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City Clerk Department
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APPEAL OF PLANNING COMMISSION ACTION

APPEALS MUST BE FILED WITH THE CITY CLERK'S OFFICE WITHIN 10 CALENDAR DAYS OF
THE DATE OF FINAL ACTION

PROJECT/ACTION BEING APPEALED

PROJECT NAME Olive Park DATE OF FINAL DECISION 1/27/25

RESOLUTION NUMBER 2025-P02, 2025-P03

FORM OF APPEAL

APPEAL FEE - \$1,838 ☐ PETITION ☒ (PLEASE SEE BELOW FOR EXPLANATION/SIGN OFF)

LETTER INCLUDING A STATEMENT SPECIFICALLY IDENTIFYING THE PORTION(S) OF THE
DECISION BEING APPEALED AND THE BASIS FOR THE APPEAL IS ATTACHED ☒

PERSON FILING APPEAL

NAME Mira Costa Neighbors for Responsible Development Daytime Telephone:

ADDRESS CITY STATE ZIP

APPEALED BY ☐ APPLICANT (COMPANY/REP) ☐ INTERESTED PARTY ☐ PROPERTY OWNER WITHIN NOTICE AREA

RECEIVED

FEB 06 2025

SIGNATURE DATE **OCEANSIDE CITY CLERK**

CONTACT PERSON

(IF DIFFERENT FROM PERSON FILING APPEAL)

NAME Megan Leary
ADDRESS 4046 Olive Dr CITY Oside STATE CA ZIP 92050
Daytime Telephone 760 525 0819 Fax Number Email Address megleypolitics@gmail.com

Section 4604: To appeal by petition for a waiver of the appeal fee, the appeal must be accompanied by the signatures of 50% of the property owners within the noticed area or 25 signatures of the property owners or tenants within the noticed area, whichever is less.

I hereby certify that this appeal is being submitted in accordance with the Zoning Ordinance and meets the criteria specified in Section 4604 for an appeal by petition.

Signature: Meg Leary Date: 2/6/25

NOTE: All petitions must contain original signatures, along with the printed name and address of each signer.

Subject: Appeal of Planning Commission Action 1/27/2025
2025-P02, 2025-P03

Dear City Clerk,

Please allow this letter to serve as the required statement to accompany the Appeal for the Planning Commission's January 27th decisions regarding the Olive Park Apartments project (Resolutions 2025-P02, 2025-P03). The Mira Costa Neighbors for Responsible Development are requesting that the City Council hear this item for the following reasons:

Issue 0.1: Deficient Data and Misrepresentation of Alternatives Render EIR Legally Inadequate

Grounds for Appeal: The EIR is legally inadequate because it relies on inaccurate, inconsistent, and unsupported data, making it impossible to determine whether all significant impacts are properly mitigated. The applicant dismissed feasible alternative access proposals using incorrect and misleading information, falsely portraying them as infeasible. CEQA requires that an EIR be based on substantial evidence, yet the applicant relied on flawed assumptions and unverifiable claims. Without a legally sufficient EIR, project approval cannot proceed.

The EIR's traffic and noise impact assessments are based on inflated and unreliable data. When foundational data is incorrect, all subsequent conclusions—including mitigation adequacy—become unreliable. CEQA mandates that an EIR be factually supported and internally consistent, yet the applicant has failed to provide verifiable data. Because the analysis is flawed, it is impossible to determine whether the proposed mitigation measures are sufficient. CEQA requires a lead agency to assess impacts before determining mitigation. If the baseline data is wrong, then even otherwise adequate mitigation measures cannot be relied upon.

The applicant failed to comply with CEQA's requirements for evaluating alternatives. When questioned about a feasible alternative access route over nearby railroad tracks, the applicant provided incorrect information that made the alternative appear infeasible. Once accurate information was obtained, it became clear that the alternative is feasible and could significantly reduce project impacts. CEQA prohibits rejecting alternatives based on speculation or misleading claims. Courts have consistently held that an EIR cannot dismiss alternatives without substantial evidence demonstrating infeasibility. The applicant's actions violate CEQA's requirement for good-faith evaluation of alternatives and undermine the environmental review process.

Prejudice / Harm: The EIR's deficiencies deprive decision-makers and the public of the information needed for an informed evaluation of the project. Because the EIR is based on incorrect data, the extent of the project's environmental impacts is unknown. If the true impacts have not been identified, the applicant has not demonstrated that all significant effects have been mitigated. CEQA requires an EIR to provide an accurate disclosure of impacts and

enforceable mitigation measures. When an EIR is built on unreliable data, mitigation strategies cannot be properly assessed, and the project may move forward without addressing significant environmental harms.

Further, the applicant's misrepresentation of alternative access feasibility further undermines the review process. By providing incorrect information, the applicant effectively shut down consideration of alternatives that could reduce environmental impacts. CEQA requires all reasonable alternatives to be evaluated in good faith. If alternatives are dismissed based on misinformation, the City risks approving a project with greater environmental harm than necessary.

While this appeal identifies specific inaccuracies, inconsistencies, and unsupported data that can be verified at this time, there remain entire sections of the EIR for which neither time nor expertise has allowed full scrutiny. Given the errors already identified, the City must undertake a comprehensive review to verify whether additional inaccuracies exist. The EIR must be remanded for full reevaluation, including verification and correction of all numerical data, reassessment of project impacts based on accurate information, and an independent review of alternative access proposals. Until these deficiencies are addressed, the EIR remains legally insufficient and cannot serve as the basis for project approval.

Requested Remedy: The City Council must remand the EIR for full reevaluation before any further action is taken. The review must verify and correct all numerical data to ensure that traffic projections, noise assessments, and other impact analyses are accurate. Project impacts must be reassessed based on corrected data to determine whether all significant effects have been properly identified. Alternative access proposals must be independently reviewed based on substantial evidence rather than incorrect or misleading claims. Until these deficiencies are addressed, the EIR remains legally insufficient and cannot support project approval.

Issue 1.1: The Environmental Impact Report (EIR) Uses Overstated Traffic Volumes, Creating a False Baseline That Invalidates Impact Assessments

Grounds for Appeal: Under CEQA, an EIR must be based on substantial evidence (CEQA Guidelines § 15384). The traffic analysis in the EIR reports significantly higher vehicle counts than those recorded in independent traffic studies based on video evidence. The City does not possess the underlying video evidence supporting the reported traffic counts, and no independent verification of the applicant's traffic data was conducted. Case law establishes that an unstable or misleading project description invalidates an EIR (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645). Further, under CEQA, errors in environmental analysis that affect impact conclusions invalidate the report (*Ione Valley Land, Air & Water v. County of Amador* (2019)).

Prejudice / Harm: The overstatement of baseline traffic results in inaccurate impact assessments for congestion, noise, and safety. This leads to incorrect mitigation measures and undermines the reliability of the EIR's conclusions, preventing informed decision-making.

Requested Remedy: The City must require a new, independently verified traffic study using video-based methods, with the results made available for public review before any further project approvals.

Issue 1.2: The City Failed to Verify the Accuracy of the Traffic Data, Violating CEQA's Substantial Evidence Standard

Grounds for Appeal: CEQA mandates that all findings in an EIR be supported by substantial evidence, including verifiable data (CEQA Guidelines § 15384). The City has acknowledged that it does not possess the video evidence used by Counts Unlimited to generate the reported traffic numbers. Without independent verification, the EIR's traffic analysis is based on unsubstantiated data. The failure to ensure the reliability of key data violates CEQA's requirement that all environmental analysis be based on substantial evidence rather than assumption or speculation.

Prejudice / Harm: By failing to independently verify the data, the City allowed an inaccurate traffic baseline to inform the EIR's findings, affecting conclusions regarding traffic congestion, noise impacts, and required mitigations. The lack of verification undermines the integrity of the entire EIR and creates a legally deficient environmental review process.

Requested Remedy: The City must require the project applicant to submit the full set of video recordings used for the traffic counts and ensure independent verification of the data before proceeding with any project approvals.

Issue 1.3: The EIR's Overstated Traffic Baseline Leads to an Inaccurate Noise Impact Analysis

Grounds for Appeal: CEQA requires that an EIR's noise analysis be based on accurate baseline conditions, as noise impacts are directly correlated with traffic volumes. The EIR relies on traffic data that overstates actual vehicle counts, which in turn results in an overestimated noise impact analysis. Under CEQA case law, environmental analysis errors that materially affect conclusions invalidate the report (*San Joaquin Raptor Rescue Center v. County of Merced* (2007)). The erroneous traffic baseline inflates projected noise levels, making the EIR's noise findings unreliable.

Prejudice / Harm: An overstated noise impact assessment leads to misinformed mitigation measures, potentially resulting in inadequate protections for the surrounding community. The City cannot rely on an inaccurate noise study that does not reflect actual traffic conditions.

Requested Remedy: The City must require a revised noise analysis based on corrected traffic data that meets CEQA's substantial evidence standard.

Issue 1.4: The City's Dismissal of Independently Verified Traffic Counts as "Anecdotal Evidence" Violates CEQA's Public Comment and Response Requirements

Grounds for Appeal: CEQA mandates that public comments raising significant environmental concerns be meaningfully considered and responded to, rather than summarily dismissed (CEQA Guidelines § 15088). Here, independent traffic counts conducted using video evidence were presented to the Planning Commission, but the City Planner dismissed them as "anecdotal evidence" despite their documented methodology. CEQA requires that responses to public comments be based on factual explanations rather than conclusory statements. The City's failure to meaningfully address the independent study violates CEQA's procedural requirements.

Prejudice / Harm: By disregarding credible public input and refusing to engage with documented traffic data, the City undermines the integrity of the environmental review process. This procedural violation weakens the basis of the EIR and creates grounds for legal challenge.

Requested Remedy: The City must formally evaluate and include the independent traffic data as part of the administrative record and reconsider its findings based on this evidence before proceeding with project approval.

Issue 2.1: The EIR's Reliance on ITE Trip Generation Data is Legally Deficient

The Environmental Impact Report (EIR) improperly relies on the Institute of Transportation Engineers (ITE) trip generation rates despite the availability of more appropriate and regionally accepted data from the San Diego Association of Governments (SANDAG). The ITE data is based on a small sample size (two studies), which results in a substantial underestimation of anticipated traffic impacts. The EIR's justification for using ITE data fails to acknowledge its limitations, violating the California Environmental Quality Act (CEQA) requirement that an EIR's conclusions must be supported by substantial evidence (CEQA Guidelines § 15384).

The applicable legal standard requires that an EIR be based on substantial evidence, which includes facts, reasonable assumptions predicated upon facts, and expert opinions supported by facts. CEQA does not permit reliance on unsubstantiated opinion or speculative conclusions. Courts have previously invalidated EIRs that relied solely on ITE trip generation rates without supporting localized data, including a Washington Supreme Court ruling that deemed ITE data insufficient under a substantial evidence standard. Further, ITE's Trip Generation Handbook, 3rd Edition (p. 85) states that local data should be used when local circumstances indicate a project may have different trip-making characteristics.

The EIR fails to justify its choice of data sources adequately, particularly when precedent exists for using SANDAG data in similar developments. Cities such as Chula Vista and El Cajon primarily rely on SANDAG's guide for traffic impact assessments, and Oceanside itself used SANDAG's data for the South River Village project. If neither ITE nor SANDAG data is deemed sufficient, alternative trip generation data from the Bureau of Transportation Statistics (BTS)

should have been considered. BTS reports a suburban California traffic generation rate of 6.15 trips per person per day, which, when applied to the project's estimated 402 adult residents, results in 2,472 Average Daily Trips (ADT), exceeding the local street capacity of Olive Drive (2,200 ADT).

This error materially affects the EIR's conclusions regarding Level of Service (LOS), noise pollution, and mitigation measures, rendering the EIR legally inadequate. The City must immediately revise the EIR to use regionally accepted trip generation data from SANDAG or provide substantial evidence justifying its exclusion. If the EIR remains based on ITE data without appropriate justification, the project must be remanded for correction to comply with CEQA's substantial evidence standard.

Issue 2.2: The EIR's Traffic Analysis Fails to Use Substantial Evidence

The EIR's traffic study significantly overestimates existing traffic volumes, undermining the validity of its impact analysis. Data collected from field observations on January 14, 15, 16, and 23, 2025, demonstrates that the Draft EIR inflates traffic counts compared to actual observed conditions. Specifically, peak AM and PM traffic volumes were consistently lower than those projected in the Draft EIR. The actual observed peak-hour traffic for Olive Drive was 10 trips in the AM and 20 trips in the PM, whereas the EIR projected 24 and 41 trips, respectively. Similarly, neighborhood-wide counts were significantly lower than EIR estimates, with an average difference of -28.79% for AM trips and -30.17% for PM trips.

CEQA requires that an EIR be based on substantial evidence, meaning the agency must rely on accurate, reliable, and representative data when assessing environmental impacts. Inconsistent or incorrect numbers in an EIR may result in an unstable project description or the understatement of potential impacts (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645). The *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502 ruling further established that an EIR must include a reasonable, good-faith effort to provide an accurate assessment of environmental impacts, which this EIR fails to do.

By relying on inflated traffic projections rather than observed traffic conditions, the EIR misrepresents the project's baseline conditions and underestimates the proportional increase in traffic. This flaw affects not only the traffic analysis but also the associated noise impact analysis, given that a doubling of traffic results in a +3 dBA increase in noise pollution. The actual traffic increase would result in an estimated noise level increase of 9.41 dBA, which is significant under CEQA thresholds.

The City must revise the EIR to incorporate field-observed traffic data and correct the misrepresentations in the traffic study. Failure to do so results in a legally inadequate environmental review that does not comply with CEQA's requirements for substantial evidence and an accurate project description.

Issue 2.3: The EIR's Failure to Justify Its Departure from Regional Consistency in Traffic Analysis

The EIR fails to maintain regional consistency in its traffic analysis, as required under CEQA's requirement to provide a reasoned and supported analysis of environmental impacts. SANDAG's trip generation rates are widely used across San Diego County, including by the cities of Chula Vista, El Cajon, and San Diego. The City of Oceanside itself recently used SANDAG's data for South River Village, a 100% affordable housing project. The failure to adhere to regionally accepted methodologies introduces an unsupported deviation that undermines the EIR's credibility.

Further, it has been confirmed with the City's Traffic Engineer that the City recently changed the guidance given to developers regarding trip generation from SANDAG data to ITE data. However, this change was made without updating the official guidelines document or obtaining approval from the City Council. This means that the City Council has not authorized the policy change that staff is implementing for this project, which raises significant procedural concerns regarding the legitimacy of the data selection process.

Under CEQA, agencies must ensure that their environmental impact analyses remain consistent with established regional methodologies unless there is a clear, evidence-based justification for deviation. The California Supreme Court has held that agencies must provide substantial evidence supporting their chosen methodologies (*Cleveland National Forest Foundation v. SANDAG* (2017) 3 Cal.5th 497). Here, the City had discretion to use SANDAG data but failed to do so without justification. Instead, it recommended that the applicant rely on ITE data, despite ITE's own guidance warning against the blanket application of its trip generation rates.

Without an evidence-based justification for deviating from regional norms, the EIR's conclusions regarding traffic impacts are legally inadequate. The City must revise the EIR to incorporate regionally accepted SANDAG trip generation rates or provide a substantial justification for their exclusion. Absent such justification, the EIR remains legally deficient under CEQA.

Issue 2.4: The City's Dismissal of Independently Verified Traffic Counts as "Anecdotal Evidence" Violates CEQA's Public Comment and Response Requirements

Grounds for Appeal: CEQA mandates that public comments raising significant environmental concerns be given a meaningful response based on factual explanations (CEQA Guidelines § 15088). At the January 27, 2025, Planning Commission meeting, City Planner Sergio Madera dismissed independent traffic counts presented by Megan Ley, stating:

"I'm not sure where Miss Ley got her traffic engineering degree to be able to provide a formal analysis to us. I don't think that's credible. I think it's anecdotal information that's been provided here tonight."

This statement is not a substantive response to the independent traffic study but instead attempts to discredit the person presenting the data. The independent study was based on video recordings and systematic documentation of vehicle movements—including date, timeframe, vehicle sighting times, direction of travel, vehicle type, and color—and was directly

compared to the EIR's reported data. It is not "anecdotal" but constitutes substantial evidence under CEQA (Cal. Code Regs. Tit. 14, § 15384(b)), which defines substantial evidence as "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts."

Further, the City has admitted that it does not possess the video evidence used by Counts Unlimited for its traffic study, meaning the reported traffic numbers were never independently verified. Despite this, City officials dismissed an independent review that relied on actual video footage, systematically recorded data, and verifiable calculations. CEQA requires that an agency meaningfully respond to public concerns regarding the accuracy of environmental data, not dismiss them outright (*Ione Valley Land, Air & Water v. County of Amador* (2019)).

Prejudice / Harm: By dismissing the independent traffic study without engaging with its factual findings, the City ignored substantial evidence and failed to address a significant environmental issue. The City's refusal to consider documented video evidence while relying on unverified data compromises the integrity of the environmental review process. Decision-makers were deprived of an accurate and complete record which is essential under CEQA.

Requested Remedy: The City must formally evaluate and include the independent traffic data as part of the administrative record and provide a substantive, evidence-based response addressing the discrepancies rather than dismissing them outright. The City should also require a new traffic study to ensure the data meets CEQA's substantial evidence standard before proceeding with project approvals.

Issue 3.1: The EIR Relies on Noise Measurements Conducted Under Atypically High Humidity and Wet Pavement Conditions, Violating CEQA Requirements for an Accurate Environmental Baseline

The EIR's noise study was conducted under conditions that do not accurately reflect normal environmental conditions. The California Environmental Quality Act (CEQA) requires that an Environmental Impact Report (EIR) establish a baseline that represents actual, prevailing conditions at the time of the Notice of Preparation (CEQA Guidelines § 15125). The EIR's noise study was conducted on February 21, 2024, under 94% humidity and wet pavement conditions due to prior rainfall. Scientific research demonstrates that high humidity and wet pavement amplify noise levels, which distorts the baseline measurement. Standard noise measurement protocols, including those used by Caltrans, recommend conducting noise studies under dry conditions to ensure accuracy. By failing to adhere to these standards, the EIR overestimates existing noise levels, thereby understating the project's incremental noise impact.

Since CEQA mandates that EIR conclusions be supported by substantial evidence (CEQA Guidelines § 15384), reliance on data obtained under anomalous conditions renders the noise analysis legally deficient. Courts have consistently required agencies to adhere to accepted scientific methodologies in conducting environmental analysis. The improper baseline skews all subsequent noise impact calculations, reducing the apparent increase in noise levels caused by project-generated traffic. The EIR's failure to correct for this methodological error results in an

underestimation of noise impacts on nearby sensitive receptors, including the daycare at 4015 Olive Drive.

Requested Remedy: The City must conduct new baseline noise measurements under standard, dry conditions that accurately reflect normal atmospheric and pavement conditions. The revised measurements must be used to update noise impact predictions and mitigation measures. Until these corrections are made, the EIR remains legally inadequate under CEQA, necessitating its revision or supplementation before project approval.

Issue 3.2: The EIR Incorporates Inflated Baseline Traffic Counts, Leading to a Systematic Underestimation of Project-Related Noise Impacts

The EIR relies on inaccurate baseline traffic counts that do not reflect actual conditions, resulting in erroneous noise impact calculations. CEQA requires that an EIR's baseline be based on substantial evidence (CEQA Guidelines § 15125, § 15384). Independent field data collected on January 14, 15, 16, and 23, 2025, show that the actual traffic volumes in the study area are significantly lower than those reported in the EIR. The EIR assumes 66 peak AM trips and 116 peak PM trips in the neighborhood, whereas independent counts show an average of 47 AM trips (-28.79%) and 81 PM trips (-30.17%). Similarly, the EIR estimates 24 AM and 41 PM trips on Olive Drive, while independent data show only 10 AM (-58.33%) and 20 PM trips (-51.22%).

This discrepancy directly affects the EIR's noise impact analysis. Because traffic volume and noise levels have a logarithmic relationship, the overstated baseline causes the EIR to underestimate project-related increases in noise. A corrected analysis, based on actual baseline traffic counts, indicates that project-related traffic will lead to a +9.41 dBA increase in noise, exceeding CEQA's +5 dBA threshold for significance under CEQA Guidelines § 15064.7. The EIR's failure to recognize this exceeds the allowable impact threshold and invalidates its conclusion that noise impacts are less than significant.

Requested Remedy: The City must revise the EIR to incorporate accurate baseline traffic data derived from independent field studies. The corrected data must be used to reanalyze noise impacts using appropriate logarithmic adjustments. If the revised analysis finds noise increases above CEQA thresholds, the City must adopt additional mitigation measures to address the impacts. Without these corrections, the EIR remains inadequate and legally indefensible.

Issue 3.3: The EIR Fails to Properly Assess Cumulative Noise Impacts, Omitting Construction and Post-Construction Traffic Contributions in Violation of CEQA

The EIR's cumulative impact analysis does not account for the combined effects of construction noise and post-construction traffic noise. CEQA Guidelines § 15064.7 require a cumulative analysis when multiple sources contribute to environmental impact. The EIR evaluates construction noise and operational noise separately, failing to analyze their combined effect on sensitive receptors.

When properly aggregated, cumulative noise levels exceed the +5 dBA threshold for significance. The EIR assumes that only the loudest piece of construction equipment is active at any given time, contradicting the City's own General Plan EIR, which assumes simultaneous operation of three pieces of equipment. Further, the EIR's operational noise analysis relies on a miscalculated baseline traffic volume, which underestimates the overall increase in CNEL. If cumulative construction and operational traffic noise impacts are analyzed together using corrected baseline data, they likely exceed CEQA significance thresholds.

Requested Remedy: The City must revise the EIR to include a proper cumulative noise analysis that accounts for both construction and operational traffic noise impacts. The analysis must apply the City's standard assumption of three concurrent pieces of equipment in construction modeling and integrate corrected traffic volume data. If cumulative noise impacts exceed CEQA thresholds, the City must impose additional mitigation measures, including construction scheduling restrictions and enhanced sound barriers. Until this correction is made, the EIR does not comply with CEQA.

Issue 3.4: The EIR Uses an Unsubstantiated Noise Threshold of 65 dBA CNEL for Residential Areas, Contrary to the City's Municipal Code

The EIR inconsistently applies noise impact thresholds, leading to improper conclusions about significance. The EIR relies on a 65 dBA CNEL exterior limit for residential areas, yet the City's Municipal Code § 38.12(a) establishes residential noise limits at 50 dBA during the day and 45 dBA at night. The EIR does not provide a legal or regulatory basis for applying the higher 65 dBA threshold, raising concerns that the analysis is structured to minimize the project's apparent noise impact.

A legally valid EIR must rely on enforceable, jurisdiction-specific noise standards. Under CEQA Guidelines § 15125, an EIR must analyze environmental impacts using applicable local ordinances. Courts have ruled that applying inconsistent or unjustified significance thresholds violates CEQA. The failure to explain the basis for the 65 dBA standard results in a misleading impact assessment.

Requested Remedy: The City must clarify the legal basis for applying a 65 dBA CNEL threshold to RS-zoned residential areas and reconcile this discrepancy with its Municipal Code. If the correct standard is 50 dBA (day) and 45 dBA (night), the EIR's noise impact conclusions must be reassessed accordingly. If the 65 dBA standard is justified, the City must provide evidence supporting its applicability. Without this clarification, the EIR fails to comply with CEQA's requirement for a legally valid significance threshold.

Issue 3.5: Inadequate Consideration of Noise Impacts on Sensitive Receptors

The Environmental Impact Report (EIR) fails to adequately evaluate the construction noise impacts on the daycare facility at 4015 Olive Drive, a recognized sensitive receptor. The analysis improperly minimizes potential noise impacts and does not incorporate a site-specific evaluation that accounts for the unique operational patterns of construction in a hilly area.

Grounds: The Draft EIR's noise analysis relies on generalized Federal Transit Administration (FTA) guidance and assumes an oversimplified methodology rather than conducting a project-specific assessment. The EIR does not analyze the cumulative noise effects of multiple loud machines operating concurrently or the potential for excessive noise levels due to topographical variations at the project site. Additionally, the EIR disregards the daycare facility in its closest-sensitive-receptor assessment and fails to provide site-specific modeling of actual noise exposure levels at this location.

Prejudice / Harm: Failure to account for the actual noise conditions and cumulative construction noise exposes children at the daycare to levels of noise pollution that have been shown to cause cognitive impairments, developmental delays, and long-term health issues. The omission of a full analysis deprives decision-makers of the necessary information to assess whether mitigation measures are adequate, potentially violating CEQA's requirement for a thorough and complete environmental review.

Remedy: The City Council should require the EIR to be revised to include a project-specific noise analysis that accounts for concurrent use of multiple loud machines, site topography, and actual conditions at the daycare. The revised analysis should use site-specific noise modeling and include mitigation measures tailored to reduce exposure at the daycare facility. The EIR should not be certified until these deficiencies are addressed.

Issue 4.1: Fire Safety Code Misapplication

The City has misapplied California Fire Code (CFC) D106 by evaluating the fire access requirements in isolation and failing to consider the cumulative impact of the proposed 199-unit development on the existing 62 unsprinklered single-family homes.

Grounds: CFC D106 requires multifamily residential developments exceeding 200 units to have two separate fire apparatus access roads, allowing only a single road for up to 200 sprinklered units. CFC D107 applies to single-family developments exceeding 30 units, mandating two access roads if no sprinklers are present. The City's approach of evaluating only the new project disregards the fact that both developments will rely on a single access road, exceeding the 200-unit threshold. This creates an emergency response deficiency that violates the intent of the fire code, which is to ensure sufficient fire and evacuation access for all residents.

Request: The City must reassess fire access based on cumulative impacts, not in isolation. A secondary access road should be required. If a second road is infeasible, the City must provide substantial evidence demonstrating that emergency response standards remain adequate despite the increased density and reliance on a single access point.

Issue 4.2: Failure to Consider Climate Change and Wildfire Risk

The City's fire risk assessment is based on outdated Local Responsibility Area (LRA) maps from 2007-2011, which do not reflect increasing wildfire frequency, changing fuel loads, or climate change risks.

Grounds: The California Environmental Quality Act (CEQA) requires that environmental analyses be based on current and accurate data. The City's General Plan and Climate Action Plan acknowledge climate change and increased wildfire risks, yet the project approval relies on outdated hazard classifications that fail to incorporate these evolving threats. The parcel includes highly flammable sage scrub, and prevailing winds could spread embers into the unsprinklered neighborhood. Further, the displacement of encampments could push fire risks westward, yet this has not been analyzed.

Request: The City must delay project approval until the updated CALFIRE LRA maps—expected imminently—are published and incorporated into the fire risk assessment. The City must also conduct an updated wildfire hazard analysis that considers the project's fuel load, prevailing wind conditions, and increased fire frequency due to climate change.

Issue 4.3: Inadequate Evacuation Planning and Emergency Access Deficiencies

The EIR fails to address emergency evacuation constraints and does not provide a worst-case scenario analysis despite the fact that the single access road leads to an intersection with a failing Level of Service (LOS) D or F.

Grounds: Under CEQA, agencies must evaluate and mitigate significant environmental risks, including emergency evacuation feasibility. The project site is designated as "low fire risk" based on outdated LRA maps (2007-2011). As a result, no evacuation study has been conducted to determine whether the current roadway infrastructure can support the safe and timely evacuation of over 260 residences. The city's reliance on sprinklers as a mitigation measure does not address wildfire evacuations, external ignition sources, or large-scale simultaneous emergency events. The presence of a significant senior population further exacerbates evacuation concerns.

If the project site were officially designated as a High Fire Hazard Severity Zone (FHSZ), an evacuation plan would be required. The outdated fire maps should not be used as an excuse to bypass this requirement, particularly when new LRA maps will be published this year. Further, the EIR for Oceanside's General Plan Update already identifies the parcel as having a "High" FRAP rating. This reinforces the need for an updated evacuation study, as the risk is likely greater than the City's current assessment suggests.

Request: The City must conduct an independent fire evacuation study before project approval, analyzing how traffic congestion on Olive Drive and the surrounding road network will affect emergency response and evacuation times. Alternative fire access solutions, including an emergency fire lane, must be considered.

Issue 4.4: Selective and Arbitrary Fire Code Interpretation

The City is applying CFC D106 and D107 selectively by treating the new development as separate from the existing neighborhood, despite the fact that both rely on a single access road.

Grounds: Fire safety regulations must be applied consistently and in a manner that prioritizes public safety. Courts have ruled that fire safety regulations cannot be selectively interpreted if the result creates foreseeable hazards (*California Building Standards Commission v. San Diego*, 2017). Here, the City is ignoring the combined residential density of the area, despite the fact that a development with just one more unit would trigger a secondary access requirement. The 200-unit threshold should not be treated as an arbitrary regulatory cutoff but must instead be interpreted in line with the fire code's underlying purpose.

Request: The City must seek a formal fire code interpretation from CALFIRE and the International Code Council (ICC) before proceeding with project approval. Fire code must be interpreted in favor of safety and the City must apply the broadest and most safety-oriented reading of the regulations to ensure compliance with public safety standards.

Issue 4.5: Traffic and Emergency Response Delays

The City's traffic analysis underestimates congestion impacts, which will impede emergency response times.

Grounds: The provided traffic data shows that peak-hour traffic volumes on Olive Drive are significantly lower than the Draft EIR projections, indicating that the City's traffic assumptions are unreliable. The existing road network is already operating at a LOS D or F, and the addition of 199 units will further degrade traffic conditions. CEQA requires that agencies use substantial evidence when evaluating traffic impacts and the misrepresentation of traffic data constitutes a violation of these requirements.

Request: The City must conduct an updated traffic analysis that accounts for real-world traffic volumes and their impact on emergency response times. Project approval must be delayed until this analysis is completed.

Issue 4.6 Failure to Account for High Fire Risk Classification Under FRAP

The City's approval fails to account for the fact that the project site has been classified as "High" fire risk under CALFIRE's Fire Resource and Assessment Program (FRAP), which considers factors such as fuel loads, terrain, and wind patterns that contribute to fire spread.

Grounds: The Environmental Impact Report (EIR) for the City of Oceanside's General Plan Update incorporates CALFIRE's 2024 GIS Mapping and Data Analytics, which designates the project site as "High" fire risk, which is likely due to the presence of sage scrub, steep slopes, and prevailing westerly winds.

CEQA requires agencies to use substantial evidence in assessing fire hazards, yet the City's evaluation fails to integrate the FRAP classification into its fire risk assessment. The site's fire vulnerability exacerbates the danger posed by the single access road, particularly in a scenario where embers from a wildfire ignite the existing unsprinklered neighborhood.

Section 503.1.2 of the fire code mandates multiple access roads where congestion, terrain, and climatic conditions could limit emergency response, all of which are present here. Despite these risks, the City is treating the 199-unit project as distinct from the existing community rather than acknowledging the combined hazard created by the cumulative development.

Request: The City must reassess fire access requirements in light of the FRAP classification and require a secondary access road or equivalent mitigation. If a second access road is deemed infeasible, the City must provide substantial evidence demonstrating how emergency response standards remain adequate in a "High" fire risk zone with a single access route. Project approval should be delayed until the updated CALFIRE LRA maps are published and incorporated into the fire safety analysis.

Issue 4.7: Omission of Required Wildfire Impact Analysis Due to Outdated Fire Maps

The Environmental Impact Report (EIR) for the proposed project fails to include a required Wildfire Impact / Appendix, despite substantial evidence that the project site falls within a High Fire Hazard Severity Zone (FHSZ) under CALFIRE's Fire Resource and Assessment Program (FRAP). The omission of this analysis is unjustifiable and renders the fire risk assessment incomplete.

Under CEQA, environmental analyses must be based on the best available data. If the project site were officially designated as an FHSZ, a wildfire impact analysis would have been required in the EIR. However, the updated CALFIRE Fire Hazard Severity Zone maps have not yet been published, and the City has proceeded with project approval without incorporating the latest fire risk data. Despite this, the EIR for Oceanside's General Plan Update already designates the parcel as having a "High" FRAP rating, indicating a significant fire risk due to fuel loads, wind conditions, and topography. The failure to integrate this classification into the project's wildfire risk analysis means that the EIR does not adequately assess the project's vulnerability to wildfires or its potential impact on emergency response capacity.

The omission of a Wildfire Impact / Appendix demonstrates that the City's fire risk assessment is incomplete and lacks the substantial evidence required under CEQA. By relying on outdated fire hazard classifications, the City is proceeding with an environmental review that does not reflect the site's actual fire risk conditions. This deficiency undermines the validity of the EIR's conclusions regarding fire safety, emergency response, and evacuation feasibility.

The City must delay project approval until the updated CALFIRE Fire Hazard Severity Zone maps are published and incorporated into the fire risk assessment. If the updated maps confirm a High Fire Hazard classification, the City must prepare a Wildfire Impact / Appendix that evaluates the project's wildfire exposure, emergency response capacity, and required mitigation measures to ensure compliance with fire safety standards.

Issue 5.1: Failure to Adequately Analyze Feasible Ingress/Egress Alternatives in Violation of CEQA

The Environmental Impact Report (EIR) for the Olive Park Apartments violates CEQA Guidelines § 15126.6, which requires the identification and evaluation of reasonable alternatives that could reduce or avoid significant environmental impacts. The dismissal of the Avenida Del Oro/Oceanside Boulevard alternative lacks substantial evidence, as required by CEQA Guidelines § 15384, and fails to address the primary impact the alternative seeks to mitigate—traffic congestion and safety risks on Olive Drive.

Grounds: The EIR significantly underestimates the project's traffic generation, failing to account for accurate Average Daily Trips (ADT) data. While the EIR estimates 951 ADT, independent sources, including the Bureau of Transportation Statistics, indicate that actual ADT could be as high as 2,472—a 160% increase over the City's estimate. This miscalculation has severe implications for public safety, as increased traffic has been correlated with a higher risk of pedestrian, bicyclist, and vehicle collisions, as confirmed by Tracking California, a program under the Public Health Institute.

CEQA requires the use of accurate, site-specific data in evaluating traffic impacts. Courts have invalidated EIRs when traffic calculations were found to be unreliable or misleading (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645). The Traffic Field Data collected contradicts the EIR's assumptions. The EIR estimates 233 ADT for Olive Drive, while localized traffic data suggests 109 ADT, making the projected increase even more severe. Additionally, noise pollution impacts, which increase by +3 dBA per doubling of traffic, are misrepresented—an issue with documented public health consequences.

CEQA mandates that a lead agency must evaluate reasonable alternatives to a project in order to lessen significant impacts. Here, the Avenida Del Oro/Oceanside Boulevard alternative would reduce traffic congestion and public safety risks on Olive Drive by dispersing vehicle trips more evenly across a higher-capacity roadway. However, the Applicant has rejected this alternative without substantial evidence, violating CEQA's requirement for fact-based analysis rather than speculation (CEQA Guidelines § 15384).

Issue 5.3: Misrepresentation of CPUC Approval Process for Railroad Crossing

The Applicant has provided misleading information regarding the approval timeline for a grade-level railroad crossing, asserting that the California Public Utilities Commission (CPUC) process takes a minimum of five years. However, an official statement from CPUC's Program Manager of the Rail Safety Division confirms that the General Order 88-B process takes a maximum of 45 days and the Formal Application Process takes 18 months. No known cases have extended to five years.

Grounds: CEQA requires that findings be based on factual analysis, not speculation (CEQA Guidelines § 15384). The Applicant's misrepresentation of regulatory timelines directly influenced the City's decision to dismiss a viable ingress/egress alternative without conducting a

proper feasibility study. Courts have repeatedly found that an EIR may be invalidated when critical assumptions are based on misinformation or speculative claims (*Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167).

Requested Action: The City must require the Applicant to formally consult with CPUC and North County Transit District (NCTD) to determine the feasibility of a grade crossing, ensuring compliance with CEQA's requirement for substantial evidence in rejecting alternatives.

Issue 5.4: Economic Feasibility Claims Lack Substantiation

The Applicant has claimed that constructing the Avenida Del Oro/Oceanside Boulevard access point is financially infeasible, yet this assertion lacks supporting financial data. The Applicant has received \$6 million in funding from the Notice of Funding Availability (NOFA) and \$11 million in fee waivers. Redirecting a portion of these funds toward ensuring proper ingress/egress would be a reasonable and financially feasible measure.

Grounds: CEQA mandates that economic infeasibility claims be substantiated with comparative cost data (*SPRAWLDEF v. San Francisco Bay Conservation & Development Commission* (2014) 226 Cal.App.4th 905). Courts have found that unsupported financial claims do not constitute substantial evidence. Here, the Applicant's failure to provide economic data renders their infeasibility claim legally insufficient.

Requested Action: To ensure compliance with CEQA's evidentiary requirements, the City must require the Applicant to provide a full financial feasibility study justifying why the alternative is economically unviable rather than relying on unsubstantiated claims.

Issue 5.5: Failure to Integrate Transit Passes Undermines the Project's Transit-Oriented Development Goals

The Applicant claims that NCTD would not allow a grade crossing, but this assertion has not been supported by any formal documentation or official statement from NCTD. Furthermore, the Applicant has failed to pursue a negotiation strategy that could incentivize NCTD's cooperation. Given that the project is being marketed as a transit-oriented development, one potential means of securing NCTD's willingness to allow a crossing is to provide a guaranteed, long-term revenue stream through bundling transit passes into rental agreements. The Applicant has previously implemented this model for a senior housing project in Los Angeles, yet has not attempted to do so for Olive Park, despite its reliance on public transit access as a justification for site selection and traffic assumptions.

Based on the projected number of tenants, integrating SPRINTER/BREEZE transit passes into lease agreements would generate between \$17.6 million and \$29.8 million in revenue for NCTD over 55 years, ensuring a reliable funding source that could make the crossing proposal more attractive to the transit agency. This directly aligns with the project's stated transit-oriented development goals, yet no known discussions have been pursued with NCTD to explore this option.

Grounds: CEQA requires that mitigation measures be effective and enforceable (CEQA Guidelines § 15126.4(a)). The Applicant rejected a grade crossing despite a potential financial incentive that could change alleged NCTD's position.

Furthermore, the Smart & Sustainable Corridors Specific Plan (SSCSP) states that its goal is to channel future housing and employment growth into the City's commercial corridors while maintaining the integrity of adjacent residential neighborhoods. The SSCSP seeks to facilitate infill and redevelopment along Mission Avenue, Oceanside Boulevard, and Vista Way while accommodating public transit and active transportation consistent with "complete streets" principles and regional policies that seek to reduce reliance on the private automobile. The failure to integrate transit passes and explore a feasible grade crossing contradicts these core planning objectives. (PDF p. 3)

Requested Action: The City must require the Applicant to commit to including transit passes in rental agreements to ensure this project is truly a transit-oriented development. Further, the City must require the Applicant to formally coordinate with NCTD to determine whether a long-term transit revenue agreement could facilitate approval of a grade crossing. A representative from the existing community must be involved to ensure transparency. Without formal discussions, the City cannot justify the rejection of this alternative.

Issue 6.1: Failure to Include College Boulevard Widening in Cumulative Impact Analysis

The EIR excludes the College Boulevard Roadway Widening Project from the cumulative impact analysis, despite clear evidence that it is foreseeable and will overlap with the Olive Park Apartments construction timeline. City staff confirmed in a January 23, 2025, email that the project is advancing, with 60% plans expected by fall 2025, 100% plans by late 2026, and construction potentially starting as early as spring 2027. The applicant also stated at the January 27, 2025, Planning Commission meeting that the widening project "will be occurring." The Olive Park project is set to begin construction in January 2026 and continue through 2028, meaning the two projects will overlap. CEQA requires cumulative analyses to account for foreseeable projects, and excluding the widening project results in an incomplete assessment.

Grounds for Appeal: The EIR fails to analyze cumulative impacts by excluding a foreseeable project that meets CEQA's definition of reasonably foreseeable. City staff confirmed the widening project is moving forward, and the applicant acknowledged it as part of future conditions. The widening project's exclusion contradicts the EIR's reliance on long-term 2050 projections that include it. CEQA requires cumulative analyses to consider overlapping projects, and by omitting the widening project, the EIR underrepresents cumulative noise and traffic impacts. This results in a legally deficient environmental review.

Harm: Excluding the widening project skews the cumulative noise and traffic impact analysis, preventing decision-makers and the public from understanding the full effects of the Olive Park project. Without acknowledging the widening project, the EIR fails to propose mitigation

measures to address the combined impact of simultaneous construction and increased traffic congestion. The omission of a relevant cumulative project violates CEQA, creating legal vulnerabilities that could result in project delays or litigation.

Remedy: The City Council should require a revised analysis that includes the College Boulevard Widening Project in the cumulative impact assessment. The EIR must reassess cumulative noise and traffic impacts using accurate data and propose additional mitigation measures to address the combined effects of overlapping construction and increased traffic. Without these corrections, the EIR remains incomplete under CEQA and should not be certified.

Issue 7.1: Traffic Safety and Bicycle Infrastructure Deficiencies

Issue: The project's failure to implement traffic-calming measures and bicycle infrastructure on Olive Drive contradicts City policy, undermines public safety, and increases neighborhood impacts.

Grounds for Appeal: The FEIR fails to mitigate traffic impacts on Olive Drive despite projecting up to 951 additional daily vehicle trips. Existing conditions indicate frequent speeding as drivers attempt to catch the green light at Olive Drive and College Boulevard. Increased traffic volumes will exacerbate this issue. The FEIR dismisses the need for speed control measures, despite resident concerns and the City's acknowledgment of the request. The omission of a Class III bikeway contradicts the City's Bicycle Master Plan, which mandates continuous and connected bicycle infrastructure. The plan warns that "piecemeal and incomplete systems" are unsafe and discourage cycling. The Circulation Element requires integrated multimodal infrastructure to promote safety, which the FEIR fails to provide. The lack of preferential parking programs under California Vehicle Code §22507 ignores foreseeable parking conflicts, further burdening existing residents.

Prejudice / Harm: The absence of traffic-calming measures increases collision risks for cyclists and pedestrians. Without a Class III bikeway, cyclists will be forced to share the roadway with higher traffic volumes, elevating accident risks. Overflow parking of up to 298 vehicles will obstruct bike routes and degrade neighborhood conditions. The FEIR's traffic estimates do not align with documented field data, which shows lower baseline volumes than projected in the EIRTraffic Documents_Video.... This discrepancy raises concerns that the project's true impact is understated. The failure to address these deficiencies undermines public safety and conflicts with CEQA's requirement to mitigate significant environmental impacts.

Requested Remedy: The FEIR must be revised to include speed control measures such as stop signs at Olive Drive and Bradley Street and speed bumps on Olive Drive to address increased traffic volumes and prevent speeding. A Class III bikeway with sharrows and signage must be implemented to ensure multimodal connectivity and cyclist safety, in accordance with the City's Bicycle Master Plan. A preferential parking program under California Vehicle Code §22507 must be established to prevent overflow parking from burdening existing residents. These measures

are necessary to mitigate the project's significant traffic, safety, and environmental impacts while ensuring compliance with City policy and CEQA requirements.

Issue 8.1: Discrepancies in Affordable Housing Commitments and Funding Justification

The project's affordability commitments have shifted significantly since the Draft EIR, contradicting the basis upon which the applicant secured \$6 million in Notice of Funding Availability (NOFA) funding.

Grounds for Appeal: The original Draft EIR proposed 282 units of affordable housing, with all units designated for low, very low, and extremely low-income households, with none exceeding 80% of the area median income (AMI). The applicant now proposes only 40 out of 199 units to be moderate-income (110% of AMI), while the remaining units are at 80% AMI or higher. This represents a material change in project scope that was not properly disclosed or analyzed in the EIR. Additionally, 50 Project-Based Vouchers (PBV) and 11 Veterans Affairs Supportive Housing (VASH) units were included in the funding justification, yet there is no clear breakdown of how many units will remain available for very low and extremely low-income households.

Prejudice / Harm: The reduction in lower-income affordability tiers undermines the project's public benefit and misrepresents the basis upon which NOFA funding was awarded. Without enforceable affordability requirements, there is no guarantee that the project will provide the level of affordable housing originally promised. This misrepresentation affects public trust, reduces access to truly affordable housing, and could lead to legal and financial consequences if funding was obtained based on now-inaccurate affordability claims.

Requested Remedy: The City must require the applicant to submit a revised affordability plan that aligns with the original Draft EIR commitments or conduct a full reassessment of the project's eligibility for public funding. Enforceable affordability guidelines must be established to ensure transparency and accountability in tenant selection, with clear restrictions preventing affordability reductions post-approval.

Issue 9.1: Failure to Provide Meaningful Responses to Public Comments in Violation of CEQA

The Final EIR's Appendix M contains responses to public comments that fail to meet CEQA's requirement for meaningful, fact-based replies. Instead, responses contain conclusory statements, inconsistencies, and dismissals without factual justification, violating CEQA Guidelines § 15088.

Grounds: CEQA requires that all public comments raising significant environmental issues receive detailed responses supported by evidence. The Final EIR fails this standard in multiple instances:

- **Response to Comment O-2-3** (City of Oceanside Bicycle and Pedestrian Committee – Bike Walk Oceanside) states that concerns about traffic calming measures will be forwarded to decision-makers, yet **Response to Comment I-15-7** (Carol Ley, Olive

Drive resident) dismisses an identical request outright by claiming no improvements are needed. This inconsistency demonstrates arbitrary treatment of similar concerns, failing to provide a reasoned analysis.

- **Response to Comment I-15-6** regarding traffic counts relies solely on data from a consultant (Counts Unlimited) without independent verification, dismissing concerns over discrepancies between the Draft EIR's projected traffic volumes and independently verified data. CEQA requires that EIR conclusions be supported by substantial evidence, yet the response fails to provide verification of the reported traffic numbers.
- **Response to Comment I-18-16** improperly dismisses concerns about noise measurements taken under humid and wet pavement conditions. The response rejects CalTrans guidance on noise amplification without explanation, despite scientific evidence that such conditions can increase dBA readings by up to +3 dBA. The rejection of this concern lacks factual analysis, violating CEQA's requirement for responses to be reasoned and supported by evidence.
- **Response to Comment I-15-9** regarding the project's so-called "cat-proof" fence fails to provide any factual rebuttal to concerns that the fence is not actually designed to prevent pet access, instead relying on a conclusory statement. CEQA Guidelines § 15088(c) prohibit such unsupported responses.

Prejudice / Harm: Failure to provide substantive responses undermines the transparency and accuracy of the EIR, denying the public and decision-makers the opportunity to evaluate environmental impacts properly. Unsupported dismissals prevent legally required mitigation measures from being considered, leading to a potentially flawed approval process based on incomplete information. The lack of factual engagement raises concerns about bias and procedural deficiencies, increasing the risk of a legally inadequate EIR.

Requested Remedy: The City must ensure all public comments are addressed with detailed, fact-based responses supported by evidence, not conclusory dismissals. The EIR must be revised to correct inconsistent and inadequate responses, particularly regarding traffic counts, noise measurements, and the conservation fence. The City should also require transparent public access to all supporting data before finalizing any decision.

Pursuant to Section 4605(C) Procedures for Appeals and Calls for Review, the City Council's review of this appeal shall be based on the same application, plans, and related project materials that were the subject of the original decision. The following documents formed the basis of the Planning Commission's decision and, therefore, must remain within the scope of review:

Olive Park Apartments Final EIR and Appendices

- 000 FEIR Olive Park Apartments Project
- Appendix A: NOP Comment Letters
- Appendix B: Olive Park AQ_GHG Tech Report

- Appendix C: Biological Technical Report_Optimized
- Appendix D: Cultural Resources Report
- Appendix E1: Geotechnical Report
- Appendix E2: Olive Park Paleo Memo
- Appendix F: Olive Park Phase I ESA
- Appendix G1: Olive Park Drainage Study
- Appendix G2: Olive Park Stormwater Plan_Optimized
- Appendix H: Noise Technical Report
- Appendix I1: Olive Park Vehicle Miles Traveled Analysis
- Appendix I2: Olive Park Local Transportation Study
- Appendix J: Olive Park Water System Analysis
- Appendix K: Olive Park Sewer System Analysis
- Appendix L: Reduced Density Alternatives Memo
- Appendix M: Response to Comments

Olive Park Staff Report Attachments

- 5.01: D24-00006 Olive Park SR & Reso
- 5.02: D24-00006 Olive Park FEIR Reso & Exhibits
- 5.03: Project Plans
- 5.04: Biological Tech Report
- 5.05: Geotechnical Report
- 5.06: Concession Incentive Cost Analysis
- 5.07: FM College Park Estates Unit 8
- 5.08: Community Outreach Report
- 5.09: NOFA CC Reso
- 5.10: Other Attachments
- 5.11: Final EIR, MMRP, Technical Appendices, and Response to Comment
- 5.12: Public Comments

While this appeal explicitly raises specific concerns regarding the approval of the subject project, the City Council has an obligation to ensure that the project complies with all applicable laws, policies, and regulatory requirements, including but not limited to land use, environmental impact, infrastructure capacity, and procedural due process.

Accordingly, while the issues outlined in this appeal serve as the primary focus of review, the Council retains the authority—and indeed, the responsibility—to assess whether:

- All material components of the project approval, including the Environmental Impact Report (EIR) and its associated technical studies, are factually accurate, legally compliant, and procedurally sufficient.
- Any deficiencies, inconsistencies, or unresolved concerns within the record materially affect the validity of the original decision.
- Issues that may not have been explicitly detailed in this appeal but are inherently connected to the findings and supporting documents require further scrutiny to ensure compliance with applicable legal standards.

The approval of this project is subject not only to the technical sufficiency of the EIR and project plans but also to its consistency with the General Plan, the City's Comprehensive Zoning Ordinance, and all other applicable land use and regulatory requirements.

Thus, the Council's review must also account for:

- **Compliance with the General Plan** – including, but not limited to, land use designations, density regulations, infrastructure capacity, and housing policies.
- **Consistency with the Comprehensive Zoning Ordinance** – ensuring that the project adheres to applicable zoning classifications, setbacks, height limitations, and permitted uses.
- **Application of CEQA and Environmental Review Standards** – including the sufficiency of mitigation measures, the adequacy of impact analysis, and adherence to procedural requirements.
- **Infrastructure and Public Services Compliance** – including water supply, sewer capacity, stormwater management, and traffic impact consistency with regional planning efforts.

Given these legal and regulatory obligations, any technical, procedural, or substantive defects within the documents relied upon in approving the project—including, but not limited to, the adequacy of the environmental impact analysis, mitigation measures, and consistency with applicable land use and zoning laws—are inherently relevant to this appeal.

Furthermore, the interrelationship between the General Plan, zoning ordinances, and environmental review standards means that deficiencies in one area can materially impact the validity of the overall approval. Therefore, while this appeal presents specific concerns, the Council's responsibility extends to ensuring that the entire approval process aligns with all applicable legal requirements and planning policies.

Additionally, this appeal includes citations that must also be reviewed and incorporated as part of the appeal record. These references provide critical context, legal precedent, and evidentiary support for the issues raised. It is imperative that the Council considers these citations to ensure a fully informed and legally sound review.

Given the significance of this project and its potential impacts on the surrounding community, the residents of Mira Costa urge the City Council to conduct a comprehensive and legally robust

review of all relevant materials to ensure full compliance with applicable regulatory requirements.

Thank you for your time and consideration.

Sincerely,

Megan Ley

Mira Costa Neighbors for Responsible Development

Citations

Links

1. **Alzheimer's Drug Discovery Foundation – Do Loud Noises Harm the Brain?**
<https://www.alzdiscovery.org/cognitive-vitality/blog/do-loud-noises-harm-the-brain>
2. **Boston University School of Public Health – Neighborhood Noise May Increase Dementia Risk**
<https://www.bu.edu/sph/news/articles/2020/neighborhood-noise-may-increase-dementia-risk/>
3. **BTS State Transportation Statistics**
<https://www.bts.gov/statistical-products/surveys/vehicle-miles-traveled-and-vehicle-trips-state>
4. **California Department of Transportation – Technical Noise Supplement to the Traffic Noise Analysis Protocol (p. 1)**
https://www.modestogov.com/DocumentCenter/View/15197/3_Section-36-of-the-Caltrans-Technical-Noise-Supplement-2013
5. **California League of Cities – 10 Things to Look for in an EIR**
<https://www.cacities.org/Resources-Documents/Member-Engagement/Professional-Departments/City-Attorneys/Library/2019/2019-Spring-Conference/5-2019-Spring:-Hogan-10-Things-to-Look-For-in-an-E>
6. **City of San Diego – Land Development Code Trip Generation Manual (PDF)**
https://www.sandiego.gov/sites/default/files/appendix-m-trip-generation-manual_0.pdf
7. **County of San Diego – SANDAG Trip Generation Rates (PDF)**
https://www.sandiegocounty.gov/content/dam/sdc/pds/ceqa/LehmanTPM/38%20Appendix%20T9_SANDAG%20Trip%20Generation%20Rates.pdf
8. **EIR for Oceanside's General Plan Update**
<https://www.ci.oceanside.ca.us/government/development-services/planning/ceqa/general-plan-update-phase-2-onward-oceanside>
9. **EIR for Oceanside's General Plan Update – 4.0 Environmental Analysis 4.10 Hazards and Hazardous Materials**
<https://www.ci.oceanside.ca.us/home/showpublisheddocument/14525/638530277466500000>
10. **Final EIR for Olive Park Apartments**
11. <https://www.ci.oceanside.ca.us/government/development-services/planning/ceqa/olive-park-apartments-final-eir>
12. **January 27, 2025 Planning Commission Meeting (YouTube Video)**
13. <https://youtu.be/i8-DO2OxQdQ?si=TNpG2l6iW1NNCBcV>
14. **Link to Staff Report for January 27 Planning Commission Meeting**
15. https://records.ci.oceanside.ca.us/gov/dev/planning/staff_reports.asp?id=9004&t=sr&d=01-27-25&sr=98
16. **Oceanside Project Viewer – Olive Park Apartments**
<https://crw.cityofocceanside.com/etrakit3/Search/project.aspx?activityNo=D24-00006>

17. Video Evidence from Counts Unlimited

<https://flannellyj1.wistia.com/medias/20nzkiac8p>

18. YouTube Playlist – Independent Traffic Study Videos

https://www.youtube.com/playlist?list=PLlw06q1JJcGOpwNb3PiRINXF-_p2Z7omv

Attachments

1. Request for Alternative Means & Methods of Protection
 2. Alternative Ingress/Egress, Parcel Ownership
 3. Figure 4.10-3: CALFIRE Fire Threat Areas
 4. Grant Deed: Mentioned on Page 3 of Parcel Map 8292, College Park Estates Unit 8
 5. How To Request A Code Interpretation (CALFIRE)
 6. Independent Traffic Study Documentation, Calculations, and Significance
 7. Memorandum from South River Village: Confirms use of SANDAG's Guide
 8. Noise and Its Effects on Children
 9. Parcel Map No. 16548: Note states Easement Rights for Rancho Del Oro Marketplace have been relinquished
 10. Proof of Daycare operating out of 4015 Olive Drive, Oceanside, CA
-

Emails

1. **August 12, 2024:** Anton Garabetian regarding CPUC Railroad Crossing Regulations
 2. **September 23, 2024:** Sergio Madera confirms the parcel habitat has recovered from 1997 illegal grading
 3. **December 23, 2024:** Anton Garabetian confirms CPUC Approval Process Timeline
 4. **December 26, 2024:** Dan Niebaum confirms construction will last 24 months
 5. **January 14, 2025:** Tam Tran confirms Counts Unlimited Recorded Traffic Counts Using Video Based Methods
 6. **January 14, 2025:** Tam Tran confirms the City does not have the video evidence
 7. **January 21, 2025:** Brian Mikail sends link to Counts Unlimited Video Evidence
 8. **January 23, 2025:** Victor Velasco confirms College Widening Project is slated to start January 2027
 9. **January 27, 2025:** Randy Hill confirms that hypothetically if existing neighborhood was built today two access roads would be required
 10. **January 28, 2025:** City of El Cajon confirms it uses SANDAG Traffic Generation Guide
 11. **January 29, 2025:** ITE confirms when local data should be used over ITE data
 12. **January 29, 2025:** City of San Diego emails link to "Land Development Code Trip Generation Manual" (i.e. The City of San Diego's version of SANDAG's guide)
 13. **January 30, 2025:** City of Chula Vista confirms it uses SANDAG Traffic Generation Guide
 14. **February 5, 2025:** Sergio Madera confirms he is unaware of any multifamily development that is at the end of a single-family residential cul-de-sac.
 15. **February 6, 2025:** Confirmation Email for CALFIRE PRR #R017767-020525
 16. **February 6, 2025:** Teala Cotter responds to Megan Ley's questions
-



THE
LIGHTFOOT
PLANNING
GROUP

REQUEST FOR ALTERNATE MEANS & METHODS OF PROTECTION

Olive Park Apartments
D24-00006 / DB24-00001 / P24-00002
APN: 162-111-04

Date: November 26, 2024

Code Sections & Requirements:

OCEANSIDE MUNICIPAL CODE (OMC) Chapter 11 – FIRE PROTECTION ARTICLE II. FIRE PREVENTION

Sec. 11.17. - Fire Code enforcement.

The California Fire Code shall be enforced by the Fire Department of the City of Oceanside and other officials of the city as may be determined pursuant to section 1.12 of the Oceanside City Code.

Item 1

OMC Section 11.18 - Chapter 5 Fire Service Features

Section 503.2.1 Dimensions. The dimensions of fire apparatus access roads shall be in accordance with the following:

1. Fire apparatus access roads shall have an unobstructed improved curb-face to curb-face minimum width of:

- a. 28 feet minimum—with no parking on either side of the street, or
- b. 32 feet minimum—allowing parking on one side of the street, or
- c. 36 feet minimum—allowing parking on both sides of the street.
- d. 35 feet minimum—access roads for building heights of 35 feet and higher with no parking on either side.

Exceptions:

4. Upon approval by the Fire Code Official, clearances or road widths may be reduced, provided such reduction provides equivalent access.

Item 2

2022 California Fire Code (CFC)- Section 503.1.1 – Buildings and Facilities:

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exceptions:

1. The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where any of the following conditions occur:
 - 1.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.



THE
LIGHTFOOT
PLANNING
GROUP

Request:

To allow for the following proposed project design items as shown on the attached Fire Plan Exhibit dated November 25, 2024 (Exhibit) which reflects a 199 dwelling unit alternative for this project consisting of two separate multi-family residential buildings, similar to the prior 282 dwelling unit proposal. The current 199-unit plan was reviewed in a meeting with Fire Staff on July 10, 2024 and contains very similar design and mitigation features as the 282 unit plan that was reviewed and conditionally approved by Fire Staff on October 29, 2024:

- 1a) 28' – 36' wide fire apparatus access road and aerial apparatus access locations as shown on the Exhibit, where a minimum 35' wide access road is indicated for buildings that exceed 35 feet in height. Proposed buildings are designed with varying heights up to 50 feet (49' 9") for both Building 1 and Building 2.
- 1b) Emergency Vehicle Access (EVA) Road no longer required due to the current project proposal of less than 200 dwelling units (at 199 units) as addressed under Appendix D, section D106.2 of the 2022 CFC.
- 2) Fire apparatus roads (hose pull distances) to exceed a distance of 150' from certain portions of the facility as shown on the Exhibit which shows a distance of up to 217' in the Building 1 courtyard and up to 192' in the Building 2 courtyard.

Justification:

The proposed fire apparatus roads will provide safe and unrestricted emergency access to the proposed buildings and site development areas while achieving an equivalent level of service in consideration of the following:

- As previously approved, the proposed fire access road provides a complete loop around the perimeter of both buildings designed at minimum width of 28' – 36', fully allows for required apparatus turning movements, and includes designated "T" turn-around areas for apparatus at the northwest corner of Building 1 and via the newly-designed fire lane provided between Buildings 1 and 2;
- Aerial fire apparatus access locations are indicated on the Exhibit to provide access on portions of two sides of each building within the 15' – 30' roadway setback as required by the Appendix D of the 2022 CFC;
- As previously approved, fire hydrants are provided at (6) locations around the perimeter of Buildings 1 & 2 and are connected to the fire service water loop at maximum intervals of 300', exceeding the standard 400' interval;
- Direct hose pull access to the Building 1 and Building 2 interior courtyards is provided via an at-grade fire lane that extends north from the drive aisle on the south side of the buildings and located between the two courtyards. This fire lane will also provide an additional "T" turn around option for fire apparatus as part of the on-site circulation plan;

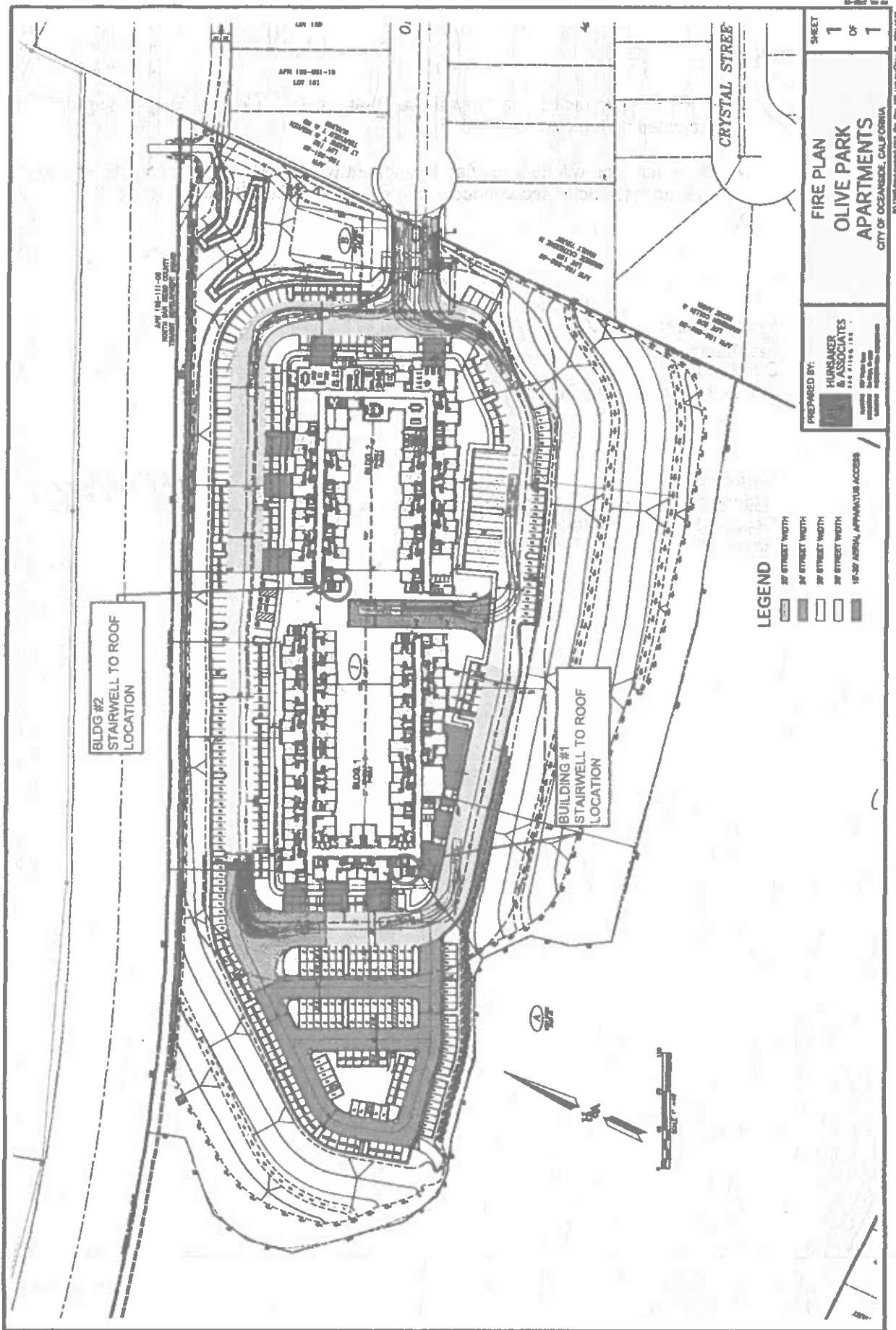
- Each building includes a fire stairwell that provides direct access to the roof as indicated on the Exhibit.
- Both buildings will be equipped throughout with an approved automatic sprinkler system installed in accordance with the California Building Code and CFC.

Prepared by: Dan Niebaum
(Signature)
Dan Niebaum
The Lightfoot Planning Group

11.26.24
Date

Approved by: Randy Hill
(Signature)
Oceanside Fire Department
Randy Hill – Assistant Fire Marshal

11/26/24

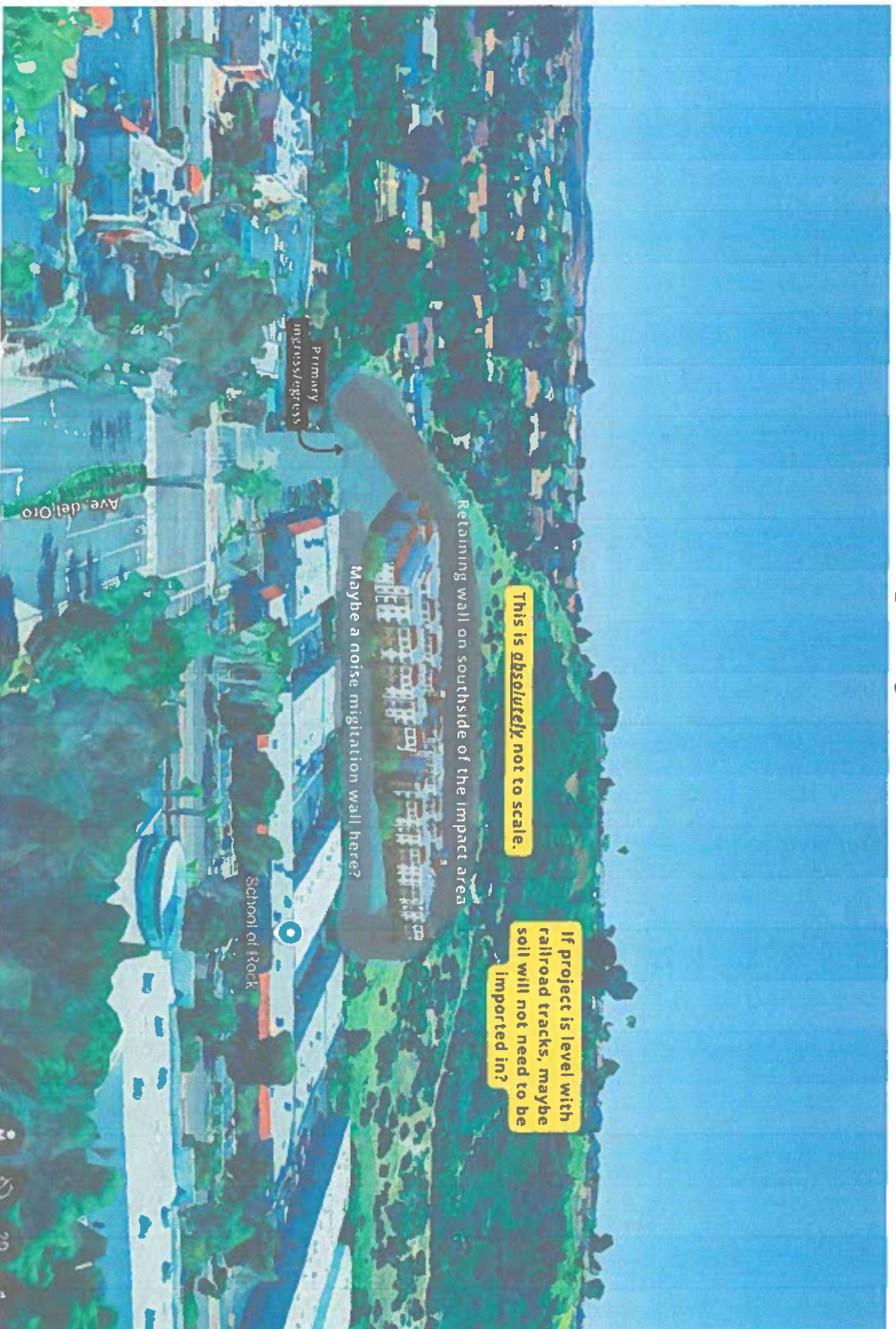


PREPARED BY:
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FIRE PLAN
OLIVE PARK
APARTMENTS
 CITY OF OAKLAND, CALIFORNIA

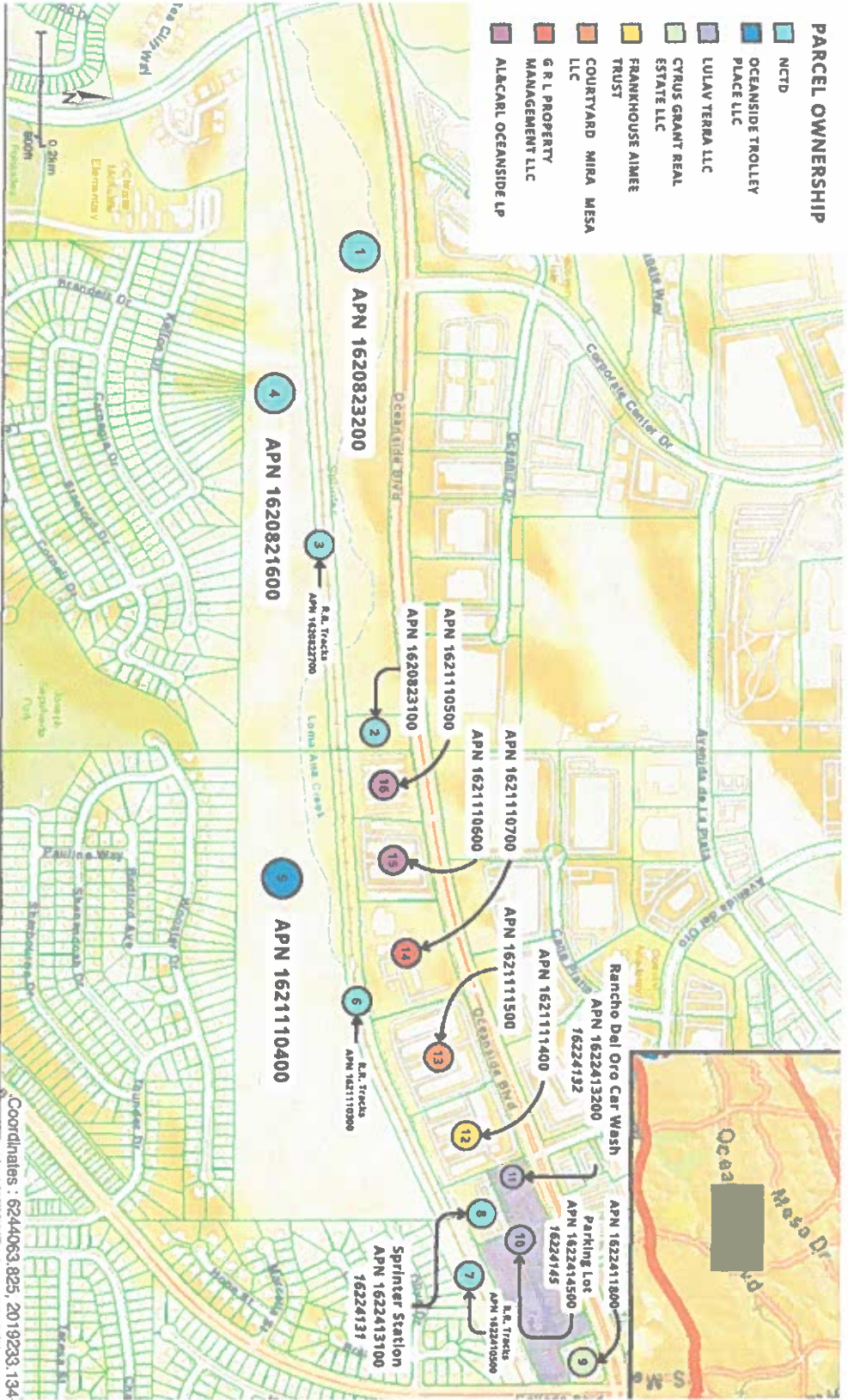
SHEET
1
 OF
1

Alternative Ingress/Egress – South View



PARCEL OWNERSHIP

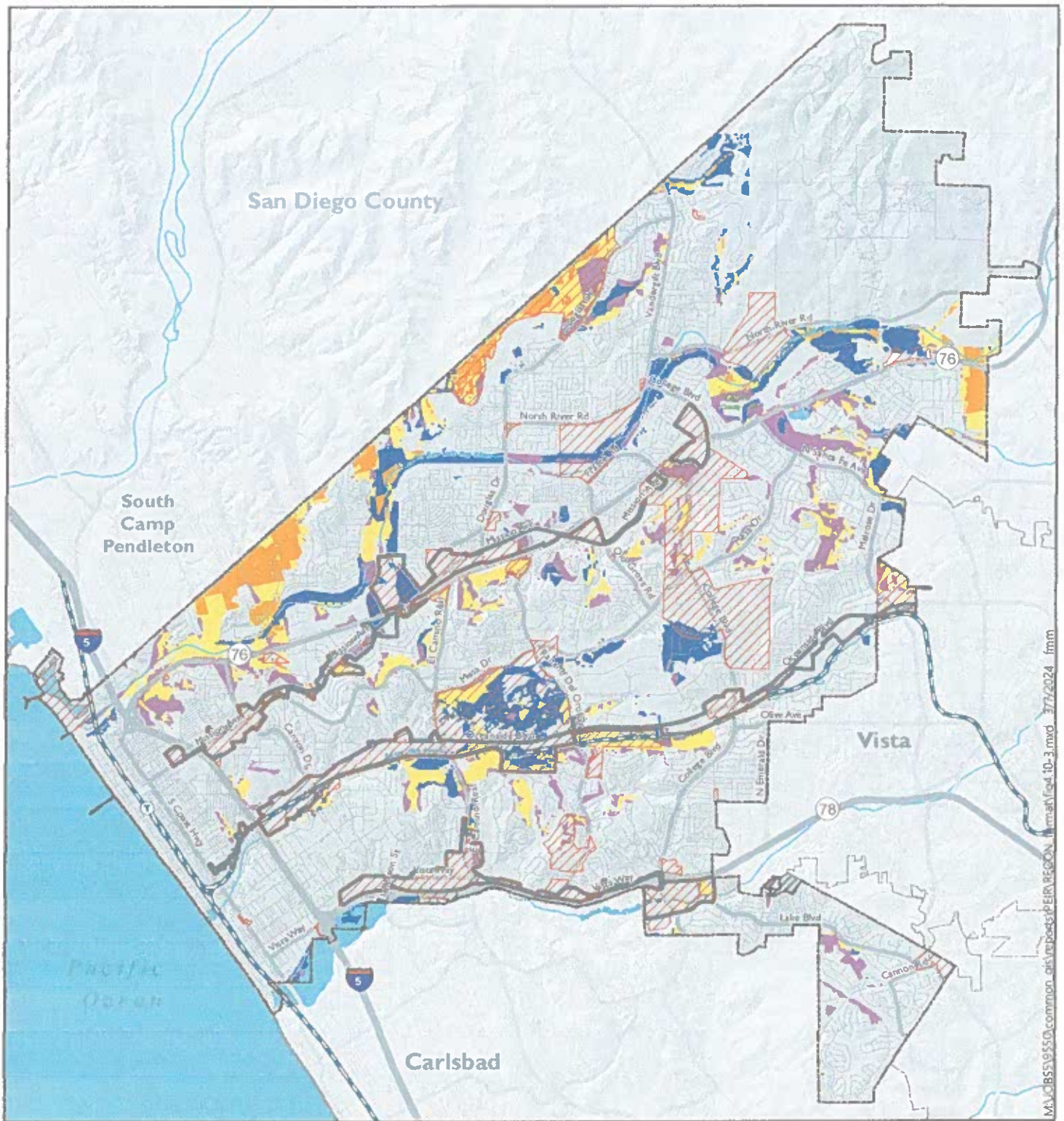
- NCTD
- OCEANSIDE TROLLEY PLACE LLC
- LULAV TERBA LLC
- CYRUS GRANT REAL ESTATE LLC
- FRANKHOUSE AIMEE TRUST
- COURTYARD MIRA MESA LLC
- G R L PROPERTY MANAGEMENT LLC
- ALACARL OCEANSIDE LP



Close up of parcels



Source: srs.sandiegocounty.gov



Source: SanGIS, 2014; City of Oceanside, 2020 Dye & Bhatia, 2020

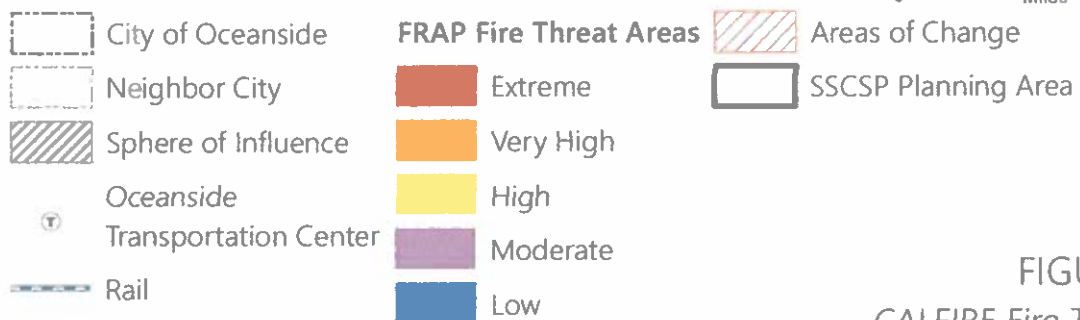


FIGURE 4.10-3
CALFIRE Fire Threat Areas

RECORDING REQUESTED BY

CITY OF OCEANSIDE

60

WHEN RECORDED MAIL TO

CITY OF OCEANSIDE

704 Third Street

Oceanside, CA 92054

MAIL TAX STATEMENTS TO

CITY OF OCEANSIDE

704 Third Street

Oceanside, CA 92054

ORDER NO

ESCROW NO

FILE/PAGE NO

BOOK 1976

RECORDED REQUEST OF

City of Oceanside
Jul 29 10 16 AM '76OFFICIAL RECORDS
SAN DIEGO COUNTY, CA
HARLEY F. BLOOM
RECORDER

NO FEE

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Documentary transfer tax \$-00-

- ☐ Computed on full value of property conveyed, or
☐ Computed on full value less liens & encumbrances
 remaining thereon at time of sale

- Signature of declarant or agent determining tax - firm name
☐ Unincorporated area City of Oceanside

GRANT DEED (PARTNERSHIP FORM)

College Park Estate Unit #8 a limited partnership a partnership,
 a Statement of Partnership as required by Section 15010.5 of the Corporation Code of the State of California
 having been filed for record in the office of the County Recorder of San Diego County, FOR A VALUABLE
 CONSIDERATION, does hereby GRANT to The City of Oceanside, a municipal corporation
 the real property in the City of Oceanside, County of San Diego,
 State of California, described as:

That portion of the Southeast Quarter of Section 22, Township 11 South,
 Range 4 West, San Bernardino Base and Meridian, in the City of Oceanside,
 County of San Diego, State of California, according to United States
 Government Survey, approved December 27, 1870, being described as follows:

Commencing at the Northwest corner of the Southeast Quarter of said
 Section 22; thence along the Westerly line of said Southeast Quarter,
 South 00°07'30" West 403.75 feet to the TRUE POINT OF BEGINNING;
 thence continuing South 00°07'30" West 66.14 feet; thence North
 65°14'37" East 1.00 feet; thence North 00°07'30" West 66.14 feet;
 thence South 65°14'37" West 1.00 feet to the TRUE POINT OF BEGINNING.

State of
County of

ss

Dated March 24, 1976

On March 24, 1976, before me,
 the undersigned, a Notary Public in and for said County and State, personally
 appeared

Roger E. Wood

College Park Estate Unit #8
 a limited partnership

a Partnership

known to me to be one of the partners of the partnership that executed

ORDER NO

ESCROW NO

GRANT DEED (PARTNERSHIP FORM)

TO

STEWART TITLE
COMPANY
OF SAN DIEGO

1325 FRONT STREET
SAN DIEGO, CALIF 92101
PHONE (714) 236-1185

This is to certify that the interest in real property conveyed by the deed or grant dated March 24, 1976, from College Park Estates Unit #8, limited partnership to the City of Oceanside, a political corporation and governmental agency is hereby accepted by the undersigned officer on behalf of the City Council of the City of Oceanside, pursuant to authority conferred by a resolution of the City Council of the City of Oceanside adopted on the 25th day of November, 1959, and the grantee consents to the recordation thereof by its duly authorized officer.

Dated: July 9, 1976

By

Gene D. [Signature]
CITY CLERK



**DEPARTMENT OF FORESTRY AND FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL
Code Development and Analysis Division**

P.O. Box 944246
SACRAMENTO, CA 94244-2460
(916) 445-8200
Website: www.fire.ca.gov



HOW TO REQUEST A CODE INTERPRETATION

Request a code interpretation by following these requirements:

1. All requests must be submitted utilizing the Office of the State Fire Marshal (OSFM) Code Interpretation Application. The OSFM will **NOT** accept requests submitted by phone, fax or E-mail.
2. Interpretation request from governmental agencies (including fire departments) must be from the fire chief, fire marshal, building official or other administration manager.
3. Completed code interpretation request must be mailed to:

Code Interpretation Committee
Office of the State Fire Marshal
Code Development and Analysis Division
P.O. Box 944246
Sacramento, CA 94244-2460

Please allow 60 to 90 days for a draft interpretation to be posted.

After OSFM staff have reviewed your request and developed a response, a DRAFT interpretation will typically be posted on the OSFM web site for a ten-day comment period. Comments will be accepted by e-mail directly to Crystal.Sujeski@fire.ca.gov or by mail to the above noted address.

If you should have any questions regarding this process please feel free to contact the Code Interpretation Committee at (916) 568-3800 or Crystal.Sujeski@fire.ca.gov.

There is a significant difference between a code interpretation question and a code application question. Code interpretations provide the context and background of specific code sections, whereas a code application question provides information regarding the application of the codes to a specific facility or project. Code application questions are directed to the appropriate Division. Specific questions regarding SFM regulated programs, for example fire extinguishers, fireworks, or building materials listings, will be directed to the specific program staff.

Date	Time	Document	Video
Tues, January 14	4PM-6PM	Traffic Data: Tues, 1/14/2025 (PM Only)	4PM-5PM: 20250114_160115.mp4 5PM-6PM: 20250114_170443.mp4
Weds, January 15	7AM-9AM	Traffic Field Data: Weds, 1/15/2025 (AM)	7AM-8AM: 20250115_070849.mp4 8AM-9AM: 20250115_080136.mp4
Thurs, January 16	7AM-9AM	Traffic Field Data: Thurs, 1/16/2025 (AM)	7AM-8AM: 20250116_070530.mp4 8AM-9AM: 20250116_080134.mp4
Thurs, January 16	4PM-6PM	Traffic Field Data: Thurs, 1/16/25 (PM)	4PM-5PM: 20250116_162156.mp4 5PM-6PM: Phone died, no video
Thurs, January 23	7AM-9AM	Traffic Field Data: Thurs, 1/23/25 (AM)	7AM-8AM: 20250123_070154.mp4 8AM-9AM: 20250123_080040.mp4
Thurs, January 23	4PM-6PM	Traffic Field Data: Thurs, 1/23/25 (PM)	4PM-5PM: 20250123_160431.mp4 5PM-6PM: 20250123_170002.mp4

Peak AM Hours	Jan 15	Jan 16	Jan 23	Average for Jan 15, 16, & 23	Draft EIR
Neighborhood	46 trips	44 trips	51 trips	47 trips	66 trips
Olive Drive	10 trips	7 trips	14 trips	10 trips	24 trips
Peak PM Hours	Jan 14	Jan 16	Jan 23	Average for Jan 14, 16, & 23	Draft EIR
Neighborhood	73 trips	90 trips	79 trips	81 trips	116 trips
Olive Drive	20 trips	26 trips	14 trips	20 trips	41 trips

Peak AM Hours: Average v. Draft EIR	Peak PM Hours: Average v. Draft EIR
<p>Neighborhood AM Hours:</p> <ul style="list-style-type: none"> • Sum Difference: -19 trips (fewer than the EIR estimate) • Percentage Difference: -28.79% <p>Olive Drive AM Hours:</p> <ul style="list-style-type: none"> • Sum Difference: -14 trips (fewer than the EIR estimate) • Percentage Difference: -58.33% 	<p>Neighborhood AM Hours:</p> <ul style="list-style-type: none"> • Sum Difference: -35 trips (fewer than the EIR estimate) • Percentage Difference: -30.17% <p>Olive Drive AM Hours:</p> <ul style="list-style-type: none"> • Sum Difference: -21 trips (fewer than the EIR estimate) • Percentage Difference: -51.22%

Traffic adjusted by hour using AM/PM percentage differences (Hour-by-hour breakdown in following pages)

Neighborhood	Olive Drive
Traffic in DEIR for Neighborhood	586
Traffic Count Adjusted for Neighborhood	412
Sum Difference	-174
	233
	109
	-124

Calculations in: ☒ Traffic Adjusted**Traffic for Olive Drive Adjusted using AM/PM percentage differences**

Time	Draft EIR	Adjusted -28.79% for AM, -30.17% for PM
12:00 AM	1	0
1:00 AM	0	0
2:00 AM	0	0
3:00 AM	0	0
4:00 AM	1	0
5:00 AM	3	1
6:00 AM	8	3
7:00 AM	13	5
8:00 AM	11	5
9:00 AM	9	4
10:00 AM	9	4
11:00 AM	13	5
12:00 PM	15	7
1:00 PM	19	9
2:00 PM	15	7
3:00 PM	12	6
4:00 PM	19	9
5:00 PM	22	11
6:00 PM	20	10
7:00 PM	18	9
8:00 PM	7	3
9:00 PM	11	5
10:00 PM	3	1
11:00 PM	4	2
Total	233	109

Calculations in: ☒ Traffic Adjusted**Traffic for Neighborhood Adjusted using AM/PM percentage differences**

Time	Original	Adjusted -58.33% for AM, -51.22% for PM
12:00 AM	0	0
1:00 AM	0	0
2:00 AM	0	0
3:00 AM	0	0
4:00 AM	6	4
5:00 AM	15	11
6:00 AM	11	8
7:00 AM	31	22
8:00 AM	35	25
9:00 AM	24	17
10:00 AM	26	19
11:00 AM	28	20
12:00 PM	33	23
1:00 PM	43	30
2:00 PM	46	32
3:00 PM	55	38
4:00 PM	62	43
5:00 PM	54	38
6:00 PM	33	23
7:00 PM	34	24
8:00 PM	20	14
9:00 PM	17	12
10:00 PM	6	4
11:00 PM	7	5
Total	586	412

Why does the traffic count (current and anticipated) matter?

The traffic count matters because it directly determines the level of noise impact a neighborhood or area may face now and in the future. For every doubling of traffic, sound levels increase by **+3 dBA**, making accurate current and projected traffic counts essential.

1. **$109 \times 2 = 218 \rightarrow +3 \text{ dBA}$**
2. **$218 \times 2 = 436 \rightarrow +3 \text{ dBA}$**
3. **$436 \times 2 = 872 \rightarrow +3 \text{ dBA}$**
4. **$872 \times 2 = 1744 \rightarrow$** Stops here since 1744 exceeds 951.

At this point, the total increase is **9 dBA**, with the exact increase from 109 to 951 calculated at approximately **9.41 dBA**. It's worth noting that the traffic generation rate used in the EIR is flagged as unreliable due to its small sample size (just two studies).

Given this limitation, I believe it's more appropriate to consult localized data, such as SANDAG's Traffic Guide. This guide, recently utilized for another 100% affordable housing project—South River Village—suggests that apartments or multifamily housing generate approximately **6 Average Daily Trips (ADT) per unit**, resulting in an estimated **1,194 ADT**. When this is added to the existing traffic, the total rises to **1,303**, with an exact dBA increase of **10.74 dBA**.

Studies have consistently shown that a +10 dBA increase in noise pollution significantly impacts public health. While this might initially seem "less than significant," it's important to consider statements from leading institutions. For instance, the National Institutes of Health (NIH) has highlighted that noise pollution often receives far less attention than air or water pollution simply because it cannot be seen, tasted, or smelled. ^(Source) Similarly, the World Health Organization (WHO) has identified noise pollution as the second most critical environmental threat to public health, following air pollution. ^(Source)

Date: Tues, 1/14/2025

Time: 4:00 PM - 6:00 PM

1	4:02 PM	Bradley → College ▾	Black Car
2	4:02-4:07 PM	College → Olive ▾	Red Van
3	4:02-4:08 PM	College → Bradley ▾ (U-turn)	White Car
4	4:08 PM	College → Olive ▾	Blue Car
5	4:14 PM	College → Olive ▾	White Van
6	4:15 PM	College → Olive ▾	Black Scion
7	4:16 PM	College → Bradley ▾	Black Car
8	4:16 PM	Olive → College ▾	White Van
9	4:18 PM	College → Bradley ▾	Silver Car
10	4:19 PM	Bradley → College ▾	—
11	4:23 PM	College → Bradley ▾	—
12	4:25 PM	College → Bradley ▾	—
13	4:26 PM	College → Bradley ▾	Silver Truck
14	4:28 PM	College → Bradley ▾	—
15	4:29 PM	Bradley → College ▾	—
16	4:30 PM	Bradley → College ▾	—
17	4:31 PM	Bradley → College ▾	—
18	4:40 PM	College → Olive ▾	White SUV
19	4:43 PM	College → Bradley ▾	White van
20	4:43 PM	Bradley → College ▾	Black truck
21	4:44 PM	College → Olive ▾	Silver ?
22	4:44 PM	College → Bradley ▾	—
23	4:44 PM	College → Bradley ▾	—
24	4:50 PM	College → Bradley ▾	Black ?
25	4:51? PM	Olive → College ▾	Silver ?
26	4:53 PM	Olive → College ▾	Red Van

Date: Tues, 1/14/2025

Time: 4:00 PM - 6:00 PM

27	4:53 PM	College → Bradley ▾	White ?
28	4:56 PM	College → Bradley ▾	Truck
29	4:57 PM	Bradley → College ▾	White ?
30	4:58 PM	College → Bradley ▾	—
31	4:58 PM	College → Olive ▾	—
1	5:01 PM	College → Bradley ▾	—
2	5:02 PM	College → Olive ▾ ?	White ?
3	5:02 PM	Bradley → College ▾	Truck
4	5:03 PM	College → Bradley ▾	White Truck
5	5:04 PM	Olive → College ▾	—
6	5:07 PM	College → Bradley ▾	—
7	5:08 PM	Bradley → College ▾	—
8	5:11 PM	College → Olive ▾	White ?
9	5:15 PM	College → Bradley ▾	—
10	5:18 PM	College → Bradley ▾	—
11	5:19 PM	Olive → College ▾	—
12	5:20 PM	Bradley → College ▾	—
13	5:21 PM	College → Olive ▾	—
14	5:23 PM	College → Olive ▾	—
15	5:28 PM	College → Bradley ▾	—
16	5:31 PM	College → Olive ▾	—
17	5:33 PM	Bradley → College ▾	—
18	5:34 PM	Bradley → College ▾	—
19	5:36 PM	College → Olive ▾	—
20	5:36 PM	College → Bradley ▾	—
21	5:40 PM	Bradley → College ▾	—

Date: Tues, 1/14/2025

Time: 4:00 PM - 6:00 PM

22	5:41 PM	College → Bradley ▾	—
23	5:42 PM	Olive → College ▾	—
24	5:43 PM	College → Bradley ▾	—
25	5:45 PM	Bradley → College ▾	—
26	5:46 PM	College → Bradley ▾	—
27	5:46 PM	Bradley → College ▾	—
28	5:47 PM	Bradley → College ▾	—
29	5:48 PM	Bradley → College ▾	—
30	5:49 PM	College → Bradley ▾	—
31	5:49 PM	College → Bradley ▾	—
32	5:49 PM	College → Bradley ▾	—
33	5:53 PM	Olive → College ▾	—
34	5:55 PM	College → Bradley ▾	—
35	5:55 PM	Bradley → College ▾	—
36	5:55 PM	College → Bradley ▾	—
37	5:56 PM	College → Bradley ▾	—
38	5:56 PM	College → Bradley ▾	—
39	5:56 PM	Bradley → College ▾	—
40	5:58 PM	Bradley → College ▾	—
41	5:59 PM	Bradley → College ▾	—
42	5:59 PM	Bradley → College ▾	—

Neighborhood	Olive Drive
Draft EIR: 116 trips Total Vehicles for Jan 14: 73 trips Sum difference: -43 trips Percentage difference: -37.07%	Draft EIR: 41 trips Total Vehicles for Jan 23: 20 trips Sum difference: -21 trips Percentage difference: -51.22%

Date: Wed, 1/15/2025

Time: 7:08 AM - 9:08 AM

1	7:11 AM	N. Bradley → College ▾	Grey Van
2	7:12 AM	Olive → S. Bradley ▾	Trash Truck
3	7:16 AM	S. Bradley → College ▾	Grey Sedan
4	7:18 AM	S. Bradley → College ▾	Trash Truck
5	7:23 AM	College → Olive ▾	White Truck
6	7:23 AM	S. Bradley → College ▾	Gray Truck
7	7:24 AM	S. Bradley → College ▾	Trash Truck
8	7:25 AM	S. Bradley → College ▾	Motorcycle
9	7:31 AM	College → S. Bradley ▾ ?	Gray SUV
10	7:31 AM	College → S. Bradley ▾ ?	Truck (Sparkletts)
11	7:33 AM	College → Olive ▾	White Car
12	7:34 AM	S. Bradley → College ▾	Gray SUV
13	7:37 AM	S. Bradley → College ▾	Gray SUV
14	7:38 AM	S. Bradley → College ▾	Gray SUV
15	7:38 AM	S. Bradley → College ▾	Gray Car
16	7:38 AM	S. Bradley → College ▾	Truck (Sparkletts)
17	7:39 AM	N. Bradley → College ▾	White Car
18	7:46 AM	Olive → College ▾	White Truck
19	7:46 AM	S. Bradley → College ▾	Silver Car
20	7:46 AM	U-Turn ▾	White SUV
21	7:55 AM	N. Bradley → College ▾	Gray Van
22	7:56 AM	College → S. Bradley ▾	Black Truck
23	7:59 AM	S. Bradley → College ▾	Gray SUV
1	8:01 AM	College → S. Bradley ▾	Gray SUV
2	8:04 AM	Olive → College ▾	Gray Truck
3	8:04 AM	S. Bradley → College ▾	Gray Van
4	8:07 AM	Olive → College ▾	Silver SUV

Date: Wed, 1/15/2025

Time: 7:08 AM - 9:08 AM

5	8:09 AM	Olive → College ▾	Silver Truck
6	8:12 AM	S. Bradley → College ▾	Black Van
7	8:16 AM	College → S. Bradley ▾	Gray SUV
8	8:17 AM	College → S. Bradley ▾	Dark Truck
9	8:18 AM	S. Bradley → College ▾	White Truck
10	8:24 AM	College → S. Bradley ▾	White SUV
11	8:26 AM	S. Bradley → College ▾	White SUV
12	8:29 AM	College → Olive ▾	White SUV
13	8:38 AM	S. Bradley → College ▾	Dark Red Truck
14	8:40 AM	S. Bradley → College ▾	Gray Van
15	8:42 AM	S. Bradley → College ▾	Gray Truck
16	8:43 AM	U-Turn ▾	Gray Truck
17	8:44 AM	U-Turn ▾	White SUV
18	8:48 AM	S. Bradley → College ▾	White Truck
19	8:49 AM	Olive → College ▾	Red Car
20	8:58 AM	N. Bradley → College ▾	Black Van
21	9:00 AM	Olive → College ▾	Dark Gray SUV
22	9:07 AM	College → S. Bradley ▾	Dark Gray Truck
23	9:08 AM	S. Bradley → College ▾	Red Car

Neighborhood	Olive Drive
Total Vehicles according to the EIR: 66 Total Vehicles for Jan 15: 46 Sum difference: -20 vehicles Percentage difference: -30.30%	Total Vehicles according to the EIR: 24 Total Vehicles for Jan 15: 10 Sum difference: -14 vehicles Percentage difference: -58.33%

Date: Thurs, 1/16/2025

Time: 7:05 AM - 9:00 AM

1	7:05	N. Bradley → College ▾	Black SUV
2	7:08	S. Bradley → College ▾	Black SUV
3	7:08	S. Bradley → College ▾	Black SUV
4	7:10	S. Bradley → College ▾	White SUV
5	7:13	S. Bradley → College ▾	White SUV
6	7:16	N. Bradley → College ▾	Dark Car
7	7:19	U-Turn ▾	Silver SUV
8	7:20	S. Bradley → College ▾	Dark Silver Car
9	7:21	N. Bradley → College ▾	Dark Gray SUV
10	7:21	U-Turn ▾	White Truck
11	7:22	College → Olive ▾	Red Car
12	7:23	Olive → College ▾	Red Car
13	7:26	N. Bradley → College ▾	Gray Van
14	7:40	N. Bradley → College ▾	White Car
15	7:50	S. Bradley → College ▾ ?	Dark Gray SUV
16	7:59	S. Bradley → College ▾	Dark Gray SUV
1	8:01	College → S. Bradley ▾	Gray SUV
2	8:03	S. Bradley → College ▾	Dark Gray SUV
3	8:06	College → N. Bradley ▾	SUV
4	8:06	S. Bradley → College ▾	Silver SUV
5	8:08	S. Bradley → College ▾	Dark Truck
6	8:11	College → S. Bradley ▾	Gray SUV
7	8:12	College → S. Bradley ▾	Dark Red Truck
8	8:14	S. Bradley → College ▾	Red SUV
9	8:15	Olive → College ▾	Dark Red SUV
10	8:17	Olive → College ▾	Dark Red SUV
11	8:19	U-Turn ▾	White Car

Date: Thurs, 1/16/2025

Time: 7:05 AM - 9:00 AM

12	8:21	Olive → College ▾	White Truck
13	8:26	College → N. Bradley ▾	Black Car
14	8:28	College → N. Bradley ▾	White SUV
15	8:30	S. Bradley → College ▾	Gray Van
16	8:31	N. Bradley → College ▾	White SUV
17	8:33	S. Bradley → College ▾	Blue SUV
18	8:34	Olive → College ▾	Black SUV
19	8:34	S. Bradley → College ▾	White Car
20	8:41	College → N. Bradley ▾	Gray Car
21	8:41	College → N. Bradley ▾	Maroon Car
22	8:42	N. Bradley → College ▾	Maroon Car
23	8:42	N. Bradley → College ▾	Gray Car
24	8:48	Olive → College ▾	White SUV
25	8:49	College → S. Bradley ▾	Red SUV
26	8:52	S. Bradley → College ▾	Red SUV
27	8:54	Olive → College ▾	White Car
28	8:57	N. Bradley → College ▾	White Car

Neighborhood	Olive Drive
Total Vehicles according to the EIR: 66 Total Vehicles for Jan 16: 44 Sum difference: -22 vehicles Percentage difference: -33.33%	Total Vehicles according to the EIR: 24 Total Vehicles for Jan 16: 7 Sum difference: -17 vehicles Percentage difference: -70.83%

Date: Thurs, 1/16/2025

Time: 4:22 PM - 6:00 PM

1	4:22	N. Bradley → College ▾	Dark Gray Van
2	4:23	College → S. Bradley ▾	Red SUV
3	4:25	U-Turn ▾	Silver SUV
4	4:28	College → S. Bradley ▾	White Truck
5	4:28	College → N. Bradley ▾	White Car
6	4:29	N. Bradley → College ▾	White Car
7	4:30	Olive → College ▾	Black Car
8	4:31	College → S. Bradley ▾	Dark Gray Car
9	4:33	S. Bradley → College ▾	White SUV
10	4:33	College → Olive ▾	Red Car
11	4:34	Olive → College ▾	White Car
12	4:34	Olive → College ▾	Red Car
13	4:37	Olive → College ▾	Dark Blue SUV
14	4:40	College → S. Bradley ▾	Black Truck
15	4:42	U-Turn ▾	Red SUV
16	4:44	College → N. Bradley ▾	Dark Gray SUV
17	4:47	N. Bradley → College ▾	Dark Gray SUV
18	4:50	College → S. Bradley ▾	Silver Car
19	4:53	College → Olive ▾	Black SUV
20	4:53	S. Bradley → College ▾	Silver Car
21	4:54	S. Bradley → College ▾	Black SUV
22	4:55	???	Black SUV
23	4:56	N. Bradley → College ▾	Gray Van
24	4:56	College → S. Bradley ▾	White Truck
25	4:57	College → S. Bradley ▾	Black SUV
26	4:58	S. Bradley → College ▾	Black SUV

Date: Thurs, 1/16/2025

Time: 4:22 PM - 6:00 PM

1	5:00	College → S. Bradley ▾	Dark Car
2	5:00	N. Bradley → College ▾	White Car
3	5:01	College → N. Bradley ▾	White Care
4	5:01	Olive → College ▾	Black Car
5	5:01	S. Bradley → College ▾	Silver Car
6	5:03	College → S. Bradley ▾	White SUV
7	5:06	U-Turn ▾	Plumbing Truck
8	5:06	N. Bradley → College ▾	Silver Car
9	5:06	U-Turn ▾	Red SUV
10	5:08	Olive → College ▾	White Car
11	5:08	U-Turn ▾	Silver Car
12	5:09	College → N. Bradley ▾	Dark SUV
13	5:09	S. Bradley → College ▾	Gold Car
14	5:09	Olive → S. Bradley ▾	White ?
15	5:09	College → N. Bradley ▾	White Car
16	5:11	U-Turn ▾	White SUV
17	5:13	College → Olive ▾	White SUV
18	5:14	College → Olive ▾	White Car
19	5:14	U-Turn ▾	White Car
20	5:20	College → Olive ▾	Silver SUV
21	5:20	College → N. Bradley ▾	White Car
22	5:22	College → N. Bradley ▾	Gray Car
23	5:22	Olive → College ▾	Silver SUV
24	5:23	College → S. Bradley ▾	Gray Car
25	5:24	S. Bradley → College ▾	Black Car
26	5:25	College → N. Bradley ▾	White Truck
27	5:26	College → S. Bradley ▾	White SUC

Date: Thurs, 1/16/2025

Time: 4:22 PM - 6:00 PM

28	5:27	College → N. Bradley ▾	Silver Car
29	5:28	College → S. Bradley ▾	Gray Car
30	5:29	College → Olive ▾	White Car
31	5:30	S. Bradley → College ▾	Black Van
32	5:31	College → Olive ▾	Dark Gray SUV
33	5:31	College → S. Bradley ▾	White Car
34	5:32	College → S. Bradley ▾	White Car
35	5:33	S. Bradley → College ▾	White Car
36	5:33	College → Olive ▾	Black Truck
37	5:38	U-Turn ▾	Black Car
38	5:41	College → S. Bradley ▾	Red Car
39	5:43	S. Bradley → College ▾	Dark SUV
40	5:45	College → Olive ▾	White SUV
41	5:47	College → Olive ▾	Silver SUV
42	5:48	College → Olive ▾	White Car
43	5:52	S. Bradley → College ▾	Gray SUV
44	5:52	Olive → College ▾	White Car
45	5:53	N. Bradley → College ▾	SUV
46	5:55	Olive → College ▾	Dark SUV
47	5:56	College → Olive ▾	Truck
48	5:57	Olive → College ▾	Truck
49	5:58	College → Olive ▾	SUV

To account for the late start (4:22 PM rather than 4:00 PM), we calculate the vehicle rate based on the observed 38 minutes and use it to estimate the full hour (4:00 PM–5:00 PM):

- $26 \text{ vehicles} \div 38 \text{ minutes} = 0.684 \text{ vehicles per minute}$
- $0.684 \text{ vehicles per minute} \times 60 \text{ minutes} \approx 41.04 \text{ vehicles per hour}$

Using the same math for Olive Drive results in: $0.158 \text{ vehicles per minute} \times 60 \text{ mins} \approx 9.48 \text{ vehicles per hour}$.

Neighborhood	Olive Drive
Total Vehicles according to the EIR: 116 trips Total Vehicles for Jan 16: 41 + 49 = 90 trips Sum difference: -26 trips Percentage difference: -22.41%	Total Vehicles according to the EIR: 41 trips Total Vehicles for Jan 16: 9 + 17 = 26 trips Sum difference: -15 trips Percentage difference: -36.59%

Conclusion: The observed traffic on January 16 during peak PM hours was significantly lower than the EIR estimates for both the neighborhood and Olive Drive.

MEMORANDUM

To:	Ms. Ninia Hammond Integral Communities	Date:	June 17, 2022
From:	John Boarman, P.E. Amelia Giacalone LLG, Engineers	LLG Ref:	3-22-3592
Subject:	Vandegrift Affordable Apartments, Transportation Assessment		

The purpose of this memo is to present the results of our preliminary due diligence level transportation assessment for the subject project. The site is located on the east side of North River Road, just north of the College Boulevard / North River Road intersection. It is proposed to develop the site with 40 affordable apartment units. Access will be provided via a single driveway to North River Road.

Figure 1 shows a Project area map and **Figure 2** shows a conceptual site plan.

Trip Generation, Distribution and Assignment

Table A shows a trip generation summary using SANDAG trip rates. The Project would generate 240 ADTs. **Figure 3** shows the trip distribution with the assumption that 90% of the trips will be oriented to/from the south. **Figure 4** shows the Project assignment.

Preliminary Analysis

A preliminary analysis of the intersections and segments near the site was conducted. The results are shown in **Tables B** and **C**. No impacts are expected. The following intersections operate at LOS E under current conditions, but the delay increase due to the Project is less than 2 seconds:

- North River Road / Vandegrift Road (LOS E during the PM peak hour)
- North River Road / College Boulevard (LOS E during the PM peak hour)

No impacts to the College Boulevard bridge over the San Luis Rey River would result.

Conclusions

Based on the preliminary trip assignment and analysis, no impacts would result and no improvements would be needed. Based on the inbound PM peak hour volume of only 15 trips, no dedicated right-turn lane will be needed on North River Road at the Project driveway. Left-turns at the Project driveway will not be permitted.

It should be noted that southbound to northbound U-turns are not permitted at the North River Road / College Boulevard intersection and therefore, drivers will need to make U-turns at the North River Road / Redondo Drive intersection, which is the

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next signalized intersection approximately 500 feet south of the North River Road / College Boulevard intersection.

The trip generation amount is less than the City threshold to require a Vehicle Miles Traveled (VMT) analysis so the Project will be “screened out” of needing this analysis.

Please let us know if you have any questions. Thank you.

cc: File

FIGURES

Figure 1: Project Area Map

Figure 2: Site Plan

Figure 3: Project Traffic Distribution

Figure 4: Project Traffic Volumes

TABLES

Table A: Project Trip Generation

Table B: Intersection Operations

Table C: Street Segment Operations



Noise and Its Effects on Children

INFORMATION FOR PARENTS, TEACHERS, AND CHILDCARE PROVIDERS

Children often participate in recreational activities that can harm their hearing.

These activities include attending music concerts and sporting events, fireworks, playing with noisy toys and video games, and listening to personal music players. Because of excessive exposure to noise, an estimated 5 million children suffer from Noise-Induced Hearing Loss (NIHL). In addition, noise exposure can harm a child's physical and psychological health.

This fact sheet offers information on:

- adverse health effects of noise on children
- steps to prevent these harmful effects
- ways to identify whether your child has hearing loss

What Is Noise?

Noise is defined as any unwanted or disagreeable sound and is often dismissed simply as a "nuisance." However, noise can become harmful when it interferes with a child's normal activities, such as sleeping or talking, or disrupts or diminishes a child's health or quality of life.

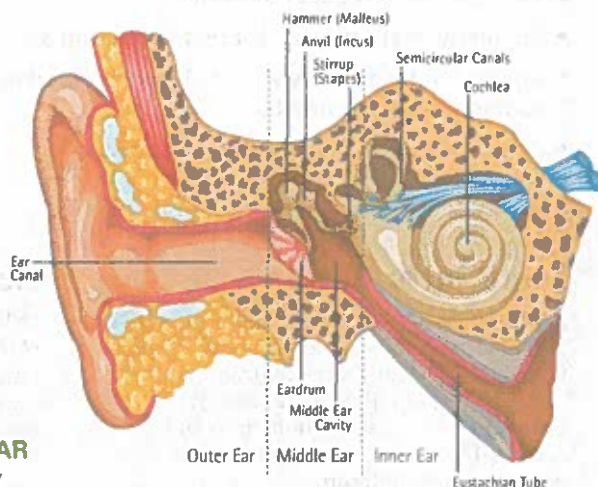
Measurement of Noise

Noise, like all sounds, is measured by the intensity and frequency of the sound waves that hit the ear. The unit used to measure the volume of sound is the decibel (dB). The greater the number of decibels, the louder the noise and the more harmful it is to your ears.

How the Ear Works

The ear is divided into three parts—the outer ear, middle ear, and inner ear—that work together to enable us to hear sound.

- The **OUTER EAR** acts like a funnel to direct sound waves from the air to the eardrum (tympanic membrane).
- Sound causes the eardrum to vibrate, which causes three bones (malleus, incus, and stapes) in the **MIDDLE EAR** to move mechanically.
- The middle ear then sends these mechanical vibrations to the **INNER EAR** (cochlea), where they are picked up by small sensory hair cells and sent as electrical impulses along the auditory nerve to the brain. Noise-Induced Hearing Loss (NIHL) is caused by damage to or loss of those tiny hair cells after prolonged exposure to high levels of noise or sudden high-level (impulse) noise, such as a fireworks explosion.



Adverse Health Effects

Noise can pose a serious threat to a child's physical and psychological health, including learning and behavior. For example, noise can:

INTERFERE WITH SPEECH AND LANGUAGE. Repeated exposure to noise during critical periods of development may affect a child's acquisition of speech, language, and language-related skills, such as reading and listening.

IMPAIR LEARNING. The inability to concentrate in a noisy environment can affect a child's capacity to learn.

IMPAIR HEARING. Tinnitus, often described as a ringing or buzzing sound in the ear, is a symptom associated with many forms of hearing loss.

NIHL is a permanent hearing impairment resulting from prolonged exposure to high levels of noise or by sudden high level (impulse) noise.



DISTURB THE CARDIOVASCULAR SYSTEM. Elevated blood pressure and other cardiovascular ailments can be found in children who are chronically exposed to loud noise.

DISRUPT SLEEP. Noise can awaken a child or disrupt his or her sleep patterns.

Minimizing the Risks

Take the following steps to protect your child from the physical and psychological effects of noise:

- Instruct him or her to walk away from sources of loud noises.
- Limit the amount of time spent on noisy activities.
- Lower the volume.
- Have your child's hearing tested if he/she routinely participates in noisy activities, such as playing an instrument or attending concerts or sporting events.
- Ensure that he or she wears child-sized hearing protection, such as earplugs or earmuffs, during noisy activities and events.
- Create a quiet learning and sleeping environment.

When to Seek Help

Consult an audiologist (a person who tests and measures hearing) or an otolaryngologist (a doctor who treats diseases and problems of the ear, nose, and throat) if your child experiences any of the following symptoms:

- Asks people to repeat themselves.
- Regularly hears ringing, roaring, or hissing sounds.
- Speaks loudly or raises voice to be understood by someone standing nearby.
- Does not react to unexpected loud noises.



More Information

EPA's Office of Children's Health Protection and Environmental Education is working to protect children from environmental hazards, through risk management and prevention strategies, education, and research. For more information, visit www.epa.gov/children.

For information on noise pollution, visit:

Office of Air and Radiation
www.epa.gov/air/noise.html

Noise Pollution Clearinghouse
www.nonoise.org

Additional Resources

American Speech-Language-Hearing Association www.listentoyourbuds.org

Centers for Disease Control and Prevention
www.cdc.gov/healthyyouth/noise/index.htm

National Hearing Conservation Association
www.hearingconservation.org

National Institute for Occupational Safety and Health www.cdc.gov/niosh/topics/noise

National Institute on Deafness and Other Communication Disorders
www.noisyplanet.nidcd.nih.gov

References

Children & Noise, League for the Hard of Hearing, www.lhh.org/noise/children/index.html

Efforts Aim to Curb Number of Kids Who Suffer From Noise-Induced Hearing Loss, American Academy of Audiology, January 16, 2008, www.audiology.org/news/pr/Pages/pr20080116.aspx

Noise Effects Handbook: A Desk Reference to Health and Welfare Effects of Noise, U.S. EPA, Office of Noise Abatement and Control, July 1981, www.nonoise.org/library/handbook/handbook.htm

Bronzaft, A. The Effect of a Noise Abatement Program on Reading Ability, *Journal of Environmental Psychology*, 1981.

Dangerous Decibels®, Types of Hearing Loss, www.dangerousdecibels.org/hearingloss.cfm

Evans, G., Hygge, S., and Bullinger, M. Chronic Noise and Psychological Stress, *Psychological Science*, 2006.

Griefahn B, Spreng M. Disturbed sleep patterns and limitation of noise, *Noise Health*, 2004;6:27-33.

Noisy Toys Can Be Dangerous Too, December 10, 2007, www.consumeraffairs.com/news04/2007/12/noisy_toys.html

Recommendations for a Noise Standard, www.cdc.gov/niosh/docs/98-126/chap1.htm

Listen Up

Noise Induced Hearing Loss (NIHL) is preventable.

Some toys (talking dolls, musical instruments, etc.) can emit sound that can be hazardous to children.

Personal music players (iPod, MP3, etc.) should be played at low levels. If you can hear your child's music, that might mean it's too loud. Turn down the volume.

Sound Thermometer

(Courtesy of Dangerous Decibels)

The noise levels (in decibels) on the thermometer are approximate as measured at a typical listener's distance. Use this sound thermometer to judge your or your child's noise exposure. Noise levels at 85 dB or above can be harmful to your hearing and require protection.



PARCEL MAP NO. 16548

SHEET 1 OF 2 SHEETS
T.P.M. P-9-90

OWNER'S CERTIFICATE

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LANDS INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP WITHIN THE DISTINGUISHING BOUNDARIES, AND WE CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION.

AS A CONDITION TO PUBLIC USE, WHILE ALL OF OCEANSIDE REMAINS A PUBLIC STREET, WE HEREBY ABANDON ALL RIGHTS OF DIRECT VEHICULAR ACCESS AND EGRESS FROM PARCEL 2, EXCEPT FOR A RIGHT-OF-WAY-OWN ONLY, AT A LOCATION TO BE APPROVED BY THE CITY ENGINEER AT THE TIME OF DEVELOPMENT OF SAID PARCEL 2.

IF ANY PORTION OF SAID STREET WITHIN OR ADJACENT TO THIS PARCEL 2 IS INCURRED, SUCH LOCATION TERMINATES THE ABOVE DECLARATION AS TO THE RIGHT INCURRED.

COLLINS DEVELOPMENT COMPANY, A CALIFORNIA CORPORATION, AS OWNER.

BY: [Signature] [Signature]
COLLINS CHAIRMAN, LTD., A CALIFORNIA LIMITED PARTNERSHIP, AS OWNER.

BY: [Signature] [Signature]
COLLINS PACIFIC LIMITED, A CALIFORNIA LIMITED PARTNERSHIP, GENERAL PARTNER.

BY: [Signature] [Signature]
COLLINS DEVELOPMENT COMPANY, A CALIFORNIA CORPORATION, GENERAL PARTNER.

FIRST INTERSTATE BANK OF CALIFORNIA, A CALIFORNIA CORPORATION, AS TRUSTEE UNDER DEED OF TRUST RECORDED DECEMBER 30, 1988 AS FILE/PAID NO. 88-27983 OF OFFICIAL RECORDS.

BY: [Signature] [Signature]
THE SIGNATURES OF:

1. THE CITY OF OCEANSIDE, HOLDER OF EASEMENTS RECORDED JANUARY 20, 1982 AS FILE/PAID NO. 82-02094, AND RECORDED EXTENDING TO, 1988 AS FILE/PAID NO. 88-23182, ALL OF OFFICIAL RECORDS.
2. THE FEE OWNERS OF COMMERCIAL CENTER, HOLDERS OF EASEMENT RECORDED JUNE 4, 1988 AS FILE/PAID NO. 88-23182, ALL OF OFFICIAL RECORDS.

HAVE BEEN OBTAINED UNDER THE PROVISIONS OF SECTION 9403.6, SUBSECTION (A)(4)(A), OF THE SUBDIVISION MAP ACT SINCE THEIR INTEREST IS SUCH THAT IT CANNOT BE DIVIDED INTO A FEE TITLE AND SAID SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY.

CITY OF OCEANSIDE - COUNTY OF SAN DIEGO

A PORTION OF PARCEL 4 OF PARCEL MAP NO. 4270, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, AUGUST 18, 1977, TOGETHER WITH A PORTION OF THE NEIGHBORING QUARTER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO OFFICIAL PLAT THEREOF, TOGETHER WITH A PORTION OF PARCEL 2 OF PARCEL MAP NO. 1800, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 8, 1980 AND THE ACCESSIBILITY EASEMENT OVER A PORTION OF PARCELS 1 AND 3 OF PARCEL MAP NO. 12843, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 18, 1984, ALL IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

PARCEL MAP SUBMITTAL FURNISHED BY CONTINENTAL LIFEVEST TITLE COMPANY, ORDER NO. 143097-08 DATED APRIL 10, 1991 FILED IN THE OFFICE OF THE CITY ENGINEER OF THE CITY OF OCEANSIDE.

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO }

ON April 10, 1991 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAN DIEGO COUNTY AND STATE, PERSONALLY APPEARED [Signature] AND [Signature], PERSONALLY KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THIS INSTRUMENT AS OWNER AND GENERAL PARTNER, RESPECTIVELY, ON BEHALF OF COLLINS DEVELOPMENT COMPANY, A CALIFORNIA CORPORATION, THE CORPORATION THAT EXECUTED THIS INSTRUMENT ON BEHALF OF COLLINS PACIFIC LIMITED, A CALIFORNIA LIMITED PARTNERSHIP. THE PARTNERSHIP DID EXECUTE THIS INSTRUMENT ON BEHALF OF COLLINS CHAIRMAN LTD., THE PARTNERSHIP THAT EXECUTED THIS INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED THIS INSTRUMENT PURSUANT TO ITS BY-LAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS AS SUCH PARTNER OF COLLINS PACIFIC LIMITED, A CALIFORNIA LIMITED PARTNERSHIP, THAT SUCH PARTNERSHIP EXECUTED THIS INSTRUMENT AS SUCH PARTNER OF COLLINS CHAIRMAN LTD. AND THAT SUCH PARTNERSHIP EXECUTED IT.

[Signature] [Signature]
NOTARY PUBLIC IN AND FOR SAN DIEGO COUNTY AND STATE
PRINT NAME Michael Patrick Valeri
MY COMMISSION EXPIRES ON May 16, 1994
PRINCIPAL PLACE OF BUSINESS San Diego

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO }

ON April 10, 1991 BEFORE ME, A NOTARY PUBLIC IN AND FOR SAN DIEGO COUNTY AND STATE, PERSONALLY APPEARED [Signature] AND [Signature], PERSONALLY KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE WITHIN INSTRUMENT AS OWNER AND GENERAL PARTNER, RESPECTIVELY, ON BEHALF OF THE CORPORATION THEREIN NAMED AND ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED IT AS TRUSTEE.

[Signature] [Signature]
NOTARY PUBLIC IN AND FOR SAN DIEGO COUNTY AND STATE
PRINT NAME Michelle Patricia Valeri
MY COMMISSION EXPIRES ON May 16, 1994
PRINCIPAL PLACE OF BUSINESS San Diego

PAYMENT OF THROUGHFARE FEE AS REQUIRED BY CITY OF OCEANSIDE ORDINANCE 80-30 IS HEREBY DEFERRED FOR EACH PARCEL CREATED HEREON UNDER ISSUANCE OF A BUILDING PERMIT ON ANY SUCH PARCEL. THE AMOUNT SHALL BE BASED UPON THE ESTABLISHED RATE AT THE TIME THE FEE IS PAID.

SEWERAGE FEES AS REQUIRED BY CITY OF OCEANSIDE ORDINANCE 80-18 ARE HEREBY ACKNOWLEDGED AS PAID IN FULL.

PAYMENT OF TRAFFIC SIGNAL AS REQUIRED BY CITY OF OCEANSIDE ORDINANCE 87-19 IS HEREBY DEFERRED FOR EACH PARCEL CREATED HEREON UNDER ISSUANCE OF A BUILDING PERMIT ON ANY SUCH PARCEL. THE AMOUNT SHALL BE BASED UPON THE ESTABLISHED RATE AT THE TIME THE FEE IS PAID.

I, THOMAS J. PARSONS, CLERK OF THE BOARD OF SUPERVISORS, HEREBY CERTIFY THAT THE PROVISIONS OF THE SUBDIVISION MAP ACT (SECTION 2 OF TITLE 2 OF THE GOVERNMENT CODE) REGARDING (A) DEPOSITS OF DUES AND (B) CERTIFICATION OF THE RESIDENCE OF LAND FOR UNIMPROVED LAND, MANUFACTURE OR LOCAL DUES, OR SPECIAL ASSESSMENTS COLLECTED AS DUES, EXCEPT THOSE NOT YET PAYABLE, HAVE BEEN COMPLIED WITH.

THOMAS J. PARSONS
CLERK OF THE BOARD OF SUPERVISORS
DATE: 7-15-91



THIS IS TO CERTIFY THAT THE DECLARATION OF DIRECT VEHICULAR ACCESS AND EGRESS FROM A PORTION OF PARCEL 2 TO OCEANSIDE REMAINS AS SHOWN HEREON IS ACCEPTED BY THE CITY COUNCIL OF THE CITY OF OCEANSIDE PURSUANT TO RESOLUTION NO. 81-178 OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE ADOPTED ON THE 27TH DAY OF MAY, 1981.

[Signature] [Signature]
DATE: 7/2/91 MAYOR BERNIE SMITH, CITY CLERK

ENGINEER'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF COLLINS DEVELOPMENT COMPANY ON FEB. 22, 1991. I HEREBY CERTIFY THAT THIS PARCEL MAP SUBMITTAL CONFORMS TO THE APPROVED OF CONDITIONALLY APPROVED TENTATIVE PARCEL MAP, IF ANY, THAT THE MONUMENTS OF THE CHARACTER AND LOCATIONS SHOWN HEREON ARE IN PLACE OR WILL BE IN PLACE WITHIN TWENTY-FOUR HOURS FROM THE FILING DATE OF THIS MAP, THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.



[Signature]
SHARL F. SMITH REG. 13177 (EXP. 3-31-93)
DATE: 2-7-91

CITY ENGINEER'S STATEMENT

THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE.

[Signature] [Signature]
DATE: 7-15-91 OCEANSIDE CITY ENGINEER
RONALD A. BECKMAN
RCE 17911
THOMAS B. THORNTON
ASSISTANT CITY ENGINEER
FILE WITH EXP. 08/08
LA 080 EXP. 08/08

CITY TREASURER'S CERTIFICATE

I, BEVERLY OLIPHANT, CITY TREASURER OF THE CITY OF OCEANSIDE, CALIFORNIA, HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF MY OFFICE, THERE ARE NO LIENS AGAINST THE SUBDIVISION ON ANY PART THEREOF FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS NOT YET PAYABLE, AND THAT ANY SPECIAL ASSESSMENTS ON BONDING THE LAND OF WHICH IS DIVIDED BY SUBDIVISION LOT OR PARCEL LINE HAVE BEEN PAID IN FULL, OR SECURITY THEREFOR HAS BEEN DEPOSITED WITH THE CLERK OF THE COUNTY BOARD OF SUPERVISORS.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE, July 2, 1991, 1991.

[Signature]
BEVERLY OLIPHANT, CITY TREASURER, CITY OF OCEANSIDE

COUNTY RECORDER'S CERTIFICATE

FILE NO. 891-0245750
FILED THIS 15 DAY OF JULY 1991 AT 11:54 A.M.
IN BOOK OF PARCEL MAPS TO PAGE 683 AT THE REQUEST OF SHARL F. SMITH.

ANNETTE J. EVANS
COUNTY RECORDER
DATE: 7/2/91
BY: [Signature]
DEPUTY COUNTY RECORDER



PARCEL MAP NO. 16548

SHEET 2 OF 2 SHEETS
TPM P-09-90

BASIS OF BEARINGS

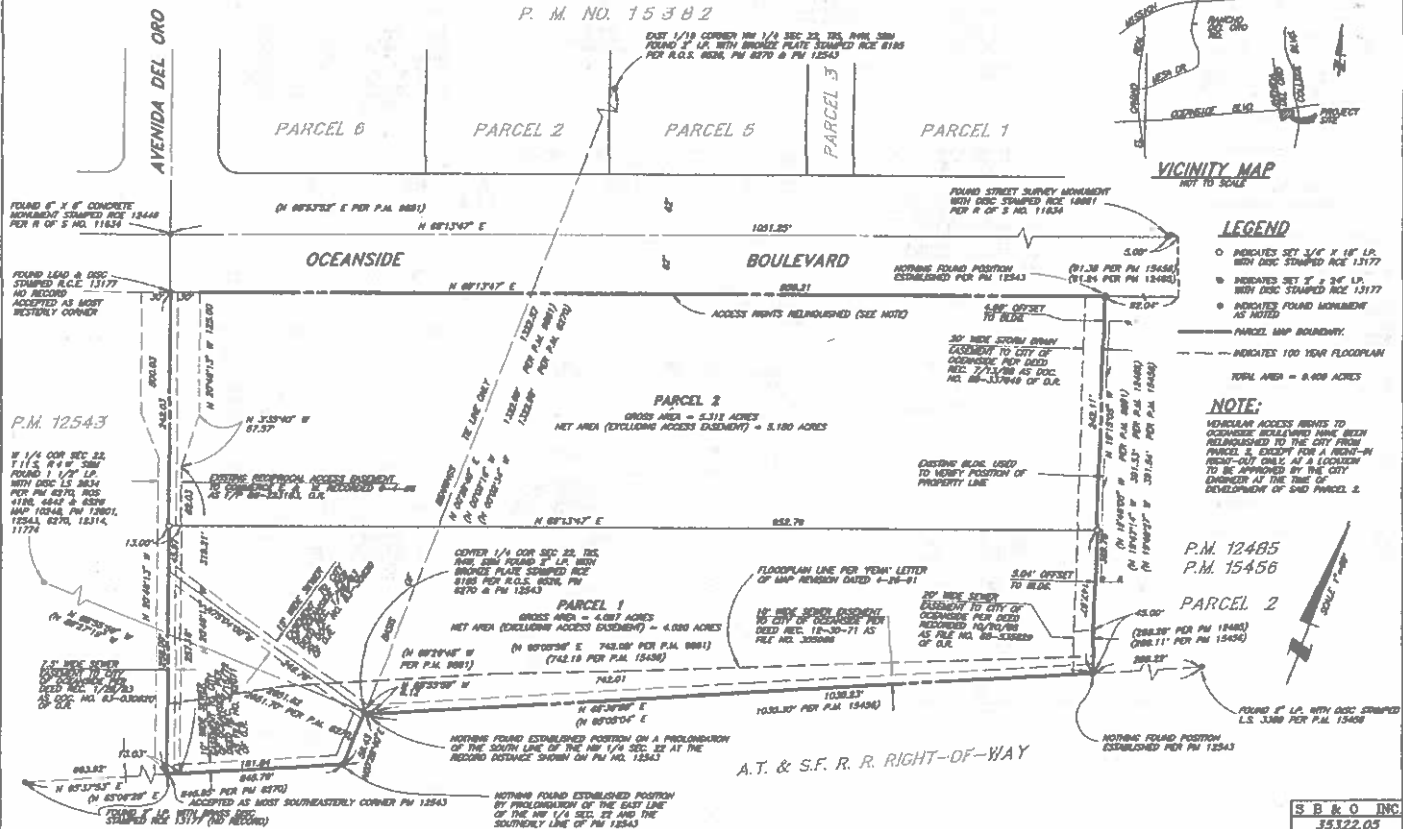
THE BASIS OF BEARINGS FOR THIS MAP IS THE EAST LINE OF THE 1/4 SECTION 22, T11S, R11W, S30M, RANGE 4 WEST, PER PARCEL MAP NO. 12543 L.S. N 72°00'00" E

P. M. NO. 15382

EAST 1/4 CORNER NW 1/4 SEC 22, T11S, R11W, S30M
FOUND 2" I.P. WITH BRONZE PLATE STAMPED RCE 6185
PER R.C.S. 6026, PM 6270 & PM 12543



VICINITY MAP
NOT TO SCALE





State of California
Department of Social Services

Facility Number: 376622615

Effective Date: 12/14/2011

Total Capacity: 8

In accordance with applicable provisions of the Health and Safety Code of California, and its rules and regulations, the Department of Social Services hereby issues

this License to

GLADNEY, LYDIA

to operate and maintain a

FAMILY DAY CARE HOME

Name of Facility

GLADNEY, LYDIA FAMILY CHILD CARE

4015 OLIVE DRIVE

OCEANSIDE, CA 92056

This License is not transferable and is granted solely upon the following:

MAX. CAP: 6 - NO MORE THAN 3 INFANTS OR 4 INFANTS ONLY. CAP 8 - NO MORE THAN 2 INFANTS, 1 CHILD IN KINDERGARTEN OR ELEMENTARY SCHOOL AND 1 CHILD AT LEAST AGE 6.

Client Groups Served:

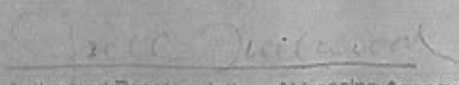
CHILDREN / INFANT

Complaints regarding services provided in this facility should be directed to:

CCLD Regional Office

(619) 767-2200

Jeffrey Hiratsuka
Deputy Director,
Community Care Licensing Division


Authorized Representative of Licensing Agency

POST IN A PROMINENT PLACE



Meg Ley <megleypolitics@gmail.com>

Inquiry Regarding Railroad Crossing Regulations

2 messages

Meg Ley <megleypolitics@gmail.com>
To: public.advisor@cpuc.ca.gov

Mon, Aug 12, 2024 at 3:34 PM

Dear Public Advisor,

I hope this message finds you well.

I am reaching out to inquire about specific regulations related to the Escondido Subdivision track operated by the North County Transit District (NCTD) in North County San Diego, particularly within Oceanside, CA.

Could you please provide information on whether there are any laws that specify the required distance between railroad crossings, or the minimum distance between streets and railroad platforms? If such laws exist, I would greatly appreciate it if you could provide details on the required distances.

If this is not the correct office to contact regarding this matter, could you please direct me to the appropriate office or provide an email address for the correct contact?

Thank you for your time and assistance. I look forward to your response.

Best regards,

Meg Ley

Garabetian, Antranig G. <antranig.garabetian@cpuc.ca.gov>
To: "megleypolitics@gmail.com" <megleypolitics@gmail.com>

Fri, Aug 16, 2024 at 4:54 PM

Dear Meg Ley:

There are no California Public Utilities Commission minimum distance regulations between railroad crossings, or minimum distance between streets and railroad platforms.

Regards,



Anton Garabetian, P.E.
Program Manager

Rail Safety Division - Rail Crossings & Engineering Branch

California Public Utilities Commission

320 West 4th Street Suite 500

Los Angeles, CA 90013

☎ (213) 576-5778 | Cell (213) 369-8855

agg@cpuc.ca.gov

Follow-Up on July Meeting: Olive Park Apartments

Sergio Madera <SMadera@oceansideca.org>

Mon, Sep 23, 2024 at 8:51 AM

To: Meg Ley <megleypolitics@gmail.com>

Cc: City Manager <citymanager@oceansideca.org>, Esther Sanchez <ESanchez@oceansideca.org>, Darlene Nicandro <DNicandro@oceansideca.org>, Shannon Vitale <SVitale@oceansideca.org>

Meg,

Good morning. The site was identified in the draft Subarea Plan as a site requiring corrective action. The description is below:

- **Property south of Loma Alta Creek west of the terminus of Olive Drive.** Approximately 18 acres of coastal sage scrub was illegally graded along Loma Alta Creek in 1997 without authorization by the City or Wildlife Agencies. The USFWS and the City are requiring the following remedial actions of the property owner: (1) restore the impacted 18 acres of onsite high-quality coastal sage scrub habitat or (2) purchase 36 acres of credits in the WCPZ, or a Pre-approved Mitigation Area. Once corrective action is completed, not less than 75% of coastal sage scrub must be conserved under any proposal for impact.

It is my understanding that coastal sage scrub habitat has reestablished naturally without formal restoration. The biological report prepared for the project will outline the state of sensitive habitat. It will be made available to the public when the draft EIR is circulated for public review. Our project manager, Shannon Vitale, can give you a better idea of when the EIR will be circulated. She is out of the office this week and will respond upon her return. I've copied her here.

Regards,

Sergio

*Sergio Madera**City Planner**City of Oceanside**Development Services Department**Planning Division**760-435-3539*smadera@oceansideca.org

All voicemail to and e-mail to and from the City of Oceanside may be considered public information and may be disclosed upon request.



Meg Ley <megleypolitics@gmail.com>

Clarification on Approval Process Timelines

Garabetian, Antranig G. <antranig.garabetian@cpuc.ca.gov>

Mon, Dec 23, 2024 at 4:31 PM

To: Meg Ley <megleypolitics@gmail.com>

Cc: "Prosper, Terrie D." <terrie.prosper@cpuc.ca.gov>

Dear Meg Ley,

My sincere apologies for the late response.

General Order 88-B (GO 88-B) rail crossing alteration authorization process takes maximum 45 days.

Formal Application Process (Ratesetting) for rail crossings takes up to 18 months. Environmental Review Process (CEQA) and the Environmental Impact Report (EIR) happen concurrently with the formal application review and are included in the Formal Application process. Formal Application Process must be concluded within 18 months. There have been rail crossing cases that concluded in less than 18-month time frame.

CPUC rail crossing staff is unaware of any case that the rail crossing formal application approval process has been extend to five years.

Regards,



Anton Garabetian, P.E.
Program Manager

Rail Safety Division - Rail Crossings & Engineering Branch

California Public Utilities Commission

320 West 4th Street Suite 500

Los Angeles, CA 90013

☎ (213) 576-5778 | Cell (213) 369-8855

agg@cpuc.ca.gov



Meg Ley <megleypolitics@gmail.com>

Olive Park Apartments Questions

Dan Niebaum <dan@lightfootpg.com>
To: Meg Ley <megleypolitics@gmail.com>

Thu, Dec 26, 2024 at 4:45 PM

Hi Meg,

Please see my responses in red below.

-Dan

From: Meg Ley <megleypolitics@gmail.com>
Sent: Tuesday, December 24, 2024 8:00 AM
To: Dan Niebaum <dan@lightfootpg.com>
Subject: Re: Olive Park Apartments Questions

Hi Dan,

Thank you for getting back to me! I have two quick questions.

1. At the last meeting, the 199-unit option was presented, but does that mean the 260/282-unit proposals are still under consideration?
Staff will be presenting the 199-unit plan to the Planning Commission for its consideration.
2. If Capstone moves forward with the Reduced Density Alternative, would the dates in Table 7 change to reflect a shorter timeline or would it still be 24 months?
Yes, the construction schedule would still fall within the anticipated 24-month period.

[Quoted text hidden]



Meg Ley <megleypolitics@gmail.com>

Clarification on Traffic Study Methods – Olive Park Apartments Project

Tam Tran <TTran@oceansideca.org>

Tue, Jan 14, 2025 at 9:56 AM

To: Meg Ley <megleypolitics@gmail.com>

Cc: Shannon Vitale <SVitale@oceansideca.org>, Teala Cotter <TCotter@oceansideca.org>

Hi Meg,

The traffic study for the Olive Park Apartment project was conducted by the applicant's traffic engineering consultant. Per my discussions with the project's traffic engineer and their traffic data collection company Counts Unlimited, the traffic data were performed using video-based methods.

Thank you,

Tam Tran

From: Meg Ley <megleypolitics@gmail.com>

Sent: Tuesday, January 14, 2025 7:45 AM

To: Tam Tran <ttran@oceansideca.org>

Subject: Clarification on Traffic Study Methods – Olive Park Apartments Project

Warning: External Source

[Quoted text hidden]



Meg Ley <megleypolitics@gmail.com>

Clarification on Traffic Study Methods – Olive Park Apartments Project

Tam Tran <TTran@oceansideca.org>

Tue, Jan 14, 2025 at 2:23 PM

To: Meg Ley <megleypolitics@gmail.com>

Cc: Shannon Vitale <SVitale@oceansideca.org>, Teala Cotter <TCotter@oceansideca.org>

Hi Meg,

The City does not have the video evidence collected by Count Unlimited. All traffic data is included in the Traffic Study. If you want to see the video evidence, I recommend reaching out to the project applicant.

[Quoted text hidden]



Meg Ley <megleypolitics@gmail.com>

Clarification on Traffic Study Methods – Olive Park Apartments Project

Brian Mikail <bmikail@capstoneequities.com>

Tue, Jan 21, 2025 at 1:02 PM

To: Meg Ley <megleypolitics@gmail.com>, Dan Niebaum <dan@lightfootpg.com>

Cc: "ttran@oceansideca.org" <ttran@oceansideca.org>, Shannon Vitale <svitale@oceansideca.org>, Teala Cotter <TCotter@oceansideca.org>, Brian Mikail <bmikail@capstoneequities.com>

Hi Meg,

Hope you had a nice weekend. Per your request, please see the link below to access the video:

<https://flannellyj1.wistia.com/medias/20nzkiac8p>

Best,

Brian

[Quoted text hidden]

From: Victor Velasco <VVelasco@oceansideca.org>
Date: January 23, 2025 at 1:54:29 PM PST
To: Teala Cotter <TCotter@oceansideca.org>, Kevin Reed <kevinandliz@icloud.com>, Shannon Vitale <svitale@oceansideca.org>
Subject: RE: College Blvd. Widening Project & Intersection Rating of College Blvd/Olive Dr.

Mr. Reed,

Please see responses below.

2) What is the estimated time line of the College Blvd. widening project.

The College Blvd widening project will obtain 60% plans in the fall of 2025. 100% plans are expected on late 2026. From there pending funding availability the project could start as early as Spring 2027.

3) Can this project start at Olive Dr. going north to Old Grove first?

The starting construction point of the project is chosen based on the most efficient point to avoid creating choke points, what makes more sense from a construction point and it can be phased depending o funding availability.

No start point has been chosen yet.

Since this area (crossing the busy Sprinter train tracks and Oceanside Blvd.) is currently the most congested on College Blvd., and if the Olive Park Apartments Project gets approved it will further overwhelm the community with hundreds of more vehicles per day existing Olive Drive onto College Blvd. ?

I will keep this in mind but again there is a list of factors that will determine the start point.

Thanks,

Victor Velasco, P.E.
Principal Civil Engineer
ADA Coordinator
Development Services Department – Engineering CIP

300 N. Coast Highway
Oceanside, CA, 92054
P: (760) 435-5102

Meg Ley <megleypolitics@gmail.com>
To: Randy Hill <RHill@oceansideca.org>

Mon, Jan 27, 2025 at 11:51 AM

Dear Assistant Fire Marshal Hill,

Thank you for your response. I understand if the project appears to follow the law, but imagine if we had an 8-ounce glass. If we pour more than 8 ounces of water into it, we'd need to upgrade to a larger 12-ounce glass. Now, the project applicant is saying, "We're only adding 7.9 ounces. Because it's under 8, no upgrade is needed!" but they are ignoring the 5 ounces already in the glass and then what happens is the glass will overflow. This is exactly the issue with applying IFC D106 to Olive Park's 199 units. Sure, it seems compliant, but it's overlooking the 62 existing single-family homes.

That said, I understand D107 likely cannot be grandfathered in, but let's hypothetically say my neighborhood was built today—62 single-family residences without sprinklers—how many access roads would be required by law?

Thank you for your time!

Meg Ley
[Quoted text hidden]

Randy Hill <RHill@oceansideca.org>
To: Meg Ley <megleypolitics@gmail.com>

Two would be required if the homes did not have fire sprinklers installed. Two would be required if the homes were located in the high fire zone, regardless of fire sprinl

Randy Hill
Assistant Fire Marshal
Oceanside Fire Department
300 N Coast Hwy
Oceanside, CA 92054
Office: (760) 435-4101
Fax: (760)435-6311
rhill@oceansideca.org



From: Meg Ley <megleypolitics@gmail.com>
Sent: Monday, January 27, 2025 11:51 AM



Meg Ley <megleypolitics@gmail.com>

RE: Traffic Generation Rate Guides

Noah Alvey <NALvey@elcajon.gov>
To: Patricia Lee <m.l.patricia91@gmail.com>
Cc: Planning <Planning@elcajon.gov>

Tue, Jan 28, 2025 at 5:17 PM

Hi Patricia,

In general, we utilize the ITE Trip Generation Manual or SANDAG's Not So Brief Guide to Traffic Generation Rates, but we are open to alternative localized analysis by a licensed Engineer.

Noah Alvey
Deputy Director of Community Development
City of El Cajon
(619) 441-1795
www.elcajon.gov
City Hall is open 7:30am to 5:30pm M.-Th. and open 8:00am to 5:00pm alternating Fridays.

My goal is to respond to your email within two business days. If I do not meet this goal, please contact Tony Shute at 619-441-1705 or tshute@elcajon.gov

-----Original Message-----

From: Patricia Lee <m.l.patricia91@gmail.com>
Sent: Tuesday, January 28, 2025 3:56 PM
Subject: Traffic Generation Rate Guides

CAUTION: [EXTERNAL EMAIL] Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Dear Planning Staff,

I hope this email finds you well. I'm reaching out to ask if you could share which guide or manual your department uses to determine traffic generation rates?

Thank you,
Patricia Ley



Meg Ley <megleypolitics@gmail.com>

Clarification on Using ITE Trip Generation Data

Lisa Fontana Tierney <lfontana@ite.org>

Wed, Jan 29, 2025 at 6:11 AM

To: "megleypolitics@gmail.com" <megleypolitics@gmail.com>

Hello Meg,

I apologize for the delay in responding. The ITE Trip Generation Handbook, 3rd Edition (page 85) indicates that local data should be collected and used to estimate trip generation under the following circumstances:

- If the characteristics or setting of a study site are not covered by a land use description and the individual data points presented in the Manual data volumes; OR
- If the size of a study site is not within the range of data points presented in the Manual; OR
- If the Manual database has an insufficient number of data points; OR
- If the Manual database produces weighted average rates of fitted curves for which standard deviation or regression coefficients are not appropriate for use; OR
- If local circumstances indicate a study site may have different trip-making characteristics than the baseline sites for which data were collected and reported in the Manual.

There is some additional discussion on this topic as well as guidelines on how to conduct local studies in the Trip Generation Handbook, a report that ITE sells. Ultimately, it is up to a local jurisdiction to apply the Trip Generation Manual and the guidelines as they see fit.

Regards,

Lisa

[Quoted text hidden]



Meg Ley <megleypolitics@gmail.com>

RE: [EXTERNAL] Traffic Generation Rate Guides

PLN Planning <Planning@sandiego.gov>
To: Patricia Lee <m.l.patricia91@gmail.com>

Wed, Jan 29, 2025 at 9:31 AM

Hello Patricia,

Please see link below and let me know if this is what you are looking for.

https://www.sandiego.gov/sites/default/files/appendix-m-trip-generation-manual_0.pdf

Best Regards,

Graciela Hernandez

Administrative Aide II

City Planning Department

[sandiego.gov/planning](https://www.sandiego.gov/planning)

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From: Patricia Lee <m.l.patricia91@gmail.com>
Sent: Tuesday, January 28, 2025 3:56 PM
Subject: [EXTERNAL] Traffic Generation Rate Guides

****This email came from an external source. Be cautious about clicking on any links in this email or opening attachments.****

Dear Planning Staff,

I hope this email finds you well. I'm reaching out to ask if you could share which guide or manual your department uses to determine *traffic generation rates*?

Thank you,
Patricia Ley



Meg Ley <megleypolitics@gmail.com>

RE: Traffic Generation Rate Guides

Scott Barker <sbarker@chulavistaca.gov>
To: Patricia Ley <m.l.patricia91@gmail.com>
Cc: Christopher Mallec <cmallec@chulavistaca.gov>

Thu, Jan 30, 2025 at 10:58 AM

Good morning, Patricia. The City's Transportation Study Guidelines and our Master Fee Schedule reference SANDAG's (Not So) Brief Guide of Vehicular Traffic Generation Rates (attached), but we also accept traffic generation rates published by the Institute of Transportation Engineers on a case-by-case basis. Thanks!

-Scott

Scott Barker, PE, AICP | DSD Land Development

From: Patricia Ley <m.l.patricia91@gmail.com>
Sent: Wednesday, January 29, 2025 4:00 PM
To: Scott Barker <sbarker@chulavistaca.gov>
Subject: Traffic Generation Rate Guides

You don't often get email from m.l.patricia91@gmail.com. [Learn why this is important](#)

WARNING - This email originated from outside the City of Chula Vista. Do not click any links and do not open attachments unless you can confirm the sender.

PLEASE REPORT SUSPICIOUS EMAILS BY USING THE **PHISH ALERT REPORT BUTTON** or to reportphishing@chulavistaca.gov

Dear Mr. Barker,

I hope you're doing well. Mr. Mallec from Planning referred me to you. Would you be able to share which guide or manual your department uses to determine traffic generation rates?

Thank you,

Patricia Ley



SANDAG Trip Generation.pdf
314K

Public Records Request :: R017767-020525

CALFIRE PRA Records Center <calfire@govqa.us>
To: "megleypolitics@gmail.com" <megleypolitics@gmail.com>

Wed, Feb 5, 2025 at 8:01 PM



RE: PUBLIC RECORDS REQUEST of 2/5/2025, Reference # R017767-020525

Dear Megan Ley,

Thank you for your interest in public records of CAL FIRE. Your request has been received and is being processed in accordance with the California Public Records Act, Government Code section 7920.000 et seq. Your request was received on February 05, 2025 and given the reference number R017767-020525 for tracking purposes.

Records Requested: I am submitting a public records request to obtain a copy of the draft Local Responsibility Area (LRA) Fire Hazard Severity Zone map for the City of Oceanside. This request is made to compare it with the California Fire Hazard Severity Zones (FHSZ) map published in the City of Oceanside's General Plan EIR, specifically on page 11 (available here: <https://www.ci.oceanside.ca.us/home/showpublisheddocument/14525/638530277466500000#page=11.00>). I have also attached an image of the page to this request. Thank you.

Your request will be forwarded to the relevant CAL FIRE department(s) to locate the information you seek and to determine the volume and any costs that may be associated with satisfying your request. You will be contacted about the availability and/or provided with copies of the records in question. PLEASE NOTE: The California Public Records Act does not require a governmental body to create new information, to do legal research, or to answer questions.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed.

CAL FIRE

To monitor the progress or update this request please log into [CAL FIRE Records Center](#)





Meg Ley <megleypolitics@gmail.com>

Residential Development in Oceanside

4 messages

Meg Ley <megleypolitics@gmail.com>
To: Sergio Madera <smadera@oceansideca.org>

Mon, Feb 3, 2025 at 9:52 AM

Hi Sergio,

Back in July 2024, I asked whether any multifamily apartments in Oceanside had been built at the end of a residential street (i.e., a *cul-de-sac*) that already serves a single-family neighborhood. At the time, you said you couldn't speak to that due to the city's size. Given that multifamily residential accounts for ~4% of existing land use and single-family for ~27%, I'd like to revisit this—are you aware of any existing multifamily developments or buildings that fit this description?

Thank you,
Meg Ley

Sergio Madera <SMadera@oceansideca.org>
To: Meg Ley <megleypolitics@gmail.com>

Wed, Feb 5, 2025 at 10:42 AM

Meg,

Good morning. The situation remains that I am not familiar with every multi-family development in the City and if any have been built at the end of streets in residential neighborhoods. We do not have the resources to do that research for you, as we are already over tasked and under resourced with 2 current vacancies in the division. If this is something you want to research, I'd recommend utilizing Google Earth, as you can view historical aerials there fairly easily.

Hope this information is useful.

Regards,

Sergio



Sergio Madera

City Planner

City of Oceanside

Development Services Department

Planning Division



Gmail

Meg Ley <megleypolitics@gmail.com>

Clarification on Traffic Generation Data

Teala Cotter <TCotter@oceansideca.org>

Thu, Feb 6, 2025 at 3:05 PM

To: Meg Ley <megleypolitics@gmail.com>

Dear Ms. Ley,

Please note that the public review period of the draft EIR closed on December 9, 2024. However, with that stated, please see staff's responses to your inquiries below in red.

Sincerely,

Teala Cotter, T.E.

City Traffic Engineer

Public Works

300 North Coast Highway

Oceanside CA 92054

Phone: 760-435-3538

PLEASE NOTE NEW EMAIL ADDRESS: tcotter@oceansideca.org

From: Meg Ley <megleypolitics@gmail.com>

Sent: Wednesday, February 5, 2025 9:17 AM

To: Teala Cotter <TCotter@oceansideca.org>

Subject: Clarification on Traffic Generation Data

Warning: External Source

Dear Ms. Cotter,

At the January 27th Planning Commission meeting, a couple of points were mentioned that I'd appreciate clarification on:

1. Why did the City of Oceanside stop using SANDAG's traffic generation guide? When did this change occur?

The SANDAG's traffic generation rates are outdated and the rates are no longer provided on SANDAG's website. The City started requiring ITE rates around a year ago.

2. It was mentioned that you recommended ITE to the applicant, which makes sense given that it's a standard alternative for determining traffic generation rates. At the same time, the *ITE Trip Generation Handbook, 3rd Edition* (p. 85) states that local data should be used if the database has an insufficient number of data points. The applicant's study had a caution warning due to its small sample size (based on two studies). Were you aware of this? If so, why wasn't ITE's guidance on using local data followed?

The City does not have local data that could be utilized.

3. For the two studies that made up the ITE data, where and when were they conducted?

You will need to contact ITE to obtain that information.



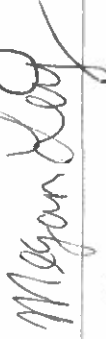
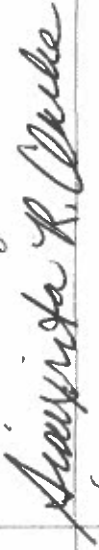






4. If SANDAG's guide is not being used and ITE recommends against relying on studies with small sample sizes, what alternative traffic generators would you recommend?



ITE trip generation is recommended to be used in this region.




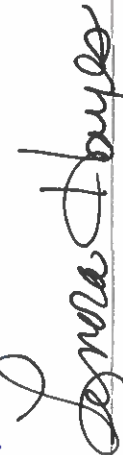






Thank you,
Meg Ley



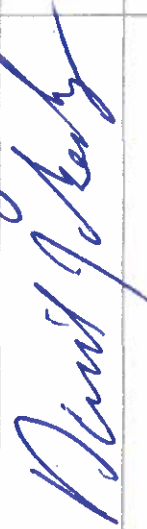







HELP APPEAL THE OLIVE PARK APARTMENTS DECISION: On Monday, January 27, 2025, the Planning Commission made its decision on the Olive Park Apartments project. Despite this, critical community concerns remain unresolved. By signing this petition, you are supporting an appeal to the City Council to ensure these concerns are fully addressed.



Note: Only property owners or tenants in the noticed area are eligible to sign. Please print your name and address clearly!


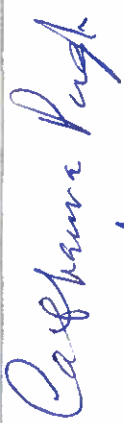


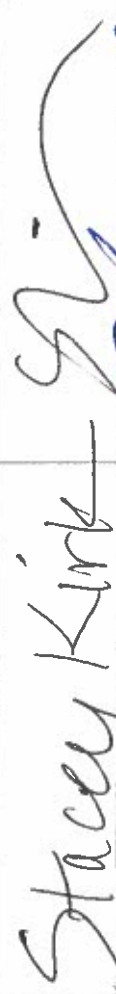
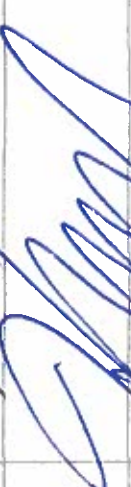
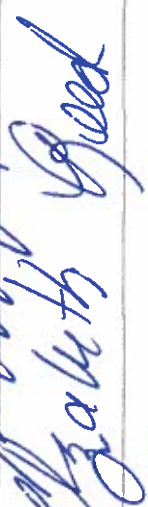



#	Name	Signature	Address
1.	Laura Balcar		2482 Bradley St
2.	Carol Ley		4046 Olive Dr
3.	Megan Ley		4046 Olive Drive. Oside
4.	Sourvinia Clarke		2630 Hope St, Oside 92056
5.	Leslie Astor		2610 Hope St Oside 92056
6.	Michele Dickman		2629 Hope St Oceanside 92056
7.	Kathleen Davis		4135 Crystal A Oceanside
8.	Charles Davis		4135 Crystal Oceanside 92056
9.	Robert Perez		4131 Crystal St.
10.	Greg Stewart		3882 WOOSTER DRIVE









#	Name	Signature	Address
11.	John Hodgson		4034 Olive Drive Oceanside CA 92056
12.	LURENA HENRY		4023 Olive Drive Oceanside 92056
13.	Norma Lamonsie		4023 Olive Drive Oceanside 92056
14.	Catherine Bronzie		4011 Olive Dr. Oceanside, CA 92056
15.	Brenda miller		4075 Thomas St. Oceanside, CA 92056
16.	Alec Erickson		4035 Olive Dr. Oceanside CA 92056
17.	Zoe Erickson		4035 Olive Dr. Oceanside, CA 92056
18.	Court LITTLE		4114 CRYSTAL ST. OCEANSIDE, CA 92056
19.	MIKE BLANKERS		3868 CARNEGIE Dr. OCEANSIDE, CA 92056
20.	Collin Harrison		4110 Crystal St Oceanside, CA 92056

#	Name	Signature	Address
21.	Leslie Little		4114 Crystal St. Oceanside CA. 92056
22.	John Webber		2516 BUNDLEN ST OCEANSIDE, CA 92056
23.	Linda Fletcher-Evans		4152 Marcella St. Oceanside, CA. 92056
24.	Lenora Haynes		4074 Wooster Dr. Oside, Ca. 92056
25.	Karla Barton		4073 Wooster Dr OSIDE, CA 92056
26.	Robert Erickson		4635 OLIVE OCEANSIDE, CA
27.	Jacob Alvarado		2638 HOPE ST. Oceanside, CA
28.	Susan Franke		2638 HOPE ST OCEANSIDE, CA 92056
29.	Cheryl Rowe		4026 Olive Drive, Oceanside, Ca.
30.	Richard Type		4098 Wooster dr. Oceanside ca

#	Name	Signature	Address
31.	Shannon Nares		2517 Bradley Oceanside, CA 92056
32.	Chanel Boyer		4131 Crystal St. Oceanside, CA 92056
33.	DAVID GRESHAM		4155 Olive Dr Oceanside CA 92056
34.	Randy Contreras		4051 Olive Dr - Oceanside CA 92056
35.	Kathleen Monteiro		4130 Crystal St. Oceanside, CA 92056
36.	DAVE HEIZER		4036 Olive Drive Oceanside, CA 92056
37.	Stephen Lani Hloba Rowe		4026 Olive Drive Oceanside CA 92056
38.	Don KUNDSER		2535 BRADLEY ST. OCEANSIDE, CA 92056
39.	Kelly Backus		4138 Crystal St. Oceanside CA 92056
40.	Adriana Baird		4038 Olive Drive Oceanside, CA 92056








#	Name	Signature	Address
41.	Ren Heaven		4042 olive Dr
42.	Jamie Baird		4038 Olive Dr.
43.	Stephanie Baird		4032 Olive Dr.
44.	Nicole Baird		4038 Olive Drive
45.	Jamie Baird	Jamie Baird	4038 Olive Drive
46.	Juan Hodgson		4034 Olive Dr.
47.	Patricia Hodgson		4034 Olive Dr.
48.		Barbara Salem	2538 Bradley St
49.	Brent Campbell		2514 Bradley St

#	Name	Signature	Address
50	Briana Siliga		2514 Bradley St
51	Catherine Pugh		2474 Bradley St
52	Arthur Pugh		2474 Bradley St.
53	Dan Kirk		2534 Bradley St.
54	Stacey Kirk		2534 Bradley St.
55	KEVIN REED		4122 CRYSTAL ST.
56	Elizabeth Reed Elizabeth Reed		4122 Crystal St.
57	Laurie C. Howe		4018 Olive Dr.
58	Bing Howe		4018 Olive Dr.
59	Denise Palmer		4142 Crystal St.

#	Name	Signature	Address
60	DANIEL MILLER		4142 Crystal St. Oceanside, CA 92056
61	Spiral Palmer		4142 Crystal St. Oceanside, CA 92056
62	Rita Jones		4119 Crystal St. Oceanside, CA 92056
63	SHENY-SUNG WU		4043 Olive Dr. Oceanside, CA 92056
64	Marco Poch		4019 Olive Dr. Oceanside, CA 92056
65	Valerie Montelongo		4019 Olive Dr. Oceanside, CA 92056
66	Lester Fernandez		4039 Olive Drive Oceanside, CA 92056
67	Lynne Fernandez		4039 Olive Dr. Oceanside, CA 92056
68	Toni Ward		2486 Bradley St 92056 Oceanside, CA
69	Leticia Torres		4010 Olive Dr. Oceanside, CA 92056

#	Name	Signature	Address
10	CARLOS HOLGAIN	Carlos Holgain	4010 OLIVE DR. O.SIDE 92056
11	Pat Singleton	Pat Singleton	2478 Bradley St. O.SIDE CA 92056
12	Kerry Singleton	Kerry Singleton	2478 Bradley St. O.SIDE CA 92056
13	Kathy Johnston	Kathy Johnston	2485 Bradley St. 92056
14	Ruben Baca	Ruben Baca	2490 Bradley St. 92056
15	Blanca Baca	Blanca Baca	2490 Bradley St. 92056
16	Karen Switzer	Karen J. Switzer	2522 Bradley St 92056
17	NEIL SWITZER	Neil Switzer	2522 BENDLER ST 92056
18	JOE LATOWSKI	Joe Latowski	4126 Crystal St 92056
19	Victor Herrera	Victor Herrera	2539 Bradley St.

#	Name	Signature	Address
80	Victor Villa	Victor Villa	4051 Olive Pr. Oceanside CA 92056
81	Carmen Villa	Carmen Villa	4051 Olive dr Oside CA 92056
82	Cyndie C. Braden	Cyndie C. Braden	2530 Bradley St Ols 92056
83	Travis Morgan	[Signature]	2535 BRADLEY ST. 92056
84	Claudia Dunlop	Claudia Dunlop	2542 Brudley St 92056
85	Abigail Morgan	Abigail Morgan	2535 Bradley St 92056
86	Dylan Laurino	Dylan Laurino	2481 Bradley st 92056
87	PATRICK S. ROBB	Patrick S. Robb	4127 Crystal St 92056
88	George Corbett	George Corbett	4127 Crystal St 92056
89	ROBERT Apodaca II	[Signature]	2526 BRADLEY ST

#	Name	Signature	Address
90	Steven Harf		2526 BRADLEY ST. OCEANSIDE, CA 92056
91	Dean Dunlap		2542 Bradley St Oce 92056
92	Amanda Laurino		2481 Bradley St. oceanside CA 92056
93	Ashley Winfrey		2482 Bradley St. oceanside CA 92056
94	Sophie Finnigen		2482 Bradley St. oceanside, CA 92056
95	MariaTizza Roenicke		4118 Crystal St. oceanside CA 92056
96	Brian Roenicke		4118 CRYSTAL ST Oceanside 92056
97			
98			
99			

LATE DISTRIBUTION OF MATERIALS

DATE: May 6, 2025

TO: Honorable Mayor and Councilmembers

FROM: Maddison Zafra, City Manager's Office

SUBJECT: **ADOPTION OF A RESOLUTION UPHOLDING PLANNING COMMISSION RESOLUTION NO. 2025-P03 CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT AND ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM AND UPHOLDING PLANNING COMMISSION RESOLUTION NO. 2025-P02 APPROVING A DEVELOPMENT PLAN (D24-00006), TENTATIVE PARCEL MAP (P24-00002), AND DENSITY BONUS (DB24-00001) TO ALLOW THE CONSTRUCTION OF A 100% AFFORDABLE HOUSING PROJECT CONSISTING OF 199 APARTMENTS LOCATED ON A 43.50-ACRE SITE SITUATED AT THE WESTERN TERMINUS OF OLIVE DRIVE (APN: 162-111-04) - OLIVE PARK APARTMENTS PROJECT - APPLICANT: CAPSTONE EQUITIES; APPELLANT: MIRA COSTA NEIGHBORS FOR RESPONSIBLE DEVELOPMENT**



Meg Ley <megleypolitics@gmail.com>

Request to Supplement Appeal – Submitted Within Deadline

Meg Ley <megleypolitics@gmail.com>

Thu, Feb 6, 2025 at 11:59 PM

To: City Clerk <cityclerk@oceansideca.org>, znavarro@oceansideca.org

Dear City Clerk Staff,

I submitted my appeal within the required 10-day period but realized I inadvertently left out a key detail related to an issue already raised in the appeal. Since there is no stated hour deadline in the ordinance and I am still technically within the 10-day period, may I please have this supplement added to my appeal to ensure the City Council has a full and accurate understanding of the issue?

The supplemental information ([Link to document](#)) pertains to the following:

- **Issue 5.6** is related to **Grant Deed 76-241085**, which transferred a small piece of land from a partnership to the City of Oceanside (referenced on Page 3 of Parcel Map 8292, College Park Estates Unit 8). The January 27th Planning Commission Staff Report discusses a 1' strip of land at the end of the parcel, but the legal description in the Deed places it in the middle of the cul-de-sac, where sewer or water infrastructure is located. This supplement simply provides more context behind the inclusion of the Grant Deed.
- **Issue 10.1** should be included because it directly relates to **Appendix M responses to Comment I-18-8** (shear pin vibrations) and **Comment I-18-9** (erosion and climate change impacts).

These two attachments relate to **Issues 5.1-5.5**:

- **Planning Commission Resolution No. 2003-P63**: Establishes required street dedications, easements, and access restrictions affecting the project.
- **Declaration of Restrictions and Grant of Easements (Doc. No. 2001-0183546)**: Defines shared access and parking rights, including reciprocal easements and NCTD's shared-use parking rights.

I sincerely apologize for this oversight and for any inconvenience it may cause! I hope these can be added as supplemental. Please confirm if this supplement can be added to the record.

Thank you,
Meg Ley

2 attachments



Planning Commission Resolution No. 2003-P63.pdf
249K



Declaration of Restrictions and Grant of Easements (Doc. No. 2001-0183546).pdf
20456K

Issue 5.6: Discrepancy in Location of 1' Strip of Land Based on Legal Description

The Planning Department asserts that a 1' strip of land at the end of Olive Drive was designed to provide access to the adjacent parcel. However, when analyzed using the Public Land Survey System (PLSS) grids on Google Earth Pro, the legal description of 1' strip of land according to the Deed Grant appears to be located in the center of the cul-de-sac near sewer or water infrastructure

Grounds: The Grant Deed's legal description indicates that the 1' strip is located within the cul-de-sac rather than at its edge. This location makes it unsuitable for providing connectivity to the adjacent parcel.

Prejudice / Harm: The Planning Department's reliance on an incorrect interpretation of the 1' strip's location leads to an unsupported conclusion that Olive Drive is the primary access point to the adjacent parcel. If the strip is not positioned as claimed, then the feasibility of access is undermined.

Remedy: The City must verify the exact location of the 1' strip using the Grant Deed and a certified survey. If the strip is confirmed to be within the cul-de-sac, the Planning Department must correct its findings and reassess its conclusions regarding access.

Issue 10.1: Inadequate Geotechnical Analysis & Erosion Mitigation – Public Safety Risks

The EIR fails to properly analyze geotechnical stability, erosion risks, and the potential impacts of shear pin installation, resulting in an incomplete assessment of public safety hazards. The responses in Appendix M do not sufficiently address concerns raised in public comments, including vibration effects from drilling, climate change-related erosion risks, slope stability between the project site and nearby homes, inconsistencies in past geological studies, and the Geotechnical Report's excessive self-promotion of construction-phase monitoring.

Grounds: The EIR does not evaluate how drilling vibrations from shear pin installation may destabilize the hillside or impact homes on Wooster Drive. While the Geotechnical Report acknowledges the need for stabilization measures, it does not assess whether vibrations could contribute to slope failure or increased erosion risks. The report also lacks a clear analysis of how climate change will impact long-term erosion on the hillside (outside of the on-site impact area). Further, during a one-on-one meeting on November 15, 2024, the applicant stated that prior geological reports contained errors compared to his own, yet the EIR does not clearly acknowledge these discrepancies, which raises concerns about whether sufficient soil studies were conducted to verify the new findings. Additionally, it is unclear why settlement is needed for the parking lot, but not the apartment building since both appear to be on the same soil type—clarification is appreciated. Lastly, GeoCon's extensive self-recommendation for construction monitoring appears atypical compared to geotechnical reports for other Oceanside developments. While a timeline may be useful, similar reports rarely include this level of detail, leaving its necessity unclear.

Prejudice / Harm: Without analyzing how shear pin installation vibrations may impact the hillside and homes on Wooster, the potential for slope instability remains unknown. The EIR discusses erosion but does not address how climate change will accelerate it, despite erosion being identified as a public safety issue in the City's General Plan. Instead of analyzing whether existing erosion control measures will remain effective under future climate conditions, the EIR only confirms compliance with current regulations, leaving long-term risks unexamined. The applicant's claim that prior geological reports contained errors raises concerns, as there is no verification that the new findings are correct. GeoCon's self-recommendation for construction monitoring, uncommon in similar reports, raises questions about limited independent oversight of mitigation measures and the necessity of this detail when project approval and construction remain uncertain. These gaps leave unresolved safety risks.

Remedy: The EIR must include a vibration impact analysis to determine whether shear pin installation could destabilize the hillside or affect nearby homes. A revised erosion analysis should assess how climate change may accelerate erosion and whether current mitigation measures will remain effective. The necessity of settlement monitoring for some structures but not others must be clarified. An independent and/or supplemental geotechnical review should reconcile discrepancies between past and current geological reports, confirm accuracy, and ensure the objectivity of the findings before project approval.

1 PLANNING COMMISSION
2 RESOLUTION NO. 2003-P63

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 TENTATIVE PARCEL MAP ON CERTAIN REAL PROPERTY
IN THE CITY OF OCEANSIDE

6 APPLICATION NO: P-22-02
7 APPLICANT: College Oceanside Southwest, LLC
8 LOCATION: Southwest corner of College Boulevard and Oceanside Boulevard

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

11 WHEREAS, there was filed with this Commission a verified petition on the forms
12 prescribed by the Commission requesting a Tentative Parcel Map under the provisions of Article
13 13 of the Zoning Ordinance of the City of Oceanside to permit the following:

14 to subdivide a 9.14-acre lot into 8 parcels;
15 on certain real property described in the project description.

16 WHEREAS, the Planning Commission, after giving the required notice, did on the 17th day
17 of November, 2003 conduct a duly advertised public hearing as prescribed by law to consider said
18 application.

19 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
20 Guidelines thereto; the project has been found to be categorically exempt per Article 19 from
21 environmental review;

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

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

26 FINDINGS:

27 For the Tentative Parcel Map:

- 28 1. That the proposed map is consistent with the applicable provisions of the General Plan,
29 the Zoning Ordinance, and the Subdivision Ordinance of the City.
2. The site is physically suitable for the type of development that would be enabled by the

1 proposed subdivision.

- 2 3. That the design of the subdivision, itself, will not cause substantial environment damage
3 or substantially and avoidably injure fish or wildlife or their habitat. In addition, the
4 proposed subdivision project qualifies for a categorical exemption from further
5 environmental review under the provisions of the California Environmental Quality Act.
6 4. That the design of the subdivision will not conflict with easements, acquired by the
7 public at large, for access through or the use of property affected by the proposed
8 subdivision.

9 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
10 approve Tentative Parcel Map (P-22-02) subject to the following conditions:

- 11 1. This Tentative Parcel Map is subject to the conditions of approval contained within
12 Planning Commission Resolution No. 97-P78, 97-P79 and 99-P78 affecting the underlying
13 Development entitlement (D-8-97) for the property.

14 Engineering:

- 15 2. All engineering conditions approved under Planning Commission Resolution No. 99-P78
16 and 97-P79 shall apply to this Tentative Parcel Map.
17 3. With the exception of approved ingress and egress points, vehicular access rights to
18 Oceanside Boulevard and College Boulevard shall be relinquished to the City from all
19 abutting lots.
20 4. Prior to the approval of the Parcel Map, the subdivider shall dedicate and improve right of
21 way along the subdivision's frontage on Oceanside Boulevard and College Boulevard
22 based on Circulation Element criteria and ultimate street improvement design approved
23 by the City Engineer and the Transportation Manager.
24 5. All improvement requirements shall be covered by a development agreement and secured
25 with sufficient improvement securities or bonds guaranteeing performance and payment
26 for labor and materials, setting of monuments, and warranty against defective materials
27 and workmanship.
28 6. Legal access shall be provided to the N.C.T.D. property located between the subdivision
29 and the AT&SF right of way prior to the filing of the parcel map.

- 1 7. The approval of the tentative map shall not mean that closure, vacation, or abandonment
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3 subdivider. The subdivider is responsible for applying for all closures, vacations, and
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5 rejected by the City under separate process(es) per codes, ordinances, and policies in
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- 7 8. Prior to approval of the parcel map or any increment, all improvement requirements, within
8 such increment or outside of it if required by the City Engineer, shall be covered by a
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10 of monuments.
- 11 9. The tract shall be recorded as one. The City Engineer shall require the dedication and
12 construction of necessary utilities, streets and other improvements outside the area of any
13 particular parcel map, if such is needed for circulation, parking, access or for the welfare or
14 safety of future occupants of the development.
- 15 10. Where off-site improvements, including but not limited to slopes, public utility facilities,
16 and drainage facilities, are to be constructed, the applicant shall, at his own expense, obtain
17 all necessary easements or other interests in real property and shall dedicate the same to the
18 City as required. The applicant shall provide documentary proof satisfactory to the City that
19 such easements or other interest in real property have been obtained prior to the approval of
20 the parcel map. Additionally, the City, may at its sole discretion, require that the applicant
21 obtain at his sole expense a title policy insuring the necessary title for the easement or other
22 interest in real property to have vested with the City of Oceanside or the applicant, as
23 applicable.
- 24 11. Pursuant to the State Map Act, improvements shall be required at the time of development.
25 A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to
26 these improvement conditions and a certificate setting forth the recordation shall be placed
27 on the map.
- 28 12. Parcel 3 is specifically designated for purposes of joint access and shall be encumbered
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Parcel Map (TPM). Parcel 3 has no development rights and shall be jointly maintained

1 per the CC&Rs.

- 2 13. All streets shall provide a minimum of 10 feet parkway between the face of curb and the
3 right of way line. Sidewalk improvements shall comply with ADA requirements. The
4 sidewalk's location in the parkway shall be approved by the Transportation Manager.
- 5 14. Prior to the approval of the Parcel Map, the subdivider shall dedicate all necessary on-site
6 public easements to the satisfaction of the City Engineer and the City Attorney.
- 7 15. Prior to the approval of the Parcel Map the subdivider shall acquire necessary off-site
8 easements and rights-of way to the satisfaction of the City Engineer and the City Attorney
9 and record them at the office of the County Recorder.
- 10 16. Prior to the approval of the Parcel Map the subdivider shall execute and record at the
11 office of the County Recorder a covenant binding on the owners of the proposed parcels,
12 for all necessary private easements and reciprocal access and parking between the
13 proposed parcels to the satisfaction of the City Engineer and the City Attorney.
- 14 17. Open space areas and down-sloped areas visible from a collector-level or above roadway
15 and not readily maintained by the property owner, shall be maintained by a property owners
16 association that will insure installation and maintenance of landscaping in perpetuity. These
17 areas shall be indicated on the parcel map and either reserved for an association. In either
18 case, future buyers shall be made aware of any estimated monthly costs. The disclosure,
19 together with the CC&R's, shall be submitted to the City Engineer for review prior to the
20 recordation of parcel map. In the event the homeowner's association dissolves,
21 responsibility for irrigation and maintenance of the slopes (open space areas) adjacent to
22 each property shall become that of the individual property owner.
- 23 18. The development shall comply with all applicable regulations established by the United
24 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
25 Discharge Elimination System (N.P.D.E.S.) permit requirements for urban runoff and
26 storm water discharge and any regulations adopted by the City pursuant to the
27 N.P.D.E.S. regulations or requirements. Further, the applicant may be required to file a
28 Notice of Intent with the State Water Resources Control Board to obtain coverage under
29 the N.P.D.E.S. General Permit for Storm Water Discharges Associated with
Construction Activity and may be required to implement a Storm Water Pollution

1 Prevention Plan (SWPPP) concurrent with the commencement of grading activities.
2 SWPPPs include both construction and post construction pollution prevention and
3 pollution control measures and identify funding mechanisms for post construction
4 control measures. The subdivider shall comply with all the provisions of the Clean
5 Water Program during and after all phases of the development process, including but not
6 limited to: mass grading, rough grading, construction of street and landscaping
7 improvements, and construction of dwelling units. The applicant shall design the
8 Project's storm drains and other drainage facilities to include Best Management Practices
9 to minimize non-point source pollution, satisfactory to the City Engineer.

10 Planning:

- 11 19. This Tentative Parcel Map shall expire on December 1, 2005, unless a time extension is
12 granted by the Planning Commission.
- 13 20. This Tentative Parcel Map approves only an 8-lot subdivision as shown on the plans and
14 exhibits presented to the Planning Commission for review and approval. No deviation
15 from these approved plans and exhibits shall occur without Planning Department approval.
16 Substantial deviations shall require a revision to the Tentative Parcel Map or a new
17 Tentative Parcel Map.
- 18 21. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
19 harmless the City, its agents, officers or employees from any claim, action or proceeding
20 against the City, its agents, officers, or employees to attack, set aside, void or annul an
21 approval of the City, concerning Tentative Parcel Map P-22-02. The City will promptly
22 notify the applicant of any such claim, action or proceeding against the city and will
23 cooperate fully in the defense. If the City fails to promptly notify the applicant of any
24 such claim action or proceeding or fails to cooperate fully in the defense, the applicant
25 shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.
- 26 22. A covenant or other recordable document approved by the City Attorney shall be prepared
27 by the subdivider and recorded prior to the approval of the final map. The covenant shall
28 provide that the property is subject to this Resolution, and shall generally list the conditions
29 of approval.
23. Prior to the transfer of ownership of the site the owner shall provide a written copy of the

1 applications, staff report and resolutions for the project to the new owner and or operator.
2 This notification's provision shall run with the life of the project and shall be recorded as a
3 covenant on the property.

- 4 24. Failure to meet any conditions of approval for this development shall constitute a violation
5 of the Tentative Parcel Map.

6 Water Utilities:

- 7 25. No trees, structures or building overhang shall be located within any water or wastewater
8 utility easement.

- 9 26. All Water and Wastewater construction shall conform to the most recent edition of the
10 City's Engineers Manual, or as approved by the Water Utilities Director.

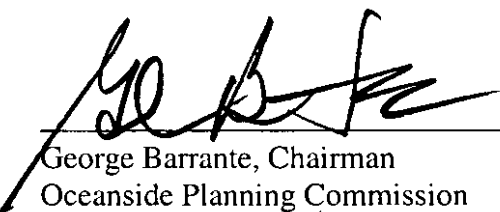
11 PASSED AND ADOPTED Resolution No. 2003-P63 on December 1, 2003 by the
12 following vote, to wit:

13 AYES: Barrante, Chadwick, Schaffer, Nack, Todd, Neal and Parker

14 NAYS: None

15 ABSENT: None

16 ABSTAIN: None

17
18 
George Barrante, Chairman
Oceanside Planning Commission

19
20 ATTEST:

21 
22 _____
Gerald S. Gilbert, Secretary

23
24 I, GERALD S. GILBERT, Secretary of the Oceanside Planning Commission, hereby certify that
25 this is a true and correct copy of Resolution No. 2003-P63.

26 Dated: _____ December 1, 2003
27
28
29

DESCRIPTION

PARCEL A1: (APN 162-241-30)

THOSE PORTIONS OF PARCELS 1 AND 2 OF PARCEL MAP NO. 16548, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JULY 15, 1991 AS FILE NO. 1991-0345756 OF OFFICIAL RECORDS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID PARCEL 2 BEARING NORTH 20°46'13" WEST 280.59 FEET FROM THE SOUTHWESTERLY CORNER OF SAID PARCEL 1; THENCE NORTH 69°13'47" EAST 372.02 FEET; THENCE SOUTH 20°46'13" EAST 206.64 FEET TO THE SOUTHERLY LINE OF SAID PARCEL 1; THENCE ALONG SAID SOUTHERLY LINE NORTH 65°36'56" EAST 578.01 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 1; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1 AND 2, NORTH 19°15'05" WEST 389.78 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 2; THENCE ALONG THE NORTHERLY LINE THEREOF SOUTH 69°13'47" WEST 959.21 FEET TO THE NORTHWESTERLY CORNER THEREOF; THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 2 SOUTH 20°46'13" EAST 219.44 FEET TO THE POINT OF BEGINNING.

RESERVING THEREFROM AN EASEMENT FOR INGRESS, EGRESS AND UTILITY PURPOSES OVER, UNDER, ALONG AND ACROSS THAT PORTION OF SAID PARCEL MAP DESIGNATED AND DELINEATED THEREON AS "EXISTING RECIPROCAL ACCESS EASEMENT".

PARCEL B1:

AN EASEMENT FOR INGRESS, EGRESS AND UTILITY PURPOSES OVER, UNDER, ALONG AND ACROSS THAT PORTION OF PARCEL MAP NO. 16548, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JULY 15, 1991 AS FILE NO. 1991-0345756 OF OFFICIAL RECORDS, DESIGNATED AND DELINEATED THEREON AS "EXISTING RECIPROCAL ACCESS EASEMENT".

PARCEL C1:

AN EASEMENT FOR RECIPROCAL INGRESS AND EGRESS AND UTILITY PURPOSES OVER, UNDER AND ACROSS PORTIONS OF PARCEL "A" AND PARCEL "B" OF PARCEL MAP NO. 12543, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, RECORDED JANUARY 20, 1983 AS FILE NO. 83-030677 OF OFFICIAL RECORDS, AS ESTABLISHED BY THE DOCUMENT RECORDED ON JUNE 4, 1986 AS FILE NO. 86-223163 OF SAID OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE SOUTH 65° 37' 53" WEST, 13.03 FEET ALONG THE SOUTHERLY BOUNDARY LINE; THENCE LEAVING SAID SOUTHERLY BOUNDARY NORTH 20° 46' 13" WEST, 320.85 FEET PARALLEL TO THE EASTERLY BOUNDARY LINE; THENCE NORTH 37° 56' 46" WEST, 57.57 FEET; THENCE NORTH 20° 46' 13" WEST, 125.00 FEET, PARALLEL TO THE EASTERLY BOUNDARY LINE, TO THE NORTHERLY BOUNDARY LINE OF PARCEL B; THENCE NORTH 69° 13' 47" EAST, 30.00 FEET, ALONG THE NORTHERLY BOUNDARY LINE; THENCE SOUTH 20° 46' 13" EAST 500.03 FEET ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCELS "A" AND "B" TO THE POINT OF BEGINNING.

PARCEL A2: (APN 162-241-31)

THOSE PORTIONS OF PARCELS 1 AND 2 OF PARCEL MAP NO. 16548, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JULY 15, 1991 AS FILE NO. 1991-0345756 OF OFFICIAL RECORDS DESCRIBED AS FOLLOWS:

DESCRIPTION

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID PARCEL 2 BEARING NORTH 20°46'13" WEST 280.59 FEET FROM THE SOUTHWESTERLY CORNER OF SAID PARCEL 1; THENCE NORTH 69°13'47" EAST 372.02 FEET; THENCE SOUTH 20°46'13" EAST 206.64 FEET TO THE SOUTHERLY LINE OF SAID PARCEL 1; THENCE ALONG SAID SOUTHERLY LINE SOUTH 65°36'56" WEST 164.00 FEET; THENCE NORTH 88°55'59" WEST 6.12 FEET; THENCE SOUTH 00°28'40" WEST 58.45 FEET; THENCE SOUTH 65°37'53" WEST 181.84 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 1; THENCE NORTH 20°46'13" WEST 280.59 FEET TO THE POINT OF BEGINNING.

PARCEL B2:

AN EASEMENT FOR INGRESS, EGRESS AND UTILITY PURPOSES OVER, UNDER, ALONG AND ACROSS THAT PORTION OF PARCEL MAP NO. 16548, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JULY 15, 1991 AS FILE NO. 1991-0345756 OF OFFICIAL RECORDS, DESIGNATED AND DELINEATED THEREON AS "EXISTING RECIPROCAL ACCESS EASEMENT".

PARCEL C2:

AN EASEMENT FOR RECIPROCAL INGRESS AND EGRESS AND UTILITY PURPOSES OVER, UNDER AND ACROSS PORTIONS OF PARCEL "A" AND PARCEL "B" OF PARCEL MAP NO. 12543, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, RECORDED JANUARY 20, 1983 AS FILE NO. 83-030677 OF OFFICIAL RECORDS, AS ESTABLISHED BY THE DOCUMENT RECORDED ON JUNE 4, 1986 AS FILE NO. 86-223163 OF SAID OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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PARCEL A3: (APN 162-241-19)

PARCEL 2 IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, State of California, AS SHOWN AT PAGE 15456 OF PARCEL MAPS, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 15, 1988 AS FILE NO. 88-587281.



**CITY OF OCEANSIDE
PLANNING DEPARTMENT**

NOTICE OF EXEMPTION

TO: ☒ RECORDER/COUNTY CLERK
COUNTY OF SAN DIEGO
P.O. BOX 1750
SAN DIEGO, CA 92112-4147

PROJECT TITLE AND FILE NUMBER:
Del Oro Marketplace Tentative Parcel Map (P-22-02)

PROJECT LOCATION - SPECIFIC:
Southwest of College Blvd. and Oceanside Blvd.

PROJECT LOCATION - GENERAL:
City of Oceanside

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:

A Tentative Parcel Map to subdivide an existing developed 9.14-acre site into eight parcels.

NAME OF PUBLIC AGENCY APPROVING PROJECT:

City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:

Alex Zirpolo
617 Saxony Place, Suite #101
Encinitas, CA 92024
(760) 634-4252

Exempt Status per the Guidelines to Implement the California Environmental Quality Act (CEQA)
(Public Resources Code Section 21000 et. al.):

☐ NOT SUBJECT TO CEQA PER THE GENERAL RULE, SECTION 15061(B)(3)

☐ STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)

☒ CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION 15315

REASONS WHY PROJECT IS EXEMPT:

The proposed tentative parcel map is a subdivision of an existing developed property.

Contact Person: Iain Holt, Associate Planner


SIGNATURE

For: Gerald Gilbert, Planning Director

November 13, 2003

DATE

1 PLANNING COMMISSION
2 RESOLUTION NO. 2003-P63

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6 public easements to the satisfaction of the City Engineer and the City Attorney.
- 7 15. Prior to the approval of the Parcel Map the subdivider shall acquire necessary off-site
8 easements and rights-of way to the satisfaction of the City Engineer and the City Attorney
9 and record them at the office of the County Recorder.
- 10 16. Prior to the approval of the Parcel Map the subdivider shall execute and record at the
11 office of the County Recorder a covenant binding on the owners of the proposed parcels,
12 for all necessary private easements and reciprocal access and parking between the
13 proposed parcels to the satisfaction of the City Engineer and the City Attorney.
- 14 17. Open space areas and down-sloped areas visible from a collector-level or above roadway
15 and not readily maintained by the property owner, shall be maintained by a property owners
16 association that will insure installation and maintenance of landscaping in perpetuity. These
17 areas shall be indicated on the parcel map and either reserved for an association. In either
18 case, future buyers shall be made aware of any estimated monthly costs. The disclosure,
19 together with the CC&R's, shall be submitted to the City Engineer for review prior to the
20 recordation of parcel map. In the event the homeowner's association dissolves,
21 responsibility for irrigation and maintenance of the slopes (open space areas) adjacent to
22 each property shall become that of the individual property owner.
- 23 18. The development shall comply with all applicable regulations established by the United
24 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
25 Discharge Elimination System (N.P.D.E.S.) permit requirements for urban runoff and
26 storm water discharge and any regulations adopted by the City pursuant to the
27 N.P.D.E.S. regulations or requirements. Further, the applicant may be required to file a
28 Notice of Intent with the State Water Resources Control Board to obtain coverage under
29 the N.P.D.E.S. General Permit for Storm Water Discharges Associated with
Construction Activity and may be required to implement a Storm Water Pollution

1 Prevention Plan (SWPPP) concurrent with the commencement of grading activities.
2 SWPPPs include both construction and post construction pollution prevention and
3 pollution control measures and identify funding mechanisms for post construction
4 control measures. The subdivider shall comply with all the provisions of the Clean
5 Water Program during and after all phases of the development process, including but not
6 limited to: mass grading, rough grading, construction of street and landscaping
7 improvements, and construction of dwelling units. The applicant shall design the
8 Project's storm drains and other drainage facilities to include Best Management Practices
9 to minimize non-point source pollution, satisfactory to the City Engineer.

10 Planning:

- 11 19. This Tentative Parcel Map shall expire on December 1, 2005, unless a time extension is
12 granted by the Planning Commission.
- 13 20. This Tentative Parcel Map approves only an 8-lot subdivision as shown on the plans and
14 exhibits presented to the Planning Commission for review and approval. No deviation
15 from these approved plans and exhibits shall occur without Planning Department approval.
16 Substantial deviations shall require a revision to the Tentative Parcel Map or a new
17 Tentative Parcel Map.
- 18 21. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
19 harmless the City, its agents, officers or employees from any claim, action or proceeding
20 against the City, its agents, officers, or employees to attack, set aside, void or annul an
21 approval of the City, concerning Tentative Parcel Map P-22-02. The City will promptly
22 notify the applicant of any such claim, action or proceeding against the city and will
23 cooperate fully in the defense. If the City fails to promptly notify the applicant of any
24 such claim action or proceeding or fails to cooperate fully in the defense, the applicant
25 shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.
- 26 22. A covenant or other recordable document approved by the City Attorney shall be prepared
27 by the subdivider and recorded prior to the approval of the final map. The covenant shall
28 provide that the property is subject to this Resolution, and shall generally list the conditions
29 of approval.
23. Prior to the transfer of ownership of the site the owner shall provide a written copy of the

1 applications, staff report and resolutions for the project to the new owner and or operator.
2 This notification's provision shall run with the life of the project and shall be recorded as a
3 covenant on the property.

- 4 24. Failure to meet any conditions of approval for this development shall constitute a violation
5 of the Tentative Parcel Map.

6 Water Utilities:

- 7 25. No trees, structures or building overhang shall be located within any water or wastewater
8 utility easement.

- 9 26. All Water and Wastewater construction shall conform to the most recent edition of the
10 City's Engineers Manual, or as approved by the Water Utilities Director.

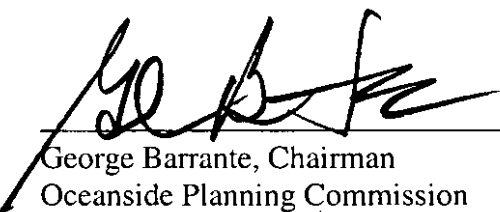
11 PASSED AND ADOPTED Resolution No. 2003-P63 on December 1, 2003 by the
12 following vote, to wit:

13 AYES: Barrante, Chadwick, Schaffer, Nack, Todd, Neal and Parker


14 NAYS: None

15 ABSENT: None

16 ABSTAIN: None

17
18 
George Barrante, Chairman
Oceanside Planning Commission

19
20 ATTEST:

21 
22 _____
Gerald S. Gilbert, Secretary

23
24 I, GERALD S. GILBERT, Secretary of the Oceanside Planning Commission, hereby certify that
25 this is a true and correct copy of Resolution No. 2003-P63.

26 Dated: December 1, 2003
27
28
29

DESCRIPTION

PARCEL A1: (APN 162-241-30)

THOSE PORTIONS OF PARCELS 1 AND 2 OF PARCEL MAP NO. 16548, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JULY 15, 1991 AS FILE NO. 1991-0345756 OF OFFICIAL RECORDS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID PARCEL 2 BEARING NORTH 20°46'13" WEST 280.59 FEET FROM THE SOUTHWESTERLY CORNER OF SAID PARCEL 1; THENCE NORTH 69°13'47" EAST 372.02 FEET; THENCE SOUTH 20°46'13" EAST 206.64 FEET TO THE SOUTHERLY LINE OF SAID PARCEL 1; THENCE ALONG SAID SOUTHERLY LINE NORTH 65°36'56" EAST 578.01 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 1; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1 AND 2, NORTH 19°15'05" WEST 389.78 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 2; THENCE ALONG THE NORTHERLY LINE THEREOF SOUTH 69°13'47" WEST 959.21 FEET TO THE NORTHWESTERLY CORNER THEREOF; THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 2 SOUTH 20°46'13" EAST 219.44 FEET TO THE POINT OF BEGINNING.

RESERVING THEREFROM AN EASEMENT FOR INGRESS, EGRESS AND UTILITY PURPOSES OVER, UNDER, ALONG AND ACROSS THAT PORTION OF SAID PARCEL MAP DESIGNATED AND DELINEATED THEREON AS "EXISTING RECIPROCAL ACCESS EASEMENT".

PARCEL B1:

AN EASEMENT FOR INGRESS, EGRESS AND UTILITY PURPOSES OVER, UNDER, ALONG AND ACROSS THAT PORTION OF PARCEL MAP NO. 16548, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JULY 15, 1991 AS FILE NO. 1991-0345756 OF OFFICIAL RECORDS, DESIGNATED AND DELINEATED THEREON AS "EXISTING RECIPROCAL ACCESS EASEMENT".

PARCEL C1:

AN EASEMENT FOR RECIPROCAL INGRESS AND EGRESS AND UTILITY PURPOSES OVER, UNDER AND ACROSS PORTIONS OF PARCEL "A" AND PARCEL "B" OF PARCEL MAP NO. 12543, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, RECORDED JANUARY 20, 1983 AS FILE NO. 83-030677 OF OFFICIAL RECORDS, AS ESTABLISHED BY THE DOCUMENT RECORDED ON JUNE 4, 1986 AS FILE NO. 86-223163 OF SAID OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE SOUTH 65° 37' 53" WEST, 13.03 FEET ALONG THE SOUTHERLY BOUNDARY LINE; THENCE LEAVING SAID SOUTHERLY BOUNDARY NORTH 20° 46' 13" WEST, 320.85 FEET PARALLEL TO THE EASTERLY BOUNDARY LINE; THENCE NORTH 37° 56' 46" WEST, 57.57 FEET; THENCE NORTH 20° 46' 13" WEST, 125.00 FEET, PARALLEL TO THE EASTERLY BOUNDARY LINE, TO THE NORTHERLY BOUNDARY LINE OF PARCEL B; THENCE NORTH 69° 13' 47" EAST, 30.00 FEET, ALONG THE NORTHERLY BOUNDARY LINE; THENCE SOUTH 20° 46' 13" EAST 500.03 FEET ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCELS "A" AND "B" TO THE POINT OF BEGINNING.

PARCEL A2: (APN 162-241-31)

THOSE PORTIONS OF PARCELS 1 AND 2 OF PARCEL MAP NO. 16548, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JULY 15, 1991 AS FILE NO. 1991-0345756 OF OFFICIAL RECORDS DESCRIBED AS FOLLOWS:

DESCRIPTION

BEGINNING AT A POINT ON THE WESTERLY LINE OF SAID PARCEL 2 BEARING NORTH 20°46'13" WEST 280.59 FEET FROM THE SOUTHWESTERLY CORNER OF SAID PARCEL 1; THENCE NORTH 69°13'47" EAST 372.02 FEET; THENCE SOUTH 20°46'13" EAST 206.64 FEET TO THE SOUTHERLY LINE OF SAID PARCEL 1; THENCE ALONG SAID SOUTHERLY LINE SOUTH 65°36'56" WEST 164.00 FEET; THENCE NORTH 88°55'59" WEST 6.12 FEET; THENCE SOUTH 00°28'40" WEST 58.45 FEET; THENCE SOUTH 65°37'53" WEST 181.84 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 1; THENCE NORTH 20°46'13" WEST 280.59 FEET TO THE POINT OF BEGINNING.

PARCEL B2:

AN EASEMENT FOR INGRESS, EGRESS AND UTILITY PURPOSES OVER, UNDER, ALONG AND ACROSS THAT PORTION OF PARCEL MAP NO. 16548, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JULY 15, 1991 AS FILE NO. 1991-0345756 OF OFFICIAL RECORDS, DESIGNATED AND DELINEATED THEREON AS "EXISTING RECIPROCAL ACCESS EASEMENT".

PARCEL C2:

AN EASEMENT FOR RECIPROCAL INGRESS AND EGRESS AND UTILITY PURPOSES OVER, UNDER AND ACROSS PORTIONS OF PARCEL "A" AND PARCEL "B" OF PARCEL MAP NO. 12543, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, RECORDED JANUARY 20, 1983 AS FILE NO. 83-030677 OF OFFICIAL RECORDS, AS ESTABLISHED BY THE DOCUMENT RECORDED ON JUNE 4, 1986 AS FILE NO. 86-223163 OF SAID OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL "A"; THENCE SOUTH 65° 37' 53" WEST, 13.03 FEET ALONG THE SOUTHERLY BOUNDARY LINE; THENCE LEAVING SAID SOUTHERLY BOUNDARY NORTH 20° 46' 13" WEST, 320.85 FEET PARALLEL TO THE EASTERLY BOUNDARY LINE; THENCE NORTH 37° 56' 46" WEST, 57.57 FEET; THENCE NORTH 20° 46' 13" WEST, 125.00 FEET, PARALLEL TO THE EASTERLY BOUNDARY LINE, TO THE NORTHERLY BOUNDARY LINE OF PARCEL B; THENCE NORTH 69° 13' 47" EAST, 30.00 FEET, ALONG THE NORTHERLY BOUNDARY LINE; THENCE SOUTH 20° 46' 13" EAST 500.03 FEET ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCELS "A" AND "B" TO THE POINT OF BEGINNING.

PARCEL A3: (APN 162-241-19)

PARCEL 2 IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, State of California, AS SHOWN AT PAGE 15456 OF PARCEL MAPS, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, NOVEMBER 15, 1988 AS FILE NO. 88-587281.



**CITY OF OCEANSIDE
PLANNING DEPARTMENT**

NOTICE OF EXEMPTION

TO: ☒ RECORDER/COUNTY CLERK
COUNTY OF SAN DIEGO
P.O. BOX 1750
SAN DIEGO, CA 92112-4147

PROJECT TITLE AND FILE NUMBER:
Del Oro Marketplace Tentative Parcel Map (P-22-02)

PROJECT LOCATION - SPECIFIC:
Southwest of College Blvd. and Oceanside Blvd.

PROJECT LOCATION - GENERAL:
City of Oceanside

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:

A Tentative Parcel Map to subdivide an existing developed 9.14-acre site into eight parcels.

NAME OF PUBLIC AGENCY APPROVING PROJECT:

City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:

Alex Zirpolo
617 Saxony Place, Suite #101
Encinitas, CA 92024
(760) 634-4252

Exempt Status per the Guidelines to Implement the California Environmental Quality Act (CEQA)
(Public Resources Code Section 21000 et. al.):

☐ NOT SUBJECT TO CEQA PER THE GENERAL RULE, SECTION 15061(B)(3)

☐ STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)

☒ CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION 15315

REASONS WHY PROJECT IS EXEMPT:

The proposed tentative parcel map is a subdivision of an existing developed property.

Contact Person: Iain Holt, Associate Planner


SIGNATURE

For: Gerald Gilbert, Planning Director

November 13, 2003

DATE