

AGENDA NO. 5

PLANNING COMMISSION



STAFF REPORT

DATE: November 7, 2011

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN (D11-00011) AND CONDITIONAL USE PERMIT (CUP11-00020) FOR AN AMENDMENT TO THE MIXED USE PLAN ESTABLISHED FOR THE MIXED USE DEVELOPMENT CONSISTING OF 28,544 SQUARE FEET OF COMMERCIAL/OFFICE, 20-LIVE WORK UNITS, AND 201 RESIDENTIAL CONDOMINIUM UNITS LOCATED ON THE NORTH WEST CORNER OF VISTA WAY AND RANCHO DEL ORO DRIVE WITHIN THE MIRA COSTA NEIGHBORHOOD – PIAZZA D'ORO – APPLICANT: LITTLE ITALY CENTER LLC.**

RECOMMENDATION

- (1) Staff recommends that the Planning Commission by motion take action to approve Development Plan (D11-00011) and Conditional Use Permit (CUP11-00020) by Adopting Planning Commission Resolution No. 2011-P38 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The site is located on the north west corner of Vista Way and Rancho Del Oro Drive, and is a fully developed 14.1-acre parcel referred to as Piazza D'Oro (Formerly Monarch at Rancho Del Oro). The original Mixed Use Plan for Piazza D'Oro was approved by the Planning Commission on October 25, 2004 and as part of the overall development established two commercial retail/ office buildings totaling 28,544 square feet. This proposal is to modify the regulations to allow for up to 50 percent of the existing 5,388 square feet or (2,694 sq. ft.) of retail space to be used for Medical Office purposes. The original Monarch at Rancho Del Oro Mixed Use Development subdivision map and overall site development was processed as part of Tentative Map (T-8-04), Development Plan (D-9-03), Variances (V-5-03 and V-6-03), and Conditional Use Permits (C-13-03 and C-21-03).

The original Mixed-Use Plan established the permitted land uses and provided detailed information regarding Conditional Uses and Prohibited Uses for each future land use proposed to be established within the retail/office buildings. While Medical Office was originally restricted from the office and retail buildings due to parking requirements typically associated with this specific land use, allowance of Medical Office within 50 percent of the 5,388 sq. ft. retail building would require only 2 additional parking spaces and can be accommodated with the 2 spaces that were originally provided in excess of what was required.

Site Review: The project involves only a minor text amendment to a previously approved Mixed-Use Development Plan established to identify land uses permitted on the fully developed 14.1-acre parcel referred to as Piazza D'Oro (Formerly Monarch at Rancho Del Oro). The project site is located on the North West corner of Vista Way and Rancho Del Oro Drive. The site is zoned Special Commercial-Highway Oriented (CS-HO), has a General Plan Land Use designation of Special Commercial (SC), and is located within the Mira Costa Neighborhood. Surrounding land uses include: Residential uses to the north, east, and west, with Office type uses and undeveloped land to the south.

Project Description: The project application is comprised of two components; Development Plan (D11-00011) and Conditional Use Permit (CUP11-00020) as follows:

Development Plan (D-11-00011) and Conditional Use Permit (CUP11-00020) represents a request:

To amend the previously approved Mixed-Use Development Plan established to identify land uses permitted on the fully developed 14.1-acre parcel referred to as Piazza D'Oro and allow for up to 50 percent of the existing 5,388 square feet or (2,694 sq. ft.) of retail space to be used for Medical Office purposes. In accordance with Article 11, Section 1120, footnote L-37 requires a Mixed Use Development Plan and Conditional Use Permit shall be reviewed and approved by the Planning Commission to determine compatibility with surrounding development and uses in the area.

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

1. Zoning Ordinance
2. General Plan Land Use Element
3. Piazza D'Oro Mixed Use Development Plan
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 SC (Special Commercial) on the Land Use Map. The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element

Goal 1.11: Balanced Land Use

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

Policy 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 use so as to foster a sense of neighborhood, community, and regional identity.

The site is physically suitable for the type of use proposed as part of the Piazza D'Oro Mixed Use Development Plan amendment, in that the Piazza D'Oro Mixed Use Project has been fully developed, and a minor modification to allow a small percentage of commercial retail to be used for medical office purposes will not alter or cause the site design to be modified beyond what was originally envisioned with the mixed use development. The overall site was designed and developed to accommodate a variety of land uses and a small amount of Medical Office type uses would not conflict with the intent of the original Mixed Use Development Plan. In all, the land use change proposed as part of this project will allow for the existing commercial retail portions to benefit by bringing more public flow to the site. Furthermore, the minor amendment to the permitted land uses will allow for a more consistent distribution of land uses to serve the needs of the citizens and visitors of the surrounding area.

2. Zoning Compliance

This project is located within the Piazza D'Oro Mixed Use Development Plan area, and retains an underlying zoning of Special Commercial-Highway Oriented (CS-HO). Staff has determined that the proposed minor text amendment is consistent with the underlying zoning designation, and does not permit any land use that would not be permitted within a Special Commercial-Highway Oriented (CS-HO) zoned parcel. The following table provides a brief analysis relative to off street parking:

LAND USE	BUILDING AREA	PARKING SPACES REQUIRED	PARKING SPACES PROVIDED
Commercial Retail	5,882 sq. ft.	(1 per 250 sq. ft.) 24 Spaces	24 Spaces
Commercial Retail (As-Built)	5,388 sq. ft. 2,694 sq. ft.	(1 per 250 sq. ft.) 22 Spaces 11 Spaces	24 Spaces
Medical Office 50%	2,694 sq. ft.	(1 per 200 sq. ft.) 13 Spaces	24 Spaces

3. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	SC (Special Commercial)	Special Commercial-Highway Oriented (CS-HO)	Mixed Use Residential/Commercial/Office
North of Subject Property	MDB-R (Medium Density-B Residential)	RDO Planned Development PD-10	Single Family Residential
East of Subject Property:	MDB-R (Medium Density-B Residential)	RM-B Medium Density Residential-B	Multi-Family Residential
South of Subject Property:	SC (Special Commercial)	Special Commercial-Highway Oriented (CS-HO)	Professional Office and Undeveloped Land with Highway 78 Beyond
West of Subject Property:	HD-R (High Density Residential)	RH (High Density Residential)	Multi-Family Residential

Staff has concluded that the proposed minor text amendment to the Piazza D'Oro Mixed Use Development Plan will not result in any serious public safety or health issues due to the minor changes in land use regulations, and will provide for additional goods and services to support the residential areas in the surrounding residential neighborhoods.

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 upon that review, staff finds that the proposed project constitutes "Existing Facilities", and the project is categorically exempt, Class 1, "Existing Facilities" (Section 15301).

PUBLIC NOTIFICATION

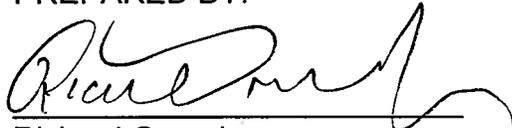
Legal notice was published in the North County Times and notices were sent to property owners of record within a 1,500-foot of the subject property, individuals/organizations requesting notification, applicant and their representative, and interested parties. As of November 1, 2011, one communication opposing the request has been received.

SUMMARY

In summary, staff believes that the proposed text amendment to the Piazza D'Oro Mixed Use Development Plan is consistent with the Zoning Ordinance, and the land use policies outlined in the General Plan. The project as proposed will not permit any land use that would not be permitted within the underlying (SC-HO) Special Commercial Highway Oriented zoning designation and would provide greater diversity of goods and services to the surrounding Mira Costa Neighborhood. As such, staff recommends that the Planning Commission approve the project. The Commission's action should be:

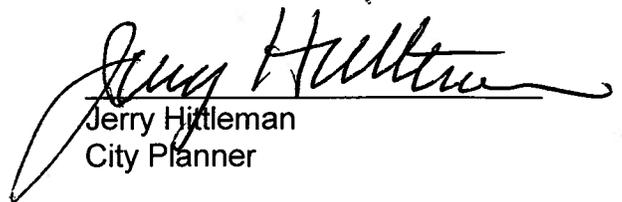
- Move to approve Development Plan (D11-00011) and Conditional Use Permit (CUP11-00020) by adopting Planning Commission Resolution No. 2011-P38 as attached.

PREPARED BY:



Richard Greenbauer
Senior Planner

SUBMITTED BY:



Jerry Hittleman
City Planner

JH/RG/fil

Attachments:

1. Planning Commission Resolution No. 2011-P38
2. Final Draft Piazza D'Oro Mixed Use Development Plan
3. Monarch at Ranch Del Oro Mixed-Use Plan Dated: Revised May 28, 2008

1 PLANNING COMMISSION
2 RESOLUTION NO. 2011-P38

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

7 APPLICATION NO: D11-00011/ CUP11-00020
8 APPLICANT: Little Italy Center LLC –
9 LOCATION: Northwest corner of Vista Way and Rancho Del Oro Drive

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

12 WHEREAS, there was filed with this Commission a verified petition on the forms
13 prescribed by the Commission requesting a Development Plan under the provisions of Articles
14 11, 24, and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

15 a minor text amendment to modify the permitted uses for the previously approved Piazza
16 D'Oro Mixed Use Development Plan established to identify land uses permitted over the
17 fully developed 14.1 acre parcel referred to as Piazza D'Oro;
on certain real property described in the project description.

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 7th
19 day of November, 2011 conduct a duly advertised public hearing as prescribed by law to consider
20 said application.

21 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
22 Guidelines thereto; this project constitutes "Existing Facilities", and the project is categorically
23 exempt, Class 1, "Existing Facilities" (Section 15301) from further environmental review;

24 WHEREAS, the documents or other material which constitute the record of proceedings
25 upon which the decision is based will be maintained by the City of Oceanside Planning
26 Department, 300 North Coast Highway, Oceanside, California 92054.

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

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

1 FINDINGS:

2 For the Development Plan:

- 3 1. The site plan and physical design of the project is consistent with the Zoning Ordinance
4 and the underlying Piazza D'Oro Mixed Use Development Plan that regulates land uses
5 for the subject parcels, because the Mixed Use Development is fully developed and
6 modifying the permitted land uses contained with the Mixed Use Development Plan will
7 not modify or propose development beyond the existing site plan and physical design of
8 the center.
- 9 2. The Development Plan conforms to the General Plan of the City, because the minor text
10 amendment to the approved Piazza D'Oro Mixed Use Development Plan will allow for
11 additional land uses consistent with the underlying zoning designation and will provide a
12 better balance of successful markets and services for the surrounding neighborhood to
13 enjoy.
- 14 3. The project site is adequately served by existing public facilities, services, and utilities and
15 the minor text amendment to allow land uses consistent with the underlying zoning
16 designation will not require additional public facilities, utilities, or services beyond what
17 exist for the site.
- 18 4. The project, as proposed is compatible with the existing development on adjoining
19 properties or in the surrounding neighborhood, in that the proposed text amendment is
20 consistent with the Special Commercial Highway Oriented land uses in the vicinity and
21 will not be detrimental to the welfare of persons or properties working, residing, or
22 otherwise existing in the adjacent neighborhood areas.
- 23 5. The site plan and parameters for the architecture and physical design of the project is
24 consistent with the policies contained within Sections 1.2 of the Land Use Element of
25 the General Plan, because only text amendments to permit certain land uses are proposed
and no development is proposed as part of this project.

26 For the Conditional Use Permit:

- 27 1. That the proposed location of the use is in accord with the objectives of the Zoning
28 Ordinance and the purposes of the district in which the site is located, because the
29 Mixed Use Plan that is being amended to allow Medical Office type uses is consistent

1 with the underlying Special Commercial- Highway Oriented zoning designation for the
2 site.

3 2. That the proposed location of the conditional use and the proposed conditions under
4 which it would be operated or maintained will be consistent with the General Plan; will
5 not be detrimental to the public health, safety or welfare of persons residing or working
6 in or adjacent to the neighborhood of such use; and will not be detrimental to properties
7 or improvements in the vicinity or to the general welfare of the City, because only a
8 minor text amendment to allow Medical Office within 50% of the 5, 388 sq., ft.,
9 designated retail area is proposed, and allowance of a small medical office type use will
10 not result in intensification of the site beyond its original development.

11 3. That the proposed conditional use will comply with the provisions of the Zoning
12 Ordinance, including any specific condition required for the proposed conditional use in
13 the district in which it would be located. The proposed use with in a Mixed Use
14 development is consistent with the Oceanside Zoning Ordinance and will allow for
15 additional professional services to benefit the general public.

16 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
17 approve Development Plan (D11-00011) and Conditional Use Permit (CUP11-00020), subject to
18 the following conditions:

19 **Planning:**

20 1. This Development Plan approves only minor text amendments to the previously
21 established Piazza D'Oro Mixed Use Development Plan as denoted by exhibits presented
22 to the Planning Commission for review and approval. No deviation from these approved
23 exhibits shall occur without the City Planner approval. Substantial deviations shall
24 require a revision to the Development Plan and Conditional Use Permit or a new
25 Development Plan and Conditional Use Permit.

26 2. The applicant, permittee, or any successor-in-interest shall defend, indemnify and hold
27 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
28 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
29 annul an approval of the City, concerning Development Plan D11-00011 and
Conditional Use Permit Cup11-00020. The City will promptly notify the applicant of

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

5 3. All of the conditions of Planning Commission Resolution No. 2004-P56 shall continue to
6 apply. In the event of a direct conflict between a condition of approval for Resolution No.
7 2004-P56 and this resolution, the provisions of this resolution shall apply.

8 4. A covenant or other recordable document approved by the City Attorney shall be prepared
9 by the applicant and recorded within 60 days of final approval. The covenant shall
10 provide that the property is subject to this resolution, and shall generally list the
11 conditions of approval.

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

16 6. Failure to meet any conditions of approval for this Mixed Use Development Plan
17 Amendment shall constitute a violation of the Development Plan and/or the Conditional
18 Use Permit.

19 7. Medical Office Uses shall be restricted to a maximum of 2,694 sq. ft. within the Retail
20 portions of the 2 designated buildings within Piazza D'Oro and will remain prohibited
21 within the Office Building portions of Piazza D'Oro.

22 ///////////////
23 ///////////////
24 ///////////////
25 ///////////////
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27 ///////////////
28 ///////////////
29 ///////////////

1 8. Unless expressly waived, all current zoning standards and City ordinances and policies in
2 effect at the time building permits are issued are required to be met by this project. The
3 approval of this project constitutes the applicant's agreement with all statements in the
4 Description and Justification, Piazza D'Oro Mixed Use Development Plan and other
5 materials and information submitted with this application, unless specifically waived by
6 an adopted condition of approval.

7 PASSED AND ADOPTED Resolution No. 2011-P38 on November 7, 2011 by the
8 following vote, to wit:

9 AYES:

10 NAYS:

11 ABSENT:

12 ABSTAIN:

13
14 _____
Tom Rosales, Chairperson
Oceanside Planning Commission

15
16 ATTEST:

17 _____
18 Jerry Hittleman, Secretary

19 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
20 this is a true and correct copy of Resolution No. 2011-P38.

21
22 Dated: November 7, 2011

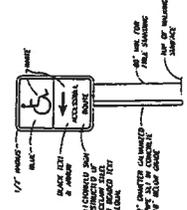
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24 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may
25 be required as stated herein:

26
27 _____
Applicant/Representative

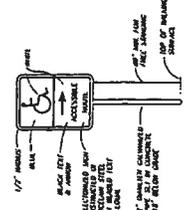
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ACCESSIBLE ROUTE SIGN NOTES:

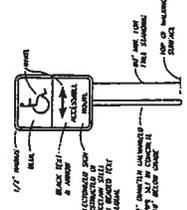
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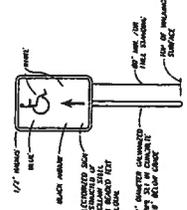
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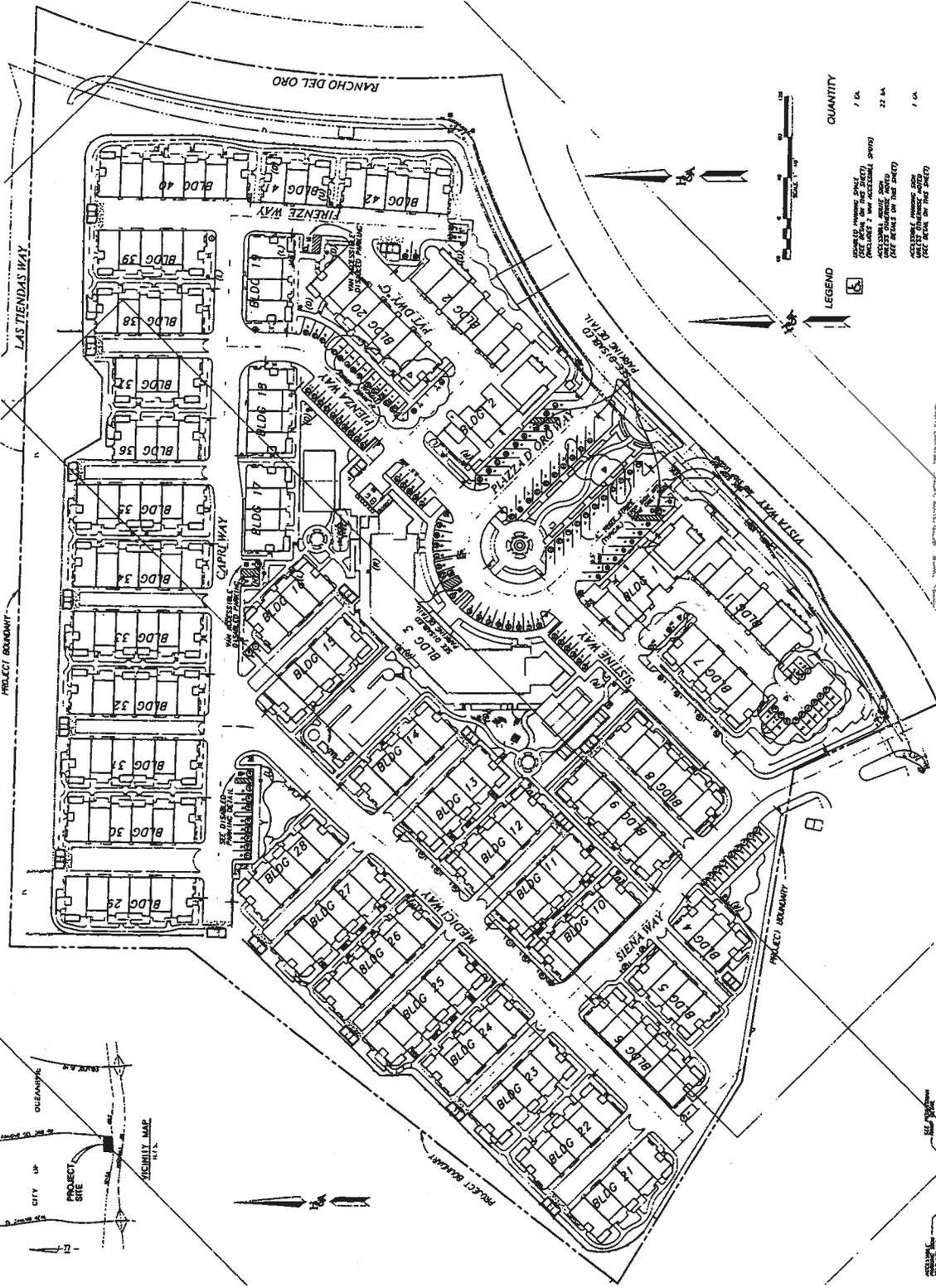
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ACCESSIBLE ROUTE SIGN DETAIL
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 FROM SET OF PLANS: 4



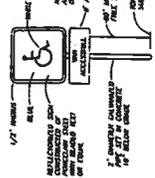
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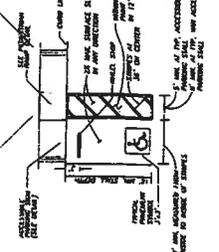
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DEVELOPMENT SERVICES



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 FROM SET OF PLANS: 1



ACCESSIBLE PARKING DETAIL
 FROM SET OF PLANS: 1
 FROM SET OF PLANS: 1

NO REVISIONS
 DATE: 08/11/11
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 DATE OF PREPARATION: 08/11/11
 PROJECT: PLAZA D'ORO

PREPARED BY:

SIGNING & STRIPING PLAN
PIAZZA D'ORO
 City of Oceanside

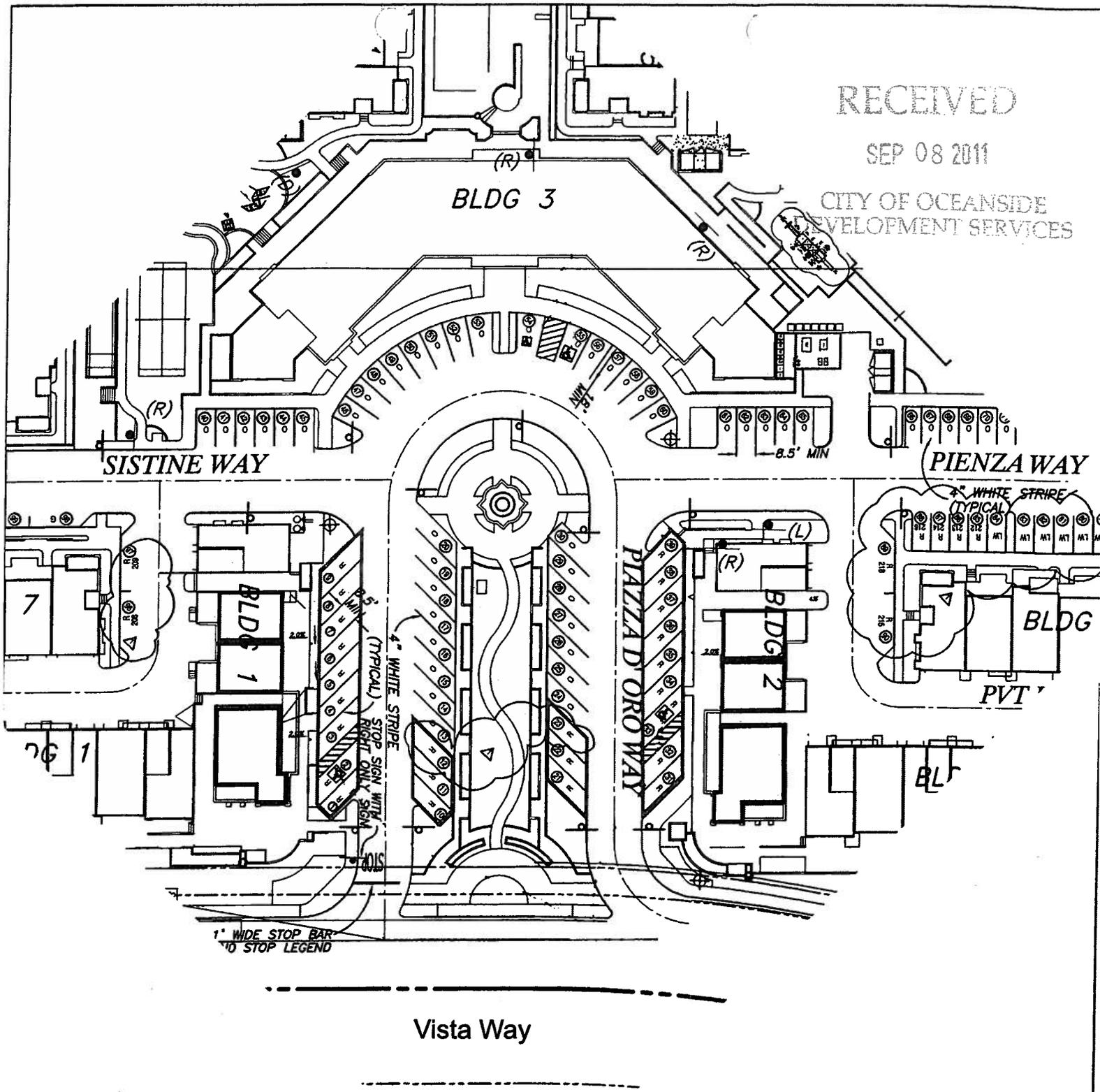
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SEP 08 2011

CITY OF OCEANSIDE
DEVELOPMENT SERVICES



Legend

-  Designated Retail Parking Spaces
-  First Floor Retail Suites

Source: excerpt from
Hunsaker Signing & Striping plan 6/24/08

NOT TO SCALE



RETAIL SUITES
& PARKING



PIAZZA D'ORO MIXED USE

LACIENT'S
Desert Gate Real Estate 1385
Piazza D'Oro 01/11/10 revision 01



Application for Discretionary Permit

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

Developer Deposit Account

ST USE ONLY

ACCEPTED

BY

9/8/11

SN
3
T.M.

Please Print Or Type All Information

HEARING

PART I - APPLICANT INFORMATION

GPA

1. APPLICANT

Little Italy Center LLC

2. STATUS

Building Owner

MASTER/SP.PLAN

ZONE CH.

3. ADDRESS

72-650 Fred Waring, Suite 110A
Palm Desert, CA 92260

4. PHONE / FAX / E-mail

760-341-8900
eddie@desertgaterealestate.com

TENT. MAP

PAR. MAP

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

The Lightfoot Planning Group attn: Ann Gunter

DEV. PL

D11-00011

C.U.P.

CU11-00020

6. ADDRESS

5750 Fleet Street, Suite 250
Carlsbad, CA 92008

7. PHONE / FAX / E-mail

(760) 692-1924 phone
ann@lightfootpg.com

VARIANCE

COASTAL

PART II - PROPERTY DESCRIPTION

O.H.P.A.C.

8. LOCATION

Retail buildings at Piazza D'Oro at 3400 and 3401 Piazza De Oro Way

9. SIZE

two 2694 sf bldgs within 14.1 ac property

10. GENERAL PLAN

Special Commercial

11. ZONING

CS-HO

12. LAND USE

Retail within
Mixed Use Project

13. ASSESSOR'S PARCEL NUMBER

165-362-31-37
165-362-28-69

14. LATITUDE

33.18

15. LONGITUDE

117.31

PART III - PROJECT DESCRIPTION

16. GENERAL PROJECT DESCRIPTION

Revise Mixed Use Plan to allow medical office uses within the retail buildings at Piazza D'Oro (Formerly Monarch Del Oro)

17. PROPOSED GENERAL PLAN

No Change

18. PROPOSED ZONING

No Change

19. PROPOSED LAND USE

Add medical office as permitted
use in retail bldgs.

20. NO. UNITS

N/A

21. DENSITY

N/A

22. BUILDING SIZE

No Change -2 exist bldgs
2,694 sf ea (5,388 sf total)

23. PARKING SPACES

No Change 24 spaces
assigned to retail

24. % LANDSCAPE

No Change

25. % LOT COVERAGE or FAR

No Change

PART IV - ATTACHMENTS

26. DESCRIPTION/JUSTIFICATION

27. LEGAL DESCRIPTION

28. TITLE REPORT

29. NOTIFICATION MAP & LABELS

30. ENVIRONMENTAL INFO FORM

31. PLOT PLANS

N/A 32. FLOOR PLANS AND ELEVATIONS

33. CERTIFICATION OF POSTING

34. OTHER (See attachment for required reports)

PART V - SIGNATURES

SIGNATURES FROM 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).

35. APPLICANT OR REPRESENTATIVE (Print):

Eddie Sanin

36. DATE

9/7/2011

37. OWNER (Print)

Little Italy Center LLC -- Eddie Sanin

38. DATE

9/7/2011

Sign:

Sign:

- I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTAND THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS.

- I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.

Piazza D'Oro
(formerly Monarch at Rancho Del Oro)
Mixed Use Plan Amendment
Description and Justification
September 2, 2011

This application is for an amendment to the Mixed Use Plan for the Piazza D'Oro to allow medical office uses within the retail building components of the project. The general plan and zoning designation of the property is Special Commercial-Highway Oriented, and the Mixed Use Plan was approved in 2004, with a minor amendment approved through substantial conformity in 2008. The overall property is approximately 14 acres at the northwest corner of Rancho Del Oro Road and Vista Way. There are commercial and residential uses within the property, which includes townhomes, live/work units, office and retail buildings. The 2 retail buildings front on Piazza De Oro Way, and this revision would allow medical office uses within these limited retail portions of the site.

No changes in the circulation patterns, parking location or allocation are proposed. Parking for the retail and office uses is assigned and restricted to those uses between 7am and 7pm, indicated with signage and pavement markings. A total of 24 parking spaces are allocated to the 2 retail buildings.

Medical office was originally restricted in the office and the retail buildings based on standard parking requirements for such uses. However, based on the actual size of the retail buildings, and the existing parking space allocation, some medical office can easily be accommodated within the retail building suites. This amendment to the Mixed Use Plan is proposed to allow for such uses in up to 50% of the retail building square footage. Medical office will remain limited within the project, and would not be permitted within the office building. The following table summarizes the retail and medical office parking requirements, showing there is existing capacity to allow for limited medical office uses.

<u>Use Category</u> <u>Parking Ratio</u>	<u>Original Design</u> <u>Required Spaces</u>	<u>Existing (as built)</u> <u>Required Spaces</u>	<u>Proposed</u> <u>Required Spaces</u>
Retail	5,882 sf	5,388 sf	2,694 sf (min.)
1space/250sf	24 spaces	22 spaces	11 spaces
Medical Office	-	-	2,694 sf (max.)
1 space/200 sf	-	-	13 spaces
Total Spaces Required	24	22	24
Total Spaces Provided	24	24	24

This project does not propose any physical change in the existing project, but seeks to add flexibility to the allowed uses to improve leasing opportunities and allow for added amenities for the residents. The proposed revisions in the Mixed Use Plan will provide updated use regulations for the retail buildings while maintaining parking ratios consistent with accepted rates.

RECEIVED

SEP 08 2011

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

**Monarch at Rancho Del Oro
Mixed-Use Plan
Residential/Commercial/Office**

**ADDENDUM
September 6, 2011
DRAFT**

This is an addendum to the Mixed Use Plan for Monarch at Rancho Del Oro dated August 25, 2004 with revisions dated May 28, 2008.

The Land Use Regulations of the Mixed Use Plan are modified as follows:

Medical/Dental uses are permitted on a limited basis within the retail space on the ground floor within Buildings 1 and 2 only. Such uses may occupy up to, but shall not exceed, 50% of the total square footage (2,694 of the total 5,388 square feet within Buildings 1 and 2). Medical/Dental uses remain prohibited within the Building 3 office spaces.

SC-31-08
appr 6/21/08

**MONARCH at
RANCHO DEL ORO**

**Mixed-Use Plan
Residential/Commercial/Office**

Revised May 28, 2008

APPLICABILITY

This Mixed-Use Plan shall apply to the 14.76 acres known as Monarch at Rancho Del Oro (Assessor's Parcel Number 165-362-05). This project is a mixed use development with residential, retail commercial and office land uses on the subject property which is designated as Special Commercial (SC) in the City of Oceanside General Plan and a zoning designation of Special Commercial- Highway Oriented (CS-HO). The Mixed-Use Plan (MUP) is consistent with the General Plan and is compatible with surrounding residential and commercial developments. Where there is a discrepancy between the provisions of the City of Oceanside Zoning Ordinance and regulations set forth in the Mixed-use Plan, the MUP shall prevail.

RESIDENTIAL UNIT TYPE REGULATIONS

The residential uses in the project shall comply with the intent of the High-Density Residential (RH) district as defined in Section 1010 of the Zoning Ordinance: "To provide opportunities for an intense form of residential development.... with relatively high and coverage at appropriate locations." Residential units in the project shall be in the form of three types of Multi-Unit Structures. The buildings located at the main project entrance, fronting on Vista Way, feature ground floor retail with a combination of live/work units and condominium units on the second floors. The remainder of the residential buildings consist of three story condominium buildings. Property development regulations are established by the Mixed-Use Plan. The residential and commercial portions of a live/work units will may be separately leased or rented by the owner of the unit. occupied by a tenant that will live upstairs and operate a business on the ground floor. All common area outside of the condominium and live/work units will be maintained by the owners association or the developer. the residential leasing manager.

OCCUPANCY OF UNIT

The residential units ~~will may~~ be available ~~to homeowners~~ for lease or for sale. All other uses, whether commercial, office or retail are available for lease. ~~The live/work has to be owner occupied and the commercial portion cannot be subleased.~~ In an effort to encourage occupancy of the commercial spaces, the residential and commercial portions of a live/work unit may be occupied either by two separate tenants or by the owner in one portion and a tenant in the other. In no case shall the garage be leased for commercial purposes. The garage must serve as required parking for the residential unit if it is intended to serve.

LAND USE REGULATIONS

The intent of designing Monarch at Rancho Del Oro is to provide a mixed-use community where residents live within a short walking distance to work and other commercial activities. The community was designed with vertically integrated commercial and residential uses. This is demonstrated by residences located above street-level commercial space and providing a clubhouse and office space within the same building. Both uses should be compatible and neither should create a nuisance for the residents or office users. A nuisance is defined as any interference (i.e., noise, odor, smoke) with the enjoyment and use of the property.

Retail spaces provided on the ground floor of Buildings 1 and 2 shall be limited to small-scale interior uses that are allowed within the CS-HO. Other uses permitted in Building 3 will be limited to clubhouse and leasing facilities to serve the residents, office, business and professional tenants in the areas designated for office uses.

Residential uses such as dwelling units or any type of residential care shall not be permitted on the ground floor, this includes *live/work quarters* as prescribed in Section 3035 of the Oceanside Zoning Ordinance. Recycling facilities and agricultural sales stands as set forth in Sections 3037 and 3038, respectively, in the Zoning Ordinance shall not be permitted on-site. In addition, adult businesses, animal sales and services, vehicle/equipment sales and services, visitor accommodations, and regulated uses as defined in Article 36 of the Zoning Ordinance are not permitted on the subject property. Outdoor facilities as prescribed in Section 3020 of the Zoning Ordinance shall not be permitted. Such uses include "coffee" and food carts, sidewalk cafes and outdoor food service, and temporary outdoor sales/activities. Leasing of office space for dental/medical use is prohibited. The parking area shall not be used under any circumstances to conduct a commercial use; the parking lot will be strictly used to park vehicles associated with the mixed-use development. Reference Article 4 for any use not defined in the MUP.

The following is the Land Use matrix for Monarch at Rancho Del Oro:

<i>Land Uses</i>	<i>Permitted</i>	<i>Prohibited</i>
Residential		
Group Residential		X
Live/Work Quarters		X
Public and Semipublic		
Club and Lodges		X
Religious Assembly		X
School, Private	X	
Transitional Housing		X
Commercial		
All regulated uses as identified in section 36 of the Zoning Ordinance		X
Animal Sales and Services		X
Artist Studios		X
Catering Services	X	
Coffee and Food Carts/Kiosks		X

<i>Land Uses (Cont.)</i>	<i>Permitted</i>	<i>Prohibited</i>
Communication Facilities		X
Eating and/or Drinking Establishments, Ltd.	X	
Laboratories		X
Marine Sales and Services		X
Medical/Dental Offices		X
Office Business and Professional	X	
Pawn Shops		X
Personal Services	X	
Recycling Facilities		X
Research and Development Services		X
Retail Sales, Ltd.	X	
Sidewalk Cafes and Outdoor Food Services		X
Swap Meets		X
Temporary Outdoor Sales/Activities		X
Travel Services	X	
Vehicle Equipment Sales and Services/Repairs		X
Visitor Accommodations		X
Industrial		
Industry, Custom		X
Industry, Light		X
Wholesale Distribution and Storage		X

DEVELOPMENT REGULATIONS

The project shall comply with the following development regulations. If a regulation is not specifically listed below, then the project shall conform to applicable Special Commercial district development regulations, RH district development regulations, and performance standards per Articles 11, 10, and 30 respectively of the Oceanside Zoning Ordinance.

Minimum Setbacks:

Building setbacks are measured from the property line; the front setback is measured from back of right-of-way. The criteria for standard setbacks is as follows:

Front	15 feet
Side	10 feet
Corner Side	10 feet
Rear	15 feet

Maximum Height:

The height of the buildings will be measured from the approved finished grade elevation. The criteria for maximum height of structures is as follows:

Condominium Buildings (Buildings 4 thru 42)	40 feet
Retail and Residential (Building 1)	45 feet
Retail and Residential (Building 2)	45 feet
Clubhouse and Office Building (Building 3)	50 feet*

* Under Section 3018 of the City of Oceanside Zoning Ordinance, structures such as towers, spires, flagpoles and other necessary mechanical appurtenances may exceed the maximum permitted height.

Architecture

This MUDP includes condominium unit plans, live/work units plans and retail and office space layout available for tenant improvements. See Exhibit A for architectural drawings. Any future modifications to these units must comply with the City's Substantial Conformity guidelines.

Storage

All residential units will have enclosed private garages assigned to each unit which shall provide storage.

Usable Open Space

The required minimum 300 square feet of usable open space per dwelling unit will be satisfied with common usable open space to be used by residents and, in some areas, by office workers as well as patrons of the commercial uses. This project would require a total of 66,300 square feet (300 square feet per 221 units) of total usable open space required for residential-only projects. Monarch at Rancho Del Oro has a total of 115,058 square feet of useable open space.

Private Usable Open Space (private decks and balconies)

The project provides several active and passive recreational areas throughout the site that exceed the amount of minimum usable open space required. The condominium buildings will have individual private decks and porches which meet the minimum dimensions of private usable open space based on the definition provided in the Zoning Ordinance. Monarch at Rancho Del Oro has a total of 29,186 square feet of decks, balconies and enlarged patios.

Common Usable Open Space

Passive and active common recreation areas with a total of approximately 106,881 square feet of common usable open space is provided within this project. This exceeds the 33,150 square feet of common usable open space (150 square feet per 221 units) required for residential-only projects. The featured open space area of the mixed-use community is the Village Green which can be described as a long rectangular lawn area with a raised planted complete with an overhead trellis along the length of each side. The Village Green has an area of approximately 10,971 square feet located along the main project entrance. The Reception, a passive recreation area, is located in front of the Clubhouse and features benches and landscaping. The Oasis is a 48,913 square feet active recreation area located between Buildings 14 and 15, and includes a swimming pool, spa, a generous sun deck and BBQ. Two common areas associated with the Oasis located southwest and northeast of the Clubhouse feature active recreational amenities such as a bocce ball court, a paddle tennis court, a volleyball court along with tot lots, benches and picnic tables. The Kid's Corner is an active recreation area located directly south of Building 31 and includes a tot lot, playground equipment, bench seating, terraced levels, boulder and other natural elements for children to play on. Additional passive recreation areas are located through out the project by means of pedestrian paseos and other lush landscaped area.

One of the major recreational elements of the site plan includes the clubhouse facility. The clubhouse will consist of a theater room, the mail room, a gourmet teaching kitchen, the main clubroom, a fitness room and offices for residential and commercial management. The theater room will consist of a screen and theater seating and will be available for use by all tenants through reservations with the on-site property manager. There will be weekly movie events as well as movies that can be rented through the manager. The theater room will be available to the office and retail tenants for employee training, sales presentations or meetings.

Landscaping

Usable open space requirements as set forth in Section 1050 (Q) of the Zoning Ordinance shall provide the minimum site landscaping requirements for this project. The 15% landscaping requirement for projects in commercial zoning districts will be satisfied with the usable open space requirements as noted above. Landscaping shall be in accordance with the approved Conceptual Landscape Plan (see Exhibit B). These areas will be maintained by the on-site property management.

Vehicular Access

Private driveway aisle surfaces and related structures shall be maintained by on-site property management. Private driveway aisle widths vary through out the site while maintaining a minimum of 24 feet and a maximum of 34 feet wide. A 34 wide private driveway is designed to provide fire access to the area of the site between Buildings 29 and 30 A fire truck hammer-head turn-around will be constructed for this fire access drive aisle located directly south of Building 29.

Parking

One covered parking space shall be provided per residential unit. The covered off-street parking will consist of 430 direct access garages, of which 402 are within the freestanding condominium buildings and 28 garage spaces within the rear of the commercial/residential Buildings 1 and 2. Off-street parking to serve commercial and office uses on-site shall be provided at one parking space per 250 square feet of the commercial retail use and 300 square feet of the office use; these parking spaces shall also serve as additional parking for residential tenants and guests during non-working hours.

The parking for this project has been designed utilizing the shared parking concept where different uses on the same site have different hours of operation and the same parking spaces can serve all the uses without conflict. If each use were to stand alone (not part of a mixed-use development), the total number of parking spaces would be 577. Due to the nature of a mixed-use development, shared parking is utilized among the live/work retail and live/work guest parking spaces as permitted in Section 3105 of the Zoning Ordinance. Monarch at Rancho Del Oro will provide a total of 573 parking spaces. Refer to the *Parking Requirements* for the full shared parking analysis.

Lighting located in the parking area shall not be directed into residential units, but designed so that light is limited to the parking area and adjacent driveway aisles within the project.

Fences and Walls

The perimeter will be secured with a tubular steel fence where appropriate. Site retaining walls over 4 feet in height will be planted and irrigated. The site design constraints require some perimeter retaining walls to exceed 6 feet in height, reaching a maximum height of approximately 20 feet in some sections. Internal fences located through out the site boundary and other locations consist of 5-foot high wrought iron. Maintenance of fences/walls will be the responsibility of the on-site property management.

Outdoor Facilities

All proposed outdoor facilities shall comply with regulations under Section 3020 of the Zoning Ordinance. The following outdoor facilities as prescribed in this Section will not be permitted: outdoor storage and display of merchandise, materials or equipment, and outdoor storage containers.

Solid Waste/Recyclable Material Storage Areas

Trash enclosures containing a refuse and recycling bin shall be provided throughout the site to serve the residential and commercial uses on-site. Supplementary recycling storage will be provided in two designated areas within the site to serve the residential use on-site. The general design of the trash enclosures and recycling storage areas shall comply with Section 3022 of the Zoning Ordinance.

Signage

Monarch Del Oro will be subject to applicable sign regulations as set forth in Article 33 of the Zoning Ordinance and in conformance with an approved Comprehensive Sign Program for this project.

OTPC, LLC

12651 High Bluff Drive, Suite 250 San Diego, California 92130

September 27, 2011

Richard Greenbauer
Senior Planner
City of Oceanside Planning Division
300 N. Coast Highway
Oceanside, CA 92054

Dear Mr. Greenbauer:

I am writing this letter in response to your Notice of Application for Project Number D11-00011/CUP11-00020- Piazza D'Oro Revision. It is my opinion that medical office uses should be concentrated on sites already zoned for this purpose and I therefore do not support the amendment of the Mixed Use Development Plan referenced in the Notice. I can be reached at (858) 350-0200, extension 204 to discuss.

Sincerely,



Ronald D. McMahon
OTPC, LLC

**Piazza D'Oro
Legal Description
for
Monarch at Rancho Del Oro
Mixed Use Plan Amendment**

3400 PIAZZA DE ORO WAY

A CONDOMINIUM COMPRISED OF:

PARCEL A:

AN UNDIVIDED FEE SIMPLE INTEREST AS A TENANT IN COMMON IN AND TO COMMON AREA OF THE MODULE IN WHICH THE UNIT DESCRIBED IN PARCEL B BELOW IS LOCATED EQUAL TO THE RECIPROCAL OF THE NUMBER OF UNITS LOCATED WITHIN SUCH MODULE, AS SHOWN ON THE SECOND SUPERSEDING CONDOMINIUM PLAN FOR PIAZZA D'ORO COMMUNITY ASSOCIATION, INC., RECORDED AS DOCUMENT NO. 2010-0659012 AND ANY AMENDMENTS OR SUPPLEMENTS THERETO (COLLECTIVELY "CONDOMINIUM PLAN"), ALL OF WHICH REAL PROPERTY IS A PROTION OF LOT 1 OF PIAZZA D'ORO IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 15438, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON SEPTEMBER 20, 2006, AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED AUGUST 19, 2009, AS INSRUCMENT NO. 2009-0463720, IN THE OFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA ("MAP").

PARCEL B:

RETAIL UNIT NUMBER 223, AS DEPICTED ON THE CONDOMINIUM PLAN, AND AS FURTHER DEFINED IN THE DECLARATION.

PARCEL C:

EXCLUSIVE USE EASEMENTS AN/OR EXCLUSIVE USE PROPERTY, IF ANY, AS WELL AS ANY EXCLUSIVE USE RIGHTS APPURTENANT TO PARCEL B AS DEPICTED ON THE CONDOMINIUM PLAN OR DESCRIBED AS SUCH IN THE DECLARATION, INCLUDING, WITHOUT LIMITATION, THE BALCONY, PORCH, OR PORCH/COURTYARD AS SO DESIGNATED ON THE CONDOMINIUM PLAN WITH THE RIGHT TO GRANT OR ASIGN THE SAME TO OTHERS AS DESCRIBED IN THE DECLARATION.

PARCEL D:

NONEXCLUSIVE EASEMENTS, IF ANY, APPURTENANT TO PARCELS A AND B FOR ACCESS, INGRESS, EGRESS, ENCROACHMENT, MAINTENANCE, REPAIR, DRAINAGE, SUPPORT AND FOR SUCH OTHER PURPOSES AS DESCRIBED IN THE DECLARATION.

APN 165-362-28-69

3401 PIAZZA DE ORO WAY

A CONDOMINIUM COMPRISED OF:

PARCEL A:

AN UNDIVIDED FEE SIMPLE INTEREST AS A TENANT IN COMMON IN AND TO COMMON AREA OF THE MODULE IN WHICH THE UNIT DESCRIBED IN PARCEL B BELOW IS LOCATED EQUAL TO THE RECIPROCAL OF THE NUMBER OF UNITS LOCATED WITHIN SUCH MODULE, AS SHOWN ON THE SECOND SUPERSEDING CONDOMINIUM PLAN FOR PIAZZA D'ORO COMMUNITY ASSOCIATION, INC., RECORDED AS DOCUMENT NO. 2010-0659012 AND ANY AMENDMENTS OR SUPPLEMENTS THERETO (COLLECTIVELY "CONDOMINIUM PLAN"), ALL OF WHICH REAL PROPERTY IS A PROTION OF LOT 1 OF PIAZZA D'ORO IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 15438, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON SEPTEMBER 20, 2006, AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED AUGUST 19, 2009, AS INSRUCMENT NO. 2009-0463720, IN THE OFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA ("MAP").

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APN 165-362-31-37