



DATE: February 12, 2007

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE PARCEL MAP (P-17-06), DEVELOPMENT PLAN (D-20-06), REGULAR COASTAL PERMIT (RC-20-06) AND DEFERRAL OF OVERHEAD UTILITIES UNDERGROUND CONVERSION, TO ALLOW A FOUR-UNIT CONDOMINIUM DEVELOPMENT AT 828 SOUTH CLEVELAND STREET – ALL AMERICAN HOMES AND ESTATES – APPLICANT: GERARDO CRUZ**

RECOMMENDATION

Staff recommends that the Planning Commission approve Tentative Parcel Map (P-17-06), Development Plan (D-20-06), Regular Coastal Permit (RC-20-06) and the deferral of overhead utilities underground conversion request and adopt Planning Commission Resolution No. 2007-P10 as attached.

PROJECT DESCRIPTION AND BACKGROUND

The project site is located at the northeast corner of Cleveland Street and Leonard Street, within the Townsite Neighborhood. The property encompasses approximately 10,000 square feet of vacant land and is part of the Patton and Montague's Addition Map No. 210 filed in the office of County Recorder of San Diego County, April 23, 1887. The site slopes slightly in a westerly direction and creates a two-foot grade differential between the highest point along the front and the rear property line. Surrounding land uses include residential apartments to the west and northwest, single-family residential units to the east and a mixture of industrial uses and single-family residences to the south.

The site is zoned Urban High-Density Residential (RH-U), consistent with an UHD (Urban High-Density Residential) General Plan land use designation, which permits development of the property at a density of 29-43 dwelling units per acre. The proposed project density is 4.4 dwelling units per acre.

Project Description: The project consists of several entitlements: a Tentative Parcel Map; a Development Plan; a Regular Coastal Permit and a request to defer undergrounding of existing overhead utilities. Each discretionary request is described as follows:

Tentative Parcel Map and Development Plan: The applicant is requesting consideration and approval of a four-unit condominium Parcel Map and development plan. The Subdivision Ordinance requires a Tentative Parcel Map to be processed and approved in order to establish legal condominium parcels. In addition, pursuant to the Zoning Ordinance, a Development Plan is required for the development of two or more dwelling units in residential zoning districts.

The proposed 9,985-square foot two-story condominium complex consists of four attached condominium units. Each of the units will include three bedrooms, two and half baths and attached two-car garages. An additional guest-parking stall, located at the northeast corner of the site, will be provided as part of the development. Vehicular access to the garages and parking will be provided via an existing alleyway. Pedestrian access to each unit will be provided via the Cleveland Street or Leonard Street frontage.

The applicant proposes a similar floor plan for each of the four dwellings. Listed below is the overall project breakdown (see floor plans and elevations for specific details):

| Plan Type | Sq.Ft. | Bedrooms/Baths | Private Open Space |
|--------------|--------------|---------------------|----------------------|
| Unit 1 | 2,602 | 3 Bd./ 2.5 Ba | 432 sq. ft. |
| Unit 2 | 2,468 | 3 Bd./ 2.5 Ba | 575 sq. ft. |
| Unit 3 | 2,460 | 3 Bd./ 2.5 Ba | 513 sq. ft. |
| Unit 4 | 2,455 | 3 Bd./ 2.5 Ba | 398 sq. ft. |
| Total | 9,985 | 12 Bd./10 Ba | 1,918 sq. ft. |

The developer proposes a traditional Spanish/Mediterranean architecture style with clay tile roofing, smooth finished stucco, shaped cornices and trim, ornamental ironwork balconies, custom wood entry doors, precast concrete trim as well as superior landscape features. The landscape palette includes various flowers, trees and shrubs such as Bronze Loquat, Pygmy Date Palms, Weeping Yew, Bird of Paradise and Indian Hawthorne.

The proposed color palette features neutral colors and will compliment structures in the immediate area.

The following table summarizes proposed and applicable development standards for the project site:

| | MINIMUM REQUIRED | PROPOSED |
|--------------------|--|---|
| MINIMUM LOT SIZE | 10,000 sq. ft. | 10,000 sq. ft. |
| PARKING SPACES | 2-Spaces per unit 1 guest spaces per (4-10) units | 4-(two-car garages per unit) 1- guest spaces |
| FRONTYARD SETBACK | 15-ft. | 20-ft. |
| SIDEYARD SETBACK | 5-ft. | 10-ft. |
| EXTERIOR SIDE-YARD | 10-ft. | 10-ft. |
| REARYARD SETBACK | 5-ft. | 5-ft. |
| LOT WIDTH | 70-ft. | 100-ft (Cleveland). & 99.1-ft. (Leonard) |
| BUILDING HEIGHT | 27-ft. | 21.2-ft. |

Regular Coastal Permit: A Regular Coastal Permit (RC-20-06) is required due to the fact that the project is situated within the Coastal Zone.

Deferral of underground conversion of overhead utilities for the property: Section 3023 of the Zoning Ordinance requires that all new and existing electrical, telephone, CATV and similar distribution lines providing direct service to a development site be installed underground within the project site and along the site's frontage in the public right-of-way.

The Subdivision Ordinance includes deferral provisions for underground utility conversions and authorizes the Planning Commission to consider such requests at the time of tentative map approval. The applicant has submitted a request to defer the undergrounding of overhead utilities pursuant to Section 900G of the Subdivision Ordinance.

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

1. Zoning Ordinance
2. Local Coastal Plan
3. General Plan Land Use Element
4. Subdivision Map Act & Subdivision Ordinance
3. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. Is the proposed project consistent with the underlying land use and zoning designation and the Local Coastal Plan, in terms of land use and site design standards?
2. Is the project compatible with the existing and potential future developments in the area?
3. Does the project meet the findings for granting the requested deferral of overhead utilities underground conversion?

DISCUSSION

The proposed project complies with applicable development requirements of the Local Coastal Program including zoning standards for building setbacks, height and parking. The project will neither substantially alter or impact existing coastal public views or obstruct any existing or planned public beach access.

The proposed development is consistent in density and compatible in design with other four-unit condominium developments in the vicinity (875, 855 and 865 South Cleveland Street). The attached unit massing and configuration will compliment future multiple family type structures within the subject Urban High-Density Residential (RH-U) zoning district. The project includes high-quality design features and residential amenities, such as open space areas and enclosed garages.

The project is conditioned to provide its fair-share of development improvements. The developer is required to provide full-width alley pavement reconstruction. Frontage landscaping on Cleveland Street and Leonard Avenue will be enhanced through planting of 15-foot Bronze Loquat trees.

