



DATE: April 23, 2007

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE PARCEL MAP (P-13-05), DEVELOPMENT PLAN (D-13-05), VARIANCE (V-9-05) AND REGULAR COASTAL PERMIT (RC-6-05) TO CONSTRUCT A 4-UNIT CONDOMINIUM DEVELOPMENT AND PERMIT A VARIANCE TO EXCEED THE MAXIMUM WALL HEIGHT ON A 0.31-ACRE SITE AT 1007 SOUTH CLEVELAND STREET – 1007 SOUTH CLEVELAND STREET – APPLICANT: 1007 INVESTMENT, INC.**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Approve Tentative Parcel Map (P-13-05), Development Plan (D-13-05), Variance (V-9-05) and Regular Coastal Permit (RC-6-05);
- (2) Confirm issuance of a Class 3, categorical exemption for new construction per Section 15303(b) of the California Environmental Quality Act;
- (3) Adopt Planning Commission Resolution No. 2007-Pxx with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The vacant project site is situated within the 1000 block of South Cleveland Street and is contiguous with the NCTD right-of-way. The northern project boundary includes the 1967 West Street Vacation (between Cleveland Street and the NCTD right-of-way) and a reserved 10-foot water easement. The applicant will be applying to City Council for said Water Easement Vacation.

Cleveland Street land uses are changing from manufacturing and commercial to residential. This area of the Townsite Neighborhood (South Cleveland Street) has several residential development applications either recently approved or on file with the Community Development Department.

Site Review: The existing lot is approximately 0.31 acres. The land gently slopes away from the street with elevation changes between 48.6 feet near the southeast corner and 43.2 feet in the northwest corner of the lot. The western boundary is contiguous with the NCTD right-of-way and the railroad. Currently, water naturally drains from the site onto the railway.

The zoning designation for the site is Urban High Density Residential (RH-U); the General Plan Land Use Category is Urban High Density Residential (UHD-R); and the Local Coastal Program zoning designation is Medium Density Residential (R-3).

Project Description: The project application is comprised of five (5) components: a Tentative Parcel Map, Development Plan, Variance, Regular Coastal Permit, and Water Easement Vacation.

Tentative Parcel Map P-13-05) represents a request for the following:

- (a) Subdivision of the property to permit ownership of air space in the form of a dwelling unit with an undivided share in common elements or divided for the purpose of ownerships in the form of a stock cooperative pursuant to Section 302 of the Oceanside Subdivision Ordinance.

Development Plan D-13-05 represents a request for the following:

- (a) To create multiple unit structures (MUS), a group of structures containing four dwelling units on a single property, and permit the development of four detached structures pursuant to Section 1050 of the Oceanside Zoning Ordinance. The applicant's project includes four (4) floor plans as summarized below.

Plan Type	Floor Area (Sq. Ft.)	No. of Bedrooms	Garage	Stories
Unit A	2,459	3	2	2
Unit B	2,440	3	2	2
Unit C	2,177	3	2	2
Unit D	2,177	3	2	2
Total	9,253	12	8	2

Variance V-9-05 represents a request for the following:

- (a) To permit the construction of 6-foot wrought iron fences on top of retaining walls constructed within required rear or side yards. The combined height of the retaining walls and wrought iron fences are between 6.5 feet and 10.7 feet in height. The combined wall-fence height exceeds the maximum allowed 6-foot height pursuant to Section 1050(U) of the Oceanside Zoning Ordinance.

Regular Coastal Permit RC-6-05 represents a request for the following:

- (a) To construct four condominium dwelling units and their associated site enhancements pursuant to the Local Coastal Program (LCP).
- (b) To recommend City Council approve a 10-foot Water Easement Vacation request on land located adjacent to the northern property line.

It is the policy of NCTD to not allow water to drain onto their land; they require adjacent property owners to capture all run-off. Furthermore, property owners are required to maintain their walls, fences, and property without trespassing on NCTD property. The application proposes a change in the grade to direct water away from the NCTD property and proposes the wall be offset two feet from the property line.

The applicant is requesting Planning Commission to approve a finished grade elevation of 49.0 feet, which is 4.7 feet higher than the existing grade. This grade change is constructed by installing plantable keystone walls within the rear yard. The walls are between 4.7 feet and 6.0 feet in height and plants will be incorporated into the wall design above 4 feet pursuant to Section 1050(U) of the Zoning Ordinance. A 6-foot tall wrought iron fence will be incorporated with the retaining walls. By not offsetting the wrought iron fences from the retaining walls, the usable yard areas are maximized.

Recommending approval for a finished grade elevation that differs from the existing grade elevation, staff considered compatibility with the existing elevation of adjacent and surrounding properties. The properties between the 1100 block and the 900 block of South Cleveland Street tend to slope down towards the railroad. As they are developed, the applicants will be required to mitigate water drainage. Staff finds that lots contiguous with the railroad will either propose similar retaining walls and grade changes or incorporate drains to capture water before water flows into the right-of-way. This proposal suitably meets NCTD requirements and future developments are likely to follow their example.

The maximum building height is 24.5 feet measured from the finished grade. The ground floor includes a vehicle court providing access to 4 two-car garages and having a 24-foot wide isle. The ground floor also includes bedrooms, bathrooms, laundry

rooms, stairwells to the floor above, and some floor plans include a study. The second floor includes the main living areas (kitchen, dining, family rooms) and master bedroom suites that include bathrooms. The roof plan includes decks and skylights on each of the four buildings.

The four detached condominiums are designed with *Southern California Regionalist Modern* architecture. Building materials include Regal Blue metal roof, ivory vinyl windows, and sand, butterscotch brown, brick red (#3594, #3695, #3270) colored stucco that plays up the vertical elements of the buildings. Glass guardrails are proposed and decorative glass will be a part of the architectural presentation of the buildings. All four elevations are detailed with contemporary architectural features such as contrasting wall materials and textures, flat roof, inlets and pop-outs, and atypical window shapes and placements.

The landscape design includes *Photinias*, *Loropetalums*, *Eriobotryas*, *Syagrus romanzoffianums*, and *Washingtonia Robustas* as the street tree. Shrubs include *agapanthus*, *hemerocallis*, *phormium*, *pittosporum*, and others. Ground covers include *vinca minor*, *festuca gluca*, and limited use of sod. Planted areas will be top dressed with bark mulch.

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

1. General Plan Land Use Element
2. Zoning Ordinance
3. Subdivision Ordinance
4. California Environmental Quality Act
5. Local Coastal program

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation on the subject property is Urban High Density Residential (UHD-R). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element I. Community Enhancement

Goal The consistent, significant, long term preservation and improvement of the environment, values, aesthetics, character and image of Oceanside as a safe, attractive, desirable and well-balanced community.

Objective 1.2 Site Design: To provide high-quality site design, all proposed land development projects shall take advantage of natural or manmade environments to maximize energy conservation, natural air circulation, public safety, visual aesthetics, private and common open spaces, privacy, and land use compatibility.

Policy C. New development or land uses shall provide coordinated site design wherever possible with existing or proposed adjacent land uses to provide complimentary site design, unified circulation access, and joint use of ancillary facilities.

The development type is consistent with the land use designation and the areas transition to new multi-family and condominiums developments. Residential uses within the 1000 block of South Cleveland Street have vehicle egress via the major street. The overall design meets development regulations and provides suitable height, bulk, mass and colors for the area. It is designed for privacy between the residential units. As new development occurs along the NCTD right-of-way, the proposed grade change will be applied to adjacent lots and direct water away from the railway.

Table: Land use compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LCP ZONING	LAND USE
Subject Property	UHD-R	RH-U	R-3	Multi-family residential
900-1100 block of South Cleveland Street	UHD-R	RH-U	R-3	Residential, Commercial, Manufacturing
Wisconsin & Cleveland Street	GC	CG	C-2	Commercial
Oceanside Boulevard & Cleveland Street	GC	CG	C-2	Commercial

Tremont Street and Cleveland Street within the Townsite Neighborhood are identifiable as areas in transition. The existing manufacturing and commercial land uses are being replaced by multi-family and single-family development.

Objective 1.24: To ensure that development preserves and enhances the unique beauty and character of the City's natural topographic features and does not contribute to slope instability, flooding, or erosion hazards to life and property.

Policy I. The structural quality of the soil and geologic conditions shall be incorporated into the site design and determine the method and type of construction. Slope stability shall be ensured during and after construction.

The geotechnical aspects of the project has been reviewed and found to be suitable to the site and scope of development.

Objective 1.32 Coastal Zone: To provide for the conservation of the City's coastal resources and fulfill the requirements of the California Coastal Act of 1976.

Policy A. The City shall utilize the certified Local Coastal Plan and supporting documentation for review of all proposed projects within the Coastal Zone (see Figure LU-3). Specifically, the goals and policies of the Local Coastal Program Land Use Plan (see General Plan Appendix B) shall be the guiding policy review document.

The proposed project was reviewed by staff for compliance with the policies of the Local Coastal Program Land Use Plan. Staff finds that the application complies with said policies. See Key Planning Issues #5.

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 2.0 Subdivision of Land or Real Property: To create legal divisions of land or real property that shall provide long-term enhancement for the community.

Policy 2.33 Residential Unit Types Consistent With Residential Designations: The Residential Land Use designations shall reflect residential unit (or building) types of a residential development, not simply the overall number of dwelling units per acre.

Policy 2.35 Dwelling Unit/Land Use Consistency Through Density Reduction: A residential project may be developed using the residential unit type(s) allowed within the next lower residential land use designation provided: (1) The density of the project or that portion of the project is within the permitted range consistent with the proposed unit type as determined by the Residential Unit Type/ Residential Land Use Designation Consistency Matrix; (2) The project is consistent with the objectives of the General Plan and other City policies; (3) The project does not interfere with the efficient and proper provision of City services.

The land use designation is UHD-R which allows densities between 29 and 43 dwelling units per gross acre. The proposed density is 12.9 dwelling units per gross acre (a total of 4 dwelling units on a 0.31-acre site). The proposed unit type is a multiple unit structure (MUS). This proposal meets the criteria of Policy 2.35 of the General Plan, in terms of density consistency with the proposed unit type and project consistency with the General Plan and other City policies.

2. Zoning Compliance

This project is located in the RH-U District and complies with the requirements of that zone. The following table summarizes proposed and applicable development standards for the project site:

Table: Residential Development Standards Sections 1050, 3018, and 3103

	REQUIRED	PROPOSED
MINIMUM LOT SIZE	10,000 SF	13,500 SF existing
PARKING SPACES	2 spaces per DU	1 two-car garage per DU
FRONT YARD	15 feet	15 feet
INTERIOR YARD	5 feet; 10 feet	5 feet; 10 feet
MINIMUM LOT WIDTH	70 feet	135 feet
MAXIMUM HEIGHT	27 feet and 2 floors	24.5-feet

3. Subdivision Ordinance compliance

The proposed project is subject to the Subdivision Map Act; the Oceanside Subdivision Ordinance (Article VI Subdivision of Four or Fewer Parcels); and the California State Streets and Highways Codes for the proposed Water Easement Vacation.

A. Article VI Subdivision of Four or Fewer Parcels. Pursuant to Section 601 of the Subdivision Ordinance, this Tentative Parcel Map has been prepared in a manner acceptable to the Engineering Department.

B. Section 8300 of the Streets and Highways Codes. Easement Vacation applications are subject to approval by the City Council in accordance with the California State Streets and Highways Code requirements. If the vacation is denied by the City Council, then this Tentative Parcel Map application must be revised. The revision is subject to approval by the Planning Commission.

4. California Environmental Quality Act compliance

Article 19 of the California Environmental Quality Act identifies Categorical Exemptions, including Class 3 Exemptions. This project is subject to the Categorical Exemptions identified in Section 15303(b) because it is a multi-family development of four dwelling units.

5. Local Coastal Program compliance

The Local Coastal Program (LCP) Zoning is Medium-Density Residential (R-3). The LCP Land Use designation is High-Density. The proposed project is not within the appeal jurisdiction of the LCP. The proposed project complies with the LCP zoning code and LCP Chapter 2 goals and policies, and will implement the following policies of the LCP:

A. Local Coastal Program Land Use Plan VI Visual resources and special communities.

The Coastal Act requires that the visual qualities of the Coastal Zone shall be protected and that new development be sited and designed to be visually compatible with the character of surrounding areas.

Objectives:

- The City shall protect, enhance, and maximize public enjoyment of Coastal Zone scenic resources.
- The City shall, through its land use and public works decisions, seek to protect, enhance, and restore visual quality of urban environment.

Policies:

3. In order to benefit property owners who are required to dedicate an access way, the City has developed, as an implementing measure, the following bonus techniques: (a) Allow density to be calculated on total lot area ...
8. The City shall ensure that all new development is compatible in height, scale, color and form with the surrounding neighborhood.
13. New development shall utilize optimum landscaping to achieve the following effects: (a) Accent and enhance desirable site characteristics and architectural features. (b) Soften, shade, and screen parking and other problem areas. (c) Frame and accent (but not obscure) coastal views.

The 12.9 residential density was calculated based on the total lot area. The proposed development is similar and compatible with the surrounding area, especially in regards to height, scale, color, and form. A variety of Cleveland Street residential developments apply bright colors similar to the butterscotch brown, brick red, and blue proposed. The proposal is conditioned to provide superior landscaping and include native, drought tolerant plants within required yards and the public rights-of-way. The Conceptual Landscape Plan is specifically designed to frame architectural details and accent the building mass.

DISCUSSION

Issue: The wrought iron fences could be offset from the retaining walls.

Recommendation: The useable yard areas are limited. Constructing the 6-foot wrought iron fences independently of the retaining walls would locate the fences within the usable yard areas. The fence material is more than 75 percent open. Incorporating the fences within the structure of the retaining walls provides greater use of the existing yard areas.

Issue: The proposed stucco colors contrast with the roof color.

Recommendation: With the approval of Garden Homes and other developments visible from the railway, there has developed a trend toward cladding residential developments with contrasting colors and the use of bright colors. The applicant has prepared an alternative pallet with muted, neutral colors that the Planning Commission can consider.

Issue: The roof material is metal.

Recommendation: While the roof material is metal, the color is nonmetallic and non-reflective. Staff finds that the roof material complements the architectural style proposed and continues the modern architectural styles proposed along South Cleveland Street.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt from the California Environmental Quality Act pursuant to a Class 3, Categorical Exemption. Section 15303(b) identifies that multi-family residential projects, with four or fewer residential units, are exempt from CEQA.

PUBLIC NOTIFICATION

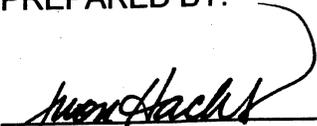
Legal notice was published in the North County Times on April 13, 2007 and notices were sent to property owners of record within 300 feet and tenants within 100 feet of the subject property, individuals, organizations requesting notification, the applicant, and other interested parties. As of April 18, 2007, no communication supporting or opposing the request had been received.

SUMMARY

The proposed Tentative Parcel Map, Development Plan, Variance, and Regular Coastal Permit are consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets or exceeds all applicable development standards. The project is compatible in terms of density, product type, architecture, and site design with the surrounding neighborhood. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached Resolution. Staff recommends that the Planning Commission:

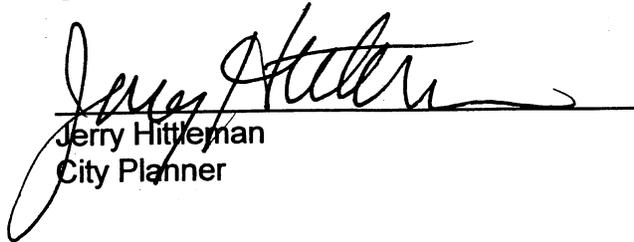
- Move to approve Tentative Parcel Map (P-13-05), Development Plan (D-13-05), Variance (V-9-05), Regular Coastal Permit (RC-6-05) and adopt Planning Commission Resolution No. 2007-P21 as attached.

PREPARED BY:



Juliana von Hacht
Associate Planner

SUBMITTED BY:



Jerry Hittlerman
City Planner

REVIEWED BY:



Amy Volzke, Principal Planner

JH/JH/fil

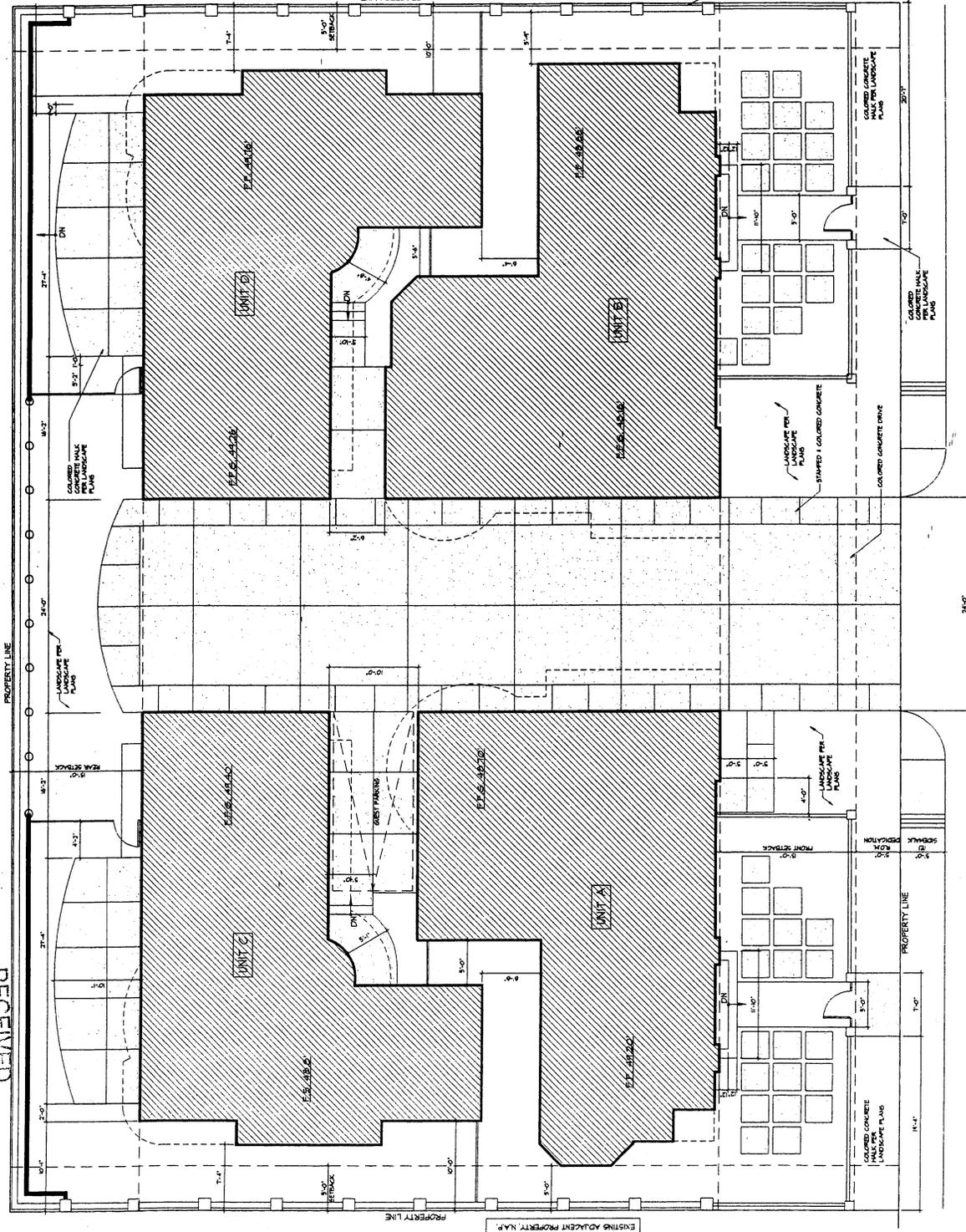
Attachments:

1. Plans/Site Map
2. Planning Commission Resolution No. 2007-P21

Planning Department

MAR 3 1 2005

RECEIVED



CLEVELAND STREET

SITE PLAN

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



PROJECT INFORMATION

PROJECT DESIGN FOR A FOUR STORY DETACHED CONDOMINIUM, WITH LANDSCAPING AND ASSOCIATED PARKING CONSTRUCTION TYPE: V-NON RATED, NON-SPRINKLERED.
 NUMBER OF STOREYS: TWO
 OCCUPANCY: R-3
 GENERAL PLAN DESIGNATION: URBAN HIGH DENSITY RESIDENTIAL (RH-U)
 PROPOSED CONDOMINIUM HIGH DENSITY RESIDENTIAL (RH-U)
 TOTAL SITE SQUARE FOOTAGE: 18,766 SF
 NUMBER OF LOTS: ONE
 NUMBER OF DWELLING UNITS: FOUR - THREE BEDROOM UNITS
 BUILDING COVERAGE: 3,471 SF (40%)
 LANDSCAPE: 3,183 SF (41%)
 OFF-STREET PARKING REQUIRED: EIGHT STALLS - ONE GUEST OFF-STREET PARKING PROPOSED: EIGHT
 GROSS FLOOR AREA OF PROPOSED BUILDING: 10,264 SF

UNIT A

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT B

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT C

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT D

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT E

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT F

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT G

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT H

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT I

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT J

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT K

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT L

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT M

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT N

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT O

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT P

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT Q

GARAGE: 424 SF
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 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT R

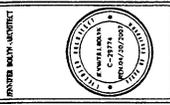
GARAGE: 424 SF
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 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT S

GARAGE: 424 SF
 FIRST FLOOR: 1,441 SF
 SECOND FLOOR: 1,441 SF
 TOTAL UNABLE ENCLOSED SPACE: 2,882 SF
 TOTAL ROOF DECK AREA: 444 SF

UNIT T

GARAGE: 424 SF
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 SECOND FLOOR: 1,441 SF
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 TOTAL ROOF DECK AREA: 444 SF



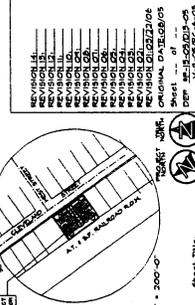
ROBERT J. SMITH
 PROFESSIONAL ENGINEER
 No. 10774
 State of Ohio

NO.	REVISION
1	ISSUE FOR PERMIT

DATE: 02/03/05
 DRAWN BY: L.A.
 CHECKED BY: J.C.
 SHEET NO.: 2005
 SHEET NAME:

PROJECT: 2005-001
 PROJECT NAME: MOORE HIGH DENSITY CONDOMINIUM UNITS
 PROJECT ADDRESS: 10774 CLEVELAND STREET, CLEVELAND, OHIO 44102

NO.	REVISION
1	ISSUE FOR PERMIT



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



JEFFREY L. HUNTER
 REGISTERED PROFESSIONAL ENGINEER
 MECHANICAL
 No. 11154
 State of California
 08/20/2018



FOUR NEW DETACHED
 CONDOMINIUM UNITS
 1007 S. CLEVELAND STREET
 OCEANSIDE, CA 92054

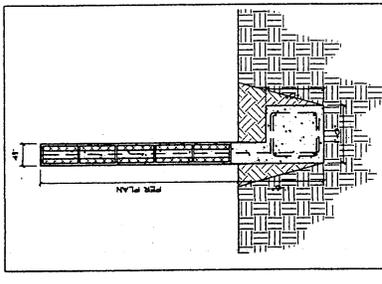
REVISIONS	DATE	BY	APP'D

Prepared by: J. HUNTER
 Address: 244 DUBOIS AVE, OCEANSIDE, CA 92054
 Phone: (760) 444-9140
 Fax: (760) 444-9141
 Project: Address: 1007 S. CLEVELAND STREET, OCEANSIDE, CA
 Project Name: FOUR NEW DETACHED CONDOMINIUM UNITS

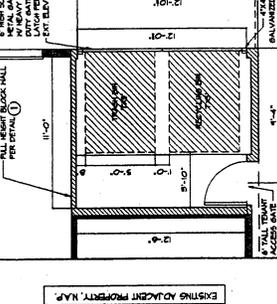
Sheet No.: 0000
 Date: 08/20/2018
 Drawn by: J.L.H.
 Scale: 1/8" = 1'-0"

Sheet Name: FIRST FLOOR PLAN
 Sheet: A1.1
 Of: 01

SEE SDI FOR SITE PLAN INFORMATION



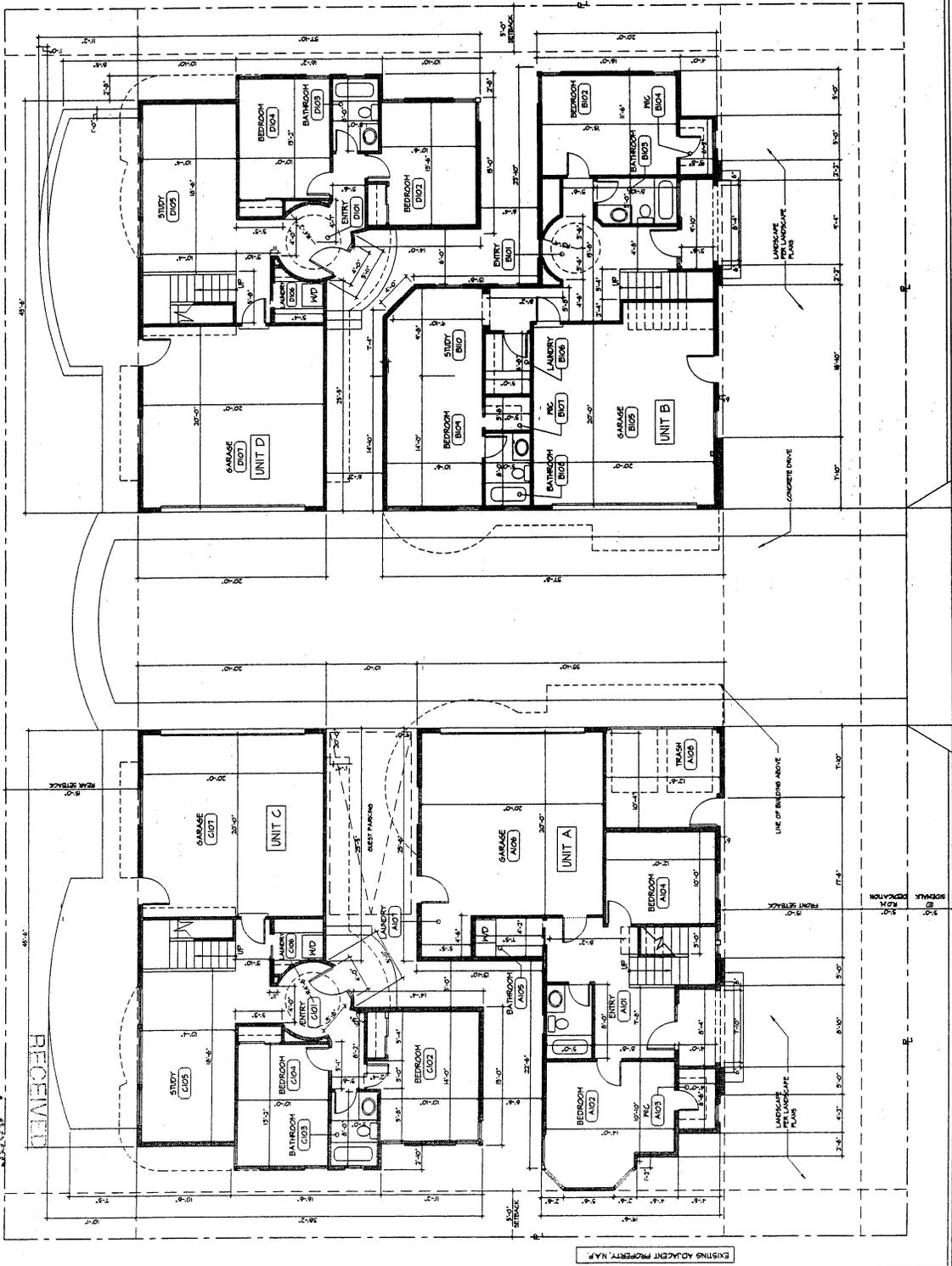
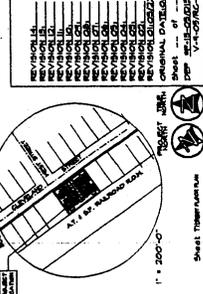
1 BLOCK WALL DETAIL
 SCALE: 1" = 1'-0"



2 TRASH ENCLOSURE
 SCALE: 1/4" = 1'-0"



Proposed by: J. HUNTER
 Address: 244 DUBOIS AVE, OCEANSIDE, CA 92054
 Phone: (760) 444-9140
 Fax: (760) 444-9141
 Project: Address: 1007 S. CLEVELAND STREET, OCEANSIDE, CA
 Project Name: FOUR NEW DETACHED CONDOMINIUM UNITS



SOUTH CLEVELAND STREET

FIRST FLOOR PLAN

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

Planning Department

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 JUN 21 2018



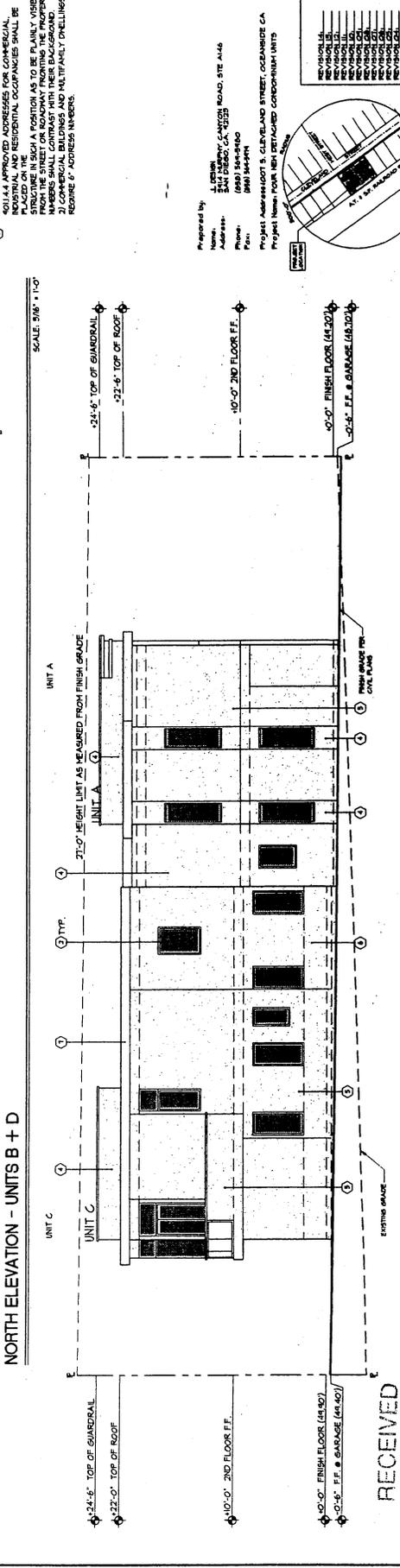
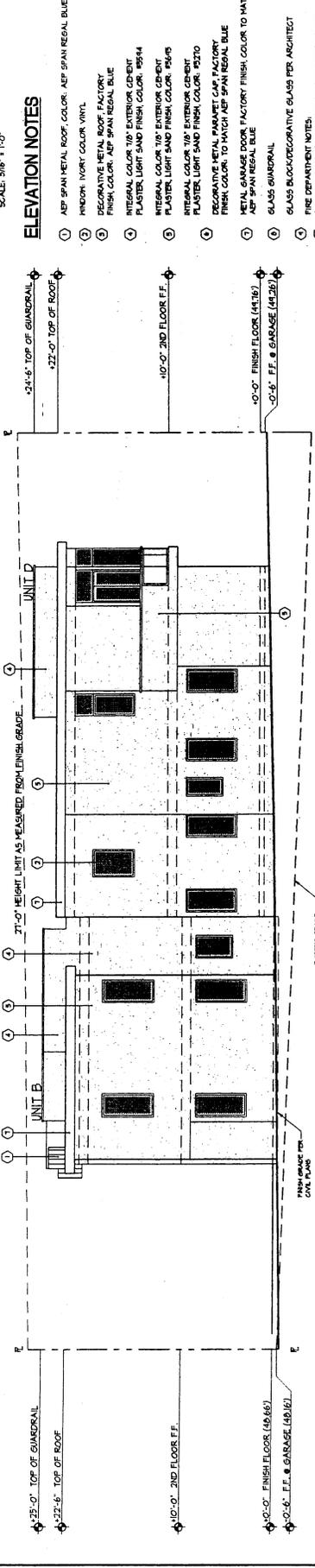
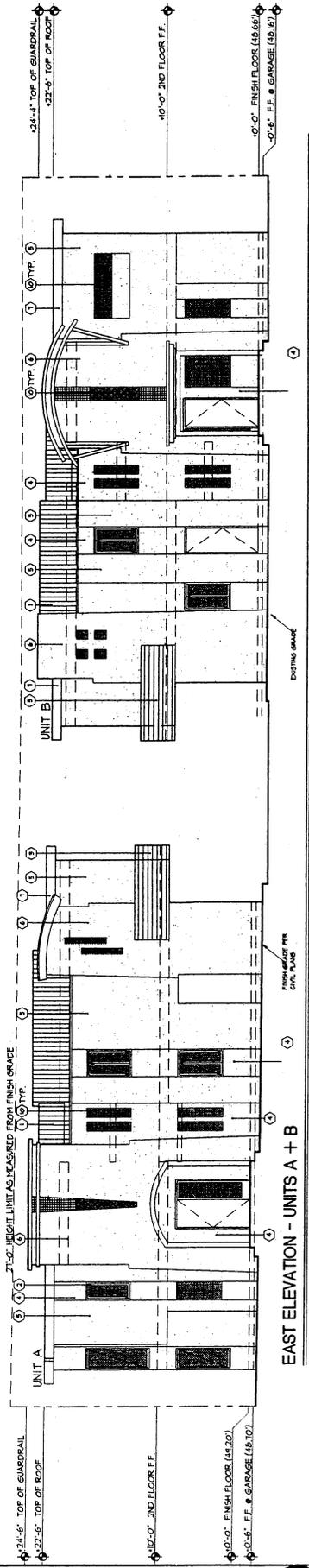
FOUR NEW DETACHED CONDOMINIUM UNITS
1007 S. CLEVELAND STREET
OCEANSIDE, CA 92054

REVISIONS

NO.	DATE	DESCRIPTION

DATE: 08/20/04
 DRAWN BY: L.H. JB
 CHECKED BY: C.V.D.
 JOB NO.: 2000

SHEET NAME: BUILDING ELEVATIONS
 SHEET: A4.1
 OF

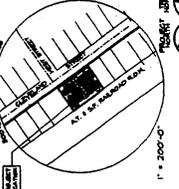


ELEVATION NOTES

- 1) ASP SPAN METAL ROOF COLOR: ASP SPAN REGAL BLUE
- 2) WINDOW: IVORY COLOR VINYL
- 3) DECORATIVE METAL ROOF FACTORY FINISH COLOR: ASP SPAN REGAL BLUE
- 4) METAL GARAGE DOOR FINISH COLOR: 9514 PLASTER LIGHT SAND FINISH COLOR: 9514
- 5) METAL GARAGE DOOR EXTERIOR CEILING FINISH COLOR: 9510 PAPER LIGHT SAND FINISH COLOR: 9510
- 6) METAL GARAGE DOOR INTERIOR CEILING FINISH COLOR: 9510 PAPER LIGHT SAND FINISH COLOR: 9510
- 7) METAL GARAGE DOOR FACTORY FINISH COLOR TO MATCH ASP SPAN REGAL BLUE
- 8) GLASS GUARDRAIL
- 9) FIRE RESISTANT WALLS
- 10) U IN ACCORDANCE WITH UNIFORM FIRE CODE SECTION 401.4.4 APPROVED ADDRESSES FOR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL OCCUPANCIES SHALL BE POSTED ON THE RESIDENTIAL OCCUPANCIES SHALL BE POSTED IN SUCH A POSITION AS TO BE PLAINLY VISIBLE TO THE PUBLIC AND AS TO BE READILY ACCESSIBLE. THESE SHALL CONTRAST WITH THE BACKGROUND OF COMMERCIAL BUILDINGS AND MULTIFAMILY DWELLINGS RESIDE & ADDRESS NUMBERS.

Prepared by:
 Name: J. HARRIS
 Address: 1007 S. CLEVELAND STREET, STE. 4144
 Phone: (619) 434-1111
 Fax: (619) 434-1111

Project Address: 1007 S. CLEVELAND STREET, OCEANSIDE, CA
 Project Name: FOUR NEW DETACHED CONDOMINIUM UNITS

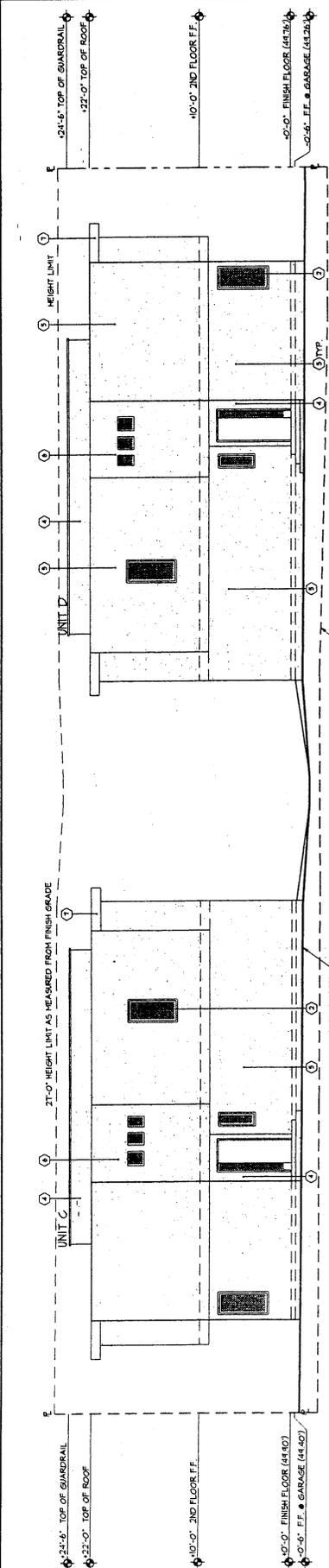


DATE: 08/20/04
 DRAWN BY: L.H. JB
 CHECKED BY: C.V.D.
 JOB NO.: 2000

RECEIVED

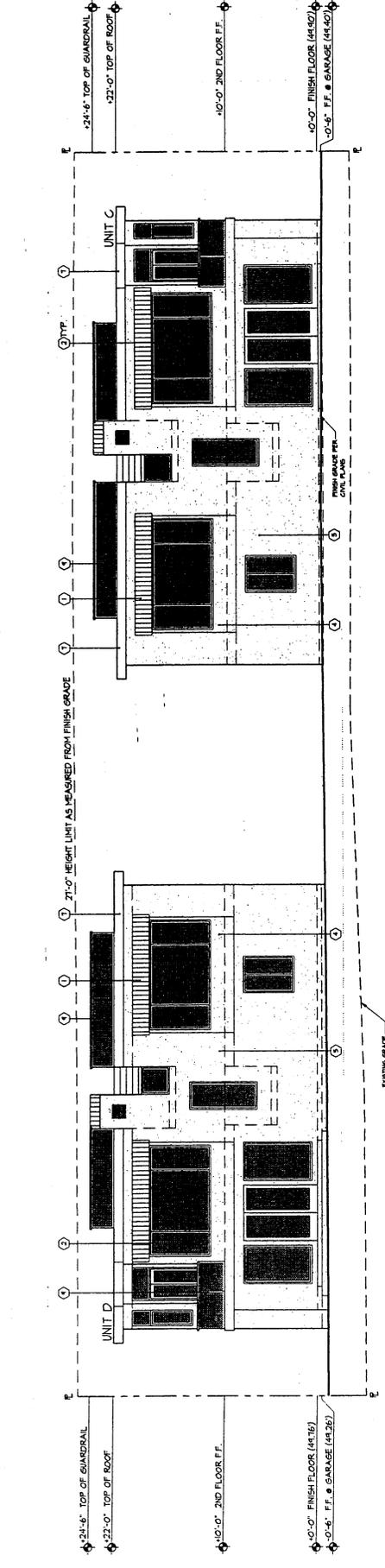
1007 S. CLEVELAND STREET - UNITS A + C

August 31 2006
 Planning Department



EAST ELEVATION - UNITS C + D

SCALE: 3/8" = 1'-0"



WEST ELEVATION - UNITS C + D

ELEVATION NOTES

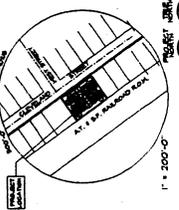
- 1) ASP SPAN METAL ROOF COLOR: ASP SPAN REGAL BLUE
- 2) HINDON: IVORY COLOR VINYL
- 3) DECORATIVE METAL ROOF FACTORY FINISH COLOR: ASP SPAN REGAL BLUE
- 4) INTERIOR COLOR: 105' EXTERIOR CERAMIC PLASTER LIGHT SAND FINISH COLOR: 1951A
- 5) INTERNAL COLOR: 105' EXTERIOR CERAMIC PLASTER LIGHT SAND FINISH COLOR: 1945
- 6) INTERNAL COLOR: 110' EXTERIOR CERAMIC PLASTER LIGHT SAND FINISH COLOR: 1927D
- 7) DECORATIVE METAL PANEL MET CAP FACTORY FINISH COLOR: TO MATCH ASP SPAN REGAL BLUE
- 8) METAL GARAGE DOOR FACTORY FINISH COLOR: TO MATCH ASP SPAN REGAL BLUE
- 9) GLASS GUARDRAIL
- 10) GLASS BLOCK/DECORATIVE GLASS PER ARCHITECT

FIRE DEPARTMENT NOTES:
 1) IN ACCORDANCE WITH UNIFORM FIRE CODE SECTION 1011.4 APPROVED ADDRESSES FOR COMMERCIAL, INDUSTRIAL AND RESIDENTIAL OCCUPANCIES SHALL BE STRUCTURE IN SUCH A POSITION AS TO BE PLAINLY VISIBLE FROM THE STREET OR ROADWAY FRONTING THE PROPERTY.
 2) COMMERCIAL BUILDINGS AND MULTIFAMILY DWELLINGS REQUIRE 6' ADDRESS NUMBERS.

RECEIVED

MAR 31 2006

Planning Department



REVISIONS:
 1/20/06
 2/10/06
 2/15/06
 2/20/06
 2/25/06
 3/1/06
 ORIGINAL DATE/DESCRIPTION
 SHEET: A4.3 OF 01
 JOB: 2005

LANDSCAPE CONCEPT PLAN

1007 SOUTH CLEVELAND STREET

THE LIGHTFOOT PLANNING GROUP
 PLANNING
 SITE DESIGN
 LANDSCAPE ARCHITECTURE

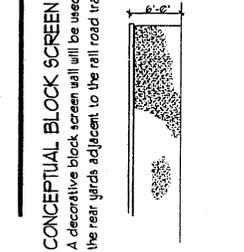
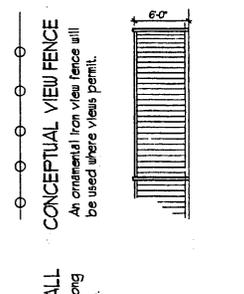
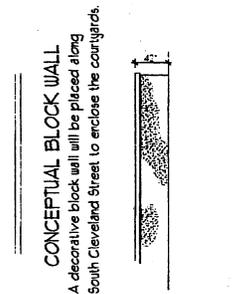
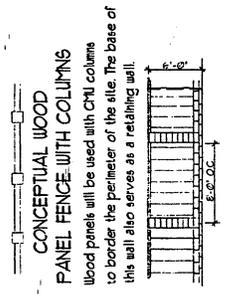
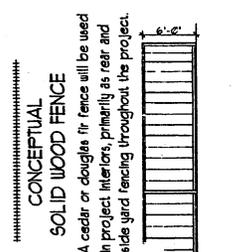
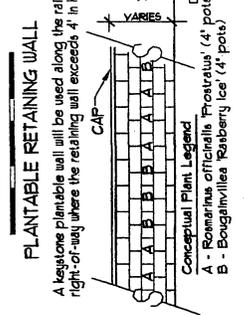
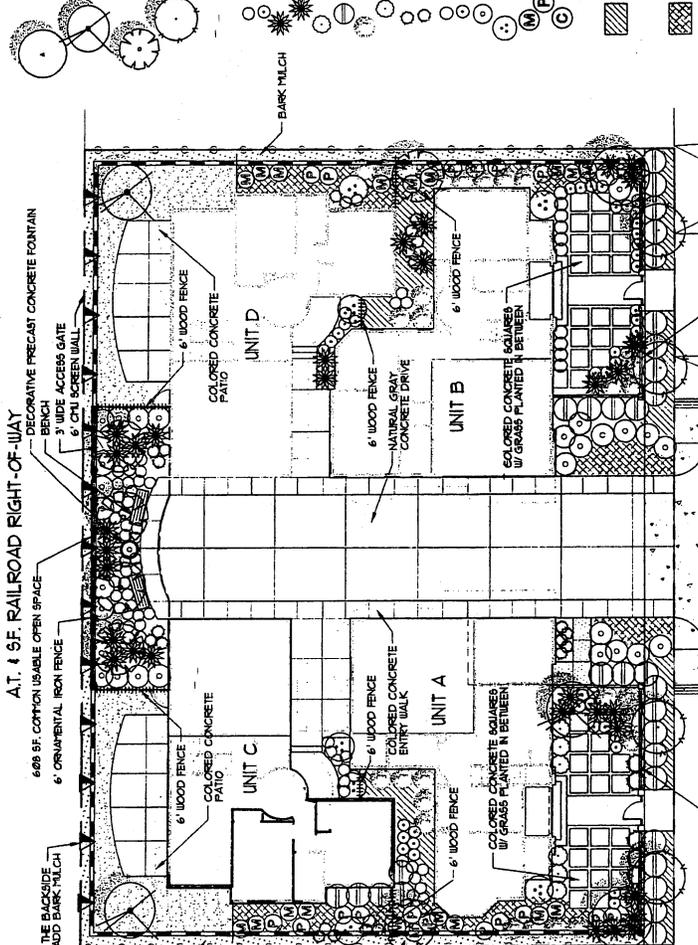
1007 INVESTMENT INC.
 1007 S. CLEVELAND STREET
 OCEANSIDE, CALIFORNIA

DATE: 1/10/12
 DRAWN: JLD
 CHECKED: JLD
 PROJECT NO: 1007002-102
 SCALE: AS SHOWN

LANDSCAPE CONCEPT PLAN
 Job # 1
 9/10/2012

CONCEPTUAL PLANT LIST

- TREES (6 GAL STANDARD PATIO TREES):
 - MAGNOLIA GRANDIFLORA 'ST. HARTY' - ST. HARTY MAGNOLIA
 - LORETTAULT C. 'RAZLEBERRY' (STANDARD) - NON
 - EREBORTRYA 'COFFERTONE' (STANDARD) - HYBRID BRONZE LOQUAT
 - SYAGRUS ROYALZOFFHARTII - GREEN PALM (24' BOX)
 - WASHINGTONIA ROBURATA - PEXICAN FAN PALM (17' BTH)
 - SHREBBS LI GAL 60% AND 3 GAL 30%
 - ASAPANTHUS HYBRIDS 'TIMBERELL' - LILY OF THE NILE
 - HEPEROCALLIS 'BLACK EYED STELLA' - DATILY
 - PHORUM HYBRIDS 'MAGNI MAIDEN' - NEW ZEALAND FLAX HYBRID
 - PHORUM HYBRIDS 'SEA JADE' - NEW ZEALAND FLAX HYBRID
 - PITOSPORUM 'TOBIRA YAREGATA' - MOCK ORANGE
 - RHAPHIOLEPIS 'SPRINGTIME' - INDIAN HAUBORCH
 - ESCALLONIA 'COTPAKTA' - ESCALLONIA
 - LAVANDULA DENTATA - FRENCH LAVENDER
 - PHORUM TENAX 'JACK SPRAIT' - NEW ZEALAND FLAX
 - ANGOSANTHUS HYBRIDS 'BIG RED' - KANGAROO PAW
 - MICROCELEP STRONGORA - LACE FERN
 - GAURA 'INDIHEITERI' - GAURA
 - LEPTOCARPUM 'SCAPARANT' RUBY GLOW - NEW ZEALAND TEA TREE
 - PHORUM ROEBELII - PIGMY DATE PALM
 - MICANTHUS TRANSPARENTIS - EVERGREEN MISCANTHUS
 - FENITETI 'BETACEM' 'RUBRY' - FOUNTAIN GRASS
 - CAREX 'MOROU' 'GOLDBAND' - JAPANESE SEDGE
 - GRASSCOVERS (1 GAL AND 1/2 GAL)
 - YUCCA MINOR - DWARF FERNKLE
 - GERANIUM 'NANTAN' - CRANESEL
 - CAMPANULA 'POSHAROKTANA' - SERBIAN BELLEFLOWER
 - LIRIOPE 'MISCARI' - LILY TURF
 - FERTICIA GLUCA 'ELUAIH BLUE' - COTTON BLUE FESCUE
 - TURF-600
 - BARK MULCH
 - VINES (6 GAL):
 - DIPLOCLADIA - BLOOD-RED TRUMPET VINE
 - FIGUS REPENS - CREEPING FIG
- NOTE: PLANT VINES @ 10' O.C. ALONG THE BACKSIDE OF THE 6' SCREEN WALL, ALTERNATING SPECIES



IRRIGATION NOTES
 An automatic irrigation system shall be installed or redesigned to provide adequate irrigation to the plants shown on the plan. Low precipitation equipment shall be used for the plants. All irrigation improvements shall be installed as per the provisions of the City of Oceanside Zoning Ordinance, Section 3003, City of Oceanside Ordinances & Specifications for Landscaping (2009, revised 10/11), and later.
PLANTING NOTES
 Selection of plant materials is based on cultural, aesthetic, & functional considerations. All planting areas shall be prepared with a topsoil layer. All plants shall be installed in a soil conditioner. For trees, the soil conditioner shall be applied to the soil to hold the soil from the sun & evapotranspiration. All the plants & trees shall be installed to help conserve water. Leave the soil in their more natural form. This will work together with the ground covers & mulches to reduce the evapotranspiration rates of the soil. All landscaping shall meet the requirements of the City of Oceanside Zoning Ordinance, Section 3003, City of Oceanside Ordinances & Specifications for Landscaping (2009, revised 10/11), and later. Landscape Inspector at a pre-consultation meeting to meet City of Oceanside requirements.

RECEIVED
 FEB 22 2007
 Planning Department

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PLANNING COMMISSION
RESOLUTION NO. 2007-P21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATIVE PARCEL MAP, DEVELOPMENT PLAN, VARIANCE, AND REGULAR COASTAL PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: P-13-05, D-13-05, V-9-05, RC-6-05
APPLICANT: 1007 Investment, Inc
LOCATION: 1007 South Cleveland Street

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Tentative Parcel Map, Development Plan, Variance, and Regular Coastal Permit under the provisions of Articles 10, 30, 31, 41, and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

to construct a 4-unit condominium development and permit a variance to exceed the maximum wall height;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 23rd day of April, 2007 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; the project is found to be categorically exempt per Article 19, Section 15303(b), as it is a multi-family residential proposal with no more than four dwelling units located within an urbanized area.

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

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

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
6			
7	Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$.713 per square foot or \$2,072 per unit for residential
8			
9	School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential
10			
11	Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
12			
13	Thoroughfare Fee (For commercial and industrial please note the .75 per cent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
14			
15			
16	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$3,746 per unit
17			
18			
19	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$4,587 per unit
20			
21			
22	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,154 per unit
23			
24	Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code	\$1,000 per development project + \$100 per unit plus \$10,275 per unit
25			
26			

27 WHEREAS, the current fees referenced above are merely fee amount estimates of the
28 impact fees that would be required if due and payable under currently applicable ordinances and
29

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

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

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

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

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

15 WHEREAS, the documents or other material which constitute the record of proceedings
16 upon which the decision is based will be maintained by the City of Oceanside Community
17 Development Department, 300 North Coast Highway, Oceanside, California 92054.

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

20 FINDINGS:

21 For the Tentative Parcel Map:

- 22 1. The proposed map is consistent with the General Plan, Land Use Element, including
23 Section 2.02 (Residential Subdivision).
- 24 2. The site is physically suitable for the 4-unit condominium development.
- 25 3. The site is physically suitable for a 12.9 residential density.
- 26 4. The design of the residential development will not cause substantial environmental
27 damage or substantially and avoidably injure fish or wildlife or their habitat.
- 28
- 29

1 5. The design of the residential development will not conflict with easements, acquired by
2 the public at large, for access through or use of, property within the proposed
3 subdivision.

4 6. The proposal complies with all other applicable ordinances regulations, and guidelines
5 of the City of Oceanside, including but not limited to the Local Coastal Plan and the
6 Local Floodplain Ordinance.

7 For the Development Plan:

8 1. The 4-unit residential condominium site plan and the physical design of the project is
9 consistent with the purposes of the Zoning Ordinance, including Articles 10, 30, 31, and
10 43.

11 2. The development plan, as proposed, conforms to the General Plan of the City, including
12 the Land Use Element Section 1.2 (Site Design), 1.24 (Slopes), 1.32 (Coastal) and
13 Section 2.3 (Residential Development).

14 3. The area covered by the 4-unit residential condominium can be adequately, reasonably
15 and conveniently served by existing and planned public services, utilities, and public
16 facilities.

17 4. The project is compatible with the existing and potential development on adjoining
18 properties and in the surrounding neighborhood in regards to height, setback, lot
19 coverage, and density.

20 5. The site plan and physical design of the project is consistent with the policies contained
21 within Section 1.24 and 1.25 of the Land Use Element of the General Plan. The project
22 does not contribute to slope instability, flooding, or erosion hazards. The project
23 enhances the community welfare and increases public safety through the provision of
adequate building setbacks from natural hazards.

24 For the Variance:

25 1. There are special conditions (water drainage into the NCTD right-of-way) applicable to
26 the site where the strict application of the requirements of this ordinance (wall height)
27 would deprive such property of the privileges enjoyed by other property in the vicinity
28 and under identical zoning classification.

2. Granting an application for constructing 6-foot tall block wall on top of planted crib walls having a top-of-wall maximum elevation of 50.0 feet and located adjacent to the rear property line will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.
3. Granting an application for constructing 6-foot tall tubular wrought iron fences on top of planted crib walls having a top-of-wall elevations between 48.1 and 49.5 feet and located or within the required side yard will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.
4. That granting the variance is consistent with the purposes of this ordinance and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district.

For the Regular Coastal Permit:

1. The proposed project is consistent with the policies of the Local Coastal Program as implemented through the City Zoning Ordinance. In addition, the project will not substantially alter or impact existing public views of the coastal zone.
2. The proposed project will not obstruct any existing or planned public beach access; therefore, the project is in conformance with the policies of Chapter 3 of the Coastal Act.
3. The site plan and physical design of the project is consistent with the Zoning Ordinance and the underlying R-3 Local Coastal Program zoning district.
4. The project site can be adequately served by existing public facilities, services and utilities.
5. The project, as proposed, is compatible with the existing and potential development on adjoining properties or in the surrounding neighborhood.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby APPROVE Tentative Parcel Map (P-13-05), Development Plan (D-13-05), Variance (V-9-05), and Regular Coastal Permit (RC-6-05) subject to the following conditions:

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1 **Building:**

- 2 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
3 Building Division plan check. (Currently the 2001 California Code of Regulations)
- 4 2. The granting of approval under this action shall in no way relieve the applicant and/or
5 project from compliance with all State and Local building codes.
- 6 3. All electrical, communication, CATV, etc. service lines within the exterior lines of the
7 property shall be underground. (City Code Sec. 6.30)
- 8 4. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
9 plans.
- 10 5. The developer shall monitor, supervise and control all building construction and
11 supporting activities so as to prevent these activities from causing a public nuisance,
12 including, but not limited to, strict adherence to the following:
- 13 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
14 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
15 work that is not inherently noise-producing. Examples of work not permitted on
16 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
17 producing nature. No work shall be permitted on Sundays and Federal Holidays
18 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and
19 Christmas Day) except as allowed for emergency work under the provisions of
20 the Oceanside City Code Chapter 38 (Noise Ordinance).
- 21 b) The construction site shall be kept reasonably free of construction debris as
22 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
23 approved solid waste containers shall be considered compliance with this
24 requirement. Small amounts of construction debris may be stored on-site in a
25 neat, safe manner for short periods of time pending disposal.
- 26 6. Separate addresses may be required to facilitate utility releases. Verification that the
27 addresses have been properly assigned by the City's Community Development
28 Department/Planning Division must accompany the Building Permit application.
29

- 1 7. A complete Soils Report, Structural Calculations & Energy Calculations and or
2 documentation will be required at time of plans submittal to the Building Division for
3 plan check.
- 4 8. A Building (Demo) Permit will be required for the demolition of any existing structures.
5 Plans for the Demolition Permit must clearly show that all utilities (electric, gas, water,
6 & sewer) are properly terminated and/or capped in accordance with the requirements of
7 the utility service provider. Underground septic or water storage tanks must be removed
8 or filled in accordance with the Uniform Plumbing Code and or the City's Grading
9 Ordinance.
- 10 9. Setbacks and Type of Construction must comply with UBC Table 5-A.

11 **Engineering:**

- 12 10. The project involves demolition of an existing structure or surface improvements, the
13 grading plans shall be submitted and erosion control plans shall be approved by the City
14 Engineer prior to the issuance of a demolition permit. No demolition shall be permitted
15 without an approved erosion control plan.
- 16 11. Design and construction of all improvements shall be in accordance with standard plans,
17 specifications of the City of Oceanside and subject to approval by the City Engineer.
- 18 12. Prior to issuance of a building permit all improvement requirements shall be covered by
19 a development agreement and secured with sufficient improvement securities or bonds
20 guaranteeing performance and payment for labor and materials, setting of monuments,
21 and warranty against defective materials and workmanship.
- 22 13. The developer shall provide five feet public street dedication along the project's frontage
23 with Cleveland Street as required to serve the property.
- 24 14. The approval of the Tentative Parcel Map and Development Plan shall not mean that
25 closure, vacation, or abandonment of any public street, right-of-way, easement, or
26 facility is granted or guaranteed to the applicant. The applicant is responsible for
27 applying for all closures, vacations, and abandonments as necessary. The application(s)
28 shall be reviewed and approved or rejected by the City of Oceanside under separate
29 process(es) per codes, ordinances, and policies in effect at the time of the application.

1 The City of Oceanside retains its full legislative discretion to consider any application to
2 vacate a public street or right-of-way.

3 15. The approval of this Tentative Parcel Map, Development Plan, and Regular Coastal
4 Permit is expressively contingent on the City's approval of the Water Easement Vacation
5 requested by the developer. Review and approval of the Water Easement Vacation
6 request is subject to approval by the City Council. In case of the City's denial of the
7 Water Easement Vacation request, the developer shall submit plans to the Planning
8 Division for a Substantial Conformity review of any design changes necessitated by
9 denial of the Water Easement Vacation request. Should City staff find that the changes
10 are not in substantial conformance with the approved Tentative Parcel Map or
11 Development Plan, the applicant shall apply for a new hearing with the Planning
12 Commission for the approval of the redesigned project. In case of the City's approval of
13 the Water Easement Vacation request, the Water Easement Vacation shall be recorded at
14 the County Recorder's Office prior to or concurrent with the recordation of the Parcel
15 Map or prior to the approval of the Grading Plans, whichever is requested first.

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

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

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

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

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

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

15 b) All grading and related site preparation and construction activities shall be
16 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No
17 engineering related construction activities shall be conducted on Saturdays,
18 Sundays or legal holidays unless written permission is granted by the City
19 Engineer with specific limitations to the working hours and types of permitted
20 operations. All on-site construction staging areas shall be as far as possible
21 (minimum 100 feet) from any existing residential development. Because
22 construction noise may still be intrusive in the evening or on holidays, the City of
23 Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive
24 noise which causes discomfort or annoyance to reasonable persons of normal
25 sensitivity."

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

28 d) A haul route shall be obtained at least 7 days prior the start of hauling operations
29 and must be approved by the City Engineer. Hauling operations shall be 8:00
a.m. to 3:30 p.m. unless approved otherwise.

- 1 21. A traffic control plan shall be prepared according to the City traffic control guidelines
2 and be submitted to and approved by the City Engineer prior to the start of work within
3 open City rights-of-way. Traffic control during construction of streets that have been
4 opened to public traffic shall be in accordance with construction signing, marking and
5 other protection as required by the CalTrans Traffic Manual and City Traffic Control
6 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless
7 approved otherwise.
- 8 22. Approval of this development project is conditioned upon payment of all applicable
9 impact fees and connection fees in the manner provided in chapter 32B of the Oceanside
10 City Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare
11 fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be
12 paid prior to recordation of the map or the issuance of any building permits, in
13 accordance with City Ordinances and policies. The developer shall also be required to
14 join into, contribute, or participate in any improvement, lighting, or other special district
15 affecting or affected by this project. Approval of the tentative map (project) shall
16 constitute the developer's approval of such payments, and his agreement to pay for any
17 other similar assessments or charges in effect when any increment is submitted for final
18 map or building permit approval, and to join, contribute, and or participate in such
19 districts.
- 20 23. Cleveland Street along the project frontage shall be improved with curbs and gutters and
21 sidewalk.
- 22 24. Cleveland Street along the project frontage shall provide a minimum of 10 feet parkway
23 between the face of curb and the right-of-way line. Sidewalk improvements shall
24 comply with ADA requirements.
- 25 25. Sight distance requirements at the project driveway or street shall conform to the corner
26 sight distance criteria as provided by the California Department of Transportation
27 Highway Design Manual.
- 28 26. Streetlights shall be maintained and installed on all public streets per City Standards.
29 The system shall provide uniform lighting, and be secured prior to occupancy. The
developer shall pay all applicable fees, energy charges, and or assessments associated

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

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

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

20 29. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon
21 approved soil tests and traffic indices. The pavement design is to be prepared by the
22 developer's soil engineer and must be approved by the City Engineer, prior to paving.

23 30. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
24 construction of the project, shall be repaired or replaced as directed by the City Engineer.

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

- 1 32. The developer shall comply with all the provisions of the City's cable television
2 ordinances including those relating to notification as required by the City Engineer.
- 3 33. Grading and drainage facilities shall be designed and installed to adequately
4 accommodate the local stormwater runoff and shall be in accordance with the City's
5 Engineers Manual and as directed by the City Engineer.
- 6 34. The applicant shall obtain any necessary permits and clearances from all public agencies
7 having jurisdiction over the project due to its type, size, or location, including but not
8 limited to the U. S. Army Corps of Engineers, California Department of Fish & Game,
9 U. S. Fish and Wildlife Service and or San Diego Regional Water Quality Control Board
10 (including NPDES), San Diego County Health Department, prior to the issuance of
11 grading permits.
- 12 35. Prior to any grading of any part of the tract or project, a comprehensive soils and
13 geologic investigation shall be conducted of the soils, slopes, and formations in the
14 project. All necessary measures shall be taken and implemented to assure slope stability,
15 erosion control, and soil integrity. No grading shall occur until a detailed grading plan,
16 to be prepared in accordance with the Grading Ordinance and Zoning Ordinance, is
17 approved by the City Engineer.
- 18 36. This project shall provide year-round erosion control including measures for the site
19 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
20 control plan, designed for all proposed stages of construction, shall be reviewed, secured
21 by the applicant with cash securities and approved by the City Engineer.
- 22 37. A precise grading and private improvement plan shall be prepared, reviewed, secured
23 and approved prior to the issuance of any building permits. The plan shall reflect all
24 pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping,
25 signage, footprints of all structures, walls, drainage devices and utility services. Parking
26 lot striping and any on-site traffic calming devices shall be shown on all Precise Grading
27 and Private Improvement Plans.
- 28 38. Landscaping plans, including plans for the construction of walls, fences or other
29 structures at or near intersections, must conform to intersection sight distance
requirements. Landscape and irrigation plans shall be approved by the City Engineer

1 prior to the issuance of occupancy permits, and a pre-construction meeting held, prior to
2 the start of any improvements.

3 39. Open space areas and down-sloped areas visible from a collector-level or above roadway
4 and not readily maintained by the property owner, shall be maintained by a homeowners'
5 association that will insure installation and maintenance of landscaping in perpetuity.
6 These areas shall be indicated on the final map and reserved for an association.

7 40. Future buyers shall be made aware of any estimated monthly costs. The disclosure,
8 together with the CC&R's, shall be submitted to the City Engineer for review prior to the
9 recordation of final map.

10 41. The drainage design on the tentative map is conceptual only. The final design shall be
11 based upon a hydrologic/hydraulic study to be approved by the City Engineer during
12 final engineering. All drainage picked up in an underground system shall remain
13 underground until it is discharged into an approved channel, or as otherwise approved by
14 the City Engineer. All public storm drains shall be shown on City standard plan and
15 profile sheets. All storm drain easements shall be dedicated where required. The
16 applicant shall be responsible for obtaining any off-site easements for storm drainage
17 facilities.

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

21 43. Upon acceptance of any fee waiver or reduction by the developer, the entire project will
22 be subject to prevailing wage requirements as specified by Labor Code section
23 1720(b)(4). The developer shall agree to execute a form acknowledging the prevailing
24 wage requirements prior to the granting of any fee reductions or waivers.

25 44. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water
26 Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall
27 be reviewed and approved by the City Engineer prior to the issuance of building permits.
28 Landscaping shall not be installed until bonds have been posted, fees paid, and plans
29 signed for final approval. The following special landscaping requirements shall be met:

- 1 a) The developer shall be responsible for irrigating and landscaping all
2 embankments within the project, and all slopes along major streets.
- 3 b) To mitigate the loss of landmark and or mature existing trees on-site the
4 determination of replacement shall be based on type, circumference and dripline
5 of existing trees with a trunk diameter of 10 inches or more, measured 24 inches
6 above existing grade. The total number of tree caliper lost shall be equal to the
7 total number of caliper replaced. Replacement trees shall be a minimum of 15-
8 gallon container stock. A field survey shall be prepared by a licensed arborist,
9 and approved by the City Landscaping Section, to evaluate the existing tree
10 population and the replacement requirements. The existing trees to remain or
11 proposed for removal shall be identified on the Preliminary Grading Plan, Precise
12 Grading Plan and Landscape Plan. The existing tree type, location, and caliper
13 shall be shown on the above plans. Replacement trees shall be identified and
14 shown on the Landscape Plan and shall be subject to review and approval by the
15 City Engineer.
- 16 c) Prior to the approval of grading permit, the developer shall provide landscape
17 plans to match the approved landscape conceptual plan with one additional
18 Eriobotrya 'Coppertone' (standard) to be located in the frontage of Unit B. The
19 landscape plans shall match the street improvement and grading plans. Trees
20 shall be spot located by a Landscape Architect at a pre-construction meeting and
21 shall meet the current City of Oceanside requirements.
- 22 d) Landscape including street trees and automatic irrigation shall be provided for
23 the right-of-way. Trees shall not be located in utility easements.
- 24 e) Front yard trees shall be a minimum of 15-gallon container size. Shrubs shall be
25 a minimum of 1-gallon and 5-gallon container size and a minimum of 18 shrubs
26 per unit as approved by the City Engineer. Ground cover or bark mulch shall be
27 provided in shrub areas, turf shall not exceed 35 percent.
- 28 f) Prior to the issuance of building permits, compliance with the applicable
29 provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the
City Code) shall be reviewed and approved by the City Engineer. These

1 requirements, including the obligation to remove or cover with matching paint all
2 graffiti within 24 hours, shall be noted on the Landscape Plan and shall be
3 recorded in the form of a covenant affecting the subject property.

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

14 **Fire Prevention:**

- 15 46. Submit a copy of as-built plans on a CD for all projects on the job site before final
16 occupancy.
- 17 47. Smoke detectors are required, and detector locations must be indicated on the plans.
- 18 48. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per
19 Vehicle Code Section 22500.1 and in accordance with the Fire Department Standard
20 Guidelines for Emergency Access.
- 21 49. Fire extinguishers are required and shall be included on the plans submitted for plan
22 check.
- 23 50. In accordance with the California Fire Code Sec. 901.4.4, approved address for
24 commercial, industrial, and residential occupancies shall be placed on the structure in
25 such a position as to be plainly visible and legible from the street or roadway fronting the
26 property. Numbers shall be contrasting with their background.
- 27 51. Commercial buildings and multi-family dwellings require 6-inch address numbers.
- 28 52. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
29 approval prior to the issuance of building permits.

1 53. Buildings shall meet Oceanside Fire Department's current codes at the time of building
2 permit application.

3 **Planning:**

4 54. This Tentative Parcel Map (P-13-05) shall expire on April 23, 2009, unless the Planning
5 Commission grants a time extension.

6 55. This Development Plan (D-13-05), Variance (V-9-05) and Regular Coastal Permit (RC-
7 6-05) shall expire on April 23, 2009, unless implemented as required by the Zoning
8 Ordinance or unless the Planning Commission grants a time extension.

9 56. This Tentative Parcel Map (P-13-05), Development Plan (D-13-05), Variance (V-9-05),
10 and Regular Coastal Permit (RC-6-05) approves only a 4-unit residential condominium
11 as shown on the plans and exhibits presented to the Planning Commission for review and
12 approval with the following clarification: the location of the side yard retaining walls
13 may be constructed as shown on the plans or in closer proximity to the property line
14 (within the two-foot area that parallels the property line). No deviation from these
15 approved plans and exhibits shall occur without City Planner approval. Substantial
16 deviations shall require a revision to the Development Plan or a new Development Plan.

17 57. A covenant, or other recordable document, approved by the City Attorney shall be
18 prepared by the developer and recorded prior to the approval of the Final Parcel Map or
19 prior to issuance of building permits if the Final Parcel Map expires. The covenant shall
20 provide that the property is subject to this resolution, and shall generally list the
21 conditions of approval.

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

26 59. Failure to meet any conditions of approval for this development shall constitute a
27 violation of the Development Plan and Regular Coastal Permit.

28 60. Unless expressly waived, all current zoning standards and City ordinances and policies in
29 effect at the time building permits are issued are required to be met by this project. The
approval of this project constitutes the applicant's agreement with all statements in the

1 Description and Justification and other materials and information submitted with this
2 application, unless specifically waived by an adopted condition of approval.

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

- 15 a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
- 16 b) Provisions regulating individual patio covers, room additions and other
17 appurtenances.
- 18 c) Maintenance of median landscaping by the Association.
- 19 d) Provisions for the maintenance of all common open-space and open-space
20 easements on private lots, including provisions establishing mechanisms to
21 ensure adequate and continued monetary funding for such maintenance by the
22 homeowners' association.
- 23 e) Provisions that restrict any private use of open-space easement areas.
24 Restrictions shall include, but are not limited to, removing retaining walls,
25 installing structures such as trellises, decks, retaining walls and other hardscape
26 and any individual landscape improvements.
- 27 f) Provisions prohibiting the homeowners association from relinquishing its
28 obligation to maintain the common open-space and open-space easement areas
29 without prior consent of the City of Oceanside.

- 1 g) Provisions for the maintenance of all common open-space, including provisions
2 establishing mechanisms to ensure adequate and continued monetary funding for
3 such maintenance by the homeowners association.
- 4 h) Provisions establishing a management plan and management association to carry
5 out 24-hour on-site maintenance of rental units during any period of time when
6 non-owner occupied units exceed 25 percent. The management association shall
7 be responsible for the management of the rental units, and shall be governed by
8 the homeowners association and shall be paid for at a minimum by the owners of
9 the non-owner occupied units. The C.C. & R's shall include mechanisms to
10 ensure continued funding of the management of the non-owner occupied units.
11 For projects with 15 units or less, provision of 24-hour management by an off-
12 site management agency shall be required. This off-site management
13 requirement shall be identified in the management plan and recorded as a
14 condition of approval for the project.
- 15 i) Provisions to ensure the annexation into said homeowners association of each
16 portion of the area covered by it, as it is finalized.
- 17 j) Provisions specifying that neither the C.C. & R's nor any contract of sale, lease,
18 or other written document or any means or method shall be established or shall
19 attempt to establish any requirement, restriction, or limitation on this developer
20 or any person, individual or entity which would operate, directly or indirectly, to
21 prevent or preclude any other developers of this land or any person, individual, or
22 entity in complying with all applicable provisions of the Tentative Map and other
23 City ordinances, rules, policies or regulations.
- 24 k) Provisions prohibiting the homeowners association from relinquishing its
25 obligation to maintain the common open-space as required in Subsection (d)
26 above without the prior consent of the Oceanside Planning Commission or City
27 Council.
- 28 l) Provisions prohibiting the homeowners association and management association
29 from ceasing to ensure 24-hour on-site management, 24-hour off-site
management or eliminating the management plan or management association,

1 without the prior consent of the Oceanside Planning Commission or City
2 Council.

3 m) Provisions stating that none of the above provisions of the C.C. & R's shall be
4 deleted or modified without the consent of the City Attorney, that the City shall
5 have the right, but not the obligation, to enforce any of the above provisions and
6 that in the event the City pursues legal action to enforce any of its rights, the City
7 shall be entitled to reasonable attorney's fees.

8 n) The City Attorney may require such additional provisions to be inserted into the
9 C.C. & R's as he or she deems necessary to accomplish the purpose and intent of
10 this resolution.

11 62. An acknowledgement that the City of Oceanside does not have a view preservation
12 ordinance and that views may be subject to change with maturing off-site landscape and
13 the potential for future off-site building.

14 63. The following unit type and floor plan mix, as approved by the Planning Commission,
15 shall be indicated on plans submitted to the Community Development Department for
16 building permit:

	Sq.Ft.	# Bedrms.	# Baths	# Stories	Roof Deck
17 Unit A	2,459	3	2.5	2	444 SF
18 Unit B	2,440	3	3.5	2	479 SF
19 Unit C	2,177	3	2.5	2	432 SF
20 Unit D	2,177	3	2.5	2	432 SF

21 Accessory dwelling units are not a part of the proposed project. An accessory dwelling
22 unit would require a revision to the Development Plan and Regular Coastal Permit.

23 64. Side and rear elevations and window treatments shall be trimmed to substantially match
24 the front elevations. A set of building plans shall be reviewed and approved by the
25 Community Development Department prior to the issuance of building permits.

26 65. Elevations, siding materials, colors, roofing materials and floor plans shall be
27 substantially the same as those approved by the Planning Commission. These shall be
28 shown on the plans submitted to the Community Development Department.
29

- 1 66. Fence and wall heights within the front yard shall not exceed the requirements set forth
2 by Section 1050(U) of the Zoning Ordinance.
- 3 67. All keystone walls over four feet in height shall be planted in accordance with the
4 requirements of the Zoning Ordinance and Engineering Manual.
- 5 68. Six-foot tall wrought iron fences that are at least 75 percent open are allowed to be
6 constructed directly on top of retaining walls situated within the required side yard. As
7 part of the noise mitigation measures, six-foot block wall fences are allowed to be
8 constructed directly on top of retaining walls situated within the required rear yard.
- 9 69. This project is subject to the provisions of Chapter 14C of the City Code regarding
10 Inclusionary Housing.
- 11 70. The project shall comply with all provisions of the City's Affirmative Fair Housing
12 Marketing Agreement Policy as required in the project's Affirmative Fair Housing
13 Marketing Agreement. Such agreement shall be submitted to and approved by the
14 Housing and Neighborhood Services Director prior to the issuance of building permit for
15 the project.
- 16 71. The design of the carports and landscaping shall be planned so as not to allow
17 automobile headlights to disturb any units.
- 18 72. A management plan shall be prepared by the apartment developer and approved by the
19 Community Development Director prior to the issuance of building permits. The
20 management plan shall describe the provisions for 24-hour on site management and
21 security
- 22 73. Garages shall be kept available and useable for the parking of tenant's automobiles at all
23 times.
- 24 74. Lease and rental agreements shall be for the dwelling unit with the garage. The garage
25 shall be used for the purpose of vehicular parking and the owner or tenant shall not lease
26 or rent the garage separately from the dwelling unit.
- 27 75. This project is subject to the provisions of the Local Coastal Plan for Coastal Housing.
28 The developer shall obtain a Coastal Affordable Housing Permit from the Director of
29 Housing and Neighborhood Services prior to issuance of building permits or recordation
of a Final Parcel Map, whichever occurs first.

1 76. The applicant shall pursue the acquisition of a landscape easement over the North
2 County Transit District (NCTD) railroad right-of-way for the purposes of providing
3 additional landscape buffering. Should this easement be obtained the applicant shall be
4 responsible for landscaping and permanently maintaining the easement. Proof of contact
5 with NCTD shall be provided prior to the issuance of landscaping and building permits.

6 77. A two-foot buffer shall be provided between the western property line and site
7 improvements. This buffer shall provide access to the property to maintain retaining
8 walls, fences, and landscaping.

9 78. To protect water quality in the area the following mitigation measures shall be
10 implemented:

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

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

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

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

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

24 **Water Utilities:**

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

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

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

3 83. All Water and Wastewater construction shall conform to the most recent edition of the
4 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
5 the Water Utilities Director.

6 84. The following conditions shall be met prior to the approval of engineering design plans:

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

11 b) No trees, structures or building overhang shall be located within any water or
12 wastewater utility easement.

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

17 d) The developer shall construct a public reclamation water system that will serve
18 each lot and or parcels that are located in the proposed project in accordance with
19 the City of Oceanside Ordinance No. 91-15. The proposed reclamation water
20 system shall be located in the public right-of-way or in a public utility easement.

21 85. The following conditions of approval shall be met prior to issuance of building permits:

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

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

29 ///////////////
//////////////////

1 **Solid Waste:**

2 86. The project shall dispose of or recycle solid waste in a manner provided in City Code
3 Section 13.3. Each unit shall have a sufficient number of individual trash and recycle
4 bins to meet City Code requirements for solid waste. The bins shall be stored in a
5 location that meets City regulations, and is clear of the driveway and does not obstruct
6 vehicle egress.

7 PASSED AND ADOPTED Resolution No. 2007-P21 on April 23, 2007 by the
8 following vote, to wit:

9 AYES:

10 NAYS:

11 ABSENT:

12 ABSTAIN:

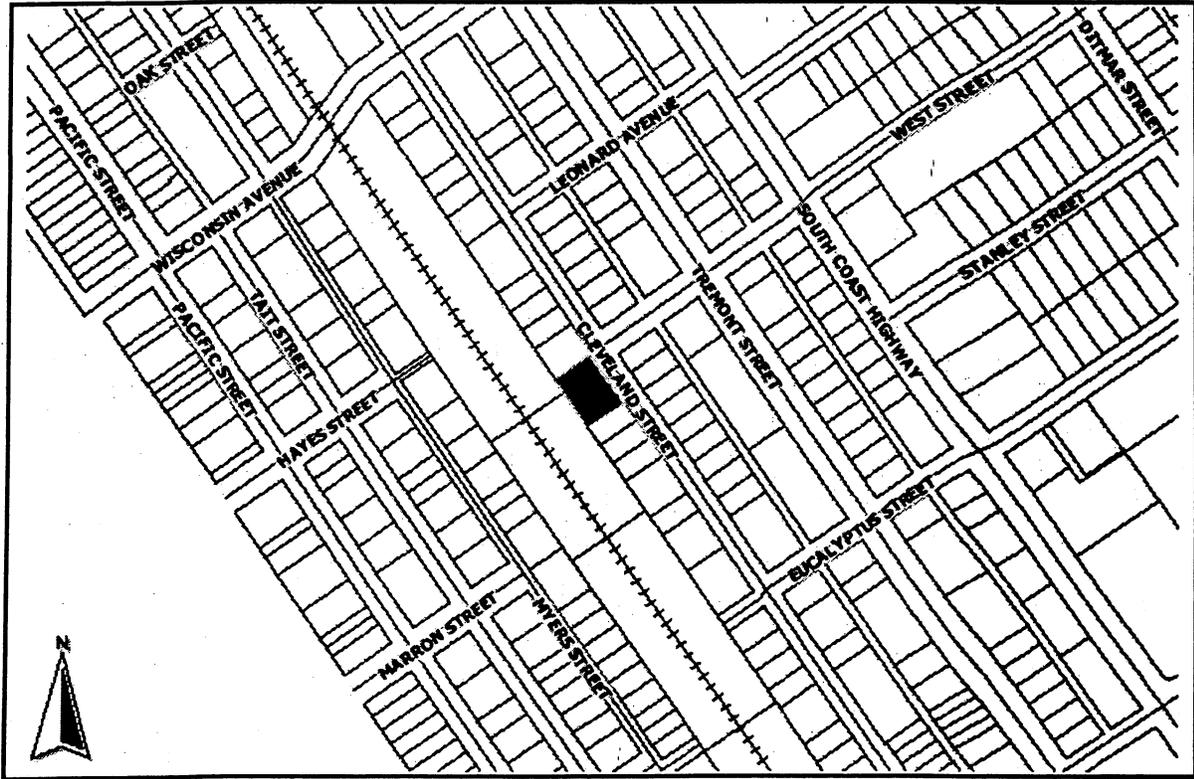
13
14
15 _____
16 Dennis Martinek, Chairman
17 Oceanside Planning Commission

18 ATTEST:

19 _____
20 Jerry Hittleman, Secretary

21 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
22 this is a true and correct copy of Resolution No. 2007-P21.

23
24 Dated: April 23, 2007
25
26
27
28
29



File Number: P-13-05, D-13-05, V-9-05, RC-6-05

Applicant: 1007 Investment, Inc.

Description:

TENTATIVE PARCEL MAP (P-13-05), DEVELOPMENT PLAN (D-13-05), VARIANCE (V-9-05) and REGULAR COASTAL PERMIT (RC-6-05) to construct a 4-unit condominium development and permit a variance to exceed the maximum wall height on a 0.31 acre site at 1007 South Cleveland Street. The project site is zoned RH-U (Urban High-Density Residential) and is situated within the Townsite Neighborhood and the Coastal zone. **1007 SOUTH CLEVELAND STREET**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

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

Date: April 12, 2007

Public Hearing Coastal Permit
Identification No. RC-6-05

NOTICE OF PUBLIC HEARING
COASTAL DEVELOPMENT PERMIT

This is a notice to you as an interested party that the City of Oceanside Planning Commission will hold a public hearing on the Coastal Permit application of 1007 Investment, Inc. This application was received on July 21, 2005. The application is described as follows:

To construct a 4-unit condominium development and permit a variance to exceed the maximum wall height on a 0.31-acre site at 1007 South Cleveland Street.

The project site is zoned RH-U (Residential Urban High Density) and is situated within the Townsite Neighborhood and the Coastal Zone.

Said hearing will be held on April 23, 2007, at 7:00 p.m. in the Council Chamber of City Hall, 300 North Coast Hwy., Oceanside, California at which time and place any and all interested persons may appear and be heard. Interested persons may contact the Planning Division at (760) 435-3520 after April 18, 2007, to be informed of the place on the agenda and the approximate time of hearing.

If you have any questions or comments regarding this matter, or want to be notified of the decision, contact the City of Oceanside, Planning Division at (760) 435-3520. Written comments may be submitted prior to the hearing and will be made part of the public record and provided to the Planning Commission.

If you disagree with the decision of the Planning Commission concerning this project's conformance to the Local Coastal Plan, you may appeal the decision to the City Council. The appeal, accompanied by the appropriate fee must be filed in the City Clerk's Office, 300 North Coast Hwy., Oceanside, no later than 5:00 p.m. on May 3, 2007 (10 days from the adoption of the Planning Commission Resolution).

The project is "appealable" to the California Coastal Commission under Section 30603(a) of the California Public Resources Code. An aggrieved person may appeal the decision to the Coastal Commission within ten (10) working days following the Commission receipt of the Notice of Final Action on this project. The Notice of Final Action is mailed after the City's last action, such as Planning Commission resolution, Community Development Commission resolution (for projects in the Redevelopment Area), or City Council resolution (for projects involving a zone change or which resulted in a local appeal). Please contact the Planning Department at (760) 435-3520 for this information.

Appeals must be in writing. The Coastal Commission, San Diego District Office is at 7575 Metropolitan Drive, Suite 103, San Diego, California 92108-4402. The phone number is (619) 767-2370.

Application For Planning Commission Hearing
 Planning Department (760) 966-4770
 Oceanside Civic Center
 300 North Coast Highway, Oceanside, CA 92054-2885

RECEIVED
 JUL 21 2005
 Planning Department

STAFF USE ONLY	
ACCEPTED BY	7/21/05 SN
HEARING	
GPA	
MASTER/SP.PLAN	
ZONE CH.	
TENT. MAP	
PAR. MAP	P-13-05
DEV. PL	D-13-05
C.U.P.	
VARIANCE	V-9-05
COASTAL	RC-6-05
O.H.P.A.C.	

Please Print Or Type All Information

PART I - APPLICANT INFORMATION	
1. APPLICANT 1007 Investment, Inc. (contacts: Gary & Eric Hofman)	2. STATUS Property Owner
3. ADDRESS P.O. Box 2138 Vista, CA 92085-2138	4. PHONE / FAX 760 815 1815 (phone) 760 630 3463 (fax)
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) The Lightfoot Planning Group (contact: Sophia Kollias)	
6. ADDRESS 5750 Fleet Street, Suite 250 Carlsbad, CA 92008	7. PHONE / FAX 760 692 1924 760 692 1935

PART II - PROPERTY DESCRIPTION			
9. LOCATION 1007 South Cleveland Street		9. SIZE 0.309 gross acres (13,456 sq.ft.) 0.293 net acres (12,781 sq.ft.)	
10. GENERAL PLAN Urban High Density Residential (UHD-R)	11. ZONING Urban High Density Residential (RH-U)	12. LAND USE Multi-Family Residential	13. ASSESSOR'S PAR. NO. 152-013-11

PART III - PROJECT DESCRIPTION				
14. GENERAL PROJECT DESCRIPTION Tentative Map/Development Plan and Local Coastal Permit for the development of a four-unit detached condominium project with attached two-car garages per unit. A Variance is requested to exceed maximum permitted wall height.				
15. PROPOSED GEN. PLAN No Change	16. PROPOSED ZONING No Change	17. PROPOSED LAND USE No Change	18. # UNITS 4	19. DENSITY 12.9 dw/ac
20. BUILDING SIZE gross floor area = 10,804 sq. ft.	21. PARKING SPACES 9 (2 covered per unit + 1 uncovered guest space)	22. % LANDSCAPING 41%	23. % LOT COVERAGE 40%	

ALL APPLICATIONS		DEV. PLANS, CUP & TENT. MAPS*	
<input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION	<input checked="" type="checkbox"/> 26. FLOOR PLANS & ELEVATIONS	
<input checked="" type="checkbox"/> 26. 306 FT. RADII'S MAP	<input checked="" type="checkbox"/> 27. PROPERTY OWNERS' LIST	<input type="checkbox"/> 31. CONSTRUCTION SCHEDULE	
<input checked="" type="checkbox"/> 28. ENVIRONMENTAL ASSESSMENT	<input checked="" type="checkbox"/> 29. PLOT PLANS	<input checked="" type="checkbox"/> 32. OTHER	

PART V - SIGNATURES	
THE APPLICANT OR HIS REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.	
33. APPLICANT OR REPRESENTATIVE (Print): 1007 Investment, Inc. ERIC HOFMAN	34. DATE 6/24/05
SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN (ATTACH ADDITIONAL PAGES AS NECESSARY).	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.	
37. OWNER (Print): 1007 Investment, Inc.	38. DATE 6/24/05
39. OWNER	40. DATE 6/24/05
35. APPLICANT	36. DATE 6/24/05

* TENTATIVE MAPS FOR CONDOMINIUM DEVELOPMENTS (ONLY ATTACHMENT 10)

RECEIVED
 JUL 21 2005
 Planning Department

1007 South Cleveland Street Detached Condominiums

Description and Justification

Tentative Parcel Map, Development Plan, Variance, & Regular Local Coastal Permit
P-13-05, D-13-05, V-9-05, & RC-6-05

April 16, 2007 (rev.)

INTRODUCTION

The Tentative Parcel Map and Development Plan for the proposed project at 1007 South Cleveland Street includes the development of four detached condominiums. The subject property is 13,456 gross square feet (0.309 acres) and 12,781 net square feet (0.294 acres) located at 1007 South Cleveland Street (APN 152-013-11), west of Pacific Coast Highway and at the western terminus of West Street. This project is located in the Townsite neighborhood and is surrounded by residential development to the north, south, and east; and the AT&SF railroad right-of-way to the west of the property. The property has a General Plan land use and zoning designation of Urban High-Density Residential (UHD-R and RH-U, respectively).

There had been a 500-square foot office building attached to a 1,500-square foot warehouse, and the Van Der Linden Electric warehouse building located on the property. These structures had been constructed between 1948 and 1957. The historical study conducted June 2, 2004 by Archaeos found that the three buildings were not associated with any known historic events and were not eligible for nomination for listing in the National, California, or local Registers.

TENTATIVE PARCEL MAP

The project site measures 135 feet wide and 100 feet deep. The project density is 12.9 dwelling units per acre, which is below the base density of 29 dwelling units per acre allowed by the Urban High-Density Residential General Plan land use designation. The density calculation is based on 0.309 gross acres of developable land.

The property is relatively flat; however, the site gradually slopes downward from Cleveland Street/northeastern corner of site to the railroad right-of-way/southwestern corner of the site. For drainage purposes, approximately 1,200 cubic yards of fill will be required to raise the rear of the property and slope it by approximately 2% toward Cleveland Street. With the fill, a retaining wall is proposed around the site to direct drainage away from the railroad right-of-way and to Cleveland Street and the storm drain system at Wisconsin Street. Since the natural existing grade is lowest at the northwest corner or rear of the site, the proposed retaining wall will be highest here at six feet.

The site will be designed with four detached condominium units. Side-loaded garages will be accessed directly from a

24-foot wide driveway off Cleveland Street that extends to the rear of the property. Garages are designed to include space for individual trash containers that will be rolled out to the curb for pick-up. Cleveland Street is an existing 50-foot wide public street with existing sidewalks. As required by the City, the project site is proposed with a five-foot wide right-of-way dedication.

DEVELOPMENT PLAN

The four detached condominiums are Multiple Unit Structures (MU-S) as specified within the Oceanside Zoning Ordinance and are permitted in the RH-U residential zoning district. All four detached homes are two stories high or a maximum 25' to the top of the rooftop guardrails, which is below the maximum 27-foot building height permitted in the Townsite area, outside redevelopment (Section 1050 (S) of the Zoning Ordinance). There are attached two-car garages per unit and a guest parking space located on site. Usable open space is provided in a common area; private yards, patios, and balconies; and rooftop decks for each individual unit.

Architecture

The detached condominiums are designed with *Southern California Regionalist Modern* architecture. The four condominiums will be finished in cement plaster with three sets of colors: sand (A), butterscotch (B), and brick-red (C). The roof, parapet cap, and garage doors will be constructed in a span metal, finished in a regal blue color. All four elevations include features such as contrasting wall materials, colors, and textures; flat roofs; inlets and pop-

outs; atypical window shapes and placements; glass block; and metal.

The four units are situated on site such that a driveway divides the parcel through the middle and as a result, the northern half (Units B and D) mirrors the southern half (Units A and C) of the property. Units A and B are located adjacent to Cleveland Street and Units C and D are located adjacent to the railroad right-of-way. Although there are four separate floor plans proposed for Units A, B, C, and D; Units C and D are identical with the exception that Unit D has a slightly larger balcony than Unit C. Units A and B are designed with complementary, but two different front elevations to create an interesting streetscape on Cleveland Street.

Each unit is proposed with two bedrooms, bathrooms, laundry facilities, and an entry on the first floor. In addition, there is a study on the first floor in Units C and D. A great room, family room, dining room, kitchen, master bedroom and bathroom, and powder room are located on the second floor of each unit. In addition, there is a family room on the second floor in Units C and D. All units are designed with a skylight above the dining rooms, with the exception of Unit A which contains a skylight above a vestibule instead of a dining room. The third level of each unit is a private rooftop deck. Private views of the ocean are maximized in the architecture with the location of windows, rooftop decks, and orientation of the units on site.

The table below provides a summary of each proposed condominium:

yards and Units C and D each have balconies; however, these areas do not meet minimum dimensions or other criteria for private usable open space set forth in the Zoning Ordinance.

VARIANCE

Exceeding Wall Height Requirements

A Variance is requested to exceed the maximum wall height requirement of six feet. There are retaining walls proposed along the perimeter sides and rear of the site to accommodate approximately 1,200 cubic yards of fill that will be necessary to raise the rear of the property. Existing drainage patterns on-site are towards the railroad right-of-way due to the topography of the site. The lowest elevations are at the rear, at approximately 44 feet, with the elevation at Cleveland Street at about 48 feet.

The retaining wall at the rear will range from a maximum 6 feet high at the northwest corner to 4.7 feet high at the southwest corner of the property. A block screen wall located at the perimeter of the rear yards for Units C and D will be broken up by an ornamental iron view fence with a gate in back of the common usable open space. Both the 6-foot high block screen wall and ornamental iron fence are proposed atop the retaining walls and therefore the combination of wall/fencing will exceed the maximum wall height requirement of 6 feet. Since the retaining wall at the rear exceeds four feet in height, it will be irrigated and planted. The retaining wall at the rear will also be located two feet from the property line. The two-foot setback will allow maintenance room for the plantable retaining wall and the perimeter wall/fencing on top of the retaining wall will

Floor Plan	Floor Area	Bedrooms/Baths	Balcony	Rooftop Deck	Garage	Garage Size
A	2,459 sf	3/2.5	---	444 sf	2-car	424 sf
B	2,440 sf	3/3.5	---	479 sf	2-car	423 sf
C	2,177 sf	3/2.5	54 sf	432 sf	2-car	400 sf
D	2,177 sf	3/2.5	57 sf	432 sf	2-car	400 sf

Landscape and Usable Open Space

The proposed 4-unit condominium project exceeds usable open space requirements set forth in Section 1050 (Q) of the Zoning Ordinance. The project is designed with 41% landscaping. This project is designed with approximately 3,645 square feet of total usable open space located in patios and rooftop decks: 3,037 square feet is provided for private usable open space and 608 square feet for common usable open space.

A 608-square foot passive common open space area is centrally located and easily accessible to all four condominiums at the rear of the site. This area will include landscaping, a decorative fountain, and benches for passive recreation. A gate will be located at the rear of the common open space to access and maintain the plantable retaining wall.

Private usable open space located in patios and/or on rooftops is being provided per unit: Unit A- 444 square feet, Unit B- 479 square feet, Unit C- 1,057 square feet, and Unit D- 1,057 square feet. Each unit has a rooftop deck with access via a staircase. Units C and D have private patios. In addition, Units A and B each have private front

provide additional noise buffering and privacy from the adjacent railroad right-of-way.

As currently designed, the retaining walls located at the sides are also setback two feet from the property line. However unlike the rear, the perimeter fencing is located at the property line and the retaining walls are separated by two feet. As a result, the wall/fence heights at the sides do not exceed the 6-foot wall height permitted. Approval of this application and the Variance request includes the option by the applicant to locate the side retaining walls at the property line with perimeter fencing atop it - the combination of which will exceed 6 feet.

JUSTIFICATION

The four proposed detached condominiums will be an improvement to the neighborhood and will:

- foster future improvements and high-quality growth that is needed in the downtown area
- improve Cleveland streetscape with frontage improvements and right-of-way dedication
- fulfill the purpose and requirements for residential development in the RH-U zoning district
- provide an alternative approach for multi-family homes by offering a "single-family" product-feel for a multi-family development
- be below the base density of 29 dwelling units per acre allowed by the Urban High-Density Residential General Plan land use designation
- add a distinctive and attractive product, site layout, and refreshing architectural style in the coastal area of Oceanside

- be below the maximum 27-foot building height permitted in the Townsite area, outside redevelopment
- maximize private views of the ocean with the location of windows, rooftop decks, and orientation of the units on site
- offer ground-level and rooftop private usable open space for future homeowners that is typically not the case for traditionally designed attached multi-family products
- exceed total usable open space requirements by over three times the amount required
- be designed with 41% landscaping on site

SUMMARY

The four proposed condominiums located at 1007 South Cleveland Street will foster future improvements and high-quality growth needed in the downtown area. The four detached condominiums fulfill the purpose and requirements for residential development in the RH-U zoning district. The proposed site layout and modern architectural style adds a distinctive and attractive product in downtown Oceanside.

FINDINGS FOR VARIANCE

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

1. *That because of special circumstances or conditions applicable to the development site - including size, shape, topography, location or surroundings - strict application of the requirements of this ordinance*

deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Existing drainage patterns towards the railroad right-of-way and grade elevations on and off-site warrant the installation of an up to six-foot high retaining wall at the rear of this site. The proposed retaining wall will allow drainage to be directed to the existing storm drain system at Wisconsin Street. The use of the proposed retaining walls will provide proper drainage off-site, while providing a quality condominium project with ample usable open space and landscaping on-site.

2. *That granting the variance will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare.*

The granting of this Variance will not be detrimental or injurious to property or improvements in the vicinity. The Variance request results from site conditions and allows for adequate drainage and residential use of the property as established in the City's General Plan. The granting of the Variance will allow the safe development of the site ensuring that the public health, safety, and welfare will be maximized.

3. *That granting the variance is consistent with the purposes of the Zoning Ordinance and will not constitute a grant of special privilege inconsistent with*

limitations on other properties in the vicinity and in the same zoning district.

Granting the Variance would accommodate a residential development which meets the purposes of a high density residential zoning district, while addressing the specific site conditions associated with the property. The Variance is a direct result of special circumstances associated with the project site and will not grant the applicant a special privilege that other property owners were not afforded. Further, the project provides for City-identified infrastructure needs, and would allow development consistent with other residentially zoned properties in the vicinity.

LEGAL DESCRIPTION

LOTS 1 AND 2, ALL IN BLOCK1 OF JARVIS ADDITION ACCORDING TO MAP
THEREOF NO. 163, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO,
STATE OF CALIFORNIA.

RECEIVED
JUL 21 2005
Planning Department



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(30 days)

1. **APPLICANT:** 1007 Investment, Inc.
2. **ADDRESS:** PO Box 2138, Vista, CA 92085-2138
3. **PHONE NUMBER:** (760) 815-1815
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Juliana von Hacht
6. **PROJECT TITLE:** 1007 South Cleveland Street Condos
7. **DESCRIPTION:** 4 unit condominium development

DRAFT

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Environmental Coordinator finds that the proposed project constitutes <describe>. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section _____, <name> (Sections 15260-15277); or,
- The project is categorically exempt, Class 3, Section 15303(b) New construction of small structures; or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Date: April 23, 2007

Jerry Hittleman, Acting City Planner

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee