



DATE: April 9, 2007

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department, Planning Division

SUBJECT: **TENTATIVE PARCEL MAP (P-19-05), DEVELOPMENT PLAN (D-33-05) AND REGULAR COASTAL PERMIT (RC-22-05) TO DEMOLISH THE EXISTING RESIDENCE AND CONSTRUCT A 3-UNIT CONDOMINIUM DEVELOPMENT ON A 0.2-ACRE LOT AT 1334 SOUTH PACIFIC STREET. – PACIFIC TIDE – APPLICANT: 20 MORGAN LLC**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Approve Tentative Parcel Map (P-19-05), Development Plan (D-33-05), and Regular Coastal Permit (RC-22-05), and the deferral of the requirement to underground existing utilities.
- (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-P17 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The site is located on the corner of South Pacific, Tait, and Witherby Streets and is across the street from the La Salina Waste Water Treatment Plant. The applicant has applied for a 14-foot Street Vacation along the north side of Witherby Street between Tait and Pacific Streets. This will be considered by City Council after the Planning Commission's action on the proposed project. The Street Vacation proposal is depicted on the Tentative Parcel Map.

Site Review: The existing lot is approximately 0.17 acres. (The area including the street vacation is 0.2 acres.) The land is relatively flat having elevations between 33 feet and 35.5 feet above sea level. The lot lines along both Pacific and Tait Streets are front property lines (front yards are required). The land adjacent to Witherby Street includes a corner side yard.

The existing multi-family residence, an existing 1,430-square foot building, at 1334 South Pacific Street will be demolished as part of this project. Since the structure was constructed in 1953, a historic assessment has been prepared. The assessment does not identify structural or previous events of historic value at the site.

The zoning designation for the site is Residential Tourist (RT) District; the General Plan Land Use Category is Urban High Density Residential (UHD-R); and the Local Coastal Program zoning designation is Residential Tourist (RT).

Project Description: The project application is comprised of 5 components: a Tentative Parcel Map, Development Plan, and Regular Coastal Permit, the deferment of undergrounding overhead utilities, and a street vacation, as follows:

Tentative Parcel Map P-19-05 represents a request for the following:

- (a) To subdivide a 8,385 square-foot building into three residential condominiums and,
- (b) To defer the requirement to underground existing utilities, pursuant to the City of Oceanside Subdivision Ordinance and the Subdivision Map Act.

Development Plan D-33-05 represents a request for the following:

- (a) To permit the development of an 8,385-square foot multi-family building on a 0.17-acre lot within the Residential Tourist (RT) District pursuant to Articles 10, 30, 31, and 43 of the Oceanside Zoning Ordinance.

Regular Coastal Permit RC-22-05 represents a request for the following:

- (a) To construct three condominium dwelling units pursuant to the Local Coastal Program (LCP).
- (b) To provide a 7 to 6 replacement of on-street parking on Witherby Street between Pacific and Tait Streets. (The proposed design includes providing seven on-street parking spaces and landscaping both on the north and south side of Witherby Street between Pacific and Tait Streets.)
- (c) A Street Vacation request to purchase 1,400 square feet of public right-of-way and add the land to the existing 0.17-acre site will be considered by the City Council. The streetscape design includes creating seven parking spaces on the south side

of Witherby and landscaping the parkways on both the north and south sides of Witherby Street between Tait and Pacific Streets. The proposal is predicated on City Council approving a Street Vacation along Witherby Street. Staff will forward the Planning Commission's recommendation to City Council for their consideration.

The maximum building height (27 feet) is measured from the existing grade (33 to 35.5 feet above sea level). The applicant requests that the Planning Commission approve a finished grade elevation that is different than the existing grade elevation. The design includes the construction of a basement and pad elevations between 34.5 and 38.4 feet above sea level.

The basement is proposed in addition to the first floor, second floor, and roof deck areas. To meet the Building Code definition of a basement, the design includes construction of walls around at least fifty-percent of the building's footprint.

The basement walls are retaining walls. Pursuant to Section 1050(U) of the Zoning Ordinance, walls within required front yards have a maximum height of 3.5 feet. To reduce the visible height of the retaining walls to 3.5 feet or less, the proposal creates terraced yards (lower walls in front of taller walls).

The advent of the basement design (the proposed terraced yards, and pad elevations between 34.5 and .84 feet) will create walls that would otherwise exceed the height limitation within a required front yard. For example, retaining walls facing South Pacific Street will be 4.5 feet tall, but they will be obscured by lower walls (having an approximate height of 1.6 feet). The retaining walls within the corner side yard (Witherby Street) have heights between 5.3 and 5.6 feet. The maximum height of the proposed interior side yard basement wall is 6.3 feet.

The design of terraced yards and a basement provides opportunities for the ground level (basement) to include with each unit a 2-car garage, kitchen, dining room, living room, half-bathroom and laundry room. The first floor is accessed via a stairwell from the basement.

The application includes three distinctive floor plans that are summarized below:

Plan Type	No. of Units	Floor Area (Sq. F)	No. of Bedrooms	Garage	Stories
A	1	2,835 SF	3	2-car	2 + basement
B	1	2,814 SF	3	2-car	2 + basement
C	1	2,736 SF	3	2-car	2 + basement
TOTAL	3 Units	8,385 SF	9 bedrooms	3 two-car garages	2 + basement

The first floor plan includes master bedrooms with views facing the shore, a large master bathroom, a half-bathroom, and depending on the unit's floor plan, either a bonus room

and balcony or two bedrooms and a library. The second floor is accessed via the same stairwell from the basement and first floors. The second floor plan includes rooftop decks (above the first floor), stairwell access to rooftop decks (above the second floor), and bedrooms and bathrooms or a bonus room and half-bathroom. Elevators are not proposed.

Three stairwell penthouses are proposed. They are less than 10 percent of the building area and their maximum elevation, from existing grade, is 34.16 feet.

The three-unit condominium development is designed in a classic style. The architectural enhancements include metal railings, warm brown toned stone tiles, and wooden trellises. The walls are proposed to be clad with stucco. Windows are situated to provide views of the street and shoreline from the living room and master bedrooms.

Fourteen existing Mexican Fan Palm trees will be replanted on-site. The new landscaping includes trees in the parkways, front yards, and in the parkway on the south side of Witherby Street. Shrubs and ground cover will provide varied plant heights – thus augmenting the terraced yard design. To soften the building's mass, the landscape design juxtaposes trees and shrubs with the structure's windows, doorways, and the more vertical surfaces of the development. La Jolla Red Bougainvillea, the City's flower, will be planted on the wall adjacent to the La Salina Waste Water Treatment Plant. Trees shall be planted between each of the garage doors along Tait Street (on private property and not within the public-right-of-way).

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

1. General Plan Land Use Element
2. Zoning Ordinance
3. The 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 1.32 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.

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 A. The placement of all proposed structural components, landscaping, access ways, etc. shall be oriented on the site in such a manner to maximize: (2) the even circulation of natural breezes between and through all buildings; and (3) the quality of view and vistas from the site to the surrounding environment.

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 join use of ancillary facilities.

The development type is consistent with the surrounding area (multi-family and condominiums). The building's orientation will have the advantage of views of and breezes from the Pacific Ocean. Residential uses within the 1300 block of Tait Street/Pacific Street have vehicle egress via the minor street, Tait. The overall design and land use compliments the existing developments within the same block with similar height, bulk, mass and colors. The design provides enhanced on-street parking (Wetherby Street) and access to the beach and shore.

Table: Land use compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LCP ZONING	LAND USE
Subject Property	UHD-R	RT	RT	Multi-family residential
1300 block of South Pacific Street	UHD-R	RT	RT	Multi-family residential
East of Tait Street	OS	PS	PUT	Major Utility
South of Witherby Street	OS	PS	PUT	Major Utility

Public Utility Transportation Zone (PUT)

Surrounding land uses in the 1300 block of Tait Street/South Pacific Street include multifamily apartments and condominiums:

- 1213 South Pacific St is a 2-unit condominium, *Enright Townhomes* (2004-P49);
- 1302 South Pacific St is a 3-unit condominium, *Pacific Street Condos* (2003-P23);
- 1312 South Pacific St is a 7-unit apartment building constructed in 1964;
- 1314 South Pacific St is a 3-unit condominium, *Hoyt Condominiums* (2000-P50);
- 1318 South Pacific St is an 8-unit apartment building constructed in 1960;
- 1324 South Pacific St is a 6-unit condominium constructed in 1982; and
- 1330 South Pacific St is a 4-unit apartment building constructed in 1955.

Along the shoreline and west of the project site, the 1300 block of South Pacific has a similar mix of single-family, multifamily, and residential condominium developments. South of Witherby Street is the La Salina Waste Water Treatment Plant. East of Tait Street is the water treatment plant and the rail road.

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 proposed density is 17 dwelling units per gross acre (a total of 3 dwelling units on a 0.17-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. The project will not interfere with the efficient and proper provision of City services (including the La Salina Waste Water Treatment Plant). The condominium's architecture and site landscaping will enhance the surrounding area. The addition of on-street parking will benefit area residents and visitors.

2. Zoning compliance

This project is located in the Residential Tourist District (RT) 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	6,000 SF	7,486 SF existing + 1,400 SF from future street vacation
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
CORNER SIDE YARD	10 feet	10 feet
MINIMUM LOT WIDTH	60 feet	74.86 feet + 14 feet from future street vacation
MAXIMUM HEIGHT	27 feet and 2 floors	27 feet and 2 floors + a basement
HEIGHT EXCEPTION	37 feet from grade	34.16 feet from grade
COMMON OPEN SPACE	450 SF	572 SF
OPEN SPACE	900 SF	2,962 SF

	REQUIRED	PROPOSED
PRIVATE OPEN SPACE	see Section 1050(Q)	756 SF Unit A 886 SF Unit B 913 SF Unit C
COURTS OPPOSITE WINDOWS	see Section 1050(N)	shown on plan sheet A-3 Floor Plan Note 2

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; Article IX Improvements Section 901.G.4. Deferral Provisions); and the California State Streets and Highways Codes for the proposed Street 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. Article IX Improvements. The proposal is for less than ten (10) residential units (three units are proposed). Therefore pursuant to Section 901.G.4 of the Subdivision Ordinance, the proposal meets at least one of the seven criteria for the deferral provisions for undergrounding utility conversions.

C. Section 8300 of the Streets and Highways Codes. Street Vacation applications are subject to approval by the City Council in accordance with the California State Streets and Highways Code requirements. If the street 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 multifamily development of less than four dwelling units.

5. Local Coastal Program compliance

The Local Coastal Program (LCP) Zoning is Residential Tourist (RT). The LCP Land Use designation is High Density. The proposed project is 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 II Recreational and visitor serving facilities.

The Coastal Act requires adequate distribution of public facilities such as parking areas, provision of lower cost visitor facilities, protection of ocean-front areas for Coastal recreation, granting of priority to commercial recreation uses, reservation of upland areas to support coastal recreation, and distribution of visitor facilities throughout the Coastal zone.

Objective: The City shall provide and maintain a wide range of public recreation areas, beach support facilities, and visitor-serving facilities, commensurate with need.

Policy Parking 12: If existing beach parking is removed for any reason, one-to-one replacement parking shall be provided west of the railroad right-of-way.

The applicant proposes to eliminate 3 on-street parking spaces on each side of Witherby Street and replace them with a total of 7 on-street parking spaces on the south side of Witherby Street, adjacent to the La Salina Waste Water Treatment Plant.

B. 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:

4. The City shall maintain existing view corridors through public rights-of-way.

8. The City shall ensure that all new development is compatible in height, scale, color and form with the surrounding neighborhood.

12. The City shall support enhancement of the streetscape of the major tourist corridors through Oceanside (Coast Highway (Hill Street) and Mission Avenue) using the following features: (f) Undergrounding of utilities.

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 proposal does not obstruct view corridors through the public rights-of-way. The proposed development is similar and compatible with the surrounding area, especially in regards to height, scale, color, and form. While the proposal includes a request to defer the undergrounding of overhead utilities, the applicant has expressed their intent to underground the overhead utilities upon approval by SDG&E. 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: Deferring the conversion of utilities within the Local Coastal Program (LCP).

Recommendation: The LCP Policy is specific in regards to undergrounding utilities within the Coastal Zone. The applicant is emphatic that they are merely awaiting the SDG&E's approval for the conversion of the overhead utilities and that their intent is to underground the overhead utilities.

The Planning Commission may defer all or a portion of the requirements to underground existing facilities at the time of tentative map approval solely on one or more of the following findings:

- a) Existing facilities are within an existing alley;
- b) The subdivision contains less than 10 residential units;
- c) A residential subdivision has less than 250 feet of existing frontage;
- d) Facilities exist along rear property line(s) within an agricultural or residential estate zoned property;
- e) Conversion as defined above creates a net increase in three or more poles over existing number of poles;
- f) Seventy percent or more of the facilities required to be undergrounded exist on the opposite side of existing abutting street from the subdivision;
- g) Subdivision is within the Redevelopment project Area and;
 - i. Subdivision is less than one-quarter (1/4) block in length fronting street or alley, or
 - ii. Subdivide provides verification by the utility companies impacted that the subdivision's obligations can be proven to be exorbitant in cost in relationship to a larger conversion project within the same area and of similar conditions.

The drawings prepared by the applicant's engineer depict the deferment of the conversion of utilities. Staff has determined that the project meets findings b and (g)i above.

Issue: The scope of the project cannot be achieved as proposed unless City Council approves a street vacation along Tait Street. The Street Vacation may impact view corridors within the Local Coastal Program.

Recommendation: Staff has determined that the proposal enhances the surrounding area and provides suitable development within the 1300 block of South Pacific Street.

The proposed increase in on-street parking and the proposed landscaping within Tait Street parkways are all benefits to the community. A positive recommendation from the Commission to City Council will be of benefit to the project and provide support for the proposed Street Vacation.

Issue: While their exposed face meets the maximum allowed height requirement, retaining walls in the required front yard exceed 3.5-feet in height.

Recommendation: This development technique has been previously supported by the Planning Commission and there are existing developments between the 1100 block and the 1500 block of South Pacific Street with this characteristic. These retaining walls have created front yards elevated above the sidewalk with intervening shrubs between the sidewalk and front patio areas.

Potentially, pedestrians experience a separation from the residential lots rather than a connection to the neighborhood because vertical elements are introduced at the front property line.

Issue: The design incorporates a basement, which provides a third building floor.

Recommendation: The benefit of the retaining wall is solely born by the property owner. The residential units are limited in height to two stories or 27-feet, whichever is less. Basements are not included in the determination of building height.

Issue: Rooftop appurtenances and decks are proposed.