Request to defer Undergrounding of 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 under grounded exist on the opposite side of existing abutting street from the subdivision.
- g. Subdivision is within the Redevelopment project Area and.
- h. Subdivision is less than one-quarter (1/4 block in length fronting street or

- alley).
- i. 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 project meets the above a, b and c findings and qualifies for the requested deferral and associated payment of in-lieu fees. Therefore a condition of project approval requiring payment of in-lieu fees based upon the length of utilities to be placed underground is recommended by staff.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA).

SUMMARY

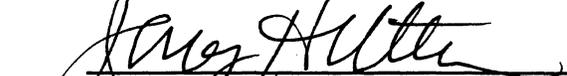
The proposed project is consistent with applicable Zoning Ordinance development criteria, Subdivision Ordinance regulations and General Plan land use policies. The project qualifies for deferral of overhead utilities undergrounding. Therefore, staff recommends that the Planning Commission:

- Move to approve Tentative Parcel Map (P-17-06), Development Plan (D-20-06), Regular Coastal Permit (RC-20-06) and the deferral of overhead utilities underground conversion request and adopt Planning Commission Resolution No. 2007-P10 as attached.

PREPARED BY:


Scott Nightingale
Planner II

SUBMITTED BY:


Jerry Hittleman
City Planner

REVIEWED BY: 

Amy Volzke, Principal Planner

SN/JH/fil

Attachments:

1. Site Plan, Floor Plans & Elevations
2. Planning Commission Resolution No. 2007-P10



E.O.S.
 ENVIRONMENTAL
 OPERATIONS
 SERVICES
 10000 WILLOW LANE
 SUITE 100
 DUBLIN, CA 94568
 (925) 835-1100
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Professional Engineer
 State of California
 License No. 44512
 Civil Engineering

FOUR NEW ATTACHED CONDOMINIUM UNITS FOR
 ALL AMERICAN HOMES AND ESTATES
 828 CLEVELAND STREET
 OCEANSIDE CA 92054

| REVISION | DATE | DESCRIPTION |
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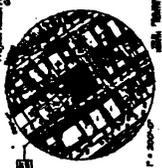
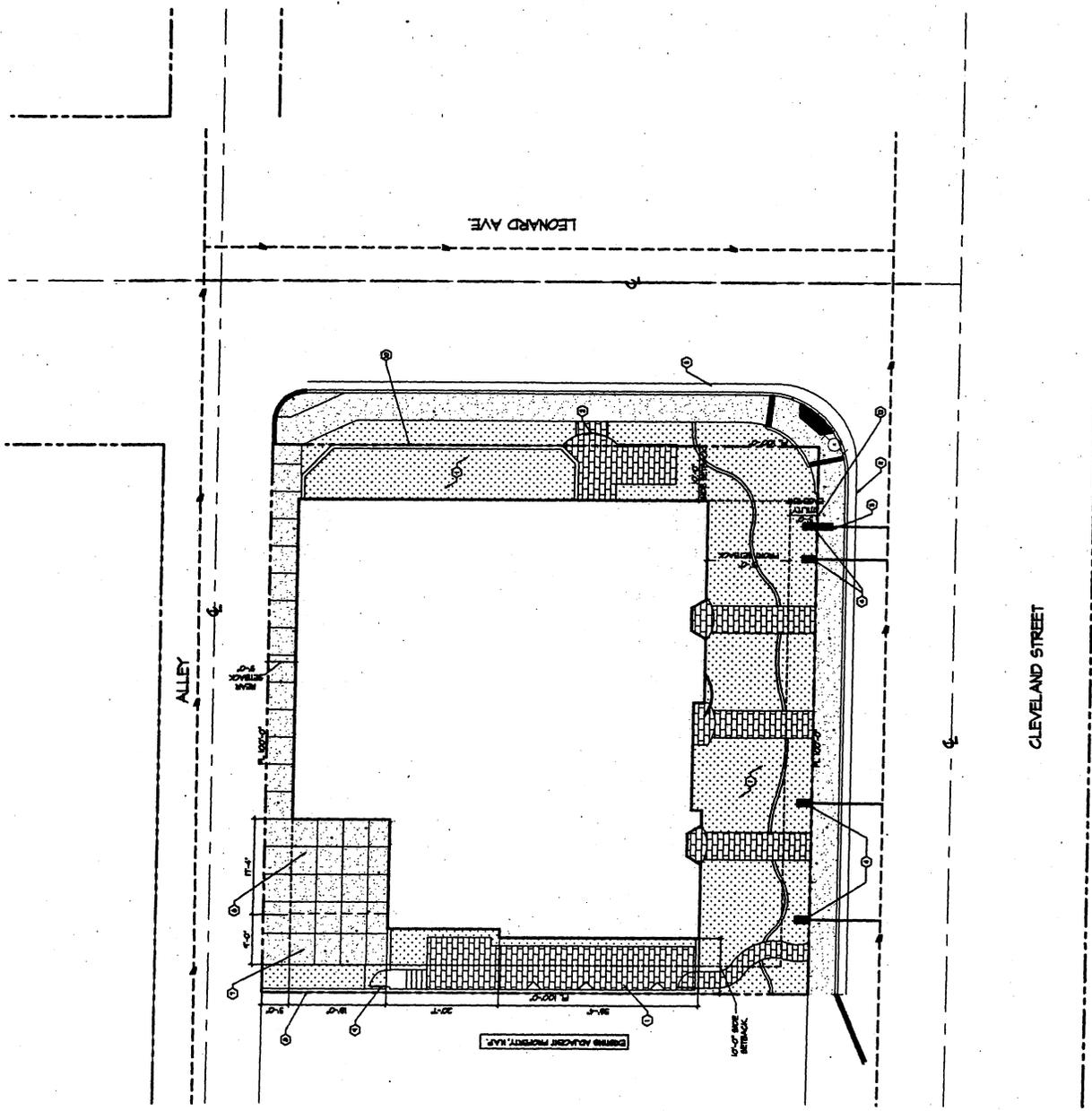
PLANNING
 Title: _____
 Address: _____
 City: _____
 State: _____
 Zip: _____
 Project Name: _____
 Project No: _____
 Date: _____

SITE PLAN NOTES

- 1 LANDSCAPE PER LANDSCAPE PLAN
- 2 COLORED CONCRETE FINISH PER LANDSCAPE PLAN
- 3 NOT USED
- 4 FINISH ELEVATION PER CIVIL PLAN
- 5 EXISTING WATER MAINS TO BE INDICATED SEE CIVIL PLAN
- 6 CONCRETE DRIVE ENTRY PER CIVIL PLAN
- 7 GUEST PARKING SPOT
- 8 10'-0" HIGH WALL WITH BRICK TOP TO MATCH EXISTING BRICK BUILDING ELEVATION
- 9 6" GROUT PER BELOW ELEVATION
- 10 RETAINMENT WALL SHALL HAVE BRICK TOP TO MATCH EXISTING BRICK BUILDING PER CIVIL PLAN
- 11 BRICK WALL AND OTHER IN FIELD FOR PER CIVIL PLAN
- 12 8" UTILITY BASEMENT PER CIVIL PLAN

Prepared by: **ENVIRONMENTAL OPERATIONS SERVICES**
 Address: 10000 WILLOW LANE, SUITE 100, DUBLIN, CA 94568
 Phone: (925) 835-1100
 Project Address: 828 CLEVELAND ST., OCEANSIDE, CA 92054
 Project Name: FOUR NEW ATTACHED CONDOMINIUM UNITS FOR ALL AMERICAN HOMES AND ESTATES

Scale: 1/8" = 1'-0"
 Date: 11/11/07

SITE PLAN

SCALE 1/8" = 1'-0"

Sheet Title: SEE PLAN



EOS
 ENGINEERING & ARCHITECTURE
 1000 S. GARDEN STREET
 ANAHEIM, CA 92805
 TEL: 714/771-1111
 FAX: 714/771-1112



REGISTERED PROFESSIONAL ARCHITECT
 STATE OF CALIFORNIA
 NO. 10000

FOUR NEW ATTACHED CONDOMINIUM UNITS FOR
 828 CLEVELAND STREET
 OCEANSIDE, CA 92054

| REVISION | DATE | BY | DESCRIPTION |
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PLANNING
 DATE: 08/11/04
 SCALE: AS SHOWN
 PROJECT ADDRESS: 828 CLEVELAND ST., OCEANSIDE, CA 92054
 PROJECT NUMBER: 04081111000

SECOND FLOOR PLAN
 SHEET NO. **A1.2**

NOTE
 USE SHEET A1.1 FOR AREA CALCULATION

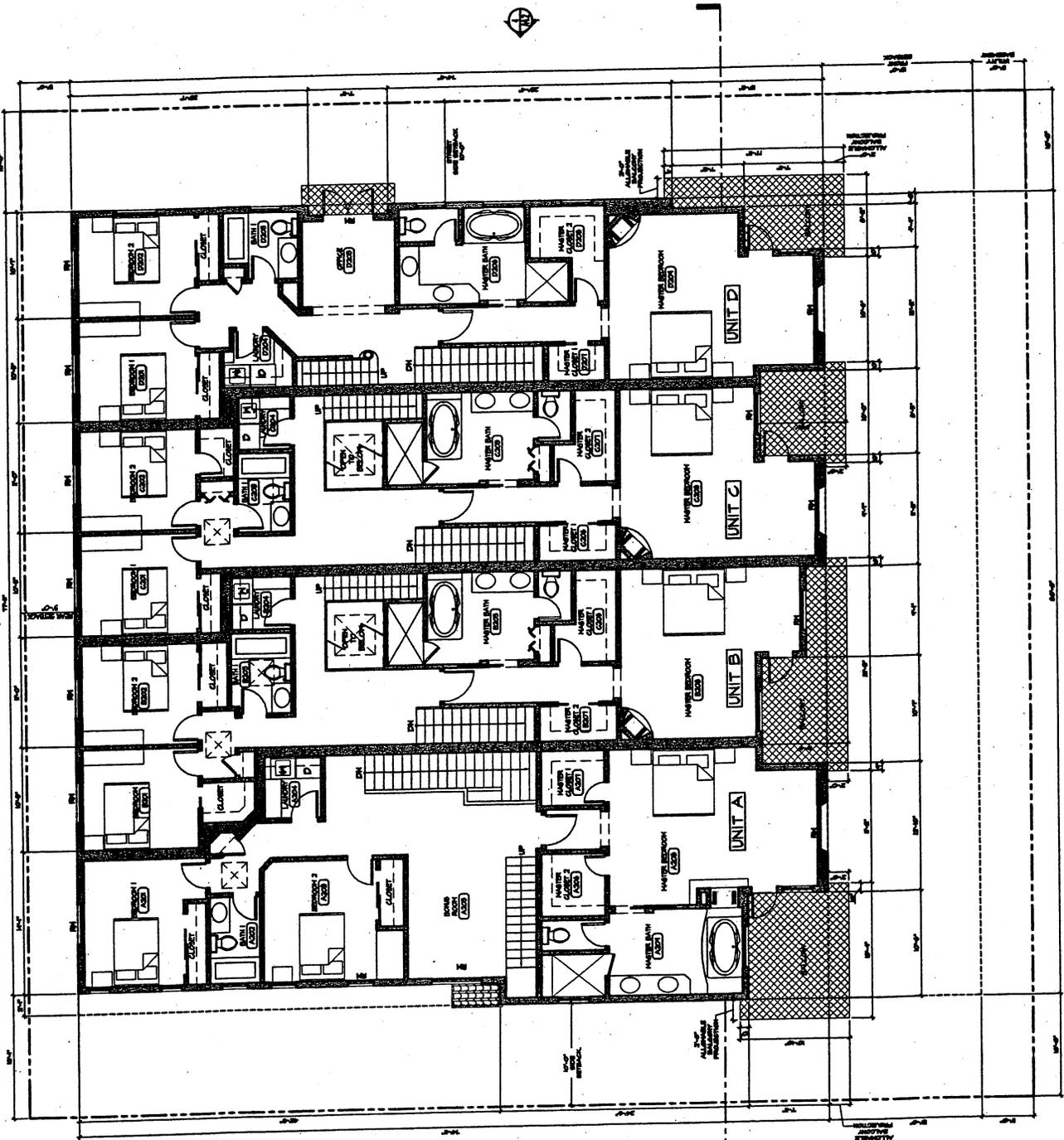
NOTE
 SEE SHEET A1.1 FOR DIMENSIONAL INFORMATION

NOTE
 DIMENSIONS INDICATED UNLESS NOTED OTHERWISE

Prepared by: [Signature]
 Checked by: [Signature]
 Date: 08/11/04
 Project Address: 828 CLEVELAND ST., OCEANSIDE, CA 92054
 Project Number: 04081111000



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



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

SECOND FLOOR PLAN



REGISTERED PROFESSIONAL ENGINEER
CALIFORNIA LICENSE NO. 10000
C. O. S. CONSULTING ENGINEERS, INC.

FOUR NEW ATTACHED CONDOMINIUM UNITS FOR
ALL AMERICAN HOMES AND ESTATES
828 CLEVELAND STREET
OCEANSIDE CA 92054

| REVISIONS | DATE | BY | DESCRIPTION |
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PLANNING
 Project Name: 828 CLEVELAND ST.
 Project Address: 828 CLEVELAND ST.
 Project No.: 2001-0001-0001-0001

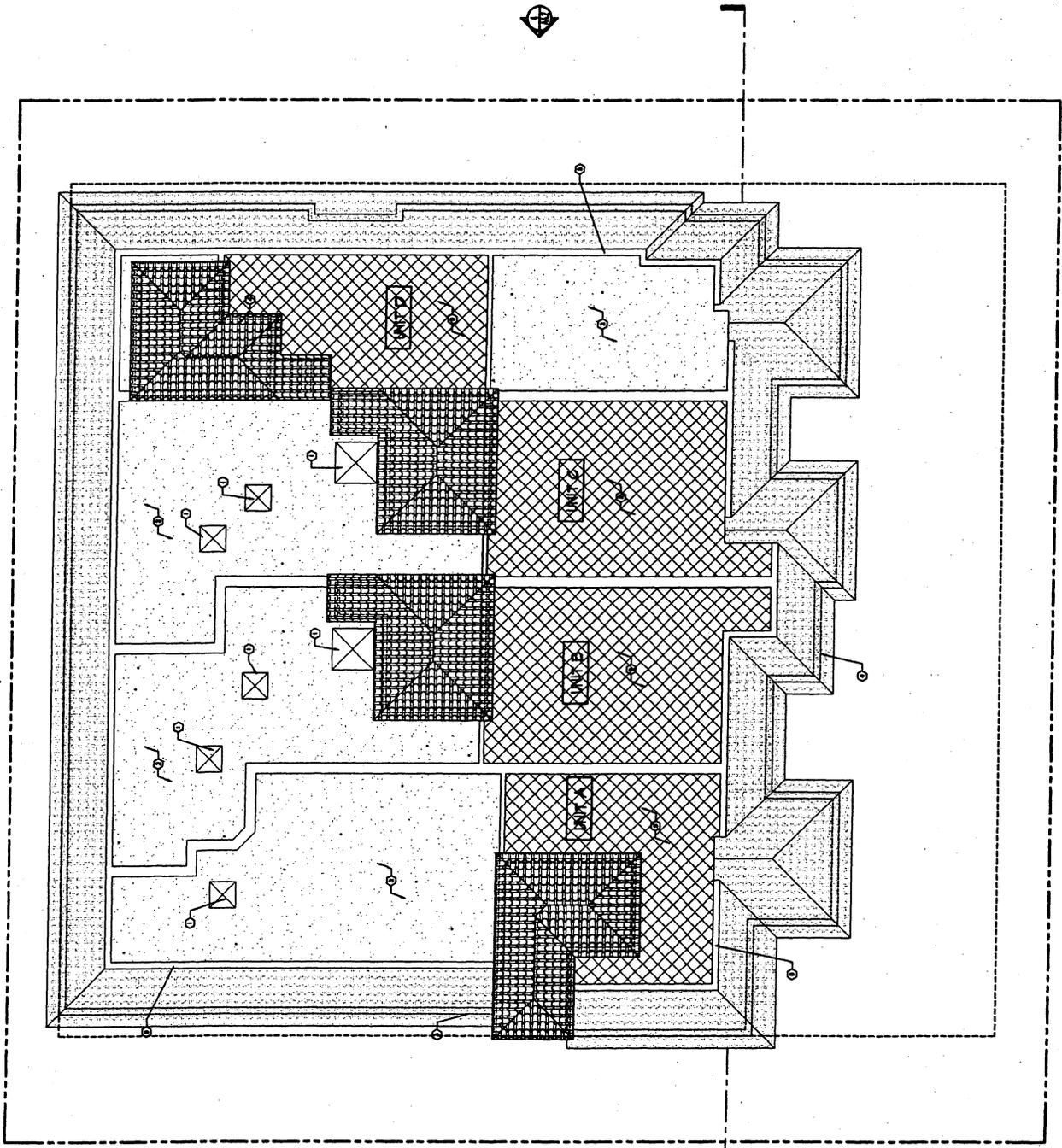
ROOF PLAN
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NOTE
 USE THESE TABLES FOR
 AREA CALCULATION

NOTE
 USE THESE TABLES FOR
 AREA CALCULATION

Prepared by: [Name]
 Date: [Date]
 Project Name: 828 CLEVELAND ST.
 Project Address: 828 CLEVELAND ST.
 Project No.: 2001-0001-0001-0001

Scale: 1" = 20'-0"



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

ROOF PLAN

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PLANNING COMMISSION
RESOLUTION NO. 2007-P10

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

APPLICATION NO: P-17-06, D-20-06, RC-20-06
APPLICANT: Gerardo Cruz
LOCATION: 828 South Cleveland Street

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

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

a four-unit condominium development and a deferral of the requirement to underground existing overhead utilities;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 12th day of February, 2007 conduct a duly advertised public hearing as prescribed by law to consider said application.

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

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

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

| <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. |

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

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

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

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

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

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

15 FINDINGS:

16 For the Tentative Parcel Map:

- 17 1. The proposed subdivision creates parcels that are consistent with the requirements of the
18 RH-U (Urban High Density Residential) zoning designation. The subdivision map is
19 consistent with the General Plan of the City.
- 20 2. The proposed building pads on the site will conform to the topography of the site,
21 therefore, making it suitable for residential development. The 10,000 sq. ft. (appx.) site is
22 physically suitable to allow for the development of 4-unit condominium.
- 23 3. The subdivision complies with all other applicable ordinances, regulations and guidelines
24 of the City.
- 25 4. The design of the subdivision or proposed improvements will not conflict with
26 easements, acquired by the public at large, for access through the use of property within
27 the subdivision.
- 28 5. The design of the subdivision or the proposed improvements will not cause substantial
29 environment damage or substantially and avoidably injure fish or wildlife or their
habitat.

1 For the Development Plan:

- 2 1. The site plan and physical design of the project is consistent with the Zoning Ordinance
3 and the underlying RH-U (Urban High Density Residential) zoning district.
4 2. The Development Plan conforms to the General Plan of the City.
5 3. The project site can be adequately served by existing public facilities, services and
6 utilities.
7 4. The project, as proposed, is compatible with the existing and potential development on
8 adjoining properties or in the surrounding neighborhood.
9 5. The site plan and parameters for the architecture and physical design of the project is
10 consistent with the policies contained within Sections 1.22 and 1.23 of the Land Use
11 Element of the General Plan.

12 For the Regular Coastal Permit:

- 13 1. The proposed project is consistent with the policies of the Local Coastal Program as
14 implemented through the City Zoning Ordinance. In addition, the project will not
15 substantially alter or impact existing public views of the coastal zone area.
16 2. The proposed project will not obstruct any existing or planned public beach access;
17 therefore, the project is in conformance with the policies of Chapter 3 of the Coastal Act.

18 For the Deferral of the Requirement to Underground Facilities:

- 19 1. The project contains less than 10 residential units, existing overhead facilities are located
20 within an alley, and the subdivision has less than 250 feet of frontage, all of which are
21 qualifying finding for deferring the underground conversion.

22 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
23 approve Tentative Parcel Map (P-17-06), Development Plan (D-20-06), Regular Coastal Permit
24 (RC-20-06) and the deferral of the requirement to underground existing facilities subject to the
25 following conditions:

26 Building:

- 27 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
28 Community Development Department/Building Division plan check.
29 2. The granting of approval under this action shall in no way relieve the applicant/project from
compliance with all State and local building codes.

- 1 3. The building plans for this project are required by State Law to be prepared by a licensed
2 architect or engineer and shall be in compliance with this requirement prior to submittal for
3 building plan review.
- 4 4. Site development, common use areas, access and adaptability of apartments and
5 condominiums shall comply with the State's Disabled Accessibility Regulations. (2001
6 California Building Code (CBC), Chapter 11A)
- 7 5. All electrical, communication, CATV, etc. service lines, within the exterior lines of the
8 property shall be underground (City Code Sec. 6.30).
- 9 6. Compliance with the Federal Clean Water Act (BMPs) shall be demonstrated on the plans.
- 10 7. A complete soils report, structural calculations and energy calculations/documentation shall
11 be required at time of plans submittal to the Building Division for plan check.
- 12 8. Separate/unique addresses shall be required to facilitate utility releases. Verification that
13 the addresses have been properly assigned by the Community Development
14 Department/Planning Division shall accompany the building permit application.
- 15 9. A demolition permit shall be required for the demolition of any existing structures.
16 Plans for the demolition permit shall clearly show that all utilities (electric, gas, water
17 and sewer) are properly terminated/capped in accordance with the requirements of the
18 utility service provider. All/any underground septic or water storage tanks shall be
19 removed or filled in accordance with the Uniform Plumbing Code and or the City's
20 Grading Ordinance.
- 21 10. The developer shall monitor, supervise and control all building construction and supportive
22 activities so as to prevent these activities from causing a public nuisance, including, but not
23 limited to, strict adherence to the following:
- 24 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
25 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
26 work that is not inherently noise-producing. Examples of work not permitted on
27 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
28 producing nature. No work shall be permitted on Sundays and Federal Holidays
29 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,

1 Christmas Day) except as allowed for emergency work under the provisions of the
2 Oceanside City Code Chapter 38 (Noise Ordinance).

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

8 **Engineering:**

- 9 11. Project involves demolition of an existing structure or surface improvements, the
10 grading plans shall be approved by the City Engineer and/or Public Works Director prior
11 to the issuance of a demolition permit. No demolition shall be permitted without an
12 approved erosion control plan.
- 13 12. Vehicular access rights to Cleveland Street and Leonard Street shall be relinquished to
14 the City from all abutting lots.
- 15 13. Design and construction of all improvements shall be in accordance with standard plans,
16 specifications of the City of Oceanside and subject to approval by the City Engineer
17 and/or Public Works Director.
- 18 14. Prior to issuance of a building permit all improvement requirements shall be covered by
19 a development agreement and secured with sufficient improvement securities or bonds
20 guaranteeing performance and payment for labor and materials, setting of monuments,
21 and warranty against defective materials and workmanship.
- 22 15. The approval of the tentative parcel map shall not mean that closure, vacation, or
23 abandonment of any public street, right-of-way, easement, or facility is granted or
24 guaranteed to the developer. The developer is responsible for applying for all closures,
25 vacations, and abandonments as necessary. The application(s) shall be reviewed and
26 approved or rejected by the City of Oceanside under separate process(es) per codes,
27 ordinances, and policies in effect at the time of the application.
- 28 16. Prior to approval of the parcel map, all improvement requirements shall be covered by a
29 subdivision agreement and secured with sufficient improvement securities or bonds

1 guaranteeing performance and payment for labor and materials, setting of monuments, and
2 warranty against defective materials and workmanship.

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

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

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

15 a) Dirt, debris and other construction material shall not be deposited on any
16 public street or within the City of Oceanside's stormwater conveyance
17 system.

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

- 1 c) The construction site shall accommodate the parking of all motor vehicles
2 used by persons working at or providing deliveries to the site.
- 3 d) A haul route shall be obtained at least 7 days prior the start of hauling
4 operations and must be approved by the City Engineer and/or Public
5 Works Director. Hauling operations shall be 8:00 a.m. to 3:30 p.m. unless
6 approved otherwise.

7 20. A traffic control plan shall be prepared according to the City traffic control guidelines
8 and be submitted to and approved by the City Engineer and/or Public Works Director
9 prior to the start of work within open City rights-of-way. Traffic control during
10 construction of streets that have been opened to public traffic shall be in accordance with
11 construction signing, marking and other protection as required by the Caltrans Traffic
12 Manual and City Traffic Control Guidelines. Traffic control plans shall be in effect from
13 8:00 a.m. to 3:30 p.m. unless approved otherwise.

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

25 22. Cleveland Street and Leonard Street shall be improved with curb and gutter and sidewalk
26 along property frontage.

27 23. Cleveland Street and Leonard Street along the property frontage shall provide a minimum
28 of 10 feet parkway between the face of curb and the right-of-way line. Sidewalk
29 improvements shall comply with ADA requirements.

- 1 24. Sight distance requirements at the project driveway or street shall conform to the corner
2 sight distance criteria as provided by the California Department of Transportation Highway
3 Design Manual.
- 4 25. Streetlights shall be maintained and installed on all public streets per City Standards.
5 The system shall provide uniform lighting, and be secured prior to occupancy. The
6 developer shall pay all applicable fees, energy charges, and/or assessments associated
7 with City-owned (LS-2 rate schedule) streetlights and shall also agree to the formulation
8 of, or the annexation to, any appropriate street lighting district.
- 9 26. Prior to approval of the grading plans, the developer shall contract with a geotechnical
10 engineering firm to perform a field investigation of the existing pavement on all streets
11 adjacent to the project boundary. The limits of the study shall be half-street plus twelve
12 (12) feet along the project's frontage. The field investigation shall include a minimum of
13 one pavement boring per every fifty (50) linear feet of street frontage. Should the existing
14 AC thickness be determined to be less than three (3) inches or without underlying Class II
15 base material, the developer shall remove and reconstruct the pavement section as
16 determined by the pavement analysis submittal process detailed in Item No. 2 below.
- 17 27. Upon review of the pavement investigation, the City Engineer and/or Public Works
18 Director shall determine whether the developer shall: 1) Repair all failed pavement
19 sections, header cut and grind per the direction of the City Engineer and/or Public Works
20 Director, and construct a two-inch thick rubberized AC overlay; or 2) Perform R-value
21 testing and submit a study that determines if the existing pavement meets current City of
22 Oceanside standards/traffic index. Should the study conclude that the pavement does not
23 meet current requirements, rehabilitation/mitigation recommendations shall be provided in
24 a pavement analysis report, and the developer shall reconstruct the pavement per these
25 recommendations, subject to approval by the City Engineer and/or Public Works Director.
- 26 28. Pavement sections for all streets, alleys, 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 and/or Public Works
29 Director, prior to paving.

- 1 29. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
2 construction of the project, shall be repaired or replaced as directed by the City Engineer
3 and/or Public Works Director.
- 4 30. Full width alley improvements including the installation of a longitudinal concrete alley
5 gutter shall be constructed in accordance with the standard plans and specifications of the
6 City of Oceanside and as approved by the City Engineer and/or Public Works Director.
- 7 31. The undergrounding of the existing overhead utilities may be deferred. The developer
8 shall pay an in-lieu fee, based upon the length of utilities to be placed underground, and at
9 the rate in effect at building permit issuance or as established by the City Engineer and/or
10 Public Works Director per Section 901.G. of the Subdivision Ordinance (R91-166) and as
11 required by the City Engineer and/or Public Works Director and current City policy.
- 12 32. The developer shall comply with all the provisions of the City's cable television ordinances
13 including those relating to notification as required by the City Engineer and/or Public
14 Works Director.
- 15 33. Grading and drainage facilities shall be designed and installed to adequately accommodate
16 the local stormwater runoff and shall be in accordance with the City's Engineers Manual
17 and as directed by the City Engineer and/or Public Works Director.
- 18 34. The applicant shall obtain any necessary permits and clearances from all public agencies
19 having jurisdiction over the project due to its type, size, or location, including but not
20 limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, U.
21 S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
22 (including NPDES), San Diego County Health Department, prior to the issuance of grading
23 permits.
- 24 35. Prior to any grading of any part of the tract or project, a comprehensive soils and geologic
25 investigation shall be conducted of the soils, slopes, and formations in the project. All
26 necessary measures shall be taken and implemented to assure slope stability, erosion
27 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
28 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
29 the City Engineer and/or Public Works Director.

- 1 36. This project shall provide year-round erosion control including measures for the site
2 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
3 control plan, designed for all proposed stages of construction, shall be reviewed, secured
4 by the applicant with cash securities and approved by the City Engineer and/or Public
5 Works Director.
- 6 37. A precise grading and private improvement plan shall be prepared, reviewed, secured and
7 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
8 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage,
9 footprints of all structures, walls, drainage devices and utility services.
- 10 38. Landscaping plans, including plans for the construction of walls, fences or other structures
11 at or near intersections, must conform to intersection sight distance requirements.
12 Landscape and irrigation plans shall be approved by the City Engineer and/or Public
13 Works Director prior to the issuance of occupancy permits, and a pre-construction meeting
14 held, prior to the start of any improvements.
- 15 39. Open space areas and down-sloped areas visible from a collector-level or above roadway
16 and not readily maintained by the property owner, shall be maintained by a homeowners'
17 association that will insure installation and maintenance of landscaping in perpetuity.
18 These areas shall be indicated on the final map and reserved for an association.
19 Future buyers shall be made aware of any estimated monthly costs. The disclosure,
20 together with the CC&R's, shall be submitted to the City Engineer and/or Public Works
21 Director for review prior to the recordation of final map.
- 22 40. The drainage design on the tentative parcel map is conceptual only. The final design shall
23 be based upon a hydrologic/hydraulic study to be approved by the City Engineer and/or
24 Public Works Director during final engineering. All drainage picked up in an underground
25 system shall remain underground until it is discharged into an approved channel, or as
26 otherwise approved by the City Engineer and/or Public Works Director. All public storm
27 drains shall be shown on City of Oceanside standard plan and profile sheets. All storm
28 drain easements shall be dedicated where required. The applicant shall be responsible for
29 obtaining any off-site easements for storm drainage facilities.

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

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

8 **Fire:**

9 43. Smoke detectors are required and detector locations must be indicated on the plans.

10 44. Buildings shall meet Oceanside Fire Department's current codes at the time of building
11 permit application.

12 45. In accordance with the Fire Code Sec. 901.4.4, approved address for commercial, industrial
13 and residential occupancies shall be placed on the structure in such a position as to be
14 plainly visible and legible from the street or roadway fronting the property. Numbers shall
15 be contrasting with their background.

16 46. A minimum fire flow of 2,500 gallons per minute shall be provided.

17 47. Fire extinguishers are required and shall be included on the plans submitted for plan check.

18 48. Provide a 13R fire sprinkler system. The system shall be designed per N.F.P.A. 13R and
19 U.B.C. Standard 9-3, Installation of Sprinkler Systems in Residential Occupancies up to
20 and Including Four Stories in Height.

21 49. The Fire Department connection shall not be affixed to the building. The Fire Department
22 connection must be located at least 40 feet away from the building, within 40 feet of a fire
23 hydrant, and on the address side of the building – unless otherwise determined by the Fire
24 Department. The hydrant shall be located on the same side of the street as the Fire
25 Department connection.

26 50. Commercial buildings and multi-family dwellings require 6-inch address numbers.

27 51. Provide a fire alarm system as required per C.F.C. Article 10 and N.F.P.A. 72

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

1 **Planning:**

2 53. This Tentative Parcel Map, Development Plan and Regular Coastal Permit shall expire on
3 February 12, 2009, unless a time extension is granted by the Planning Commission.

4 54. This Tentative Parcel Map, Development Plan and Regular Coastal Permit approves only a
5 4-unit condominium development and deferral of the requirement to underground existing
6 overhead utilities, as shown on the plans and exhibits presented to the Planning
7 Commission for review and approval. No deviation from these approved plans and
8 exhibits shall occur without Planning Division approval. Substantial deviations shall
9 require a revision to the Tentative Parcel Map, Development Plan and Regular Coastal
10 Permit.

11 55. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
12 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
13 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
14 annul an approval of the City, concerning Tentative Parcel Map P-17-06, Development
15 Plan D-20-06, and Regular Coastal Permit RC-20-06. The City will promptly notify the
16 applicant of any such claim, action or proceeding against the City and will cooperate fully
17 in the defense. If the City fails to promptly notify the applicant of any such claim action or
18 proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be
19 responsible to defend, indemnify or hold harmless the City.

20 56. Enhanced paving, steps or concrete mow curbs shall not be located in the right-of-way.

21 57. The landscape conceptual plan must comply with and match the site, grading plan and
22 SWMP exhibit.

23 58. Street trees are required 30' on center.

24 59. One 15-gallon front yard tree, minimum 18 shrubs consisting of 1 and 5-gallon container
25 size and ground cover or bark mulch in shrub plant areas are required.

26 60. Trees shall not be located in utility easements.

27 61. A covenant or other recordable document approved by the City Attorney shall be prepared
28 by the subdivider and recorded prior to the approval of the final map. The covenant shall
29 provide that the property is subject to this resolution, and shall generally list the conditions
of approval.

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

5 63. Failure to meet any conditions of approval for this development shall constitute a violation
6 of the Tentative Parcel Map, Development Plan, and Regular Coastal Permit.

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

12 65. The project design shall comply with Zoning Ordinance Section 3015 Building Projections
13 into Yards and Courts.

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

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

Water Utilities:

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

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

26 70. The property owner shall maintain private water and wastewater utilities located on private
27 property.

28 71. A separate irrigation meter and approved backflow prevention device is required.
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- 72. Water services and sewer laterals constructed in existing right-of-way locations shall be constructed by approved and licensed contractors at developer's expense.
- 73. The developer shall construct a public reclamation water system that will serve each lot and or parcels that are located in the proposed project in accordance with the City of Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located in the public right-of-way or in a public utility easement.
- 74. The developer will be responsible for developing all water and sewer utilities necessary to develop the property. Any relocation of water and/or sewer utilities is the responsibility of the developer and shall be done by an approved licensed contractor at the developer's expense.
- 75. All lots with a finish pad elevation located below the elevation of the next upstream manhole cover of the public sewer shall be protected from backflow of sewage by installing and maintaining an approved type backwater valve, per the Uniform Plumbing Code (U.P.C.).
- 76. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to be paid to the City and collected by the Water Utilities Department at the time of Building Permit issuance.
- 77. All Water and Wastewater construction shall conform to the most recent edition of the Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by the Water Utilities Director.
- 78. The existing 6-inch sewer line located in Cleveland Street shall be upsized to an 8-inch sewer line to meet current City standards from the nearest upstream manhole to the nearest downstream manhole. Please revise and call out on plans.

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

5 PASSED AND ADOPTED Resolution No. 2007-P10 on February 12, 2007 by the
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11
12
13 _____
14 Dennis Martinek, Chairman
Oceanside Planning Commission

15 ATTEST:

16
17
18 _____
Jerry Hittleman, Secretary

19 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
20 this is a true and correct copy of Resolution No. 2007-P10.
21

22 Dated: February 12, 2007
23
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File Number: P-17-06, D-20-06, and RC-20-06

Applicant: Gerrardo Cruz

Description:

TENTATIVE PARCEL MAP (P-17-06), DEVELOPMENT PLAN (D-20-06), and REGULAR COASTAL PERMIT (RC-20-06) for the construction of a 4 unit condominium development on a 10,000 square foot lot located on the northeast corner of South Cleveland Street and Leonard Street. The project site is zoned RH-U (Urban High Density Residential) and is situated within the South Oceanside Neighborhood and the Coastal Zone. **SOUTH CLEVELAND STREET CONDOMINIUMS**

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: February 1, 2007

Public Hearing Coastal Permit
Identification No. RC-20-06

**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 Gerrardo Cruz. This application was received on September 7, 2006. The application is described as follows:

For the construction of a 4-unit condominium development on a 10,000-square foot lot located on the northeast corner of South Cleveland Street and Leonard Street.

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

Said hearing will be held on February 12, 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 February 5, 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 February 22, 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.

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PAGE 03/03

Scott / L.H.

Application For Planning Commission Hearing

Planning Department (760) 438-9830
 Coronado Civic Center
 300 North Coast Highway
 Coronado, California 92054-2003
 Please Print or Type All Information

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 SEP 07 2006
 Planning Department

| | | | | STAFF USE ONLY | |
|--|--|---|--|--|-----|
| | | | | ACCEPTED | BY |
| | | | | 9/7/06 | SN. |
| PART I - APPLICANT INFORMATION | | | | HEARING | |
| | | | | GPA | |
| 1. APPLICANT CORONADO CRUZ | | 2. STATUS OWNER | | MASTER/SP.PLAN | |
| 3. ADDRESS 2020 TRACKER LANE SAN MARINO, CA 91781 | | 4. PHONE/FAX | | ZONE CH. | |
| 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) JENNIFER BOLYN | | | | TENT. MAP | |
| 6. ADDRESS 1852 SANTA MERICA AVE SAN DIEGO CA 92107 | | | | PAR. MAP P-17-06 | |
| PART II - PROPERTY DESCRIPTION | | | | DEV. PL. D-20-06 | |
| 8. LOCATION 828 South Cleveland Coronado CA | | | | C.U.P. | |
| 9. ADDRESS | | | | VARIANCE | |
| 10. GENERAL PLAN | | | | COASTAL RC-20-06 | |
| 11. ZONING | | | | O.H.P.A.C. | |
| 12. LAND USE | | | | 9. SIZE | |
| 13. ASSESSOR'S PARCEL NUMBER 150-372-03 | | | | | |
| PART III - PROJECT DESCRIPTION | | | | | |
| 14. GENERAL PROJECT DESCRIPTION REV - 4/8/06 | | | | | |
| 15. PROPOSED GENERAL PLAN | | 16. PROPOSED ZONING | | 17. PROPOSED LAND USE | |
| | | | | Res | |
| 18. NO. UNITS | | 19. DENSITY | | | |
| 20. BUILDING SIZE | | 21. PARKING SPACES | | 22. % LANDSCAPE | |
| | | | | 23. % LOT COVERAGE | |
| 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-FT. RADIUS MAP | | <input checked="" type="checkbox"/> 27. PROPERTY OWNERS' 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): Jennifer Bolyn | | 34. DATE 9/5/06 | | 35. OWNER (Print): CORONADO CRUZ | |
| Sign: | | Sign: | | 36. DATE 9/5/06 | |
| I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. | | | | | |
| 37. APPLICANT (Print): Jennifer Bolyn | | 38. DATE 9/5/06 | | 39. OWNER (Print): CORONADO CRUZ | |
| Sign: | | Sign: | | 40. DATE 9/5/06 | |

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Planning Department



4852 SANTA MONICA AVE.
SAN DIEGO CA 92107
(619)224.6100 PHONE
(619)224.6101 FAX

Four New Condominiums for
All American Homes and Estates
828 Cleveland St
Oceanside, California
APN 150-372-03

Revised Description and Justification
Parcel Map, Development Plan, Regular Coastal Permit,

August 29, 2006

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Introduction

This application is for a four unit condominium development on an 10,000 square foot lot (Assessor Parcel Number: 150-372-03) located on the north-east corner of south Cleveland and Leonard streets. The discretionary approvals necessary for this project include a Parcel Map, a Development Plan, and a Regular Coastal Permit.

A request is being made for a deferral for the under-grounding of the overhead electric lines. This project qualifies for a deferral in accordance with Section 904 (G) (4) of the subdivision Ordinance: the existing facilities are within an alley, have less than 250 feet of frontage, and the proposed project contains less than ten residential units.

The property is located in the South Oceanside neighborhood and is currently a vacant lot. Surrounding land uses include single family homes, multi-family homes, and commercial. The current General Plan Land Use designation for the subject property is Urban High Density Residential and the Zoning is RH-U.

Parcel Map and Development Plan

As noted above, this is a residential project containing four airspace condominium units, with common area improvements and amenities. The average unit size is 2,450 square feet. The project will include amenities such as private rooftop terraces, private two car garages, guest parking and private exterior patio area and balconies.

The project provides a high quality design, innovative architecture, and redevelops an underutilized site in walking distance to restaurants, beaches, shops and transit facilities. It provides common and private open space areas, and residential ownership opportunities in the south Oceanside area.

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Access and Parking

The 828 Cleveland Condominium project meets the parking requirements for this zone and type of project. This project provides a fully covered and garage parking, with two stalls for each unit, plus one guest parking stall. Entrance to the garages will be taken directly from the alley.

Architecture

The architecture for the proposed 828 Cleveland Condominiums will be of a traditional Spanish Style Urban Architecture respectful to the history of Southern California. Clay tile roofing, shaped cornices and trim, decorative wrought iron balcony rails, precast concrete trim as well as sensitive landscaping enhance the building façade and streetscape, creating a sense of home and contributing to the community feel of the proposed project.

The external appearance/building elevations have been well designed, with particular care taken in the selection of materials, variation in façade elements, and the introduction of quality architectural detailwork.

The highest roof structure is 33'-2", which exceeds than the 27-foot maximum height as permitted by the zoning ordinance for rooftop access and mechanical rooms. The structure exceeds this height limit by a maximum of ten percent of the roof area, as outlined in the zoning compliance sheets in the submittal package. The average structure height is 26'-8" below the 27'-0" allowable. Height is measured from existing grade, which will be slightly modified to accommodate the proposed building structure.

| Unit | Unit Size (sq. ft.) | Bedrooms / Baths | Private Open Space | Common Open Space | Private Garage |
|---------------|---------------------|------------------|--------------------|-------------------|-----------------|
| A | 2,602 sf | 3 BR / 2.5 BA | 432 sf | 200 sf | 2-car 439 sf |
| B | 2,468 sf | 3 BR / 2.5 BA | 575 sf | 200 sf | 2-car 436 sf |
| C | 2,460 sf | 3 BR / 2.5 BA | 513 sf | 200 sf | 2-car 432 sf |
| D | 2,455 sf | 3 BR / 2.5 BA | 398 sf | 200 sf | 2-car 436 sf |
| totals | 9,985 sf | | 1,918 sf | 600 sf | 1,743 sf |
| | | | | | |

Landscape Concept Plan

The landscape theme is a play on California's romantic past. Formal accents such as, low hedges defining entry courtyards and columnar forms complimenting both sides of large picture windows, evoke an estate character. Other highlights include low bedding shrubs, grasses, and selected succulents and large upright spiking accents that all complement the Spanish revival architecture. Street trees are respectful of the neighborhood and were chosen because they are the dominant tree along Cleveland Street. The trees provide a shade canopy and buffering from street. Permeable paving was chosen for entry walks and courtyards, and a large percentage of the plant material is drought tolerant.

Recreational Open Space

The project exceeds the basic requirements of 300 square feet of total open space per unit or a total of 1200 square feet required. Usable open space consists of rooftop terraces as well as exterior balconies on the second floor. The average private usable open space allotted to each unit is 480 sf (see matrix above). The rooftop terrace will enable each resident the opportunity for personal landscaping such as gardens in contained planters, outdoor patio furniture, and barbeque facilities. As shown on the architectural plans, the terrace will be surrounded by a stucco rail for safety and to offer residents the opportunity to enjoy ocean and sunset views. All of the units will have small private balconies of approximately 80 square feet each. Six hundred square feet of Common open space has been provided in the form of a common patio area on the North side of the building.

Summary

The 828 Cleveland Condos project will provide an attractive, well-designed project in a location that will enhance the long-term general well-being of the neighborhood and the community. Your favorable consideration of this project is requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jennifer Bolyn', with a long horizontal line extending to the right.

Jennifer Bolyn
Principal Architect

LEGAL DESCRIPTION

LOTS 19 AND 20, BLOCK 4 OF PATTON AND MONTAGUE'S ADDITION TO OCEANSIDE, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 210, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 23, 1887.

APN: 150-372-03

END OF LEGAL DESCRIPTION



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date: 2/12/07
Removal:
(30 days)

1. **APPLICANT:** Gerardo Cruz
2. **ADDRESS:** 26620 Thackery Lane
Stevenson Ranch, CA. 91381
3. **PHONE NUMBER:** (619) 224-6100
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale
6. **PROJECT TITLE:** Cleveland Street Condos (P-17-06, D-20-06 & RC-20-06)
7. **DESCRIPTION:** Development of a four-unit Condominium complex on an existing 10,000 square foot lot.

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 additions to existing structures that will not result in an increase of more than 50 percent of the existing floor area. 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 CONSTRUCTION or CONVERSION OF SMALL STRUCTURES" (Section 15303 (b)); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).



Date: February 12, 2007

Scott Nightingale, Planner II

cc: Project file Counter file Library Posting: County Clerk \$50.00 Admin. Fee