

AGENDA NO. 4

PLANNING COMMISSION



STAFF REPORT

DATE: April 8, 2013

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN (D11-00005) AND CONDITIONAL USE PERMIT (CUP11-00008) TO PERMIT THE DEMOLITION OF AN EXISTING SERVICE BAY AND MINI-MARKET TO ALLOW FOR THE CONSTRUCTION OF A NEW 3,010 SQUARE-FOOT MINI-MARKET TO AN EXISTING SERVICE STATION LOCATED AT 2003 MISSION AVENUE – SERVICE STATION REVISION 2003 MISSION AVENUE – APPLICANT: A & S ENGINEERING**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 3, Categorical Exemption “New Construction or Conversion of Small Structures”; and
- (2) Adopt Planning Commission Resolution No. 2013-P19 approving Development Plan (D11-00005) and Conditional Use Permit (CUP11-00008) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The existing service station has provided vehicle fueling services and vehicle repair since the 1970s and within the last two years the site has been vacant and non-operational. Several improvements to the existing gas pumps, canopy, the cashier booth, and service bay area have been implemented since the late 1990s.

Site Review: The site of the commercial service station is located at the southeast corner of Canyon Road and Mission Avenue within the Loma Alta Neighborhood. The site is approximately 0.59 acres and contains eight fuel pumps, and a 1,200 square-foot cashier booth with an attached service bay for the existing Unocal 76 service station. The project

site has an underlying General Plan land use designation of Neighborhood Commercial (NC), a Zoning Designation of Neighborhood Commercial (NC), and is situated directly north west adjacent to the Oceanside Plaza Commercial Center. The property is surrounded by similar Neighborhood Commercial (NC) and Commercial General (CG) land uses on all sides, with the exception of the Public Space (PS) property to the North.

Surrounding uses include the City of Oceanside School District property to the north, a commercial restaurant to the east, a commercial strip mall to the south, and a commercial office building to the west. Access to the site is provided via the two driveways of which are located on Mission Avenue and Canyon Drive. The site exists with 14 parking stalls throughout the site, and landscaping at the perimeter of the property.

Project Description: The project application is comprised of two components; a Development Plan (D11-00005) and a Conditional Use Permit (CUP11-00008) as follows:

Development Plan (D11-00005) is a request for the following:

To construct a 3,010 square-foot mini-market and associated site improvements. The mini-market would consist of a large commercial retail area, prefabricated coolers for the storages of food and beverages, an office/storage area, and an ADA accessible restroom. A new trash enclosure built to city standards would be incorporated with the proposed development. As part of this Development Plan, the existing 1,200-square foot service station used for vehicle repair and the cashier booth will be demolished in lieu of the newly proposed mini-market. The architecture of the proposed mini-market will consist of a modern Spanish Mediterranean theme and would reflect the architectural designs of the surrounding commercial buildings in the area. The project's materials and colors would consist of slate roofing materials, ivory colored stucco walls, dual pane glass windows, canvas awnings, and stone veneer.

Conditional Use Permit (CUP11-00008) represents a request for the following: A Conditional Use Permit revision to allow small scale retail sales of convenience store items within the proposed service station mini-market as permitted by the Oceanside Zoning Ordinance section 1120.

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

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

ANALYSIS

KEY PLANNING ISSUES

1. Zoning Compliance

This project is located in the General Commercial District (C2). The development will meet all the provision of the Zoning Ordinance in parking requirements, setbacks and all development regulations.

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

	ZONING REQUIREMENTS	PROPOSED
MINIMUM LOT SIZE	10,000 square feet	Approximately 22,897 square feet (Existing)
OFF-STREET PARKING	1 space per 2,500 SF of lot area= 9.2 stalls	13 stalls existing
FRONT YARD	15'	25' +
SIDE YARD	0'	2.5' +
CORNERSIDE YARD	10'	50'
REAR YARD	0'	1'
HEIGHT	50'	15'
MINIMUM LANDSCAPING	15%	16%

The proposed project meets the applicable requirements of the zoning ordinance and the project as proposed is compatible with existing and potential commercial uses in the neighborhood, with the exception of the school district property that is currently used for vehicle storage. The school district property operates as an industrial vehicle storage yard that exists with a perimeter fence at the property lines, so impacts to the school district from the proposed mini-market will be minimal to none.

2. General Plan conformance

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

A. Land Use Element

Goal 1.23: Architecture

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

Policy: B: Structures shall work in harmony with landscaping and adjacent urban and/or topographic form to create an attractive line, dimension, scale, and/or pattern.

The contemporary architectural design for the proposed mini-market building features Spanish architectural details and materials consistent with many developments throughout the City of Oceanside. The stucco wall features, decorated stone veneer column coverings, slate roofing materials, and the double paned windows would enhance to the property, as well as compliment the neighborhood. The proposed Mediterranean plant and landscape palette would enhance the site and provide an attractive street scene for the intersection.

3. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	Neighborhood Commercial (NC)	Neighborhood Commercial (CN),	Commercial Service Station
North of Subject Property	General Commercial (GC)	General Commercial (CG)	Oceanside School District Vehicle Storage property
East of Subject Property:	Neighborhood Commercial (NC),	Neighborhood Commercial (NC),	Restaurant
South of Subject Property:	Neighborhood Commercial (NC),	Neighborhood Commercial (NC),	Commercial retail and Restaurant
West of Subject Property:	General Commercial (CG),	General Commercial (CG),	Commercial Offices and retail

The proposed service station with mini-market land use is consistent with the Business Center and the General Plan and Zoning Ordinance designations applicable to the project site. Staff has analyzed the proposed project and found that the uses within the area are predominantly commercial and the proposed mini-market would compliment the adjoining commercial uses.

DISCUSSION

The project is proposed within an established area of the City on a site that includes adequate infrastructure and services to accommodate the proposed mini-market use. The proposed mini-market's architectural design would help enhance the physical appearance of the existing service station. The existing service bay and cashier booth has been underutilized and not been properly maintained over the years. The proposed mini-market's Spanish Mediterranean theme will provide a higher quality building design and will help foster redevelopment for the under utilized commercial properties to the south.

The proposed mini-market and service station use would serve the needs of the nearby residential uses and the patrons driving along Mission Avenue. The proposed enhancements to the service station would enhance the property and the neighborhood, through its enhanced and updated design. The mini-market's architecture design is consistent with similar developments along Mission Avenue. Therefore staff recommends approval based on the architectural consistency with adjoining uses.

ENVIRONMENTAL DETERMINATION

The proposed project is categorical exempt from the provisions of the California Environmental Quality Act (CEQA) as per Article 19 Section 15303 "New Construction or Conversion of Small Structures."

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius of the subject project, individuals/organizations requesting notification, applicant and their representative, and interested parties. As of April 3, 2013 no communication supporting or opposing the request has been received.

SUMMARY

Staff finds that the proposed use and building improvements, along with recommended conditions of project approval, will complement existing and proposed land uses within the neighborhood, provide a permitted service to the residents in the immediate area, and be in compliance with applicable development standards for the zoning district.

Staff believes that the necessary findings in support of the Development Plan and Conditional Use Permit can be met. Therefore, staff recommends that the Planning Commission approve the project as follows:

- Confirm issuance of a Class 3, Categorical Exemption "New Construction or Conversion of Small Structures"; and adopt Planning Commission Resolution No. 2013-P19 approving the Development Plan (D11-00005) and Conditional Use Permit (CUP11-00008) with findings and conditions of approval attached herein.

PREPARED BY:



Scott Nightingale
Planner

SUBMITTED BY:



Marisa Lundstedt
City Planner

ML/SN/fil

Attachments:

1. Planning Commission Resolution No. 2013-P19
2. Site plan, floor plan and elevations
3. Photos of existing site

1 PLANNING COMMISSION
2 RESOLUTION NO. 2012-P19

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

7 APPLICATION NO: D11-00005, CUP11-00008
8 APPLICANT: Ahmad Ghaden
9 LOCATION: Southeast Mission Avenue and Canyon Drive

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

12 WHEREAS, there was filed with this Commission a verified petition on the forms
13 prescribed by the Commission requesting a Development Plan and Conditional Use Permit under
14 the provisions of Articles 11, 30, 31, 40, 41, and 43 of the Zoning Ordinance of the City of
Oceanside to permit the following:

15 demolition of an existing cashier booth to accommodate the construction of a new 3,010-
16 square foot mini-market and associated site improvements to an existing service station
17 located at 2003 Mission Avenue,
18 on certain real property described in the project description;

19 WHEREAS, the Planning Commission, after giving the required notice, did on the 8th day
20 of April, 2013 conduct a duly advertised public hearing as prescribed by law to consider said
21 application.

22 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
23 Guidelines thereto; this project is categorically exempt from CEQA per Article 19, Section 15303,
Class 3, New Construction or Conversion of Small Structures;

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

26 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that
27 the project is subject to certain fees, dedications, reservations and other exactions as provided
28 below:
29

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$0.713 per square foot or \$713 per thousand square feet for non-residential uses
School Facilities Mitigation Fee	Ordinance No. 91-34	\$.42 per square foot non-residential for Oceanside
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Non-residential is \$37,205 for a 2" meter.
Wastewater System Buy-in Fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Non-residential is \$50,501 for a 2" meter.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Non-residential is \$23,358 for a 2" meter.

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

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

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

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

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

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

11 FINDINGS:

12 For the Development Plan:

- 13 1. The site plan and physical design of the project are consistent with the Zoning
14 Ordinance because the project, as designed, meets or exceeds the development standards
15 established in the Zoning Ordinance.
- 16 2. The Development Plan is consistent with the General Plan of the City because the
17 existing service station use is permitted by the General Plan, it is consistent with the
18 intent of the designated land use, and it is compatible with the surrounding existing land
19 uses.
- 20 3. The project site can be adequately served by existing public facilities, services and
21 utilities because the site has been previously developed and the necessary infrastructure
22 to serve the use is already in place.
- 23 4. The project, as proposed, is compatible with the existing and potential development on
24 adjoining properties and in the surrounding neighborhood because the use is permitted in
25 the Zone and it is an in-fill site within an existing shopping center.
- 26 5. The site plan and physical design of the project is consistent with section 1.24 and 1.25 of
27 the Land Use Element of the General Plan because the project site is currently developed
28 and contains no natural topographic features; and will not lead to slope instability,
29 flooding, or erosion hazards to life or property because those threats have been designed
out of the project; there are no significant natural resources on site to preserve; there are
no natural hazards in proximity to the site and the project meets all setback requirements;

1 the project is not subject to the Development Guidelines for Hillside or Section 3039 of
2 the Ordinance because the site contains no qualifying slopes.

3 For the Conditional Use Permit:

- 4 1. That the location of the service existing station with proposed mini-market is consistent
5 with the objectives of the Zoning Ordinance and the purposes of the Neighborhood
6 Commercial district in which the site is located. As per the Oceanside Zoning
7 Ordinance section 1120 Service Stations and food-mart use in association with a service
8 station is permitted within Neighborhood Commercial District with an approval of a
9 Conditional Use Permit. The proposed food-mart building will meet the required
10 parking and development regulations as per the Oceanside Zoning Ordinance code
11 section 3100 with the proposed 13 parking spaces provided.
- 12 2. That the proposed use and the proposed conditions under which it would be operated or
13 maintained will be consistent with the General Plan; the service station with a food-mart
14 facility will not be detrimental to the public health, safety or welfare of persons residing
15 or working in or adjacent to the neighborhood of such use; and will not be detrimental to
16 properties or improvements in the vicinity or to the general welfare of the City. Staff
17 has analyzed the impact of the service station with associated food-mart with the
18 adjacent neighboring commercial uses, and found that the service stations hours-of-
19 operation would not conflict with the primary hours of the adjacent commercial uses.
- 20 3. That the proposed conditional use will comply with the provisions of the Zoning
21 Ordinance and Neighborhood Commercial District in which the property is located,
22 including any specific condition required for the proposed conditional use in the district
23 in which it would be located.

24 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
25 approve Development Plan (D11-00005) and Conditional Use Permit Revision (CUP11-000008),
26 subject to the following conditions:

27 Building:

- 28 1. Construction shall comply with the 2010 edition of the California Codes.
- 29 2. Construction hours are limited to 7:00 a.m. to 6:00 p.m. Monday through Friday.

- 1 3. Exterior lighting must comply with Chapter 39 of the Oceanside Code of Ordinances
2 and Section 5.106.8 of the 2010 California Green Building Code. Provide a photometric
3 plan of the parking lot showing all lighting.
- 4 4. Provide bicycle racks for a minimum of two bikes per California Green Building Code
5 Section 5.106.4.
- 6 5. Show grade break between walkway and parking, and identify detectable warning at all
7 flat parking lot access points.
- 8 6. The developer shall monitor, supervise and control all building construction and
9 supporting activities so as to prevent these activities from causing a public nuisance,
10 including, but not limited to, strict adherence to the following:
- 11 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
12 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
13 work that is not inherently noise-producing. Examples of work not permitted on
14 Saturday are concrete and grout pours, roof nailing and activities of similar
15 noise-producing nature. No work shall be permitted on Sundays and Federal
16 Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving
17 Day, Christmas Day) except as allowed for emergency work under the provisions
18 of the Oceanside City Code Chapter 38 (Noise Ordinance).
- 19 b) The construction site shall be kept reasonably free of construction debris as
20 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
21 approved solid waste containers shall be considered compliance with this
22 requirement. Small amounts of construction debris may be stored on-site in a
23 neat, safe manner for short periods of time pending disposal.

23 **Engineering:**

- 24 7. This project involves demolition of an existing structure and or surface improvements;
25 an erosion control plan shall be submitted and approved by the City Engineer before
26 issuance of any demolition permit. No grading operation shall be allowed in
27 conjunction with the demolition the operation without an approved grading plan. No
28 demolition shall be permitted.
- 29 8. For the demolition of any existing structure or surface improvements; grading plans
shall be submitted and erosion control plans be approved by the City Engineer prior to

1 the issuance of a demolition permit. No demolition shall be permitted without an
2 approved erosion control plan.

3 9. All right-of-way alignments, street dedications, exact geometrics and widths for Mission
4 Avenue and Canyon Drive shall be dedicated and constructed or replaced as required by
5 the City Engineer.

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

10 11. There shall be no encroachment of any kind into the public right-of-way, such as the
11 existing retaining wall on Canyon Drive, the proposed storm drain pipes, and the cross
12 gutter shown on the Canyon Drive driveway. The existing retaining walls on Canyon
13 Drive and the proposed cross gutter shall be removed out of the public right-of-way.

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

18 13. The owner/developer shall provide public street dedication for Mission Avenue and
19 Canyon Drive (if required) to serve the property.

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

15. A Declaration of Covenants, Conditions and Restrictions (DCC&R) is required prior to the
grading permit, and will be reviewed and approved by the City Attorney. The Declaration

1 of Covenants, Conditions and Restrictions (DCC&R) shall be recorded attesting to these
2 improvement conditions prior to issuance of any grading permit.

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

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

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

11 b) All grading and related site preparation and construction activities shall be
12 limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No
13 engineering related construction activities shall be conducted on Saturdays,
14 Sundays or legal holidays unless written permission is granted by the City Engineer
15 with specific limitations to the working hours and types of permitted
16 operations. All on-site construction staging areas shall be as far as possible
17 (minimum 100 feet) from any existing residential development. Because
18 construction noise may still be intrusive in the evening or on holidays, the City of
19 Oceanside Noise Ordinance also prohibits "any disturbing excessive or offensive
20 noise which causes discomfort or annoyance to reasonable persons of normal
21 sensitivity."

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

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

18. It is the responsibility of the owner/developer to evaluate and determine that all soil
imported as part of this development is free of hazardous and/or contaminated material

1 as defined by the City and the County of San Diego Department of Environmental
2 Health. Exported or imported soils shall be properly screened, tested, and documented
3 regarding hazardous contamination.

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

11 20. Mission Avenue and Canyon Drive shall be constructed with new curbs and gutters and
12 sidewalk and new driveways to the satisfaction of the City Engineer. New sidewalks shall
13 be constructed in accordance with ADA requirements. Publicly maintained pedestrian
14 ramps (maintained by the City of Oceanside must be fully located within public right-of-
15 way. Minimum curb return radius shall comply with the City of Oceanside Engineers
Design and Processing Manual.

16 21. Sight distance requirements at the project driveways along Mission Avenue and Canyon
17 Drive shall conform to the corner sight distance criteria as provided by SDRSD DS-20A
18 and or DS-20B.

19 22. Pavement sections for Mission Avenue, Canyon Drive, onsite driveways and parking areas
20 shall be based upon approved soil tests and traffic indices. The pavement design is to be
21 prepared by the owner/developer's soil engineer and must be in compliance with the City
22 of Oceanside Engineers Design and Processing Manual and be approved by the City
Engineer, prior to paving.

23 23. Prior to approval of the grading plans, the owner/developer shall contract with a
24 geotechnical engineering firm to perform a field investigation of the existing pavement
25 on Canyon Drive adjacent to the project boundary. The limits of the study shall be half-
26 street plus 12 feet along the project's frontage. The field investigation shall include a
27 minimum of one pavement boring per 50 linear feet of street frontage. Should the
28 existing AC thickness be determined to be less than the current minimum standard for
29 AC and Class II Base as set forth in the table for City of Oceanside Pavement Design

1 Guidelines in the City of Oceanside Engineers Manual, the owner/developer shall
2 remove and reconstruct the pavement section on Canyon Drive as determined by the
3 pavement analysis submittal process detailed in the condition listed below:

4 a) Upon review of the pavement investigation for Canyon Drive, the City Engineer
5 shall determine whether the owner/developer shall: 1) Repair all failed pavement
6 sections, header cut and grind per the direction of the City Engineer, and construct
7 a two-inch thick rubberized AC overlay; or 2) Perform R-value testing and submit
8 a study that determines if the existing pavement meets current City
9 standards/traffic indices. Should the study conclude that the pavement does not
10 meet current requirements, rehabilitation/mitigation recommendations shall be
11 provided in a pavement analysis report, and the owner/developer shall reconstruct
12 the pavement per these recommendations, subject to approval by the City
13 Engineer.

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

18 25. All existing overhead utility lines within this development/property and/or within any full
19 width street or right-of-way (Canyon Drive) abutting this new development, and all new
20 extension services for the development of the project, including but not limited to,
21 electrical, cable and telephone, shall be placed underground per the City of Oceanside
22 Zoning Ordinance section 3023, as required by the City Engineer and the City Planner,
23 and current City policy.

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

27. Prior to any grading of any part of this project, a comprehensive soils and geologic
investigation shall be conducted of the soils, slopes, and formations in the project. All

1 necessary measures shall be taken and implemented to assure slope stability, erosion
2 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
3 prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved by
4 the City Engineer.

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

9 29. A precise grading and private improvement plan shall be prepared, reviewed, secured and
10 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
11 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,
12 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
13 and any on-site traffic calming devices shall be shown on all precise grading and private
improvement plans.

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

25 31. The drainage design shown on the site plan or preliminary grading plan, and the drainage
26 report for this project/development plan is conceptual only. The final drainage report and
27 drainage design shall be based upon a hydrologic/hydraulic study that is in compliance with
28 the latest San Diego County Hydrology and Drainage Manual to be approved by the City
29 Engineer during final engineering. All drainage picked up in an underground system shall

1 remain underground until it is discharged into an approved channel, or as otherwise
2 approved by the City Engineer. All public storm drains shall be shown on City standard
3 plan and profile sheets. All storm drain easements shall be dedicated where required. The
4 owner/developer shall be responsible for obtaining any off-site easements for storm
5 drainage facilities.

6 32. Drainage facilities shall be designed and installed to adequately accommodates the local
7 stormwater runoff and shall be in accordance with the San Diego County Hydrology and
8 Design Manual and in compliance with the City of Oceanside Engineers Design and
9 Processing Manual to the satisfaction of the City Engineer.

10 33. The owner/developer shall place a covenant on the title sheet of the grading plan
11 agreeing to the following: "The present or future owner/developer shall indemnify and
12 save the City of Oceanside, its officers, agents, and employees harmless from any and all
13 liabilities, claims arising from any flooding that occurs on this site."

14 34. Storm drain facilities shall be designed and located such that the inside travels lanes on
15 Mission Avenue and Canyon Drive shall be passable during conditions of a 100-year
16 frequency storm.

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

20 36. The owner/developer shall comply with the provisions of National Pollution Discharge
21 Elimination System (NPDES) General Permit for Storm Water Discharges Associated
22 with Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ.
23 The General Permit continues in force and effect until a new General Permit is issued or
24 the SWRCB rescinds this General Permit. Only those owner/developers authorized to
25 discharge under the expiring General Permit are covered by the continued General
26 Permit. Construction activity subject to the General Permit includes clearing, grading,
27 and disturbances to the ground such as stockpiling, or excavation that results in land
28 disturbances of equal to or greater than one acre. The owner/developer shall obtain
29 coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining
a Waste Discharge Identification Number (WDID#) from the State Water Resources
Control Board (SWRCB). In addition, coverage under the General Permit shall not

1 occur until an adequate SWPPP is developed for the project as outlined in Section A of
2 the General Permit. The site specific SWPPP shall be maintained on the project site at
3 all times. The SWPPP shall be provided, upon request, to the United States
4 Environmental Protection Agency (USEPA), SWRCB, Regional Water Quality Control
5 Board (RWQCB), City of Oceanside, and other applicable governing regulatory
6 agencies. The SWPPP is considered a report that shall be available to the public by the
7 RWQCB under section 308(b) of the Clean Water Act. The provisions of the General
8 Permit and the site specific SWPPP shall be continuously implemented and enforced
9 until the owner/developer obtains a Notice of Termination (NOT) for the SWRCB. The
10 owner/developer is required to retain records of all monitoring information, copies of all
11 reports required by this General Permit, and records of all data used to complete the NOI
12 for all construction activities to be covered by the General Permit for a period of at least
13 three years from the date generated. This period may be extended by request of the
14 SWRCB and/or RWQCB.

15 37. Following deemed completed of the Storm Water Mitigation Plan (SWMP) by the City
16 Engineer and prior to issuance of grading permits, the owner/developer shall submit and
17 obtain approval of an Operation & Maintenance (O&M) Plan, prepared to the
18 satisfaction of the City Engineer. The O&M Plan shall include an approved and
19 executed Maintenance Mechanism pursuant to Section 5 of the Standard Urban Storm
20 Water Mitigation Plan (SUSMP). The O&M shall satisfy the minimum Maintenance
21 Requirements pursuant to Section 5 of the SUSMP. At a minimum the O&M Plan shall
22 include the designated responsible party to manage the stormwater BMP(s), employee
23 training program and duties, operating schedule, maintenance frequency, routine service
24 schedule, specific maintenance activities, copies of resource agency permits, cost
25 estimate for implementation of the O&M Plan, a non-refundable cash security to provide
26 maintenance funding in the event of noncompliance to the O&M Plan, and any other
27 necessary elements. The owner/developer shall provide the City with access to site for
28 the purpose of BMP inspection and maintenance by entering into an Access Rights
29 Agreement with the City. The owner/developer shall complete and maintain O&M
forms to document all operation, inspection, and maintenance activities. The

1 owner/developer shall retain records for a minimum of 5 years. The records shall be
2 made available to the City upon request.

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

13 39. At a minimum, maintenance agreements shall require the staff training, inspection and
14 maintenance of all BMPs on an annual basis. The owner/developer shall complete and
15 maintain O&M forms to document all maintenance activities. Parties responsible for the
16 O&M plan shall retain records at the subject property for at least 5 years. These
17 documents shall be made available to the City for inspection upon request at any time.

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

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

26 42. The owner/developer shall provide a copy of the title/cover page of a deemed complete
27 SWMP with the first engineering submittal package. If the project triggers the City's
28 Stormwater requirements but no deemed complete Stormwater document (SWMP)
29 exists, the appropriate document shall be submitted to the City Engineer for review. The

1 SWMP shall be prepared by the owner/developer's Civil Engineer. All Stormwater
2 documents shall be in compliance with the latest edition of submission requirements.

3 43. The approval of this development project shall not mean that closure, vacation, or
4 abandonment of any public street, right-of-way, easement, or facility is granted or
5 guaranteed to the owner/developer. The owner/developer is responsible for applying for
6 all closures, vacations, and abandonments as necessary. The application(s) shall be
7 reviewed and approved or rejected by the City of Oceanside under separate process (es)
8 per codes, ordinances, and policies in effect at the time of the application. The City of
9 Oceanside retains its full legislative discretion to consider any application to vacate a
10 public street or right-of-way.

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

13 45. Approval of this development project is conditioned upon payment of all applicable impact
14 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
15 Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees,
16 reimbursements, and other applicable charges, fees and deposits shall be paid prior to the
17 issuance of any building permits, in accordance with City Ordinances and policies. The
18 owner/developer shall also be required to join into, contribute, or participate in any
19 improvement, lighting, or other special district affecting or affected by this project.
20 Approval of this development project shall constitute the owner/developer's approval of
21 such payments, and his agreement to pay for any other similar assessments or charges in
22 effect when any increment is submitted for building permit approval, and to join,
23 contribute, and/or participate in such districts.

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

29 47. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire
project will be subject to prevailing wage requirements as specified by Labor Code

1 section 1720(b) (4). The owner/developer shall agree to execute a form acknowledging
2 the prevailing wage requirements prior to the granting of any fee reductions or waivers.

3 48. A digital file of the as-built grading plan, and as-built improvement plan in a format
4 consistent with the City's requirements for digital submittals, detailed in the Engineers
5 Design and Processing Manual shall be submitted to the City of Oceanside prior to
6 occupancy permit.

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

9 **Fire:**

10 48. All proposed and existing fire hydrants within 400 feet of the project shall be shown on
11 the site plan. Fire hydrants and mains must be capable of supplying the required fire
12 flow as determined by the Fire Marshal.

13 49. Fire Department requirements shall be placed on plans in the notes section.

14 50. Fire extinguishers are required and shall be included on the plans submitted for plan
15 check.

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

18 52. Buildings shall meet Oceanside Fire Department's current codes at the time of building
19 permit application.

20 **Landscaping:**

21 53. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines
22 and Specifications for Landscape Development (latest revision), Water Conservation
23 Ordinance No.(s) 91-15 and 10-Ordinance 0412, Engineering criteria, City code and
24 ordinances, including the maintenance of such landscaping, shall be reviewed and
25 approved by the City Engineer prior to the issuance of building permits. Landscaping
26 shall not be installed until bonds have been posted, fees paid, and plans signed for final
27 approval. A landscape pre-construction meeting shall be conducted by the landscape
28 architect of record, Public Works Inspector, developer or owner's representative and
29 landscape contractor prior to commencement of the landscape and irrigation installation.
The following landscaping requirements shall be required prior to plan approval and
certificate of occupancy:

- 1 a) Final landscape plans shall accurately show placement of all plant material such
2 as but not limited to trees, shrubs, and groundcovers.
- 3 b) Landscape Architect shall be aware of all utility, sewer, gas and storm drain lines
4 and utility easements and place planting locations accordingly to meet City of
5 Oceanside requirements.
- 6 c) All required landscape areas shall be maintained by owner (including public
7 rights-of-way). The landscape areas shall be maintained per City of Oceanside
8 requirements.
- 9 d) Proposed landscape species shall be native or naturalized to fit the site and meet
10 climate changes indicative to their planting location. The selection of plant
11 material shall also be based on cultural, aesthetic, and maintenance
12 considerations. In addition proposed landscape species shall be low water users
13 as well as meet all Fire Department requirements.
- 14 e.) All planting areas shall be prepared and implemented to the required depth with
15 appropriate soil amendments, fertilizers, and appropriate supplements based
16 upon a soils report from an agricultural suitability soil sample taken from the
17 site.
- 18 f.) Ground covers or bark mulch shall fill in between the shrubs to shield the soil
19 from the sun, evapotranspiration and run-off. All the flower and shrub beds shall
20 be mulched to a 3" depth to help conserve water, lower the soil temperature and
21 reduce weed growth.
- 22 g.) The shrubs shall be allowed to grow in their natural forms. All landscape
23 improvements shall follow the City of Oceanside Guidelines.
- 24 h.) Root barriers shall be installed adjacent to all paving surfaces, where a paving
25 surface is located within 6 feet of a trees trunk on site (private) and within 10 feet
26 of a trees trunk in the right-of-way (public). Root barriers shall extend 5 feet in
27 each direction from the centerline of the trunk, for a total distance of 10 feet.
28 Root barriers shall be 24 inches in depth. Installing a root barrier around the
29 tree's root ball is unacceptable.

- 1 i.) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
2 obtain Planning Division approval for these items in the conditions or application
3 stage prior to 1st submittal of working drawings.
- 4 j.) The existing retaining walls shall be painted to match architecture of building.
- 5 k.) Architectural details of the proposed trash enclosure shall be shown on the
6 landscape construction drawings and shall be stucco and painted to match the
7 architecture of building.
- 8 l.) For the planting and placement of trees and their distances from hardscape and
9 other utilities/ structures the landscape plans shall follow the City of Oceanside's
10 (current) Tree Planting Distances and Spacing Standards.
- 11 m.) An automatic irrigation system shall be installed to provide coverage for all
12 planting areas shown on the plan. Low volume equipment shall provide
13 sufficient water for plant growth with a minimum water loss due to water run-
14 off.
- 15 n.) Irrigation systems shall use high quality, automatic control valves, controllers
16 and other necessary irrigation equipment. All components shall be of non-
17 corrosive material. All drip systems shall be adequately filtered and regulated
18 per the manufacturer's recommended design parameters.
- 19 o.) All irrigation improvements shall follow the City of Oceanside Guidelines and
20 Water Conservation Ordinance.
- 21 p.) The landscape plans shall match all plans affiliated with the project.
- 22 q.) Landscape plans shall comply with Biological and/or Geotechnical reports, as
23 required, shall match the grading and improvement plans, comply with SWMP
24 Best Management Practices and meet the satisfaction of the City Engineer.
- 25 r.) The bio-retention basins shall be fully planted and irrigated prior to the request
26 for occupancy.
- 27 s.) Existing landscaping on and adjacent to the site shall be protected in place and
28 supplemented or replaced to meet the satisfaction of the City Engineer.
- 29 54. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way
and within any adjoining public parkways parallel to Mission Avenue and Canyon Drive
shall be permanently maintained by the owner, his assigns or any successors-in-interest

1 in the property. The maintenance program shall include: a) normal care and irrigation of
2 the landscaping b) repair and replacement of plant materials (including interior trees and
3 street trees) c) irrigation systems as necessary d) general cleanup of the landscaped and
4 open areas e) parking lots and walkways, walls, fences, etc. f) pruning standards for
5 street trees shall comply with the International Society of Arboriculture (ISA) Standard
6 Practices for Tree Care Operations – ANSI A300, Appendix G: Safety Standards, ANSI
7 Z133; Appendix H; and Tree Pruning Guidelines, Appendix F (most current edition).
8 Failure to maintain landscaping shall result in the City taking all appropriate
9 enforcement actions including but not limited to citations. This maintenance program
10 condition shall be recorded with a covenant as required by this resolution.

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

13 **Planning:**

14 56. The Development Plan and Conditional use Permit shall expire on April 8, 2015, unless
15 implemented in accordance with the City of Oceanside Zoning Ordinance or unless a time
16 extension is granted by the Planning Commission.

17 57. This Development Plan (D11-00005) and Conditional Use Permit Revision (CUP11-
18 00008) approves the construction of a 3,010-square foot a mini-market with a new trash
19 enclosure as a part of this entitlement, the demolition of an existing cashier booth in lieu
20 of the additional fuel pumps, and landscaping improvements as depicted on the plans and
21 exhibits presented to the Planning Commission for review and approval. No deviation
22 from these approved plans and exhibits shall occur without the City Planner or Planning
23 Commission approval. Substantial deviations shall require a revision to the Development
24 Plan and Conditional Use Permit, or a new Development Plan and Conditional Use Permit,
25 as determined by the City Planner.

26 58. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
27 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
28 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
29 annul an approval of the City, concerning Development Plan (D11-00005) and/or
Conditional Use Permit (CUP11-00005). The City will promptly notify the applicant of
any such claim, action or proceeding against the City and will cooperate fully in the

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

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

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

8 61. All mechanical rooftop and ground equipment shall be screened from public view as
9 required by the Zoning Ordinance. The roof jacks, mechanical equipment, screen and
10 vents shall be painted with non-reflective paint to match the roof. This information shall be
11 shown on the building plans.

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

14 63. The tote and bale storage area is required to be enclosed on all sides and treated to
15 substantial match the buildings architecture. It shall provide and designate adequate
16 space for the storage of totes, cardboard bales, and the general trash bin. At no time
17 shall the totes, cardboard bales, or the general trash bin be stored outside of the tote and
18 bale storage area.

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

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

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

28 67. Prior to the issuance of building permits, compliance with the applicable provisions of the
29 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
and approved by the Planning Division. These requirements, including the obligation to
remove or cover with matching paint all graffiti within 24 hours, shall be noted on the

1 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
2 property.

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

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

9 70. The hours-of-operation shall be reviewed and may be limited by the Planning Commission
10 when valid issues or complaints pertaining to code violations arise and are validated by the
11 Code Enforcement Officer.

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

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

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

24 74. Elevations, siding materials, colors, roofing materials and floor plans shall be
25 substantially the same as those approved by the Planning Commission. These shall be
26 shown on plans submitted to the Building Division and Planning Division for permit
27 plan check, and prior to issuance of any building permit.

28 75. No project signage is approved with this application. All project signage shall be subject
29 to a separate sign permit and be in compliance with the Oceanside Zoning Ordinance.

1 **Water Utilities:**

- 2 76. The developer will be responsible for developing all water and sewer utilities necessary to
3 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
4 the developer and shall be done by an approved licensed contractor at the developer's
5 expense.
- 6 77. The property owner shall maintain private water and wastewater utilities located on private
7 property.
- 8 78. Water services and sewer laterals constructed in existing right-of-way locations are to be
9 constructed by approved and licensed contractors at developer's expense.
- 10 79. All Water and Wastewater construction shall conform to the most recent edition of the
11 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
12 the Water Utilities Director.
- 13 80. All public water and/or sewer facilities not located within the public right-of-way shall be
14 provided with easements sized according to the Water, Sewer, and Reclaimed Water
15 Design and Construction Manual. Easements shall be constructed for all weather access.
- 16 81. No trees, structures or building overhang shall be located within any water or wastewater
17 utility easement.
- 18 82. All lots with a finish pad elevation located below the elevation of the next upstream
19 manhole cover of the public sewer shall be protected from backflow of sewage by installing
20 and maintaining an approved type backwater valve, per the Uniform Plumbing Code
21 (U.P.C.).
- 22 83. A separate irrigation meter and approved backflow prevention device is required and shall
23 be displayed on the plans.
- 24 84. An Inspection Manhole, described by the Water, Sewer, and Reclaimed Water Design and
25 Construction Manual, shall be installed in each building sewer lateral and the location shall
26 be called out on the approved Improvement Plans.
- 27 85. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
28 be paid to the City and collected by the Water Utilities Department at the time of Building
29 Permit issuance.

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

4 PASSED AND ADOPTED Resolution No. 2013-P19 on April 8, 2013 by the following
5 vote, to wit:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

10 _____
Tom Rosales, Chairperson
11 Oceanside Planning Commission

12 ATTEST:

13 _____
14 Marisa Lundstedt, Secretary

15 I, MARISA LUNDSTEDT, Secretary of the Oceanside Planning Commission, hereby certify
16 that this is a true and correct copy of Resolution No. 2013-P19.

17
18 Dated: April 8, 2013

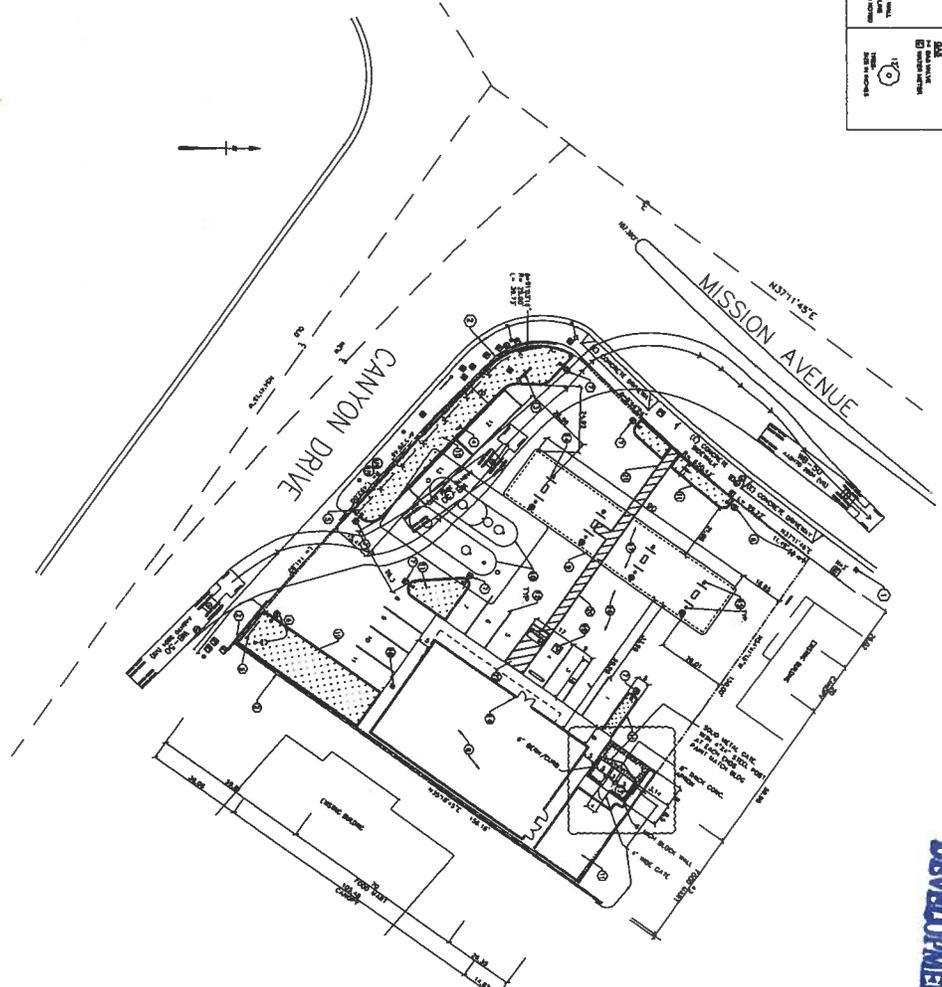
19
20 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may
21 be required as stated herein:

22
23 _____
Applicant/Representative

_____ Date

LEGEND

PLANTING	TRAFFIC CONTROL	ASBESTOS
<ul style="list-style-type: none"> 1. 1" x 1" x 1" (100) - 100% PLANTING 2. 1" x 1" x 1" (100) - 100% PLANTING 3. 1" x 1" x 1" (100) - 100% PLANTING 4. 1" x 1" x 1" (100) - 100% PLANTING 5. 1" x 1" x 1" (100) - 100% PLANTING 6. 1" x 1" x 1" (100) - 100% PLANTING 7. 1" x 1" x 1" (100) - 100% PLANTING 8. 1" x 1" x 1" (100) - 100% PLANTING 9. 1" x 1" x 1" (100) - 100% PLANTING 10. 1" x 1" x 1" (100) - 100% PLANTING 	<ul style="list-style-type: none"> 1. 1" x 1" x 1" (100) - 100% PLANTING 2. 1" x 1" x 1" (100) - 100% PLANTING 3. 1" x 1" x 1" (100) - 100% PLANTING 4. 1" x 1" x 1" (100) - 100% PLANTING 5. 1" x 1" x 1" (100) - 100% PLANTING 6. 1" x 1" x 1" (100) - 100% PLANTING 7. 1" x 1" x 1" (100) - 100% PLANTING 8. 1" x 1" x 1" (100) - 100% PLANTING 9. 1" x 1" x 1" (100) - 100% PLANTING 10. 1" x 1" x 1" (100) - 100% PLANTING 	<ul style="list-style-type: none"> 1. 1" x 1" x 1" (100) - 100% PLANTING 2. 1" x 1" x 1" (100) - 100% PLANTING 3. 1" x 1" x 1" (100) - 100% PLANTING 4. 1" x 1" x 1" (100) - 100% PLANTING 5. 1" x 1" x 1" (100) - 100% PLANTING 6. 1" x 1" x 1" (100) - 100% PLANTING 7. 1" x 1" x 1" (100) - 100% PLANTING 8. 1" x 1" x 1" (100) - 100% PLANTING 9. 1" x 1" x 1" (100) - 100% PLANTING 10. 1" x 1" x 1" (100) - 100% PLANTING



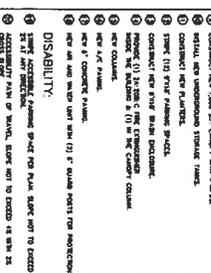
RECEIVED
 DEC 13 2012
 CITY OF OCEANSIDE
 DEVELOPMENT SERVICES

- PLAN CHECK NOTES**
1. CONSTRUCTION SHALL VERIFY WITH THE STATE DEPARTMENT OF THE ENVIRONMENT AND WATER RESOURCES THAT THE PROPOSED CONSTRUCTION IS IN ACCORDANCE WITH THE STATE WATER CONTROL ACT AND THE STATE WATER CONTROL REGULATIONS.
 2. THE PROPOSED CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CALIFORNIA FIRE CODE AND THE CALIFORNIA FIRE REGULATIONS.
 3. THE PROPOSED CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CALIFORNIA BUILDING CODE AND THE CALIFORNIA BUILDING REGULATIONS.
 4. THE PROPOSED CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CALIFORNIA ELECTRICAL CODE AND THE CALIFORNIA ELECTRICAL REGULATIONS.
 5. THE PROPOSED CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CALIFORNIA MECHANICAL CODE AND THE CALIFORNIA MECHANICAL REGULATIONS.
 6. THE PROPOSED CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CALIFORNIA PLUMBING CODE AND THE CALIFORNIA PLUMBING REGULATIONS.
 7. THE PROPOSED CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CALIFORNIA GAS CODE AND THE CALIFORNIA GAS REGULATIONS.
 8. THE PROPOSED CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CALIFORNIA HAZARDOUS WASTE HANDLING AND TRANSPORTATION ACT AND THE CALIFORNIA HAZARDOUS WASTE HANDLING AND TRANSPORTATION REGULATIONS.
 9. THE PROPOSED CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CALIFORNIA AIR RESOURCES ACT AND THE CALIFORNIA AIR RESOURCES REGULATIONS.
 10. THE PROPOSED CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CALIFORNIA SOIL CONSERVATION AND WATER RESOURCES ACT AND THE CALIFORNIA SOIL CONSERVATION AND WATER RESOURCES REGULATIONS.

SITE INFORMATION

ITEM	DESCRIPTION	DATE	BY
1	PRELIMINARY SITE PLAN	11/15/11	JANUS
2	FINAL SITE PLAN	11/15/11	JANUS
3	CONSTRUCTION PERMITS	11/15/11	JANUS
4	CONSTRUCTION START	11/15/11	JANUS
5	CONSTRUCTION COMPLETE	11/15/11	JANUS
6	FINAL INSPECTION	11/15/11	JANUS
7	FINAL AS-BUILT DRAWING	11/15/11	JANUS

- SCOPE OF WORK**
1. REMOVE EXISTING ASPHALT AND CONCRETE SURFACING AT INTERSECTION OF 1250 MISSION AVE AND MISSION STREET.
 2. CONSTRUCT NEW ASPHALT SURFACING AT INTERSECTION OF 1250 MISSION AVE AND MISSION STREET.
 3. REMOVE EXISTING ASPHALT AND CONCRETE SURFACING AT INTERSECTION OF 1250 MISSION AVE AND MISSION STREET.
 4. CONSTRUCT NEW ASPHALT SURFACING AT INTERSECTION OF 1250 MISSION AVE AND MISSION STREET.
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 8. CONSTRUCT NEW ASPHALT SURFACING AT INTERSECTION OF 1250 MISSION AVE AND MISSION STREET.
 9. REMOVE EXISTING ASPHALT AND CONCRETE SURFACING AT INTERSECTION OF 1250 MISSION AVE AND MISSION STREET.
 10. CONSTRUCT NEW ASPHALT SURFACING AT INTERSECTION OF 1250 MISSION AVE AND MISSION STREET.



DIRECTIONAL ARROW / GRAPHIC SCALE

North arrow pointing up. Graphic scale showing 0, 10, 20, 30, 40, 50 feet.

DRAWN BY: S1
 CHECKED BY: S1
 DATE: 11/15/11
 SCALE: 1" = 30'-0"

Platinum Energy
 30343 Canwood Street, Suite 200 Agoura Hills, CA 91301
 Phone #: (818) 206-5700
 STORE #: 254875
 ADDRESS: 2003 MISSION AVENUE & CANYON DRIVE
 OCEANSIDE, CALIFORNIA 92054

PLANS PREPARED BY:
A & S ENGINEERING
 PLANNING ENGINEERING CONSTRUCTION MANAGEMENT
 2800 Sand Canyon Rd., Suite 100, Canyon Country, CA 91705
 PHONE #: (661) 250-9300 FAX #: (661) 250-9333



NO.	REVISION	DATE
1	ISSUED FOR PERMITS	11/15/11
2	ISSUED FOR PERMITS	11/15/11
3	ISSUED FOR PERMITS	11/15/11
4	ISSUED FOR PERMITS	11/15/11
5	ISSUED FOR PERMITS	11/15/11
6	ISSUED FOR PERMITS	11/15/11
7	ISSUED FOR PERMITS	11/15/11
8	ISSUED FOR PERMITS	11/15/11
9	ISSUED FOR PERMITS	11/15/11
10	ISSUED FOR PERMITS	11/15/11

PLANNING SHEET

1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10

EXTERIOR MATERIALS

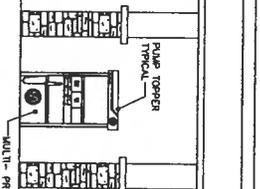
- 1. EXTERIOR WALLS: 4" CONCRETE BLOCK WITH 1/2" REINFORCING BARS AT 16" ON CENTER. EXTERIOR FINISH: 1/2" THICK PLASTER OVER 1/2" THICK GYPSUM BOARD. INTERIOR FINISH: 1/2" THICK PLASTER OVER 1/2" THICK GYPSUM BOARD.
- 2. EXTERIOR FLOORS: 4" CONCRETE SLAB ON GRADE WITH 1/2" REINFORCING BARS AT 16" ON CENTER.
- 3. EXTERIOR ROOFING: 2" THICK POLYURETHANE FOAM INSULATION OVER 1/2" THICK GYPSUM BOARD.
- 4. EXTERIOR CEILING: 1/2" THICK PLASTER OVER 1/2" THICK GYPSUM BOARD.
- 5. EXTERIOR TRIM: 1/2" THICK PLASTER OVER 1/2" THICK GYPSUM BOARD.
- 6. EXTERIOR PAINT: WHITE PARI PARI SCHEMATA.
- 7. EXTERIOR CONCRETE: 4000 PSI STRENGTH WITH 1/2" REINFORCING BARS AT 16" ON CENTER.
- 8. EXTERIOR METAL: GALVALUM 55/45 COATED STEEL SHEET.
- 9. EXTERIOR GLASS: 1/2" THICK CLEAR GLASS.
- 10. EXTERIOR FINISHES: WHITE PARI PARI SCHEMATA.

EXT. COLORS AND FINISHES

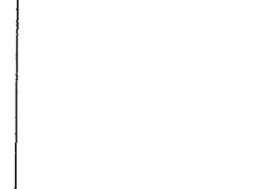
- 1. PAINT - EXTERIOR WALLS - WHITE PARI PARI SCHEMATA
- 2. PAINT - EXTERIOR TRIM - WHITE PARI PARI SCHEMATA
- 3. PAINT - EXTERIOR ROOFING - WHITE PARI PARI SCHEMATA
- 4. PAINT - EXTERIOR CEILING - WHITE PARI PARI SCHEMATA
- 5. PAINT - EXTERIOR FLOORS - WHITE PARI PARI SCHEMATA
- 6. PAINT - EXTERIOR TRIM - WHITE PARI PARI SCHEMATA
- 7. PAINT - EXTERIOR TRIM - WHITE PARI PARI SCHEMATA
- 8. PAINT - EXTERIOR TRIM - WHITE PARI PARI SCHEMATA
- 9. PAINT - EXTERIOR TRIM - WHITE PARI PARI SCHEMATA
- 10. PAINT - EXTERIOR TRIM - WHITE PARI PARI SCHEMATA

GENERAL NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL MATERIALS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
 4. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.
 5. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL HEALTH DEPARTMENT.
 6. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL FIRE DEPARTMENT.
 7. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL POLICE DEPARTMENT.
 8. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL WATER DEPARTMENT.
 9. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL GAS DEPARTMENT.
 10. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL ELECTRIC DEPARTMENT.

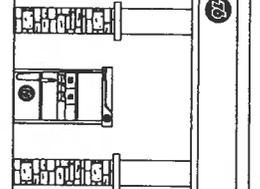
NORTHEAST ELEVATION



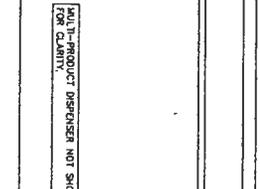
SOUTHEAST ELEVATION



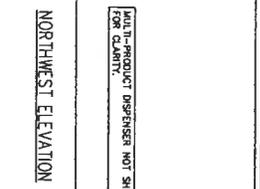
SOUTHWEST ELEVATION



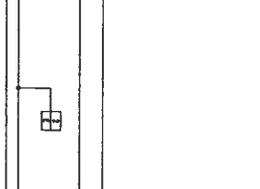
NORTHWEST ELEVATION



SOUTHEAST ELEVATION



NORTHWEST ELEVATION



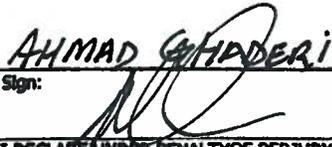
DATE	09/12/2012
DRAWN BY	1/4" = 1'-0"
CHECKED BY	
SCALE	
PROJECT	A2.2

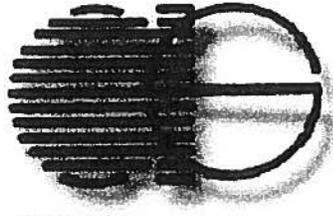
Platinum Energy
 30343 Conwood Street, Suite 200 Agoura Hills, CA 91301
 Phone #: (818) 206-5700
 STORE #: 254875
 ADDRESS: 2003 MISSION AVENUE & CANYON DRIVE
 OCEANSIDE, CALIFORNIA 92054

PLANS PREPARED BY:
A & S ENGINEERING
 PLANNING ENGINEERING CONSTRUCTION MANAGEMENT
 2808 SHAW CANYON RD. SUITE 207 CANYON CITY, CA 91301
 PHONE # (916) 255-4300 FAX # (916) 255-8333



1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10

 <p>Application for Public Hearing Community Development Department / Planning Division (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885</p>				STAFF USE ONLY	
				ACCEPTED	4-7-11
Please Print or Type All Information				HEARING	
PART I - APPLICANT INFORMATION				GPA	
1. APPLICANT A&S Engineering/Ahmad Ghaderi		2. STATUS Agent		MASTER/SP.PLAN	
3. ADDRESS 893 Patriot Dr. "A" Moorestown, CA 93021		4. PHONE/FAX/E-mail P: 805-531-9700 F: 805-531-9701		ZONE CH.	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Ahmad Ghaderi		6. ADDRESS 893 Patriot Dr. "A" Moorestown, CA 93021		TENT. MAP	
7. PHONE/FAX/E-mail P: 805-531-9700 F: 805-531-9701		8. ADDRESS 893 Patriot Dr. "A" Moorestown, CA 93021		PAR. MAP	
9. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Ahmad Ghaderi		10. ADDRESS 893 Patriot Dr. "A" Moorestown, CA 93021		DEV. PL. Revision D11-00005	
11. PHONE/FAX/E-mail P: 805-531-9700 F: 805-531-9701		12. ADDRESS 893 Patriot Dr. "A" Moorestown, CA 93021		C.U.P. Revision CU11-00008	
13. ADDRESS 893 Patriot Dr. "A" Moorestown, CA 93021		14. PHONE/FAX/E-mail P: 805-531-9700 F: 805-531-9701		VARIANCE	
PART II - PROPERTY DESCRIPTION				COASTAL	
8. LOCATION 2003 Mission Ave.				O.H.P.A.C.	
9. SIZE 22,897.00 SQ FT					
10. GENERAL PLAN Neighborhood Commercial		11. ZONING CN		12. LAND USE Ne-Neighborhood Commercial	
13. ASSESSOR'S PARCEL NUMBER 148-170-08-00					
PART III - PROJECT DESCRIPTION					
14. GENERAL PROJECT DESCRIPTION Construct new ³⁰¹⁰ 2280 sq. ft. food mart. Construct new 3192 sq. ft canopy. Construct new planters, stripe parking spaces. Reducate existing propane tank.					
15. PROPOSED GENERAL PLAN same no change		16. PROPOSED ZONING same no change		17. PROPOSED LAND USE same no change	
18. NO. UNITS 1		19. DENSITY			
20. BUILDING SIZE 2280 sqft		21. PARKING SPACES 1-ADA 8-standard		22. % LANDSCAPE 6.75	
23. % LOT COVERAGE or FAR					
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): AHMAD GHADERI		34. DATE 3/1/11		SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).	
Sign: 		35. OWNER (Print) FOR PLATINUM ENERGY AHMAD GHADERI		36. DATE 3/1/11	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		Sign: 			



A & S Engineering, Inc.

Planning

Engineering

Project Management

893 Patriot Dr., Unit "A", Moorpark, Ca. 93021 Ph. 805-531-9700, Fax. 805-531-9701

**JUSTIFICATION & DESCRIPTION LETTER
FOR PROPOSED PROJECT LOCATED @ 2003 MISSION AVE., OCEANSIDE**

April 7th, 2011

Dear Sir/Madam,

Proposed project consists of demolition of existing building and existing canopy. Construct a new ³⁰¹⁰~~2,280~~s.f. foodmart building and reconstruct a ~~3,070~~s.f. canopy with dispensers. Proposed improvements will significantly enhance the on site circulation and aesthetic value of the site. Additional landscaping and parking will be provided. Proposed project will provide services that will serve the neighborhood. If you have any questions, please contact our office at 805.531.9700.

Sincerely,
Ahmad Ghaderi

EXHIBIT "A"

LEGAL DESCRIPTION

1714

THOSE PORTIONS OF LOTS 11, 12, 23 TOGETHER WITH A PORTION OF MISSION AVENUE AS VACATED AND CLOSED TO PUBLIC USE, ALL IN PORTION OF OCEANSIDE (COMMONLY KNOWN AS BUTLER, GROVES AND GLEICHNER'S ADDITION), IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 341, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 22, 1886, LYING WITHIN THE NORTH HALF OF THE SOUTHWEST QUARTER AND THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 11 SOUTH RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 9 OF DIXIE HEIGHTS ADDITION, ACCORDING TO MAP THEREOF NO. 1836, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, SAID CORNER BEING ALSO THE SOUTHERLY LINE OF SAID NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 24; THENCE ALONG SAID SOUTHERLY LINE AND ALONG THE NORTHERLY LINE OF SAID DIXIE HEIGHTS ADDITION SOUTH 89° 56' WEST (RECORD SOUTH 89° 56' 50" WEST) 210.00 FEET; THENCE NORTH 0° 05' 48" WEST 519.30 FEET TO THE SOUTHWESTERLY LINE OF THAT EASEMENT AND RIGHT OF WAY FOR A PUBLIC STREET 80.00 FEET WIDE COMMONLY KNOWN AS CANYON DRIVE AS DESCRIBED TO THE CITY OF OCEANSIDE RECORDED JANUARY 20, 1955 IN BOOK 5503, PAGE 142, AS FILE NO. 8909, OF OFFICIAL RECORDS; THENCE NORTH 35° 18' 45" EAST 40.00 FEET TO THE CENTER LINE OF SAID CANYON DRIVE; THENCE ALONG SAID CENTER LINE NORTH 54° 41' 15" WEST 596.20 FEET TO AN ANGLE POINT IN THE BOUNDARY LINE OF THE LAND DESCRIBED IN DEED TO WESTERN MANAGEMENT, ET AL, RECORDED JANUARY 17, 1961 AS FILE NO. 8651, OF OFFICIAL RECORDS BEING THE TRUE POINT OF BEGINNING; THENCE ALONG SAID BOUNDARY LINE OF SAID LAND NORTH 35° 18' 45" EAST 40.00 FEET TO A POINT IN THE ARC OF A 34.00 FOOT RADIUS CURVE CONCAVE EASTERLY, A RADIAL LINE OF SAID CURVE BEARS SOUTH 35° 18' 45" WEST TO SAID POINT; THENCE NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY ALONG SAID CURVE 60.20 FEET THROUGH AN ANGLE OF 101° 27' 08" TO A POINT IN THE SOUTHEASTERLY LINE OF MISSION AVENUE AS SAID AVENUE IS ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, ADOPTED OCTOBER 13, 1954 AND RECORDED OCTOBER 19, 1954 IN BOOK 5402, PAGE 453, OF OFFICIAL RECORDS; THENCE CONTINUING ALONG SAID WESTERN MANAGEMENT LAND AND ALONG SAID SOUTHEASTERLY LINE NORTHWESTERLY ALONG THE ARC OF A 650.43 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY A DISTANCE OF 108.63 FEET; THENCE TANGENT TO SAID CURVE NORTH 37° 11' 45" EAST TO A POINT IN A LINE WHICH IS PARALLEL WITH AND 160.00 FEET NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM THE NORTHEASTERLY LINE OF SAID CANYON DRIVE; THENCE ALONG SAID PARALLEL LINE SOUTH 54° 41' 15" EAST 150.00 FEET; THENCE SOUTH 35° 18' 45" WEST TO SAID CENTER LINE OF CANYON DRIVE; THENCE NORTH 54° 41' 15" WEST ALONG SAID CENTER LINE TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION GRANTED TO THE CITY OF OCEANSIDE BY DOCUMENT RECORDED JANUARY 10, 1991 AS FILE NO. 1991-0012707, OF OFFICIAL RECORDS DESCRIBED AS FOLLOWS:

LYING SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:

DD

EXHIBIT "A"

LEGAL DESCRIPTION
(continued)

1715

BEGINNING AT THE MOST SOUTHERLY CORNER OF LAND DESCRIBED IN QUITCLAIM DEED TO UNION OIL COMPANY OF CALIFORNIA, DBA UNOCAL, A CALIFORNIA CORPORATION, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 6, 1987 AS FILE NO. 87-375379, OF OFFICIAL RECORDS, SAID CORNER BEING A POINT ON THE CENTERLINE OF CANYON DRIVE (80.00 FEET WIDE); THENCE NORTH 35° 19' 05" EAST (NORTH 35° 18' 45" EAST RECORD) 43.84 FEET ALONG THE SOUTHEASTERLY LINE OF SAID LAND TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1492.00, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 39° 25' 52" WEST; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 5° 26' 46" AN ARC LENGTH OF 141.82 FEET TO A POINT ON A COMPOUND CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 44° 52' 38" WEST; THENCE NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 91° 03' 53", AN ARC LENGTH OF 39.73 FEET TO A POINT ON A REVERSE CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 650.43 FEET, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 44° 03' 29" EAST, SAID POINT BEING ON THE SOUTHEASTERLY LINE OF MISSION AVENUE, SAID POINT ALSO BEING THE POINT OF TERMINUS FOR THIS DESCRIPTION.

APN: 148-170-08

Property commonly known as:

2003 Mission Avenue, Oceanside, San Diego County, CA 92058

DD



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(180 days)

1. **APPLICANT:** A & S Engineering
2. **ADDRESS:** 893 Patriot Dr. #A, Moorpark CA. 92021
3. **PHONE NUMBER:** (Ahmad Ghaderi), (805) 531-9700
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT PLANNER:** Scott Nightingale, Planner
6. **PROJECT TITLE:** D11-00005 & CUP11-00008 76 Station Revision
7. **DESCRIPTION:** To construct a 3,010-square foot mini-market and associated site improvements. The mini-market would consist of a large commercial retail area, prefabricated coolers for the storages of food and beverages, an office/storage area, and an ADA accessible restroom. A new trash enclosure built to city standards would be incorporated with the proposed development. As part of this Development Plan, the existing 1,200 square foot service station used for vehicle repair and the cashier booth will be demolished in lieu of the newly proposed mini-mart. The architecture of the proposed mini-market will consist of a modern Spanish Mediterranean theme and would reflect the architectural designs of the surrounding commercial buildings in the area. The project's materials and colors would consist of slate roofing materials, ivory colored stucco walls, dual pane glass windows, high quality canvas awnings, and stone veneer.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on this review, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- The project qualifies for a Class 3 categorical exemption under Section 15303(a) "New Construction or Conversion of Small Structures;"
- "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, ____ (Sections 15260-15277); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).



Scott Nightingale, Planner

Date: April 8, 2013

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