Recommendation: The proposal includes roof top decks above the first and second floors of the structure that meet the requirements of the Zoning Ordinance. This will afford enhanced access to the views for the condominium occupants. The rooftop deck areas are separated between the units and thus provide enhanced privacy between neighbors.

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 multifamily residential projects, with fewer than four residential units, are exempt from CEQA.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times on March 30, 2007, and notices were sent to property owners of record within a 300 ft. and occupants within 100 ft. radius of the subject property, individuals and or organizations requesting notification, and interested parties. As of April 5, 2007, no communication supporting or opposing the request has been received.

SUMMARY

The proposed Tentative Parcel Map (P-19-05), Development Plan (D-33-05), and Regular Coastal Permit (RC-22-05) 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 residential product type, density, architecture, and site design elements 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 Staff Resolution. Staff recommends that the Planning Commission:

- Move to approve Tentative Parcel Map (P-19-05), Development Plan (D-33-05), and Regular Coastal Permit (RC-22-05) and adopt Planning Commission Resolution No. 2007-P17 as attached.

PREPARED BY:

SUBMITTED BY:


Juliana von Hacht
Associate Planner

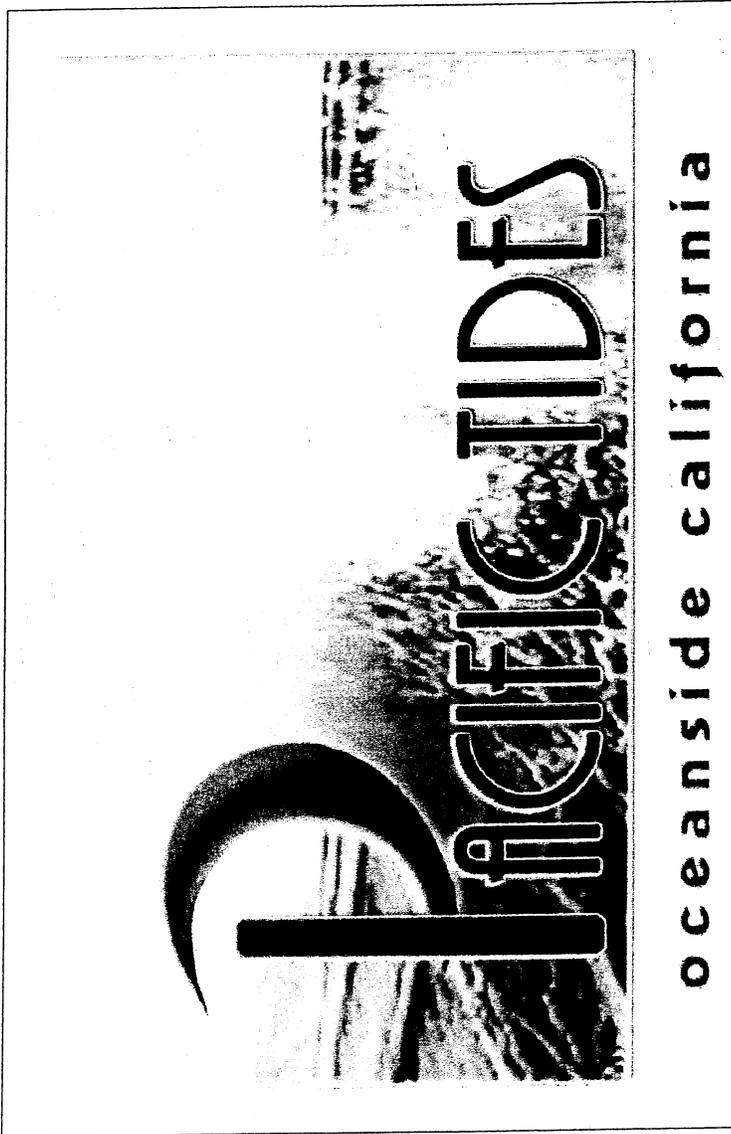

Jerry Hittlerman
City Planner

REVIEWED BY: 
Amy Volzke, Principal Planner

JH/JH/fil

Attachments:

1. Plans
2. Planning Commission Resolution No. 2007-P17



LANDSCAPE DESIGN:
 4 DESIGN ARCHITECTURE & PLANNING
 KENNETH L. CHRIS, ARCHITECT
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 FAX: (760) 433-1816

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 FAX: (619) 331-1186

HISTORICAL:
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 WITH ALICE HISTORIAN
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 FAX: (619) 575-1825

PLANNING CONSULTANT:
 BETTY GRAF
 3529 SEA RIDGE ROAD
 OCEANSIDE, CALIFORNIA 92054
 PHONE: (760) 231-7482
 FAX: (760) 231-7482

PROJECT DATA:

SITE INFORMATION:
 AREA OF EXISTING SITE
 1,400 SQ. FT.
 AREA OF STREET VACATED
 1,400 SQ. FT.
 TOTAL AREA OF PROPOSED SITE
 2,804 ACRES
 SITE COVERAGE
 25% MIN.
 LANDSCAPING REQUIRED (RES.)
 37%
 LANDSCAPING PROVIDED
 BUILDING HEIGHT ALLOWED
 27'-0" MAX.

DENSITY OF RESIDENTIAL UNITS:
 MAXIMUM 45 UNITS PER ACRE
 PROPOSED DENSITY
 9 UNITS
ZONING PLAN:
 RESIDENTIAL TOURIST DISTRICT
 RT

STREETS:
 BAYVIEW (PACIFIC AND TAIT)
 SIDE YARD
 5'-0" MIN. (AVG. 10'-0")
 CORNER SIDE YARD (WITHENBY)
 10'-0"

NORTH SIDE YARD MIN. AREA REG. 1000 SQ. FT.
NORTH SIDE YARD AREA PROVIDED 110 SQ. FT.

LAND USE: PERMITTED

MULTI-RESIDENTIAL PARKING REQUIRED:

RESIDENTIAL: 2 STALLS/UNIT NOT REQUIRED
GUESTS: 1 BEDROOM'S PARKING PROVIDED

OTHER SPACE: 4 STALLS (3 2-CAR GARAGES)

REQUIRED: 200 SQ. FT.
PROVIDED: 200 SQ. FT.

REQUIRED: 450 SQ. FT.
PROVIDED: 570 SQ. FT.

PRIVATE OPEN SPACE: 754 SQ. FT.
UNIT A PRIVATE SPACE: 204 SQ. FT.
UNIT B PRIVATE SPACE: 910 SQ. FT.

UNIT AREA: 2,836 SQ. FT.
UNIT A TOTAL AREA: 2,244 SQ. FT.
UNIT B TOTAL AREA: 2,756 SQ. FT.
TOTAL UNIT AREA: 4,396 SQ. FT.

DESIGN SUBMITTALS:
 JANUARY 21, 2005
 NOVEMBER 1, 2006
 JANUARY 18, 2007

REVISED
 REVISED
 REVISED

SHEET SCHEDULE

A-1 COVER SHEET
 A-2 SITE DEVELOPMENT PLAN
 A-3 UNIT A PLAN
 A-4 UNIT B PLAN
 A-5 UNIT C PLAN
 A-6 ELEVATIONS
 A-7 ELEVATIONS
 A-8 SITE SECTION
 L-1 CONCEPTUAL LANDSCAPE PLAN

PACIFIC TIDES - OCEANSIDE

DESCRIPTION OF PROJECT:

DEMOLITION OF THE EXISTING RESIDENTIAL UNIT AND CONSTRUCTION OF A NEW MULTIFAMILY CONSTRUCTION OF A TOTAL OF THREE LUXURY CONDOMINIUM UNITS WITH VIEWS OF THE PACIFIC OCEAN.

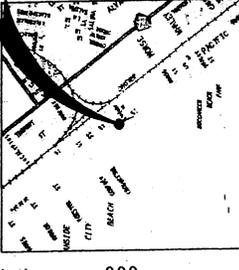
PROJECT ADDRESS:

1334 S. PACIFIC STREET
 OCEANSIDE, CA 92054

APN:

92-143-09, 10
 OCEANSIDE, CALIFORNIA
 THORLAB BROTHERS 1864-83

LOCATION MAP:



OWNER/APPLICANT:

ARCHITECT:

4 DESIGN ARCHITECTURE & PLANNING
 KENNETH L. CHRIS, ARCHITECT
 P.O. BOX 849
 OCEANSIDE, CA 92084
 PHONE: (760) 433-1186
 FAX: (760) 433-1816



PLANNING
 SUBMITTAL

A-1

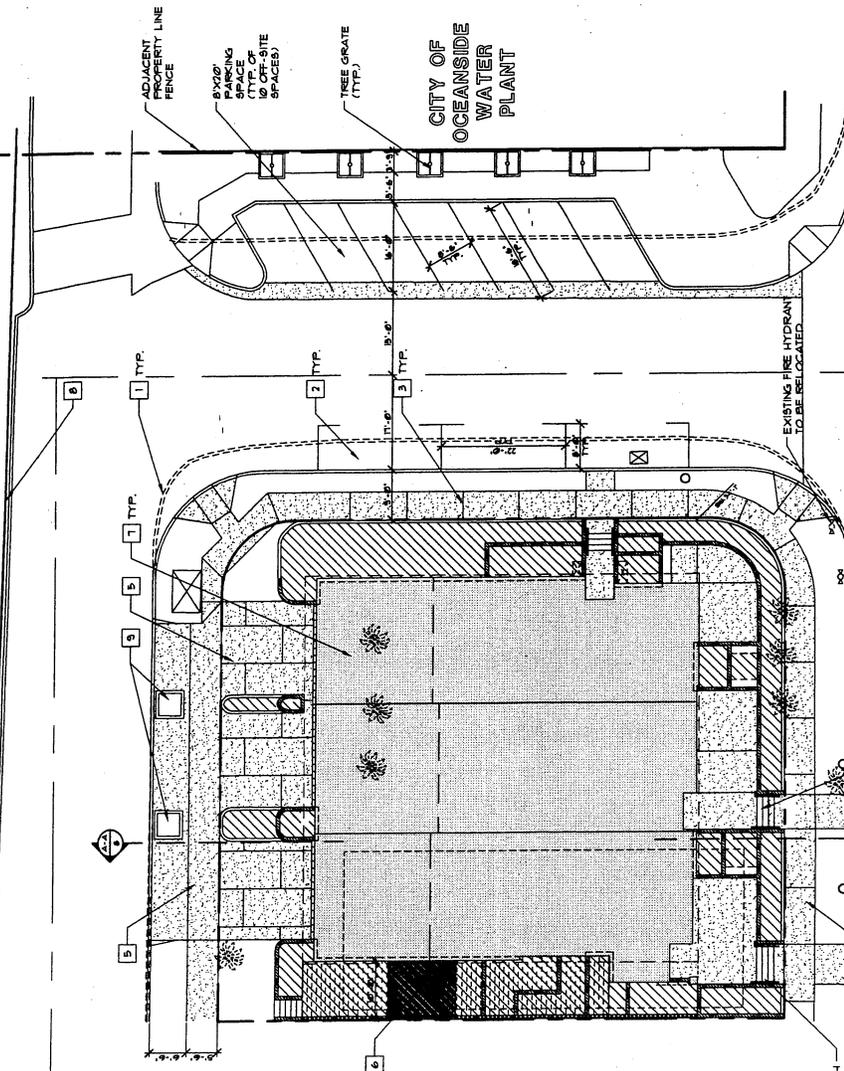
COVER SHEET

05-5694

RECEIVED
 FEB 27 2007

Planning Department

CITY OF OCEANSIDE WATER PLANT



SINGLE STORY SINGLE FAMILY RESIDENCE

SINGLE STORY SINGLE FAMILY RESIDENCE

SITE DEVELOPMENT PLAN
SCALE: 1" = 10'-0"



SIDE YARD AREA CALCULATIONS:

- 1. 15'-0" REAR YARD
- 2. 5'-0" MIN. (AVG. 10'-0") SIDE YARD
- 3. 5'-0" MIN. (AVG. 10'-0") CORNER SIDE YARD
- 4. 10'-0" SIDE YARD
- 5. 10'-0" SIDE YARD
- 6. 10'-0" SIDE YARD
- 7. 10'-0" SIDE YARD

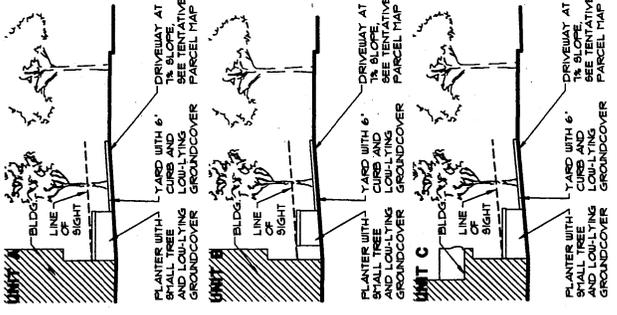
BASEMENT COVERAGE:

LENGTH OF ALL BUILDING SIDES	234'-4"
LENGTH OF BUILDINGS THAT MUST BE 50% BELOW GRADE IN ORDER FOR LEVEL TO QUALIFY AS A BASEMENT	141'-2"
ACTUAL LENGTH OF BUILDING 50% BELOW GRADE	140'-1"

OPEN SPACE AREA CALCULATIONS:

- 1. TOTAL OPEN SPACE REQUIRED: 3000 SQ. FT.
 - 2. TOTAL OPEN SPACE PROVIDED: 2500 SQ. FT.
 - 3. COMMON SPACE REQUIRED: 450 SQ. FT.
 - 4. COMMON SPACE PROVIDED: 572 SQ. FT.
 - 5. PRIVATE OPEN SPACE: 156 SQ. FT.
 - 6. UNIT A PRIVATE SPACE: 686 SQ. FT.
 - 7. UNIT B PRIVATE SPACE: 85 SQ. FT.
- PRIVATE OPEN SPACE IS PROVIDED ON ROOF AND 50% OF EACH UNIT'S PRIVATE OPEN SPACE.

