 Unit 1	1,909	2	2.5	2	2	1	33
20 Unit 2	1,990	3	2.5	2	2	1	33
21 Unit 3	2,165	3	2.5	2	2	1	33

60. 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 Department prior to the issuance of building permits.

61. 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 Department and Planning Department.

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

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

5 64. The existing house shall be photographed in accordance with the OHPAC Policy 1.

6 **Water Utilities:**

7 65. All public water and/or sewer facilities not located within the public right-of-way shall be  
8 provided with easements sized according to the City's Engineers Manual. Easements shall  
9 be constructed for an all weather access.

10 66. No trees or structures or building overhang shall be located within any water or wastewater  
11 utility easement.

12 67. The property owner shall maintain private water and wastewater utilities located on private  
13 property.

14 68. A separate irrigation meter is required and approved backflow prevention device is  
15 required.

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

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

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

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

1 73. The water and wastewater buy-in fees and the San Diego County Water Authority Fees are  
2 to be paid to the City and collected by the Water Utilities Department at the time of  
3 building permit issuance.

4 74. All water and wastewater construction shall conform to the most recent edition of the  
5 City's Engineers Manual, or as approved by the Water Utilities Director.

6 75. The existing 6" water main in the public alley shall be upsized to 8" along the property  
7 frontage to meet current standards.

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

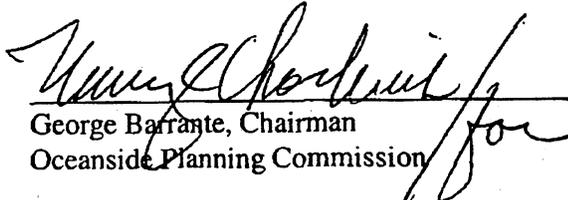
5 PASSED AND ADOPTED Resolution No. 2005-P17 on February 28, 2005 by the  
6 following vote, to wit:

7 AYES: Chadwick, Parker, Todd, Neal and Nack

8 NAYS: None

9 ABSENT: Barrante, Schaffer

10 ABSTAIN: None

11   
12 \_\_\_\_\_  
13 George Barrante, Chairman  
14 Oceanside Planning Commission

15 ATTEST:

16   
17 \_\_\_\_\_  
18 Gerald S. Gilbert, Secretary

19 I, GERALD S. GILBERT, Secretary of the Oceanside Planning Commission, hereby certify that  
20 this is a true and correct copy of Resolution No. 2005-P17.

21 Dated: February 28, 2005  
22  
23  
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29



**File Number:** P-6-04, D-10-04, C-21-04, RC-6-04

**Applicant:** Sean A. Bielawski

**Description:**

TIME EXTENSION to TENTATIVE PARCEL MAP (P-6-04), DEVELOPMENT PLAN (D-10-04), CONDITIONAL USE PERMIT (C-21-04) and REGULAR COASTAL PERMIT (RC-6-04) for a 3-unit condominium development on an 8,100 square foot lot located at 1626 Broadway. The project site is zoned RM-C (Medium Density Residential) and is situated within the South Oceanside Neighborhood and the Coastal Zone. **BIELAWSKI CONDOMINIUMS**

**Environmental Determination:**

The project is exempt from the California Environmental Quality Act.

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

Date: March 14, 2007

Public Hearing Coastal Permit  
Identification No. RC-6-04TE

NOTICE OF PUBLIC HEARING  
COASTAL DEVELOPMENT PERMIT

This is a notice to you as an interested party that the City of Oceanside Planning Commission will hold a public hearing on the Coastal Permit application of Sean Bielawski. This application was received on January 25, 2007. The application is described as follows:

Time Extension for a 3-unit condominium development on an 8,100-square foot lot located at 1626 Broadway.

The project site is zoned RM-C (Residential Medium Density – C) and is situated within the South Oceanside Neighborhood and the Coastal Zone.

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

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

If you disagree with the decision of the Planning Commission concerning this project's conformance to the Local Coastal Plan, you may appeal the decision to the City Council. The appeal, accompanied by the appropriate fee must be filed in the City Clerk's Office, 300 North Coast Hwy., Oceanside, no later than 5:00 p.m. on April 6, 2007 (10 days from the adoption of the Planning Commission Resolution).

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

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

**Application For Planning Commission Hearing**

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

RECEIVED  
 JAN 25 2007  
 Planning Department

Application For Planning Commission Hearing				STAFF USE ONLY	
Please Print or Type All Information				ACCEPTED	BY
<b>PART I - APPLICANT INFORMATION</b>				HEARING	
1. APPLICANT		2. STATUS		GPA	
Mr. Sean A. Bielawski		owner		MASTER/SP.PLAN	
3. ADDRESS		4. PHONE/FAX		ZONE CH.	
1626 Broadway St. Oceanside, CA 92054		760-445-6626		TENT. MAP	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)				PAR. MAP	
Cal-Bay International - H. Fraser CosL				DEV. PL.	
6. ADDRESS		7. PHONE/FAX		C.U.P.	
2111 Palomar Airport Rd Carlsbad, CA 92011		760-594-4605		C-21-CH207	
<b>PART II - PROPERTY DESCRIPTION</b>				VARIANCE	
8. LOCATION				COASTAL	
1626 Broadway St. Oceanside, CA 92054				RC-6-047207	
9. SIZE		10. GENERAL PLAN		O.H.P.A.C.	
8,100 sq ft		Residential			
11. ZONING		12. LAND USE		13. ASSESSOR'S PARCEL NUMBER	
RM-C		Single Family Residential		153-115-07	
<b>PART III - PROJECT DESCRIPTION</b>					
14. GENERAL PROJECT DESCRIPTION					
Development plan, Tentative Maps, and coastal permit for removal of existing single family residence and construction of a new two-story condominium building consisting of three units with a basement garage.					
15. PROPOSED GENERAL PLAN		16. PROPOSED ZONING		17. PROPOSED LAND USE	
Residential		RM-C		Multi-family Residential	
18. NO. UNITS		19. DENSITY		20. BUILDING SIZE	
3		16 units/acre		1,927 sq ft / 2,103 sq ft	
21. PARKING SPACES		22. % LANDSCAPE		23. % LOT COVERAGE	
6		52		48	
<b>PART IV - ATTACHMENTS</b>					
ALL APPLICATIONS				DEV. PLANS, C.U.P.s & TENT. MAPS	
24. DESCRIPTION/JUSTIFICATION		25. LEGAL DESCRIPTION		30. FLOOR PLANS AND ELEVATIONS	
300-FT. RADIUS MAP + 100' + 100'		2 title			
28. ENVIRONMENTAL ASSESSMENT		27. PROPERTY OWNERS' LIST		31. CONSTRUCTION SCHEDULE	
		-			
29. PLOT PLANS		32. OTHER			
<b>PART V - SIGNATURES</b>					
THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.			SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).		
33. APPLICANT OR REPRESENTATIVE (Print):		34. DATE		37. OWNER (Print)	
H. Fraser CosL		11/22/07		Sean A. Bielawski	
Sign:		38. DATE		38. DATE	
		1/22/07		1/22/07	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.			Sign:		
35. APPLICANT (Print):		36. DATE		39. OWNER (Print):	
H. Fraser CosL		11/22/07			
Sign:		40. DATE		Sign:	

RECEIVED  
 JAN 25 2007

Planning Department

JULIANA

January 23, 2007

Mr. Sean A. Bielawski  
1626 Broadway Street  
Oceanside, CA 92054

**Project:** 1626 Broadway St, Oceanside, CA 92054

RECEIVED  
JAN 25 2007  
Planning Department

**Description and Justification:**

This request is for an extension of time during the permit approval process with the city. Cal-Bay International has entered into contract to purchase the property as of February 1, 2007. At the closing of escrow all matters regarding planning, engineering, and building will be transferred over to Cal-Bay. Cal-Bay has projected to start construction during the summer of 2007 after all permits and plans having been approved.

We hereby request an approval of the Development Plan for the removal of an existing single-family residence and construction of a new two-story condominium building consisting of three units with subterranean garage.

Located in South Oceanside, the project site is bounded by Broadway Street on the west, an alley on the east, multiple-family residential to north, and single-family residences to the south. Under the guidelines set forth in the City of Oceanside Zoning Ordinance, which designate this site as RM-C, the highest and best use of this site is multiple-family housing, with maximum potential density set at 20.9 residential units per acre, allowing three units on the site.

The three units range in size from 1,909 square feet to 2,165 square feet, with 697 square feet of common space provided (where only four hundred fifty square feet was required). There are four parking stalls provided inside the basement garage, with two parking stalls located in a private garage off the alley.

1626 Broadway is a structure designed in the Modern style, a trim building with clean lines and exposed materials such as metal cable railings, galvanized metal scuppers, and masonry walls. These materials lend themselves to easy maintenance in Southern California beach climate (plentiful sunshine and salt breezes). The stucco and masonry walls forming 1626 Broadway's recessed and protruding volumes will provide great visual interest through the interplay of light and shadow.

This project will be a significant upgrade for this particular area of Oceanside. A substantial amount of construction has occurred west of the railroad tracks, in recent years. 1626 Broadway will complement this new construction by providing a bold new vision for the future of south Oceanside, given its position along the rail corridor, two blocks west of South Coast Highway. We respectfully request your approval on an extension of time for this project. This quality project will be a beneficial addition to the community of South Oceanside.

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APR 11 2005



# Application for Substantial Conformity

Date Accepted: 4-11-05  
 Accepted by: SN  
 Fee Paid  Yes  No

5 Application Number: SC-21-05

## Applicant Information

Owner Name: SEAN BIELAWSKI Planning Department  
 Mailing Address: 11626 BROADWAY Phone 760-445-6626  
OCEANSIDE, CA 92054  
 Representative Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ Phone \_\_\_\_\_

RECEIVED  
APR 11 2005

Signature of Owner / Authorized Agent

<u>SEAN BIELAWSKI</u> Print full name	 4/4/05 Signature and Date
--	----------------------------------

## Project Description and Required Information

File Numbers: 2005-P17

Resolution of Approval: Passed and Adopted on February 28, 2005

- Set of Approved Plans
- Proposed Modification Plan
- Resolution of Approval (All)
- Letter of Description and Justification
- 8 1/2" x 11" Reduction of Proposed Plan

## Description of Request

SEE ATTACHED SHEET WITH DESCRIPTION AND JUSTIFICATION.

Changer to garage & master bathroom.

## Action

Conditions

APPROVED AS SUBSTANTIAL CONFORMING

4-25-05  
Date

By



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

Bielawski Condos

Primary #                      P-6-04  
HRI #                      D-10-04  
Trinomial                      C-21-04  
NRHP Status Code                      RC

Other Listings                       
Review Code                      Reviewer                      Date                     

Page 1 of 3 \*Resource Name or #: (Assigned by recorder) 1626 S. Broadway

\*P1. Other Identifier: John R. Barreiro, Jr. and Esther E. Barreiro House

\*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 San Luis Rey \*Date 1975 T 11S; R 5W; 1/4 of 1/4 of Sec; SB B.M.

c. Address 1626 S. Broadway City Oceanside Zip 92054

d. UTM: (Give more than one for large or linear resources) Zone                     ;                      Me/                      Mn

e. Other Locational Data (e.g., parcel #, directions to resource, elevation, etc., as appropriate): The property is located in the South Oceanside Subdivision; the APN is 153-115-07. The legal description of the property is the N 60 ft of S 240 ft of the SW 1/4 of Block 13, Map 622.

\*P3a. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries): The resource consists of a small (1,178 sq ft), clean lined, one story, wood frame, stucco-clad Modern Contemporary house with horizontal board trim and an attached one-car garage. The front facade of the rectangular shaped house is asymmetrical and the building rests on a concrete foundation. The flat tilt roof appears to be covered with rock and has wide, boxed eaves. An interior brick chimney pierces the roof on the south portion of the roof plane. The fenestration consists primarily of paired and single wood framed one-over-one double hungs. The focal window (probably replaced) is a metal framed central fixed pane flanked by metal sliders. Access to the house is from the concrete driveway, up one step, to a half-length concrete porch covered by a flat roof extension. Two metal pipes support the roof. The primary entry to the house is through a single wood door covered with a sunburst patterned metal security door. The house is in good condition.



\*P3b. Resource Attributes:(List) HP2  
Single-family property

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

P5b. Description of Photo: (View, date, accession #)Front facade  
looking east, 1/15/04;  
890:1

\*P6. Date Constructed/ Age and Sources:  Historic  Prehistoric  
Approximately 53 years old  
per Notice of Completion

\*P7. Owner and Address:  
Sean Bielawski  
1626 S. Broadway  
Oceanside, CA 92054

\*P8. Recorded by (Name, affiliation, and address): Ruth Alter,  
Archaeos, 11209 Golden

Birch Way, San Diego, CA 92131 \*P9. Date Recorded:1/15/04 \*P10. Type of Survey:(Describe) Field check

\*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 Resource Record  Milling Station Record  Rock Art Record  Artifact Record  Photograph Record  Other (List):

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JUL 08 2004

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

Primary # \_\_\_\_\_  
HRI # \_\_\_\_\_  
Trinomial \_\_\_\_\_

Page 2 of 3

\*Resource Name or # (Assigned by recorder) 1626 S. Broadway

\*Recorded by Ruth C. Alter

Date 1/15/04

Continuation     Update

According to the chain of title, this unimproved parcel, was originally part of the holdings of Oceanside co-founder and real estate agent J. Chauncey Hayes and his wife Felipa. The subject parcel was sold to Alexander Cloud in November, 1891. Cloud retained title until selling the lot to land investor Herman N. Cable in June, 1915. Cable owned many other undeveloped properties at this time. Title to the property was conveyed in August, 1922 to Henry Kressman, who also was involved with real estate speculation. Kressman subsequently sold it to William G. Kerckhoff, a land speculator, and the owner of the South Coast Land Company, in April, 1925. Following Kerckhoff's death, in October, 1930 his widow Louise transferred title to the property to the South Coast Land Company; the William Kerckhoff Company, the Kerckhoff family real estate business, reacquired title to the yet undeveloped parcel in May, 1936.

In January, 1938, Dr. Clifford and Cora Brodie and Ross and Mary Dorrian Russell each purchased a half interest in the lot. The Brodies and Russells together and individually acquired and sold numerous properties in Oceanside during the 1920s, 1930s, and 1940s. Between the time of this purchase and November, 1943, title and various percentages of ownership passed between Dr. Brodie and the Russells. During this period, the Brodies also owned and operated an Oceanside motor court named the Brodie-O-Tel, which was sold in 1949.

In 1943, sole ownership was conveyed to Mr. Clarence Brodie and his wife, Mildred. About seven years later, in December, 1950, the Brodies sold the lot to John and Esther Barreiro. The Barreiros shortly after hired contractor A.N. Kramer to build the subject residence, which according to the Notice of Completion was finished in March, 1951. It is unclear whether the house was constructed as their personal residence or whether it was built for speculation. Contractor Kramer built and completed a number of other houses on the same block about the same time.

In December, 1952, the house was purchased by Ralph and Joan Cunningham, who appear to have used it as rental for at least part of their ownership; Kenneth Schierbaum is identified as the tenant in the 1955-1956 and 1959 City Directory. In July, 1960, the house was sold to H.E. and Leone Baldwin. In February, 1966, the property was purchased by Paul and Zelma Matheson. Current owner Sean Bielawski acquired title from the Matheson family in August, 1996.

Primary # \_\_\_\_\_  
 HRI# \_\_\_\_\_

\*NRHP Status Code 6Z

\*Resource Name or # (Assigned by recorder) 1626 S. Broadway

B1. Historic Name: John R. Barreiro, Jr. and Esther E. Barreiro House  
 B2. Common Name: Sean Bielawski House  
 B3. Original Use: Single-family residence B4. Present Use Single-family residence  
 \*B5. Architectural Style: Modern Contemporary

\*B6. Construction History: (Construction date, alternations, and date of alterations)  
 The house constructed in 1951 per the Notice of Completion. No major exterior alterations are apparent.

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

\*B8. Related Features: Attached one-car garage

B9a. Architect: Unknown b. Builder: A.N. Kramer

\*B10. Significance: Theme: residential development Area Oceanside, California

Period of Significance 1890 to present Property Type Residential Applicable Criteria N/A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.) The resource is located in South Oceanside and is part of the South Oceanside Addition. This portion of the subdivision built out more gradually than other Oceanside neighborhoods, with land standing vacant well into the 1930s and 1940s. A true development boom was stalled until after World War II, when a stronger economy and the need for affordable housing helped the area grow. It presently consists of a mix of residential uses, including generally small single-family houses and multiple-family units. Its proximity to the beach has made it a desirable location for rental units, historically for residents of Los Angeles, who would come down for weekend stays.

The resource is part of a group of houses on Broadway all constructed by A.N. Kramer and completed about the same time in 1950. These houses appear to have been variations of several related Modern Contemporary style patterns. For example, some feature gabled roof lines, others have flat-tilt roofs, and some have attached two-car garages, while others are one-car. Overall, there is a sense of cohesiveness to the residences and all reflect the styling, materials, and construction of the early post-World War II years.

The design of the subject resource is clean and simple. It would have been relatively inexpensive to build and maintain and its design integrity has remained intact over the years. No individuals of national, state or local historic standing are directly associated with the building. It is not the work of a master architect or craftsman, it is not constructed of rare or unique materials, and no known historic events are associated with it. The building is an example of the Modern Contemporary style, one of the most common architectural style of the late 1940s through 1960. The building is unlikely to yield important information relevant to local, state or national history. Its locational and associational integrity are intact, and its design and feeling are intact as well. The setting is reasonably intact. The subject resource does not qualify under any criteria for nomination for listing in the National Register of Historical Places, California Register of Historical Resources, or the Oceanside historical resources register.

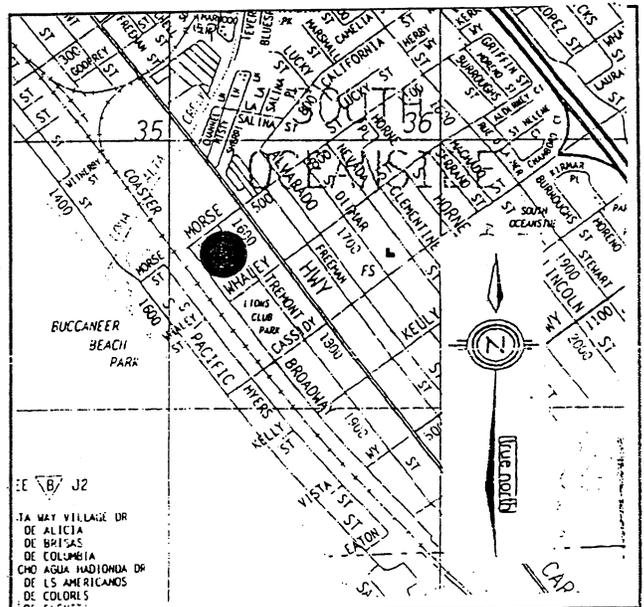
B11. Additional Resource Attributes: (List attributes and codes)  
None

\*B12. References: Hawthorne, K., Oceanside, Where Life is Worth Living, Donning Company Publishers, Virginia Beach, Virginia, 2002; McAlester, V. and L., A Field Guide to American Houses, 1991. Alfred A. Knopf, New York, Oceanside Historic Resources Inventory, 1992.

B13. Remarks:  
 \*B14. Evaluator: Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131

\*Date of Evaluation: 1/15/04

(This space reserved for official comments.)



ORDER NO. 34330553

**EXHIBIT "A"**

**The Southeasterly 60 feet of the Northwesterly 420 feet of the Southwesterly Half of Tract 13 of South Oceanside, in the City of Oceanside, County of San Diego, State of California, according to Map thereof No. 622, filed in the Office of the County Recorder of San Diego County, February 7, 1890.**

**Assessors Parcel No.: 153-115-07**

RECEIVED

MAR 07 2005

FILED  
Gregory J. Smith, Recorder/County Clerk

FEB 03 2005

BY RMG DEPUTY



CITY OF OCEANSIDE  
PLANNING DEPARTMENT

Planning Department

NOTICE OF EXEMPTION

TO: X RECORDER/COUNTY CLERK  
COUNTY OF SAN DIEGO

P.O. BOX 1750  
SAN DIEGO, CA 92112-4147

ORIGINAL

PROJECT TITLE AND FILE NUMBER:

Bielwaski Condominium  
Parcel Map (P-6-04)  
Development Plan (D-21-04)  
Conditional Use Permit (C-10-04)  
Regular Coastal Permit (RC-6-04)

PROJECT LOCATION - SPECIFIC:

1626 Broadway

PROJECT LOCATION - GENERAL:

City of Oceanside

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:

PARCEL MAP (P-6-04), DEVELOPMENT PLAN (D-21-04), CONDITIONAL USE PERMIT(C-10-04)&  
REGULAR COASTAL PERMIT (RC-6- 04) for construction of three attached dwelling units located at 1626  
Broadway Street

NAME OF PUBLIC AGENCY APPROVING PROJECT:

City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:

Sean Bielwaski  
1626 Broadway  
Oceanside, CA 92054  
(760) 445-6626

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)

X CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION 15303(b)

REASONS WHY PROJECT IS EXEMPT:

The project involves the construction of a triplex totaling no more than three dwelling units.

Contact Person: Jerry Hittleman, Senior Planner

FILED IN THE OFFICE OF THE COUNTY CLERK

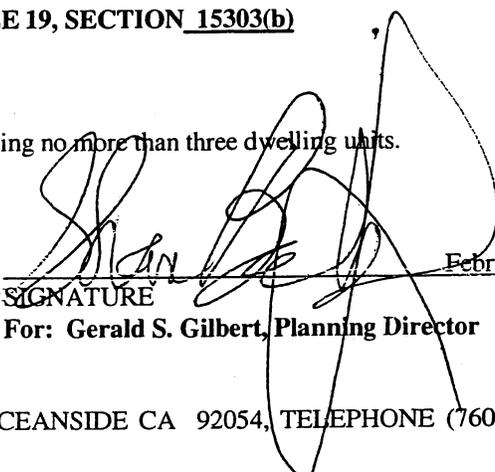
San Diego County

Posted

Returned to agency on

RMG

MAR 03 2005

  
SIGNATURE

February 1, 2005

DATE

For: Gerald S. Gilbert, Planning Director

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