AGENDA NO. 3

PLANNING COMMISSION *STAFF REPORT*

DATE: July 11, 2011(Continued from the June 13, 2011 Planning Commission public hearing)

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN (D11-00001) FOR THE DEMOLITION OF AN EXISTING 3,260-SQUARE FOOT COMMERCIAL DRIVE-THRU RESTAURANT BUILDING TO ENABLE THE CONSTRUCTION OF A NEW 2,445-SQUARE FOOT COMMERCIAL DRIVE-THRU RESTURANT, LOCATED AT 1940 OCEANSIDE BOULEVARD WITHIN THE LOMA ALTA NEIGHBORHOOD PLANING AREA. – TACO BELL REVISION – APPLICANT: MARKS ARCHITECTS**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

(1) Confirm issuance of a Categorical Exemption per California Environmental Quality Act (CEQA), Article 19, Section 15332, Class 32, In-Fill Development Projects.

(2) Approve Development Plan (D11-00001) by adopting Planning Commission Resolution No. 2011-P20 with findings and conditions of approval attached herein.

BACKGROUND & PROJECT DESCRIPTION

Background: The subject site is located at the northwest corner of the Oceanside Boulevard and the Greenbrier Drive intersection. Currently, the site is occupied by the existing 3,260-square foot Taco Bell restaurant building, which was originally constructed as a bank building in 1979. On May 6, 1985 the Planning Commission approved a Conditional Use Permit to allow the existing bank building at that time to be converted to a drive-thru restaurant known as Taco Bell.

Site Review: The project site is located at the north west corner of the Oceanside Boulevard and Greenbrier Drive intersection within the Loma Alta Neighborhood. It is just north of the NCTD Sprinter tracks. The project site occupies approximately 0.49-

acres. The subject site has a General Plan Land Use Designation of General Commercial (GC) and is Zoned Commercial General (CG). Surrounding land uses adjacent to the site include an existing commercial center known as the Greenbrier Square to the east, a vacant commercial property to the north, a restaurant to the west and the Sprinter rail road tracks and Oceanside Boulevard to the south.

Project Description: The application consists of a Development Plan (D11-00001) as follows:

Development Plan (D11-00001 represents a request for the following:

(a) Demolition of an existing drive-thru fast foot restaurant to enable the construction of a modern 2,445-square foot fast food restaurant building with a drive-thru, and associated parking with landscaping.

As this is a currently developed site, all of the necessary infrastructure to serve the use exists on-site. Minor alterations to some of those systems will be required to fit the proposed use, all of which will be the responsibility of the applicant. There would be a minimal amount of grading associated with the development.

The site currently has ample access points and parking. The main access will be from an existing right-in right-out only driveway from Oceanside Boulevard. The secondary access point will be from Greenbrier Drive. The project meets the City standard for parking spaces (20 spaces).

The parking and lot layout will be enhanced with landscaping as required by the Zoning Ordinance. The landscaping will cover 26 percent of the site with a combination of flowering shrubs as well as Loquat, Jacarandas, and magnolia trees along Greenbrier Drive.

The drive-thru window is a standard request for a modern fast food restaurant. As proposed, the use meets the Zoning Ordinance requirement for stacking by providing queue space for five cars. The Transportation Division reviewed the proposed configuration and found it acceptable.

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

1. General Plan
2. Zoning Ordinance
3. Land Use Compatibility
4. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan Conformance

The General Plan Land Use Map designation on the subject property is General Commercial (GC). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element I

Goal 1.11 Balanced Land Use

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

Policy A: The City shall establish and enforce a balanced distribution of land uses to organize the City in a hierarchy of activity centers and land uses so as to foster a sense of neighborhood, community, and regional identity.

Policy B: The City shall analyze proposed land uses for assurance that the land use will contribute to the proper balance of land uses within the community or provide a significant benefit to the community.

This project site is within an urbanized area of the City of Oceanside, which is part of a larger commercial "hub", which is located along a major transportation corridor. The proposed redevelopment of the site will allow the existing Taco Bell to provide a modern architectural design that is consistent with the current Taco Bell designs through out the United States. The proposed use is consistent with Policy A and Policy B above.

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 project has been reviewed for impacts to the City's circulation system. It has been determined through a submitted Traffic Study that no significant impacts to traffic would result from the construction and operation of the proposed drive-thru. In fact, the analysis showed that the drive-thru will not impact the site or surrounding area.

B. Land Use Element II

Objective 2.2 Commercial Development:

To promote and preserve a balance of successful markets and services in aesthetic, people-oriented associations that are compatible and organized to surrounding land uses.

Policy A: This designation shall provide the community with commercial centers containing a wide variety of commercial establishments. Major tenants shall provide larger, low volume, higher cost items, such as home furnishings, apparel, durable goods, and specialty items and generally have citywide market areas. Support facilities such as entertainment establishments and restaurants shall be encouraged.

Policy B: Development within this designation shall be on sites in excess of 30 acres. Specialized commercial uses requiring less land area may be considered when of similar intensity, or offering comparative revenue and/or employment generating capacities. Location shall be limited to sites along major arterials or higher rated roads.

The proposed use ispermitted within a General Commercial (GC) District with approval of a Development Plan. The proposed drive-thru restaurant will be compatible with the neighborhood. The site is located adjacent to two major transportation corridors. It is anticipated that the new drive-thru resturant use will benefit the City of Oceanside because it will provide goods and services to many of the residents living in the area, it will provide employment opportunities for the City's residents, and it will generate sales tax revenue for the City. The proposed use is consistent with Policy A and Policy B.

2. Zoning Ordinance Compliance

This project is located within a Commercial General (CG) zone and as designed, complies with the requirements of the zone.

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

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	10,000 sq ft	21,517 sq ft (Existing)
LOT COVERAGE	75% (max)	9%

	MINIMUM REQUIRED	PROPOSED
FRONT YARD	15 foot min.	27.7 feet
CORNER SIDE	10 foot min.	75.3 feet
SIDE YARD	-	20.19
REAR YARD	-	36.8
PARKING	12 spaces	20 spaces
QUEUE SPACES	5 spaces min.	5 spaces
BUILDING HEIGHT	50 foot max.	24.9 foot max.
LANDSCAPING	10%	26%

The proposed project meets all applicable requirements of the Zoning Ordinance as denoted above. No variances are required for the proposed project.

3. Land Use Compatibility with surrounding developments

The project site is located at the north west corner of the Oceanside Boulevard and Greenbrier Drive intersection within a General Commercial (GC) land use designation and a Commercial General (CG) zoning district. The General Plan and Zoning Ordinance permit the proposed uses within those designations.

The table below describes the property and the surrounding land uses:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	General Commercial (GC)	General Commercial (CG)	Developed Retail
North of Subject Property	General Commercial (GC)	Limited Commercial (CL)	Vacant
East of Subject Property:	General Commercial (GC)	General Commercial (CG)	Developed Retail Center
South of Subject Property:	Community Commercial (CC)	Community Commercial (CC)	Sprinter Tracks and vacant
West of Subject Property:	General Commercial (GC)	General Commercial (CG)Commercial	Developed Retail

The proposed retail and drive-thru use has been determined to be compatible with the surrounding existing uses and their respective General Plan and Zoning Ordinance designations.

ENVIRONMENTAL DETERMINATION

Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, staff finds that the proposed project constitutes an in-fill development project as defined by CEQA. As such, this project is categorically exempt from CEQA per Article 19, Section 15332, Class 32, In-Fill Development Projects.

PUBLIC NOTIFICATION

Pursuant to Article 41 of the Oceanside Zoning Ordinance, a Legal notice was published in the North County Times and notices were sent to property owners of record within a 1,500-foot radius of the subject property, individuals and or organizations requesting notification, the applicant and other interested parties.

SUMMARY

The proposed Development Plan (D11-00001), as designed and conditioned, is consistent with the land use policies of the General Plan and the requirements of the Zoning Ordinance. The project has been designed and conditioned to meet or exceed all applicable development standards. 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:

-- Confirm issuance of a Categorical Exemption per California Environmental Quality Act (CEQA), Article 19, Section 15332, Class 32, In-Fill Development Projects.

-- Adopt Planning Commission Resolution No. 2011-P20 approving Development Plan (D11-00001) with findings and conditions of approval attached herein.

PREPARED BY:

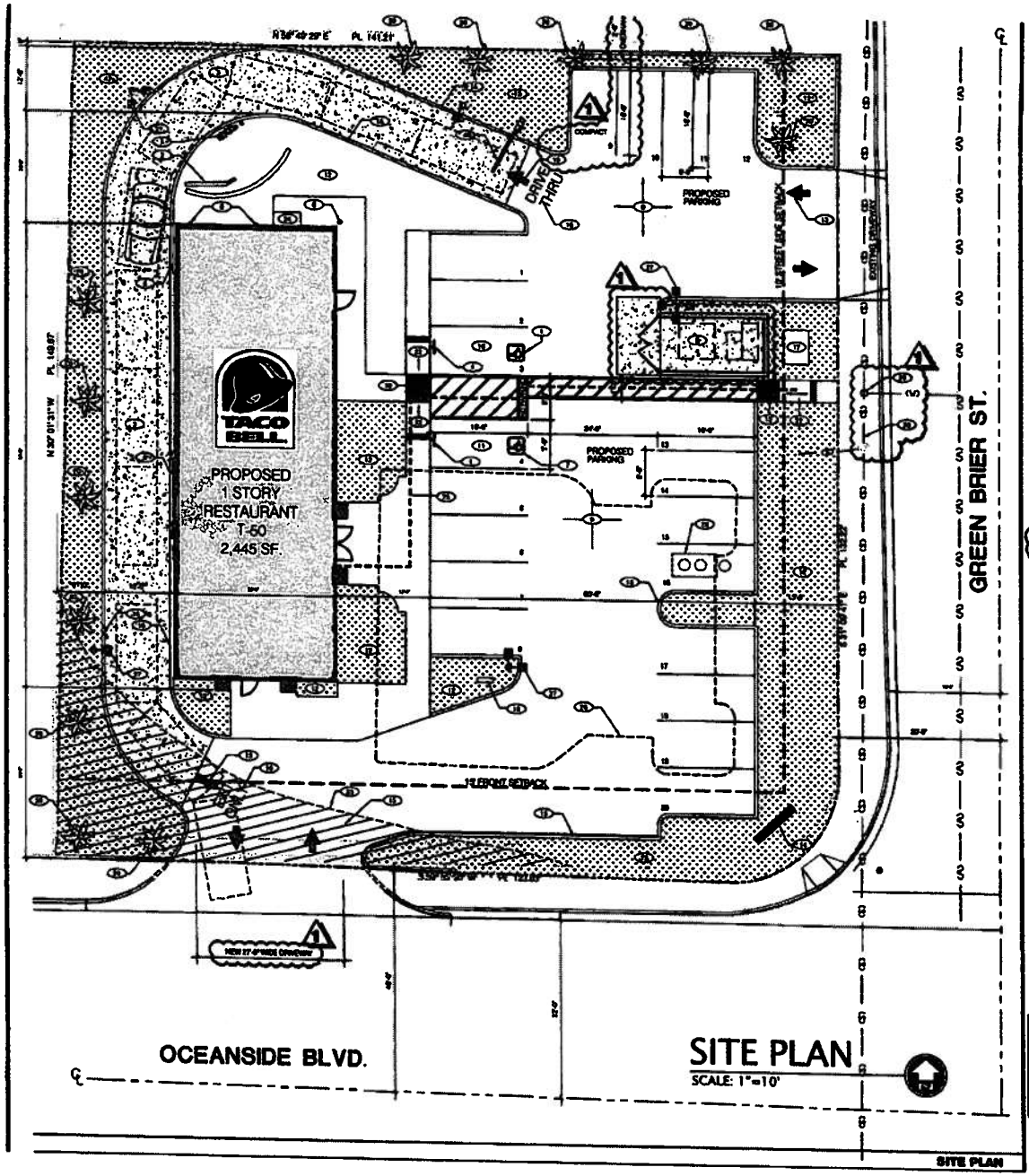
Scott Nightingale
Planner II

SUBMITTED BY:

Jerry Hittleman
City Planner

JH/SN/fil

Attachments:
1. Plans
2. Planning Commission Resolution No. 2011-P20



SITE PLAN

1. ACCESSIBLE SIGN
2. MENU BOARD
3. DRIVE-THRU LANE
4. CLEARANCE BAR
5. ORDER CONFIRMATION BOARD AND CANOPY
6. BOLLARD
7. PAINT HANDICAP SYMBOL - WHITE ON BLUE BACKGROUND. SEE DETAIL 10/A5.1
8. NEW TRASH ENCLOSURE, 6'-0" MASONRY WALL. PAINT TO MATCH BUILDING MAIN WALL.
9. PARKING LOT SLURRY COAT AND REPAIR DAMAGED AREAS. RESTRIPE AS SHOWN
10. ACCESSIBLE PARKING SPACE
11. VAN ACCESSIBLE PARKING SPACE
12. LANDSCAPE AREA. REFER TO L-1 FOR MORE INFO
13. PAINT TRAFFIC ARROW
14. MONUMENT SIGN
15. CURB
16. PAINT 24" HIGH LETTERS - WHITE
17. TRANSFORMER ELECTRICAL
18. DIRECTIONAL SIGN
19. DETECTABLE WARNINGS
20. EXISTING PALM TREES, TO REMAIN
21. PAINT ALL LIGHT POLES STATUS BRONZE SW7604 AND BASE SW6994 CAMELBACK
22. TYP. AREA TO PROVIDE A MAX. 5% SLOPE MAX 2% CROSS SLOPE PATH OF TRAVEL.
23. LOCATION OF FLOOD PLAIN, SEE CONCEPTUAL GRADING PLAN
24. SWITCH GEAR
25. ACCESSIBLE PATH OF TRAVEL
26. OUTLINE OF EXISTING 3,250 S.F. BUILDING TO BE DEMOLISHED.
27. PARKING LOT LIGHT TYPICAL
28. NEW GREASE INTERCEPTOR
29. EXISTING WATER METER
30. EXISTING SEWER LATERAL

NOTES

SITE AREA BREAKDOWN

DESCRIPTION	AREA	%
SITE (GROSS)	21,517 S.F.	100%
SITE (NET)	18,972 S.F.	88.2%
PAVING, SIDEWALKS, TRASH	13,348 S.F.	62%
LANDSCAPE	5,624 S.F.	26%
BUILDING	2,445 S.F.	11.36%
OTHER	—	

SITE INFORMATION

DEVELOPMENT PLAN APPLICATION FOR

Taco Bell

1940 OCEANSIDE BLVD.
OCEANSIDE, CA

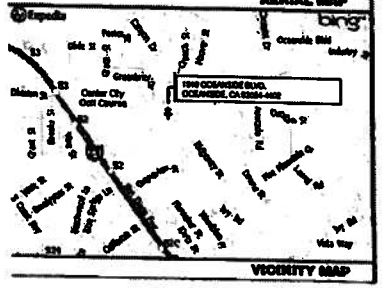
APPLICANT:	MARKS ARCHITECTS 3540 FOURTH AVE. SAN DIEGO, CA 92103 PHONE: (619) 296-3400 CONTACT: GABRIELA MARKS
PROJECT OWNER:	KC BELL PHONE: 310-884-2100 CONTACT: PAUL HOOVER
LEGAL JURISDICTION:	CITY OF OCEANSIDE
SITE AREA:	21,517 S.F.
EXISTING BUILDING AREA:	3,250 S.F. TO BE DEMOLISHED
PROPOSED BUILDING AREA:	2,445 S.F. NEW BUILDING AREA
OCCUPANCY:	B
TYPE CONSTRUCTION:	VB
ZONING:	CG
PROPOSED PARKING SPACES:	22 PARKING SPACES
LEGAL DESCRIPTION:	THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 11 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO GOVERNMENT PLAT THEREOF, TOGETHER WITH THOSE PORTIONS OF BLOCK A OF LAGUNA PARK, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1151, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 6, 1888.
SCOPE OF WORK:	DEMO OF AN EXISTING 3,250 S.F. TACO BELL RESTAURANT AND CONSTRUCTION OF NEW 2,444 S.F. TACO BELL. NEW SITE CONFIGURATION.

PROJECT DATA

A1	SITE PLAN
A2	FLOOR PLAN AND ROOF PLAN
A3	EXTERIOR ELEVATIONS
A4	TRASH ENCLOSURE PLAN AND DETAILS
L-1	LANDSCAPE CONCEPT PLAN
C1	PRELIMINARY GRADING PLAN

INDEX

AERIAL MAP



VICINITY MAP

marks architects

3540 fourth ave.
san diego, ca 92103
619 tel 702 9400
619 fax 702 9402

LICENSED ARCHITECT
GABRIELA MARKS
Class
9-30-2011
STATE OF CALIFORNIA

ncarb certified

marks architects ©2011
ALL REVISIONS, PLANS AND DOCUMENTS PREPARED BY MARKS ARCHITECTS SHALL REMAIN THE PROPERTY OF MARKS ARCHITECTS AND ARE NOT TO BE USED FOR ANY OTHER SPECIFIC PROJECT ONLY.

PLANNING SUBMITTAL 2.23.11
BUILDING DEPT. SUBMITTAL
1 PLANNING COMM 4.15.11

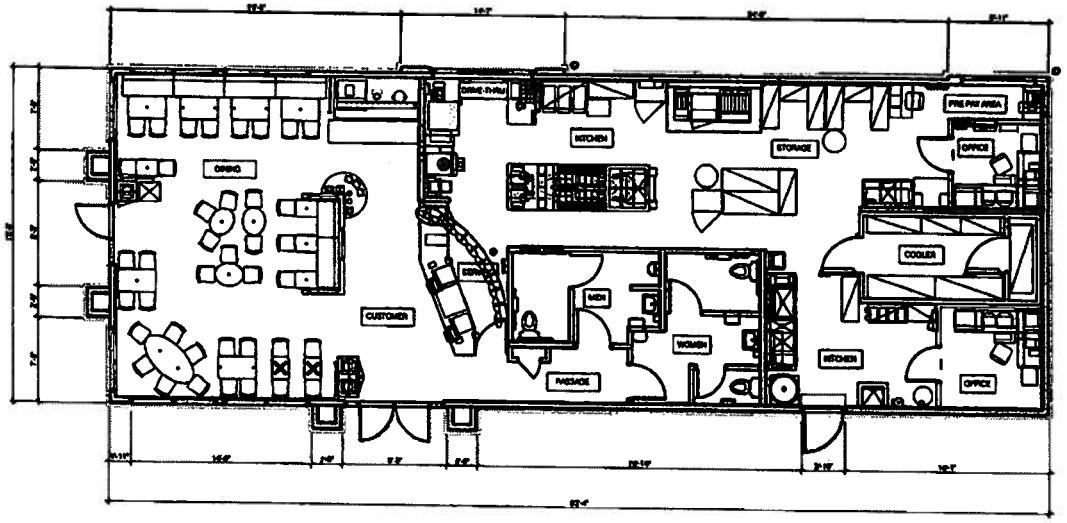
CONTRACT DATE:
BUILDING TYPE: T
PLAN VERSION:
SITE NUMBER:
STORE NUMBER: 33

TACO BELL
OCEANSIDE
1940 OCEANSIDE BLVD.
OCEANSIDE, CA

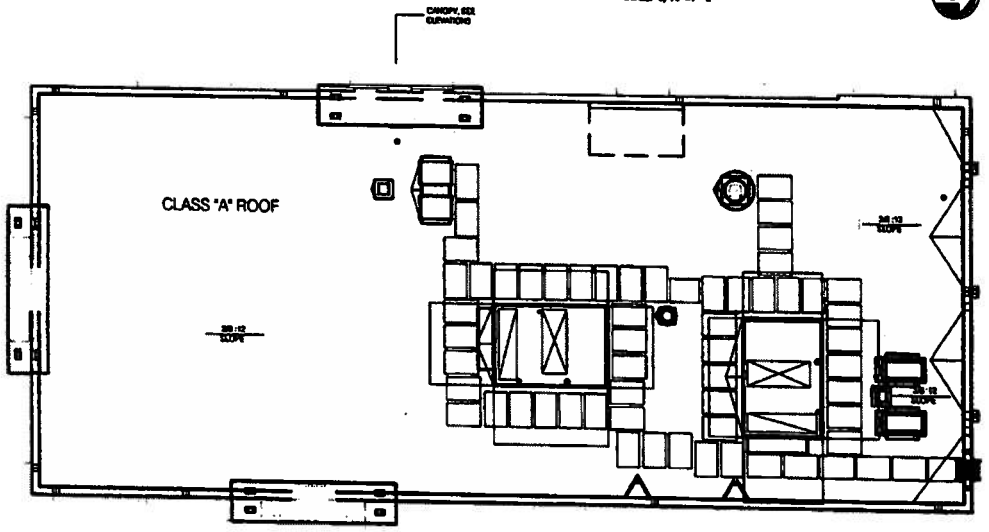
T50 Modified

SITE PLAN

A1



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



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

FLOOR PLAN AND ROOF PLAN

marks architects

ncarb certifie

PLANNING SUBMITTAL
BUILDING DEPT. SUBMITTAL

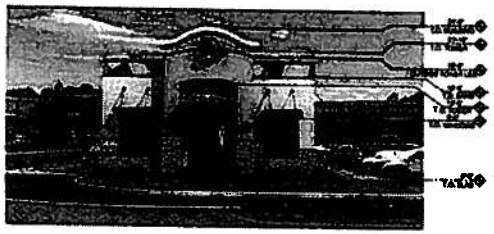
CONTRACT DATE:
BUILDING TYPE:
PLAN VERSION:
SITE NUMBER:
STORE NUMBER:

TACO BELL
OCEANSIDE

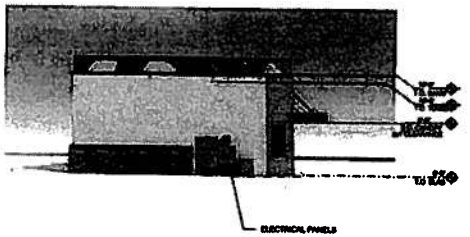
T50 Modifie

FLOOR PLAN AND ROOF PLAN

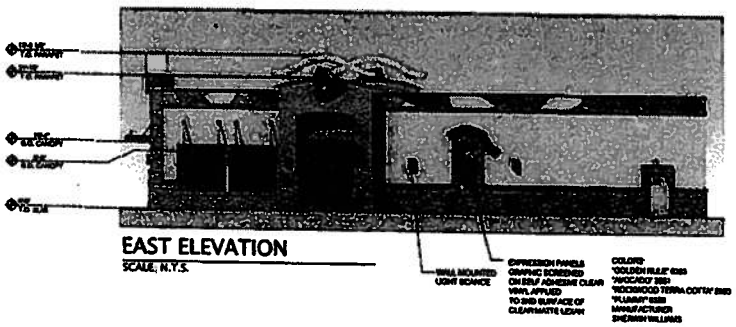
A2



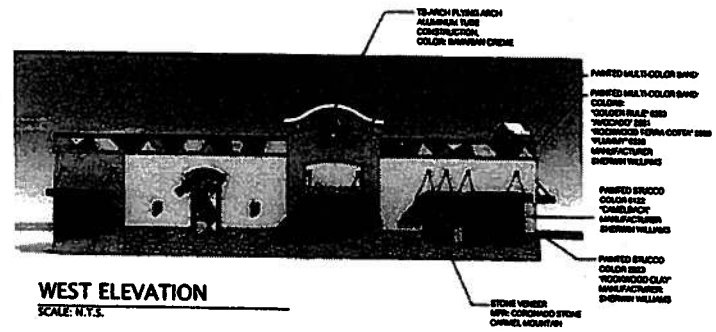
SOUTH ELEVATION
SCALE: N.T.S.



NORTH ELEVATION
SCALE: N.T.S.

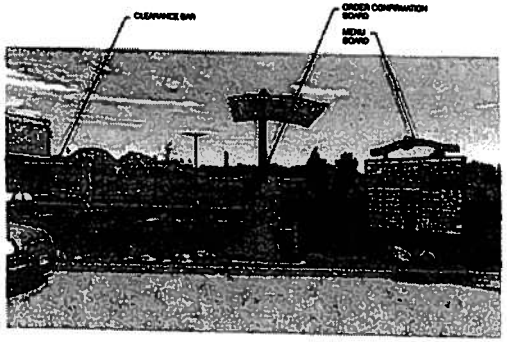


EAST ELEVATION
SCALE: N.T.S.

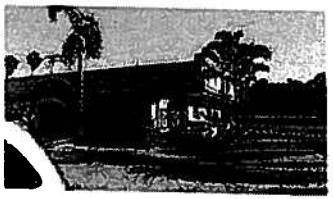


WEST ELEVATION
SCALE: N.T.S.

PROPOSED IMPROVEMENTS



PROPOSED DRIVE THRU EQUIPMENT



EXISTING BUILDING PHOTGRAPHS

marks architects

architecture
interior design
retail
restaurants
space planning
master planning

2643 fourth ave.
san diego, ca 92103
619 tel 702 9449
619 fax 702 9442

LICENSED ARCHITECT
GABRIELA MARKS
C-31882
12-30-2011
STATE OF CALIFORNIA

ncarb certified

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PLANNING SUBMITTAL
BUILDING DEPT. SUBMITTAL

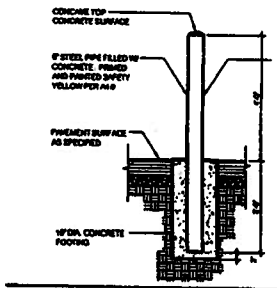
CONTRACT DATE:
BUILDING TYPE:
PLAN VERSION:
SITE NUMBER:
STORE NUMBER:

TACO BELL
OCEANSIDE
1040 OCEANSIDE BLVD
OCEANSIDE CA

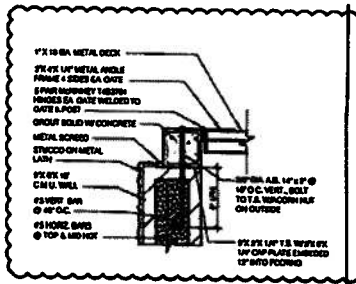
T50 Modified

EXTERIOR ELEVATIONS

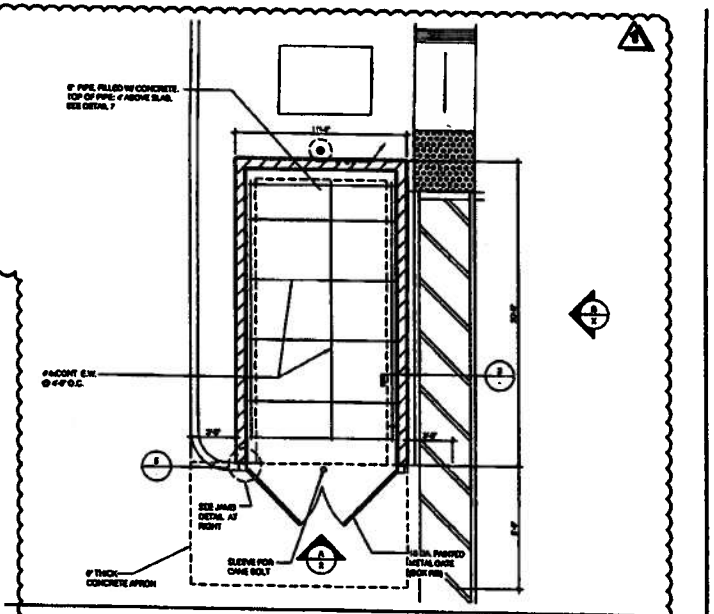
A3



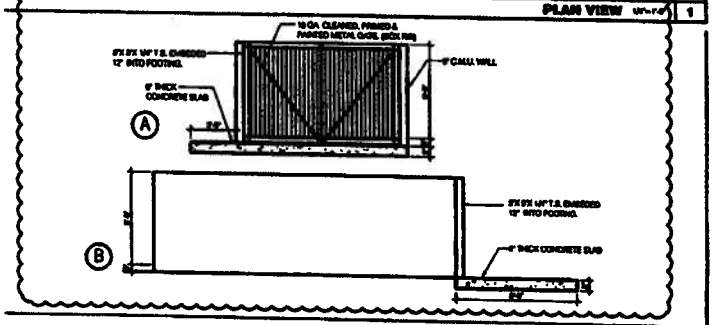
BOLLARD DETAIL 1/2" = 1'-0" | 7



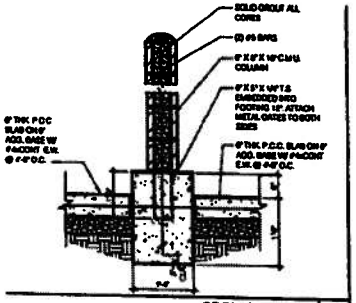
JAMB DETAIL 1 1/2" = 1'-0" | 5



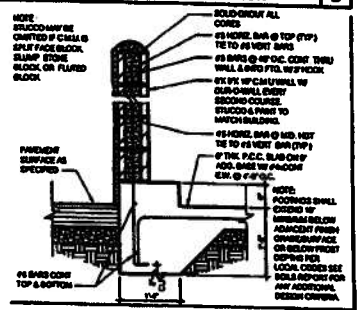
PLAN VIEW 1/4" = 1'-0" | 1



ELEVATION 1/4" = 1'-0" | 2



SECTION 3/4" = 1'-0" | 4



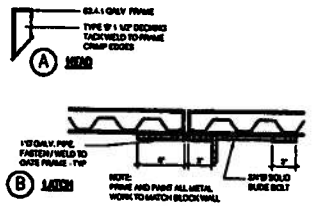
SECTION 3/4" = 1'-0" | 3

GATE NOTES:

(2) EQUAL (±0'-0") WIDE x 6'-0" HIGH MTL. GATES, TYPE "B" 1 1/2" DECKING, 22GA. W/ T.S. 6 X 6 X 1/4 WITH BAR CROSS BRACING WELD AND GRIND SMOOTH. ALL CONNECTIONS TYP. PRIME AND PAINT COLOR TO MATCH PLASTER.

GATE HARDWARE:

1. ALL HARDWARE AND ACCESSORIES SHALL BE HEAVY GALVANIZED.
2. GATE STOP - MUSHROOM TYPE OR FLUSH PLATE WITH ANCHORS SET IN CONCRETE TO ENGAGE THE CENTER DROP ROD OR PLUNGER BAR.



NOTES:
1. LOCATION SHALL BE APPROVED BY THE PUBLIC WORKS DEPARTMENT.
2. AREAS SHALL BE ACCESSIBLE FOR DELIVERY AND COLLECTION.
3. GATES SHALL BE CORRUGATED METAL DOORS AND MUST BE APPROVED BY PUBLIC WORKS DEPARTMENT PRIOR TO INSTALLATION.
4. GATE LATCHES SHALL BE OF THE PLUNGER BAR TYPE OR EQUIVALENT AS APPROVED BY THE PUBLIC WORKS DEPARTMENT.
5. SEE ATTACHED SPECIFICATIONS, NOTES AND PROCEDURES

TRASH ENCLOSURE METAL MATERIAL SPECIFICATIONS:
1. CONCRETE MIX(S) 6" MINIMUM IN SIDE, REAR DOR.
2. REINFORCING STEEL: ASTM 615, GRADE 40.
3. ACCEPTABLE GAS TYPES:
A. YES, FLUORIDED NATURAL: 1000 LB/SQ. FT
B. YES, LATERAL DRAINED: 750 LB/SQ. FT./FT
C. NON EXPANSIVE INDEX 20
4. CONCRETE, 3000 LB/SQ. IN @ 28 DAYS.
5. MORTAR: 1: 1/2:3 (PORTLAND CEMENT: HYDRATED LIME OR LIME PUTTY: SAND) BY VOLUME MIXED TO PLASTIC CONSISTENCY. REFER TO UBC TABLE 24-A FOR OTHER TYPES OF CEMENT.
6. GROUT: 1:3:2:3 (PORTLAND CEMENT: HYDRATED LIME OR LIME PUTTY: SAND: 3/8" AGGREGATE) BY VOLUME MIXED TO FLOW WITHOUT SEGREGATION. GROUT MAY CONTAIN 2 PARTS PEA GRAVEL (3/8" MAX. SIZE).
MINIMUM COMPRESSIVE STRENGTH: 2000 LB/SQ. IN. REFER TO UBC TABLE 24-D FOR OTHER TYPES OF CEMENT.

GENERAL NOTES:
1. THIS DESIGN IS FOR AVERAGE CONDITIONS AND MAY NOT BE SUITABLE FOR ALL USES. IT IS RECOMMENDED THAT A LICENSED CIVIL OR STRUCTURAL ENGINEER BE CONSULTED.
2. FOOTINGS SHALL BE DIMENSIONAL MIN. OR DEEPER PER...
3. BLOCK TO BE STANDARD RUNNING BOND.
4. ALL CELLS CONTAINING REINFORCING STEEL SHALL BE GROUTED.
5. APPROVED GROUT STOPS ARE REQUIRED UNDER HORIZONTAL STEEL IN PARTIALLY GROUTED WALLS, BAND, HEMISPHERES, ETC. AND NOT APPROVED GROUT STOPS.
6. DOWEL BED JOINT SHALL BE MORTAR. 1 "MIN. SUBSEQUENT BED JOINTS SHALL BE 3/4"- MIN., 1" MAX.
7. VERTICAL CONTINUITY OF CELLS SHALL BE UNOBSTRUCTED. AMERICAN PROFESSIONS SHALL NOT EXCEED 32" FOR 8" AND LARGER BLOCK. MORTAR DROPPINGS OR OTHER FOREIGN MATTER ARE NOT PERMITTED IN CELLS AND MUST BE REMOVED.
8. CLEANOUT OPENS REQUIRED AT 48'-0" MAX. INTERVALS.
9. REQUIRED BAR LAPS:
A. VERTICAL STEEL: 30 BAR DIAMETERS
B. HORIZONTAL STEEL: 48 BAR DIAMETERS
C. WIRE JOINT REINFORCEMENT IN THE MORTARED BED JOINT: 70 WIRE DIAMETERS OR ALTERNATE BED JOINTS OF REQUIRED DEPTH, 24 DIAMETERS PLUS THREE WIRE BED JOINT SPACING.
10. WHERE HORIZONTAL WIRE JOINT REINFORCEMENT IS REQUIRED OR UTILIZED, IT SHALL BE EQUIVALENT TO TWO DAY DIAMETER BARS CONNECTED AT 16" INTERVALS BY NO. 9 GAUGE WELDED WIRE.
11. FOR PIPES AND CONDUIT EMBEDDED IN MASONRY, REFER TO SEC. 24-I(5)a, UBC. I.E. 2" MIN. COVER REQUIRED FOR REINFORCEMENT IN CONCRETE WHICH IS CAST AGAINST EARTH.

INSPECTION PROCEDURES:
1. FOUNDATIONS: AFTER TRENCHES ARE CUT, STEEL IS TIED IN PLACE AND BEFORE ANY CONCRETE IS PLACED.
2. FIREBOX: AFTER ALL BLOCKS (EXCEPT CAP) ARE IN PLACE, VERTICAL AND HORIZONTAL STEEL IS IN PLACE, GROUT STOPS (FOR PARTIALLY GROUTED MASONRY) ARE IN PLACE, AND PRIOR TO GROUTING.
3. FLUE: AFTER GROUT IS IN PLACE AND PRIOR TO PLACEMENT OF CAP.

GATE DETAILS N.T.S. | 6

NOT USED N.T.S. | 11

NOT USED N.T.S. | 8

NOT USED N.T.S. | 12

NOT USED N.T.S. | 9

NOT USED N.T.S. | 13

NOT USED N.T.S. | 10

NOT USED N.T.S. | 14

marks architects
[illegible]
2643 fourth ave.
san diego, ca 92103
619 tel 702 9448
619 fax 702 9443

LICENSED ARCHITECT GABRIELA MARKS C-29822 EXP. 01-30-2007 STATE OF CALIFORNIA

ncarb certified

ALL REPORTS, PLANS AND DOCUMENTS PREPARED BY MARKS ARCHITECTS SHALL REMAIN THE PROPERTY OF MARKS ARCHITECTS AND IS INTENDED FOR USE FOR THIS SPECIFIC PROJECT ONLY.

PLANNING SUBMITTAL 2.03.05
BUILDING DEPT. SUBMITTAL
PLANNING CORR 4.15.05

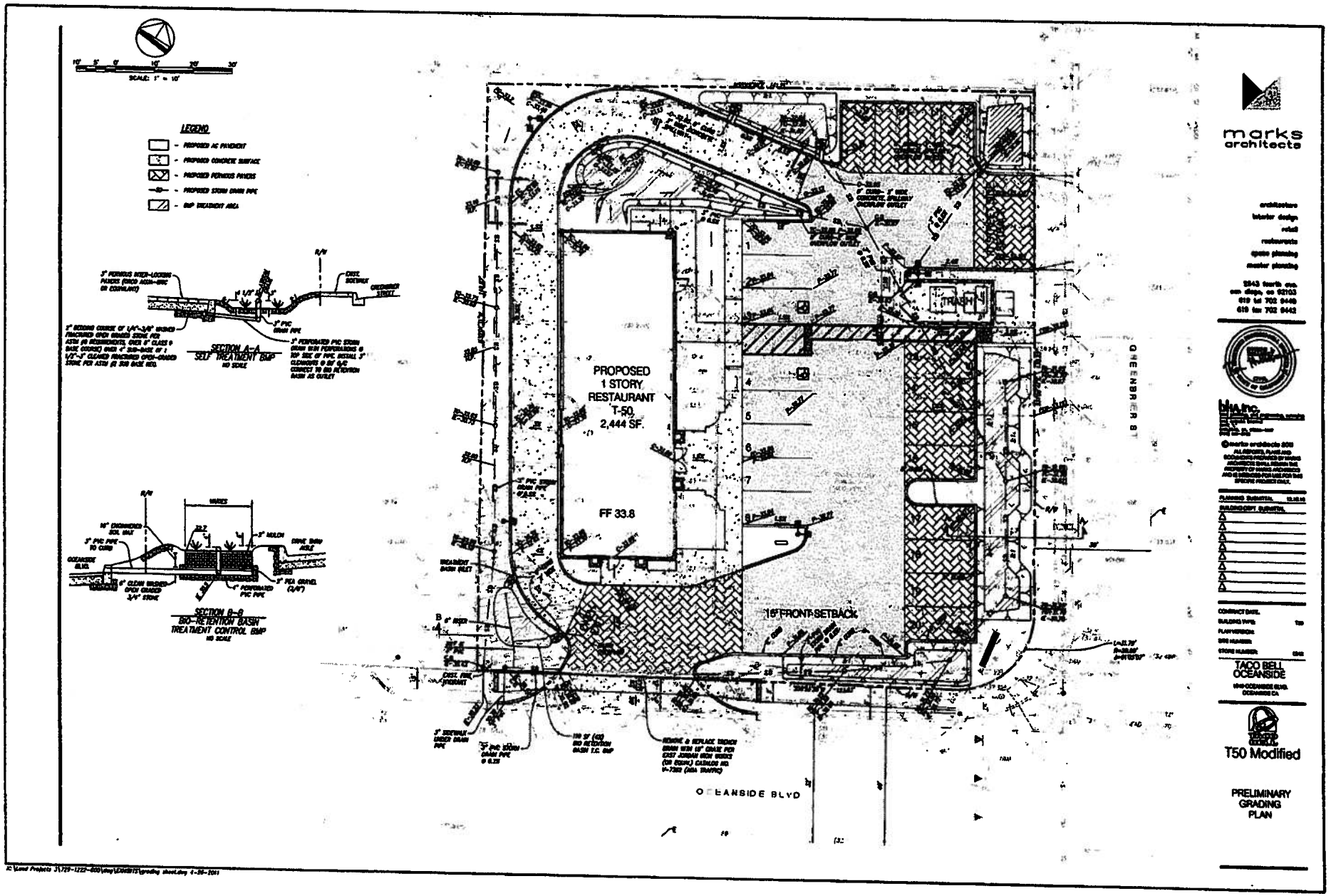
CONTRACT DATE:
BUILDING TYPE: T
PLAN VERSION:
SITE NUMBER:
STORE NUMBER:

TACO BELL OCEANSIDE
1040 OCEANSIDE BLVD. OCEANSIDE CA

T50 Modified

TRASH ENCLOSURE

A4



SCALE: 1" = 10'
LEGEND
PROPOSED AC PAVEMENT
PROPOSED CONCRETE SURFACE
PROPOSED PERVIOUS PAVERS
PROPOSED STORM DRAIN PIPE
BMP TREATMENT AREA
SECTION A-A
SELF TREATMENT BMP
NO SCALE
SECTION B-B
BIO-RETENTION BASIN
TREATMENT CONTROL BMP
NO SCALE
PROPOSED
1 STORY
RESTAURANT
T-50
2,444 SF.
FF 33.8
16' FRONT SETBACK
TRASH
GREENBRIER ST
OCEANSIDE BLVD
marks
architects
architecture
interior design
retail
restaurants
space planning
master planning
2843 fourth ave.
san diego, ca 92103
619 tel 702 9440
619 fax 702 9442
bha, inc.
TACO BELL
OCEANSIDE
T50 Modified
PRELIMINARY
GRADING
PLAN

PLANT PALETTE

TREES 100lb 24" BOX

ERL DEP.	24" BOX	ERIOBOTRYA DEFLEXA - MULTI	BRONZE LOQUAT	
JAC. MIM.	24" BOX	JACARANDA MIMOSIFOLIA	JACARANDA	
KOE. BIP.	24" BOX	KOELREUTERIA BIPINNATA	CHINESE FLAME TREE	
MAG. GRA.	24" BOX	MAGNOLIA GRANDIFLORA 'MAJESTIC BEAUTY'	MAJESTIC BEAUTY MAGNOLIA	

LARGE 5 UPRIGHT SHRUBS

ESC. FRA.	5 GAL.	ESCALLONIA 'FRADESII'	RAIN	
LIG. TEX.	5 GAL.	LIGUSTRUM J. 'TEXANUM'	TEXAS PRIVET	
NAN. PYP.	5 GAL.	NANDINA D. 'PLUM PASSION'	HEAVENLY BAMBOO WIRED	
PIT. EVI.	5 GAL.	PITTOSPORUM T. 'EMERALD PAVE'	EMERALD PAVE RANGE	
ROS. TOS.	5 GAL.	ROSMARINUS O. 'TUSCAN BLUE'	TUSCAN BLUE ROSEMARY	

MEDIUM FLOWERING SHRUBS

ESC. RO.	5 GAL.	ESCALLONIA 'IVEYPORT DWARF'	DWARF ESCALLONIA	
LAN. MS.	5 GAL.	LANTANA S. 'SIDE'	SIDE LANTANA	
PIT. C.C.	5 GAL.	PITTOSPORUM CRASSIFOLIUM 'COMPACTUM'	DWARF KARO	
RHA. SPR.	5 GAL.	RHAPHIOLEPIS INDICA 'SPRINGTIME'	SPRINGTIME INDIAN HAWTHORN	

PROCUMBENT SHRUBS

BOU. G.L.	5 GAL.	BOUGAINVILLEA 'GO-LA-LA'	HYBRID BOUGAINVILLEA	
CEA. SIN.	5 GAL.	CEAN 'SIMEY'	SIMEY HYBRID RECEIVOIR	
LAN. SA.	1 GAL.	LANTANA 'SPREADING SIMEY'	SPREADING SIMEY LANTANA	
ROS. HB.	1 GAL.	ROSMARINUS O. 'HUNTINGTON BLUE'	HUNTINGTON BLUE ROSEMARY	

SMALL SHRUBS & PERENNIALS

CON. CNE.	1 GAL.	CONVOLVULUS CNEORUM	SILVER MORNING GLORY	
CEA. HIL.	1 GAL.	CRASSULA HILTICANA	BABY JADE	
AME. LIN.	1 GAL.	AMERA LINDHEIMERI 'TORCH PINK'	AMERA HYBRID	
HOH. CAR.	1 GAL.	HOHANS CARDINALIS	SCARLET HONEY FLOWER	
KEP. PAN.	4" POTS	KEPHIA PLUMOSA	GAZANIA	
PEL. SID.	4" POTS	PELARGONIUM PELTATUM 'BLUE ELEGANCE'	IVY GERANIUM HYBRID	
PIT. GLB.	5 GAL.	PITTOSPORUM TOBIRA'DEN NANA 'GOLF BALL'	GOLF BALL KOHUHU	

ACCENT PLANTS

AGA. MIV.	5 GAL.	AGAVE ATTENUATA 'NOVA'	BLUE FOXTAIL AGAVE	
DIE. ERI.	1 GAL.	FESTUCA GLAUCA 'SEA URCHIN'	AFRICAN IRIS	
FES. GLA.	1 GAL.	FESTUCA GLAUCA 'SEA URCHIN BLUE'	BLUE FESCUE HYBRID	
FES. PAR.	5 GAL.	HESPERALOE PARVIFLORA	RED YUCCA	
LAV. FEM.	1 GAL.	LAVENDER FRENCH	SEATICE, SEA LAVENDER	
MUH. CAP.	1 GAL.	MUHLENBERGIA CAPILLARIS	PINK MOP GRASS, PINK HOLY GRASS	

VINES

GRE. OCC.	15 GAL.	GREVILLEA OCCIDENTALIS - ESPALIER	LANDSCAPE STAR FLOWER	
JAS. POL.	5 GAL.	JASMINUM POLYANTHUM - ESPALIER	PINK JASMINE	

GROUNDCOVERS

DYM. MAR.	FLATS	DYMONDIA MARGARETAE	DYMONDIA	
GAZ. HOY.	FLATS	GAZANIA 'HOSPA YELLOW'	HYBRID GAZANIA	
ROS. MAR.	FLATS	ROSMARINUS MARINUS	BLUE ICE PLANT	

BIO-RETENTION BASIN GRASSES

CAR. PAN.	FLATS	CAREX PANSA	CALIFORNIA MEADOW SEDGE	
JUN. PAT.	4" POTS	JUNCUS PATENS	HARD GRASS, CALIFORNIA GREY RUSH	
MAL. PIC.	2" PLUGS	MAHELLA PICURA	PURPLE NEEDLE GRASS	

TREE REMOVAL MATRIX

QTY.	SCIENTIFIC NAME	COMMON NAME	APPROX. DIA.
10	ARECASTRUM ROMANZOFFIANUM	QUEEN PALM	8'-10'

GENERAL NOTES

A. FINAL LANDSCAPE PLANS SHALL ACCURATELY SHOW THE PLACEMENT OF TREES, SHRUBS AND GROUNDCOVERS.
B. LANDSCAPE ARCHITECT SHALL VERIFY UTILITY, SEWER, AND STORM DRAIN EASEMENT AND PLACE PLANTING LOCATIONS ACCORDINGLY TO MEET CITY OF OCEANSIDE REQUIREMENTS.
C. ALL REQUIRED LANDSCAPE AREAS INCLUDING PUBLIC RIGHTS-OF-WAY SHALL BE MAINTAINED BY OWNER. NO LANDSCAPE AREAS SHALL BE MAINTAINED PER CITY OF OCEANSIDE REQUIREMENTS.
D. TREE ROOT BARRIERS SHALL BE INSTALLED WHERE TREES ARE PLACED WITHIN 10 FEET OF PUBLIC IMPROVEMENTS INCLUDING WALKS, CURBS, OR STREET PAVEMENTS OR WHERE NON PUBLIC IMPROVEMENTS ARE PLACED ADJACENT TO EXISTING TREES. THE ROOT BARRIER WILL NOT WRAP AROUND THE ROOT BALL.

PLANTING NOTES

THE SELECTION OF PLANT MATERIAL IS BASED ON CULTURAL, AESTHETIC, AND MAINTENANCE CONSIDERATIONS. ALL PLANTING AREAS SHALL BE PREPARED WITH APPROPRIATE SOIL AMENDMENTS, FERTILIZERS, AND APPROPRIATE SOIL CONDITIONERS BASED UPON A SOILS REPORT FROM AN AGRICULTURAL LABORATORY. SOIL SAMPLE TAKEN FROM THE SITE, GROSSLY COVERED OR BARE WHEN SHALL FILL IN BETWEEN THE SHRUBS TO SHIELD THE SOIL FROM THE SUN, CONSERVE MOISTURE AND PREVENT WEEDS. ALL THE FLOWER AND SHRUB BEDS SHALL BE MULCHED TO A 3" DEPTH TO HELP CONSERVE MOISTURE, LOWER THE SOIL TEMPERATURE AND REDUCE WEED GROWTH. THE SHRUBS SHALL BE ALLOWED TO GROW TO THEIR NATURAL FORMS. ALL LANDSCAPE IMPROVEMENTS SHALL FOLLOW THE CITY OF OCEANSIDE GUIDELINES.

STREET TREES NO OTHER TREES SHALL BE SPACED:

i. 5 FEET FROM TRANSFORMERS, CABLES AND FULL DUKES
ii. 5 FEET FROM FIRE HYDRANTS
iii. 5 FEET FROM FIRE HYDRANTS (ALL SIDES)
iv. 10 FEET FROM CENTERLINE OF ALL UTILITY LINES (STREET SWEEPER, SEWER, STORM DRAINS, DOUBLE CHECK CONNECTIONS, AIR RELIEF VALVES AND GAS.
v. 10 FEET FROM GARDENT SEWER/SEWER CLEANOUT, WATER, GAS AND STORM DRAINS, ACCESS TO CHECK VALVES
vi. 10 FEET FROM DRIVEWAYS SHOULD A LINE OF SIGHT IS DETERMINED BY THE TRAFFIC DIVISION TO BE OBSTRUCTED
vii. 10 FEET FROM TRAFFIC AND DIRECTIONAL SIGNS
viii. 15 FEET STANDARD FROM STREET LIGHTS, OTHER UTILITY POLES (UNDERGROUND BY SPECIFICATION)
ix. STREET TREES SHALL BE PLANTED 5' OUTSIDE RIGHT OF WAY, IF THE RIGHT OF WAY DOESN'T ALLOW SPACE, SUBJECT TO THE CITY DIVISION'S APPROVAL.
x. LINE OF SIGHT AT ARTERIALS, COLLECTOR AND LOCAL STREETS SHALL BE REVIEWED AND DETERMINED BY TRAFFIC ENGINEER. A MINIMUM OF THIRTY-FIVE FEET (35) FROM STREET INTERSECTION OR AS DETERMINED BY THE TRAFFIC ENGINEER.
xi. MINIMUM FIFTEEN FEET (15') STREET LIGHT AND STOP SIGN OR CLEARANCE DETERMINED BY SPECIFICATIONS.
xii. SCREEN ALL UTILITIES ACCORDING TO SPECIFIC AGENCY REQUIREMENTS.

IRRIGATION NOTES

AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED TO PROVIDE COVERAGE FOR ALL PLANTING AREAS SHOWN ON THE PLAN. LOW VOLUME EQUIPMENT SHALL PROVIDE EFFICIENT WATER FOR PLANT GROWTH WITH A MINIMUM PRESSURE LOSS DUE TO WATER RUN-OFF. IRRIGATION SYSTEMS SHALL USE HIGH EFFICIENCY VALVES, CONTROLLERS AND OTHER NECESSARY IRRIGATION EQUIPMENT. ALL CONTROLLERS SHALL BE OF NON-VOLATILE MEMORY TYPE. ALL DRIP SYSTEMS SHALL BE PRESSURE COMPENSATED AND FILTERED AND REGULATED FOR THE MANUFACTURER'S RECOMMENDED DESIGN PARAMETERS. ALL IRRIGATION SYSTEMS SHALL FOLLOW THE CITY OF OCEANSIDE GUIDELINES AND WATER CONSERVATION ORDINANCE.

MAINTENANCE CRITERIA

TREES SHALL BE PRUNED CAREFULLY, BUT SPARINGLY, TO PROMOTE HEALTHY GROWTH, AND SHALL BE FERTILIZED AS REQUIRED BY GOOD HORTICULTURAL PRACTICES.

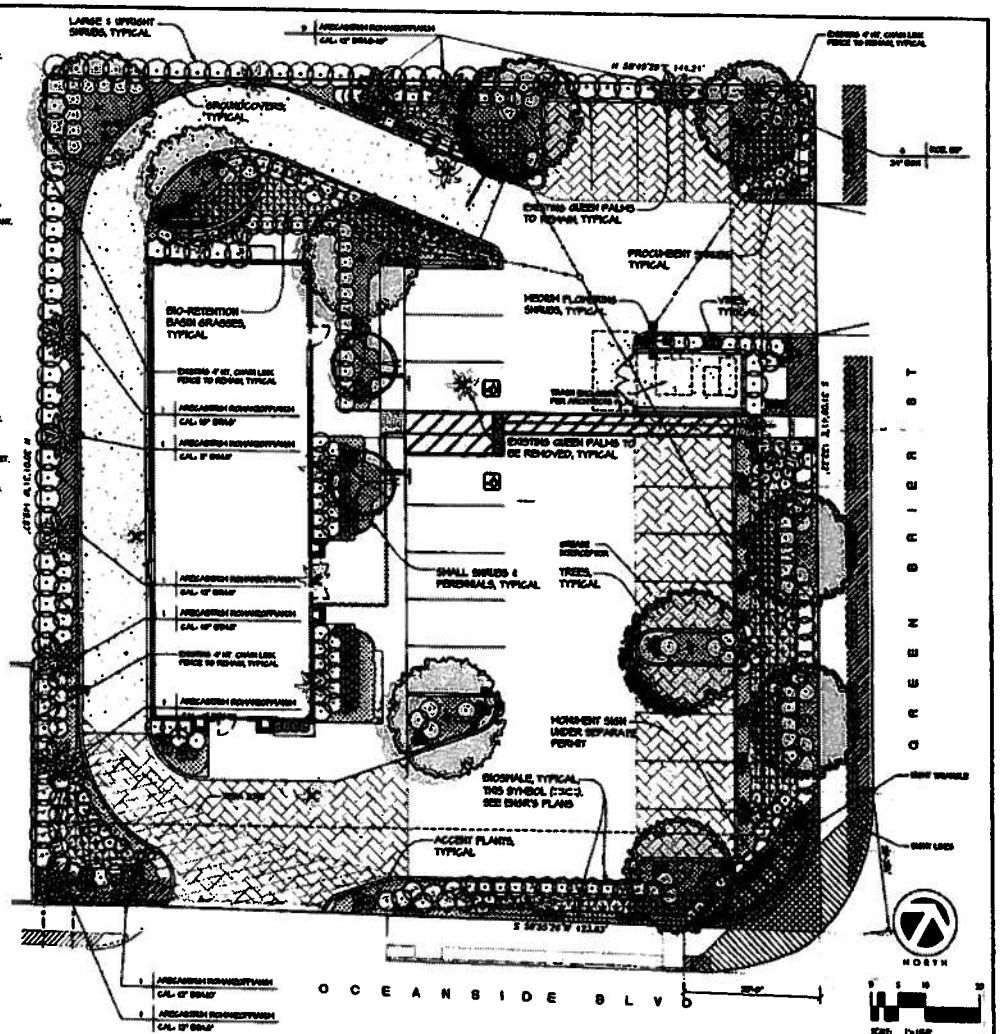
PLANTS SHALL BE PRUNED IN ACCORDANCE WITH PROFESSIONAL STANDARDS SUFFICIENT TO MAINTAIN THEIR DESIGNED SHAPES AND SIZES, AND TO ENSURE THE HEALTH OF THE SPECIMEN AND THE SAFETY OF THE PUBLIC.

TREE GUYS AND SHAKE TIES SHALL BE INSPECTED AND ADJUSTED PERIODICALLY, AND REMOVED WHEN NECESSARY, TO ENSURE THAT THE GUYS ARE ADEQUATELY SUPPORTING THE TREE WITHOUT GIRDLING TREES OR DAMAGING BARK.

PLANTS SHALL BE PRUNED TO AVOID BLOCKING WALLS, PASSAGEWAYS AND SIGHT DISTANCE VIEWS FOR VEHICULAR TRAFFIC.

DEAD PLANTS SHALL BE REPLACED. DAMAGED BRANCHES SHALL BE REMOVED, AND OVERGROWN AREAS SHALL BE THINNED BY THE SELECTIVE REMOVAL OF UNNECESSARY PLANTS.

WIRES AND VINES USED FOR SCREENING TRASH ENCLOSURES AND SERVICE AREAS SHALL BE PRUNED TO MAINTAIN SCREENING WHILE ALLOWING ACCESS TO THE MAINTENANCE AREAS.



APPROVED CHANGES			SUBMITTAL DATE BLOCK	CITY OF OCEANSIDE – SIGNATURES
Description	Approved By	Date	DATE	
			DATE	FIRE MARSHALL DATE
			DATE	CITY PLANNER DATE
			DATE	
			DATE	TRAFFIC DIVISION DATE
			DATE	

SHEET 1 | CITY OF OCEANSIDE | OF 1

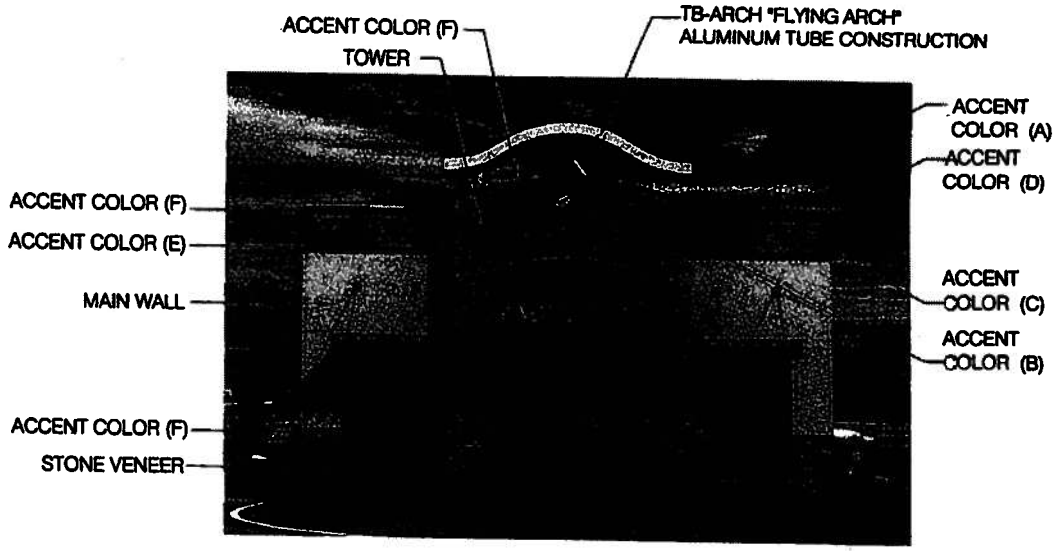
CONCEPTUAL LANDSCAPE PLAN FOR: X-XX-XX

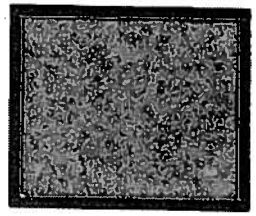
TACO BELL
1940 OCEANSIDE BLVD.
OCEANSIDE, CALIFORNIA

Approved

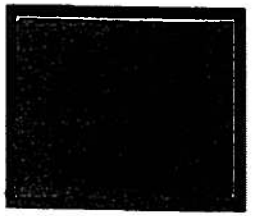
DATE | SIGNATURE | NAME & TITLE | AGENCY | DATE

LANDSCAPE ARCHITECT OF WORK | Checked by | Approved Date | L-1



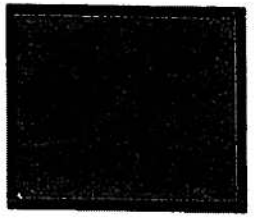


Main Wall
Paint over stucco
Mfr: Sherwin Williams
Color: Camelback 6122



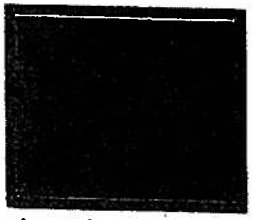
Tower
Paint over stucco
Mfr: Sherwin Williams
Color: Amber Wave 6657

Stone Veneer
Mfr: Coronado Stone
Carmel Mountain

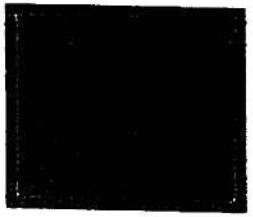


Accent color (A)
Paint over stucco
Mfr: Sherwin Williams
Color: Golden Rule 6383

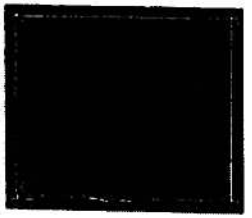
Accent color (B)
Paint over stucco
Mfr: Sherwin Williams
Color: Avocado 2861



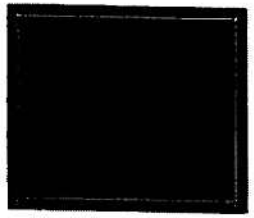
Accent Color (C)
Paint over stucco
Mfr: Sherwin Williams
Color: Rookwood Terra Cotta 2803



Accent Color (D)
Paint over stucco
Mfr. Sherwin Williams
Color: Plummy 6558



Accent Color (E)
Paint over stucco
Mfr. Sherwin Williams
Color: Rookwood Clay 2823



Accent Color (F)
Paint over stucco
Mfr. Sherwin Williams
Color: Umber 6164

Flying Arch
Aluminum Tube Construction
Mfr. Sherwin Williams
Color: Alabaster

marks architects
2643 4th ave. san diego, ca 92104
tel. 619.702.9448 fax 619.702.9442

TACO BELL
TACO BELL OCEANSIDE
1940 OCEANSIDE BLVD. OCEANSIDE CA

PLANNING COMMISSION
RESOLUTION NO. 2011-P20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A DEVELOPMENT PLAN ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: D11-00001
APPLICANT: Marks Architecture
LOCATION: 1940 Oceanside Boulevard

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Development Plan and Conditional Use Permit under the provisions of Articles 11, 30, 31, 40, and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

demolition of an existing commercial retail drive-thru restaurant to accommodate the construction of a new 2,445-square foot drive-thru restaurant building with an associated parking lot and landscaping improvements;

on certain real property described in the project description;

WHEREAS, the Planning Commission, after giving the required notice, did on the 13th day of June, 2011 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project is categorically exempt from CEQA per Article 19, Section 15332, Class 32, In-Fill Development Projects;

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

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

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is $2,843-$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	$0.713 per square foot or $713 per thousand square feet for non-residential uses
School Facilities Mitigation Fee	Ordinance No. 91-34	$.42 per square foot non-residential for Oceanside
Traffic Signal Fee Exempt Per	Ordinance No. 87-19, Section 10 Resolution No. 06-R0334-1	$15.71 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the 75 percent discount) Exempt Per	Ordinance No. 83-01 Resolution No. 06-R0334-, Section 10	$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	Fee based on water meter size. Non-residential is $37,205 for a 2" meter.
Wastewater System Buy-in Fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Non-residential is $50,501for a 2" meter.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Non-residential is $23,358 for a 2" meter.

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

WHEREAS, unless otherwise provided by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 32B of the Oceanside

City Code and the City expressly reserves the right to amend the fees and fee calculations consistent with applicable law;

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

WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction 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;

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

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

FINDINGS:

For the Development Plan:

1. The site plan and physical design of the project are consistent with the Zoning Ordinance because the project, as designed, meets or exceeds all the development standards established in the Zoning Ordinance.
2. The Development Plan is consistent with the General Plan of the City because the use is permitted by the General Plan, it is consistent with the intent of the designated land use, and it is compatible with the surrounding existing land uses.
3. The project site can be adequately served by existing public facilities, services and utilities because the site has been previously developed and the necessary infrastructure to serve the use is already in place.
4. The proposed drive-thru restaurant project is compatible with the existing and potential development on adjoining properties and in the surrounding neighborhood because the use is permitted in the Zone and it is an in-fill site.
5. The site plan and physical design of the project is consistent with section 1.24 and 1.25 of the Land Use Element of the General Plan because the project site is currently developed and contains no natural topographic features; and will not lead to slope instability, flooding, or erosion hazards to life or property because those threats have been designed out of the project; there are no significant natural resources on site to preserve; there are

no natural hazards in proximity to the site and the project meets all setback requirements; the project is not subject to the Development Guidelines for Hillsides or Section 3039 of the Ordinance because the site contains no qualifying slopes.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Development Plan (D11-00001), subject to the following conditions:

Building:

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Division plan check (As of January 1, 2008 the 2007 California Building Code, and 2007 California Electrical Code).
2. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all State and Local building codes.
3. Site development, parking, access into buildings and building interiors shall comply with the State's Disabled Accessibility Regulations (2007 California Building Code (CBC), Chapter 11B).
4. The building plans for this project are required by State law to be prepared by a licensed architect or engineer and must be in compliance with this requirement prior to submittal for building plan review.
5. All electrical, communication, CATV, etc. service lines within the exterior lines of the property shall be underground (City Code Sec. 6.30).
6. All outdoor lighting must comply with Chapter 39 of the City Code (Light Pollution Ordinance). Where color rendition is important, high-pressure sodium, metal halide or other such lights may be utilized and shall be shown on building and electrical plans.
7. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the plans.
8. A complete Soils Report, Structural Calculations, & Energy Calculations/ documentation will be required at time of plans submittal to the Building Division for plan check.
9. A Building (Demo) Permit will be required for the demolition of any existing structures. Plans for the Demolition Permit must clearly show that all utilities (electric, gas, water, & sewer) are properly terminated/capped in accordance with the requirements of the

utility service provider. Separate Permit is required from San Diego County for removal of underground tanks.

10. Separate permits are required awnings and signage.

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

a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not inherently noise-producing. Examples of work not permitted on Saturday are concrete and grout pours, roof nailing and activities of similar noise-producing nature. No work shall be permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).

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

Engineering:

12. This project requires demolition of the existing building/structure and surface improvements. A grading plan and an erosion control plan shall be submitted and be approved by the City Engineer prior to the issuance of a demolition permit.

13. Design and construction of all improvements shall be in accordance with the City of Oceanside Engineers Design and Processing Manual, City Ordinances, and standard engineering and specifications of the City of Oceanside and subject to approval by the City Engineer.

14. Prior to issuance of a building permit all improvement requirements shall be covered by a development agreement and secured with sufficient improvement securities or bonds guaranteeing performance and payment for labor and materials, setting of monuments, and warranty against defective materials and workmanship.

15. The owner/developer shall provide public street dedication for Oceanside Boulevard (Minimum of 2 ft.) along the property frontage to serve the property.

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

17. A Declaration of Covenants, Conditions and Restrictions (DCC&R) reviewed and approved by the City Attorney is required (prior to the grading permit). The Declaration of Covenants, Conditions and Restrictions (DCC&R) shall be recorded attesting to these improvement conditions prior to issuance of any grading permit.

18. Prior to the issuance of a grading permit, the owner/developer shall notify and host a neighborhood meeting with all of the area residents located within 300 feet of the project site, to inform them of the grading and construction schedule, and to answer questions.

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

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

b) All grading and related site preparation and construction activities shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering related construction activities shall be conducted on Saturdays, Sundays or legal holidays unless written permission is granted by the City Engineer with specific limitations to the working hours and types of permitted operations. All on-site construction staging areas shall be as far as possible (minimum 100 feet) from any existing residential development. Because construction noise may

still be intrusive in the evening or on holidays, the City of Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity."

c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site. An alternate parking site can be considered by the City Engineer in the event that the lot size is too small and cannot accommodate parking of all motor vehicles.

d) The owner/developer shall complete a haul route permit application (if required for import/export of dirt) and submit to the City of Oceanside Engineering Department 48 hours in advance of beginning of work. Hauling operations (if required) shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

20. It is the responsibility of the owner/developer to evaluate and determine that all soil imported as part of this development is free of hazardous and/or contaminated material as defined by the City and the County of San Diego Department of Environmental Health. Exported or imported soils shall be properly screened, tested, and documented regarding hazardous contamination.

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

22. The existing curbs and gutters and sidewalk on Oceanside Boulevard and Green Brier Street along property frontage shall be replaced and reconstructed to the City of Oceanside Design Standards. New sidewalk improvements shall comply with ADA requirements.

23. A minimum of 10 feet parkway between the face of curb and the right-of-way line shall be provided for Oceanside Boulevard and Green Brier Street. The existing pedestrian ramp at the corner of Oceanside Boulevard and Green Brier Street shall be demolished, and reconstructed to the City of Oceanside Design Standards, and in compliance with the ADA

requirements. Minimum curb return radius shall comply with the City of Oceanside Engineers Design and Processing Manual.

24. Sight distance requirements (at the two project driveways) on Oceanside Boulevard and Brier Street shall conform to the corner sight distance criteria as provided by SDRSD DS-20A and or DS-20B.

25. Landscaping plans, including plans for the construction of walls, fences or other structures at or near intersections, must conform to intersection sight distance requirements. Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer prior to the issuance of a preliminary grading permit and approved by the City Engineer prior to the issuance of occupancy permits. Frontage landscaping shall be installed prior to the issuance of any certificates of occupancy. Any project fences, sound or privacy walls and monument entry walls/signs shall be shown on, bonded for and built from the landscape plans. These features shall also be shown on the precise grading plans for purposes of location only. Plantable, segmental walls shall be designed, reviewed and constructed by the grading plans and landscaped/irrigated through project landscape plans. All plans must be approved by the City Engineer and a pre-construction meeting held, prior to the start of any improvements.

26. The project driveway and parking areas shall remain private and shall be maintained by the owner. The pavement sections, traffic indices shall be based on approved geotechnical report and in compliance with the City of Oceanside Engineers Design Standards.

27. Pavement sections for Streets, and private driveways and parking areas shall be based upon approved soil tests and traffic indices. The pavement design is to be prepared by the owner/developer's soil engineer and must be in compliance with the City of Oceanside Engineers Design and Processing Manual and be approved by the City Engineer, prior to paving.

28. The owner/developer shall remove and reconstruct (grind and overlay) the existing AC pavement on Green Brier Street from the new lip of gutter to the existing double yellow centerline along the property frontage to the satisfaction of the City Engineer. The new AC overlay shall not be less than the existing AC pavement on west side of Green Brier Street.

29. The existing cross gutter at the intersection of Oceanside Boulevard and Green Brier Street shall be demolished and re-constructed in compliance with the City of Oceanside Engineers Design Standards to the satisfaction of the City Engineer.

30. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian ramps and sidewalk within the project, or adjacent to the project boundary that are damaged during construction of the project, shall be repaired or replaced as directed by the City Engineer.

31. All existing overhead utility lines within this development/property and on Green Brier Street along the property frontage (full width street or right-of-way) and all new extension services for the development of this project, including but not limited to, electrical, cable and telephone, shall be placed underground per Section 901.G. of the Subdivision Ordinance (R91-166) and as required by the City Engineer and current City policy.

32. The owner/developer shall comply with all the provisions of the City's cable television ordinances including those relating to notification as required by the City Engineer.

33. Drainage facilities shall be designed and installed to adequately accommodate the local stormwater runoff and shall be in accordance with the San Diego County Hydrology and Design Manual and in compliance with the City of Oceanside Engineers Design and Processing Manual to the satisfaction of the City Engineer.

34. The owner/developer shall obtain any necessary permits and clearances from all public agencies having jurisdiction over the project due to its type, size, or location, including but not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board (including NPDES), and San Diego County Health Department, prior to the issuance of grading permits.

35. The approval of this project shall not mean that proposed grading or improvements on adjacent properties (including any City properties/right-of-way or easements) is granted or guaranteed to the owner/developer. The owner/developer is responsible for obtaining permission to grade to construct on adjacent properties. Should such permission be denied, the project shall be subject to going back to the public hearing or subject to a substantial conformity review.

36. Prior to any grading of any part of this project, a comprehensive soils and geologic investigation shall be conducted of the soils, slopes, and formations in the project. All necessary measures shall be taken and implemented to assure slope stability, erosion control, and soil integrity. No grading shall occur until a detailed grading plan, to be prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved by the City Engineer.

37. This project shall provide year-round erosion control including measures for the site required for the phasing of grading. Prior to the issuance of grading permit, an erosion control plan, designed for all proposed stages of construction, shall be reviewed, secured by the owner/developer with cash securities and approved by the City Engineer.

38. A precise grading and private improvement plan (Oceanside Boulevard and Green Brier Street) shall be prepared, reviewed, secured and approved prior to the issuance of any building permits. The plan shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage, footprints of all structures, walls, drainage devices and utility services. Parking lot striping and any on-site traffic calming devices shall be shown on all precise grading and private improvement plans.

39. The drainage design shown on the site plan or preliminary grading plan, and the drainage report for this project plan is conceptual only. The final drainage report and drainage design shall be based upon a hydrologic/hydraulic study that is in compliance with the latest San Diego County Hydrology and Drainage Manual to be approved by the City Engineer during final engineering. All drainage picked up in an underground system shall remain underground until it is discharged into an approved channel, or as otherwise approved by the City Engineer. All public storm drains shall be shown on City standard plan and profile sheets. All storm drain easements shall be dedicated where required. The owner/developer shall be responsible for obtaining any off-site easements for storm drainage facilities.

40. Storm drain facilities shall be designed and located such that the inside travel lanes on streets with collector or above design criteria shall be passable during conditions of a 100-year frequency storm.

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

42. The owner/developer shall comply with the provisions of National Pollution Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ. The General Permit continues in force and effect until a new General Permit is issued or the SWRCB rescinds this General Permit. Only those owner/developers authorized to discharge under the expiring General Permit are covered by the continued General Permit. Construction activity subject to the General Permit includes clearing, grading, and disturbances to the ground such as stockpiling, or excavation that results in land disturbances of equal to or greater than one acre. The owner/developer shall obtain coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining a Waste Discharge Identification Number (WDID#) from the State Water Resources Control Board (SWRCB). In addition, coverage under the General Permit shall not occur until an adequate SWPPP is developed for the project as outlined in Section A of the General Permit. The site specific SWPPP shall be maintained on the project site at all times. The SWPPP shall be provided, upon request, to the United States Environmental Protection Agency (USEPA), SWRCB, Regional Water Quality Control Board (RWQCB), City of Oceanside, and other applicable governing regulatory agencies. The SWPPP is considered a report that shall be available to the public by the RWQCB under section 308(b) of the Clean Water Act. The provisions of the General Permit and the site specific SWPPP shall be continuously implemented and enforced until the owner/developer obtains a Notice of Termination (NOT) for the SWRCB. The owner/developer is required to retain records of all monitoring information, copies of all reports required by this General Permit, and records of all data used to complete the NOI for all construction activities to be covered by the General Permit for a period of at least three years from the date generated. This period may be extended by request of the SWRCB and/or RWQCB.

43. Following approval of the Storm Water Mitigation Plan (SWMP) by the City Engineer and prior to issuance of grading permits, the owner/developer shall submit and obtain

approval of an Operation & Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer. The O&M Plan shall include an approved and executed Maintenance Mechanism pursuant to Section 5 of the Standard Urban Storm Water Mitigation Plan (SUSMP). The O&M shall satisfy the minimum Maintenance Requirements pursuant to Section 5 of the SUSMP. At a minimum the O&M Plan shall include the designated responsible party to manage the storm water BMP(s), employee training program and duties, operating schedule, maintenance frequency, routine service schedule, specific maintenance activities, copies of resource agency permits, cost estimate for implementation of the O&M Plan, a non-refundable cash (or certificate of deposit payable to the City), or an irrevocable, City-Standard Letter of Credit security to provide maintenance funding in the event of noncompliance to the O&M Plan, and any other necessary elements. The owner/developer shall provide the City with access to site for the purpose of BMP inspection and maintenance by entering into an Access Rights Agreement with the City. The owner/developer shall complete and maintain O&M forms to document all operation, inspection, and maintenance activities. The owner/developer shall retain records for a minimum of 5 years. The records shall be made available to the City upon request.

44. The owner/developer shall enter into a City-Standard Stormwater Facilities Maintenance Agreement (SWFMA) with the City obliging the owner/developer to maintain, repair and replace the Storm Water Best Management Practices (BMPs) identified in the project's approved SWMP, as detailed in the O&M Plan into perpetuity. The Agreement shall be approved by the City Attorney prior to issuance of any precise grading permit and shall be recorded at the County Recorder's Office prior to issuance of any building permit. A non-refundable Security in the form of cash (or certificate of deposit payable to the City) or an irrevocable, City Standard Letter of Credit shall be required prior to issuance of a precise grading permit. The amount of the non-refundable security shall be equal to 10 years of maintenance costs, as identified by the O&M Plan, but not to exceed a total of $25,000. The owner/developer's civil engineer shall prepare the O&M cost estimate.

45. At a minimum, maintenance agreements shall require the staff training, inspection and maintenance of all BMPs on an annual basis. The owner/developer shall complete and

maintain O&M forms to document all maintenance activities. Parties responsible for the O&M plan shall retain records at the subject property for at least 5 years. These documents shall be made available to the City for inspection upon request at any time.

46. The Agreement shall include a copy of executed on-site and off-site access easement and or access rights necessary for the operation and maintenance of BMPs that shall be binding on the land throughout the life of the project to the benefit of the party responsible for the O&M of BMPs, satisfactory to the City Engineer. The agreement shall also include a copy of the O&M Plan approved by the City Engineer.

47. The BMPs described in the project's approved SWMP shall not be altered in any way, unless reviewed and approved to the satisfaction of the City Engineer. The determination of whatever action is required for changes to a project's approved SWMP shall be made by the City Engineer.

48. The owner/developer shall provide a copy of the title/cover page of an approved SWMP with the first engineering submittal package. If the project triggers the City's Stormwater requirements but no approved Stormwater document (SWMP) exists, the appropriate document shall be submitted for review and approval by the City Engineer. The SWMP shall be prepared by the owner/developer's Civil Engineer. All Stormwater documents shall be in compliance with the latest edition of submission requirements.

49. During final engineering design the Engineer of Record shall evaluate potential impact to flood hazard areas. Elevation and flood proofing shall be in accordance with the City of Oceanside Ordinance 94-03 and Federal Emergency Management Agency (FEMA) requirements. Prior to issuance of a grading permit the owner/developer shall provide evidence to the City of Oceanside that a Conditional Letter of Map Revision (CLOMR) has been approved by the FEMA for the proposed revisions to the flood hazard areas. At the conclusion of the grading activities the owner/developer shall submit an as-built grading plan to FEMA in order to process and receive a Letter of Map Revision (LOMR). Prior to any building permits/release of the grading bonds owner/developer provide evidence of having received a Letter of Map Revision (LOMR) from FEMA.

50. Approval of this development project is conditioned upon payment of all applicable impact fees and connection fees in the manner provided in chapter 32B of the Oceanside City Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees,

reimbursements, and other applicable charges, fees and deposits shall be paid prior to recordation of the map or the issuance of any building permits, in accordance with City Ordinances and policies. The owner/developer shall also be required to join into, contribute, or participate in any improvement, lighting, or other special district affecting or affected by this project. Approval of the tentative map (project) shall constitute the owner/developer's approval of such payments, and his agreement to pay for any other similar assessments or charges in effect when any increment is submitted for final map or building permit approval, and to join, contribute, and/or participate in such districts.

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

52. In the event that the conceptual plan does not match the conditions of approval, the resolution of approval shall govern.

Fire:

53. Provide a class "K" type portable fire extinguisher within 30 feet of the kitchen appliances emitting grease-laden vapors. Commercial type cooking equipment that produce grease laden vapors shall be provided with a Type I hood in accordance with the California Mechanical Code and an automatic fire extinguishing system that is listed and labeled for its intended use as follows:

a) Wet chemical system complying with UL300

b) Carbon Dioxide extinguishing system

c) Automatic fire sprinkler system

54. In accordance with the Oceanside Fire Code, approved addresses for commercial, industrial, and residential occupancies shall be placed on the structure in such a position as to be plainly visible and legible from the street or roadway fronting the property. Numbers shall be contrasting with their background. Commercial buildings and multi-family dwellings require 6 inch address numbers.

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

Landscaping:

56. Landscape plans shall meet the criteria of the City of Oceanside Landscape Guidelines and Specifications for Landscape Development (latest revision), Water Conservation Ordinance No. 91-15, Engineering criteria, City code and ordinances, including the maintenance of such landscaping, shall be reviewed and approved by the City Engineer prior to the issuance of building permits. Landscaping shall not be installed until bonds have been posted, fees paid, and plans signed for final approval. A pre-construction meeting shall be conducted with the Public Works Inspector prior to the approval of landscape installation. The following landscaping requirements shall be required prior to plan approval and certificate of occupancy:

a) Final landscape plans shall accurately show placement of all plant material such as but not limited to trees, shrubs, and groundcovers.

b) Landscape Architect shall be aware of all utility, sewer, storm drain easements and place planting locations accordingly to meet City of Oceanside requirements.

c) All required landscape areas shall be maintained by owner (including public rights-of-way). The landscape areas shall be maintained per City of Oceanside requirements.

d) Proposed landscape species shall be native or naturalized to fit the site and meet climate changes indicative to their planting location. The selection of plant material shall also be based on cultural, aesthetic, and maintenance considerations. In addition proposed landscape species shall be low water users as well as meet all fire department requirements.

e) All planting areas shall be prepared with appropriate soil amendments, fertilizers, and appropriate supplements based upon a soils report from an agricultural suitability soil sample taken from the site.

f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil from the sun, evapotransporation and run-off. All the flower and shrub beds shall be mulched to a 3" depth to help conserve water, lower the soil temperature and reduce weed growth.

g) The shrubs shall be allowed to grow in their natural forms. All landscape improvements shall follow the City of Oceanside Guidelines.

h) Root barriers shall be installed adjacent to all paving surfaces, where a paving surface is located within 6 feet of a tree trunk on site (private) and within 10 feet of a tree trunk in the right-of-way (public). Root barriers shall extend 5 feet in each direction from the centerline of the trunk, for a total distance of 10 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around the tree's root ball is unacceptable.

i) Perimeter trees parallel to Oceanside Boulevard and Green Brier Street shall be a minimum of a 24-inch box size container.

j) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall obtain planning department approval for these items in the conditions or application stage prior to 1st submittal of working drawings.

k) For the planting and placement of trees and their distances from hardscape and other utilities/structures the landscape plans shall follow the City of Oceanside's (current) Tree Planting Distances and Spacing Standards.

l) An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low volume equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off.

m) Irrigation systems shall use high quality, automatic control valves, controllers and other necessary irrigation equipment. All components shall be of non-corrosive material. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters. \

n) All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.

o) The landscape plans shall match all plans affiliated with the project.

p) Landscape plans shall comply with Biological and/or Geotechnical reports, as required, shall match the grading and improvement plans, comply with SWMP Best Management Practices and meet the satisfaction of the City Engineer.

q) Existing landscaping on and adjacent to the site shall be protected in place and supplemented or replaced to meet the satisfaction of the City Engineer.

r) Existing Arecastrum romanzoffianum/ Queen Palm trees shall be protected in place. In the event that damages or mortality of palm trees should occur due to construction practices, the replacement value shall equal the brown trunk height and be replaced in kind as shown on the approved conceptual landscape plan.

57. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way and within any adjoining public parkways shall be permanently maintained by the owner, his assigns or any successors-in-interest in the property. The maintenance program shall include: a) normal care and irrigation of the landscaping b) repair and replacement of plant materials c) irrigation systems as necessary d) general cleanup of the landscaped and open areas e) parking lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result in the City taking all appropriate enforcement actions including but not limited to citations. This maintenance program condition shall be recorded with a covenant as required by this resolution.

58. In the event that the conceptual landscape plan (CLP) does not match the conditions of approval, the resolution of approval shall govern.

Planning:

59. The Development Plan shall expire on July 11, 2014, unless implemented in accordance with the City of Oceanside Zoning Ordinance or unless a time extension is granted by the Planning Commission.

60. This Development Plan (D11-00001) approves the Demolition of an existing 3,260 square-foot commercial drive-thru restaurant to enable the construction of a newer and modern 2,445-square foot drive-thru restaurant with associated landscaping and improvements to the site, as depicted on the plans and exhibits presented to the Planning Commission for review and approval. No deviation from these approved plans and exhibits shall occur without City Planner or Planning Commission approval. Substantial deviations shall require a revision to the Development Plant, or a new Development Plan, as determined by the City Planner.

61. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Development Plan (D11-00001). The City will

promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

62. All lighting showcasing building architecture shall be shown on the building plans.

63. The final hardscape design shall be substantially the same as shown on the Conceptual Landscape Plan and is subject to review and approval by the City Planner and City Engineer.

64. All mechanical rooftop and ground equipment shall be screened from public view as required by the Zoning Ordinance. The roof jacks, 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.

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

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

67. Green Waste Services: The separation of all green waste from solid waste using the approved city collection service and the collection of the material in compliance with standards as identified in the city code, if green waste is to be collected by the tenant.

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

69. Prior to the issuance of building permits, compliance with the applicable provisions of the City's anti-graffiti Ordinance (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 Landscape Plan and shall be recorded in the form of a covenant affecting the subject property.

70. 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.

71. Failure to meet any conditions of approval for this development shall constitute a violation of the Development Plan and Conditional Use Permit.

72. The hours-of-operation shall be limited from 9:00 a.m. to 1:00 a.m. (Sunday through Thursday) and 9:00 a.m. to 2 a.m. Friday through Saturday. The hours-of-operation shall be reviewed and may be limited by the Planning Commission when valid issues or complaints pertaining to code violations arise and are validated by the Code Enforcement Officer.

73. The developer's construction of all fencing and walls associated with the project shall be in conformance with the approved Development Plan. Minor revisions are subject to review and approval by the City Planner. Any substantial change in any aspect of fencing or wall design from the approved Development Plan shall require a revision to the Development Plan or a new Development Plan, as determined by the City Planner.

74. 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 Plan and other materials and information submitted with this application, unless specifically waived by an adopted condition of approval.

75. The applicant, tenants, or successors in interest shall comply with the City's business license requirements as necessary.

76. 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 for permit plan check, and prior to issuance of any building permit.

77. No project signage is approved with this application. All project signage shall be subject to a separate sign permit and be in compliance with Article 33, Signs, of the Zoning Ordinance.

Water Utilities:

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

79. The property owner shall maintain private water and wastewater utilities located on private property.

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

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

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

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

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

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

86. A separate irrigation meter and approved backflow prevention device is required and shall be displayed on the plans.

87. An Inspection Manhole, described by the Water, Sewer, and Reclaimed Water Design and Construction Manual, shall be installed in each building sewer lateral and the location shall be called out on the approved Improvement Plans.

88. A Grease Interceptor shall be installed in the building's sewer lateral in an appropriate location and shall be maintained by the property owner, in accordance with City of Oceanside Ordinance 07-0R0021-1. The location shall be called out on the approved Engineering and Building Plans.

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

90. All Water Utilities Fees are due at the time of building permit issuance per City Code Section 32B.7, unless the developer/applicant applies and is approved for a deferral of all fees per City of Oceanside Ordinance No. 09-OR0676-1.

PASSED AND ADOPTED Resolution No. 2011-P20 on July 11, 2011 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Robert Neal, Chairperson
Oceanside Planning Commission

ATTEST:

_____

Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2011-P20.

Dated: July 11, 2011

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

_____ Date: _____

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	BY
1/10/11	SN - DW

Please Print or Type All Information

PART I – APPLICANT INFORMATION

1. APPLICANT	2. STATUS
Marks Architects	
3. ADDRESS	**4. PHONE/FAX/E-mail**
2643 4th Ave San Diego, CA 92103	(619) 702 9448
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Gabriela Marks	
6. ADDRESS	**7. PHONE/FAX/E-mail**
2643 4th Ave San Diego, CA 92103	(619) 702 9448

HEARING

GPA	
MASTER/SP.PLAN	
ZONE CH.	
TENT. MAP	
PAR. MAP	
DEV. PL.	D11-00001
C.U.P.	
VARIANCE	
COASTAL	
O.H.P.A.C.	

PART II – PROPERTY DESCRIPTION

8. LOCATION	9. SIZE
1940 Oceanside Blvd	21,517 sf

10. GENERAL PLAN	11. ZONING	12. LAND USE	13. ASSESSOR'S PARCEL NUMBER
	CG	Commercial	151-010-45-00

PART III – PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
Demolish ~~3600~~ 3265 sf Taco Bell Restaurant with drive thru service and construct new 2,445 sf Taco Bell Restaurant with drive thru service

15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING	17. PROPOSED LAND USE	18. NO. UNITS	19. DENSITY
	CG	Commercial	N/A	N/A

20. BUILDING SIZE	21. PARKING SPACES	22. % LANDSCAPE	23. % LOT COVERAGE or FAR
2,445	20	26%	11.36%

PART IV – ATTACHMENTS

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

PART V – SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print):	34. DATE
Gabriela Marks	12/10/10

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:	35. OWNER (Print)	36. DATE
	Theodore Belesis	12-20-2010

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

Sign: Theodore Belesis + Nina Belesis

marks
architects
inc

2643 fourth ave. ■ san diego, ca 92103 ■ tel: 619-702-9448 ■ fax 619-702-9442

Taco Bell 1940 Oceanside Boulevard.

Project Description

Enclosed please find an Application for Review Committee (ARC) for the demolition of the existing 3,260 sf. Taco Bell Restaurant and construction of a new Taco Bell Restaurant. The site is located at the intersection of Oceanside Blvd. and Green Brier Street in the City of Oceanside and it is zoned General Commercial.

The project proposes a new 2,445 sf Taco Bell Restaurant with drive thru service, with 20 on-site parking spaces and an 8-car drive thru stack. The building has been placed at the opposite side of the lot from where it is currently located to avoid cars stacking into the street and improve the site circulation. Parking lot lights are proposed throughout the site for security. Hours of operation will remain the same as the currently operating restaurant, from 9:00am to 1:00am Sunday to Thursday and from 9:00am to 2:00 am Friday and Saturday.

The building will have a festive color scheme with a Mediterranean style of architecture. Accent towers are provided at the main and side entrance and the drive thru area. Large windows are provided at the proposed dining room. The building areas are as follows:

Dining Room –	588 sf
Customer area-	278 sf
Restrooms-	311 sf
Kitchen-	1,268 sf

Parking is provided per the Oceanside Zoning Ordinance Article 31 which requires 1 space per 50 sf of seating area. 12 spaces are required, 20 are provided.

Site landscape exceeds the minimum required by the Zoning Ordinance. Green areas will cover 26% of the site with flowering shrubs and groundcovers at all the planters. Most of the mature palm trees on the site will be preserved and we will provide additional canopy trees throughout the site for shading. The landscape palette is shown in the enclosed landscape plan.

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Taco Bell 1940 Oceanside Boulevard.
Development Plan Findings.

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

The project proposes the construction of a 2,445 sf. Taco Bell Restaurant with drive thru service in a General Commercial District. The project is consistent with intent of the district is to provide opportunities for development of businesses that attract heavy vehicular traffic. The project observes all required setbacks, height limits and lot coverage limitations set on the Zoning Ordinance.

That the development plan as proposed conforms to the General Plan of the City

The proposed building has been developed based on the requirements outlined in the General Plan and has been design to minimize the impact to the community.

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

The project proposes the demolition of an existing 3,260 sf Taco Bell Restaurant and the construction of a 2,445 sf Taco Bell Restaurant, all the existing utilities will be reused. No utility upgrades are required.

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

The project is located in a commercial zone and surrounded by commercial uses. The properties to the east and west of the subject lot are shopping center with several retail and restaurant uses. There is an empty lot along the rear property line zoned CG and to the south, across Oceanside Blvd there is an empty lot zoned CC.

That the site plan and physical design of the project is consistent with the policies within section 1.24 and 1.25 of the Land Use Element of the General Plan, the development Guidelines for Hillsides and Section 3039 of this ordinance.

The proposed project is not in a hillside and does not involve a significant amount of grading, the structure has been located in the site in accordance with all policies of sections 1.24 and 1.25 of the Land Use Element of the General Plan.

LEGAL DESCRIPTION

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 11 SOUTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, TOGETHER WITH THOSE PORTIONS OF BLOCK 5 OF LAGUNA PARK, IN THE CITY OF OCEANSIDE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1171, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MARCH 6, 1909, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25; THENCE ALONG THE WESTERLY LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER NORTH 0°04'00" EAST A DISTANCE OF 86.62 FEET TO THE SOUTHEASTERLY LINE OF THAT 80.00 FOOT ROAD, AS DESCRIBED IN EASEMENT DEED TO THE CITY OF OCEANSIDE, RECORDED OCTOBER 15, 1931 IN BOOK 30, PAGE 408, OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG SAID SOUTHEASTERLY LINE, THE FOLLOWING COURSES AND DISTANCES: NORTH 55°59'50" EAST A DISTANCE OF 159.51 FEET TO THE MOST NORTHERLY CORNER OF THE LAND DESCRIBED IN DEED TO QUALITEE DAIRY COMPANY, RECORDED JANUARY 23, 1957 IN BOOK 6430, PAGE 13 OF OFFICIAL RECORDS; THENCE CONTINUING NORTH 55°59'50" EAST 198.00 FEET TO THE MOST WESTERLY CORNER OF THE LAND DESCRIBED IN DEED TO ROBY F. HAYES, RECORDED AUGUST 22, 1962, AS INSTRUMENT NO. 143780 OF OFFICIAL RECORDS; THENCE SOUTH 29°59'14" EAST 308.95 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LAND TO THE TRUE POINT OF BEGINNING, SAID POINT BEING NORTH 29°59'14" EAST 150.00 FEET FROM THE NORTHWESTERLY LINE OF THE LAND DESCRIBED IN DEED TO THE CITY OF OCEANSIDE, RECORDED FEBRUARY 7, 1955 IN BOOK 5522, PAGE 260 OF OFFICIAL RECORDS; THENCE NORTH 58°50'19" EAST 141.27 FEET; THENCE SOUTH 31°09'41" EAST 132.26 FEET TO A TANGENT 20.00 FOOT RADIUS CURVE CONCAVE WESTERLY; THENCE SOUTHWESTERLY THROUGH A CENTRAL ANGLE OF 91°03'35" ALONG THE ARC OF SAID CURVE 31.79 FEET TO A POINT ON THE NORTHWESTERLY LINE OF LAND DESCRIBED IN DEED TO THE CITY OF OCEANSIDE AS CITED ABOVE; THENCE TANGENT TO SAID CURVE ALONG SAID NORTHWESTERLY LINE SOUTH 59°53'54" WEST 124.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID HAYES LAND; THENCE NORTH 29°59'14" WEST 150.00 FEET TO THE TRUE POINT OF BEGINNING.

APN: 151-010-45

END OF LEGAL DESCRIPTION