LINE OF SIGHT AT DRIVEWAYS:



FLOOR PLAN NOTES:

1. REMOVE EXISTING CURB
2. ADD 10' OFF-SITE PARKING STALLS
3. NEW CONCRETE WALK
4. NEW CONCRETE STEPS WITH RAILS (TYP. OF 3)
5. NEW ROLLED CURB, SEE CIVIL DRAWINGS.
6. 10' SQ. FT. COURT AREA AS REQUIRED PER SECTION 19550(N). SEE SHEET A-3 FOR EXACT LOCATION ON UNIT.
7. INDIVIDUAL TRASH CONTAINERS SHALL BE KEPT IN PRIVATE GARAGES.
8. EXISTING PROPERTY LINE FENCE ON ADJACENT SITE
9. TREE WELL

LEGEND:

- V - EXISTING WATER LINE
- S - EXISTING SEWER LINE
- - - - EXISTING UTILITY POLE
- - - - EXISTING TOPOGRAPHY
- - - - EXISTING CURB TO BE REMOVED
- - - - EXISTING CURB TO REMAIN
- - - - PROPOSED CURB
- - - - EXISTING STRUCTURE TO BE REMOVED
- - - - EXISTING PALM TREE TO BE RELOCATED. SEE SHEET L-1
- - - - RAISED PLANTER
- - - - 6" RETAINING WALL
- - - - SIDE YARD AREA. SEE CALCULATIONS ON THIS SHEET
- - - - COMMON USABLE OPEN SPACE AREA. SEE CALCULATIONS ON THIS SHEET
- - - - OUTDOOR FIRE NICHE

11/9/06
01/25/06
10/25/06
10/21/06
2/16/07

PACIFIC TIDES - OCEANSIDE

PLANNING SUBMITTAL

A-2

095-599A

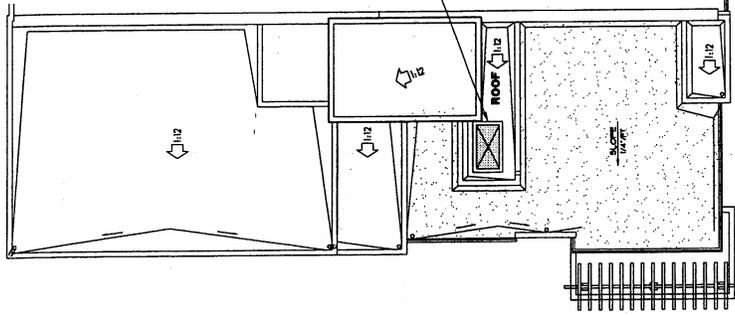
PACIFIC TIDES - OCEANSIDE

FLOOR PLAN NOTES:

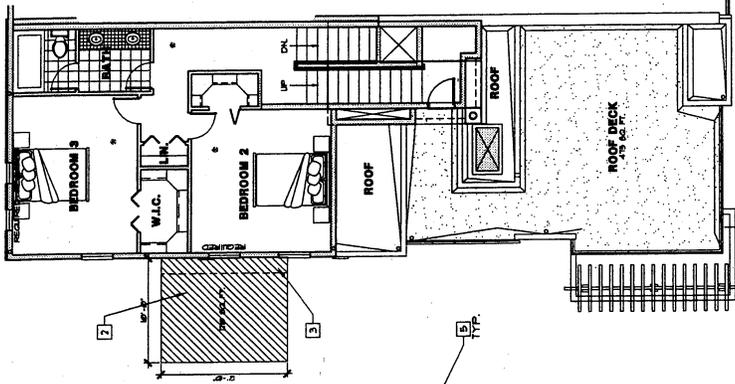
- OPTIONAL WET BAR WITH PREPARATION SINK AND UNDER-COUNTER BEVERAGE SINKS ARE NOT PERMITTED. PREPARATION ALLOWED IN THIS AREA.
- REQUIRED COURT AREA AREA SECTION 310.5. SEE SITE PLAN FOR RELATION TO PROPERTY LINES.
- 18" CORMICE OVERHANG OVER REQUIRED COURT AREA.
- LOCATION OF TRASH RECEPTACLES.
- SMOKE DETECTOR INSTALLED IN COMPLIANCE WITH CALIFORNIA BUILDING CODE SECTION 310.5.

GENERAL NOTES:

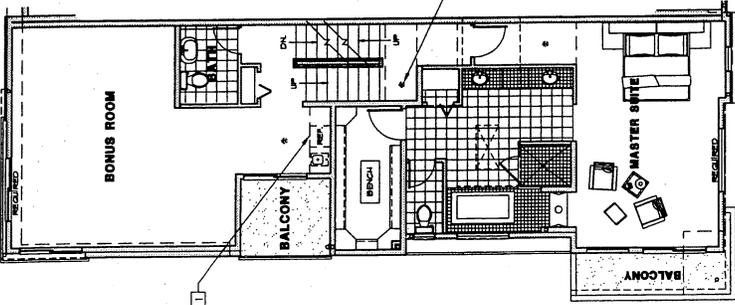
- ROOF DECKS AND ALL ROOF PROJECTIONS SHALL BE IN COMPLIANCE WITH ZONING ORDINANCE SECTION 320.6.



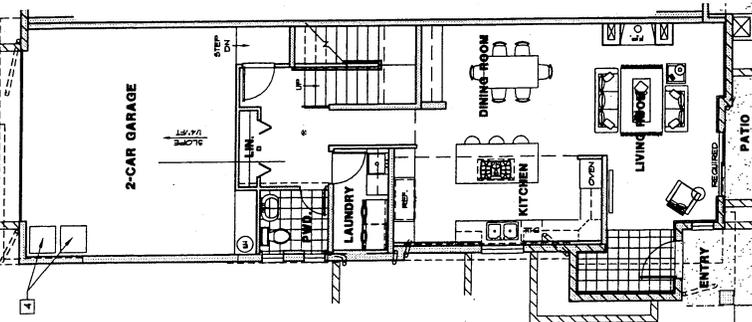
ROOF PLAN



SECOND FLOOR UNIT AREA: 630 SQ. FT.
ROOF DECK AREA: 475 SQ. FT.



FIRST FLOOR UNIT AREA: 1263 SQ. FT.



BASEMENT UNIT AREA: 942 SQ. FT.
GARAGE: 434 SQ. FT.

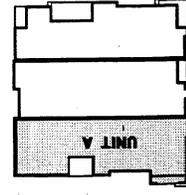
UNIT A FLOOR PLAN

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

TOTAL UNIT AREA: 2,835 SQ. FT.

LEGEND:

- 2X WOOD FRAME WALL
- MASONRY WALL
- METAL HANDRAIL
- DIRECTION OF ROOF SLOPE / DRAINAGE



BUILDING KEY

UNIT A FLOOR PLAN

PLANNING SUBMITTAL

A-3

09-569A

11/6/06
9/15/06
10/23/06
12/16/07

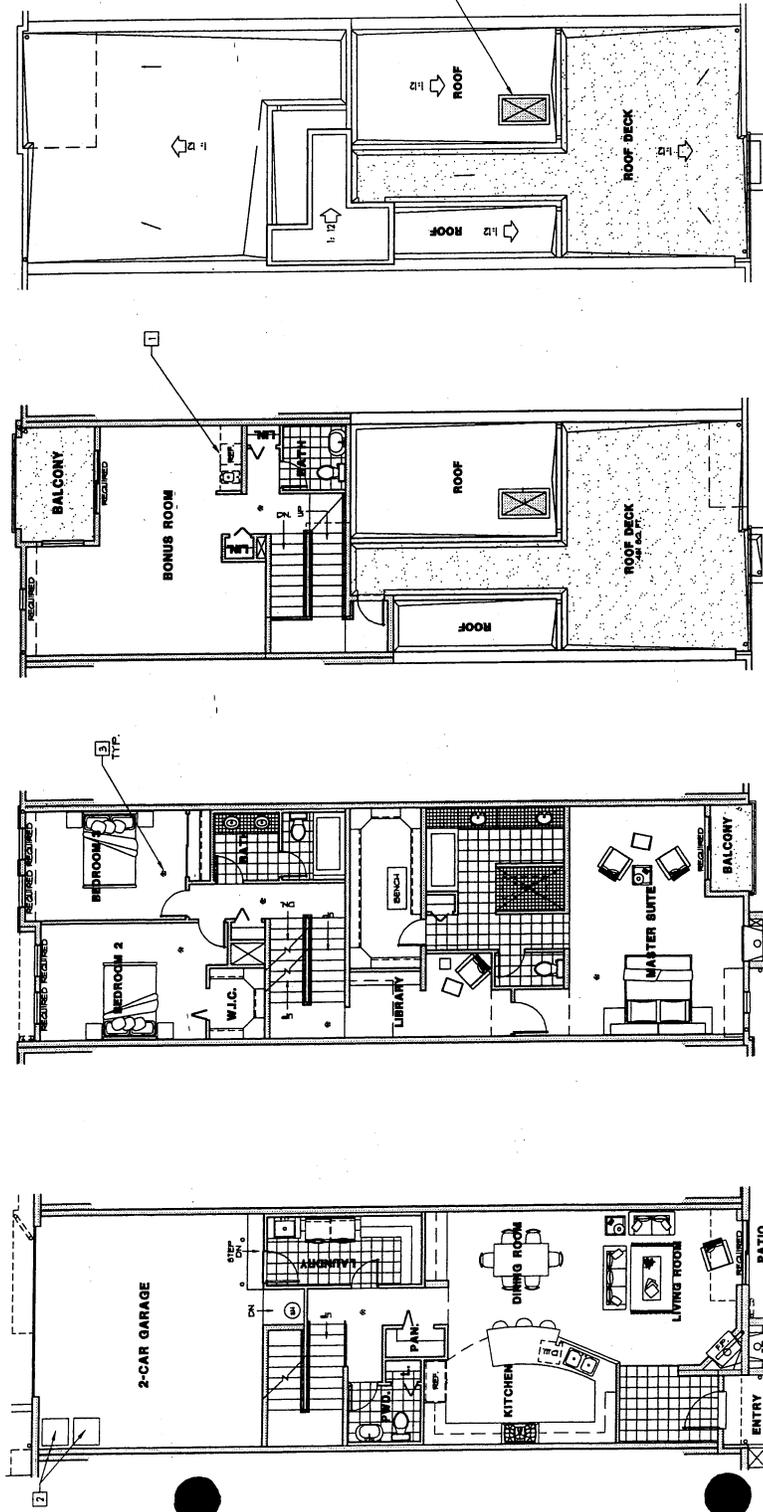
PACIFIC TIDES - OCEANSIDE

FLOOR PLAN NOTES:

- 1. OPTIONAL METABAR WITH PREPARATION AREA, NO FOOD BEVERAGE REFRIGERATOR, NO FOOD PREPARATION ALLOWED IN THIS AREA.
- 2. LOCATION OF TRASH RECEPTACLES.
- 3. SMOKE DETECTOR INSTALLED IN ACCORDANCE WITH CALIFORNIA BUILDING CODE SECTION 9102.

GENERAL NOTES:

- A. ROOF DECKS AND ALL ROOF PROJECTIONS ARE IN COMPLIANCE WITH ZONING ORDINANCE SECTION 5906.



BASEMENT UNIT AREA: 958 SQ. FT.
GARAGE AREA: 483 SQ. FT.

FIRST FLOOR UNIT AREA: 1353 SQ. FT.

SECOND FLOOR UNIT AREA: 504 SQ. FT.
ROOF DECK AREA: 481 SQ. FT.

ROOF PLAN

UNIT B FLOOR PLAN

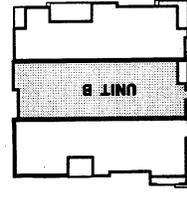
SCALE: 3/16" = 1'-0"



REFERENCE NORTH

LEGEND:

- 2X WOOD FRAME WALL
- MASONRY WALL
- METAL HANDRAIL
- DIRECTION OF ROOF SLOPE / DRAINAGE



BUILDING KEY

PLANNING
SUBMITTAL

UNIT B FLOOR PLAN

A-4

09-589A

FLOOR PLAN NOTES:

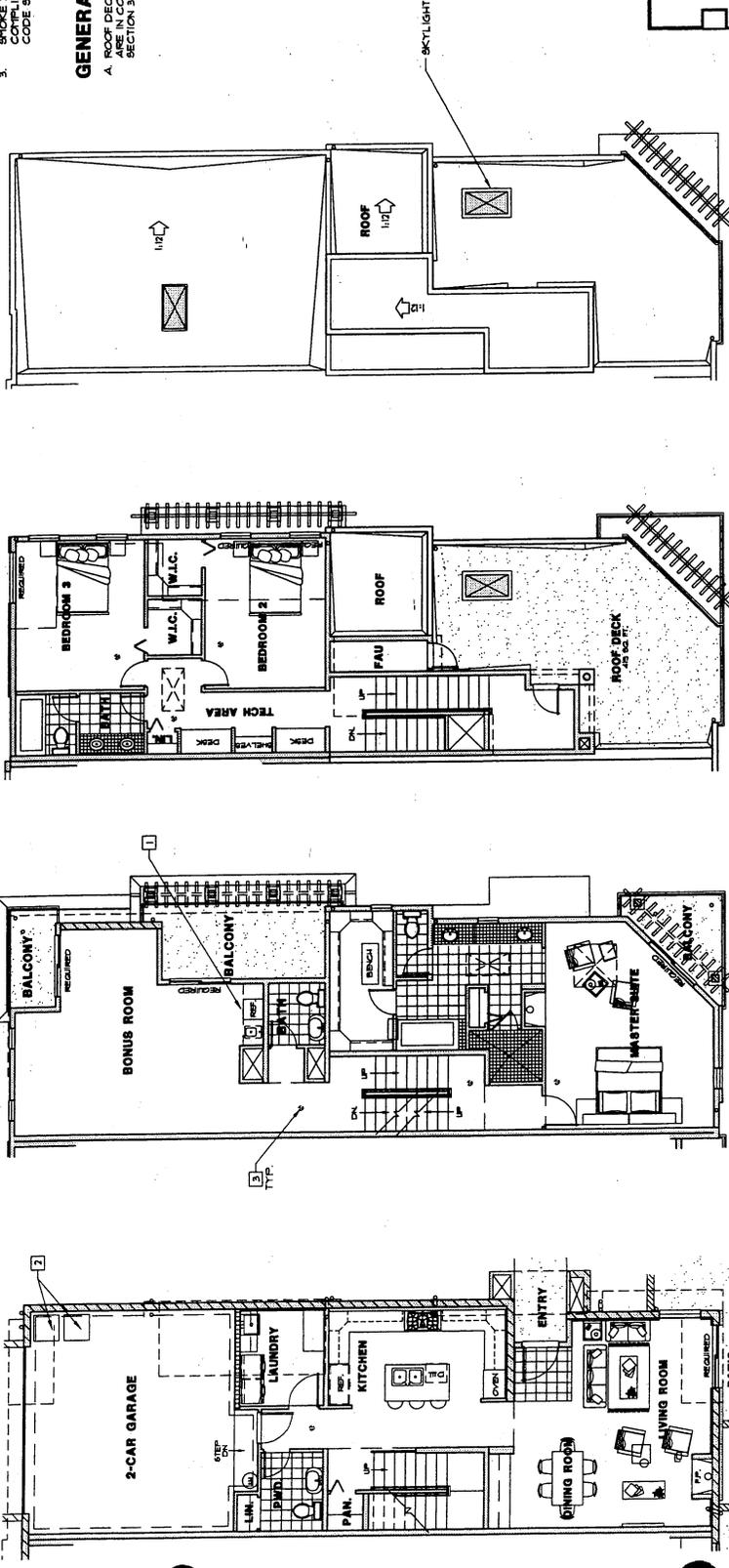
1. OPTIONAL JET PANS WITH PREPARATION SINK AND UNDER-COUNTER BEVERAGE REFRIGERATOR. NO FOOD PREPARATION ALLOWED IN THIS AREA.
2. LOCATION OF TRASH RECEPTACLES.
3. SMOKE DETECTORS INSTALLED IN COMPLIANCE WITH CALIFORNIA BUILDING CODE SECTION 3102.3.

GENERAL NOTES:

- A. ROOF DECKS AND ALL ROOF PROJECTIONS ARE IN COMPLIANCE WITH ZONING ORDINANCE SECTION 3018.

PACIFIC TIDES - OCEANSIDE

10/2/20
9/15/20
10/25/20
1/16/21
2/26/21



BASEMENT UNIT AREA: 902 SQ. FT.
GARAGE AREA: 425 SQ. FT.

FIRST FLOOR UNIT AREA: 1197 SQ. FT.

SECOND FLOOR UNIT AREA: 1025 SQ. FT.
ROOF DECK AREA: 415 SQ. FT.

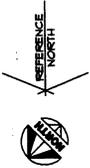
ROOF PLAN

UNIT C FLOOR PLAN

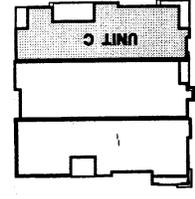
TOTAL UNIT AREA: 2,136 SQ. FT.
SCALE: 3/16" = 1'-0"

LEGEND:

- 2X WOOD FRAME WALL
- MASONRY WALL
- METAL HANDRAIL
- DIRECTION OF ROOF SLOPE / DRAINAGE



BUILDING KEY



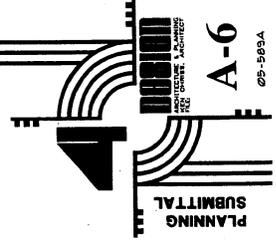
PLANNING
SUBMITTAL

UNIT C FLOOR PLAN

A-5
05-599A

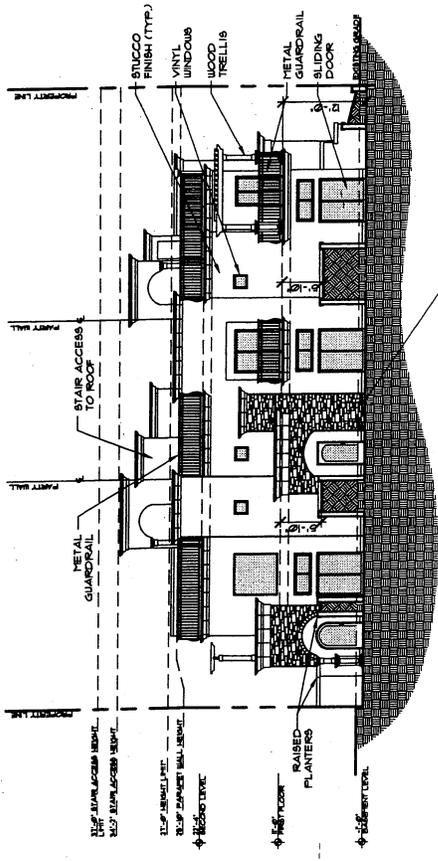
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PACIFIC TIDES - OCEANSIDE

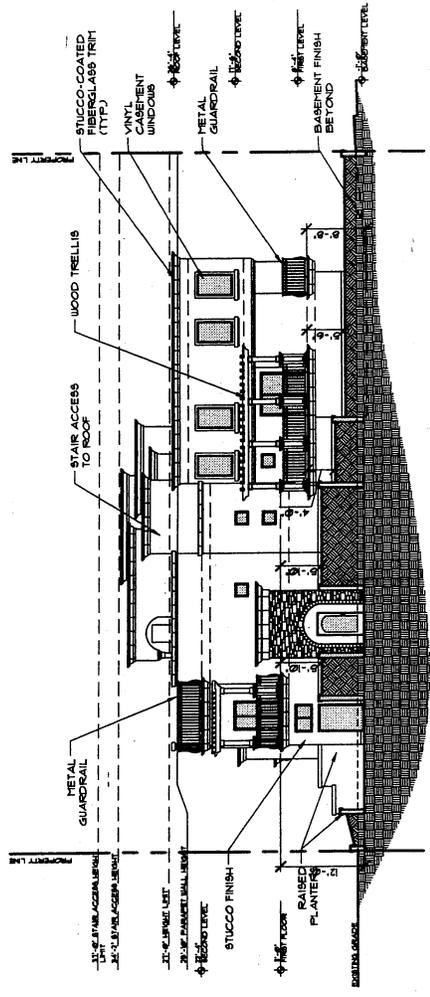


A-6
 09-599A

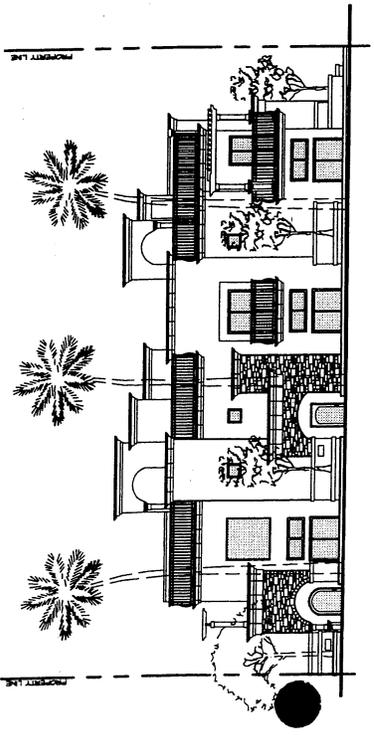
EXTERIOR ELEVATIONS



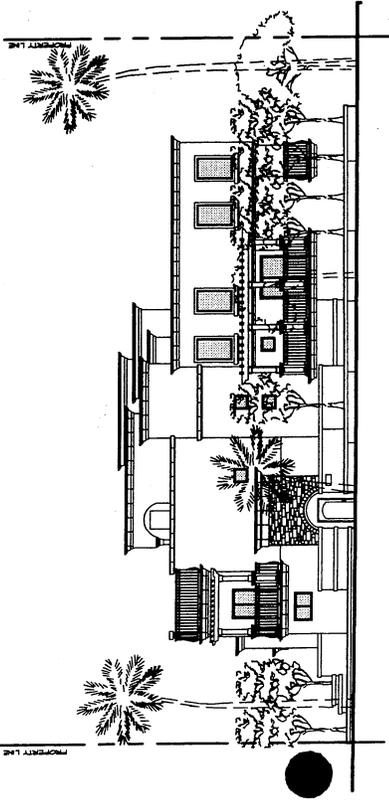
WEST ELEVATION AT BUILDING



SOUTH ELEVATION AT BUILDING



WEST ELEVATION AT STREET



SOUTH ELEVATION AT STREET

EXCEPTIONS TO 27'-0" HEIGHT LIMIT.	
GROUND AREA OF BUILDING	4,510 SQ. FT.
ROOF ACCESS STRUCTURE AREA ALLOWED (MAY BE 10% OF GROUND AREA)	451 SQ. FT.
ACTUAL ROOF ACCESS STRUCTURE AREA	319 SQ. FT. (6.94 % OF GROUND AREA)

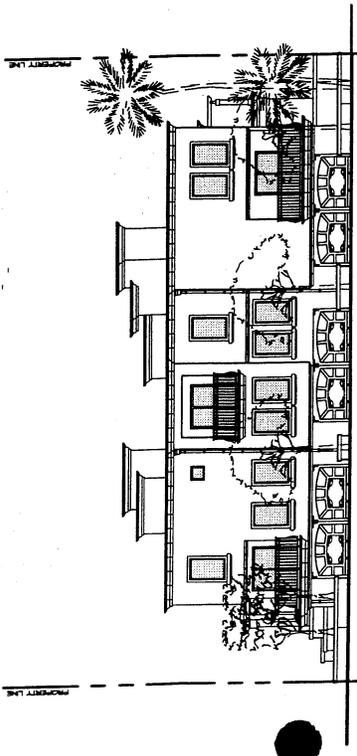
EXTERIOR ELEVATIONS

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

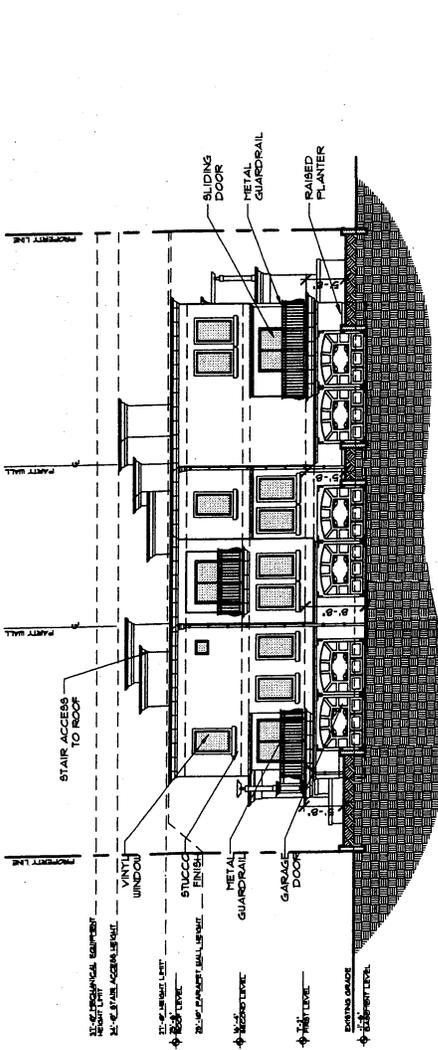
18.06
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PACIFIC TIDES - OCEANSIDE

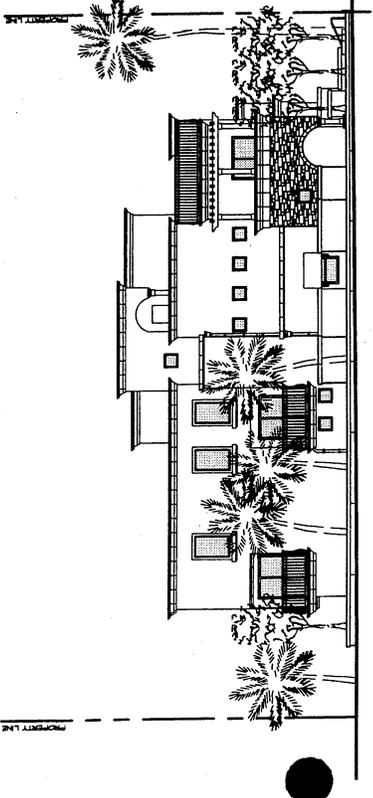
PLANNING
SUBMITTAL
A-7
05-589A



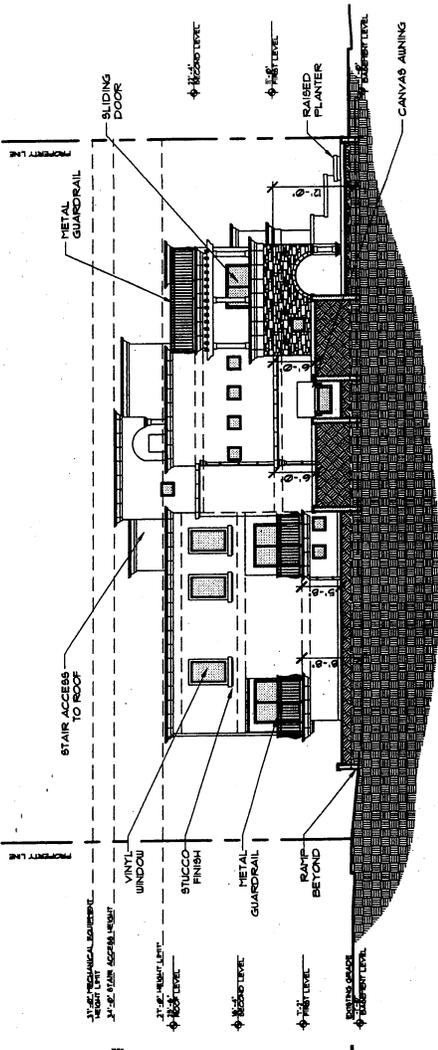
EAST ELEVATION AT STREET



EAST ELEVATION AT BUILDING



NORTH ELEVATION AT STREET



NORTH ELEVATION AT BUILDING

EXCEPTIONS TO 27'-0" HEIGHT LIMIT:	
GROUND AREA OF BUILDING	4310 SQ. FT.
ROOF ACCESS STRUCTURE AREA ALLOWED THAT BE 50% OF GROUND AREA	451 SQ. FT.
ACTUAL ROOF ACCESS STRUCTURE AREA	313 SQ. FT. (6.94 % OF GROUND AREA)

EXTERIOR ELEVATIONS

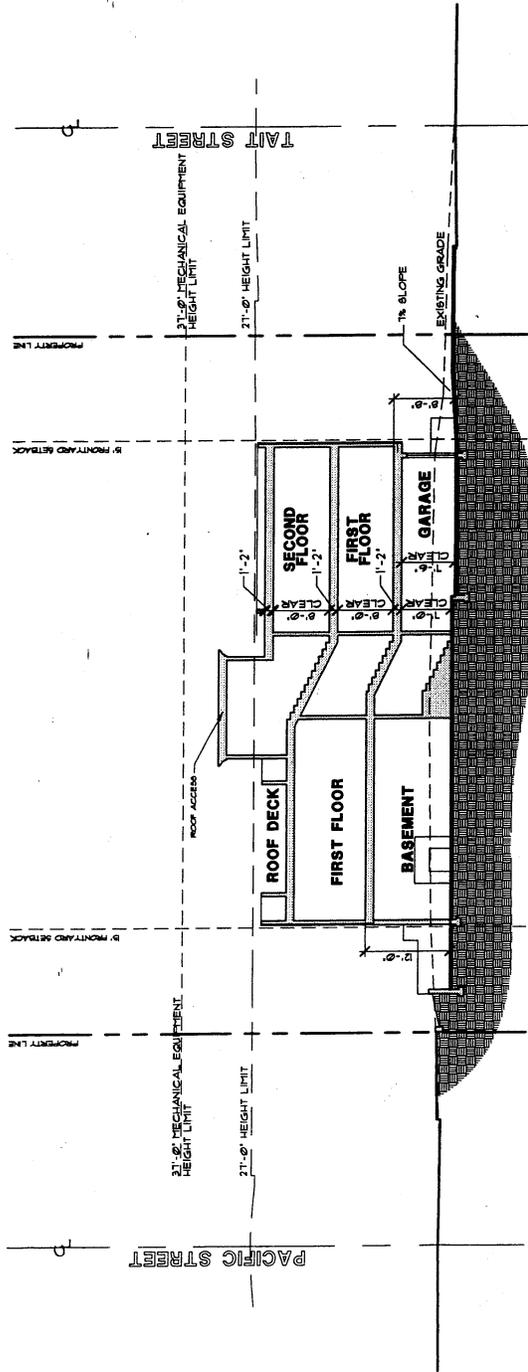
SCALE 1/8" = 1'-0"

EXTERIOR ELEVATIONS

GENERAL NOTES:

A. ROOF DECKS AND ALL ROOF PROJECTIONS ARE IN COMPLIANCE WITH ZONING ORDINANCE SECTION 3018.

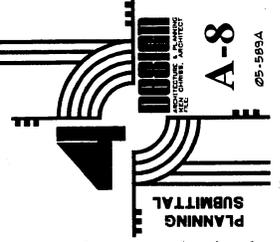
18/06
6/15/26
11/25/26
18/06
22/6/21



PRELIMINARY SITE SECTION A-A

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

PACIFIC TIDES - OCEANSIDE



PLANNING
SUBMITTAL

PRELIMINARY
SITE SECTION A-A

A-8
05-599A

1 PLANNING COMMISSION ;
2 RESOLUTION NO. 2007-P17

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 TENTATIVE PARCEL MAP, DEVELOPMENT PLAN,
6 REGULAR COASTAL PERMIT AND GRANTING A
7 DEFERRAL TO UNDERGROUND OVERHEAD UTILITIES ON
CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

8 APPLICATION NO: P-19-05, D-33-05, RC-22-05
9 APPLICANT: 20 Morgan, LLC
10 LOCATION: 1334 S. Pacific St

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

13 WHEREAS, there was filed with this Commission a verified petition on the forms
14 prescribed by the Commission requesting a Tentative Parcel Map, Conditional Use Permit, and
15 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:

16 the demolition of an existing 3-unit residential structure and the construction of a 3-unit
17 residential condominium with vehicular access from Tait Street and a deferral of the
18 requirement to underground existing overhead utilities;
19 on certain real property described in the project description.

20 WHEREAS, the Planning Commission, after giving the required notice, did on the 9th day
21 of April, 2007 conduct a duly advertised public hearing as prescribed by law to consider said
22 application.

23 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
24 Guidelines thereto; this project has been found to be categorically exempt per Article 19, Section
25 15303(b), "New Construction or Conversion of Small Structures" from further environmental
26 review;

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$3,746 per unit.
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$4,587 per unit.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,154 per unit.
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.

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

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

17 FINDINGS:

18 For the Tentative Parcel Map and Development Plan:

- 19 1. The proposed subdivision creates parcels that are consistent with the requirements of the
20 RT (Residential Tourist District) Zoning and the UHD-R (Urban High Density
21 Residential) General Plan designations in that the density of the subdivision would result
22 in a density of 17.1 dwelling units per acre.
- 23 2. The three-unit condominium development can be adequately, reasonably and
24 conveniently served by existing and planned public services, utilities, and public
25 facilities.
- 26 3. That the three-unit condominium development is compatible with existing and potential
27 development of the surrounding area, including the 1300 block of South Pacific Street.
- 28 4. The design of the multi-family structure, the proposed density, and the building height
29 are consistent with the policies contained within Section 1.24 and 1.25 of the Land Use
Element of the General Plan.

1 5. In accordance with City Council Policy 300-05, the Tentative Parcel Map is conditioned
2 to expire 24 months after its approval and is eligible to apply for a time extension as set
3 forth by the Subdivision Ordinance.

4 For the Regular Coastal Permit:

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

16 For the Deferral of the Requirement to Underground Facilities:

- 17 1. The project qualifies for deferral of the conversion of facilities because there are three
18 residential units proposed. Projects with less than 10 residential units may be approved
19 for a deferral of undergrounding overhead utilities.

20 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
21 approve Tentative Parcel Map (P-19-05), Development Plan (D-55-03), Regular Coastal Permit
22 (RC-22-05) and the deferral of the requirement to underground existing overhead utilities subject
23 to the following conditions:

- 23 ///////////////
24 ///////////////
25 ///////////////
26 ///////////////
27 ///////////////
28 ///////////////
29 ///////////////

1 **Building:**

- 2 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
3 Community Development Department/Building Division plan check. (Currently the
4 2001 California Code of Regulations, and 2004 California Electrical Code)
- 5 2. The granting of approval under this action shall in no way relieve the applicant/project
6 from compliance with all State and Local building codes.
- 7 3. The building plans for this project are required by State law to be prepared by a licensed
8 architect or engineer and must be in compliance with this requirement prior to submittal
9 for building plan review.
- 10 4. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
11 plans.
- 12 5. The developer shall monitor, supervise and control all building construction and
13 supporting activities so as to prevent these activities from causing a public nuisance,
14 including, but not limited to, strict adherence to the following:
- 15 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
16 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
17 work that is not inherently noise-producing. Examples of work not permitted on
18 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
19 producing nature. No work shall be permitted on Sundays and Federal Holidays
20 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and
21 Christmas Day) except as allowed for emergency work under the provisions of the
22 Oceanside City Code Chapter 38 (Noise Ordinance).
- 23 b) The construction site shall be kept reasonably free of construction debris as
24 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
25 approved solid waste containers shall be considered compliance with this
26 requirement. Small amounts of construction debris may be stored on-site in a neat,
27 safe manner for short periods of time pending disposal.
- 28 6. Separate/unique addresses will/may be required to facilitate utility releases. Verification
29 that the addresses have been properly assigned by the City's Planning Division shall
accompany the Building Permit application.

- 1 7. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation
2 will be required at time of plans submittal to the Community Development
3 Department/Building Division for 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/capped in accordance with the requirements of the
7 utility service provider. All/any underground septic or water storage tanks must be
8 removed or filled in accordance with the Uniform Plumbing Code and or the City's
9 Grading Ordinance.
- 10 9. A private sewer system design must be submitted to the Building Division and approved
11 prior to the construction of the sewer system. If a gravity flow system is not used, an
12 engineered mechanical system must be submitted and approved by all City of Oceanside
13 Departments.
- 14 10. As part of your plan check submittal for a Building Permit, submit a "plat" drawing
15 showing the first floor elevations for each segment, the locations of the points where the
16 floor level is six feet above grade, and the lowest elevation within five feet from the
17 building for each segment.
- 18 11. Building levels below grade (on all sides) shall be provided with a mechanical drainage
19 system that provides drainage to an approved location/receptor.
- 20 12. Light and ventilation for the new condominiums must meet Building Code requirements:
21 10 percent light and 5 percent ventilation.

22 **Fire Prevention:**

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

25 **Engineering:**

- 26 14. The project involves demolition of an existing structure or surface improvements, the
27 grading plans shall be submitted and erosion control plans be approved by the City
28 Engineer prior to the issuance of a demolition permit. No demolition shall be permitted
29 without an approved erosion control plan.

- 1 15. Vehicular access rights to Pacific Street, Witherby Street and Tait Street shall be
2 relinquished to the City from all abutting lots except for approved driveway locations on
3 Tait Street.
- 4 16. Design and construction of all improvements shall be in accordance with standard plans,
5 specifications of the City of Oceanside and subject to approval by the City Engineer.
- 6 17. Prior to issuance of a building permit all improvement requirements shall be covered by
7 a development agreement and secured with sufficient improvement securities or bonds
8 guaranteeing performance and payment for labor and materials, setting of monuments,
9 and warranty against defective materials and workmanship.
- 10 18. The approval of the Tentative Parcel Map and Development Plan shall not mean that
11 closure, vacation, or abandonment of any public street, right-of-way, easement, or facility
12 is granted or guaranteed to the applicant. The applicant is responsible for applying for all
13 closures, vacations, and abandonments as necessary. The application(s) shall be reviewed
14 and approved or rejected by the City of Oceanside under separate process(es) per codes,
15 ordinances, and policies in effect at the time of the application. The City of Oceanside
16 retains its full legislative discretion to consider any application to vacate a public street or
17 right-of-way.
- 18 19. The approval of this Tentative Parcel Map, Development Plan, and Regular Coastal Permit
19 is expressly contingent on the City's approval of the Street Vacation requested by the
20 developer. Review and approval of the Street Vacation request is subject to approval by
21 the City Council. In case of the City's denial of the Street Vacation request, the developer
22 shall submit plans to the Planning Division for a Substantial Conformity review of any
23 design changes necessitated by denial of the Street Vacation request. Should City staff find
24 that the changes are not in substantial conformance with the approved Tentative Parcel
25 Map or Development Plan, the applicant shall apply for a new hearing with the Planning
26 Commission for the approval of the redesigned project. In case of the City's approval of
27 the Street Vacation request, the Street Vacation shall be recorded at the County Recorder's
28 Office prior to or concurrent with the recordation of the Parcel Map or prior to the approval
29 of the Grading Plans, whichever is requested first.

- 1 20. Prior to approval of the final/parcel map or any increment, all improvement requirements,
2 within such increment or outside of it if required by the City Engineer, shall be covered by
3 a subdivision agreement and secured with sufficient improvement securities or bonds
4 guaranteeing performance and payment for labor and materials, setting of monuments, and
5 warranty against defective materials and workmanship.
- 6 21. Where proposed off-site improvements, including but not limited to slopes, public utility
7 facilities, and drainage facilities, are to be constructed, the applicant shall, at his own
8 expense, obtain all necessary easements or other interests in real property and shall
9 dedicate the same to the City of Oceanside as required. The applicant shall provide
10 documentary proof satisfactory to the City of Oceanside that such easements or other
11 interest in real property have been obtained prior to issuance of any grading, building or
12 improvement permit for the development/project. Additionally, the City of Oceanside,
13 may at its sole discretion, require that the applicant obtain at his sole expense a title policy
14 insuring the necessary title for the easement or other interest in real property to have vested
15 with the City of Oceanside or the applicant, as applicable.
- 16 22. Pursuant to the State Map Act, improvements shall be required at the time of development.
17 A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to
18 these improvement conditions and a certificate setting forth the recordation shall be placed
19 on the map.
- 20 23. Prior to the issuance of a grading permit, the developer shall notify and host a
21 neighborhood meeting with all of the area residents located within 300 feet of the project
22 site, and residents of property along any residential streets to be used as a "haul route", to
23 inform them of the grading and construction schedule, haul routes, and to answer
24 questions.
- 25 24. The developer shall monitor, supervise and control all construction and construction-
26 supportive activities, so as to prevent these activities from causing a public nuisance,
27 including but not limited to, insuring strict adherence to the following:
- 28 a) Dirt, debris and other construction material shall not be deposited on any public
29 street or within the City's stormwater conveyance system.

- 1 b) All grading and related site preparation and construction activities shall be
2 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No
3 engineering related construction activities shall be conducted on Saturdays,
4 Sundays or legal holidays unless written permission is granted by the City Engineer
5 with specific limitations to the working hours and types of permitted operations.
6 All on-site construction staging areas shall be as far as possible (minimum 100
7 feet) from any existing residential development. Because construction noise may
8 still be intrusive in the evening or on holidays, the City of Oceanside Noise
9 Ordinance also prohibits “any disturbing excessive or offensive noise which
10 causes discomfort or annoyance to reasonable persons of normal sensitivity.”
11 c) The construction site shall accommodate the parking of all motor vehicles used by
12 persons working at or providing deliveries to the site.
13 d) A haul route shall be obtained at least 7 days prior the start of hauling operations
14 and must be approved by the City Engineer. Hauling operations shall be 8:00 a.m.
15 to 3:30 p.m. unless approved otherwise.

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

23 26. Approval of this development project is conditioned upon payment of all applicable impact
24 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
25 Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees,
26 park fees, reimbursements, and other applicable charges, fees and deposits shall be paid
27 prior to recordation of the map or the issuance of any building permits, in accordance with
28 City Ordinances and policies. The developer shall also be required to join into, contribute,
29 or participate in any improvement, lighting, or other special district affecting or affected by
this project. Approval of the Tentative Parcel Map (project) shall constitute the developer's

1 approval of such payments, and his agreement to pay for any other similar assessments or
2 charges in effect when any increment is submitted for Parcel Map or building permit
3 approval, and to join, contribute, and or participate in such districts.

4 27. Streets along project frontage shall be improved as follows:

5 28. Pacific Street; Curb, gutter, sidewalk and reconstruction of half street width plus 12 feet
6 pavement section.

7 29. Tait Street; Curb, gutter, sidewalk and reconstruction of the entire width of the street
8 pavement section from Witherby Street to the end of the proposed 18" storm drain
9 northerly of the project.

10 30. Witherby Street; curb, gutter, sidewalk on both sides of the street, public parking area on
11 the southerly side of the street, and reconstruction of the entire width of the street pavement
12 section.

13 31. Pacific Street and Tait Street shall provide a minimum of 10 feet parkway along the project
14 frontage between the face of curb and the right-of-way line. Witherby Street shall provide
15 a minimum 9-foot parkway along the project frontage between the face of curb and the
16 right-of-way line on both sides of the street. Sidewalk improvements shall comply with
17 ADA requirements.

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

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

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

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

- 1 36. Undergrounding of all existing overhead utility lines within the development and within
2 full width streets and rights-of-way abutting the new development, and all new extension
3 services for the development of the project, including but not limited to, electrical, cable
4 and telephone, is required per Section 901.G. of the Subdivision Ordinance (R91-166)
5 and as required by the City Engineer and current City policy.
- 6 37. At the developer's request, the Deferral Provisions (Section 901.G.4) of said ordinance
7 shall be applied. Prior to the approval of the final Parcel Map or issuance of a building
8 permit for the construction of new structures (whichever occurs first), the developer shall
9 pay an in-lieu fee, based upon the length of utilities to be placed underground, and at the
10 rate in effect at building permit issuance or as established by the City Engineer per
11 Section 901.G. of the Subdivision Ordinance (R91-166) and as required by the City
12 Engineer and current City policy. For the determination of the dollar amount of the in-
13 lieu fee, the developer shall submit undergrounding plans and quantity takeoff estimates
14 for review and approval by the City Engineer. The plans should be prepared by a
15 qualified professional in full compliance with the design requirements set forth by
16 Section 901.G. Prior to submittal to the City Engineer, the plans and estimates shall be
17 approved by all utility companies whose overhead lines are required to be
18 undergrounded.
- 19 38. The developer shall comply with all the provisions of the City's cable television
20 ordinances including those relating to notification as required by the City Engineer.
- 21 39. Grading and drainage facilities shall be designed and installed to adequately
22 accommodate the local stormwater runoff and shall be in accordance with the City's
23 Engineers Manual and as directed by the City Engineer.
- 24 40. The applicant shall obtain any necessary permits and clearances from all public agencies
25 having jurisdiction over the project due to its type, size, or location, including but not
26 limited to the U. S. Army Corps of Engineers, California Department of Fish & Game,
27 U. S. Fish and Wildlife Service and or San Diego Regional Water Quality Control Board
28 (including NPDES), San Diego County Health Department, prior to the issuance of
29 grading permits.

- 1 41. Prior to any grading of any part of the tract or project, a comprehensive soils and
2 geologic investigation shall be conducted of the soils, slopes, and formations in the
3 project. All necessary measures shall be taken and implemented to assure slope stability,
4 erosion control, and soil integrity. No grading shall occur until a detailed grading plan,
5 to be prepared in accordance with the Grading Ordinance and Zoning Ordinance, is
6 approved by the City Engineer.
- 7 42. This project shall provide year-round erosion control including measures for the site
8 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
9 control plan, designed for all proposed stages of construction, shall be reviewed, secured
10 by the applicant with cash securities and approved by the City Engineer.
- 11 43. A precise grading and private improvement plan shall be prepared, reviewed, secured
12 and approved prior to the issuance of any building permits. The plan shall reflect all
13 pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping,
14 footprints of all structures, walls, drainage devices and utility services. Parking lot
15 striping and any on-site traffic calming devices shall be shown on all Precise Grading
16 and Private Improvement Plans.
- 17 44. Landscaping plans, including plans for the construction of walls, fences or other
18 structures at or near intersections, must conform to intersection sight distance
19 requirements. Landscape and irrigation plans shall be approved by the City Engineer
20 prior to the issuance of occupancy permits, and a pre-construction meeting held, prior to
21 the start of any improvements.
- 22 45. Open-space areas and down-sloped areas visible from a collector-level or above roadway
23 and not readily maintained by the property owner, shall be maintained by a homeowners'
24 association that will insure installation and maintenance of landscaping in perpetuity.
25 These areas shall be indicated on the Parcel Map and reserved for an association.
26 Future buyers shall be made aware of any estimated monthly costs. The disclosure,
27 together with the CC&R's, shall be submitted to the City Engineer for review prior to the
28 recordation of Parcel Map.
- 29 46. The drainage design on the development is conceptual only. The final design shall be
based upon a hydrologic/hydraulic study to be approved by the City Engineer during

1 final engineering. All drainage picked up in an underground system shall remain
2 underground until it is discharged into an approved channel, or as otherwise approved by
3 the City Engineer. All public storm drains shall be shown on City standard plan and
4 profile sheets. All storm drain easements shall be dedicated where required. The
5 applicant shall be responsible for obtaining any off-site easements for storm drainage
6 facilities.

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

10 48. Upon acceptance of any fee waiver or reduction by the developer, the entire project will
11 be subject to prevailing wage requirements as specified by Labor Code section
12 1720(b)(4). The developer shall agree to execute a form acknowledging the prevailing
13 wage requirements prior to the granting of any fee reductions or waivers.

14 49. The developer shall prepare and submit an Operations & Maintenance (O&M) Plan to
15 the to the City Engineer with the first submittal of engineering plans. The O&M Plan
16 shall be prepared by the applicant's Civil Engineer. It shall be directly based on the
17 project's Storm Water Mitigation Plan (SWMP) previously approved by the project's
18 approving authority (Planning Commission/City Council). At a minimum the O&M
19 Plan shall include the designated responsible parties to manage the stormwater BMP(s),
20 employee's training program and duties, operating schedule, maintenance frequency,
21 routine service schedule, specific maintenance activities, copies of resource agency
22 permits, cost estimate for implementation of the O&M Plan and any other necessary
23 elements.

24 50. The developer shall enter into a City-Standard Storm water Facilities Maintenance
25 Agreement with the City obliging the project proponent to maintain, repair and replace
26 the Storm Water Best Management Practices (BMPs) identified in the project's approved
27 Storm Water Mitigation Plan (SWMP), as detailed in the O&M Plan into perpetuity.
28 The Agreement shall be approved by the City Attorney prior to issuance of any precise
29 grading permit and shall be recorded at the County Recorder's Office prior to issuance of
any building permit. Security in the form of cash (or certificate of deposit payable to the

1 City) or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance
2 of a precise grading permit. The amount of the security shall be equal to 10 years of
3 maintenance costs, as identified by the O&M Plan. The applicant's Civil Engineer shall
4 prepare the O&M cost estimate.

5 51. At a minimum, maintenance agreements shall require the staff training, inspection and
6 maintenance of all BMPs on an annual basis. The project proponent shall complete and
7 maintain O&M forms to document all maintenance activities. Parties responsible for the
8 O&M plan shall retain records at the subject property for at least 5 years. These
9 documents shall be made available to the City for inspection upon request at any time.

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

16 53. The BMPs described in the project's approved Storm Water Mitigation Plan (SWMP)
17 shall not be altered in any way, shape or form without formal approval by either an
18 Administrative Substantial Conformance issued by the Community Development
19 Department/Planning Division or the project's final approving authority (Planning
20 Commission/City Council) at a public hearing. The determination of whatever action is
21 required for changes to a project's approved SWMP shall be made by the Community
22 Development Department/Planning Division.

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

- 28 a) The developer shall be responsible for irrigating and landscaping the project area
29 and the public right-of-way along Pacific Street, Tait Street, and on the north and
south sides of Witherby Street. Street/parkway trees (minimum 15-gallon) shall

1 be planted at a minimum of one tree per unit and two trees per corner lot.
2 Approved root barriers shall be incorporated.

3 b) Local street trees in parkways shall be planted at a minimum of 30 feet on center,
4 each side of street, as a solitary planting. Approved root barriers shall be
5 incorporated.

6 b) To mitigate the loss of landmark and or mature existing trees on-site the
7 determination of replacement shall be based on tree number, type, drip line and
8 caliper (circumference measured 24 inches above existing grade). The total
9 number of tree caliper lost shall be equal to the total number of caliper replaced.
10 Replacement trees shall be a minimum of 15-gallon container stock. A field
11 survey shall be performed under the supervision of the City Landscaping Section
12 to evaluate the existing tree population and the replacement requirements. The
13 existing trees to remain or proposed for removal shall be identified on the
14 Preliminary Grading Plan, Precise Grading Plan and Landscape Plan. The
15 existing tree type, location, and caliper shall be shown on the above plans.
16 Replacement trees shall be identified and shown on the Landscape Plan and shall
be subject to review and approval by the City Engineer.

17 c) Prior to the approval of grading permit, the developer shall provide landscape
18 plans to match the approved conceptual landscape plan. Trees shall be spot
19 located by a Landscape Architect at a pre-construction meeting and shall meet the
20 current City of Oceanside requirements.

21 d) Right-of-way trees shall be a minimum of 24" box size. Ground cover and
22 automatic irrigation shall be provided for the right-of-way. Trees shall not be
23 located in utility easements.

24 e) Landscape plan shall comply with the approved conceptual plan. All
25 landscaping, fences, walls, etc. on the site, in medians in the public right-of-way
26 and in any adjoining public parkways shall be permanently maintained by the
27 owner, their assigns or any successors-in-interest in the property. The
28 maintenance program shall include normal care and irrigation of the landscaping;
29 repair and replacement of plant materials; irrigation systems as necessary; and

1 general cleanup of the landscaped and open areas, parking lots and walkways,
2 walls, fences, etc. Failure to maintain landscaping shall result in the City taking
3 all appropriate enforcement action including, but not limited to, citations and or
4 actual work with costs charged to or recorded against the owner. This condition
5 shall be recorded with the covenant required by this resolution.

6 **Planning:**

7 55. This Tentative Parcel Map (P-19-05), Development Plan (D-33-05) and Regular Coastal
8 Permit (RC-22-05) shall expire on April 9, 2009, unless the Planning Commission grants a
9 time extension.

10 56. This Tentative Parcel Map (P-19-05), Development Plan (D-33-05) and Regular Coastal
11 Permit (RC-22-05) approves only a 3-unit residential condominium as shown on the plans
12 and exhibits presented to the Planning Commission for review and approval. No deviation
13 from these approved plans and exhibits shall occur without Community Development
14 Department/Planning Division approval. Substantial deviations shall require a revision to
15 the Tentative Parcel Map (P-19-05), Development Plan (D-33-05) and Regular Coastal
16 Permit (RC-22-05) or a new Tentative Parcel Map, Development Plan and Regular Coastal
17 Permit.

18 57. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
19 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
20 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
21 annul an approval of the City, concerning Tentative Parcel Map (P-19-05), Development
22 Plan (D-33-05) and Regular Coastal Permit (RC-22-05). The City will promptly notify
23 the applicant of any such claim, action or proceeding against the City and will cooperate
24 fully in the defense. If the City fails to promptly notify the applicant of any such claim
25 action or proceeding or fails to cooperate fully in the defense, the applicant shall not,
26 thereafter, be responsible to defend, indemnify or hold harmless the City.

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

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

11 60. Model Landscape plans and Front Yard Landscape plans, designed in compliance with
12 Water Conservation Ordinance No. 91-15 shall be submitted as schematic drawings and
13 shall be approved and signed by the Engineering Division and the Community
14 Development Department/Planning Division prior to the issuance of occupancy permits.
15 Precise Grading Plans for model homes shall be prepared by a Civil Engineer and shall be
16 approved by the City Engineer prior to the issuance of building permits. Prior to the
17 issuance of occupancy permits, the City's Landscape Technician/Inspector shall review
18 each unit requested for occupancy to ensure that the installation of planting and irrigation
19 has occurred in conformance with the approved schematic drawings. The irrigation system
20 will also be tested to ensure adequate operation and coverage.

21 61. The project shall be designed to dispose of or recycle solid waste in a manner provided
22 in City Ordinance 13.3. Trash receptacles shall be provided as required by Chapter 13 of
23 the City Code and shall also include additional space for storage and collection of
24 recyclable materials per City standards. Recycling is required by City Ordinance. The
25 receptacles must be located in a flat, accessible area as determined by the City Engineer.
26 The receptacles shall meet City standards. All driveways and service access areas must be
27 designed to sustain the weight of a 50,000-pound service vehicle. Trash receptacles and
28 driveways and service access areas shall be shown on both the improvement and landscape
29 plans submitted to the City Engineer. The specifications shall be reviewed and approved
by the City Engineer. If the City's waste disposal contractor is required to access private

1 property to service the trash receptacles, then a service agreement shall be signed by the
2 property owner and shall remain in effect for the life of the project. All trash receptacles
3 shall be designed to provide user access. This design shall be shown on the landscape plans
4 and shall be approved by the City Planner.

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

7 63. A covenant or other recordable document approved by the City Attorney shall be prepared
8 by the developer and recorded prior to the approval of the Parcel Map. The covenant shall
9 provide that the property is subject to this resolution, and shall generally list the conditions
10 of approval.

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

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

21 66. Failure to meet any conditions of approval for this development shall constitute a violation
22 of the Tentative Parcel Map (P-19-05), Development Plan (D-33-05 and Regular Coastal
23 Permit (RC-22-05).

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

29 68. The developer's construction of all fencing and walls associated with the project shall be in
conformance with the approved development plan, grading plan, landscape plan and

1 Zoning Ordinance height limitations. Any substantial change in any aspect of fencing or
2 wall design from the approved development plan, grading plan, and or landscape plan shall
3 require a revision to the development plan or a new development plan.

4 69. If any aspect of the project fencing and walls is not covered by an approved development
5 plan, grading plan, and or landscape plan, the construction of fencing and walls shall
6 conform to the development standards of the City Zoning Ordinance. In no case, shall the
7 construction of fences and walls (including combinations thereof) exceed the limitations of
8 the zoning code, unless expressly granted by a variance or other development approval.

9 70. The maximum height of a fence or wall, including retaining walls, shall be 6 feet; except in
10 required yards abutting Pacific, Witherby and or Tait Streets where the maximum height
11 shall be 42 inches. The Tentative Parcel Map includes four walls wherein the exposed
12 height of the wall will be less than 42 inches, because their (maximum 67.2-inch) height
13 will be obscured by a lower wall (that is at least 25.2 inches in height and constructed
14 nearer to the street than the taller wall).

15 71. The retaining walls shown on the Tentative Parcel Map are proposed as basement walls.
16 The construction, height, length, and location of these walls shall conform to the UBC
17 definition of a basement. The retaining walls proposed as basement walls shall be included
18 with the approval of Building Permits and Final Occupancy.

19 72. The development shall be limited in height to two stories or 27 feet, whichever is less.

20 73. Rooftop appurtenances exceeding 27 feet shall be limited to 10 percent of the ground area
21 covered by structure and shall be subject to the requirements of Section 3018 of the
22 Oceanside Zoning Ordinance. The maximum height for the proposed rooftop
23 appurtenances is 34 feet – 2 inches measured from grade.

24 74. An association shall be formed and Covenants, Conditions and Restrictions (C.C. & R's)
25 shall provide for the maintenance of all common open space, medians and commonly
26 owned fences and walls and adjacent parkways. The maintenance shall include normal
27 care and irrigation of landscaping, repair and replacement of plant material and irrigation
28 systems as necessary; and general cleanup of the landscaped and open area, parking lots
29 and walkways. The C.C. & R's shall be subject to the review and approval of the City
Attorney prior to the approval of the Parcel Map. The C.C. & R's are required to be

1 recorded prior to or concurrently with the Parcel Map. Any amendments to the C.C. & R's
2 in which the association relinquishes responsibility for the maintenance of any common
3 open-space shall not be permitted without the specific approval of the City of Oceanside.
4 Such a clause shall be a part of the C.C. & R's. The C.C. & R's shall also contain
5 provisions for the following:

- 6 a) Prohibition of parking or storage of recreational vehicles, trailers or boats.
- 7 b) Provisions regulating individual patio covers, room additions and other
8 appurtenances.
- 9 c) Maintenance of parkway landscaping (Pacific Street, Tait Street, and Witherby
10 Street parkways) by the Association.
- 11 d) Provisions for the maintenance of all common open-space and open-space
12 easements on private lots, including provisions establishing mechanisms to ensure
13 adequate and continued monetary funding for such maintenance by the
14 homeowners' association.
- 15 e) Provisions that restrict any private use of open space easement areas. Restrictions
16 shall include, but are not limited to, removing retaining walls, installing structures
17 such as trellises, decks, retaining walls and other hardscape and any individual
18 landscape improvements.
- 19 f) Provisions prohibiting the homeowners association from relinquishing its
20 obligation to maintain the common open-space and open-space easement areas
21 without prior consent of the City of Oceanside.
- 22 g) An acknowledgement that the City of Oceanside does not have a view preservation
23 ordinance and that views may be subject to change with maturing off-site landscape
24 and the potential for future off-site building.

24 75. Project entrances signs are prohibited. Flags are prohibited.

25 76. Signs identifying that the project is for sale shall comply with Article 33 of the Oceanside
26 Zoning Ordinance.

27 77. The following unit type and floor plan mix, as approved by the Planning Commission,
28 shall be indicated on plans submitted to the Community Development
29 Department/Building Division and Planning Division for building permit:

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	<u>Sq.Ft.</u>	<u># Bedrms</u>	<u>Baths #whole/#half</u>	<u># Stories</u>
Unit A	2,835	3	2/2	2
Unit B	2,814	3	2/2	2
Unit C	2,736	3	2/2	2

78. The project is not approved to have dwelling units that are accessory to the primary residences, identified as Units A, B, and C. An application to create accessory dwelling units is subject to Section 3006 of the Oceanside Zoning Ordinance and the approval of a revision to the Development Plan.

79. Side and rear elevations and window treatments shall be trimmed to substantially match the front elevations (molding, cornices, columns, balustrades, capitals, wooden trellis, metal, tile, keystones, stone, stucco, et al). A set of building plans shall be reviewed and approved by the Community Development Department/Planning Division prior to the issuance of building permits.

80. Elevations, siding materials (stone, stucco), colors (warm brown tones, cool beach-tones), roofing materials and floor plans shall be substantially the same as those approved by the Planning Commission. These shall be shown on plans submitted to the Community Development Department/Planning Division and Building Division.

81. This project is subject to the provisions of Chapter 14C of the City Code regarding Inclusionary Housing.

82. This project shall comply with all provisions of the City's Affirmative Fair Housing Marketing Agreement Policy as required in the project's Affirmative Fair Housing Marketing Agreement. Such agreement shall be submitted to and approved by the Housing and Neighborhood Services Director prior to the issuance of a building permit for the project.

83. All windows and doors will have special treatments to reduce high noise levels created as a result of the property's close proximity to the railroad tracks.

Water Utilities:

84. The developer will be responsible for developing all water and sewer utilities necessary to develop the property. Any relocation of water and or sewer utilities is the

1 responsibility of the developer and shall be done by an approved licensed contractor at
2 the developer's expense.

3 85. The property owner will maintain private water and wastewater utilities located on
4 private property.

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

7 87. All Water and Wastewater construction shall conform to the most recent edition of the
8 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
9 the Water Utilities Director.

10 88. The following conditions shall be met prior to the approval of engineering design plans.
11 All public water and or sewer facilities not located within the public right-of-way shall
12 be provided with easements sized according to the Water, Sewer, and Reclaimed Water
13 Design and Construction Manual. Easements shall be constructed for all weather access.

14 89. The following conditions shall be met prior to the approval of engineering design plans.
15 No trees, structures or building overhang shall be located within any water or wastewater
16 utility easement.

17 90. The following conditions shall be met prior to the approval of engineering design plans.
18 All lots with a finish pad elevation located below the elevation of the next upstream
19 manhole cover of the public sewer shall be protected from backflow of sewage by
20 installing and maintaining an approved type backwater valve, per the Uniform Plumbing
21 Code (UPC).

22 91. The following conditions of approval shall be met prior to issuance of building permits.
23 Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are
24 to be paid to the City and collected by the Water Utilities Department at the time of
25 Building Permit issuance.

26 92. The following conditions of approval shall be met prior to occupancy. All new
27 development of single-family and multi-family residential units shall include hot water
28 pipe insulation and installation of a hot water recirculation device or design to provide
29 hot water to the tap within 15 seconds in accordance with City of Oceanside Ordinance
No. 02-OR126-1.

1 **Solid Waste:**

2 93. All residential projects shall dispose of or recycle solid waste in a manner provided in
3 City Ordinance 13.3. OCC 13.3, the requirement to manage all solid waste and identified
4 recyclable material on private property and to recycle or dispose of all material in
5 compliance with city code.

6 a) Space Allocation: OCC 13.39, the requirement to designate adequate space for
7 the storage of solid waste and recycling containers on private property to include
8 appropriate bin enclosures to adequately provide for trash, green waste and other
9 recycling containers.

10 b) Recycling Services: OCC 13.16(h), the requirement to separate all recyclable
11 material from solid waste for separate collection.

12 c) Green Waste Services: The separation of all green waste from solid waste using
13 the approved City collection service and the collection of the material in
14 compliance with standards as identified in the city code.

15 PASSED AND ADOPTED Resolution No. 2007-P17 on April 9, 2007 by the following

16 vote, to wit:

17 AYES:

18 NAYS:

19 ABSENT:

20 ABSTAIN:

21 _____
22 Dennis Martinek, Chairman
23 Oceanside Planning Commission

24 ATTEST:

25 _____
26 Jerry Hittleman, Secretary

27 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
28 this is a true and correct copy of Resolution No. 2007-P17.

29 Dated: April 9, 2007

State of California — The Resource Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

RECEIVED
DEC 28 2005
Planning Department

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

Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 3 *Resource Name or #: (Assigned by recorder) 1334 S. Pacific Street

P1. Other Identifier: Carl Ellsworth Miller and Ruth Elizabeth Miller Rental Triplex

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

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

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

*c. Address 1334 S. Pacific Street City Oceanside Zip 92054

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

e. Other Locational Data (e.g., parcel #, directions to resource, elevation, etc., as appropriate): The property is located in the Myers Addition, Lot F, Block 7; the APN is 152-143-09.

*P3a. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries): The resource consists of a modest sized, one story, rectangular, wood frame, Ranchesque style triplex, resting on a concrete foundation. The building sits lengthwise on the raised, narrow lot. The front facade is symmetrical. The composition shingled roof is medium pitched and hipped. The eaves are boxed and project moderately over the walls. The upper portions of the walls are clad with asbestos shake shingles; the lower walls are stucco covered. The fenestration consists of wood framed, paired 1-over-1 double hungs and fixed panes of varying shapes and sizes. Access to the building is from the sidewalk, along a concrete walkway located on the south side of the building, to each of the three concrete entry stoops. The identical single, wood front doors have security screens and are located beneath the eave projection. The landscaping consists of mature trees and shrubs and a vestigial lawn. The building appears to be in fair to good condition.

*P3b. Resource Attributes: (List) HP3
Multiple-family residence

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

P5b. Description of Photo: (View, date, accession #) Front facade
looking north, 12/07/05;
991:1

*P6. Date Constructed/ Age and Sources: Historic Prehistoric
Constructed in 1953 per
Notice of Completion

*P7. Owner and Address:
20 Morgan Investment, LLC
20 Morgan
Irvine, CA 92618

*P8. Recorded by (Name, affiliation, and address): Ruth Alter,
Archaeos, 11209 Golden
Birch Way, San Diego, CA

92131 *P9. Date Recorded: 12/09/05 *P10. Type of Survey: (Describe) Field check *P11. Report Citation (Cite survey report and other sources, or enter "none".) None

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record Archaeological Record District Record Linear Resource Record Milling Station Record Rock Art Record Artifact Record Photograph Record Other (List):



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

Primary # _____
HRI # _____
Trinomial _____

Page 2 of 3 *Resource Name or # (Assigned by recorder) 1334 S. Pacific Street
*Recorded by Ruth Alter *Date 12/09/05 Continuation Update

According to the chain of title, J. Chauncey Hayes and his wife Felipa sold this parcel to Frank Silkes in August, 1908. One of early Oceanside's most influential citizens, Mr. Hayes was the co-founder of the city and the proprietor of an active family real estate business. He was also a banker, an attorney, and the editor of the South Oceanside Diamond newspaper.

Mr. Silkes retained ownership of the unimproved property until August, 1923, when he sold it to Ed A. Walsh. Walsh owned a real estate office at the corner of Hill and Third Streets. In addition, he served as the mayor of the city and was a president of the Chamber of Commerce and the local Rotary Club.

In February, 1926, the subject lot was purchased from Walsh by publishing salesman Frank Schalck and his wife Frances, residents of Los Angeles. The couple appears to have lost the property through a failure to pay taxes, as it was deeded to the City of Oceanside by County Tax Collector Sam A. Clagette in December, 1944.

Charlotta Coover, a widow, bought the property from the City of Oceanside in May, 1945. A year later, in May, 1946, she sold it to Carl Ellsworth Miller and his wife Ruth Elizabeth Miller, who lived a few blocks away on S. Pacific Street. The couple subsequently hired builder H.R. Andrews to construct the subject building, which per the Notice of Completion, was finished in January, 1953. In November, 1960, after Mr. Miller's death, the rental building was acquired by Florence Newton; it was deeded to a Florence Gordon three months later.

Thomas and Mary Margaret Carter bought the property from Miss Gordon in June, 1969; they sold it to William and Jeraldine Hanson in June, 1972. Ralf and Helen Wilson and C. Darle Hale acquired title from the Hansons in April, 1977. The Wilsons sold their interest in the building to a group of investors comprised of Arnold Schwartz, Burton and Naomi Goldrich, and Thom and Judith Nemes in June, 1984; Mr. Hale deeded his portion to the group in February, 1988. The property was conveyed to Robert R. Allen in May, 2000. The current owner, 20 Morgan Investment, LLC, acquired the building in July, 2005.

B1. Historic Name: Carl Ellsworth Miller and Ruth Elizabeth Miller Rental Triplex
B2. Common Name: None
B3. Original Use: Multiple-family residence B4. Present Use Multiple-family residence
*B5. Architectural Style: Ranchesque
*B6. Construction History: (Construction date, alternations, and date of alterations)
The triplex was constructed in 1953. No major exterior modifications are evident.
*B7. Moved? No Yes Unknown Date: _____ Original Location: _____
*B8. Related Features: A metal fence encloses the perimeter of the property
B9a. Architect: Unknown b. Builder: H.R. Andrews
*B10. Significance: Theme: residential development Area Oceanside, California
Period of Significance 1890 to 1960 Property Type Residential Applicable Criteria N/A (Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The resource is located in part of Myers Addition, Oceanside's earliest land subdivision. This portion of the subdivision built out more gradually than some other Oceanside neighborhoods, with land standing vacant well into the 1930s. A true development boom was stalled until after World War II, when a stronger economy and the need for affordable housing helped the area grow. It presently consists of a mix of residential uses, including generally small single-family houses and large multiple-family units. Its proximity to the beach has made it a desirable location for rental units for local residents and as beach getaway cottages, historically for residents of Los Angeles, who would come down for weekend stays.

The resource is typical of this trend. The original owners lived nearby and appear to have intended this building for rental use. The design integrity of the building is intact. The building is not directly associated with anyone of historical importance. It is not the work of a master architect or craftsman, it is not constructed of rare or unique materials, and no known historic events are associated with it. An example of Post-World War II Ranchesque design, its architectural style was the most common of its time. The building is unlikely to yield important information relevant to local, state or national history. Its locational and associational integrity and feeling are intact. The setting, while altered by subsequent designs styles, remains single- and multiple-family residential with a strong beach orientation.

The subject building does not qualify under any criteria for nomination for listing in the National Register of Historic Places, the California Register of Historical Resources, or the local historical register.

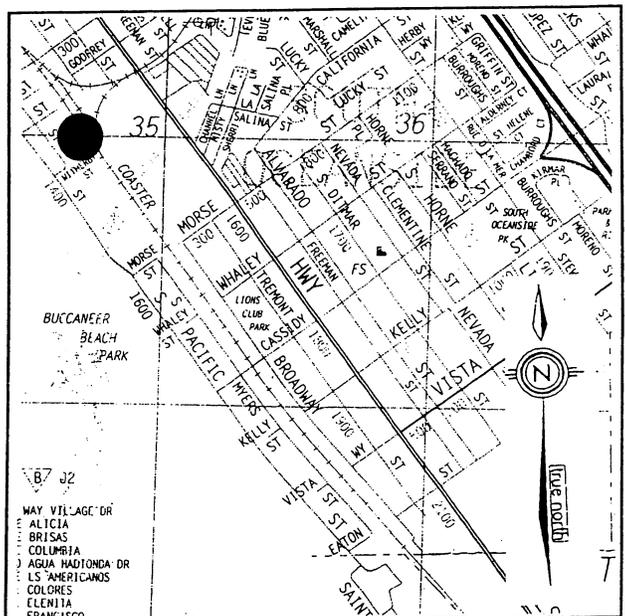
B11. Additional Resource Attributes: (List attributes and codes) None
*B12. References: Hawthorne, K., Oceanside, Where Life is Worth Living, Donning Company Publishers, Virginia Beach, Virginia, 2002; McAlester, V. and L., A Field Guide to American Houses, 1991. Alfred A. Knopf, New York, Oceanside Historic Resources Inventory, 1992.

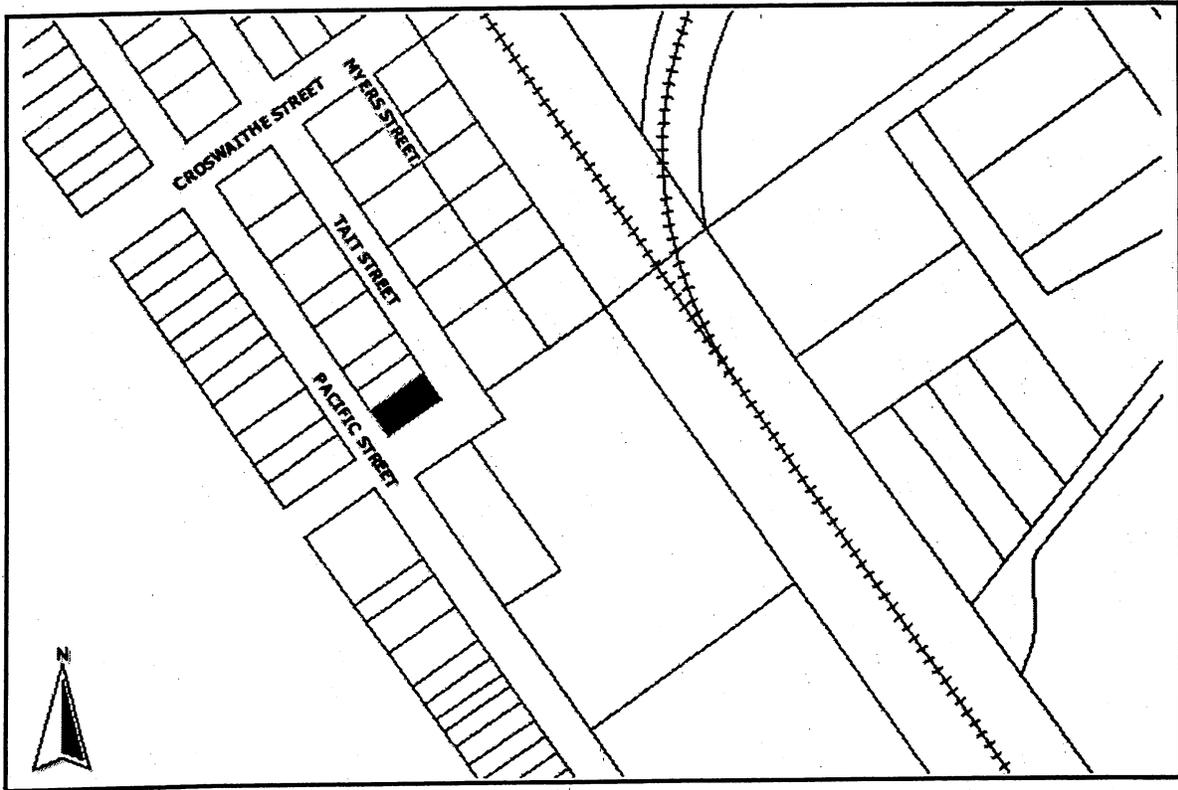
B13. Remarks:

*B14. Evaluator: Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131

*Date of Evaluation: 12/09/05

(This space reserved for official comments.)





File Number: P-19-05, D-33-05, RC-22-05

Applicant: 20 Morgan LLC

Description:

TENTATIVE PARCEL MAP (P-19-05), DEVELOPMENT PLAN (D-33-05), and REGULAR COASTAL PERMIT (RC-22-05) to demolish the existing residence and construct a 3-unit condominium development on a 0.2-acre lot at 1334 South Pacific Street. The project site is zoned RT (Residential Tourist) and is situated within the Townsite Neighborhood and the Coastal zone. **PACIFIC TIDE**

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: March 29, 2007

Public Hearing Coastal Permit
Identification No. RC-22-05

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 20 Morgan LLC/Michael Chegini. This application was received on December 28, 2005. The application is described as follows:

To demolish the existing residence and construct a 3-unit condominium development on a 0.2-acre lot at 1334 South Pacific Street.

The project site is zoned RT (Residential Tourist) and is situated within the Townsite Neighborhood and the Coastal zone.

Said hearing will be held on April 9, 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 4, 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 April 19, 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.

RECEIVED
DEC 28 2005
Planning Department

Application For Planning Commission Hearing				STAFF USE ONLY	
Planning Department (760) 435-3520 Oceanside Civic Center 300 N. Coast Highway Oceanside, California 92054-2885				ACCEPTED	BY
				12/28/05	S.S.
Please print or type all information				HEARING	
PART I - APPLICANT INFORMATION				GPA	
1. APPLICANT 20 Morgan, LLC (Michael Chegini)		2. STATUS owner		MASTER/SP PLAN	
3. ADDRESS: 20 Morgan Street Irvine, CA 92618		4. PHONE/FAX (949) 860-4800		ZONE CH.	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)		4-Design Architecture and Planning		TENT. MAP	
6. ADDRESS 707 Mission Ave., Oceanside, CA 92054		7. PHONE/FAX 760-433-1785 760-433-2810		PAR. MAP P-19-05	
				DEV. PL D-33-05	
				C.U.P.	
				VARIANCE	
				COASTAL RC-22-05	
PART II - PROPERTY DESCRIPTION				O.H.P.A.C.	
8. LOCATION north east corner of Pacific and Witherby 1334 S. Pacific St.				9. SIZE 8,900 square feet	
10. GENERAL PLAN Urban High Density	11. ZONING RT-Residential Tourist	12. LAND USE three existing older units REG-8/31/06	13. ASSESSOR'S PARCEL NUMBER 152-143-09; 152-143-10		
PART III - PROJECT DESCRIPTION				11/7/06, 1/25/07	
14. GENERAL PROJECT DESCRIPTION Tentative Parcel Map, Development Plan, Local Coastal Permit and street vacation for a three-unit condominium project with added parking for beach access. - PACIFIC TIDE 2/27/07					
15. PROPOSED GENERAL PLAN n/a	16. PROPOSED ZONING n/a	17. PROPOSED LAND USE residential	18. NO. UNITS 3	19. DENSITY 14.7	
20. BUILDING SIZE footprint =4467 building =9571 (Inc. garages and patios)	21. PARKING SPACES 6 plus 8 new on street for beach access	22. % LANDSCAPE 37 %	23. % LOT COVERAGE 50%		
PART IV - ATTACHMENTS					
ALL APPLICATIONS			DEV. PLANS, C.U.P.S & TENT. MAPS		
<input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION	<input checked="" type="checkbox"/> 30. FLOOR PLANS AND ELEVATIONS			
<input checked="" type="checkbox"/> 26. 300-FOOT RADIUS MAP	<input checked="" type="checkbox"/> 27. PROPERTY OWNER'S LIST	<input checked="" type="checkbox"/> 31. CONSTRUCTION SCHEDULE			
<input checked="" type="checkbox"/> 28. ENVIRONMENTAL ASSESSMENT	<input checked="" type="checkbox"/> 29. PLOT PLANS	<input type="checkbox"/> 32. OTHER			
PART V - SIGNATURES					
THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.			SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).		
33. APPLICANT OR REPRESENTATIVE (Print): 4 DESIGN ARCHITECTURE		34. DATE 27 DEC 2005		37. OWNER (Print): 20 MORGAN, LLC (M. CHEGINI)	
Sign:		Sign:		38. DATE 27 DEC 05	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.					
35. APPLICANT (Print): 4 DESIGN ARCHITECTURE		36. DATE 27 DEC 2005		39. OWNER (Print): 20 MORGAN, LLC (M. CHEGINI)	
Sign:		Sign:		40. DATE 27 DEC 05	

PACIFIC TIDES

DESCRIPTION AND JUSTIFICATION

1.25.2007

Pacific Tides is a three-unit luxury condominium project on South Pacific Street at Witherby Street, near a public beach access point from Pacific Street. The parcel is between Pacific and Tait Streets facing Pacific Street, with front yards on both street sides. The corner side yard is located on Witherby Street. The neighborhood is mixed in character, with many older apartment units and some single family homes. There are a few new multifamily projects in the neighborhood, indicating an area in transition.

A street vacation and the creation of ten new beach-oriented parking spaces to serve the existing access are part of the application. Access for maintenance to the rooftop equipment of the water treatment facility is also enhanced.

The site is in the Coastal Zone, the RT (Residential Tourist) Zone and the Urban High Density Residential Land Use Category of the General Plan. The base density allowed in an RT zone is 29 DU/acre, and the maximum density permitted is 43 DU/acre. The potential density for this site is 3 units. On the neighboring property to the south is a water treatment facility that may contribute occasional noise and odor to the immediate area; this fact should be disclosed to the project's potential buyers.

The new features three units, each with two stories over a basement and individual roof decks.

The project requires the approval of a Regular Coastal Permit, a Tentative Parcel Map and a Development Plan. The street vacation is on file separately, but is part of this project.

The units will have ocean views from the roof deck and from the higher floors. The units will have the basic living activities on the basement level, which lies slightly lower than Pacific Street. At this level are the living rooms with fireplaces and street fronting exterior patios, dining areas, kitchens, laundry rooms and powder rooms. Each has access from the laundry area to the private two-car garages which will be entered from Tait Street. An exterior fireplace accents each unit's private, street-fronted court.

The first floors (above these living areas) will have large master suites, all of which are oriented toward the ocean views.

Pacific Tides is a structure designed in the classic style, utilizing materials such as decorative metal railings and decorative tile details, stone tile in warm brown tones, and wooden trellises to give the structure a timeless look. The painted stucco walls use depth of planes to create contrast of light and shadow on the soft, cool beach-toned surfaces and to complement the large areas of glass that capture the ocean views and breezes. The structure will be surrounded with landscaping of varying heights and density, to give openness to the public spaces within each unit, and to allow these spaces to inhabit the exterior patios and the ocean views beyond.

The landscaping and street trees in the immediate area of the proposed project are a mixture of old and new. There are fourteen existing fan palm trees on the site; the majority of these trees will either remain in their existing locations or will be relocated on the property. Across Witherby Street, between the curb and the Water Utility facility, are eleven eucalyptus trees, which shall remain in their existing locations. Across Tait Street is a wood property line fence adorned with bougainvillea.

*received
2/12/07*

The three street trees on Pacific Street consist of two existing fan palms and one fan palm relocated from elsewhere on the property.

The proposed planting plan for Witherby Street trees includes two 24" box canopy trees and two fan palms that have been relocated from elsewhere on the site. These trees are distanced thirty feet on-center.

The planning department requested that street trees be placed on Tait Street at 30 feet on-center. We are unable to satisfy this request, as placement of trees in this area interferes with the traffic requirements for line of sight from the driveways, as well as with the placement of the sewer and underground electrical lines.

One front yard tree per unit is proposed for Pacific Street and Witherby street, resulting in three front yard trees per street. Four new front yard trees, as well as a beautiful three-trunked relocated fan palm, are proposed for Tait street.

The stepped planters along the street frontage of the structure are designed to lower the overall height at the exterior walls. This technique is commonly used throughout the world to provide more visual green space and a friendlier scale to the street. These planters also provide separation for the semi-public courtyard patios and entries into the private residences. Low shrubs and trailing vines will enhance the side walls and colors of the court screens.

This landscape design is an integral part of the design concept for this unique approach to a three-sided public street lot.

Below is a chart showing the characteristics of each of the units:

FLOOR PLAN CHART

Unit	Area (sq. ft.)	Area of patios, balconies, and decks	Bedrooms	Baths	Extras
A	2,693	849	3	4	walk-in closets for all secondary bedrooms; walk-in closet / dressing room for master suite; bonus room with kitchenette; full-size laundry room; skylights
B	3,282	886	3	4	walk-in closets for all secondary bedrooms; walk-in closet / dressing room and library for master suite; bonus room with kitchenette; full-size laundry room; skylights.
C	3,165	850	3	4	walk-in closets for all secondary bedrooms; walk-in closet / dressing room for master suite; bonus room with kitchenette; full-size laundry room; skylights

The project meets and exceeds all of the development standards for the RT Zone and the local Coastal Zone. Here is the chart showing how these standards are met:

DEVELOPMENT STANDARDS CHART

	Required	Provided
Lot area (sq. ft.)	6,000 minimum (for new lots)	8,990 existing
Height	27'-0" maximum	27'-0"
Area of Units (sq. ft.)	N/A	2,693 - 3,282
Front yards	15'-0" per front yard	15'-0" per front yard
Corner side yard	10'-0"	10'-0"
Side yard	5'-0" minimum (avg. 10'-0")	5'-0" minimum (avg. 10'-0")
Rear yard	N/A on double-fronted lot	N/A on double-fronted lot
Lot coverage	n/a	50 %
Percent of lot in landscaping	25 %	37 %
Parking	2 per unit	2 per unit (plus 10 new on-street spaces for beach access)

Following are the findings for approving the Pacific Tides project:

Findings for the Development Plan:

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

Multiple family uses are permitted in the Residential-Tourist (RT) zone with the appropriate review and conditions. The RT zone is designed for a mixture of permanent residential and visitor-serving uses.

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

The underlying General Plan designation is for Urban High Density Residential. This condominium project provides an opportunity for urban living near the beach convenient to transit and other urban services.

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

Existing public facilities are already in place to serve the project.

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

The project will contribute to the upgrading of the neighborhood, which contains some older dilapidated elements as well as several new projects.

Findings for the Tentative Parcel Map:

1. That the proposed map is consistent with the General Plan of the City or any applicable specific plan or other provisions of the Zoning Ordinance and the Subdivision Ordinance.

This condominium project is consistent with the Urban High Density Residential designation on the General Plan and meets the requirements of the Zoning Ordinance for the RT zone and the Subdivision Ordinance for a Parcel Map.

2. That the site is physically suitable for the type and proposed density of development.

The site is relatively flat and larger than required for a new project of this type.

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

There are no such fish wildlife or habitats on this site.

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

There are no such easements for access or use.

5. That the subdivision complies with all other applicable ordinances, regulations and guidelines of the City of Oceanside, including but not limited to the Local Coastal Plan, Hillside regulations and the Local Floodplain Ordinance.

The site is in the local Coastal Plan, complies with that plan, and has a Coastal Permit application associated with it.

Findings for the Regular Coastal Permit:

1. That the project conforms to the Local Coastal Plan, including the policies of that plan.

The site is shown as Residential Tourist (RT) on the local Coastal Plan and meets the requirements of the plan.

2. That all development within the appealable area as identified in the Local Coastal Plan conforms to the public access and recreation policies of Chapter 3 of the Coastal Act.

The site is not within the appealable area.

In summary, Pacific Tides meets or exceeds the requirements of the City for the zoning and the General Plan designation. It is an attractive, high-quality development that will add to the value of the neighborhood.

LEGAL DESCRIPTION

PACIFIC TIDE

All that certain real property situated in the County of San Diego, State of California, described as follows:

PARCEL 1:

Lot F in Block 7 of Myers Addition, in the City of Oceanside, County of San Diego, State of California, according to Map thereof No. 340, file in the Office of the County Recorder of San Diego County, August 28, 1885.

EXCEPTING THEREFROM the Southerly 40 feet thereof.

PARCEL 2:

The Southerly 40 feet of Lot F in Block 7 of Myers Addition, in the City of Oceanside, County of San Diego, State of California, according to Map thereof No. 340, file in the Office of the County Recorder of San Diego County, August 28, 1885.

RECEIVED
DEC 28 2005
Planning Department

DRAFT



NOTICE OF EXEMPTION

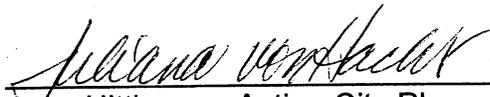
City of Oceanside, California

Post Date:
Removal:
(30 days)

1. **APPLICANT:** City of Oceanside
2. **ADDRESS:** 300 N. Coast Highway, Oceanside, CA, 92054
3. **PHONE NUMBER:** (760) 435-3519
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Juliana von Hacht
6. **PROJECT TITLE:** Vista Pacific
7. **DESCRIPTION:** The demolition of an existing 3-unit residential structure and construction of a 3-unit condominium. The proposal requests to defer the conversion of facilities and requests a street vacation.

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, New Structures (Section 15303(b); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).



 Jerry Hittleman, Acting City Planner

Date: 4/5/2007

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee