



DATE: July 11, 2011

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC11-00003) TO EXTEND THE UPPER AND LOWER WEST-FACING BALCONIES LOCATED AT 1301 SOUTH PACIFIC STREET – 1301 SOUTH PACIFIC BALCONY EXTENSION – APPLICANT: GROUNDSWELL INVESTMENTS, LLC.**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 3 Categorical Exemption and adopt Planning Commission Resolution No. 2011-P24 approving Regular Coastal Permit (RC11-00003) with findings and conditions of approval that require that the decks not extend beyond the boundary established by the coastal stringline regulation.

PROJECT DESCRIPTION AND BACKGROUND

Background: The subject property is located on Lot 1 in Block H of Terrace Annex of Map 1044. The existing residence was constructed in 1975 as a duplex with five bedrooms and five baths. On August 24, 2009 the Planning Commission approved several improvements to the home consisting the extension of the two existing balconies to the west four feet-five inches, conversion of the two existing one-car garages into a two-car garage and replacement of the existing gates that swing into the right-of-way with a roll-up door, addition of 44 square feet of living area, remove and replace all windows and some doors, restructuring of the roof and internal changes to re-configure the kitchen and living room layouts. These improvements have been implemented.

Site Review: The Land Use designation is Urban High Density Residential (UHD-R) and the corresponding zoning classification is RT (Residential Tourist Zone) and is situated within the coastal zone in the South Oceanside Neighborhood. The property is also within the "appeal jurisdiction" of the local coastal zone. Under the certified Local

Coastal Program (LCP), any local action by the City on this proposed coastal development permit may be appealed to the California Coastal Commission.

Project Description: The project application is comprised of a Regular Coastal Permit.

Regular Coastal Permit (RC11-00003) represents a request for the following:

- (a) The applicant proposes the expansion of two west-facing balconies comprised of the construction of a 3-foot 2-inch extension to the west of the lower balcony and a 6-foot 2-inch extension (approximately 128 square feet) to the west of the upper floor balcony (approximately 90 square feet).

The balcony deck expansions are accessed through the lower and upper floor dining and living areas of each unit of the duplex and will be constructed of similar materials as the existing balconies and glass railing.

Both decks are proposed to be constructed approximately three feet beyond or west of the established coastal stringline, which was established when the City's Local Coastal Program (LCP) was adopted and functions as a western boundary for improvements along the coast. The City has included a condition of approval (Condition #5) that states that the balconies shall not extend past the coastal stringline for reasons outlined in the staff report below. Under this condition, the proposed deck expansions would be reduced to an approximately 88-square foot extension for the lower deck and a 44-square foot expansion of the upper deck.

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

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

ANALYSIS

KEY PLANNING ISSUES

1. General Plan Compliance

Goal 1.23: Architecture

Objective: The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

Policy:

- A. Architectural form, treatments, and materials shall serve to significantly improve the visual image of the surrounding neighborhood.

Oceanside Zoning Ordinance Section 1703 (e) states the following relative to the stringline regulation for decks, balconies, and other appurtenances along the coast:

“Notwithstanding any other provisions of this Section, building or structures located on lots contiguous to the shoreline shall be compatible in scale with existing development and shall not extend further seaward than the line established on the “Stringline Setback Map,” which is kept on file in the Planning Division. Appurtenances such as open decks, patios and balconies may be allowed to extend seaward of the Stringline Setback line, providing they do not substantially impair the view of adjoining properties.”

The established stringline for properties along this portion of South Pacific Street exists approximately three feet from the existing upper floor balcony and the existing railing of half of the lower floor balcony. The applicant has requested that both the upper and lower floor balconies extend approximately three feet past the stringline. However, after extensive review by City staff (including a field review), it was determined that the extension past the stringline would not be in character with the surrounding neighborhood. Therefore, staff has included a condition of approval in the project resolution (Condition #5) that requires all improvements to comply with the stringline regulation and not extend beyond this boundary.

The proposed additions to the two balconies past the established stringline, if approved, would allow this project to extend further than any existing development within the 1300 block of South Pacific Street (with the exception of the property to the south that has applied for a similar deck extension) potentially setting a precedent for other decks or appurtenances to extend past the stringline in this area. The westward extension of the balconies beyond the stringline could adversely affect private views from properties to the south and public views from the public access point located directly north of the subject property.

2. Zoning Ordinance Compliance

The existing structure and the proposed balcony additions meet all of the development regulations of the underlying RT zone per the Coastal Oceanside Zoning Ordinance, with the exception of the request to extend beyond the stringline setback. Such projects are reviewed for compatibility with existing and surrounding development.

The purpose of the RT District is to provide opportunities for tourist and year-round visitor-serving facilities, including permanent and transient residential and related uses, within the City's Coastal Zone. Table 1 compares the existing structure to local property development regulations pursuant to Article 32, Residential Tourist Zone Property Development Regulations.

Table 1 Development Standards

Requirement	Required	Existing	Proposed
Front	10 feet	4 feet (section 3106 blockface average)	No change
Side	Any combination of 6 feet on a substandard lot	4 feet 10 inches	No change
Side Street	Any combination of 6 feet for a substandard lot	3 feet 4 inches	No change
Minimum rear yard pursuant to 1050(R) and 1703 (e)	Stringline	Stringline	3-foot extension beyond stringline
Height	35 feet	35 feet	No change

3. Local Coastal Program Compliance

The proposed project is within the appeal jurisdiction of the Local Coastal Program (LCP) and complies with all provisions of this program. The proposed balcony additions will extend past the stringline. As described above, the proposed extension would not be in conformance with the LCP or Section 1703 (e) of the Zoning Ordinance.

DISCUSSION

Staff finds that (in terms of height, design, bulk and distance from the established stringline) the balcony additions would not be compatible with the surrounding neighborhood unless the stringline setback is maintained as specified in Section 1703 (e) of the Zoning Ordinance. Therefore, staff recommends that the balconies can be extended, but not past the stringline setback as required by Condition # 5 in the attached resolution. Many of the adjoining neighbors in the area have similar balconies near or up to the stringline, but not beyond the stringline as proposed.

ENVIRONMENTAL DETERMINATION

The project is exempt under the provisions of the California Environmental Quality Act (CEQA) Class 3, Section 15303(b) New Construction or Conversion of Small Structures.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to residents within a 300-foot radius, and property owners of record within a 100-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant and other interested parties.

SUMMARY

The proposed Regular Coastal Permit (RC11-00003), as conditioned, would be consistent with the land use policies of the Zoning Ordinance, and Local Coastal Program. The project has been conditioned to not extend beyond the established stringline (Condition # 5). 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 Regular Coastal Permit (RC11-00003) and adopt Planning Commission Resolution No. 2011-P24 as attached.

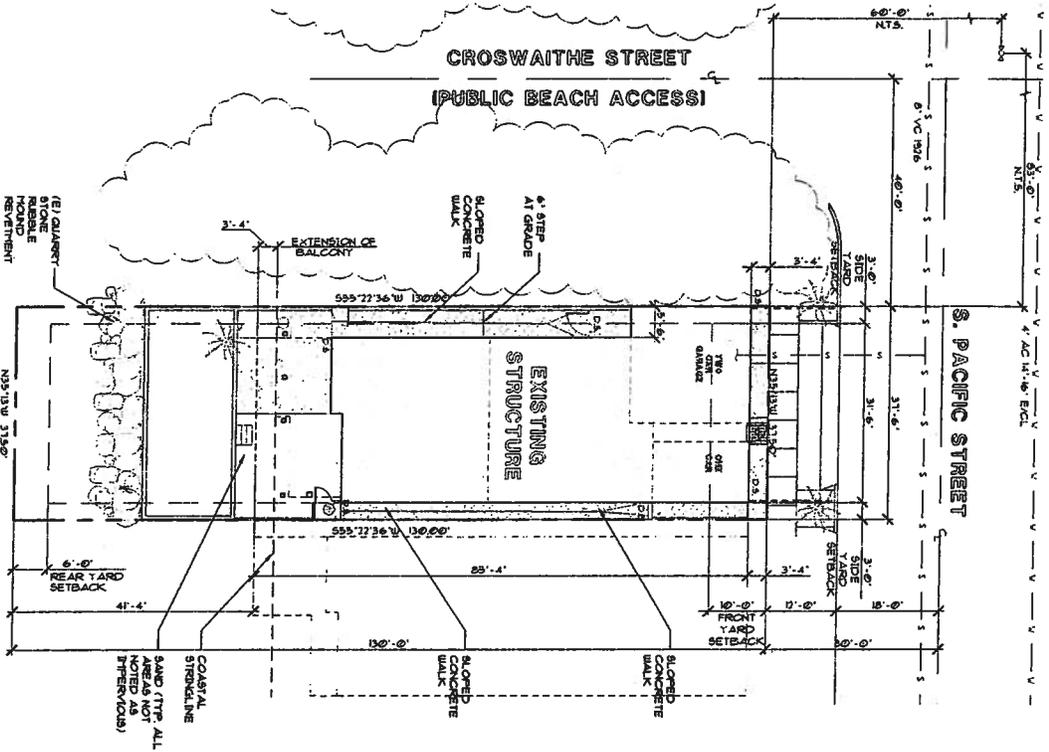
PREPARED BY AND SUBMITTED BY:



Jerry Hittleman
City Planner

Attachments:

1. Site Plan/Floor Plan and Elevations
2. Planning Commission Resolution No. 2011-P24



SITE PLAN

SCALE: 1" = 10'-0"



RESERVE FOR NORTH

PROJECT DESCRIPTION:

- 1. EXTEND THE BALCONIES WESTWARD
- LOWER FLOOR : 124 SQ. FT.
- UPPER FLOOR : 90 SQ. FT.

PROJECT DATA:

SITE INFORMATION:
 AREA OF SITE : 1.1 ACRES (4,875 SQ. FT.)
 PERCENTAGE OF BLDG. COVERAGE : 43%
 GRADING PROPOSED : N/A (0%)
 BUILDING HEIGHT ALLOWED : 35'-0"

SETBACKS:

- REAR YARD : 6'-0"
- REAR SIDE YARD : 3'-0"
- CORNER SIDE YARD : 3'-0"
- EXISTING NON-CORPORATE FRONT YARD : 3'-4"
- REAR YARD : 6'-0"
- CORNER SIDE YARD : 6'-0"-5'-6"

ZONING PLAN:

GENERAL PLAN : RESIDENTIAL TOURIST ZONING : LOCAL COASTAL PROGRAM

BUILDING INFORMATION:

LOWER FLOOR : 693 SQ. FT.
 LOWER UNIT : 171 SQ. FT.
 UPPER UNIT : 1215 SQ. FT.
 COTTON : 79 SQ. FT.
 LEASE UNIT : 1326 SQ. FT.
 TOTAL BUILDING AREA : 3,851 SQ. FT.

PROPOSED ADDITION TO BUILDING SQUARE FOOTAGE:

LOWER UNIT : 22 SQ. FT.
 UPPER UNIT : 22 SQ. FT.
 TOTAL PROPOSED ADDITION : 44 SQ. FT.
 TOTAL PROPOSED SQUARE FOOTAGE OF BUILDING : 3,895 SQ. FT.

PARKING:

STALLS REQUIRED : 3 STALLS
 STALLS PROVIDED : 3 STALLS
 TOTAL COVERED GARAGE : 3 STALLS
 TOTAL EXISTING STALLS : 3 STALLS
 PROPOSED STALLS : 2 STALLS
 (1) 2-CAR GARAGE
 (1) 1-CAR COVERED CARPORT
 TOTAL PROPOSED STALLS : 3 STALLS

LEGEND:

- PROPERTY LINE
- SETBACK LINE
- SEWER LINE
- WATER LINE
- EXISTING FIRE HYDRANT
- EXISTING PLANTING
- INTERVIEWS
- INTERVIEWS SURFACE

SHEET SCHEDULE:

- A-01 SITE PLAN
- A-02 CONTEXTUAL SITE PLAN
- A-03 FLOOR PLANS
- A-04 FLOOR PLANS
- A-05 EXTERIOR ELEVATIONS
- A-06 BALCONY STRIBELINE EXHIBIT

LEGAL DESCRIPTION:

LOT 1 IN BLOCK H OF TERRACE ANNEX IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP COUNTY RECORD FILED IN THE OFFICE OF THE COUNTY CLERK, APRIL 24, 1971, EXCEPTING THEREFROM ANY PORTION THEREOF NOW OR HERETOFORE OWNED BY THE STATE OF CALIFORNIA AND THE LINE BETWEEN THE NEAR HIGH LINE OF THE PACIFIC OCEAN.

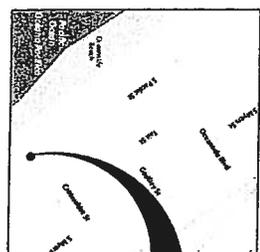
PROJECT ADDRESS:

151 S. PACIFIC STREET
 OCEANSIDE, CA 92054

APN:

151-142-01

LOCATION MAP:



CLIENT/APPLICANT:

GRANDWELL INVESTMENTS, LLC
 GREGORY DILLON
 10000 BAY DRIVE
 OCEANSIDE, CA 92054

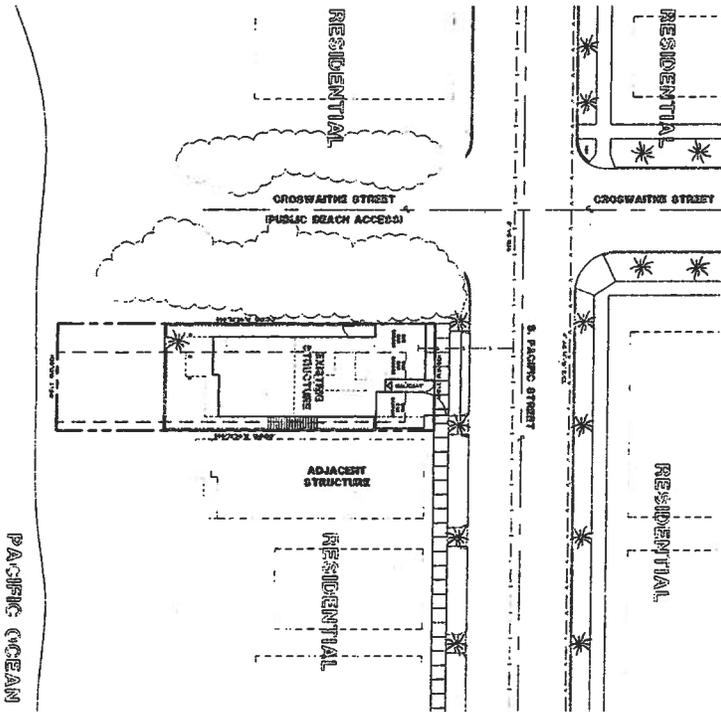
ARCHITECT:

4 DESIGN ARCHITECTURE + PLANNING
 KENNETH L. CHES, ARCHITECT
 541 COMPTON DRIVE
 OCEANSIDE, CA 92054
 PHONE: (760) 437-1785



COASTAL PERMIT DEVELOPMENT PLAN

architecture + planning
 Kenneth L. Ches, AIA
 11-0804-10-01
A-01



CONTEXTUAL SITE PLAN



REFERENCE NORTH

PACIFIC OCEAN

CLIENT/APPLICANT:
 GROUNDWELL INVESTMENTS, LLC
 GINDY DILLON
 1 BODEGA BAY DRIVE
 CROCKER HILL, CA 94925

CONTEXTUAL SITE PLAN

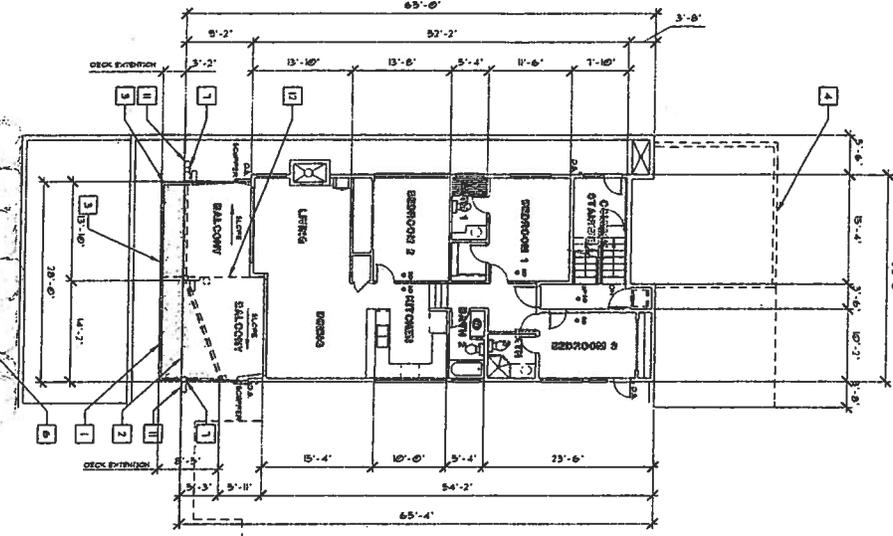
COASTAL PERMIT DEVELOPMENT PLAN

4 DESIGN
 Architecture + Planning
 Kenneth L. Chis AIA
 11500 - 15th Street, Suite 100
 San Francisco, CA 94133
A-02

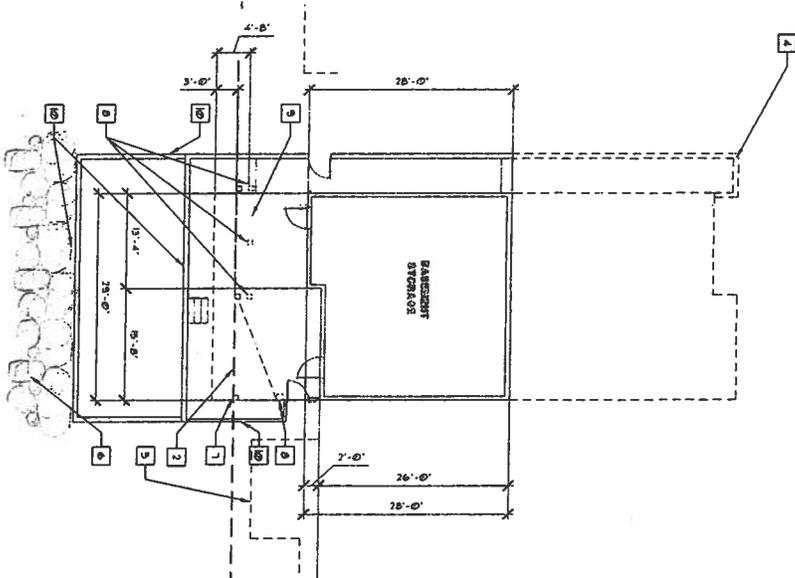
301 S. PACIFIC STREET - OAKLAND, CA

LOWER FLOOR PLAN
FLOOR PLANS
SCALE: 1/8" = 1'-0"

NOTE:
1. BALCONY AREA INCREASES BY 98 SQUARE FEET.



BASEMENT PLAN



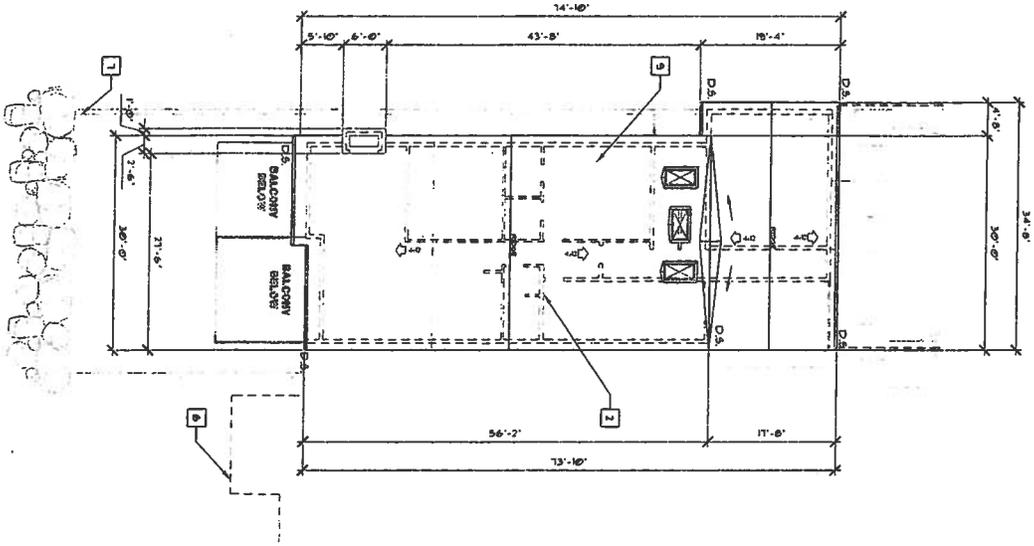
- PLAN NOTES:**
1. LINE OF EXISTING BALCONY TO BE EXTENDED
 2. BALCONY SPRINKLER
 3. (N) GLASS BALCONY GUARDRAIL
 4. DASHED LINES INDICATE WALLS ABOVE
 5. BALCONY LINE OF ADJACENT STRUCTURE
 6. QUARRY STONE RUBBLE FOUND NEVENTH. SEE EXTENSION ELEVATIONS, SHEET A-5.
 7. (N) WOOD POST (TYPICAL OF 3.1)
 8. (E) WOOD POST
 9. EXISTING CONCRETE PATIO
 10. EXISTING WOOD FENCE AT GRADE
 11. DECORATIVE BEAM VALLS
 12. LINE OF DECK ABOVE.

CLIENT/APPLICANT:
GROUNDSWELL INVESTMENTS, LLC
CINDY DILLON
1 BROOKER BAY DRIVE
CORONA DEL MAR, CA 92625

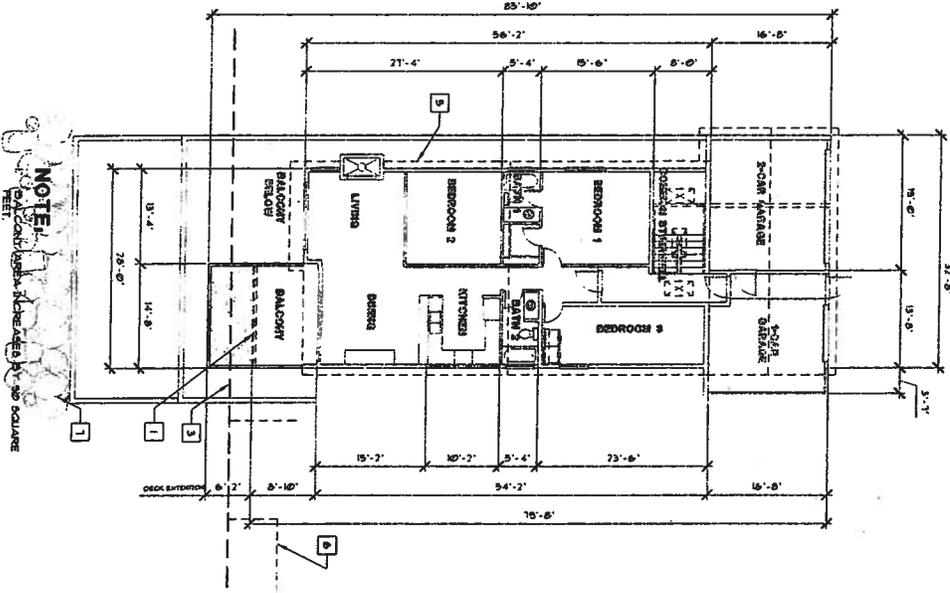
4 DESIGN

FLOOR PLANS
COASTAL PERMIT DEVELOPMENT PLAN

Architecture + Planning
Kenneth L. Chris, AIA
11111 S. Harbor Blvd., Suite 100
Irvine, CA 92618
A-03



ROOF PLAN
FLOOR PLANS
SCALE: 1/8" = 1'-0"



UPPER FLOOR PLAN



NOTE:
BALCONY AREA, SHADDED IN 90 SQUARE FEET.

- PLAN NOTES.**
1. LINE OF EXISTING BALCONY TO BE EXTENDED
 2. DASHED LINES INDICATE WALLS BELOW
 3. BALCONY STRUCTURE LINE
 4. (N) GLASS BALCONY GUARDRAIL
 5. ROOF ABOVE
 6. BALCONY LINE OF ADJACENT STRUCTURE
 7. ASPHALT SHINGLE ROOFING
 8. (E) GLASSY STONE RUBBLE REVESTMENT BELOW
 9. (E) ASPHALT SHINGLE ROOF.

CLIENT/APPLICANT:
GRANDWELL INVESTMENTS, LLC
CINDY DILLON
1 BODDRA BAY DRIVE
CORONA DEL MAR, CA 92626

4 DESIGN

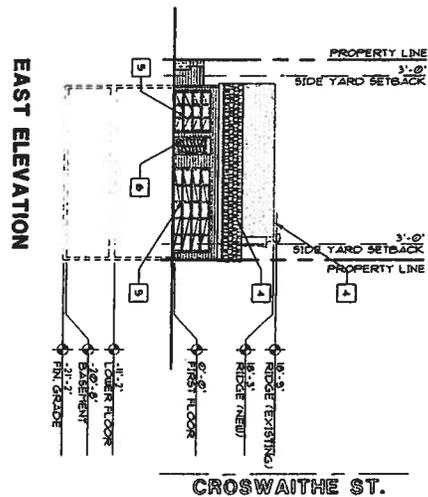
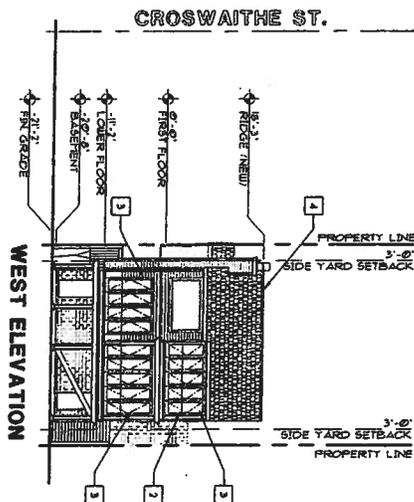
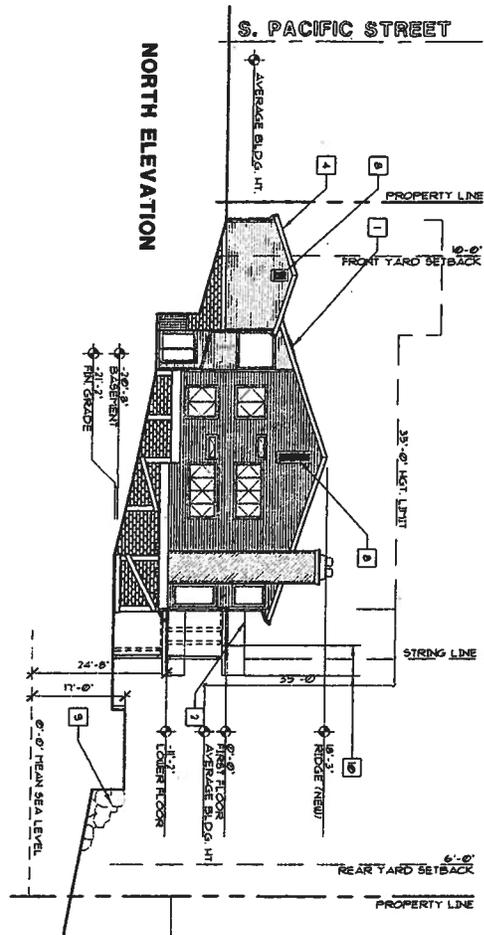
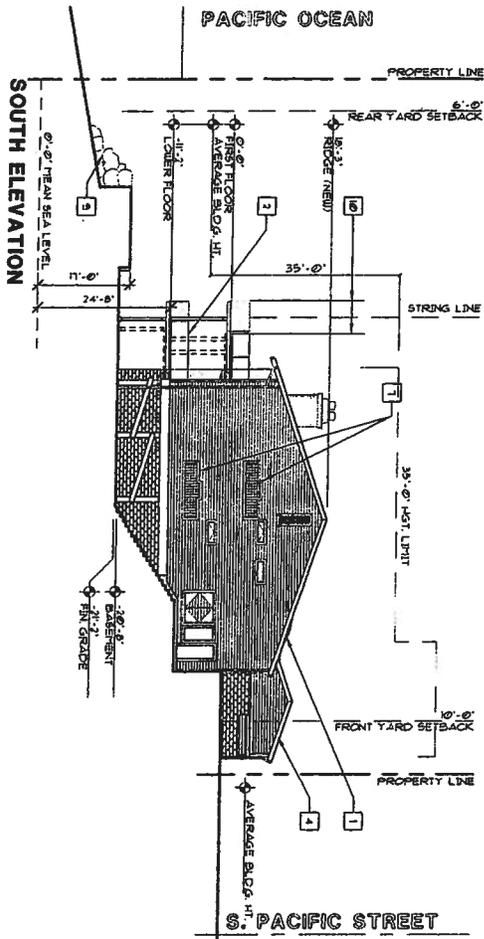


architecture + planning
Kenneth L. Chris, AIA
"AIA CERTIFIED DESIGNER"
A-04

FLOOR PLANS
COASTAL PERMIT DEVELOPMENT PLAN

EXTERIOR ELEVATIONS

SCALE: 3/32" = 1'-0"



- ELEVATION NOTES:**
1. SKYLIGHT (TYP)
 2. GLASS BALCONY GUARDRAIL
 3. FOLDING WINDOW WALL
 4. ASPHALT SHINGLE ROOF (TYP)
 5. DECORATIVE GARAGE DOOR
 6. ENTRY GATE
 1. GLASS BLOCK WINDOW
 6. ATTIC VENT
 9. QUARRY STONE RIBBLE FOUNDED REVENIENT
 10. EXTEND EXISTING BALCONY.

CLIENT/APPLICANT:
 GRANDWELL INVESTMENTS LLC
 BRADY DILLON
 10000 BAY DRIVE
 CONCORD, CA 94520

EXTERIOR ELEVATIONS

COASTAL PERMIT
 DEVELOPMENT PLAN

4 DESIGN
 Architecture + Planning
 Kenneth L. Chris AIA
 A-05

1 PLANNING COMMISSION
2 RESOLUTION NO. 2011-P24

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

6 APPLICATION NO: RC11-00003
7 APPLICANT: Groundswell Investments, LLC.
8 LOCATION: 1301 South Pacific Street

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

11 WHEREAS, there was filed with this Commission a verified petition on the forms
12 prescribed by the Commission requesting a Regular Coastal Permit (RC11-00003) under the
13 provisions of City of Oceanside Local Coastal Permit to permit the following:

14 an addition of additional balcony space to the lower level balcony by adding 37.63 square
15 feet to the west and extension of the upper floor by 44 square feet to the west and not past
the established stringline.

16 on certain real property described in the project description.

17 WHEREAS, the Planning Commission, after giving the required notice, did on the 11th day
18 of July, 2011 conduct a duly advertised public hearing as prescribed by law to consider said
19 application.

20 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
21 Guidelines thereto; this project has been found to be exempt per Article 19, Class 1 15301 (e)
22 "Existing Facilities" and Class 3 15303 (e), "New Construction or Conversion of Small Structures"
Categorical Exemption from environmental review;

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

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

27 ////////////////

28 ////////////////

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

1	Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
6			
7	Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$.713 per square foot or \$713 per thousand square feet for non-residential uses and \$2,072 per unit for residential
8			
9			
10	School Facilities Mitigation Fee	Ordinance No. 91-34	\$.47 per square foot non-residential for Oceanside (\$.42 for Vista and Fallbrook) \$2.97 per square foot residential (\$2.63 for Vista; \$2.63 for Fallbrook)
11			
12			
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15	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)
16			
17			
18	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 09-OR 0093-1	Fee based on water meter size. Residential is typically \$4,597 per unit; Non-residential is \$36,775 for a 2" meter.
19			
20			
21			
22	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 09-OR 0092-1	Based on capacity or water meter size. Residential is typically \$6,313 per unit; Non-residential is \$50,501 for a 2" meter.
23			
24			
25	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,326 per unit; Non-residential is \$22,495 for a 2" meter.
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1 WHEREAS, the current fees referenced above are merely fee amount estimates of the
2 impact fees that would be required if due and payable under currently applicable ordinances and
3 resolutions, presume the accuracy of relevant project information provided by the applicant, and
4 are not necessarily the fee amount that will be owing when such fee becomes due and payable;

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

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

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

15 WHEREAS, action on this resolution becomes final 10 days after its adoption, unless
16 appealed to the City Council, and shall become effective after the 10-working day appeal period to
17 the Coastal Commission has expired; and

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

20 FINDINGS:

21 For the Regular Coastal Permit:

- 22 1. The proposed remodel of an existing vacation/rental property, as conditioned, is
23 consistent with the land use policies of the Local Coastal Program as implemented
24 through the Zoning Ordinance. Specifically, the project will not substantially alter or
25 impact existing public views of the coastal zone area or from adjoining properties and
26 the physical aspects of the project are consistent with existing development on
27 neighboring sites. The project has been conditioned to limit the seaward extensions of
28 the west elevation balconies to the stringline.
- 29 2. The proposed remodel will not obstruct any existing, planned, or required public beach
access; therefore, the project is in conformance with the policies of Chapter 3 of the
Coastal Act.

1 3. The project will not result in the loss of any on-street public parking spaces, as the
2 remodel modifications will not trigger additional parking or take away from the existing
3 parking fronting the project site.

4 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
5 approve Regular Coastal Permit (RC11-00003) subject to the following conditions:

6 **Building:**

- 7 1. Construction shall comply with the latest edition of the California Codes.
8 2. Construction hours shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday.

9 **Planning:**

- 10 3. This Regular Coastal Permit shall expire on July 11, 2013, unless implemented per the
11 Zoning Ordinance or unless the Planning Commission grants a time extension
12 4. This Regular Coastal Permit, as conditioned, approves a west elevation balcony extension
13 up to and not past the established stringline setback. No deviation from these approved
14 plans and exhibits shall occur without Planning Division approval. Substantial deviations
15 shall require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.
16 5. The seaward extension of the west elevation lower and upper level balconies shall not
17 extend beyond the stringline setback.
18 6. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
19 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
20 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
21 annul an approval of the City, concerning Regular Coastal Permit (RC11-00003). The City
22 will promptly notify the applicant of any such claim, action or proceeding against the
23 City and will cooperate fully in the defense. If the City fails to promptly notify the
24 applicant of any such claim action or proceeding or fails to cooperate fully in the
25 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold
26 harmless the City.
27 7. All mechanical rooftop and ground equipment shall be screened from public view as
28 required by the Zoning Ordinance that is, on all four sides and top. The roof jacks,
29 mechanical equipment, screen and vents shall be painted with non-reflective paint to match
the roof. This information shall be shown on the building plans.

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8. Prior to the issuance of building permits, compliance with the applicable provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed and approved by the Planning Division. These requirements, including the obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted on the Architectural Site Plan and shall be recorded in the form of a covenant affecting the subject property. A covenant or other recordable document approved by the City Attorney shall be prepared by the applicant and recorded prior to the issuance of building permits. The covenant shall provide that the property is subject to this resolution, and shall generally list the conditions of approval.
9. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written copy of the applications, staff report and resolutions for the project to the new owner and or operator. This notification's provision shall run with the life of the project and shall be recorded as a covenant on the property.
10. Failure to meet any conditions of approval for this development shall constitute a violation of the Regular Coastal Permit.
11. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at the time building permits are issued are required to be met by this project. The approval of this project constitutes the applicant's agreement with all statements in the Description and Justification and other materials and information submitted with this application, unless specifically waived by an adopted condition of approval.
12. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially the same as those approved by the Planning Commission. These shall be shown on plans submitted to the Building Division and Planning Division.

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1 13. Prior to issuance of a building permit, the applicant and landowner, shall execute and
2 record a covenant, in a form and content acceptable to the City Attorney.

3 PASSED AND ADOPTED Resolution No. 2011-P24 on July 11, 2011 by the following
4 vote, to wit:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

9
10 _____
11 Robert Neal, Chairperson
12 Oceanside Planning Commission

13 ATTEST:

14 _____
15 Jerry Hittleman, Secretary

16 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
17 this is a true and correct copy of Resolution No. 2011-P24.

18 Dated: July 11, 2011
19 _____

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

23 _____
24 Applicant/Representative

25 _____
26 Date
27
28
29



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

4/20/11

BY

SN.

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

GPA

1. APPLICANT

Groundswell Investments, LLC

2. STATUS

Owner

MASTER/SP PLAN

ZONE CH.

3. ADDRESS:

7 Bodega Bay Dr.
Corona Del Mar, CA 92625

4. PHONE/FAX/e-mail
(949) 295-0521

TENT. MAP

PAR. MAP

5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)

4 Design Architecture & Planning, Kenneth L. Chriss, Architect

DEV. PL.

C.U.P.

6. ADDRESS

1561 Cormorant Dr., Carlsbad, CA 92011

7. PHONE/FAX/E-mail
760-433-1785
kchriss@4designarch.com

VARIANCE

COASTAL

2011-00003

O.H.P.A.C.

PART II - PROPERTY DESCRIPTION

8. LOCATION

1301 S. Pacific Street, Oceanside, CA 92054

9. SIZE

.11 ACRES (4,875 square feet)

10. GENERAL PLAN

Residential
Tourist

11. ZONING

RT

12. LAND USE

Residential

13. ASSESSOR'S PARCEL NUMBER

152-142-01

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION

Extend west balconys.

15. PROPOSED GENERAL PLAN
N/A

16. PROPOSED ZONING
N/A

17. PROPOSED LAND USE
N/A

18. NO. UNITS
2

19. DENSITY
19 D.U./Acre

20. BUILDING SIZE
3,457 SQ.FT.

21. PARKING SPACES
3

22. % LANDSCAPE
57%

23. % LOT COVERAGE or FAR
43%

PART IV - ATTACHMENTS

X 24. DESCRIPTION/JUSTIFICATION

X

25. LEGAL DESCRIPTION

X

26. TITLE REPORT

X 27. NOTIFICATION MAP & LABELS

X

28. ENVIRONMENTAL INFO FORM

X

29. PLOT PLANS

X 30. FLOOR PLANS AND ELEVATIONS

31. CERTIFICATE OF POSTING

32. OTHER (see attachment for required reports)

PART V - SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print):

4 Design Architecture & Planning
Kenneth L. Chriss, A.I.A.

34. DATE

4.22.11

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:

35. OWNER (Print):

Groundswell Investment

36. DATE

4.22.11

I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Sign:

DESCRIPTION AND JUSTIFICATION

Regular Coastal Permit

May 2011

The owner of this two-unit beachfront vacation rental property at the southwest corner of Croswaithe and Pacific Streets is proposing a deck extension.

Exterior changes involving this Coastal Permit are:

- Extending two existing balconies seaward.

The project is located in the Residential Tourist (RT) Zone. It is regulated by the requirements of the 1986 Zoning Ordinance, the Local Coastal Program, and by the Stringline Setback Ordinance of the California Coastal Commission.

The building appears to have been constructed in the 60s or early 70s.

DEVELOPMENT STANDARDS CHART

REQUIREMENT	REQUIRED	EXISTING	PROPOSED
Front Setback	10'-0"	3'-4"	N/A
Side Setback	3'-0" / 0'-0"	3'-0" / 0'-0"	N/A
Rear Setback	6'-0"	6'-0"	Additional balcony space conforms
Height	35'-0" max.	35'-0"	N/A

The extension of the two balconies seaward is being requested. This extension is within the requirements of the 1986 Zoning Ordinance, which reads as follows:

Section 1703

(e) Notwithstanding any other provisions of this section, buildings or structures located on lots contiguous to the shoreline shall be compatible in scale with existing development and shall not extend further seaward than the line established on the "Stringline Setback Map," which is kept on file in the Planning Division. Appurtenances such as open decks; patios and balconies may be allowed to extend seaward of the Stringline Setback line, providing that they do not substantially impair the views from adjoining properties.

The extension of the two decks, which occur at different floors, are tastefully designed in the existing beach cottage style and provide decorative exposed

wood beams for the visible structure. The balcony guardrails are glass, which allow the decks to appear as a decorative trellis accent to the structure.

Below are the findings for the Regular Coastal Permit.

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

The project is in the RT zone, which has its purpose: *"To provide opportunities for tourist and year-round visitor-serving facilities including permanent and transient residential and related uses within the City's Coastal Zone."* (Article 10 of the Zoning Ordinance.) This project enhances that purpose as it provides vacation opportunities. The addition to the outside of the structure is within the envelope of the stringline method, which was deferred to the California Coastal Commission's standards due to the lack of a LCP stringline map for the area of the project. The building is compatible with surrounding structures.

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

No additional public access requirements have been identified for this project.

LEGAL DESCRIPTION

1301 S. PACIFIC ST.

**LOT 1 IN BLOCK H OF TERRACE ANNEX, IN THE CITY OF OCEANSIDE,
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP
THEREOF NO. 1044, FILED IN THE OFFICE OF THE COUNTY RECORDER OF
SAID SAN DIEGO COUNTY, APRIL 29, 1907. EXCEPTING THEREFROM ANY
PORTION THEREOF NOW OR HERETOFORE LYING BELOW THE MEAN HIGH
LINE OF THE PACIFIC OCEAN.**



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(180 days)

1. **APPLICANT:** Groundswell Investments, LLC.
2. **ADDRESS:** 7 Bodega Bay Drive, Corona Del Mar, CA 92625
3. **PHONE NUMBER:** (949) 295-0521
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale
6. **PROJECT TITLE:** (RC11-00003) 1301 S. Pacific St
7. **DESCRIPTION:** A Regular Coastal Permit to allow a 37.63 square foot addition to the existing lower balcony and a 44 square foot addition to the upper level balcony westward up to the established stringline located at 1301 South Pacific Street. The project site is zoned RT (Residential Tourist) and is situated within the South Oceanside Neighborhood and the Coastal Zone.

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 this review, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- The project is categorically exempt, Class 3, for New Construction, Section 15303 (b); or,
- "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 does not constitute a "project" as defined by CEQA (Section 15378).



Scott Nightingale, Planner II

Date: July 11, 2011