ITEM NO. 20

STAFF REPORT

CITY OF OCEANSIDE

DATE: January 10, 2007

TO: Chairman and Members of the Community Development Commission

FROM: Economic Development and Redevelopment Department

SUBJECT: **CONSIDERATION OF A RESOLUTION APPROVING TENTATIVE PARCEL MAP (P-203-06), DEVELOPMENT PLAN (D-206-06), VARIATION (V-206-06) AND REGULAR COASTAL PERMIT (RC-208-06) FOR THE CONSTRUCTION OF THREE SINGLE-FAMILY RESIDENCES LOCATED AT 212-216 WINDWARD WAY – APPLICANT: PACIFIC WINDWARD VENTURES**

SYNOPSIS

The item under consideration is a Tentative Parcel Map, Development Plan, Variation and Regular Coastal Permit for the construction of three single-family residences located at 212-216 Windward Way. Staff is recommending that the Commission approve the project and adopt the resolution as attached.

BACKGROUND

The subject site consists of three pre-existing legal parcels totaling 10,628 square feet in size that was part of the original A.J. Myers Addition subdivision of 1885. The subject site currently maintains two buildings (3 units) situated on three lots which will be demolished as part of the development of this project.

The subject site topography is flat, with just over one-foot grade differential between the highest and lowest points of the site.

The subject site is situated within the North Myers/Pacific Street corridor neighborhood, which consists of old apartment buildings interspersed with new single-family and condominium units. The City's public parking lot is located east of the subject site and the railroad tracks are located east of the parking lot.

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 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. The project proposes a density of 12.3 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

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

Tentative Map and Development Plan: The project proposes a three-unit single-family residential development with the units ranging in size from 3,043 to 3,507 square feet to be situated on three lots that range in size from 2,673 to 4,915 square feet. The project's height is 35 feet (3 stories), however there are architectural projections which are 43 feet high and represent approximately 7.5 percent of the ground floor. The proposed project is a Mediterranean design as evident by the smooth stucco finish and tile roof.

Subdistrict 5 requires that a minimum of 25 percent of the site be landscaped. The project proposes that approximately 25 percent of the subject site is landscaped. The project proposes Mexican Fan Palm and African Tulip trees, shrubs include Fortnight Lily and Indian Hawthorne and groundcover consists of turf and Star Jasmine.

Vehicular access to the units will be from the alley located at the western portion of the subject site. Pedestrian access will be provided from the alley and Windward Way.

The overall project density is 12.3 dwelling units per acre. Outlined below is the residential unit breakdown:

Plan Type	Sq.Ft.	Bedrms.	Baths	Units
Plan 1	3,043	3	3	1
Plan 2	3,202	3	3.5	1
Plan 3	3,507	3	3	1
			Total	3

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 Side Corner Side Rear	 10 feet 3 feet 10 feet 5 feet	 10 feet 3 feet 10 feet 5 feet
LANDSCAPING	25%	25%
PARKING	6 spaces	6 spaces
BUILDING HEIGHT	35 feet	35 feet
DENSITY	43 du. Ac.(Maximum)	12.3 du. Ac.

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.

Variation: The Variation is required for the lot configuration.

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.

The 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 an 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 older apartments interspersed with some newer condominium development. Staff believes that the proposed three single-family residences are consistent with the surrounding neighborhood, especially with the newer single-family residences that are located within the surrounding neighborhood.

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 on 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. The project provides a 10-foot front yard setback which exceeds the setbacks for existing development located within the surrounding neighborhood. Staff also evaluated the proposed residence and its effect on public coastal views. Staff was concerned with potential public view blockage along Windward Way from the surrounding residences. The project provides a 10-foot front yard setback and the subject site is also located adjacent to the City's public parking lot as well as the railroad tracks, therefore, potential view blockage along Windward Way is minimal from the surrounding residences.

The Variation is required due to the lot configuration. The project proposes less than 5,000-square-foot lots which are allowed provided that alley access is available for all the lots. The proposed project has alley access, however, due to the lot configuration, not all of the lots have direct alley access. Vehicular access is provided from an access easement via the alley which services all three lots. Staff supports the Variation because the existing lot configuration is not the standard 50 X 100 foot lot size which the Zoning Ordinance development standards are based on and therefore this is considered an unusual circumstance that does not readily apply to the surrounding lots.

In conclusion, staff believes that the project meets the intent of the Redevelopment Plan and 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 is consistent with the quality of design of the newer residences located along the North Pacific/Myers Streets corridor. The proposed project is also consistent with the goals and the land use policies of the Local Coastal Plan.

COMMISSION OR COMMITTEE REPORTS

The Redevelopment Design Review Committee (RDRC) reviewed the project at its November 30, 2006, meeting and approved the project on a 3-0 vote.

The Redevelopment Advisory Committee (RAC) reviewed the project at its December 11, 2006, meeting. The RAC approved the project.

FISCAL IMPACT

The proposed project will add approximately $30,000 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 Parcel Map (P-203-06), Development Plan (D-206-06), Variation (V-206-06) and Regular Coastal Permit (RC-208-06) for the construction of three single-family residences located at 212-216 Windward Way.

PREPARED BY:

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REVIEWED BY:

Michelle Skaggs Lawrence, Interim Deputy City Manager
Kathy Baker, Redevelopment 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. 07-

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE APPROVING A TENTATIVE PARCEL MAP, DEVELOPMENT PLAN, VARIATION AND REGULAR COASTAL PERMIT FOR THE CONSTRUCTION OF 3-SINGLE FAMILY RESIDENCES LOCATED AT 212-216 WINDWARD WAY – APPLICANT: PACIFIC WINDWARD VENTURES

WHEREAS, on January 10, 2007, the Community Development Commission held its duly noticed public hearing, considered an application for a Tentative Parcel Map (P-203-06), Development Plan (D-206-06), Variation (V-206-06) and Regular Coastal Permit (RC-208-06) for the construction of three single-family residences located at 212-216 Windward Way.

WHEREAS, the Redevelopment Design Review Committee (RDRC) of the City of Oceanside did, on December 8, 2006, review and recommend approval of Tentative Parcel Map (P-203-06), Development Plan (D-206-06), Variation (V-206-06) and Regular Coastal Permit (RC-208-06);

WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of Oceanside did, on December 11, 2006, review and recommend approval of Tentative Parcel Map (P-203-06), Development Plan (D-206-06), Variation (V-206-06) and Regular Coastal Permit (RC-208-06);

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, a Categorical Exemption was prepared by the Resource Officer of the City of Oceanside for this application pursuant to the California Environmental Quality Act (CEQA) 1970 and the State Guidelines implementing the Act. Pursuant to Section 15332 of the CEQA guidelines 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:

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 05-R0628-1	$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 05-R0628-1	$2,843 per acre
Public Facility Fee	Ordinance No. 91-09 Resolution No. 05-R0628-1	$2,072 per unit
School Facilities Mitigation Fee	Ordinance No. 91-34	$2.63 per square foot
Traffic Signal Fee	Ordinance No. 87-19	$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01	$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically $3,746 per unit;
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on meter size. Residential is typically $4,587 per unit;
San Diego County Water	SDCWA Ordinance No.	Based on meter size.

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Authority Capacity Fees	2005-03	Residential is typically $4,154 per unit

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

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

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

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

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

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

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 10,628 square foot site is physically suitable to allow for the development of three single family residences.

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

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

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

For the Development Plan:

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

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

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

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

5. The location of the three single family residences and proposed conditions under which this use will be operated or maintained will be consistent with the General Plan and will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use and will not be detrimental to properties or improvements in the vicinity or the general welfare of the City.

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

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 in that the project does not impact public coastal views.

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 by providing a 10 foot front yard setback.

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. The subject site is located east of North Pacific Street, therefore, the proposed project will not obstruct and/or block any existing and/or proposed public beach access.

Variation for the Lot Configuration:

1. The application of certain regulations and development standards would result in practical difficulties inconsistent with the intent of the Redevelopment Plan. Due to the existing lot configuration, not all of the lots have direct access to the alley as required for small lot development (less than 5,000 square feet in size). Vehicular access is provided from an access easement via the alley which services all three lots.

2. The exceptional circumstance or uniqueness of this particular property is the lot configuration does not apply to other similar properties with the standard 50 X 100 foot lot size located within the same Subdistrict 5 residential zone.

3. Permitting the Variation will not be materially detrimental to the public welfare or injurious to other properties or improvements within the same Subdistrict 5 residential zone.

4. Permitting the Variation will not be contrary to the objectives and goals of the Redevelopment Plan.

SECTION 1. That Tentative Parcel Map (P-203-06), Development Plan (D-207-06), Variation (V-206-06) and Regular Coastal Permit (RC-208-06) are hereby approved subject to the following conditions:

Building:

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

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

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

submittal for building plan review.

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

5. Compliance with the Federal Clean Water Act must be demonstrated on the plans.

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

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

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

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

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

9. Documentation of properly recorded easements (for access and utilities) is required for plan check review of building projects on panhandle lots.

Engineering:

10. If the project involves demolition of an existing structures or surface improvements, the grading plans shall be submitted and erosion control plans be approved by

the City Engineer and/or Public Works Director prior to the issuance of a demolition permit. No demolition shall be permitted without an approved erosion control plan.

11. Vehicular access rights to Windward Way shall be relinquished to the City of Oceanside from all abutting lots.

12. Design and construction of all improvements shall be in accordance with standard plans, specifications of the City of Oceanside and subject to approval by the City Engineer and/or Public Works Director.

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

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

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

16. Where proposed off-site improvements, including but not limited to slopes, public utility facilities, and drainage facilities, are to be constructed, the applicant shall, at his own expense, obtain all necessary easements or other interests in real property and shall dedicate the same to the City of Oceanside as required. The applicant shall provide documentary proof satisfactory to the City of Oceanside that such easements or other interest in real property have been obtained prior to issuance of any grading, building or improvement permit for the development/project. Additionally, the City of Oceanside, may at its sole discretion, require that the applicant obtain at his sole 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.

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

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

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

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

b) All grading and related site preparation and construction activities shall be limited to the hours of 7 AM to 6 PM, Monday through Friday. No engineering related construction activities shall be conducted on Saturdays, Sundays or legal holidays unless written permission is granted by the City Engineer and/or Public Works Director with specific limitations to the working hours and types of permitted operations. All on-site construction staging areas shall be as far as possible (minimum 100 feet) from any existing residential development. Because construction noise may still be intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity."

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

d) A haul route shall be obtained at least 7 days prior the start of hauling operations and must be approved by the City Engineer and/or Public Works Director. Hauling operations shall be 8:00 A.M. to 3:30 P.M. unless approved otherwise.

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

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

22. Windward Way along the project frontage shall be improved with curbs, gutters and sidewalk to match the existing street.

23. Windward Way along the project frontage shall provide a minimum of 10 feet parkway between the face of curb and the right of way line. Sidewalk improvements shall comply with ADA requirements.

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

25. Streetlights shall be maintained and installed on all public streets per City Standards. The system shall provide uniform lighting, and be secured prior to occupancy. The developer shall pay all applicable fees, energy charges, and/or assessments associated with City-owned (LS-2 rate schedule) streetlights and shall also agree to the formulation of, or the annexation

to, any appropriate street lighting district.

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

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

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

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

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

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

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

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

34. 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 necessary measures shall be taken and implemented to assure slope stability, erosion control, and soil integrity. No grading shall occur until a detailed grading plan, to be prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by the City Engineer and/or Public Works Director.

35. This project shall provide year-round erosion control including measures for the site required for the phasing of grading. Prior to the issuance of grading permit, an erosion control plan, designed for all proposed stages of construction, shall be reviewed, secured by the applicant with cash securities and approved by the City Engineer and/or Public Works Director.

36. A precise grading and private improvement plan shall be prepared, reviewed, secured and approved prior to the issuance of any building permits. The plan shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage, footprints of all structures, walls, drainage devices and utility services.

37. Landscaping plans, including plans for the construction of walls, fences or other structures at or near intersections, must conform to intersection sight distance requirements. Landscape and irrigation plans shall be approved by the City Engineer and/or Public Works Director prior to the issuance of occupancy permits, and a pre-construction meeting held, prior to the start of any improvements.

38. The proposed access, drainage and utility easement on lot 3 for the benefit of lots 1 2 and 3 shall be maintained by the owners of Lot No.'s 1, 2 and 3 which pursuant to a Maintenance Agreement (MA) will insure maintenance in perpetuity. The easement area shall be indicated on the final map. Maintenance obligations shall be specified in the MA, which will be subject to the review and approval of the City Attorney prior to approval of the parcel map. Future buyers shall be made aware of the MA and any estimated monthly costs or outstanding obligations with regard to maintenance or access. The MA shall be submitted to the City Engineer and/or Public Works Director for review and approval prior to the recordation of final map.

39. The drainage design on the project is conceptual only. The final design shall be based upon a hydrologic/hydraulic study to be approved by the City Engineer and/or Public Works Director during final engineering. All drainage picked up in an underground system shall remain underground until it is discharged into an approved channel, or as otherwise approved by the City Engineer and/or Public Works Director. All public storm drains shall be shown on City 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.

40. 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 storm water discharge either off-site or into the City drainage system.

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

42. The private access driveway including private utilities to serve all the parcels as shown on the approved tentative parcel map shall be constructed prior to, or concurrent with, the first building permit.

43. Full width public alley improvements including the installation of a longitudinal concrete alley gutter shall be constructed in accordance with the standard plans and specifications of the City of Oceanside and as approved by the Public Works Director.

Fire:

44. Fire Department Requirements shall be placed on plans in the notes section.

45. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the site plan.

46. Smoke detectors are required and detector locations shall be indicated on the plans.

47. In accordance with the California Fire Code Sec. 901.4.4, City approved addresses for residential occupancies shall be placed on the structure in such a position as to be plainly visible and legible from the street or roadway fronting the property. Numbers shall be contrasting with their background.

48. Single family dwellings require 4 inch address numbers.

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

50. Buildings shall meet Oceanside Fire Departments current codes at the time of building permit application.

Planning:

51. This Tentative Parcel Map (P-203-06), Development Plan (D-206-06), Variation (V-206-06) and Regular Coastal Permit (RC-208-06) shall expire on January 10, 2009, unless implemented as required by the Zoning Ordinance.

52. This Tentative Parcel Map, Development Plan, Variation and Regular Coastal Permit approves only the construction of three single family residential units project as shown on the plans and exhibits presented to the Community Development Commission for review and approval. No deviation from these approved plans and exhibits shall occur without Planning Department approval. Substantial deviations shall require a revision to the Tentative Parcel Map, Development Plan, Variation and Regular Coastal Permit or a new Tentative Parcel Map, Development Plan, Variation and Regular Coastal Permit.

53. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Tentative Parcel Map (P-203-06), Development Plan (D-206-06), Variation (V-206-06) and Regular Coastal Permit (RC-208-06). The City will promptly notify the applicant of any such claim, action or proceeding against the City and will

cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

54. 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.

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

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

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

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

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

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

conditions of approval.

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

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

63. Failure to meet any conditions of approval for this development shall constitute a violation of the Tentative Parcel Map (P-203-06), Development Plan (D-206-06), Variation (V-206-06) and Regular Coastal Permit (RC-208-06).

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

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

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

67. The following unit type and floor plan mix, as approved by the Community

Development Commission shall be indicated on plans submitted to the Building Division and Planning Division for building permit:

	Sq.Ft.	# Bedrms	# Baths	# Units	%
Plan 1	3,043	3	3	1	33.3
Plan 2	3,202	3	3.5	1	33.3
Plan 3	3,507	3	3	1	33.3

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

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

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

71. A private Maintenance Agreement (MA) shall provide for the maintenance of the private driveway easement and adjacent parkways and shall be recorded against each of the three properties created by this parcel map prior to recordation of the Final Map. The maintenance shall include normal care and irrigation of landscaping, repair and replacement of plant material and irrigation systems as necessary; and general cleanup of the parkway and private driveway easement. The MA shall be subject to the review and approval of the City Attorney prior to the approval of the final map. The MA is required to be recorded prior to or concurrently with the final map. Any amendments to the MA in which the owners relinquish responsibility for the maintenance of any common open space shall not be permitted without the prior written approval of the City of Oceanside. Such a clause shall be included in the MA. The MA shall also contain provisions for the following:

a) Prohibition against parking or storage of recreational vehicles, trailers, or boats.

b) Maintenance of all common areas, parkway, and on-site and frontage

landscaping.

Water Utilities:

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

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

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

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

76. The developer shall construct a public reclamation water system that will serve the project site in accordance with the City of Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located in the public right-of-way or in a public utility easement.

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

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

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

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

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//////////////////

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

PASSED AND ADOPTED by the Oceanside Community Development Commission of the City of Oceanside this ___day of _____ 2007 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
Chairman

ATTEST:

_____
Secretary

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

by _____
General Counsel

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:
WINDWARD WAY

PROJECT LOCATION - SPECIFIC:
212-216 Windward Way

PROJECT LOCATION - GENERAL:
Pacific and Windward
City of Oceanside

PARCEL MAP (P-203-06)
DEVELOPMENT PLAN (D-206-06)
VARIATION (V-202-06)
REGULARCOASTALPERMIT(RC-208-06)

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:
PARCEL MAP (P-203-06), DEVELOPMENT PLAN (D-206-06), VARIATION (V-206-06) AND REGULAR COASTAL PERMIT (RC-208-06) for the construction of 3 single family residences located at 212-216 Windward Way.

NAME OF PUBLIC AGENCY APPROVING PROJECT:
City of Oceanside
NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:

Paul Longton
2909 Mesa Drive
Oceanside, CA 92054
(760) 722-4904

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

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

_**STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)**

X **CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION 15332(b)**

REASONS WHY PROJECT IS EXEMPT:
The project proposes three single family residences. The project is located on a less than 5-acres site within an urbanized area.

Contact Person: Shan Babick, Associate Planner

November 9, 2006
SIGNATURE DATE
For: Jerry Hittleman, Interim City Planning

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD
Page 3 of 3

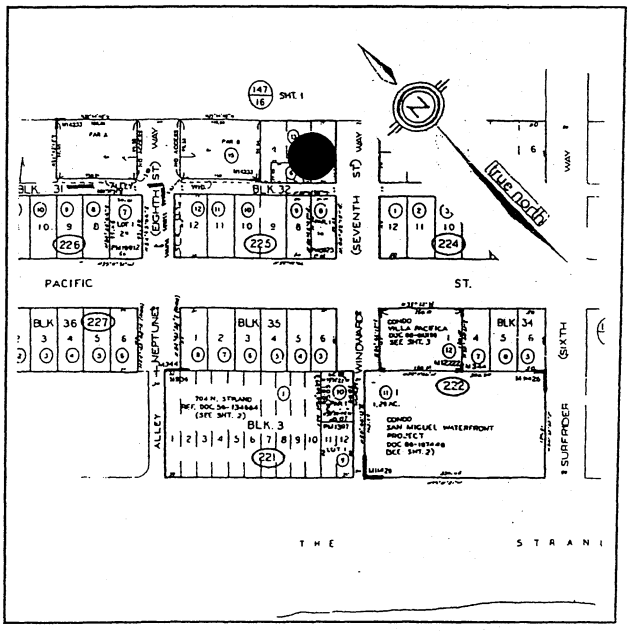
Primary # [redacted]
HRI#
Trinomial
*NRHP Status Code 6Z
*Resource Name or # (Assigned by recorder) 212 Windward Way

B1. Historic Name: F.R. and V.M. Harrison Property
B2. Common Name: Green Orchard Place, LLC Property
B3. Original Use: Single-family B4. Present Use Single-family
*B5. Architectural Style: Nondescript
*B6. Construction History: (Construction date, alternations, and date of alterations)
The house was constructed circa 1927 per the Residential Building Record (RBR), and title information corroborates this date.
*B7. Moved? ☒No ☐Yes ☐ Unknown Date: Original Location:
*B8. Related Features: None
B9a. Architect: None b. Builder: Unknown
*B10. Significance: Theme: residential development Area Oceanside, California
Period of Significance 1900 to 1960 Property Type Single-family Applicable Criteria N/A
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.) The resource is located in the A.J. Myers Addition, Oceanside's earliest subdivision. The subject property probably was purchased shortly after the initial land boom of 1887-1890, possibly from Myer's agent, J. Chauncey Hayes. This transaction, however, is not recorded on the chain of title. The subdivision, which includes the first Oceanside townsite, is near the Pacific Ocean and the history of the neighborhood was shaped by its proximity to the water, downtown Oceanside, and the railroad. Many of the earliest houses built on this block appear to have been intended as small owner-occupied residences or rental units. The immediate neighborhood has undergone substantial change largely in the post-World War II years. Numerous large condominium projects and apartment buildings now stand next to small cottages. The neighborhood is divided by the railroad easement along its eastern boundary.

Per the RBR, the subject resource is of average construction quality and workmanship. The building likely would have functioned as a beach home or rental. The resource is not associated with any known significant historic event or events. While the property was owned by prominent local individuals (Mebach family), none are directly associated with the subject resource. The building's design is not architecturally important and it does not represent the work of a master architect or craftsman. The building is not constructed of rare or unique materials and is unlikely to yield important information relevant to local, state or national history. It was constructed on its present site and therefore retains its locational integrity. Its basic feeling and association are intact, but its design integrity has been somewhat compromised by a shed roof addition. The setting, initially small-scale residential, has been altered by the addition of multi-storied, large scale condominiums and apartments in the neighborhood.

The resource is not eligible for nomination for listing in the National Register of Historic Places or the California Register of Historical Resources. Similarly, it does not qualify for nomination to the local register.

B11. Additional Resource Attributes: (List attributes and codes) None
*B12. References: Hawthorne, K., *Oceanside, Where Life is Worth Living*, 2000. Donning Company Publishers, Virginia Beach, Virginia; McAlester, V. and L, A Field Guide to American Houses, 2000. Alfred A. Knopf, New York
B13. Remarks:
*B14. Evaluator: Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131
*Date of Evaluation: 4/04/06



(This space reserved for official comments.)

Two resources are located on this property - the single family residence located at 212 Windward Way, and the duplex, 214-216 Windward Way located to the east. The duplex, originally a single family house, was the first building constructed. Windward Way was formerly known as Seventh Street.

According to the chain of title, in June, 1909, siblings Mary Katherine McKay, Lizzetta Pieper, and Frank Mebach, who had acquired title from their mother Catherine Mebach's estate, deeded the property to their younger brother William Mebach and his wife Emma. The Mebach family was well-known in Oceanside, arriving in Oceanside about 1890. Mary Katherine was married to store owner and real estate investor George McKay and was herself involved in many land transactions. Lizzetta Pieper was the wife of Melchior Pieper, the owner of the South Pacific Hotel, and her brother Frank Mebach was the proprietor of the Oceanside bowling alley.

Will and Emma Mebach retained ownership of the property for the next 13 years and were probably responsible for the construction of the 214-216 Windward Way building. In May, 1922, William E. Skelley acquired the property from the Mebachs. About four years later, he and his wife Bessie sold it to F.R. and V.M. Harrison, husband and wife, in July, 1926. The house at 212 Windward Way was likely constructed on the property shortly after the purchase. The houses were used as rentals during this periods, with tenants including Marvin Winans (1937) and Willard Robinette (1938). Long-term owners, the Harrisons held title until selling the houses to S.M. and Elizabeth Strong in May, 1944. The Strongs owned the property for only four months before selling it to Fordyce Warner Rhoades and Susan Smart Rhoades in September, 1944. About 1947, the older of the two houses, formerly 216 Windward Way, was converted to a duplex by dividing the building in half to create two separate units. The property remained in the Rhoades family until 1955, passing to son Porter T. Rhoades in 1951. Tenants during this period included Mrs. N.I. Beckham (1945) and George Narbit (1948).

Maurice Thompson bought the property in July, 1955 and continued the use of the houses as rentals. Tenants included Gary Olson (1955-56) and B.A. Olvarez (1955-56). In March, 1957, Thompson sold the property to Elmo and Elsie Fries, who held title until August, 1969, the houses were deeded to Carroll Benson. Benson and his wife Jayne sold the property to Christopher Voightlander in March, 1974, and Voightlander, in turn, sold the property to Meta B. Van Doren in October, 1976.

Patsy Janelle Williams acquired title from Van Doren's estate in January, 1997. The current owner, Green Orchard Place, LLC, took ownership from Williams in September, 2005.

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

PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code 6Z

Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 3 *Resource Name or #: (Assigned by recorder) 212 Windward Way

*P1. Other Identifier: F.R. and V.M. Harrison Property

*P2. Location: ☐ Not for Publication ☒ Unrestricted * a. County: San Diego

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

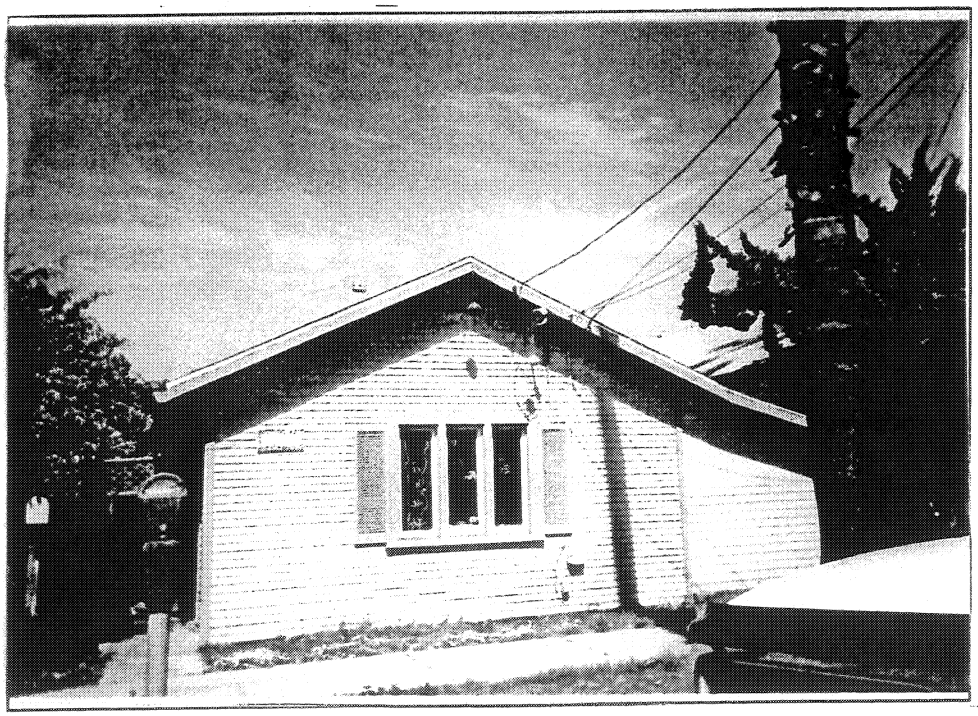
*b. USGS 7.5' Quad Oceanside Date: 1975 T11S R 5W; ¼ of ¼ of Sec; B.M.: SB

c. Address: 212 Windward Way City: Oceanside Zip: 92054

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

e. Other Locational Data (e.g., parcel #, directions to resource, elevation, etc., as appropriate): APN: 143-225-13; Lots 4, 5, and 6, Block 32 of the A.J. Myers Addition

*P3a. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries): The resource is sited lengthwise on the property. The majority of the building is obscured behind a wood and lattice fence, with only the south end and east facade clearly visible. The resource consists of a very small (approximately 500 sq ft), rectangular, one story, wood frame, shiplap-clad house of nondescript design, with a medium pitched end gabled roof covered by composition shingles. The west-facing front facade is asymmetrical and the house rests on a low concrete foundation. The open eaves have exposed rafters and project narrowly over the walls. A horizontal louvered vent is present beneath the south gable end. Wood framed double casements windows with wide wood trim are present on the south and east facades; the south facing windows have wood shutters. Access is from the sidewalk to the single wood front door. A shed addition, located on the east facade, is clad with siding that doesn't match the main body of the house. The house is in fair condition.



*P3b. Resource Attributes: (List attributes and codes) HP2 - single-family residence

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

P5b. Description of Photo: (View, date, accession #) Facade looking north, 4/03/06, 1006:1

*P6. Date Constructed/Age and Source ☒ Historic ☐ Prehistoric ☐Both Constructed ca. 1927; Residential Building Record

*P7. Owner and Address: Green Orchard Place,LLC 1268 Green Orchard Place Encinitas, CA 92024

*P8. Recorded by (Name, affiliation, and address): Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131 *P9. Date Recorded: 4/04/06 *P10. Type of Survey: (Describe) Field Check *P11. Report Citation (Cite survey report and other sources, or enter "none".) None *Attachments: ☐NONE ☐Location Map ☐Sketch Map ☒Continuation Sheet ☒Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Resource Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

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

Primary # [redacted]
HRI# _____
Trinomial _____

Page 3 of 3 *NRHP Status Code 6Z

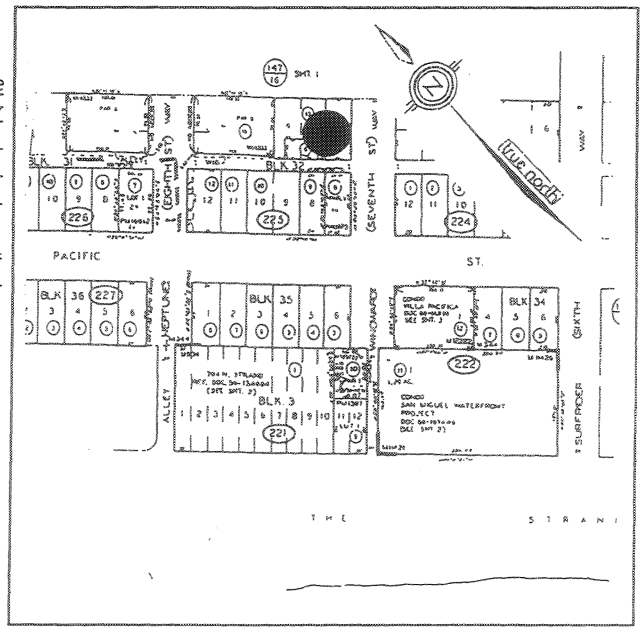
*Resource Name or # (Assigned by recorder) 214-216 Windward Way

B1. Historic Name: Will and Emma Mebach House
B2. Common Name: Green Orchard Place, LLC Property
B3. Original Use: Multiple-family B4. Present Use Multiple-family
*B5. Architectural Style: Craftsman
*B6. Construction History: (Construction date, alternations, and date of alterations)
The house was constructed circa 1920 per the Residential Building Record (RBR). It was converted into a duplex in 1947.
*B7. Moved? ☒No ☐Yes ☐ Unknown Date: _____ Original Location: _____
*B8. Related Features: None
B9a. Architect: None b. Builder: Unknown
*B10. Significance: Theme: residential development Area Oceanside, California
Period of Significance 1900 to 1960 Property Type Single-family Applicable Criteria N/A
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.) The resource is located in the A.J. Myers Addition, Oceanside's earliest subdivision. The subject property probably was purchased shortly after the initial land boom of 1887-1890, possibly from Myer's agent, J. Chauncey Hayes. This transaction, however, is not recorded on the chain of title. The subdivision, which includes the first Oceanside townsite, is near the Pacific Ocean and the history of the neighborhood was shaped by its proximity to the water, downtown Oceanside, and the railroad. Many of the earliest houses built on this block appear to have been intended as small owner-occupied residences or rental units. The immediate neighborhood has undergone substantial change largely in the post-World War II years. Numerous large condominium projects and apartment buildings now stand next to small cottages. The neighborhood is divided by the railroad easement along its eastern boundary.

Per the RBR, the subject resource has average architectural attributes and average quality workmanship. The building likely would have functioned as a beach home or rental. The resource is not associated with any known significant historic event or events. While the property was owned by prominent local individuals (Mebach family), none are directly associated with the subject resource. The building's design is not architecturally important and it does not represent the work of a master architect or craftsman. The building is not constructed of rare or unique materials and is unlikely to yield important information relevant to local, state or national history. It was constructed on its present site and therefore retains its locational integrity. Its basic feeling and association are intact, but its design integrity has been somewhat compromised by its conversion into a duplex, and by a shed roof addition. The setting, initially small-scale residential, has been altered by the addition of multi-storied, large scale condominiums and apartments in the neighborhood.

The resource is not eligible for nomination for listing in the National Register of Historic Places or the California Register of Historical Resources. Similarly, it does not qualify for nomination to the local register.

B11. Additional Resource Attributes: (List attributes and codes) None
*B12. References: Hawthorne, K., *Oceanside, Where Life is Worth Living*, 2000. Donning Company Publishers, Virginia Beach, Virginia; McAlester, V. and L, A Field Guide to American Houses, 2000. Alfred A. Knopf, New York
B13. Remarks:
*B14. Evaluator: Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131
*Date of Evaluation: 4/04/06



(This space reserved for official comments.)

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

PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code 6Z
Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 3 *Resource Name or #: (Assigned by recorder) 214-216 Windward Way

*P1. Other Identifier: Will and Emma Mebach House

*P2. Location: ☐ Not for Publication ☒ Unrestricted * a. County: San Diego

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

*b. USGS 7.5' Quad Oceanside Date: 1975 T 11S R 5W; ¼ of ¼ of Sec; B.M.: SB

c. Address: 214-216 Windward Way City: Oceanside Zip: 92054

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

e. Other Locational Data (e.g., parcel #, directions to resource, elevation, etc., as appropriate): APN: 143-225-13; Lots 4, 5, and 6, Block 32 of the A.J. Myers Addition

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

The resource consists of a small (approximately 850 sq ft), rectangular, one story, box frame, board and batten-clad duplex of simple Craftsman design, with a medium pitched front gabled roof, covered by asphalt shingles. The building was originally a single-family residence, but was divided into two units in 1947. The south-facing front facade is symmetrical and the building rests on a skirted wood foundation. The open eaves have exposed rafters and project narrowly over the walls. A horizontal louvered vent is positioned beneath the front gable. An interior brick chimney sits atop the ridge crest. Rectangular wood framed 6-over-6 double hung windows are present on the front facade; other windows are 1-over-1 and 6-over-6 double hungs. Access is from the sidewalk, via two short flagstone walkways, up two wood steps, to the wood floored porch. The porch is entered through two identical low wood gates, and the porch is separated into two spaces by a low wood lattice divider. Two single wood doors provide entry into the units; one is covered by a security screen. Two front gabled additions are located on the north facade; their vertical board siding is inconsistent with the rest of the house cladding. Landscaping consists of grass, flower beds, and mature bushes and trees. The house is in fair condition.

*P3b. Resource Attributes: (List attributes and codes) HP3 - multiple-family residence

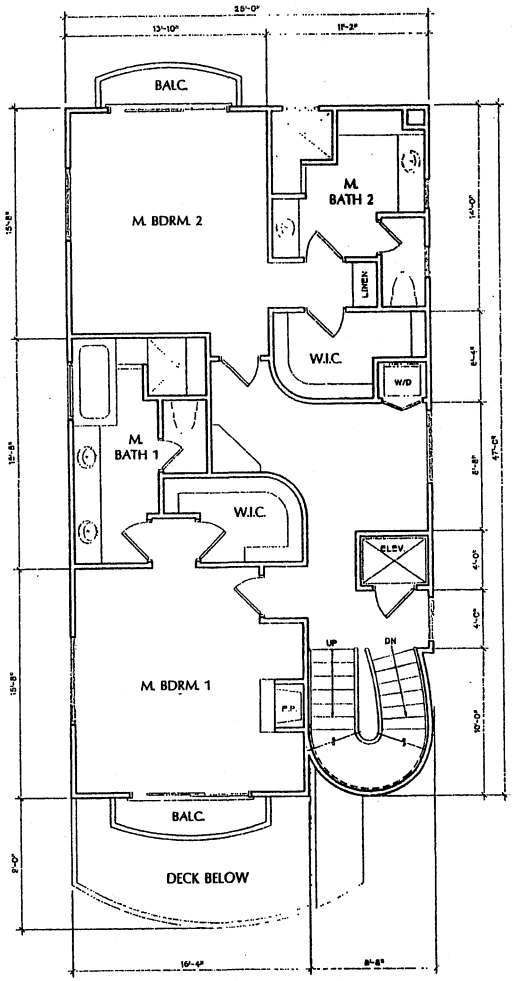
P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5b. Description of Photo: (View, date, accession #) Facade looking north, 4/03/06, 1006:2

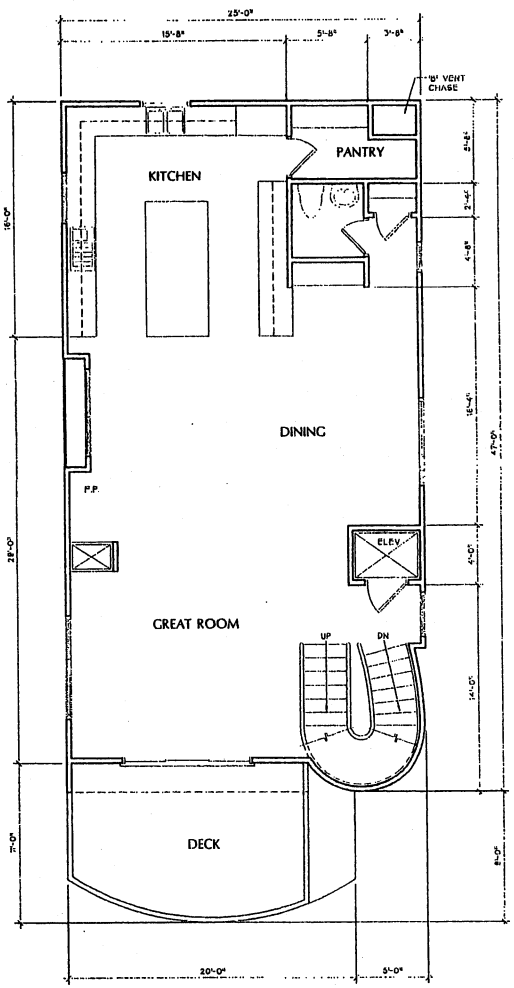
*P6. Date Constructed/Age and Source ☒ Historic ☐ Prehistoric ☐Both Constructed ca. 1920; Residential Building Record

*P7. Owner and Address: Green Orchard Place, LLC 1268 Green Orchard Place Encinitas, CA 92024

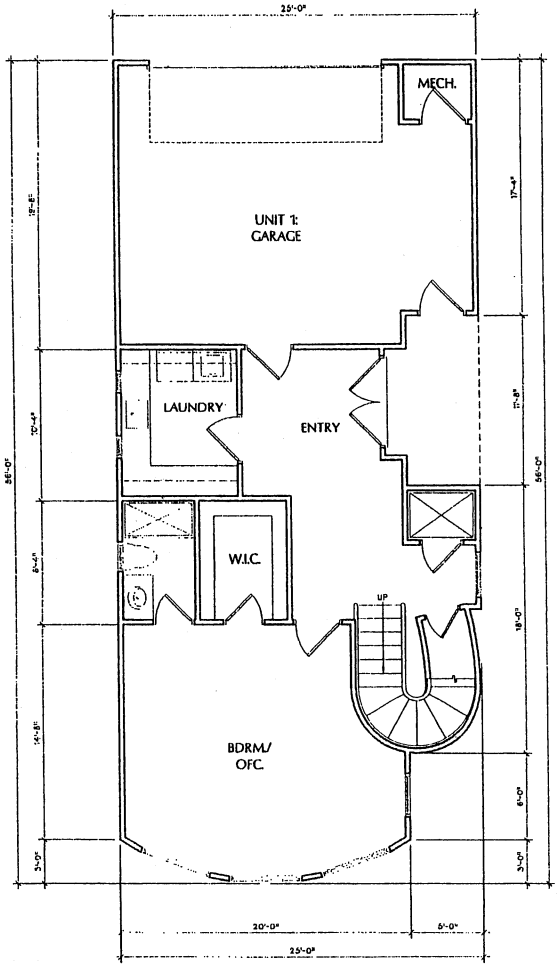
*P8. Recorded by (Name, affiliation, and address): Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131 *P9. Date Recorded: 4/04/06 *P10. Type of Survey: (Describe) Field Check *P11. Report Citation (Cite survey report and other sources, or enter "none".) None *Attachments: ☐NONE ☐Location Map ☐Sketch Map ☒Continuation Sheet ☒Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Resource Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):



3 THIRD FLOOR PLAN
SCALE: 1/4"=1'-0"



2 SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"



1 FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"

ARCHITECT:
STUDIO 4
2909 MESA DRIVE
OCEANSIDE, CA 92054
(760) 722-4904 PH
(760) 722-4903 FX
PLONGTON@PACBELL.NET
PAUL LONGTON
PRINCIPAL

PROJECT:
WINDWARD MIST
212, 214 & 216
WINDWARD WAY
OCEANSIDE, CA 92054

CLIENT:
Pacific Winward Ventures, LLC.
c/o George Yermanos
1268 Green Orchard Place
Encinitas, CA 92024
(619) 889-1900

OWNER'S REP.:
PAUL LONGTON
STUDIO 4 ARCHITECTS
2909 MESA DRIVE
OCEANSIDE, CA 92054
(760) 722-4904

RELEASE DATES:
ISSUED: 8/29/06 DD
REVISIONS:

DRAWING STATUS:
(NOT FOR CONSTRUCTION)
☐ SIMULATION DRAWINGS
☐ PRELIMINARY DRAWINGS
☐ SESSION DEVELOPMENT DRAWINGS
☐ CHECK SET
☐ PROGRESS DRAWINGS
☐ PLAN CHECK DRAWINGS
☐ BID SET DRAWINGS
☐ CONSTRUCTION DOCUMENTS
☐ OTHER

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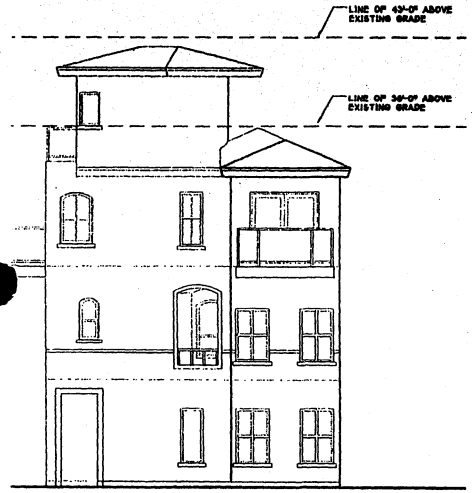
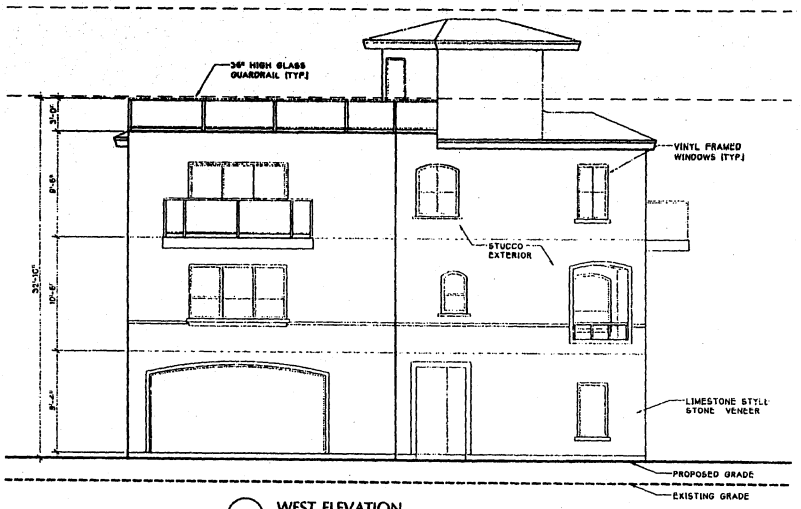
JOB NO.:
DRAWN BY: MSR/BJE
CHECKED BY: PL

SHEET TITLE:
UNIT 1
FLR. PLANS

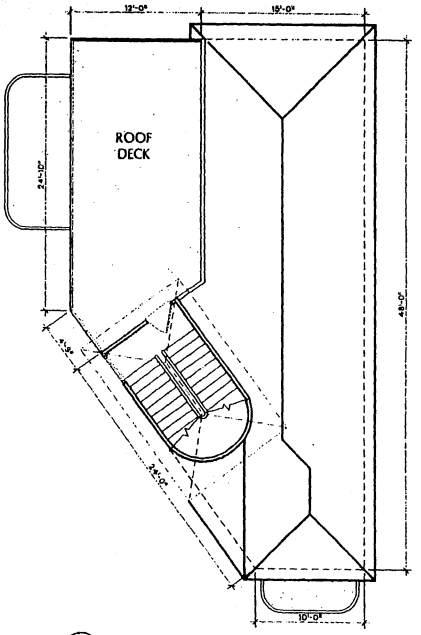
SHEET NO.:
A-1.0



1 SOUTH ELEVATION
SCALE: 3/16"=1'-0"



2 WEST ELEVATION
SCALE: 3/16"=1'-0"



5 ROOF PLAN
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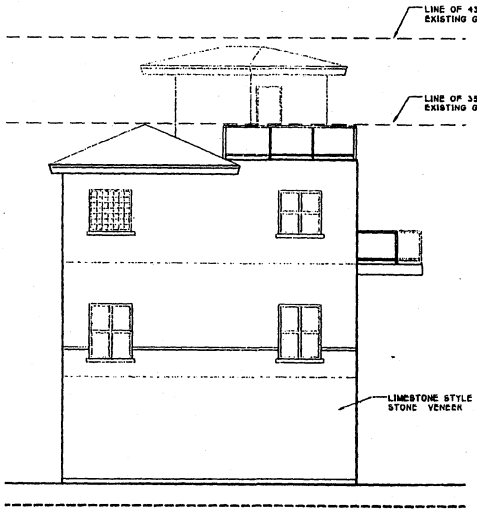
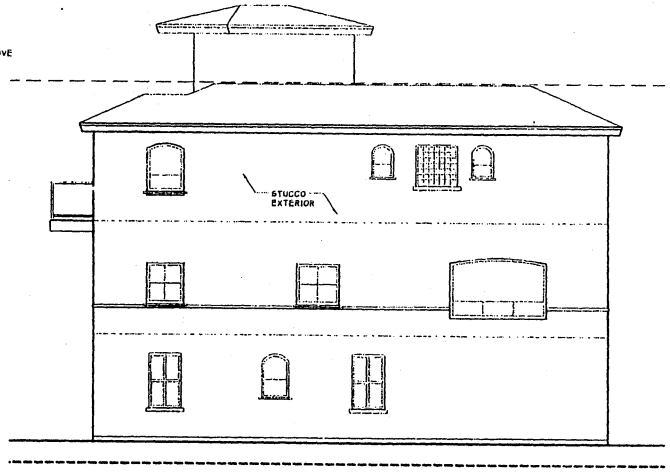


3 NORTH ELEVATION
SCALE: 3/16"=1'-0"



4 EAST ELEVATION
SCALE: 3/16"=1'-0"

ARCHITECT:
STUDIO 4
2909 MESA DRIVE
OCEANSIDE, CA 92054
(760) 722-4904 PH
(760) 722-4903 FX
PLONGTON@PACBELL.NET
PAUL LONGTON
PRINCIPAL

PROJECT:
WINDWARD MIST

212, 214 & 216
WINDWARD WAY
OCEANSIDE, CA 92054

CLIENT:
Pacific Windward Ventures, LLC

c/o George Yemenos
1268 Green Orchard Place
Encinitas, CA 92024
(619) 889-1900

OWNER'S REP:
PAUL LONGTON
STUDIO 4 ARCHITECTS

2909 MESA DRIVE
OCEANSIDE, CA 92054

(760) 722-4904

RELEASE DATES:
ISSUED: 8/29/06 DD

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DRAWING STATUS:

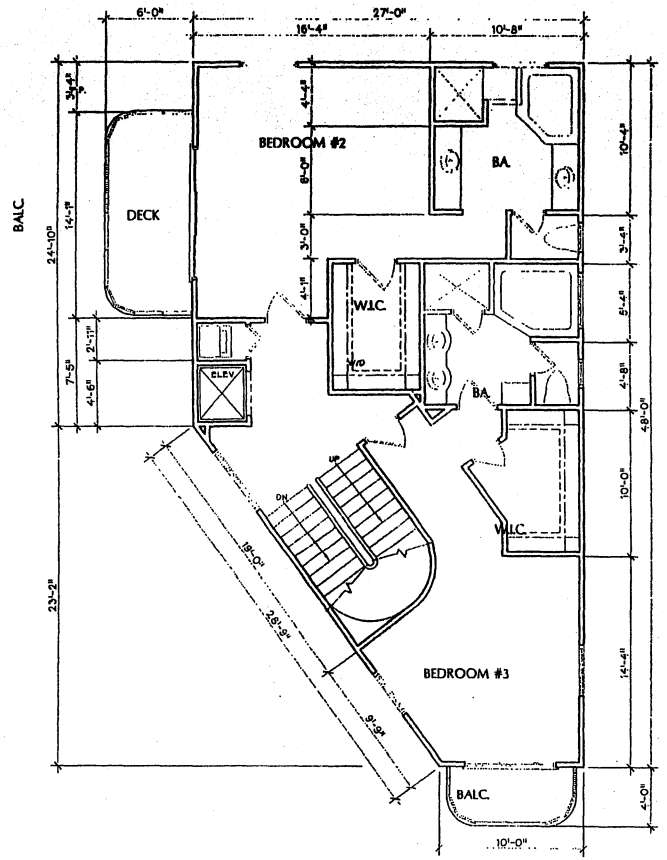
JOB NO:

DRAWN BY: MSR/BJE

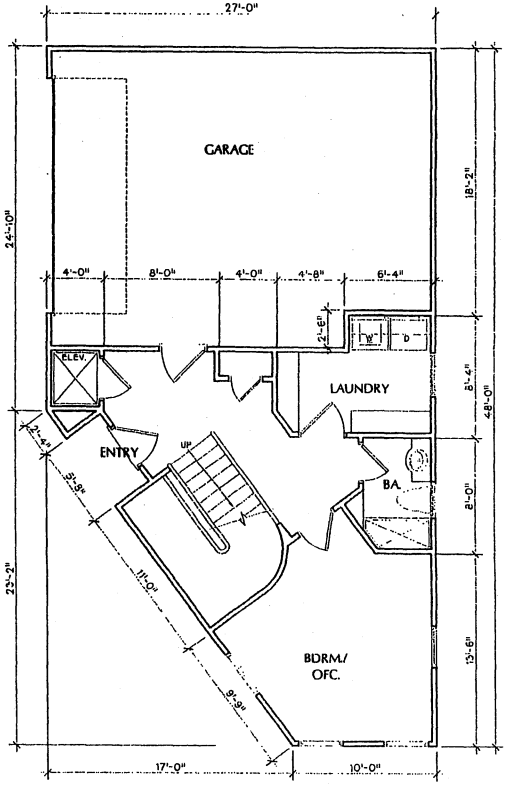
CHECKED BY: PL

SHEET TITLE:
UNIT 3
FLR. PLANS

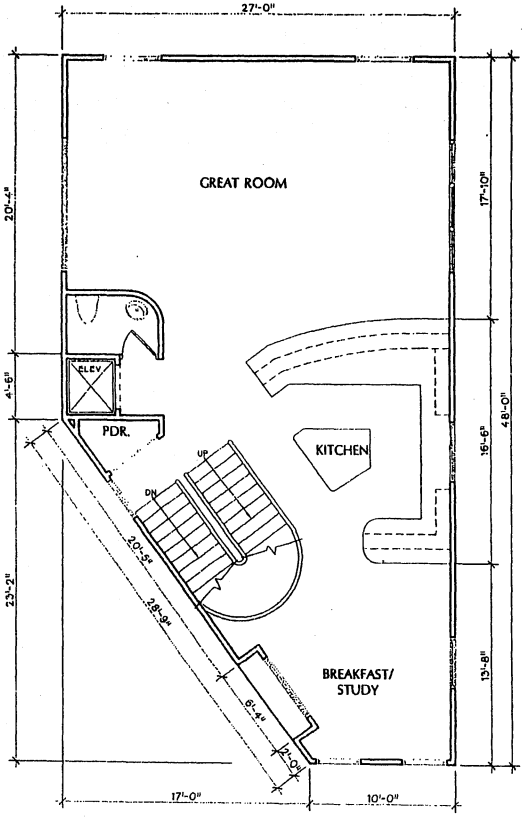
SHEET NO:
A-3.1



3 THIRD FLOOR PLAN
SCALE: 1/4"=1'-0"



1 FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"



2 SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"

ARCHITECT:
STUDIO 4
2909 MESA DRIVE
OCEANSIDE, CA 92054
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(NOT FOR CONSTRUCTION)
☐ INFORMATION DRAWINGS
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☐ DESIGN DEVELOPMENT DRAWINGS
☐ CLIENT SET
☐ PROGRESS DRAWINGS
☐ PLAN CHECK DRAWINGS
☐ BID SET DRAWINGS
☐ CONSTRUCTION DOCUMENTS
☐ OTHER

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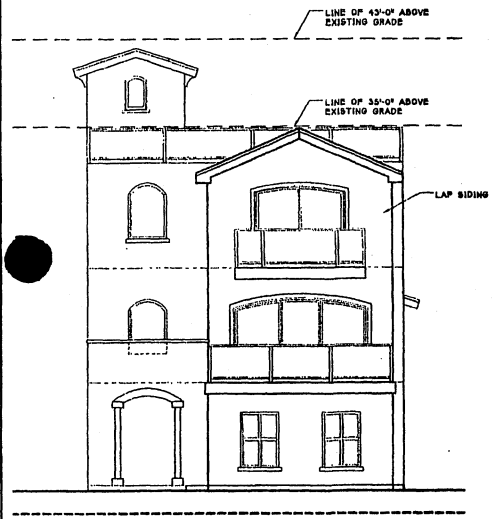
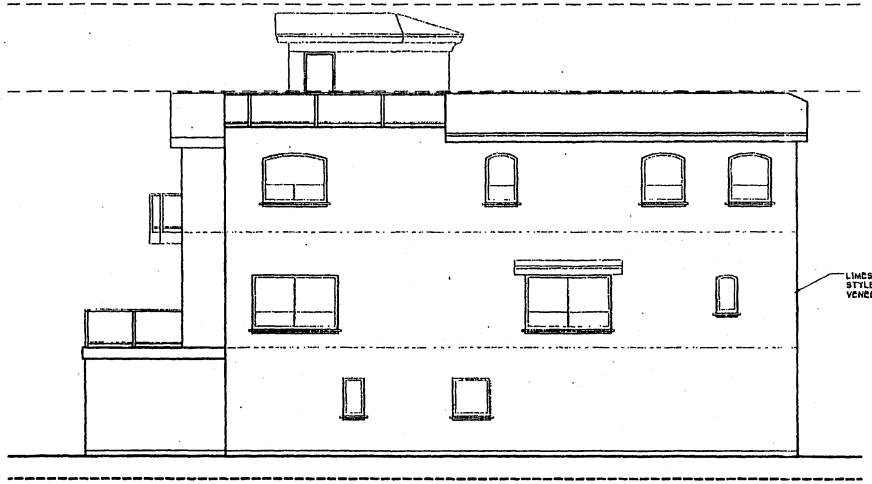
CHECKED BY: PL

SHEET TITLE:
UNIT 3
FLR. PLANS

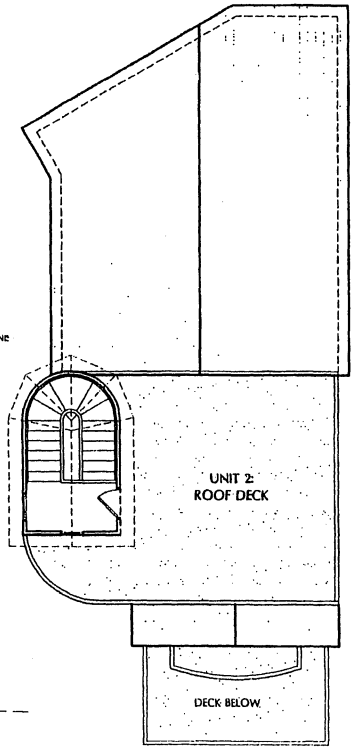
SHEET NO:
A-3.0



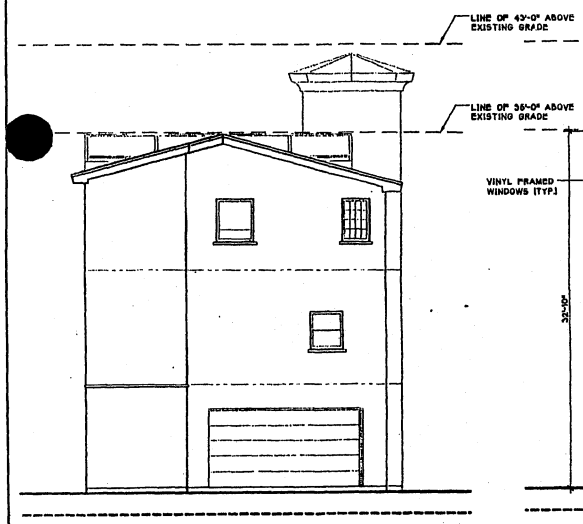
1 SOUTH ELEVATION
SCALE: 3/16"=1'-0"



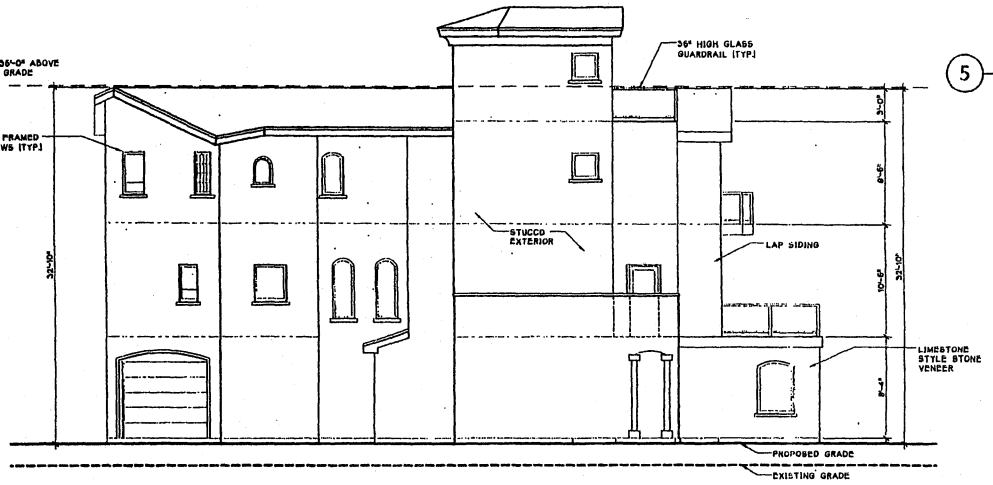
2 EAST ELEVATION
SCALE: 3/16"=1'-0"



5 ROOF PLAN
SCALE: 3/16"=1'-0"



3 NORTH ELEVATION
SCALE: 3/16"=1'-0"



4 WEST ELEVATION
SCALE: 3/16"=1'-0"

ARCHITECT:
STUDIO 4
2909 MESA DRIVE
OCEANSIDE, CA 92054
(760) 722-4904 PH
(760) 722-4803 FX
PLONGTON@PACBELL.NET
PAUL LONGTON
PRINCIPAL

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212, 214 & 216
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OCEANSIDE, CA 92054

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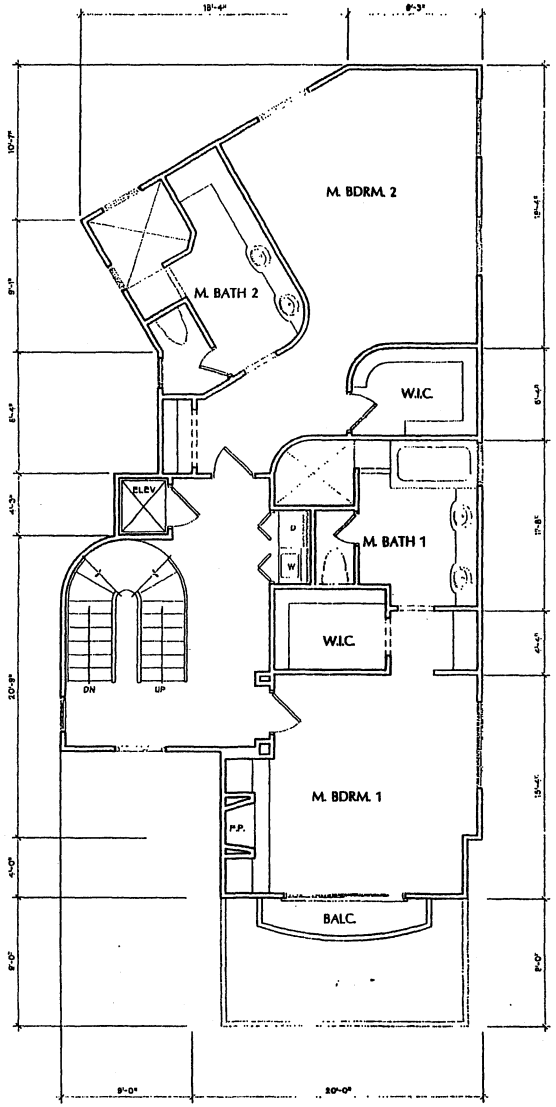
☐ CHECK SET
☐ PROGRESS DRAWINGS
☐ PLAN CHECK DRAWINGS
☐ 100 SET DRAWINGS
☐ CONSTRUCTION DOCUMENTS
☐ OTHER

[illegible]

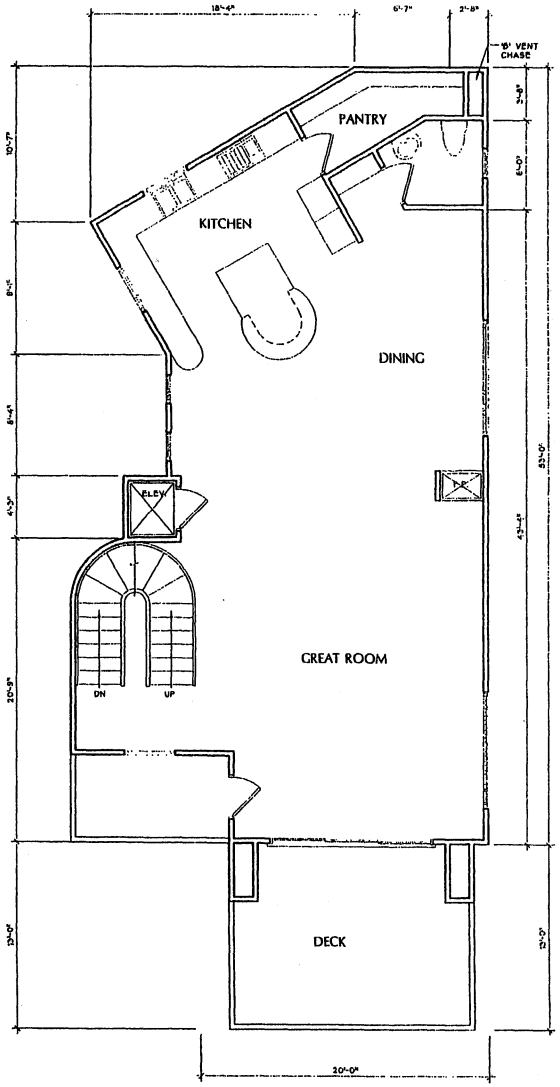
JOB NO:
DRAWN BY: MSR/BJE
CHECKED BY: PL

SHEET TITLE:
UNIT 2
RP & ELEV's

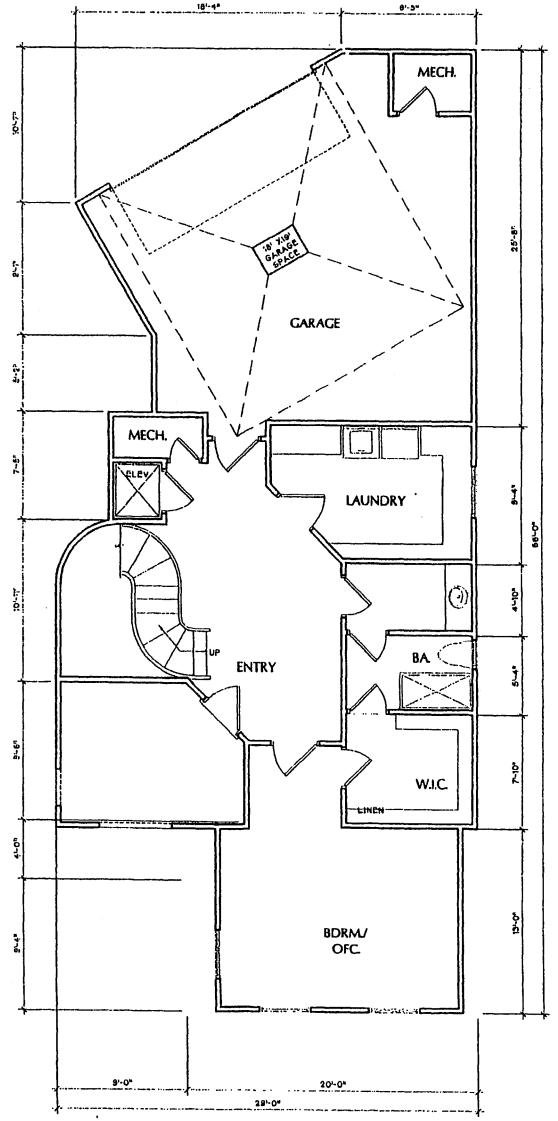
SHEET NO:
A-2.1



3 THIRD FLOOR PLAN
SCALE: 1/4"=1'-0"



2 SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"



1 FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"

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STUDIO 4
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OCEANSIDE, CA 92054
(760) 722-4804 PH
(760) 722-4803 FX
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(760) 722-4904

RELEASE DATES:
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REVISIONS:

DRAWING STATUS:
(NOT FOR CONSTRUCTION)
☐ PRELIMINARY DRAWINGS
☐ PRELIMINARY CLEARANCE
☐ PLANNING SUBMITTAL DRAWINGS
☐ U.B.C.D. SET
☐ PRELIMINARY UNDERLAYS
☐ PLAN CHECK DRAWINGS
☐ BID SET DRAWINGS
☐ CONSTRUCTION DOCUMENTS
☐ UPDATE

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DRAWN BY: MSR/DJE
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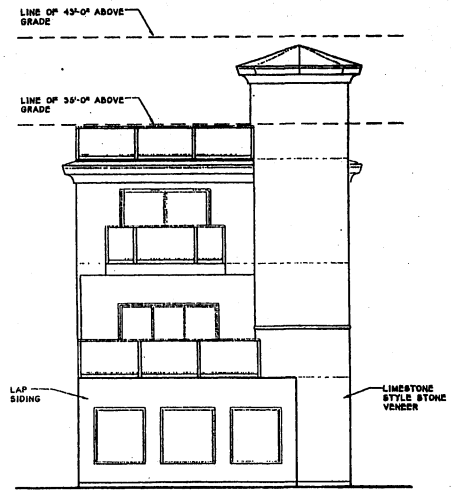
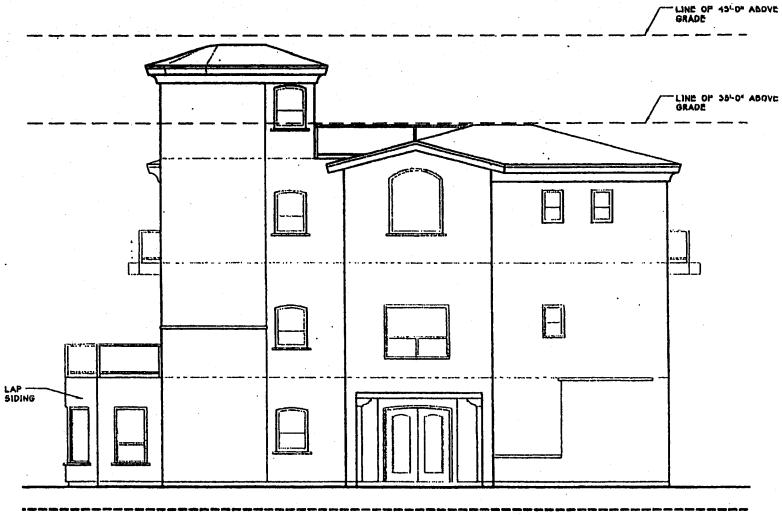
SHEET TITLE:
UNIT 2
FLR. PLANS

SHEET NO:
A-2.0



1 SOUTH ELEVATION (STREET)
SCALE: 3/16"=1'-0"



2 EAST ELEVATION
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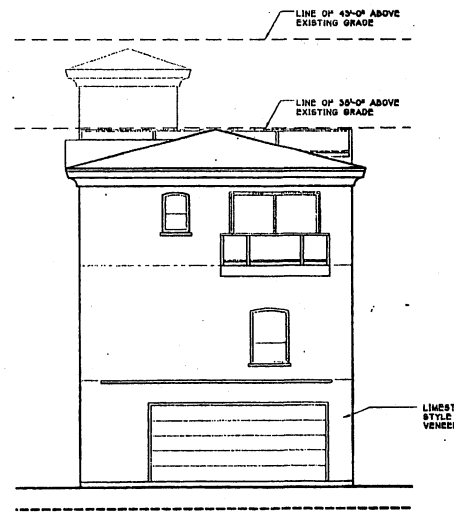
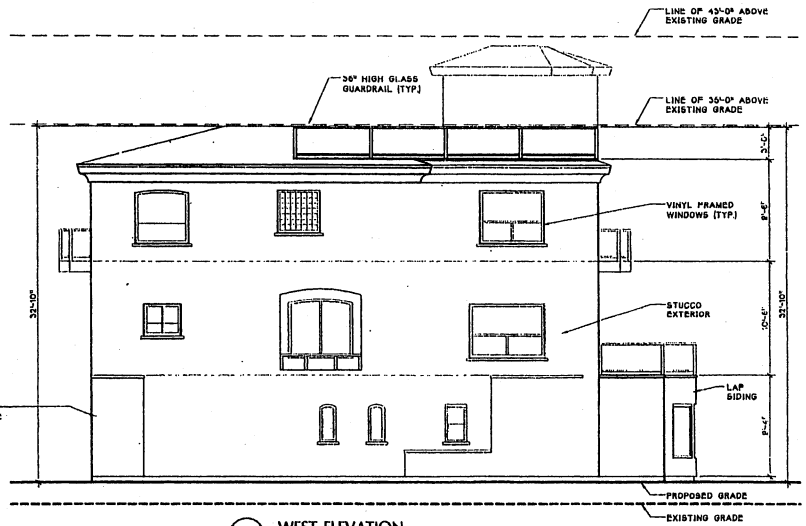


3 NORTH ELEVATION
SCALE: 3/16"=1'-0"



4 WEST ELEVATION
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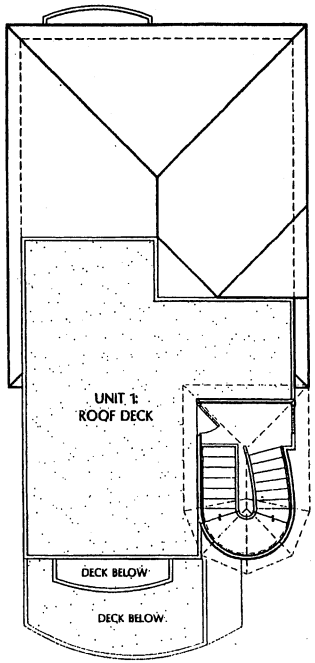

5 ROOF PLAN
SCALE: 3/16"=1'-0"

ARCHITECT:
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JOB NO:

DRAWN BY: MSR/BJE

CHECKED BY: PL

SHEET TITLE:
UNIT 1
RP & ELEV.

SHEET NO:
A-1.1

RECEIVED

OCT 25 2006

OCEANSIDE REDEVELOPMENT

PLANT MATERIAL LEGEND

BOTANICAL NAME	COMMON NAME	SIZE	HT.	SPD.	QUANT.	REMARKS
EXISTING TREES						
WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	VERIFY SIZE IN FIELD			4	PROTECT IN PLACE
TREES						
SUCH AS:						
SPATHODEA CAMPANULATA	AFRICAN TULIP TREE	24" BOX	8'-10'	3'-4'	5	STRAIGHT TRUNK, FULL HEAD & STAKE
STRELITZIA NICHOLAI	GIANT BIRD OF PARADISE	24" BOX	6'-8'	6'-8'	5	CLUMPS
SHRUBS						
SUCH AS:						
DIETES BICOLOR	FORTNIGHT LILY	1 GAL.	6"-8"	6"-8"	34	FULL AND BUSHY, GOOD COLOR
STRELITZIA REGINAE	BIRD OF PARADISE	5 GAL.	18"-24"	18"-24"	2	FULL AND BUSHY, GOOD COLOR
PHORIUM TENAX HYBRID	BRONZE FLAX	5 GAL.	18"-24"	18"-24"	29	FULL AND BUSHY, GOOD COLOR
RHAPHIOLEPIS INDICA	INDIAN HAWTHORNE	5 GAL.	18"-24"	18"-24"	75	FULL AND BUSHY, GOOD COLOR
VINES						
SUCH AS:						
DISTICTIS BUCCINATORIA	BLOOD RED TRUMPET VINE	5 GAL.	6'	5'	18	FULL AND BUSHY, GOOD COLOR
GROUND COVER						
SUCH AS:						
AGAPANTHUS AFRICANUS	LILY OF THE NILE	1 GAL.	@ 18" O.C.			
TRACH. JASMINOIDES	STAR JASMINE	1 GAL.	@ 18" O.C.			
DWARF TALL FESCUE	TURF	SOD				

LANDSCAPE NOTE:

1. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE CITY OF OCEANSIDE LANDSCAPE STANDARDS MANUAL AND ALL OTHER APPLICABLE STANDARDS AS OF THE APPROVED DATE OF THESE PLANS.
2. TREES PLANTED WITHIN 5 FEET OF WALKS, CURBS OR PAVING SHALL BE PLANTED WITH A "BIO-BARRIER" ROOT BARRIER.
3. ALL PLANTING AREAS SHALL BE FINISHED WITH A 2 INCH LAYER OF SHREDDED BARK MULCH (ECOBARK) AVAILABLE THROUGH BUTLER'S MILL (619) 265-6181.
4. IF ANY EXISTING HARDSCAPE OR LANDSCAPE INDICATED ON THE APPROVED PLANS ARE DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPAIRED AND-OR REPLACED IN KIND AND EQUIVALENT SIZE PER THE APPROVED PLANS BY THE OWNER/PERMITTEE.
5. ALL LANDSCAPE MATERIALS SHALL BE PERMAINENTLY MAINTAINED IN A GROWING AND HEALTHY CONDITION AT ALL TIMES, INCLUDING TRIMMING AS APPROPRIATE TO MAINTAIN APPROVED LANDSCAPE MATERIALS.

IRRIGATION NOTE:

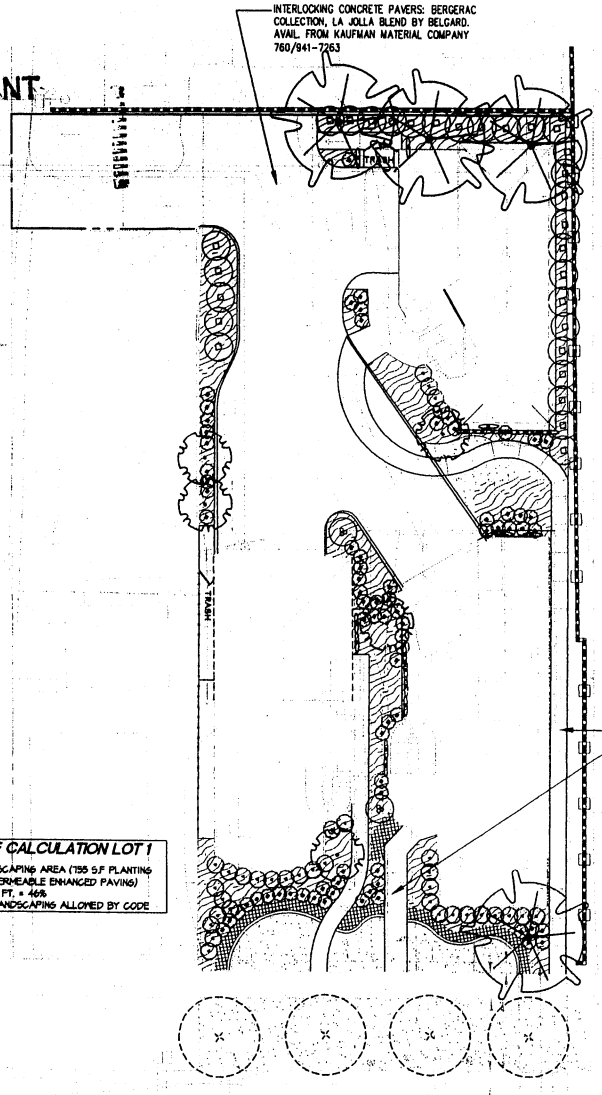
ALL PLANTING AREAS SHALL BE IRRIGATED ACCORDING TO PLANT TYPE AND ENVIRONMENTAL EXPOSURE. ALL IRRIGATED AREAS SHALL RECEIVE UNIFORM COVERAGE BY MEANS OF AN AUTOMATICALLY CONTROLLED, ELECTRICALLY ACTIVATED, UNDERGROUND PIPED IRRIGATION SYSTEM FOR WATER CONSERVATION AND TO MINIMIZE EROSION, STATE-OF-THE-ART AUTOMATIC CONTROLLER WITH MASTER VALVE AND RAIN SHUT-OFF CAPABILITIES SHALL BE INSTALLED. A REDUCED PRESSURE BACKFLOW PREVENTER WILL BE USED IN ACCORDANCE WITH LOCAL AND REGIONAL STANDARDS. REMOTE CONTROL VALVES SHALL BE UTILIZED WITH LOW PRECIPITATION RATE EQUIPMENT SHALL BE USED WHERE APPLICABLE. ALL PRESSUREIZED MAINLINE AND LATERAL LINES WILL BE PVC, INSTALLED BELOW GRADE PER LOCAL AND REGIONAL STANDARDS. AN AUTOMATIC, WATER EFFICIENT IRRIGATION SYSTEM SHALL BE PROVIDED TO ESTABLISH AND MAINTAIN LANDSCAPING.

MAINTENANCE RESPONSIBILITY NOTE:

THE PROPERTY OWNERS ARE RESPONSIBLE FOR THE CONTINUAL MAINTENANCE OF ALL LANDSCAPED AREAS ON SITE. THE EXISTING PLANTING AREAS WITHIN THE PUBLIC RIGHT-OF-WAY ARE TO BE MAINTAINED BY THE CITY'S LANDSCAPE MAINTENANCE DISTRICT. ALL LANDSCAPED AREAS SHALL BE KEPT FREE OF WEEDS AND DEBRIS. PLANTINGS SHALL BE MAINTAINED IN A HEALTHY, VIGOROUSLY GROWING CONDITION AND SHALL RECEIVE REGULAR PRUNING, FERTILIZING, MOWING AND TRIMMING. IRRIGATION SYSTEMS SHALL BE REGULARLY INSPECTED AND KEPT IN FULLY OPERATIONAL CONDITION ACCORDING TO MANUFACTURERS' DESIGN STANDARDS AT ALL TIMES.

STREET TREES AND OTHER TREE PLACEMENT:

- 7 FEET FROM TRANSFORMERS, CABLE, AND DOUBLE CHECK DETECTORS
- 5 FEET FROM MAILBOXES
- 5 FEET FROM FIRE HYDRANTS (ALL SIDES)
- 10 FEET FROM CENTERLINE OF ALL UTILITY LINES (WITHOUT EASEMENT) (SEWER, WATER, STORM DRAINS)
- 10 FEET FROM EASEMENT BOUNDARIES (SEWER, WATER, STORM DRAINS, ACCESS OR OTHER UTILITIES)
- 10 FEET FROM DRIVEWAYS (UNLESS A LINE OF SITE IS DETERMINED BY THE TRAFFIC DIVISION TO BE OTHERWISE.)
- 15 FEET, MINIMUM, FROM STREETLIGHTS, OTHER UTILITY POLES AND FULL BOXES
- STREET TREES SHALL BE PLANTED 3' OUTSIDE RIGHT-OF-WAY OF THE RIGHT-OF-WAY DOES NOT ALLOW SPACE, SUBJECT TO THE CITY ENGINEER'S APPROVAL.
- LINE OF SIGHT AT ARTERIALS, COLLECTOR AND LOCAL STREETS SHALL BE REVIEWED AND DETERMINED BY TRAFFIC ENGINEER. A MINIMUM OF 25 FEET FROM STREET INTERSECTION OR AS APPROVED BY THE TRAFFIC ENGINEER.
- MINIMUM 15 FEET STREETLIGHT AND STOP SIGN OR CLEARANCE DETERMINED BY SPECIFICATIONS.
- SCREEN ALL UTILITIES ACCORDING TO SPECIFIC AGENCY REQUIREMENTS.



LANDSCAPE CALCULATION LOT 1

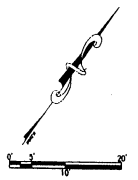
1,242 SQ. FT. LANDSCAPING AREA (755 S.F. PLANTING AREA) (487 S.F. PERMEABLE ENHANCED PAVING)
1,242 SQ./2,613 SQ. FT. = 46%
15% MINIMUM SITE LANDSCAPING ALLOWED BY CODE

LANDSCAPE CALCULATION LOT 2

TOTAL LOT AREA = 5,040 S.F.
BLDG. AREA = 1,456 S.F.
LANDSCAPING AREA = 1,384 S.F./32%
(628 S.F. PLANTING AREAS, PERMEABLE ENHANCED PAVING = 756 S.F.)
15% MINIMUM SITE LANDSCAPING ALLOWED BY CODE

LANDSCAPE CALCULATION LOT 3

3,587 SQ. FT. LANDSCAPING AREA (365 S.F. PLANTING AREA) (3002 S.F. PERMEABLE ENHANCED PAVING)
3,587 SQ./4,916 SQ. FT. = 73%
15% MINIMUM SITE LANDSCAPING ALLOWED BY CODE



SCALE: 1" = 10'

LICENSED LANDSCAPE ARCHITECT — JAMES P. BENEDETTI — Signature — Ren Date 8/31/08 — Date 8/7/06 — STATE OF CALIFORNIA

JPBLA

JAMES P. BENEDETTI
LANDSCAPE ARCHITECT
4403 MANCHESTER AVE., SUITE 201
ENCINITAS, CA 92024
760/479-0644 FAX 760/479-0645

PROJECT NO. 0861.00375 MARCH 2, 2006
760.757.4900

ARCHITECT:
STUDIO 4
2909 MESA DRIVE
OCEANSIDE, CA 92054
(760) 722-4904 PH
(760) 722-4903 FX
PLONGTON@PACBELL.NET
PAUL LONGTON
PRINCIPAL

PROJECT:
Oceanmist
212, 214 & 216 Windward Way
Oceanside, CA 92054

CLIENT:
Pacific Windward Ventures, LLC
c/o George Yermanos
1299 Green Orchard Place
Encinitas, CA 92024
(619) 889-1900

OWNER'S REP.:
PAUL LONGTON
STUDIO 4 ARCHITECTS
2909 MESA DRIVE
OCEANSIDE, CA 92054
(760) 722-4904

RELEASE DATES:
ISSUED: 8/21/06 DD
REVISIONS:

DRAWING STATUS:
(NOT FOR CONSTRUCTION)
- ☐ INFORMATION DRAWINGS
- ☐ PRELIMINARY DRAWINGS
- ☐ DESIGN DEVELOPMENT DRAWINGS
- ☐ CHECK SET
- ☐ PROGRESS DRAWINGS
- ☐ PLAN CHECK DRAWINGS
- ☐ BID SET DRAWINGS
- ☐ CONSTRUCTION DOCUMENTS
- ☐ OTHER

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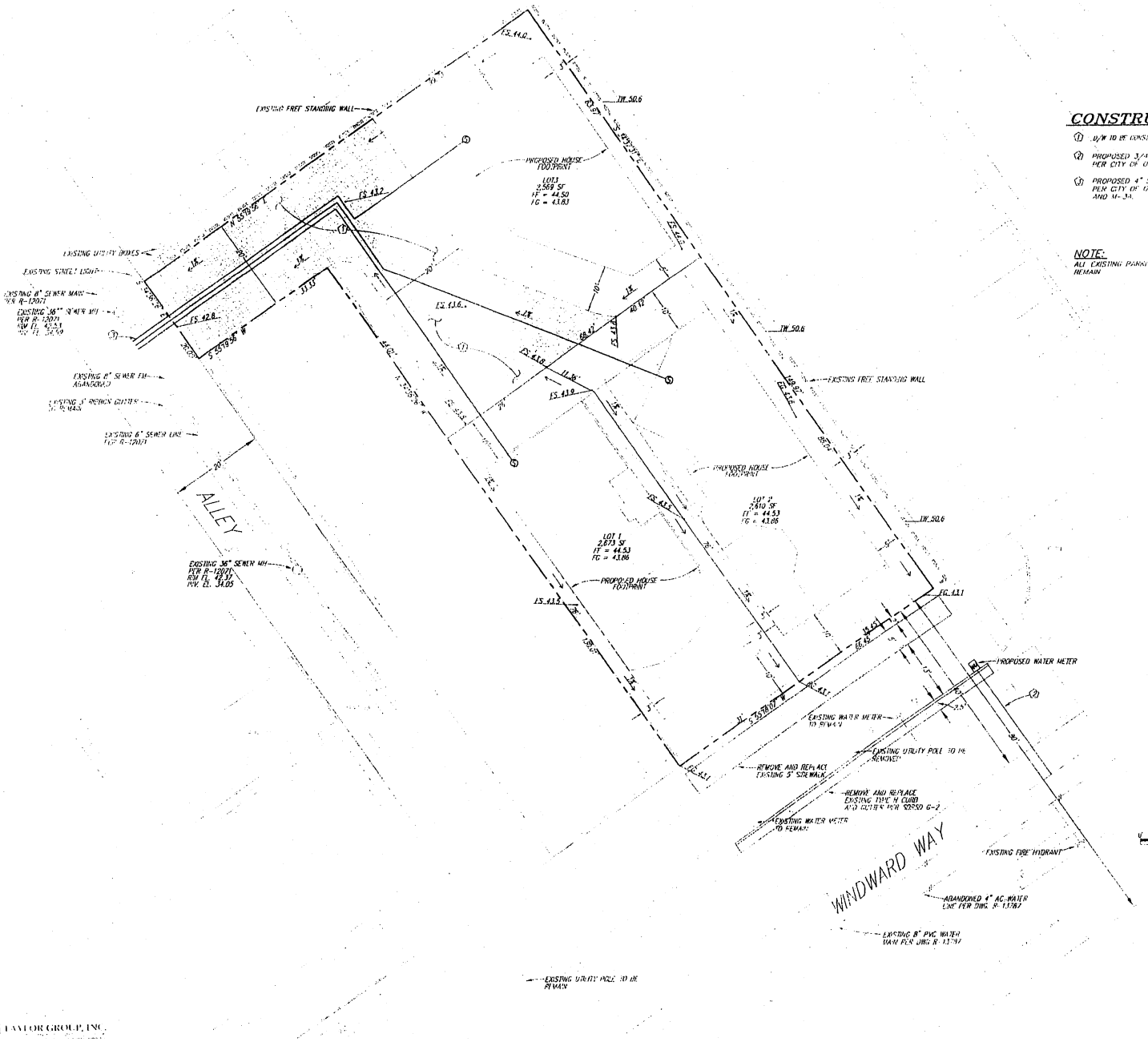
JOB NO.:
DRAWN BY: MSR
CHECKED BY: PL

SHEET TITLE:
LANDSCAPE CONCEPT

SHEET NO.:
SP.1

212 WINDWARD WAY
PROPOSED CONDITIONS



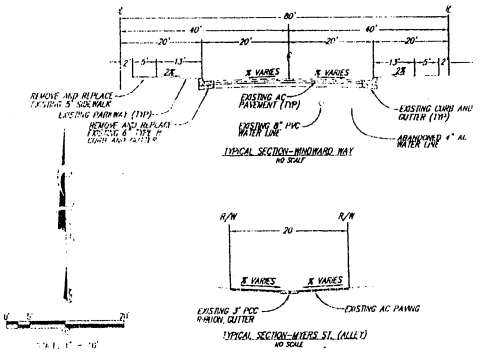
CONSTRUCTION NOTES:

1. D/W TO BE CONSTRUCTED OF PERMEABLE PAVER SYSTEM
2. PROPOSED 3/4" WATER SERVICE NEW 5/8" WATER METER PER CITY OF OCEANSIDE STANDARD PLAN W-4
3. PROPOSED 4" SDR 35 PVC SEWER LATERAL AND BACKFILL PER CITY OF OCEANSIDE STANDARD DRAWINGS S-4, M-1 AND M-34.

NOTE:
ALL EXISTING PARKING METERS ON WINDWARD WAY TO REMAIN

LEGEND:

- SUBDIVISION BOUNDARY
- PARCEL LINE
- EXISTING CONTOURS
- EXISTING WATER MAIN
- EXISTING WATER METER
- EXISTING FIRE HYDRANT
- EXISTING POWER POLE
- EXISTING GRADE
- EXISTING SEWER LINE
- EXISTING SEWER LATERAL
- EXISTING STREET LIGHT
- FINISH GRADE
- DIRECTION OF FLOW
- PROPOSED SEWER LATERAL
- PROPOSED WATER METER
- PROPOSED RETAINING WALL (BY SEPARATE PERMIT)
- PROPOSED 4" PVC DRAIN
- PROPOSED 4" PVC AREA DRAIN
- PROPOSED PERMEABLE PAVERS



NO.	DATE	REVISION

DEVELOPMENT PLAN — SHEET 2 OF 3

TENTATIVE PARCEL MAP
212 WINDWARD WAY
OCEANSIDE, CALIFORNIA

A.P.N. 143-225-13-00

ENGINEER OF WORK
LARRY R. TAYLOR — DATE: 2/2/06 — R.C.E. 58274

LAYLOR GROUP, INC.