

STAFF REPORT



ITEM NO. 20

CITY OF OCEANSIDE

DATE: May 7, 2008

TO: Chairman and Members of the Community Development Commission

FROM: Economic Community Development Department

SUBJECT: **CONSIDERATION OF A RESOLUTION APPROVING A TIME EXTENSION FOR TENTATIVE MAP (T-201-04), DEVELOPMENT PLAN (D-205-04), CONDITIONAL USE PERMIT (C-206-04) AND REGULAR COASTAL PERMIT (RC-208-04) FOR THE CONSTRUCTION OF A SEVEN-UNIT RESIDENTIAL CONDOMINIUM PROJECT LOCATED AT 523 SOUTH MYERS STREET – MYERS STREET CONDOMINIUMS – APPLICANT: SCOTT G. KELLY**

SYNOPSIS

The item under consideration is a Time Extension for Tentative Map, Development Plan, Conditional Use Permit and Regular Coastal Permit for the construction of a seven-unit residential condominium project located at 523 South Myers Street. Staff is recommending that the Commission adopt the attached resolution approving the project.

BACKGROUND

On April 12, 2006, the Community Development Commission approved a seven-unit residential condominium located at 523 South Myers Street (see attached staff report).

Land Use and Zoning: The subject site is located within Subdistrict 5 of the "D" Downtown District. Subdistrict 5 is primarily intended to provide a high-density residential neighborhood in an urban setting in close proximity to shopping, employment, transportation and recreational facilities. Multifamily residences are permitted. The density within this zone ranges from 29-43 dwelling units per acre.

Regular Coastal Permit: This project is situated within the Coastal Zone and requires a Regular Coastal Permit. Under the provisions of the Local Coastal Plan the project site is designated as Mixed High-Density and Transient Residential. Multifamily and single-family are primarily the uses allowed within this land use designation.

The project is also situated within the Coastal Zone "appeal jurisdiction". Any local action by the City on this proposed coastal development permit may be appealed to the California Coastal Commission.

Conditional Use Permit: A Conditional Use Permit is required for exceeding the base density of 29 dwelling units per acre.

Project Description: The proposed project consists of a 3-story, 7-unit residential condominium with units ranging in size from 1,389 square feet to 2,303 square feet to be situated on a 10,000-square-foot lot. In addition, the project proposes an underground garage with 14 parking spaces, elevator and storage areas. The proposed design is a modern style as evident by the use of stucco, flat roof, large oversized windows and geometric forms. The proposed exterior materials are off-white stucco trimmed with beige and blue.

Environmental Determination: A Certificate of Exemption has been prepared for the project. Under the provisions of the California Environmental Quality Act, the Community Development Commission will consider the exemption during its hearing on the project.

ANALYSIS

Under state law and local regulations there are 3 major issues that must be considered in deciding whether or not to grant a time extension:

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

There have been no changes in City policy, however, on May 17, 2006, the City Council approved an increase in the City's Development Impact Fees. The attached resolution reflects the current fee rate. The applicant is close to recordation of the Map and is currently processing the final documents.

COMMISSION OR COMMITTEE REPORTS

The Redevelopment Advisory Committee (RAC) reviewed the project at its April 23, 2008, meeting and their recommendation will be presented orally.

FISCAL IMPACT

The proposed tax increment generated from this project is \$35,000 per year.

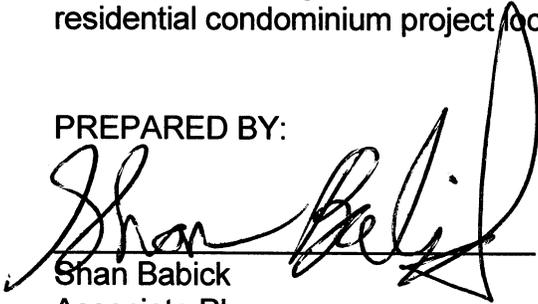
CITY ATTORNEY ANALYSIS

Pursuant to Oceanside Zoning Ordinance Article 41, Section 4102, and Article 43, Section 4305, the Commission is authorized to hold a public hearing on this project's applications. Consideration of the project should be based on the evidence presented at the public hearing. After conducting the public hearing, the Commission shall approve or deny the time extension.

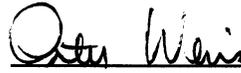
RECOMMENDATION

Staff recommends that the Commission adopt the resolution approving a Time Extension for Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use Permit (C-206-04) and Regular Coastal Permit (RC-208-04) for the construction of a 7-unit residential condominium project located at 523 South Myers Street.

PREPARED BY:

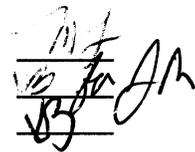

Shan Babick
Associate Planner

SUBMITTED BY:


Peter A. Weiss
Executive Director

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager
Jane McVey, Economic and Community Development Director
Kathy Baker, Redevelopment Manager



EXHIBITS/ATTACHMENTS

- 1. Resolution
- 2. Staff Report and Resolution dated April 12, 2006

RESOLUTION NO. 08-

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE APPROVING A TIME EXTENSION FOR TENTATIVE MAP, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND REGULAR COASTAL PERMIT FOR THE CONSTRUCTION OF A 7-UNIT RESIDENTIAL CONDOMINIUM PROJECT LOCATED AT 523 SOUTH MYERS STREET – APPLICANT: SCOTT G. KELLY

WHEREAS, on April 12, 2006, the Community Development Commission held its duly noticed public hearing, and adopted Resolution 06-R0230-3 approving Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use Permit (C-206-04) and Regular Coastal Permit (RC-208-04) for the construction of a 7-unit residential condominium project located at 523 South Myers Street;

WHEREAS, on May 7, 2008, the Community Development Commission held its duly noticed public hearing, considered an application for a time extension for Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use Permit (C-206-04) and Regular Coastal Permit (RC-208-04) for the construction of a 7-unit residential condominium project located at 523 South Myers Street;

WHEREAS, on May 17, 2006, the City Council adopted Resolution No. 06-R0334-1 approving the annual update of City’s Development Impact Fees and the impact fees below reflect the current fee amounts;

WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of Oceanside did, on April 23, 2008, review and recommend approval of Time Extension for Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use Permit (C-206-04) and Regular Coastal Permit (RC-208-04);

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

WHEREAS, studies and investigations made by the Community Development Commission reveal the following facts:

FINDINGS:

For the Time Extension of the Tentative Map, Development Plan, Conditional Use Permit and Regular Coastal Permit:

1 1. The project has been conditioned for payment of all applicable impact fees, and
2 therefore will be paying its fair share toward needed public services.

3 2. There have been no changes in City policy, nor have there been any significant changes
4 affecting the surrounding area since the original approval, and therefore this time extension will not
5 adversely affect the City's General Plan nor any existing applicable City policy.

6 3. The applicant has made a diligent good faith effort to record the final map within the
7 time period originally approved in that the Tentative Map is in the final stages of review.

8 WHEREAS, a Categorical Exemption was prepared by the Resource Officer of the City of
9 Oceanside for this application pursuant to the California Environmental Quality Act of 1970 and the
10 State Guidelines implementing the Act. The project is considered an infill development and will not
11 have a detrimental effect on the environment;

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

14 WHEREAS, pursuant to Government Code §66020(d)(1), NOTICE IS HEREBY GIVEN that
15 the Project 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
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	Ordinance No. 83-01	\$255 per vehicle trip (based

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3			
4		Resolution No. 06-R0334-1	on SANDAG trip generation table available from staff and from SANDAG)
5			
6			
7	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$3,746 per unit
8			
9			
10			
11			
12	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$4,587 per unit
13			
14			
15			
16			
17	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,154 per unit
18			
19			
20			

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

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

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

1 WHEREAS, pursuant to Government Code §66020(d)(1), NOTICE IS FURTHER GIVEN that
2 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction
3 described in this resolution begins on the effective date of this resolution and any such protest must be
4 in a manner that complies with Section 66020; and

5 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes effective
6 upon its adoption.

7 NOW, THEREFORE, the Community Development Commission of the City of Oceanside does
8 resolve as follows:

9 SECTION 1. That the Time Extension for Tentative Map (T-201-04), Development Plan (D-
10 205-04), Conditional Use Permit (C-206-04) and Regular Coastal Permit (RC-208-04) are hereby
11 approved subject to the following conditions:

Economic and Community Development Department:

12 1. All of the conditions of Resolution No. 06-R0230-3 adopted on April 12, 2006 continue
13 to apply. Condition No. 56 is amended to change the expiration date to May 7, 2010.

14 2. This Time Extension for Tentative Map (T-201-04), Development Plan (D-205-04),
15 Conditional Use Permit (C-206-04), and Regular Coastal Permit (RC-208-04) shall expire on May 7,
16 2010, unless implemented as required by the Zoning Ordinance.

17 3. This Tentative Map, Development Plan, Conditional Use Permit and Regular Coastal
18 Permit approve the construction of a 7-unit residential condominium project as shown on the plans and
19 exhibits presented to the Community Development Commission for review and approval. No deviation
20 from these approved plans and exhibits shall occur without Economic and Community Development
21 Department approval. Substantial deviations shall require a revision to the Tentative Map,
22 Development Plan, Conditional Use Permit and Regular Coastal Permit or a new Tentative Map,
23 Development Plan, Conditional Use Permit and Regular Coastal Permit.

24 4. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
25 harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding
26 against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the
27 City, concerning Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use Permit
28 (C-206-04) and Regular Coastal Permit (RC-208-04). The City will promptly notify the applicant of
any such claim, action or proceeding against the City and will cooperate fully in the defense. If the
City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate

1 fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold
2 harmless the City.

3 5. A covenant or other recordable document approved by the City Attorney shall be
4 prepared by the applicant developer and recorded prior to the issuance of building permits. The
5 covenant shall provide that the property is subject to this resolution, and shall generally list the
6 conditions of approval.

7 6. Failure to meet any conditions of approval for this development shall constitute a
8 violation of the Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use Permit (C-
9 206-04) and Regular Coastal Permit (RC-208-04).

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

15 PASSED AND ADOPTED by the Oceanside Community Development Commission of the
16 City of Oceanside this _____ day of _____ 2008 by the following vote:

17 AYES:

18 NAYS:

19 ABSENT:

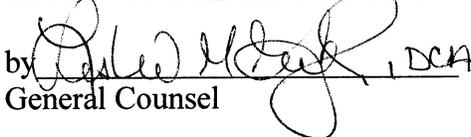
20 ABSTAIN:

Chairman

21 ATTEST:

22 _____
23 Secretary

24 APPROVED AS TO FORM:
25 OFFICE OF THE CITY ATTORNEY

26 by  DCA
27 General Counsel

STAFF REPORT



ITEM NO. 16

CITY OF OCEANSIDE

DATE: April 12, 2006

TO: Chairman and Members of the Community Development Commission

FROM: Economic Development and Redevelopment Department

SUBJECT: **CONSIDERATION OF A RESOLUTION APPROVING TENTATIVE MAP (T-201-04), DEVELOPMENT PLAN (D-205-04), CONDITIONAL USE PERMIT (C-206-04) AND REGULAR COASTAL PERMIT (RC-208-04) FOR THE CONSTRUCTION OF A SEVEN-UNIT RESIDENTIAL CONDOMINIUM PROJECT LOCATED AT 523 SOUTH MYERS STREET – MYERS STREET CONDOMINIUMS – APPLICANT: SCOTT G. KELLY**

SYNOPSIS

The item under consideration is a Tentative Map, Development Plan, Conditional Use Permit and Regular Coastal Permit for the construction of a seven-unit residential condominium project located at 523 South Myers Street. Staff is recommending that the Commission approve the project and adopt the resolution as attached.

BACKGROUND

The subject site consists of two pre-existing legal parcels totaling 10,000 square feet in size that was part of the original Tyson's Addition Subdivision of 1885. The site currently maintains three units on two parcels which will be demolished as part of the development of this project. The subject site is relatively flat with less than 2-foot grade differential between the highest and lowest points.

The subject site is situated within the South Myers neighborhood, which is characterized by old apartment buildings and single-family homes interspersed with some newer condominium developments. The subject site is also located approximately 90 feet west of the railroad tracks.

There are three units on the subject site that are over 45 years old; therefore, a Historic Assessment was prepared to determine its historical significance. The Historic Assessment is attached to the staff report.

Land Use and Zoning: The subject site is located within Subdistrict 5 of the "D" Downtown District. Subdistrict 5 is primarily intended for a high-density residential neighborhood in an urban setting in close proximity to shopping, employment, transportation and recreational facilities. Multifamily residences are permitted. The

density within this zone ranges from 29-43 dwelling units per acre. The project proposes a density of 31 dwelling units per acre.

Regular Coastal Permit: This project is situated within the Coastal Zone and requires a Regular Coastal Permit. Under the provisions of the Local Coastal Plan the project site is designated as High-Density Residential. This designation is intended to allow for a minimum of 15 units per acre and up, with the upper limits set by the Zoning Ordinance and Redevelopment Design Guidelines. Multifamily and single-family are primarily the uses allowed within this land use designation.

The project is also situated within the Coastal Zone “appeal jurisdiction”. Any local action by the City on this proposed coastal development permit may be appealed to the California Coastal Commission.

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

Tentative Map and Development Plan: The project proposes a 3-story, 7-unit residential condominium with units ranging in size from 1,389 square feet to 2,303 square feet to be situated on a 10,000-square-foot lot. In addition, the project proposes an underground garage with 14 parking spaces, elevator and storage areas.

The proposed design is a modern style as evident by the use of stucco, flat roof, large oversized windows and geometric forms. The proposed exterior materials are off-white stucco trimmed with beige and blue.

Subdistrict 5 requires that a minimum of 25 percent of the site be landscaped. The project proposes that approximately twenty-seven percent (27%) of the subject site is landscaped. The project proposes Canary Island Date Palm, shrubs include English Lavender and Star Jasmine and groundcover consists of turf.

The project is required to provide 1,400 square feet of common useable open space. The project provides over 1,400 square feet of common and private useable open space.

Vehicular access to the units will be from the alley located along the western portion of the subject site. Pedestrian access will be provided from South Myers Street.

Outlined below is a comparison chart summarizing the required development criteria with the proposed project:

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	N/A (pre-existing lot)	N/A (pre-existing lot)
SETBACKS		
Front	10 feet	10 feet
Side	10 feet	10 feet
Corner Side	10 feet	10 feet
Rear	5 feet	5 feet
LANDSCAPING	25%	27%
Parking	14 spaces	14 spaces
BUILDING HEIGHT	35 feet	35 feet

Regular Coastal Permit: A Regular Coastal Permit is required because the project is situated within the Coastal Zone and proposes new construction that requires discretionary action.

Conditional Use Permit: A Conditional Use Permit is required for exceeding Subdistrict 5 base density of 29 dwelling units per acre.

Environmental Determination: A Certificate of Exemption has been prepared for the project. Under the provisions of the California Environmental Quality Act, the Community Development Commission will consider the exemption during its hearing on the project.

As mentioned, a Historic Assessment has been prepared to determine the cultural significance of the subject site. The Historic Assessment chronicles the creation, ownership, and development of the subject site and concludes that the site does have a long and interesting ownership history; however, no significant cultural resources exist on the site today.

ANALYSIS

Staff's analysis focused on the compatibility of the project with existing development patterns of the area and the project's consistency with the underlying Redevelopment Plan, Zoning Ordinance, and the Local Coastal Program.

Since the proposed project is an infill project, staff's initial concerns centered on the project's compatibility with the existing residential patterns. The surrounding area consists

of mainly older apartments and single-family residences interspersed with some newer condominium development. Staff believes that the proposed 7-unit condominium is consistent with the surrounding neighborhood, especially with the newer condominium units.

Staff is also concerned with the project's architectural compatibility and scale with the surrounding neighborhood. Staff has inventoried the surrounding neighborhood and has found a varied housing stock with a variety of unit types and unit sizes. In comparing the project's product type and corresponding square footages to the unit types and square footages that exist in the area, it can be found that the proposed unit sizes are comparable in size and would have a positive effect to the area.

Staff's review of the project examined the consistency of the development with the underlying zoning regulations and policies of the Local Coastal Program. The project is located within the "appealable area" which is defined as the first 300 feet east of The Strand (west side of Myers Street). The project is located too far to the east to have any significant impact from the beach. Staff also evaluated the proposed residence and its effect on public coastal views. The proposed residence is set back 10 feet from the front property line and as such will not block public views from South Myers Street.

The project proposes a density of 31 dwelling units per acre that is above the base density of 29 dwelling units per acre. Section 1231 (D) of the Downtown "D" District development standards states that for projects to exceed 29 dwelling units per acre a Conditional Use Permit is required. The purpose of the Conditional Use Permit is to ensure that the project achieves a high level of quality of design. Staff believes that the project meets these requirements by providing a quality project which is evident by offset setbacks, differing building materials, basement garage and meeting or exceeding all development standards.

In conclusion, staff believes that the project meets the intent of the Redevelopment Plan and the underlying subdistrict goals, which encourage the development of new residential uses. The design of the project is consistent in both the height and scale of the surrounding neighborhood. The proposed project meets the development standards and is consistent with the quality of design of the newer residences located within the South Myers Street area. The project is also consistent with the land use policies and development criteria of the Local Coastal Plan.

COMMISSION OR COMMITTEE REPORTS

The Redevelopment Design Review Committee (RDRC) reviewed the project at its September 17, 2004 meeting. After extensive review and discussion of the project, the Committee approved its layout and design.

The Redevelopment Advisory Committee (RAC) will review the project at its April 10, 2006 meeting. Any recommendations or comments on the project will be presented to the Commission during the hearing for the project.

FISCAL IMPACT

The proposed project will add approximately \$35,000 of tax increment yearly to the project area.

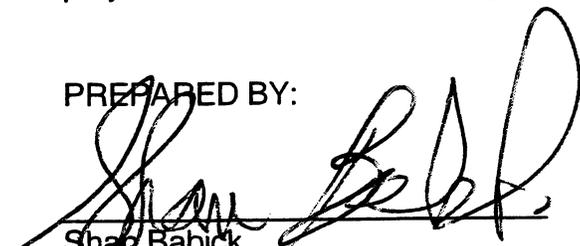
CITY ATTORNEY'S ANALYSIS

Pursuant to Oceanside Zoning Ordinance Article 4102, the Commission is authorized to hold a public hearing on this project's applications. Consideration of the project should be based on the evidence presented at the public hearing. After conducting the public hearing, the Commission shall approve, conditionally approve, or disapprove the project. The resolution has been reviewed and approved as to form by the City Attorney.

RECOMMENDATION

Staff recommends that the Commission adopt the resolution approving Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use Permit (C-206-04) and Regular Coastal Permit (RC-208-04) for the construction of a 7-unit residential condominium project located at 523 South Myers Street.

PREPARED BY:


Shari Babick
Associate Planner

SUBMITTED BY:


Steven R. Jepsen
Executive Director

SMB

REVIEWED BY:

Kathy Baker, Redevelopment Manager
Michelle Skaggs Lawrence, Assistant to the City Manager
Mike Blessing, Deputy City Manager




EXHIBITS/ATTACHMENTS

- 1. Resolution
- 2. Notice of Exemption
- 3. Site Plan / Floor Plans / Elevations
- 4. Historic Assessment

RESOLUTION NO. 06- R0230-3

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE APPROVING A TENTATIVE MAP, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND REGULAR COASTAL PERMIT FOR THE CONSTRUCTION OF A 7-UNIT RESIDENTIAL CONDOMINIUM PROJECT LOCATED AT 523 SOUTH MYERS STREET - APPLICANT: SCOTT G. KELLY

WHEREAS, on April 12, 2006, the Community Development Commission held its duly noticed public hearing, considered an application by Myers Street Condominiums for a Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use Permit (C-206-04) and Regular Coastal Permit (RC-208-04) for the construction of a 7-unit residential condominium project located at 523 South Myers Street;

WHEREAS, the Redevelopment Design Review Committee (RDRC) of the City of Oceanside did, on September 17, 2004, review and recommend approval of Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use Permit (C-206-04) and Regular Coastal Permit (RC-208-04);

WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of Oceanside did, on April 10, 2006, review and recommend approval of Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use Permit (C-206-04) and Regular Coastal Permit (RC-208-04);

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

WHEREAS, studies and investigations made by the Community Development Commission reveal the following facts:

FINDINGS:

For the Tentative Map:

1. The proposed subdivision creates parcels that are consistent with and exceed the requirements of the Subdistrict 5 zoning designation. The subdivision map is consistent with the General Plan of the City.

2. The proposed building on the site will conform to the topography of the site, therefore, making it suitable for residential development. The 10,000-square foot site is physically suitable to allow for the development of seven residential condominium units.

1 3. The subdivision complies with all other applicable ordinances, regulations and guidelines
2 of the City.

3 4. The design of the subdivision or proposed improvements will not conflict with easements,
4 acquired by the public at large, for access through or use of property within the subdivision.

5 5. The design of the subdivision or the proposed improvements will not cause substantial
6 environment damage or substantially and avoidably injure fish or wildlife or their habitat.

7 **For the Development Plan:**

8 1. The site plan and physical design of the project as proposed is consistent with the
9 purposes of the City's Zoning Ordinance and the "D" Downtown District.

10 2. The Development Plan as proposed conforms to the Redevelopment Plan and General
11 Plan of the City.

12 3. The area covered by the Development Plan can be adequately, reasonably and
13 conveniently served by existing and planned public services, utilities and public facilities.

14 4. The project as proposed is compatible with the existing and potential development on
15 adjoining properties or in the surrounding neighborhood.

16 5. The location of the seven residential condominium units and proposed conditions under
17 which this use will be operated or maintained will be consistent with the General Plan and will not be
18 detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the
19 neighborhood of such use and will not be detrimental to properties or improvements in the vicinity or
20 the general welfare of the City.

21 6. The project and uses will comply with the provisions of the Zoning Ordinance, including
22 any specific condition required for such use in Subdistrict 5.

23 **For the Conditional Use Permit for the Increase in Base Density:**

24 1. The development portion of the subject property is zoned Subdistrict 5 of the
25 Redevelopment Project Area with a corresponding Redevelopment Plan Land Use designation of
26 Residential (29-43 dwelling units per acre). The project density of 31 dwelling units per acre is consistent
27 with the density range of 29-43 dwelling units per acre established by Subdistrict 5.

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

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

For the Regular Coastal Permit:

1. The granting of the Regular Coastal Permit is consistent with the purposes of the California Coastal Act of 1976.

2. The proposed project is consistent with the policies of the Local Coastal Program as implemented through the City Zoning Ordinance. In addition, the project will not substantially alter or impact the existing coastal views through the public rights-of-way view corridors.

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

WHEREAS, a Categorical Exemption was prepared by the Resource Officer of the City of Oceanside for this application pursuant to the California Environmental Quality Act 1970 and the State Guidelines implementing the Act. The project is considered an infill development and will not have a detrimental effect on the environment;

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

WHEREAS, pursuant to Government Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the Project 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. 05-R0628-1	\$3,278 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 05-R0628-1	\$2,660 per acre
Public Facility Fee	Ordinance No. 91-09 Resolution No. 05-R0628-1	\$1,939 per unit
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.14 per square foot

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or</u>
2			<u>Calculation Formula</u>
3			
4	Traffic Signal Fee	Ordinance No. 87-19	\$14.70 per vehicle trip
5			
6	Thoroughfare Fee	Ordinance No. 83-01	\$239 per vehicle trip (based
7			on SANDAG trip generation
8			table available from staff and
9			from SANDAG)
10			
11	Water System Buy-in Fees	Oceanside City Code	Fee based on water meter
12		§37.56.1	size. Residential is typically
13		Resolution No. 87-96	\$3,746 per unit; Non-
14		Ordinance No. 05-OR 0611-1	residential is \$19,967 for a 2"
15			meter.
16	Wastewater System Buy-in	Oceanside City Code §	Based on capacity or water
17	fees	29.11.1	meter size. Residential is
18		Resolution No. 87-97	typically \$4,587 per unit;
19		Ordinance No. 05-OR 0610-1	Non-residential is \$24,444
20			for a 2" meter.
21	San Diego County Water	SDCWA Ordinance No.	Based on meter size.
22	Authority Capacity Fees	2005-03	Residential is typically
23			\$4,154 per unit; Non-
24			residential is \$21,599 for a 2"
25			meter.
26			

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

1 the fee amounts that will be owing when such fees become due and payable;

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

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

7 WHEREAS, pursuant to Government Code §66020(d)(1), NOTICE IS FURTHER GIVEN that
8 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction
9 described in this resolution begins on the effective date of this resolution and any such protest must be
10 in a manner that complies with Section 66020; and

11 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes effective
12 upon its adoption.

13 NOW, THEREFORE, the Community Development Commission of the City of Oceanside does
14 resolve as follows:

15 SECTION 1. That Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use
16 Permit (C-206-04) and Regular Coastal Permit (RC-208-04) are hereby approved subject to the
17 following conditions:

18 **Building:**

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

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

23 3. 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 building
25 plan review.

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

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

6. The developer shall monitor, supervise and control all building construction and supportive

1 activities so as to prevent these activities from causing a public nuisance, including, but not limited to,
2 strict adherence to the following:

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

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

13 7. A complete soils report, structural and energy calculations will be required at time of
14 plans submittal to the Building Division for plan check.

15 8. A demolition permit shall be required for the demolition of the existing structures. Plans
16 for the demolition shall depict clearly all utilities are properly terminated/capped in accordance with the
17 requirements of the utility service provider.

18 9. Compliance with UBC table 5-A is required - For "R-1" Occupancies the minimum
19 setback from the property lines is 5-feet. All construction closer than 5-feet from the property lines
20 must be a 1-Hour Fire – resistive construction.

21 10. UBC 1203.4.2 requires an additional foot of side yard setback for building over 2 stories
22 in height when there are required windows opening into the yard.

23 11. A minimum of two (2) complying exits are required from the third story and roof deck.

24 12. UBC 904.2.9 requires automatic fire sprinkler systems in buildings having three or more
25 stories.

26 **Engineering:**

27 13. Because the project involves demolition of existing structures or surface improvements,
28 the Community Development Director shall approve the grading plans prior to the issuance of a
demolition permit. No demolition shall be permitted without an approved erosion control plan.

14. All right-of-way alignments, street dedications, exact geometrics and widths shall be

1 dedicated and improved as required by the Community Development Director. Ash Street shall be
2 improved to 36-foot curb-to-curb.

3 15. Vehicular access rights to Myers Street shall be relinquished to the City.

4 16. Design and construction of all improvements shall be in accordance with standard plans,
5 and specifications of the City of Oceanside and subject to approval by the Community Development
6 Director.

7 17. Prior to the issuance of a building permit, all improvement requirements shall be
8 covered by a development agreement and secured with sufficient improvement securities or bonds
9 guaranteeing performance and payment for labor and materials, setting of monuments, and warranty
10 against defective materials and workmanship.

11 18. Prior to issuance of a building permit a phasing plan for the construction of public and
12 private improvements including landscaping, shall be approved by the Community Development
13 Director. All improvements shall be under construction to the satisfaction of the Community
14 Development Director prior to the issuance of any building permits. All improvements shall be
15 completed prior to issuance of any certificates of occupancy.

16 19. The developer shall provide public street dedication as required to serve the property.

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

22 21. Prior to approval of the Final Map, all improvement requirements, required by the
23 Community Development Director, shall be covered by a subdivision agreement and secured with
24 sufficient improvement securities or bonds guaranteeing performance and payment for labor and
25 materials, setting of monuments, and warranty against defective materials and workmanship.

26 22. The tract shall be recorded and developed as one. The Community Development
27 Director shall require the dedication and construction of necessary utilities, streets and other
28 improvements outside the area of the final map, if required for circulation, parking, access or for the
welfare or safety of future occupants of the development.

23. A construction-phasing plan for the construction of on-site public and private
improvements shall be reviewed and approved by the Community Development Director prior to the

1 issuance of any grading or improvement permits. Prior to the issuance of any building permits all off-
2 site or frontage improvements including landscaping and any required streets or arterials shall be under
3 construction to the satisfaction of the Community Development Director. All improvements shall be
4 completed prior to issuance of any certificates of occupancy.

5 24. Where proposed off-site improvements, including but not limited to slopes, public utility
6 facilities, and drainage facilities, are to be constructed, the applicant shall, at his own expense, obtain all
7 necessary easements or other interests in real property and shall dedicate the same to the City as required.
8 The applicant shall provide documentary proof satisfactory to the City that such easements or other interest
9 in real property have been obtained prior to issuance of any grading, building or improvement permit for
10 the project. Additionally, the City, may at its sole discretion, require that the applicant obtain at his sole
11 expense a title policy insuring the necessary title for the easement or other interest in real property to have
vested with the City of Oceanside or the applicant, as applicable.

12 25. Pursuant to the State Map Act, improvements shall be required at the time of development.
13 A covenant, reviewed and approved by the City Attorney, shall be recorded attesting these improvements
14 conditions and a certificate setting forth the recordation shall be placed on the map.

15 26. Prior to the issuance of a grading permit, the Developer shall notify and host a
16 neighborhood meeting with all of the area residences located within 300-feet of the project site, and
17 residents of property along any residential streets to be used as a "haul route", to inform them of the
18 grading and construction schedule, haul routes and to answer questions.

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

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

24 b) All grading and related site preparation and construction activities shall be
25 limited to the hours of 7 a.m. to 6 p.m., Monday through Friday. No engineering related construction
26 activities shall be conducted on Saturdays, Sundays or legal holidays unless written permission is granted
27 by the Community Development Director with specific limitations to the working hours and types of
28 permitted operations. All on-site construction staging areas shall be as far as possible (minimum 100
feet) from any existing residential development. Because construction noise may still be intrusive in
the evening or on holidays, the City of Oceanside Noise Ordinance also prohibits "any disturbing

1 excessive, or offensive noise which causes discomfort or annoyance to reasonable persons of normal
2 sensitivity.”

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

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

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

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

24 30. All public streets shall be improved with curbs and gutters.

25 31. All streets shall provide a minimum of 7-feet of parkway between the face of curb and
26 the right-of-way line. Sidewalks improvements shall comply with ADA requirements.

27 32. Sight distance requirements at the project driveway shall conform to the corner sight
28 distance criteria as provided by the California Department of Transportation Highway Design Manual.

33. Streetlights shall be maintained on Myers Street along the frontage of the project. The
system shall provide uniform lighting, and be secured prior to building permit issuance, if a map is not
recorded. The developer shall pay all applicable fees, energy charges, and/or assessments associated

1 with City-owned (LS-2 rate schedule) streetlights and shall also agree to the formulation of, or the
2 annexation to, any appropriate street lighting district.

3 34. Prior to approval of the grading plans, the developer shall contract with a geotechnical
4 engineering firm to perform a field investigation of the existing pavement on all streets adjacent to the
5 project boundary. The limits of the study shall be half-street plus twelve (12) feet along the
6 subdivision's frontage. The field investigation shall include a minimum of one pavement boring per
7 every fifty (50) linear feet of street frontage. Should the existing AC thickness be determined to be
8 less than three (3) inches or without underlying Class II base material, the Subdivider shall remove and
reconstruct the pavement section as determined by the pavement analysis submittal process.

9 35. Upon review of the pavement investigation the Community Development Director shall
10 determine whether the Subdivider shall: 1) Repair all failed pavement sections, header cut and grind per
11 the direction of the Transportation/Development Inspector, and construct a two (2) inch thick
12 rubberized AC overlay; or 2) Perform R-value testing and submit a study that determines if the existing
13 pavement meets current City standards/traffic indices. Should the study conclude that the pavement
14 does not meet current requirements, rehabilitation/mitigation recommendations shall be provided in a
15 pavement analysis report, and the Subdivider shall reconstruct the pavement per these
16 recommendations, subject to approval by the Community Development Director.

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

20 37. Any existing broken pavement, concrete curb and gutter, or sidewalk or any damaged
21 during construction of the project, shall be repaired or replaced as directed by the Community
22 Development Director.

23 38. The developer shall comply with all the provisions of the City's cable television
24 ordinances including those relating to notification as required by the Community Development
25 Director.

26 39. Grading and drainage facilities shall be designed and installed to adequately
27 accommodate the local storm water runoff and shall be in accordance with the City's Engineers Manual
and as directed by the Community Development Director.

28 40. Prior to any grading of any part of the tract or project, a comprehensive soils and
geologic investigation shall be conducted of the soils, slopes, and formations in the project. All

1 necessary measures shall be taken and implemented to assure slope stability, erosion control, and soil
2 integrity. No grading shall occur until a detailed grading plan, to be prepared in accordance with the
3 Grading Ordinance and Zoning Ordinance, is approved by the Community Development Director.

4 41. This project shall provide year-round erosion control including measures for the site
5 required for the phasing of grading. Prior to the issuance of grading permit, an erosion control plan,
6 designed for all proposed stages of construction, shall be reviewed, secured by the applicant with cash
7 securities and approved by the Community Development Director.

8 42. Precise grading and private improvement plans shall be prepared, reviewed, secured and
9 approved prior to the issuance of any building permits. The plan shall reflect all pavement, flatwork,
10 landscaped areas, special surfaces, curbs, gutters, medians, striping, signage, footprints of all structures,
11 walls, drainage devices and utility services. Parking lot striping and any on site traffic calming devices
shall be shown on all Precise Grading and Private Improvement Plans.

12 43. Landscaping plans, including plans for the construction of walls, fences or other
13 structures at or near intersections, must conform to intersection sight distance requirements.
14 Landscape and irrigation plans for disturbed areas must be submitted to the Community Development
15 Director prior to the issuance of a preliminary grading permit and approved by the Community
16 Development Director prior to the issuance of building permits. Frontage and median landscaping shall
17 be installed prior to the issuance of any building permits. Any project fences, sound or privacy walls
18 and monument entry walls/signs shall be shown on, bonded for and built from the landscape plans.
19 These features shall also be shown on the precise grading plans for purposes of location only.
20 Plantable, segmental walls shall be designed, reviewed and constructed by the grading plans and
21 landscaped/irrigated through project landscape plans. All plans must be approved by the Community
22 Development Director and a pre-construction meeting held, prior to the start of any improvements.

23 44. The final design shall be based upon a hydrologic/hydraulic study to be approved by the
24 Community Development Director during final engineering. All drainage picked up in an underground
25 system shall remain underground until it is discharged into an approved channel, or as otherwise
26 approved by the Community Development Director. All public storm drains shall be shown on City
27 standard plan and profile sheets. All storm drain easements shall be dedicated where required. The
applicant shall be responsible for obtaining any off-site easements for storm drainage facilities.

28 45. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and
disposed of in accordance with all state and federal requirements, prior to stormwater discharge either

1 off-site or into the City drainage system.

2 46. A Runoff Assessment Report will be required. The development shall comply with all
3 applicable regulations established by the United States Environmental Protection Agency (USEPA) as
4 set forth in the National Pollutant Discharge Elimination System (N.P.D.E.S.) permit requirements for
5 urban runoff and storm water discharge and any regulations adopted by the City pursuant to the
6 N.P.D.E.S. regulations or requirements. Further, the applicant may be required to file a Notice of
7 Intent with the State Water Resources Control Board to obtain coverage under the N.P.D.E.S. General
8 Permit for Storm Water Discharges Associated with Construction Activity and may be required to
9 implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of
10 grading activities. SWPPPs include both construction and post construction pollution prevention and
11 pollution control measures and identify funding mechanisms for post construction control measures.
12 The developer shall comply with all the provisions of the Clean Water Program during and after all
13 phases of the development process, including but not limited to: mass grading, rough grading,
14 construction of street and landscaping improvements, and construction of dwelling units. The applicant
15 shall design the Project's storm drains and other drainage facilities to include Best Management
16 Practices to minimize non-point source pollution, satisfactory to the Community Development Director.

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

21 48. All existing overhead utility lines within the frontage subdivision or within any full width
22 street or right-of-way abutting a new subdivision and all new extension services for the development of the
23 project, including but not limited to, electrical, cable and telephone, shall be placed underground per
24 Section 901.G. of the Subdivision Ordinance (R91-166) and as required by the Community Development
25 Director and current City policy.

26 49. Full width alley improvements shall be required across the project's frontage.

27 **Fire:**

28 50. Submit a copy of as-built plans on a CD for all projects on the job site.

51. Plans shall be submitted to the Planning Division for plan check review and approval
prior to the issuance of building permits.

52. Fire extinguishers are required and shall be included on the plans submitted for plan

1 check.

2 53. Provide a 13R fire sprinkler system. The system shall be designed per N.F.P.A.13R and
3 U.B.C. Standard 9-3. Installation of sprinkler systems in residential occupancies up to and including
4 four stories in height.

5 54. Multi-family residential dwellings shall have 6-inch address numbers.

6 55. Buildings shall meet Oceanside Fire Department's current adopted codes at the time of
7 building permit application.

8 **Planning:**

9 56. This Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use Permit
10 (C-206-04) and Regular Coastal Permit (RC-208-04) shall expire on April 12, 2008, unless
11 implemented as required by the Zoning Ordinance.

12 57. This Tentative Map, Development Plan, Conditional Use Permit and Regular Coastal
13 Permit approves only for the construction of a 7-unit residential condominium project as shown on the
14 plans and exhibits presented to the Community Development Commission for review and approval. No
15 deviation from these approved plans and exhibits shall occur without Planning Department approval.
16 Substantial deviations shall require a revision to the Tentative Map, Development Plan, Conditional
17 Use Permit and Regular Coastal Permit or a new Tentative Map, Development Plan, Conditional Use
18 Permit and Regular Coastal Permit.

19 58. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
20 harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding
21 against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the
22 City, concerning Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use Permit
23 (C-206-04) and Regular Coastal Permit (RC-208-04). The City will promptly notify the applicant of
24 any such claim, action or proceeding against the City and will cooperate fully in the defense. If the
25 City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate
26 fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold
27 harmless the City.

28 59. All mechanical rooftop and ground equipment shall be screened from public view as
required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks, mechanical
equipment, screen and vents shall be painted with non-reflective paint to match the roof. This
information shall be shown on the building plans.

1 60. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
2 Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall be reviewed
3 and approved by the City Engineer and City Planner prior to the issuance of building permits.
4 Landscaping shall not be installed until bonds have been posted, fees paid, and plans signed for final
5 approval.

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

15 62. Front yard landscaping with a complete irrigation system, in compliance with Water
16 Conservation Ordinance No. 91-15, shall be required.

17 63. All multi-family unit dwelling projects shall dispose of or recycle solid waste in a
18 manner provided in City Ordinance 13.3.

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

21 65. A covenant or other recordable document approved by the City Attorney shall be
22 prepared by the applicant developer and recorded prior to the issuance of building permits. The
23 covenant shall provide that the property is subject to this resolution, and shall generally list the
24 conditions of approval.

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

 67. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
written copy of the applications, staff report and resolutions for the project to the new owner and or

1 operator. This notification's provision shall run with the life of the project and shall be recorded as a
2 covenant on the property.

3 68. Failure to meet any conditions of approval for this development shall constitute a
4 violation of the Tentative Map (T-201-04), Development Plan (D-205-04), Conditional Use Permit (C-
5 206-04) and Regular Coastal Permit (RC-208-04).

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

11 70. The developer's construction of all fencing and walls associated with the project shall be
12 in conformance with the approved Development Plan. Any substantial change in any aspect of fencing
13 or wall design from the approved Development Plan shall require a revision to the Development Plan or
14 a new Development Plan.

15 71. If any aspect of the project fencing and walls is not covered by an approved
16 Development Plan, the construction of fencing and walls shall conform to the development standards of
17 the City Zoning Ordinance. In no case, shall the construction of fences and walls (including
18 combinations thereof) exceed the limitations of the zoning code, unless expressly granted by a
19 Variation or other development approval.

20 72. The following unit type and floor plan mix, as approved by the Community
21 Development Commission, shall be indicated on plans submitted to the Building Division and Planning
22 Division for building permit:

	Sq.Ft.	# Bedrms	# Baths	# Stories	# Units	%
23 Plan 1	1,389	2	2	2	1	14
24 Plan 2	1,583	2	2	2	1	14
25 Plan 3	1,589	2	2	2	1	14
26 Plan 4	1,805	2	2	2	1	14
27 Plan 5	2,032	2	2	2	1	14
28 Plan 6	2,062	1	2	2	1	14
29 Plan 7	2,303	2	2	2	1	14

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

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

4 75. This project is subject to the provisions of the Local Coastal Plan for Coastal Housing.
5 The developer shall obtain a Coastal Affordable Housing Permit from the Director of Housing and
6 Neighborhood Services prior to issuance of building permits or recordation of a final map, whichever
7 occurs first.

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

18 a) The subterranean garage parking shall be exclusive to the residential occupancy of
19 the site and shall not be shared or used by any other occupancy.

20 b) Prohibition of parking or storage of recreational vehicles, trailers, or boats.

21 c) Maintenance of all common areas, and on-site and frontage landscaping.

22 d) Office space cannot be converted to a third bedroom.

23 **Water Utilities:**

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

27 78. No trees, structures or building overhang shall be located within any water or
28 wastewater utility easement.

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

 80. Water services and sewer laterals constructed in existing right-of-way locations are to be

1 constructed by approved and licensed contractors at developer's expense.

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

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

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

11 84. All Water and Wastewater construction shall conform to the most recent edition of the
12 City's Engineers Manual, or as approved by the Water Utilities Director.

13 85. All new development of single-family residential units shall include hot water pipe
14 insulation and installation of a hot water re-circulation device or design to provide hot water to the tap
15 within 15 seconds in accordance with City of Oceanside Ordinance No. 02-0R126-1.

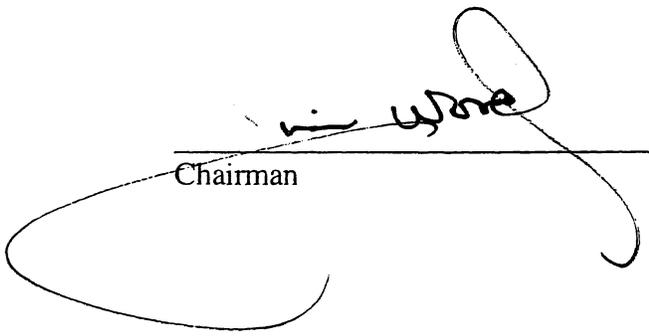
16 PASSED AND ADOPTED by the Oceanside Community Development Commission of the
17 City of Oceanside this 12th day of April 2006 by the following vote:

18 AYES: WOOD, CHAVEZ, FELLER, MACKIN

19 NAYS: SANCHEZ

20 ABSENT: NONE

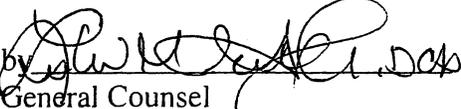
21 ABSTAIN: NONE

22 
23 _____
24 Chairman

25 ATTEST:

26 _____
27 Secretary

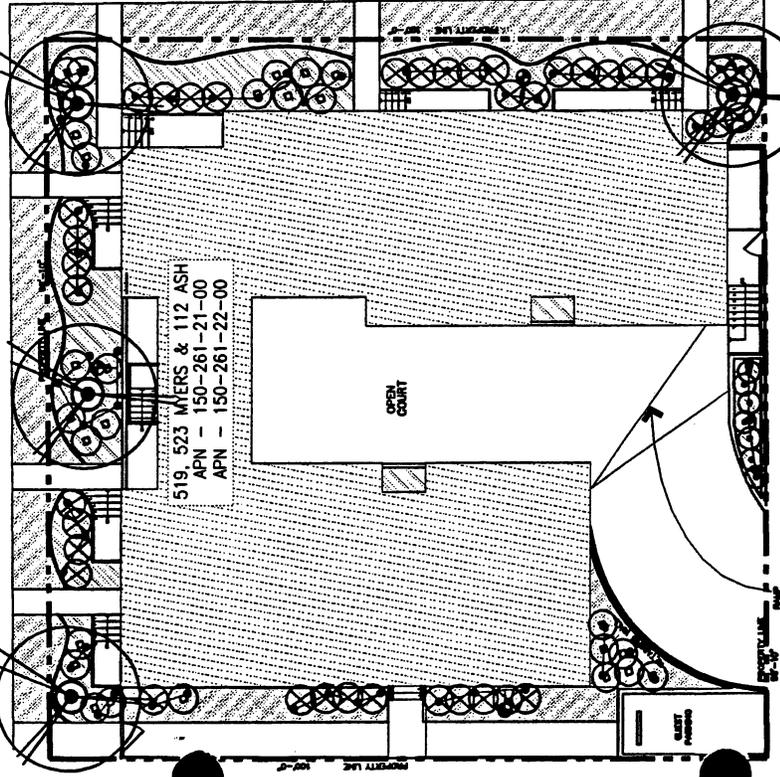
28 APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

by 
General Counsel

APN - 150-261-21-00
 APN - 150-261-22-00

SITE ADDRESS:
 519, 523 MYERS & 112 ASH
 OCEANSIDE, CALIFORNIA 92054

MYERS



519, 523 MYERS & 112 ASH
 APN - 150-261-21-00
 APN - 150-261-22-00

OPEN COURT

ALLEY

SEE CIVIL DRAWINGS & SOILS ENGINEER DOCUMENTS FOR FURTHER TECHNICAL INFORMATION.

NOTE: AVERAGE LOT SLOPE (AREA OUTSIDE REQUIRED SETBACKS) IS LESS THAN 10%.

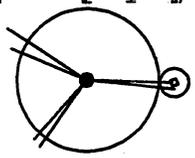
LANDSCAPE NOTE: REFERENCE SITE PLAN (A-101) FOR FINISHED GRADES/ SPOT ELEVATIONS

GENERAL SITE NOTES:

1. GRADES SHOWN SCREENED ARE EXISTING. GRADES SHOWN SOLID ARE PROPOSED
2. SURFACE WATER SHALL DRAIN AWAY FROM ALL PROPOSED BUILDINGS
3. ALL UTILITIES SERVING THIS SITE SHALL BE INSTALLED UNDERGROUND
4. NO
5. DIMENSIONS SHOWN ARE OVERALL LENGTH AND WIDTH FOR LOCATING BUILDINGS
6. OWNER TO OBTAIN A CONSTRUCTION PERMIT FROM THE ENGINEERING DEPT. AT LEAST 48 HOURS PRIOR TO WORKING IN THE PUBLIC RIGHT OF WAY. FAILURE TO DO SO WILL RESULT IN ISSUANCE OF A STOP WORK NOTICE AND DOUBLE PENALTY FEE. IT IS THE RESPONSIBILITY OF THE OWNER TO KNOW USINE HIGHER PROPERTY LINE IS.
7. NO CONCENTRATED DRAINAGE FLOWS ARE PERMITTED OVER ADJACENT PROPERTY. ALL DRAINAGE SHALL BE CONVEYED TO AN APPROVED DRAINAGE FACILITY OR 1" AT 1 PERCENT AND BE CONVEYED TO AN APPROVED DRAINAGE FACILITY AS PART OF THESE DOCUMENTS.

PLANTING AND IRRIGATION LEGEND

- IRRIGATION BUBBLER: RAINBIRD 1400 SERIES
- CONTROL VALVE: RAINBIRD ASVP 100
- IRRIGATION LINE: UNDERGROUND
- IRRIGATION LINE: ABOVE GRADE (TEMPORARY)



PLANT SIZE	MATURE SIZE	PLANT NAME	COTTON NAME	NUMBER USED
10' TRUNK HEIGHT 20'-0" x 1/2 30'-0"		PHOENIX CANARIENSIS	CANARY ISLAND DATE PALM	4
5 GALLON	4'-0"	LAVENDULA AGUSTIFOLIA	ENGLISH LAVENDER	21
1 GALLON	2'-0"	ROSEMARINUS OFFICINALIS	ROSEMARY	-
1 GALLON	3'-0"	LIRIOPE GIGANTEA	GIANT LILLYTURF	1
1 GALLON	4'-0"	EQUISETUM HYEMALE	HORSETAIL	39
FLATS	-	TRACHELOSPERMUM JAPANNICIDES	STAR JASMINE	-
FLATS	-	TALL FESCUE	TURF	-



LANDSCAPE PLAN / IRRIGATION

SCALE: 1/8" = 1'-0"

A-4.01

SHEET NO.

DATE

PROJECT NO.

ROOF PLAN

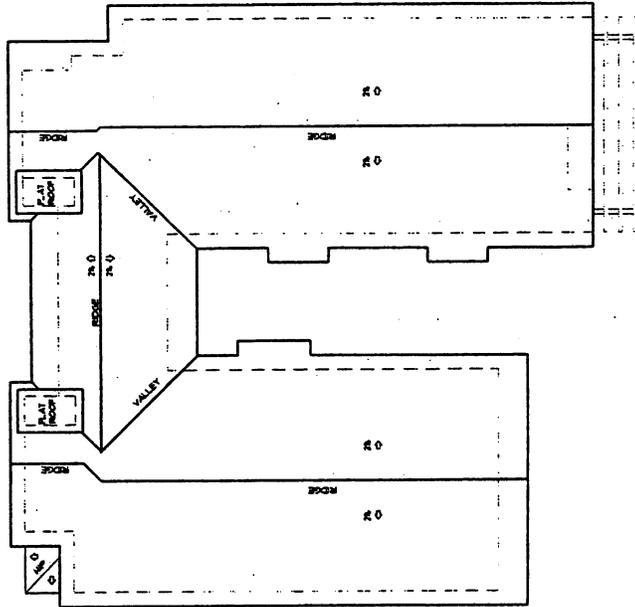
APR 16-2017-06



SCALE: 1/8" = 1'-0"

Roof Plan

Proposed Schematic Design:
 Myers Condominium Project
 519, 523 Myers & 112 Ash
 Oceanside, California 92054
 APNs: 150-2-21-00 & 150-261-22-00



PROJECT/CLIENT

REVISIONS



LICENSE:



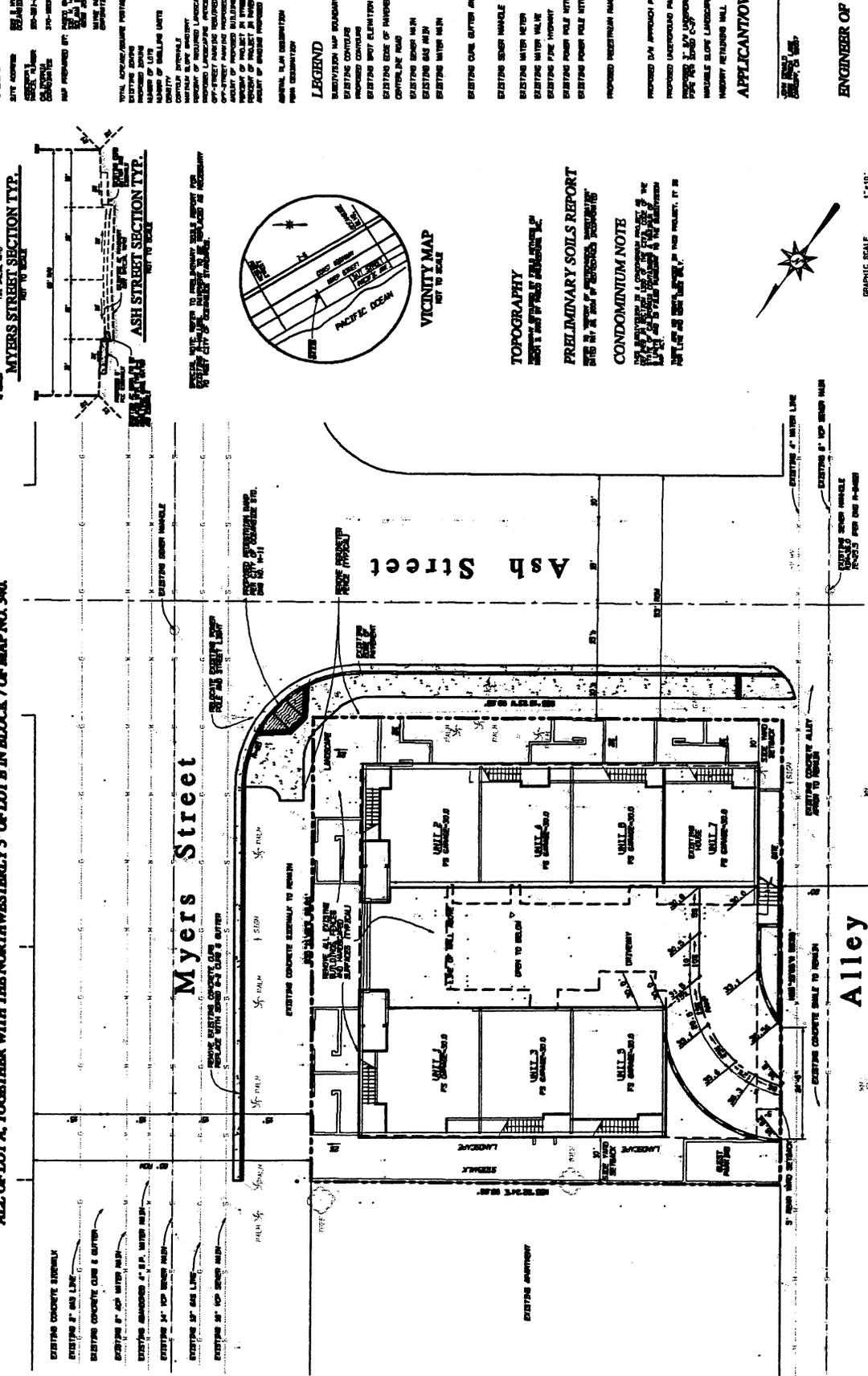
ARCHITECTURE

523 OCEAN DRIVE
OCEANSIDE, CA 92054
TEL: 760.444.1833

MYERS STREET CONDOMINIUMS

TENTATIVE PARCEL MAP NO. 9
 ALL OF LOT A, TOGETHER WITH THE NORTHWESTERLY 5' OF LOT B IN BLOCK 7 OF MAP NO. 340.

FOR CONDOMINIUM PURPOSES



PROJECT INFORMATION
 PROJECT NAME: MYERS STREET CONDOMINIUMS
 DATE: 7/2/84
 SITE ADDRESS: 551 N. MYERS STREET, CHICAGO, ILL. 60610
 MAP PREPARED BY: [Name]
 DATE: [Date]
 SCALE: 1/4" = 1'-0"

LEGAL INFORMATION
 THIS PARCEL MAP IS SUBJECT TO ALL APPLICABLE ORDINANCES AND REGULATIONS OF THE CITY OF CHICAGO, ILLINOIS.
 THIS PARCEL MAP IS SUBJECT TO THE CITY OF CHICAGO'S ORDINANCES AND REGULATIONS.
 THIS PARCEL MAP IS SUBJECT TO THE CITY OF CHICAGO'S ORDINANCES AND REGULATIONS.
 THIS PARCEL MAP IS SUBJECT TO THE CITY OF CHICAGO'S ORDINANCES AND REGULATIONS.

LEGEND
 EXISTING MAP BOUNDARY
 EXISTING CONCRETE
 EXISTING STREET ELEVATION
 EXISTING SIDE OF CURB
 EXISTING SIDEWALK
 EXISTING STREET MARK
 EXISTING GAS MAIN
 EXISTING WATER MAIN
 EXISTING CURB GUTTER AND SEWER

TOPOGRAPHY
 PRELIMINARY SOILS REPORT
 CONDOMINIUM NOTE

VICINITY MAP
 NOT TO SCALE

GRAPHIC SCALE
 1" = 10'

APPLICANT/OOWNER SIGNATURE
 DATE

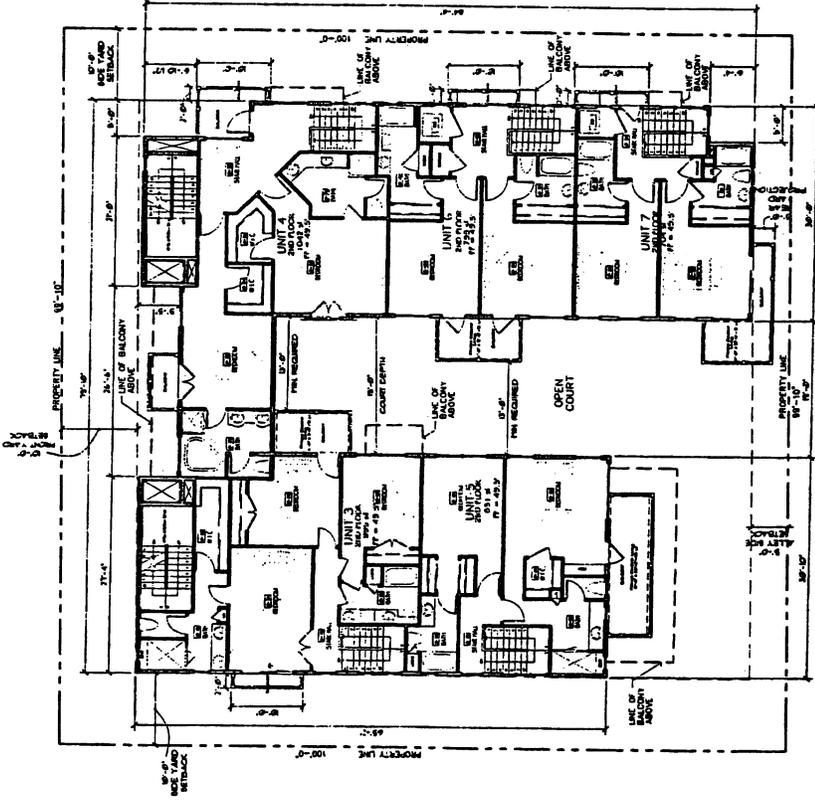
ENGINEER OF WORK
 DATE

CHICAGO PLANNING DEPARTMENT
 DIVISION OF PLANNING
 OFFICE OF THE CITY ENGINEER
 440 NORTH LA SALLE STREET
 CHICAGO, ILLINOIS 60610

Proposed Schematic Design:
Myers Condominium Project
 519, 523 Myers & 112 Ash
 Oceanside, California 92054
 APNs: 156-61-21-00 & 150-261-22-00

APN: 156-61-21-00
 APN: 150-261-22-00
 SHEET FILE: 156-61-21-00
 SHEET NO.: 156-61-21-00
 PROJECT NO.: 21-001
 DATE: 04-28-04
 SHEET NO.:

A-2.03



Second Floor (FF = 50.5')

SCALE: 1/8" = 1'-0"



LICENSE:

SYMBOL	DATE	DESCRIPTION
▽	02-20-04	Revised #1
▽	04-24-04	Revised #2
▽	05-18-04	Contract
▽	06-27-04	City Submit
▽		
▽		
▽		

PROJECT/CLIENT:

ARCHITECTURE
 133 Crest Drive
 Oceanside, CA 92054
 PH: 760 943 1324
 FX: 760 943 1323

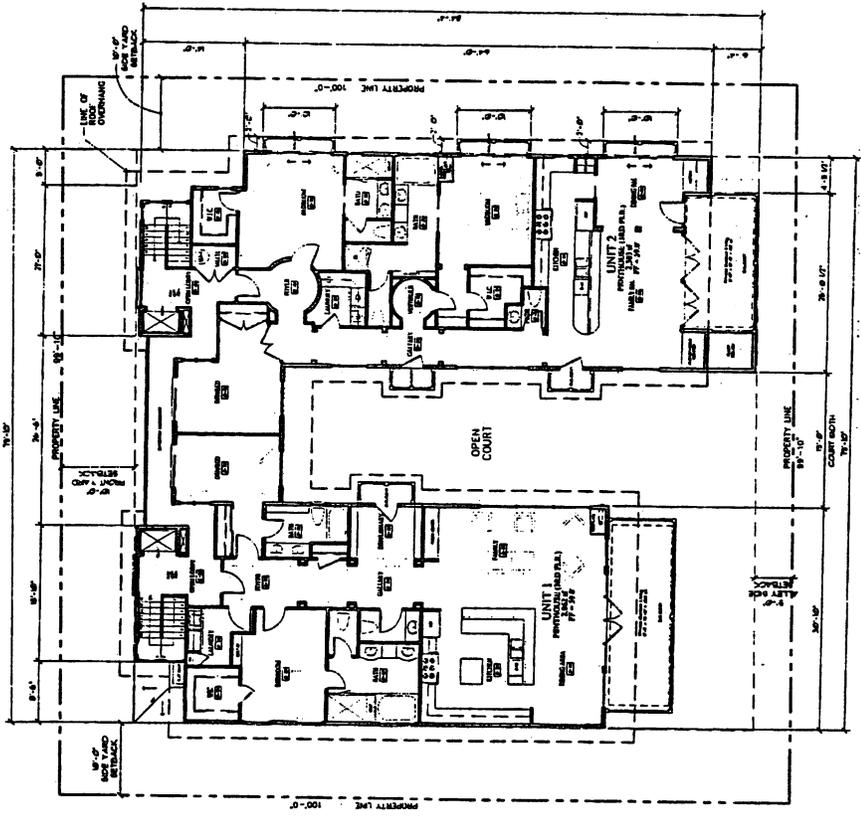


REVISIONS	DATE	DESCRIPTION
1	02-20-04	REV
2	04-28-04	REV
3	05-18-04	Permit
4	05-18-04	Permit
5	05-27-04	City Submit

Proposed Schematic Design:
Myers Condominium Project
 519, 523 Myers & 112 Ash
 Oceanside, California 92054
 APNs: 150-21-00 & 150-261-22-00

APN: 150-261-21-00
 APN: 150-161-27-00
 SHEET NO.:
 THIRD FLOOR
 (1500)
 PROJECT NO.:
 24-001
 DATE: 04-28-04
 SHEET NO.:

A-2.04



Third Floor (Penthouse 600')

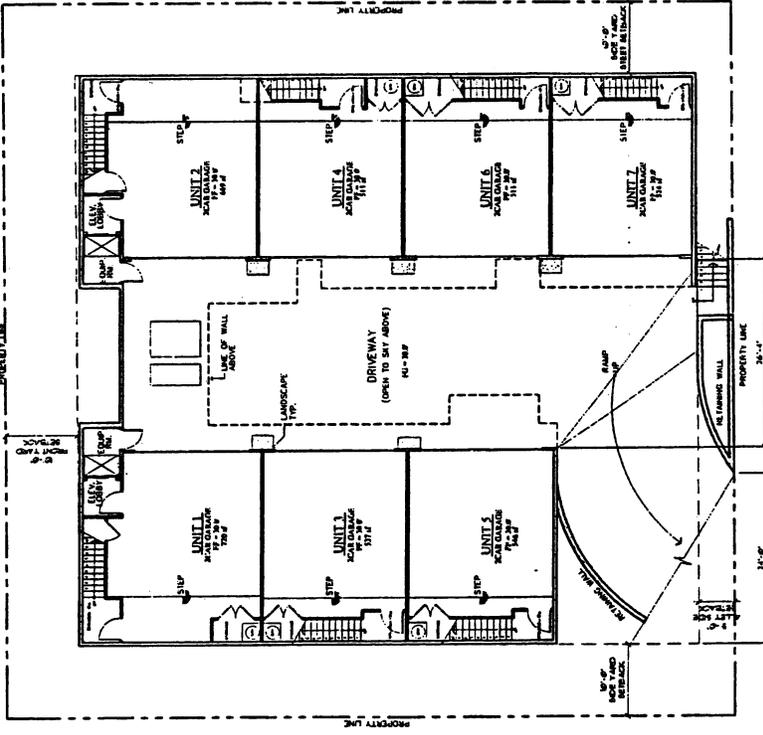


PROJECT NORTH
 SCALE: 1/8" = 1'-0"

SCALE 1/8" = 1'-0"



Below Grade Parking (Garage Floor 310')



Proposed Schematic Design:
 Myers Condominium Project
 519, 523 Myers & 112 Ash
 Side, California 92054
 APN's: 161-21-00 & 150-261-22-00

REV.	DATE	DESCRIPTION
1	02-20-01	Working P.
2	04-17-01	Rev.
3	05-01-01	Rev.
4	06-21-01	Rev.



ARCHITECTURE
 425 West Drive
 Fullerton, CA 92624
 Tel: 714 944 1234
 Fax: 714 944 1235

APNs: 150-21-00 & 150-261-22-00
 Oceanside, California 92054

Myers Condominium Project

Proposed Schematic Design

EXTERIOR ELEVATIONS

PROJECT NO.: 21-001

DATE: 04-28-04

SHEET NO.

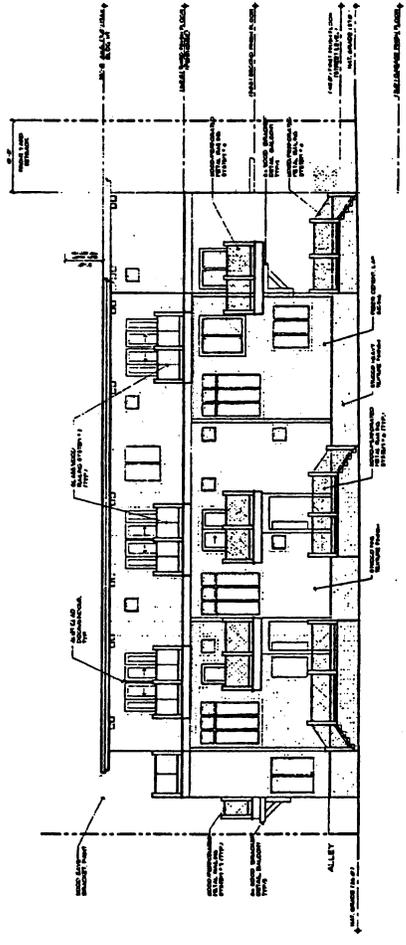
A-3.02

ARCHITECTURE

8320 Central Expressway
 San Diego, CA 92124

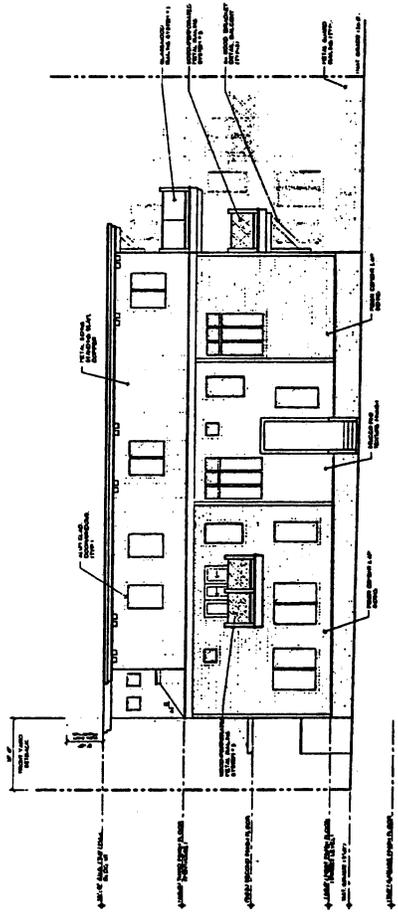
PH: 760-943-7298
 FX: 760-943-1624

ARCHITECTURE



South Elevation (Ash Street)

SCALE: 1/8" = 1'-0"



North Elevation

SCALE: 1/8" = 1'-0"

Proposed Schematic Design:
Myers Condominium Project
 519, 523 Myers & 112 Ash
 Inside, California 92054
 APNs: 261-21-00 & 150-261-22-00

APN: 88-24-31-00
 APN: 88-24-31-00
 SHEET FILE:
 EXTERIOR
 ELEVATIONS
 PROJECT NO:
 21-001
 DATE:
 04-28-01
 SHEET NO.:

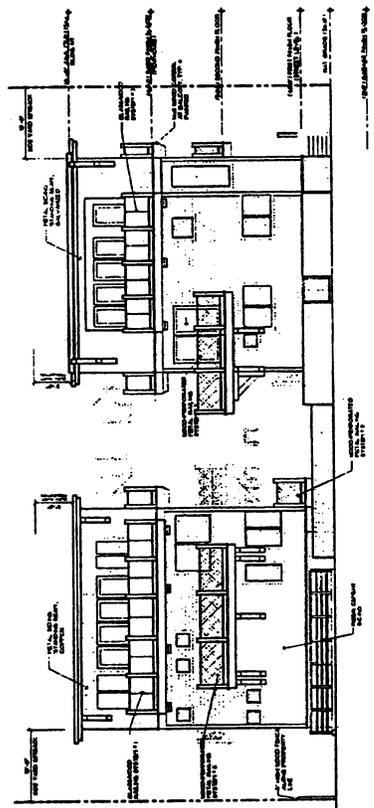
A-3.03

ARCHITECTS
 1125 North Main Street
 San Diego, CA 92101
 TEL: 619.594.1100
 FAX: 619.594.1105



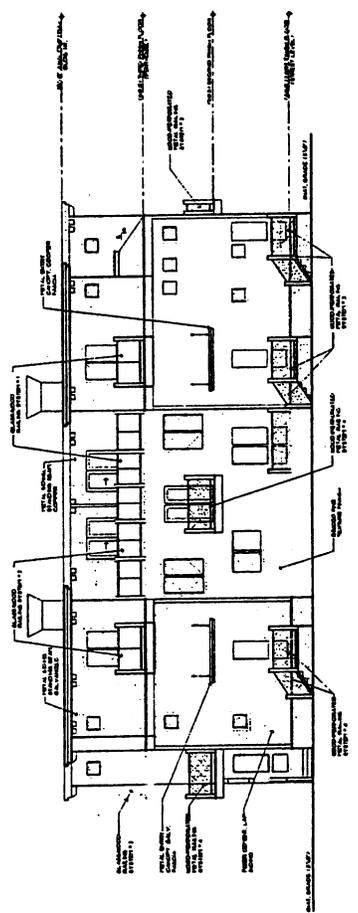
REVISIONS

NO.	DATE	DESCRIPTION
1	04-27-01	ISSUED FOR PERMITS
2	04-27-01	ISSUED FOR PERMITS
3	04-27-01	ISSUED FOR PERMITS
4	04-27-01	ISSUED FOR PERMITS
5	04-27-01	ISSUED FOR PERMITS



West Elevation (Alley)

SCALE: 1/8" = 1'-0"



East Elevation (Myers)

SCALE: 1/8" = 1'-0"

Proposed Schematic Design:
Myers Condominium Project
 519, 523 Myers & 112 Ash
 Ocean, California 92054
 APN's: 150-21-00 & 150-261-22-00

APN 80-241-71-00
 APN 80-241-72-00
 SHEET NO.:
 EXTERIOR ELEVATIONS / SECTIONS
 PROJECT NO.:
 DATE: 04-25-00
 SHEET NO.:
 A-3.01

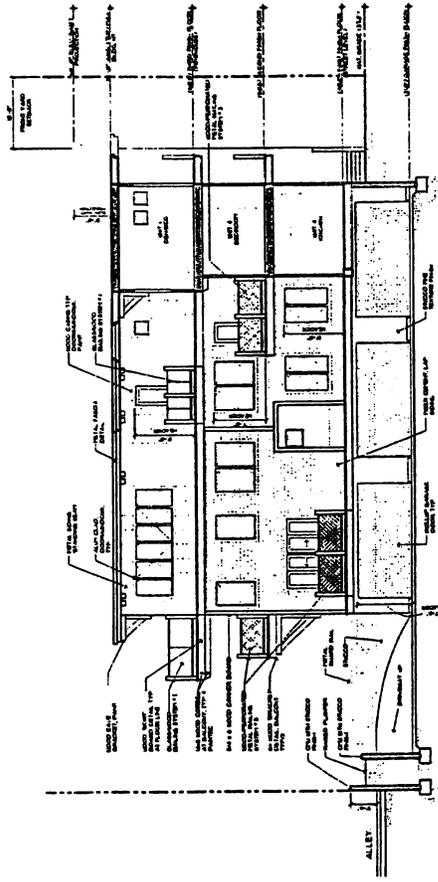
A-3.01

ARCHITECTURE
 625 Coast Drive
 Torrance, CA 90503
 TEL: 760 943 7391
 FAX: 760 944 1828



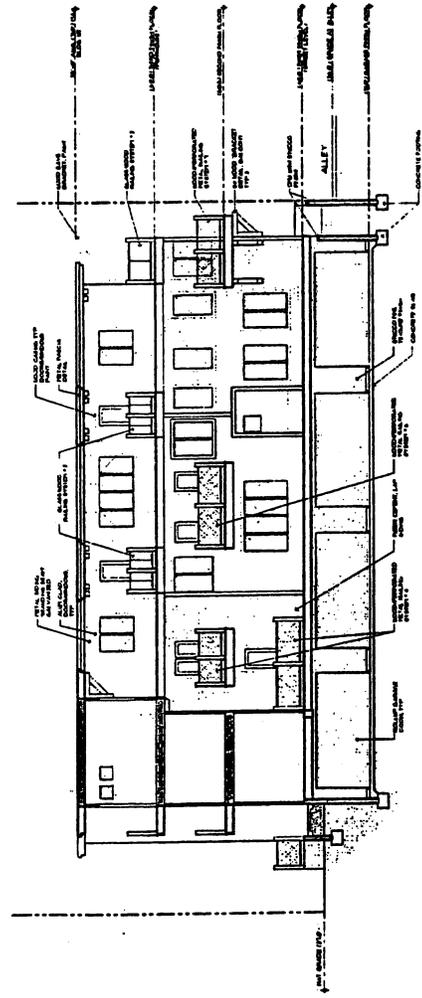
PROJECT/CLIENT:

NO.	DATE	DESCRIPTION
1	02-20-00	MEET
2	04-28-00	MEET
3	05-18-00	CONFERENCE
4	06-27-00	CITY SUBMITTAL



Court Yard-South Elevation / Section

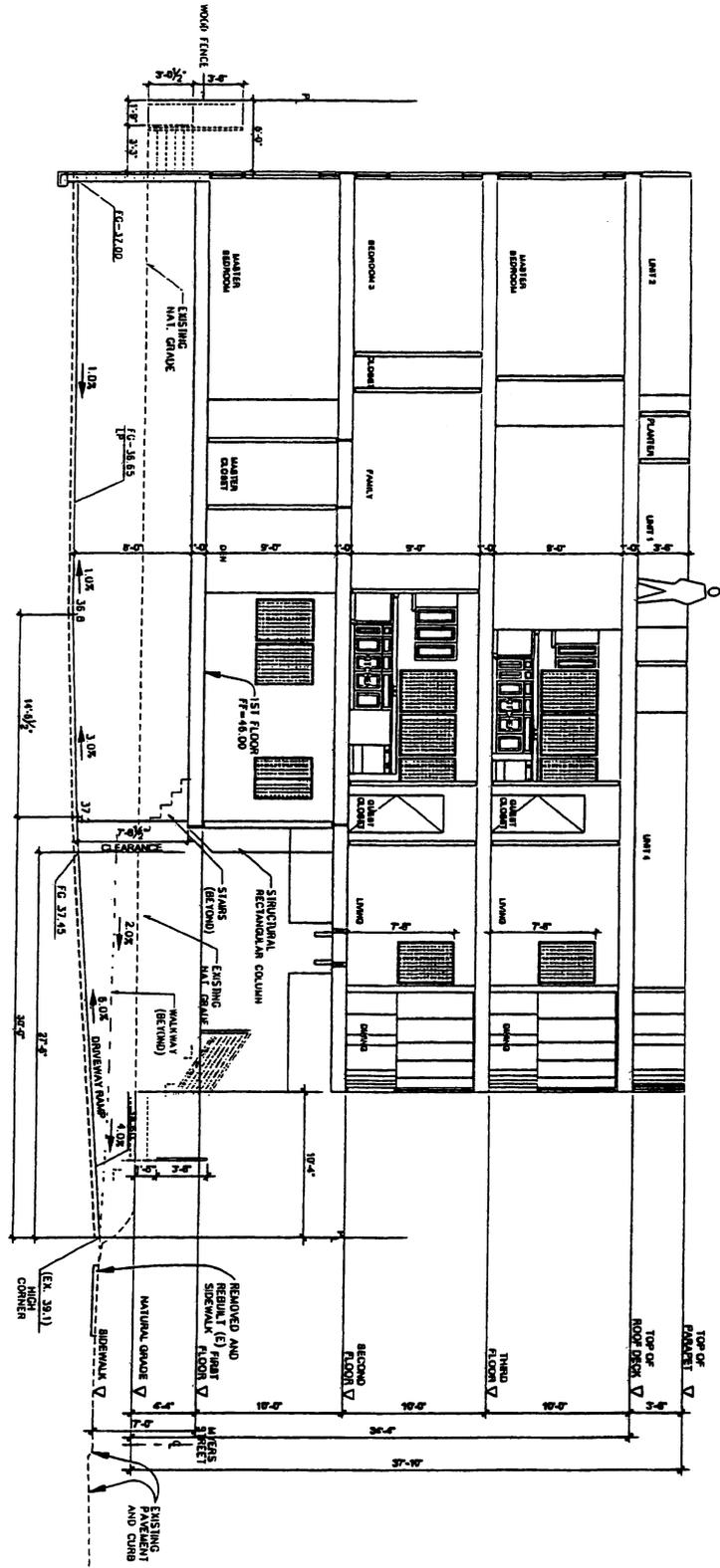
SCALE 1/8" = 1'-0"



Court Yard-North Elevation / Section

SCALE 1/8" = 1'-0"

SECTION B
SCALE: 1/8" = 1'-0"



REFERENCE
SECTION NOTES
ON SHEET A15

NO.	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

S. MYERS STREET
CONDOMINIUMS
402 S. MYERS ST.
OCEANSIDE, CALIFORNIA

SECTION B

JON R. MASSARO
ARCHITECT
6335 WINNETKA AVE
WINNETKA, CALIFORNIA 91306
OFF. 818-998-6396 FAX. 818-998-6397

AIA AIA

NOTICE

THIS DOCUMENT IS THE PROPERTY OF AIA. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF AIA.

CITY OF OCEANSIDE
PLANNING DEPARTMENT

NOTICE OF EXEMPTION

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

PROJECT TITLE AND FILE NUMBER:
Myers Street Condominiums

PROJECT LOCATION - SPECIFIC:
523 South Myers Street

PROJECT LOCATION - GENERAL:
North of the intersection of S. Myers and
Ash Street
City of Oceanside

TENTATIVE MAP (T-201-04)
DEVELOPMENT PLAN (D-205-04)
CONDITIONAL USE PERMIT (C-206-04)
REGULAR COASTAL PERMIT (RC-208-04)

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:
TENTATIVE MAP (T-201-04), DEVELOPMENT PLAN (D-205-04), CONDITIONAL USE PERMIT (C-206-04) AND REGULAR COASTAL (RC-208-04) construction of 7-unit multi-family condominium units situated on a 10,000 sq. ft. site, located at 523 South Myers Street.

NAME OF PUBLIC AGENCY APPROVING PROJECT:

City of Oceanside

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

Jim Boeker
535 North Highway 101 suite 92075
Solana Beach, CA 92075
(760) 633-1738

Exempt Status per the Guidelines to Implement the California Environmental Quality Act (CEQA)
(Public Resources Code Section 21000 et. al.):

NOT SUBJECT TO CEQA PER THE GENERAL RULE, SECTION 15061(B)(3)

STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)

CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION 15332(b)

REASONS WHY PROJECT IS EXEMPT:

The project involves the construction of 7-multi-family units. The project is multi-family housing development situated on a less than 5-acres site within an urbanized area.

Contact Person: Shan Babick, Associate Planner

SIGNATURE

March 20, 2006

DATE

For: Jerry Hittleman, Interim City Planning

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

T-201-04
D-20504

**HISTORICAL EVALUATION OF THREE HOUSES AT
519 AND 523 SOUTH MYERS STREET AND
112 ASH STREET, OCEANSIDE, CALIFORNIA**

RECEIVED
NOV 22 2004
Planning Department

Prepared for:
Mr. John DeWald
John DeWald and Associates
1855 Freda Lane
Cardiff, California 92007

Prepared by:
Sinéad Ní Ghabhláin, Ph.D.

ASM AFFILIATES, INC.
2034 Corte Del Nogal
Carlsbad, California 92009

November 2004

TABLE OF CONTENTS

<u>Chapter</u>	<u>Page</u>
MANAGEMENT SUMMARY	iii
1. INTRODUCTION	1
FIELD METHODS	1
ARCHIVAL METHODS	1
RECORDS SEARCH RESULTS	4
2. HISTORICAL OVERVIEW	5
3. RESULTS	9
519 SOUTH MYERS STREET	9
523 SOUTH MYERS STREET	10
112 ASH STREET	12
ARCHIVAL RESULTS	14
4. EVALUATION	16
EVALUATION CRITERIA	16
SUMMARY AND RECOMMENDATIONS	18
REFERENCES	19
APPENDICES	22
APPENDIX A. Record Search Results	
APPENDIX B. Chain of Title	
Building Records and Historical Research Results	

LIST OF FIGURES

<u>Figure</u>	<u>Page</u>
1. Regional project location	2
2. County Assessor's parcel map showing the location of parcels 150-261-21 and 150-261-22	3
3. 519 South Myers Street, view of front elevation	9
4. Detail of original windows, 519 South Myers Street	10
5. View of front elevation, 523 South Myers Street	11
6. South wall, 523 South Myers Street	11
7. Rear of 523 South Myers Street	12
8. Front elevation of 112 Ash Street	13
9. View of east wall, 112 Ash Street	13
10. Garage at the rear of the property	14

MANAGEMENT SUMMARY

This report details the findings of an historical building evaluation completed for four buildings, three single-family residences and one detached garage located at 519 and 523 South Myers Street and 112 Ash Street in Oceanside, California. John DeWald and Associates proposes to demolish the buildings and to construct a seven-unit condominium complex on the property. As the buildings were constructed in 1941, they are currently 63 years old, and therefore meet the age requirement for eligibility to the California Register of Historic Resources (California Register) and the County of San Diego Historic Resources Register (Local Register).

This study consisted of documentation of the buildings, a chain of title search to determine previous owners of the property, archival research to provide a historical context for the buildings and information on former owners and occupants, real estate appraisal and building records search, and evaluation of the buildings for eligibility to the California and Local registers. None of the buildings are recommended eligible for either the California or Local register.

1. INTRODUCTION

John DeWald and Associates proposes the construction of a seven-unit condominium complex on assessor parcel numbers 150-261-22 and -21 in Oceanside (Figures 1 and 2). Four buildings are currently located on the parcels: three single-family houses and one garage. Construction on the site will necessitate demolishing or removing the existing buildings.

A previous cultural resources survey of the property, completed by ASM Affiliates (ASM), included a records search to identify previously recorded cultural resources within or adjacent to the property, a field survey, photodocumentation of the existing buildings, and preliminary research to determine the age of the buildings (Ní Ghabhláin 2004). This study determined that there were no previously recorded cultural resources on the project property and that the existing buildings were constructed in 1941. Under the California Environmental Quality Act (CEQA), resources over 50 years old are considered eligible to the California Register of Historic Resources. The City of Oceanside has a similar threshold for eligibility to their historic register. Consequently, a formal evaluation of California and Local Register eligibility was recommended for the buildings present on the project parcels.

FIELD METHODS

Each of the buildings was examined by Dr. Sinéad Ní Ghabhláin, ASM Senior Archaeologist, on June 28, 2004. Detailed notes were made regarding the style of construction, ground plan, features and integrity of each of the buildings. Photographs were taken of each building elevation, to the extent that access was available.

ARCHIVAL METHODS

Copies of the Sanborn Fire Insurance maps for Oceanside were obtained online. These maps document construction of both domestic and commercial buildings within the City between the years 1886 and 1925. Real estate information for the property was also downloaded from Realquest.com. This information provided a date of construction for the buildings of 1941.

A cultural resources survey of Oceanside, completed in 1993, was consulted at the Oceanside Library (Flanigan et al. 1993). This study provided an evaluation of buildings constructed prior to 1940 in Oceanside, so did not include an evaluation of any of the buildings in the project property.



Figure 1. Regional project location.

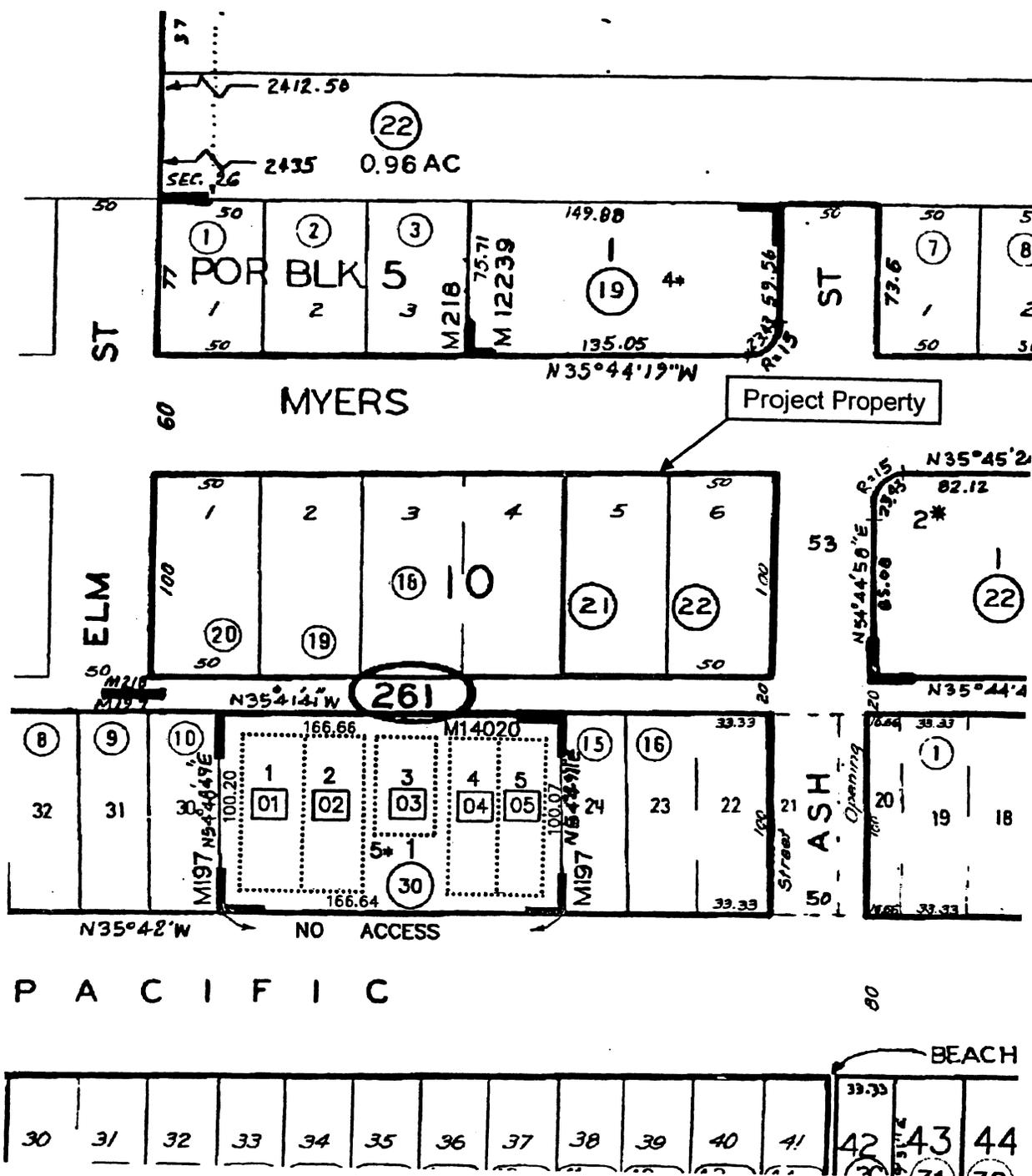


Figure 2. County Assessor's parcel map showing the location of parcels 150-261-21 and 150-261-22.

Becky Kiely of Chain Tech, Inc., completed a title search for the project parcels extending back to 1917. This study provided the names of all previous owners of the property. Results are provided in Appendix B. Kristi Hawthorne, president of the Oceanside Historical Society and author of a history of Oceanside (Hawthorne 2000), and John Daley, Oceanside Historic Preservation Commissioner, were interviewed by phone for information regarding the property. Ms. Hawthorne subsequently conducted a search of her extensive database developed from city directories, newspaper articles, obituaries and census records for information regarding the individuals associated with the property. The results of her research are included in this report and detailed results are provided in Appendix B.

A search for Real Estate Appraisal and Building Records for the project parcels was completed at the County Administration Sub Office in San Marcos. These records were unavailable as they had been transferred to the sales appraisal office and were not available to the public.

RECORDS SEARCH RESULTS

A records search was conducted at the South Coastal Information Center (SCIC), San Diego State University on June 15, 2004, for the initial assessment of the project parcels. A total of 18 historical resource studies have been completed within a one-mile radius of the project (Caltrans and Crafts 1991; Carillo 1982; Carrico and Ezell 1974; Crafts 1991; Cupples 1976; Duke 2002; Fink and Hightower 1979; Gallegos & Associates 1994; Kyle et al. 1993; Lauter 2003; Mitchell 1989; Ní Ghabhláin et al. 1999; Pigniolo et al. 1993; RECON 1979; Rosen 1984; Smith 1992; Wahoff and York 2003; Wade and Hector 1989). Three prehistoric sites and seven historic sites have been identified within one mile of the project property. No prehistoric or historic resources have been previously recorded within the project property.

The records search also included a listing of 229 previously recorded historic resources within one mile of the project property from the Geofinder database. The majority of these properties were listed as a result of an historic properties survey of Oceanside completed in 1993 (Flanigan et al. 1993). This survey is not included in the SCIC record search, but a copy on file at the Oceanside Library was consulted for this study. The buildings on the project property were not included in the 1993 historic properties survey, which evaluated buildings constructed prior to 1940, and they have not been previously recorded or evaluated. A copy of the records search results was provided with the cultural resources survey letter report (Ní Ghabhláin 2004).

2. HISTORICAL OVERVIEW

Although the earliest historical exploration of the San Diego area can be traced to 1542 with the arrival of the first Europeans, particularly the exploration of San Miguel Bay by Juan Rodriguez Cabrillo, the widely accepted start of the historical period is 1769 with the founding of the joint Mission San Diego de Alcalá and Royal Presidio. On July 20, 1769, Father Juan Crespí arrived in the San Luis Rey River Valley with Portolá expedition to Monterey. His report back to his superiors declaring it an ideal location for a mission led to the eventual founding of Mission San Luis Rey de Francia, the eighteenth California mission (Pourade 1961:115). The mission was formally dedicated June 13, 1798. Named for King Louis IX of France, this mission became known as the 'King of Missions' due to its size and success.

At the time of European contact, the San Luis Rey Valley was occupied by Shoshonean-speaking Indians, who were later named Luiseño after the mission. Luiseño territory encompassed an extensive 4,000-km² area from Agua Hedionda on the coast east to Lake Henshaw and extending north into Riverside County and west to San Juan Capistrano (Bean and Shipek 1978; Kroeber 1925; Rivers 1993). The Luiseño have been considered one of the more complexly organized Native California groups, with noteworthy characteristics including fairly rigid social structure and a moderately high population density (Bean and Shipek 1978). Maximum population estimates at Spanish contact range from 5,000 (Kroeber 1925) to 10,000 (White 1963). The effects of missionization, along with the introduction of European diseases greatly reduced the Native American population of southern California.

At its height San Luis Rey became one of the most populous and successful of the missions. In 1824, it had an Indian neophyte population of 3,000 and the extensive mission lands supported 1,500 horses, 2,800 sheep and 22,000 cattle (Pourade 1961:139).

Mexico won independence from Spain in 1821, and with it the process of dismantling of the mission system began to unfold. The 1833 Secularization Act passed by the Mexican Congress ordered half of all mission lands to be transferred to the Indians, and the other half to remain in trust and managed by an appointed administrator. These orders were never implemented due to several factors that conspired to prevent the Indians from regaining their patrimony. By 1835, the missions, including Mission San Luis Rey, were secularized. Mission San Luis Rey lands were parceled into six ranchos: Santa Margarita, Las Flores, Buena Vista, Agua Hedionda, Monserrate, and Guajome. The remaining lands of San Luis Rey were sold in 1846 to José Cota and José A. Pico by Pio Pico, Governor of California, and the Luiseño converts who had lived around the mission were removed to nearby Pala (Hawthorne 2000).

North of present-day Oceanside, Pio Pico and his brother Andreas received a grant of 133,441 acres from then Governor Alvarado. This rancho, known as Santa Margarita y Las Flores, is the present site of Camp Pendleton Marine Corps Base. In 1862, Pio Pico deeded Rancho Santa Margarita to his son-in-law Juan Forster in order to avoid bankruptcy. When Forster died 1882, Richard O'Neill of San Francisco purchased the Santa Margarita y Las Flores rancho for

\$250,000. He then sold half of the land to James C. Flood, one of the Comstock 'Silver Kings' (City of Oceanside 2004).

In the late 1860s and 1870s, settlers began to arrive in the San Luis Rey Valley. These settlers, who came from eastern states and a wide variety of European countries, raised dairy cattle, sheep and horses, grew barley and alfalfa, and maintained bee colonies. A small townsite began to grow adjacent to the San Luis Rey mission.

In 1880, the California Southern Railroad was formed to construct a rail line between San Diego and San Bernardino. By 1882, they had constructed 211 miles of track from National City to Fallbrook Junction, just north of Oceanside, and inland through Temecula Canyon and Colton and San Bernardino. The history of the City of Oceanside began in earnest in 1881 when Andrew Jackson Meyers, a store keeper in San Luis Rey, was granted a 160-acre homestead grant just south of Rancho Santa Margarita in what is now the City of Oceanside. Meyers was fortunate, because another valley resident Francis H. Whaley applied for the exact same homestead grant, but Meyers' application was opened first in Washington and Meyers was allotted the grant. Cave Johnson Coutts Jr. surveyed and mapped out a town site which was to become known as Oceanside. Coutts was a former land surveyor and one of the first engineers of the Southern Pacific Railroad in San Diego (Hawthorne 2000:31-33; Flanigan et al. 1993:2-4).

J. Chauncey Hayes handled the real estate for Meyers and lots sold quickly. By 1886, Oceanside had a population of 350 and by July 3, 1888, when Oceanside was incorporated, the population had grown to approximately 1,000. By then Oceanside was a boom town with a growing population. It boasted several impressive buildings including the South Pacific Hotel near Third and Pacific and the Bank of Oceanside on the corner of Second and Hill, an orchestra, opera house and a variety of businesses. A wharf company was founded in 1887 and a wharf was constructed in 1888 at the foot of Wisconsin. Oceanside also had a two-story school with three teachers, and several newspapers including the Oceanside Blade and Oceanside Headlight. South Oceanside was founded by J. Chauncey Hayes and a second school was built there. The first Oceanside wharf was destroyed by a storm during the winter of 1890 and 1891. The second pier, constructed at the location of the present pier, was the first of five piers constructed at that location in the City's history (Hawthorne 2000:31-38). On July 3, 1888, Oceanside voted for incorporation.

The railroad, which had played a key role in the founding of Oceanside, continued to play an important role in the future development of the City. The inland route that had opened in 1882 was prone to flooding, and by 1888, California Southern had built a coastal rail line north of Oceanside to Santa Ana and Fullerton, thereby linking San Diego directly to Los Angeles. Trains ferried thousands of prospective buyers to Oceanside in the boom years of the 1880s and its location on the main line between San Diego and Los Angeles continued to be key in the development of the town.

Oceanside's boom was short-lived, however. Like the rest of San Diego County, Oceanside experienced an unexpected bust as the real estate market, which had been fueled by land speculators who drove land prices up from \$10 an acre to over \$100, suddenly collapsed. Land

prices plummeted and the trainloads of speculators that had arrived daily in Oceanside disappeared. Between 1888 and 1920, the City had a net population increase of only 164 people (Wiersma and Taschner 1981).

The 1920s brought a renaissance for Oceanside, as local businessmen guided by the Chamber of Commerce, organized to attract new residents and businesses to the City. City boosters worked simultaneously on a number of fronts to ensure city development. Attracting visitors to the City was seen as key to its development. In addition to providing income to the City, visitors to Oceanside might decide to settle there if housing, infrastructure, and amenities were available. A tent city was constructed on the beach and the Chamber of Commerce agitated for the construction of housing in the City to accommodate visitors and new residents. The Chamber of Commerce raised money to begin construction of several houses. A Building and Loan Association was established to provide home loans. The city infrastructure was also improved, including the roads, sewers, and water supply. In 1923, most of the major city streets were paved. Access to Oceanside was improved by a number of important road projects including a road linking Oceanside to northern Imperial County. It was thought that this would attract visitors from the desert during the summer months. The City also embarked on an aggressive advertising campaign extolling the virtues of Oceanside. As a result of the planning, advertising and public improvements, the City of Oceanside prospered during the 1920s and the population grew from 1,164 in 1920 to 3,508 in 1930. The jewels in Oceanside's commercial development were the construction of the 650-seat Palomar Theater, completed in 1924, and the 1,224-ft.-long pier, the longest pier on the West Coast, which opened in July 1927 (Wiersma and Taschner 1981).

Oceanside suffered economic decline during the depression years, but its population continued to grow, from 3,500 in 1930 to 4,650 in 1940. A new fire and police station, designed by innovative architect Irving Gill, were constructed in 1930, followed in 1934 by a new Mission Revival-style City Hall, also designed by Gill. Oceanside High School was renovated by award-winning school architect Theodore Kistner in 1934 with funds provided by the Works Progress Administration. While the Chamber of Commerce continued to advertize Oceanside as a city "Where Life Is Worth Living," the high unemployment rates throughout the country curtailed vacation travel and the economy of Oceanside suffered (Flanigan et al. 1993: 2-11).

In February 1942, the government purchased the entire 125,000-acre Rancho Santa Margarita for \$4.15 million. The founding of Camp Pendleton just north of Oceanside, the largest Marine Corps Base in the nation, created a boom for the Oceanside economy and was the catalyst that transformed a small town into a modern city. Demand for housing and services within Oceanside also increased dramatically and the population of the city grew to 12,888 by 1950. Houses and apartment buildings were constructed in large numbers to accommodate the ever expanding population.

When the war years were over, tourism again became a key component in the economy of the city. When the old steel pier was damaged by a storm in 1943, the loss to the tourist industry was thought to be so severe that the people of Oceanside passed a bond \$200,000 bond issue to construct the longest pier (1,900 ft.) on the West Coast (Hawthorne 2000:137).

The economic growth of Oceanside over time has depended to a great extent on the presence of Camp Pendleton. The outbreak of the Korean War in the early 1950s ensured the growth of Camp Pendleton which was known as "The Gateway to Korea." The population of Oceanside doubled during the decade to 25,000 as military families settled in the city, increasing demand for services. In the first five years of the 1950s, Oceanside annexed 34 additional areas. The school population also grew rapidly. In the early 1960s, a bond issue was passed for the construction of Mira Costa College, a two-year college serving Oceanside and the surrounding areas. Oceanside experienced another boom in the 1960s and 1970s during the Vietnam War.

As Oceanside expanded to a total of 40.7 square miles and a population over 100,000 in the late 1980s, much of the development was taking place in suburban areas of the City and the downtown area experienced a decline. In 1985, the City of Oceanside began a redevelopment program. The aim of redevelopment has been to revitalize the downtown area, eliminate urban blight, promote development, create jobs, increase the tax base and develop a positive environment to attract both residents and visitors to the downtown (Flanigan et al. 1993:2-13). The redevelopment program has succeeded in revitalizing the downtown area. A new transit center was constructed in 1983, the pier, beach front and parks were refurbished, and a new Civic Center was completed in the late 1980s. In recent years the economy of Oceanside has diversified to include biotech and medtech industries, ensuring continued growth and prosperity.

3. RESULTS

There are four buildings present on the project property: houses at 521 and 523 South Myers and at 112 Ash Streets, and a garage at the rear of the lots. Each of the buildings is described below.

Lots 150-261-22 and -21 were originally a single lot (150-1261-17) and both lots are still fenced as a single lot. All of the buildings on this property are so similar in construction style and methods that they were clearly constructed at the same time. Information downloaded by RealQuest.com for 519 South Myers Street indicates that this house was constructed in 1941 and it can be assumed that all buildings were constructed at that time.

519 SOUTH MYERS STREET

The house at 519 South Myers Street is located in parcel number 150-261-21. This house is a modest one-story wood frame bungalow (Figure 3). It is end-gabled with a moderately pitched roof. The wooden siding consists of horizontal flush boards with tongue and groove joints. The front facade is asymmetrical, with an integral recessed porch located off center. The front door is located in the north wall of the porch. The windows are all original double hung sash windows with wooden frames (Figure 4). The window casements are molded with small wooden sills. The open, overhanging eaves have exposed rafters. The original wood shake roof has been replaced with composite roofing.



Figure 3. 519 South Myers Street, view of front elevation.



Figure 4. Detail of original windows, 519 South Myers Street.

Integrity of this house is good. It retains all of the original wooden windows and doors, and it appears to be in good condition overall.

523 SOUTH MYERS STREET

The house at 523 South Myers Street is located in parcel number 150-261-22. This house is a modest one-story wood frame bungalow (Figures 5-7). It is end-gabled with a moderately pitched roof. The wooden siding consists of horizontal flush boards with tongue and groove joints. The front facade is asymmetrical. There is an entry porch located on the south half of the front facade with a shed roof supported on paired plain square posts. The original wooden framed double hung sash windows have been replaced, but the replacement windows closely replicate the original windows. The original wooden window casements and sills have been retained. The open, overhanging eaves have exposed rafters.

Integrity of this building is good. Although the wood sash windows have been replaced, the replacement windows are in keeping with the character of the original windows. The original wood shake roof has been replaced with composite roofing.



Figure 5. View of front elevation, 523 South Myers Street.



Figure 6. South wall, 523 South Myers Street.



Figure 7. Rear of 523 South Myers Street.

112 ASH STREET

The house at 112 Ash is similar in design to the houses at 519 and 523 South Myers. It is also an end-gabled wood frame bungalow (Figures 8 and 9). The roof and siding are identical to the other two houses. This house is somewhat smaller. Distinguishing features include a gabled hood roof instead of a porch, and wooden shutters on the front windows. Like 523 South Myers, the original double hung wooden sashes have been replaced with similar windows. The original window casings have been retained.

Integrity of this building is good. Although the wood sash windows have been replaced, the replacement windows are in keeping with the original windows. The original wood shake roof has been replaced with composite roofing.

The garage at the rear of lot 150-261-21 is similar in design to the houses (Figure 10). It is also end-gabled with moderately pitched roof, overhanging eaves and wood siding. There are three doors, indicating that parking was provided for each of the three houses on the original lot. Access to the garage was provided by a door in the south wall. There are vents under the eaves in the north and south walls.



Figure 8. Front elevation of 112 Ash Street.



Figure 9. View of east wall, 112 Ash Street.



Figure 10. Garage at the rear of the property.

ARCHIVAL RESULTS

Becky Kiely of Chain Tech, Inc., conducted a chain of title search for the property to determine previous owners. Her research extended back to 1917. Details of the chain of title are provided in Appendix B.

Initially parcels 560-261-21 and 560-261-22 constituted a single parcel, 560-261-17. It was purchased in 1917 by Joseph Solari. In 1922, it was purchased by Marion Jean Eckford Le Bas. Marion was the wife of Charles C. Le Bas. They were natives of England who came to the United States in 1902. According to 1910 census records they were living in Santa Monica. Charles C. Le Bas was born about 1860 and Marion Jean Eckford Le Bas was born about 1878. They had one son, Harry Le Bas, born in 1899. Mr. Le Bas was the captain of a cricket team from Santa Monica who frequented Oceanside with his wife and son. Oceanside had a colony of English settlers in the 1880s who formed a tennis club and cricket club that was very active for decades. It appears through Oceanside newspaper articles that Mr. and Mrs. Le Bas were living in Oceanside as early as 1915.

Marion Jean Le Bas is listed in the 1927 Oceanside directory as living at 520 South Pacific Street, the property to the rear of the project parcel. By 1925, there was a small single-story house and a small garage on the project property at the corner of South Myers and Ash, facing onto Ash

Street (Sanborn 1925). As the house on South Pacific is larger, it is likely that the Le Bas' rented out the smaller house on the project parcel and never lived in it themselves. This smaller house had a porch extending across the width of the house. This house and garage do not match any of the existing houses on the lot in terms of size, orientation, or layout, and it would appear that they were demolished or moved prior to 1941 when the present buildings were constructed. Charles and Marion Le Bas are buried in the All Saint's Episcopal Church Cemetery in the San Luis Rey Valley (see Appendix B for additional details of the Le Bas family, in addition to a list of sources).

The Le Bas' sold the property in September 1925 to Edward H. Royce. Mr. Royce was a native of Wisconsin, born about 1850. According to the census of 1930, he was living in Pasadena with his wife Bertha M. Royce. Edward and Bertha Royce may have purchased the property as a weekend/summer residence, as was common in this area of Oceanside. There is no record of their having permanent residency in Oceanside. Following the death of Edward Royce, title of the property passed to Bertha in June 1935.

In January 1941, Bertha Royce sold the property to Raymond Caldwell. Raymond Albert Caldwell was a resident of San Bernardino, California. He was born July 7, 1914, and died March 17, 1979. Property Appraisal records indicate that the existing buildings were constructed in 1941, likely by Raymond Caldwell. As Caldwell was a resident of San Bernardino, it is likely that he maintained the property as a rental property and possibly also as a vacation home. According to the 1955-56 Oceanside Criss Cross Street Address Directory, 519 South Myers was occupied by D. T. Hoxsey and 523 South Myers was occupied by Mrs. A. E. Wagner.

Raymond Caldwell retained ownership for over 20 years and sold the property in June of 1962 to Lawrence H. McKellar. Mr. McKellar was a native of Kansas, born in November 25, 1907, and died in Oceanside on October 10, 1984. According to his obituary, he came to Oceanside in 1961 and was a retail grocer. His survivors included a daughter, Beverly Bliss, and a son, Lawrence R. McKellar. According to the 1981 Haines Directory, he was at that time living in Oceanside at 4400 Mission Road.

In December 1969, McKellar sold to Michael Bliss. Bliss was probably the son-in-law of Lawrence H. McKellar and married to his daughter, Beverly. Michael Bliss was living at 4400 Mission Road in Oceanside, according to the 1981 Haines Directory. In December 1969, Bliss sold to Angel Wake et al. Between 1969 and the present, the property changed hands 17 times (see Appendix B).

4. EVALUATION

EVALUATION CRITERIA

As of October 26, 1998, revised guidelines for the evaluation of archaeological and historical resources under the California Environmental Quality Act (CEQA) have been finalized by the State of California. They replace the old Appendix K and now more closely parallel the evaluation criteria of the National Historic Preservation Act (36 CFR 800). Under these new state guidelines, recommendations are provided below for significance and eligibility for the California Register of Historic Resources.

These significance assessments are addressed with consideration towards compliance with the CEQA final guidelines:

Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4852) including the following:

- A Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- B Is associated with the lives of persons important in our past;
- C Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- D Has yielded, or may be likely to yield, information important in prehistory or history [California Environmental Quality Act, as amended 1998, Section 15064.5.a3].

The basic age criterion for historic resources under Public Resource Code 5024 of the CEQA is 50 years.

In addition to meeting one of the significance criteria, the historic resource must retain sufficient integrity to convey its significance, in order to be eligible for listing in the California Register. This register recognizes seven elements of integrity: location, design, setting, materials, workmanship, feeling, and association.

In August 14, 2002, the San Diego County Board of Supervisors approved the creation of a San Diego County Local Register of Historical Resources under Ordinance Number 9493. This ordinance which became effective on September 14, 2002, establishes a Local Register of Historical Resources for the County of San Diego, henceforth known as the Local Register. The criteria for listing historical resources in the Local Register are consistent with those developed by the Office of Historic Preservation (OHP) for listing resources in the California Register, but have been modified for local use in order to include a range of historical resources which specifically reflect the history and prehistory of San Diego County. Only resources that meet the criteria set out below may be listed or formally determined eligible for listing to the Local Register.

An historical resource must be significant at the local level under one or more of the following four criteria:

- (1) Is associated with events that have made a significant contribution to the broad patterns of San Diego County's history and cultural heritage;
- (2) Is associated with the lives of persons important to the history of San Diego County or its communities;
- (3) Embodies the distinctive characteristics of a type, period, San Diego County region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- (4) Has yielded or may be likely to yield, information important in prehistory or history (San Diego County Administrative Code Ordinance 9493, Section 396.7).

Integrity of the resource must also be assessed in an evaluation of a resource to the County of San Diego Historic Resources Register:

Integrity is the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Historical resources eligible for listing in the Local Register must meet one of the criteria of significance described in Section V(b), above, and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Historical resources that have been preserved, rehabilitated, or restored according to the guidelines approved by the Secretary of Interior may also be evaluated for listing.

Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association. It must also be judged with reference to the particular criteria under which a resource is proposed for eligibility. Alterations over time to a resource or changes in its use may themselves have historical, cultural, or architectural significance [San Diego County Administrative Code Ordinance 9493, Section 396.7].

Generally historic resources over 50 years old may be considered eligible to the Local Register. A resource less than 50 years old may be considered for listing in the Local Register if it can be determined that sufficient time has passed to understand its historical importance.

SUMMARY AND RECOMMENDATIONS

The houses at 519 and 523 South Myers Street and 112 Ash Street were constructed in 1941 during a time in which Oceanside was experiencing a housing boom as a result of the wartime expansion of Camp Pendleton. During this time there was an increased demand for housing and the construction industry responded with the construction of small single-family houses and apartment buildings. The three single-family houses on the property were likely constructed by Raymond Caldwell, a resident of San Bernardino, as rental property. All three houses and the garage are of similar design and materials and were constructed at one time on the double-sized lot. It appears that Caldwell rented out the houses for over 20 years.

The houses retain good integrity of location, design, setting, materials, workmanship, feeling, and association. There have been some changes to the fabric of the houses, notably new windows at 523 South Myers and 112 Ash and new roofing. These changes have not altered the basic design of the buildings, however. The landscaping of the double lot has remained intact with wooden fencing surrounding the two lots.

The houses on the property are not known to be associated with significant historical events or people important to the history of San Diego County or the Oceanside community. The most prominent property owners were Marion Jean Eckford Le Bas and Charles Le Bas, the captain of the Oceanside cricket team in the 1910s and 1920s. The Le Bas' owned the property before the present buildings were constructed and it is likely that they never actually lived on the property as they owned a larger house on South Pacific Street. None of the houses is therefore eligible for the California Register under criteria A or B or the Local Register under criteria 1 or 2. Neither are they eligible for their research potential (criteria D and 4) which is not generally applicable to buildings and structures.

As standard wood framed bungalows, with no decorative features or distinctive design elements, they are typical of modest residential buildings of the 1940s, but they can not be said to 'embody distinctive characteristics of a type, period, region or method of construction.' They are therefore not eligible under criteria C and 3.

The houses at 519 South Myers Street, 523 South Myers Street, 112 Ash Street, and the garage at the rear of the lots are therefore not recommended eligible to the California Register or to the Local Register.

ITC-SB

RECORDING REQUESTED BY

11598

DOC # 2003-1271788

OCT 16, 2003 11:36 AM

AND WHEN RECORDED MAIL TO:
BLUFF HOMES, LLC

c/o Charles R. Beers

PO Box 30573
Long Beach, CA 90853

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 1082.50
DC: DC



PU
28
11

Space Above This Line for Recorder's Use Only
A.P.N.: 150-261-21 / 150-261-22 Order No.: 14000344 Escrow No.: 0335751-08

GRANT DEED

RECEIVED
JUL 26 2004
Planning Department

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS: COUNTY \$1,072.50
[X] computed on full value of property conveyed, or
[] computed on full value less value of liens or encumbrances remaining at time of sale,
unincorporated area: [X] City of Oceanside, and

FOR A VALUABLE CONSIDERATION, Receipt of which is hereby acknowledged,

Mary E. Lapadat, Trustee of the Decedant's Trust of the Lapadat Family Trust dated September 25, 1991

hereby GRANT(S) to BLUFF HOMES, LLC

the following described property in the City of Oceanside, County of San Diego State of California;

Lot 5 and 6, in Block 10 of Tyson's Addition, according to Map thereof No. 218, filed in the office of the County Recorder of said County Recorder October 26, 1885.

Commonly Known as: 112 Ash, 519 & 523 So. Myers, Oceanside, CA 92054

SIGNATURES & NOTARY ATTACHED HERETO AND MADE A PART HEREOF

