

STAFF REPORT



ITEM NO. 26

CITY OF OCEANSIDE

DATE: April 2, 2008

TO: Honorable Mayor and Members of the City Council

FROM: Development Services Department/ Planning Division

SUBJECT: **ADOPTION OF A RESOLUTION OVERTURNING PLANNING COMMISSION RESOLUTION NO. 2008-P03 AND APPROVING CONDITIONAL USE PERMIT (C-27-07) AND DEVELOPMENT PLAN REVISION (D-24-04) FOR A K-12 CHARTER SCHOOL LOCATED AT 3660 AND 3682 OCEAN RANCH BOULEVARD – PACIFIC VIEW CHARTER SCHOOL – APPLICANT: GERI COLE**

SYNOPSIS

The item under consideration is a review of the Planning Commission’s decision to deny Conditional Use Permit (C-27-07) and Development Plan Revision (D-24-04) requesting to establish a K-12 Charter School within two Light Industrial (LI) zoned buildings located at 3660 and 3682 Ocean Ranch Boulevard, in the Venture Commerce Center (Pacific View Charter School).

Councilmember Jerry Kern called this application for review on January 17, 2008.

Staff is recommending that following the review, the City Council overturn the Planning Commission's decision, and approve the project based on the findings contained in the attached City Council resolution. Staff is also recommending that the City Council adopt the attached resolution.

BACKGROUND

On January 14, 2008, the Planning Commission denied on a 5-to-2 vote Resolution 2008-P03 for a Conditional Use Permit and Development Plan Revision. Following the Planning Commission hearing and prior to the end of the appeal period, a Call for Review of the Planning Commission’s action to deny the subject project was received by the City Clerk. This report identifies and addresses the issues raised by the Call for Review by Councilmember Kern. Attached to this report is the Call for Review document, which outlines the specific issue and concerns, related to the request. The previous Planning Commission resolution is also attached to this report.

The site proposed for the establishment of a K-12 charter school is located north of Ocean Ranch Boulevard and east of Rancho Del Oro Drive, within the northern portion of

the Venture Commerce Center industrial business park. The center is comprised of seven freestanding tilt up style construction buildings within each parcel. Pacific View Charter School would occupy Buildings 6 and 7, and would allocate interior space in a manner that allows for eight classrooms, 32 offices, four computer labs, a biology lab, a conference room, a book room, a study hall, a faculty and staff lounge, and a nursery room for students with infants. The two buildings proposed for establishment of the charter school are currently empty and designed for light industrial type uses, and as part of the overall discretionary review are seeking approval to modify the exterior finish design of the rear portions of the building in a manner that would provide a consistent storefront appearance on all elevations of Buildings 6 and 7.

The property is zoned Limited Industrial (IL) on the City of Oceanside Zoning Map, and is designated Light Industrial (LI) on the General Plan Land Use Map. The establishment of public or private schools within a limited industrial zoned business park requires discretionary review and approval of a Conditional Use Permit.

Surrounding land uses adjacent to the Venture Commerce Center include open space slope areas to the north and east, light industrial uses to the east, retail and an extended stay hotel to the south, and El Corazon to the west across Rancho Del Oro Drive.

The project application is comprised of the following required entitlements:

Conditional Use Permit (C-27-07) represents a request for the following:

- (a) To permit the establishment of a Charter School Operation within Buildings 6 and 7 of an IL (Limited Industrial) zoned Business Park located at 3660 and 3682 Ocean Ranch Boulevard.

Currently the school has an enrollment of 374 students with 73 students being enrolled in grades kindergarten through eighth (K-8), and 291 of the students enrolled in grades 9 through 12. It is anticipated that the proposed relocation into the Venture Commerce Center would allow for the expansion of their enrollment to a maximum of 500 students (est.150 students in K-8 and 350 in 9-12) with a maximum staffing of 35 persons (i.e. teachers, administrators, and assistants). Not included in the maximum enrollment, is a proposal to expand their virtual online learning program. Due to the nature of online learning and technological advances in telecommuting capabilities, it is uncertain how to obtain an exact figure on the number of potential students that the Charter School could enroll in the virtual online learning program. In order to ensure that intensification of the site does not occur beyond what has been studied, the Charter School would be restricted from allowing online learning students to engage in any on campus activities.

The school would operate as an independent study school, where students K-8 participate in a classroom activity one day per week, while grades 9 – 12 meet with instructors once a week and are offered workshops throughout the week as needed per student. Parent/Educational Support meetings with teachers occur once a week for grades 9 – 12, and once every two to three weeks for grades K-8. Student's schedules

would vary based on students' required courses and schedules. Drop-off would be located along the south elevation of Building 7, the northern most building within Venture Commerce Center, and would provide parking within 91 allocated spaces located on the north and west portions of the site. Students are supervised while on campus and strict operational management during the course of the day is monitored by school staff. A draft of the Operational Management Plan, that details the day-to-day operations and management of the school, has been attached for review.

A traffic and on-site circulation assessment of the proposed use was prepared by RBF Consulting, and staff has agreed with the conclusion that no impacts to on-site circulation, parking, or traffic would occur as a result of a change in use from office/industrial to a Charter School use with a maximum enrollment of 500 students. In order to ensure that the project is consistent with the assessment conducted for the Pacific View Charter School, the City's Transportation and Engineering Division have conditioned the project to submit a circulation management plan to the City Engineer for approval prior to issuance of building permits. In order to ensure that intensification on-site does not occur beyond the limits of the sites available transportation/traffic and parking infrastructure, a maximum allowable student enrollment has been placed upon this discretionary approval.

The project has been allocated 91 parking spaces, and based upon the school trip generation analysis that estimated a peak demand of 60 parking spaces; an approximate 31 surplus parking spaces would be available during these peak demand periods. Although not every assumption on day-to-day operations can be studied to ensure that adequate parking is available, staff has conditioned the project to obtain a special events permit for any event that would generate a student body count on-site of over ¼ (125 students) of the maximum allowed (500 students). This condition would require further review and analysis on circulation, parking, and traffic prior to obtaining approvals for the special events permit.

Development Plan Revision (D-24-04) represents a request for the following:

- (a) To permit minor exterior architectural design modifications to Buildings 6 and 7, and interior tenant improvements to establish mezzanine and access improvements required for school type uses. The two small sized industrial buildings would have a combined square footage of 32,095 square feet and would be located on approximately 31.3 percent of the combined 8.48-acre site. Architectural design modifications proposed would include removal of the existing vertical lift doors, and the construction of store-front window and door systems consistent with that found throughout the Venture Commerce Center. Overall physical design of the buildings would not be altered, and the required approvals from the Ocean Ranch Business Association have been submitted as part of the application package.

Signage is not proposed as part of this projects approval. All signage associated with Pacific View Charter School would be required to meet the stringent criteria established within the Venture Commerce Center and would need to be approved

by the Ocean Ranch Business Association prior to submittal to the City.

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

1. Zoning Ordinance
2. General Plan Land Use Element
3. Ocean Ranch Master Development Plan
4. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance:

The General Plan Land Use Map designation for the subject property is LI (Light Industrial). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element

Goal 1.11: Balanced Land Use

Objective: To develop and use lands for the long-term provision of balanced, self-sufficient and efficient community.

Policy A: The City shall establish and enforce a balanced distribution of land uses to organize the City in a hierarchy of activity centers and land use so as to foster a sense of neighborhood, community, and regional identity.

Surrounding land uses include a combination of personal service/office type uses, commercial retail facilities, the proposed El Corazon Master Plan, and open space slope areas. The total area dedicated to school type uses within the Venture Commerce Center has been calculated at approximately 32,095 square feet or 31.3 percent of the light industrial business park, with the remainder consisting of warehouse type uses. Establishment and operation of the charter school use has been determined by staff to provide an overall balance of goods and services in close proximity to the residential areas of the Rancho Del Oro neighborhood, and with an end result of providing a sense of community to the residents in close proximity to the area, while providing an alternative method of education for the children of Oceanside and the surrounding Southern California region.

Policy C: The City shall continuously monitor the impact and intensity of land use and land use distribution to ensure that the City's circulation system is not overburdened beyond design capacity.

The proposed use has been reviewed and analyzed to ensure that traffic impacts and parking deficiencies would not arise. Trip generation for the subject use has been determined by staff to be consistent with the overall intensity of development of the site, and does not warrant further review. The subject charter school use would generate significantly fewer daily trips than the previously approved medical offices originally reviewed and approved as part of Conditional Use Permit (C-8-06). In order to further ensure that the use does not intensify in a manner that could contribute to an impact on the City's circulation system, appropriate conditions of approval have been placed upon conditional use permit (C-27-07).

2. Zoning Compliance:

This project site is located within the Ivey Ranch/Rancho Del Oro Neighborhood on a (IL) Limited Industrial zoned parcel. Subject to approval of a conditional use permit is consistent with the requirements of the zone district pertinent to public/or private school uses. In order to appropriately calculate parking requirements for the proposed Charter School, a trip generation analysis using SANDAG provided values was conducted. The project has been allocated 91 parking spaces; based upon the school trip generation analysis that estimated a peak demand of 60 parking spaces, an approximate 31 surplus parking spaces would be available during these peak demand periods. The following table depicts the trip generation rates of the proposed Charter School compared to the previously approved Medical Office and the Land Use for the existing industrial center:

LAND USE	DAILY TRIPS	AM PEAK HOUR TRIPS	PM PEAK HOUR TRIPS
Pacific View Charter School	489	108 54 In 54 Out	99 27 In 72 Out
General Plan Land Use	514	62 50 In 12 Out	62 12 In 50 Out
Medical Office C-8-06	1,605	96 77 In 19 Out	177 53 In 124 Out
Difference School - General Plan Land Use	-25	+46 +4 In +42 Out	+37 +15 In +22 Out
Difference School – Medical Office C-8-06	-1,116	+12 -23 In + 35 Out	-78 -26 In – 52 Out

* Numerical Values are based on the Highest Daily Average out of the Five Weekdays

While peak trip generations would be slightly higher than the Land Use calculations for a business park, the overall trip generation from the previously approved medical office use would be significantly reduced. It should be further noted, that implementation of a Circulation Management Plan and Operations Management Plan would ensure that no conflicts to parking, circulation, or traffic would occur as a result of establishing a Charter School within a Limited Industrial Business Park.

3. Land Use Compatibility with surrounding developments:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	Light Industrial (LI)	Limited Industrial (IL)	Office/Industrial
North of Subject Property	Light Industrial (LI)	Limited Industrial (IL)	Landscaped Open Space Area
East of Subject Property:	Light Industrial (LI)	Limited Industrial (IL)	Office/Industrial
South of Subject Property:	Light Industrial (LI)	Limited Industrial (IL)	Commercial/ Retail
West of Subject Property:	Light Industrial (LI)	Planned Development (PD-1)	Undeveloped City Property/ El Corazon Park

DISCUSSION

Issue: Project Compatibility with the Existing Industrial Uses within the Venture Commerce Center

The primary issue of compatibility of a charter school in a limited industrial business park is derived from the fact that most industrial facilities generate less daily trips associated with day to day operations. In order to ensure that impacts typically associated with the establishment of more intense type uses do not occur, a conditional use permit to establish a semi-public school is required. While the daily trips generated from a charter school would be higher than typical limited industrial type uses, the daily trips would be significantly less than the approved medical offices originally proposed for Buildings 6 and 7 of the Venture Commerce Center. The location of Buildings 6 and 7 of the Venture Commerce Center are situated in the northern portion of the limited industrial business park, and are separated from the majority of the centers tenants through lot configuration and parking area site layout. Strict adherence to an Operational Management Plan and Circulation Plan, both of which are required to be approved as part of the projects overall discretionary action, would ensure compatibility with the surrounding land uses, while providing for a mix of land uses that would not be detrimental to the health, safety, or welfare of persons frequenting the Venture Commerce Center. The subject project would assist in providing for a balanced distribution of land uses necessary to sustain and benefit the local neighborhood and surrounding communities as a whole, and that is consistent with the City's General Plan.

Staff concludes that the establishment of the charter school facility within the limited industrial park area would not negatively impact existing uses within the center, significantly alter the nature of the industrial land use development, result in the establishment of a use that would be detrimental to the health, safety, or welfare of the public frequenting the center, and as conditioned would be compatible with the existing

and potential development on adjoining properties or within the Venture Commerce Center. Staff supports the applicant's request, subject to conditions attached within the City Council resolution.

FISCAL IMPACT

On March 4, 2008, the Economic Development Commission delivered an Economic Sustainability Study to the City Council. The subject study identified as a recommendation, the need to re-evaluate the zoning ordinance in order to minimize/eliminate non-job creating uses within business parks. Based upon the sustainability study assumptions of 1 job per 500 sq. ft. for industrial buildings, the two combined buildings proposed to accommodate the subject charter school, totaling 27,447 square feet, (existing square footage) could provide approximately 55 manufacturing type jobs with an average annual salary of \$42,372. The subject salary figure was derived from data taken from the sustainability study section, "Wage Rates", which was obtained from the states Labor Market Information Data (LMID). The proposed charter school would employ approximately 35 employees, with an estimated annual salary of \$68,317.

While the proposed charter school would result in the reduction of 10 potential jobs that could be located within the two Light Industrial buildings, the proposed employment would provide for higher paying jobs; as well as, the positive benefit of the 500 students, parents, and teachers attending the school becoming a market opportunity for the retail facilities located immediately south of Ocean Ranch Blvd. The increase in intensity of the site with students and parents could ultimately result in an increase and retention of sales tax revenue for the city.

The only fiscal impact to the City of Oceanside was determined to be the loss of property tax annually. Currently, Pacific View Charter School occupies office space within the Venture Commerce Center, and is exempt from paying approximately \$1,000 in annual property tax. A property tax loss analysis was prepared by the applicant, and concludes that the total tax revenue loss to the city resulting from the charter school being established would be the loss of approximately \$7,246 annually.

INSURANCE REQUIREMENTS

Not applicable.

COMMISSION OR COMMITTEE REPORT

The Planning Commission reviewed the project on January 14, 2008. After hearing public testimony from two adjacent property owners; as well as the applicant, the Commission denied the project by a 5-2 vote. Commissioners indicated that the project site was not appropriate for the proposed use of a light industrial zoned building for a charter school type use, and cited circulation and potential pedestrian conflicts between students, and industrial type uses within the business center. The Commissioners stated that the project did provide adequate evidence that all of the development regulations were being met

and found the project to be consistent with adopted regulations, but found that the project did not meet the standards for development as it relates to compatibility with existing and potential development on adjoining properties or in the surrounding Venture Commerce Center.

CITY ATTORNEY'S ANALYSIS

The City Attorney's Office has reviewed the proposed resolution and approved it as to form.

In accordance with Section 4605 of the Zoning Ordinance, the City Council shall consider the same application, plans, and related project materials that were the subject of the original decision approving the project by the Planning Commission.

The City Council shall review the record of the decision and hear testimony from staff, the applicant, and/or any interested parties.

After the public hearing the City Council shall affirm or reverse the Planning Commission's decision to deny the subject project. If a decision is reversed, the City Council shall state the specific reasons for the reversal.

RECOMMENDATION

Staff has reviewed the issues raised under the Call for Review of the Planning Commissions action to deny the project, and believes that the findings for approval of a Conditional Use Permit and Development Plan Revision can be made, because the location of the proposed Charter School in the northern most portion of the Venture Commerce Center and strict implementation of a Circulation and Operational Management Plan would ensure that there would be no public health or safety related issues as result of the schools establishment. It is staff's recommendation that the City Council overturn the Planning Commissions decision to deny the project, and take action to approve Conditional Use Permit (C-27-07) and Development Plan Revision (D-24-04) by adopting the attached City Council resolution.

PREPARED BY



Richard Greenbauer
Senior Planner

SUBMITTED BY



Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs-Lawrence, Deputy City Manager
Lauren Wasserman, Interim Development Services Director
Jerry Hittleman, City Planner



Attachments:

1. Floor/Site Plans
2. Existing Conditions Site Photo
3. City Council Resolution
4. Planning Commission Resolution No. 2008-P03
5. Planning Commission Staff Report dated January 14, 2008
6. Draft Pacific View Charter School Management Plan
7. Call For Review



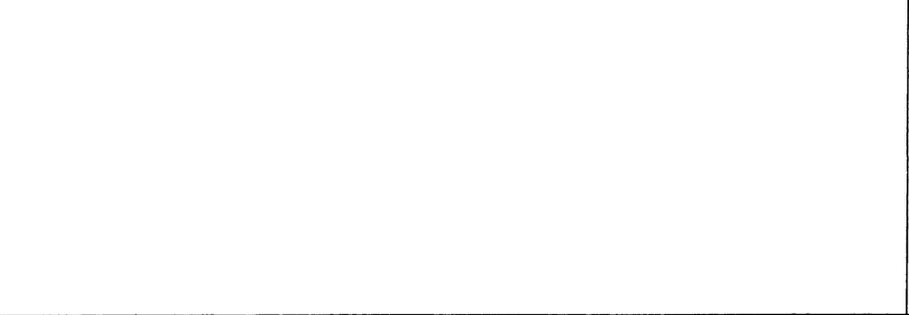
BUILDING B
 NEW WORK
 FIRST FLOOR PLAN

LRDA-JOB NO. 0707
 DATE: 07/16/07

REVISIONS:
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SHEET: A-1

- KEY NOTES**
- EXISTING ROLL-UP DOOR TO BE REMOVED AND NEW ALUMINUM STOREFRONT BYTESH PROPOSED TO MATCH EXISTING.
 - PROPOSED ONE-HOUR OCCUPANCY SEPARATION WALL.
 - PROPOSED VERTICAL CIRCULATION.



FIRST FLOOR BUILDING DATA

OCCUPANCY	B= 3,140 SQUARE FEET
AREA	E= 8,110 SQUARE FEET
	1,140 SQUARE FEET EXISTING
	1,140 SQUARE FEET PROPOSED

PROPOSED FIRST FLOOR PLAN - BUILDING 6 SCALE: 1/8"=1'-0"
 PACIFIC VIEW CHARTER SCHOOL TENANT IMPROVEMENT



BUILDING 6
 NEW WORK
 SECOND FLOOR PLAN

LIDA JOB NO. 0707

DATE: 07/19/07

REVISIONS:
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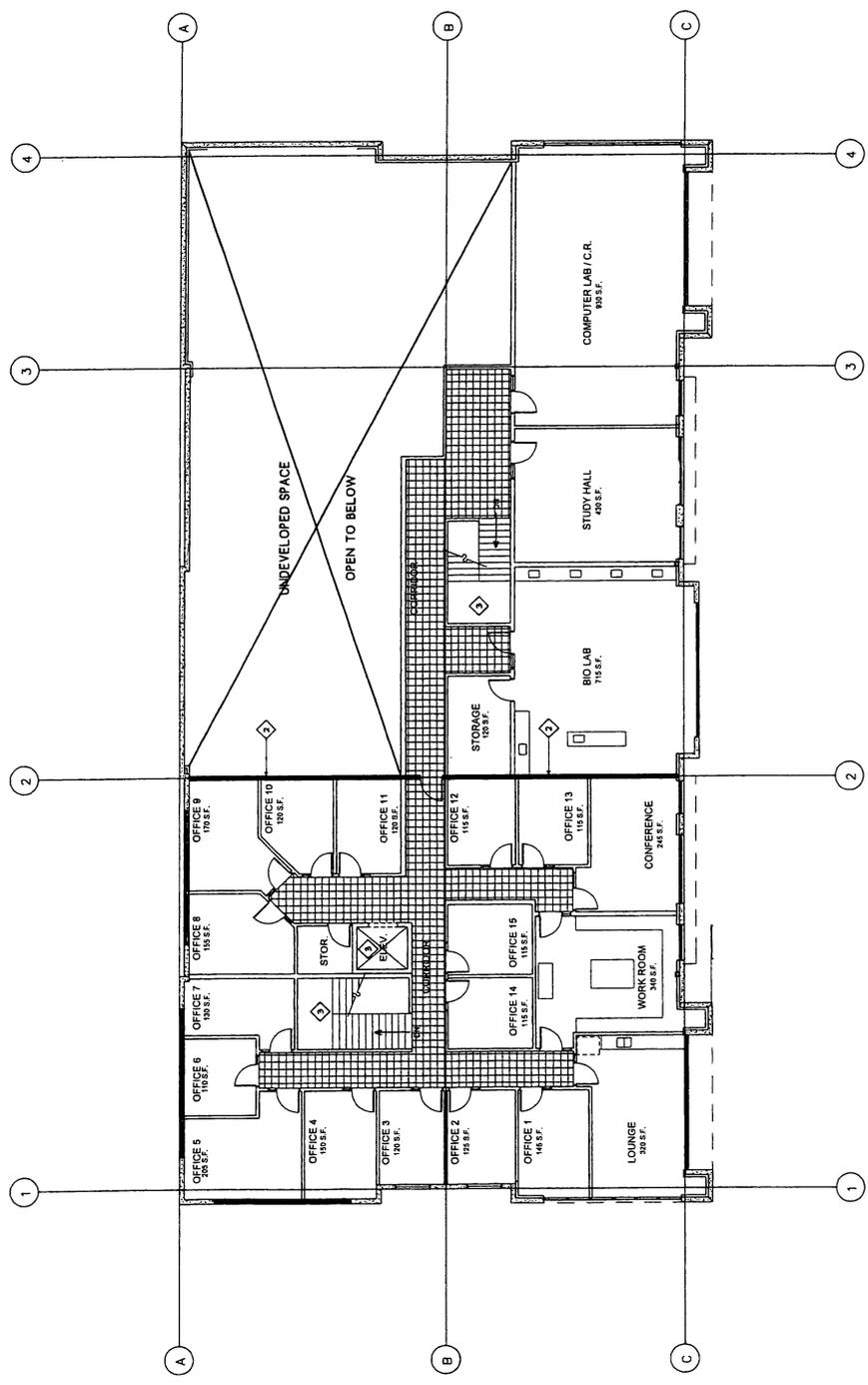
SHEET: A-2

◇ KEY NOTES

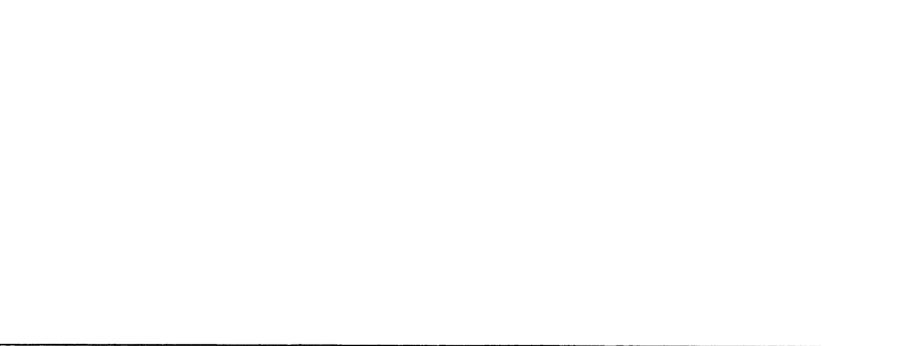
1. ALUMINUM STOREFRONT SYSTEM PROPOSED TO MATCH EXISTING
2. PROPOSED ONE-HOUR OCCUPANCY SEPARATION WALL
3. PROPOSED VERTICAL CIRCULATION

SECOND FLOOR BUILDING DATA

OCCUPANCY: B- 2000 SQUARE FEET
 E- 2800 SQUARE FEET
 AREA: 3,331 SQUARE FEET EXISTING
 1,880 SQUARE FEET PROPOSED



KEY NOTES
 1. ALUMINUM STOREFRONT SYSTEM PROPOSED TO MATCH EXISTING.
 2. PROPOSED ONE-HOUR OCCUPANCY SEPARATION WALL.
 3. PROPOSED VERTICAL CIRCULATION.



SECOND FLOOR BUILDING DATA

OCCUPANCY:	B = 1170 SQUARE FEET
	E = 2450 SQUARE FEET
AREA:	3331 SQUARE FEET EXISTING
	4130 SQUARE FEET PROPOSED

BUILDING 7 NEW WORK - SECOND FLOOR PLAN
 PACIFIC VIEW CHARTER SCHOOL TENANT IMPROVEMENT : CUP XX-07
 SCALE: 1/8"=1'-0"



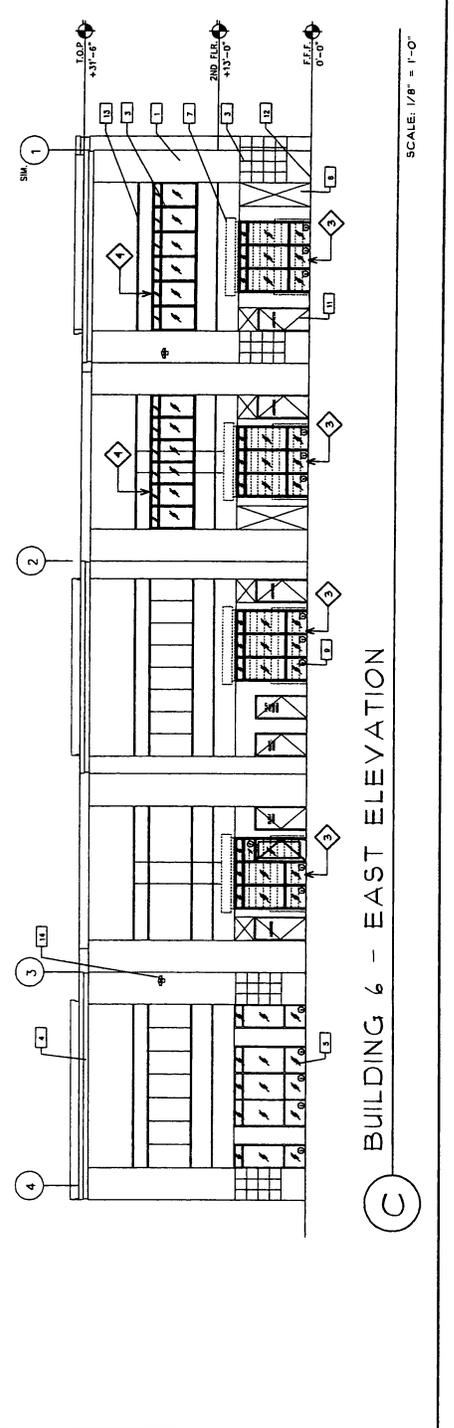
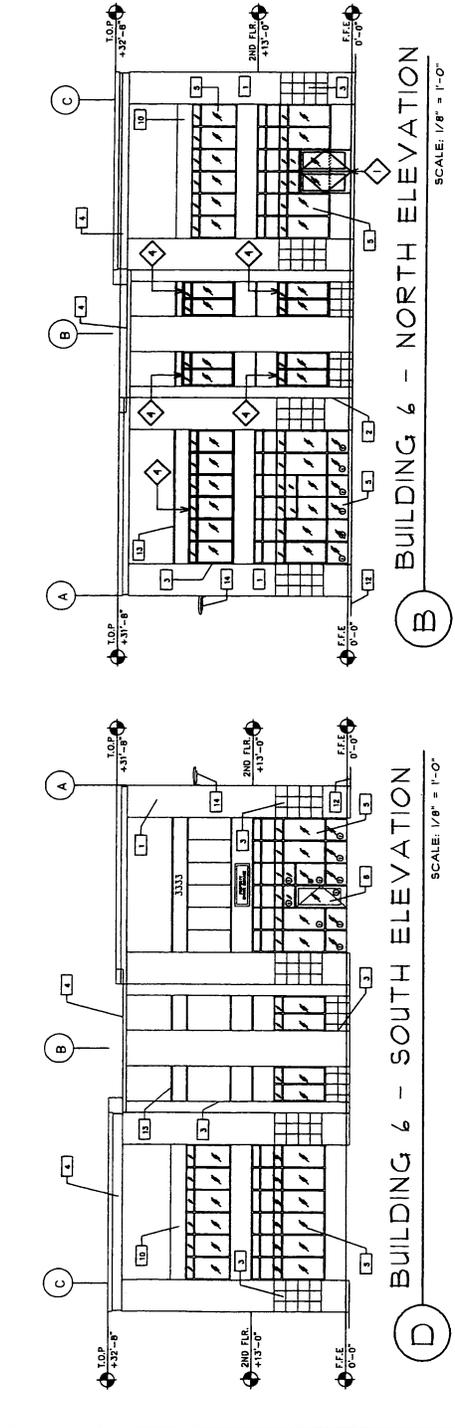
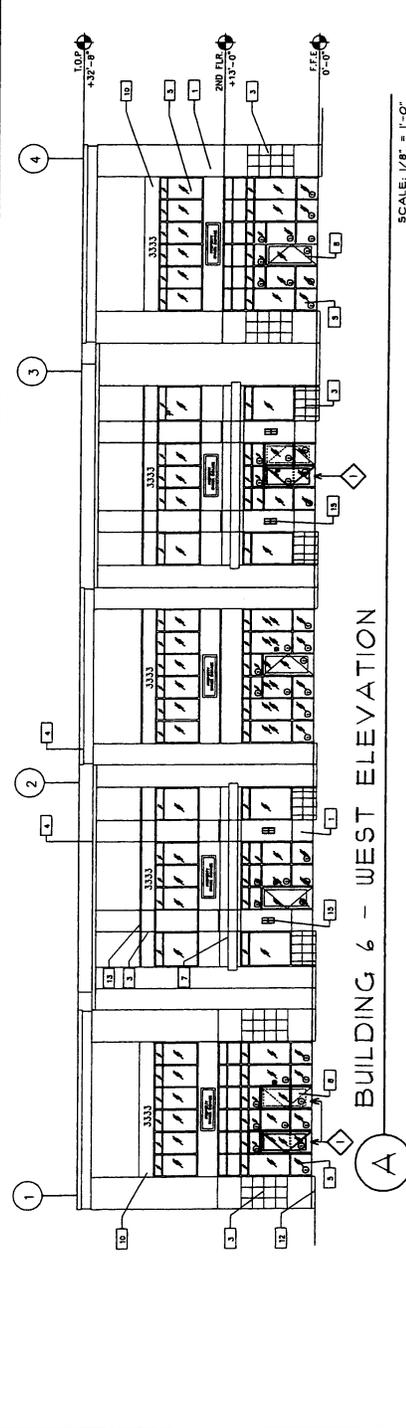
RUEBINS & ASSOCIATES EXTERIOR ELEVATIONS	
LRDA JOB NO.	0707
DATE	07/19/07
REVISIONS:	△ △ △
SHEET:	A-5

- KEY NOTES**
- NOTE: NOT ALL REVISIONS MAY BE LISTED OR REFERENCED
- NEW OR RELOCATED ALUMINUM STOREFRONT DOOR /
 - NEW HOLLOW METAL DOOR / BRIGHT WINDOW
 - EXISTING VERTICAL LIFT DOORS / 1" HILL WITH NEW ALUMINUM STOREFRONT WINDOW SYSTEM.
 - NEW STOREFRONT GLAZING SYSTEM, ANODIZED ALUMINUM.

- ELEVATION NOTES - EXISTING ELEMENTS**
- CONCRETE IN-UP PANEL, PAINTED. SEE STRUCTURAL DRAWINGS.
 - 3/4" VERTICAL.
 - 1 1/2" DEEP RECESS.
 - STOREFRONT GLAZING SYSTEM, ANODIZED ALUMINUM.
 - BRASS / PANEL FOR FUTURE WINDOWS OR DOORS. SEE STRUCTURAL DRAWINGS.
 - 1 1/2" DEEP ALUMINUM CLIP CANOPY.
 - CHANGE LEVEL, VERTICAL LIFT DOOR WITH WINDOW PANELS (SHOWN INDICATED) 3/4" RECESS.
 - HOLLOW METAL DOOR, PAINTED.
 - 2" WIDE BY 3/4" DEEP RECESS.
 - WALL PANEL, SEE ELECTRICAL DRAWINGS.
 - COGNITIVE LIGHT FIXTURE, SEE ELECTRICAL DRAWINGS.
- NOTE: ALL WINDOWS ARE RECESSED 4" BACK FROM PANEL EDGE.

- LEGEND - EXISTING ELEMENTS**
- VISION GLASS: VISION VERSALUX 1/4" GREY
 - SPANDREL GLASS: VISION VERSALUX 1/4" GREY
 - TEMPERED GLASS

- EXISTING GLAZING GENERAL NOTES**
- GLASS AND GLAZING SHALL COMPLY WITH THE REQUIREMENTS OF CBC CHAPTER 24.
 - FOR STOREFRONT AND VISION GLASS, SHALL COMPLY WITH THE REQUIREMENTS OF THE CALIFORNIA GLAZING CODE (CBC CHAPTER 24) AND THE CALIFORNIA GLAZING CODE (CBC CHAPTER 24).
 - THE UNIT AND TOLERANCES OF THE GLAZING SHALL BE AS SHOWN.
 - GLAZING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS AND THE CALIFORNIA GLAZING CODE (CBC CHAPTER 24).
 - THE AREA OF AN INTERNAL LIGHT SHALL NOT EXCEED THE LIMITS AS SHOWN.
 - SEE ELECTRICAL DRAWINGS FOR LIGHTING.
 - THE GLAZING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS AND THE CALIFORNIA GLAZING CODE (CBC CHAPTER 24).
 - ALL OPENINGS SHALL BE PROVIDED WITH THE APPROPRIATE FINISHES AS SHOWN.
 - ALL FINISHES SHALL BE PROVIDED FOR ALL.
 - ALL FINISHES SHALL BE PROVIDED FOR ALL.





BUILDINGS & EXTERIOR ELEVATIONS

 LRDA JOB NO. 0707

 DATE: 07/18/07

REVISIONS:

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KEY NOTES

 NOTE: NOT ALL DETAILS MAY BE USED OR REFERENCED

 1. NEW OR RELOCATED ALUMINUM STOREFRONT DOOR / WINDOW

 2. NEW HOLLOW METAL DOOR, 1 Sidelight WINDOW

 3. DEMO EXISTING VERTICAL LIFT DOORS, 1 WALL WITH NEW ALUMINUM STOREFRONT WINDOW SYSTEM

 4. NEW STOREFRONT GLAZING SYSTEM, ANODIZED ALUMINUM

ELEVATION NOTES - EXISTING ELEMENTS

 GROUND FLOOR PANELS: PAINTED. SEE STRUCTURAL DRAWINGS

 1/4" X 1/4" PANELS: PAINTED. SEE STRUCTURAL DRAWINGS

 1/4" X 1/4" PANELS: PAINTED. SEE STRUCTURAL DRAWINGS

 STOREFRONT GLAZING SYSTEM: ANODIZED ALUMINUM

 1" X 4" DEEP ALUMINUM CLAD EMPIRE

 GRADE LEVEL: VERTICAL LIFT DOOR WITH WINDOW PANELS

 HOLLOW METAL DOOR: PAINTED

 HOLLOW METAL DOOR: PAINTED

 2" X 6" X 1/4" DEEP ALUMINUM

 WALL PANELS: SEE ELECTRICAL DRAWINGS

 DECORATIVE LIGHT FINISH: SEE ELECTRICAL DRAWINGS

 NOTE: ALL WINDOWS ARE RECESSED 4" BACK FROM PANEL EDGE

LEGEND - EXISTING ELEMENTS



 WINDOW GLAZES: VERTICAL VERTICAL 1/4" GREY

 WINDOW GLAZES: VERTICAL VERTICAL 1/4" GREY

 WINDOW GLAZES: VERTICAL VERTICAL 1/4" GREY

 WINDOW GLAZES: VERTICAL VERTICAL 1/4" GREY

EXISTING GLAZING GENERAL NOTES

 1. GLASS AND GLAZING SHALL COMPLY WITH THE REQUIREMENTS OF THE CODES APPLICABLE TO THE PROJECT

 2. ONE SECTION SHALL BE TESTED TO MEET THE REQUIREMENTS OF THE CODES APPLICABLE TO THE PROJECT

 3. THE TEST REPORT SHALL BE SUBMITTED WITH THE GLAZING SUBMITTALS

 4. GLAZING SHALL BE SUBMITTED WITH THE GLAZING SUBMITTALS

 5. THE AREA OF THE WINDOW UNIT SHALL NOT EXCEED THE LIMITS AS SHOWN ON THE DRAWING

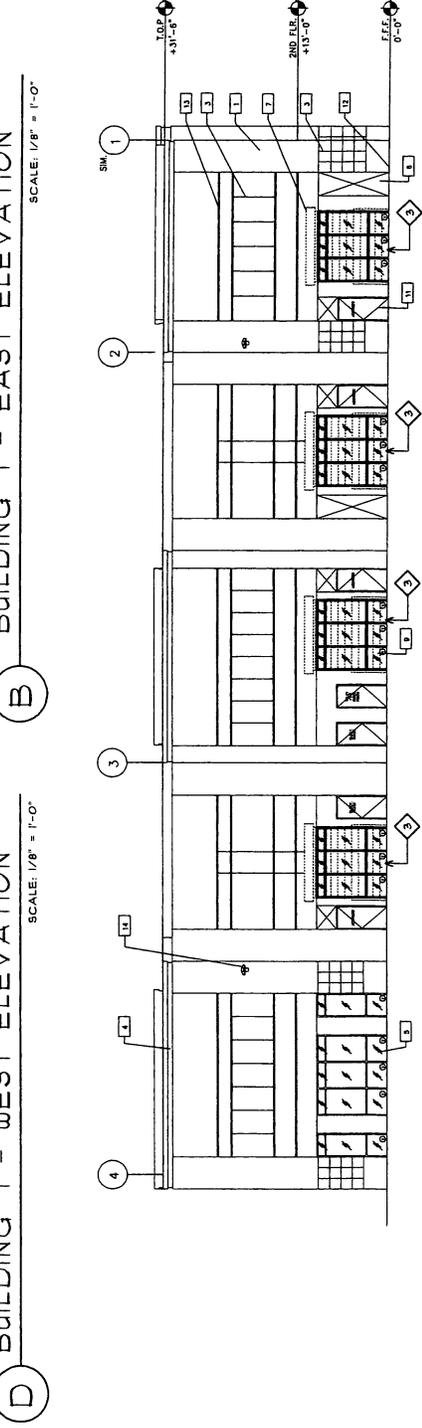
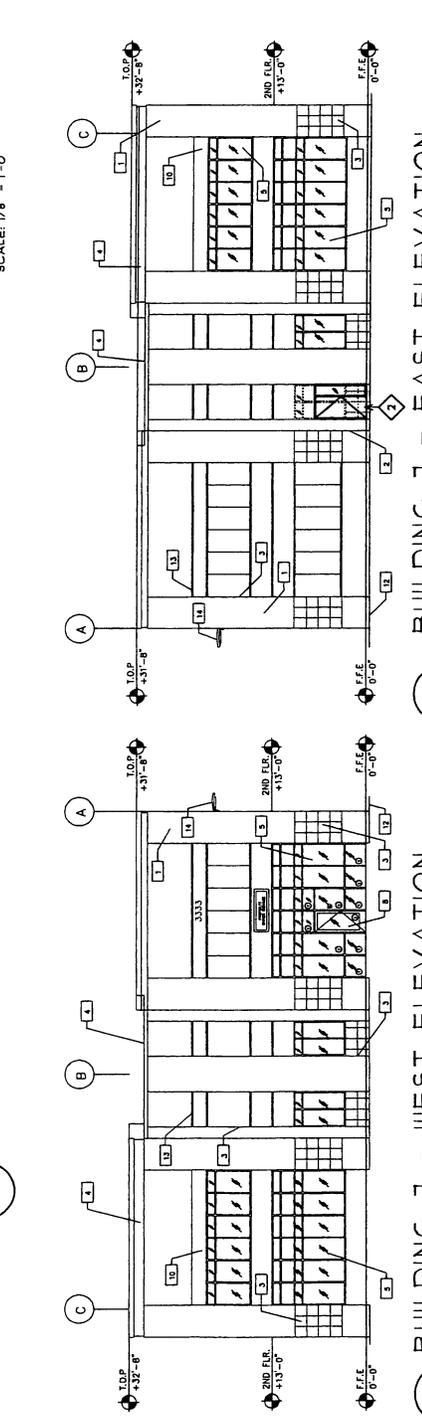
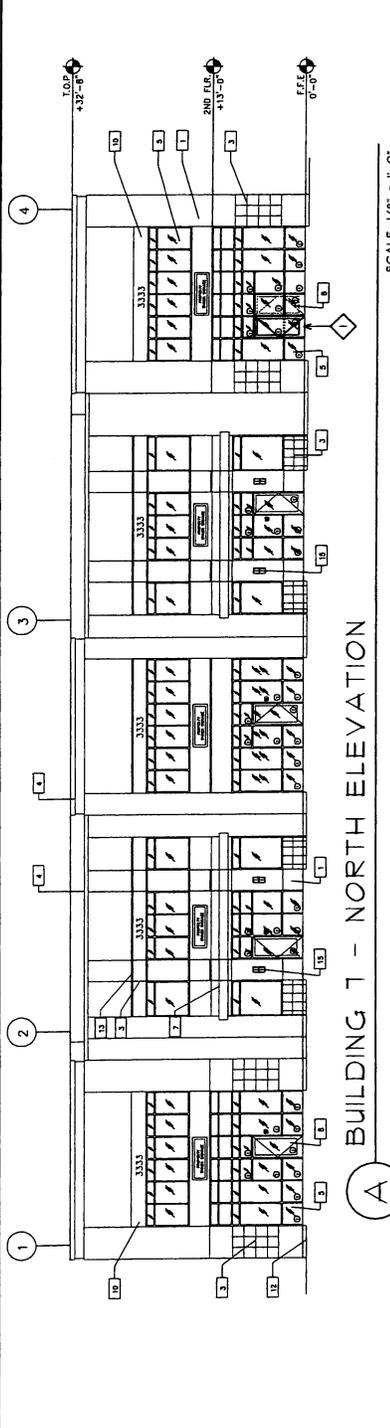
 6. (SEE SEC. 104.1) PANELS SUPPORTED BY IRON BOLTS

 7. THE WINDOW UNITS SHALL BE SUBMITTED WITH THE GLAZING SUBMITTALS

 8. THE WINDOW UNITS SHALL BE SUBMITTED WITH THE GLAZING SUBMITTALS

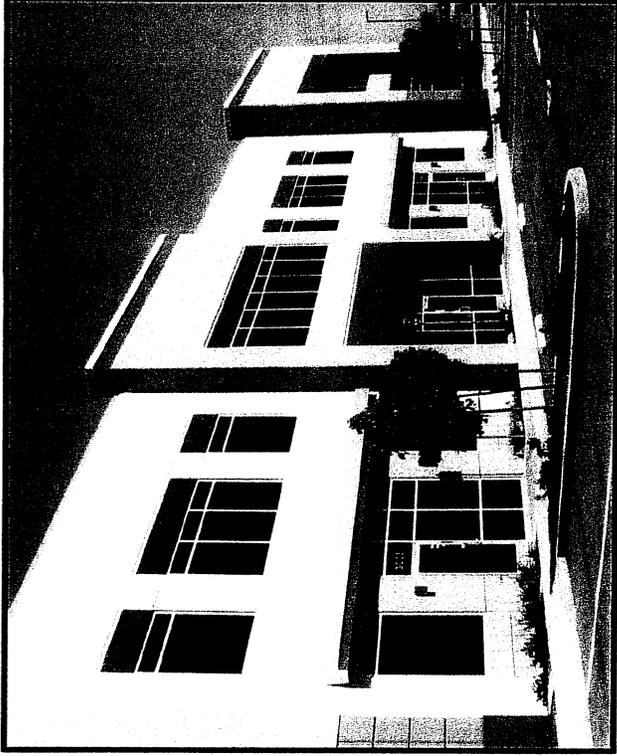
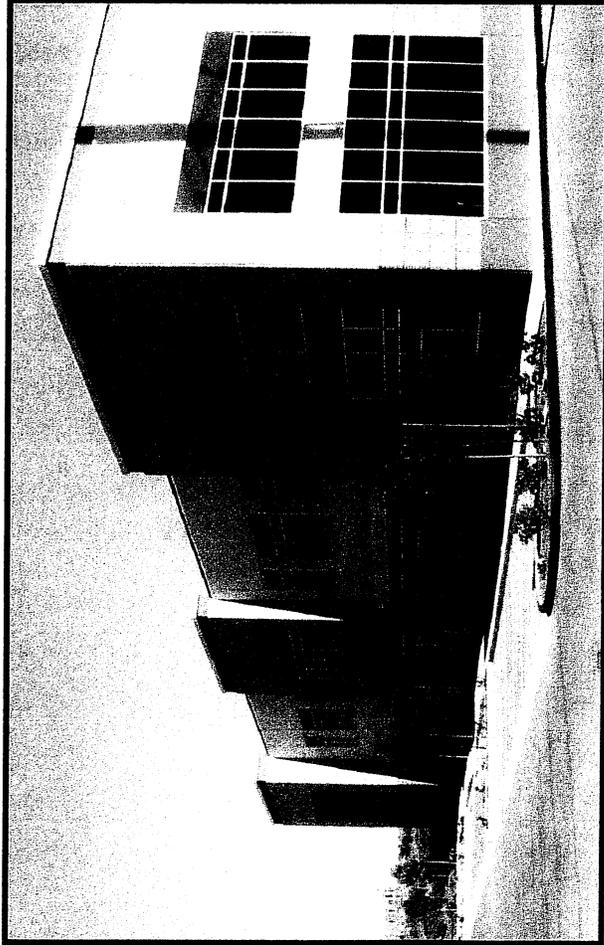
 9. THE WINDOW UNITS SHALL BE SUBMITTED WITH THE GLAZING SUBMITTALS

 10. THE WINDOW UNITS SHALL BE SUBMITTED WITH THE GLAZING SUBMITTALS



Color/Materials Exhibit

All colors and materials to match existing buildings



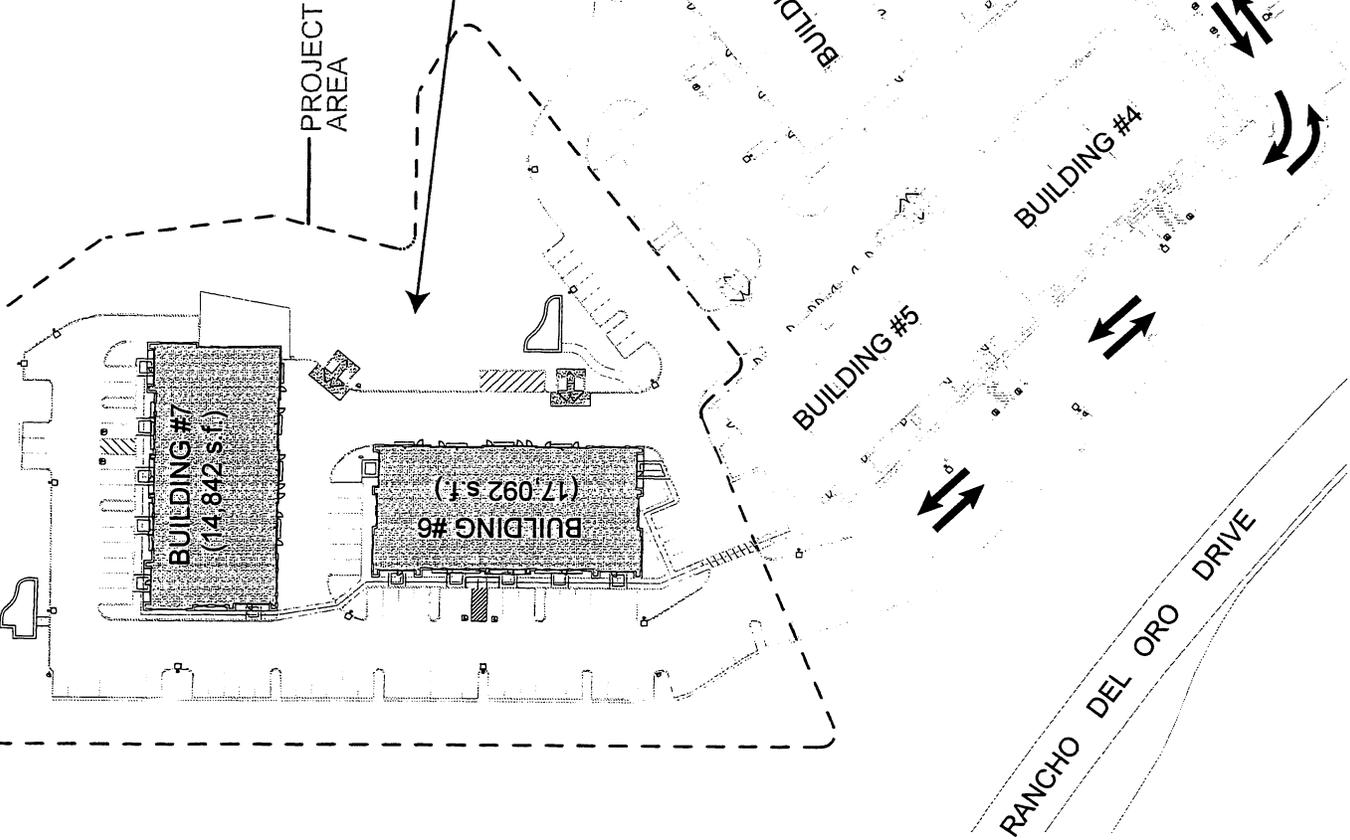
RECEIVED
JUL 23 2007
Planning Commission

CUP - 27 - 07
OCEANSIDE, CA

APPLICANT:
PACIFIC VIEW CHARTER SCHOOL
3355 MISSION AVENUE, SUITE 139
OCEANSIDE, CA 92054
PHONE: (760) 757-0161
CONTACT: GERRI COLE

ZONING: GENERAL PLAN DESIGNATION: U (LIGHT INDUSTRIAL)
EXISTING ZONING: I (LIMITED INDUSTRIAL)
PARKING: OFF STREET PARKING REQUIRED, AS SPECIFIED BY CUP
OFF STREET PARKING PROPOSED: 91 EXISTING PARKING SPACES

See Exhibit 5 for Circulation Plan within Project Area.



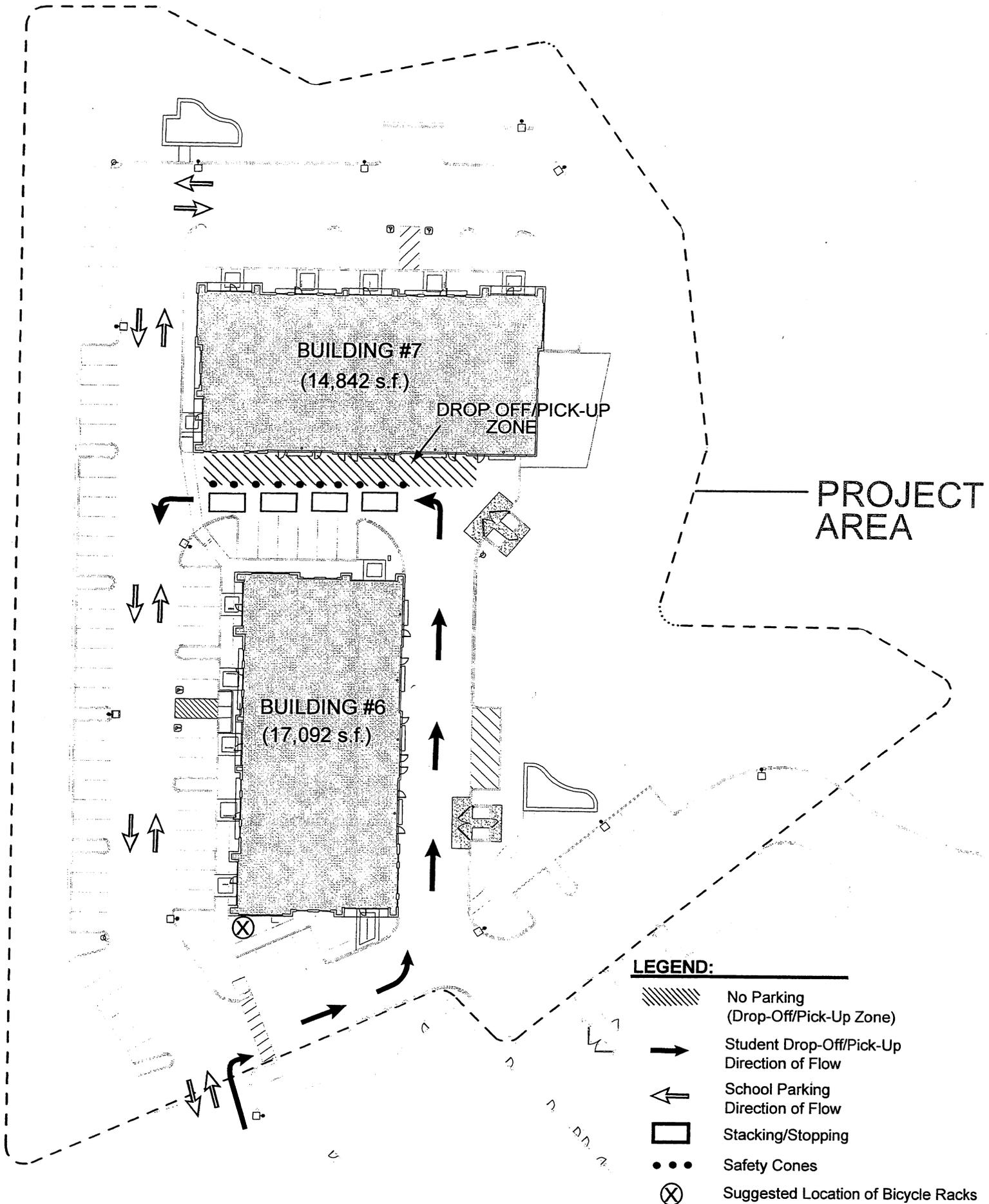
LEGEND:
→ Direction of Flow



PROPOSED SCHOOL CIRCULATION WITHIN VENTURE COMMERCE CENTER

Exhibit 4

JN 55-100332 SEPTEMBER 2007



BUILDING #7
(14,842 s.f.)

DROP OFF/PICK-UP ZONE

PROJECT AREA

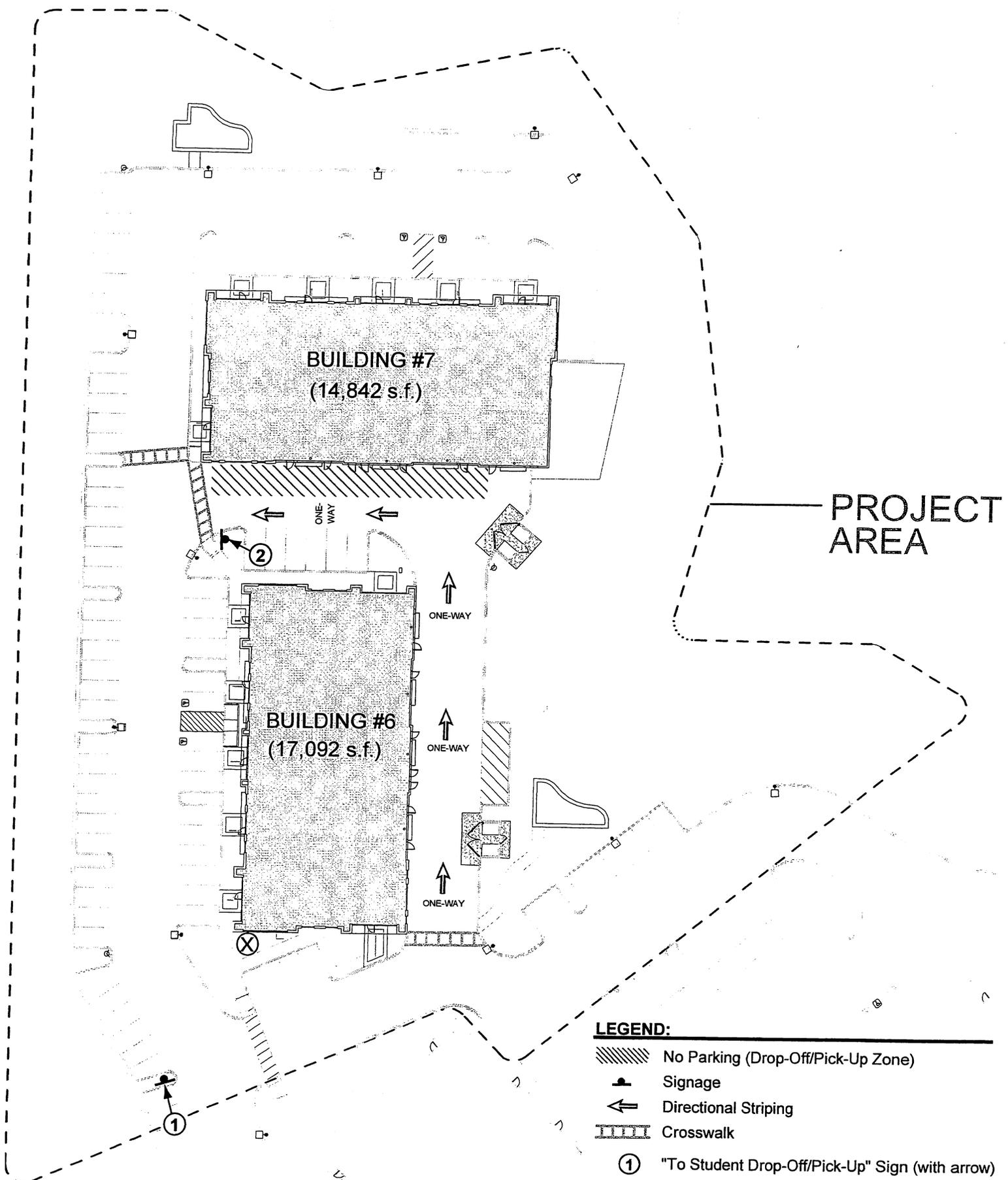
BUILDING #6
(17,092 s.f.)

LEGEND:

-  No Parking (Drop-Off/Pick-Up Zone)
-  Student Drop-Off/Pick-Up Direction of Flow
-  School Parking Direction of Flow
-  Stacking/Stopping
-  Safety Cones
-  Suggested Location of Bicycle Racks



PROPOSED SCHOOL CIRCULATION WITHIN PROJECT AREA



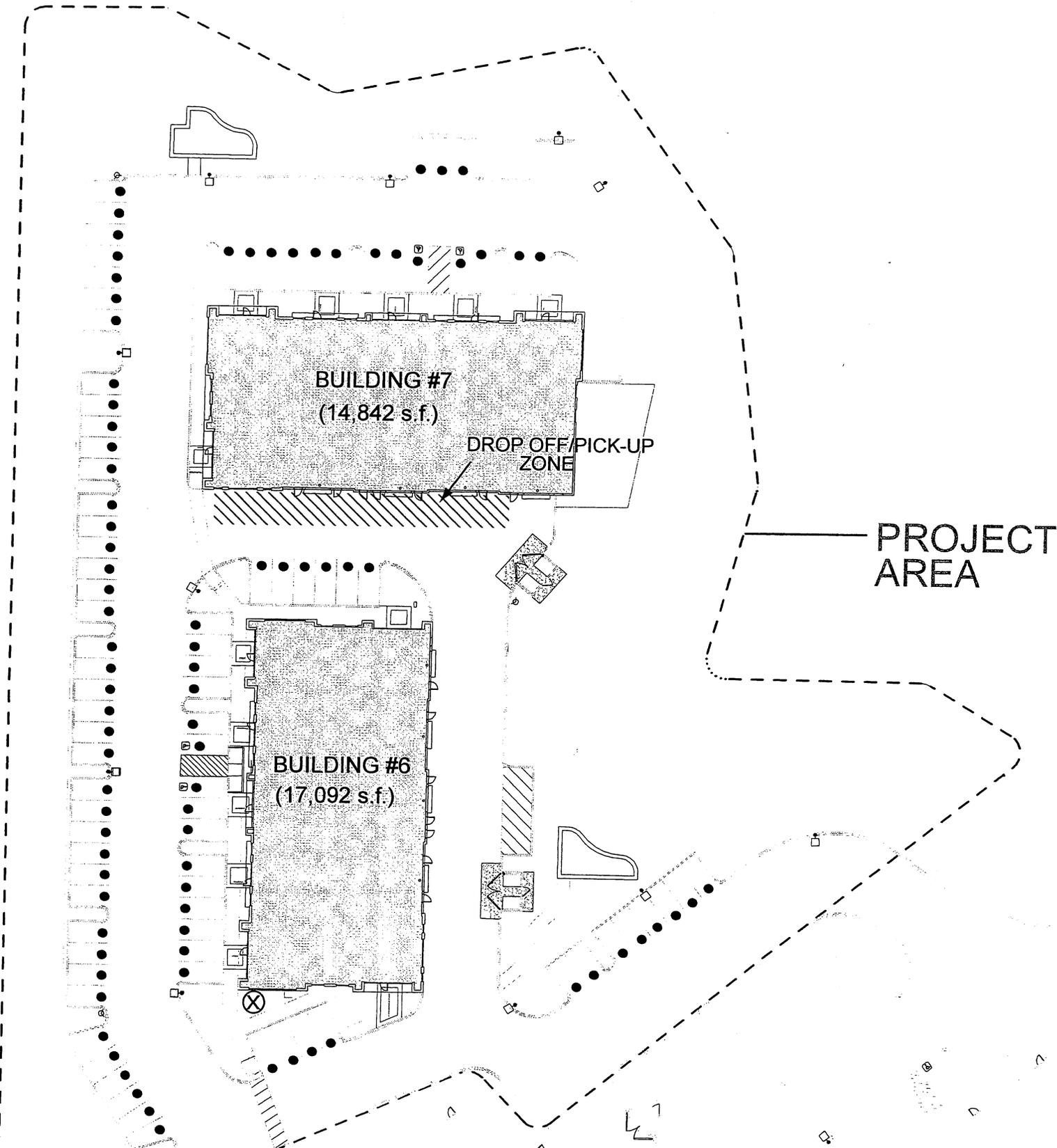
PROJECT AREA

LEGEND:

-  No Parking (Drop-Off/Pick-Up Zone)
-  Signage
-  Directional Striping
-  Crosswalk
-  "To Student Drop-Off/Pick-Up" Sign (with arrow)
-  "Do Not Enter - "One-Way Only" Sign
-  Suggested Location of Bicycle Racks



PROPOSED SIGNING AND STRIPING WITHIN PROJECT AREA



LEGEND:

-  No Parking (Drop-Off/Pick-Up Zone)
-  School Parking Spaces (91)
-  Suggested Location of Bicycle Racks

LOCATION OF SCHOOL PARKING SPACES











3660-3670

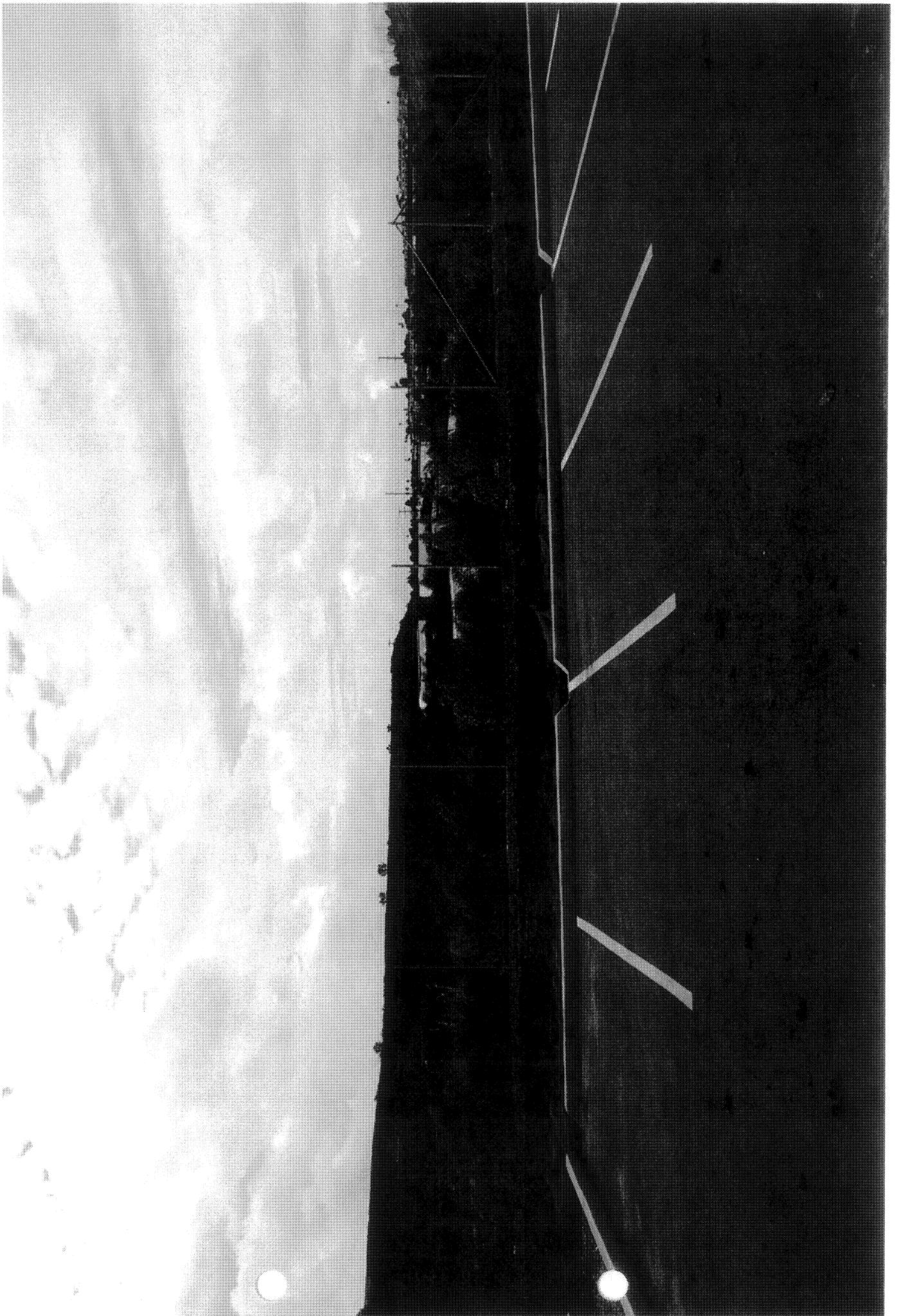
3672-3682



3672-1682

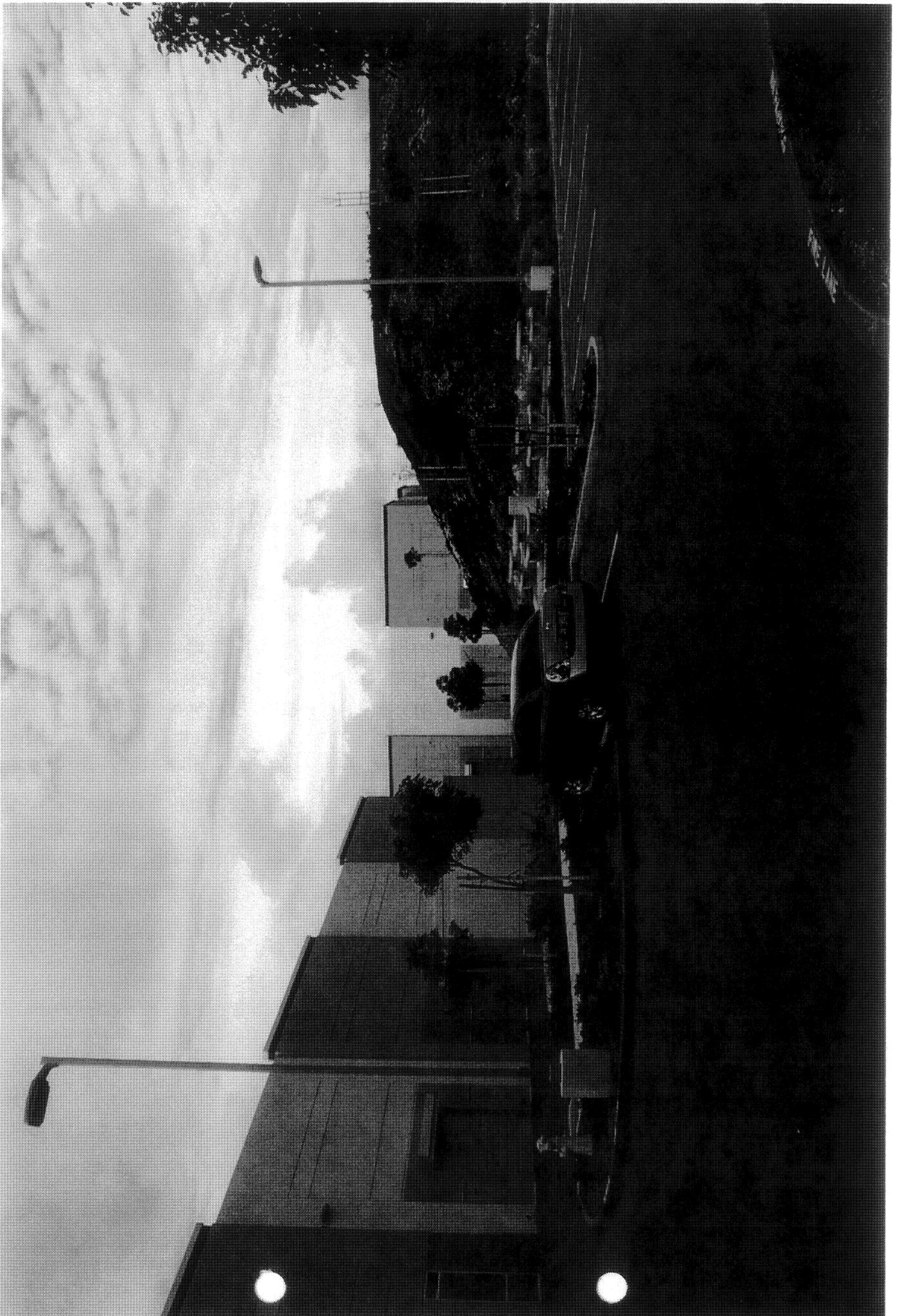












RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE OVERTURNING PLANNING COMMISSION RESOLUTION NO. 2008-P03 AND APPROVING CONDITIONAL USE PERMIT (C-27-07) AND DEVELOPMENT PLAN REVISION (D-24-04) TO ESTABLISH A K-12 CHARTER SCHOOL LOCATED AT 3660 AND 3682 OCEAN RANCH BOULEVARD – PACIFIC VIEW CHARTER SCHOOL

(Geri Cole - Applicant)

WHEREAS, an application was filed for a Conditional Use Permit (C-27-07) and Development Plan Revision to establish a 32,095 square foot charter school, and modifications to the exterior finish design of the buildings that includes new storefront windows and doors within two existing limited industrial buildings located at 3660 and 3682 Ocean Ranch Boulevard, and such real property is more particularly described in EXHIBIT "A", attached hereto and incorporated herein by reference;

WHEREAS, on January 14, 2008 the Planning Commission of the City of Oceanside, after holding a duly advertised public hearing, adopted Resolution No. 2008-P03, denying said Conditional Use Permit and Development Plan Revision;

WHEREAS, a Call For Review of the Planning Commission decision was filed with the City Clerk of the City of Oceanside.

WHEREAS, on April 2, 2008, the City Council of the City of Oceanside held a duly noticed public hearing, heard and considered evidence and testimony by all interested parties concerning the call for review of the denial for the above identified Conditional Use Permit and Development Plan Revision; and,

WHEREAS, based on such evidence and testimony, this Council finds that the decision of the Planning Commission did not establish the necessary findings to adequately justify denying the proposed project.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project is exempt per Article 19, Section 15332, "In-Fill Development Projects" from environmental review;

///

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

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

<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 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Based on meter size Typical \$4,395
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on meter size Typical \$6,035 per unit
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Typical \$4,326

5 WHEREAS, the current fees referenced above are merely fee amount estimates of the impact fees
 6 that would be required if due and payable under currently applicable ordinances and resolutions, presume

1 the accuracy of relevant project information provided by the applicant, and are not necessarily the fee
2 amount that will be owing when such fee becomes due and payable;

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

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

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

12 WHEREAS, studies and investigations made by the City Council and in its behalf reveal the
13 following facts:

14 FINDINGS:

15 For the Conditional Use Permit:

- 16 1. That the proposed location of the use is in accordance with the objectives of the Zoning
17 Ordinance and the purposes of the district in which the site is located, because Schools, Public
18 or Private are permitted within the Limited Industrial (IL) zone district, subject to approval of a
19 Conditional Use Permit.
- 20 2. That the proposed location of the charter school use and the proposed conditions under which it
21 would be operated or maintained will not be detrimental to the public health, safety, or welfare
22 of persons residing or working in or adjacent to the neighborhood of such use; will not be
23 detrimental to properties or improvements in the vicinity or to the general welfare of the City,
24 and will be consistent with the General Plan, because the project has been conditioned to
25 implement both a Circulation and Operational Management Plan in order to ensure that public
26 safety and health is not an issue, and would provide a balanced distribution of land uses in
27 accordance with General Plan Section 1.11, "Balanced Land Use" Policy B by providing a
28 significant benefit in the form of an alternative learning environment for the surrounding
communities.

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- 1 3. That the proposed conditional use will comply with the provisions of the Zoning Ordinance,
2 including any specific condition required for the proposed conditional use in the Limited
3 Industrial (IL) zone district in which it would be located, because the proposed use is consistent
4 with the Ocean Ranch Master Development Plan Planning and Design Guidelines Section 3 for
5 permitted uses, and is not listed as an excluded use within the plan area.
- 6 4. That the charter school activities will not interfere with the primary limited industrial uses in the
7 vicinity, and there will be no public health and safety issues related to the location of the school
8 use, because the school operations would be restricted to the northern portion of the Venture
9 Commerce Center within the interior areas only.
- 10 5. That the buildings will meet the requirements imposed by the Uniform Building Code for
11 assembly occupancy.

11 For the Development Plan Revision:

- 12 1. The site plan and physical design of the project is consistent with the Zoning Ordinance and the
13 underlying Limited Industrial (IL) zone district, because no exterior improvements beyond the
14 finish treatments are proposed as part of this project.
- 15 2. The project site can be adequately served by existing public facilities, services and utilities.
- 16 3. The project, as proposed, is compatible with the existing and potential development on
17 adjoining properties or in the surrounding neighborhood, because Schools, Public or Private are
18 permitted subject to a conditional use permit within the Limited Industrial district, and because
19 the areas immediately adjacent to the site are designated as open space areas within the overall
20 Ocean Ranch planned area.
- 21 4. The site plan and architectural design modifications of the project are consistent with the
22 policies contained within Sections 1.2 "Site Design" of the Land Use Element of the General
23 Plan, because the minor exterior design modifications and implementation of a Circulation and
24 Operational Management Plan will be consistent with the center's overall design, and will
25 maximize convenient, safe, and efficient design features such as circulation and designated drop
26 off and pick up areas.

26 NOW, THEREFORE, the City Council of the City of Oceanside DOES RESOLVE as follows:

- 27 1. The Council overturns the Planning Commission action of January 14, 2008 to deny
28 Conditional Use Permit (C-27-07) and Development Plan Revision (D-24-04).

1 2. The decision of the Planning Commission is reversed based on the fact that the project is
2 consistent with the Land Use Element of the General Plan and the City's Zoning Ordinance, because the
3 location of the proposed Charter School in the northern most portion of the Venture Commerce Center
4 and strict implementation of a Circulation and Operational Management Plan would ensure that there is
5 no direct or indirect interference with the primary limited industrial uses in the vicinity, would be
6 compatible with the existing and potential developments on adjoining properties or within the
7 surrounding center, and as designed will not be detrimental to the public health, safety, or welfare of
8 persons residing or working in or adjacent to the project area.

9 3. Pursuant to CCP Section 1094.6 (f), notice is hereby given that the time within which
10 judicial review must be sought on this decision is governed by CCP Section 1094.6 as set forth in
11 Oceanside City Code Section 1.10.

12 4. The City Council does hereby approve Conditional Use Permit (C-22-07) and
13 Development Plan Revision (D-24-04), subject to the following conditions:

14 **Building:**

- 15 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building
16 Division plan check. (Currently the 2007 California Building Code, and 2007 California
17 Electrical Code)
- 18 2. The granting of approval under this action shall in no way relieve the applicant/project from
19 compliance with all State and Local building codes.
- 20 3. Site development, parking, access into buildings and building interiors shall comply with the
21 State's Disabled Accessibility Regulations. (2007 California Building Code (CBC), Chapter
22 11B)
- 23 4. The building plans for this project are required by State law to be prepared by a licensed
24 architect or engineer and must be in compliance with this requirement prior to submittal for
25 building plan review.
- 26 5. All electrical, communication, CATV, etc. service lines within the exterior lines of the property
27 shall be underground (City Code Sec. 6.30).
- 28 6. If the City of Oceanside has jurisdiction instead of the State of California then the Buildings
original design would be a change of use. This is a change in use as defined in the California
Building Code (CBC) from F/S-2 to an E-1. Prior to Occupancy, the building must comply with

1 all CBC requirements for the new use and a new Certificate of Occupancy (C of O) must be
2 issued by the Building Division. In order for a new C of O to be issued, a licensed architect or
3 engineer must submit an analysis to the Building Division showing the status of the building
4 with respect to the code requirements for the new use. If the building does not currently comply
5 with the requirements for the new use, a permit will be necessary for the work necessary to bring
6 the building into compliance, and the C of O will be issued upon completion of the permit.

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

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

11 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m.
12 Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not
13 inherently noise-producing. Examples of work not permitted on Saturday are concrete and
14 grout pours, roof nailing and activities of similar noise-producing nature. No work shall be
15 permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th,
16 Labor Day, Thanksgiving Day, and Christmas Day) except as allowed for emergency work
17 under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).

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

23 9. Construction plans submitted to the Building Division after January 1, 2008 must comply with
24 the State adopted ICC codes.

25 10. Energy Calculations/documentation will be required at time of plans submittal to the Building
26 Division for plan check.

27 11. Submit verification of Jurisdictional Authority from the State's Office of the "Division of the
28 State Architect" to establish their position on jurisdictional responsibilities for this project.

12. Tenant Improvements or other construction to the existing building requires permits (including
all required Inspections and approvals, and Issuance of Certificate of Occupancy) from the

1 Building Division.

- 2 13. Disabled Access for the outside of Buildings along one way driveway where doors open out
3 must be on a separate walking surface so occupants leaving the Building do not step into the
4 path of oncoming vehicles. The surface of the walking surface must have detectable warnings
5 per Chapter 11 of the California Building Code.

6 **Engineering:**

- 7 14. Parking lot signing and striping shall be provided at key points around the two school buildings
8 to direct drop-off/pick-up traffic for peak school hours to the satisfaction of the City Engineer.
9 15. A circulation management plan shall be submitted for the City Engineer's review prior to
10 issuance of any building permits for the project. No certificate of occupancy shall be issued
11 prior to the City Engineer's approval of the circulation management plan.
12 16. The applicant shall be responsible for the enforcement of the circulation management plan
13 during the life of the project. The circulation management plan shall detail operational
14 requirements and enforcement responsibilities during peak school hours.
15 17. The applicant shall provide parents with maps and information regarding the requirements of the
16 circulation management plan prior to the opening of the school and at appropriate intervals
17 thereafter.
18 18. Reciprocal access and parking agreement(s) shall be secured for the entire site. Appropriate
19 documents shall be submitted for the City Engineer's review prior to issuance of any building
20 permits and recorded prior to issuance of any certificate of occupancy for the project.

21 **Fire:**

- 22 19. Smoke detectors are required, and detector locations must be indicated on the plans.
23 20. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the site
24 plan.
25 21. A "Knox" key storage box shall be provided for all new construction. For buildings, other than
26 high-rise, a minimum of three complete sets of keys shall be provided. Keys shall be provided
27 for all exterior entry doors, fire protection equipment control rooms, mechanical and electrical
28 rooms, elevator controls and equipment spaces, etc. For high-rise buildings, six complete sets
are required.

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- 1 22. All security gates shall have a Knox-box override and as required have strobe activation
2 capability.
- 3 23. Fire extinguishers are required and shall be included on the plans submitted for plan check.
- 4 24. Provide a fire alarm system as required per C.F.C. Article 10 and N.F.P.A. 72
- 5 25. Buildings shall meet Oceanside sprinkler ordinance in effect at the time of building permit
6 application.
- 7 26. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior
8 to the issuance of building permits.
- 9 27. Buildings shall meet Oceanside Fire Department's current codes at the time of building permit
10 application.

11 **Planning:**

- 12 28. This Conditional Use Permit and Development Plan Revision shall expire on April 2, 2010 unless
13 implemented as required by the Zoning Ordinance.
- 14 29. This Conditional Use Permit approves only a K-12 charter public school at a maximum enrollment
15 of 500 students (Virtual On line Learning Program Students Shall not be Counted Toward the 500
16 student cap) within two buildings totaling approximately 32,095 square feet, and located within the
17 Venture Commerce Center as shown on the plans and exhibits presented to the Planning
18 Commission for review and approval. No deviation from these approved plans and exhibits shall
19 occur without the Planning Division approval. Substantial deviations shall require a revision to
20 the Conditional Use Permit or a new Conditional Use Permit.
- 21 30. Virtual On line Learning Program Students shall be restricted from attending any events, meetings,
22 activities, or educational classes within the Pacific View Charter School Facilities. In the event
23 that future school curriculum changes require on site interaction with Virtual On Line Learning
24 Students, a revision to the Conditional Use Permit or a new Conditional Use Permit shall be
25 submitted to the City for formal review and approval by the Planning Commission.
- 26 31. No additional increase in useable floor area or intensification of uses within the two buildings
27 located at 3660 and 3682 Ocean Ranch Boulevard shall be permitted as part of this application for
28 discretionary approval.
32. Prior to the issuance of any building permits, all private improvement plans submitted for review
and approval by the City Engineer shall include the required (10) bicycle racks requested by

1 NCTD.

2 33. The school shall be limited to a maximum enrollment of 500 students (Virtual On line Learning
3 Program Students Shall not be Counted Toward the 500 student cap). Annually in October, the
4 applicant shall submit to the City a copy of the executed school affidavit that has been submitted
5 to the State of California Department of Education (CDE) and the Oceanside Unified School
6 District reflecting the actual number of students that are enrolled at the school, including the
7 Independent Study Program which shall not exceed the maximum enrollment established by this
8 approval and the number of Virtual On Line Learning Program Students enrolled at Pacific
9 View Charter School.

10 34. Nursery facilities associated with Pacific View Charter School shall be restricted for use by
11 enrolled students only. A licensed day care facility is not authorized as part of this discretionary
12 approval.

13 35. No special event functions/activities (i.e. graduations, plays, activities that require over one
14 quarter of the maximum student body (125) to be on-site at any one time) shall be permitted on-
15 site without prior submittal and approval of a special event permit from the City's Park and
16 Recreation Division, and shall be subject to review and approval by the City Planner and City
17 Engineer or their designees.

18 36. All existing and new mechanical rooftop equipment shall be screened from public view as required
19 by the Zoning Ordinance. That is, on all four sides and top. The roof racks, mechanical
20 equipment, screen and vents shall be painted with non-reflective paint to match the roof. This
21 information shall be shown on the building plans.

22 37. All student pick-up and drop-off shall be via the rear of the northern most building (No. 7). The
23 area denoted on Figure 1 of the Management Plan as "No Parking (Drop-Off/ Pick-Up Zone)" and
24 located to the east of Building 6 shall not be used for any Pick-up or Drop-Off of students or guest.
25 The front of the facility shall be maintained and managed to prevent traffic congestion for students
26 and the public.

27 38. Any proposed new signs shall be in conformance with the Venture Commerce Center
28 Comprehensive Sign Program (CSP-3-06) and shall be submitted to the Planning Division for
review and approval by the City Planner or their Designee.

- 1 39. The applicant shall provide student drop-off and parking attendants to assist in parking of vehicles
2 and dropping off of students within the designated drop-off and parking areas identified within the
3 approved Circulation Management Plan.
- 4 40. A covenant or other recordable document approved by the City Attorney shall be prepared by the
5 applicant and recorded prior to the issuance of building permits. The covenant shall provide that
6 the property is subject to this resolution, and shall generally list the conditions of approval.
- 7 41. Prior to issuance of any building permits for the project, a Final Pacific View Charter School
8 Operation Management Plan shall be submitted to the City Planner for review, and prior to
9 issuance of any certificate of occupancy the City Planner shall approve the final version of the
10 Pacific View Charter School Operation Management Plan.
- 11 42. Prior to issuance of building permits, compliance with the applicable provisions of the City's anti-
12 graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed and approved by
13 the Planning Division. These requirements, including the obligation to remove or cover with
14 matching paint all graffiti within 24 hours shall recorded in the form of a covenant affecting the
15 subject property.
- 16 43. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written
17 copy of the applications, staff report and resolutions for the project to the new owner and or
18 operator. This notification's provision shall run with the life of the project and shall be recorded as
19 a covenant on the property.
- 20 44. Failure to meet any conditions of approval for this development shall constitute a violation of the
21 Conditional Use Permit.
- 22 45. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at
23 the time building permits are issued are required to be met by this project. The approval of this
24 project constitutes the applicant's agreement with all statements in the Description and
25 Justification, Management Plan, and other materials and information submitted with this
26 application, unless specifically waived by an adopted condition of approval.

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46. This Conditional Use Permit shall be called for review by the Planning Commission if complaints are filed and verified as valid by the Code Enforcement Office concerning the violation of any of the approved conditions or assumptions made by the application.

PASSED and ADOPTED by the City Council of the City of Oceanside, California this _____ day of _____, 2008 by the following vote:

AYES:

NAYS:

ABSENT:

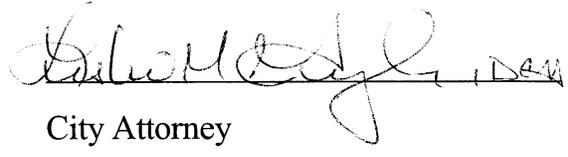
ABSTAIN:

Mayor of the City of Oceanside

ATTEST:

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY



City Attorney

City Clerk

RECEIVED
JUL 25 2007
EXHIBIT A
Planning Department

LEGAL DESCRIPTION

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

Parcel A:

Unit(s) 601, 602, 603, 604, 605, 606, 701, 702, 703, 704, 705 and 706 as shown and defined on that certain Condominium Plan for Venture Commerce Center – Ocean Ranch Phase 2, recorded August 7, 2006 as Instrument no. 2006-0556952 of Official Records, together with an appurtenant undivided 2.7044% (as to Unit 601); 4.3814% (as to Unit 602); 5.7957% (as to Unit 603); 6.2953% (as to Unit 604); 6.0326% (as to Unit 605) 6.9825% (as to Unit 606); 2.7044% (as to Unit 701); 4.3814% (as to Unit 702); 5.7957% (as to Unit 703); 6.2953% (as to Unit 704); 6.0326% (as to Unit 705) and 6.9825% (as to Unit 706) interest in and to the Common Area, being a portion of Parcel 1 of Parcel Map No. 19985, in the City of Oceanside, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County on April 28, 2006 as Instrument no. 2006-0299079 of Official Records, excepting therefrom that portion of the Common Area described in Condominium Plan Venture Commerce Center - Ocean Ranch Phase I recorded May 4, 2006 as instrument no. 2006- 0315425 of Official Records; and as said Common Area is further defined and described in that certain Declaration of Covenants and Restrictions Establishing a Plan for Condominium Ownership for Venture Commerce Center – Ocean Ranch, recorded April 28, 2006 as Instrument no. 2006-0299080 of Official Records and as amended by Corrective Amendment to Declaration of Covenants and Restrictions Venture Commerce Center - Ocean Ranch Condominium Project Phase I recorded August 7, 2006 as instrument no. 2006-0556951 of Official Records and Declaration of Annexation Venture Commerce Center - Ocean Ranch Condominium Project Phase II recorded August 7, 2006 as instrument no. 2006-0556953 and as amended on August 18, 2006 as instrument no. 2006-0591402 both of Official Records.

Reserving therefrom certain exclusive, restricted and/or non-exclusive easements for access and other purposes, over and across the Common Area, as said Common Area is further set forth and defined in that certain Declaration of Covenants and Restrictions Establishing a Plan for Condominium Ownership for Venture Commerce Center – Ocean Ranch, recorded April 28, 2006 as Instrument no. 2006-0299080 of Official Records and as amended by Corrective Amendment to Declaration of Covenants and Restrictions Venture Commerce Center - Ocean Ranch Condominium Project Phase I recorded August 7, 2006 as instrument no. 2006-0556951 of Official Records and Declaration of Annexation Venture Commerce Center - Ocean Ranch Condominium Project Phase II recorded August 7, 2006 as instrument no. 2006-0556953 and as amended on August 18, 2006 as instrument no. 2006-0591402 both of Official Records.

Parcel B:

The exclusive right to use those portions of the Exclusive Use Common Areas designated as P316, P315, P203, P204 & P205, being those parking spaces designated as appurtenant to Unit 601; P311, P312, P242, P243, P206, P207 & P208 being those parking spaces designated as appurtenant to Unit 602; P310, P309, P308, P246, P247, P209, P210 & P314 being those parking spaces designated as appurtenant to Unit 603; P305, P306, P250, P251, P313, P235 & P236 being those parking spaces designated as appurtenant to Unit 604; P301, P302, P252, P253, P254, P237, P238 & P239 being those parking spaces designated as appurtenant to Unit 605; P298, P299, P300, P258, P259, P240, P241, P244, P245 & P307, being those parking spaces

designated as appurtenant to Unit 606; P264, P265, P248, P249, P304 & P303, being those parking spaces designated as appurtenant to Unit 701; P267, P268, P290, P291, P255, P256, P257 & P297 being those parking spaces designated as appurtenant to Unit 702; P286, P287, P288, P271, P272, P296, P295, P294 & P293 being those parking spaces designated as appurtenant to Unit 703; P284, P285, P274, P275, P292, P260, P261 & P262 being those parking spaces designated as appurtenant to Unit 704; P281, P276, P277, P263, P266, P269 & P270 being those parking spaces designated as appurtenant to Unit 705; P279, P280, P278, P273, P289, P283 & P282 being those parking spaces designated as appurtenant to Unit 704 defined in Parcel A herein above; together with the heating and air conditioning equipment also being appurtenant to the Unit(s) defined in Parcel A herein above, said Exclusive Use Common Areas are further defined in that certain Declaration of Covenants and Restrictions Establishing a Plan for Condominium Ownership for Venture Commerce Center – Ocean Ranch, recorded April 28, 2006 as Instrument no. 2006-0299080 of Official Records and as amended by Corrective Amendment to Declaration of Covenants and Restrictions Venture Commerce Center - Ocean Ranch Condominium Project Phase I recorded August 7, 2006 as instrument no. 2006-0556951 of Official Records and Declaration of Annexation Venture Commerce Center - Ocean Ranch Condominium Project Phase II recorded August 7, 2006 as instrument no. 2006-0556953, and as amended on August 18, 2006 as instrument no. 2006-0591402, both of Official Records.

Parcel C:

Certain non-exclusive easements for ingress and egress and other purposes, which easements shall be appurtenant to the Condominium Unit(s) described in Parcel A herein above, over and across the Common Area, as set forth and defined in that certain Declaration of Covenants and Restrictions Establishing a Plan for Condominium Ownership for Venture Commerce Center – Ocean Ranch, recorded April 28, 2006 as Instrument no. 2006-0299080 of Official Records and as amended by Corrective Amendment to Declaration of Covenants and Restrictions Venture Commerce Center - Ocean Ranch Condominium Project Phase I recorded August 7, 2006 as instrument no. 2006-0556951 of Official Records and Declaration of Annexation Venture Commerce Center - Ocean Ranch Condominium Project Phase II recorded August 7, 2006 as instrument no. 2006-0556953 and as amended on August 18, 2006 as instrument no. 2006-0591402 both of Official Records.

APN: 160-572-04-00

PLANNING COMMISSION
RESOLUTION NO. 2008-P03

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF OCEANSIDE, CALIFORNIA DENYING A
DEVELOPMENT PLAN REVISION AND A CONDITIONAL
USE PERMIT ON CERTAIN REAL PROPERTY IN THE CITY
OF OCEANSIDE

APPLICATION NO: C-27-07, D-24-04 Revised
APPLICANT: Pacific View Charter School
LOCATION: 3660 and 3682 Ocean Ranch Boulevard

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Conditional Use Permit and Development Plan Revision under the provisions of Articles 13, 41, and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

establishment of a 32,095-square foot charter school within two existing limited industrial buildings, and modifications to the exterior finish design of the buildings that includes new storefront windows and doors;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 14th day of January, 2008 conduct a duly advertised public hearing as prescribed by law to consider said application;

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project is exempt from environmental review;

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

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

1 FINDINGS:

2 For the Conditional Use Permit

3 The project as proposed does not meet the minimum criteria for approval of a Conditional Use
4 Permit based upon the following:

- 5 1. The proposed location of the conditional use would be inconsistent with the General
6 Plan, which seeks to maintain the limited industrial use areas currently available in the
7 City of Oceanside and would be detrimental to the public health, safety, and/or welfare
8 of persons attending or working in the light industrial center because it would place
9 children in and around areas designed for and occupied by industrial uses.
- 10 2. The charter school activities would interfere with the primary limited industrial uses in
11 the vicinity, and there could be public health and safety issues related to the location of
12 the school and the amount of traffic driving to and from the school location through the
13 rest of the industrial park.

14 For the Development Plan Revision

15 The project as proposed does not meet the minimum criteria for approval of a revision to the
16 development plan because the project as proposed is not compatible with the existing and
17 potential development on adjoining properties or in the surrounding light industrial center.

18 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
19 deny Development Plan Revision (D-24-04) and Conditional Use Permit (C-27-07).

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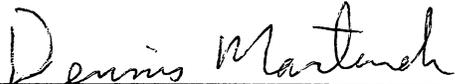
1 PASSED AND ADOPTED Resolution No. 2008-P03 on January 14, 2008 by the
2 following vote, to wit:

3 AYES: Martinek, Parker, Horton, Troisi and Balma

4 NAYS: Neal, Bertheaud

5 ABSENT: None

6 ABSTAIN: None

7
8 
9 _____
10 Dennis Martinek, Chairman
11 Oceanside Planning Commission

12 ATTEST:

13 
14 _____
15 Jerry Littleman, Secretary

16 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
17 this is a true and correct copy of Resolution No. 2008-P03.

18 Dated: January 14, 2008
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DATE: January 14, 2008

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/ Planning Division

SUBJECT: **CONSIDERATION OF A CONDITIONAL USE PERMIT (C-27-07) AND DEVELOPMENT PLAN REVISION (D-24-04REV) FOR A K-12 CHARTER SCHOOL AT 3660 AND 3682 OCEAN RANCH BOULEVARD, WITHIN THE IVEY RANCH/RANCHO DEL ORO NEIGHBORHOOD – PACIFIC VIEW CHARTER SCHOOL – APPLICANT: GERI COLE**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Approve Conditional Use Permit (C-27-07) and a Development Plan Revision (D-24-04 Rev) by Adopting Planning Commission Resolution No. 2008-P03 with findings and conditions of approval attached herein.
- (2) Confirm issuance of a Class Thirty Two (32), Categorical Exemption "In-Fill Development Projects".

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The site is located north of Ocean Ranch Boulevard and east of Rancho Del Oro Drive, within the northern portion of the Venture Commerce Center industrial business park. The center is comprised of seven freestanding tilt up style construction buildings within each parcel. Pacific View Charter School would occupy Buildings 6 and 7, and would allocate interior space in a manner that allows for eight classrooms, 32 offices, four computer labs, a biology lab, a conference room, a book room, a study hall, a faculty and staff lounge, and a nursery room for students with infants. The two buildings proposed for establishment of the charter school are currently empty and designed for light industrial type uses, and as part of the overall discretionary review are seeking approval to modify the exterior finish design of the rear portions of the building in a manner that would provide a consistent storefront appearance on all elevations of Buildings 6 and 7.

The property is zoned Limited Industrial (IL) on the City of Oceanside Zoning Map, and is designated Light Industrial (LI) on the General Plan Land Use Map. The establishment of public or private schools within a limited industrial zoned business park requires discretionary review and approval of a Conditional Use Permit.

Surrounding land uses adjacent to the Venture Commerce Center include open space slope areas to the north and east, light industrial uses to the east, retail and an extended stay hotel to the south, and El Corazon to the west across Rancho Del Oro Drive.

Project Description: The project application is comprised of the following required entitlements:

Conditional Use Permit (C-27-07) represents a request for the following:

- (a) To permit the establishment of a Charter School Operation within Buildings 6 and 7 of a IL (Limited Industrial) zoned Business Park located at 3660 and 3682 Ocean Ranch Blvd.

Currently the school has an enrollment of 374 students with 73 students being enrolled in grades kindergarten through eighth (K-8), and 291 of the students enrolled in grades 9 through 12. It is anticipated that the proposed relocation into the Venture Commerce Center would allow for the expansion of their enrollment to a maximum of 500 students (est. 150 students in K-8 and 350 in 9-12) with a maximum staffing of 35 persons (i.e. teachers, administrators, and assistants). Not included in the maximum enrollment, is a proposal to expand their virtual online learning program. Due to the nature of online learning and technological advances in telecommuting capabilities, it is uncertain how to obtain an exact figure on the number of potential students that the Charter School could enroll in the virtual online learning program. In order to ensure that intensification of the site does not occur beyond what has been studied, the Charter School would be restricted from allowing online learning students to engage in any on campus activities.

The school would operate as an independent study school, where students K-8 participate in a classroom activity one day per week, while grades 9 -12 meet with instructors once a week and are offered workshops throughout the week as needed per student. Parent/Educational Support meetings with teachers occur once a week for grades 9 -12, and once every two to three weeks for grades K-8. Student's schedules would vary based on students' required courses and schedules. Drop-off would be located along the south elevation of Building 7, the northern most building within Venture Commerce Center, and would provide parking within 91 allocated spaces located on the north and west portions of the site. Students are supervised while on campus and strict operational management during the course of the day is monitored by school staff. A draft Operational Management Plan that details the day to day operations and management of the school has been attached for review.

A traffic and on-site circulation assessment of the proposed use was prepared by RBF Consulting, and staff has agreed with the conclusion that no impacts to on-site circulation, parking, or traffic would occur as a result of a change in use from office/industrial to a Charter School use with a maximum enrollment of 500 students. In order to ensure that the project is consistent with the assessment conducted for the Pacific View Charter School, the City's Transportation and Engineering Department have conditioned the project to submit a circulation management plan to the City Engineer for approval prior to issuance of building permits. In order to ensure that intensification on-site does not occur beyond the limits of the sites available transportation/traffic and parking infrastructure, a maximum allowable student enrollment has been placed upon this discretionary approval.

The project has been allocated 91 parking spaces, and based upon the school trip generation analysis that estimated a peak demand of 60 parking spaces; an approximate 31 surplus parking spaces would be available during these peak demand periods. Although not every assumption on day-to-day operations can be studied to ensure that adequate parking is available, staff has conditioned the project to obtain a special events permit for any event that would generate a student body count on-site of over $\frac{1}{4}$ (125 students) of the maximum allowed (500 students). This condition would require further review and analysis on circulation, parking, and traffic prior to obtaining approvals for the special events permit.

Development Plan Revision (D-24-04Rev) represents a request for the following:

- (a) To permit minor exterior architectural design modifications to Buildings 6 and 7, and interior tenant improvements to establish mezzanine and access improvements required for school type uses. The two small sized industrial buildings would have a combined square footage of 32,095 square feet and would be located on approximately 31.3 percent of the combined 8.48-acre site. Architectural design modifications proposed would include removal of the existing vertical lift doors, and the construction of storefront window and door systems consistent with that found throughout the Venture Commerce Center. Overall physical design of the buildings would not be altered, and the required approvals from the Ocean Ranch Business Association have been submitted as part of the application package.

Signage is not proposed as part of this projects approval. All signage associated with Pacific View Charter School would be required to meet the stringent criteria established within the Venture Commerce Center and would need to be approved by the Ocean Ranch Business Association prior to submittal to the City.

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

1. Zoning Ordinance
2. General Plan Land Use Element
3. Ocean Ranch Master Development Plan
4. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation for the subject property is IL (Light Industrial). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element

Goal 1.11: Balanced Land Use

Objective: To develop and use lands for the long-term provision of balanced, self-sufficient and efficient community.

Policy A: The City shall establish and enforce a balanced distribution of land uses to organize the City in a hierarchy of activity centers and land use so as to foster a sense of neighborhood, community, and regional identity.

Surrounding land uses include a combination of personal service/office type uses, commercial retail facilities, the proposed El Corazon Master Plan, and open space slope areas. The total area dedicated to school type uses within the Venture Commerce Center has been calculated at approximately 32,095 square feet or 31.3 percent of the light industrial business park, with the remainder consisting of warehouse type uses. Establishment and operation of the charter school use has been determined by staff to provide an overall balance of goods and services in close proximity to the residential areas of the Rancho Del Oro neighborhood, and with an end result of providing a sense of community to the residents in close proximity to the area, while providing an alternative method of education for the children of Oceanside and the surrounding Southern California region.

Policy C: The City shall continuously monitor the impact and intensity of land use and land use distribution to ensure that the City's circulation system is not overburdened beyond design capacity.

The proposed use has been reviewed and analyzed to ensure that traffic impacts and parking deficiencies would not arise. Trip generation for the subject use has been determined by staff to be consistent with the overall intensity of development of the site, and does not warrant further review. The subject charter school use would generate significantly less daily trips than the previously approved medical offices originally reviewed and approved as part of Conditional Use Permit (C-8-06). In order to further ensure that the use does not intensify in a manner that could contribute to an impact on the City's circulation system, appropriate conditions of approval have been placed upon conditional use permit (C-27-07).

2. Zoning Compliance

This project site is located within the Ivey Ranch/Rancho Del Oro Neighborhood on a (IL) Limited Industrial zoned parcel, and subject to approval of a conditional use permit is consistent with the requirements of the zone district pertinent to public/or private school uses. In order to appropriately calculate parking requirements for the proposed Charter School, a trip generation analysis using SANDAG provided values was conducted. The project has been allocated 91 parking spaces, and based upon the school trip generation analysis that estimated a peak demand of 60 parking spaces an approximate 31 surplus parking spaces would be available during these peak demand periods. The following table depicts the trip generation rates of the proposed Charter School compared to the previously approved Medical Office and the Land Use for the existing industrial center:

LAND USE	DAILY TRIPS	AM PEAK HOUR TRIPS	PM PEAK HOUR TRIPS
Pacific View Charter School	489	108 54 In 54 Out	99 27 In 72 Out
General Plan Land Use	514	62 50 In 12 Out	62 12 In 50 Out
Medical Office C-8-06	1,605	96 77 In 19 Out	177 53 In 124 Out
Difference School - General Plan Land Use	-25	+46	+37
Difference School – Medical Office C-8-06	-1,116	+4 In +42 Out	+15 In +22 Out
		+12	-78
		-23 In + 35 Out	-26 In – 52 Out

* Numerical Values are based on the Highest Daily Average out of the Five Weekdays

While peak trip generations would be slightly higher than the Land Use calculations for a business park, the overall trip generation from the previously approved medical office use would be significantly reduced. It should be further noted, that implementation of a Circulation Management Plan and Operations Management Plan would ensure that no conflicts to parking, circulation, or traffic would occur as a result of establishing a Charter School within a Limited Industrial Business Park.

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

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	Light Industrial (LI)	Limited Industrial (IL)	Office/Industrial
North of Subject Property	Light Industrial (LI)	Limited Industrial (IL)	Landscaped Open Space Area
East of Subject Property:	Light Industrial (LI)	Limited Industrial (IL)	Office/Industrial
South of Subject Property:	Light Industrial (LI)	Limited Industrial (IL)	Commercial/ Retail
West of Subject Property:	Light Industrial (LI)	Planned Development (PD-1)	Undeveloped City Property/ El Corazon Park

DISCUSSION

Issue: Project Compatibility with the Existing Industrial Uses within the Venture Commerce Center

The primary issue of compatibility of a charter school in a limited industrial business park is derived from the fact that most industrial facilities generate less daily trips associated with day to day operations. In order to ensure that impacts typically associated with the establishment of more intense type uses do not occur, a conditional use permit to establish a semi-public school is required. While the daily trips generated from a charter school would be higher than typical limited industrial type uses, the daily trips would be significantly less than the approved medical offices originally proposed for Buildings 6 and 7 of the Venture Commerce Center. The location of Buildings 6 and 7 of the Venture Commerce Center are situated in the northern portion of the limited industrial business park, and are separated from the majority of the centers tenants through lot configuration and parking area site layout. Strict adherence to an Operational Management Plan and Circulation Plan, both of which are required to be approved as part of the projects overall discretionary action, would ensure compatibility with the surrounding land uses, while providing for a mix of land uses that would not be detrimental to the health, safety, or welfare of persons frequenting the Venture Commerce Center. The subject project would assist in providing for a balanced distribution of land uses necessary to sustain and benefit the local neighborhood and surrounding communities as a whole, and that is consistent with the City's General Plan.

Recommendation: Staff concludes that the establishment of the charter school facility within the limited industrial park area will not negatively impact existing uses within the center, or significantly alter the nature of the industrial land use development and supports the applicant's request.

ENVIRONMENTAL DETERMINATION

Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA), 1970. Based on that review, staff finds that the proposed project constitutes in fill development, and the project is categorically exempt, Class 32, "In Fill Development Projects" (Section 15332).

PUBLIC NOTIFICATION

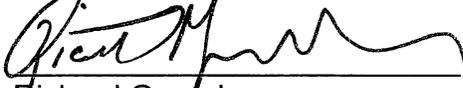
Pursuant to Article 41 of the Oceanside Zoning Ordinance, Legal notice was published in the North County Times and notices were sent to property owners of record/and occupants within a 1500-foot radius of the subject property, to individuals/organizations requesting notification, and to the applicant. Copies of this agenda item have been mailed to the applicant and their representative.

SUMMARY

The request for approval of a Conditional Use Permit to allow the establishment and operation of a K-12 Charter School use and a Development Plan Revision (D-24-04Rev) to allow minor exterior modifications to Buildings 6 and 7 is consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets all applicable development standards and will not impact existing land uses in the immediate area. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached resolution. Staff recommends that the Planning Commission:

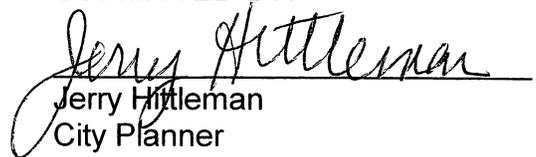
- Move to approve Conditional Use Permit (C-27-07) and Development Plan Revision (D-24-04Rev) by adopting Planning Commission Resolution No. 2008-P03 as attached.

PREPARED BY:



Richard Greenbauer
Senior Planner

SUBMITTED BY:


Jerry Hittleman
City Planner

JH/RG/fil

Attachments:

1. Floor/Site Plans
2. Planning Commission Resolution No. 2008-P03
3. Existing Conditions Site Photo
4. Draft Pacific View Charter School Management Plan

**Pacific View Charter School
Operational Management Plan
Venture Commerce Center Facility**

Scope

This Operational Management Plan is intended to describe procedures associated with the operation and management of the Pacific View Charter School facilities within the Venture Commerce Center located east of Rancho Del Oro Drive and North of Ocean Ranch Blvd.

Overview

The Pacific View Charter School is a California Public School (#37-73569-3731221) sponsored by the Oceanside Unified School District, which began operating in September of 1999.

Pacific View Charter School provides an educational alternative for students in the kindergarten through twelfth grades, using the Personalized Learning Model. Unlike a typical school, the students do not attend classroom-based instruction on a daily basis. The school offers students learning opportunities through an alternative educational program that utilizes an independent study based program. During the school year, students may attend class once per week on staggered days, or use the on-site computer lab and receive tutoring as necessary.

In addition to the Independent Study Program students who are served at the campus, Pacific View Charter School also offers a Virtual On-Line Learning Program, whose students do not come to the campus. Teachers in this program are also remote, and will not have any office or workstations at the school facility. This program has been used on a limited basis, but is projected to be substantially expanded over the next few years to serve more students in San Diego and the contiguous counties. Because the enrollment in the Virtual On-Line Learning Program does not affect the operations at the Venture Commerce Center facility, the balance of this management plan focuses on the Independent Study Program of Pacific View Charter School.

Location

Pacific View Charter School will occupy two buildings, which are designated Building 6 and Building 7 within the Venture Commerce Center. Building 6 will be used for the 9th grade through 12th grade students. Building 7 will be used for the Kindergarten through 8th grade students. The two buildings include eight classrooms, thirty-two offices, four computer labs, a biology lab, a conference room, a textbook warehouse, a study hall, and a staff lounge plus associated corridors and restrooms.

Enrollment

Pacific View Charter School had a total enrollment during the 2006/07 school year of 364 students. Of these, 73 students were enrolled in grades K-8 and 291 students were enrolled in grades 9 through 12.

Expansion in enrollment is projected to a maximum of approximately 500 students, estimated to be comprised of 150 students in Kindergarten through 8th grade, and 350 students in 9th grade through 12th grade.

As noted above, the school also plans to expand their virtual online learning program for enrolled students. These students would not attend classes on campus.

Student Enrollment Certification

California Basic Educational Data System (CBEDS) is a system that collects annually: basic student and staff data; includes student enrollment, graduates, dropouts, course enrollment, enrollment in alternative education, gifted and talented education, and more. This report is due annually in October. It is submitted to the California Department of Education (CDE) and the Oceanside Unified School District. The Pacific View Charter School will certify to the Oceanside Unified School District as part of this report the number of students that are enrolled in the Independent Study Program and the Virtual On-Line Learning Program, a copy of which will also be provided to the City of Oceanside Planning Department. The CDE does not require this differentiation at this time.

School Class Schedule and Business Hours

Elementary Classes - Kindergarten through 8th grade (K-8) students may attend class one day per week. Each classroom has a maximum of 20 students. With two classrooms allocated to grades K through 8, a maximum of 40 students would be attending classes at any given time. Multiple grades will be grouped together within the 20 students per class.

High-School Classes - High school students may attend classes one or more days per week Monday through Friday. Two classrooms are provided for the high school students, with each classroom accommodating a maximum of 20 students for a maximum of 40 high school students attending classes at any given time. In addition, a biology lab and computer lab are available to the high school students for classroom learning.

Class Times - Classes for the Kindergarten through 8th grade students will be held between 8:30 a.m. and 12:30 p.m. on Mondays, Tuesdays and Thursdays, while classes for grades 9 through 12 will be held during 1 hour to 2 ½ hour sessions between 8:00 a.m. and 4:00 p.m. Monday through Friday. Typical monthly schedules for the elementary and high school students are attached.

Teacher Meetings - A key component of the instructional model is parental involvement, and parents must attend regularly scheduled meetings with the teachers to discuss the students' progress and learning program. In addition to the weekly classroom time, each family of students in Kindergarten through 5th grade attends a one-hour meeting once

every three weeks. Each family of students in grades 6 through 8 attends a one-hour meeting once every two weeks. The high school students and their families attend a one-hour meeting once every week. These appointments are scheduled between the hours 8:00 a.m. and 4:00 p.m.

Staff - At maximum enrollment, a total staff of 35 is projected, including teachers, administrators and assistants. Staff is onsite weekdays between 7:30 am and 4:30 pm

Nursery - In the event any of the enrolled high school students have infants, an onsite nursery is provided. For students that have newborns or small minors (0-2 years of age) there are often limited options for child care which prevents them from attending classes. The independent learning structure of Pacific View Charter School provides increased options for continuing education, and the nursery area is intended to provide an opportunity for onsite babysitting during teacher meetings and class periods. A typical stay at the nursery would be for 1-2 hours. The maximum number at the nursery is projected to be four (4) children. Depending on need, the school may pursue future licensing to elevate this from a babysitting service to licensed day care, which would also be available only to enrolled students. The nursery will be open on an as-needed basis, during normal school hours.

Site Access and Parking

The location of the Pacific View Charter School was selected to provide an easily accessed location central to their primary service area. A total of 91 parking spaces are provided adjacent to both buildings occupied by the school as shown on Exhibit 1. These will be available to teachers and staff, parents and students for attending meetings or classes. The school reserves the right to designate or direct staff, student, parent and guest parking if determined to be desirable for management of onsite parking and circulation.

Many students are driven to school by their parents, and a supervised student drop-off and pick-up zone between the buildings will be provided during the peak school hours to facilitate efficient vehicular circulation. Signing and striping will be provided at key points around the two school buildings to direct traffic to this drop-off/pick-up zone between the buildings.

Prior to the opening of the school, parents will be sent information and a map showing the school circulation plan and location of the student drop-off and pick-up area. Parents will be also informed at their one-on-one meetings with the teachers of any changes to on-site circulation or parking routines. School staff will supervise the designated student drop-off/pick-up zone during the peak periods when parents drop off and pick up their children at School.

Hazardous Materials

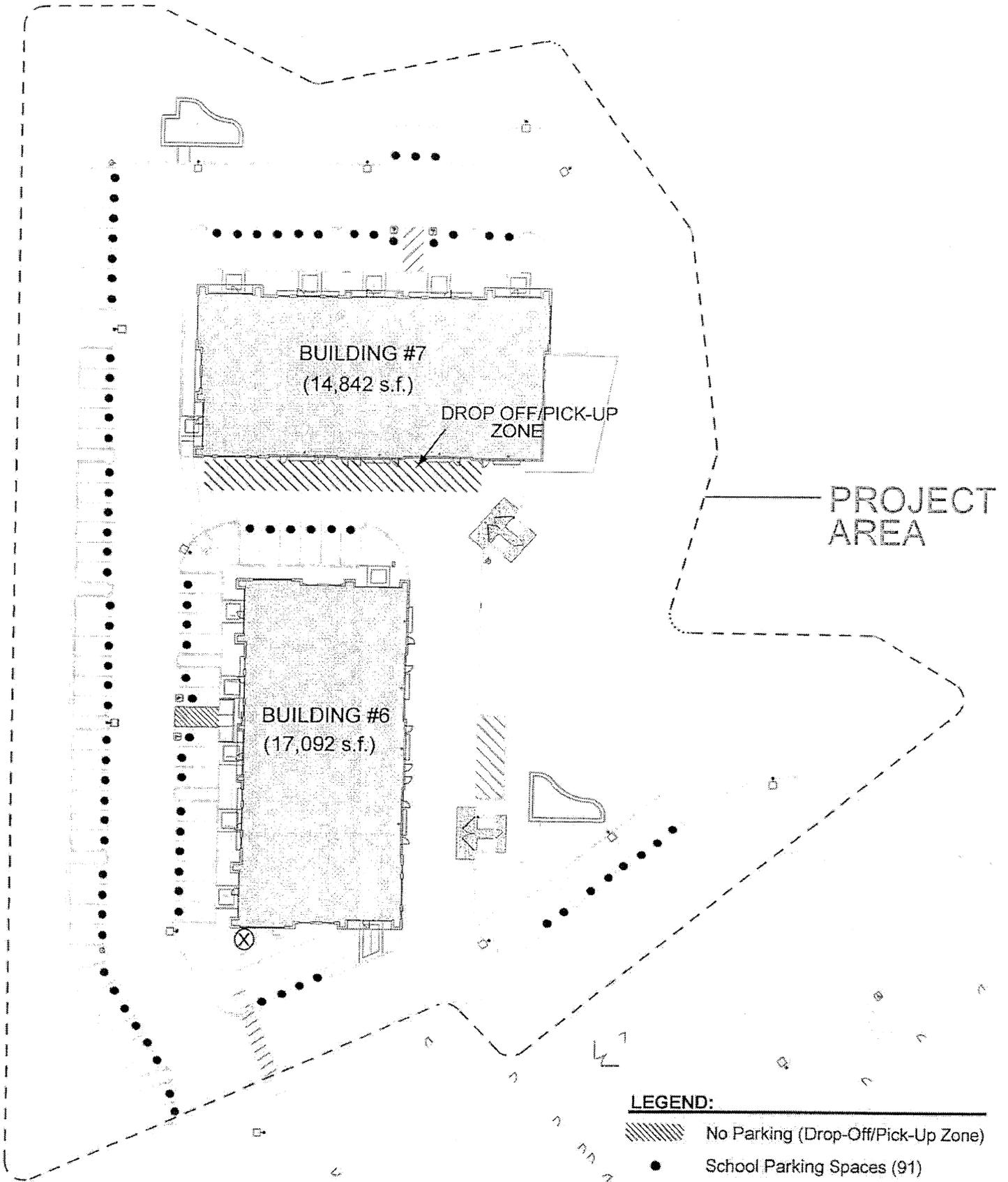
No hazardous materials will be located on site. Custodial operations will be contracted out and no site storage of hazardous materials is anticipated.

Security

The Business Manager will be the central point of contact for any security concerns at the school.

Revisions to Management Plan

It is recognized that from time to time, there may be changes to this Management Plan that are desired or needed to meet evolving business practices or address changes in business activities. Any changes or revisions in this Management Plan must be submitted to the Planning Department.



- LEGEND:**
-  No Parking (Drop-Off/Pick-Up Zone)
 -  School Parking Spaces (91)
 -  Suggested Location of Bicycle Racks



Holly Trobaugh

From: Barbara Riegel Wayne
Sent: Friday, January 18, 2008 7:30 AM
To: Holly Trobaugh
Subject: FW: Call For Review - Planning Commission Resolution No. 2008-P03

FYI

From: Ben Sullivan
Sent: Thursday, January 17, 2008 4:52 PM
To: Barbara Riegel Wayne
Cc: Jerry Kern; Peter Weiss; Michelle Skaggs-Lawrence; John Mullen; Jerry Hittleman; Patricia Allison
Subject: Call For Review - Planning Commission Resolution No. 2008-P03

Barbara -

Council Member Kern would like to "Call for Review"
Planning Commission Resolution NO. 2008-P03
Application NO: C-27-07, D-24-04 Revised
Applicant: Pacific View Charter School
Location: 3660 and 3682 Ocean Ranch Boulevard

In particular, whether substantial evidence exists to support the findings in Planning Commission Resolution NO. 2008-P03 denying a Conditional Use Permit and Development Plan Revision.

Thank you for your assistance and kind attention in this regard. Should you have any questions, please feel free to contact our office.

Ben Sullivan
Aide to Council Member Jerry Kern
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Oceanside, Ca. 92054
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Fax (760) 435-6042
bsullivan@ci.oceanside.ca.us
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