



DATE: May 9, 2011

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/ Planning Division

SUBJECT: **CONSIDERATION OF A CONDITIONAL USE PERMIT (CUP11-00001) TO INCREASE THE MAXIMUM STUDENT ENROLLMENT FROM 500 TO 750 STUDENTS FOR THE EXISTING K-12 CHARTER SCHOOL LOCATED AT 3660 AND 3682 OCEAN RANCH BOULEVARD, WITHIN THE IVEY RANCH/RANCHO DEL ORO NEIGHBORHOOD – PACIFIC VIEW CHARTER SCHOOL – APPLICANT: GINA CAMPBELL**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Approve Conditional Use Permit (CUP11-00001) by Adopting Planning Commission Resolution No. 2011-P17 with findings and conditions of approval attached herein.
- (2) Confirm issuance of a Class Thirty Two (32), Categorical Exemption "In-Fill Development Projects".

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The site is located north of Ocean Ranch Boulevard and east of Rancho Del Oro Drive, within the northern portion of the Venture Commerce Center industrial business park. Pacific View Charter School occupies Buildings 6 and 7, which consist of eight classrooms, 32 offices, four computer labs, a biology lab, a conference room, a book room, a study hall, a faculty and staff lounge, and a nursery room for students with infants.

The property is zoned Limited Industrial (IL) on the City of Oceanside Zoning Map, and is designated Light Industrial (LI) on the General Plan Land Use Map. The establishment of public or private schools within a Limited Industrial zoned business park requires discretionary review and approval of a Conditional Use Permit. Conditional Use Permit (C-27-07) was approved for the establishment of a Charter School with a maximum

student enrollment not to exceed 500 students. After almost three years in operation, the Charter School is just under the maximum student enrollment of 500 students. Actual site conditions relative to traffic and pedestrian flow through the Venture Commerce Center are significantly less than analysis had predicted, and a revised impact analysis revealed that there would be no traffic related impacts to the center with an increase in maximum student enrollment from 500 to 750 students.

Surrounding land uses adjacent to the Venture Commerce Center include open space slope areas to the north and east, light industrial uses to the east, retail and an extended stay hotel to the south, and El Corazon to the west across Rancho Del Oro Drive.

Project Description: The project application is comprised of the following required entitlement:

Conditional Use Permit (C11-00001) represents a request for the following:

- (a) To modify the original Conditional Use Permit (C-27-07) in a manner that would allow an increase in the maximum student enrollment from 500 to 750 students for the established Charter School operating within Buildings 6 and 7 of a IL (Limited Industrial) zoned Business Park located at 3660 and 3682 Ocean Ranch Blvd.

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

- 1. Zoning Ordinance
- 2. General Plan Land Use Element
- 3. Ocean Ranch Master Development Plan
- 4. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation for the subject property is IL (Light Industrial). 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

Goal 1.11: Balanced Land Use

Objective: To develop and use lands for the long-term provision of balanced, self-sufficient and efficient community.

Policy C: The City shall continuously monitor the impact and intensity of land use and land use distribution to ensure that the City's circulation system is not overburdened beyond design capacity.

The proposed increase in student enrollment has been reviewed and analyzed to ensure that traffic impacts and parking deficiencies would not arise. Trip generation for the subject use has been determined by staff to be consistent with the overall intensity of development of the site, and does not warrant further review. The subject charter school use, even with an increase from 500 to 750 maximum students enrolled would generate significantly less daily trips than the previously approved medical offices originally reviewed and approved as part of Conditional Use Permit (C-8-06). In order to further ensure that the use does not intensify in a manner that could contribute to an impact on the City's circulation system or adjacent land uses, appropriate conditions of approval have been placed upon Conditional Use Permit (CUP11-00001).

2. Zoning Compliance

This project site is located within the Ivey Ranch/Rancho Del Oro Neighborhood on a (IL) Limited Industrial zoned parcel, and via approval of Conditional Use Permit (C-27-7) was found consistent with the requirements of the zone district pertinent to public/or private school uses. The current Charter School operates with a student enrollment of 439, and a staff of 24 employed to run the day to day operations. The previous traffic and parking analysis was conducted based upon a maximum enrollment of 500 students and 35 staff members. In order to appropriately calculate parking requirements for the proposed Charter School, a trip generation analysis prepared in 2007 using SANDAG provided values was completed. This 2007 analysis determined that out of the 91 parking spaces allocated to the Charter School, and based upon the school trip generation analysis that estimated a peak demand of 60 parking spaces, it was determined that an approximate 31 surplus parking spaces would be available during these peak demand periods. Although an estimate of on-site parking revealed a 31 space surplus of parking, an operational survey twice in 2010 revealed actual parking surplus during the peak parking demand periods was in excess of 53 spaces during peak usage. Based upon the results of the parking occupancy survey during peak hours-of-operation, future parking conditions based upon a maximum of 750 students and 35 staff concluded that during peak demand, approximately 33 spaces would be surplus parking spaces.

The following table depicts the trip generation rates of the Charter School with a maximum student enrollment of 500 and the Charter School with a maximum enrollment of 750. Finally, in order to accurately illustrate the intensity of the charter school from a traffic perspective, the rates are compared to the previously approved Medical Office for the existing industrial center:

LAND USE	DAILY TRIPS	AM PEAK HOUR TRIPS	PM PEAK HOUR TRIPS
Pacific View Charter School (500 Students)	489	108 54 In 54 Out	99 27 In 72 Out
Pacific View Charter School (750 Students)	780	143 98 in 45 Out	71 9 In 62 Out
Medical Office C-8-06	1,605	96 77 In 19 Out	177 53 In 124 Out
Difference School – Medical Office C-8-06	-825	+47 -21 In + 26 Out	-107 -44 In – 63 Out

** Numerical Values are based on the Highest Daily a.m. / p.m. peak hour trips (Tuesday)*

While peak trip generations would be slightly higher than the Land Use calculations for a business park, the increase in the maximum number of students allowed to be enrolled would still remain significantly lower than the overall trip generation from the originally approved medical office use. It should be further noted, that implementation of a Circulation Management Plan and Operations Management Plan for the school has ensured that no conflicts to parking, circulation, or traffic have been noted since the establishment of the Charter School within the Limited Industrial Business Park.

