ITEM NO. 7

STAFF REPORT

CITY OF OCEANSIDE

DATE: October 15, 2008

TO: Honorable Mayor and City Council Members

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A GENERAL PLAN AMENDMENT (GPA-2-07), ZONE AMENDMENT (ZA-1-07), CONDITIONAL USE PERMIT (C-13-08), AND HISTORIC PERMIT (H-2-08) TO CHANGE THE LAND USE DESIGNATION FROM MDA-R TO SC; TO AMEND THE ZONING DISTRICT MAP FROM RM-A-SMHP-H TO CS-HO-H; AND TO ALLOW VEHICLE/EQUIPMENT SALES AND RENTALS (i.e. MOBILE HOME SALES) ON A 0.66-ACRE PORTION OF A 16.37-ACRE LOT SITUATED ON THE NORTHEAST CORNER OF MISSION AVENUE AND DOUGLAS DRIVE**

SYNOPSIS

The item under consideration is a review of the Planning Commission's findings to deny a General Plan Amendment, Zone Amendment, Conditional Use Permit, and Historic Permit. The applicant proposed to change the land use designation from Medium Density A Residential (MDA-R) to Special Commercial (SC); to change the zoning district map from Medium Density A - Senior Mobile Home Park Overlay - Historic Overlay (RM-A-SMHP-H) Districts to Special Commercial - Highway Oriented - Historic Overlay (CS-HO-H) Districts; to change the base district designation within the Mission San Luis Rey Historic Area; and to allow land use 450.CC.5 *Vehicle/equipment sales and rentals* (i.e., mobile home sales) on a 0.66-acre portion of an existing 16.71-acre lot located on the northeast corner of Mission Avenue and Douglas Drive and commonly called Mission View Manor East Mobile Home Park.

BACKGROUND

On August 27, 2008, Council Member Jerry Kerry called for review Planning Commission's findings to deny GPA-2-07, ZA-1-07, C-13-08 and H-2-08. The Council Member requested to assess the sufficiency of the evidence to support all of the findings set forth in Resolution No. 2008-P51.

On August 25, 2008, the Planning Commission reviewed the proposed GPA-2-07, ZA-1-07, C-13-08 and H-2-08. They denied the application by a 6-to-0 vote by adopting Resolution No. 2008-P51.

On June 3, 2008, the Oceanside Historic Preservation Advisory Committee reviewed the proposal and recommended disapproval by adopting Resolution No. 2008-H01 by a 4-to-0 vote.

Staff posted and distributed a notice of intent to adopt a Mitigated Negative Declaration. The public review period commenced on June 12, 2008, and concluded on July 2, 2008.

On March 3, 2008, the applicant submitted a revision to their original proposal. The application was revised to include a conditional use permit (C-13-08) and historic permit (H-2-08); and to change the proposed change to the land use designation and zoning district map from "general commercial" to "special commercial."

On February 28, 2008, the applicant requested a continuance from the scheduled City Council Meeting where the Planning Commission's Resolution No. 2007-P66 would have been considered.

On December 17, 2007, the Planning Commission reviewed a proposed change to the land use designation from MDA-R to General Commercial (GC); and a proposed change to the zoning district map from RM-A-SMHP-H Districts to General Commercial (CG) District. The Planning Commission recommended disapproval of said application by adopting Resolution No. 2007-P66 with a 6-to-0 vote.

On March 22, 2007, Cole and Associates submitted application GPA-2-07 and ZA-1-07 proposing a change to the land use designation MDA-R to General Commercial (GC) and to change the Zoning District Map from RM-A-SMHP-H Districts to General Commercial (GC) District. This proposal would create a lot bisected by district boundaries, because 0.66-acre would have a commercial designation and the remaining portion of the 16.71-acre site would continue to be designated as residential.

ANALYSIS

The Call for Review was requested to review the sufficiency of the findings set forth in Planning Commission Resolution No. 2008-P51 as follows:

Issue: Sufficiency of the findings for General Plan Amendment GPA-2-07

Finding 1: *The long-term community and neighborhood values are supported by the current MDA-R general plan designation. Sharing egress to the site, between the existing residential use and commercial land uses permitted within a highway-oriented district, would negatively impact the residents of the Mission View Manor East Senior Mobile Home Park.*

Finding 2: *The recently approved Senior Mobile Home Park Overlay District formalizes an established neighborhood by fostering a sense of community and regional identity. The provision of a balanced, self-sufficient, and efficient community is supported by the current MDA-R general plan designation. Designating the 0.66-acre area as Special*

Commercial will not provide a balanced distribution of land uses within the area, because the site is insufficient in size to attract visitor-serving commercial uses.

Finding 3: *A Special Commercial land use designation would create conflicts with the adjacent residential land use. Changing the land use designation on this 0.66-acre site would potentially create an opportunity for objectionable noise, light, odors, and other impacts to the existing residential use and the RM-A-H-SMHP Districts. The 0.66-acre site does not have sufficient area to provide a buffer to the adjacent mobile home park and construct the necessary infrastructure associated with special commercial uses.*

Finding 4: *The site's limited access to Douglas Drive and Mission Avenue would not adequately address the access needs of most commercial uses. Installing a traffic signal at this location is not recommended and will not improve service at the intersection of Mission Avenue and Douglas Drive.*

Response: The General Plan Amendment findings were based upon the application's conformance with multiple sections of the Land Use Element, including the Community Enhancement Goal and Objectives 1.11 *Balanced land use*, 1.12 *Land use compatibility*, 1.13 *Neighborhood character*, and Objective 1.3 *Special management areas* which includes Policy 1.33 *Historic Areas and Sites.* The General Plan Amendment findings were also based on Community Development Goal, Objective 2.22 C*ommercial development* which includes Policy 2.24 *Special commercial policies.*

Within the immediate vicinity, there are sufficient areas of lands designated Special Commercial. The adjacent Special Commercial lands (to the south) provide adjacent neighbors and the wider community with commercial businesses such as: food and beverage sales, personal improvement, personal services, and general retail. Creating additional commercial lands at this location may not necessarily provide a balanced distribution of land uses. Connections between the existing Special Commercial areas and the project site may not be possible. The proposed change to the land use designation is not consistent with Objective 1.11 of the Land Use Element.

A variety of commercial land uses are permitted within a CS-HO District (see Table 1), yet the proposed 0.66-acre site might not have sufficient area to construct the necessary building and on-site parking, and provide adequate setbacks to sufficiently buffer a vibrant commercial land use (i.e., banks, day care, restaurants, convenience stores, nurseries, offices, personal services, retail sales, and/or travel services) from the adjacent residential land use. A change in land use designation to Special Commercial may inadvertently create an opportunity for objectionable noise, light, odors, and other unanticipated impacts on the adjoining residential area. Changing the land use designation to Special Commercial is not consistent with Objective 1.12 of the Land Use Element.

The previously approved Senior Mobile Home Park Overlay District formalizes an established neighborhood by fostering a sense of community and regional identity among the residents of the Mission View Manor East and West. Changing the land use

designation to commercial could affect the neighborhood identity and is not consistent with Objective 1.13 of the Land Use Element.

Among the variety of permitted commercial use classifications, visitor-serving uses are preferred within the Mission San Luis Rey Historic Area. The proposed land use at this site, 450.CC.5 *Vehicle/equipment sales and rentals* or mobile home sales, is not a visitor-serving use. Visitor-serving uses are identified by the *Mission San Luis Rey Historic Area Development Program and Design Guidelines*. They are: restaurants, bakeries, handicraft shops, art galleries/book stores, curio shops/antique shops, bed and breakfast inns, flower shops, and other commercial uses serving the needs of visitors. Changing the land use designation to accommodate land use 450.CC.5 is not consistent with Objective 1.3 of the Land Use Element.

The proposed site design does not reflect the architectural and landscape goals of the Mission San Luis Rey Historic Area. The proposal would need to be significantly revised to comply with the architectural, landscape, and sign requirements of the historic area guidelines. Additionally, the 0.66-acre site is relatively small for a commercial land use designation and has limited access (via an off-site driveway designed for the use of Mission View Manor East residents). Changing the land use designation is not consistent with Objective 2.2 of the Land Use Element.

Issue: Sufficiency of the findings for Zone Amendment ZA-1-07

Finding 1: *The proposed change to the zoning district map is not consistent with the policies of the General Plan. The proposed CS-HO-H Districts are situated within the boundaries of the Special Commercial Area of the Mission San Luis Rey Historic Area. The site is included in the Mission San Luis Rey Historic Area, which was adopted to recognize the importance of maintaining and enhancing the area around the Mission. The Mission San Luis Rey Historic Area Development Program and Design Guidelines provides a flexible design framework that respects and complements the Mission's historic setting, as well as encourages high quality, new development in the San Luis Rey area of the City. The limited area proposed as CS-HO-H Districts will not assist the City in achieving the long-range goals and objectives of the Mission San Luis Rey Historic Area.*

Finding 2: *The proposed change to the zoning district map (to the CS-HO-H Districts) is inconsistent with the purposes of the Zoning Ordinance. The purposes of the H Historic Overlay District are to: promote the conservation, preservation, protection, and enhancement of each historic district; stimulate the economic health and visual quality of the community, and stabilize and enhance the value of the property; encourage development tailored to the character and significance of each historic district through a Conservation Plan that includes goals, objectives, and design guidelines and development criteria; and provide a mechanism to resolve conflicts in an orderly fashion between goals of historic preservation and alternative land use. The CS-HO District is intended for highway-oriented commercial areas, whereas establishing visitor-serving commercial districts is a goal of the Mission San Luis Rey Historic Area.*

Response: The Zone Amendment findings were premised on the proposal's compliance with the Zoning Ordinance, including an analysis of permitted uses within CS-HO Districts, comparisons with zoning map districts within the Mission San Luis Rey Historic Area, and the application's compliance with the CS District property development regulations.

The proposed zoning district change to Special Commercial-Highway Oriented-Historic Overlay (CS-HO-H) Districts is inappropriate for a site of this size. The types of permitted land uses within the CS-HO District are listed in table 1.

Table 1. Permitted land uses within the Special Commercial-Highway Oriented District

Limited day care	Home improvement
Minor utilities	Limited horticulture
Animal hospitals and retail sales	Business and professional office
Banks and savings & loans	Personal Services
Building materials & services	Retail sales
Catering services	Travel services
Eating and drinking establishments serving beer and wine	Seasonal, special sales of Agricultural
Food and beverage sales	

These permitted land uses would require the construction of a commercial building and adequate provisions for on-site parking and egress to the street. The district change is inappropriate due to the site's juxtaposition to the intersection of Douglas Drive and Mission Avenue. This 0.66-acre site is not suitable for a vibrant commercial use.

The type of land uses permitted within the CS-HO District do not favorably compare with the desired land uses identified by the *Mission San Luis Rey Historic Area Development Program and Design Guidelines*. For example, land use 450.D *Artist Studios* is not permitted within a CS-HO District, but it is a desired land use within the historic area. Handicraft shops, art galleries, and antique shops are desired land uses within the historic area that are not permitted within the CS-HO District.

The proposed site layout did not comply with the property development regulations of Section 1120, because the mobile homes projected into required yards, the off-street parking and loading was situated within required yards, and vehicular access was proposed via the existing residential entrance to the Mission View Manor East Mobile Home Park.

Issue: Sufficiency of the findings for Conditional Use Permit C-13-08

Finding 1: *The proposed location of land use 450.CC.5 Vehicle/equipment sales and rentals is not in accord with the objectives of the Zoning Ordinance and the purposes of the RM-A-H Districts. The Historic Overlay District's land use objectives are to create visitor-serving uses within the Historic Core of the Mission San Luis Rey Historic Area, and land use 450.CC.5 is not a visitor-serving land use.*

Finding 2: *The proposed location of land use 450.CC.5 Vehicle/equipment sales and rentals and the proposed conditions under which it would be operated or maintained is inconsistent with the General Plan, will 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 be detrimental to properties or improvements in the vicinity or to the general welfare of the City. The opportunity to create employment centers associated with visitor-serving land uses (hotels, bakeries, book shops, curio shops, travel offices, et al) will be greatly diminished by establishing a highway-oriented land use.*

Finding 3: *The proposed land use 450.CC.5 Vehicle/equipment sales and rentals does not comply with the provisions of the Zoning Ordinance or the specific criteria for commercial uses within the Historic Core of the Mission San Luis Rey Historic Area.*

Response: The conditional use permit findings were generally based upon a proposed commercial land use operating within an exiting residential district and the land use's compatibility with the development program goals of the Mission San Luis Rey Historic Area.

Issue: Sufficiency of the findings for Historic Permit H-2-08

Finding 1: *Designating a larger area as Special Commercial (SC) would create an opportunity for a land use which does enhance or promote the Mission San Luis Rey Historic Area goals and objectives. The proposed site is small (less than one-acre in area). Its size will significantly limit interest in establishing a commercial use at the site.*

Finding 2: *This proposal does not satisfy the development program and design guidelines of the Mission San Luis Rey Historic Area; for example, the development program and design guidelines identify desired commercial land uses as restaurant, bakeries, handicraft shops, art galleries/book stores, curio shops/antique shops, bed and breakfast inns, flower shops, and other commercial uses serving the needs of visitors. The proposed land use, 450.CC.5 Vehicle/equipment sales and rentals, is not identified as a desired land use within the Historic Core of the "Mission San Luis Rey Historic Area Development Program and Design Guidelines". The proposed land use is not visitor-serving.*

Finding 3: *The proposal does not satisfy the historic area's circulation, parking and paving guidelines; for example, the pedestrian path does not meander within a 25-foot setback along Douglas Drive or Mission Avenue. Street trees are not proposed along Mission Avenue. The model mobile homes are proposed to project into the setback area along Mission Avenue. Special paving materials and street furniture are not proposed.*

Finding 4: *The project as proposed does not satisfy the historic area's landscape guidelines. Potential to satisfy the landscaping guidelines is limited because of the small area proposed for mobile home sales. The extensive use of turf does not satisfy section 4.d. Historic Core Planting Guidelines of the "Mission San Luis Rey Historic Area Development Program and Design Guidelines." It is unlikely that the proposed site*

design will create the desired "sense of arrival to the historic core" of the Mission San Luis Rey Historic Area.

Response: The findings for the historic permit were based upon the recommendations of the Oceanside Historic Preservation Advisory Committee and the *Mission San Luis Rey Historic Area Development Program and Design Guidelines*. Compliance with three of the five program goals were reviewed, including the land use goal and objectives, circulation and parking goal and objectives, and the tourism goal and objectives.

Support of the Mission San Luis Rey Historic Area Land Use goal and objectives: The *Historic Core Concept Plan* identifies the intersection of Mission Avenue and Douglas Drive as a Special Intersection. The Core Area Diagrammatic Plan further identifies the larger 16.71 acre site of Mission View Manor East for a future resort hotel. The development program and design guidelines identify desired commercial land uses, which are listed in table 2.

Table 2. Historic Core Concept Plan Land Uses

Restaurant	Bakeries
Handicraft shops	Art galleries
Curio shops	Book stores
Antique shops	Bed and breakfast inns
Flower shops	Commercial uses serving the needs of visitors

The proposed land use, 450.CC.5 *Vehicle/equipment sales and rentals*, is not identified as a desired land use within the *Historic Core* of the Mission San Luis Rey Historic Area The proposed land use is not visitor-serving.

Compliance with the Mission San Luis Rey Historic Area circulation and parking goal and objectives: The Mission San Luis Rey Historic Area design guidelines emphasize creating a pedestrian-friendly environment with visitor-serving facilities. The proposal does not satisfy the historic area's circulation, parking and paving guidelines; for example, the pedestrian path does not meander within a 25-foot setback along Douglas Drive or Mission Avenue. Street trees are not proposed along Mission Avenue. The model mobile homes are proposed to project into the setback area along Mission Avenue. Special paving materials and street furniture are not proposed.

Compliance with the Mission San Luis Rey Historic Area tourism goal and objectives: The project as proposed does not satisfy the historic area's landscape guidelines. Potential to satisfy the landscaping guidelines is limited because of the small area proposed for mobile home sales. The extensive use of turf does not satisfy section 4.d. *Historic Core Planting* guidelines of the "Mission San Luis Rey Historic Area Development Program and Design Guidelines." It is unlikely that the proposed site design will create the desired "sense of arrival to the historic core."

FISCAL IMPACT

Property tax revenue: The City would benefit from property tax revenue if a newly purchased mobile home is installed on land within its jurisdictional boundaries. The City's revenue would be 12.4 percent of the paid property tax. New revenue to the City may be nominal because new mobile homes are likely to replace an existing, older stock which would be subject to a lower tax rate. Assuming a new mobile home's value is $100,000 and the unit does not replace existing stock, then the estimated property tax revenue per unit to the City is $124 annually.

Use tax revenue: The City would benefit from use tax revenues by receiving 3.8 percent of the County use tax fund. Use taxes are imposed on purchases (i.e., heavy equipment, mobile homes, etc.) whenever sales tax does not apply. Use tax revenue from the sale of mobile homes within San Diego County is pooled.

In regards to mobile home sales, a use tax is applied to 75 percent of the residential value of the mobile home. This is inclusive of costs such as the mobile home unit, labor to join halves, and labor to install carpets. Currently, the City's revenue is 3.8 percent of the countywide use tax fund. If the proposed land use were to generate $1 million annually in the sale of residential mobile homes, $750,000 would be subject to the use tax. The City would receive 3.8 percent of the paid use tax, or $2,209 in revenue annually.

Sales tax revenue: The sales tax rate is 7.75 percent of a purchase, but in regards to mobile home sales, taxation is applied only to nonresidential property (i.e., window awnings, skirting, cabana rooms, or jacks and pads). City revenue from sales tax is 1 percent of the amount purchased. Assuming the value of nonresidential components sold annually is $50,000 then the City's revenue would be $500.

Business license tax revenue: If a business owner were to generate $1 million in gross sales, then the City's business license fee would generate approximately $550 in revenue for the City annually.

Summary of estimated City revenues
Annual property tax revenue would be $124 per new residential unit.
Annual use tax revenue would be $2,209 per $1 million of residential units sold.
Annual sales tax revenue would be $500 per $50,000 of nonresidential products sold.
Annual business license tax revenue would be $550 per $1 million in gross sales.

CITY ATTORNEY'S ANALYSIS

Pursuant to Public Resources Code § 15074(b), prior to approving a project, the decision-making body of the lead agency shall consider the proposed Mitigated Negative Declaration together with any comments received during the public process. The Planning Commission recommended adoption of the Mitigated Negative Declaration as stated in Resolution No. 2008-P50. The City Council shall adopt the

proposed Mitigated Negative Declaration only if it finds on the basis of the whole record before it that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis.

The City Council, under the provisions of Government Code § 65356, has the ability to amend the General Plan Land Use Map by resolution. The Planning Commission's public hearing on August 25, 2008, and its denial of GPA-2-07 were in accord with the provisions of Government Code § 65353.

The City Council, under the provisions of Section 4506 of the Zoning Ordinance (O.Z.O.), has the ability to amend the Zoning District Map by ordinance. The Planning Commission's public hearing on August 25, 2008, and its denial of ZA-1-07 were in accord with the provisions of Section 4505.

Pursuant to O.Z.O. § 4110, use permit decisions of the Planning Commission may be appealed by any interested party to the City Council. The Planning Commission's public hearing on August 25, 2008, and its denial of C-13-08 were in accord with the provisions of § 4102.

Pursuant to O.Z.O. Article 21, historic permit decisions of the Planning Commission may be appealed to the City Council. The Planning Commission's public hearing on August 25, 2008, and its denial of H-2-08 were in accord with the provisions of § 4505.

Pursuant to Article 46, decisions of the Planning Commission may be called up for review by the City Council. Pursuant to Section 4604.C, decisions that are appealed or called up for review shall not become effective until the appeal is resolved, as provided in § 4605.

Pursuant to O.Z.O. § 4506, the City Council shall affirm or modify the Planning Commission's action to deny GPA-2-07, ZA-1-07, C-13-08 and H-2-08, provided that a modification not previously considered by the Planning Commission shall be referred to the Commission for a report prior to adoption of an ordinance amending the zoning map. Prior to adoption of an ordinance the City Council shall make findings that the proposed map amendment is consistent with the policies of the General Plan and the notice and hearing provisions of the Zoning Ordinance. Any use permit associated with the zoning district map amendment shall not be effective until the zone amendment is complete.

RECOMMENDATIONS

The item under consideration is a review of the Planning Commission's findings to deny a General Plan Amendment, Zone Amendment, Conditional Use Permit, and Historic Permit. The applicant proposed to change the land use designation from Medium Density A Residential (MDA-R) to Special Commercial (SC); to change the zoning district map from Medium Density A - Senior Mobile Home Park Overlay - Historic

Overlay (RM-A-SMHP-H) Districts to Special Commercial - Highway Oriented - Historic Overlay (CS-HO-H) Districts; to change the base district designation within the Mission San Luis Rey Historic Area; and to allow land use 450.CC.5 *Vehicle/equipment sales and rentals* (i.e. mobile home sales) on a 0.66-acre portion of an existing 16.71-acre lot located on the northeast corner of Mission Avenue and Douglas Drive and commonly called Mission View Manor East Mobile Home Park.

Staff recommends that the City Council consider the Mitigated Negative Declaration for Mission View Manor in light of the whole record that the project will not have a significant effect on the environment and approve the Mitigated Negative Declaration by adopting City Council Resolution; and

Staff recommends that the City Council affirm the findings of the Planning Commission by adopting the City Council Resolution.

PREPARED BY:

Juliana von Hacht
Associate Planner

SUBMITTED BY:

Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs-Lawrence, Deputy City Manager
George Buell, Development Services Director
Jerry Hittleman, City Planner
Teri Ferro, Financial Services Director

ATTACHMENTS:

1. Plans
2. City Council Resolution to adopt a mitigated negative declaration
3. City Council Resolution to affirm Planning Commission Resolution 2008-P51
4. Planning Commission Staff Report dated August 25-2008
5. Planning Commission Resolution No. 2008-P50
6. Planning Commission Resolution No. 2008-P51
7. Planning Commission Resolution No. 2007-P66
8. Letters from residents
9. Notice of Intent to Adopt a Mitigated Negative Declaration
10. Initial Study for Mission View Manor
11. Response to MND comments
12. Neighborhood meeting attendance sign-in sheets and comments

EXHIBIT for GENERAL PLAN AMENDMENT and ZONE CHANGE

VICINITY MAP
NTS

LEGEND

DESCRIPTION	SYMBOL
PROPERTY LINE	
CENTERLINE	
EASEMENT LINE	
RIGHT OF WAY	
EXISTING CONTOURS	
EXISTING PAVEMENT	
EXISTING POWER POLE	
EXISTING HOUSE	
EXISTING OVER HEAD	OH
EXISTING SEWER MANHOLE	S
EXISTING CHAIN FENCE W/ BOLLARDS	
EXISTING WATER VALVE	WV
EXISTING FIRE HYDRANT	
EXISTING WALL	
EXISTING-TURN SIGNAL LIGHT	TL
EXISTING TREE	

PROPERTY OWNERS:

LINDA COLE AND ASSOCIATES
186 SOUTH SANTA FE ROAD
SAN MARCOS, CA 92078

PHONE (760) 420-6289 FAX (760) 598-6589
ATTN LINDA COLE

REPRESENTATIVE:

ELIZABETH J. GRAFF, AICP
LAND USE PLANNING CONSULTANT
3528 SEA RIDGE ROAD
OCEANSIDE, CA 92054

PHONE/FAX (760) 231-7459

ENGINEER:

CORNERSTONE ENGINEERING, INC
620 MISSION AVENUE
OCEANSIDE, CA 92054
(760)722-3495

DENIED BY THE PLANNING COMMISSION
this 25 day of August 2008
CASE No. GPA-2-07, ZA-1-07, C-18-08, H-2-07
SIGNED [signature]

GENERAL NOTES:

1. EXISTING GENERAL PLAN LAND USE DESIGNATION- RESIDENTIAL MEDIUM DENSITY-A
2. PROPOSED GENERAL PLAN LAND USE DESIGNATION- GENERAL COMMERCIAL
3. EXISTING ZONING DESIGNATION- RESIDENTIAL MEDIUM DENSITY-A (7-12 DU PER ACRE) -H (HISTORIC OVERLAY)
4. PROPOSED ZONING DESIGNATION- COMMERCIAL-GENERAL (CG)

RECEIVED
MAR 22 2007
Planning Department

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

CORNERSTONE ENGINEERING, INC.
CONSULTING CIVIL ENGINEERING AND LAND SURVEYING
www.cornerstoneeng.com

DEVELOPMENT BY:
LINDA COLE ASSOCIATES
186 SOUTH SANTA FE ROAD
SAN MARCOS, CA 92078

EXHIBIT for GENERAL PLAN AMENDMENT and ZONE CHANGE
FOR
DOUGLAS AT MISSION WITH CONCEPTUAL SITE PLAN

DESIGNER	MCL
CHECKED BY	GEC
DATE	01-18-07
DRAFTER	JAR
SCALE	AS SHOWN
COMP NO	149-01 SITE PLAN
JOB NO	149-02-00
SHEET 1	OF 1

NO	DATE	REVISION	BY

SITE PLAN
DOUGLAS AT MISSION
THE CITY OF OCEANSIDE, CALIFORNIA

GENERAL NOTES

1 ALL STREET DESIGNS CONFORM TO THE CITY OF OCEANSIDE DESIGN STANDARDS AND AS REQUIRED BY THE CITY OF OCEANSIDE ENGINEER
2 WATER TO BE PRIVATE. (NO WATER IMPROVEMENTS PROPOSED)
3 SEWER TO BE PRIVATE (NO SEWER IMPROVEMENTS PROPOSED)
4 STORM DRAIN TO BE PRIVATE. (NO STORM DRAIN IMPROVEMENTS PROPOSED)
5 EASEMENTS AS REQUIRED BY THE CITY ENGINEER, PUBLIC UTILITIES AND DISTRICTS (NONE PROPOSED)
6 ALL PROPOSED UTILITIES TO BE UNDERGROUND (NONE PROPOSED)
7 SLOPE RATIOS SHALL BE 2 1 MAXIMUM – NO GRADING PROPOSED
APPROXIMATE QUANTITY OF ASPHALT DEMO =10,000± S F TO PROVIDE FOR PROPOSED LANDSCAPING
8 CONTOUR INTERVAL IS 1' FOR EXISTING TOPO, 0 5' FOR PROPOSED TOPO
SPOT ELEVATIONS ARE PROVIDED FOR ADDITIONAL CLARITY SURVEY PREPARED BY CORNERSTONE ENGINEERING, INC 620 MISSION AVENUE, OCEANSIDE CA, 92054, DATE OCT 2007
9 EXISTING GENERAL PLAN LAND USE DESIGNATION– RESIDENTIAL MEDIUM DENSITY–A.
10 PROPOSED GENERAL PLAN LAND USE DESIGNATION– GENERAL COMMERCIAL.
11 EXISTING ZONING DESIGNATION– RESIDENTIAL MEDIUM DENSITY–A (7–12 D U PER ACRE) –H (HISTORIC OVERLAY)
12 PROPOSED ZONING DESIGNATION– COMMERCIAL–GENERAL (CG)
13 SITE ACREAGE= 30,422 SF (0 70 AC)
14 FOUR (4) TEMPORARY MODULAR UNITS PROPOSED (60'x35' EACH)
15. SET BACK SHOWN ON PLAN (SHEET 2)
16 PROPOSED LANDSCAPING AS SHOWN ON LANDSCAPE PLAN
17 SIX (6) PARKING SPACES PROPOSED (INCLUDING ONE HANDICAP PARKING)
18 NO OFFSITE IMPROVEMENTS PROPOSED (EXCLUDING LANDSCAPING)
19 EXISTING EASEMENTS AS SHOWN ON PLAN (SHEET 2)
20. NO FLOODWAYS OR FLOOD LINES EXIST WITHIN SITE, FLOOD PLAN DESIGNATION, ZONE A 99 (PANEL NO 06073C0752G)
21 NO GRADING PROPOSED

LEGAL DESCRIPTION

MISSION VIEW MOBILE HOMES PROPERTY

ALL THAT PORTION OF LOT 4 IN SECTION 8, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, LYING NORTHERLY OF THE NORTHERLY LINE OF THAT PORTION OF CALIFORNIA STATE HIGHWAY XI–SD–195–A AS DESCRIBED IN DEED TO THE STATE OF CALIFORNIA FOR HIGHWAY PURPOSES, RECORDED SEPTEMBER 30, 1952 AS DOCUMENT NO 122082 IN BOOK 4608, PAGE 140 OF OFFICIAL RECORDS

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WESTERLY OF THE EASTERLY LINE OF THE LAND DESCRIBED IN DEED TO THE COUNTY OF SAN DIEGO (ROAD SURVEY 1408) RECORDED APRIL 15, 1954 IN BOOK 5206, PAGE 132 OF OFFICIAL RECORDS

ALSO EXCEPTING THEREFROM THAT PORTION, IF ANY M, LYING WITHIN SAN LUIS REY, ACCORDING TO MAP THEREOF NO 76 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY NOVEMBER 18, 1873

PUBLIC UTILITIES

WATER SUPPLY	CITY OF OCEANSIDE
SEWER	CITY OF OCEANSIDE
STORM DRAIN	CITY OF OCEANSIDE
GAS & ELECTRIC	S.D G & E.
TELEPHONE	SBC
FIRE	CITY OF OCEANSIDE
POLICE	CITY OF OCEANSIDE
SCHOOLS	OCEANSIDE UNIFIED SCHOOL DISTRICT
CABLE	COX CABLE

PROPERTY DEVELOPER:

LINDA COLE AND ASSOCIATES
186 SOUTH SANTA FE ROAD
SAN MARCOS, CA 92078

PHONE (760) 420–6289 FAX (760) 598–6589
ATTN LINDA COLE

PROPERTY OWNER:

MOBILE HOMES ACCEPTANCE CORPORATION
A CALIFORNIA CORPORATION
140 DOUGLAS DRIVE, OCEANSIDE CA

REPRESENTATIVE:

ELIZABETH J GRAFF, AICP
LAND USE PLANNING CONSULTANT
3528 SEA RIDGE ROAD
OCEANSIDE, CA 92054
PHONE/FAX (760) 231–7459

ENGINEER:

CORNERSTONE ENGINEERING, INC.
620 MISSION AVENUE
OCEANSIDE, CA 92054
(760)722–3495

DRAINAGE STUDY BY:

CORNERSTONE ENGINEERING, INC
620 MISSION AVENUE
OCEANSIDE, CALIFORNIA 92054
(760) 722–3495

EXISTING CONDITIONS MAP

VICINITY MAP
NTS

LEGEND

DESCRIPTION	SYMBOL
PROPERTY LINE	
CENTERLINE	
EASEMENT LINE	
RIGHT OF WAY	
EXISTING CONTOURS	
EXISTING POWER POLE	
EXISTING HOUSE	
EXISTING WATER LINE	S
EXISTING SEWER LINE	W
EXISTING OVER HEAD	OH
EXISTING SEWER MANHOLE	S
EXISTING CHAIN FENCE W/ BOLLARD	
EXISTING CHAIN METAL GUARD RAIL	
EXISTING WATER VALVE	WV
EXISTING FIRE HYDRANT	
EXISTING WALL	
EXISTING TURN SIGNAL LIGHT	
EXISTING TREE	

TYPICAL CROSS SECTION
DOUGLAS DRIVE
NTS

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

DENIED BY THE
PLANNING COMMISSION
this 25 day of August 2008
CASE No GPA-2-07, ZA-1-07, C-13-08
SIGNED [signature]

RECEIVED
Planning Department

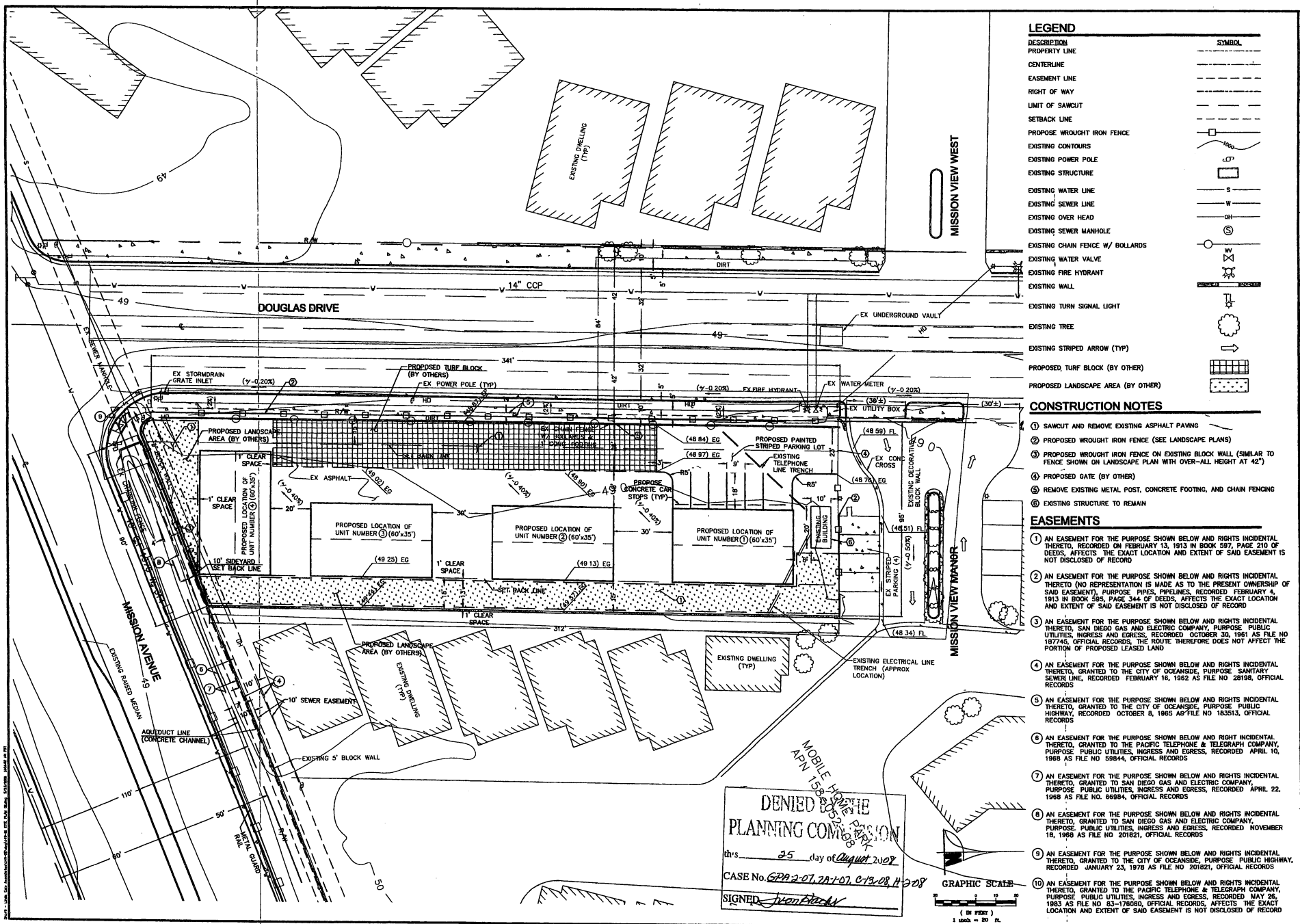
NO	DATE	REVISION	BY

CORNERSTONE ENGINEERING, INC.
208 OAK STREET BAKERSFIELD, CA 93304 TEL (661) 325-9474 FAX (661) 322-0129
620 MISSION AVENUE OCEANSIDE, CA 92054 TEL (760) 722-3495 FAX (760) 722-3480
CONSULTING CIVIL ENGINEERING AND LAND SURVEYING
www.cornerstoneeng.com

DEVELOPMENT BY:
LINDA COLE ASSOCIATES
186 SOUTH SANTA FE ROAD
SAN MARCOS, CA 92078

SITE PLAN
FOR
GPA-2-07, ZA-1-07, C-31-08
MISSION VIEW MANOR LOT
AT
DOUGLAS AND MISSION

DESIGNER	MCL
CHECKED BY	GEC
DATE	5-15-08
DRAFTER	JAR/JLS
SCALE	AS SHOWN
COMP NO	149-01 SITE PLAN 01
JOB NO	149-01-00
SHEET 1	OF 2



LEGEND

DESCRIPTION	SYMBOL
PROPERTY LINE	
CENTERLINE	
EASEMENT LINE	
RIGHT OF WAY	
LIMIT OF SAWCUT	
SETBACK LINE	
PROPOSE WROUGHT IRON FENCE	
EXISTING CONTOURS	1000
EXISTING POWER POLE	
EXISTING STRUCTURE	
EXISTING WATER LINE	S
EXISTING SEWER LINE	W
EXISTING OVER HEAD	OH
EXISTING SEWER MANHOLE	S
EXISTING CHAIN FENCE W/ BOLLARDS	
EXISTING WATER VALVE	WV
EXISTING FIRE HYDRANT	
EXISTING WALL	PROPOSED / EXISTING
EXISTING TURN SIGNAL LIGHT	
EXISTING TREE	
EXISTING STRIPED ARROW (TYP)	
PROPOSED TURF BLOCK (BY OTHER)	
PROPOSED LANDSCAPE AREA (BY OTHER)	

CONSTRUCTION NOTES

1. SAWCUT AND REMOVE EXISTING ASPHALT PAVING
2. PROPOSED WROUGHT IRON FENCE (SEE LANDSCAPE PLANS)
3. PROPOSED WROUGHT IRON FENCE ON EXISTING BLOCK WALL (SIMILAR TO FENCE SHOWN ON LANDSCAPE PLAN WITH OVER-ALL HEIGHT AT 42")
4. PROPOSED GATE (BY OTHER)
5. REMOVE EXISTING METAL POST, CONCRETE FOOTING, AND CHAIN FENCING
6. EXISTING STRUCTURE TO REMAIN

EASEMENTS

1. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, RECORDED ON FEBRUARY 13, 1913 IN BOOK 597, PAGE 210 OF DEEDS, AFFECTS THE EXACT LOCATION AND EXTENT OF SAID EASEMENT IS NOT DISCLOSED OF RECORD
2. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO (NO REPRESENTATION IS MADE AS TO THE PRESENT OWNERSHIP OF SAID EASEMENT), PURPOSE PIPES, PIPELINES, RECORDED FEBRUARY 4, 1913 IN BOOK 595, PAGE 344 OF DEEDS, AFFECTS THE EXACT LOCATION AND EXTENT OF SAID EASEMENT IS NOT DISCLOSED OF RECORD
3. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, SAN DIEGO GAS AND ELECTRIC COMPANY, PURPOSE PUBLIC UTILITIES, INGRESS AND EGRESS, RECORDED OCTOBER 30, 1961 AS FILE NO 187745, OFFICIAL RECORDS, THE ROUTE THEREFORE DOES NOT AFFECT THE PORTION OF PROPOSED LEASED LAND
4. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, GRANTED TO THE CITY OF OCEANSIDE, PURPOSE SANITARY SEWER LINE, RECORDED FEBRUARY 16, 1962 AS FILE NO 28198, OFFICIAL RECORDS
5. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, GRANTED TO THE CITY OF OCEANSIDE, PURPOSE PUBLIC HIGHWAY, RECORDED OCTOBER 8, 1965 AS FILE NO 183513, OFFICIAL RECORDS
6. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHT INCIDENTAL THERETO, GRANTED TO THE PACIFIC TELEPHONE & TELEGRAPH COMPANY, PURPOSE PUBLIC UTILITIES, INGRESS AND EGRESS, RECORDED APRIL 10, 1968 AS FILE NO 59844, OFFICIAL RECORDS
7. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY, PURPOSE PUBLIC UTILITIES, INGRESS AND EGRESS, RECORDED APRIL 22, 1968 AS FILE NO. 66984, OFFICIAL RECORDS
8. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, GRANTED TO SAN DIEGO GAS AND ELECTRIC COMPANY, PURPOSE PUBLIC UTILITIES, INGRESS AND EGRESS, RECORDED NOVEMBER 18, 1968 AS FILE NO 201821, OFFICIAL RECORDS
9. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, GRANTED TO THE CITY OF OCEANSIDE, PURPOSE PUBLIC HIGHWAY, RECORDED JANUARY 23, 1978 AS FILE NO 201821, OFFICIAL RECORDS
10. AN EASEMENT FOR THE PURPOSE SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, GRANTED TO THE PACIFIC TELEPHONE & TELEGRAPH COMPANY, PURPOSE PUBLIC UTILITIES, INGRESS AND EGRESS, RECORDED MAY 26, 1983 AS FILE NO 83-176080, OFFICIAL RECORDS, AFFECTS THE EXACT LOCATION AND EXTENT OF SAID EASEMENT IS NOT DISCLOSED OF RECORD

DENIED BY THE PLANNING COMMISSION
this 25 day of August 2008
CASE No. GPA 2-07, ZA-1-07, C-13-08, M-208
SIGNED Jason Brooks

GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft.

NO.	DATE	REVISION	BY

CORNERSTONE ENGINEERING, INC.
252 SAN MARCOS BOULEVARD, SUITE A
SAN MARCOS, CA 92069
PH. (760) 752-9400
FAX (760) 752-9440
CONSULTING CIVIL ENGINEERING AND LAND SURVEYING
www.cornerstoneeng.com

DEVELOPMENT BY:
LINDA COLE ASSOCIATES
186 SOUTH SANTA FE ROAD
SAN MARCOS, CA 92078

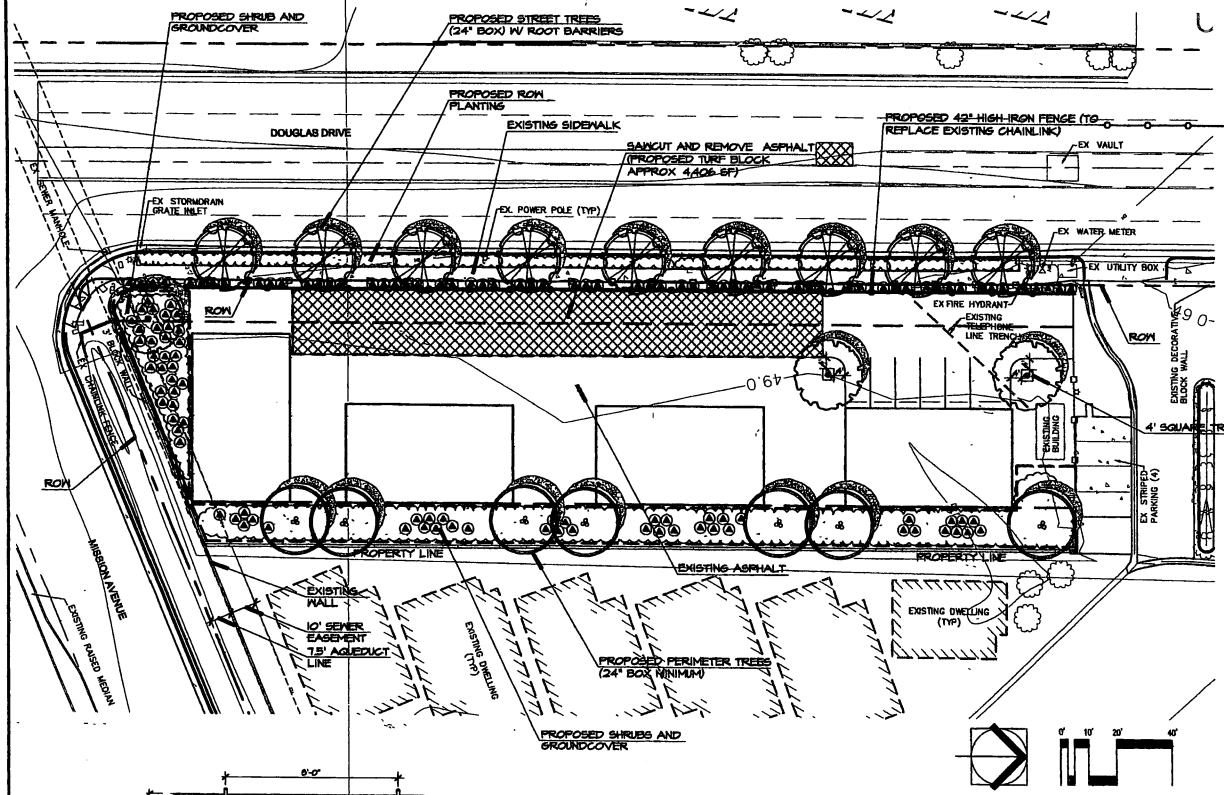
SITE PLAN FOR GPA-2-07, ZA-1-07, C-31-08 MISSION VIEW MANOR LOT AT DOUGLAS AND MISSION

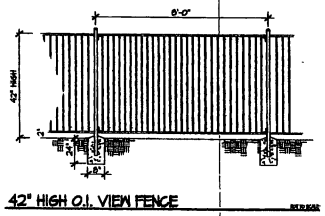
DESIGNER:	MCL
CHECKED BY:	GEC
DATE:	5-15-08
DRAFTER:	JAR/JLS
SCALE:	AS SHOWN
COMP NO 140-01 SITE PLAN 02	
JOB NO	140-01-00
SHEET	2 OF 2

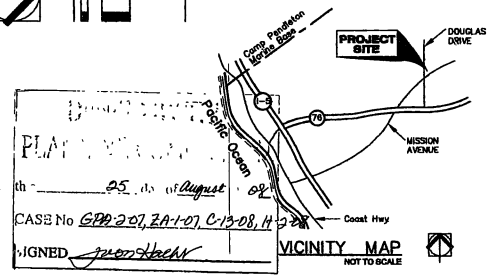
LANDSCAPE CONCEPT PLAN

Cole & Associates

GPA-2-07, ZA-1-07, D-7-08, C-13-08







GENERAL NOTES:

1. All landscape shall be in accordance with the City of Oceanside's Landscape Design Guidelines.
2. Final landscape plans shall accurately show placement of trees, shrubs, and groundcovers.
3. Landscape Architect shall be aware of all utility, sewer, storm drain easement, and place planting locations accordingly to meet City of Oceanside requirements.
4 All required landscape areas shall be maintained by Owner. The landscape shall be maintained per City of Oceanside requirements.

IRRIGATION NOTE:

1 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. Irrigation systems shall use high quality, automatic control valves, controllers, and other necessary irrigation equipment. All components shall be of non-corrosive materials. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters. All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.

PLANTING NOTES:

1. Generally, planting within the project will be a drought tolerant combination of southern California natives and ornamental species. The selection of plant material is based on cultural, aesthetic, and maintenance considerations. All planting areas shall be prepared with appropriate soil amendments, fertilizers, and appropriate supplements based upon a soils report from an agricultural suitability soil sample taken from the site. Groundcovers or bark mulch shall fill in between the shrubs to shield the soil from the sun, evapotransporation, and run-off. All the flower and shrub beds shall be mulched to a 3" depth to help conserve water, lower the soil temperature and reduce weed growth. The shrubs shall be allowed to grow in their natural forms. All landscape improvements shall follow the City of Oceanside Guidelines.
2. Root barriers shall be installed adjacent to all paving surfaces, where a paving surface is located within 6 feet of a trees trunk. Root barriers shall extend 5 feet in either direction fro the centerline of the trunk, for a total distance of 10 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around the tree's root ball is unacceptable

CONCEPTUAL PLANT PALETTE

Plants such as:

STREET TREES
(24" box minimum)
Magnolia grandiflora (Southern Magnolia)
Tristania conferta (Brisbane Box)

PERIMETER TREES
(24" box minimum)
Quercus agrifolia (Coast Live Oak)
Platanus racemosa (California Sycamore)
Alnus rhombifolia (White alder)

SHADE TREES
(24" box minimum)
Cassia leptophylla (Gold Medallion Tree)
Tipuana Tipu (Tipu Tree)
Koelreuteria paniculata (Goldenrain Tree)

SHRUBS
(60% 1 gallon & 40% 5 gallon)
Agave attenuata (Foxtail agave)
Agave americana (Century plant)
Artemisia californica (Coastal Sagebrush)
Buxus japonica (Japanese boxwood)
Callistemon c. 'Little John' (Dwarf Bottlebrush)
Camellia japonica (Camellia)
Dietes vegeta (Fortnight Lily)
Echium fastuosum (Pride of Maderia)
Encelia californica (Encelia)
Gardenia jasminioides (Gardenia)
Hemerocallis hybrids (Daylily)
Heteromeles arbutifolia (Toyon)
Muhlenbergia rigens (Deer grass)
Mimulus aurantiacus (Bush Monkey Flower)
Nerium oleander (Oleander)
Phormium tenax (New Zealand Phlax)
Pittosporum tobira (Evergreen)
Plumbago auriculata (Cape Plumbago)
Salvia clevelandii (Sage)

VINES AND GROUNDCOVERS
(flats & 1 gallon minimum)
Baccharis pilularis (Coyote Bush)
Bougainvillea species (Bougainvillea)
Gazania spp. (Gazania)
Trachelospermum jasminioides (Star jasmine)
Rosmarinus officinalis (Rosemary)

ADL
PLANNING
ASSOCIATES
LAND PLANNING
LANDSCAPE ARCHITECTURE
2979 STATE STREET SUITE "C"
CARLSBAD, CA. 92008
(760)720-0837 FAX (760)720-0324

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE ADOPTING A MITIGATED NEGATIVE DECLARATION FOR MISSION VIEW MANOR GPA-2-07, ZA-1-07, C-13-08 AND H-2-08 ON CERTAIN REAL PROPERTY LOCATED ON THE NORTHEAST CORNER OF MISSION AVENUE AND DOUGLAS DRIVE

(Applicant: Cole and Associates)

WHEREAS, on August 25, 2008, the Planning Commission, after a duly noticed public hearing, adopted Resolution No. 2008-P50 by a 6-to-0 vote recommending adoption of a Mitigated Negative Declaration for GPA-2-07, ZA-1-07, C-13-08 and H-2-08 Mission View Manor;

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was prepared and circulated for public and agency review and proper notification was given in accordance with the California Environmental Quality Act; and

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

For the Mitigated Negative Declaration:

1. The Mitigated Negative Declaration and Initial Study was completed in compliance with the provisions of the California Environmental Quality Act (CEQA).
2. Pursuant to the California Environmental Quality Act of 1970 and State Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that if the mitigation measures are met there will not be an adverse impact upon the environment. The use will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the project's physical or operational characteristics can reduce these impacts to levels that are less than significant.
3. The Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program (MMRP) have been determined to be accurate and adequate documents, which reflect the independent judgment and analysis of the City Council. On the basis of the

entire record before it, the City Council finds that there is no substantial evidence that the project, with implementation of the mitigation measures proposed, will have a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oceanside does hereby approve the Mitigated Negative Declaration for General Plan Amendment (GPA-2-07), Zone Amendment (ZA-1-07), Conditional Use Permit (C-13-08) and Historic Permit (H-2-08), subject to the following recommendations and conditions:

1. The following Mitigation and Monitoring and Reporting Program is required:

a) Prior to the approval of a commercial use at the subject site, a conceptual landscape plan shall be prepared and or revised to comply with the Mission San Luis Rey Historic Area Development Program and Guidelines. The conceptual landscape plan shall be reviewed by the Oceanside Historic Preservation Advisory Commission and approved by the Planning Commission.

b) Prior to the approval of a commercial use at the subject site, all proposed site improvements shall demonstrate compliance with the Mission San Luis Rey Historic Area Development Program and Guidelines. All proposed site improvements are subject to review by the Oceanside Historic Preservation Advisory Commission and approval by the Planning Commission.

c) At their request, a member of the San Luis Rey Band of Mission Indians shall be present during all ground disturbing activities, including planting landscape materials. A pre-excavation agreement shall be executed between the applicant and the San Luis Rey Band of Mission Indians, specifying the deposition of human remains, grave goods, or other culturally sensitive material encountered during grading, trenching, or other ground disturbance in conjunction with implementation of the proposed project.

d) The average daily trips for any land use shall be limited. The limitation shall be based upon the average daily trips equivalent to the residential land use generated on the 0.66-acre site by a 9.9 residential density.

e) Infrastructure improvements near one existing bus stop location shall be completed prior to grading and shall include a concrete bus pad, ADA-compliant

boarding pad, passenger waiting shelter, and trash can. Bicycle racks shall be installed to accommodate at least five bicycles on-site.

2. Notice is hereby given that the time within which judicial review must be sought on this decision is governed by Public Resource Code Section 21167.

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

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AFFIRMING PLANNING COMMISSION RESOLUTION 2008-P51 AND DENYING A GENERAL PLAN AMENDMENT, ZONE AMENDMENT, HISTORIC PERMIT AND CONDITIONAL USE PERMIT ON A 0.66-ACRE PORTION OF A LOT LOCATED ON THE NORTHEAST CORNER OF MISSION AVENUE AND DOUGLAS DRIVE

(Applicant: Cole and Associates)

WHEREAS, an application was filed for a General Plan Amendment (GPA-2-07) to change the land use designation from Medium Density A Residential (MDA-R) to Special Commercial (SC); for a Zone Amendment (ZA-1-07) to change the zoning district map from Medium Density A - Senior Mobile Home Park Overlay - Historic Overlay (RM-A-SMHP-H) Districts to Special Commercial - Highway Oriented - Historic Overlay (CS-HO-H) Districts; for a Historic Permit (S-2-08) to change the base district designation within the Mission San Luis Rey Historic Area; and for a Conditional Use Permit (C-13-08) to allow land use 450.CC.5 *Vehicle/equipment sales and rentals* on a 0.66-acre portion of a 16.71-acre lot located on the northeast corner of Mission Avenue and Douglas Drive and commonly called Mission View Manor East Mobile Home Park;

WHEREAS, on June 3, 2008, the Oceanside Historic Preservation Advisory Committee, after a duly noticed public hearing, adopted Resolution No. 2008-H01, recommending disapproval of GPA-2-07, ZA-1-07, C-13-08 and H-2-08;

WHEREAS, on August 25, 2008, the Planning Commission, after a duly noticed public hearing, adopted Resolution No. 2008-P51 by a 6-to-0 vote denying GPA-2-07, ZA-1-07, C-13-08 and H-2-08; and finding that a Special Commercial (SC) land use designation, a zoning map change to CS-HO-H Districts, and allowing land use 450.CC.5 do not conform to the goals and objectives of the General Plan, and do not conform to the land use and development regulations of the Zoning Ordinance and the Mission San Luis Rey Historic Area Development Program and Design Guidelines;

WHEREAS, on August 27, 2008, Council Member Kern timely filed a called to review the sufficiency of the findings of Resolution 2008-P51 with the City Clerk of the City of Oceanside;

WHEREAS, on October 15, 2008, the City Council of the City of Oceanside held a duly noticed public hearing and heard and considered evidence and oral testimony by all interested parties concerning the call to review of the Planning Commissions findings to deny the above identified General Plan Amendment, Zone Amendment, Conditional Use Permit, and Historic Permit;

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that if the mitigation measures are met there will not be an adverse impact upon the environment;

WHEREAS, the City Council approved a resolution adopting a Mitigated Negative Declaration together with any comments received and a Mitigation and Monitoring and Reporting Program (M.M.R.P.) incorporated as conditions approving said resolution;

WHEREAS, based on such evidence and testimony, including but not limited to the reports of the Planning Division Staff and records of the Planning Commission hearing and the Oceanside Historic Preservation Advisory Committee meeting, this Council finds that the decisions of the Planning Commission and the recommendations of the Oceanside Historic Preservation Advisory Committee do adequately and properly address the concerns raised in the Call-for-Review and this Council finds as follows:

<u>For the General Plan Amendment GPA-2-07</u>:

1. The long term community and neighborhood values are supported by the current MDA-R general plan designation. Sharing egress to the site, between the existing residential use and commercial land uses permitted within a highway oriented district, would negatively impact the residents of the Mission View Manor East Senior Mobile Home Park.
2. The recently approved Senior Mobile Home Park Overlay District formalizes an established neighborhood by fostering a sense of community and regional identity. The

provision of a balanced, self-sufficient, and efficient community is supported by the current, MDA-R, general plan designation. Designating the 0.66-acre area as Special Commercial will not provide a balanced distribution of land uses within the area, because the site is insufficient in size to attract visitor serving commercial uses.

3. A Special Commercial land use designation would create conflicts with the adjacent residential land use. Changing the land use designation on this 0.66-acre site would potentially create an opportunity for objectionable noise, light, odors, and other impacts to the existing residential use and the RM-A-H-SMHP Districts. The 0.66-acre site does not have sufficient area to provide a buffer to the adjacent mobile home park and construct the necessary infrastructure associated with special commercial uses.

4. The site's limited access to Douglas Drive and Mission Avenue would not adequately address the access needs of most commercial uses. Installing a traffic signal at this location is not recommended and will not improve service at the intersection of Mission Avenue and Douglas Drive.

For the Zone Amendment ZA-1-07:

1. The proposed change to the zoning district map is not consistent with the policies of the General Plan. The proposed CS-HO-H Districts is situated within the boundaries of the Special Commercial Area of the Mission San Luis Rey Historic Area. The site is included in the Mission San Luis Rey Historic Area, which was adopted to recognize the importance of maintaining and enhancing the area around the Mission. The *Mission San Luis Rey Historic Area Development Program and Design Guidelines* provides a flexible design framework that respects and compliments the Mission's historic setting, as well as encourages high quality, new development in the San Luis Rey area of the City. The limited area proposed as CS-HO-H Districts will not assist the City in achieving the long range goals and objectives of the Mission San Luis Rey Historic Area.

2. The proposed change to the zoning district map (to the CS-HO-H Districts) is inconsistent with the purposes of the Zoning Ordinance. The purposes of the Historic

Overlay District are to: promote the conservation, preservation, protection, and enhancement of each historic district; stimulate the economic health and visual quality of the community and stabilize and enhance the value of the property; encourage development tailored to the character and significance of each historic district through a Conservation Plan that includes goals, objectives, and design guidelines and development criteria; and provide a mechanism to resolve conflicts in an orderly fashion between goals of historic preservation and alternative land use. The CS-HO District is intended for highway oriented commercial areas, whereas establishing visitor serving commercial districts is a goal of the Mission San Luis Rey Historic Area.

For Conditional Use Permit C-13-08:

1. The proposed location of land use 450.CC.5 *Vehicle/equipment sales and rentals* is not in accord with the objectives of the Zoning Ordinance and the purposes of the RM-A-H Districts. The Historic Overlay District's land use objectives are to create visitor serving uses within the *Historic Core* of the Mission San Luis Rey Historic Area and land use 450.CC.5 is not a visitor serving land use.
2. The proposed location of land use 450.CC.5 *Vehicle/equipment sales and rentals* and the proposed conditions under which it would be operated or maintained is inconsistent with the General Plan, will 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 be detrimental to properties or improvements in the vicinity or to the general welfare of the City. The opportunity to create employment centers associated with visitor serving land uses (hotels, bakeries, book shops, curio shops, travel offices, et al) will be greatly diminished by establishing a highway oriented land use.
3. The proposed land use 450.CC.5 *Vehicle/equipment sales and rentals* does not comply with the provisions of the Zoning Ordinance or the specific criteria for commercial uses within the *Historic Core* of the Mission San Luis Rey Historic Area.

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

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

For Historic Permit H-2-08:

1. Designating a larger area as Special Commercial (SC) would create an opportunity for a land use which does enhance or promote the Mission San Luis Rey Historic Area goals and objectives. The proposed site is small (less than one-acre in area). Its size will significantly limit interest in establishing a commercial use at the site.

2. This proposal does not satisfy the development program and design guidelines of the Mission San Luis Rey Historic Area; for example:

   a) The development program and design guidelines identify desired commercial land uses as restaurant, bakeries, handicraft shops, art galleries/book stores, curio shops/antique shops, bed and breakfast inns, flower shops, and other commercial uses serving the needs of visitors. The proposed land use, 450.CC.5 *Vehicle/equipment sales and rentals*, is not identified as a desired land use within the Historic Core of the "Mission San Luis Rey Historic Area Development Program and Design Guidelines". The proposed land use is not visitor serving.

   b) The proposal does not satisfy the historic area's circulation, parking and paving guidelines; for example, the pedestrian path does not meander within a 25-foot setback along Douglas Drive or Mission Avenue. Street trees are not proposed along Mission Avenue. The model mobile homes are proposed to project into the setback area along Mission Avenue. Special paving materials and street furniture are not proposed.

   c) The project as proposed does not satisfy the historic area's landscape guidelines. Potential to satisfy the landscaping guidelines is limited because of the small area proposed for mobile home sales. The extensive use of turf does not satisfy section 4.d. Historic Core Planting guidelines of the "Mission San Luis Rey Historic Area Development Program and Design Guidelines." It is unlikely that the proposed site design will create the desired "sense of arrival to the historic core" of the Mission San Luis Rey Historic Area.

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

NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

1. To affirm Planning Commission Resolution No. 2008-P51 to deny GPA-2-07, ZA-1-07, C-13-08 and H-2-08.

2. Notice is hereby given that the time within which judicial review must be sought on this decision is governed by Govt.C. Section 65009.

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

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY

PLANNING COMMISSION *STAFF REPORT*

DATE: August 25, 2008

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A GENERAL PLAN AMENDMENT (GPA-2-07), ZONE AMENDMENT (ZA-1-07), CONDITIONAL USE PERMIT (C-13-08) AND HISTORIC PERMIT (H-2-08) TO CHANGE THE LAND USE DESIGNATION FROM MDA-R TO SC; TO AMEND THE ZONING DISTRICT MAP FROM RM-A-SMHP-H TO CS-HO-H; AND TO ALLOW VEHICLE/EQUIPMENT SALES AND RENTALS ON A 0.66-ACRE PORTION OF A 16.37-ACRE LOT SITUATED ON THE NORTHEAST CORNER OF MISSION AVENUE AND DOUGLAS DRIVE. – MISSION VIEW MANOR – COLE AND ASSOCIATES.**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

(1) Consider the Mitigated Negative Declaration for Mission View Manor in light of the whole record that the project will not have a significant effect on the environment and recommend approval of the Mitigated Negative Declaration to the City Council by adopting Planning Commission Resolution 2008-P50 with findings and conditions of approval attached herein; and

(2) Deny General Plan Amendment (GPA-2-07), Zone Amendment (ZA-1-07), Historic Permit (H-2-08) and Conditional Use Permit (C-13-08) by adopting Planning Commission Resolution 2008-P51 with findings and conditions attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: Prior to filing an application, Cole and Associates held a neighborhood meeting on March 30, 2006 to garner public input. The meeting was in the clubhouse of Mission View Manor East, 140 Douglas Drive. Twenty-seven (27) persons attended and five persons wrote comments. The attendance sign-in sheets and comments are attached to this staff report.

On December 17, 2007, the Planning Commission reviewed a proposed change to the land use designation from Medium Density A (MDA-R) to General Commercial (GC) and the proposed change to the Zoning District Map from RM-A-SMHP-H to CG-H Districts. The Commission adopted Resolution No. 2007-P66 with a 6-to-0 vote recommending disapproval of GPA-2-07, ZA-1-07.

On February 13, 2008, the applicant requested a continuance from the scheduled City Council Meeting where the Planning Commission's December 2007 recommendation would have been considered.

On March 3, 2008, the applicant submitted a revision to their original proposal. The substantive changes to the application are two fold. (1) Revise GPA-2-07 and ZA-1-07 to request a Special Commercial (SC) land use designation and a Zoning Map change to the Special Commercial Highway Oriented (CS-HO-H) District. (2) The applicant formally applied for a Conditional Use Permit (C-13-08), to sale mobile homes at the subject site.

On June 3, 2008, Oceanside's Historic Preservation and Advisory Committee reviewed the revised proposal to change to the Land Use Map and Zoning District map, and the newly proposed conditional use permit and historic permit. The committee adopted Resolution No. 2008-H01 with a 4-to-0 vote and recommended disapproval of the project. Committee members discussed the following: (1) they identified the intersection of Douglas and Mission as pivotal to developing the *Historic Core* area; (2) they inquired about the potential for sales tax revenue and changes to property tax assessments; (3) they acknowledged that the additional average daily trips appeared to be comparatively low; (4) they asked the applicant if the proposed use would cease within five or ten years; (5) they asked staff whether the CS-HO designation allowed for visitor serving uses; and (6) they asked staff about the possibility of limiting the term of the use to five years with the potential for renewal. (Staff's recommendations are outlined within the Discussion section of this staff report.)

Site Review: The project site is undeveloped land located in the northeast corner of Mission Avenue and Douglas Drive. The site is a 0.66-acre portion of a larger 16.37-acre parcel that is situated within the Medium Density A residential land use designation; the RM-A-SMHP-H Zoning Districts; and the San Luis Rey Neighborhood. The site consists of the Mission View Manor East mobile home park, which is identified as a part of the Senior Mobile Home Park Overlay (SMHP) District.

The intersection of Douglas Drive and Mission Avenue is designated as a "Special Intersection," meaning the subject site requires a landmark sign announcing the entrance to the *Historic Core* of the Mission San Luis Rey Historic Area (M.S.L.R.H.A.). The site is also subject to specific land use, design, and landscaping guidelines.

Across Douglas Drive to the west is Mission View Manor West mobile home park, which also includes residential land uses. To the south of the subject site are developed commercial lands that straddle Douglas Drive. This area has a General Plan land use designation of Special Commercial (SC) and is within the CS-L-H Zoning District.

Project Description: The project application is comprised of four components: a General Plan Amendment, a Zone Amendment, a Conditional Use Permit and a Historic Permit.

General Plan Amendment GPA-2-07 represents a request for the following:

To change the Land Use Map designation from Medium Density A Residential (MDA-R) to Special Commercial (SC) pursuant to Government Code section 653560 *et seq*.

Zone Amendment ZA-1-07 represents a request for the following:

To change the Medium Density A Residential - Senior Mobile Home Park Overlay - Historic Overlay (RM-A-SMHP-H) Districts to Special Commercial - Highway Oriented - Historic Overlay (CS-HO-H) Districts pursuant to Article 45 *Amendments* of the Zoning Ordinance.

Conditional Use Permit C-13-08 represents a request for the following:

To allow land use 450.CC.5 *Vehicle equipment sales and rentals* (which is the land use classification for mobile home sales) on a 0.66 acre portion of a 16.37-acre site pursuant to Article 11 *Commercial Districts* and Article 41 *Use Permits and Variances* of the Zoning Ordinance.

Historic Permit H-2-08 represents a request for the following:

To allow a change of a zoning district designation within the Mission San Luis Rey Historic Area (M.S.L.R.H.A.) pursuant to Article 21 *Historic Overlay Districts*.

The applicant proposes to (1) change the current residential designations to commercial and to sale mobile homes, which are classified as vehicles by the use classifications of the Zoning Ordinance; and (2) modify the boundaries of the Senior Mobile Home Park Overlay District. The 0.66 acres proposed to be designated as CS-HO-H would discontinue being within the boundaries of the Senior Mobile Home Park Overlay District lands. The designation of the remaining 16.37 acres of this site, that are currently part of the Senior Mobile Home Park Overlay District, would be unchanged and remain identified as the RM-A-SMHP-H Districts. (3) The existing 16.37-acre site is proposed to be bisected by district boundaries by changing the designation on a 0.66-acre portion of the existing RM-A-SMHP-H lot to CS-HO-H Districts designation.

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

1. General Plan Land Use Element
2. Zoning Ordinance
3. Mission San Luis Rey Historic Area Development Program and Design Guidelines
4. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan Conformance

The General Plan Land Use Map designation on the subject property is Medium Density A Residential (MDA-R). The applicant proposes to change this designation to Special Commercial (SC). The proposed change is subject to Government Code Section 653560 *et seq.*

The proposed change is not consistent with this designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element I. Community Enhancement

Objective 1.3 Special Management Areas: To provide special management of sensitive historical, cultural, recreational, and environmental areas and areas with unique planning considerations within the City.

> 1.33 Historic Areas and Sites Policy A. The City shall utilize adopted criteria, such as the "Mission San Luis Rey Historic Area Development Program and Design Guidelines," to preserve and further enhance designated historic or cultural resources.

A Special Commercial designation is appropriate for commercial sites located within designated historic areas; for example, visitor serving uses are preferred within the M.S.L.R.H.A. The proposed land use at this site is not a visitor serving use. Changing the land use designation is not consistent with Objective 1.3 of the Land Use Element.

B. Land Use Element II. Community Development

Goal The continual long term enhancement of the community through the development and use of land which is appropriate and orderly with respect to type, location, timing, and intensity.

Objective 2.2 Commercial Development: To promote and preserve a balance of successful markets and services in aesthetic, people-oriented associations that are compatible and organized to surrounding land uses.

2.24 Special Commercial Policies:

A. Special Commercial shall designate commercial sites within and/or adjacent to areas with unique characteristics, such as scenic areas, historic areas, freeway off-ramps, the Coastal Zone, and other unique or special areas.

B. Signage in Special Commercial developments shall be consistent with any special guidance systems established for the area.

The proposed site design does not reflect the architectural and landscape goals of the M.S.L.R.H.A. The proposal would need to be significantly revised to comply with the architectural, landscape, and sign requirements of the historic area guidelines. Additionally, the 0.66-acre site is relatively small for a commercial land use designation and has limited access (via an off-site driveway designed for the use of Mission View Manor East residents). Changing the land use designation is not consistent with Objective 2.2 of the Land Use Element.

2. Zoning Ordinance Compliance

The project is located in the Medium Density A Residential - Senior Mobile Home Park Overlay - Historic Overlay (RM-A-SMHP-H) Districts. The applicant proposes changing the Zoning District map to Special Commercial - Highway Oriented - Historic Overlay (CS-HO-H) Districts. The proposed amendment to the zoning map is subject Article 45 *Amendments* of the Oceanside Zoning Ordinance.

A. Pursuant to Section 1040 *R Districts*: Land Use Regulations, the sale of mobile homes is prohibited in residential districts. Whereas, pursuant to Section 1120 C Districts: Land Use Regulations, mobile home sales is allowed with an approved conditional use permit in the following commercial districts: CN, CC, CG, and CS-HO.

   Consideration of the conditional use permit is premised on the approval of a change in the land use designation and the zoning district from residential to commercial.

   Pursuant to Section 4105 *Required Findings*, the Planning commission may approve an application for a use permit if ... the Planning Commission finds: (1) the proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located; (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; ... and (3) that the proposed conditional use will comply with the provisions of the Zoning Ordinance.

Recommended findings for denying Conditional Use Permit C-13-08 are (1) The proposed location of land use 450.CC.5 *Vehicle/equipment sales and rentals* is not in accord with the objectives of the Zoning Ordinance and the purposes of the RM-A-SMHP-H Districts. The Historic Overlay District's land use objectives are to create visitor serving uses within the *Historic Core* of the M.S.L.R.H.A. and land use 450.CC.5 is not a visitor serving land use. (2) The proposed location of land use 450.CC.5 *Vehicle/equipment sales and rentals* and the proposed conditions under which it would be operated or maintained is inconsistent with the General Plan. The opportunity to create employment centers associated with visitor serving land uses (hotels, bakeries, book shops, curio shops, travel offices, et al) will be greatly diminished by establishing a highway-oriented land use at this site. (3) The proposed land use 450.CC.5 *Vehicle/equipment sales and rentals* does not comply with the provisions of the Zoning Ordinance or the specific criteria for commercial uses within the *Historic Core* of the M.S.L.R.H.A.

B. Further, staff finds existing commercial districts within the M.S.L.R.H.A. are designated as Special Commercial *Limited* (i.e. CS-L-H). The CS-L District prohibits land use 450.CC.5 *Vehicle/equipment sales and rentals.* Staff finds that this prohibition is an indication that land use 450.CC.5 is an undesired activity within the M.S.L.R.H.A.

C. The proposed zoning district change to Special Commercial - Highway Oriented - Historic Overlay (CS-HO-H) Districts is inappropriate for a site of this size. Commercial land uses would require the construction of buildings; adequate provisions for on-site parking; and egress to the street. The district change is inappropriate due to the site's proximity to existing residences and the site's limited access to the intersection of Douglas Drive and Mission Avenue. It is inappropriate for commercial uses to encourage their customers to access the site from the Mission View Manor East entrance.

3. Mission San Luis Rey Historic Area Development Program and Design Guidelines Compliance

The project site is located within the *Historic Core* boundaries of the Mission San Luis Rey Historic Area (M.S.L.R.H.A.). The intersection of Mission Avenue and Douglas Drive is identified as one of three *Special Intersections* in the M.S.L.R.H.A. development program. "A special intersection is significant because it indicates that a major street has arrived at the historic core." *Special Intersections* are subject to specific guidelines (including circulation, parking and paving guidelines, and landscape guidelines) in addition to the broader guidelines of the M.S.L.R.H.A. Design Guidelines.

The proposed project is not consistent with the M.S.L.R.H.A. Development Program and Design Guidelines. The development program and design guidelines identify desired commercial land uses as restaurant, bakeries, handicraft shops, art galleries/book stores, curio shops/antique shops, bed and breakfast inns, flower shops, and other commercial uses serving the needs of visitors. The proposed land use, 450.CC.5 *Vehicle/equipment*

sales and rentals, is not identified as a desired land use within the *Historic Core* of the M.S.L.R.H.A. The proposed land use is not visitor serving.

Pursuant to Section 3. *Circulation, Parking and Paving Guidelines*, the M.S.L.R.H.A. design guidelines promote creating a pedestrian friendly environment with visitor serving facilities. The proposal does not satisfy the historic area's circulation, parking and paving guidelines; for example, the pedestrian path does not meander within a 25-foot setback along Douglas Drive or Mission Avenue. Street trees are not proposed along Mission Avenue. The proposed location of the model mobile homes encroaches into the required setback area along Mission Avenue. Special paving materials and street furniture are not proposed.

Pursuant to Sections 4.b. and 4.c *Special Intersections* and Section 4.d. *Historic Core Planting*, the project as proposed does not satisfy the historic area's landscape guidelines. The potential to satisfy the landscaping guidelines is limited because of the small area of the subject site. The proposed extensive use of turf does not satisfy section 4.d. *Historic Core Planting* guidelines. It is unlikely that the proposed site design will create the desired "sense of arrival to the historic core" of the M.S.L.R.H.A.

DISCUSSION

Issue: The potential for sales tax and use tax revenue from mobile homes sales.

Recommendation: Based upon the applicant's projected sales and assumptions made, staff estimates the future annual revenue to the City as approximately $32,000. Staff's recommendation is that future sales projections may be substantively overestimated, because mobile home park residents are the primary purchaser of mobile homes and locally established mobile home sales during 2008 nominally contributed revenue to the City.

The applicant has provided their estimate of a typical unit price and a projection of the quantity of units sold. The applicant anticipates selling 10 mobile homes each month and generating $9.96 million in annual sales.

Sales Tax Revenue Estimate: For the purposes of estimating potential sales tax revenue to the City, staff determined five-percent of the value of projected sales would be subject to sales tax or $498,000 paid sales tax. The sales tax rate is 7.75 percent. Staff estimates the approximate sales tax revenue to the City as $4,980 annually, because the sales tax revenue is one percent of the non-residential value sold.

Use Tax Revenue Estimate: For the purpose of estimating future use tax revenue to the City, staff determined that all of the applicant's projected sales would be for a residential use; therefore, 75 percent of the value of the projected sales would be subject to a use tax. The use tax rate is 7.75 percent. Use taxes paid within San Diego County are pooled (and are not a direct revenue source to the City). Currently, the

City's revenue is approximately 3.8 percent of the total pooled dollars. If the applicant's sales projections are fair and they are the sole contributor of use taxes within the County, then staff estimates the approximate revenue to the City as $22,000 annually ($9.96M sales x 75 percent residential value x 7.75 percent paid use tax x 3.8 percent of the use tax pool = $21,999.15).

Business License Fee Revenue: Based upon the applicant's projected annual gross receipts ($9.96 million), staff estimates $5,055 in business license fee revenue.

Property Tax Revenue: Mobile homes owners pay a one percent property tax on value of their mobile home.

Issue: Approving a conditional use permit for mobile home sales at this location.

Recommendation: Staff recommends that an alternate site be considered for the proposed use. It is staff's recommendation that the sale of mobile homes occur near other vehicle sale and rental businesses or in one of the following districts: CN, CC, CG, CS-HO, IL, or IG. The current land use designation and zoning district prohibits the proposed land use. To allow land use 450.CC.5 *Vehicle/equipment sales and rentals* at this site, the land use designation and zoning district must first be changed to a commercial designation. Subsequently, a conditional use permit must be approved for the land use.

Issue: Which commercial designations foster the goals of the M.S.L.R.H.A., especially within the Historic Core?

Recommendation: It is staff's recommendation that among the commercial designation, the CS-L District is most appropriate within the M.S.L.R.H.A. Staff further recommends that the subject site remain as it is currently designated until a proposal more reflective of the historic area's goals is proposed. All of the commercial districts allow land use 450.DD.1 *Bed and breakfast inns* with an administrative conditional use permit. The CS-L District allows land use 450.DD.2 *Hotels, Motels, and Time-share Facilities* having up to 200 rooms with a Conditional Use Permit. Other visitor serving uses (restaurant, bakeries, handicraft shops, art galleries/book stores, curio shops/antique shops, flower shops, and other commercial uses serving the needs of visitors) are allowed by right in most commercial districts. The CS-HO District prohibits land use 450.D *Artists' Studios*, but the CS-L District allows small scale artist studios.

Issue: The intersection of Douglas Drive and Mission Avenue is a pivotal to developing the historic core of the Mission San Luis Rey Historic Area.

Recommendation: Staff finds that the location of the proposed use is designated as a Special Intersection within the M.S.L.R.H.A. As such, staff recommends future uses at this site exceed the guidelines for such intersections. This site should be developed to create "a sense of arrival" to the M.S.L.R.H.A. Special paving materials, landscaping, signage and street furniture should be addressed by all proposals. As one of three

special intersections, Mission Avenue and Douglas Drive is intended to include (1) City preferred colors and patterns of high grade pavers; (2) directional graphics located to announce one's entry to the *Historic Core*; and (3) special design treatments applied to the public right-of-way, including the corners, sidewalks, roads and medians.

Issue: Is a five-year term limitation appropriate for this land use?

Recommendation: It is typical that uses allowed by Conditional Use Permits be limited for a specific term (the term may be extended by application). Often term limits are five years. The applicant has proposed a 10-year term with a requirement for periodic review by the Planning Commission or when complaints have been filed. Staff finds that of recent years the City has actively pursued visitor serving land uses within the coastal area. This direction is likely to generate tourist activity around the shore and areas of historic interest, such as the Mission San Luis Rey. Establishing a commercial land use designation at this site would be appropriate when the larger 16.37-acres are developed for the commercial village. Establishing a commercial use that is not visitor serving and does not complement to goals of the historic area will impede progress towards establishing the Mission San Luis Rey as a more attractive tourist designation.

Issue: Limiting future commercial uses to the average residential trip generation rate for the subject site.

Recommendation: The operation of land use 450.CC.5 *Vehicle/equipment sales and rentals* at this site is estimated to generate an additional 50 average daily trips (ADT). Staff recommends that it is inappropriate for the existing residents to share the Mission View Manor Park entry with an additional 50 commercial daily trips (occurring mostly during non-peak periods). The applicant has proposed that future commercial land uses be limited to uses with an average trip generation rate similar to the residential trip generation rate of 30 daily trips. Staff recommends additional vehicle generation rates be provided for other permitted land uses within the CS-HO District, including *Limited Day Care, Animal Hospitals, Retail Sales of Animals, Bands and Savings & Loans, Building Materials & Services, Catering Services, Eating and/or Drinking Establishments with Wine and Beer Service, Food and Beverage Sales, Home Improvement, Limited Horticulture, Business & Professional Offices, Personal Services,* and *Retail Sales and Travel Services.*

Issue: Sustainability of commercial land uses at the proposed 0.66-acre site.

Recommendation: Staff has discussed this proposal with the Economic Development staff. It is our opinion that the site is too small to support commercial activity. The Economic Development Department staff prepared a draft report, *City of Oceanside sustainability study* November 2007. This report recommends creating additional areas for commercial land uses. Access to the site would significantly deter many commercial land uses. A commercial land use would not be compatible with residential land uses situated along a common boundary and on other residential lots situated along Douglas Drive.

ENVIRONMENTAL DETERMINATION

Staff has reviewed the environmental assessment; the Initial Study identifies potentially significant effects, but revisions to the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly to significant effects would occur, and there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

A Mitigated Negative Declaration was prepared pursuant to the provisions of the California Environmental Quality Act (CEQA).

The City Planner posted a Notice of Intent to Adopt a Mitigated Negative Declaration for 20 days commencing on June 12, 2008 and ending on July 2, 2008. Comments were received from the following individuals or organizations:

- Greg Holmes, Unit Chief of the Department of Toxic Substances Control, concerning possible Brownfield and environmental restoration
- Wallace Carlson of 276 N El Camino Real #243, Oceanside concerning his frustration with the wording of the notice, that Carlsbad is much nicer looking, and the proposed project is not acceptable.
- Terry Roberts, Director of the State Clearinghouse and Planning Unit, concerning the distribution of the Notice of Intent to Adopt a Mitigated Negative Declaration.
- Dave Singleton, Program Analyst for the Native American Heritage Commission, concerning lead agency requirements to work with Native Americans.
- Michele Fahley, Staff Attorney for the San Luis Rey Band of Mission Indians, concerning SB18 consultation with the Band.
- Kurt Luhrsen, Principal Planner for North County Transit District, concerning infrastructure improvements near one existing bus stop location.
- Walter and Eva Koenig of 17 Shirley Lane, Oceanside concerning existing traffic delays experienced by the residents of the Mission View Manor East mobile home park.

Staff's response to each correspondent has been included with the attached Mitigated Negative Declaration.

Prior to any action on General Plan Amendment (GPA-2-07), Zone Amendment (ZA-1-07), Conditional Use Permit (C-13-08) and Historic Permit (H-2-08), it is necessary for the Planning Commission to consider the Mitigated Negative Declaration before making its recommendation on the project.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record within a 1,500-foot radius of the subject property and to individuals/organizations requesting notification, applicant, and other interested parties. As of August 12, 2008, communication supporting or opposing the request have been received and are attached herein.

- A letter dated December 12, 2007 from D.W.A. Smith and Company, Inc opposing the proposal.
- On March 31, 2008, staff received an unsigned, hand written note opposing the proposal.
- A letter dated February 5, 2008 with thirty-six petitioners opposing the proposal.
- Eleven telephone calls to staff during January, 2008 were from residents opposing the proposal: Margaret Farrell, Lynda Newton, Corel Kinwell, Coleen Jimenez, Evelyn Watson, Carolyn Davis, Debbie; William Samuel, Walter Sandal, Bill Meek, and Trisha Hank.
- Telephone calls to staff during February, 2008 were from Laura Duarte and Eva Koenig.
- One telephone call to staff during April supporting the proposal was from Linda Bradbury.
- One telephone call to staff during May opposing the proposal was from Jan Kelly.
- One telephone call to staff during May supporting the proposal was from Linda Bradbury.

SUMMARY

The proposed General Plan Amendment (GPA-2-07), Zone Amendment (ZA-1-07) Conditional Use Permit (C-13-08) and Historic Permit (H-2-08) are not consistent with the objectives of the General Plan, the requirements of the Zoning Ordinance, and Mission San Luis Rey Historic Area Development Program and Design Guidelines. The project does not meet applicable development standards for landscaping within the *Historic Core*. The project is not compatible with adjacent residential land uses. As such, staff recommends the project be disapproved based on the findings and subject to the conditions contained in the attached resolutions.

Staff recommends that the Planning Commission:

- Consider the Mitigated Negative Declaration for Mission View Manor in light of the whole record that the project will not have a significant effect on the environment and recommend approval of the Mitigated Negative Declaration to the City Council by adopting Planning Commission Resolution 2008-P50; and

- Deny General Plan Amendment (GPA-2-07), Zone Amendment (ZA-1-07), Historic Permit (H-2-08), and Conditional Use Permit (C-13-08) by adopting Planning Commission Resolution 2008-P51.

PREPARED BY:

Juliana von Hacht
Associate Planner

SUBMITTED BY:

Jerry Hittleman
City Planner

REVIEWED BY:
Richard Greenbauer, Senior Planner

JH/JH/fil

ATTACHMENTS:

1. Plans
2. Planning Commission Resolution No. 2008-P50
3. Planning Commission Resolution No. 2008-P51
4. OHPAC Staff Report dated June 3, 2008
5. OHPAC Resolution No. 2008-H01
6. Planning Commission Resolution 2007-P66
7. Letters from residents
8. Notice of Intent to Adopt a Mitigated Negative Declaration
9. Initial Study for Mission View Manor
10. Repsonse to MND comments
11. Neighborhood meeting attendance sign-in sheets and comments

PLANNING COMMISSION
RESOLUTION NO. 2008-P50

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA RECOMMENDING APPROVING A MITIGATED NEGATIVE DECLARATION ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: GPA-2-07, ZA-1-07, C-13-08, H-2-08
APPLICANT: Cole and Associates
LOCATION: Northeast corner of Mission Avenue and Douglas Drive
A 0.66-acre portion of the Mission View Manor East Mobile Home Park

---

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

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was prepared and circulated for public and agency review and property notification was given in accordance with the California Environmental Quality Act; and

WHEREAS, the Planning Commission, after giving the required notice, did on the 25th day of August, 2008 conduct a duly advertised public hearing as prescribed by law to consider said application; and

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

For the Mitigated Negative Declaration:

1. The Mitigated Negative Declaration and Initial Study was completed in compliance with the provisions of the California Environmental Quality Act (CEQA).
2. Pursuant to the California Environmental Quality Act of 1970 and State Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that if the mitigation measures are met there will not be an adverse impact upon the environment. The use will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the project's physical or operational characteristics can reduce these impacts to levels that are less than significant.
3. The Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program (MMRP) have been determined to be accurate and adequate documents,

which reflect the independent judgment and analysis of the Planning Commission. On the basis of the entire record before it, the Planning Commission finds that there is no substantial evidence that the project, with implementation of the mitigation measures proposed, will have a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve the Mitigated Negative Declaration for General Plan Amendment (GPA-2-07), Zone Amendment (ZA-1-07), Conditional Use Permit (C-13-08) and Historic Permit (H-2-08), subject to the following recommendations and conditions:

1. The following Mitigation and Monitoring and Reporting Program is recommended:

   a) Prior to the approval of a commercial use at the subject site, a conceptual landscape plan shall be prepared and or revised to comply with the Mission San Luis Rey Historic Area Development Program and Guidelines. The conceptual landscape plan shall be reviewed by the Oceanside Historic Preservation Advisory Commission and approved by the Planning Commission

   b) Prior to the approval of a commercial use at the subject site, all proposed site improvements shall demonstrate compliance with the Mission San Luis Rey Historic Area Development Program and Guidelines. All proposed site improvements are subject to review by the Oceanside Historic Preservation Advisory Commission and approval by the Planning Commission.

   c) At their request, a member of the San Luis Rey Band of Mission Indians shall be present during all ground disturbing activities, including planting landscape materials. A pre-excavation agreement shall be executed between the applicant and the San Luis Rey Band of Mission Indians, specifying the deposition of human remains, grave goods, or other culturally sensitive material encountered during grading, trenching, or other ground disturbance in conjunction with implementation of the proposed project.

   d) The average daily trips for any land use shall be limited. The limitation shall be based upon the average daily trips equivalant to the residential land use generated on the 0.66-acre site by a 9.9 density.

e) Infrastructure improvements near one existing bus stop location shall be completed prior to grading and shall include a concrete bus pad, ADA-compliant borading pad, passenger waiting shelter, and trash can. Bicycle racks shall be installed to accommodate at least five bicycles on-site.

PASSED AND ADOPTED Resolution No. 2008-P50 on August 25, 2008 by the following vote, to wit:

AYES: Troisi, Balma, Neal, Martinek, Parker and Rosales

NAYS: None

ABSENT: Bertheaud

ABSTAIN: None

Claudia Troisi, Chairperson
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. 2008-P50.

Dated: August 25, 2007

PLANNING COMMISSION
RESOLUTION NO. 2008-P51

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DENYING A GENERAL PLAN AMENDMENT, ZONE AMENDMENT, HISTORIC PERMIT AND CONDITIONAL USE PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: GPA-2-07, ZA-1-07, C-13-08, H-2-08
APPLICANT: Cole and Associates
LOCATION: Northeast corner of Mission Avenue and Douglas Drive
A 0.66-acre portion of the Mission View Manor East Mobile Home Park

---

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 General Plan Amendment (GPA-2-07), Zone Amendment (ZA-1-07), Conditional Use Permit (C-13-08) and Historic Permit (H-2-08) under the provisions of Articles 10, 11, 21, 41, 45 of the Zoning Ordinance of the City of Oceanside and Government Code section 65350 *et seq* to permit the following:

to change the land use designation from MDA-R to SC; to change the zoning district map from RM-A-SMHP-H to CS-HO-H; to permit land use 450.CC.5 *Vehicle/equipment sales and services*; and to allow a change of a zoning district designation within the Mission San Luis Rey Historic Area;

on certain real property described in the project description.

WHEREAS, the Oceanside Historic Advisory Committee, after giving the required notice, did on the 3rd day of June, 2008 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, the Oceanside Historic Advisory Committee, adopted resolution 2008-H01 and recommended denying application GPA-2-07, ZA-1-07, C-13-08 and H-2-08.

WHEREAS, the Planning Commission, after giving the required notice, did on the 25th day of August, 2008 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that if the mitigation measures are met there will not be an adverse impact upon the environment;

WHEREAS, the Planning Commission, adopted resolution 2008-P50 approving a Mitigated Negative Declaration together with any comments received and a Mitigation and Monitoring and Reporting Program (M.M.R.P.) incorporated as conditions approving said resolution;

WHEREAS, the documents or other material which constitute 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, 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 General Plan Amendment GPA-2-07:

1. The long term community and neighborhood values are supported by the current MDA-R general plan designation. Sharing egress to the site, between the existing residential use and commercial land uses permitted within a highway oriented district, would negatively impact the residents of the Mission View Manor East Senior Mobile Home Park.
2. The recently approved Senior Mobile Home Park Overlay District formalizes an established neighborhood by fostering a sense of community and regional identity. The provision of a balanced, self-sufficient, and efficient community is supported by the current, MDA-R, general plan designation. Designating the 0.66-acre area as Special Commercial will not provide a balanced distribution of land uses within the area, because the site is insufficient in size to attract visitor serving commercial uses.
3. A Special Commercial land use designation would create conflicts with the adjacent residential land use. Changing the land use designation on this 0.66-acre site would potentially create an opportunity for objectionable noise, light, odors, and other impacts

to the existing residential use and the RM-A-H-SMHP Districts. The 0.66-acre site does not have sufficient area to provide a buffer to the adjacent mobile home park and construct the necessary infrastructure associated with special commercial uses.

4. The site's limited access to Douglas Drive and Mission Avenue would not adequately address the access needs of most commercial uses. Installing a traffic signal at this location is not recommended and will not improve service at the intersection of Mission Avenue and Douglas Drive.

For the Zone Amendment ZA-1-07:

1. The proposed change to the zoning district map is not consistent with the policies of the General Plan. The proposed CS-HO-H Districts is situated within the boundaries of the Special Commercial Area of the Mission San Luis Rey Historic Area. The site is included in the Mission San Luis Rey Historic Area, which was adopted to recognize the importance of maintaining and enhancing the area around the Mission. The *Mission San Luis Rey Historic Area Development Program and Design Guidelines* provides a flexible design framework that respects and compliments the Mission's historic setting, as well as encourages high quality, new development in the San Luis Rey area of the City. The limited area proposed as CS-HO-H Districts will not assist the City in achieving the long range goals and objectives of the Mission San Luis Rey Historic Area.

2. The proposed change to the zoning district map (to the CS-HO-H Districts) is inconsistent with the purposes of the Zoning Ordinance. The purposes of the H Historic Overlay District are to: promote the conservation, preservation, protection, and enhancement of each historic district; stimulate the economic health and visual quality of the community and stabilize and enhance the value of the property; encourage development tailored to the character and significance of each historic district through a Conservation Plan that includes goals, objectives, and design guidelines and development criteria; and provide a mechanism to resolve conflicts in an orderly fashion between goals of historic preservation and alternative land use. The CS-HO District is intended for highway oriented commercial areas, whereas establishing visitor serving commercial districts is a goal of the Mission San Luis Rey Historic Area.

For Conditional Use Permit C-13-08:

1. The proposed location of land use 450.CC.5 *Vehicle/equipment sales and rentals* is not in accord with the objectives of the Zoning Ordinance and the purposes of the RM-A-H Districts. The Historic Overlay District's land use objectives are to create visitor serving uses within the *Historic Core* of the Mission San Luis Rey Historic Area and land use 450.CC.5 is not a visitor serving land use.

2. The proposed location of land use 450.CC.5 *Vehicle/equipment sales and rentals* and the proposed conditions under which it would be operated or maintained is inconsistent with the General Plan, will 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 be detrimental to properties or improvements in the vicinity or to the general welfare of the City. The opportunity to create employment centers associated with visitor serving land uses (hotels, bakeries, book shops, curio shops, travel offices, et al) will be greatly diminished by establishing a highway oriented land use.

3. The proposed land use 450.CC.5 *Vehicle/equipment sales and rentals* does not comply with the provisions of the Zoning Ordinance or the specific criteria for commercial uses within the *Historic Core* of the Mission San Luis Rey Historic Area.

For Historic Permit H-2-08:

1. Designating a larger area as Special Commercial (SC) would create an opportunity for a land use which does enhance or promote the Mission San Luis Rey Historic Area goals and objectives. The proposed site is small (less than one-acre in area). Its size will significantly limit interest in establishing a commercial use at the site.

2. This proposal does not satisfy the development program and design guidelines of the Mission San Luis Rey Historic Area; for example:

   a) The development program and design guidelines identify desired commercial land uses as restaurant, bakeries, handicraft shops, art galleries/book stores, curio shops/antique shops, bed and breakfast inns, flower shops, and other commercial uses serving the needs of visitors. The proposed land use, 450.CC.5 *Vehicle/equipment sales and rentals*, is not identified as a desired land use within the Historic Core of the "Mission San Luis Rey Historic Area

Development Program and Design Guidelines". The proposed land use is not visitor serving.

b) The proposal does not satisfy the historic area's circulation, parking and paving guidelines; for example, the pedestrian path does not meander within a 25-foot setback along Douglas Drive or Mission Avenue. Street trees are not proposed along Mission Avenue. The model mobile homes are proposed to project into the setback area along Mission Avenue. Special paving materials and street furniture are not proposed.

c) The project as proposed does not satisfy the historic area's landscape guidelines. Potential to satisfy the landscaping guidelines is limited because of the small area proposed for mobile home sales. The extensive use of turf does not satisfy section 4.d. Historic Core Planting guidelines of the "Mission San Luis Rey Historic Area Development Program and Design Guidelines." It is unlikely that the proposed site design will create the desired "sense of arrival to the historic core" of the Mission San Luis Rey Historic Area.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby recommend disapproval of General Plan Amendment GPA-2-07, Zone Amendment ZA-1-07, and Historic Permit H-2-08; and deny Conditional Use Permit C-13-08 subject to the following condition:

///////////

///////////

///////////

///////////

///////////

///////////

///////////

///////////

///////////

///////////

///////////

1. The Planning Commission affirms the recommendation of the Oceanside Historic Advisory Committee Resolution No. 2008-H01.

PASSED AND ADOPTED Resolution No. 2008-P51 on August 25, 2008 by the following vote, to wit:

AYES: Troisi, Balma, Neal, Martinek, Parker and Rosales

NAYS: None

ABSENT: Bertheaud

ABSTAIN: None

Claudia Troisi, Chairperson
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. 2008-P51.

Dated:_____

Legal Description

Mission View Mobile Homes Property

All that portion of Lot 4 in Section 8, Township 11 South, Range 4 West, San Bernardino Base and Meridian, according to United States Government Survey, lying Northerly of the Northerly line of that portion of California State Highway XI-SD-195-A as described in deed to the State of California for Highway purposes, recorded September 30, 1952 as Document No. 122082 in Book 4608, Page 140 of Official Records.

Excepting therefrom that portion thereof lying Westerly of the Easterly line of the land described in deed to the County of San Diego (Road Survey 1408) recorded April 15, 1954 in Book 5206, Page 132 of Official Records.

Also excepting therefrom that portion, if any m, lying within San Luis Rey, according to Map thereof No. 76 filed in the office of the County Recorder of San Diego County November 18, 1873.

RECEIVED
MAR 03 2008
Planning Department

PLANNING COMMISSION
RESOLUTION NO. 2007-P66

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE RECOMMENDING DENIAL OF A GENERAL PLAN AMENDMENT AND ZONE AMENDMENT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO:	GPA-2-07, ZA-1-07
APPLICANT:	Cole and Associates
LOCATION:	Northeast corner of Mission Avenue and Douglas Drive

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a General Plan Amendment and Zoning Amendment under the provisions of Article 45 of the Zoning Ordinance of the City of Oceanside to permit the following:

to change the General Plan land use designation from Medium Density A (MDA-R) to General Commercial (GC) and to change the Zoning District Map from the Medium Density A (RM-A) District to the General Commercial (CG) District on a 0.66-acre portion of a larger lot;

on certain real property described in Exhibit "A" attached.

WHEREAS, the Planning Commission, after giving the required notice, did on the 17th day of December, 2007 conduct a duly advertised public hearing as prescribed by law to consider said application;

WHEREAS, pursuant to the California Environmental Act of 1970, the Planning Commission finds that this project is exempt from review;

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

<u>For the Denial of the General Plan Amendment</u>:

1. The long term community and neighborhood values are supported by the current general plan designation. The proposed shared egress with the mobile home park would impact

the existing residential land use. An increase in the average daily trips would negatively affect the area.

2. The provision of a balanced, self-sufficient, and efficient community is fostered by the current general plan designation; creating additional commercial lands at this location may not necessarily provide a balanced distribution of land uses within the area. The recently approved Senior Mobile Home Park Overlay District formalizes an established neighborhood by fostering a sense of community and regional identity.

3. A General Commercial land use designation would create conflicts with the adjacent residential land use. Changing the land use designation on this 0.66-acre site would potentially create an opportunity for objectionable noise, light, odors, and other impacts. The 0.66-acre site does not have sufficient area to provide a buffer to the adjacent mobile home park and construct the necessary infrastructure to support a vibrant commercial land use.

4. The site's access to Douglas Drive and Mission Avenue would not adequately address the needs of high intensity commercial land uses. The installation of a traffic signal at this location is not recommended and will not improve service at the intersection of Mission Avenue and Douglas Drive.

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

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

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

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

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

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

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

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

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

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

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

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

For the Denial of the Zone Amendment:

1. The proposed zoning district change to General Commercial (CG) is inappropriate for a site of this size and juxtaposition to the intersection of Douglas Drive and Mission Avenue.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby recommend denial to the City Council of General Plan Amendment (GPA-2-07) and Zone Amendment (ZA-1-07).

PASSED and ADOPTED Resolution No. 2007-P66 on December 17, 2007 by the following vote, to wit:

AYES: Martinek, Parker, Neal, Troisi, Balma and Bertheaud

NAYES: None

ABSENT: Horton

ABSTAIN: None

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-P66.

Date: December 17, 2007

GPA-2-07

D.W.A. SMITH & COMPANY, INC.

Property Management/Real Estate Brokerage

December 12, 2007

RECEIVED
DEC 13 2007
Planning Department

Via Fascimile (760-754-2958)
Via California Overnight
City of Oceanside
Planning Department
300 N. Coast Highway
Oceanside, CA 92054

Re: General Plan Amendment (GPA-2-07) and Zone Amendment (ZA-1-07)
Mission View Manor Lot
Applicant: Cole and Associates

Dear Madame or Sir:

We are the property management company for the parcels across the street at Mission Douglas Plaza, 3905-3945 Mission Avenue. We have received the Notice of Planning Commission Public Hearing for the Consideration of a General Plan Amendment (GPA-2-07) and Zone Amendment (ZA-1-07) to change the land use from Medium Density A Residential (MDA-R) to General Commercial and to amend the zoning map designation accordingly.

We would like to go on record that our company and Mission Douglas Investments, LLC and A2 and E2, LLC, the owner of the parcel that we represent, are very concerned about the impact the change in zoning would have on not only our shopping center, but also the nearby commercial/retail centers in the area. This area has been struggling for business since a majority of the troops at Camp Pendleton have been deployed. What the area needs is more residential housing in order to bring business to the already existing commercial centers in the area.

We sincerely hope that this issue will be addressed at the hearing on December 17, 2007.

Should you have any questions, please give us a call at (949) 851-1244.

Very truly yours,
D.W.A. SMITH & COMPANY, INC.

Donald W. A. Smith, CRE®, CSM, CPM®
President

:lkg
cc: Mission Douglas Investments, LLC

1300 QUAIL STREET, SUITE 106 • NEWPORT BEACH, CA 92660-2711 • (949) 851-1244 FAX (949) 851-1804

COLE & ASSOCIATES
186 S. RANCHO SANTA FE RD.
SAN MARCOS, CA 92069
(760) 598-8686 FAX (760) 598-8055

DATE: _____
TIME: _____

FASCIMILE TRANSMISSION

TO: _____
ATTN: _____
FROM: LINDA COLE - PERSONAL FAX LINE
OF PAGES INCL COVER PAGE: _____
IF YOU DO NOT RECEIVE ALL THE PAGES
CALL LINDA AT (760)-598-8686 IMMEDIATELY.
REMARKS: _____

MISSION VIEW MANOR LOT
APPLICANT: COLE & ASSOCIATES

GPA-2-07

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

SIGNATURE

79 - MVW
SPACE #

COLE & ASSOCIATES
186 S. RANCHO SANTA FE RD.
SAN MARCOS, CA 92069
(760) 598-8686 FAX (760) 598-8055

DATE: _____
TIME: _____

FASCIMILE TRANSMISSION

TO: _____
ATTN: _____
FROM: LINDA COLE - PERSONAL FAX LINE
OF PAGES INCL COVER PAGE: _____
IF YOU DO NOT RECEIVE ALL THE PAGES
CALL LINDA AT (760)-598-8686 IMMEDIATELY.
REMARKS: _____

MISSION VIEW MANOR LOT
APPLICANT: COLE & ASSOCIATES

Elsie M. Beach
SIGNATURE

#224
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

George Jesser
NAME

George Jesser
SIGNATURE

28
SPACE'#

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Louella Mau
NAME

Louella Mau
SIGNATURE

136.
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Gloria L. Taccadan
NAME

Gloria L. Taccadan
SIGNATURE

153. Bobby Lane
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE. BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Josima Ellorin
NAME

Josima Ellorin
SIGNATURE

160
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

NAME John F. Greer

SIGNATURE

48

SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Lio Tugaga

NAME

Leo R. Tugaga

SIGNATURE

#40

SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Lovella Mau
NAME

Lovella Mau
SIGNATURE

136.
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

George Jesser
NAME

George Jesser
SIGNATURE

28
SPACE'#

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Phyllis J. Hopkins
NAME

Phyllis J. Hopkins
SIGNATURE

83
P.J.H.
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Gary Skaar
NAME

SIGNATURE

257 Bella Ln
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Betty Sutherland
NAME

Betty Sutherland
SIGNATURE

90
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

SARAH BUHL
NAME

Sarah Buhl
SIGNATURE

143
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

LINDA BRADBURY
NAME

L. Bradbury
SIGNATURE

151
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

DIANA YANCY
NAME

Diana M Yancy
SIGNATURE

91
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

B. HAMILTON
NAME

B Hamilton
SIGNATURE

#63
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

ANDRADE
NAME

[signature]
SIGNATURE

35
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Yon C Smith
NAME

SIGNATURE

43
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE. BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

ROBERT Bocchi
NAME

SIGNATURE

53
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

MARY L McCOBB
NAME

Mary L McCobb
SIGNATURE

103
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

DELFina Claudio
NAME

Delfina Claudio
SIGNATURE

#27
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

PROJECT: MISSION VIEW MANOR LOT

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE,

THANK YOU,

Elsie M. Beach
SIGNATURE

#224
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU FRED COBARN

Fred Coburn
NAME

Fred Coburn
SIGNATURE

37
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

JACK WILLIAMS
NAME

Jack Williams
SIGNATURE

55
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Denise Phillips
NAME

Denise Phillips
SIGNATURE

79
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE. BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Dolores Balent
NAME

Dolores Balent
SIGNATURE

78
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Lou JORDAN
NAME

Lou Jordan 12/13/07
SIGNATURE

69
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

DONNA MOREL
NAME

Donna Morel
SIGNATURE

124
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE. BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Mary Tice
NAME

Mary B. Tice
SIGNATURE

68
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU Florence L. Montebon

NAME

Montebon

SIGNATURE

139

SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Wilmer Ball
NAME

Wilmer Ball
SIGNATURE

126
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

Patricia Ball
NAME

Patricia Ball
SIGNATURE

126
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

John P. Knittle
SIGNATURE

24
SPACE #

TO: OCEANSIDE CITY COUNCIL MEMBERS

SUBJ: MANUFACTURED HOME SALES LOT AT 140 DOUGLAS DR.

I AM IN FAVOR OF COLE & ASSOCIATES BEING ALLOWED TO PLACE A NEW MANUFACTURED HOME SALES LOT AT THE ABOVE ADDRESS.

I BELIEVE IT WILL IMPROVE THE APPEARANCE OF THE VACANT LOT AND WILL INCREASE THE VALUE OF MY MOBILE HOME.

IT WILL ALSO INCREASE THE TAX BASE OF THE CITY OF OCEANSIDE, BY THE TAXES FROM THE SALE OF THE NEW HOMES, WHICH WILL BENEFIT THE ENTIRE CITY OF OCEANSIDE.

THANK YOU

[signature] 79 - MVW

SIGNATURE SPACE #

CITY OF OCEANSIDE

COMMUNITY DEVELOPMENT DEPARTMENT / PLANNING DIVISION

RECEIVED
MAR 3 1 2008
Planning Department

NOTICE OF APPLICATION

As a property owner or tenant within 1,500 feet of the exterior boundary of the project site or person who has requested notice, you should know that an application has been filed with the City of Oceanside for a General Plan Amendment, Zone Amendment, Development Plan and Conditional Use Permit to restore 28,869 square feet of vacant, paved property at the northeast corner of Mission Avenue and Douglas Drive to a mobile home sales location.

PROJECT NUMBER:	**GPA-2-07, ZA-1-07, D-7-08, C-13-08**
PROJECT NAME:	**MISSION VIEW MANOR LOT**
CONTACT NAME:	**JIM BARTELL/BARTELL & ASSOCIATES**
	619-756-7012
NEIGHBORHOOD:	**SAN LUIS REY NEIGHBORHOOD**
PROJECT PLANNER:	**Juliana von Hacht, Associate Planner**
DIVISION PHONE NUMBER:	**(760) 435-3520**

The decision to approve or deny this application will be made at a public hearing by the Planning Commission. You will receive another notice informing you of the Planning Commission's date, time, and location of the public hearing.

You may review the file relating to this project at the Planning Division, 300 North Coast Hwy., during regular weekday office hours of 7:30 a.m. to 5:00 p.m. (Monday – Thursday), 7:30 a.m. to 4:00 p.m. (alternate Friday).

If you have any questions regarding this application after reviewing this information, please contact the City of Oceanside Planner listed above.

Planning Commission,
Currently the Valley View Casino Bus and The Senior Citizens who come in Cars Park there all day till the bus returns. Bus arrives 9:30 a.m. Returns at 4:30 p.m. Those Srs. 50-90yrs who no longer drive+live in the MVM Park have no other recreation available, They say NO

Gregory J. Smith, Recorder/County Clerk

JUN 12 2008

BY Roberta Gomez DEPUTY

CEIVED

JUN 12 2008

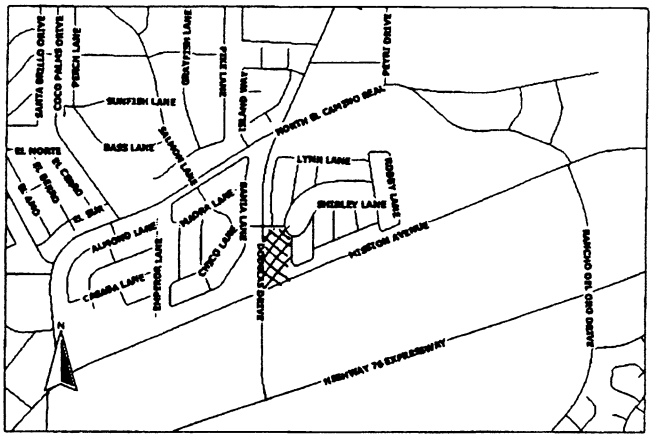
Planning Department

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
City of Oceanside

Subject: GPA-2-07, ZA-1-07, C-13-08, H-2-08 Mission View Manor

NOTICE IS HEREBY GIVEN that the City of Oceanside has prepared and intends to adopt a Mitigated Negative Declaration in connection with the subject project. The Mitigated Negative Declaration identifies potential effects with respect to Cultural Resources and Land Use & Planning. The Mitigated Negative Declaration also includes proposed mitigation measures that will ensure that the proposed project will not result in any significant, adverse effects on the environment. The City's decision to prepare a Mitigated Negative Declaration should not be construed as a recommendation of either approval or denial of this project.

PROJECT DESCRIPTION: Consideration of a General Plan Amendment (GPA-2-07) Zone Amendment (ZA-1-07), Conditional Use Permit (C-13-08), and Historic Permit (H-2-08) to change the land use designation from MDA-R to SC; to amend the zoning District Map from RM-A-H-SMHP to CS-HO-H; and to allow vehicle equipment sales and rentals on a .66-acre portion of a 16.37-acre lot situated on the northeast corner of Mission Avenue Douglas Drive. The larger 16.37-acre lot is known as Mission View Manor East Mobile Home Park and is addressed 140 Douglas Drive.



PUBLIC REVIEW PERIOD: the public review period is from **Thursday, June 12, 2008 to Wednesday, July 2, 2008**.

PROJECT MANAGER: Juliana von Hacht, Associate Planner. Phone: 760-435-3520; Fax number: (760) 754-2958; mailing address: Planning Division, 300 N. Coast Hwy., Oceanside, CA 92054.

NOTICE IS FURTHER GIVEN that the City invites members of the general public to review and comment on this environmental documentation. Written comments may be mailed, e-mailed, or faxed to the project manager. Copies of the Negative Declaration and supporting documents are available for public review and inspection at the Planning Division located in City Hall at, 300 N. Coast Hwy., Oceanside, CA 92054. The City's Planning Commission and City Council will conduct public hearings at future dates to be determined. You will receive a separate public notice for those hearings. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised during the public review period on the proposed Mitigated Negative Declaration (MND) or at the future public hearings.

Von Hacht for
By order of Jerry Hittleman, City Planner

FILED IN THE OFFICE OF THE COUNTY CLERK
San Diego County on JUN 12 2008
Posted JUN 12 2008 Removed
Returned to agency on
Deputy R. Gomez

INITIAL STUDY
City of Oceanside, California

1. **PROJECT:** GPA-2-07, ZA-1-07, C-13-08, H-2-08 Mission View Manor

2. **LEAD AGENCY:** City of Oceanside

3. **CONTACT PERSON & PHONE:**
   Juliana von Hacht, Associate Planner
   Development Services, Planning Division
   300 N. Coast Highway
   Oceanside, CA 92054
   760-435-3520

4. **PROJECT LOCATION:** 140 Douglas Drive (northeast corner of Douglas Drive and Mission Avenue)

5. **APPLICANT:** Cole & Associates

6. **CURRENT GENERAL PLAN DESIGNATION:** Medium Density-A Residential (MDA-R)

7. **CURRENT ZONING:** Medium Density A Residential – Historic Overlay – Senior Mobile Home Park Overlay Districts (RM-A-H-SMHP)

8. **PROJECT DESCRIPTION:** Consideration of a General Plan Amendment (GPA-2-07) Zone Amendment (ZA-1-07), Conditional Use Permit (C-13-08), and Historic Permit (H-2-08) to change the land use designation from MDA-R to SC; to amend the zoning District Map from RM-A-H-SMHP to CS-HO-H; and to allow vehicle equipment sales and rentals on a .66-acre portion of a 16.37-acre lot situated on the northeast corner of Mission Avenue and Douglas Drive.

9. **SURROUNDING LAND USE (S) & PROJECT SETTING:** The site is at the corner of Mission Avenue and Douglas Drive. To the north and west are older mobile home parks dating from the 1950's. Across Mission Avenue to the south are two newer shopping centers which contain a variety of community and visitor serving uses as well as the public uses of a library and police station. Douglas Drive accesses the Highway 78 expressway just to the south of and adjacent to the shopping centers. To the north along Douglas are more mobile home neighborhoods as well as condominiums and apartments.

10. **OTHER REQUIRED AGENCY APPROVALS:** N/A

11. **PREVIOUS ENVIRONMENTAL DOCUMENTATION:** none

12. **CONSULTATION:** *(INSERT ALL APPLICABLE PERSONS/AGENCIES CONSULTED IN THE DOCUMENTS PREPARATION)*

    1. Traffic Study prepared by Cornerstone Engineering, April 2008
    2. Runoff Assessment Report prepared by Cornerstone Engineering, November 2007
    3. Preliminary Drainage Study prepared by Cornerstone Engineering, November 2007
    4. Landscape Plan prepared by Brian Grove, Grove Landscape Architecture, May 2008
    5. General Plan Land Use Element approved by Resolution 86-P61
    6. Zoning Ordinance O88-22 with last amendment adopted December 13, 2006
    7. Mission San Luis Rey Historic Area Development Program an Design Guidelines City Council Resolution 86-292, November 1986

13. SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The project would not affect any environmental factors resulting in a Potentially Significant Impact. A summary of the environmental factors potentially affected by this project, consisting of the following Potentially Significant Impact Unless Mitigated factors, include:

☐ Aesthetics	☐ Agricultural	☐ Air Quality
☐ Biological Resources	☒ Cultural Resources	☐ Geological
☐ Hazards	☐ Water	☒ Land Use & Planning
☐ Mineral Resources	☐ Noise	☐ Population & Housing
☐ Public Services	☐ Recreation	☐ Transportation
☐ Utilities Systems		

14. ENVIRONMENTAL CHECKLIST

This section analyzes the potential environmental impacts which may result from the proposed project. For the evaluation of potential impacts, the questions in the Initial Study Checklist (Section 2) are stated and answers are provided according to the analysis undertaken as part of the Initial Study. The analysis considers the project's short-term impacts (construction-related), and its operational or day-to-day impacts. For each question, there are four possible responses. They include:

1. *No Impact*. Future development arising from the project's implementation will not have any measurable environmental impact on the environment and no additional analysis is required.

2. *Less Than Significant Impact*. The development associated with project implementation will have the potential to impact the environment; these impacts, however, will be less than the levels or thresholds that are considered significant and no additional analysis is required.

3. *Potentially Significant Unless Mitigated*. The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the project's physical or operational characteristics can reduce these impacts to levels that are less than significant.

4. *Potentially Significant Impact*. Future implementation will have impacts that are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

	Potentially Significant	Potentially Significant Unless Mit.	Less than Significant	No Impact
14.1 AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic building along a State-designated scenic highway?	☐	☐	☐	☒
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

a) *Have a substantial adverse effect on a scenic vista?* ***No Impact.*** There is no scenic vista. Short-term construction-related aesthetic impacts would consist primarily of grading activities, the presence of construction equipment, and additional signage and warning markers on roadways. No valuable aesthetic resources would be destroyed as a result of construction-related activities. These short-term impacts are temporary and would cease upon project completion. The proposed project design features and new landscaping would result in the project improving the aesthetics in the vicinity.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?* ***No Impact.*** No scenic resources, including trees, rock outcroppings or historic buildings are situated on-site. In addition, the project site is not situated within a state scenic highway zone but is within the Mission San Luis Rey Historic Area. Impacts are not anticipated in this regard.

c) *Substantially degrade the existing visual character or quality of the site and its surroundings?* ***No Impact.*** The site is in a zoning district with the special Designator "H" for "Historic" as it relates to and is within the Mission San Luis Rey Historic Area. Landscaping from a plan approved by the City will improve the now drab, unsightly appearance of the site, and the signs and fences will continue the theme.

d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* ***No Impact.*** The proposed project would create no new significant source of lighting. The Oceanside Zoning Ordinance requires that all lighting use shielded luminaries with glare control to prevent light spillover onto adjacent areas. The project would have no impact.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.2 AGRICULTURAL RESOURCES. Would the project:				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance as depicted on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA. Resources Agency?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?* ***No Impact.*** Designated land uses within the project area do not include agricultural uses and project implementation would not result in conversion of existing farmland to non-agricultural uses. Therefore, the project does not affect an agricultural resource area and thus does not impact designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?* ***No Impact.*** The proposed project is located in an area zoned for low-density residential uses; agricultural designations do not occur within the project area and no Williamson Act contracts apply. Therefore, implementation of the project would not result in any conflicts with existing zoning for agricultural use or a Williamson Act Contract. No impacts are anticipated in this regard.

c) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?* ***No Impact.*** As previously stated, the proposed project area is not located within an agricultural area. Thus, implementation of this project would not result in changes in the environment, which would result in the conversion of farmland to non-agricultural use. No impacts are anticipated in this regard.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.3 AIR QUALITY. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b. Violate an air quality standard or contribute to an existing or projected air quality violation?	☐	☐	☐	☒
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under the applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

a) Conflict with or obstruct implementation of the applicable air quality plan? ***No Impact.*** The project site is located within the San Diego Air Basin (SDAB), which is governed by the San Diego Air Pollution Control Board (SDAPCD). There is no conflict: few trips are being added and there are no other emissions generators involved. A consistency determination is important in local agency project review by comparing local planning projects to the Regional Air Quality Strategy (RAQS) in several ways. It fulfills the CEQA goal of fully informing local agency decision makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are addressed.

b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?* ***No Impact.*** The SCAQMD CEQA Air Quality Handbook contains screening tables to provide guidance to local governments regarding the various types/amounts of land uses which may exceed state or federal air quality standards and would, therefore, result in potentially significant air quality impacts. Two different screening significance thresholds are provided and include: 1) Construction thresholds; and 2) operation thresholds. The construction and operations significance thresholds, as applicable to the proposed project, are discussed below.

CONSTRUCTION EMISSIONS

Construction activities will consist of some removal of asphalt and various landscaping activities Due to the relatively limited scale of construction required for the proposed project, construction related emissions will not exceed SDAPCD threshold criteria for significant air quality impacts.

LONG-TERM OPERATIONAL EMISSIONS

Long-term air quality impacts consist of mobile source emissions generated from project-related traffic and stationary source emissions (generated directly from on-site activities and from the electricity and natural gas consumed). Following construction, the proposed project would not generate any stationary emissions and few vehicular trips, and would generate insignificant and infrequent mobile emissions.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including

releasing emissions which exceed quantitative thresholds for ozone precursors)? ***No Impact.*** The proposed project will not generate any stationery emissions and few vehicular trips, and would generate insignificant emissions.

d) *Expose sensitive receptors to substantial pollutant concentrations?* ***No Impact.*** Sensitive populations (i.e., children, senior citizens and acutely or chronically ill people) are more susceptible to the effects of air pollution than are the general population. Land uses considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes. Sensitive receptors are not exposed to substantial pollution concentrations as a result of the addition of this small project.

e) *Create objectionable odors affecting a substantial number of people?* ***No Impact.*** The proposed project would not create objectionable odors affecting a substantial number of people as a result of this project.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.4 BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the USFWS?	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game (DFG) or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

a. *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the USFWS?* ***No Impact.*** The site is completely disturbed and covered by asphalt paving

b. *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game (DFG) or U.S. Fish and Wildlife Service?* ***No Impact.*** There are no such habitats or communities identified.

c. *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?* ***No Impact.*** No wetlands, as defined by Section 404 of the Clean Water Act, exist or have been identified on-site or immediately adjoining the site. Thus, the project would not result in impacts to wetlands

d. *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?* ***No Impact.*** There are no such corridors in this area.

e. *Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance?* ***No Impact.*** The project site is surrounded by developed urban land uses and ornamental vegetation. Following construction there will be new landscaping and therefore new vegetation.

f. *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?* ***No Impact.*** The City of Oceanside is participating in the Multiple Habitat Conservation Plan area (MHCP). This project is not in or near any of the areas identified for protection or restoration of habitat.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.5 CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5 of CEQA?	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 of CEQA?	☐	☐	☐	☒
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

a. *Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5 of CEQA?* ***Potentially Significant Unless Mitigated.*** The existing project site has been completely disturbed and covered with asphalt. The site is located within the Mission San Luis Rey Historic Area for which Development Program and Design Guidelines were written and adopted by City Council, Planning Commission, and the Oceanside Historic Preservation Advisory Committee during 1986. The City has determined that the site be reviewed under the requirements of CEQA Section 15064.5.a.3 because the project site is situated within an identified historic core of the larger Mission San Luis Rey Historic Area. It is therefore required to be reviewed within the context of adopted Development Program and Design Guidelines. The applicants have agreed to conditions on the Conditional Use Permit relating to landscaping, hardscape and signage to carry out the guidelines.

Mitigation Measures

CR-1. The conceptual landscape plan shall be revised and comply with the Mission San Luis Rey Historic Area Development Program and Guidelines. The conceptual landscape plan shall be reviewed by the Oceanside Historic Preservation Advisory Commission and approved by the Planning Commission.

CR-2. The conditional use permit for the land use 450.CC.5 *Vehicle Equipment/Sales and Rentals* shall have a term limit and be eligible for renewal in accordance with the requirements of the Zoning Ordinance. The term limit shall not exceed five-years.

CR-3. All site improvements shall conform to the Mission San Luis Rey Historic Area Development Program and Guidelines. All site improvements are subject to review by the Oceanside Historic Preservation Advisory Commission and approval by the Planning Commission.

b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 of CEQA?* ***Less Than Significant Impact.*** The existing area has been completely disturbed for many years. There are no known grave or other sites within the project's limits. The minor excavations proposed for landscaping and improving the site will be monitored by the local representatives of the Native American Heritage Commission. In the unlikely event artifacts or human remains are encountered, the provisions of the Public Resources Code will be followed.

Mitigation Measure

CR-4. At their request, a member of the San Luis Rey Band of Mission Indians shall be present during all ground disturbing activities, including planting landscape materials. A pre-excavation agreement shall be executed between the applicant and the San Luis Rey Band of Mission Indians, specifying the deposition of human remains, grave goods, or other culturally sensitive material encountered during grading, trenching, or other ground disturbance in conjunction with implementation of the proposed project.

c. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?* ***No Impact.*** Due to the project site's location and the extensive disturbance which has occurred on the property, there is no potential for sub-surface resources.

d. *Disturb any human remains, including those interred outside of formal cemeteries?* ***No Impact.*** There are no known grave sites within the project limits. Therefore, the disturbance of human remains is not anticipated. The minor excavations proposed for landscaping and improving the site will be monitored by the local representatives of the Native American Heritage Commission. In the unlikely event that human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of any human remains find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC) which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery, and shall complete the inspection within 24 hours of notification by the NAHC. The MLD will have the opportunity to make recommendations to the NAHC on the disposition of the remains.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.6 GEOLOGY AND SOILS. Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving (i.) rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist, or based on other substantial evidence of a known fault (Refer to DM&G Pub. 42)?; or, (ii) strong seismic ground shaking?; or, (iii) seismic-related ground failure, including liquefaction?; or, (iv) landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18- 1-B of the 1994 UBC, creating substantial risks to life or property?	☐	☐	☐	☒
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*

1) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.* ***Less Than Significant Impact.*** The project site is located within the seismically active southern California region and would likely be subjected to ground shaking, thus exposing proposed water transmission and storage facilities to seismic hazards. No known active seismic faults traverse the City of Oceanside. Impacts are not anticipated to be significant.

2) *Strong seismic ground shaking?* ***Less Than Significant Impact.*** Southern California is a seismically active region likely to experience, on average, one earthquake of Magnitude 7.0, and ten (10) earthquakes of Magnitude 6.0 over a period of 10 years. Active faults are those faults that are considered likely to undergo renewed movement within a period of concern to humans. These include faults that are currently slipping, those that display earthquake activity, and those that have historical surface rupture. The California Geological Survey (CGS) defines active faults as those which have had surface displacement within Holocene times (about the last 11,000 years). Such displacement can be recognized by the existence of sharp cliffs in young alluvium, un-weathered terraces, and offset modern stream courses. Potentially active faults are those believed to have generated earthquakes during the Quaternary period, but prior to Holocene times.

There are several active and potentially active fault zones that could affect the project site. The faults within these zones include the Newport-Inglewood, Whittier, San Andreas, San Jacinto, Malibu-Coast-Raymond, Palos Verdes, San Gabriel, and Sierra Madre-Santa

Susana-Cucamonga faults. The proposed project would be required to be in conformance with the California Building Code (CBC), the City's Seismic Hazard Mitigation Ordinance, and other applicable standards. Conformance with standard engineering practices and design criteria would reduce the effects of seismic ground shaking to less than significant levels.

3) *Seismic-related ground failure, including liquefaction?* ***Less Than Significant Impact.*** Liquefaction is the loss of strength of cohesionless soils related to water pressure in the soil. The Public Safety Element of the Oceanside General Plan adopted in May of 1975 identifies this area (and most of the flat valley floor surrounding it) as ultimately subject to liquefaction The primary factors influencing liquefaction potential include groundwater, soil type, relative density of the sandy soils, confining pressure, and the intensity and duration of ground shaking. There is no construction proposed for the site, and additional dwelling units are not proposed. All of the City's recommendations concerning the placement of landscaping on soils of this type will be followed with the project.

4) *Landslides?* ***No Impact.*** Landslides are mass movements of the ground that include rock falls, relatively shallow slumping and sliding of soil, and deeper rotational or transitional movement of soil or rock. However, this site is flat and surrounded by a flat river valley. The project site is not located within a known or highly suspected landslide area.

b) *Result in substantial soil erosion or the loss of topsoil?* ***Less Than Significant Impact.*** Small amounts of excavation for new landscaping would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. The contractor will be required to comply with standard engineering practices for erosion control.

c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?* **No Impact.** No water extractions or similar practices are anticipated to be necessary that are typically associated with project-related subsidence effects. In addition only a small amount of excavation will take place for new landscaping. There is no Impact.

d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?* ***No Impact.*** Only minor amounts of excavation will occur for new landscaping.

e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?* ***No Impact.*** The proposed project does not include the implementation of septic tanks or alternative wastewater disposal systems.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.7 HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?* ***No Impact.*** The proposed project would not involve the routine transport, use, or disposal of hazardous materials, and would not result in such impact.

b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?* ***No Impact.*** The proposed project is not anticipated to result in a release of hazardous materials into the environment. However, during the short-term period of project construction, there is the possibility of accidental release of hazardous substances such as spilling of hydraulic fluid or diesel fuel associated with construction equipment maintenance. The level of risk associated with the accidental release of these hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials. The contractor will be required to use standard construction controls and safety procedures which would avoid and minimize the potential for accidental release of such substances into the environment.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?* ***No Impact.*** No existing or proposed school facilities are located within a one-quarter mile radius of the project site.

d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?* ***No Impact.*** The proposed project site is not included on a list of sites containing hazardous materials, and would not result in a significant hazard to the public or to the environment.

e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?* ***No Impact.*** The proposed project site is not located within an airport land use plan or within two miles of a public airport and would not result in a safety hazard for people residing or working in the project area.

f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?* ***No Impact.*** The proposed project site is not located within the vicinity of a private airstrip and would not result in a safety hazard for people residing or working in the project area.

g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?* ***No Impact.*** The proposed project would have no impacts on emergency response plans or emergency evacuation plans. No revisions to adopted emergency plans would be would be required as a result of the proposed project.

h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?* ***No Impact.*** The project would not expose people or structures to a significant risk of wildland fires because the project site does not adjoin Oceanside Fire Department-designated wildland areas.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.8 HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off- site?	☐	☐	☐	☒
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?	☐	☐	☐	☒
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f. Otherwise substantially degrade water quality?	☐	☐	☐	☒
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
k. Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	☐	☐	☐	☒
l. Result in significant alternation of receiving water quality during or following construction?	☐	☐	☐	☒
m. Could the proposed project result in increased erosion downstream?	☐	☐	☐	☒

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
n. Result in increased impervious surfaces and associated increased runoff?	☐	☐	☐	☒
o. Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?	☐	☐	☐	☒
p. Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	☐	☐	☐	☒
q. Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?	☐	☐	☐	☒
r. Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?	☐	☐	☐	☒
s. Have a potentially significant adverse impact on groundwater quality?	☐	☐	☐	☒
t. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	☐	☐	☐	☒
u. Impact aquatic, wetland, or riparian habitat?	☐	☐	☐	☒
v. Potentially impact stormwater runoff from construction or post construction?	☐	☐	☐	☒
w. Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	☐	☐	☐	☒
x. Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	☐	☐	☐	☒
y. Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	☐	☐	☐	☒
z. Create significant increases in erosion of the project site or surrounding areas?	☐	☐	☐	☒

a) *Violate any water quality standards or waste discharge requirements?* ***No impact*** The Runoff Assessment Report prepared in November of 2007 states that implementation of landscaping and other drainage facilities will significantly improve the quality of the water discharged from the site.

b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?* ***No***

Impact. The project would not have the potential to substantially deplete groundwater supplies or interfere with groundwater recharge.

c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?* ***No Impact.*** Alteration of absorption rates is not considered significant. No changes in drainage patterns associated with the proposed project are anticipated to occur.

d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?* ***No Impact***. A Runoff Assessment Report was prepared in November of 2007 and the site will contain its drainage with improved landscaping. There will be less impermeable surface area which will decrease the amount of water runoff from the site.

e) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?* ***No Impact.*** There is a decrease in the amount of impermeable surface area within the project site.

f) *Otherwise substantially degrade water quality?* ***No Impact.*** Storm water quality is generally affected by the length of time since the last rainfall, rainfall intensity, urban uses of the area, and the quantity of transported sediment. Typical urban water quality pollutants result from motor vehicle operations, oil and grease residues, fertilizer/pesticide uses, and careless material storage and handling. Majority of pollutant loads are usually washed away during the first flush of the storm occurring after the dry-season period. However, the drainage plan, and new landscaping will improve the quality of the water runoff.

g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?* ***No Impact.*** The proposed project is not a housing project. The mobile homes are for sale, will not be occupied and are defined as motor vehicles by the Zoning Ordinance.

h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows?* ***No Impact.*** No structures will be placed on the site. The mobile homes for sale are defined as vehicles and are on raised piers 18 – 24 inches above the ground. They are not structures, but vehicles. The site proposes Low Impact Development as required by the March 2008 City of Oceanside Urban Stormwater Mitigation Plan. The site design incorporates the suggested Low Impact Development criteria such as removing portions of the existing asphalt covering the site and replacing them with hydrologically functional landscape designed areas. In addition to minimizing the footprint provided by the existing asphalt, the new vehicles for sale will not impede runoff because they will be raised on piers 18 to 24 inches off the ground.

i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?* ***No Impact.*** As previously stated, the project does not propose any new housing or building structures within the 100-year flood plain.

j) *Inundation by seiche, tsunami, or mudflow?* ***No Impact.*** There are no anticipated impacts to the proposed project from seiche, tsunami or mudflow, as no topographical features or water bodies capable of producing such events occur within the project site vicinity.

k) *Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater*

pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)? ***No Impact.*** The addition of new landscaping will reduce the pollutants that come from this site.

l) Result in significant alternation of receiving water quality during or following construction? ***No Impact.*** During constriction, erosion control will be provided on-site to protect water quality. Operation of the business on the site is not anticipated to result in any water quality impacts.

m) Could the proposed project result in increased erosion downstream? ***No Impact.*** Given the project's limited size and reduced impervious surface with new landscaping, the project would produce a relatively low volume of stormwater runoff resulting in decreased downstream erosion.

n) Result in increased impervious surfaces and associated increased runoff? ***No Impact.*** The runoff from the site will be reduced through the implementation of the new landscape plan. A Runoff Assessment Report prepared in November 2007 for the site reveals that the runoff is below the significance threshold established by the City for determining a significant impact. The mobile homes for sale are defined as vehicles and are on raised piers 18 – 24 inches above the ground. The site proposes Low Impact Development as required by the March 2008 City of Oceanside Urban Stormwater Mitigation Plan. The site design incorporates the suggested Low Impact Development criteria such as removing portions of the existing asphalt covering the site and replacing them with hydrologically functional landscape designed areas. In addition to minimizing the footprint provided by the existing asphalt, the new vehicles for sale will not impede runoff because they will be raised on piers 18 to 24 inches off the ground

o) Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes? ***No Impact.*** The project does not include mass site grading or substantial changes in project site drainage that would alter drainage patterns, or increase runoff flow rates or volumes. The replacement of existing impervious asphalt by hydrologically sensitive landscaping will reduce the runoff from the site.

p) Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired? ***No Impact.*** The project site does not adjoin or discharge directly into a Federally-listed water body.

q) Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions? ***No Impact.*** The project does not discharge into any existing sensitive areas. The new landscaping will decrease and clean the runoff.

r) Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters? ***No Impact.*** The project would not discharge directly into surface waters nor involve operational characteristics that would result in pollutant discharges into such waters including pesticides, herbicides, fertilizers and similar chemicals.

s) Have a potentially significant adverse impact on groundwater quality? ***No Impact.*** The project site does not involve excavation, drilling, or cuts that could intercept or affect groundwater, and does not involve sub-surface fuel tanks or similar features that could affect groundwater.

t) Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? ***No Impact.*** The proposed project will not result in any violation of applicable water quality standards established by the Clean Water Act and implemented by the San Diego Regional Water Quality Control Board (RWQCB) through the regional National Pollution Discharge Elimination System (NPDES) permit.

u) *Impact aquatic, wetland, or riparian habitat?* ***No Impact.*** A Runoff Assessment Report was prepared in November, 2007 for this site. The runoff from this site will be cleaned and reduced due to the implementation of appropriate new landscaping. There will be no impact from the runoff.

v) *Potentially impact stormwater runoff from construction or post construction?* ***No Impact.*** A Runoff Assessment Report was prepared for this site in November of 2007. The runoff from this site will be cleaned and reduced due to the implementation of appropriate new landscaping. There will be no impact from the runoff.

w) *Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?* ***No Impact.*** There are no such activities proposed for this site.

x) *Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?* ***No Impact.*** A Runoff Assessment Report was prepared for this site in November of 2007. The runoff from this site will be cleaned and reduced due to the implementation of appropriate new landscaping. There will be no impact from the runoff.

y) *Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?* ***No Impact.*** The project will neither increase the volume nor the velocity of stormwater flows, nor indirectly contribute to such impacts as a result of project implementation.

z) *Create significant increases in erosion of the project site or surrounding areas?* ***No Impact.*** Erosion potential will be reduced because of the introduction of landscaping removing the runoff from the existing asphalt.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.9 LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

a) *Physically divide an established community?* ***No Impact.*** The proposed project will not have an impact on the physical arrangement of an established community. The proposal is to change the current land use designation from Medium Density A (MDA-R) to Special Commercial (SC); and to change the Zoning Map from Medium Density A-Historic Overlay-Senior Mobile Home Park Overlay (RM-A-H-SMHP) Districts to Special Commercial-Highway Oriented-Historic Overlay (CS-HO-H) Districts. The proposal includes a conditional use permit for a commercial land use on land that is currently designated for residential land uses. Therefore, no impacts are anticipated to occur.

b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?* ***Potentially Significant Unless Mitigated.*** A General Plan Amendment, Zone Amendment and Conditional Use Permit are being considered by the City at this time. The site is surrounded by urban development including mobile homes and shopping centers. It is bordered on two sides by major thoroughfares. The proposal does not satisfy the current development and design guidelines of the Mission San Luis Rey Historic Area. The following mitigation measures will reduce the impact to less than significant.

Mitigation Measures

LUP-1. The conceptual landscape plan shall be revised and comply with the Mission San Luis Rey Historic Area Development Program and Guidelines. The conceptual landscape plan shall be reviewed by the Oceanside Historic Preservation Advisory Commission and approved by the Planning Commission.

LUP-2. The conditional use permit for the land use 450.CC.5 *Vehicle Equipment/Sales and Rentals* shall have a term limit and be eligible for renewal in accordance with the requirements of the Zoning Ordinance. The term limit shall not exceed five-years.

LUP-3. All site improvements shall conform to the Mission San Luis Rey Historic Area Development Program and Guidelines. All site improvements are subject to review by the Oceanside Historic Preservation Advisory Commission and approval by the Planning Commission.

b) *Conflict with any applicable habitat conservation plan or natural community conservation plan?* ***No Impact.*** The City is involved in the Multiple Habitat Conservation Planning Process, but this site is not being considered for any activities related to natural open space or planning. It is not part of the subarea planning process.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.10 MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?* ***No Impact***. The City's General Plan and Zoning Ordinance would not permit any mineral extraction on or within the vicinity of the project site. Therefore, the project would have no impact.

b) *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?* ***No Impact.*** There is no mineral resource extraction proposed.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.11 NOISE. Would the project:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☐	☒
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?* ***No Impact.*** The proposed project would create a limited, short-term impact in terms of construction noise for the removal of some of the existing asphalt. Pursuant to the City's Noise Ordinance standards, construction activities would be limited to daytime hours for the duration of construction. Also, all vehicles and equipment will use available noise suppression devices and be equipped with mufflers during construction activities. Due to the restricted hours, equipment restrictions, and relatively short period of construction, noise resulting from construction and demolition related activities is not considered a significant impact.

b) *Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?* ***No Impact.*** The amounts of construction and demolition required for the proposed facility is minimal in order to create areas for new landscaping. It is not anticipated to generate excessive ground borne vibrations or noise levels. Additionally, this project will not include pile-driving activities; therefore, ground borne vibration is not expected to occur.

c) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?* ***No Impact.*** There is no noise generators proposed for this site. Any construction noise will be limited to small excavation and landscaping activities. There are no generators or air conditioners proposed for the mobile homes being placed on sale. Noise from the infrequent placement and replacement of homes for sale of units will be within the range and type of the noise from the truck and automobile traffic on Mission Avenue, Douglas Drive and Highway 76.

e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?* ***No Impact.*** The proposed project is not located within two miles of a public airport or public use airport.

f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?* ***No Impact.*** The proposed project site is not located within the vicinity of a private airstrip and would not expose people residing or working in the project area to excessive noise levels.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.12 POPULATION & HOUSING. Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?* **No Impact**. The proposed project would not induce growth through the extension or expansion of major capital infrastructure. No impacts to population and housing beyond those identified within the City's General Plan would occur.

b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?* **No Impact.** The proposed project would not require the removal existing housing, and therefore would not necessitate the construction of replacement housing elsewhere.

d) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?* **No Impact**. The land use change proposed from Medium Density A Residential to Special Commercial would result in the potential reduction of the city's housing future stock of 3 or 4 units assuming the continuation of the existing development pattern of mobile homes on the contiguous property. This proposal does not trigger the need for replacement housing.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.13 PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a. Fire Protection?	☐	☐	☐	☒
b. Police Protection?	☐	☐	☐	☒
c. Schools?	☐	☐	☐	☒
d. Parks?	☐	☐	☐	☒
e. Other public facilities?	☐	☐	☐	☒

a) *Fire protection?* ***No Impact.*** Proposed project implementation would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities.

b) *Police protection?* ***No Impact.*** There are no significant impacts related to police protection or service anticipated with implementation of the proposed project.

c) *Schools?* ***No Impact.*** Implementation of the proposed project would not result in the need for the construction of additional school facilities. Therefore, no impacts in this regard will occur.

d) *Parks?* ***No Impact.*** Implementation of the proposed project will not affect any existing park facilities nor increase the demand for additional recreational facilities. Therefore, no impacts to parks are anticipated as a result of this project.

e) *Other public facilities?* ***No Impact.*** No significant impacts to other public facilities are anticipated to occur with project implementation.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.14 RECREATION. Would the project:				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?* ***No Impact.*** Implementation of the proposed project will not generate an increase in demand on existing public or private parks or other recreational facilities that would either result in or increase physical deterioration of the facility.

c) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?* ***No Impact.*** Implementation of the proposed project does not include recreational facilities.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.14 TRANSPORTATION/TRAFFIC. Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☐	☒
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion/management agency for designated roads or highways?	☐	☐	☐	☒
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e. Result in inadequate emergency access?	☐	☐	☐	☒
f. Result in inadequate parking capacity?	☐	☐	☐	☒
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

a) *Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?* ***No Impact.*** The land use change and the proposed project were analyzed in a traffic study. The difference between the trips which would be generated under the existing land use category and the change proposed is not considered significant. The trips generated by the proposed use would generally not be during peak traffic times.

b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?* ***No Impact.*** The trip generation projected by this land use is insignificant. The trips generated by the proposed use would generally not be during peak traffic times.

c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?* ***No Impact.*** Due to the nature and scope of the proposed project, project implementation would not have the capacity to result in a change in air traffic patterns.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ***No Impact.*** No public roadways are proposed as part of the project, therefore, no impacts regarding design features or incompatible uses would occur. The proposed project would use the same access point as the existing project.

e) *Result in inadequate emergency access?* ***No Impact.*** Adequate emergency access shall be provided during both short-term construction and long-term operation of the proposed project. Impacts are not anticipated to be significant.

f) *Result in inadequate parking capacity?* ***No Impact.*** Due to the location and nature of the proposed project, no impacts in regards to parking would occur. An adequate staging area will be provided for short-term construction equipment. No impacts are anticipated in this regard.

f) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?* ***No Impact.*** Project implementation would not conflict with adopted policies, plans, or programs supporting alternative transportation. Impacts are not anticipated in this regard.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.15 UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?* ***No Impact.*** Improvements associated with the proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board (RWQCB).

b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* ***No Impact.*** The nature and scope of the proposed project would not require or result in the construction of wastewater treatment facilities.

c) *Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* ***No Impact.*** The nature and scope of the proposed project would not require or result in the expansion of existing storm water drainage facilities.

d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?* ***No Impact.*** No new or expanded entitlements would be required with implementation of the proposed project. No impacts are anticipated.

e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?* ***No Impact.*** There will not be any additional wastewater generated by the proposed project.

g) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?* ***No Impact.*** The project will demolish small amounts of existing asphalt paving to

add landscaping. Ongoing solid waste disposal needs will be minimal and accommodated as required.

h) *Comply* with federal, state, and local statutes and regulations related to solid waste? ***No Impact.*** The project will comply with all solid waste requirements.

	Potentially Significant Impact	Potentially Significant Unless Mit.	Less than Significant Impact	No Impact
14.16 MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to decrease below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory?	☐	☐	☐	☒
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☐	☐	☒
c. Does the project have impacts which are individually limited, but cumulatively considerable (Cumulatively considerable means the project's incremental effects are considerable when compared to the past, present, and future effects of other projects)?	☐	☐	☐	☒
d. Does the project have environmental effects which will have substantial adverse effects on human beings, directly or indirectly?	☐	☐	☐	☒

a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to decrease below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory?* ***No impact.*** This initial study demonstrates that no impacts are anticipated in regards to aesthetics, agricultural, air quality, biological resources, geological, hazards, water, mineral resources, noise, population and housing, public services, recreation, transportation, or utility systems. Project impacts relate to the proposal's ability to comply with the Mission San Luis Rey Historic Area guidelines; mitigation measures will reduce these impacts to less than significant.

b) *Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?* ***No impact.*** This initial study demonstrates that no impacts are anticipated in regards to aesthetics, agricultural, air quality, biological resources, geological, hazards, water, mineral resources, noise, population and housing, public services, recreation, transportation, or utility systems. No sort term impacts are achieved to the disadvantage of long-term environmental goals.

c) *Does the project have impacts which are individually limited, but cumulatively considerable (Cumulatively considerable means the project's incremental effects are considerable when compared to the past, present, and future effects of other projects)?* ***No impact.*** The project does not propose impacts that are cumulatively considerable when compared to the past, present, and future effects of other projects.

d) *Does the project have environmental effects which will have substantial adverse effects on human beings, directly or indirectly?* ***No impact.*** The project's environmental effects impact the Mission San Luis Rey Historic Area's development program and design guidelines; there are no anticipated impacts that will have substantial adverse effects on human beings.

16. **PREPARATION.** The initial study for the subject project was prepared by:

Elizabeth J. Graff, AICP, land use planning consultant for Cole and Associates

17. **DETERMINATION.** (To be completed by lead agency) Based on this initial evaluation:

[ ] I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

[ ] I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described herein have been included in this project. A MITIGATED NEGATIVE DECLARATION will be prepared.

[ ] I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

18. **DE MINIMIS FEE DETERMINATION** (Chapter 1706, Statutes of 1990-AB 3158)

[ ] It is hereby found that this project involves no potential for any adverse effect, either individually or cumulatively, on wildlife resources and that a "Certificate of Fee Exemption" shall be prepared for this project.

[ ] It is hereby found that this project could potentially impact wildlife, individually or cumulatively, and therefore fees shall be paid to the County Clerk in accordance with Section 711.4(d) of the Fish and Game Code.

19. **ENVIRONMENTAL DETERMINATION**: The initial study for this project has been reviewed and the environmental determination, contained in Section V. preceding, is hereby approved:

Juliana von Hacht, Associate Planner

20. **PROPERTY OWNER/APPLICANT CONCURRENCE:** Section 15070(b)(1) of the California Environmental Quality Act (CEQA) Guidelines provides that Lead Agencies may issue a Mitigated Negative Declaration where *the initial study identifies potentially significant effects, but, revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.* The property owner/applicant signifies by their signature below their concurrence with all mitigation measures contained within this environmental document. However, the applicant's concurrence with the Draft Mitigated Negative Declaration is not intended to restrict the legal rights of the applicant to seek potential revisions to the mitigation measures during the public review process.

Property Owner

Linda Cole

Applicant

Exhibits A through F are comments on the draft Mitigated Negative Declaration and Initial Study that were posted for public comment between June 12 and July 2, 2008.

Staff's response to each correspondence follows and have been distributed to the correspondent on August 13, 2008.

Exhibit A. Letter dated June 26, 2008 from Dave Singleton, of State of California Native American Heritage Commission.

On April 7, 2008, staff submitted a Local Government Tribal Consultation List Request to California State Native American Heritage Commission.

The Mitigated Negative Declaration and Initial Study identified the following mitigation measure, which is a recommended condition for the approval of the Mitigated Negative Declaration: Mitigation Measure CR-4. At their request, a member of the San Luis Rey Band of Mission Indians shall be present during all ground disturbing activities, including planting landscape materials. A pre-excavation agreement shall be executed between the applicant and the San Luis Rey Band of Mission Indians, specifying the deposition of human remains, grave goods, or other culturally sensitive material encountered during grading, trenching, or other ground disturbance in conjunction with implementation of the proposed project.

Exhibit B. Letter received on July 1, 2008 from Wallace Carlson explains Mr. Carlson's frustration with the language of the Notice of Intent to Adopt a Mitigated Negative Declaration. Mr. Carlson also requests that the project be rejected.

Staff acknowledges receipt of Mr. Carlson's letter and has included it with their response to other correspondence received.

Exhibit C. Letter dated July 1, 2008 from Michele Fahley, of the California Indian Legal Services.

On April 7, 2008, staff submitted a Local Government Tribal Consultation List Request to California State Native American Heritage Commission.

On April 10, 2008, staff consulted with Cammi Mojado and Carmen Mojado of the San Luis Rey Band of Mission Indians. This satisfied SB18 consultation requirements. The band requested to be present during any ground disturbing activity, including landscape grading and digging.

Exhibit D. Letter received on July 1, 2008 from Walter and Eva Koenig.

In response to expressed trip generation concerns, staff has sent a copy of the March 6, 2006 Traffic Engineering analysis prepared by Cornerstone Engineering to the correspondents.

This report states that, "The operational levels-of-service for the intersection of Douglas Drive at Mission View Manor have been calculated for the AM and PM peak periods. Due to the very low volumes documented on both the eastbound and westbound approaches, the intersection has

acceptable service levels. Existing traffic counts are attached for your review, during the peak hours as well as daily volumes, grouped in 15 minute intervals. We utilized the industry accepted Synchro software which conforms to the Highway Capacity Manual. The intersection is currently functioning at a level-of-service "A" during both the AM and PM peak periods, using only about 42% of the available capacity." The Trip Generation Comparison of Modular Home Sales describes an existing 30 count of average daily trips. The proposed change to a General Commercial Zoning District describes the average daily trips as 50 counts.

Exhibit E. Letter received on July 8, 2008 from Kurt Luhrsen of the North County Transit District.

A recommended condition for the approval of the Mitigated Negative Declaration includes the following mitigation measure: (1.e) Infrastructure improvements near one existing bus stop location shall be completed prior to grading and shall include a concrete bus pad, ADA-compliant boarding pad, passenger waiting shelter, and trash can. Bicycle racks shall be installed to accommodate at least five bicycles on-site.

Exhibit F. Letter dated July 14, 2008 from Greg Holmes of the Department of Toxic Substances Control, Brownfields and Environmental Restoration Program -- Cypress. This letter listed 15 items.

The following responses apply:
Item 1. A search was done of the following databases and no indication of this site nor was any adjacent found: National Priorities List, Resource Conservation and Recovery Information System, Comprehensive Environmental Response, Compensation and Liability Information System, Solid Waste Information System, Leaking Underground Storage Tanks, Local list of cleanup sites, and Formerly Used Defense Sites.

Items 2 through 5 do not apply because a search of a variety of databases did not result in a Brownfield listing of the subject site or adjacent lands.

Item 6. The proposed project does not include demolition of any structure.

Item 7. Soil excavation is minor and limited to landscaping. The site is regulated by the Best Management Practices and project specific conditions would apply.

Item 8. No construction is proposed, except work associated with site landscaping. The site is regulated by best management practices and dust control measures.

Item 9. No hazardous wastes will be generated by the addition of new landscaping or land use 450.CC.5 *Vehicle/equipment sales or rentals* (sale of mobile homes).

Item 10. No hazardous waste treatment will be conducted at the subject site.

Item 11. No wastewater will be discharged at the subject site. Site storm water discharge will be minimized and is regulated by best management practices.

Item 12. Construction or demolition of existing structures is not proposed.

Item 13. The subject site has not been used for agriculture, livestock or related activities.

Item 14. The subject site was reviewed using EnviroStor and is not applicable.

Item 15. Staff has noted the request to include the project manager's title, e-mail address, and provide a historical project title reference (if the project title changes).

Exhibit A

STATE OF CALIFORNIA — Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net

RECEIVED
JUL - 2 2008
Planning Department

June 26, 2008

Ms. Juliana von Hacht
CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT
300 North Coast Highway
Oceanside, CA 92054

Re: SCH#2008061081; CEQA Notice of Completion; pproposed Mitigated Negative Declaration for the Mission View Manor Project, GPA-2-07 Project; City of Oceanside; San Diego County, California

Dear Ms. Von Hacht:

The Native American Heritage Commission is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur.. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ http://www.ohp.parks.ca.gov. The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

√ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- The Native American Heritage Commission (NAHC) has conducted a Sacred Lands File (SLF) search of the project area and identified no Native American cultural resources in the APE. Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.

- The NAHC also advises the use of Native American Monitors, when profession archaeologists or the equivalent are employed by project proponents, in order to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).

√ Lack of surface evidence of archeological resources does not preclude their subsurface existence.

* CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. . Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

√ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

Native American Contacts
San Diego County
June 26, 2008

San Luis Rey Band of Mission Indians
Henry Contreras, Most Likely Descendant
1763 Chapulín Lane Luiseno
Fallbrook , CA 92028
(760) 728-6722 - Home
(760) 908-7625 - Cell

San Luis Rey Band of Mission Indians
Mark Mojado, Cultural Resources
1889 Sunset Drive Luiseno
Vista , CA 92081 Cupeno
(760) 724-8505
(760) 586-4858 (cell)

San Luis Rey Band of Mission Indians
Russell Romo, Chairman
12064 Old Pomerado Road Luiseno
Poway , CA 92064
(858) 748-1586

Cupa Cultural Center (Pala Band)
Shasta Gaughen, Assistant Director
35008 Pala-Temecula Rd.PMB Box 445 Luiseno
Pala , CA 92059
cupa@palatribe.com
(760) 742-1590
(760) 742-4543 - FAX

Pauma Valley Band of Luiseño Indians
Bennae Calac, Chair - Repatriation Committee
P.O. Box 369 Luiseno
Pauma Valley , CA 92061
bennaecalac@aol.com
(760) 617-2872
(760) 742-3422 - FAX

Mel Vernon
San Luis Rey Band of Mission Indians
1044 North Ivy Street Luiseno
Escondido , CA 92026
melvern@aol.com
(760) 746-8692
(760) 703-1514 - cell

San Luis Rey Band of Mission Indians
Carmen Mojado, Co-Chair
1889 Sunset Drive Luiseno
Vista , CA 92081
cjmojado@slrmissionindians.org
(760) 724-8505

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the propose SCH#2008061081; CEQA Notice of Completion; Mitigated Negative Declaration for Mission View Manor Project, GPA-2-07; City of Oceanside; San Diego County, California.

Exhibit B

RECEIVED
JUL - 1 2008
Planning Department

City of Oceanside
300 N. Coast Highway
Oceanside, CA 92054

Jerry Hittleman
City Planner

Subject: GPA-2-07, ZA-1-07, C-13-08, H-2-08 Mission View Manor

I know you have a difficult job and a lot of procedures to follow that may upset you too. I get upset when I get something official that looks like it will harm my neighborhood and I can't understand it. So please relax and listen to my sad tale.

In the first paragraph of your Declaration you mentioned MITIGATED NEGATIVE DECLARATION five times and that sent me to the dictionary to get the following confusing information:

Mitigate means make (something bad) less severe

negative
1 consisting in or characterized by the absence rather than the presence of distinguishing features.
• (of a statement or decision) expressing or implying denial, disagreement, or refusal : that, I take it, was a negative answer.
• (of the results of a test or experiment) indicating that a certain substance is not present or a certain condition does not exist.

declaration
a formal or explicit statement or announcement.

Shaking my head and still not understanding I went to my old friend GOOGLE and typed in the phrase and received:

"A Mitigated Negative Declaration is appropriate when an Initial Study has been prepared and a determination can be made that no significant environmental effects will occur because revisions to the project have been made or mitigation measures will be implemented which will reduce all potentially significant impacts to less than significant levels.

The content of the Mitigated Negative Declaration is the same as a Negative Declaration, with the addition of identified mitigation measures and a Mitigation Monitoring Program."

What is a Mitigation Monitor Program? Control of gasoline, diesel, propane or oil leaks?

Your first paragraph is about 100 words and the GOOGLE information above is only about 80 words and I can understand it.

Why don't you just say that you are allowing a JUNK YARD to move into the neighborhood? This will also look great to the tourist that pass by on their was to visit our Historic San Luis Rey Mission. I pass this corner more than 50% of the time when I leave my house and I will have to look it it when I eat at CoCo's

We had the Oceanside Blvd. improvement committee and the Pacific Coast Highway improvement committee that are being ignored. The improvement I have heard about is a cement plant near Oceanside Blvd. and in the Coast area hotels that I cannot afford to stay in and future restaurants that I cannot afford to eat in. And probably no parking when I want to walk on the pier or on the beach. Oh yes, I am looking forward to the asphalt plant near the entrance of the Prince of Peace Abbey. The hot asphalt smell should really be nice for folks on retreat at the Abbey. Maybe no one will notice the eye sore with all the auto junk yards nearby.

When all the other cities will not accept something they can always dump it in Oceanside. How come Carlsbad is so much nicer looking than Oceanside? No I can't move to Carlsbad. I am retired and living in a mobile home.

I vote "No" on this project. What ever happened to the retail sales of manufactured homes that was going to be located there once?

I do not expect you to answer this letter. I know you are a very busy man and I am just pretending to be Don Quixote.

Wallace Carlson

Wallace Carlson
276N. El Camino Real Spc 243
Oceanside, CA 92058

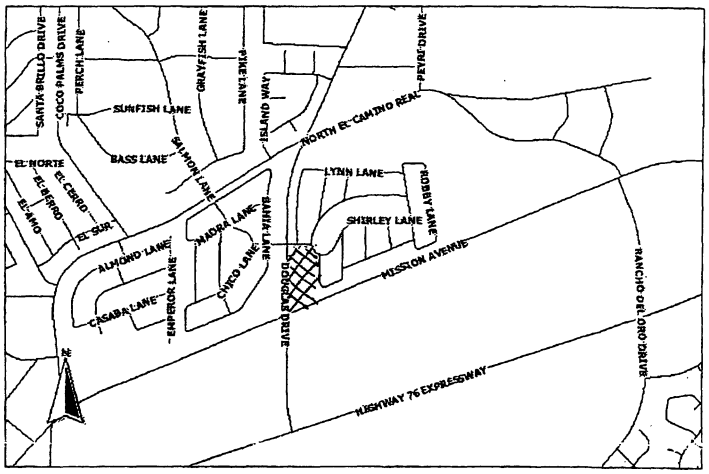
Exhibit B
-attachment-

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
City of Oceanside

Subject: **GPA-2-07, ZA-1-07, C-13-08, H-2-08 Mission View Manor**

NOTICE IS HEREBY GIVEN that the City of Oceanside has prepared and intends to adopt a Mitigated Negative Declaration in connection with the subject project. The Mitigated Negative Declaration identifies potential effects with respect to Cultural Resources and Land Use & Planning. The Mitigated Negative Declaration also includes proposed mitigation measures that will ensure that the proposed project will not result in any significant, adverse effects on the environment. The City's decision to prepare a Mitigated Negative Declaration should not be construed as a recommendation of either approval or denial of this project.

PROJECT DESCRIPTION: Consideration of a General Plan Amendment (GPA-2-07) Zone Amendment (ZA-1-07), Conditional Use Permit (C-13-08), and Historic Permit (H-2-08) to change the land use designation from MDA-R to SC; to amend the zoning District Map from RM-A-H-SMHP to CS-HO-H; and to allow vehicle equipment sales and rentals on a .66-acre portion of a 16.37-acre lot situated on the northeast corner of Mission Avenue Douglas Drive. The larger 16.37-acre lot is known as Mission View Manor East Mobile Home Park and is addressed 140 Douglas Drive.



PUBLIC REVIEW PERIOD: the public review period is from **Thursday, June 12, 2008 to Wednesday, July 2, 2008**.

PROJECT MANAGER: Juliana von Hacht, Associate Planner. Phone: 760-435-3520; Fax number: (760) 754-2958; mailing address: Planning Division, 300 N. Coast Hwy., Oceanside, CA 92054.

NOTICE IS FURTHER GIVEN that the City invites members of the general public to review and comment on this environmental documentation. Written comments may be mailed, e-mailed, or faxed to the project manager. Copies of the Negative Declaration and supporting documents are available for public review and inspection at the Planning Division located in City Hall at, 300 N. Coast Hwy., Oceanside, CA 92054. The City's Planning Commission and City Council will conduct public hearings at future dates to be determined. You will receive a separate public notice for those hearings. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised during the public review period on the proposed Mitigated Negative Declaration (MND) or at the future public hearings.

J. von Hacht for
By order of Jerry Hittleman, City Planner

Exhibit C

CALIFORNIA INDIAN LEGAL SERVICES

Escondido Office
609 South Escondido Boulevard, Escondido, CA 92025 ✦ Phone 760/746-8941 ✦ Fax 760/746-1815
www.calindian.org ✦ contactCILS@calindian.org

ESCONDIDO SACRAMENTO
EUREKA BISHOP

July 1, 2008

VIA FAX (760) 754-2958

Ms. Juliana von Hacht, Associate Planner
City of Oceanside Planning Dept.
300 North Coast Highway
Oceanside, CA 92054

Re: Notice of Intent to Adopt a Mitigated Negative Declaration, GPA-2-07, ZA-1-07, C-13-08, H-2-08 Mission View Manor

Dear Ms. von Hacht:

The San Luis Rey Band of Mission Indians hereby submits the following comments on the Notice of Intent to Adopt a Mitigated Negative Declaration for the Mission View Manor Project ("Project"). The San Luis Rey Band ("Band" or "Tribe") is a San Diego County Tribe whose traditional territory includes the current cities of Vista, Oceanside, Carlsbad, San Marcos, Escondido, Fallbrook, and Bonsall, among others. The Band's primary concerns are the preservation and protection of cultural, archaeological, sacred and historical sites of significant to the Band which may be located within the Project area.

The Band is concerned about protecting the unique and irreplaceable cultural resources that will be affected by the Project. The Tribe is also concerned about the appropriate and lawful treatment of Native American human remains and cultural and sacred items which may be disturbed during grading. The MND indicates the Band has requested that a tribal monitor be present for ground-disturbing activities, as well as a pre-excavation agreement. The Band requests that these mitigation measures remain in the MND, however, the term "deposition" should be changed to "disposition."

The MND fails to mention whether attempts at SB 18 consultation with the Band were made prior to its completion. This Project requires a General Plan Amendment, which triggers Section 65352.3 of the Public Resources Code. That law requires the City to consult with affected Tribes whenever a General or Specific Plan Amendment is required by a proposed Project.

The Tribe did respond to a request for SB 18 consultation on April 9, 2008 and did meet with the City to consult on this Project. However, the MND is silent on the consultation and should be revised to indicate that consultation with the Band was completed under SB 18.

The Band truly appreciates the opportunity to comment on this Project. We look forward to continuing the positive relationship that has been established with the City and we thank you for your assistance in protecting our invaluable Luiseño cultural resources.

Sincerely,

CALIFORNIA INDIAN LEGAL SERVICES

Michele Fahley

Michele Fahley, Staff Attorney
Attorneys for the San Luis Rey Band of Mission Indians

cc: Carmen Mojado, President, Saving Sacred Sites and Secretary of Government Relations, San Luis Rey Band of Mission Indians

Exhibit D

17 Shirle Lane
Oceanside, Ca
92058

Juliana Van Hacht
Planning Division
300 N. Coast Highway
Oceanside, Ca 92054

RECEIVED
JUL - 1 2008
Planning Department

Consideration of a General Plan Amendment (GPA-2-07) Zone Amendment (ZA-1-107-conditional Use Permit (C-13-08) and Historic Permit (H-2-08) to change the land use designation from MDA-R to SC; to amend the zoning District map from RM-A-H-S MHP to CS-HC-H and to allow vehicle equipment sales and rentals on a .66 acre portion of a 16.37 acre lot situated on the northeast corner of mission avenue and Douglas Drive. The larger 16.37 acre lot is known as mission View manor East mobile Home Park and is addressed 140 Douglas Drive

To whom it may concern -
we have more traffic on Douglas, because of the road extension to Hwy 76 and it gets harder & harder to exit our [illegible] to 40 to church. [illegible]

appointments, & the post office, due to increased traffic. We park our cars here, when they fix the streets in the park, & when they have events at the Club house. We also park here to take the bus to go to other events.

This space has also been used for emergency landings for helicopter to take accident victims to hospital, VA, etc.

These proposed changes will increase traffic problems, for more dirt & dust & confusion. We do not have too many extra parking places for guests & families to visit, we can't park in the streets, too dangerous, the fire department, & the ambulance can't get thru if everyone would park on our streets in here

When the senior citizens get a nice, safe place to live, some one always wants to take it away from us, and put us out on

Thank you for listening, walter Eva Koenig

Exhibit E

N C T D

RECEIVED
JUL - 9 2008
Planning Department

July 2, 2008

Ms. Juliana Von Hacht
Planning Department
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

RE: Mission View Manor (GPA-2-07, ZA-1-07, C-13-08, H-2-08)

Dear Ms. Von Hacht,

Thank you for the opportunity to review the notice of intent to adopt a mitigated negative declaration for the Mission View Manor project, a proposed general plan amendment, zone amendment, and conditional use permit to allow vehicle equipment sales and rentals at the northeast corner of the Mission Avenue and Douglas Drive.

The North County Transit District (NCTD) currently operates fixed route bus service (Route 303) past this proposed development site that connects with other regional and local bus service at the Oceanside and Vista Transit Centers, and the Town Center North shopping center.

After reviewing the notice of intent, NCTD requests that the developer make infrastructure improvements near one existing bus stop location.

- **Northbound Douglas Drive @ 80-feet north of Mission Avenue.** Specific improvements that should be designed and built at this location include:

  1. Concrete Bus Pad – In order to minimize the wear and tear on Douglas Drive where buses will be stopping, NCTD recommends the developer install a concrete bus pad in the street adjacent to the bus stop improvements. The concrete bus pad should extend out 10-feet from the existing concrete curb-and-gutter, and be a total of 80-feet long. The 80-feet should begin 20-feet north of the end of the curb radius of the Douglas Drive and Mission Avenue intersection and continue north to 100-feet past the intersection. I have included a sample of the desired pavement composition (Case III) for this concrete bus pad.

  2. ADA-Compliant Boarding Pad — At approximately 80-feet north of the end of the curb radius of the Douglas Drive and Mission Avenue intersection, an ADA-compliant concrete boarding pad should be constructed so that wheelchair passengers can load and unload safely. This concrete pad should be 10-feet wide from the face of the curb by 24-feet long. It should start from 56-feet north of the end of the curb radius of the Douglas Drive and Mission Avenue intersection and end 80-feet north of the intersection. If the sidewalk on the east side of Douglas Drive is 5-feet wide and directly adjacent to the curb, then only an additional 5-feet in width of concrete should be poured behind the sidewalk for a length of 24-feet. This concrete boarding pad should also be sloped

NORTH COUNTY TRANSIT DISTRICT
810 Mission Avenue, Oceanside, CA 92054-2825
760-967-2828

slightly toward the street for drainage purposes, but should not exceed the standard 2% cross-slope for sidewalks. Specific information on the design of the boarding pad has been included with this letter.

3. Passenger Waiting Shelter – To help reduce automobile trips to and from this development, the developer should install a 13-foot long, blue Tolar non-advertising shelter with the matching anti-vagrant bar bench at the very rear of the above mentioned ADA-compliant boarding pad. If the area around this improved bus stop is not well lit, then NCTD requests that the installed shelter have the "Transit Shelter Security Light" manufactured by Solar Outdoor Lighting in it. Information on the Tolar shelter, with or without a solar light, has been included with this letter. This information also illustrates where the Tolar shelter should be installed on the concrete boarding pad.

4. Trash Can – To keep the bus stop area free of litter and debris, the developer should install a blue Wabash Valley trash receptacle (model # LR300) with a 32-gallon liner (model # LR310), a blue domed lid (model # DT100), and a surface mount post package (model # LR105). Information on the Wabash Valley trash receptacle can be obtained by calling (800) 253-8619 or going online at www.wabashvalley.com.

- **Bicycle Racks.** The developer should install bicycle racks to accommodate parking for at least 5 bicycles on-site. Please consult with City staff for their desired bicycle furniture (traditional u-loops or bike lockers, and color) and appropriate locations for such facilities. Bicycle racks should be located at a sufficient distance away from any walls or other obstacles that would impede access to the racks from all sides.

Once the City's review of this development application has been completed, please send a list of the conditions of approval to NCTD for our files. And once the developer is ready to install these facilities, please have them contact me so our transportation services staff can review the siting of the improvements to ensure compliance with the ADA.

Thank you again for the opportunity to review the site development plan for the North County Place revision project. If you have any questions regarding my comments, please contact Kurt Luhrsen at (760) 966-6546 or email him at kluhrsen@nctd.org.

Sincerely,

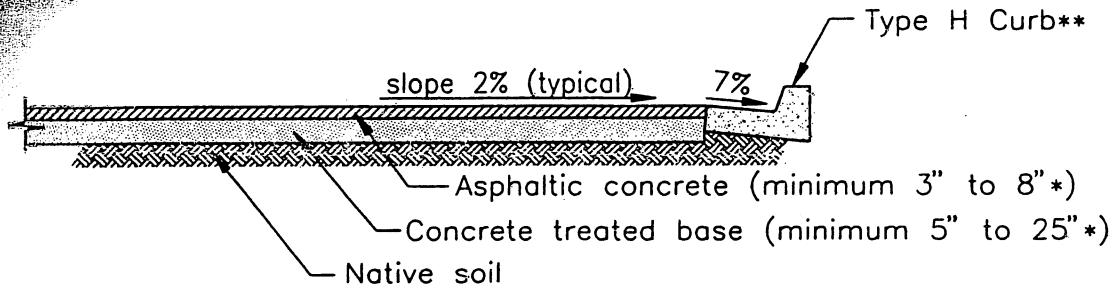
Kurt Luhrsen

Kurt Luhrsen
Principal Planner

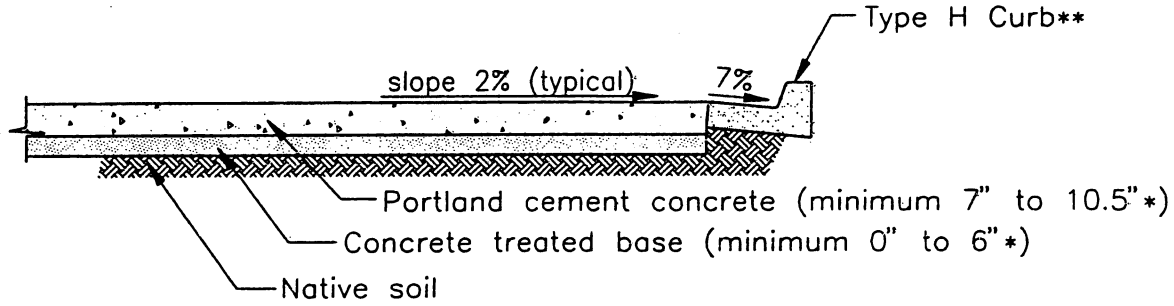
PAVEMENT COMPOSITION

FOR STREETS SUITABLE FOR REGULAR USE BY BUSES
Scale 1" = 4'

CASE I: ASPHALT ROADWAY

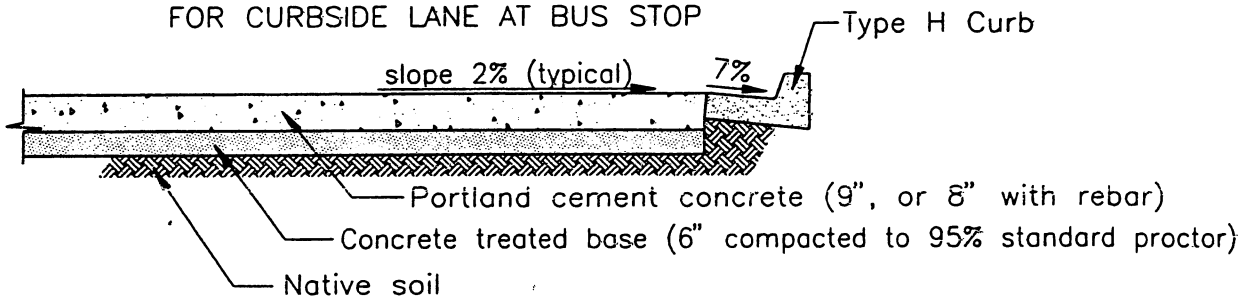


CASE II: CONCRETE ROADWAY



CASE III: CONCRETE BUS PAD

FOR CURBSIDE LANE AT BUS STOP



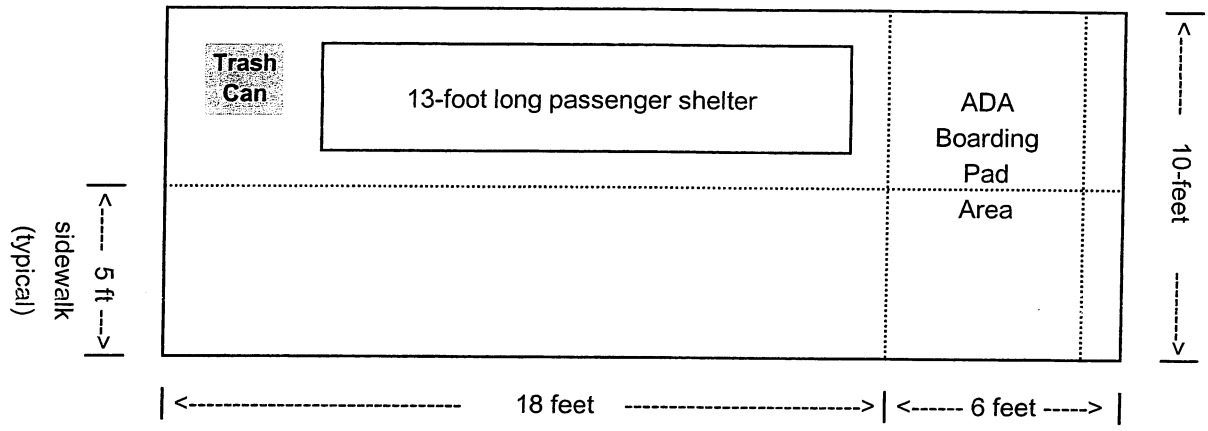
Note: *Thickness of layers depends upon average daily traffic volume and resistance value of native soil. For exact specifications, see San Diego area Regional Standard Drawings, Pavement Design Standards, Schedule J for roadways categorized as collector or higher.

**Type G curb is acceptable on collector streets.

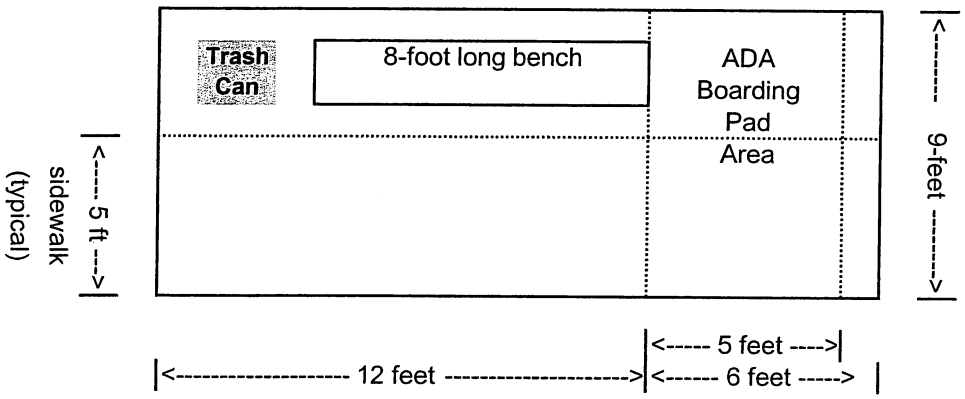
© 1993 • Metropolitan Transit Development Board, San Diego, CA • **Designing For Transit**

NCTD's Bus Stop Pad Dimensions

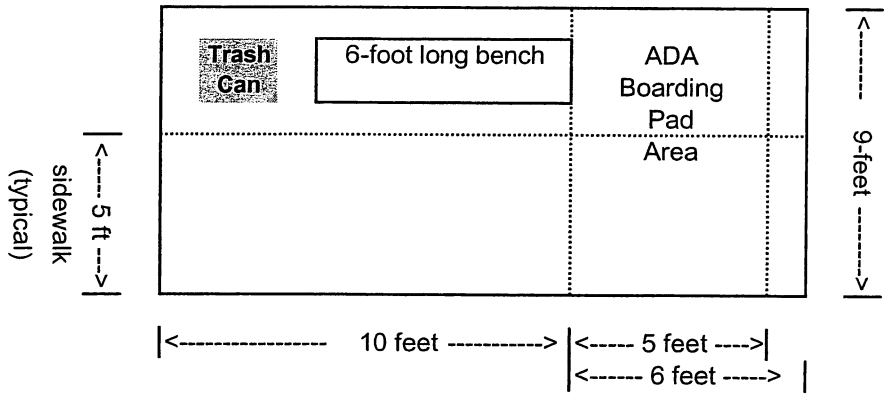
OPTION 1: Desired Shelter Pad Dimension for a 13-foot Shelter



OPTION 2: Desired Bench Pad Dimension for an 8-foot Bench



OPTION 3: Desired Bench Pad Dimension for a 6-foot Bench



NOTE 1: The minimum pad depth (from face of curb) to be compliant with the Americans with Disabilities Act (1990) is 8-feet.

NOTE 2: No street furniture (benches, shelters, or trash cans) should be installed within 2 1/2 feet of the curb to avoid being hit by passing buses or trucks.

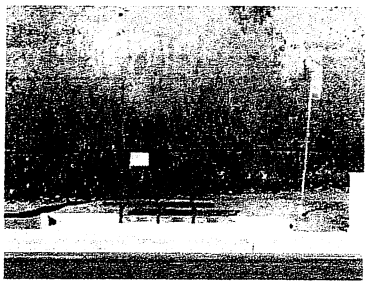
Street Furniture

In attempts to standardize the look of street furniture, we have chosen specific benches and shelters to be installed at NCTD bus stops. All new stops should incorporate 13-foot Tolar non-advertising shelters with a dome roof, or Wabash Valley metal benches. If the requested bus stop locations are not currently lit (i.e. located under or near a streetlight) we would also request that a solar panel be installed on the bus shelter to light the structure at night.

Developers are required to purchase, install and clean all bus benches and shelters. NCTD recommends that developers and the eventual owner/operator are required to clean all bus benches and shelters installed as part of their development. These bus stop facilities typically are dedicated to the Jurisdiction. Replacement of bus stop facilities are typically the responsibility of NCTD and the Jurisdiction though this varies with each Jurisdiction.

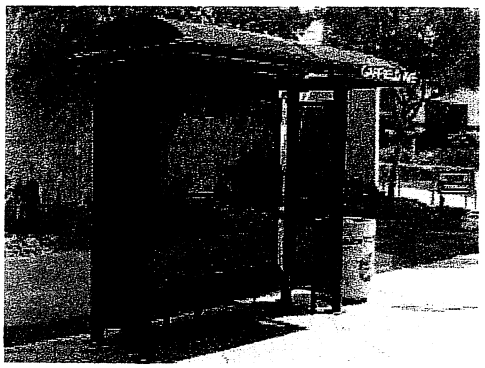
NCTD understands that in some cases the installation of a custom bench or shelter is desirable. District staff does not discourage the use of custom facilities, although all designs MUST be approved by NCTD staff prior to installation.

Bus Stops with Benches



- Wabash Valley 8-foot metal bench with back & 3rd center leg
- Model number PP307D (surface mounted legs)
- Royal Blue in color*
- Wabash Valley Manufacturing, Inc.
  P.O. Box 5, 505 E. Main Street
  Silver Lake, IN 46982
  1-800-253-8619
  www.wabashvalley.com

Bus Stops with Shelters



- Tolar 9-foot, 13-foot or 17-foot dome roof non-advertising shelter (size to be specified by NCTD)**
- Model 9NALD-PM NCTD Drawing Number 3345
- Model 13NALD-PM NCTD Drawing Number 3343
- Model 17NALD-PM NCTD Drawing Number 3346
- Solar panels for lighting
- Wire grill bench with vagrant bars
- Signal Blue in color (RAL 5005)*
- Tolar Manufacturing Company, Inc.
  258 Mariah Circle
  Corona, CA 92879
  1-800-339-6165
  www.tolarmfg.com

* Check with City staff, as some jurisdictions prefer the use of other colors.

** In some cases, the Tolar shelter is not preferred. Check with City staff, as some jurisdictions prefer that shelters be designed to meet neighborhood or community architectural themes.

Exhibit F

Department of Toxic Substances Control

Linda S. Adams
Secretary for
Environmental Protection

Maureen F. Gorsen, Director
5796 Corporate Avenue
Cypress, California 90630

Arnold Schwarzenegge
Governor

RECEIVED
JUL 18 2008
Planning Department

July 14, 2008

Ms. Juliana von Hacht
Associate Planner
City of Oceanside
Planning Division
300 N. Coast Hwy.
Oceanside, California 92054

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE MISSION VIEW MANOR, GPA-2-07, ZA-1-07,C-13-08, H-2-08 PROJECT, 140 DOUGLAS DRIVE, OCEANSIDE, SAN DIEGO COUNTY (SCH#2008061081)

Dear Ms. von Hacht:

The Department of Toxic Substances Control (DTSC) has received your submitted Initial Study Checklist for a Mitigated Negative Declaration (ND) for the above-mentioned project. Your document states: "Consideration of a General Plan Amendment (GPA-2-07), Zone Amendment (ZA-1-07), Conditional Use Permit (C-13-08), and Historic Permit (H-2-08) to change the land use designation from MDA-R to SC; to amend the zoning District Map from RM-A-H-SMHP to CS-HO-H; and to allow vehicle equipment sales and rental on a .66 – acre portion of a 16.37-acre lot situated on the northeast corner of Mission Avenue Douglas Drive. The larger 16.37-acre lot is known as Mission View Manor East Mobile Home Park and is addressed 140 Douglas Drive. " DTSC has the following comments; please address if applicable.

1) The ND should identify the current or historic uses at the project site that may have resulted in a release of hazardous wastes/substances, and any known or potentially contaminated sites within the proposed Project area. For all identified sites, the ND should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the pertinent regulatory agencies:

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).

- Envirostor: A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).

- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.

- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.

- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.

- Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.

- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.

- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

2) The ND should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents. Please see comment No. 14 below for more information.

3) All environmental investigations, sampling and/or remediation for the site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found should be clearly summarized in a table.

4) Proper investigation, sampling and remedial actions overseen by the respective regulatory agencies, if necessary, should be conducted at the site prior to the new development or any construction. All closure, certification or remediation approval reports by these agencies should be included in the ND.

5) If any property adjacent to the project site is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, then the proposed development may fall within the "Border Zone of a Contaminated Property." Appropriate precautions should be taken prior to construction if the proposed project is within a Border Zone Property.

6) If buildings or other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should be conducted for the presence of other related hazardous chemicals, lead-based paints or products, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.

7) Project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.

8) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. If it is found necessary, a study of the site and a health risk assessment overseen and approved by the appropriate government agency and a qualified health risk assessor should be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.

9) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should

also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942.

10) Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

11) If the project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).

12) If during construction/demolition of the project, the soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented.

13) If the site was used for agricultural, livestock or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.

14) EnviroStor is a database primarily used by the California Department of Toxic Substances Control, and is accessible through DTSC's website. DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

15) In future CEQA documents please provide contact person's title and email address. Also, if the project title changes, please provide historical project title(s).

If you have any questions regarding this letter, please contact Teresa Hom, Project Manager, preferably at thom@dtsc.ca.gov. Her phone is (714) 484-5477.

Sincerely,

Greg Holmes
Unit Chief
Brownfields and Environmental Restoration Program - Cypress

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov.

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
1001 I Street, 22nd Floor, M.S. 22-2
Sacramento, California 95814
gmoskat@dtsc.ca.gov

CEQA#2209

MISSION VIEW MANOR EAST MOBILE HOME SALES SITE PROPOSAL NEIGHBORHOOD MEETING

Sign-in Sheet March 30, 2006

NAME	ADDRESS	PHONE	EMAIL
Loretta Shidaler	91 Madra Ln	967-8109	
Louise Mortham	82-Shirle Ln	757-3989	
Carmen Tarango	82-Shirle Ln	757-3989	
Jeanne Sorensen	68 Madra Ln	754-9723	
René Devine	120 Lynn	760 967-9835	
Sharron Murray	51 El Morro Ln	439-6514	
Tom Madden	60 El Morro Lane	722-9502	
Florence Sherman	7 Lynn Lane	967-4303	
M. W. Krumrey	4 Lynn Lane	757-7176	
R.C. Hammarstrom	24 Bahia Lane W side	439-1530	
Marie Patrick	149 Robby Lane	967-6331	
[illegible]	91 Shirle Lane	754 9010	
Annemarie Walther	66 Steven Ln	721 0486	
F.R. Bixler	12-Bahia Ln	966-1957	
Robert Barrett	16 Shirle Ln	754-4469	
[illegible] Barrett	16 Shirle Ln	754 4469	
JIM + BESS STANFIELD	69 MADRA	433-8423	
Margaret Etzler	5 Lynn Ln	757-9132	
[illegible]	43 Ellen	231-7192	
Delfina Claudio		721-8226	
Maria Rrias		433-7303	

MISSION VIEW MANOR EAST MOBILE HOME SALES SITE PROPOSAL NEIGHBORHOOD MEETING

Sign-in Sheet March 30, 2006

NAME	ADDRESS	PHONE	EMAIL
Shirley Dean	94 Shirle Lane Ocean	966-1170	—
Lou Jordan	69 Shirle Lane	760-757-9226	SM-CANS Lou Jordan @ SBC Global.n
Eugene G. Stylos	5 Lyn Ln O/S	721-9132	
Elva G Cheek	142 Steven Lane	433-6994	

MISSION VIEW MANOR EAST MOBILE HOME SALES SITE PROPOSAL NEIGHBORHOOD MEETING

Sign-in Sheet March 30, 2006

NAME	ADDRESS	PHONE	EMAIL
Rene Devine	120 Lynn Ln	967-9835	

Are you aware of Valley View Casino having a Contract with this Park to use that lot? They bring their Bus into the lot to pick up passengers, who are from around the area & have their cars parked there all day on Monday, Wednesday & Friday.

Bus arrives at 9:30 a.m. returns at 4:30 p.m. Passengers with cars parked on that lot (normally about 5 to 10 cars or more, then go out and Rome.

I'd like to ask, also; Should that lot become Commercial zoned, then obviously it would raise the taxes to a commercial rate.

We residents have worked hard to form with other Mobile Park Residents — O.M.H.A. An organization devoted to keeping our Reasonable RENT CONTROL ORDNANCE at 75% of the annual C.P.I. (Consumer price index)

C.P.I. normally 3.7%. We secured that till 2007.

Would that commercial status raise the entire Park rates to commercial taxes?

I believe it would. R.D.

March 30, 2006

MISSION VIEW MANOR EAST MOBILE HOME SALES SITE PROPOSAL NEIGHBORHOOD MEETING

Comment Sheet
Tell Us What You Think

I'm Lou Mathson I have live here 40 yrs. I'm 91 yrs. old I'm all for the new sales.-
& my friend Carmen Tarango 71 yrs old. Too
82 Shirle Ln.

Carmen Tarango

Sign and Date. _____

March 30, 2006

MISSION VIEW MANOR EAST MOBILE HOME SALES SITE PROPOSAL NEIGHBORHOOD MEETING

Comment Sheet
Tell Us What You Think

Need traffic study

How much parking on common lot?

What are hours of operation?

homes & office — when set-up?

The sooner the lot is cleaned up with decent mobils on it the better you have (our) My vote Kay & George Jessen

Sign and Date. _____

March 30, 2006

MISSION VIEW MANOR EAST MOBILE HOME SALES SITE PROPOSAL NEIGHBORHOOD MEETING

Comment Sheet
Tell Us What You Think

Too Much Traffic.
Unsightly appearance.
Asset values of current park homes.
Put in a Traffic signal.
Once commercial is granted – what business will be in there next!?
Security.

Sign and Date. Leslie Fiedler 3-30-06

March 30, 2006

MISSION VIEW MANOR EAST MOBILE HOME SALES SITE PROPOSAL NEIGHBORHOOD MEETING

Comment Sheet
Tell Us What You Think

We don't agree to convert the vacant lot next to Mission Park (Mission View Manor) to a commercial zone for many reasons:
1) Traffic congestion, noise etc.
2) The 'commercial zone' opens the door not only to sell mobile homes but to sell everything in the future (liquor, drugs and crime as a result

Sign and Date. Margot Melody Etzler Eugene T. Etzler

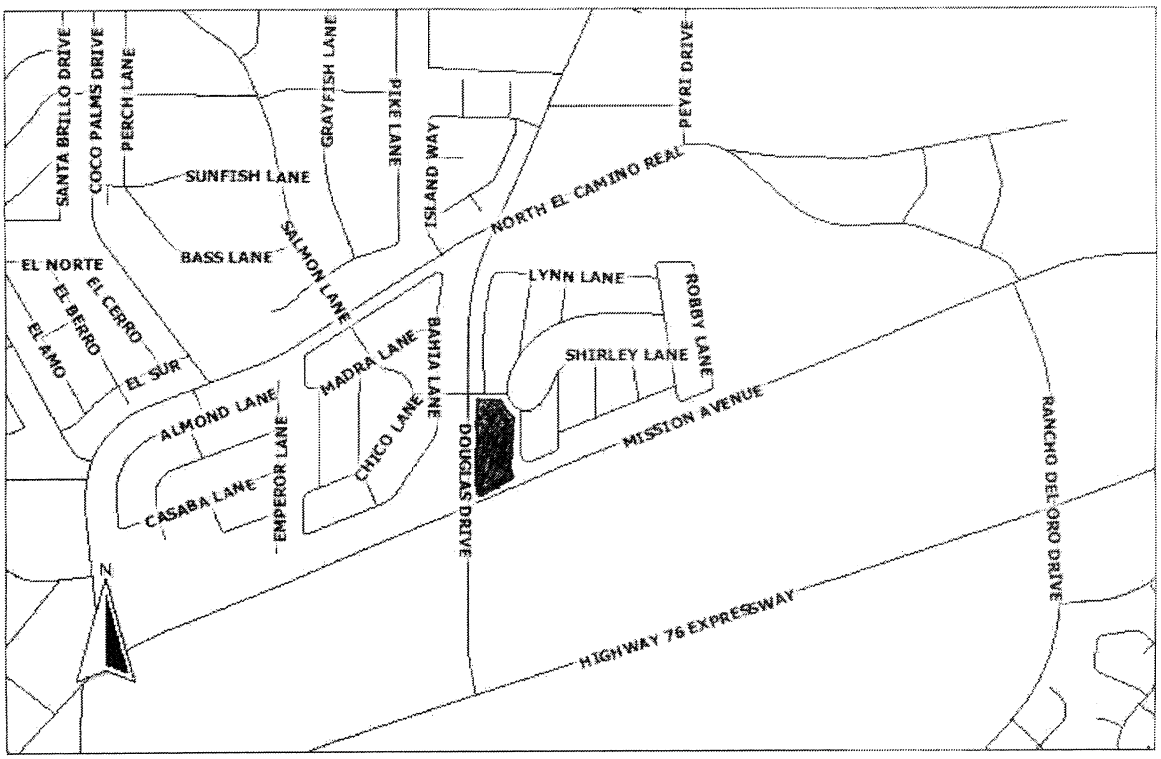
March 30, 2006

MISSION VIEW MANOR EAST MOBILE HOME SALES SITE PROPOSAL NEIGHBORHOOD MEETING

Comment Sheet
Tell Us What You Think

I feel a traffic light is needed before a business is established on this corner. The area is too congested at this time this area should remain residential.

Sign and Date. _____



File No. GPA-2-07, ZA-1-07, C-13-08, H-2-08

Applicant: Cole and Associates

Description:

GENERAL PLAN AMENDMENT (GPA-2-07), ZONE AMENDMENT (ZA-1-07), CONDITIONAL USE PERMIT (C-13-08), AND HISTORIC PERMIT (H-2-08) to change the land use designation from MDA-R to SC; to amend the Zoning District Map from RM-A-SMHP-H to CS-HO-H; and to allow Vehicle/equipment sales and rentals on a 0.66 acre portion of a 16.37-acre lot situated on the northeast corner of Mission Avenue and Douglas Drive. – **MISSION VIEW MANOR**

Environmental Determination:

The proposal is being reviewed for compliance with the provisions of the California Environmental Quality Act.

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

RECEIVED
MAY 21 2008
Planning Department

Application For Historic Commission Hearing
Planning Department (760) 435-3520
Oceanside Civic Center
300 North Coast Highway
Oceanside, California 92054-2885

STAFF USE ONLY	
ACCEPTED	BY
MW	5/14-08

Please Print Or Type All Information

Part I – Applicant Information

1. APPLICANT: Cole + Associates	2. STATUS: project applicant
3. ADDRESS: 186 S. Santa Fe, San Marcos 92078	4. PHONE / FAX: 760-598-8686 760 598-8016
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing): Elizabeth J. Graff, AICP	
6. ADDRESS: 3528 Sea Ridge Rd.	7. PHONE / FAX: 760-231-7459
8. OWNER: Cole and Associates	9. PHONE / FAX: 760-598-8686 760 598-8686
10. ADDRESS: 186 S. Santa Fe San Marcos 92078	

HEARING	
MASTER PLAN	
GPA	GPA-2-07
ZONE CH.	ZA-1-07
TENT. MAP	
PAR. MAP	
DEV. PL.	
C.U.P.	C-13-08
VARIANCE	
REG. COASTAL	
O.H.P.A.C.	H-2-08

PART II – PROPERTY DESCRIPTION Rev 3/3/08, 5/21/08

11. LOCATION: North East Corner Douglas and Mission			12. SIZE: 26,869 ☐
13. GENERAL PLAN: Med. Dens. Res.	14. ZONING: RM-A	15. LAND USE: Vacant	16. ASSESSOR'S PARCEL NO. 158-052-08

PART III – PROJECT DESCRIPTION

17. GENERAL PROJECT DESCRIPTION: Restore use for mobilehome sales
New landscaping, Fencing and signs

18. PROPOSED GENERAL PLAN	19. PROPOSED ZONING	20. PROPSED LAND USE	21. NO UNITS	22. DENSITY
Comm. Limited-H.	CL-H	mobile home sales	n/a	n/a

THE APPLICANT OR HIS REPRESENTATIVE MUS 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 THIS APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGERS AS NECESSARY).

23. APPLICANT OR REPRESENTATIVE: Elizabeth J. Graff	24. DATE: 5-07-08	26. OWNER	DATE
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE		27. OWNER	DATE
25. APPLICANT: Linda Cole	26. DATE: 5-14-08	28. OWNER	DATE

RECEIVED
MAY 21 2008
Planning

DESCRIPTION AND JUSTIFICATION

GENERAL PLAN AMENDMENT (GPA-2-07), ZONE AMENDMENT (ZA-1-07), CONDITIONAL USE PERMIT C-13-08 AND HISTORIC PERMIT H-2-08 FOR MANUFACTURED HOME SALES AT MISSION AND DOUGLAS

May 2008
Cole and Associates

A General Plan Amendment from Residential Medium Density to Special Commercial, a Zoning Amendment from Medium Density Residential to Special Commercial-Limited-Historic, a Conditional Use Permit for vehicle sales and a Historic Permit are proposed for the 28,869 square foot site located at the northeast corner of Douglas Drive and Mission Avenue.

New landscaping, new fencing on the perimeter, and new signs are proposed to improve the site's appearance at the northeast corner of Douglas Drive and Mission Avenue. The applicants plan is to place four manufactured homes for sale on the site.

The property is part of the Mission View Manor East Mobile Home Park. It was, as part of that park, once used for mobile home sales, but has been vacant for many years. It is unattractive without any landscaping. It is flat and covered with asphalt.

Some History of the Site

The property is adjacent to and was once part of what is now known as Mission View Manor East Mobile Home Park. The request is to change the General Plan Land Use Category from its present designation of Medium Density Residential A to Commercial Special – Limited -Historic and the Zoning from RMA (Residential Medium Density) to CS-L-H (Special Commercial-Limited- Historic). It is and would remain in the Historic District with an H Designator on the General Plan and Zoning.

The applicants, Cole and Associates wish to restore the site to a mobile home sales location. There is an existing small building that was once used for mobile home sales. Four modern mobile homes could be placed on the site and made available for sales to residents of this project as well as many other parks in the area and for others in local parks.

The site is the only corner of the intersection that is not now commercially designated or used. Across Mission to the south are two large shopping centers also in the CS-H category and zone, which this site would continue. These were constructed during the last 20 years. To the West also facing Mission is an older gasoline station with related services. To the north of the site (northerly of the existing mobile home park) in the CS-H designation and zoning continues which has some scattered commercial development.

The Special Commercial Land Use Category and matching zone amendment are requested because the City of Oceanside's Zoning Ordinance defines mobile home sales in the same category: as "Vehicle Equipment Sales and Rentals," although the

activities associated with mobile or modular homes are different from the sale of other vehicles.

The Special Commercial category was applied to this neighborhood to protect the San Luis Rey Mission. This new project on the site will provide attractive new landscaping and signage in conformance with the Mission area.

The site access is shared with the mobile home park; and additional access is not requested for this use. A traffic study was prepared indicating that the additional traffic that would be generated (20 extra trips per day over what the existing designation would generate) by the use would be minimal during regular business hours and nonexistent during peak traffic hours. Common sense tells us that mobile home shoppers would in all probability visit the site during weekdays or on weekends and not during the morning and afternoon work trip peak hours.

This is one of the older mobile home parks developed in the 1960's and is characterized by a number of older units. The market for these units is shifting as baby boomers reach their senior years and many are looking for this type of living style but would like a more modern unit. The replacement of existing mobile homes in the park would be based on market demand. Those wishing to remain in their existing homes or purchase and live in the older ones would be free to do so.

This application would not affect the park's status when it comes to the City's Rent Control Ordinance.

According to City records the existing park was approved in 1960. The one across the road to the West may have been approved slightly earlier than this one. Several old documents and copies of resolutions have been submitted to the staff. The general descriptions of the old project match the resolutions, but the files for the project did not contain many of the materials that more recent files have such as detailed site plans.

The site was once used for mobile home sales, it appears into the late 70's or early 80's, however there are no files to indicate how this was approved or licensed by the City. This is why it cannot be restored to that use without some action from the City. The staff has indicated that the preferred vehicle for allowing this use is to "clean up" the General Plan and Zoning designations.

The site is paved with asphalt, surrounded by a concrete block wall and there is a small office building that was used previously for the sales operations.

The applicants met with the neighborhood in early 2006. Comment sheets and sign up sheets have been submitted to the City. Many of the residents were in favor of "cleaning up" the parcel and of having an opportunity to see new units in their park.
The major concerns were those that usually accompany a request for any change relating to Commercial development: traffic and security. There was also some concern raised that the new homes would affect the ability of those living in the older units to sell those older units. Some were concerned that the Commercial designation could be used for more traditional small commercial developments such as a minimart.
The applicants commissioned a traffic study for this site which indicated that there would be about 20 additional nonpeak trips per day generated in addition to those which would be normally generated.

In commenting on the proposal some of the residents indicated concerns about their property values. They were concerned that it might both lower property values and increase prices.

There is no published data about the economic impact on existing 40+-year-old units in the park and their salability. However, the Coles have had many years of experience in the sales of mobile homes and their observation is that there always is a market for small older homes for people who wish to and are able to purchase them and a different market for the larger newer ones. As the existing population moves away for various reasons there will be both types of opportunities for buyers. There may be some increase in value of some of the existing homes because of a general upgrade to the overall community.

This project will not affect the City's Rent Control Ordinance. It will only allow those who wish to purchase the newer units to do so.

Drainage

A drainage plan for dealing with storm water and cleaning up any runoff has been prepared. The new landscaping would not only significantly improve the appearance of what is now an unsightly property, but with the removal of some of the asphalt and the addition of grasscrete and other lawn, the drainage would be improved and the runoff from the site would be clean.

The applicants anticipate that the four manufactured homes shown for sale would be rotated every several months as sales progress and models change. The site has been designed with grasscrete and other landscaping arranged to provide for that movement which would be accomplished during off peak hours.

Development Standards

The Use Permit is required because this use is most closely defined as vehicular sales under the Oceanside Zoning Ordinance.

Below is a Development Standards Chart for this site:

Development Standards Chart FOR CS-L (Historic) Zone

STANDARD	REQUIRED	PROPOSED
LOT AREA	10,000	28,869 (exists)
LOT WIDTH	None specified	
Front yard	15	15
Side yard	None	15
Corner side yard	10	10
Side yard adjacent to residential	15	15
Height	50	Less than 15
Lot Coverage	50 %	Less than 6 per cent

FAR	One to one	Less than 5 per cent for permanent structure
	50	
Fences	Reduced height in setbacks	42 inches high
Signs	Conformance to sign ordinance and Historic Guidelines	Applicants will present a sign package in conformance with these regulations.
Screening of Mechanical Equipment	Required	No mechanical equipment proposed

Traffic Counts

According to a traffic report prepared by the applicants at the time the underlying General Plan Amendment was processed, this use would generate less than 20 trips per day more than the existing use designation. This is less than that which would be generated by any other use.

Parking

The Zoning Ordinance does not specify a parking requirement for this type of use. Because the use, for purposes of a hearing and approval, this activity is defined as vehicle sales, but it is not a typical vehicle sales use. After conferring with staff, the applicant is providing six spaces near the sales office, with additional shared parking available on an as needed basis.

Access

The access to the site is a two-way driveway from Douglas Drive with wide returns. It appears to be working well with adequate stacking capacity from the site for cars turning out and enough room to turn into the site. No changes are proposed with this application.

Operations

The business would be operated only during daylight hours seven days a week. (There are no utilities or water services to the site.) There would always be personnel on site during any open times. A gate could be provided if necessary which could be closed when there is no operation.

Findings

For the Conditional Use Permit:

1. That the proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located.

   The landscaping and new fence proposed for the site will improve the appearance of the Mission Historic Area without increasing traffic or noise.

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, 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 project will have a low impact on the area as far as activity, noise or other effects. It will improve the appearance of the area.

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

   The standards for development including setbacks, height and lot coverage are met by this project

In summary, there are a number of mobile homes in nearby parks that are about 50 years old and as the population ages; some seniors may be looking for this type of housing. Additionally, the sale of these units generates sales taxes as vehicles; and the City of Oceanside would get its share of these revenues.

Memorandum
Office of Council Member Kern

TO: *Barbara R. Wayne, City Clerk*

CC: *Peter A. Weiss, City Manager*
John P. Mullen, City Attorney
George Buell, Director – Development Services
Jerry Hittleman, City Planner
Claudia Troisi, Chairperson – Oceanside Planning Commission

FROM: *Jerry Kern, Council Member – City of Oceanside*

BY: *Ben Sullivan, Aide to Council Member Kern*

DATE: *August 27, 2008*

SUBJECT: *"Call For Review"*
Planning Commission Resolution No. 2008-P51
Application No:GPA-2-07, ZA-1-07, C-13-08, H-2-08
Applicant: Cole and Associates
Location: Northeast corner of Mission Avenue and Douglas Dr. A 0.66-acre portion of the Mission View Manor East Mobile Home Park

---

Pursuant to Article 46, General Procedures for the Appeal Process of Planning Commission Decisions, I wish to initiate a "Call For Review" for the item described above, in order to appeal this action. Should you find any discrepancies, we request that my office be contacted immediately for any necessary amendments.

This "Call For Review" by Council Member Kern is to review the Planning Commission's decision to recommend disapproval of GPA-2-07; Zone Amendment ZA-1-07, Historic Permit H-2-08, and denial of Conditional Use Permit C-13-08.

This "Call For Review" is being filed in order to review the sufficiency of the evidence to support all of the findings set forth in Planning Commission Resolution No. 2008-P51; including, but not limited to, the Planning Commission's finding that the project will negatively impact the residents of Mission View Manor East Mobile Home Park; will not provide a balanced distribution of land uses; would create adverse impacts to noise, light and odors; would not achieve the goals of the development program and design guidelines of the Mission San Luis Rey Historic Area; would conflict with the purpose of the CS-HO District, the RM-A-H District and Section 450.CC.5 of the Oceanside Zoning Ordinance.