PLANNING COMMISSION AGENDA NO. 4 *STAFF REPORT*

DATE: January 8, 2007

TO: Chairman and Members of the Planning Commission

FROM Community Development Department/Planning Division

SUBJECT: **TENTATIVE PARCEL MAP (P-1-06), DEVELOPMENT PLAN (D-1-06) AND CONDITIONAL USE PERMITS (C-1-06, C-2-06) TO CREATE THREE RESIDENTIAL LOTS, TO CREATE 15 COMMERCIAL CONDOMINIUM UNITS ON AN EXISTING LOT AND TO ALLOW OFF-STREET PARKING AT 2420 VISTA WAY. – OCEANVIEW PLAZA – APPLICANT: OCEANVIEW PLAZA INVESTORS, LLC.**

RECOMMENDATION

Staff recommends that the Planning Commission approve Tentative Parcel Map (P-1-06), Development Plan (D-1-06), and Conditional Use Permits (C-1-06, C-2-06) and adopt Planning Commission Resolution No. 2007-P01 as attached.

PROJECT DESCRIPTION AND BACKGROUND

Site review: The project site consists of two lots on the boundary of two zoning districts. The lot at 2420 Vista Way is situated within the Commercial Professional District, while the adjoining westward lot is located within the Single-Family Residential District (RS).

The lot at 2420 Vista Way encompasses a 1.1-acre area and is improved with a 26,440-square foot medical office (13-office suite) building. The site includes a 74-parking stall area, which has proven insufficient to accommodate the current off-street parking demand. The westward 0.96-acre lot is currently undeveloped and is accessed from Ivy Road. The area of proposed improvements slopes gently to the south, approximately 10:1 (horizontal to vertical), with elevations ranging from approximately 86 feet (msl) at the northerly portion of the property along Ivy Road to approximately 48 feeet (msl) at the southeastern portion of the

property along Vista Way. The site is not subject to the hillside development provisions of Section 3039 of the Zoning Ordinance. The undeveloped portion of the site is presently covered with a sparse-to-moderate growth of seasonal weeds and grasses. A large *Ficus nitida*, Indian laurel fig exists at the northwest corner of the site (see Tree Survey exhibit). Staff has conditioned that all the existing trees be surveyed for size and that mitigation for tree loss be provided within the bounds of the project area.

Project description: This project can be divided into three components: a) Subdividing an existing medical office building into 15 commercial condominiums; b) Permitting and constructing off-street parking on a residentially zoned site; and c) Subdividing an 0.96-acre lot into two lots for future residential development.

a) Commercial condominiums - The applicant is requesting to subdivide the existing building at 2420 Vista Way (Parcel 3) into 15 commercial condominiums. The proposed units will vary in size between 500 square feet and 5,000 square feet. Interior changes to the existing building are not proposed at this time. The property owner intends to sell individual offices and record a condominium map reflecting the market demand for the suites. The existing building interior layout has been provided as an exhibit to this report.

b) Permitting off-street parking within a Residential District and construction of a parking structure to serve a Professional Commercial site – Pursuant to Section 3014.2, the applicant is requesting a Conditional Use Permit to establish a parking use and construct a parking structure on residentially zoned land (Sheets 1 and 2 of the Tentative Parcel Map identify the district boundaries on Parcel 3 and the location of the parking structure). A total of 199 parking spaces will be provided on-site. One hundred and twenty five (125) spaces will be provided on land designated as Single-Family Residential (RS); 74 spaces will be provided on land designated as Commercial Professional (CP). The proposed off-street parking arrangement on the residentially zoned land includes 104 off-street parking spaces at-grade and 21 off-street parking spaces accessed via a ramp to an above-grade structure.

c) Subdivision of an existing residential lot – The applicant is requesting to subdivide the existing 0.96-acre westerly lot into three areas. The Tentative Parcel Map depicts one 0.23 and one 0.18-acre residentially zoned lot (Parcels 1 and 2 respectively). The remaining 0.34 acres of the larger residential lot are proposed to be combined with the existing 1.1-acre Commercial Professional lot located at 2420 Vista Way (Parcel 3).

Staff has prepared conditions addressing the massing and development of residential units on the proposed lots. The *Description and justification* identifies, in detail, the development restrictions proposed by the applicant. Panhandle access is required for egress to the interior lot and a conditional use permit is requested per Section 1050(Y).

A comparison of the development standards for the residential lots follows:

	REQUIRED STANDARD	PROPOSED
BASE DENSITY	3.6 du/ac	2.08 du/ac
MINIMUM SITE AREA	10,000 SF	Parcel 1: 10,180 SF Parcel 2: 10,096 SF
MINIMUM LOT WIDTH	65-feet	Parcel 1: 107.49-feet Parcel 2: 122.14-feet
SETBACKS Front Interior Side Corner Side Rear	 20 feet 7.5 feet 10 feet 15 feet	 20 feet 7.5 feet 10 feet 15 feet
OFF-STREET PARKING	2-car garage (20-ft wide x 19-ft deep)	3-car garage (20-ft wide x 19-ft deep; and 9-ft wide x 19-ft deep)
MAXIMUM BUILDING HEIGHT	36-feet	36-feet
MAXIMUM LOT COVERAGE	45%	45%
MINIMUM SIZE OF HOME	-	2,500

Conceptual landscape plan: The applicant proposes to grade pads on the residential lots and landscape the entire project area. The proposed landscaping includes shrubs and ground covers on the residential lots (*Cercis occidentalis, Cistus x purpureus, Echium candicans, Grevillea* "Roby Gordon", *Lantana montevidensis,* and *Myoporum pacificum*). The proposed trees on the residential lots include *Rhus lancea*, *Liquidambar styraciflua*, and *Jacaranda mimosifolia*. The required yards shall be top-dressed per Section 3019 *Landscaping, irrigation and hydroseeding.* Regular landscape maintenance, including weed abatement, of the undeveloped lots shall be required by condition.

The applicant proposes to augment the existing landscaping on Parcel 3 and to plant the off-street parking areas. Along Vista Way, the applicant proposes planting ground cover, shrubs, and *Tristania conferta* trees. Ground cover, shrubs, and trees are proposed within the off-street parking area. The proposal includes *Calodendrum capense*, *Liquidambar styraciflua*, and *Rhus lancea*. Adjacent to the rear of the existing commercial building, the applicant proposes to plant Rhus *lancea* trees.

Per Section 401.I of the Subdivision Ordinance, staff requires a survey of the existing trees prior to issuance of a grading permit. Loss of existing trees shall be replaced on-site according to a standard mitigation schedule prepared by the Engineering staff.

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

1. Zoning Ordinance
2. Subdivision Ordinance
3. General Plan
4. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. Is the proposed Tentative Parcel Map consistent with the Land Use Element of the General Plan and the City's Subdivision Ordinance?

2. Are the proposed project development criteria consistent with the criteria of the Single-Family Residential District and the surrounding neighborhood?

3. Is the proposed off-street parking land use consistent with the requirements of the City's Zoning Ordinance?

DISCUSSION

Proposed Subdivision – The commercial condominium subdivision is consistent with General Plan Section 2.01 and complies with all other applicable ordinances, regulations, and guidelines of the City of Oceanside. The proposed condominium unit size (500 to 5,000 square feet) will allow for the efficient potential reuse of the property. With the advent of additional off-street parking, the site has improved its suitability for medical office land use. The proposed site improvements will enhance access to the property (pedestrian ramps, vehicle egress).

Staff's review of the residential parcel map focused on the project's consistency with the surrounding area, the Zoning Ordinance regulations, and the guidelines of the General Plan. The subject site is contiguous with single-family homes constructed in 1930, but the surrounding area has several distinctive homes that

were built between 1980 and 2000. Staff finds that the proposed two new custom homes, as conditioned, would be compatible with the existing eclectic nature of development on Ivy Road, and generally in the Fire Mountain Neighborhood.

Proposed conditional use permit to allow panhandle access - Staff finds that the proposed panhandle access to Parcel 2 is consistent with the surrounding area, due to the fact that there are several lots in the vicinity with similar egress access to Ivy Road.

Proposed conditional use permit for off-street parking use on residentially zoned land - The parking structure is proposed on land contiguous to the medical office building property; the site is not separated by any public right-of-way; and the medical office and parking area properties are under the same ownership. The parking area will be buffered from adjacent residential uses or districts by sufficient landscaping, including trees for screening and a wall that shall not exceed six feet in height. The lighting of the parking area will be properly shielded to prevent glare on any adjacent property. Therefore permitting the establishment of parking use on a residential zoned area will not be detrimental to the public health, safety and general welfare because the parking area is properly designed, addition of 125 off-street parking spaces will properly service the land use on-site and the parking area will utilize less than 0.5 acres of residentially zoned land.

ENVIRONMENTAL DETERMINATION

The project is exempt under the provisions of the California Environmental Quality Act, Article 19, Section 15315 & 15332 because the project involves a minor subdivision and infill development of a parking lot and future single-family residences.

SUMMARY

The proposed project is consistent with applicable Zoning Ordinance development criteria, Subdivision Ordinance regulations and General Plan land use policies; therefore, staff recommends that the Planning Commission:

-- Move to approve Tentative Parcel Map (P-1-06), Development Plan (D-1-06), and Conditional Use Permits (C-1-06, C-2-06) and adopt Planning Commission Resolution No. 2007-P01 as attached.

PREPARED BY:

Juliana von Hacht
Associate Planner

SUBMITTED BY:

Jerry Hittleman
City Planner

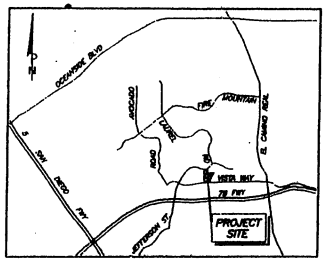
REVIEWED BY:
Amy Volzke, Principal Planner

JH/JH/fil

Attachments:
1. Site Plan, Floor Plans & Elevations, Tree Survey
2. Planning Commission Resolution No. 2007-P01
3. Planning Commission Resolution No. 2004-P08
4. Planning Commission Resolution No. 2000-P34

TENTATIVE PARCEL MAP / DEVELOPMENT PLAN
FOR
OCEANVIEW PLAZA

P-1-06
C-1-06
C-2-06
D-1-06



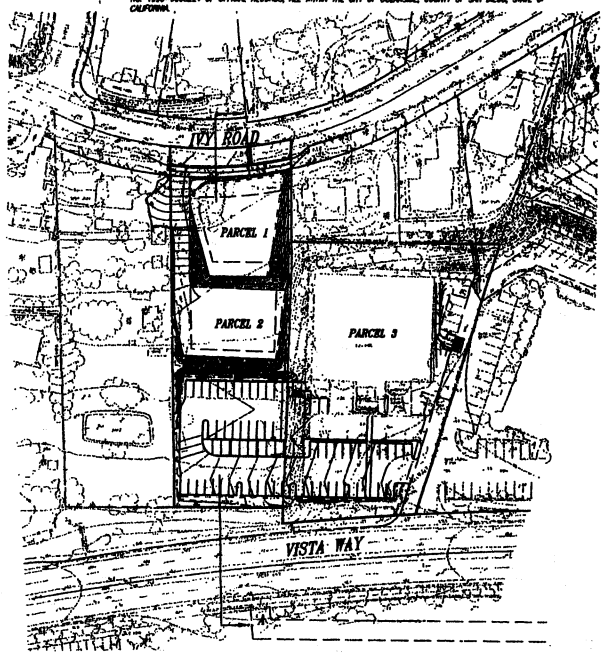
VICINITY MAP
NOT TO SCALE

FOR A RESIDENTIAL SUBDIVISION AND OFFICE CONDOMINIUM PURPOSES

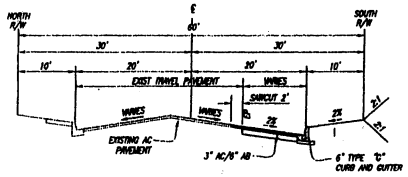
LEGAL DESCRIPTION:

PARCEL 4 OF PARCEL MAP NO. 14380 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JULY 23, 1986 AS INSTRUMENT NO. 86-306826 OF OFFICIAL RECORDS, TOGETHER WITH THAT PORTION OF LOT 2 IN BLOCK "E" OF NORTH CARLSBAD ANNEX ACCORDING TO MAP NO. 1669 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON MARCH 1, 1926 WHICH LIES WITHIN THE LAND DESCRIBED AS PARCEL A IN IN THAT CERTAIN CERTIFICATE OF COMPLIANCE NO. CC-01-98 RECORDED ON SEPTEMBER 28, 1998 AS INSTRUMENT NO. 1998-0600224 OF OFFICIAL RECORDS, ALL WITHIN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

SCALE 1" = 60'



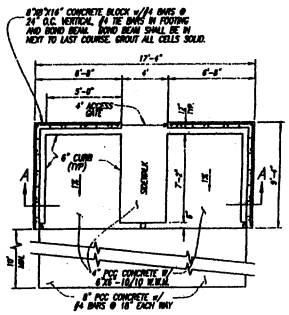
OCEANVIEW PLAZA TENTATIVE PARCEL MAP GENERAL NOTES			
TOTAL PROJECT AREA	2.16 AC		
NUMBER OF LOTS	3		
EXISTING PARCEL A		EXISTING PARCEL B	
TOTAL GROSS AREA	1.03 ACRES	TOTAL GROSS AREA	1.13 ACRES
NET DEVELOPABLE AREA	0.94 ACRES	NET DEVELOPABLE AREA	1.13 ACRES
EXISTING ZONING	RS	EXISTING ZONING	CP
PROPOSED ZONING	RS	PROPOSED ZONING	CP
EXISTING GENERAL PLAN	SFD-R	EXISTING GENERAL PLAN	FC
PROPOSED GENERAL PLAN	SFD-R	PROPOSED GENERAL PLAN	FC
DEVELOPMENT NOTES			
RESIDENTIAL COMPONENT		COMMERCIAL COMPONENT	
GROSS RESIDENTIAL AREA	0.93 ACRES	COMMERCIAL AREA	1.64 ACRES
NET RESIDENTIAL AREA	0.93 ACRES	NUMBER OF PARCELS	1
NUMBER OF PROPOSED PARCELS	2	NUMBER OF UNITS	OFFICE CONDO
NUMBER OF UNITS	2	First Floor Sales Area	11,556 sq. ft.
		Second Floor Sales Area	11,360 sq. ft.
DENSITY	2.15		-
CONTOUR INTERVAL	1 FOOT	CONTOUR INTERVAL	1 FOOT
LANDSCAPING - REQ'D	50% of required yards adjoining a street	LANDSCAPING - REQ'D	15%
		LANDSCAPING - PROPOSED	29%
PARKING - REQUIRED	3 spaces/unit	PARKING - REQUIRED	114 (1/200 sq. ft.)
PARKING - PROPOSED	3 car garage/unit	PARKING - EXISTING	74 spaces
		PARKING - PROPOSED	125 spaces
		BUILDING COVERAGE	36.39%
		PAVEMENT AREA	47.00%
ASSESSORS PARCEL NO.	166-240-22	ASSESSORS PARCEL NO.	166-240-83
DEVELOPMENT REGULATIONS			
MINIMUM PARCEL AREA	6,000	MINIMUM PARCEL AREA	10,000 sq. ft.
MINIMUM PARCEL WIDTH	60 ft	MINIMUM PARCEL WIDTH	-
MINIMUM FRONT YARD	20 ft	MINIMUM FRONT YARD	20 ft
MINIMUM SIDE YARD	7.5 ft	MINIMUM SIDE YARD	-
MINIMUM REAR YARD	15 ft	MINIMUM REAR YARD	10 ft
MAXIMUM BUILDING HEIGHT	50 ft	MAXIMUM BUILDING HEIGHT	50 ft



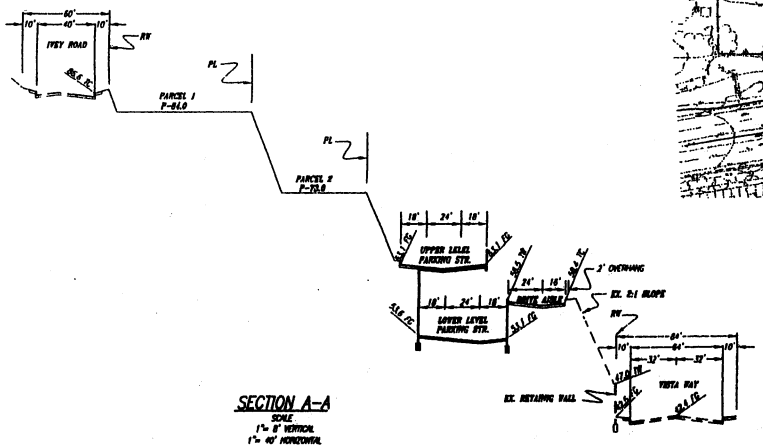
TYPICAL SECTION-IVY ROAD
NOT TO SCALE

LEGEND:

- NEW SEWER MANHOLE
- EXIST. SEWER MANHOLE
- NEW FH
- EXIST. FH
- EXIST. STREET LIGHT
- EXIST. POWER POLE
- WATER VALVE
- BROW DITCH
- EXIST. OVERHEAD ELECTRICAL — OHE —
- NEW RETAINING WALL
- GRADED SLOPE 2:1 MAX.
- ZONING DISTRICT BOUNDARY
- BUILDING SETBACK LINE



PLAN
SCALE 1"=5'



SECTION A-A
SCALE
1"= 8' VERTICAL
1"= 40' HORIZONTAL

GRADING QUANTITIES:

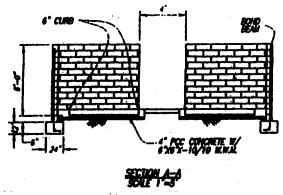
	CUT	FILL
RAW VOLUME	4,010 C.Y.	1,942 C.Y.
7.5% SHRINKAGE		401 C.Y.
TOTAL	4,010 C.Y.	2,343 C.Y.
EXPORT	1,667 C.Y.	
GRADING/ACRE	1,855 C.Y./ACRE	

NOTES:

PARCELS 1 & 2 ARE FOR RESIDENTIAL PURPOSES
PARCEL 3 IS FOR A MAXIMUM OF 15 OFFICE CONDOMINIUM UNITS

TOPOGRAPHY	TOWILL INC. FLOWN AUGUST 4, 2005
PRELIM. SOILS REPORT:	HETHERINGTON ENGINEERING, INC. PROJECT No. 5397.1 LOI No. 9670 DATED APRIL 5, 2006
HYDROLOGY REPORT:	BUCCOLA ENGINEERING INC. DATED JANUARY 27, 2006
STORM WATER MITIGATION PLAN PARCELS 3	BUCCOLA ENGINEERING INC. DATED JULY 6, 2006
RUNOFF ASSESSMENT REPORT PARCELS 1 & 2	BUCCOLA ENGINEERING INC. DATED JULY 6, 2006

NOTE:
OUTDOOR FINISH & COLORS SHALL BE PER ARCHITECTURE PLANS



SECTION A-A
SCALE 1"=5'

TRASH ENCLOSURE DETAIL
SCALE 1"=5'

OWNER'S REPRESENTATIVE:
THE LIGHTFOOT PLANNING GROUP
5750 FLEET STREET, SUITE 250
CARLSBAD, CA., 92008
TELE: (760) 692-1924 / FAX (760) 692-1935

OWNER / DEVELOPER:
OCEANVIEW PLAZA INVESTORS L.L.C.
P.O. BOX 1436
RANCHO SANTA FE, CA., 92067
TELE: (858) 756-7450 / FAX (858) 756-7460

OWNER — DATE 12-18-06

PREPARED IN THE OFFICE OF:
BUCCOLA ENGINEERING, INC 760/721-2800
3142 Vista Way, Suite 301, Oceanside, CA 92056

PHILIP R. BUCCOLA R.C.E. 27732 — DATE 12-18-06

DATE PREPARED: FEB. 3, 2006
REVISED: MAY 10, 2006
REVISED: OCTOBER 26, 2006
REVISED: DECEMBER 18, 2006

SHEET 1 OF 3

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Planning Department

P-1-06
C-1-06
C-2-06
D-1-06

TENTATIVE PARCEL MAP
DEVELOPMENT PLAN
FOR
OCEANVIEW PLAZA

LOWER LEVEL
104 PARKING SPACES

N

SCALE 1" = 20'

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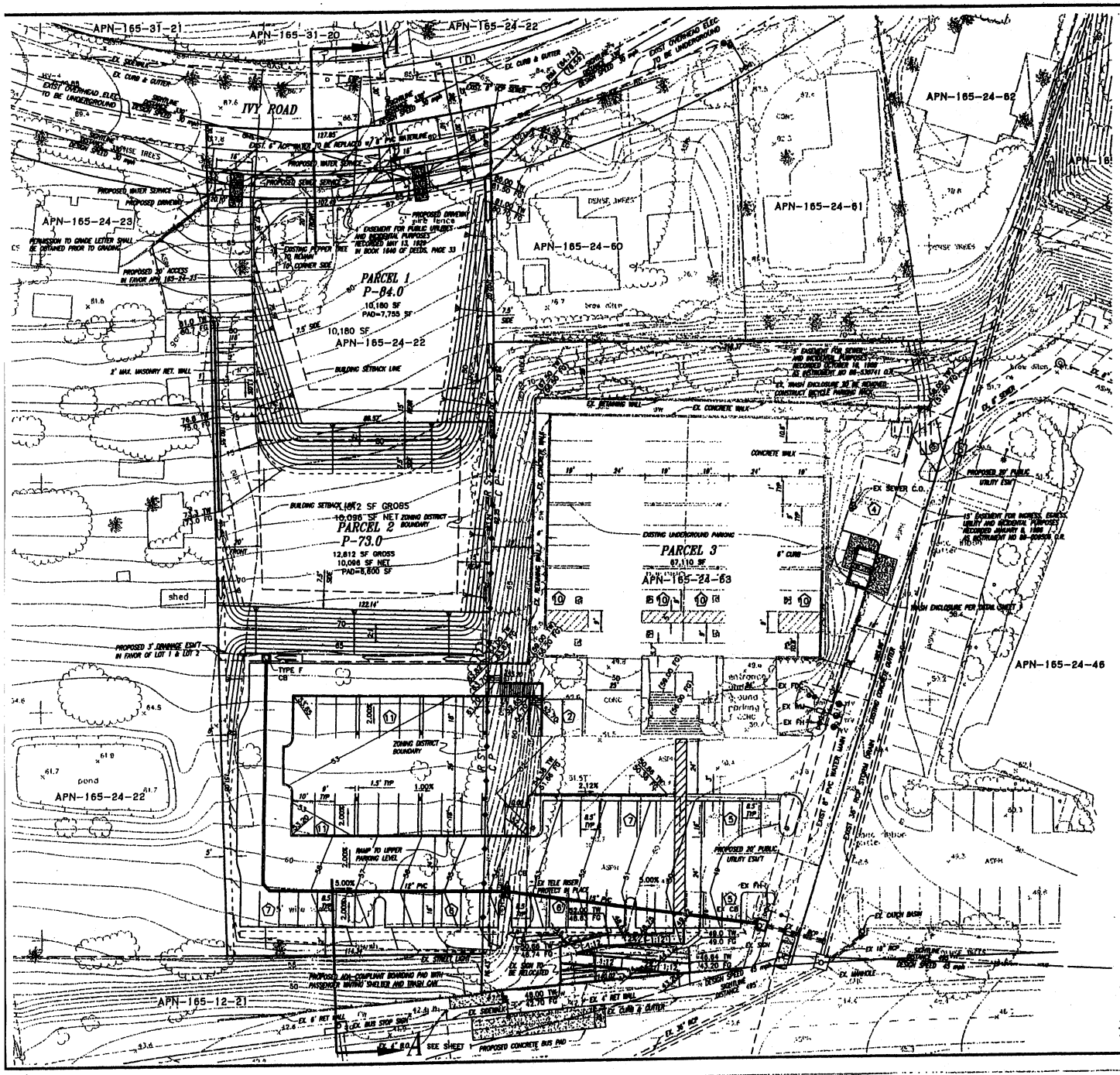
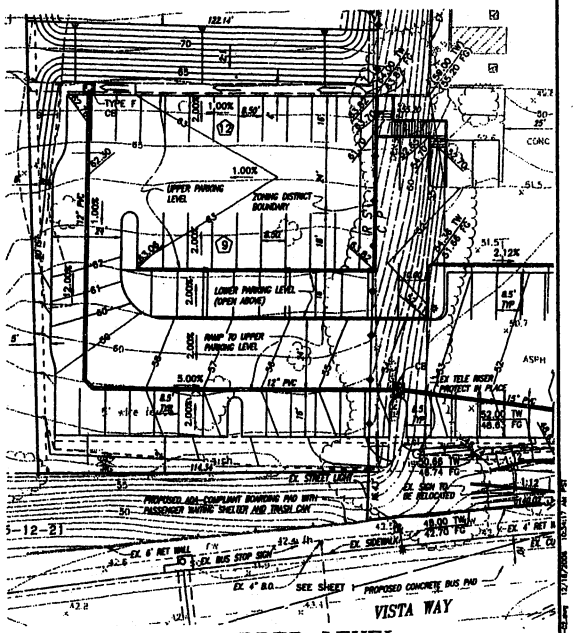




UPPER LEVEL
21 PARKING SPACES

DATE PREPARED: FEB. 3, 2006
REVISED: MAY 10, 2006
REVISED: OCTOBER 26, 2006
REVISED: DECEMBER 18, 2006

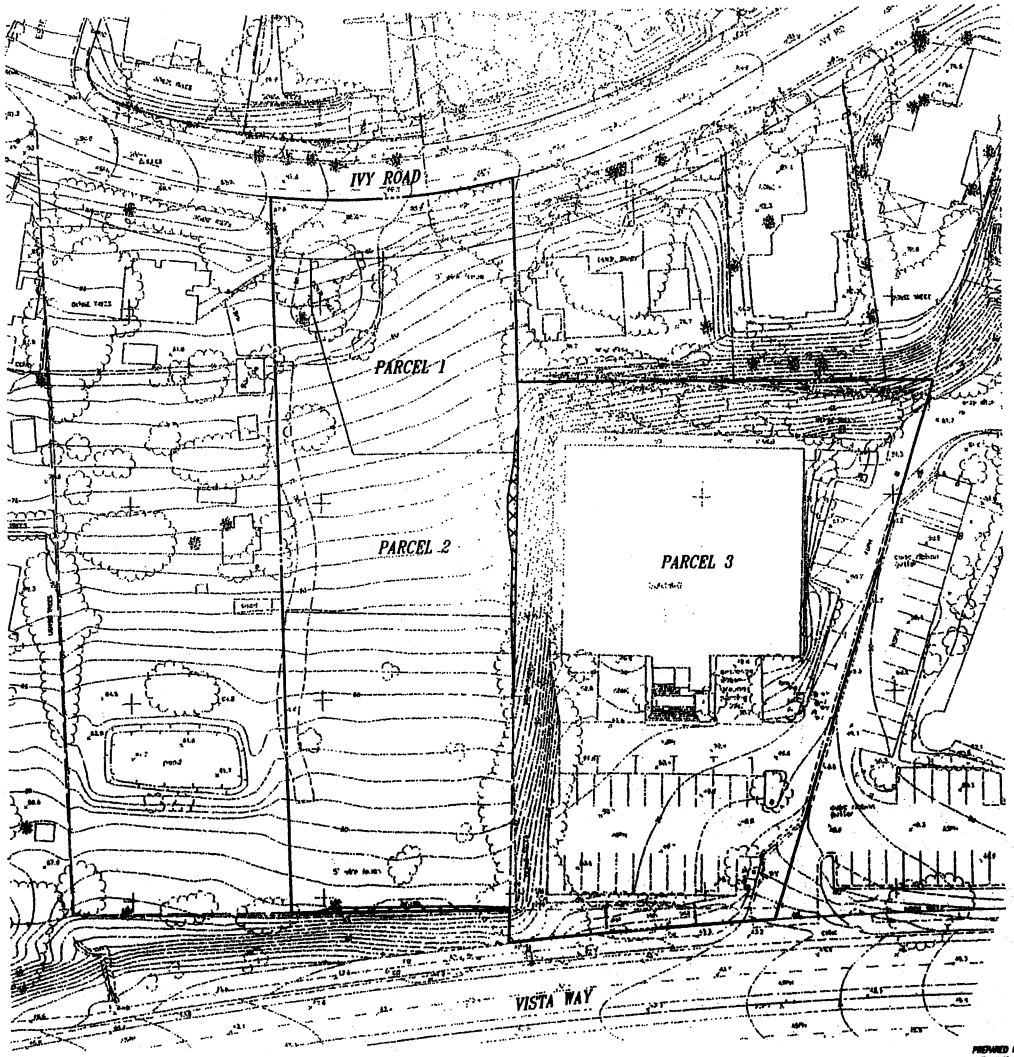
PREPARED IN THE OFFICE OF:
BUCCOLA ENGINEERING, INC
760/721-2000
3142 Vista Way, Suite 301, Oceanside, CA 92056

SHEET 2 OF 3

SLOPE ANALYSIS FOR OCEANVIEW PLAZA

P-1-06
C-1-06
C-2-06
D-1-06

TENTATIVE PARCEL MAP
DEVELOPMENT PLAN
FOR
OCEANVIEW PLAZA



LEGEND

SLOPE CATEGORY	ON-SITE ACRES	PERCENT OF TOTAL AREA
LESS THAN 20%	0.92	98%
20% – 40% (LESS THAN 25' HEIGHT)	0.02	2%
20% – 40% (GREATER THAN 25' HEIGHT)	0	0%
OVER 40% (LESS THAN 25' HEIGHT)	0	0%
OVER 40% (GREATER THAN 25' HEIGHT)	0	0%
TOTAL:	0.94	100%

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DEC 1 9 2006
Planning Department

PREPARED IN THE OFFICE OF:
BUCCOLA ENGINEERING, INC
760/721-2000
3142 Vista Way, Suite 301, Oceanside, CA 92056

DATE PREPARED: FEB. 3, 2006
REVISED: MAY 10, 2006
REVISED: OCTOBER 26, 2006
REVISED: DECEMBER 18, 2006

SHEET 3 OF 3

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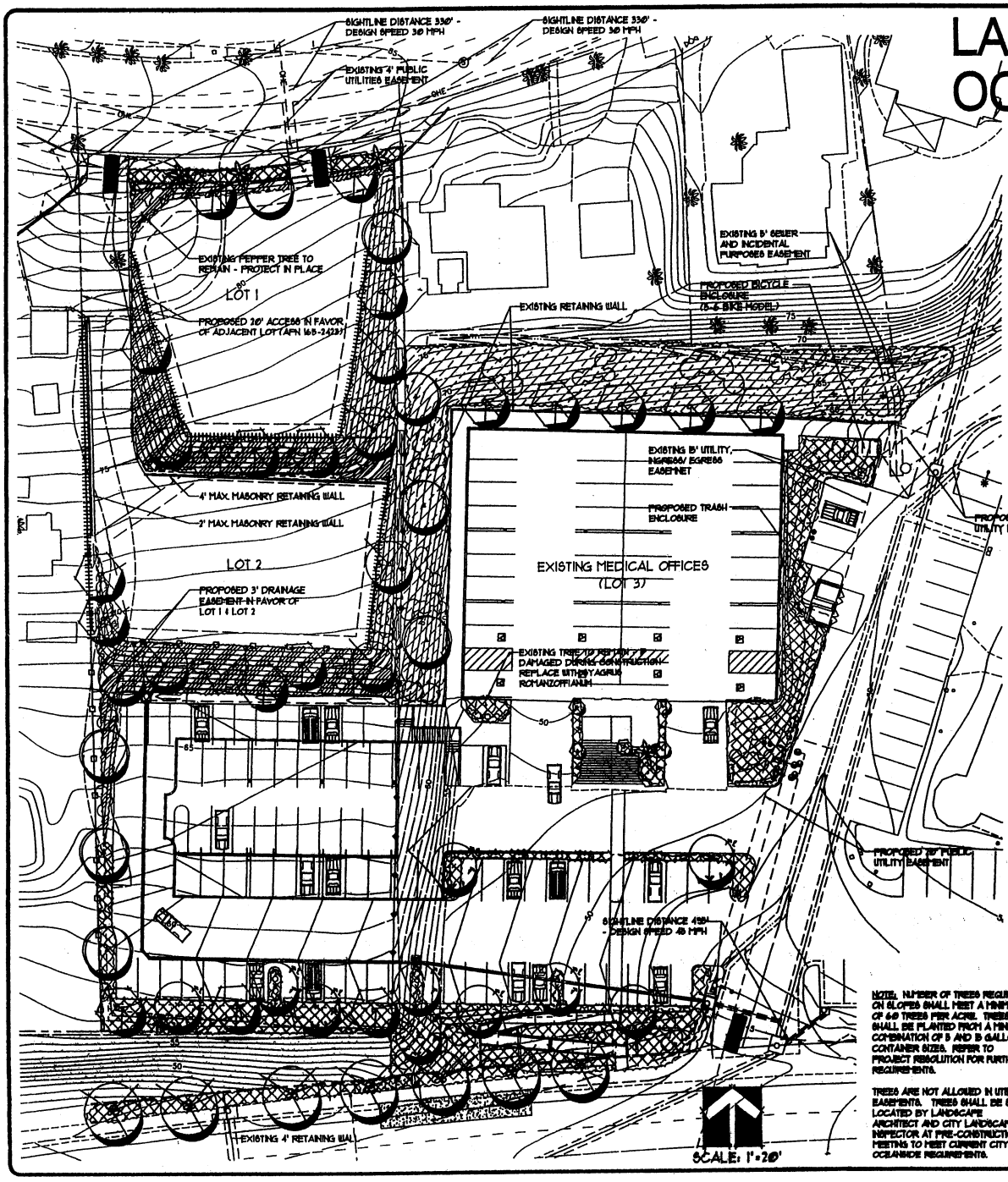
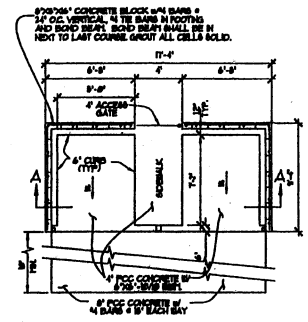
LANDSCAPE CONCEPT PLAN
OCEANVIEW PLAZA



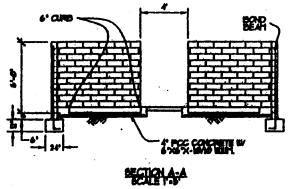
NOTE: NUMBER OF TREES REQUIRED ON SLOPES SHALL MEET A MINIMUM OF 6-8 TREES PER ACRE. TREES SHALL BE PLANTED FROM A MINIMUM COMBINATION OF 5 AND 15 GALLON CONTAINER SIZES. REFER TO PROJECT RESOLUTION FOR FURTHER REQUIREMENTS.

TREES ARE NOT ALLOWED IN UTILITY EASEMENTS. TREES SHALL BE SPOT LOCATED BY LANDSCAPE ARCHITECT AND CITY LANDSCAPE INSPECTOR AT PRE-CONSTRUCTION MEETING TO MEET CURRENT CITY OF OCEANSIDE REQUIREMENTS.



PLAN
SCALE 1"=5'

NOTE: EXTERIOR FINISH & COLORS SHALL BE PER ARCHITECTURE PLANS



SECTION A-A
SCALE 1"=5'

TRASH ENCLOSURE DETAIL

SCALE 1"=5'

CONCEPTUAL PLANT PALETTE

TREES 15 GAL MIN.

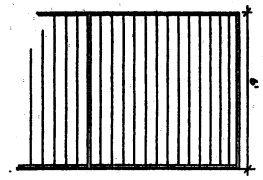
- CALODENDRUM CAPENSE - CAPE CHESTNUT
- JACARANDA MIMOSIFOLIA - JACARANDA
- LIQUIDAMBAR STYRACIFLUA - AMERICAN SWEET GUM
- PHOENIX ROEBELENII - PYGMY DATE PALM
- RHUS LANCEA - AFRICAN SUMAC
- SYAGRUS ROMANZOFFIANUM - QUEEN PALM
- TRISTANIA CONFERTA - BRISBANE BOX (STREET TREE - 24" BOX)
- EXISTING TREES TO REMAIN

SHRUBS & GROUND COVERS 1-5 GAL & FLATS

- ABELIA x GRANDIFLORA 'EDWARD GOUCHER' - GLOSSY ABELIA
- ARBUTUS UNEDO 'COMPACTA' - STRAWBERRY TREE
- BOUGAINVILLEA 'SAN DIEGO RED' - BOUGAINVILLEA
- VIBURNUM DAVIDII - NCN
- VINCA MAJOR - PERIWINKLE
- CERCIS OCCIDENTALIS - WESTERN REDBUD
- CISTUS x PURPUREUS - ORCHID ROCKROSE
- ECHIUM CANDICANS - PRIDE OF MADEIRA
- GREVILLEA 'ROBY GORDON' - NCN
- LANTANA MONTEVIDENSIS - LANTANA
- HYOPORUM PACIFICUM - NCN
- ANIGOZANTHOS HYBRIDS - KANGAROO PAW
- ASPARAGUS D. 'MYERS' - MYERS ASPARAGUS
- CARISSA MACROCARPA - NATAL PLUM
- CLIVIA MINIATA - KAFFIR LILY
- DIETES BICOLOR - FORTNIGHT LILY
- HELICTOTRICHON SEMPERVIRENS - BLUE OAT GRASS
- HEMEROCALLIS HYBRIDS - DAYLILY
- KNIPHOFIA UVARIA - RED HOT POKER
- LIGUSTRUM JAPONICUM 'TEXANUM' - JAPANESE PRIVET
- NANDINA DOMESTICA - HEAVENLY BAMBOO
- PHORMIUM 'JACK SPRATT' - NEW ZEALAND FLAX
- STRELITZIA REGINAE - BIRD OF PARADISE
- ABUTILON MEGAPOTAMICUM - CHINESE LANTERN

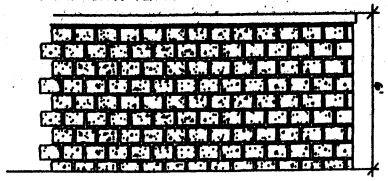
CONCEPTUAL SOLID WOOD FENCE

A CEDAR FENCE WILL BE USED THROUGHOUT THE PROJECT AS SIDE YARD AND REAR YARD FENCING.



CONCEPTUAL SPLIT FACED MASONRY WALL

A SPLIT FACE MASONRY BLOCK WALL WILL BE USED ALONG THE NORTH & WEST PROPERTY LINES OF LOT 3 AROUND THE PARKING DECK.



PLANTING NOTES

The selection of plant material is based on cultural, aesthetic, and maintenance considerations. All planting areas shall be prepared with soil conditioner, fertilizers, and appropriate supplements based upon soil samples taken from the site.

NOTE: SOME EXISTING PLANT MATERIAL TO REMAIN AS IDENTIFIED BY LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION

IRRIGATION NOTES

An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low precipitation equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off. All landscape and irrigation improvements shall be installed as per the provisions of the City of Oceanside Guidelines and Specifications for Landscape Development.

THE LIGHTFOOT PLANNING GROUP
PLANNING
SITE DESIGN
LANDSCAPE ARCHITECTURE
4740 FLEET STREET, STE. 250
CARLSBAD, CA 92008
(760) 602-1620
FAX (760) 602-1626
LIGHTFOOT@LIGHTFOOTPG.COM

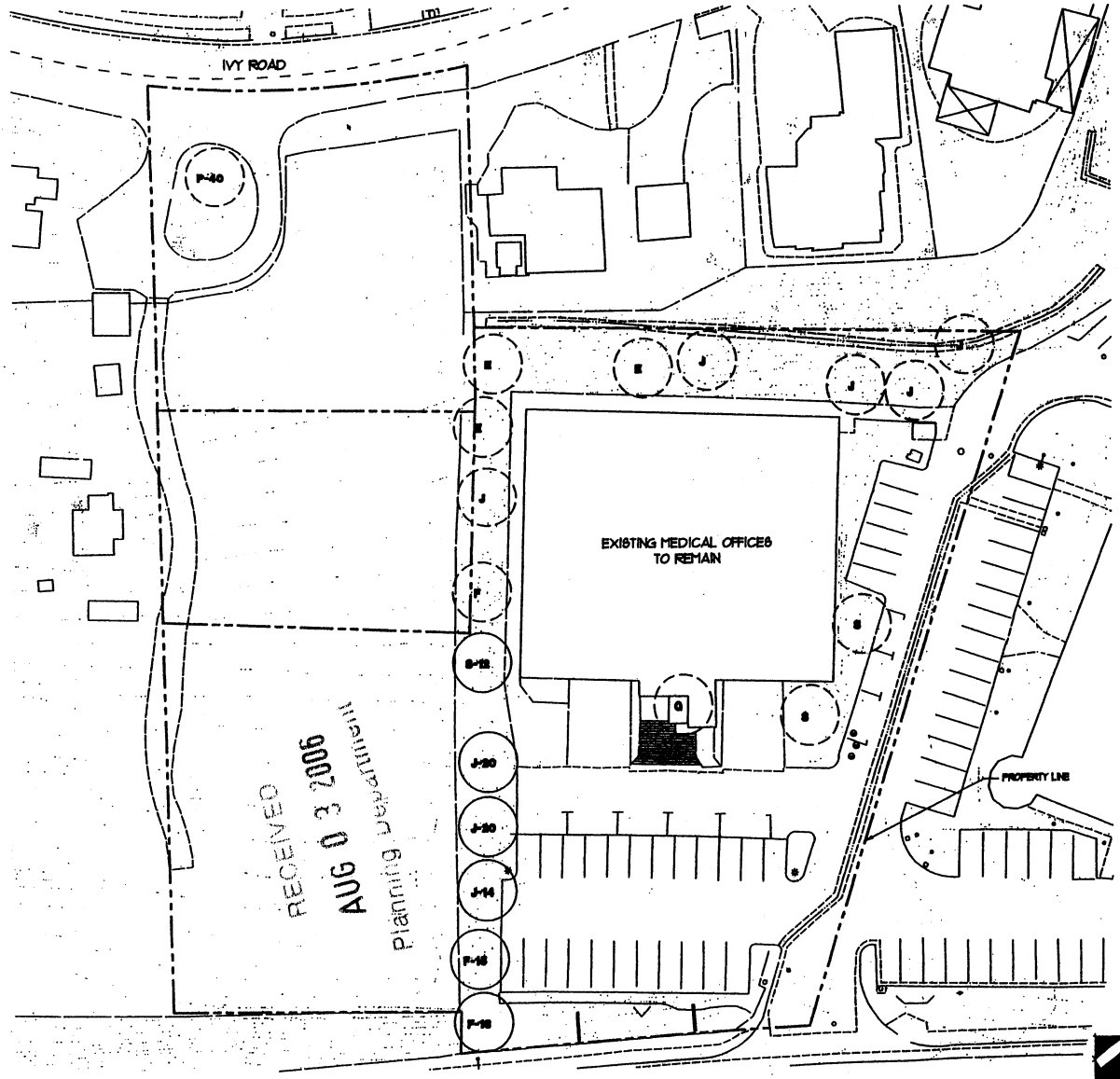
Oceanview Plaza Investors, LLC
Oceanview Plaza
Oceanside, California

Scale: 1"=20'
Date: 12/19/06
Drawn By: bcc
Revisions:
9/17/06 bcc

Landscape Concept Plan

Job # 1109.012

1



• EXISTING SITE CONDITIONS •

LEGEND - TREES WITH CALIPER OF 10" OR MORE TO BE REMOVED

- F — FICUS NITIDA - INDIAN LAUREL FIG
- J — JACARANDA MIMOSIFOLIA - JACARANDA
- S — PLATANUS RACEMOSA - CALIFORNIA SYCAMORE

TREE TYPE — TREE CALIPER-IN INCHES

99 INCHES = TOTAL CALIPER INCHES TO BE REMOVED AND MITIGATED ON SITE

LEGEND - TREES WITH CALIPER OF 10" OR MORE UNAFFECTED BY PROJECT IMPACTS TO REMAIN

- E — EUCALYPTUS CITRIODORA - LEMON SCENTED GUM
- F — FICUS NITIDA - INDIAN LAUREL FIG
- J — JACARANDA MIMOSIFOLIA - JACARANDA
- P — SCHINUS MOLLE - CALIFORNIA PEPPER
- Q — SYAGRUS ROMANZOFFIANUM - QUEEN PALM
- S — PLATANUS RACEMOSA - CALIFORNIA SYCAMORE

THE LIGHTFOOT PLANNING GROUP
PLANNING
SITE DESIGN
LANDSCAPE ARCHITECTURE
6780 FLEET STREET, SUITE 200
CARLSBAD, CA 92008
(760) 602-1924
FAX (760) 602-1936
JLIGHTFOOT@LIGHTFOOTPG.COM

Oceanview Plaza Investors, LLC
Oceanview Plaza
Oceanside, California

Scale: 1"=20'
Date: 4/1/06
Drawn By: bc
Revision: 6/28/06 bc

Tree Survey Exhibit

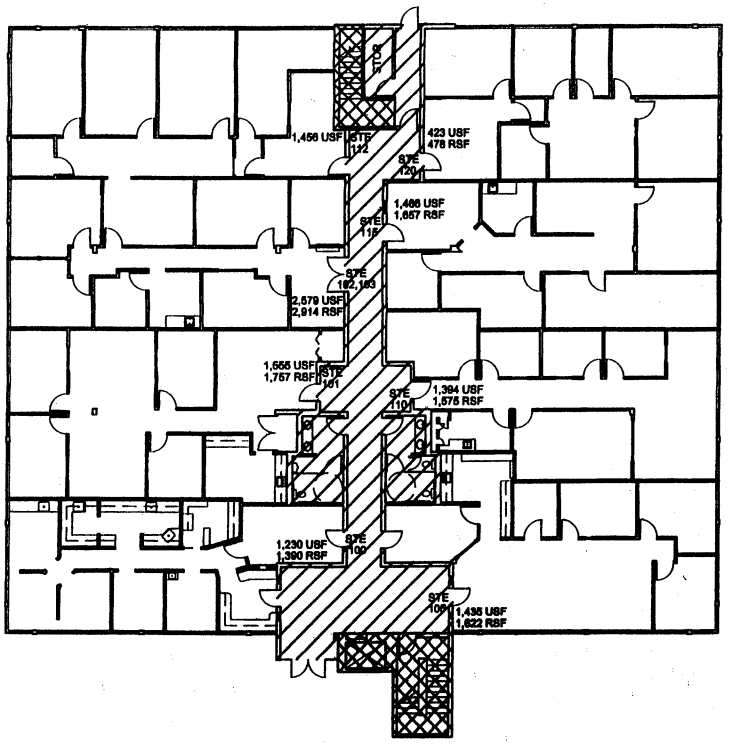
Job # 1106.012

1

1106.012 Oceanview Plaza

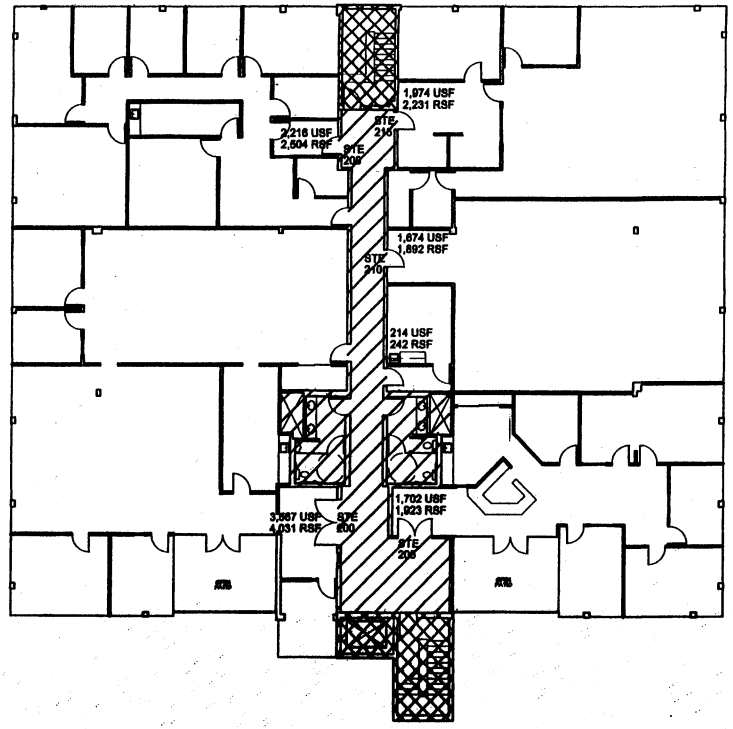
2420 Vista Way
Existing Building Interior Layout

1 EXISTING FIRST FLOOR PLAN



TOTAL 1st FLOOR AREA: 13,500 SF
PENETRATION AREA: 371 SF
COMMON AREA: 1,591 SF
SUITES AREA: 11,538 SF

1 EXISTING SECOND FLOOR PLAN



TOTAL 2nd FLOOR AREA: 13,012 SF
PENETRATION AREA: 462 SF
COMMON AREA: 1,200 SF
SUITES AREA: 11,350 SF

THE LIGHTFOOT PLANNING GROUP

PLANNING
SITE DESIGN
LANDSCAPE ARCHITECTURE

Oceanview Plaza Investors LLC
2420 Vista Way
Oceanside, CA

Existing Building Interior Layout

1

PLANNING COMMISSION
RESOLUTION NO. 2007-P01

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

APPLICATION:	P-1-06, D-1-06, C-1-06 and C-2-06
APPLICANT:	Oceanview Plaza Investors, LLC
LOCATION:	2420 Vista Way

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Tentative Parcel Map, Development Plan, and Conditional Use Permits under the provisions of Articles 10, 11, 30, 41 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

subdivide an existing 2.16-acre site to establish three parcels and 15 commercial condominium units; permit off-street parking land-use within a residential district and construction of a parking structure on Parcel 3; permit panhandle access to Parcel 2; and associated site improvements;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 8th day of January 2007, conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project has been found to be categorically exempt from environmental review per Article 19, Sections 15315 and 15332, because the project involves a minor subdivision of land and infill development of a parking structure and future single-family residences.

WHEREAS, the documents or other material which constitutes the record of proceedings upon which the decision is based will be maintained by the City of Oceanside Planning Division, 300 North Coast Highway, Oceanside, California 92054.

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

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

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is $2,843-$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	$.713 per square foot or $713 per thousand square feet for non-residential uses
School Facilities Mitigation Fee	Ordinance No. 91-34	$.42 per square foot non-residential for Oceanside, Vista and Fallbrook
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	$15.71 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the .75 per cent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Non-residential is $19,967 for a 2" meter.
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. Non-residential is $24,444 for a 2" meter.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Non-residential is $21,599 for a 2" meter.

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/permittee, and are not necessarily the fee amount that will be owing when such fee becomes due and payable;

WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside 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 Gov't 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;

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

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

FINDINGS:

For the Tentative Parcel Map:

1. The proposed subdivision creates parcels that are consistent and meet or exceed the requirements for development within the RS (Single-Family Residential) and CP (Commercial Professional) zoning districts. The subdivision map is consistent with the General Plan of the City.
2. The 2.16-acre site is physically suitable for the subdivision of the existing property into three parcels and establishment of 15 condominium units within the existing building.
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 the use of property within the subdivision.

5. That 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 is consistent with the Zoning Ordinance and the underlying RS (Single-Family Residential) and CP (Commercial Professional) Zones.
2. The Development Plan conforms to the General Plan of the City.
3. The project site can be adequately served by existing public facilities, services and utilities.
4. The project, as proposed, is compatible with the existing and potential development on adjoining properties or in the surrounding neighborhood.
5. The site plan and parameters for the architecture and physical design of the project is consistent with the policies contained within the Land Use Element of the General Plan.

For the Conditional Use Permits:

1. The proposed use of a panhandle access and the proposed location of the lot is in accord with the objectives of the Zoning Ordinance and the purposes of the districts in which it is located.
2. The use of panhandle access, and the proposed conditions under which they would be established or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

Permitting parking in a project subject to differing zoning classifications (off-street parking within a Residential District and construction of a parking structure to serve a Professional Commercial site):

1. The site on which the parking is to be located is contiguous to the site on which the medical office building is located. The site is not separated by any public right-of-way and the applicant proposes that the two sites be combined into one lot.
2. All property is under the same ownership.

3. The proposed parking facility, as conditioned, will not cause any detriment to the surrounding area or land uses in near proximity to the site. The parking area will be buffered from adjacent residential uses by landscaping and a natural slope where the residential land use is at least 10 feet above the off-street parking area.

4. The proposed parking facility is consistent with all applicable provisions contained within the Zoning Ordinance. Conditions have been placed to insure compliance with applicable building and safety codes, including but not limited to parking facility lighting. The lighting of the parking area will be properly shielded so as to prevent glare on any adjacent property.

5. The site having a residential designation is less than 0.5 acres.

6. The proposed off-street parking facility will provide a necessary function for continued use of the site. The use is consistent with the land use policies of the General Plan and the underlying zones.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve the environmental exemption and approve Tentative Parcel Map (P-1-06) Development Plan (D-1-06) and Conditional Use Permits (C-1-06, C-2-06) based on the following conditions of approval:

Building:

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Division plan check. (Currently the 2001 California Building Code, and 2004 California Electrical Code)

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

3. Site development, parking, access into buildings and building interiors shall comply with the State's Disabled Accessibility Regulations. (2001 California Building Code (CBC), Chapter 11B)

4. The building plans for this project are required by State law to be prepared by a licensed architect or engineer and shall be in compliance with this requirement prior to submittal for building plan review.

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

6. All outdoor lighting shall 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 shall be utilized and shall be shown on building and electrical plans.

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

8. The developer shall monitor, supervise and control all building construction and supporting 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 7:00 am and 6:00 pm Monday through Friday, and on Saturday from 7:00 am to 6:00 pm 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 shall be stored on-site in a neat, safe manner for short periods of time pending disposal.

9. Separate, unique addresses may be required to facilitate utility releases. Verification that the addresses have been properly assigned by the City's Planning Division must accompany the Building Permit application.

10. A complete Soils Report, Structural Calculations, & Energy Calculations shall be required at time of plans submittal to the Building Division for plan check. The Soils Report & Structural Calculations must show that the hillside soils conditions are suitable

to support the buildings. Retaining walls that are a part of this design shall be designed per the Soils report for the whole project.

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

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

13. On Parcel 3, a trash enclosure (or trash enclosures) shall be provided as required by Chapter 13 of the City Code and shall also include additional space for storage and collection of recyclable materials per City standards. The enclosure(s) shall be built in a flat, accessible location as determined by the City Engineer and or Public Works Director. The enclosure(s) shall meet City standards including being constructed of concrete block, reinforced with rebar and filled with cement. A concrete slab must be poured with a berm on the inside of the enclosure to prevent the bin(s) from striking the block walls. The slab must extend out of the enclosure for the bin(s) to roll out onto. Steel posts must be set in front of the enclosure with solid metal gates. All driveways and service access areas must be designed to sustain the weight of a 50,000-pound service vehicle. Trash enclosures and driveways and service access areas shall be shown on both the improvement and landscape plans submitted to the City Engineer. The specifications shall be reviewed and approved by the City Engineer and/or Public Works Director. The City's waste disposal contractor is required to access private property to service the trash enclosures, a service agreement shall be signed by the property owner and shall remain in effect for the life of the project. All trash enclosures shall be designed to provide user access without the use and opening of the service doors for the bins. Trash enclosures shall have design features such as materials and trim similar to that of the rest of the project. This design shall be shown on the landscape plans and shall be approved by the Community Development Department/Planning Division.

Engineering:

14. All right-of-way alignments, street dedications, exact geometrics and widths shall be dedicated and improved as required by the City Engineer/Public Works Director.

15. 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/Public Works Director.

16. 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.

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

18. 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 subdivider. The subdivider is responsible for applying for all closures, vacations, and abandonments as necessary. The application(s) shall be reviewed and approved or rejected by the City of Oceanside under separate process(es) per codes, ordinances, and policies in effect at the time of the application.

19. Prior to approval of the Parcel Map or any increment, all improvement requirements, within such increment or outside of it if required by the City Engineer/Public Works Director, 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.

20. Prior to approval of the Parcel Map a phasing plan for the construction of public and private improvements including landscaping, streets and arterials shall be approved by the City Engineer/Public Works Director. All improvements shall be under construction to the satisfaction of the City Engineer/Public Works Director prior to the issuance of any building permits. All improvements shall be completed prior to issuance of any certificates of occupancy.

21. 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 the approval of the Parcel Map. 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.

22. 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 Parcel Map.

23. Prior to the issuance of a grading permit for any of the parcels, 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.

24. 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 stormwater conveyance system.

b) All grading and related site preparation and construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., 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/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/Public Works Director. Hauling operations shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

25. A traffic control plan shall be prepared according to the City traffic control guidelines and be submitted to and approved by the City Engineer/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.

26. 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 subdivider 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 parcel map 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 parcel map or building permit approval, and to join, contribute, and participate in such districts.

27. Ivy Road along the project frontage shall be improved with curbs and gutters.

28. Ivy Road along the project frontage shall provide a minimum of 10 feet of parkway between the face-of-curb and the right-of-way line. Sidewalk improvements shall comply with ADA requirements.

29. 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.

30. 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 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.

31. 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 Ivy Road and Vista 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.

32. Upon review of the pavement investigation, the City Engineer/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/Public Works Director, and construct a two-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/Public Works Director.

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

34. 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/Public Works Director.

35. All existing overhead utility lines within the Subdivision/within any full width street or right-of-way abutting a new Subdivision, 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/Public Works Director and current City policy.

36. 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/Public Works Director.

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

38. 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/Public Works Director.

39. This project shall provide year-round erosion control including measures for the site required for the phasing of grading. Prior to the issuance of a 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/Public Works Director.

40. A precise grading and private improvement plan for each parcel 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. Any parking lot striping and any on-site traffic calming devices, if applicable shall also be shown on all Precise Grading and Private Improvement Plans.

41. Landscaping plans, including plans for the construction of walls, fences or other structures at or near the intersections, must conform to intersection sight distance requirements. Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer/Public Works Director prior to the issuance of a preliminary grading permit and approved by the City Engineer/Public Works Director prior to the issuance of occupancy. Frontage and median landscaping shall be installed prior to the issuance of any certificates of occupancy. Any project fences, sound or privacy walls and monument entry walls/signs shall be shown on, bonded for and built from the landscape plans. These features shall also be shown on the precise grading plans for purposes of location only. Plantable, segmental walls shall be designed, reviewed and shown on the grading plans and landscape plans. The planted walls shall be irrigated, as shown on the landscape plans.

42. For parcel 3, open-space areas and down-sloped areas visible from a collector-level or above roadway and not readily maintained by the property owner, shall be maintained by a owners' association that will insure installation and maintenance of landscaping in perpetuity. These areas shall be indicated on the final parcel map and reserved for an association. Future buyers shall be made aware of any estimated monthly costs. The disclosure, together with the CC&R's, shall be submitted to the City Engineer/Public Works Director for review prior to the recordation of final parcel map.

43. The drainage design on the Tentative Parcel Map is conceptual only. The final design shall be based upon a hydrologic/hydraulic study to be approved by the City Engineer/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/Public Works Director. The applicant shall be responsible for obtaining any off-site easements for storm drainage facilities.

44. Storm drain facilities shall be designed and located such that the inside travel lanes on streets with Collector or above design criteria shall be passable during conditions of a 100-year frequency storm.

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

46. For Parcel 3, unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high barrier, approved by the City Engineer/Public Works Director, shall be provided at the top of all slopes whose height exceeds 20 feet or where the slope exceeds four feet and is adjacent to an arterial street or state highway.

47. Development on Parcel 3 shall comply with all applicable regulations established by the United States Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and stormwater discharge and any regulations adopted by the City pursuant to the NPDES regulations or requirements. Further, the applicant may be required to file a Notice of Intent with the State Water Resources Control Board to obtain coverage under the NPDES. General Permit for Storm Water Discharges Associated with Construction Activity and may be required to implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities. SWPPPs include both construction and post construction pollution prevention and pollution control measures and identify funding mechanisms for post construction control measures. The developer shall comply with all the provisions of the Clean Water Program during and after all phases of the development process, including but not limited to: mass grading, rough grading, construction of street and landscaping improvements, and construction of dwelling units. The applicant shall design the Project's storm drains and other drainage facilities to include Best Management Practices to minimize non-point source pollution, satisfactory to the City Engineer/Public Works Director.

48. Upon acceptance of any fee waiver or reduction by the subdivider, the entire project will be subject to prevailing wage requirements as specified by Labor Code section 1720(b)

(4). The subdivider shall agree to execute a form acknowledging the prevailing wage requirements prior to the granting of any fee reductions or waivers.

49. For Parcel 3, the subdivider shall prepare and submit an Operations & Maintenance (O&M) Plan as set forth in the approved Storm Water Mitigation Plan (SWMP) to the City Engineer/Public Works Director with the first submittal of the Precise Grading Plans. The O&M Plan shall be prepared by the applicant's Civil Engineer. It shall be directly based on the project's Storm Water Mitigation Plan (SWMP) previously approved by the Planning Commission. At a minimum the O&M Plan shall include the designated responsible parties to manage the stormwater BMPs, employee's training program and duties, operating schedule, maintenance frequency, routine service schedule, specific maintenance activities, copies of resource agency permits, cost estimate for implementation of the O&M Plan and any other necessary elements.

50. For Parcel 3, the subdivider shall enter into a City-Standard Stormwater Facilities Maintenance Agreement (SWFMA) with the City obliging the project proponent to maintain, repair and replace the stormwater BMPs identified in the project's approved SWMP and as detailed in the O&M Plan that shall be a part of the SWFMA into perpetuity. The Agreement shall be approved by the City Attorney prior to issuance of any precise grading permit and shall be recorded at the County Recorder's Office prior to issuance of any building permit. Security in the form of cash (or certificate of deposit payable to the City) or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance of a precise grading permit. The amount of the security shall be equal to 10 years of maintenance costs, as identified by the O&M Plan. The applicant's Civil Engineer shall prepare the O&M cost estimate. The O&M cost estimate shall be approved by the City Engineer/Public Works Director prior to approval of any engineering plans for the project.

51. At a minimum, the O&M Maintenance Agreement shall require the staff training, inspection and maintenance of all BMPs on an annual basis. The project proponent shall complete and maintain O&M forms to document all maintenance activities. Parties responsible for the O&M plan shall retain records at the subject property for at least 5

years. These documents shall be made available to the City for inspection upon request at any time.

52. The O&M Maintenance Agreement shall include a copy of executed on-site and off-site access easements necessary for the operation and maintenance of BMPs that shall be binding on the land throughout the life of the project to the benefit of the party responsible for the O&M of BMPs, until such time that the stormwater BMP requiring access is replaced, satisfactory to the City Engineer/Public Works Director. The Agreement shall also include a copy of the O&M Plan approved by the City Engineer/Public Works Director.

53. The BMPs described in the project's approved Storm Water Mitigation Plan (SWMP) shall not be altered in any way, shape or form without formal approval by either an Administrative Substantial Conformance issued by the Community Development Department/Planning Division or Planning Commission. The determination of whatever action is required for changes to a project's approved SWMP shall be made by the Community Development Department/Planning Division.

54. All single-family dwelling projects shall dispose of or recycle solid waste in a manner provided in City Code Section 13.3.

Engineering Landscape:

55. The landscape plans must comply with and match the site, grading plan, conceptual landscape plan, and approved SWMP requirements.

56. Removal of any existing tree shall be replaced on-site per Section 401.I of the Subdivision Ordinance and memorandum of accepted caliper replacement schedules.

Fire Prevention:

57. Submit a copy of as-built plans on a CD for all developments on the site before final occupancy.

58. Future development of the site will require compliance with all applicable Fire Department Standards.

Planning:

59. This Tentative Parcel Map (P-1-06), Development Plan (D-1-06) and Conditional Use Permits (C-1-06, C-2-06) shall expire on January 8, 2009, unless implemented as per the Zoning Ordinance or unless the Planning Commission grants a time extension.

60. This Tentative Parcel Map (P-1-06) approves the subdivision of an existing 2.16-acre site in order to establish three parcels and 15 commercial condominium units; the Conditional Use Permits (C-1-06 and C-2-06) allow on Parcel 3 off-street parking land-use within a Residential District and permit panhandle access to Parcel 2; and the Development Plan (D-1-06) permits associated site improvements, as shown on the plans and exhibits presented to the Planning Commission for review and approval, and as modified by said conditions of approval. No deviation from these approved plans and exhibits shall occur without the approval of the City Planner and/or the Planning Commission. Substantial deviations shall require a revision to the Tentative Parcel Map, Development Plan and Conditional Use Permits.

61. Uses generating additional parking shall not be allowed unless a revision to this permit is obtained and a separate use permit is granted by the Planning Commission demonstrating that adequate off-street parking is provided on-site.

62. All lighting showcasing building architecture shall be shown on the building plans and prior to building permit approval.

63. Outdoor storage or display of merchandise of materials shall meet the requirements of the Zoning Ordinance.

64. All site lighting shall adhere to the adopted City of Oceanside Light Pollution Ordinance.

65. Elevation materials, colors, roofing materials and floor plans shall be substantially the same as those approved by the Planning Commission. These shall be shown on plans submitted to the Building Division and Planning Division.

66. The applicant/permittee shall provide a copy of this permit identifying the use limitations on Parcel 3 based on the 199 off-street parking spaces provided on-site, as well as a copy of the County of San Diego Recorder's Office recorded O&M plan to any prospective tenants/property owners.

67. Prior to the issuance of the first building permit, the applicant/permittee shall illustrate compliance with the applicable provisions of the City's anti-graffiti (Ordinance No. 93-19, Section 20.25 of the City Code) which shall be noted on the building permit plan set for reference. These requirements, which include the obligation to remove all graffiti within 24 hours.

68. Unless expressly prohibited by the City of Oceanside Fire Division, all retaining walls over four feet in height shall be landscaped and irrigated, at all times.

69. Within two years of the issuance of the first construction/building permits, planting on the retaining walls shall be required to cover 50 percent of the exposed retaining wall surface that is in excess of four feet in height.

70. All walls and landscaping will be maintained in a disease free and graffiti-free manner, at all times.

71. Prior to issuance of any building permits, the applicant/permittee shall show evidence on a building plan set that all mechanical rooftop equipment are screened from public views. All mechanical rooftop and ground equipment shall be screened from public view as required by the Zoning Ordinance. This information shall be shown on the building permit plan set.

72. On Parcel 3, outdoor eating areas shall not be removed or converted, and all outdoor eating area furnishings shall be kept in good condition and shall be operable, at all times.

73. On Parcel 3, outdoor eating areas shall be kept clean in a neat, debris-free, and graffiti-free manner, at all times.

74. Failure to meet any conditions of approval for this development shall constitute a violation of Tentative Parcel Map (P-1-06), Development Plan (D-1-06), and Conditional Use Permits (C-1-06, C-2-06).

75. To ensure that new development complies with all applicable requirements of the Zoning Ordinance, development plans shall be approved for development projects as provided in Article 43. The City Planner shall administratively approve, conditionally approve, or disapprove development plans for residential projects. Administrative Development Plans shall be processed and approved by the City Planner for lots 1 and 2 of the Tentative Parcel Map prior to the issuance of grading permits for each lot.

Development on each lot shall provide superior architectural, landscaping design and materials compatible with those found within the Fire Mountain Neighborhood. Front yard landscaping shall be provided by the developer of each lot and shall be shown on each Administrative Development Plan.

76. Development on each of the new lots created by this parcel map shall meet the following development standards: minimum unit size, 2,500 square feet; front yard 20 feet; interior side yard 7.5 feet; corner side yard 10 feet; rear yard 15 feet; maximum height 36 feet; lot coverage, maximum 45 percent; roofing, fire resistant roof tile; minimum combination of one 2-car garage and one 1-car garage.

77. Building floor plans, elevations, architectural style, color and materials palette employed on the design of structures on each lot shall differ from but compliment development on adjoining parcels.

78. Development on Parcel 1 and Parcel 2 created by this parcel map shall meet the following design guidelines:

a) Use of retaining walls shall be minimized. Where use of retaining walls cannot be avoided, such walls shall be screened to the maximum extend possible and use of plantable walls shall be employed as part of the design solution.

b) Structures shall complement the surrounding natural and built environment in pattern, function, scale, character and materials.

c) Variable setbacks shall be provided along street frontages and between adjoining properties in order to establish different patterns of open space, thereby achieving an aesthetically pleasing street scene and minimizing privacy loss between dwellings.

d) Garages shall be designed to be subordinate to the main dwelling. Garages with side entries, split, recessed garages or motor courts are required.

e) Garage doors shall incorporate multi-panel designs, windows or architectural detailing to reduce their impact and scale along Yucca Road.

f) Garage frontages shall be setback a minimum of 5 feet from the dwelling's first story façade. Garages may be recessed less or project in front of the dwelling

only if they occupy no more than 50 percent of the building frontage and incorporate at least one of the following mitigating design features:

i. A porch not less than 12 feet wide and 8 feet deep in front of the living area; or

ii. A trellis/arbor extending not less than 2 feet beyond the front of the garage; or

iii. A balcony above the garage with a trellis or roof along the garage frontage.

g) A minimum 15 feet wide landscaped planting area shall be provided between adjacent driveways to minimize adverse visual impacts from expansive driveway surfaces.

h) Walls and fences visible from public right-of-ways shall be architecturally enhanced and complimented by adjoining, tiered landscaping.

i) Driveway entries on private property shall incorporate decorative paving.

j) The type and location of site and building lighting shall preclude direct glare onto adjoining properties and streets.

k) Dwelling structures shall be designed to complement, yet be distinguishable from adjacent structures. Buildings shall relate in terms of mass but utilize different form and detail compositions to create a unique design statement. The same building elevations shall not be repeated within the subject parcel map subdivision area.

l) One story architectural elements and massing shall be incorporated into two-story building designs to the greatest extent possible. Where two-story building massing occurs, one or more of the following features should be used to soften the visual impact of a two-story wall surface:

i. Variety of hip and gable roofs;

ii. Arbors, trellises and shade structures;

iii. Balconies;

iv. Cantilevered building elements.

m) Roof designs shall be compatible in terms of type slope, size, materials and colors to surrounding residential structures. Flat roofs are discouraged, unless appropriate to the selected architectural style.

n) All building elevations shall be architecturally enhanced. The selected architectural design shall be consistently employed on all building elevations.

o) Unarticulated building wall planes and monolithic forms are prohibited. Use of horizontal and vertical massing offsets is required.

p) Selection and application of building materials and colors shall take into consideration and relate to surrounding development. Use of colors that reduce and eliminate reflectivity and blend structures into the terrain is recommended.

q) Materials shall stylistically compliment architectural details. Frequent changes in materials shall be avoided. Changes in colors and materials shall occur at interior corners and shall coincide with vertical and horizontal wall plane changes.

r) Landscaping shall frame, soften and embellish the quality of the residential environment, buffer residences from noise and enhance privacy. Tiered planting shall be used to enhance the character of the project. Preservation of existing vegetation, to the maximum extent possible, and effective integration within the overall landscaping plan shall be required.

79. Unless expressly waived, all 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, Operations and Maintenance (O&M) plan and other materials and information submitted with this application, unless specifically waived by an adopted condition of approval.

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

81. Prior to the approval of a building permit the areas for 1) refuse, and 2) recycling collection shall be illustrated in plan view as dedicated areas for each refuse and

recycling, and per City of Oceanside, Municipal Code, Chapter 13. An area calculation shall be provided on building plans in order to illustrate compliance with all applicable refuse and recycling elements of the Zoning Ordinance/adopted City policy.

Water Utilities:

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

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

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

85. A separate irrigation meter and approved backflow prevention device is required.

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

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

88. 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 (UPC).

89. 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.

90. All Water and Wastewater construction shall conform to the most recent edition of the Water, Sewer, and Reclaimed Water Design and Construction Manual.

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

92. A Grease, Oil, and Sand Interceptor, described by the Uniform Plumbing Code, relating to garages and wash racks shall be installed in each building sewer in an appropriate location and shall be maintained by the property owner. The location shall be called out on the approved Improvement Plans.

93. Subterranean parking spaces shall be drained to the City's Storm Drain System and shall comply with the California Regional Water Quality Control Board Order No. 2001-01.

PASSED AND ADOPTED Resolution No. 2007-P01 on January 8, 2007 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Dennis Martinek, Chairman
Oceanside Planning Commission

ATTEST:

_____

Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2007-P01.

Dated: January 8, 2007

A Official Copy Certified Oceanside City Clerk

PLANNING COMMISSION
RESOLUTION NO. 2004-P08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DENYING WITHOUT PREJUDICE A TENTATIVE PARCEL MAP, REVISION TO THE DEVELOPMENT AND CONDITIONAL USE PERMIT PLAN ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO:	P-4-01, D-29-85 Revision, C-23-01
APPLICANT:	Mike McMahan and James Rosell II
LOCATION:	2420 Vista Way and adjacent western parcel

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Tentative Parcel Map, Revision to Development Plan and Conditional Use Permit under the provisions of Articles 10, 30 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

2-lot subdivision and construction of 33-space parking lot on 0.5 acres serving 2420 Vista Way;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 8th day of March, 2004 conduct a duly advertised public hearing as prescribed by law to consider said application;

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

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

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

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FINDINGS:

For the Tentative Parcel Map:

1. The site is not physically suitable for the proposed design of the subdivision. The subdivision will allow for uses that would not provide adequate physical separation and buffering from existing residential properties. The proposed parcels must be redesigned in order to reduce the size of the parking area in relation to residential lot sizes of the surrounding residential properties and reduce the height of the parking lot in relation the elevation of the residential properties.

For the Revision to Development Plan:

1. The proposed subdivision and associated site development will significantly alter existing landforms and potentially impact the visual character of the neighborhood. The proposed project as designed is not compatible with the surrounding properties and the character of the neighborhood area.

For the Conditional Use Permit for the parking lot area:

1. The proposed layout and design of the parking lot will be detrimental to residential properties or improvements in the vicinity. The project design does not provide adequate separation and buffering from the adjacent residential properties. The project design, operation and maintenance requires greater response to neighborhood complaints and compatibility with the surrounding land uses.

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2. Alternative parking designs shall be investigated such as subterranean parking and offsite parking arrangements to meet the existing parking demand.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby deny without prejudice a Tentative Parcel Map (P-4-01), Revision to Development Plan (D-29-85) and Conditional Use Permit (C-23-01).

PASSED on March 8, 2004 by the following vote, to wit:

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

NAYS: None

ABSENT: Schaffer

ABSTAIN: None

ADOPTED Resolution No. 2004-P08 on March 22, 2004.

George Barrante, Chairman
Oceanside Planning Commission

ATTEST:

Gerald Gilbert, Secretary

I, GERALD GILBERT, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2004-P08.

Dated: March 22, 2004

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PLANNING COMMISSION
RESOLUTION NO. 2000- P34

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A REVISION TO DEVELOPMENT PLAN ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO:	D-29-85 Revision
APPLICANT:	Dr. Michael McMahan and Dr. James Rose II
LOCATION:	along Vista Way, just west of the existing Oceanview Plaza

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Revision to Development Plan under the provisions of Articles 11 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

an addition of approximately 28,000 square feet for a parking lot in the Commercial Professional (CP) Zone;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 8th day of May, 2000 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; the Planning Commission finds that this project is exempt;

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

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

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Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Drainage Fee	Ordinance No. 85-23 Resolution No. 89-231	Depends on area (range is $1,705-$9,575 per acre)
Traffic Signal Fee	Ordinance No. 87-19	$7.80 per vehicle trip for any additional trips
Thoroughfare and Bridge Fee (For commercial and industrial please note the .75 per cent discount)	Ordinance No. 83-01	$177 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG) for any additional trips
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 99-21	Fee based on water meter size
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 99-2	Based on meter size.

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

WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside 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 Gov't 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;

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

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

FINDINGS:

For the Revision to Development Plan:

1. That the site plan and physical design of the project as proposed is consistent with the purposes of the Zoning Ordinance.

2. That the development Plan as proposed conforms to the General Plan of the City.

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby APPROVE Revision to Development Plan (D-29-85) subject to the following conditions:

Building:

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

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

3. Site development, parking and access into existing buildings shall comply with C.C.R. Title 24, Part 2 (Disabled Access - Nonresidential buildings - D.S.A.), as determined by the Building Director.

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

5. All outdoor lighting for the new parking lot shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and shall be shielded appropriately.

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Engineering:

6. Vehicular access rights directly onto Vista Way shall be relinquished to the City from all abutting lots.

7. All right-of-way alignments, street dedications, exact geometrics and widths shall be dedicated and improved as required by the City Engineer.

8. 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.

9. 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) Removal of dirt, debris and other construction material deposited on any public street no later than the end of each working day.

   b) All grading and construction activities shall be limited to the hours of 7 AM to 6 PM, Monday through Friday, unless otherwise extended by the City, and should utilize the latest technology for quiet equipment. 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.

10. Violation of any condition, restriction or prohibition set forth in this resolution shall subject the development plan to further review by the Planning Commission. This review may include revocation of the development plan, imposition of additional conditions and any other remedial action authorized by law.

11. All traffic signal contributions, highway thoroughfare fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be paid prior to the issuing of any building permits, in accordance with City Ordinances and policies. The subdivider or 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 project

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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.

12. 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 subdivider's soil engineer and must be approved by the City Engineer, prior to paving.

13. Any 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.

14. Grading and drainage facilities shall be designed 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.

15. The applicant shall obtain any necessary permits and clearances from 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.

16. Prior to any grading of any part of the 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.

17. 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.

18. Landscape and irrigation plans must be submitted to the City Engineer prior to the issuance of a preliminary grading permit and approved by the City Engineer prior to the issuance of building permits. Frontage landscaping shall be installed prior to the issuance of any building permits. Project fences, sound or privacy walls and monument entry walls/signs shall be designed, reviewed and constructed by the landscape plans and shown for location only on grading plans. Plantable, segmental walls shall be designed, reviewed and constructed by the grading plans and landscaped/irrigated through project

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landscape plans. All plans must be approved by the City Engineer and a pre-construction meeting held, prior to the start of any improvements.

19. All storm drain systems shall be designed and installed to the satisfaction of the City Engineer.

20. Storm drain facilities shall be designed and located such that the inside travel lanes on shall be passable during conditions of a 100-year frequency storm.

21. Development shall be in accordance with City Floodplain Management Regulations and Stormwater Management and Discharge Regulations.

22. 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 off-site or into the City drainage system.

23. The design and layout of the new parking lot (parking space sizes, driveway widths, landscaping) shall be reviewed and approved by the City Engineer and Planning Director, prior to the issuance of any permits.

24. A parcel map, lot line adjustment or other vehicle, approved by the City Engineer, legally creating the Residential and Professional Commercial parcels as separate and legal parcels, shall be recorded prior to the issuance of any permits for the parking lot.

Fire:

25. Fire flow shall be determined at the time of building permit application.

26. All existing fire hydrants within 400 feet of the project shall be shown on the plot plan.

27. The existing building shall be retrofitted in accordance with the Uniform Fire Code Sec.901.4.4, Approved addresses, for Commercial, Industrial and 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 contrast with their background.

28. The existing multi-tenant building shall be retrofitted with identification on the rear exit doors with individual suite numbers or letters.

29. The developer shall supply the Fire Department with updated map and hydrant location information in a digital format compatible with the Fire Department's mapping program upon approval of final improvement plans.

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Planning and Environmental:

30. The conditions of Planning Commission Resolution No. 85-P108 shall continue to apply to the overall project.

31. This Revision to Development Plan shall not become effective until the effective date of the Zoning Ordinance Amendment for Z-2-00 is effective. The effective date of the Zoning Ordinance shall be used for determining expiration dates for the attached Revised Development Plan.

32. This Development Plan approves only an expansion of the site to include a parking lot and the parking lot itself. No deviation from these approved plans and exhibits shall occur without Planning Department Approval. Substantial deviations shall require a revision to the Development Plan or a new Development Plan.

33. Landscape plans for the new parking lot, meeting the criteria of the City's Landscape Guidelines and Water Conservation Ordinance No. 91-15, including the maintenance of such landscaping, including parking lot lighting and a perimiter masonry wall shall be reviewed and approved by the City Engineer, Planning Director and the Planning Commission prior to the issuance of grading permits and/or approval of final improvement plans. Landscaping shall not be installed until bonds have been posted, fees paid, and plans signed for final approval. The following special landscaping requirements shall be met:

a) The developer shall be responsible for irrigating and landscaping all embankments within the project, and all slopes along major streets.

b) To mitigate the loss of landmark and/or mature existing trees on site the determination of replacement shall be based on tree number, type, and caliper (caliper measured 2 1/2 feet from the base of the tree at existing grade). The total number of tree caliper lost shall be equal to the total number of caliper replaced. Replacement trees shall be a minimum of 15-gallon container stock. A field survey shall be performed under the supervision of the City Landscaping Section to evaluate the existing tree population and the replacement requirements. The existing trees to remain or proposed for removal shall be identified on the Preliminary Grading Plan, Precise Grading Plan and Landscape Plan. The existing tree type, location, and caliper shall be shown on the above plans. Replacement trees shall be identified and shown on the Landscape Plan and shall be subject to review and approval by the City Engineer and Planning Director.

c) Crimson Lake Bougainvillea, the official City Flower, shall be used on this site. San Diego Red Bougainvillea is an acceptable alternate.

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d) Parking lot landscaping plans for trees in the lot shall meet the requirements of the Zoning Ordinance.

e) Extra buffering in the form of large trees shall be provided along the west and north edges of the parking lot and canopy trees in the center of the lot as approved by the City Engineer, Planning Director and the Planning Commission.

34. 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.

35. A covenant or other recordable document approved by the City Attorney shall be prepared by the applicant and recorded prior to the approval of any permits. The covenant shall provide that the property is subject to this Resolution, and shall generally list the conditions of approval.

36. The area covered by the original Development Plan (D-29-85) including this addition shall prepare a Management Plan. The Management Plan is subject to the review and approval of the Planning Director and the Police Chief prior to the issuance of any permits and shall be recorded as CC&R's against the property. The Management Plan shall cover the following:

a) Security - The Management Plan, at a minimum, shall address on-site management, hours-of-operation and measures for providing appropriate security for the project site.

b) Maintenance - The Management Plan shall cover, but not be limited to anti-graffiti and site and exterior building, landscaping, parking lots, sidewalks, walkways and overall site maintenance measures and shall ensure that a high standard of maintenance at this site exists at all times. The maintenance portion of the management plan shall include a commitment for steam cleaning of sidewalks and other concrete surfaces at sufficient intervals to maintain a "like new" appearance and shall include pressure washing of parking lot areas. Maintenance of the parking lot shall occur during normal business hours.

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c) Any graffiti within the project shall be removed by the center management or its designated representative within 24 hours of occurrence. Any new paint used to cover graffiti shall match the existing color scheme.

37. 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 Department. 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.

38. 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.

39. Failure to meet any conditions of approval for this development shall constitute a violation of the Development Plan.

40. 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, Management Plan and other materials and information submitted with this application, unless specifically waived by an adopted condition of approval.

41. Any project entrance signs shall meet the requirements of the Sign Ordinance and be approved by the Planning Director.

42. To protect water quality in the area the following mitigation measures shall be implemented:

a) Material and waste Best Management Practices (BMPs) during site grading and construction shall be strictly enforced.

b) A water quality management plan shall be prepared that addresses potential water pollutant issues for the proposed project site and related areas. The report shall be prepared and approved prior to the issuance of grading permits.

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c) Permanent structural Best Management Practices (BMPs), such as infiltration trenches, fossil filters, and/or oil water separators shall be installed and maintained at all storm drain inlets on the site.

d) Non-structural post-construction Best Management Practices (BMPs), such as a public education program (providing signage at all drainage inlets prohibiting dumping of any kind).

Water Utilities:

43. The developer will be responsible for developing all water and sewer facilities necessary to this property. Any relocation of water and/or sewer lines is the responsibility of the developer.

44. A separate water meter for irrigation purposes shall be installed.

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'or official copy contact Oceanside City Clerk

Community Services:

45. The City shall not, at the present or at any future time, assume the responsibility for the maintenance of any medians, landscaping, slopes, open space or common grounds for this project.

PASSED AND ADOPTED Resolution No. 2000-P34 on May 8, 2000 by the following vote, to wit:

AYES: Barrante, Miller, Schaffer and Bockman

NAYS: None

ABSENT: Hartley and Akin

ABSTAIN: None

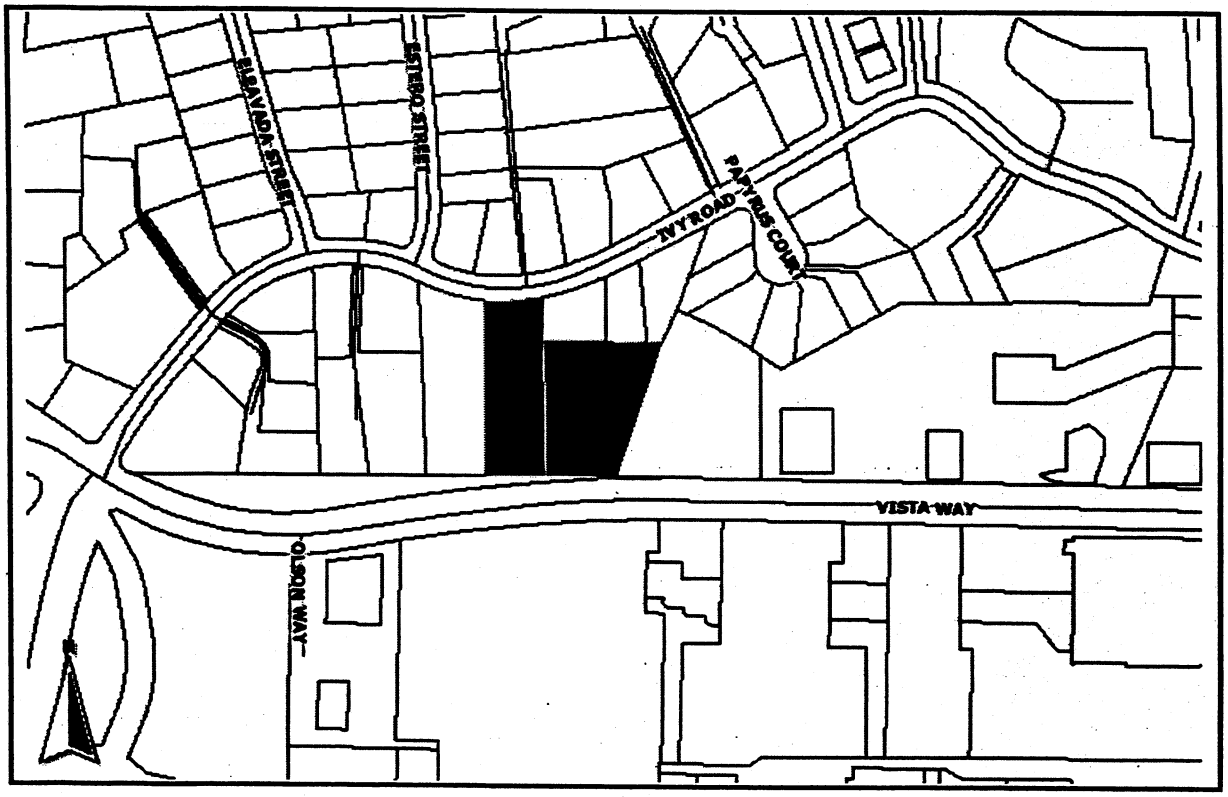
George Barrante, Chairman
Oceanside Planning Commission

ATTEST:

Mike Blessing, Secretary

I, MIKE BLESSING, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2000-P34.

Dated: May 8, 2000



File Number: **P-1-06, D-1-06, C-1-06, C-2-06**

Applicant: **Oceanview Plaza Investors, LLC**

Description:

PARCEL MAP (P-1-06), DEVELOPMENT PLAN (D-1-06), and CONDITIONAL USE PERMITS (C-1-06, C-2-06) to create three residential lots, to create 15 commercial condominium units on an existing lot and to allow off-street parking located at 2420 Vista Way. The project site is zoned RS (Single-Family Residential) and CP (Professional Commercial) and is situated within the Fire Mountain Neighborhood. **OCEANVIEW PLAZA**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

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

Application For Planning Commission Hearing

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

STAFF USE ONLY

ACCEPTED	BY
2/9/06	SN.

Please Print Or Type All Information

HEARING		
	GPA	
	MASTER/SP.PLAN	
	ZONE CH.	
	TENT. MAP	
X	PAR. MAP	P-1-06
X	DEV. PL	D-01-06
X	C.U.P.	C-1-06, C-2-06
	VARIANCE	
	COASTAL	
	O.H.P.A.C.	

PART I - APPLICANT INFORMATION

1. APPLICANT	2. STATUS
Oceanview Plaza Investors, LLC.	Owner
3. ADDRESS	**4. PHONE / FAX**
6051 El Tordo, P.O. Box 1438 Rancho Santa Fe, CA 92067	858-337-0545 858-720-9181 (Fax)

5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)
The Lightfoot Planning Group - Joy Chung

6. ADDRESS	7. PHONE
5750 Fleet Street, Suite 250 Carlsbad, CA 92008	(760) 692-1924 phone (760) 692-1935 fax

PART II - PROPERTY DESCRIPTION

8. LOCATION
2420 Vista Way, Oceanside, CA 92054
Rev-5/18/06, 8/3/06, 11/8/06

9. SIZE
2.16 acres

10. GENERAL PLAN	11. ZONING	12. LAND USE	13. ASSESSOR'S PARCEL NUMBER
SFD-R/PC	RS/CP	Vacant/Existing Building	165-240-22, 63

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
A parcel map and development plan to create 3 lots (one for commercial professional uses, and 2 single family residential lots), conditional use permits to allow for a parking strucutre to serve the existing office building and for panhandle access onto a residential lot.

15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING	17. PROPOSED LAND USE	18. NO. UNITS	19. DENSITY
NO CHANGE	NO CHANGE	Parking structure and two single family homes	2	2.13 DU/AC

20. BUILDING SIZE	21. PARKING SPACES	22. % LANDSCAPE	23. % LOT COVERAGE
26,512 sq. ft. (gross)	129	29%	20.20%

PART IV - ATTACHMENTS

ALL APPLICATIONS				DEV. PLANS, C.U.P.s & TENT. MAPS	
X	24. DESCRIPTION/JUSTIFICATION	X	25. LEGAL DESCRIPTION	X	30. FLOOR PLANS & ELEVATIONS
X	26. 300-FT. RADIUS MAP	X	27. PROPERTY OWNERS' LIST	N/A	31. CONSTRUCTION SCHEDULE
X	28. ENVIRONMENTAL ASSESSMENT	X	29. PLOT PLANS	N/A	32. OTHER

PART V - SIGNATURES

THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.

SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).

33. APPLICANT OR REPRESENTATIVE (Print):	34. DATE
Eric Thies	2/6/06

Sign:

37. OWNER (Print)	38. DATE
Eric Thies	2/6/06

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

Sign:

35. APPLICANT (Print):	36. DATE	39. OWNER (Print):	40. DATE
RECEIVED			

Sign: FEB 0 9 2006 Planning Department

Sign:

PM: Juliana / UIF

rec'd 11/8/06

OCEANVIEW PLAZA

Tentative Parcel Map, Development Plan, and Conditional Use Permit

P-1-06, C-1-06, C-2-06, D-1-06

DESCRIPTION and JUSTIFICATION
Revised October 27, 2006

INTRODUCTION

This application is for a Parcel Map and Development Plan to create three lots, one for commercial office condominium purposes and two single family residential lots, and Conditional Use Permits to include construction of a parking structure to serve Oceanview Plaza, and for panhandle access for one of the proposed residential lot. The project is located on the north side of Vista Way, east of the intersection of Vista Way and Ivy Road. The project includes two parcels, totaling 2.16 gross acres (APN 165-240-22 and 63). Oceanview Plaza is located in the Fire Mountain neighborhood and is bordered by El Camino North shopping center to the south and Pacific Coast Plaza to the east, and single family residential homes to the north and west.

The property with the existing office building (APN 165-240-63) has a general plan land use designation of Professional Commercial (PC), and a zoning designation of Commercial Professional (CP). The adjacent undeveloped property (APN 165-240-22), has a general plan land use designation of Single Family Detached Residential (SFD-R), and a zoning designation Single Family Residential (RS). The RS district base density is 3.6 dwelling units per acre, with a maximum potential density of 5.9 dwelling units per acre. Per Section 3014 of the City of Oceanside Zoning Ordinance, a parking structure is allowed in a different zoning classification with the approval of a conditional use permit. The project is designed to comply with all the requirements of the underlying zones, and is consistent with the goals and policies of the General Plan.

BACKGROUND

The office building was developed as part of a project approved in 1985 by the City of Oceanside Planning Commission as part of a 4 lot parcel map (P-19-85) and Development Plan (D-29-85) that created the commercial lot through a General Plan Amendment (A-21-85), and Zone change (Z-13-85), and the three residential lots directly north of the existing building. The office building approval included the 25,000 square foot building with 69 parking spaces. The residential lots were approved with a net lot area of at least 10,000 square feet each.

A second application for the commercial property was filed on March 20, 2000, requesting a general plan amendment (GPA-3-00), zone change (ZA-2-00), and revision to the original development plan (D29-85rev). The project proposed to use two thirds of the residential lot west of the office building (APN 165-240-22) to accommodate the construction of a parking lot, and the remaining one third of the lot for residential uses. The parking lot was proposed to help alleviate the parking shortage at Oceanview Plaza, the addition of the parking lot would have provided an additional 36 parking spaces. The project was approved by the Planning Commission, however several residents of the Fire Mountain neighborhood appealed the decision and the project was brought to a City Council hearing on June 21, 2000 and subsequently denied the approval of the General Plan Amendment to allow parking to occur on the adjacent property.

A third application for Oceanview Plaza was submitted on June 29, 2001, requesting a Parcel Map (P-4-01), Development Plan Revision (D-29-85rev), and a Conditional Use Permit (C-23-01) to develop the vacant residential parcel to the west (APN 165-240-22) with one single family lot and a parking lot extension to serve Oceanview Plaza. The project was heard at the March 8, 2004 Planning Commission Hearing and was denied based on several findings, including the parking configuration was not sufficiently buffered from existing residences, and the submitted design of the parking area was incompatible with surrounding land uses. Planning Commission Resolution No. 2004-P08, resolved that alternative parking designs should be investigated.

PARCEL MAP

The parcel map includes the division of the two existing lots (APN 165-240-22 and 63) into three lots, one for commercial professional/medical office condominium purposes (proposed Lot 3) and two for single family residential lots (proposed Lots 1 and 2). Lot 3 includes the existing lot which contains the existing office building and the southern portion of the adjacent vacant lot to the west (APN 165-240-22), totaling approximately 1.54 acres. The proposed parking structure will occupy 0.41 acres of the adjacent residentially zoned parcel. A conditional use permit is included in this application to allow the parking structure in a residentially zoned lot. Access to the commercial portion will remain at the existing driveway along Vista Way. The proposed parking structure will be accessed by the extension of the existing drive aisles. No additional driveways are proposed along Vista Way.

The two residential lots, Lots 1 and 2, will occupy the remaining area of the adjacent vacant lot, totaling approximately 0.62 gross acres. The density of the proposed residential portion is 2.08 dwelling units per acre, well below the base density of 3.6 du/ac set forth in the RS district. Each lot has a net area of at least 10,000 square feet, which is in compliance with the development standards of the RS district. Access for Lot 1 is provided by a proposed 16-foot driveway along Ivy Road. Lot 2 will take access off Ivy Road by way of a panhandle access. A conditional use permit is included in the application to allow for the referenced panhandle access. A 20-foot access easement is proposed to benefit the adjacent property to the west (APN 165-24-23) which currently takes access off the applicant's property (proposed Lot 1).

The site has adequate utilities available to serve the intended uses, both for the commercial and proposed residential lots. Utilities such as sewer, water and storm drain facilities are located along the project frontages on Vista Way and Ivy Road, and will be extended into the site.

DEVELOPMENT PLAN

The proposed development plan will include the addition of a parking structure on the adjacent residential parcel, landscape enhancement, exterior building improvements, and the conversion of the office building into condominium ownership designated for professional/medical office uses.

PARKING EXPANSION

Currently, there are 74 parking spaces allocated for the existing commercial use, well below the parking rate required for the use established within the current adopted zoning ordinance. To help alleviate the parking shortage, a parking structure is proposed on the southern portion of the adjacent residential lot to the west. The parking structure is designed to include two levels. The upper level will be accessed through the extension of the existing parking lot drive aisle, following the natural grade, and onto a ramp leading onto the second level. The lower level will get access from the extension of the drive aisle closest to the front of the building, which also serves the existing underground parking beneath the building. The structural portion is limited to columns supporting the second level, approximately 10 feet above existing grade. The existing parallel parking spaces located in drive aisles along the southern and eastern building frontage will be removed to provide adequate and conforming drive aisle width per Article 31 of the zoning ordinance. The remaining existing parking spaces within the lot will be re-striped in orientation with the additional parking spaces as proposed. Pedestrian linkage to the second level parking structure will utilize a stair case access and a pedestrian pathway will be installed on the main lot fronting the building entrance to provide convenient access from the parking lot to the front building entrance. Handicap/disabled parking spaces and access into the building will be provided by an elevator within the existing underground garage. Improvements to the existing parking lot layout and the construction of parking structure will provide a total of 125 spaces, which exceeds the required 114 parking spaces for the intended use.

LANDSCAPING

New landscaping and landscape strips will be added to create a visually pleasing view along the Vista Way street frontage. Large shade trees will be planted along the western boundary of the commercial lot to provide some screening for the future residences proposed on the vacant parcel. The trees will be large enough to provide some visual relief from the commercial building mass, however, will still allow light to filter through to the first level suites in the office building. Landscape buffer and trees will help break up the large asphalt space in the existing parking lot. Proposed street trees and landscape enhancement along the project's Vista Way frontage will add visual interest to further revitalize the complex. Additional landscaping is proposed at the rear of the commercial property to help provide visual relief for the existing homes looking into the existing building. Additionally, a required 6-foot decorative wall will be installed on the western and northern boundaries of the proposed parking structure as buffer from the adjacent residential uses. Refer to the Landscape Concept Plan for plant pallette and other details.

The proposed landscape design and improvements for the project includes planting of manufactured slopes and front yards of the individual lots, as well as refurbishing and replenishing the existing landscaping along the rear of the building and along the Vista Way project frontage. All landscape and irrigation improvements for this project will be installed per Section 3019 of the Zoning Ordinance and the City's Landscape Design Guidelines. The selection of plant material is based on cultural, aesthetic, and maintenance considerations.

OFFICE BUILDING USES

The applicant intends to record a map for the medical/professional office building for condominium ownership purposes. The applicant has found that many medical and dental businesses are interested in the existing building space, however prospective tenants cannot justify the costs of moving locations without the incentive of owning their own office space. Additionally, the building, and the area in general, is short in parking. The parking requirement at the time of the original approval did not require the project to provide adequate parking spaces suited for medical/professional uses. At present, per the current adopted codes, the building is under-parked for its intended use. As a part of this application, as well as for the marketability to future tenants, parking will be brought up to current standards.

The first floor has 11,538 square feet of available office/suite space. Two centrally located restrooms serve the entire floor. The second floor has 11,350 square feet of available office space, also with two centrally located restrooms to serve the second floor. Two deck spaces located at the front of the building will be an added amenity for two potential suites. The condominium suite spaces will be sold by square feet where potential buyers can indicate how many square feet their intended business would require. Buyers can purchase a suite between a range of 500 square feet to a maximum of 5000 square feet per suite, built to suit the buyer. There are currently 7 suites on the first floor and 6 suites on the second floor, ranging from approximately 500 square feet to 4,000 square feet. The applicant does not anticipate having more than 15 suites total at final occupancy.

EXTERIOR BUILDING IMPROVEMENTS

The applicant intends to include aesthetic renovations to the exterior of the existing building which include: repainting the entire building and trim to reflect a softer color palette, replace existing skylights on the building frontage with new skylights, and replace existing rooftop equipment screens with new upgraded screening. No net increase in building square footage or additional height will result from the proposed exterior renovations.

The applicable development regulations for the Commercial Professional District are as follows:

COMMERCIAL PROFESSIONAL DISTRICT DEVELOPMENT REGULATIONS			
REGULATION	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	10,000 sq. ft.	1.10 acres	1.54 acres
MINIMUM YARDS:			
FRONT	20 ft.	20 ft.	20 ft.
SIDE	-	-	-
CORNER SIDE	20 ft.	20 ft.	20 ft.
REAR	10 ft.	10 ft.	10 ft.
MAXIMUM LOT COVERAGE	50%	20%	20%
MINIMUM SITE LANDSCAPING	15%	15%	29%
OFF-STREET PARKING AND LOADING	114 spaces (1/200 sq. ft.)	74 spaces	125 spaces

CONDITIONAL USE PERMIT - PARKING STRUCTURE

A conditional use permit is required in order to construct a parking structure on a residentially zoned lot to serve the existing office building. Pursuant to Section 3014 of the zoning ordinance, a parking structure is allowed subject to the approval of a conditional use permit authorizing parking in a project subject to different zoning classifications.

The applicant intends to designate the building for medical/dental uses, thus the parking ratio will be significantly greater than what is currently available and originally approved. Article 31 of the zoning ordinance requires 1 space per 200 square feet for offices designated as medical and dental uses. The net available office space is 22,888 square feet, therefore 114 parking spaces are required. The proposed parking lot design and improvements will provide 126 spaces, with 8 of these spaces designated as handicapped accessible. The 8 handicapped spaces are all located within the existing underground parking garage, which has direct access to the office suites from an elevator.

The City of Oceanside also stipulates that three specific findings must be made before a Conditional Use Permit can be approved. The proposed findings are as follows:

1. *That the proposed location of the use is in accord with the objectives of this ordinance and the purposes of the district in which the site is located.*

The proposed location of the use meets the objectives of the ordinance and purposes of the district in which the site is located based on the conditions set forth in Section 3014. The proposed parking site is directly adjacent and contiguous to the building it intends to serve.

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

The proposed location of the parking structure will not be detrimental to the public health, safety or welfare of persons residing or working in the adjacent areas. Currently, with the insufficient amount of parking available to clients and customers of the building, many are resorted to park across Vista Way in the parking spaces designated for the commercial shopping center. This has created potential hazards as there are no pedestrian crosswalks near the building and customers are having to walk long distances to traffic signals or illegally crossing a busy roadway. The proposed parking structure, subject to this conditional use permit, and parking lot improvements will alleviate the parking shortage by providing adequate parking spaces onsite for convenience and safety of tenants and patrons.

The surrounding land uses along Vista Way are predominantly commercial. The remainder of the parcel, north of the proposed site of the parking structure, will be developed for two single family homes consistent with the existing residential land uses to the north. No zone change is required to facilitate the parking facility and as required, the parking structure will be sufficiently buffered from the adjacent residential uses.

3. *That the proposed conditional use will comply with the provisions of this ordinance, including any specific condition required for the proposed conditional use in the district in which it would be located.*

The proposed conditional use complies with the provisions of the City of Oceanside zoning ordinance as well as the additional conditions set forth in Section 3014. This section discusses the allowance of parking to serve a principal use on a site divided by district boundaries. The Planning Commission may approve a Conditional Use Permit authorizing parking if it finds the following:

a. *The site on which the parking is to be located is contiguous to the site on which the principal use is located and is not separated by any public right-of-way, include but not limited to an alley.*

The subject properties are contiguous and are not separated by any public or private right-of-ways.

b. *All property is under the same ownership.*

Both properties are under the same ownership.

c. *The parking area will be buffered from any adjacent residential uses or districts by the use of a 6 foot high decorative wall and sufficient landscaping including trees for screening.*

The parking structure will be sufficiently buffered from the surrounding residential uses. Landscaping along the northern edge of the parking structure will include trees to screen the view from the proposed residential lots. The nearest residential lot, Lot 2, is elevated approximately 10 feet above the top of the parking structure, which will also help reduce the potential visual impact of the proposed parking structure. As required, a 6-foot high decorative wall will be installed along the northern and western boundaries of the parking structure to provide buffer from the residential uses to the north and to the west (See LCP).

d. *Lighting of the parking area will be properly shielded so as to prevent glare on any adjacent property.*

Lighting will be properly shielded and aimed towards the ground to prevent any glare on the adjacent residential properties.

e. *The allowance for parking on the site will not be detrimental to the public health, safety and general welfare of persons residing or working in or adjacent to the neighborhood of such use.*

Parking on the site will not be detrimental to the public health, safety and general welfare of any residents, employees, or customers of the area. The additional parking will provide a convenient and safe parking accommodations for both tenants and patrons who would otherwise park offsite.

f. *In residential districts, the area of the site used for parking for a use not permitted within a residential district is not more than 0.5 acres.*

The parking structure will be located on a residentially zoned lot. The parking structure will cover 17,859 square feet (0.41 acres) of the residential lot.

CONDITIONAL USE PERMIT - PANHANDLE ACCESS

Panhandle access is allowed with the approval of a conditional use permit in single unit - conventional (SU-C) developments. The proposed panhandle will provide access for Lots 2 and an access easement benefitting the adjacent property west of Lot 1 (Peterson Property, 2371 Ivy Road) off Ivy Road. The panhandle access is 20 feet wide, with 16 feet of pavement and runs approximately 120 feet long. An access easement in favor of the Peterson property is proposed to allow continued access onto the existing residence west of Lot 1 thru the panhandle access.

The City of Oceanside stipulates that three specific findings must be made before a Conditional Use Permit can be approved. The proposed findings are as follows:

1. *That the proposed location of the use is in accord with the objectives of this ordinance and the purposes of the district in which the site is located.*

   The proposed panhandle will serve as access for the proposed single family lot and for the existing adjacent residence to the west in a residentially zoned lot. The panhandle will take access off Ivy Road, an existing improved public street in a residential neighborhood.

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

   The proposed location of the conditional use and the conditions under which it would be maintained remain consistent with the General Plan, providing adequate access to residential lots on Ivy Road. The panhandle access will not be detrimental to the public health, safety or welfare of the existing homes in that it will solely be utilized for access purposes on two residential lots. The conditional use will not be detrimental to properties or improvements in the vicinity because the project proposes right-of-way improvements on a public street to provide a transition to the proposed residential lots as well as providing continued access to an existing residence adjacent to the project site..

3. *That the proposed conditional use will comply with the provisions of this ordinance, including any specific condition required for the proposed conditional use in the district in which it would be located.*

The proposed panhandle access complies with all the regulations and provisions set forth in Article 10, Section 1050.Y of the City of Oceanside Zoning Ordinance.

SUMMARY

The proposed project has been thoughtfully designed to provide solutions to a parking problem that the medical/professional office complex has endured for years. Throughout the process, care was taken to design a project that not only solves the parking problems for the existing office building, but also provides housing opportunities in the Fire Mountain neighborhood. The current proposal is superior to the previous application in that no zone change is required to accommodate the additional parking and the parking structure is designed in a manner to reduce bulk and provide an adequate buffer between the commercial and residential uses.

RESIDENTIAL SITE DEVELOPMENT STANDARDS
Oceanview Plaza
P-1-06, D-1-06, C-1-06, C-2-06

RS - SINGLE-FAMILY RESIDENTIAL DISTRICT DEVELOPMENT REGULATIONS		
REGULATION	**REQUIRED**	**PROPOSED**
MINIMUM SITE AREA	10,000 sq. ft.	10,000 sq. ft. (net)
MAXIMUM LOT COVERAGE	45%	45%
BASE DENSITY	3.6 du/ac	2.08 du/ac
MINIMUM LOT AREA	6,000 sq. ft.	10,000 sq. ft.
MINIMUM WIDTH	65 ft.	107 ft.
MINIMUM SIZE OF RESIDENTIAL HOME	-	2500 sq. ft.
MINIMUM YARDS:		
FRONT	20 ft.	20 ft.
SIDE	7.5 ft.	7.5 ft.
CORNER SIDE	10 ft.	10 ft.
REAR	15 ft.	15 ft.
MAXIMUM HEIGHT	36 ft.	36 ft.
OFF-STREET PARKING	2 car garage	3 car garage

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AUG 0 3 2006
Planning Department

Administrative Development Plans shall be processed and approved by the City Planner for Lots 1 and 2 of the Tentative Parcel Map prior to the issuance of grading permits for each lot. Development on each lot shall provide architectural and landscaping design, and materials compatible with those found within the Fire Mountain neighborhood.

ARCHITECTURAL DESIGN GUIDELINE

Building floor plans, elevations, architectural style and color/materials palette employed on the design of structures on each lot shall differ from but compliment development on adjoining parcels. Development on each of the new lots created by this parcel map shall meet the following design guidelines:

A. Use of retaining walls shall be minimized. Where use of retaining walls cannot be avoided, such walls shall be screened to the maximum extent possible. Use of plantable walls shall be employed as part of the design solution when walls are visible from public rights-of-way.

B. Structures shall complement the surrounding natural and built environment in pattern, function, scale, character and materials.

C. Garages shall be designed to subordinate to the main dwelling. Garages with side entries, split, recessed garages or motor courts are encouraged.

D. Garage doors shall incorporate multi-panel designs, windows or architectural detailing to reduce their impact and scale along Ivy Road.

E. Walls and fences visible from public rights-of-way shall be architecturally enhanced and complemented by adjoining, tiered landscaping.

F. The type and location of site and building lighting shall preclude direct glare onto adjoining properties and streets.

G. Dwelling structures shall be designed to complement, yet be distinguishable from adjacent structures. Buildings shall relate in terms of mass but utilize different form and detail compositions to create a unique design statement. The same building elevations shall not be repeated within the subject parcel map subdivision area.

H. One story architectural elements and massing shall be incorporated into two-story building designs to the greatest extent possible. Where two-story building massing occurs, one or more of the following features should be used to soften the visual impact of a two-story wall surface:

   i. Variety of hip and gable roofs;
   ii. Arbors, trellises and shade structures;
   iii. Balconies;
   iv. Cantilevered building elements.

I. Roof designs shall be compatible in terms of type slope, size, materials and colors to surrounding residential structures. Flat roofs are discouraged, unless appropriate to the selected architectural style.

J. All building elevations shall be architecturally enhanced. The selected architectural design shall be consistently employed on all building elevations.

K. The use of horizontal and vertical massing offsets is encouraged.

L. Selection and application of building materials and colors shall take into consideration and relate to surrounding development. Use of colors that reduce and eliminate reflectivity and blend structures into the terrain is recommended.

M. Materials shall stylistically complement architectural details. Frequent changes in materials shall be avoided.

N. Landscaping shall frame, soften and embellish the quality of the residential environment, buffer residences from noise and enhance privacy. Tiered planting shall be used to enhance the character of the project. Preservation of existing vegetation, to the maximum extent possible, and effective integration within overall landscaping plan shall be required.

LEGAL DESCRIPTION

Parcel A: Parcel 4 of Parcel Map No. 14380, in the City of Oceanside, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, July 23, 1986 as instrument no. 86-306826 of Official Records.

Parcel B: All that portion of Lot 2 in Block "E" of North Carlsbad, in the City of Oceanside, County of San Diego, State of California, according to Map thereof No. 1888, filed in the Office of the County Recorder of San Diego County, on March 1, 1926.

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Planning Department

CITY OF OCEANSIDE
COMMUNITY DEVELOMENT 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:
OCEANVIEW PLAZA P-1-06, D-1-06, C-1-06, C-2-06

PROJECT LOCATION - SPECIFIC:
2420 Vista Way & adjacent parcel to the west

PROJECT LOCATION - GENERAL:
City of Oceanside

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:
TENTATIVE PARCEL MAP (P-1-06), DEVELOPMENT PLAN (D-1-06) AND CONDITIONAL USE PERMITS (C-1-06, c-2-06) for a subdivision of 0.95 acres and the construction of a parking lot situated on residentially zoned land.

NAME OF PUBLIC AGENCY APPROVING PROJECT:
City of Oceanside
NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:
Oceanview Plaza Investors, LLC
6051 El Tordo, PO Box 1439
Rancho Santa Fe, CA 92076
(858) 377-0545

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 15315 & 15332

REASONS WHY PROJECT IS EXEMPT:
The project involves a minor subdivision and infill development of a parking lot and future single-family residences.

Contact Person: Juliana von Hacht, Associate Planner

von Hacht — December 22, 2006
SIGNATURE — DATE
For: Jerry Hittleman, City Planner

CITY HALL, 300 NORTH COAST HIGHWAY, OCEANSIDE CA 92054, TELEPHONE (760) 435-3520, FAX (760) 754-2958