A traffic and on-site circulation assessment of the proposed use was prepared by RBF Consulting, and staff has agreed with the conclusions that no impacts to on-site circulation, parking, or traffic would occur as a result of an increase in the maximum enrollment from 500 students to 750 students.

Although not every assumption on day-to-day operations can be studied to ensure that adequate parking is available, staff has conditioned the project to obtain a special events permit for any event that would generate a student body count on-site of over 1/4 (188 students) of the maximum allowed (750 students). This condition would require further review and analysis on circulation, parking, and traffic prior to obtaining approvals for the special events permit.

3. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	Light Industrial (LI)	Limited Industrial (IL)	Office/Industrial
North of Subject Property	Light Industrial (LI)	Limited Industrial (IL)	Landscaped Open Space Area
East of Subject Property:	Light Industrial (LI)	Limited Industrial (IL)	Office/Industrial

South of Subject Property:	Light Industrial (LI)	Limited Industrial (IL)	Commercial/ Retail
West of Subject Property:	Light Industrial (LI)	Planned Development (PD-1)	Undeveloped City Property/ El Corazon Park

DISCUSSION

Issue: Project Compatibility with the Existing Industrial Uses within the Venture Commerce Center

The primary issue of compatibility of a charter school in a limited industrial business park is derived from the fact that most industrial facilities generate less daily trips associated with day to day operations. In order to ensure that impacts typically associated with the establishment of more intense type uses do not occur, a conditional use permit to establish a semi-public school is required. While the daily trips generated from a charter school would be higher than typical limited industrial type uses, the daily trips would be significantly less than the approved medical offices originally proposed for Buildings 6 and 7 of the Venture Commerce Center. The location of Buildings 6 and 7 of the Venture Commerce Center are situated in the northern portion of the limited industrial business park, and are separated from the majority of the centers tenants through lot configuration and parking area site layout. Strict adherence to the Operational Management Plan and Circulation Plan, both of which were required as part of the projects original approval, will continue to ensure compatibility with the surrounding land uses, while providing for a mix of land uses that would not be detrimental to the health, safety, or welfare of persons frequenting the Venture Commerce Center. The subject project would continue to provide an ever increasing need for non traditional educational facilities. These non-traditional educational facilities equates to providing a balanced distribution of land uses necessary to sustain and benefit the local neighborhood and surrounding communities as a whole, and that is consistent with the City's General Plan.

Recommendation: Staff concludes that the increase in maximum student enrollment from 500 to 750 for the Charter School facility within the Limited Industrial park area will not negatively impact existing uses within the center, or significantly alter the nature of the industrial land use development and supports the applicant's request.

ENVIRONMENTAL DETERMINATION

Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA), 1970. Based on that review, staff finds that the proposed project constitutes "In-Fill Development", and the project is categorically exempt, Class 32, "In Fill Development Projects" (Section 15332).

PUBLIC NOTIFICATION

Pursuant to Article 41 of the Oceanside Zoning Ordinance, Legal notice was published in the North County Times and notices were sent to property owners of record/and occupants within a 1500-foot radius of the subject property, to individuals/organizations requesting notification, and to the applicant. Copies of this agenda item have been mailed to the applicant and their representative.

SUMMARY

The request for approval of a Conditional Use Permit to allow an increase in the maximum allowable student enrollment from 500 to 750 for the established and operating K-12 Charter School is consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached resolution. Staff recommends that the Planning Commission:

- Move to approve Conditional Use Permit (CUP11-00001) by adopting Planning Commission Resolution No. 2011-P17 as attached.

PREPARED BY:


Richard Greenbauer
Senior Planner

JH/RG/fil

SUBMITTED BY:


Jerry Hittleman
City Planner

Attachments:

1. Planning Commission Resolution No. 2011-P17
2. City Council Resolution No. 08-R0220-1

1 PLANNING COMMISSION
2 RESOLUTION NO. 2011-P17

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 CONDITIONAL USE PERMIT ON CERTAIN REAL
6 PROPERTY IN THE CITY OF OCEANSIDE

7 APPLICATION NO: CUP11-00001
8 APPLICANT: Pacific View Charter School
9 LOCATION: 3660 and 3682 Ocean Ranch Boulevard

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

12 WHEREAS, there was filed with this Commission a verified petition on the forms
13 prescribed by the Commission requesting a Conditional Use Permit and Development Plan
14 Revision under the provisions of Articles 13, 41, and of the Zoning Ordinance of the City of
15 Oceanside to permit the following:

16 an amendment to allow an increase in the maximum number of student enrollments from
17 500 to 750 for the established and operating 32,095-square foot charter school within two
18 existing limited industrial buildings;
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 May, 2011 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 is exempt from environmental review;

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

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

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

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

5 FINDINGS:

6 For the Conditional Use Permit:

7 1. That the proposed location of the use is in accord with the objectives of the Zoning
8 Ordinance and the purposes of the district in which the site is located.

- 9 • Schools, Public or Private are permitted within the Limited Industrial (IL) zone
10 district, subject to approval of a Conditional Use Permit.

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

- 16 • Subject to approval of a Conditional Use Permit, a school public or private is
17 allowed. The request to increase the schools maximum allowable student
18 enrollment would not physically change or alter the light industrial business
19 complex and based upon actual operational criteria would allow for the school to
20 function at its appropriate capacity originally envisioned.

- 21 • The project has been conditioned to implement both a Circulation and
22 Operational Management Plan in order to ensure that public safety and health is
23 not an issue, and would provide a balanced distribution of land uses in
24 accordance with General Plan Section 1.11, "Balanced Land Use" Policy B by
25 providing a significant benefit in the form of an alternative learning environment
26 for the surrounding communities.

27 3. That the proposed conditional use will comply with the provisions of the Zoning
28 Ordinance, including any specific condition required for the proposed conditional use in
29 the district in which it would be located.

- 1 • The proposed use is consistent with the Ocean Ranch Master Development Plan
2 Planning and Design Guidelines Section 3 for permitted uses, and is not listed as
3 an excluded use within the plan area.

4 4. That the charter school activities will not interfere with the primary limited industrial
5 uses in the vicinity, and there will be no public health and safety issues related to the
6 location of the school use.

- 7 • The school operations are restricted to the northern portion of the Venture
8 Commerce Center within the interior areas only, and are subject to an operations
9 management plan that establishes strict guidelines on pedestrian and vehicle
10 movements within the Light Industrial complex.

11 5. That the buildings will meet the requirements imposed by the Uniform Building Code
12 for assembly occupancy.

- 13 • The request to increase the schools maximum allowable student enrollment
14 would not physically change or alter the light industrial business complexes
15 assembly occupancies beyond what was originally approved.

16 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
17 approve Conditional Use Permit (CUP11-00001) subject to the following conditions:

18 **Planning:**

19 1. City Council Resolution No. 08-R0220-1 is not replaced by this resolution. The conditions
20 herein augment the existing entitlements rendered by the City Council on April 2, 2008. If
21 there is any inconsistency between the conditions in Resolution No. 08-R0220-1 and any
22 other previous conditions, this resolution's conditions shall prevail.

23 2. This condition shall replace condition No. 29 of City Council Resolution No. 08-R0220-1.
24 This Conditional Use Permit approves only a K-12 charter public school at a maximum
25 enrollment of 750 students (Virtual On line Learning Program Students Shall not be
26 Counted Toward the 750 student cap) within two buildings totaling approximately 32,095
27 square feet, and located within the Venture Commerce Center as shown on the plans and
28 exhibits presented to the City Council for review and approval. No deviation from these
29 approved plans and exhibits shall occur without the Planning Division approval.

1 Substantial deviations shall require a revision to the Conditional Use Permit or a new
2 Conditional Use Permit.

3 3. This condition shall replace condition no. 33 of City Council Resolution No. 08-R0220-1.
4 The school shall be limited to a maximum enrollment of 750 students (Virtual On line
5 Learning Program Students Shall not be Counted Toward the 750 student cap). Annually
6 in October, the applicant shall submit to the City a copy of the executed school affidavit
7 that has been submitted to the State of California Department of Education (CDE) and the
8 Oceanside Unified School District reflecting the actual number of students that are enrolled
9 at the school, including the Independent Study Program which shall not exceed the
10 maximum enrollment established by this approval and the number of Virtual On Line
11 Learning Program Students enrolled at Pacific View Charter School.

12 4. Unless expressly waived, all current zoning standards and City ordinances and policies in
13 effect at the time building permits are issued are required to be met by this project. The
14 approval of this project constitutes the applicant's agreement with all statements in the
15 Description and Justification Plan and other materials and information submitted with this
16 application, unless specifically waived by an adopted condition of approval.

17 5. No special event functions/activities (i.e. graduations, plays, activities that require over
18 one quarter of the maximum student body (188) to be on-site at any one time) shall be
19 permitted on-site without prior submittal and approval of a special event permit from the
20 City's Park and Recreation Division, and shall be subject to review and approval by the
21 City Planner and City Engineer or their designees.

22 6. A covenant or other recordable document approved by the City Attorney shall be prepared
23 by the applicant and recorded prior to the issuance of building permits. The covenant shall
24 provide that the property is subject to this resolution, and shall generally list the conditions
25 of approval.

26 7. Within 60 days of final action of this project, a Revised Pacific View Charter School
27 Operation Management Plan shall be submitted to the City Planner for review and
28 approval, and shall accurately convey an increase in maximum student enrollment from
29 500 to 750.

1 8. Failure to meet any conditions of approval for this development shall constitute a violation
2 of the Conditional Use Permit.

3 9. This Conditional Use Permit shall be called for review by the Planning Commission if
4 complaints are filed and verified as valid by the Code Enforcement Office concerning
5 the violation of any of the approved conditions or assumptions made by the application.

6 PASSED AND ADOPTED Resolution No. 2011-P17 on May 9, 2011 by the following
7 vote, to wit:

8 AYES:

9 NAYS:

10 ABSENT:

11 ABSTAIN:

12 _____
13 Robert Neal, Chairperson
14 Oceanside Planning Commission

15 ATTEST:

16 _____
17 Jerry Hittleman, Secretary

18 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
19 this is a true and correct copy of Resolution No. 2011-P17.

20 Dated: May 9, 2011

21 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may
22 be required as stated herein:
23

24 _____
25 Applicant/Representative

26 _____
27 Date
28
29

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

3 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the project
4 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	\$2,843 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
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Based on meter size Typical \$4,395
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on meter size Typical \$6,035 per unit
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Typical \$4,326

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

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

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

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

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

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

14 FINDINGS:

15 For the Conditional Use Permit:

- 16 1. That the proposed location of the use is in accordance with the objectives of the Zoning
17 Ordinance and the purposes of the district in which the site is located, because Schools, Public
18 or Private are permitted within the Limited Industrial (IL) zone district, subject to approval of a
19 Conditional Use Permit.
- 20 2. That the proposed location of the charter school use and the proposed conditions under which it
21 would be operated or maintained will not be detrimental to the public health, safety, or welfare
22 of persons residing or working in or adjacent to the neighborhood of such use; will not be
23 detrimental to properties or improvements in the vicinity or to the general welfare of the City,
24 and will be consistent with the General Plan, because the project has been conditioned to
25 implement both a Circulation and Operational Management Plan in order to ensure that public
26 safety and health is not an issue, and would provide a balanced distribution of land uses in
27 accordance with General Plan Section 1.11, "Balanced Land Use" Policy B by providing a
28 significant benefit in the form of an alternative learning environment for the surrounding
communities.

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- 1 3. That the proposed conditional use will comply with the provisions of the Zoning Ordinance,
2 including any specific condition required for the proposed conditional use in the Limited
3 Industrial (IL) zone district in which it would be located, because the proposed use is consistent
4 with the Ocean Ranch Master Development Plan Planning and Design Guidelines Section 3 for
5 permitted uses, and is not listed as an excluded use within the plan area.
- 6 4. That the charter school activities will not interfere with the primary limited industrial uses in the
7 vicinity, and there will be no public health and safety issues related to the location of the school
8 use, because the school operations would be restricted to the northern portion of the Venture
9 Commerce Center within the interior areas only.
- 10 5. That the buildings will meet the requirements imposed by the Uniform Building Code for
assembly occupancy.

11 For the Development Plan Revision:

- 12 1. The site plan and physical design of the project is consistent with the Zoning Ordinance and the
13 underlying Limited Industrial (IL) zone district, because no exterior improvements beyond the
14 finish treatments are proposed as part of this project.
- 15 2. The project site can be adequately served by existing public facilities, services and utilities.
- 16 3. The project, as proposed, is compatible with the existing and potential development on
17 adjoining properties or in the surrounding neighborhood, because Schools, Public or Private are
18 permitted subject to a conditional use permit within the Limited Industrial district, and because
19 the areas immediately adjacent to the site are designated as open space areas within the overall
20 Ocean Ranch planned area.
- 21 4. The site plan and architectural design modifications of the project are consistent with the
22 policies contained within Sections 1.2 "Site Design" of the Land Use Element of the General
23 Plan, because the minor exterior design modifications and implementation of a Circulation and
24 Operational Management Plan will be consistent with the center's overall design, and will
25 maximize convenient, safe, and efficient design features such as circulation and designated drop
off and pick up areas.

26 NOW, THEREFORE, the City Council of the City of Oceanside DOES RESOLVE as follows:

- 27 1. The Council overturns the Planning Commission action of January 14, 2008 to deny
28 Conditional Use Permit (C-27-07) and Development Plan Revision (D-24-04).

1 2. The decision of the Planning Commission is reversed based on the fact that the project is
2 consistent with the Land Use Element of the General Plan and the City's Zoning Ordinance, because the
3 location of the proposed Charter School in the northern most portion of the Venture Commerce Center
4 and strict implementation of a Circulation and Operational Management Plan would ensure that there is
5 no direct or indirect interference with the primary limited industrial uses in the vicinity, would be
6 compatible with the existing and potential developments on adjoining properties or within the
7 surrounding center, and as designed will not be detrimental to the public health, safety, or welfare of
8 persons residing or working in or adjacent to the project area.

9 3. Pursuant to CCP Section 1094.6 (f), notice is hereby given that the time within which
10 judicial review must be sought on this decision is governed by CCP Section 1094.6 as set forth in
11 Oceanside City Code Section 1.10.

12 4. The City Council does hereby approve Conditional Use Permit (C-27-07) and
13 Development Plan Revision (D-24-04), subject to the following conditions:

14 **Building:**

- 15 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building
16 Division plan check. (Currently the 2007 California Building Code, and 2007 California
17 Electrical Code)
- 18 2. The granting of approval under this action shall in no way relieve the applicant/project from
19 compliance with all State and Local building codes.
- 20 3. Site development, parking, access into buildings and building interiors shall comply with the
21 State's Disabled Accessibility Regulations. (2007 California Building Code (CBC), Chapter
22 11B)
- 23 4. The building plans for this project are required by State law to be prepared by a licensed
24 architect or engineer and must be in compliance with this requirement prior to submittal for
25 building plan review.
- 26 5. All electrical, communication, CATV, etc. service lines within the exterior lines of the property
27 shall be underground (City Code Sec. 6.30).
- 28 6. If the City of Oceanside has jurisdiction instead of the State of California then the Buildings
original design would be a change of use. This is a change in use as defined in the California
Building Code (CBC) from F/S-2 to an E-1. Prior to Occupancy, the building must comply with

- 1 all CBC requirements for the new use and a new Certificate of Occupancy (C of O) must be
2 issued by the Building Division. In order for a new C of O to be issued, a licensed architect or
3 engineer must submit an analysis to the Building Division showing the status of the building
4 with respect to the code requirements for the new use. If the building does not currently comply
5 with the requirements for the new use, a permit will be necessary for the work necessary to bring
6 the building into compliance, and the C of O will be issued upon completion of the permit.
7. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the plans.
8. The developer shall monitor, supervise and control all building construction and supporting
9 activities so as to prevent these activities from causing a public nuisance, including, but not limited
10 to, strict adherence to the following:
- 11 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m.
12 Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not
13 inherently noise-producing. Examples of work not permitted on Saturday are concrete and
14 grout pours, roof nailing and activities of similar noise-producing nature. No work shall be
15 permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th,
16 Labor Day, Thanksgiving Day, and Christmas Day) except as allowed for emergency work
17 under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).
- 18 b) The construction site shall be kept reasonably free of construction debris as specified in
19 Section 13.17 of the Oceanside City Code. Storage of debris in approved solid waste
20 containers shall be considered compliance with this requirement. Small Amounts of
21 construction debris may be stored on-site in a neat, safe manner for short periods of time
22 pending disposal.
- 23 9. Construction plans submitted to the Building Division after 1/1/08 must comply with the State
24 adopted ICC codes.
- 25 10. Energy Calculations/documentation will be required at time of plans submittal to the Building
26 Division for plan check.
- 27 11. Submit verification of Jurisdictional Authority from the State's Office of the "Division of the
28 State Architect" to establish their position on jurisdictional responsibilities for this project.
12. Tenant Improvements or other construction to the existing building requires permits (including
all required Inspections and approvals, and Issuance of Certificate of Occupancy) from the

1 Building Division.

- 2 13. Disabled Access for the outside of Buildings along one way driveway where doors open out
3 must be on a separate walking surface so occupants leaving the Building do not step into the
4 path of oncoming vehicles. The surface of the walking surface must have detectable warnings
5 per Chapter 11 of the California Building Code.

6 **Engineering:**

- 7 14. Parking lot signing and striping shall be provided at key points around the two school buildings
8 to direct drop-off/pick-up traffic for peak school hours to the satisfaction of the City Engineer.
9 15. A circulation management plan shall be submitted for the City Engineer's review prior to
10 issuance of any building permits for the project. No certificate of occupancy shall be issued
11 prior to the City Engineer's approval of the circulation management plan.
12 16. The applicant shall be responsible for the enforcement of the circulation management plan
13 during the life of the project. The circulation management plan shall detail operational
14 requirements and enforcement responsibilities during peak school hours.
15 17. The applicant shall provide parents with maps and information regarding the requirements of the
16 circulation management plan prior to the opening of the school and at appropriate intervals
17 thereafter.
18 18. Reciprocal access and parking agreement(s) shall be secured for the entire site. Appropriate
19 documents shall be submitted for the City Engineer's review prior to issuance of any building
20 permits and recorded prior to issuance of any certificate of occupancy for the project.

21 **Fire:**

- 22 19. Smoke detectors are required, and detector locations must be indicated on the plans.
23 20. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the site
24 plan.
25 21. A "Knox" key storage box shall be provided for all new construction. For buildings, other than
26 high-rise, a minimum of three complete sets of keys shall be provided. Keys shall be provided
27 for all exterior entry doors, fire protection equipment control rooms, mechanical and electrical
28 rooms, elevator controls and equipment spaces, etc. For high-rise buildings, six complete sets
are required.

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- 1 22. All security gates shall have a Knox-box override and as required have strobe activation
2 capability.
- 3 23. Fire extinguishers are required and shall be included on the plans submitted for plan check.
- 4 24. Provide a fire alarm system as required per C.F.C. Article 10 and N.F.P.A. 72
- 5 25. Buildings shall meet Oceanside sprinkler ordinance in effect at the time of building permit
6 application.
- 7 26. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior
8 to the issuance of building permits.
- 9 27. Buildings shall meet Oceanside Fire Department's current codes at the time of building permit
10 application.

10 **Planning:**

- 11 28. This Conditional Use Permit and Development Plan Revision shall expire on April 2, 2010 unless
12 implemented as required by the Zoning Ordinance.
- 13 29. This Conditional Use Permit approves a K-12 charter public school with a maximum enrollment
14 of 500 students (Virtual On line Learning Program Students Shall not be Counted Toward the 500
15 student cap) within two buildings totaling approximately 32,095 square feet, and located within the
16 Venture Commerce Center as shown on the plans and exhibits presented to the City Council for
17 review and approval. No deviation from these approved plans and exhibits shall occur without the
18 Planning Division approval.
- 19 30. Virtual On line Learning Program Students shall be restricted from attending any events, meetings,
20 activities, or educational classes within the Pacific View Charter School Facilities. In the event
21 that future school curriculum changes require on site interaction with Virtual On Line Learning
22 Students, a revision to the Conditional Use Permit or a new Conditional Use Permit shall be
23 submitted to the City for formal review and approval by the Planning Commission.
- 24 31. No additional increase in useable floor area or intensification of uses within the two buildings
25 located at 3660 and 3682 Ocean Ranch Boulevard shall be permitted as part of this application for
26 discretionary approval.
- 27 32. Prior to the issuance of any building permits, all private improvement plans submitted for review
28 and approval by the City Engineer shall include the required (10) bicycle racks requested by
NCTD.

- 1 33. The Charter School shall be limited to a maximum enrollment of 500 students (Virtual On line
2 Learning Program Students Shall not be Counted Toward the 500 student cap). Annually in
3 October, the applicant shall submit to the City a copy of the executed school affidavit that has
4 been submitted to the State of California Department of Education (CDE) and the Oceanside
5 Unified School District reflecting the actual number of students that are enrolled at the school,
6 including the Independent Study Program which shall not exceed the maximum enrollment
7 established by this approval and the number of Virtual On Line Learning Program Students
8 enrolled at Pacific View Charter School.
- 9 34. Nursery facilities associated with Pacific View Charter School shall be restricted for use by
10 enrolled students only. A licensed day care facility is not authorized as part of this discretionary
11 approval.
- 12 35. No special event functions/activities (i.e. graduations, plays, activities that require over one
13 quarter of the maximum student body (125) to be on-site at any one time) shall be permitted on-
14 site without prior submittal and approval of a special event permit from the City's Park and
15 Recreation Division, and shall be subject to review and approval by the City Planner and City
16 Engineer or their designees.
- 17 36. All existing and new mechanical rooftop equipment shall be screened from public view as required
18 by the Zoning Ordinance. That is, on all four sides and top. The roof racks, mechanical
19 equipment, screen and vents shall be painted with non-reflective paint to match the roof. This
20 information shall be shown on the building plans.
- 21 37. All student pick-up and drop-off shall be via the rear of the northern most building (No. 7). The
22 area denoted on Exhibit 1 of the Management Plan as "No Parking (Drop-Off/ Pick-Up Zone)"
23 and located to the east of Building 6 shall not be used for any Pick-up or Drop-Off of students or
24 guest. The front of the facility shall be maintained and managed to prevent traffic congestion for
25 students and the public.
- 26 38. Any proposed new signs shall be in conformance with the Venture Commerce Center
27 Comprehensive Sign Program (CSP-3-06) and shall be submitted to the Planning Division for
28 review and approval by the City Planner or their Designee.
39. The applicant shall provide student drop-off and parking attendants to assist in parking of vehicles
and dropping off of students within the designated drop-off and parking areas identified within the
approved Circulation Management Plan.

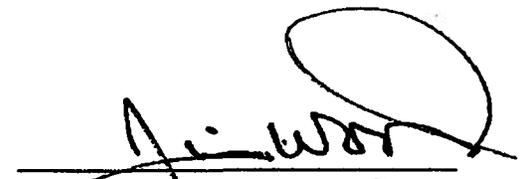
- 1 40. A covenant or other recordable document approved by the City Attorney shall be prepared by the
- 2 applicant and recorded prior to the issuance of building permits. The covenant shall provide that
- 3 the property is subject to this resolution, and shall generally list the conditions of approval.
- 4 41. Prior to issuance of any building permits for the project, a Final Pacific View Charter School
- 5 Operation Management Plan shall be submitted to the City Planner for review, and prior to
- 6 issuance of any certificate of occupancy the City Planner shall approve the final version of the
- 7 Pacific View Charter School Operation Management Plan.
- 8 42. Prior to issuance of building permits, compliance with the applicable provisions of the City's anti-
- 9 graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed and approved by
- 10 the Planning Division. These requirements, including the obligation to remove or cover with
- 11 matching paint all graffiti within 24 hours shall be recorded in the form of a covenant affecting the
- 12 subject property.
- 13 43. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written
- 14 copy of the applications, staff report and resolutions for the project to the new owner and or
- 15 operator. This notification's provision shall run with the life of the project and shall be recorded as
- 16 a covenant on the property.
- 17 44. Failure to meet any conditions of approval for this development shall constitute a violation of the
- 18 Conditional Use Permit.
- 19 45. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at
- 20 the time building permits are issued are required to be met by this project. The approval of this
- 21 project constitutes the applicant's agreement with all statements in the Description and
- 22 Justification, Management Plan, and other materials and information submitted with this
- 23 application, unless specifically waived by an adopted condition of approval.
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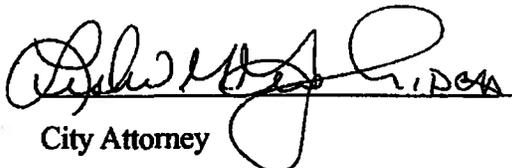
46. This Conditional Use Permit shall be called for review by the Planning Commission if complaints are filed and verified as valid by the Code Enforcement Office concerning the violation of any of the approved conditions or assumptions made by the application.

PASSED and ADOPTED by the City Council of the City of Oceanside, California this 2nd day of April, 2008 by the following vote:

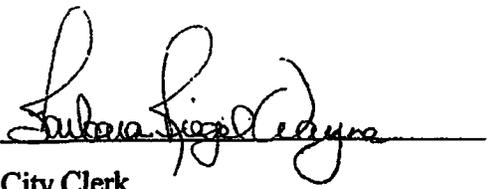
AYES: WOOD, CHAVEZ, FELLER, KERN, SANCHEZ
NAYS: NONE
ABSENT: NONE
ABSTAIN: NONE



Mayor of the City of Oceanside
APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY


City Attorney

ATTEST:


City Clerk



Application for Public Hearing

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

STAFF USE ONLY

ACCEPTED

100120011
1-18-11

BY
SN
&
DW

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT Pacific View Charter School	2. STATUS Owner
3. ADDRESS 3670 Ocean Ranch Blvd Oceanside, CA 92056	4. PHONE/FAX/E-mail 760-757-0161 760-435-2666
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Gina Campbell	7. PHONE/FAX/E-mail gcampbell@ pacificview.org
6. ADDRESS same as above	

GPA
MASTER/SP.PLAN
ZONE CH.
TENT. MAP
PAR. MAP
DEV. PL.
C.U.P. <i>CUP11-00001</i>
VARIANCE
COASTAL
O.H.P.A.C.

PART II - PROPERTY DESCRIPTION

8. LOCATION 3660-3682 Ocean Ranch Blvd., Oceanside	9. SIZE 8.48 acres
10. GENERAL PLAN LI	11. ZONING IL
12. LAND USE Existing Occupied Buildings	13. ASSESSOR'S PARCEL NUMBER 160-57204-31 through 42

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
The current approved CUP is for operation of a charter public school. This application is for an amendment to Pacific View Charter School's capacity cap.

15. PROPOSED GENERAL PLAN No Change	16. PROPOSED ZONING No Change	17. PROPOSED LAND USE No Change	18. NO. UNITS n/a	19. DENSITY n/a
20. BUILDING SIZE 32,095	21. PARKING SPACES 91 provided	22. % LANDSCAPE n/a	23. % LOT COVERAGE or FAR n/a	

PART IV - ATTACHMENTS

<input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION	<input checked="" type="checkbox"/> 26. TITLE REPORT
<input checked="" type="checkbox"/> 27. NOTIFICATION MAP & LABELS	<input checked="" type="checkbox"/> 28. ENVIRONMENTAL INFO FORM	<input checked="" type="checkbox"/> 29. PLOT PLANS
<input checked="" type="checkbox"/> 30. FLOOR PLANS AND ELEVATIONS	<input checked="" type="checkbox"/> 31. CERTIFICATION OF POSTING	<input checked="" type="checkbox"/> 32. OTHER (See attachment for required reports)

PART V - SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print): Gina Campbell, Director	34. DATE 11/29/10	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).	
Sign: <i>Gina Campbell</i>	35. OWNER (Print): Gina Campbell	36. DATE 11/29/10	Sign: <i>Gina Campbell</i>
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.			

Pacific View Charter School

Conditional Use Permit Request to Increase Capacity

Description and Justification

January 2011

This application is to officially request an amendment of Pacific View Charter School (PVCS) CUP capacity cap. The zoning compliance issues and capacity versus parking were addressed during the consideration and approval of the original CUP. The school use of Buildings 6 and 7, located at 3660-3682 Ocean Ranch Boulevard was approved as part of the CUP (C-27-07) and Revision of Development Plan (D-24-04 rev). The buildings are situated on the north side of Ocean Ranch Boulevard and east of Rancho Del Oro Drive and PVCS has occupied the buildings since the approval of the CUP. PVCS is requesting an increase in the CUP capacity cap based on the experience of running the school and flow of traffic experience. PVCS has also included an updated traffic study to substantiate the information that has been provided by PVCS in the documentation that follows.

PVCS is an independent study educational institution, which means that our students do not come to the campus every day. Parent/Educational Support meetings with teachers occur once a week for grades 9-12, and once every two to three weeks for grades K-8. Based on the fact that students do not attend every day and our capacity varies on a daily basis the school prepared a study related to actual capacity counts. The school's actual usage for our peak days has been tracked for the 2009/10 school year. The following table depicts actual counts of parents, students and staff on campus for these days. The school has never experienced any traffic issues or impaction of parking spaces. This information was also provided to RBF Consulting, so they would be aware of our school structure and attendance.

Date	Staff	Parents	Students	Total
9/15/2009	21	13	94	128
10/07/2009	22	13	80	115
02/02/2010	19	12	112	143
02/22/2010	20	22	98	140
03/17/2010	21	10	92	123

Tuesday, 09/15/2009 - 6-7th Class, 8th Grade Class, Math Tutoring, Biology Lab, Physical Education Class, Computer Lab/Study Hall

Wednesday, 10/7/2009 - CAHSEE Math Test, Work Experience, Read Naturally Classes, Computer Lab/Study Hall

Tuesday, 2/2/2010 – 6-7th Class, 8th Class, Two Biology Labs, Physical Education Class, Math Tutoring, CASHSEE English/Language Arts Test, Spanish Class, Computer Lab/Study Hall

Monday, 2/2/2010 – STAR Testing Track 1, K-2nd Class, Computer Lab/Study Hall

Wednesday, 3/17/2010 – CAHSEE Math Test, Ready Naturally Class, Work Experience, Two English Classes, Computer Lab/Study Hall

Our Impact and Analysis Review suggest our highest maximum usage days would be daily trips for 143 people (Of which 12 parents come with 12 students) at varying times throughout the day. The school allotted parking spaces are never fully used and on February 2nd the maximum parking spaces used were 49. During the proposed relocation into the Venture Commerce Center and consideration for CUP approval it was stated that the relocation would allow the school to expand their enrollment to a maximum of 500 students with a maximum staffing of 35 persons. The school currently has 22 staff members and our highest enrollment for last year was 403. With the addition of 13 staff members, which most likely

would be certificated teachers at a student to teacher ratio of 25 to 1 the school would grow by 325 students.

Our request is based on actual building usage and traffic observation by staff during the 2009/10 school year. PVCS respectfully request the issue of capacity be revisited and consideration be given to increasing the capacity from 500 to 700-800 students. RBF Consulting Updated Traffic Analysis and On-Site Circulation/Parking Assessment dated November 9, 2010 are attached. Thank you in advance for your review and consideration of this request.

LEGAL DESCRIPTION

Real property in the City of Oceanside, County of San Diego, State of California, described as follows:

Parcel A:

Unit(s) 601, 602, 603, 604, 605, 606, 701, 702, 703, 704, 705 and 706 as shown and defined on that certain Condominium Plan for Venture Commerce Center – Ocean Ranch Phase 2, recorded August 7, 2006 as Instrument no. 2006-0556952 of Official Records, together with an appurtenant undivided 2.7044% (as to Unit 601); 4.3814% (as to Unit 602); 5.7957% (as to Unit 603); 6.2953% (as to Unit 604); 6.0326% (as to Unit 605) 6.9825% (as to Unit 606); 2.7044% (as to Unit 701); 4.3814% (as to Unit 702); 5.7957% (as to Unit 703); 6.2953% (as to Unit 704); 6.0326% (as to Unit 705) and 6.9825% (as to Unit 706) Interest in and to the Common Area, being a portion of Parcel 1 of Parcel Map No. 19985, in the City of Oceanside, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County on April 28, 2006 as Instrument no. 2006-0299079 of Official Records, excepting therefrom that portion of the Common Area described in Condominium Plan Venture Commerce Center - Ocean Ranch Phase I recorded May 4, 2006 as instrument no. 2006- 0315425 of Official Records; and as said Common Area is further defined and described in that certain Declaration of Covenants and Restrictions Establishing a Plan for Condominium Ownership for Venture Commerce Center – Ocean Ranch, recorded April 28, 2006 as Instrument no. 2006-0299080 of Official Records and as amended by Corrective Amendment to Declaration of Covenants and Restrictions Venture Commerce Center - Ocean Ranch Condominium Project Phase I recorded August 7, 2006 as instrument no. 2006-0556951 of Official Records and Declaration of Annexation Venture Commerce Center - Ocean Ranch Condominium Project Phase II recorded August 7, 2006 as instrument no. 2006-0556953 and as amended on August 18, 2006 as instrument no. 2006-0591402 both of Official Records.

Reserving therefrom certain exclusive, restricted and/or non-exclusive easements for access and other purposes, over and across the Common Area, as said Common Area is further set forth and defined in that certain Declaration of Covenants and Restrictions Establishing a Plan for Condominium Ownership for Venture Commerce Center – Ocean Ranch, recorded April 28, 2006 as Instrument no. 2006-0299080 of Official Records and as amended by Corrective Amendment to Declaration of Covenants and Restrictions Venture Commerce Center - Ocean Ranch Condominium Project Phase I recorded August 7, 2006 as instrument no. 2006-0556951 of Official Records and Declaration of Annexation Venture Commerce Center - Ocean Ranch Condominium Project Phase II recorded August 7, 2006 as instrument no. 2006-0556953 and as amended on August 18, 2006 as instrument no. 2006-0591402 both of Official Records.

Parcel B:

The exclusive right to use those portions of the Exclusive Use Common Areas designated as P316, P315, P203, P204 & P205, being those parking spaces designated as appurtenant to Unit 601; P311, P312, P242, P243, P206, P207 & P208 being those parking spaces designated as appurtenant to Unit 602; P310, P309, P308, P246, P247, P209, P210 & P314 being those parking spaces designated as appurtenant to Unit 603; P305, P306, P250, P251, P313, P235 & P236 being those parking spaces designated as appurtenant to Unit 604; P301, P302, P252, P253, P254, P237, P238 & P239 being those parking spaces designated as appurtenant to Unit 605; P298, P299, P300, P258, P259, P240, P241, P244, P245 & P307, being those parking spaces

designated as appurtenant to Unit 606; P264, P265, P248, P249, P304 & P303, being those parking spaces designated as appurtenant to Unit 701; P267, P268, P290, P291, P255, P256, P257 & P297 being those parking spaces designated as appurtenant to Unit 702; P286, P287, P288, P271, P272, P296, P295, P294 & P293 being those parking spaces designated as appurtenant to Unit 703; P284, P285, P274, P275, P292, P260, P261 & P262 being those parking spaces designated as appurtenant to Unit 704; P281, P276, P277, P263, P266, P269 & P270 being those parking spaces designated as appurtenant to Unit 705; P279, P280, P278, P273, P289, P283 & P282 being those parking spaces designated as appurtenant to Unit 704 defined in Parcel A herein above; together with the heating and air conditioning equipment also being appurtenant to the Unit(s) defined in Parcel A herein above, said Exclusive Use Common Areas are further defined in that certain Declaration of Covenants and Restrictions Establishing a Plan for Condominium Ownership for Venture Commerce Center – Ocean Ranch, recorded April 28, 2006 as Instrument no. 2006-0299080 of Official Records and as amended by Corrective Amendment to Declaration of Covenants and Restrictions Venture Commerce Center - Ocean Ranch Condominium Project Phase I recorded August 7, 2006 as instrument no. 2006-0556951 of Official Records and Declaration of Annexation Venture Commerce Center - Ocean Ranch Condominium Project Phase II recorded August 7, 2006 as instrument no. 2006-0556953, and as amended on August 18, 2006 as instrument no. 2006-0591402, both of Official Records.

Parcel C:

Certain non-exclusive easements for ingress and egress and other purposes, which easements shall be appurtenant to the Condominium Unit(s) described in Parcel A herein above, over and across the Common Area, as set forth and defined in that certain Declaration of Covenants and Restrictions Establishing a Plan for Condominium Ownership for Venture Commerce Center – Ocean Ranch, recorded April 28, 2006 as Instrument no. 2006-0299080 of Official Records and as amended by Corrective Amendment to Declaration of Covenants and Restrictions Venture Commerce Center - Ocean Ranch Condominium Project Phase I recorded August 7, 2006 as instrument no. 2006-0556951 of Official Records and Declaration of Annexation Venture Commerce Center - Ocean Ranch Condominium Project Phase II recorded August 7, 2006 as instrument no. 2006-0556953 and as amended on August 18, 2006 as instrument no. 2006-0591402 both of Official Records.

APN: 160-572-04-00



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
(180 days)

1. **APPLICANT:** Gina Campbell, Director PVCS
2. **ADDRESS:** 3670 Ocean Ranch Blvd. Oceanside, CA, 92056
3. **PHONE NUMBER:** (760) 757-0161
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Richard Greenbauer, Senior Planner
6. **PROJECT TITLE:** Pacific View Charter School (CUP11-00001)
7. **DESCRIPTION:** The applicant request approval of a Conditional Use Permit to increase the maximum student enrollment from 500 to 750 students for the established and operating K-12 Charter School within Buildings 6 and 7 of the Venture Commerce Center located at 3660 and 3682 Ocean Ranch Blvd. The subject site is zoned Limited Industrial (IL) on the City's Official Zoning Map and has a General Plan designation of (LI) Light Industrial.

ADMINISTRATIVE DETERMINATION: Planning Department 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, staff finds that the proposed project constitutes in fill development. 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 32, "In-Fill Development Project" (Section 15332); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Date:

Richard Greenbauer, Senior Planner

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee