



DATE: April 23, 2012

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF DEVELOPMENT PLAN (D12-00001)/REGULAR COASTAL PERMIT (RC12-00001), DEVELOPMENT PLAN D12-00002)/REGULAR COASTAL PERMIT (RC12-00002) AND DEVELOPMENT PLAN (D12-00003)/REGULAR COASTAL PERMIT (RC12-00003) TO ALLOW THE CONVERSION OF THREE EXISTING SINGLE-FAMILY HOMES TO DUPLEXES WITH THE ADDITION OF 1,409 SQUARE FEET OF HABITABLE SPACE AND A NEW THIRD STORY ON EACH DUPLEX BUILDING AT 811, 813 AND 815 SOUTH PACIFIC STREET – SOUTH PACIFIC DUPLEX CONVERSIONS – APPLICANTS: REVX PACIFIC NORTH LLC; REVX PACIFIC SOUTH LLC; STEVE LOOMIS**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Approve Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001), Development Plan (D12-00002)/Regular Coastal Permit (RC12-00002) and Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) by adopting Planning Commission Resolution Nos. 2012-P15, 2012-P16, and 2012-P17.

PROJECT DESCRIPTION AND BACKGROUND

Background: Situated within the Coastal Zone and the Townsite Neighborhood Planning Area, the subject properties comprise three contiguous beachfront lots, each measuring 25 feet in width and 130 feet in depth. Each lot is presently developed with a 4,501-square foot single-family home. Comprised of two stories over a daylight basement, each residence includes nine bedrooms and nine bathrooms. Each residence is served by four enclosed parking spaces, configured as two pairs of tandem stalls. All three of these homes were approved in March 2005 under the provisions of the then-applicable 1992 Zoning Ordinance. The existing tandem parking configuration required approval of a

Variance, as the parking standards of the 1992 Zoning Ordinance require that single-family homes comprised of more than 2,500 square feet of habitable space furnish three independently-accessible enclosed parking spaces.

Since their construction, these homes have functioned as vacation rental properties. In the spring of 2011, the City was made aware that the homes had been converted to duplexes, allowing the basement level of each residence to serve as a separate rental unit independent of the first and second-story floor area. In response to code enforcement action, the property owners have removed unpermitted cooking facilities, removed door signage indicating multiple dwelling units in each structure, and made other changes necessary to reestablish the existing buildings as single-family residences.

The current proposal is subject to the City's General Plan, Local Coastal Program and 1986 Zoning Ordinance, which was formally reinstated for Coastal Zone properties outside of the Downtown Redevelopment Area in May 2009.

On November 7, 2011, the Planning Commission unanimously approved proposals identical to those that are the subject of this staff report – i.e., the conversion of the three existing single-family homes to duplexes, with the addition of 1,409 square feet of enclosed habitable space and a new third story on each duplex building. The Planning Commission's approval was appealed by representatives of property owners at 901 South Pacific Street – a three-story condominium complex with a semi-subterranean parking garage. Among its 25 points of contention, the appeal established that the proposal required approval of a Development Plan as well as issuance of a Regular Coastal Permit. Upon further analysis of the 1986 Zoning Ordinance, staff determined that, indeed, within the R-T zoning district, residential projects involving two or more dwelling units require approval of a Development Plan (in addition to a Regular Coastal Permit). To address this requirement for an additional entitlement, the applicant chose to withdraw the original application and formally re-apply for both Regular Coastal Permit and Development Plan approval.

On March 26, 2011, the Planning Commission unanimously approved the same proposals previously reviewed and approved in November 2011. Subsequent to this second public hearing on the proposed projects, staff determined that required mailed notification of property owners and residents in proximity to the three project sites had not been conducted. To ensure that stakeholders within the legally-prescribed notification radius are apprised of the proposals and afforded the opportunity to comment upon them, staff scheduled the proposals for a third public hearing and implemented the required notification process. The Planning Commission is thus obligated to review and render a formal decision on the proposals a third time.

Site Review: Per the 1986 Zoning Ordinance, the subject properties bear a zoning designation of Residential-Tourist (R-T). The subject properties have a land use designation of Urban High-Density Residential (UHD-R). These designations provide for single and multi-family residential uses serving both residents and visitors. The subject properties abut multi-family development to the north and south, bungalow-style

apartments to the east and the Pacific Ocean to the west. The legal nonconforming 25' x 130' dimensions of each lot are typical of beachfront properties south of Wisconsin Avenue. The properties occupy a portion of coastal bluff that descends approximately 10 vertical feet from South Pacific Street to the beach immediately inland of the revetment.

Like other properties in the 800 Block of South Pacific Street, the subject sites were excavated to allow beach-level habitable space (defined as basement) to extend eastward to the front yard setback. Beach-level development on the subject sites has little to no visibility from South Pacific Street, depending upon one's vantage point within the public right-of-way.

All three of the existing residences are situated six inches from the front property line, in accordance with the blockface averaging provisions of the 1992 Zoning Ordinance. All three homes maintain three-foot side yard setbacks, and all three homes extend westward to the coastal stringline, which is approximately 15 feet inland of the rear property line. The homes achieve lot coverage of 63 percent, where 40 percent lot coverage is the maximum allowed for single-family development under the now-applicable 1986 Zoning Ordinance.

The existing residences exhibit a similar architecture, with each presenting a different roof configuration; one residence displays a gabled roof on the front elevation; another displays a rounded barrel roof; and another displays a shed roof. The front elevations of the residences are further distinguished by different second-story window configurations. The rear elevations are essentially identical, featuring extensive fenestration at the basement and street levels and substantially recessed second stories that provide for open deck areas to the west.

Photographs of existing site conditions are attached to this staff report as Exhibit 2.

Project Description: The applicants seek to convert the existing single-family residences to duplexes. The proposed conversions would be achieved by reconfiguring primary entrances and stairwells such that habitable space at the beach and street levels of each structure would be segregated from habitable space above street level.

As part of the proposed conversions, the applicants seek to enclose much of the open deck area on the existing second story, while adding an entirely new third story. As proposed, the conversions would add 546 square feet of habitable space to the existing second story and an additional 825 square feet of habitable space on the new third story. The existing second story would be extended westward another 29 feet, bringing it to within eight feet of the rear building line at the street level. The expanded portions of the second story would accommodate a great room and a kitchen. The remaining eight feet above the street level would serve as open deck area. The new third story would extend westward of an existing roof projection that serves as a stair enclosure and storage space. The western extent of the new third story would come to within eight feet of the rear building line of the second story, with the remaining eight feet above the second story utilized as open deck area. Habitable space on the third story would consist of a game room and two bathrooms.

The basement and street levels of each structure would function as one independent unit, with the second and third stories serving as a second independent unit. The lower unit would include five bedrooms and five bathrooms. The upper unit would include four bedrooms and six bathrooms.

The proposed project would not alter the existing parking configuration; each structure would continue to be served by four enclosed parking spaces, arranged as two pairs of tandem stalls. While the space within the existing garage would not be partitioned, each pair of tandem stalls would be assigned to a specific unit.

Exterior wall finishes, roof materials and window products associated with the proposed additions would match those of the existing structures: exterior walls would be finished with sand float stucco; new roof elements would be finished with natural slate tile; and new windows would be composed of dual-paned glass in vinyl frames.

The proposed project would not alter existing hardscape, landscape or other exterior features.

Upon conversion, the duplex structures are expected to continue to serve as vacation rentals, though each unit could also function as a long-term rental or an owner-occupied residence.

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

1. General Plan Land Use Element
2. 1986 Zoning Ordinance
3. Local Coastal Program
4. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan

The General Plan Land Use Map designation for the subject property is Urban High Density Residential (UHD-R). The proposed project is consistent with this land use designation as well as the goals and objectives of the City's General Plan, as follows:

A. Land Use Element

Goal 1.23: Architecture

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

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

It is staff's position that the proposed project would maintain the architectural integrity of the existing structures, both in terms of building form and finish materials. As viewed from South Pacific Street, the structures would read essentially as they do now, given that the proposed additions would be more than 42 feet removed from the front property line and largely screened by existing development.

As measured from street grade, the proposed duplexes would be only 18 inches taller than the existing single-family homes, which are roughly 22 feet above the street at the front building line and roughly 28.5 feet above the street at their highest point (48 feet removed from the front property line). As viewed from the beach, the tallest elements of the proposed duplexes would be situated 15 feet eastward of the coastal stringline (30 feet from the rear property line). It is staff's position that the terraced design of the proposed duplexes would mitigate potential massing impacts on both South Pacific Street and the public beach areas to the west. The proposed additions would have the most significant massing impacts on the adjacent properties to the north and south, which are managed by the same vacation rental company.

Goal 1.32: Coastal Zone

Objective: To provide for the conservation of the City's coastal resources and fulfill the requirements of the California Coastal Act of 1976.

Policy A: The City shall utilize the certified Local Coastal Plan for review of all proposed projects within the Coastal Zone. Specifically, the goals and policies of the Local Coastal Program Land Use Plan are the guiding policy review document.

The proposed project has been reviewed by staff for compliance with the policies of the Local Coastal Program (LCP). Staff finds that the application complies with applicable policies of the LCP, as follows:

Adequate access to and along the coast shall be provided and maintained.

Proposals that constitute multi-family development or involve at least 70 feet of street frontage are required to dedicate and construct public access to the beach when such access is not already present within 250 feet of the proposed project. With each lot maintaining only 25 feet of street frontage, the proposed projects are not subject to this public beach access requirement. Furthermore, existing public beach access is located within 250 feet of all three properties, at Wisconsin Avenue to the north and Hayes Street to the south.

The City shall maintain existing view corridors through public rights-of-way.

Located on interior lots substantially removed from existing public view corridors at Wisconsin Avenue and Hayes Street, the proposed projects would not impact any existing public view corridors. Existing ocean views within the required side yard setback areas would be maintained.

The City shall ensure that all new development is compatible in height, scale, color and form with the surrounding neighborhood.

The proposed improvements would be consistent with existing development on the west side of the 800 Block of South Pacific Street, in terms of both architecture and site design. Neighborhood compatibility would be achieved by situating additional building height away from the public right-of-way, thereby reducing potential massing impacts and maintaining the terraced design characteristic of the rear elevations of existing beachfront development in the immediate area.

New development shall utilize optimum landscaping to accent and enhance desirable site characteristics and architectural features.

As evidenced by existing development along South Pacific Street between Wisconsin Avenue and the City's southern boundary, front yard landscaping is highly constrained by the narrowness of the typical lot, which often affords only enough width for driveways and pedestrian access. Such is the case with the subject properties. Additional landscaping at the street frontage would further compromise pedestrian circulation along the west side of South Pacific Street, which is already made difficult by the absence of sidewalk. For this reason, staff is not recommending that additional landscaping be required in conjunction with the proposed projects.

The City shall require that all new residential development provides adequate on-site parking.

Duplex development on each of the subject properties is required to provide three enclosed parking spaces (1.5 spaces per unit), with no requirement that all of these spaces be side-by-side or independently accessible. Each proposed duplex would be served by the existing four-vehicle garage, where parking is configured as two pairs of tandem stalls. The existing four-vehicle garage on each property would thus supply one more stall than is minimally required under current parking standards. However, as shown on the proposed plans, the garages are not presently of sufficient dimension to provide the requisite 9' x 20' clear space for each of the four parking stalls.

Consequently, staff has included a condition of approval that requires that western portions of the garages be redesigned to accommodate a minimum clear space depth of 40 feet from the garage doors to the walls that separate the garages from adjacent habitable spaces. Staff has consulted with the applicant to verify that this condition can be met with relatively minor changes to the orientation of walls and doorways.

The proposed projects would not impact on-street parking resources in the immediate area, as existing driveway curb-cuts would be maintained at their current dimensions.

Beachfront development shall provide a report prepared by a licensed civil engineer or geologist experienced in coastal processes [stating] that development as proposed will not be imperiled by erosion during the expected life of the structure.

In conjunction with the review and approval of the existing single-family residences, the applicant provided geotechnical analysis and wave run-up studies demonstrating that the residences would not be threatened by erosion or wave action. As the proposed duplex conversions and associated additions would not expand the footprints of the existing single-family residences, City staff required only that the applicant demonstrate that existing geologic conditions are capable of supporting the increased structural load that would be occasioned by the proposed additions. Such assurances were provided by a licensed civil engineer in written correspondence to City staff.

2. Zoning Compliance

As noted above, the proposed project is subject to the standards of the 1986 Zoning Ordinance, which was reinstated for properties in those portions of the Coastal Zone located outside of the Downtown Redevelopment Area. The 1986 Zoning Ordinance identifies both multi-family residences and vacation rentals as land uses permitted within the R-T (Residential-Tourist) Zone. Staff finds that the proposed project complies with all applicable development standards for the R-T Zone, including the reduced front yard setback allowed through calculation of a stringline that accounts for the front yard setbacks of existing structures on abutting sites. Per the stringline provision, the minimum required front yard setback for the subject properties is roughly two feet less restrictive than the front yard setback now maintained by the existing single-family homes.

The following table illustrates the proposal’s conformance to R-T development standards:

Table 1: Development Standards

	REQUIRED	PROPOSED
MINIMUM FRONT YARD	2 feet, 3 inches ¹	4 feet (No change)
MINIMUM SIDE YARD	3 feet	3 feet
MINIMUM REAR YARD	Coastal stringline	Coastal stringline
MAXIMUM HEIGHT	35 feet above average finished grade	35 feet above average finished grade
MINIMUM PARKING SPACES	3	4

¹ As established by the stringline calculation methodology outlined in Zoning Ordinance Section 1716.

² While Zoning Ordinance Section 1723 requires that primary entrances facing side yards maintain a minimum setback of 10 feet from side yard property lines, Section 3204(1) allows for reduced setbacks when they are deemed to be architecturally compatible with development on adjacent parcels. Given the narrowness of beachfront lots on South Pacific Street, side-facing primary entrances are common. The vast majority of these side-facing primary entrances maintain side yard setbacks of substantially less than 10 feet.

As noted in the table above, the proposed duplexes would rise to the maximum allowable building height of 35 feet above average finished grade. For a depth of 48 feet westward of the front building line, the height of the proposed duplexes would not exceed that of the existing single-family homes (i.e. 22.5 feet above street grade).

Furthermore, only at a point nearly 70 feet removed from the front building line would the proposed duplexes achieve an actual profile of 35 feet relative to adjacent grade (rising to as much as 40 feet above adjacent grade at a point roughly 82 feet removed from the front building line). On the rear elevation, the proposed duplexes would be terraced back at the third and fourth levels above the beach, incorporating open deck areas and pitched roof elements to reduce massing impacts.

While applicable R-T development standards allow for certain ancillary features (e.g. parapet walls, stair and elevator enclosures, architectural elements, chimneys) to project above the 35-foot height maximum, the proposed duplexes would not include any such height projections.

Under an exemption granted to properties with total lot area of less than 7,500 square feet, duplexes on the subject sites require a total of three parking spaces (1.5 spaces per unit). As noted earlier, each duplex building would furnish four parking spaces, in a tandem configuration. The 1986 Zoning Ordinance does not prohibit tandem parking for residential uses other than single-family detached homes.

Garbage and recyclable bins for the existing single-family homes are currently stored within the garage of each residence. The applicant intends to continue to maintain these receptacles within the garages, utilizing the clear space that lies beyond the required parking areas. With reconfiguration of the interior clear space of each garage, as discussed in a subsequent section of this staff report, additional clear space would be afforded for storage of garbage and recyclable materials. Being stored indoors, the garbage and recyclable bins would not be subject to screening and containment requirements applicable to receptacles located outdoors.

DISCUSSION

Issue: Project compatibility with the existing neighborhood and surrounding properties: Is the proposed conversion of single-family homes to duplexes consistent with the existing pattern of beachfront land use and development along the 800 Block of South Pacific Street?

Recommendation: The proposed duplexes would provide for tourist-serving facilities in keeping with the purpose and intent of the Residential-Tourist zoning designation. The proposed duplexes would be compatible in bulk and scale with the surrounding built environment, as established in previous sections of this staff report.

Issue: Project consistency with development standards of the 1986 Zoning Ordinance: Do the proposed residences conform to the setback, height, parking and landscaping requirements of the R-T zone?

Recommendation: The proposed duplexes would be consistent with all applicable R-T development standards, with the exception of landscape requirements specified in Zoning Ordinance Section 1731. Because virtually all of the front and side yard setback areas must be utilized for pedestrian circulation and vehicular access, it is not possible to meet the codified requirement that a minimum of 60 percent of required front and side yard setback areas be landscaped. Furthermore, underground utilities at the street frontage make it impossible to install tree species or deep-rooted shrubbery in the small triangular planter areas that now lie between the existing driveways. Staff thus sees no practical way to augment the existing landscape on the subject properties.

Issue: Appropriate definition and calculation of "basement":

Do the respective beach levels of the three existing residences qualify as basements under the definition thereof in the 1986 Zoning Ordinance?

Recommendation: In written correspondence provided to the Planning Division, an attorney representing property owners at 901 South Pacific Street has argued that the beach level of the three existing residences does not qualify as a basement under the definition thereof in the 1986 Zoning Ordinance, which reads as follows: "...that portion of a building between floor and ceiling which is partly above and partly below ground but so located that the vertical distance from grade to the floor below is [more] than the vertical distance from grade to ceiling." It is the attorney's contention that this definition precludes daylighted basements, given that portions of daylighted basements are wholly above-ground.

Staff can find no evidence that such a restrictive interpretation of "basement" has ever been applied in Oceanside, where many residential buildings include daylighted basements. Were the City to adopt such a restrictive interpretation, a substantial percentage of beachfront development south of Wisconsin Street would be rendered inconsistent with current zoning standards – including the three-story condominium at 901 South Pacific Street. In the context of the basement definition found in the 1986 Code, the Planning Division views the terms "ground" and "grade" to be interchangeable, with both referring to the average of the finished ground level at the center of all walls of a building. In the absence of any definition of "ground" in the 1986 Code, and in light of the prevalence of daylighted basements on beachfront properties, the Planning Division finds it appropriate to continue to interpret "ground" and "grade" as being synonymous in the context of the definition of "basement" in the 1986 Code.

The attorney representing property owners at 901 South Pacific Street further argues that, for the purposes of defining the respective beach levels of the three structures as basements, the applicant has applied inaccurate grade elevations in the calculation of average finished grade. In response to this complaint, staff required the applicant to provide topographic survey data from a licensed surveyor that confirms the grade elevations used to determine average finished grade. Appended to this staff report as

Attachment 3 is a topographic exhibit, stamped and signed by licensed surveyor David Jolly, which shows the grade elevations at the center of all walls of the three existing residences. When average finished grade for each property is calculated from these grade elevations, the respective beach levels of the three existing residences qualify as basements per the definition thereof in the 1986 Zoning Ordinance.

ENVIRONMENTAL DETERMINATION

The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and State Guidelines thereto (Section 15303(b)) and found to qualify for a Class 3 categorical exemption (New Construction or Conversion of Small Structures), as it involves the construction of a duplex or similar multi-family residential structure, totaling no more than four dwelling units

PUBLIC NOTIFICATION

Ten days in advance of the Planning Commission public hearing on the proposal, legal notice was published in the North County Times and notices were sent to occupants and property owners of record within a 300-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant, and other interested parties.

SUMMARY

Development Plan (D12-00001)/Regular Coastal Permit (RC11-00001), Development Plan (D12-00002)/Regular Coastal Permit (RC12-00002), Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) are consistent with the requirements of the Zoning Ordinance, the land use policies of the General Plan and the policies of the Local Coastal Program, which encourage visitor-serving uses in the surrounding R-T zoning district. The proposed projects meet all applicable development standards for the surrounding R-T zoning district. The scale and architecture of the proposed projects would comport with the surrounding neighborhood, avoid adverse massing impacts, and preserve existing public views of the ocean or coastline. Accordingly, staff recommends that the Planning Commission approve the proposals subject to the conditions contained in the attached resolutions. Staff recommends that the Planning Commission:

- Confirm issuance of Class 3 Categorical Exemption for New Construction or Conversion of Small Structures, pursuant to CEQA Guidelines Section 153030(b).

- Move to approve Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001), Development Plan (D12-00002)/Regular Coastal Permit (RC12-00002) and Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) and adopt Planning Commission Resolution Nos. 2012-P, 2012-P and 2012-P as attached.

PREPARED BY:



Russ Cunningham
Senior Planner

SUBMITTED BY:



Jerry Hittleman
City Planner

JH/RC/fil

Attachments:

1. Planning Commission Resolution Nos. 2012-P15, 2012-P16 and 2012-P17
2. Plans
3. Topographic Survey Data
4. Renderings
5. Letter from Erik L. Schraner, Esq.

1 PLANNING COMMISSION
2 RESOLUTION NO. 2012-P15

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

7 APPLICATION NO: D12-00001/RC12-00001
8 APPLICANT: REVX Pacific South, LLC
9 LOCATION: 815 South Pacific Street
APN 150-356-16-00

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 Regular Coastal Permit under the provisions of the
14 City of Oceanside Local Coastal Program and 1986 Zoning Ordinance to permit the following:

15 conversion of an existing single-family residence to a duplex, with the addition of 1,409
16 square feet of new habitable space and a new third story;

17 on certain real property described in the project description.

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

21 WHEREAS, the Planning Commission did unanimously approve said proposal through
22 the issuance of a Regular Coastal Permit; and

23 WHEREAS, following the timely appeal of the Regular Coastal Permit, the Planning
24 Division determined that said proposal requires approval of a Development Plan, in addition to a
Regular Coastal Permit; and

25 WHEREAS, on the 20th day of December 2011, the applicant did withdraw said project;
26 and

27 WHEREAS, on the 20th day of January 2012, said proposal was resubmitted to the
28 Planning Division for review and approval of both a Regular Coastal Permit and Development
29 Plan; and

1 WHEREAS, the Planning Commission did on the 26th day of March 2012 conduct a
2 public hearing to consider said proposal; and

3 WHEREAS, the Planning Commission did on the 26th day of March 2012 unanimously
4 approve said proposal; and

5 WHEREAS, the Planning Division subsequently determined that required mailed
6 notification of property owners and occupants within the legally-prescribed notification radii had
7 not been conducted for the public hearing held on the 26th day of March 2012, thus necessitating
8 another duly advertised public hearing on said proposal; and

9 WHEREAS, the Planning Commission, after giving the required notice, did on the 23rd
10 day of April 2012 conduct a duly advertised public hearing as prescribed by law to consider
11 said proposal; and

12 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
13 Guidelines thereto (Section 15303(b)); this project qualifies for a Class 3 categorical exemption
14 (New Construction or Conversion of Small Structures), as it involves the construction of a
15 duplex or similar multi-family residential structure, totaling no more than four dwelling units;

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit.
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre).
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential.
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential.
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip.

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Thoroughfare Fee (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG).
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$4,597 per unit.
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$6,313 per unit.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,326 per unit.

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

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;

1 WHEREAS, this resolution becomes effective 10 days from its adoption in the absence of
2 the filing of an appeal or call for review;

3 WHEREAS, the documents or other material which constitute the record of
4 proceedings upon which the decision is based will be maintained by the City of Oceanside
5 Planning Division, 300 North Coast Highway, Oceanside, California 92054.

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

8 FINDINGS:

9 For the Development Plan (D12-00001) to allow conversion of an existing single-family
10 residence to a duplex with the addition of 1,409 square feet of new habitable space comprising
11 a new third story:

- 12 1. The approval of the proposed duplex conversion and associated addition will be subject
13 to conditions that, in view of the size and shape of the parcel and the present zoning and
14 use of the subject property, provide the same degree of protection to adjoining
15 properties, including protection from unreasonable interference with the use and
16 enjoyment of said properties, depreciation of property values, and any potentially
17 adverse impacts on the public peace, health, safety and welfare.
- 18 2. The application for Development Plan approval has been processed in a manner
19 consistent with Article 21 of the 1986 Zoning Ordinance (Procedures, Hearings, Notices
20 and Fees).

21 For the Regular Coastal Permit (RC12-00001) to allow conversion of an existing single-family
22 residence to a duplex with the addition of 1,409 square feet of new habitable space comprising
23 a new third story:

- 24 1. The proposed duplex conversion conforms to the policies of the Local Coastal Program
25 (LCP), including those pertinent to coastal access (Article 2), recreation (Article 3),
26 land resources (Article 5) and development (Article 6), in that it:
 - 27 • Does not interfere with the public's right to access to the coastline and ocean,
28 given that dedicated public access ways exist within 250 feet of the subject site;
 - 29 • Provides for recreational use of private oceanfront land;
 - Does not impact environmentally sensitive habitat area or prime agricultural
land;

- 1 • Occurs in an already-developed area with adequate public services;
- 2 • Protects views to and along the ocean;
- 3 • Is visually compatible with the character of surrounding areas.

4 2. The project site, at 815 South Pacific Street, is situated within the Appeal Area of the
5 Coastal Zone and conforms to the public access and recreation policies of Chapter 3 of
6 the Coastal Act. The entire 800 Block of South Pacific Street measures 450 feet in
7 length, with public beach access located at both ends (where South Pacific Street
8 intersects with Wisconsin Avenue and Hayes Street). Thus, all properties in the 800
9 Block of South Pacific Street are situated within 250 feet of existing public beach
10 access.

11 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
12 confirm issuance of a Categorical Exemption pursuant to Section 15303 of the California
13 Environmental Quality Act and approve Development Plan (D12-00001)/Regular Coastal Permit
14 (RC12-00001) subject to the following conditions:

14 **Building:**

- 15 1. Construction shall comply with the 2010 edition of the California Codes.
- 16 2. The developer shall monitor, supervise and control all building construction and
17 supporting activities so as to prevent these activities from causing a public nuisance,
18 including, but not limited to, strict adherence to the following:
 - 19 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
20 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
21 work that is not inherently noise-producing. Examples of work not permitted on
22 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
23 producing nature. No work shall be permitted on Sundays and Federal Holidays
24 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
25 Christmas Day) except as allowed for emergency work under the provisions of the
26 Oceanside City Code Chapter 38 (Noise Ordinance).
 - 27 b) The construction site shall be kept reasonably free of construction debris as
28 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
29 approved solid waste containers shall be considered compliance with this

1 requirement. Small amounts of construction debris may be stored on-site in a neat,
2 safe manner for short periods of time pending disposal.

- 3 3. Separate/unique addresses will be required to facilitate utility releases. Verification that
4 the addresses have been properly assigned by the City's Planning Division must
5 accompany the Building Permit application.

6 **Fire:**

- 7 4. Fire Department requirements shall be placed on plans in the notes section.

8 **Water Utilities:**

- 9 5. The developer will be responsible for developing all water and sewer utilities necessary to
10 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
11 the developer and shall be done by an approved licensed contractor at the developer's
12 expense.
- 13 6. The property owner shall maintain private water and wastewater utilities located on private
14 property.
- 15 7. Water services and sewer laterals constructed in existing right-of-way locations are to be
16 constructed by approved and licensed contractors at developer's expense.
- 17 8. All Water and Wastewater construction shall conform to the most recent edition of the
18 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
19 the Water Utilities Director.
- 20 9. Residential units shall be metered individually. Private utility systems for residential
21 developments are not allowed.
- 22 10. All public water and/or sewer facilities not located within the public right-of-way shall be
23 provided with easements sized according to the Water, Sewer, and Reclaimed Water
24 Design and Construction Manual. Easements shall be constructed for all weather access.
- 25 11. No trees, structures or building overhang shall be located within any water or wastewater
26 utility easement.
- 27 12. All lots with a finish pad elevation located below the elevation of the next upstream
28 manhole cover of the public sewer shall be protected from backflow of sewage by
29 installing and maintaining an approved type backwater valve, per the Uniform Plumbing
Code (U.P.C.).

- 1 13. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
2 be paid to the City and collected by the Water Utilities Department at the time of Building
3 Permit issuance.
- 4 14. All Water Utilities Fees are due at the time of building permit issuance per City Code
5 Section 32B.7, unless the developer/applicant applies and is approved for a deferral of all
6 fees per City of Oceanside Ordinance No. 09-OR0676-1.

7 **Planning:**

- 8 15. Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001) shall expire two
9 years from the effective date unless implemented as required by the Zoning Ordinance.
10 Absent the timely appeal of this approval, it will expire on November 7, 2013 unless
11 implemented as required by the Zoning Ordinance.
- 12 16. Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001) is granted for
13 the following purposes only:
- 14 a) Conversion of an existing single-family residence to a duplex, involving the
15 relocation of primary entrances and the modification of interior stairs;
 - 16 b) Addition of 1,409 square feet of new habitable space, 825 square feet of which
17 will constitute a new third story above basement.

18 No deviation from these approved plans and exhibits shall occur without Planning
19 Commission approval. Substantial deviations shall require a revision to the Development
20 Plan and/or Regular Coastal Permit or entirely new entitlements.

- 21 17. Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001) shall be called
22 for review by the Planning Commission if complaints are filed and verified as valid by
23 the City Planner or the Code Enforcement Officer concerning the violation of any of the
24 approved conditions or the project assumptions demonstrated under the application
25 approval.

- 26 18. The validity of Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001)
27 shall not be affected by changes in ownership or tenants.

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29 would affect conditions of approval shall be treated as a new application. The City
Planner may waive the requirements for a new application if the changes requested are
minor, do not involve substantial alterations or addition to the plan or the conditions of

1 approval, and consistent with the intent of the project's approval or otherwise found to
2 be in substantial conformance.

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4 or renewed in accordance with the provisions of the Zoning Ordinance. Any
5 application for Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001)
6 revision or renewal shall also be evaluated against existing land use and development
7 policies as well as any intervening changes to the site area and/or neighborhood.

8 21. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
9 harmless the City of Oceanside, its agents, officers or employees from any claim, action
10 or proceeding against the City, its agents, officers, or employees to attack, set aside,
11 void or annul an approval of the City concerning Development Plan (D12-
12 00001)/Regular Coastal Permit (RC12-00001). The City will promptly notify the
13 applicant of any such claim, action or proceeding against the City and will cooperate
14 fully in the defense. If the City fails to promptly notify the applicant of any such claim
15 action or proceeding or fails to cooperate fully in the defense, the applicant shall not,
16 thereafter, be responsible to defend, indemnify or hold harmless the City.

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

21 23. Prior to issuance of a building permit, the applicant and landowner shall execute and
22 record a covenant, in a form and content acceptable to the City Attorney, which shall
23 provide:

24 a) That the applicant understands that the site may be subject to extraordinary
25 hazard from waves during storms and from erosion and the applicants assumes
26 the liability from those hazards.

27 b) That the applicant unconditionally waives any claim of liability on the part of
28 the City and agrees to defend, indemnify and hold harmless the City and its
29 advisors relative to the City's approval of the project for any damage due to
natural hazards.

- 1 24. Prior to the transfer of ownership and or operation of the site, the owner shall provide a
2 written copy of the applications, staff report and resolutions for the project to the new
3 owner and or operator. This notification provision shall run with the life of the project
4 and shall be recorded as a covenant on the property.
- 5 25. Failure to meet any conditions of approval for this project shall constitute a violation of
6 Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001).
- 7 26. Unless expressly waived, all current zoning standards and City ordinances and policies
8 in effect at the time building permits are issued are required to be met by this project.
9 The approval of this project constitutes the applicant's agreement with all statements in
10 the Description and Justification and other materials and information submitted with
11 this application, unless specifically waived by an adopted condition of approval.
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13 substantially the same as those approved by the Planning Commission. These shall be
14 shown on plans submitted to the Building Division for building permits.
- 15 28. All mechanical rooftop and ground equipment shall be screened from public view as
16 required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,
17 mechanical equipment, screening and vents shall be painted with non-reflective paint to
18 match the roof. All roof top surfaces shall have a non-reflective surface and mechanical
19 appurtenances shall be painted to match the roof color. This information shall be shown
20 on the building plans.
- 21 29. HVAC casings shall be fully enclosed and shall not project into a required yard or
22 project above the district's height requirement.
- 23 30. Any metallic material (i.e. copper) shall be treated at the time that it is installed, or
24 earlier, so that its surface does not reflect light. Non-metallic roofing material is
25 preferred and non-reflective roofing material is required. The copper roofing shall be
26 treated to have a non-reflective surface (patina) at the time it is installed.
- 27 31. Buildings, structures, fences or walls located on lots contiguous to the shoreline, shall
28 be compatible in scale with the existing development and shall not extend further
29 seaward than the line established on the Stringline Setback Map.
32. Fence height limitations and opacity requirements are subject to Section 1721 of the
Zoning Ordinance. Fencing materials shall be 75 percent transparent.

- 1 33. All wood fences adjacent to public right-of-way, visible from the public right-of-way,
2 or facing the shore will be stained or otherwise finished with a waterproof material.
- 3 34. The developer's construction of all fencing and walls associated with the project shall
4 be in conformance with the approved Regular Coastal Permit. Any substantial change
5 in any aspect of fencing or wall design from the approved Regular Coastal Permit shall
6 require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.
- 7 35. If any aspect of the project fencing and walls is not covered by an approved Regular
8 Coastal Permit, the construction of fencing and walls shall conform to the development
9 standards of the City Zoning Ordinance. In no case shall the construction of fences and
10 walls (or combinations thereof) exceed the limitations of the Zoning Ordinance, unless
11 expressly granted by a Variance or other development approval.
- 12 36. The project shall dispose of or recycle solid waste in a manner provided in City
13 Ordinance 13.3.
- 14 37. A letter of clearance from the affected school district in which the property is located
15 shall be provided as required by City policy at the time building permits are issued.
- 16 38. The applicant shall revise the proposed additions at the second and third stories to
17 incorporate angled walls/windows that conform to the angled walls/windows at the
18 beach and street levels of the existing building.
- 19 39. The applicant shall post signage no more than 1.5 square feet in area indicating that
20 parking is not permitted in the driveway in front of the garages and providing contact
21 information for property management. The applicant shall work with Planning Division
22 staff to determine the most appropriate size, design and material for said signage.

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1 40. The applicant shall revise the proposed plans to show the clear space within the garage
2 maintaining a minimum depth of 40 feet, in compliance with Section 2702 of the 1986
3 Zoning Ordinance. These plans shall be reviewed and approved by the City Planner
4 prior to the issuance of building permits.

5 PASSED AND ADOPTED Resolution No. 2012-P15 on April 23, 2012 by the
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11
12 _____
13 Tom Rosales, Chairperson
Oceanside Planning Commission

14 ATTEST:

15
16 _____
17 Jerry Hittleman, Secretary

18 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
19 this is a true and correct copy of Resolution No. 2012-P15.

20 Dated: April 23, 2012

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

24
25 _____
Applicant/Representative

_____ Date

1 PLANNING COMMISSION
2 RESOLUTION NO. 2012-P16

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

7 APPLICATION NO: D12-00002/RC12-00002
8 APPLICANT: Evergreen Hebron, LP
9 LOCATION: 813 South Pacific Street
APN 150-356-15-00

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 Regular Coastal Permit under the provisions of the
14 City of Oceanside Local Coastal Program and 1986 Zoning Ordinance to permit the following:

15 conversion of an existing single-family residence to a duplex, with the addition of 1,409
16 square feet of new habitable space and a new third story;

17 on certain real property described in the project description.

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

21 WHEREAS, the Planning Commission did unanimously approve said proposal through
22 the issuance of a Regular Coastal Permit; and

23 WHEREAS, following the timely appeal of the Regular Coastal Permit, the Planning
24 Division determined that said proposal requires approval of a Development Plan, in addition to a
Regular Coastal Permit; and

25 WHEREAS, on the 20th day of December 2011, the applicant did withdraw said project;
26 and

27 WHEREAS, on the 20th day of January 2012, said proposal was resubmitted to the
28 Planning Division for review and approval of both a Regular Coastal Permit and Development
29 Plan; and

1 WHEREAS, the Planning Commission did on the 26th day of March 2012 conduct a
2 public hearing to consider said proposal; and

3 WHEREAS, the Planning Commission did on the 26th day of March 2012 unanimously
4 approve said proposal; and

5 WHEREAS, the Planning Division subsequently determined that required mailed
6 notification of property owners and occupants within the legally-prescribed notification radii
7 had not been conducted for the public hearing held on the 26th day of March 2012, thus
8 necessitating another duly advertised public hearing on said proposal; and

9 WHEREAS, the Planning Commission, after giving the required notice, did on the 23rd
10 day of April 2012 conduct a duly advertised public hearing as prescribed by law to consider
11 said proposal; and

12 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
13 Guidelines thereto (Section 15303(b)); this project qualifies for a Class 3 categorical exemption
14 (New Construction or Conversion of Small Structures), as it involves the construction of a
15 duplex or similar multi-family residential structure, totaling no more than four dwelling units;

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit.
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre).
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential.
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential.
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip.

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Thoroughfare Fee (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG).
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$4,597 per unit.
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$6,313 per unit.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,326 per unit.

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

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;

1 WHEREAS, this resolution becomes effective 10 days from its adoption in the absence of
2 the filing of an appeal or call for review;

3 WHEREAS, the documents or other material which constitute the record of
4 proceedings upon which the decision is based will be maintained by the City of Oceanside
5 Planning Division, 300 North Coast Highway, Oceanside, California 92054.

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

8 FINDINGS:

9 For the Development Plan (D12-00002) to allow conversion of an existing single-family
10 residence to a duplex with the addition of 1,409 square feet of new habitable space comprising
11 a new third story:

- 12 1. The approval of the proposed duplex conversion and associated addition will be subject
13 to conditions that, in view of the size and shape of the parcel and the present zoning and
14 use of the subject property, provide the same degree of protection to adjoining
15 properties, including protection from unreasonable interference with the use and
16 enjoyment of said properties, depreciation of property values, and any potentially
17 adverse impacts on the public peace, health, safety and welfare.
- 18 2. The application for Development Plan approval has been processed in a manner
19 consistent with Article 21 of the 1986 Zoning Ordinance (Procedures, Hearings, Notices
20 and Fees).

21 For the Regular Coastal Permit (RC12-00002) to allow conversion of an existing single-family
22 residence to a duplex with the addition of 1,409 square feet of new habitable space comprising
23 a new third story:

- 24 1. The proposed duplex conversion conforms to the policies of the Local Coastal Program
25 (LCP), including those pertinent to coastal access (Article 2), recreation (Article 3),
26 land resources (Article 5) and development (Article 6), in that it:
 - 27 • Does not interfere with the public's right to access to the coastline and ocean,
28 given that dedicated public access ways exist within 250 feet of the subject site;
 - 29 • Provides for recreational use of private oceanfront land;
 - Does not impact environmentally sensitive habitat area or prime agricultural
land;

- 1 • Occurs in an already-developed area with adequate public services;
- 2 • Protects views to and along the ocean;
- 3 • Is visually compatible with the character of surrounding areas.

4 2. The project site, at 813 South Pacific Street, is situated within the Appeal Area of the
5 Coastal Zone and conforms to the public access and recreation policies of Chapter 3 of
6 the Coastal Act. The entire 800 Block of South Pacific Street measures 450 feet in
7 length, with public beach access located at both ends (where South Pacific Street
8 intersects with Wisconsin Avenue and Hayes Street). Thus, all properties in the 800
9 Block of South Pacific Street are situated within 250 feet of existing public beach
10 access.

11 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
12 confirm issuance of a Categorical Exemption pursuant to Section 15303 of the California
13 Environmental Quality Act and approve Development Plan (D12-00002)/Regular Coastal Permit
14 (RC12-00002) subject to the following conditions:

15 **Building:**

- 16 1. Construction shall comply with the 2010 edition of the California Codes.
- 17 2. The developer shall monitor, supervise and control all building construction and
18 supporting activities so as to prevent these activities from causing a public nuisance,
19 including, but not limited to, strict adherence to the following:
 - 20 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
21 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
22 work that is not inherently noise-producing. Examples of work not permitted on
23 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
24 producing nature. No work shall be permitted on Sundays and Federal Holidays
25 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
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27 Oceanside City Code Chapter 38 (Noise Ordinance).
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29 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
approved solid waste containers shall be considered compliance with this

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2 safe manner for short periods of time pending disposal.

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4 the addresses have been properly assigned by the City's Planning Division must
5 accompany the Building Permit application.

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10 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
11 the developer and shall be done by an approved licensed contractor at the developer's
12 expense.
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14 property.
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16 constructed by approved and licensed contractors at developer's expense.
- 17 8. All Water and Wastewater construction shall conform to the most recent edition of the
18 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
19 the Water Utilities Director.
- 20 9. Residential units shall be metered individually. Private utility systems for residential
21 developments are not allowed.
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17 mechanical equipment, screening and vents shall be painted with non-reflective paint to
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19 appurtenances shall be painted to match the roof color. This information shall be shown
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- 3 34. The developer's construction of all fencing and walls associated with the project shall
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10 walls (or combinations thereof) exceed the limitations of the Zoning Ordinance, unless
11 expressly granted by a Variance or other development approval.
- 12 36. The project shall dispose of or recycle solid waste in a manner provided in City
13 Ordinance 13.3.
- 14 37. A letter of clearance from the affected school district in which the property is located
15 shall be provided as required by City policy at the time building permits are issued.
- 16 38. The applicant shall revise the proposed additions at the second and third stories to
17 incorporate angled walls/windows that conform to the angled walls/windows at the
18 beach and street levels of the existing building.
- 19 39. The applicant shall post signage no more than 1.5 square feet in area indicating that
20 parking is not permitted in the driveway in front of the garages and providing contact
21 information for property management. The applicant shall work with Planning Division
22 staff to determine the most appropriate size, design and material for said signage.

22 ///////////////
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1 40. The applicant shall revise the proposed plans to show the clear space within the garage
2 maintaining a minimum depth of 40 feet, in compliance with Section 2702 of the 1986
3 Zoning Ordinance. These plans shall be reviewed and approved by the City Planner
4 prior to the issuance of building permits.

5 PASSED AND ADOPTED Resolution No. 2012-P16 on April 23, 2012 by the
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11
12 _____
13 Tom Rosales, Chairperson
Oceanside Planning Commission

14 ATTEST:

15
16 _____
17 Jerry Hittleman, Secretary

18 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
19 this is a true and correct copy of Resolution No. 2012-P16.

20 Dated: April 23, 2012

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

24
25 _____
Applicant/Representative

26 _____
Date

1 PLANNING COMMISSION
2 RESOLUTION NO. 2012-P17

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

7 APPLICATION NO: D12-00003/RC12-00003
8 APPLICANT: REVX North Pacific, LLC
9 LOCATION: 811 South Pacific Street
APN 150-356-14-00

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 Regular Coastal Permit under the provisions of the
14 City of Oceanside Local Coastal Program and 1986 Zoning Ordinance to permit the following:

15 conversion of an existing single-family residence to a duplex, with the addition of 1,409
16 square feet of new habitable space and a new third story;

17 on certain real property described in the project description.

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

21 WHEREAS, the Planning Commission did unanimously approve said proposal through
22 the issuance of a Regular Coastal Permit; and

23 WHEREAS, following the timely appeal of the Regular Coastal Permit, the Planning
24 Division determined that said proposal requires approval of a Development Plan, in addition to a
Regular Coastal Permit; and

25 WHEREAS, on the 20th day of December 2011, the applicant did withdraw said project;
26 and

27 WHEREAS, on the 20th day of January 2012, said proposal was resubmitted to the
28 Planning Division for review and approval of both a Regular Coastal Permit and Development
29 Plan; and

1 WHEREAS, the Planning Commission did on the 26th day of March 2012 conduct a
2 public hearing to consider said proposal; and

3 WHEREAS, the Planning Commission did on the 26th day of March 2012 unanimously
4 approve said proposal; and

5 WHEREAS, the Planning Division subsequently determined that required mailed
6 notification of property owners and occupants within the legally-prescribed notification radii
7 had not been conducted for the public hearing held on the 26th day of March 2012, thus
8 necessitating another duly advertised public hearing on said proposal; and

9 WHEREAS, the Planning Commission, after giving the required notice, did on the 23rd
10 day of April 2012 conduct a duly advertised public hearing as prescribed by law to consider
11 said proposal; and

12 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
13 Guidelines thereto (Section 15303(b)); this project qualifies for a Class 3 categorical exemption
14 (New Construction or Conversion of Small Structures), as it involves the construction of a
15 duplex or similar multi-family residential structure, totaling no more than four dwelling units;

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit.
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre).
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential.
School Facilities Mitigation Fee	Ordinance No. 91-34	\$2.63 per square foot residential.
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip.

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Thoroughfare Fee (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG).
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$4,597 per unit.
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$6,313 per unit.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,326 per unit.

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

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;

1 WHEREAS, this resolution becomes effective 10 days from its adoption in the absence of
2 the filing of an appeal or call for review;

3 WHEREAS, the documents or other material which constitute the record of
4 proceedings upon which the decision is based will be maintained by the City of Oceanside
5 Planning Division, 300 North Coast Highway, Oceanside, California 92054.

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

8 FINDINGS:

9 For the Development Plan (D12-00003) to allow conversion of an existing single-family
10 residence to a duplex with the addition of 1,409 square feet of new habitable space comprising
11 a new third story:

- 12 1. The approval of the proposed duplex conversion and associated addition will be subject
13 to conditions that, in view of the size and shape of the parcel and the present zoning and
14 use of the subject property, provide the same degree of protection to adjoining
15 properties, including protection from unreasonable interference with the use and
16 enjoyment of said properties, depreciation of property values, and any potentially
17 adverse impacts on the public peace, health, safety and welfare.
- 18 2. The application for Development Plan approval has been processed in a manner
19 consistent with Article 21 of the 1986 Zoning Ordinance (Procedures, Hearings, Notices
20 and Fees).

21 For the Regular Coastal Permit (RC12-00003) to allow conversion of an existing single-family
22 residence to a duplex with the addition of 1,409 square feet of new habitable space comprising
23 a new third story:

- 24 1. The proposed duplex conversion conforms to the policies of the Local Coastal Program
25 (LCP), including those pertinent to coastal access (Article 2), recreation (Article 3),
26 land resources (Article 5) and development (Article 6), in that it:
 - 27 • Does not interfere with the public's right to access to the coastline and ocean,
28 given that dedicated public access ways exist within 250 feet of the subject site;
 - 29 • Provides for recreational use of private oceanfront land;
 - Does not impact environmentally sensitive habitat area or prime agricultural
land;

- 1 • Occurs in an already-developed area with adequate public services;
- 2 • Protects views to and along the ocean;
- 3 • Is visually compatible with the character of surrounding areas.

4 2. The project site, at 811 South Pacific Street, is situated within the Appeal Area of the
5 Coastal Zone and conforms to the public access and recreation policies of Chapter 3 of
6 the Coastal Act. The entire 800 Block of South Pacific Street measures 450 feet in
7 length, with public beach access located at both ends (where South Pacific Street
8 intersects with Wisconsin Avenue and Hayes Street). Thus, all properties in the 800
9 Block of South Pacific Street are situated within 250 feet of existing public beach
10 access.

11 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
12 confirm issuance of a Categorical Exemption pursuant to Section 15303 of the California
13 Environmental Quality Act and approve Development Plan (D12-00003)/Regular Coastal Permit
14 (RC12-00003) subject to the following conditions:

15 **Building:**

- 16 1. Construction shall comply with the 2010 edition of the California Codes.
- 17 2. The developer shall monitor, supervise and control all building construction and
18 supporting activities so as to prevent these activities from causing a public nuisance,
19 including, but not limited to, strict adherence to the following:
 - 20 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
21 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
22 work that is not inherently noise-producing. Examples of work not permitted on
23 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
24 producing nature. No work shall be permitted on Sundays and Federal Holidays
25 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
26 Christmas Day) except as allowed for emergency work under the provisions of the
27 Oceanside City Code Chapter 38 (Noise Ordinance).
 - 28 b) The construction site shall be kept reasonably free of construction debris as
29 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
approved solid waste containers shall be considered compliance with this

1 requirement. Small amounts of construction debris may be stored on-site in a neat,
2 safe manner for short periods of time pending disposal.

- 3 3. Separate/unique addresses will be required to facilitate utility releases. Verification that
4 the addresses have been properly assigned by the City's Planning Division must
5 accompany the Building Permit application.

6 **Fire:**

- 7 4. Fire Department requirements shall be placed on plans in the notes section.

8 **Water Utilities:**

- 9 5. The developer will be responsible for developing all water and sewer utilities necessary to
10 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
11 the developer and shall be done by an approved licensed contractor at the developer's
12 expense.
- 13 6. The property owner shall maintain private water and wastewater utilities located on private
14 property.
- 15 7. Water services and sewer laterals constructed in existing right-of-way locations are to be
16 constructed by approved and licensed contractors at developer's expense.
- 17 8. All Water and Wastewater construction shall conform to the most recent edition of the
18 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
19 the Water Utilities Director.
- 20 9. Residential units shall be metered individually. Private utility systems for residential
21 developments are not allowed.
- 22 10. All public water and/or sewer facilities not located within the public right-of-way shall be
23 provided with easements sized according to the Water, Sewer, and Reclaimed Water
24 Design and Construction Manual. Easements shall be constructed for all weather access.
- 25 11. No trees, structures or building overhang shall be located within any water or wastewater
26 utility easement.
- 27 12. All lots with a finish pad elevation located below the elevation of the next upstream
28 manhole cover of the public sewer shall be protected from backflow of sewage by
29 installing and maintaining an approved type backwater valve, per the Uniform Plumbing
Code (U.P.C.).

- 1 13. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
2 be paid to the City and collected by the Water Utilities Department at the time of Building
3 Permit issuance.
- 4 14. All Water Utilities Fees are due at the time of building permit issuance per City Code
5 Section 32B.7, unless the developer/applicant applies and is approved for a deferral of all
6 fees per City of Oceanside Ordinance No. 09-OR0676-1.

7 **Planning:**

- 8 15. Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) shall expire two
9 years from the effective date unless implemented as required by the Zoning Ordinance.
10 Absent the timely appeal of this approval, it will expire on November 7, 2013 unless
11 implemented as required by the Zoning Ordinance.
- 12 16. Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) is granted for
13 the following purposes only:
- 14 a) Conversion of an existing single-family residence to a duplex, involving the
15 relocation of primary entrances and the modification of interior stairs;
 - 16 b) Addition of 1,409 square feet of new habitable space, 825 square feet of which
17 will constitute a new third story above basement.
- 18 No deviation from these approved plans and exhibits shall occur without Planning
19 Commission approval. Substantial deviations shall require a revision to the Development
20 Plan and/or Regular Coastal Permit or entirely new entitlements.
- 21 17. Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) shall be called
22 for review by the Planning Commission if complaints are filed and verified as valid by
23 the City Planner or the Code Enforcement Officer concerning the violation of any of the
24 approved conditions or the project assumptions demonstrated under the application
25 approval.
- 26 18. The validity of Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003)
27 shall not be affected by changes in ownership or tenants.
- 28 19. A request for changes in conditions of approval or a change to the approved plans that
29 would affect conditions of approval shall be treated as a new application. The City
Planner may waive the requirements for a new application if the changes requested are
minor, do not involve substantial alterations or addition to the plan or the conditions of

1 approval, and consistent with the intent of the project's approval or otherwise found to
2 be in substantial conformance.

3 20. Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003) may be revised
4 or renewed in accordance with the provisions of the Zoning Ordinance. Any
5 application for Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003)
6 revision or renewal shall also be evaluated against existing land use and development
7 policies as well as any intervening changes to the site area and/or neighborhood.

8 21. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
9 harmless the City of Oceanside, its agents, officers or employees from any claim, action
10 or proceeding against the City, its agents, officers, or employees to attack, set aside,
11 void or annul an approval of the City concerning Development Plan (D12-
12 00003)/Regular Coastal Permit (RC12-00003). The City will promptly notify the
13 applicant of any such claim, action or proceeding against the City and will cooperate
14 fully in the defense. If the City fails to promptly notify the applicant of any such claim
15 action or proceeding or fails to cooperate fully in the defense, the applicant shall not,
16 thereafter, be responsible to defend, indemnify or hold harmless the City.

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

21 23. Prior to issuance of a building permit, the applicant and landowner shall execute and
22 record a covenant, in a form and content acceptable to the City Attorney, which shall
23 provide:

24 a) That the applicant understands that the site may be subject to extraordinary
25 hazard from waves during storms and from erosion and the applicants assumes
26 the liability from those hazards.

27 b) That the applicant unconditionally waives any claim of liability on the part of
28 the City and agrees to defend, indemnify and hold harmless the City and its
29 advisors relative to the City's approval of the project for any damage due to
natural hazards.

- 1 24. Prior to the transfer of ownership and or operation of the site, the owner shall provide a
2 written copy of the applications, staff report and resolutions for the project to the new
3 owner and or operator. This notification provision shall run with the life of the project
4 and shall be recorded as a covenant on the property.
- 5 25. Failure to meet any conditions of approval for this project shall constitute a violation of
6 Development Plan (D12-00003)/Regular Coastal Permit (RC12-00003).
- 7 26. Unless expressly waived, all current zoning standards and City ordinances and policies
8 in effect at the time building permits are issued are required to be met by this project.
9 The approval of this project constitutes the applicant's agreement with all statements in
10 the Description and Justification and other materials and information submitted with
11 this application, unless specifically waived by an adopted condition of approval.
- 12 27. Elevations, siding materials, colors, roofing materials and floor plans shall be
13 substantially the same as those approved by the Planning Commission. These shall be
14 shown on plans submitted to the Building Division for building permits.
- 15 28. All mechanical rooftop and ground equipment shall be screened from public view as
16 required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,
17 mechanical equipment, screening and vents shall be painted with non-reflective paint to
18 match the roof. All roof top surfaces shall have a non-reflective surface and mechanical
19 appurtenances shall be painted to match the roof color. This information shall be shown
20 on the building plans.
- 21 29. HVAC casings shall be fully enclosed and shall not project into a required yard or
22 project above the district's height requirement.
- 23 30. Any metallic material (i.e. copper) shall be treated at the time that it is installed, or
24 earlier, so that its surface does not reflect light. Non-metallic roofing material is
25 preferred and non-reflective roofing material is required. The copper roofing shall be
26 treated to have a non-reflective surface (patina) at the time it is installed.
- 27 31. Buildings, structures, fences or walls located on lots contiguous to the shoreline, shall
28 be compatible in scale with the existing development and shall not extend further
29 seaward than the line established on the Stringline Setback Map.
32. Fence height limitations and opacity requirements are subject to Section 1721 of the
Zoning Ordinance. Fencing materials shall be 75 percent transparent.

- 1 33. All wood fences adjacent to public right-of-way, visible from the public right-of-way,
2 or facing the shore will be stained or otherwise finished with a waterproof material.
- 3 34. The developer's construction of all fencing and walls associated with the project shall
4 be in conformance with the approved Regular Coastal Permit. Any substantial change
5 in any aspect of fencing or wall design from the approved Regular Coastal Permit shall
6 require a revision to the Regular Coastal Permit or a new Regular Coastal Permit.
- 7 35. If any aspect of the project fencing and walls is not covered by an approved Regular
8 Coastal Permit, the construction of fencing and walls shall conform to the development
9 standards of the City Zoning Ordinance. In no case shall the construction of fences and
10 walls (or combinations thereof) exceed the limitations of the Zoning Ordinance, unless
11 expressly granted by a Variance or other development approval.
- 12 36. The project shall dispose of or recycle solid waste in a manner provided in City
13 Ordinance 13.3.
- 14 37. A letter of clearance from the affected school district in which the property is located
15 shall be provided as required by City policy at the time building permits are issued.
- 16 38. The applicant shall revise the proposed additions at the second and third stories to
17 incorporate angled walls/windows that conform to the angled walls/windows at the
18 beach and street levels of the existing building.
- 19 39. The applicant shall post signage no more than 1.5 square feet in area indicating that
20 parking is not permitted in the driveway in front of the garages and providing contact
21 information for property management. The applicant shall work with Planning Division
22 staff to determine the most appropriate size, design and material for said signage.

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

1 40. The applicant shall revise the proposed plans to show the clear space within the garage
2 maintaining a minimum depth of 40 feet, in compliance with Section 2702 of the 1986
3 Zoning Ordinance. These plans shall be reviewed and approved by the City Planner
4 prior to the issuance of building permits.

5 PASSED AND ADOPTED Resolution No. 2012-P17 on April 23, 2012 by the
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11
12 _____
13 Tom Rosales, Chairperson
14 Oceanside Planning Commission

15 ATTEST:

16 _____
17 Jerry Hittleman, Secretary

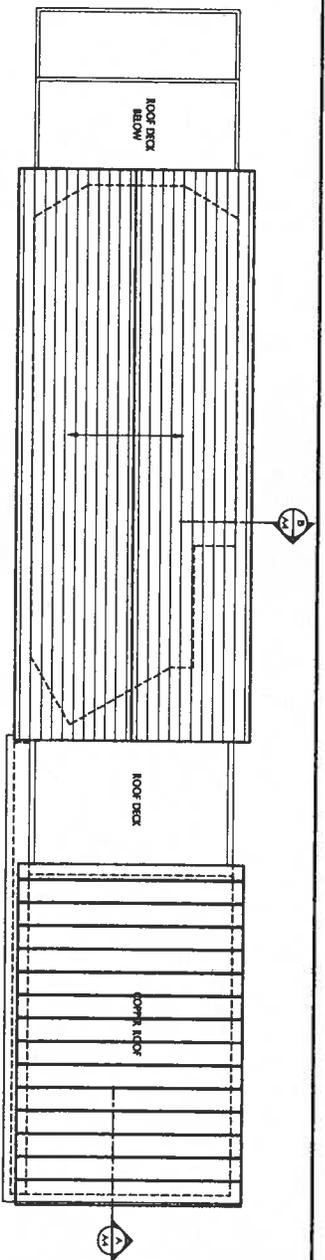
18 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
19 this is a true and correct copy of Resolution No. 2012-P17.

20 Dated: April 23, 2012

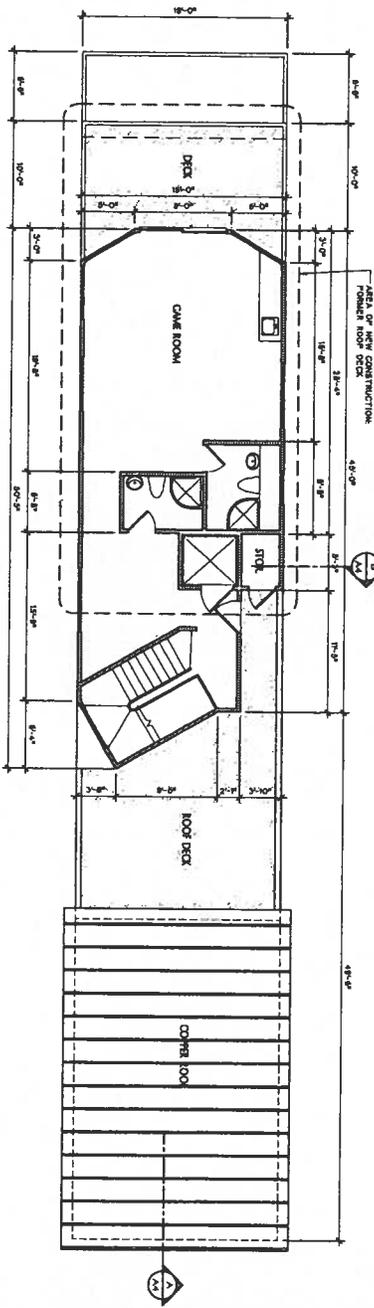
21
22 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees
23 may be required as stated herein:

24
25 _____
26 Applicant/Representative

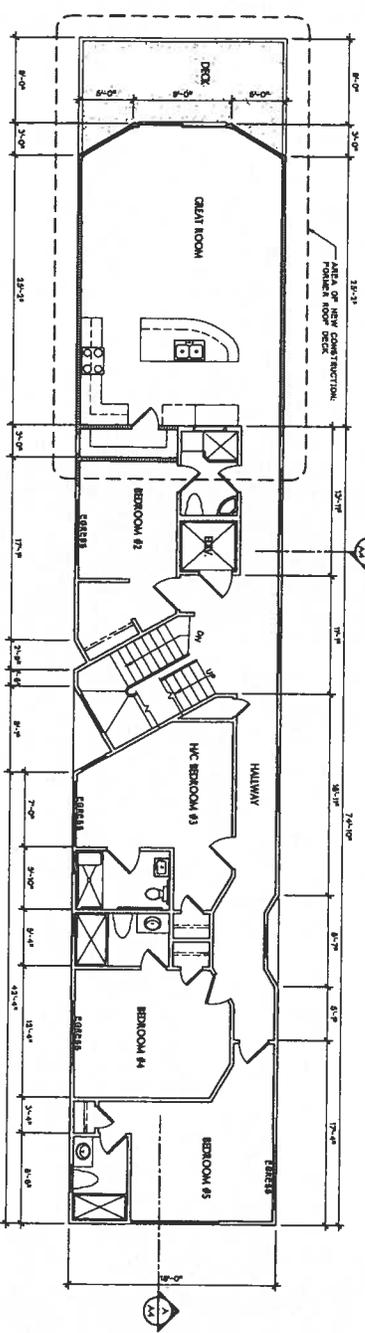
25 _____
26 Date



3 ROOF PLAN
SCALE 3/8"=1'-0"



2 3rd FLOOR PLAN
SCALE 3/8"=1'-0"



1 2nd FLOOR PLAN
SCALE 3/8"=1'-0"

UNIT B - 2nd AND 3rd STORIES

ARCHITECT: **STUDIO 4**
 1800 ALTA DRIVE
 OCEANVIEW, CA 90266
 TEL: 310.721.4600 FAX: 310.721.4603
 P:ALON@STUDIO4.COM
 PAUL LONGTON
 PRINCIPAL

PROJECT: **REXX**
 BUILDING 2
 ADDITION 10
 85 S PACIFIC ST.
 OCEANVIEW, CA 90264

OWNER: **REXX**
 PACIFIC SOUTH LLC
 MANAGING PARTNER: JAMES JOHNSON
 4707 FORT
 WASHINGTON, CA 90274

OWNER'S REP: **PAUL LONGTON**
 STUDIO 4 ARCHITECTS
 1800 ALTA DRIVE
 OCEANVIEW, CA 90264
 (310) 721-4600

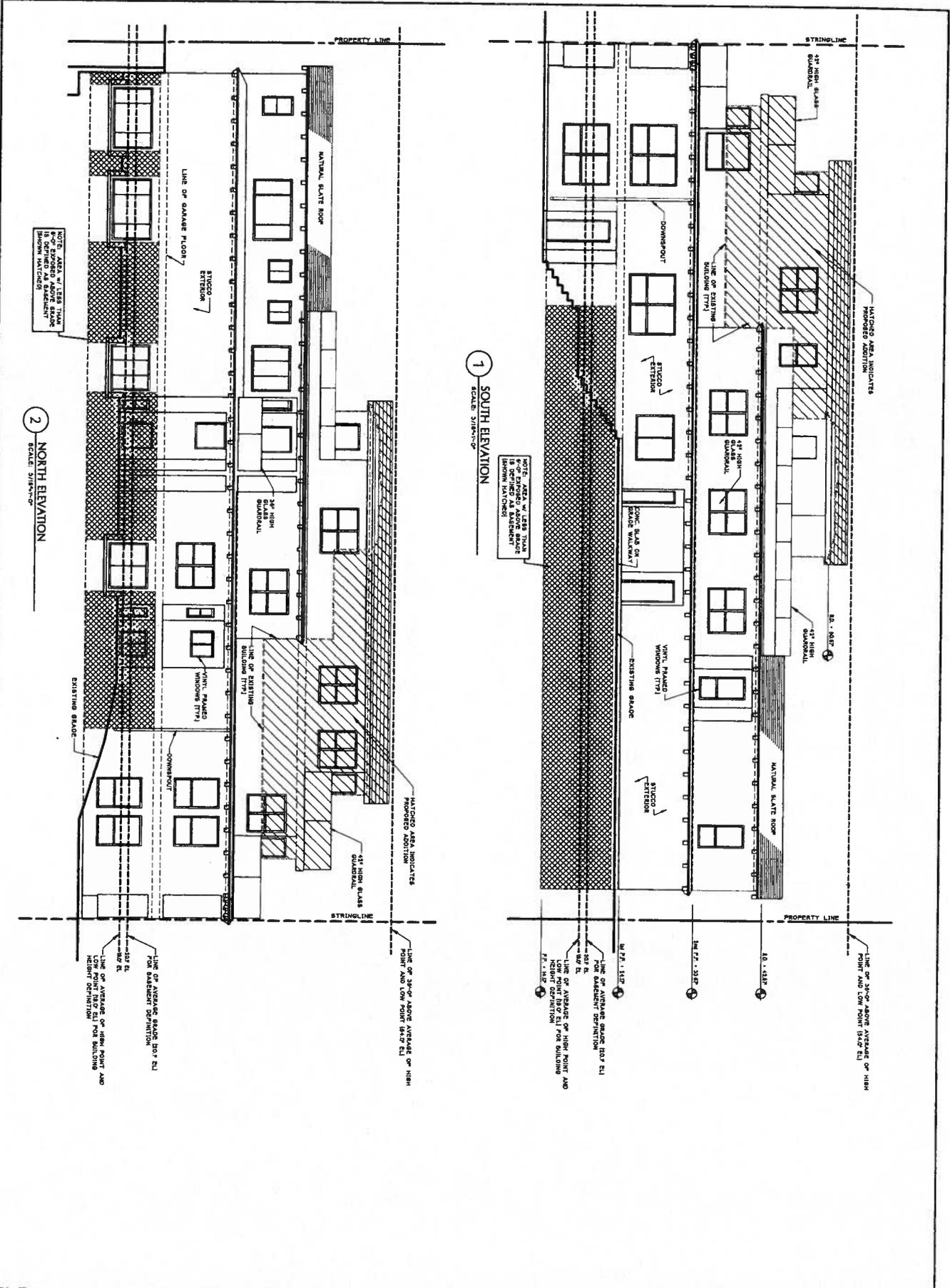
RELATE PARTS:
 100% 07/07/20
 90% 07/07/20

DRAWING STAT:
 PRELIMINARY
 CONTRACT DOCUMENTS
 PERMITS
 CONSTRUCTION DOCUMENTS
 AS-BUILT
 OTHER

DATE: 07/07/20
 DRAWN BY: MGR
 CHECKED BY: PL

SHEET TITLE: **FLOOR PLANS**

SHEET NO.: **A-2.0**



ARCHITECT:
STUDIO 4
 3809 MELO DRIVE
 OCEANSIDE, CA 92054
 (760) 431-4800
 FAX (760) 431-4805
 P:ALON@STUDIO4.COM
 PAUL LANGTON
 PRINCIPAL

PROJECT:
 RENOVATION & ADDITION TO
 83 S PACIFIC ST.
 OCEANSIDE, CA 92054

OWNER:
 EVERGREEN
 HERBON, LP
 2001 LOCAL AVENUE
 SUITE 100
 OCEANSIDE, CA 92054
 (760) 725-4504

OWNER'S REP:
 PAUL LANGTON
 STUDIO 4 ARCHITECTS
 2009 ABEA DRIVE
 OCEANSIDE, CA 92054
 (760) 725-4504

DESIGN DATE:
 09/07/12

DATE:
 09/07/12

DRAWING STATUS:
 01 PRELIMINARY
 02 CONCEPTS
 03 SCHEMATIC DESIGN
 04 PRELIMINARY DESIGN
 05 PERMITTING
 06 CONTRACT DOCUMENTS
 07 PERMITTING
 08 CONSTRUCTION DOCUMENTS
 09 AS-BUILT

THIS DRAWING LENDS AND CANNOT BE REPRODUCED OR COPIED WITHOUT THE WRITTEN PERMISSION OF STUDIO 4 ARCHITECTS. ANY REPRODUCTION OR COPIING OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF STUDIO 4 ARCHITECTS IS STRICTLY PROHIBITED AND WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.

DATE:
 09/07/12

DESIGNER:
 PAUL LANGTON

CHECKED BY:
 PAUL LANGTON

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

SHEET TITLE:
 EXTERIOR ELEVATIONS

SHEET NO.:
 A-3.0

ARCHITECT:
STUDIO 4
 3830 MEADOW DRIVE
 OCEANVIEW, CA 92654
 TEL: 714.433.4400
 FAX: 714.433.4401
 P:ALOW@STUDIO4.COM
 WWW.STUDIO4.COM
 PAUL LONGTON
 ARCHITECT

PROJECT:
 REMODEL &
 ADDITION TO
 815 S PACIFIC ST.
 OCEANVIEW, CA 92654

OWNER:
**EVERGREEN
 HERBON, LP**
 3875 LINDSEY LANE
 TAYLOR, TX 77883
 P:714.281.8800
 F:714.281.8801

OWNER'S SITE:
**PALL LONGTON
 STUDIO 4 ARCHITECTS**
 2990 ADELPHI DRIVE
 OCEANVIEW, CA 92654
 714.433.4400

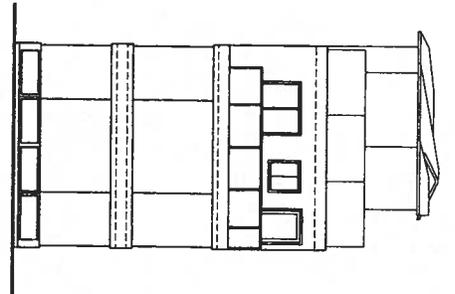
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 08/04 02/07/17
 04/12/20/04

DRAWING STATUS:
 01 NOT FOR CONSTRUCTION
 02 PRELIMINARY
 03 PERMITTED
 04 CONTRACT DOCUMENTS
 05 FOR PERMITS
 06 FOR PERMITS
 07 FOR PERMITS
 08 FOR PERMITS
 09 FOR PERMITS
 10 FOR PERMITS
 11 FOR PERMITS
 12 FOR PERMITS

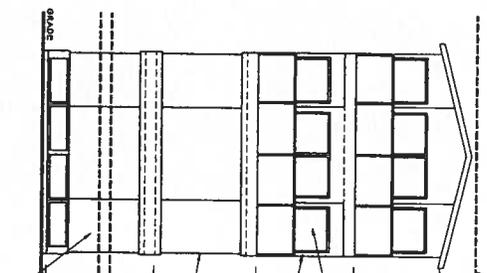
DATE: 08/04
 SHEET NO. 17
 OF 17

PROJECT TITLE:
**EXT. BEV. &
 BLDG SECT.**

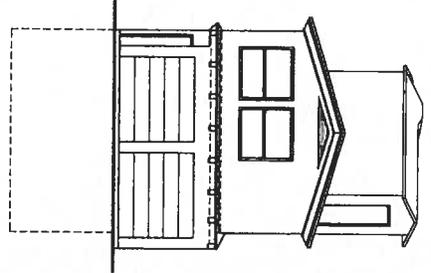
SHEET NO. 17
 OF 17
A-4.0



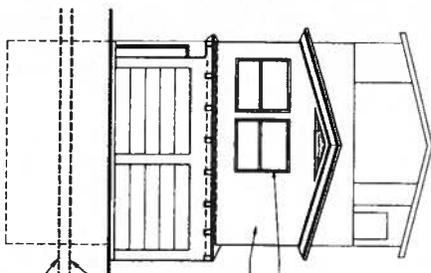
X2 EXISTING WEST ELEVATION
 SCALE: 3/16"=1'-0"



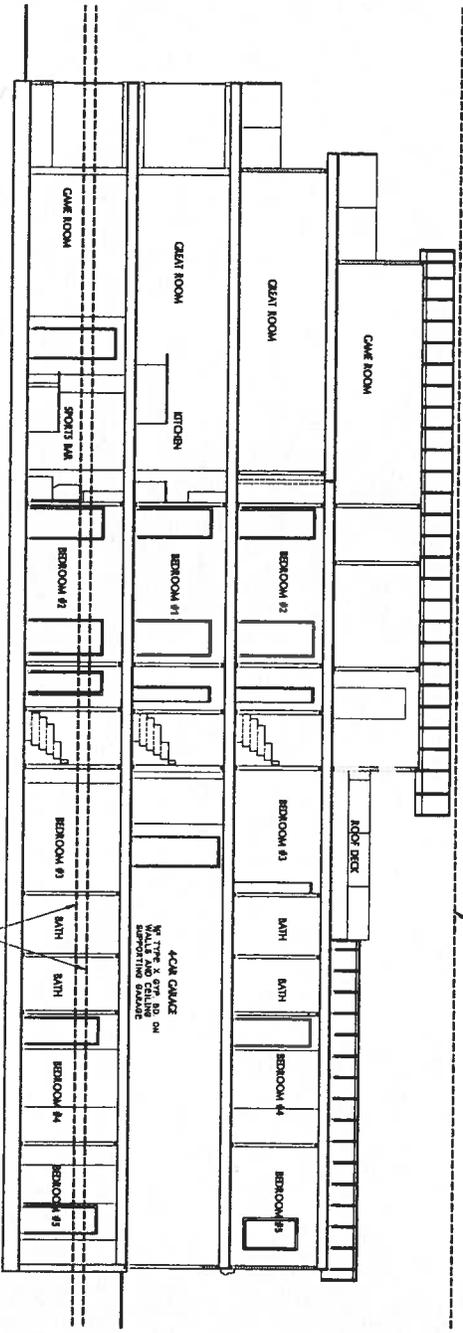
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 SCALE: 3/16"=1'-0"



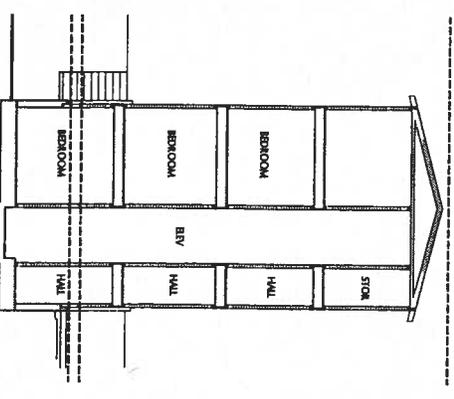
X1 EXISTING EAST ELEVATION
 SCALE: 3/16"=1'-0"



1 PROPOSED EAST ELEVATION
 SCALE: 3/16"=1'-0"

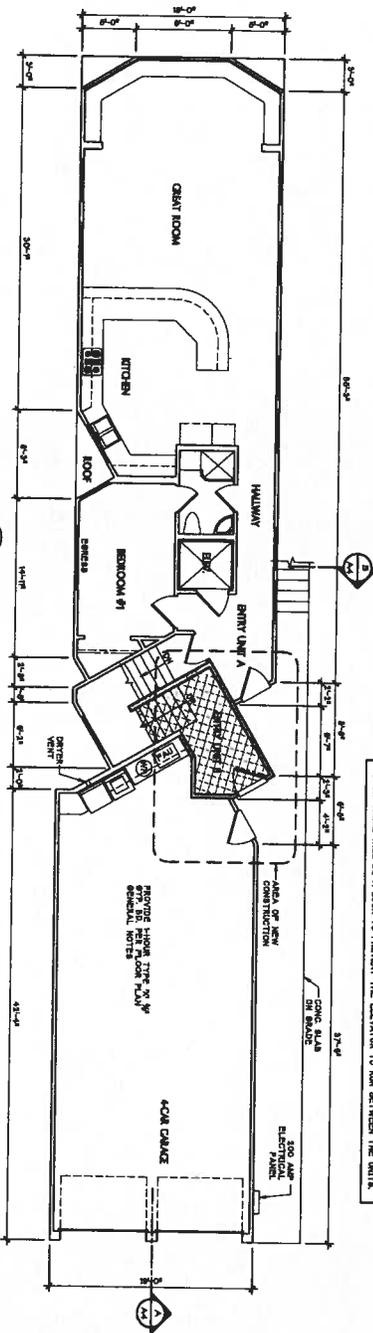


A BUILDING SECTION
 SCALE: 3/16"=1'-0"

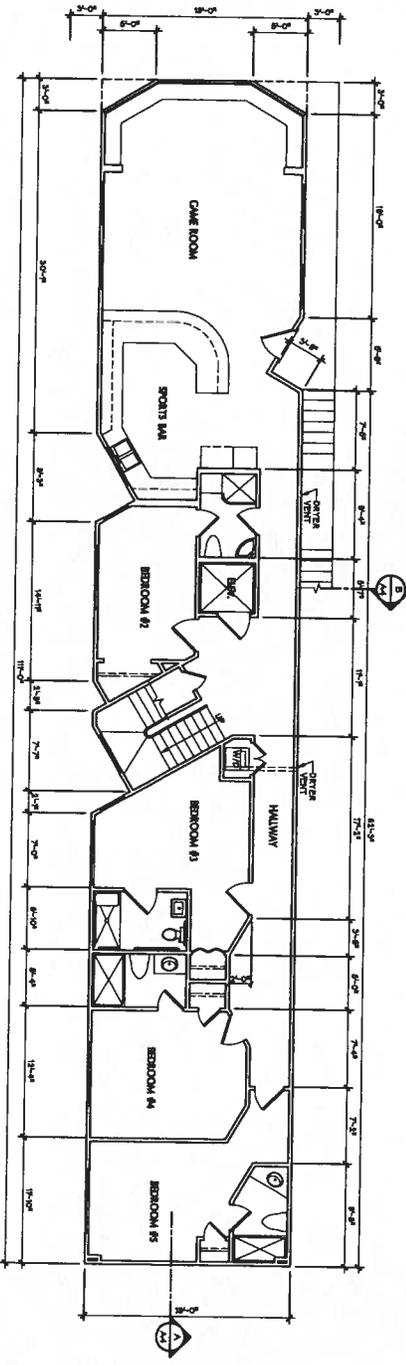


B BUILDING SECTION
 SCALE: 3/16"=1'-0"

STAIRWAYS AND ELEVATORS TO UNITS A AND B ARE SEPARATE THE STAIR TO UNIT A DOES NOT COME TO THE BASEMENT. THE STAIR TO UNIT B DOES COME TO THE BASEMENT. THE ELEVATOR FOR UNIT A WILL RUN BETWEEN THE BASEMENT LEVEL AND THE 1ST FLOOR. THE ELEVATOR FOR UNIT B WILL RUN BETWEEN THE BASEMENT LEVEL AND THE 1ST FLOOR. THERE WILL BE A LOCK TO PREVENT THE ELEVATOR TO RUN BETWEEN THE 1ST FLOOR AND THE BASEMENT.



2 STREET LEVEL PLAN - 1ST STORY
SCALE: 3/8"=1'-0"



1 BEACH LEVEL PLAN - BASEMENT
SCALE: 3/8"=1'-0"

UNIT A - BASEMENT AND 1ST STORY

4150 W. 15TH AVENUE
OCEANVIEW, CA 92054
TEL: 760-722-4800 FAX:
760-722-4800
P.L.L.H.N.T.S./ARCHITECTS
PALL LONGTON
PHOTOGRAPHY

PROJECT:
BEACH &
ADDITION TO
811 S. PACIFIC ST.
OCEANVIEW, CA 92054

OWNER:
REXX
PACIFIC NORTH LLC
MANAGER: JAMES
JAMES H. LONGTON
AT & ARCHITECTS
811 S. PACIFIC ST.
OCEANVIEW, CA 92054
PH: 760-722-4800

OWNER'S REP:
PALL LONGTON
STUDIO / ARCHITECTS
2000 W. 15TH ST.
OCEANVIEW, CA 92054
PH: 760-722-4800

RELATE DATES
DESIGN: 01/01/2012
PERMITS: 01/01/2012

DRAWING STATUS:
DATE: 01/01/2012
BY: JAMES H. LONGTON
CHECKED BY: JAMES H. LONGTON
DATE: 01/01/2012

REVISIONS:
NO. DATE DESCRIPTION
1 01/01/2012 ISSUED FOR PERMITS

NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

DESIGNER:
JAMES H. LONGTON
AT & ARCHITECTS
811 S. PACIFIC ST.
OCEANVIEW, CA 92054
PH: 760-722-4800

DATE:
01/01/2012

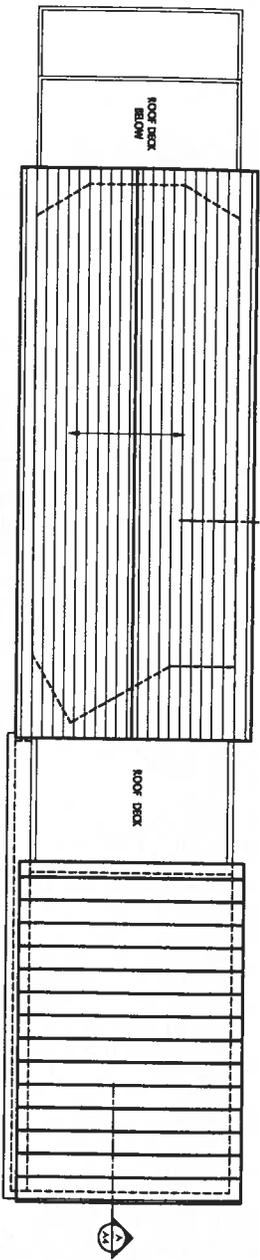
BY:
JAMES H. LONGTON

CHECKED BY:
JAMES H. LONGTON

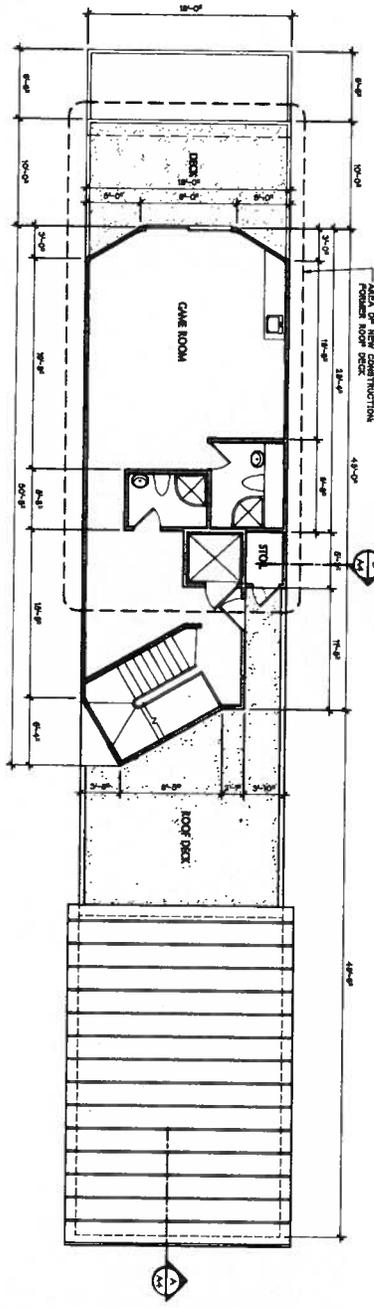
DATE:
01/01/2012

SHEET TITLE:
FLOOR PLANS

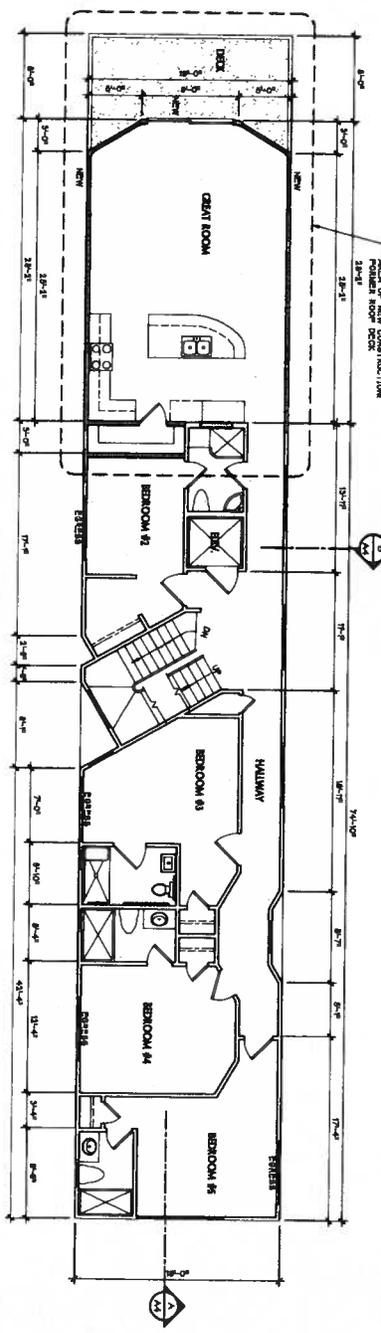
SHEET NO.:
A-10



3 ROOF PLAN
SCALE: 3/8"=1'-0"



2 3rd FLOOR PLAN
SCALE: 3/8"=1'-0"



1 2nd FLOOR PLAN
SCALE: 3/8"=1'-0"

UNIT 8 - 2nd AND 3rd STORIES

OCEANVIEW, CA 94344
 PH: 724-4000 FAX: 724-4000
 P.LONG@OCEANVIEW.COM
 PALL LONGTON
 TRANSPORTS

OWNER:
 REWX
 PACIFIC NORTH LLC
 MANAGER/OWNER
 4410 S. STREET
 BAYVIEW CITY, MI 48066

OWNERS REP:
 PALL LONGTON
 309 ALBA DRIVE
 OCEANVIEW, CA 94344
 PH: 724-4000

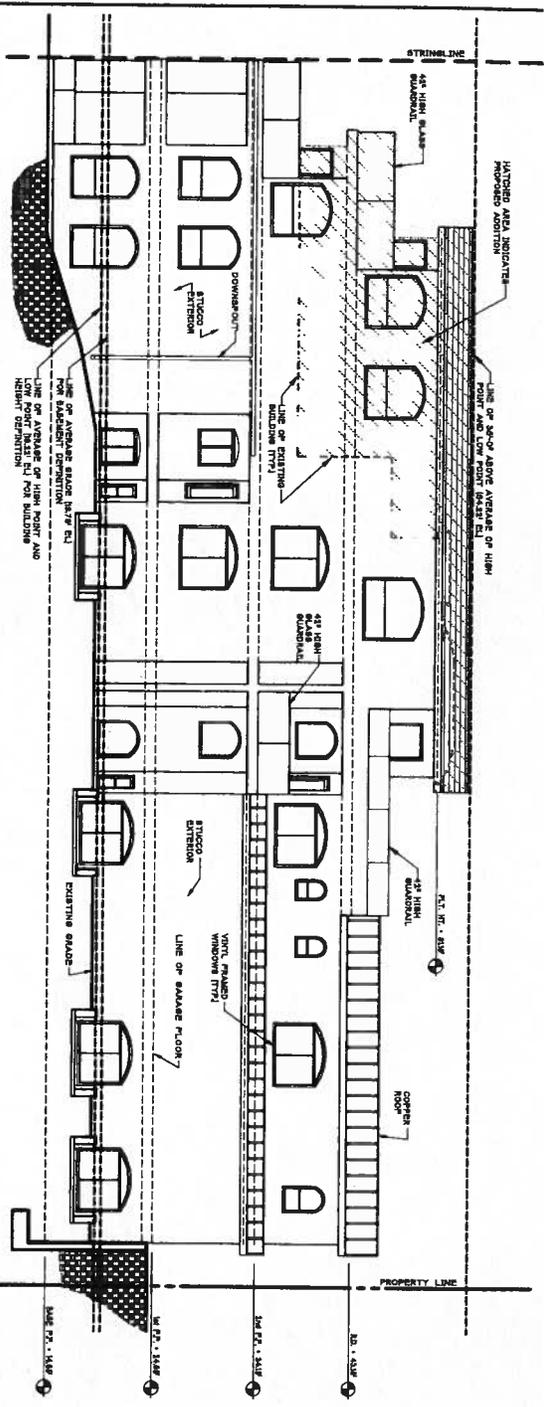
RELEASE DATES:
 SHEET: 07/24/12
 DRAWING:

DRAWING STATUS:
 PRELIMINARY
 CONTRACT DOCUMENTS
 PERMITS
 CONSTRUCTION DOCUMENTS
 OTHER

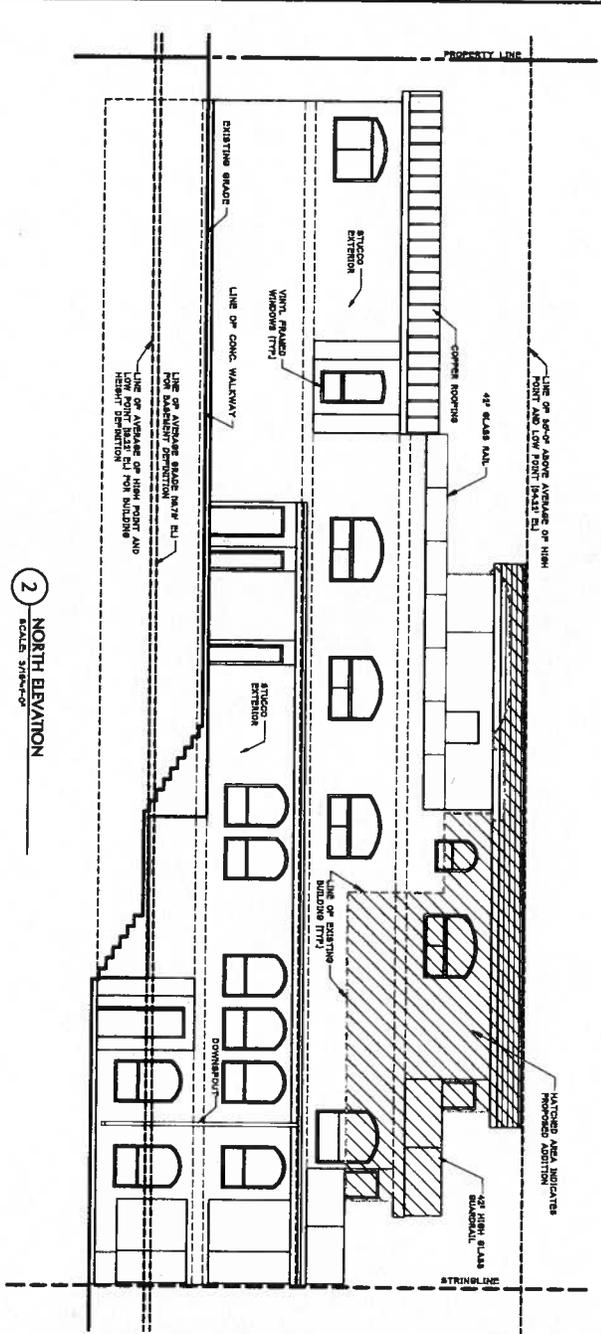
REVISIONS:
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 2. REVISION 2: REVISED ALL DIMENSIONS TO MATCH THE ARCHITECT'S INTENT.
 3. REVISION 3: REVISED ALL DIMENSIONS TO MATCH THE ARCHITECT'S INTENT.
 4. REVISION 4: REVISED ALL DIMENSIONS TO MATCH THE ARCHITECT'S INTENT.
 5. REVISION 5: REVISED ALL DIMENSIONS TO MATCH THE ARCHITECT'S INTENT.

DATE: 07/24/12
DRAWN BY: MLDG
CHECKED BY: PL

SHEET TITLE:
 FLOOR PLANS
SHEET NO.:
 A-2.0



1 SOUTH ELEVATION
SCALE 3/8"=1'-0"



2 NORTH ELEVATION
SCALE 3/8"=1'-0"

OCOMBER, CA 92084
7601 751-4404 FAX
7601 751-4403 FAX
P.O. BOX 1000
PACIFIC PALMS
PACIFIC PALMS, CA

PROJECT:

RENOVE &
ADDITION TO
311 S. PACIFIC ST.
OCOMBER, CA 92084

OWNER:

REX
PACIFIC MONTH, LLC
MANAGER: MARCO
4810 Q STREET
IRVINE, CA 92618

OWNERS REP.:

PAUL LINDGREN
STUDIO 4 ARCHITECTS
2000 ASEA DRIVE
OCOMBER, CA 92084
760 722-4841

RELIEF DATE:

DATE: 01/01/12

DESIGNER:

DATE: 01/01/12

DRAWING STATUS:

NOT FOR CONSTRUCTION
PRELIMINARY DESIGN
FOR INFORMATION ONLY
NOT TO BE USED FOR
CONSTRUCTION
ANY CHANGES
MAY BE MADE WITHOUT
NOTICE
THIS DRAWING IS THE
PROPERTY OF OCOMBER,
CA 92084

DATE:

01/01/12

BY:

PAUL LINDGREN

CHECKED BY:

PAUL LINDGREN

DATE:

01/01/12

SCALE:

AS SHOWN

PROJECT:

RENOVE & ADDITION TO 311 S. PACIFIC ST. OCOMBER, CA 92084

OWNER:

REX PACIFIC MONTH, LLC

MANAGER:

MARCO

DATE:

01/01/12

PROJECT:

RENOVE & ADDITION TO 311 S. PACIFIC ST. OCOMBER, CA 92084

OWNER:

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MANAGER:

MARCO

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MANAGER:

MARCO

DATE:

01/01/12

PROJECT:

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OWNER:

REX PACIFIC MONTH, LLC

MANAGER:

MARCO

DATE:

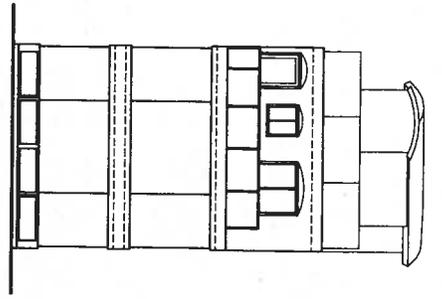
01/01/12

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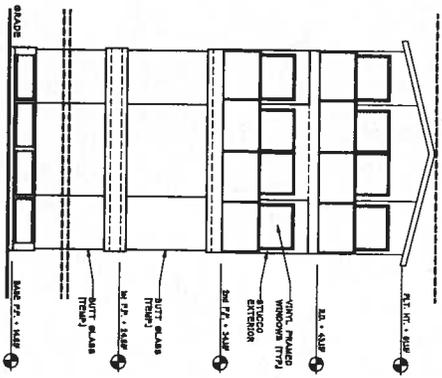
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OWNER:

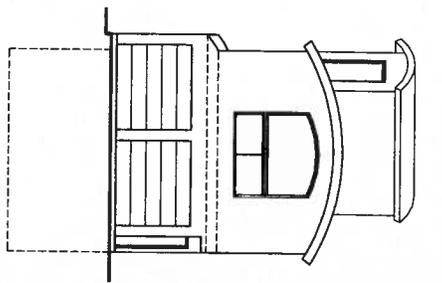
REX PACIFIC MONTH, LLC



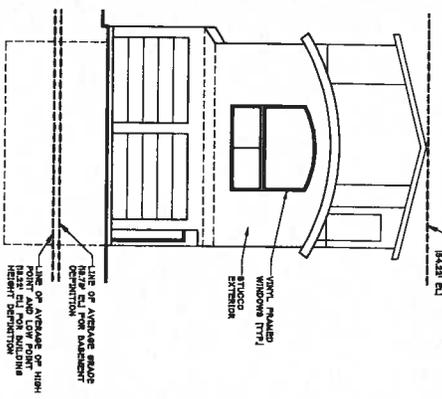
X2 EXISTING WEST ELEVATION
SCALE 3/16"=1'-0"



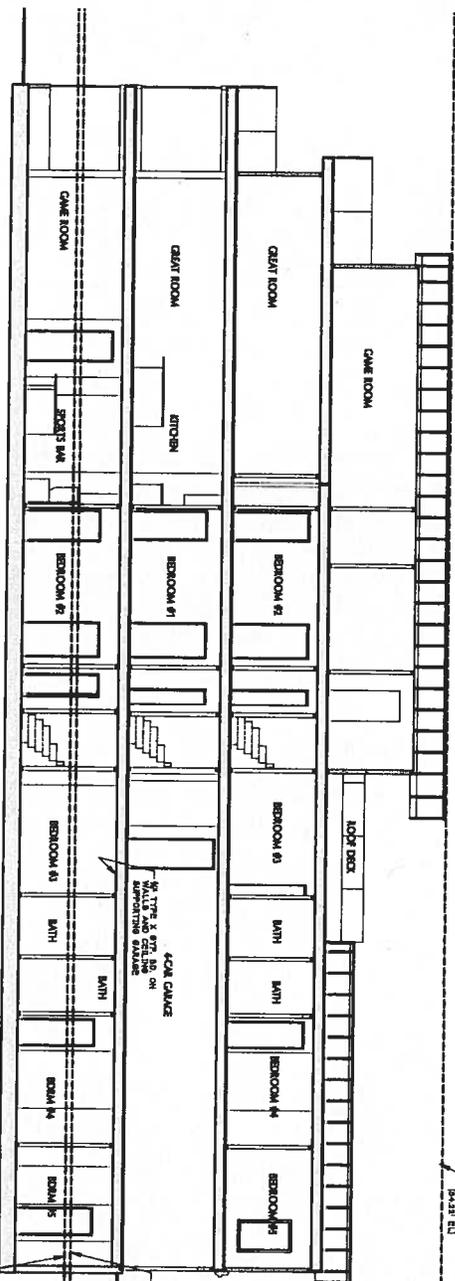
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SCALE 3/16"=1'-0"



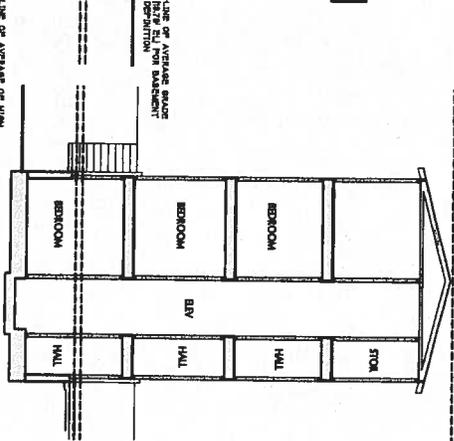
X1 EXISTING EAST ELEVATION
SCALE 3/16"=1'-0"



1 PROPOSED EAST ELEVATION
SCALE 3/16"=1'-0"



A BUILDING SECTION
SCALE 3/16"=1'-0"



B BUILDING SECTION
SCALE 3/16"=1'-0"

OCENAVILLE, CA 92384
760 723-4404 PH
760 723-4403 FX
PACIFIC NORTH LLC
PACIFIC NORTH LLC
PACIFIC NORTH LLC
PACIFIC NORTH LLC

PROJECT:
RENOVATION & ADDITION TO 811 S PACIFIC ST. OCENAVILLE, CA 92384

OWNER:
REVX
PACIFIC NORTH LLC
14400 WILSON AVENUE
JAMES H. BOGGS
401 S. STREET
SANTA ANA, CA 92701

OWNER'S REP:
PAUL JONCTION
STUDIO 4 ARCHITECTS
200 ALBA DRIVE
OCENAVILLE, CA 92384
PH: 723-4901

RELEASE DATE:
8/20/12
8/20/12

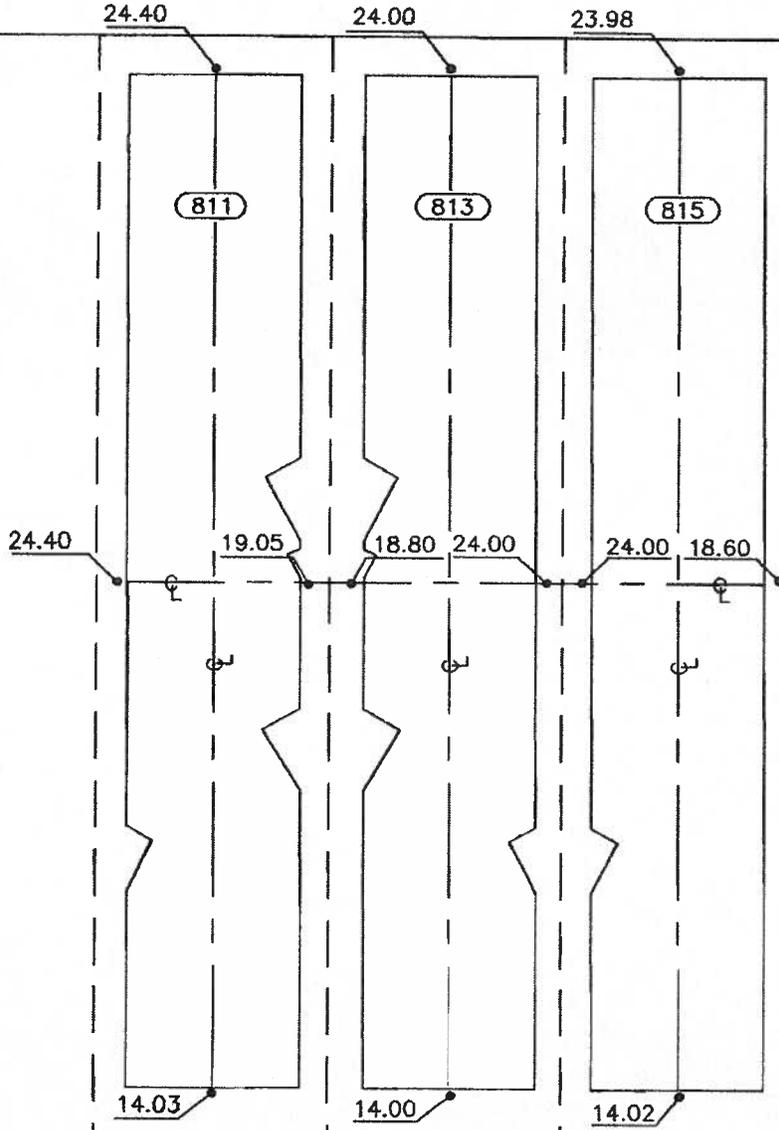
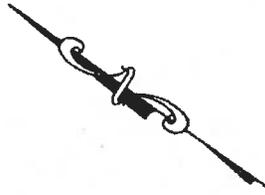
DRAWING STATUS:
 NOT FOR CONSTRUCTION
 PRELIMINARY DESIGN
 PRELIMINARY PERMITS
 PERMITS
 CONTRACT DOCUMENTS
 NOT FOR CONSTRUCTION

REVISIONS:
 1. 8/20/12: REVISED PERMITS
 2. 8/20/12: REVISED PERMITS
 3. 8/20/12: REVISED PERMITS
 4. 8/20/12: REVISED PERMITS
 5. 8/20/12: REVISED PERMITS

DESIGNED BY: LAC
CHECKED BY: PL

SHEET TITLE: BUILDING SECTIONS
SHEET NO.: A-4.0

S. PACIFIC STREET



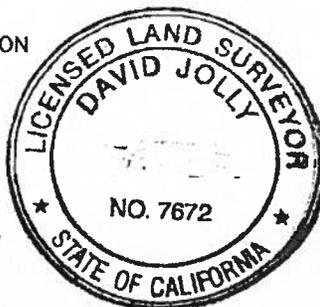
BENCH MARK:

CITY OF OCEANSIDE #F-5
 BRASS CAP STAMPED "COS
 BM F-5" ON TOP CURB
 N.P.C., NORTHWESTERLY
 CURB RETURN AT WISCONSIN
 AND PACIFIC STREETS
 1984 ADJUSTED ELEVATION
 = 28.835 FEET

LEGEND

- 24.00 INDICATES EXISTING SPOT ELEVATION
- INDICATES CENTERLINE
- 811 INDICATES STREET ADDRESS

David Jolly



P a c i f i c O c e a n

EXHIBIT
 SHOWING EXISTING ELEVATIONS AT CENTER OF
 EXTERIOR WALLS OF
 811-815 S. PACIFIC ST.
 OCEANSIDE, CA

DATE: MARCH 20, 2012 DRAWN: D. JOLLY, L.S.



PUBLIC PARKING PROHIBITED
ALL APARTMENTS ARE
RESERVED FOR
RESIDENTS ONLY
TOWING
800-753-4286

811

813

S E L T Z E R | C A P L A N | M C M A H O N | V I T E K
A LAW CORPORATION

ERIK L. SCHRANER, ESQ.
schranner@scmv.com
619.685.3187
619.702.6848 FAX

March 6, 2012

Mr. Russ Cunningham
City of Oceanside
300 North Coast Highway
Oceanside, California 92054

Via Email & U.S. Mail

Office of the City Attorney
City of Oceanside
300 North Coast Highway
Oceanside, California 92054

Re: 811, 813, and 815 South Pacific Street

Dear Mr. Cunningham & Office of the City Attorney:

We represent Beachin, LLC, concerning the applications for a coastal permit and a development plan for 811, 813, and 815 South Pacific Street.

Requested Action.

We request that the City require that the applicant for 811, 813, and 815 South Pacific Street comply with the certified Local Coastal Program by (1) limiting the structures to three stories or less, (2) complying with the 35-foot height limit, (3) providing the required 10-foot side yard setback, (4) complying with the Americans with Disabilities Act and 2010 Building Code accessibility requirement for "transient" lodging, (5) no tandem parking spaces, (6) submitting a beach erosion report, and (7) providing refuse storage.

Discussion.

811, 813, and 815 South Pacific Street are existing 4,501 square foot single-family residences used as transient hotel/motel operations. The applicant proposes to add: (1) a fourth story, (2) a 1,371 square foot addition, and (3) a second unit to each of the three existing single-family buildings. With the proposed additions, the 3,250 square foot lots will be developed with 5,872 square foot buildings rising up four stories from the beach.

Mr. Russ Cunningham and Office of the City Attorney
City of Oceanside
March 6, 2012
Page 2

Applicant intends to operate a six-unit hotel/motel operation with transient occupancy in the three residential buildings. These facilities also qualify as a "place of lodging". The vacation rental management company operating the three buildings also operates 817, 819, 821, 823, 825, 831, and 833 South Pacific Street. These operations, and the pending applications for 817 and 819 South Pacific and 833 South Pacific, should all be addressed in one master development plan and analyzed as one project in accordance with the California Environmental Quality Act.

The applications submitted for these three properties violate the following regulations:

1. Four-Story Structures Are Forbidden.

Applicant proposes to add a new fourth floor to the three existing structures. The 1986 Zoning Ordinance, however, limits buildings on the project sites to three stories.¹

The City's 1986 Zoning Ordinance defines a "story" as that portion of a building included between the surface of any floor and the surface of the floor next above it.² Although a basement does not count as a story, a **basement is limited to that portion of a building between floor and ceiling which is partly below and partly above ground.**³

Section 207: Basement. "Basement" means that portion of a building between floor and ceiling which is partly below and partly above ground but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

Thus, only the portion of the buildings located partly below and partly above ground qualifies as a basement.

The bottom floor of applicant's structures fail to qualify as a basement for two reasons. First, applicant's plans show that the western portion of the existing structures is located entirely above ground. Since the area located entirely above-ground cannot qualify as a basement, the above-ground portion of the bottom floor qualifies as a story.

¹ 1986 Zoning Ordinance §1709.

² 1986 Zoning Ordinance §274.

³ 1986 Zoning Ordinance §207.

Mr. Russ Cunningham and Office of the City Attorney
City of Oceanside
March 6, 2012
Page 3

Second, "if the finished floor level directly above the basement or cellar is more than six feet above grade, such basement or cellar shall be considered a story."⁴ The first step is to calculate "grade". Grade is defined as:

Section 234: Grade. "Grade" means the average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, the above-ground level shall be measured at the sidewalks.

The applicant's plans calculated "grade" using the following measurements:

Center East Wall	24 Feet
Center South Wall	18.4 Feet
Center West Wall	14 Feet
Center North Wall	24 Feet

The resulting average as stated on the plans is 20.1 feet. These measurements, however, do not comply with the City's definition for "grade".

Grade must be measured using "finished ground level" at the center of the walls. According to the plans, finished ground level is 13-foot MSL. Thus, the measurements at the center of the west wall cannot be 14-foot MSL. It is 13-foot MSL.

Applicant makes a different error on the south and north wall measurements. Although the location of these measurements for the south and north walls are not specified on the plans, the measurements appear to be taken from the top of the walkways located along the south and north walls. Applicant, however, must measure from the center of the north and south walls, not the walkways.

While the 1986 Zoning Ordinance walls allows grade for walls parallel to and within five feet of a sidewalk to be measured from the above-ground level at the sidewalks, the areas to the north and south of the structures do not qualify as a sidewalk. Although the 1986 Zoning Ordinance does not define "sidewalk," the California Building Code in effect in 1986 (**copy attached**) defines a "sidewalk" as:

"Sidewalk is a surfaced pedestrian way contiguous to a street used by the public. NOTE: See definition for a walk."⁵

⁴ 1986 Zoning Ordinance §274.

Mr. Russ Cunningham and Office of the City Attorney
City of Oceanside
March 6, 2012
Page 4

And defines a "walk" as:

"Walk is a surfaced pedestrian way not located contiguous to a street used by the public. (See definition for 'sidewalk'.)"⁶

This is consistent with the common definition for sidewalks, which defines a sidewalk as a paved walk for pedestrians at the side of a street.⁷

To qualify as a sidewalk, a sidewalk must be contiguous to a street. "Contiguous" means to be in actual contact, touching along a boundary or at a point.⁸ The areas along the south and side wall are not contiguous to a street used by the public and cannot, therefore, qualify as sidewalks. Thus, the south and north wall must be measured from finished ground level at the center of these walls.

This results in the following measurements:

Center East Wall	24 Feet
Center South Wall	13 Feet
Center West Wall	13 Feet
Center North Wall	13 Feet

Average grade is therefore 15.75-foot MSL. Thus, the finished floor directly above the basement is more than six feet above grade and the bottom floor qualifies as a story.

2. Building Height.

Applicant's proposed structures do not comply with the RT zone height restriction. The RT zoning regulations restrict "building height" to 35 feet⁹ and define "building height" as "the vertical distance measured from the average level of the highest and lowest point of that portion of the building site covered by the building to the ceiling of the uppermost story."¹⁰

⁵ 2010 California Building Code section 2-420(d).

⁶ 2010 California Building Code section 2-424(a).

⁷ Merriam-Webster Dictionary.

⁸ Merriam Webster Dictionary.

⁹ 1986 Zoning Ordinance §3203.

¹⁰ 1986 Zoning Ordinance §211 (emphasis added.).

Mr. Russ Cunningham and Office of the City Attorney
City of Oceanside
March 6, 2012
Page 5

The plans submitted by the applicant claim that the average level of the highest and lowest point is 19-feet MSL. This is incorrect.

The finished grade for the portion of the building site covered by the building is 13-feet MSL. The average level of the highest and lowest point of the portion of the building site covered by the building is therefore 13-feet MSL.

The plans identify the height of the ceiling of the uppermost story as 50.67-feet MSL. The proposed building height is therefore 37.67 feet, which exceeds the 35-foot height limit.

c. Other adopted plans or policy of the City.

In addition, the 1986 Zoning Ordinance imposes the following additional height restriction: **"No building or structure shall exceed any adopted height restrictions that may appear in any other adopted Plan or Policy of the City ..."**¹¹ The Zoning Ordinance adopted in 1988 by the City Council is another adopted City plan or policy. The 1988 Zoning Ordinance restricts building height to 27 feet. The projects exceed this height limit by more than 10 feet.

3. Increase of Side Yard Where Dwelling Unit Fronts Upon a Side Yard.

To add an additional unit, each of the projects must provide a 10 foot side yard setback on the side where the primary entrance is located. Section 1723 of the Zoning Ordinance requires the following side yard setback:

The minimum width of the side yard upon which a primary entrance to a dwelling unit is provided shall be no less than ten (10) feet.¹²

Since applicant proposes to locate two primary entrances within the side yard, applicant must provide a 10-foot side yard on the side yard where the primary entrances will be located. Applicant proposes to only provide a 3-foot side yard setback on the side yard with both primary entrances.

¹¹ 1986 Zoning Ordinance §3203.

¹² 1986 Zoning Ordinance §1723.

Mr. Russ Cunningham and Office of the City Attorney

City of Oceanside

March 6, 2012

Page 6

4. Americans with Disabilities Act.

Applicant will operate the proposed structures as a hotel/motel and an assembly hall used by transient renters, which qualifies the proposed structures as a "place of lodging" and as "transient" occupancy. New ADA regulations require "places of lodging" to comply with ADA accessibility regulations and structures used for "transient" occupancy must comply with the 2010 California Building Code accessibility regulations. Applicant's projects qualify as "places of lodging" and "transient" occupancies. Thus, to operate a structure used by transient renters using the premises for fewer than 30 days, the three structures will have to comply with the Americans with Disabilities Act and the 2010 California Building Code accessibility regulations.

5. Tandem Parking Spaces.

Applicant proposes to provide four tandem parking spaces to comply with the minimum parking requirements. The City shall require that all new residential development provides adequate on-site parking. In areas where beach parking demand is critical, parking requirements for new residential development shall be strictly enforced.¹³ Nothing in the 1986 Zoning Ordinance, however, authorizes the use of tandem parking spaces to comply with the parking requirements.

In addition, tandem parking spaces do not comply with the requirement that parking spaces "be provided with adequate ingress and egress" and the General Plan requirement that "developments shall design parking areas to maximize efficiency, safety, convenience, and open space."¹⁴ Tandem parking spaces do not provide adequate ingress and egress, particularly in structures that will be used as vacation rental by transient renters.

6. Beach Erosion Report.

The Local Coastal Program requires new development west of Pacific Street from Wisconsin to the south City limits to provide a report prepared by a licensed civil engineer or geologist experienced in coastal processes that development as proposed would not be imperiled by erosion during the expected life of the structure (generally 75 years for new residential development). Applicant has not submitted the required beach erosion report.

¹³ Local Coastal Program Policy 17.

¹⁴ 1986 Zoning Ordinance §2702; General Plan Policy 1.20.

Mr. Russ Cunningham and Office of the City Attorney
City of Oceanside
March 6, 2012
Page 7

7. Refuse Storage.

The 1986 Zoning Ordinance requires refuse storage that is 5-feet high, 6-feet deep, and 8-feet wide constructed of concrete block or masonry walls with gates.¹⁵ The plans do not identify a refuse storage that meets these criteria.

Conclusion.

The applicant has proposed a structure using interpretations from the 1992 Zoning Ordinance, which is no longer applicable within the Coastal Zone. We request that the City require the applicant to comply with the certified Local Coastal Program – the 1986 Zoning Ordinance.

Thank you.

Very truly yours,

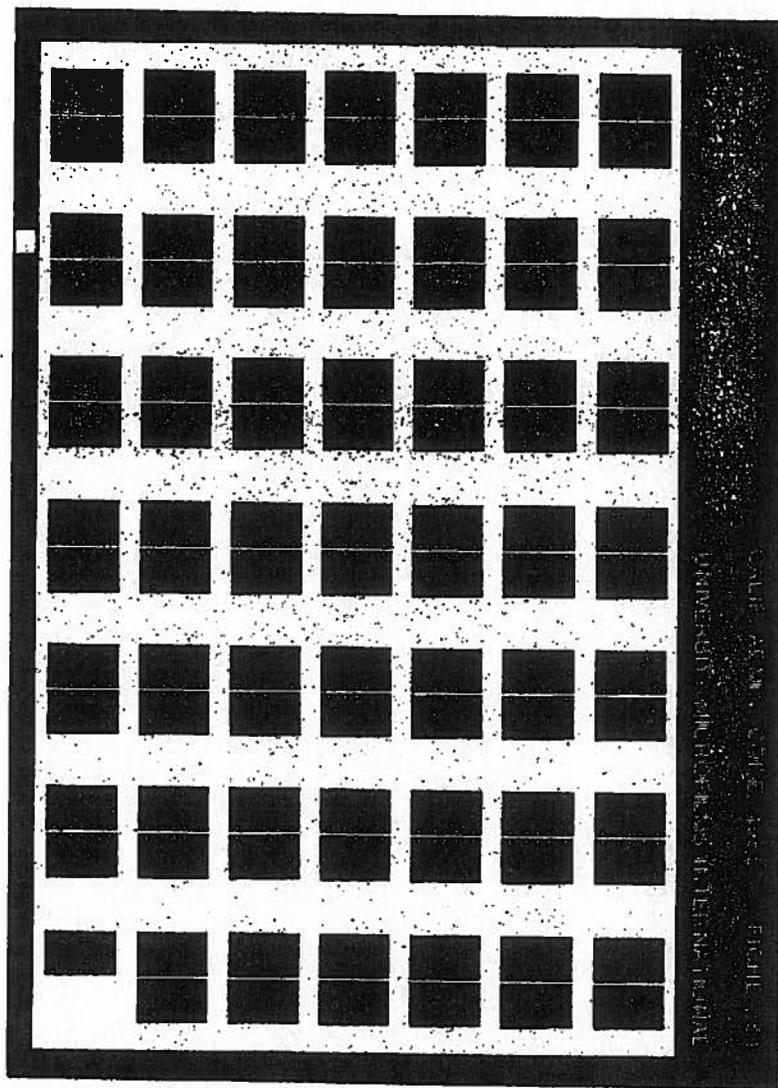


Erik L. Schraner, Esq.
Seltzer Caplan McMahon Vitek
A Law Corporation

ELS/cll
Enclosure

cc: Beachin, LLC (w/enclosure)
California Coastal Commission, San Diego Coast District Office (w/enclosure)

¹⁵ 1986 Zoning Ordinance §1730.



TITLE 24

BUILDING STANDARDS

(Register 61, No. 11--3448)

(p. ix)

TITLE 24. BUILDING STANDARDS

(Originally filed 9-16-59)

(Revision filed 7-9-83)

- PART 1. STATE BUILDING STANDARDS COMMISSION**
- PART 2. BASIC BUILDING REGULATIONS**
- PART 3. BASIC ELECTRICAL REGULATIONS**
- PART 4. BASIC MECHANICAL REGULATIONS**
- PART 5. BASIC PLUMBING REGULATIONS**
- PART 6. SPECIAL BUILDING REGULATIONS**
- PART 7. ELEVATOR SAFETY REGULATIONS**
- PART 8. STATE HISTORICAL BUILDING CODE**

S

Sec. 2-420. (a) Sanitary Facility is any single unit or a combination of water closets, urinals, lavatories, bathtubs or showers, together with the room or space in which they are located.

(b) **Shopping Center** one or more sales establishments or stores.

(c) **Should:**

NOTE: See Recommendation.

(d) **Sidewalk** is a surfaced pedestrian way contiguous to a street used by the public.

NOTE: See definition for "Walk".

(e) **Single Accommodation Sanitary Facility** is a room that has not more than one of each type of sanitary fixture, is intended for use by only one person at a time, has no partition around the toilet, and has a door that can be locked on the inside by the room occupant.

NOTES: 1. See Section 2-1711.

2. For bathrooms serving Group B Occupancies, see Section 2-1213.

(f) **Site Development** is "on site" and "off site" work including, but not limited to, walks, sidewalks, ramps, curbs, curb ramps, parking facilities, stairs, planting areas, pools, promenades, exterior gathering or assembly areas and raised or depressed paved areas.

(g) **Smoke Detector** is a device which senses visible or invisible particles of combustion.

(h) **Special Access Lift** is a hoisting and lowering mechanism equipped with a car or platform, or support which serves two landings of a building or structure and is designed to carry a passenger or passengers and (or) luggage or other material a vertical distance as may be allowed.

T

Sec. 2-421. (a) Temporary shall mean buildings and facilities intended for use at one location for not more than one year and seats intended for use at one location for not more than 90 days.

(b) **Tread** is the horizontal surface of a step in a stair.

U

Sec. 2-422. (a) UBC shall mean the 1979 Edition of the Uniform Building Code as published by the International Conference of Building Officials.

EXCEPTIONS: 1. UBC as it relates to the jurisdiction of the Office of the State Architect relative to public school buildings and in reference to Chapter 2-21 through 2-30, inclusive, 2-32, 2-37, 2-47 and 2-54 of Part 2 and in Division T21 of Part 6 shall be construed to mean the 1976 Edition.

2. UBC as it relates to the jurisdiction of the Office of Statewide Health Planning and Development relative to hospital buildings and in reference to Chapters 2-23 through 2-30, inclusive, 2-32, 2-37 and 2-47 of Part 2 and in Division T22 of Part 6 shall be construed to mean the 1976 Edition.

3. UBC as it is used in reference to the State Housing Law, Building Standards for hotels, motels, lodging houses, apartment houses, and dwellings, or portions thereof, and buildings and structures accessory thereto shall comply with provisions contained in the 1979 Uniform Building Code. See Chapter 2-12.

(b) **UBC Standards** shall mean the 1979 Edition of the Uniform Building Code Standards as published by the International Conference of Building Officials.

EXCEPTION: Exceptions (1), (2) and (3) of Section 2-422(a) relating to UBC shall apply to UBC Standards.

(c) **Unreasonable Hardship:** An unreasonable hardship exists when the enforcing agency finds that compliance with the building standard would make the specific

work of the project affected by the building standard, unfeasible based upon an overall evaluation of the following factors:

1. The cost of providing access.
2. The cost of all construction contemplated.
3. The impact of proposed improvements on financial feasibility of the project.
4. The nature of the accessibility which would be gained or lost.
5. The nature of the use of the facility under construction and its availability to handicapped persons.

The details of any finding of unreasonable hardship shall be recorded and entered in the files of the enforcing agency.

W

Sec. 2-424. (a) Walk is a surfaced pedestrian way not located contiguous to a street used by the public. (See definition for "Sidewalk".)

(b) Wheelchair is a chair mounted on wheels to be propelled by its occupant manually or with the aid of electric power, of a size and configuration conforming to the recognized standard models of the trade.

(c) Wheelchair Occupant or Wheelchair User is an individual who, due to a physical impairment or disability, utilizes a wheelchair for mobility.



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
RECEIVED
 JAN 20 2012
 CITY OF OCEANSIDE
 DEVELOPMENT SERVICES
 BY
 RC

Please Print or Type All Information

HEARING
 GPA
 MASTER/SP.PLAN
 ZONE CH.
 TENT. MAP
 PAR. MAP
 DEV. PL. D12-00001
 C.U.P.
 VARIANCE
 COASTAL RC12-00001
 O.H.P.A.C.

PART I - APPLICANT INFORMATION
 1. APPLICANT **REVX Pacific South LLC**
 2. STATUS **Owner**
 3. ADDRESS **421 Q Street Beaver City, NE 68926**
 4. PHONE/FAX/E-mail
 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) **Paul Longton**
 6. ADDRESS **2909 Mesa Drive Oceanside, CA 92054**
 7. PHONE/FAX/E-mail **760 722-4904**

PART II - PROPERTY DESCRIPTION
 8. LOCATION **815 S. Pacific St.**
 9. SIZE **3,250 SF (.073 Acres)**
 10. GENERAL PLAN
 11. ZONING **RT**
 12. LAND USE **Single Family Res.**
 13. ASSESSOR'S PARCEL NUMBER **150.356.16.00**

PART III - PROJECT DESCRIPTION
 14. GENERAL PROJECT DESCRIPTION
Convert existing single family residence to a duplex. Add a 'Great Room' to the 2nd Floor and a 'Game Room' to the 3rd Floor
 15. PROPOSED GENERAL PLAN
 16. PROPOSED ZONING **RT (no change)**
 17. PROPOSED LAND USE **Duplex**
 18. NO. UNITS **2**
 19. DENSITY **26.8 Du/acre**
 20. BUILDING SIZE **5910 SF**
 21. PARKING SPACES **4**
 22. % LANDSCAPE **20%**
 23. % LOT COVERAGE or FAR **63.2%**

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

PART V - SIGNATURES
 33. APPLICANT OR REPRESENTATIVE (Print): **Paul Longton**
 34. DATE **1/4/12**
 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) **Juanes Dodson**
 36. DATE **1/2/12**
 Managing Member
 Sign:

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

**Description & Justification
To Convert an Existing Single Family Res to
A Duplex
At
Lot 8, 811 S Pacific St, Oceanside, 92054**

January 17, 2012

Owner:

REVX
Pacific North LLC

Managing Member
James Dodson

421 Q Street
Beaver City, NE 68926

Statistics at a glance

Address –	811 S Pacific St
APN –	150-356-14-00
Zoning –	RT
Proposed zoning –	No Change
General Plan	UHD
Proposed Gen Plan	No change
Lot Size –	3,250 SF (.075 Acres)
Existing Land Use –	Single Family Residence
Proposed Land Use –	Duplex
Number of units –	2
Density/acre –	26.8 units/acre
Existing lot coverage -	63.2%
Proposed Lot Coverage	No Change
Existing Building Size:	
Beach Level	2054 SF
Street Level	1079 SF
Second Story	1368 SF
<u>Total Habitable</u>	<u>4501 SF</u>

Garage (4-spaces)	861 SF
Decks	562 SF

Proposed Construction

Beach Level	-0-
First Story	38 SF
Second Story	546 SF
Third Story	825 SF
<u>Total New Const.</u>	<u>1409 SF</u>

Building SF when complete (2-units)

Unit #1	
Beach Level	2054 SF
First Story	1117 SF
<u>Total Unit #1</u>	<u>3171 SF</u>

Unit #2	
Second Story	1914 SF
Third Story	825 SF
<u>Total Unit #2</u>	<u>2739 SF</u>

Total both units	5910 SF
------------------	---------

Decks Total	357 SF
-------------	--------

(There will be 205 SF of deck that will be replaced with habitable space)

Parking required –	3 spaces
Parking provided –	4 spaces

The Architecture is by Paul Longton, Architect

Subject property is in the R-T Zone

Scope of Work

The scope of work is to remodel and add to an existing single family home. When complete the residence will add 1409 SF and will be a duplex.

Pertinent Definitions (per Oceanside City Ordinance)

Article 32: Residential Tourist Zone (R-T Zone)

Section 3200: Purpose. The R-T Zone is intended to accommodate tourist and year round visitor serving facilities by providing permanent and transient residential and related use to serve all income levels. The R-T Zone is primarily designated on the shorefront property in order to optimize public access to the beach.

Section 234: Grade. "Grade" means the average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, the above-ground level shall be measured at the sidewalks.

Section 207: Basement. "Basement" means that portion of a building between floor and ceiling which is partly below and partly above ground but so located that the vertical distance from grade, see section 234 above, to the floor below is less than the vertical distance from grade to ceiling.

Section 211: Building Height. "Building Height" means that the vertical distance measured from the average level of the highest and lowest point of that portion of the building-site covered by the building to the ceiling of the uppermost story.

Section 3203: Height of buildings. Building Height is Limited to 35 feet unless a conditional use permit is issued in accordance with Article 15.

Permitted Height to ceiling of top story = EL 19.22' + 35' = EL 54.22'

Proposed Height to ceiling of top story = EL 51.15'

Proposed Building is 3.07' Below maximum permitted

Proposed Construction

The proposed construction will remodel the existing single family residence to a duplex. There will be no change to the eastern (Pacific Street side) portion of the building. The view of the building as seen from the street will be unchanged. Currently the stair and elevator tower go to the roof deck. All of the proposed construction will be west of the stair and elevator tower.

There will be no increase in bedrooms. The building will add a "Great Room" to the 2nd Floor. This Great Room will be the kitchen and living room for the 2nd Unit. There will be a deck to the west of the new Great Room. The second floor steps back from the west – giving the elevation a "tiered" look.

The construction will add a Game Room as the 3rd floor construction. The Game Room will have a deck to the west. The 3rd floor will step back from the west adding to the "tiered appearance"

The new construction at the 3rd floor will not change the height of the building. The new Game Room will be at the height of existing stair and elevator tower.

Parking

Parking for the building will remain unchanged at 4 covered parking spots. The intensity of use will not change with the number of bedrooms remaining unchanged.

Preservation of Public Views

The public view corridors will remain unchanged. The corners of the building at the west end are "clipped" to allow better views. The proposed construction at the 2nd and 3rd stories will step back from the west face.

Proposed Materials

Some of the existing features of the home are: a 50 year roof, copper flashings, elevator, laminated glass for sound proofing and UV protection, non-corrosive materials for prolonged life and low maintenance beachfront living, maintenance of north/south access at the beach level so the public access is maintained at all times and tides.

The interior materials will be superior for ease of living, low maintenance and energy efficiency. The furnace will be high efficiency. The appliances are all Energy Star approved. The water heaters are of the "Instant" variety that are much more energy efficient than the "tank" type. Bathroom floors are heated. Lights and fans in the bathrooms are occupant initiated for convenience and, ultimately, for energy efficiency.

Extra care is taken to use materials that isolate sound from floor to floor and from inside to outside, or the reverse.

The new construction will maintain this high standard of materials.

Engineering

The existing residence was built using a "mat slab". Per the conversations with the structural engineer, there will be no need to upgrade the existing foundation. Similarly since the footprint of the building will not change, the civil engineering need not change nor would there be any need for a Wave Up-rush Study.

Regular Coastal

The proposed project is consistent with the policies of the Local Coastal Program as implemented through the Zoning Ordinances. Specifically the physical aspects of the project are consistent with the adjoining properties and those in the neighborhood. The project will not substantially alter or impact existing public views of the coastal zone area.

The proposed project will not obstruct any existing planned public beach access including any beach areas fronting the existing property; therefore the proposed project is in conformance with the policies of Chapter 3 of the Coastal Act.

Development Plan Findings

Adoption of the Development Plan may be subject to conditions and it may be amended in the same manner as it was first adopted pursuant to Oceanside zoning ordinance, section 1611.f.1. Additionally, the City Planner may approve by the endorsement on the approved Development Plan, minor modifications in design which do not substantially alter the approved plan or the use permitted. Such minor modifications shall be reported to the authority which has approved the Development Plan. (Section 1611.g).

The Development plan for the proposed construction to remodel and convert the existing single family residence to a duplex has taken into consideration the surrounding properties and is consistent with the land use policies of the Local Coastal Program as implemented through the Zoning Ordinance. The project will not compromise existing public views within the Coastal Zone area nor produce adverse massing or property depreciation impacts on neighboring properties.

The proposed Development plan will not substantially depreciate or interfere with the use or enjoyment of property in the vicinity, nor will it endanger the public peace, health, safety or general welfare.

The application for a Development Plan shall be heard by the Planning Commission and their action shall be final unless appealed to the City Council under the manner as specified in Article 21 of the City of Oceanside's Zoning Ordinance.

LEGAL DESCRIPTION

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

LOT 8 IN BLOCK "C" OF MYER'S ANNEX TO OCEANSIDE, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 984, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 13, 1906.

EXCEPTING THEREFROM THAT PORTION, IF ANY, NOW OR HERETOFORE LYING BELOW THE MEAN HIGH TIDE LINE OF THE PACIFIC OCEAN.

APN: 150-356-14-00

811



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
(180 days)

1. **APPLICANT:** Paul Longton, Studio 4 Architects
2. **ADDRESS:** 2909 Mesa Drive Oceanside, CA 92054
3. **PHONE NUMBER:** (760) 722-4904
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Russ Cunningham, Senior Planner
6. **PROJECT TITLE:** Development Plan (D12-00001)/Regular Coastal Permit (RC12-00001), South Pacific Duplex Conversion (815 South Pacific Street)
7. **DESCRIPTION:** Request to allow conversion of an existing single-family residence to a duplex, with the addition of 1,409 square feet of habitable space and a new third story. Situated within the Coastal Zone and the Townsite Neighborhood Planning Area, the project site bears a Local Coastal Plan designation of High-Density Residential and a zoning designation of Residential-Tourist (R-T).

ADMINISTRATIVE DETERMINATION: The proposal involves the construction of a duplex or similar multi-family residential structure totaling no more than four dwelling units. Pursuant to the California Environmental Quality Act (CEQA) and applicable state guidelines, the proposal is not subject to further environmental review, consistent with the following determination:

- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section _____, <name> (Sections 15260-15277); or,
- The project is categorically exempt, Class 3, "New Construction or Conversion of Small Structures" (Section 15303); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

A handwritten signature in blue ink, appearing to read "R. Cunningham".

Russ Cunningham, Senior Planner

Date: March 26, 2012

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



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

RC

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT

Evergreen Hebron, L.P.

2. STATUS

Owner

GPA

MASTER/SP.PLAN

ZONE CH.

3. ADDRESS

1821 S. Coast Hwy
Oceanside, CA 92054

4. PHONE/FAX/E-mail

TENT. MAP

PAR. MAP

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

Paul Longton

DEV. PL.

D12-00002

C.U.P.

6. ADDRESS

2909 Mesa Dr.
Oceanside 92054

7. PHONE/FAX/E-mail

760
722-4908

VARIANCE

COASTAL

RC12-00002

PART II - PROPERTY DESCRIPTION

8. LOCATION

813 S. Pacific St

9. SIZE

3,250 SF (.075 acres)

10. GENERAL PLAN

UHD

11. ZONING

RT

12. LAND USE

Single Family Res

13. ASSESSOR'S PARCEL NUMBER

150-356-15-00

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION

Convert existing single family residence to a duplex. Add a 'Great Room' to the 2nd story and a 'Game Room' to the 3rd story

15. PROPOSED GENERAL PLAN

No Change

16. PROPOSED ZONING

No Change

17. PROPOSED LAND USE

Duplex

18. NO. UNITS

2

19. DENSITY

26.8 DU/Acre

20. BUILDING SIZE

5910

21. PARKING SPACES

4

22. % LANDSCAPE

20%

23. % LOT COVERAGE or FAR

63.2%

PART IV - ATTACHMENTS

24. DESCRIPTION/JUSTIFICATION

25. LEGAL DESCRIPTION

26. TITLE REPORT

27. NOTIFICATION MAP & LABELS

28. ENVIRONMENTAL INFO FORM

29. PLOT PLANS

30. FLOOR PLANS AND ELEVATIONS

31. CERTIFICATION OF POSTING

32. OTHER (See attachment for required reports)

PART V - SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print):

Paul Longton

34. DATE

1/4/12

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) Steve Lomis
Managing Partner

36. DATE

1/2/12

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

Sign:

**Description & Justification
To Convert an Existing Single Family Res to
A Duplex
At
Lot 9, 813 S Pacific St, Oceanside, 92054**

January 17, 2012

Owner:

Evergreen Hebron, LP

Managing Member
Steve Loomis

813 S. Pacific Street
Oceanside, CA 92054

Statistics at a glance

Address –	813 S Pacific St
APN –	150-356-15-00
Zoning –	RT
Proposed zoning –	No Change
General Plan	UHD
Proposed Gen Plan	No Change
Lot Size –	3,250 SF (.075 Acres)
Existing Land Use –	Single Family Residence
Proposed Land Use –	Duplex
Number of units –	2
Density/acre –	26.8 units/acre
Existing lot coverage -	63.2%
Proposed Lot Coverage	No Change
Existing Building Size:	
Beach Level	2054 SF
Street Level	1079 SF
<u>Second Story</u>	<u>1368 SF</u>
Total Habitable	4501 SF

Garage (4-spaces) 861 SF

Decks 562 SF

Proposed Construction

**Beach Level -0-
First Story 38 SF
Second Story 546 SF
Third Story 825 SF

Total New Const. 1409 SF**

Building SF when complete (2-units)

**Unit #1
Beach Level 2054 SF
First Story 1117 SF

Total Unit #1 3171 SF**

**Unit #2
Second Story 1914 SF
Third Story 825 SF

Total Unit #2 2739 SF**

Total both units 5910 SF

**Decks Total 357 SF
(There will be 205 SF of deck that will be replaced with habitable space)**

**Parking required – 3 spaces
Parking provided – 4 spaces**

The Architecture is by Paul Longton, Architect

Subject property is in the R-T Zone

Scope of Work

The scope of work is to remodel and add to an existing single family home. When complete, the residence will add 1409 SF and will be a duplex.

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Section 234: Grade. "Grade" means the average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, the above-ground level shall be measured at the sidewalks.

Section 207: Basement. "Basement" means that portion of a building between floor and ceiling which is partly below and partly above ground but so located that the vertical distance from grade, see section 234 above, to the floor below is less than the vertical distance from grade to ceiling.

Section 211: Building Height. "Building Height" means that the vertical distance measured from the average level of the highest and lowest point of that portion of the building-site covered by the building to the ceiling of the uppermost story.

Section 3203: Height of buildings. Building Height is Limited to 35 feet unless a conditional use permit is issued in accordance with Article 15.

Permitted Height to ceiling of top story = EL 19.0' + 35' = EL 54.0'

Proposed Height to ceiling of top story = EL 51.5'

Proposed Building is 2.5' Below maximum permitted

Proposed Construction

The proposed construction will remodel the existing single family residence to a duplex. There will be no change to the eastern (Pacific Street side) portion of the building. The view of the building as seen from the street will be unchanged. Currently the stair and elevator tower go to the roof deck. All of the proposed construction will be west of the stair and elevator tower.

There will be no increase in bedrooms. The building will add a "Great Room" to the 2nd Floor. This Great Room will be the kitchen and living room for the 2nd Unit. There will be a deck to the west of the new Great Room. The second floor steps back from the west – giving the elevation a "tiered" look.

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The new construction at the 3rd floor will not change the height of the building. The new Game Room will be at the height of existing stair and elevator tower.

Parking

Parking for the building will remain unchanged at 4 covered parking spots. The intensity of use will not change with the number of bedrooms remaining unchanged.

Preservation of Public Views

The public view corridors will remain unchanged. The corners of the building at the west end are "clipped" to allow better views. The proposed construction at the 2nd and 3rd stories will step back from the west face.

Proposed Materials

Some of the existing features of the home are: a 50 year roof, copper flashings, elevator, laminated glass for sound proofing and UV protection, non-corrosive materials for prolonged life and low maintenance beachfront living, maintenance of north/south access at the beach level so the public access is maintained at all times and tides.

The interior materials will be superior for ease of living, low maintenance and energy efficiency. The furnace will be high efficiency. The appliances are all Energy Star approved. The water heaters are of the "Instant" variety that are much more energy efficient than the "tank" type. Bathroom floors are heated. Lights and fans in the bathrooms are occupant initiated for convenience and, ultimately, for energy efficiency.

Extra care is taken to use materials that isolate sound from floor to floor and from inside to outside, or the reverse.

The new construction will maintain this high standard of materials.

Engineering

The existing residence was built using a "mat slab". Per the conversations with the structural engineer, there will be no need to upgrade the existing foundation. Similarly since the footprint of the building will not change, the civil engineering need not change nor would there be any need for a Wave Up-rush Study.

Regular Coastal

The proposed project is consistent with the policies of the Local Coastal Program as implemented through the Zoning Ordinances. Specifically the physical aspects of the project are consistent with the adjoining properties and those in the neighborhood. The project will not substantially alter or impact existing public views of the coastal zone area.

The proposed project will not obstruct any existing planned public beach access including any beach areas fronting the existing property; therefore the proposed project is in conformance with the policies of Chapter 3 of the Coastal Act.

Development Plan Findings

Adoption of the Development Plan may be subject to conditions and it may be amended in the same manner as it was first adopted pursuant to Oceanside zoning ordinance, section 1611.f.1. Additionally, the City Planner may approve by the endorsement on the approved Development Plan, minor modifications in design which do not substantially alter the approved plan or the use permitted. Such minor modifications shall be reported to the authority which has approved the Development Plan. (Section 1611.g).

The Development plan for the proposed construction to remodel and convert the existing single family residence to a duplex has taken into consideration the surrounding properties and is consistent with the land use policies of the Local Coastal Program as implemented through the Zoning Ordinance. The project will not compromise existing public views within the Coastal Zone area nor produce adverse massing or property depreciation impacts on neighboring properties.

The proposed Development plan will not substantially depreciate or interfere with the use or enjoyment of property in the vicinity, nor will it endanger the public peace, health, safety or general welfare.

The application for a Development Plan shall be heard by the Planning Commission and their action shall be final unless appealed to the City Council under the manner as specified in Article 21 of the City of Oceanside's Zoning Ordinance.

LEGAL DESCRIPTION

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

LOT 9 IN BLOCK "C" OF MYER'S ANNEX TO OCEANSIDE, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 984, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 13, 1906.

EXCEPTING THEREFROM THAT PORTION, IF ANY, NOW OR HERETOFORE LYING BELOW THE MEAN HIGH TIDE LINE OF THE PACIFIC OCEAN.

APN: 150-356-15-00

813



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
(180 days)

1. **APPLICANT:** Paul Longton, Studio 4 Architects
2. **ADDRESS:** 2909 Mesa Drive Oceanside, CA 92054
3. **PHONE NUMBER:** (760) 722-4904
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Russ Cunningham, Senior Planner
6. **PROJECT TITLE:** Development Plan (D12-00002)/Regular Coastal Permit (RC12-00002), South Pacific Duplex Conversion (813 South Pacific Street)
7. **DESCRIPTION:** Request to allow conversion of an existing single-family residence to a duplex, with the addition of 1,409 square feet of habitable space and a new third story. Situated within the Coastal Zone and the Townsite Neighborhood Planning Area, the project site bears a Local Coastal Plan designation of High-Density Residential and a zoning designation of Residential-Tourist (R-T).

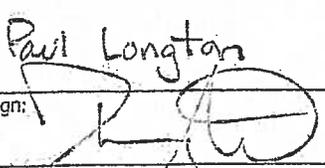
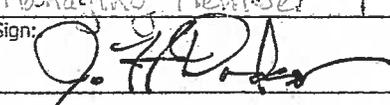
ADMINISTRATIVE DETERMINATION: The proposal involves the construction of a duplex or similar multi-family residential structure totaling no more than four dwelling units. Pursuant to the California Environmental Quality Act (CEQA) and applicable state guidelines, the proposal is not subject to further environmental review, consistent with the following determination:

- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section _____, <name> (Sections 15260-15277); or,
- The project is categorically exempt, Class 3, "New Construction or Conversion of Small Structures" (Section 15303); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Russ Cunningham, Senior Planner

Date: March 26, 2012

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

 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	1-20-2012
Please Print or Type All Information			HEARING	
PART I - APPLICANT INFORMATION			GPA	
1. APPLICANT	REXX Pacific North LLC	2. STATUS	OWNER	
3. ADDRESS	421 Q Street Beaver City, NE 68926	4. PHONE/FAX/E-mail		
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)	Paul Longton		DEV. PL: D12-00003	
6. ADDRESS	2909 Mesa Drive Oceanside, CA 92054	7. PHONE/FAX/E-mail	760 722-4904	
PART II - PROPERTY DESCRIPTION			TENT. MAP	
8. LOCATION			PAR. MAP	
811 S. Pacific St.			DEV. PL: D12-00003	
10. GENERAL PLAN			C.U.P.	
11. ZONING			VARIANCE	
RT			COASTAL RC12-00003	
12. LAND USE			O.H.P.A.C.	
Single Family Res.			9. SIZE	
13. ASSESSOR'S PARCEL NUMBER			3,250 SF (.075 Acres)	
150.356.14.00			PART III - PROJECT DESCRIPTION	
14. GENERAL PROJECT DESCRIPTION				
Convert existing single family residence to a duplex. Add a 'Great Room' to the 2nd Floor and a 'Game Room' to the 3rd Floor				
15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING	17. PROPOSED LAND USE	18. NO. UNITS	19. DENSITY
	RT (no change)	Duplex	2	26.8 DU/acre
20. BUILDING SIZE	21. PARKING SPACES	22. % LANDSCAPE	23. % LOT COVERAGE or FAR	
5910 SF	4	20%	63.2%	
PART IV - ATTACHMENTS				
24. DESCRIPTION/JUSTIFICATION		25. LEGAL DESCRIPTION		26. TITLE REPORT
27. NOTIFICATION MAP & LABELS		28. ENVIRONMENTAL INFO FORM		29. PLOT PLANS
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	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).	
Paul Longton		1/4/12		
Sign:		35. OWNER (Print)	James Dodson	36. DATE
		Managing Member		1/2/12
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		Sign:		

**Description & Justification
To Convert an Existing Single Family Res to
A Duplex
At
Lot 10, 815 S Pacific St, Oceanside, 92054**

January 17, 2012

Owner:

REVX
Pacific South LLC

Managing Member
James Dodson

421 Q Street
Beaver City, NE 68926

Statistics at a glance

Address –	815 S Pacific St
APN –	150-356-16-00
Zoning –	RT
Proposed zoning –	No Change
General Plan	UHD
Proposed Gen Plan	No Change
Lot Size –	3,250 SF (.075 Acres)
Existing Land Use –	Single Family Residence
Proposed Land Use –	Duplex
Number of units –	2
Density/acre –	26.8 units/acre
Existing lot coverage -	63.2%
Proposed Lot Coverage	No Change
Existing Building Size:	
Beach Level	2054 SF
Street Level	1079 SF
Second Story	1368 SF
<u>Total Habitable</u>	<u>4501 SF</u>

Garage (4-spaces) 861 SF

Decks 562 SF

Proposed Construction

Beach Level	-0-
First Story	38 SF
Second Story	546 SF
Third Story	825 SF
<u>Total New Const.</u>	<u>1409 SF</u>

Building SF when complete (2-units)

Unit #1	
Beach Level	2054 SF
First Story	1117 SF
<u>Total Unit #1</u>	<u>3171 SF</u>

Unit #2	
Second Story	1914 SF
Third Story	825 SF
<u>Total Unit #2</u>	<u>2739 SF</u>

Total both units 5910 SF

Decks Total 357 SF
(There will be 205 SF of deck that will be replaced with habitable space)

Parking required – 3 spaces
Parking provided – 4 spaces

The Architecture is by Paul Longton, Architect

Subject property is in the R-T Zone

Scope of Work

The scope of work is to remodel and add to an existing single family home. When complete the residence will add 1409 SF and will be a duplex.

Pertinent Definitions (per Oceanside City Ordinance)

Article 32: Residential Tourist Zone (R-T Zone)

Section 3200: Purpose. The R-T Zone is intended to accommodate tourist and year round visitor serving facilities by providing permanent and transient residential and related use to serve all income levels. The R-T Zone is primarily designated on the shorefront property in order to optimize public access to the beach.

Section 234: Grade. "Grade" means the average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, the above-ground level shall be measured at the sidewalks.

Section 207: Basement. "Basement" means that portion of a building between floor and ceiling which is partly below and partly above ground but so located that the vertical distance from grade, see section 234 above, to the floor below is less than the vertical distance from grade to ceiling.

Section 211: Building Height. "Building Height" means that the vertical distance measured from the average level of the highest and lowest point of that portion of the building-site covered by the building to the ceiling of the uppermost story.

Section 3203: Height of buildings. Building Height is Limited to 35 feet unless a conditional use permit is issued in accordance with Article 15.

Permitted Height to ceiling of top story = EL 19.0' + 35' = EL 54.0'

Proposed Height to ceiling of top story = EL 50.67'

Proposed Building is 3.33' Below maximum permitted

Proposed Construction

The proposed construction will remodel the existing single family residence to a duplex. There will be no change to the eastern (Pacific Street side) portion of the building. The view of the building as seen from the street will be unchanged. Currently the stair and elevator tower go to the roof deck. All of the proposed construction will be west of the stair and elevator tower.

There will be no increase in bedrooms. The building will add a "Great Room" to the 2nd Floor. This Great Room will be the kitchen and living room for the 2nd Unit. There will be a deck to the west of the new Great Room. The second floor steps back from the west – giving the elevation a "tiered" look.

The construction will add a Game Room as the 3rd floor construction. The Game Room will have a deck to the west. The 3rd floor will step back from the west adding to the "tiered appearance"

The new construction at the 3rd floor will not change the height of the building. The new Game Room will be at the height of existing stair and elevator tower.

Parking

Parking for the building will remain unchanged at 4 covered parking spots. The intensity of use will not change with the number of bedrooms remaining unchanged.

Preservation of Public Views

The public view corridors will remain unchanged. The corners of the building at the west end are "clipped" to allow better views. The proposed construction at the 2nd and 3rd stories will step back from the west face.

Proposed Materials

Some of the existing features of the home are: a 50 year roof, copper flashings, elevator, laminated glass for sound proofing and UV protection, non-corrosive materials for prolonged life and low maintenance beachfront living, maintenance of north/south access at the beach level so the public access is maintained at all times and tides.

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APN: 150-356-16-00

815



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Russ Cunningham, Senior Planner

Date: March 26, 2012

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee