

## CALIFORNIA COASTAL COMMISSION

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# Thu 7b

Filed: November 9, 2006  
49th Day: Waived  
Staff: Toni Ross-SD  
Staff Report: December 21, 2006  
Hearing Date: January 10-12

## STAFF REPORT AND RECOMMENDATION ON APPEAL

LOCAL GOVERNMENT: City of Oceanside

DECISION: Approved with Conditions

APPEAL NO.: A-6-OCN-06-134

APPLICANT: Mary and Duke Stroud

PROJECT DESCRIPTION: Demolish an existing 948 sq. ft. home and construct a 4,050 sq. ft. two-story home with a 500 sq. ft. garage on a 5,700 sq. ft. oceanfront lot.

PROJECT LOCATION: 1507 Pacific St. Oceanside, San Diego County  
APN 153-012-38

APPELLANTS: Josephine Gluzman, Jerry and Gayle Heller, Linda Morgan, Patty Richenberger, Mr. & Mrs. Roger D. Chaussee.

STANDARD OF REVIEW: Certified City of Oceanside Local Coastal Program and the public access policies of the Coastal Act.

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### SUMMARY OF STAFF RECOMMENDATION:

The staff recommends that the Commission, after public hearing, determine that no substantial issue exists with respect to the grounds on which the appeal has been filed. The appellants' contention primarily focuses on the obstruction of public coastal views and the lack of proper front yard setback given its close proximity to a highly utilized beach park. Staff has reviewed the City file and the information provided by the appellants and has concluded that, although the project will result in some diminution in public views, the development is consistent with all applicable LCP provisions.

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SUBSTANTIVE FILE DOCUMENTS: Certified City of Oceanside Local Coastal Program, Appeal Forms, Staff Report to the Community Development Commission dated October 9, 2006; Wave Hazard Study for 1507 Pacific by Skelly Engineering dated August, 2003; Blockface Measurement Report by Larry

Taylor dated August 21, 2006; Letters of opposition from the Coalition for the Preservation of The Public Ocean Views From Pacific Street with signatures dated October 22, 2006 and November 11, 2006; Petition from the Preservation of The Public Ocean Views From Pacific Street with signatures received on November 3, 2006.

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I. Appellants Contend That: The proposed development will obstruct public views of the ocean and is too large given its proximity to the adjacent beach and park.

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II. Local Government Action: The coastal development permit was approved by the Planning Commission on October 9, 2006. The project was approved with conditions that include requiring the applicant to remove existing fence and bushes in the front 15 feet of property, to construct a pedestrian path in the public right-of-way and to obtain a new Coastal Development Permit when any alterations to the revetment are necessary in the future. Beyond this, the standard conditions for storm water management, adherence to stringline, and conformity to original plans are also included.

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III. Appeal Procedures/Substantial Issue Analysis: After certification of a Local Coastal Program (LCP), the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits. Projects within cities and counties may be appealed if they are located within mapped appealable areas.

Section 30604(b)(1) of the Coastal Act states:

*The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified local coastal program or the public access policies set forth in this division.*

Coastal Act Section 30625(b) states that the Commission shall hear an appeal unless it determines:

*With respect to appeals to the commission after certification of a local coastal program, that no substantial issue exists with respect to the grounds on which an appeal has been filed pursuant to Section 30603.*

If the staff recommends "substantial issue" and no Commissioner objects, the Commission will proceed directly to a de novo hearing on the merits of the project. If the staff recommends "no substantial issue" or the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have 3 minutes per side to address whether the appeal raises a substantial issue. It takes a majority of Commissioners present to find that no substantial issue is raised. If substantial issue is found, the Commission will proceed to a full public hearing on the merits of the project.

If the Commission conducts a de novo hearing on the permit application, the applicable test for the Commission to consider is whether the proposed development is in conformity with the certified Local Coastal Program.

In addition, for projects located between the sea and the first public road paralleling the sea, Section 30604(c) of the Act requires that a finding must be made by the approving agency, whether the local government or the Coastal Commission on appeal, that the development is in conformity with the public access and public recreation policies of Chapter 3. In other words, in regard to public access questions, the Commission is required to consider not only the certified LCP, but also Chapter 3 policies when reviewing a project on appeal.

The only persons qualified to testify before the Commission at the "substantial issue" stage of the appeal process are the applicant, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing. At the time of the de novo hearing, any person may testify.

The term "substantial issue" is not defined in the Coastal Act or its implementing regulations. The Commission's regulations indicate simply that the Commission will hear an appeal unless it "finds that the appeal raises no significant question" (Cal. Code Regs. titl. 14 section 13155(b)). In previous decisions on appeals, the Commission has been guided by the following factors:

1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the certified LCP;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government's decision for future interpretations of its LCP; and
5. Whether the appeal raises only local issues, or those of regional or statewide significance.

Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government's coastal permit decision by filing petition for a writ of mandate pursuant to the Code of Civil Procedure, section 1094.5.

In this case, for the reasons discussed further below, the Commission exercises its discretion and determines that the development approved by the City of Oceanside does not raise a substantial issue with regard to the appellants' contentions regarding protection of coastal resources.

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#### IV. Staff Recommendation On Substantial Issue.

The staff recommends the Commission adopt the following resolution:

**MOTION:**     *I move that the Commission determine that Appeal No. A-6-OCN-06-134 raises NO substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act.*

#### **STAFF RECOMMENDATION OF NO SUBSTANTIAL ISSUE:**

Staff recommends a **YES** vote. Passage of this motion will result in a finding of **No Substantial Issue** and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the Commission will not hear the application de novo and the local action will become final and effective. The motion passes only by an affirmative vote by a majority of the Commissioners present.

#### **RESOLUTION TO FIND NO SUBSTANTIAL ISSUE:**

The Commission finds that Appeal No A-6-OCN-06-134 does not present a substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.

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#### V. Findings and Declarations.

The Commission finds and declares as follows:

1. Project Description. The proposed project includes the demolition of the existing 948 sq. ft. single story home and the construction of a new two-story 4,050 sq. ft. single-family residence with a 500 sq. ft. garage and a 30 sq. ft. storage area on a 5,700 sq. ft. beachfront lot.<sup>1</sup> The height of the development was approved at 27' not including the elevator shaft to the roof-deck which will reach 35'. The project site is located at 1507 Pacific Street, just north of Morse Street and is the first lot south of Buccaneer Beach and directly south west of Buccaneer Park (ref. Exhibit #2).

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<sup>1</sup> The City of Oceanside's permit describes the project as a 3,102 sq. ft. addition to a 948 sq. ft. home, however, substantial demolition is proposed in this project, thus, the Commission considers the proposed project as a demolition and new construction. Further, there are inconsistencies between the square footage described in the City's staff report, site plan and resolution. The square footage from the resolution will be used for this report given that it is the square footage that was approved by the City of Oceanside Planning Commission.

The subject site is flat; however, some excavation will be necessary for the garage pad. Directly south of the subject site are three single family residences that are smaller-scale than the proposed residence. Beyond them are a large condominium complex and then larger single family residences. To the north is Buccaneer Beach, Loma Alta Creek, then a condominium complex and larger single family residences. The lot is bordered by rip-rap to the north and the west of the property. No alterations to the western rip-rap are proposed and the northern section of rip-rap is not within their property line and is maintained by the city, but is not proposed to be modified at this time.

The project site is located adjacent to and directly south of Buccaneer Beach (ref. Exhibit #2). Buccaneer Beach is an easily accessible and highly used public beach. It has a wide sandy bank that extends all the way east to the sidewalk alongside Pacific Street and reaches capacity during the summer months. The unobstructed sandy shoreline extends approximately 200 feet measuring from north to south along Pacific Street. Buccaneer Park is located east of Buccaneer Beach (ref. Exhibit #2) and the subject site. Buccaneer Park is approximately twice the size of Buccaneer Beach. The amenities at the park include a free parking lot consisting of 57 spaces, restrooms, a basketball court and a play area for children. The parking lot is often used by locals as a pleasant place to sit in their car and eat lunch while viewing the ocean. During the summer months the parking lot reaches full capacity very early in the day, often with large Recreational Vehicles (RVs) parking there to enjoy the amenities that the combination of park and beach provide. The western front of the park has a small walk-up style café that beach and park-goers alike enjoy.

There is an elevated sidewalk approximately just south of Buccaneer Beach and Park on the eastern side of Pacific Street. This sidewalk begins at the Saint Malo development and extends approximately ½ mile, terminating at the intersection of Morse and Pacific Streets (ref. Exhibit #2). The sidewalk is located at the top of a shotcrete retaining wall. According to the City, this walkway was constructed due to the limited space for public right-of-ways on Pacific Street. This elevated sidewalk is used by pedestrians on a daily basis, and is the only safe passage on Pacific Street from South Oceanside northward. Just east of Buccaneer Park is a segment of the Coastal Rail Trail; bicyclists and pedestrians utilize this trail often directing their path west down Morse Street, to the junction with Pacific Street or to enjoy the views at Buccaneer Beach.

2. Public Views. The appellants contend that the development as approved by the City of Oceanside obstructs public views of the ocean and is too large and out-of-character with its surroundings. As explained below, the project complies with the LCP's *quantitative* standards regarding size, bulk, and setbacks. In addition, the appeals do not raise a substantial issue regarding the project's conformity with the LCP's *qualitative* policies regarding public views.

A.. Quantitative Standards. The appellants' fault the City's use of "block face averaging" in determining the necessary front yard setback for the approved development. Specifically the appellants contend that if the standard 15' ft. setback was required, as opposed to the approved block face average, view obstructions could be

minimized if not eliminated. The appellants also contend that the bulk and scale of the development is not compatible with the existing development pattern in the area, and thus inconsistent with LCP provisions. Specifically, the appellants contend that the proposed development is located within a pocket of smaller scale single family residences, and in order to maintain the character of the area, the proposed development should not be permitted at its approved bulk and scale.

a. Front and Rear Yard Setbacks. The following LCP provision is applicable to the proposed development:

**City of Oceanside Zoning Ordinance 3016 – Front Yard in R Districts**

Where lots comprising 40 percent of the frontage on a blockface in an R district are improved with buildings, the required front yard shall be the average of the front yard depths for structures other than garages and carports on each developed site in the same district on the blockface.

The City LCP requires that new development in the R District provide a 15 ft. front yard setback. However, as cited above, the LCP also contains a provision which allows the setback to be determined based on a block face average if more than 40 percent of the lots on a particular block are developed. In this case, more than 40 percent of the block is developed. As such, the use of the block face average by the City is appropriate.

To determine the block face average of an area, a survey is taken of the surrounding community. The survey is required to extend a distance of 300 feet in each direction, for a minimum of 10 homes surveyed on each side of the street. The front yard setback measurement does not include accessory buildings such as garages and carports, but rather considers the beginning of the habitable area of a particular structure, the standard for setback. Once the necessary number of homes has been surveyed, and the front yard setback determined for each home, an average is taken, and this number becomes the required minimum for front yard setback for the proposed development. Certain zones within the City of Oceanside are permitted to determine front yard setbacks by blockface average.

As noted above, the proposed development is within the R District and is in an area where the blockface average is primarily used, not the standard 15', when determining the necessary front yard setback. A survey was conducted by a Civil Engineer (ref. Exhibit #7) to determine the blockface average as it relates to the subject site. Based on this survey, the City of Oceanside approved the development with a front yard setback of 4 feet 3 inches. The Commission has also reviewed the applicant's survey and concurs the 4 ft. 3-inch front yard setback approved by the City, is consistent, with the policies pertaining to front yard setbacks. The approved site plans also show the setback for the front yard as staggered into 2 sections, and lies on a diagonal lot, with only the most protruding areas of the front of the home being setback 4 feet 3 inches from the property line. Thus, portions of the front of the home are setback further than the determined average (ref. Exhibit #8).

The proposed home is not only limited on its street frontage, but also along its western beach frontage. Regarding rear yard (ocean) setbacks, the certified LCP contains a requirement that new development along the ocean not extend further seaward than a “string line”. The goal of limiting new development to extend no further seaward than the string line is to restrict encroachment onto the shoreline and preserve public views along the shoreline. Section 1703 of the certified implementing ordinances (zoning code) provides:

**Section 1703 (e) (Rear Yard Setbacks)**

Notwithstanding any other provisions of this section, buildings or structures located on lots contiguous to the shoreline shall be compatible in scale with existing development and shall not extend further seaward than the line established on the “String line Setback Map”, which is kept on file in the Planning Division.

Appurtenances such as open decks, patios and balconies may be allowed to extend seaward of the String line Setback line, providing that they do not substantially impair the views from adjoining properties. The size of a development located on the western portion of Pacific Street is restricted by the western “string-line” boundary. The certified “String line Setback Map” was developed in 1983 by overlaying an imaginary string line on an aerial photo of the shoreline in the City of Oceanside. The map shows how far new development may extend towards the ocean. The string line map was based on existing building patterns, as well as anticipated future developments and remodels/expansions.

The western stringline for the proposed development was set at 91 feet west of the property line. The design of the house as approved by the City placed the residence 89 feet west of the property line, thus adhering to the western stringline requirement. The proposed residence also meets the required side yard setback requirements of the certified LCP. Thus, the approved development has stayed within the front yard, rear yard (ocean) and side yard minimum setback regulations.

b. Bulk and Scale. The certified City of Oceanside Local Coastal Plan Design Standards and LUP address bulk and scale and state in part that:

**City of Oceanside LCP policy – Visual Resources and Special Communities**

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

**Costal Development Design Standards – Provisions for Land Use Plan**

5. South Oceanside

(a) Beach Residential Neighborhood

“This area consists of a mixture of residential densities and housing types. Most architecture in the area is contemporary, and styles range from austere stucco apartments to large, modern beach front luxury homes. Natural vegetation is sparse in this area, and introduced landscaping is often confined to salt tolerant species due

to the influence of coastal breezes and salt air. **Because of narrow frontage lots, many of the beach front lots have been developed with boxy buildings.**

In this case, the subject lot currently contains an existing one-story home approximately 948 sq. ft. and the development approved by the city will replace it with a new two-story home approximately 4,050 sq. ft. home. As stated in the above design standards for the South Oceanside Residential Beach Community, the small size of frontage lots lead to homes within this region attempting to maximize the square footage possible for their given lot, thus the “boxy” style design, and large building envelope. The City of Oceanside’s Certified LCP combines height with building coverage to establish the building envelope. Coverage is a ratio of the total building footprint (including roof overhangs) as compared to the total lot area. Since the project is located in the Residential Tourist (RT) zone, there is no coverage maximum for residential use. The South Pacific Street neighborhood has a large number of recently constructed homes blended with older cottage homes built in the fifties and sixties. Structures on this block range in size from 1,250 sq. ft. single-family homes to over 40,000 sq. ft. multi-unit condominium structures, with the median size at 6,400 sq. ft., placing the proposed structure as “average” or “mid-range” in size, bulk and scale.

As noted above, while the proposed development will be larger than the home that currently exists on the site, the structure meets all the LCP requirements that address bulk and scale and no variances have been granted. In addition, the proposed structure will be consistent with other development in the surrounding neighborhood. Based on the above discussion, the Commission finds the project complies with the applicable quantitative standards in the certified LCP and therefore, the appeal does not raise a substantial issue with regard to the project’s consistency with the certified LCP.

**B. Qualitative Policies Regarding Protection of Public Views.** The development the city approved is a modification from a single story bungalow style home with a 30 foot front yard setback to a two-story large-scale single-family home with a 4 foot 3 inch front yard setback. The vantage point for the coastal views in contention lies within this change in setback. Currently as you walk west down Morse Street towards the subject site, the 30 foot setback on a single story residence allows pedestrians intermittent blue water views across the site and through Buccaneer Beach. Some of the view potential from Morse Street is currently blocked by vegetation from Buccaneer Park. The residence’s current low elevation and large front yard setback also allows for viewing opportunities as you walk down to the terminus of the public elevated walkway on the eastern side of Pacific Street.

The appellants contend that the combination of the new second story and the decrease in front yard setback from the existing home will result in portions of the ocean view being blocked. The appellants contend that the City staff report did not fully discuss the visual impacts the development would have on public views. Consequently, the development will not be in conformity with policies regarding visual protection from view corridors and/or open spaces.



a. Planning Commission Staff Report

The appellants contend that the policies of the LCP were not upheld given that the Planning Commission Staff Report failed to take into consideration the view obstructions from any vantage point east of the development, and instead focused only the view blockage potential from west of the development along the coastline. The following LCP LUP policy is applicable and states:

**City of Oceanside LCP Land Use Policies for Visual Resources**

1. In areas of significant natural aesthetic value, new developments shall be subordinate to the natural environment.

The City imposed numerous conditions that pertain to the protection of public views. The city took caution in making sure that the proposed development adhered to the “string-line” standards for the western portion of the home. The proposed development has a number of design features to assure public coastal views are considered, including an open balcony on the eastern face of the home and staggered garage doors allowing for a more open visual cone from Pacific Street and east through to Buccaneer Beach (ref. Exhibit #8, 9). The City-approved coastal development permit includes the following conditions that address protection of public views:

42. The existing fence that projects across the sidewalk towards the curb and gutter shall be removed. A fence less than 42 inches in height is allowed within 15 feet of the front property line may be up to 5 feet in height if the fence material above 42” is decorative in appearance and 75-percent open. Chain link or similar materials are not an acceptable decorative material for fences above 42” in height.

44. The existing street fronting shrubs shall be removed where they are located within 15-feet of the front property line.

79. The front yard is subject to 3016 Front Yards in R Districts. The average of the front yard depths for the purposes of meeting this requirement is 4 feet 3 inches. This average front yard depth shall be applied to residential structures. Fence height limitations and opacity requirements are subject to the 15’ front yard requirement.

As stated above, the City of Oceanside approved the development with conditions pertaining to a front yard set back, the removal of vegetation and the reduction of fencing. All of these conditions will increase the viewing opportunities for the public across the site from offsite locations. Thus, while the City may not have addressed the view obstruction potential directly in its staff report, it is apparent that retention of coastal views was in fact a goal based upon the conditions of approval.

When faced with these kinds of proposals, the **scale** of view impacts has to become the determining factor. Coastal views exist; and the development will impact these views, however the significance of these opportunities is subsidiary to those located directly

north. Buccaneer Beach, Buccaneer Park and Pacific Street all offer unobstructed blue water views and will continue to offer such views after the subject development is constructed.

b. View Corridors

The appellants also contend that views from the east towards the ocean should be considered a “view corridor” and as such, protected through numerous LCP policies. There are a number of highly used public areas located immediately adjacent to the subject site including Buccaneer Beach, Buccaneer Park, a section of the Coastal Rail Trail, and an elevated public walkway. The appellants contend that due to the density of visitor serving attractions, this region should be considered an area of high aesthetic value, and thus **all** existing public views should be protected. Specifically the appellants contend that the proposed development will incur the following public view impacts; 270 ft. along the east side of Pacific Street from the elevated sidewalk, 120 ft. from the most western face of Buccaneer Park including the free parking spaces, 100 ft. along the south side of Morse Street and 50 ft. along views from north side of Morse Street (ref. Exhibit #2). The appellant contends that within these distances there are varying amounts of view blockage ranging from partial to full view obstruction.

The City of Oceanside certified Local Coastal Plan LUP and Design Standards address view corridors and state in part that:

**City of Oceanside LCP Land Use Policies for Visual Resources**

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

**City of Oceanside LCP – Design Standards for Preserving and Creating Views**

The visual orientation to the Pacific Ocean is a major identity factor for the City of Oceanside. Traditional view corridors should be preserved and reinforced in the placement of buildings and landscaping. Additionally, some views not presently recognized, deserve consideration in the design and location of further coastal improvements.

In addition, the appellants assert that the following LCP provisions are applicable as they included definitions of view corridors, etc.

**Design Standards for Beach Accessways**

*Definition:* A view corridor is an unobstructed line of view to be preserved for passing motorists, pedestrians and bicyclists from the nearest public road to the open, lagoon or other scenic landscape.

*Specifications:* View corridors should be considered as “visual access” and an integral part of coastal access. Open space buffers or greenbelts should be provided

along major view corridors. Efforts should be made to integrate view corridors with vertical access points whenever possible.

*Location and Distribution:* Because of the recreational and scenic value of the coastal landscape, view corridors should be provided wherever possible, along linear greenbelts or internal streets. In the event the proposed new development or redevelopment, structures should be sited so as to protect existing view corridors and/or provide new corridors.

However, the above definitions, while included in the certified LCP, are taken from the design guidelines for development of public accessways and are not applicable to the proposed residential development.

Typically, when determining a “view corridor”, Buccaneer Beach/Park would be the view corridor, not the area where the approved development is located. Views from the beach and park are linear and unobstructed whereas the views from the elevated sidewalk and Morse Street are intermittent and from the periphery. By definition, a “view corridor” implies that there is a defined start and stop of the corridor. The northern portion of the existing property has already created the southern terminus for this corridor. Further, the protection of view corridors has mostly been used to protect development from infringing upon the most westerly portions of a street running east to west. Morse Street could be considered a view corridor if the end of this street was in fact undeveloped, however, located at the westerly end of Morse Street is a row of homes, one of which is the subject site. Because these areas do not fit into the typical definition of a view corridor, they therefore are not placed under the same regulations as a development that would.

Commission Staff measured the potential view blockage versus open view corridor to compare with the appellant’s contention. The impacts described by the appellants from Buccaneer Park were not confirmed by staff. Due to the lower elevation of the Park and existing vegetation, blue water views do not exist from the majority of Buccaneer Park, and therefore no impacts were recorded from this site. Regarding the public views along Morse Street, staff has confirmed that there will be impacts. Public ocean views for approximately 94 feet along the south side of Morse Street, and approximately 70 feet along the north side of Morse Street will be obscured by the proposed development. The views along this street currently are intermittent given the tall vegetation located between Morse Street and Buccaneer Beach. In addition, staff determined that 72 feet of public ocean views will be obstructed while traveling along the elevated sidewalk. It is from this location that the impacts will be greatest. Currently coastal views from this elevated sidewalk are only available *in between* the various residences or at the Cassidy Street crossing further south of the subject site. The low elevation and high front yard setback on the existing residence allows for more unobstructed ocean views as one travels along the northern end of this approximately ½ mile-long walkway. The expansive development proposed will partially to fully obstruct the viewing opportunities from this vantage point. A pedestrian will not resume these views until reaching the termination of the elevated sidewalk at Morse Street. While the project will result in some impacts on existing views from off-site public vantage points, these impacts are minor and the

majority of the existing public views from Buccaneer Park and Pacific Street will be maintained.

c. Proximity to an Open Space. The appellants contend that while the development does meet the LCP required design standards, more restrictive regulations should have been used by the City given its location directly adjacent to a beach park. Further, it is the appellants' contention that given the innately ambiguous design standards and coastal view policies the City should have taken an opportunity to set a precedent limiting the developments adjacent to highly used open spaces, instead of allowing for "the developer to push the envelope on bulk and scale."

The certified City of Oceanside Local Coastal Plan and Design Standards address open space and scale of new development and state in part that:

**City of Oceanside LCP policy – Visual Resources and Special Communities**

1. In areas of significant natural aesthetic value, new developments shall be subordinate to the natural environment.

**Design Standards for Street Scape**

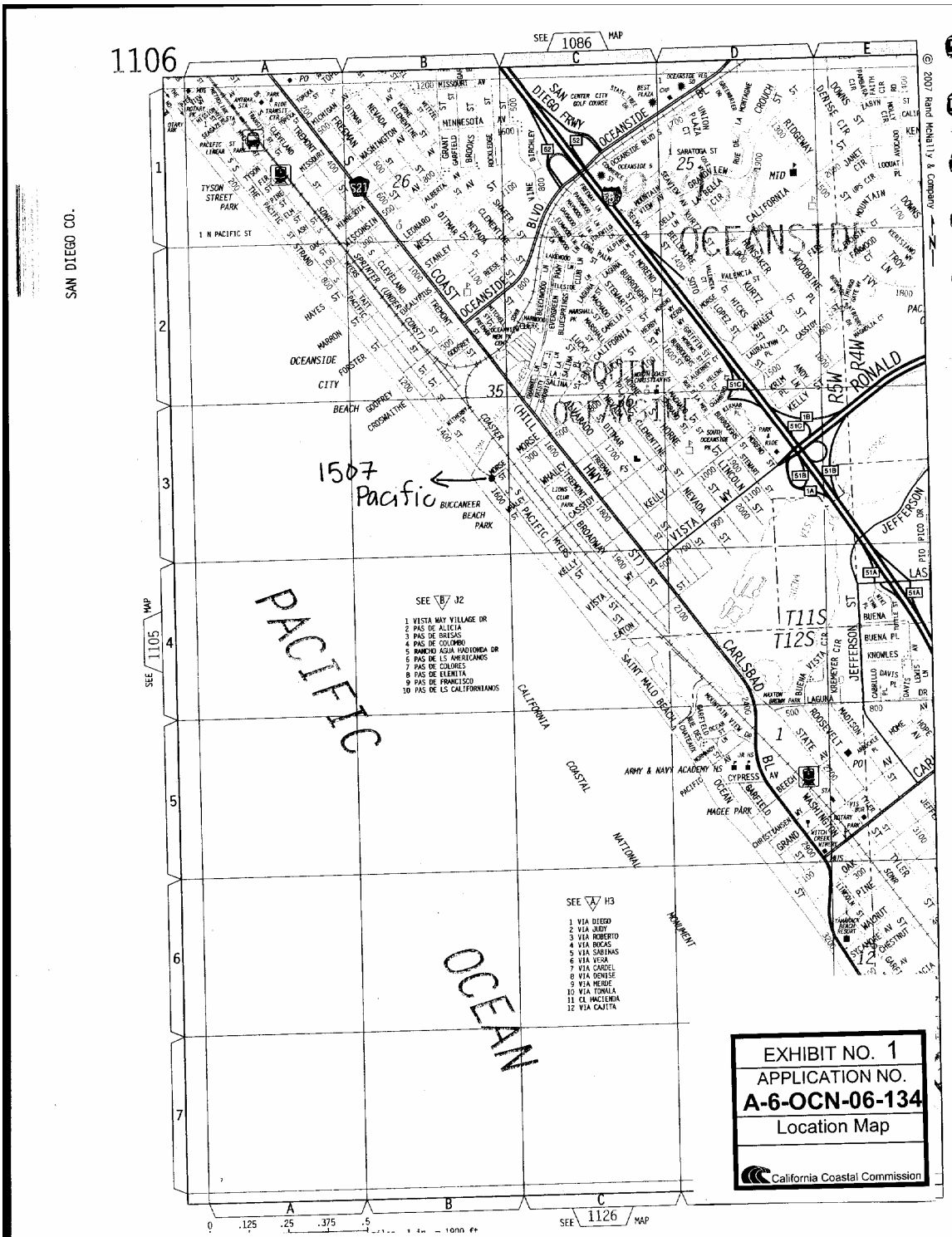
2. Building forms can be designed to respect and improve the integrity of open space and other public spaces.

The project approved by the City of Oceanside includes a demolition of a smaller single-story residence, and the construction of a much larger scale two-story residence. The development is located immediately south of Buccaneer Beach. While Buccaneer Beach is a highly used shoreline park, the integrity is not threatened by the approval of this development. There is no native vegetation proposed for removal, and while the change in scale may lead to greater shading of Buccaneer Beach, this effect is subjective and could be considered both positive and negative.

The design of the building has included a number of features to decrease the obtrusiveness of the residence. These features include five balcony areas on the second floor, copper flashing and planter boxes, a rooftop deck, and lush landscaping. These features minimize the rectangular box effect, and create a more visitor-friendly feel for those enjoying the adjoining shoreline. Further, as mentioned above, the applicant has met or exceeded all setback minimums for this given zone. This project, as approved, has included both design features, and permit conditions intended to decrease the bulk of the home, allowing for the uses of the open space, **and** the desires of the resident to be maintained. The appeals have therefore failed to raise a substantial issue regarding the conformity of the project with the certified LCP's policies regarding public views.

3. Conclusion. In summary, the development as approved by the City, is substantially consistent with all applicable LCP land use policies and development standards. Most of the appellants' contentions regard the obstruction of public views. It is important to reaffirm that the Commission is not disputing that view obstruction will be an impact of the approved development. The significance of the view obstruction is what is in question. In this particular case, the appellant contends that the proximity to an open space should result in more stringent standards regarding coastal view retention. The development as approved is not inconsistent with any of the Local Coastal Plan policies regarding public views. Further, while the size and scale may be greater than that of the three single family residences immediately to the south, the development is consistent with the community beyond this area. The project, as approved by the City, will not result in adverse impacts to public access, public views, or community character. Therefore, the Commission finds that the appeal does not raise a substantial issue with regard to the project's consistency with the certified LCP.

4. Substantial Issue Factors. As discussed above, there is strong factual and legal support for the City's determination that the proposed development is consistent with the certified LCP. The other factors that the Commission normally considers when evaluating whether a local government's actions raises substantial issue also support a finding of no substantial issue. The proposed project is for the demolition of a one-story single-family residence and the construction of two-story single family residence. This residence is comparable in size and scale to the surrounding community. While the city did approve a development that will affect some current public coastal views and the City of Oceanside's LCP does have objectives and policies that protect these views, the scale of view obstruction is consistent with the visual resources regulations of the LCP, and do not set a precedent for future interpretations of the LCP. Finally, the objections to the project suggested by the appellants do not raise any substantial issues of regional or statewide significance.



SAN DIEGO CO.

1106

SEE 1086 MAP

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1507 Pacific

- SEE 1086 MAP
- 1 VISTA WY VILLAGE DR
  - 2 PAS DE ALICIA
  - 3 PAS DE BRESAS
  - 4 PAS DE COLOMBO
  - 5 RANCHO AGUA HADONDA DR
  - 6 PAS DE LOS AMERICANOS
  - 7 PAS DE COLORES
  - 8 PAS DE ELEENITA
  - 9 PAS DE FRANCISCO
  - 10 PAS DE LOS CALIFORNIANOS

SEE 1105 MAP

- 1 VIA DIEGO
- 2 VIA JUDY
- 3 VIA ROBERTO
- 4 VIA BRIGAS
- 5 VIA SABINAS
- 6 VIA VISA
- 7 VIA CARDEL
- 8 VIA DENISE
- 9 VIA MERCE
- 10 VIA TONIA
- 11 CL HACIENDA
- 12 VIA CAJITA

**EXHIBIT NO. 1**  
**APPLICATION NO.**  
**A-6-OCN-06-134**  
 Location Map

0 .125 .25 .375 .5 1.000 FT  
 SEE 1126 MAP

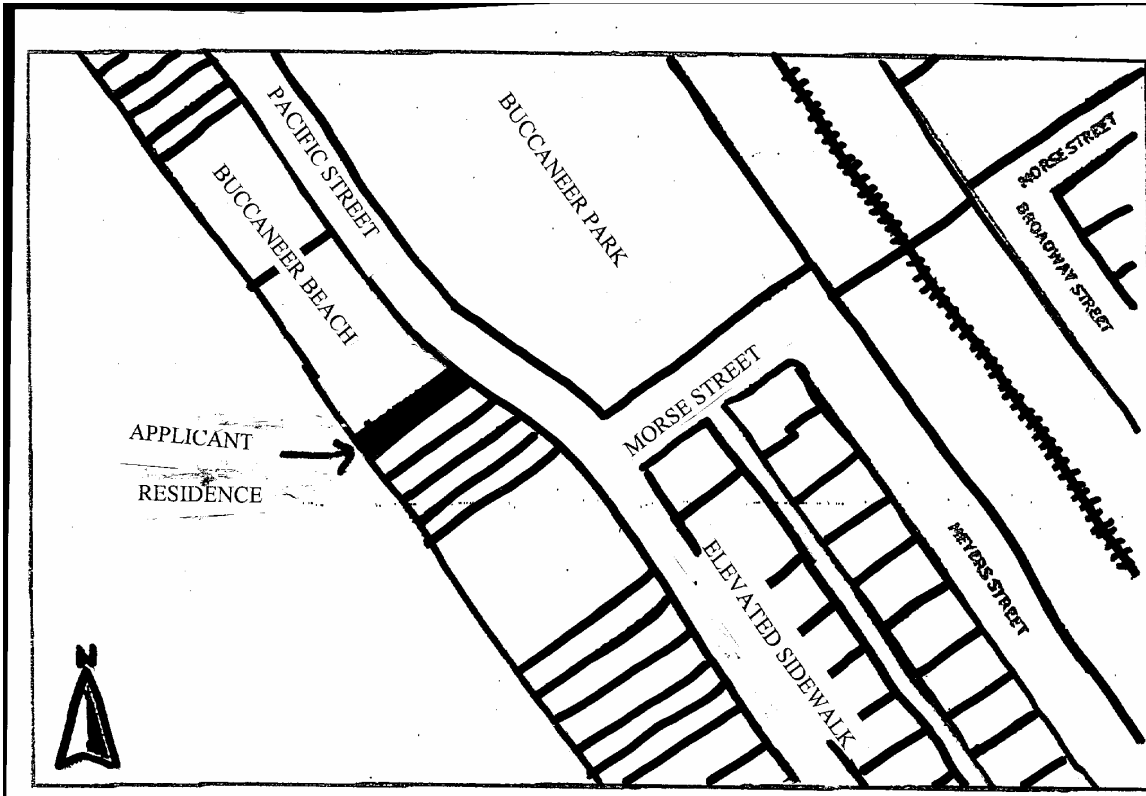
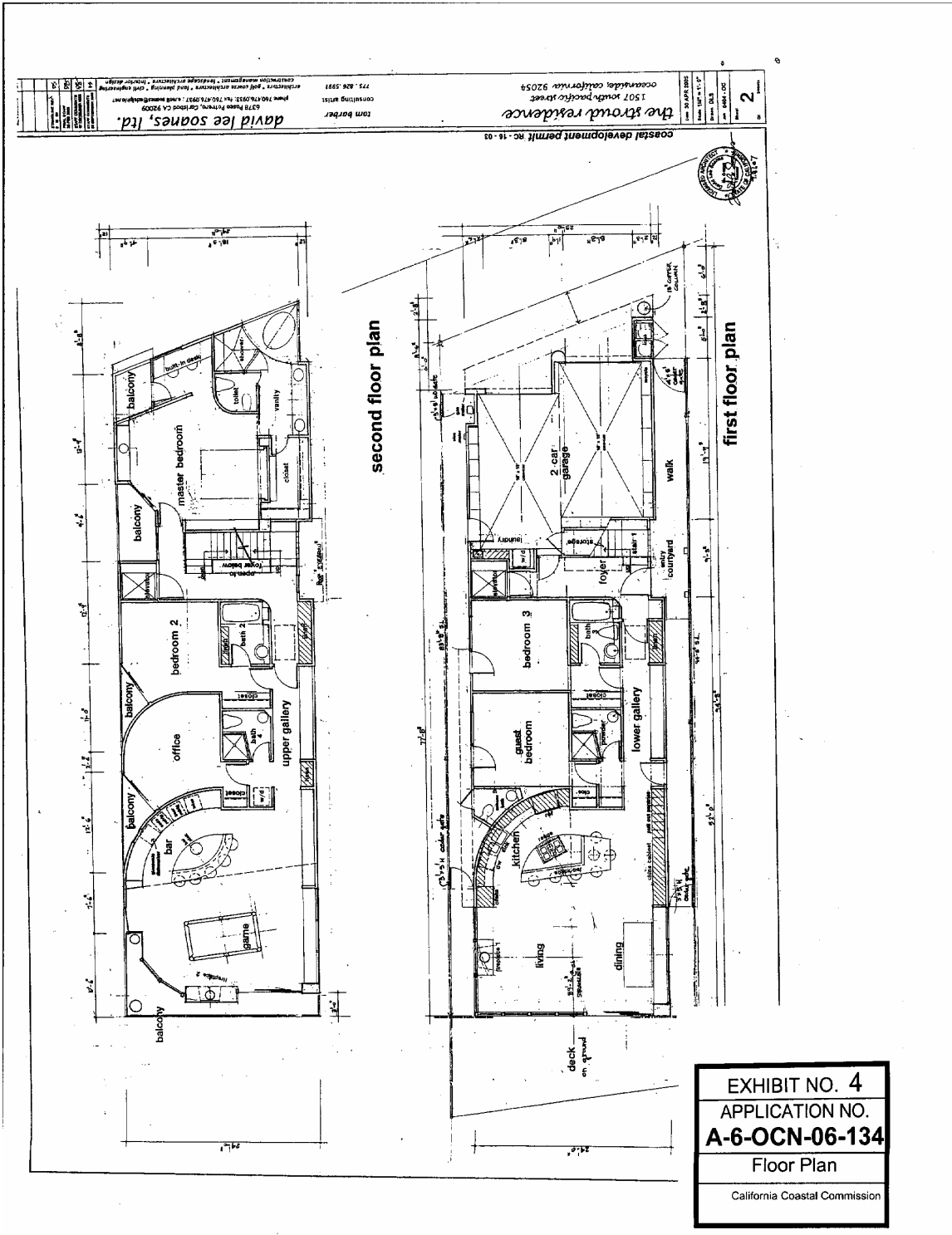


EXHIBIT NO. 2
APPLICATION NO.
<b>A-6-OCN-06-134</b>
Site Plan
 California Coastal Commission







coastal development permit no. 16-03

the stroud residence  
1507 south pacific street  
oceanside, california 92054

tom barber  
consulting artist  
775.828.3993

david lee soanes, ltd.  
8278 mirna, carlsbad, ca 92009  
architectural and construction management - landscape architecture - civil engineering  
construction management - landscape architecture - civil engineering

4

4

BEACH SIDE

BEACH SIDE

elevations

EXHIBIT NO. 5  
APPLICATION NO.  
**A-6-OCN-06-134**  
Elevations

California Coastal Commission

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
710 E STREET, SUITE 200  
EUREKA, CA 95501  
VOICE (707) 445-7833 FAX (707) 445-7877



**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

**SECTION I. Appellant(s)**

Name: TERRY DJJ GUYLE NEUER  
Mailing Address: 1602 S. PACIFIC #105  
City: OCEANSIDE CA. Zip Code: 92054 Phone: 619 8801014

**SECTION II. Decision Being Appealed**

1. Name of local/port government:  
CITY OF OCEANSIDE PLANNING COMMISSION
2. Brief description of development being appealed:  
THE STRAUS RESIDENCE - SINGLE FAMILY HOME  
2 STORY WITH 2000 SQ FT  
DECKING, RAILING, AND ELEVATOR
3. Development's location (street address, assessor's parcel no., cross street, etc.):  
1507 S. PACIFIC STREET
4. Description of decision being appealed (check one.):  
 Approval; no special conditions  
 Approval with special conditions:  
 Denial

**Note:** For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

**TO BE COMPLETED BY COMMISSION:**

APPEAL NO: A-6-OCN-06-134  
DATE FILED: 11/3/06  
DISTRICT: San Diego

EXHIBIT NO. 6
APPLICATION NO.
<b>A-6-OCN-06-134</b>
Appeals
30 pgs
California Coastal Commission

1 of 30

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission
- Other

6. Date of local government's decision: 10/09/06

7. Local government's file number (if any): PC-16-03

**SECTION III. Identification of Other Interested Persons**

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Mr. And Mrs. Stroud  
1507 S. Pacific  
Oceanside CA, 92054

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) JOSEPHINE GLUZMAN ON BEHALF OF "THE COALITION FOR PRESERVATION OF PUBLIC OCEAN VIEW/ FROM PACIFIC STREET"

(2) 1602 S. PACIFIC ST. #100  
OCEANSIDE CA. 92054

(3)

(4)

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

2 of 30

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

**SECTION IV. Reasons Supporting This Appeal**

**PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

(SEE ATTACHED LETTER)

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

3 of 30

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

*[Handwritten Signature]*  
Gerald E. (Tony) Keller (Keller)

Signature of Appellant(s) or Authorized Agent

Date: 10/29/2006

**Note:** If signed by agent, appellant(s) must also sign below.

**Section VI. Agent Authorization**

I/We hereby authorize \_\_\_\_\_  
to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date: \_\_\_\_\_

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

10-22-06

THE BATTLE FOR BUCCANEER BEACH

Dear California Coastal Commission:

We are appealing to you with the hope that you will be more considerate than the City of Oceanside Planning Commission, in regards to the issue of our concern:

Approval of the proposed building at 1507 S. Pacific. St., which violates the guidelines stated in your Public Resources Code Section 30251.

While other beach cities like Solana Beach, are getting much more sensitive to the PROBLEM of "MANSIONIZATION" of their entire coastal neighborhoods, by taking serious steps to protect ocean view corridors, etc., the city of Oceanside, on the other hand, is one of the worse when it comes to protecting ocean views, and in setting standards of structural harmony with the surrounding coastal environment.

We were very disappointed to find that there are absolutely no guidelines in place to protect the very few ocean view corridors left in the city of Oceanside.

And unlike some other cities, there are certainly **NO PROPER GUIDELINES** on the coast when it comes to the ratio of structural sq. ft. relative to lot size, etc:

This is why the public will continue to lose the few remaining precious corridor views from Pacific st., simply because bulky, oversized mansions are allowed to be built on the ocean front.

As for **HARMONY** with surrounding areas, the proposed building will stick out monumentally different, in scale and in style, to the adjacent peaceful beach & park areas.

Please remember that Buccaneer is already "towered" by TWO "old giants" (condo complexes):

(One permanently annexed to its North side & another a bit further down on its South, at 1601 S. Pacific).....

Thus, if Buccaneer gets "overshadowed" by yet another oversized building to its South side, then:

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

50f 30

That will open up the way for still three more older (to the South of #1507) private residences to follow suite with similarly BIG & BULKY FORTRESSES !!!  
On the other hand, if 1507 S. Pacific is scaled down, then that'll highly discourage ALL ocean front property owners along Pacific st. to ONLY think of maximizing their own advantage.

Please consider this:

In respect to all of the above, Buccaneer Beach stands to lose even more significantly than any other beach opening on Pacific st.:

Mainly because it is across the street from a very widely used (Buccaneer) public park, making it an even more IMPORTANT OCEAN VIEW CORRIDOR than any other!

Additionally, Buccaneer is surrounded by many public side walks, which also stand to lose their views:  
Including, but not limited to, the "SEAWALL" walk way, which is VERY POPULAR due to being elevated, thus, (currently) providing great ocean views through the Buccaneer beach opening.

For your information, we have also enclosed the letter from our "Coalition", which was read at the city hearing on Oct. 9<sup>th</sup>.  
We trust that you will help us win the Battle for Buccaneer!!!  
Thank you kindly.

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

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STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
710 E STREET, SUITE 200  
EUREKA, CA 95501  
VOICE (707) 445-7833 FAX (707) 445-7877



**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

**SECTION I. Appellant(s)**

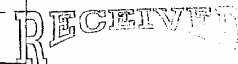
Name: LINDA MORGAN  
Mailing Address: 140 SOUTH PACIFIC ST., UNIT 6  
City: OCEANSIDE Zip Code: 92056 Phone: (760) 721-7731

**SECTION II. Decision Being Appealed**

1. Name of local/port government: OCEANSIDE PLANNING COMMISSION.
2. Brief description of development being appealed: SINGLE FAMILY HOME - THE STROUD RESIDENCE
3. Development's location (street address, assessor's parcel no., cross street, etc.):  
1507 SOUTH PACIFIC ST, OCEANSIDE, CA
4. Description of decision being appealed (check one.):  
 Approval; no special conditions  
 Approval with special conditions:  
 Denial

**Note:** For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:	
APPEAL NO:	A-6-OCN-06-134
DATE FILED:	11/3/06
DISTRICT:	San Diego



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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

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**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)**

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission
- Other

6. Date of local government's decision: OCTOBER 9, 2006

7. Local government's file number (if any): RC - 16 - 03

**SECTION III. Identification of Other Interested Persons**

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

MR. AND MRS STROUD  
1507 SOUTH PACIFIC ST.  
OCEANSIDE, CA 92054

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) JOSEPHINE GLUZMAN ON BEHALF OF  
THE COALITION FOR PRESERVATION OF PUBLIC  
OCEAN VIEWS FROM PACIFIC ST.  
ADDRESS: 1602 SOUTH PACIFIC ST. #100
- (2) OCEANSIDE, CA 92054

(3)

(4)

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

8 of 30

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

**PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SEE COALITION LETTER ATTACHED

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

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**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)**

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

Linda Morgan  
Signature of Appellant(s) or Authorized Agent

Date: October 26, 2006

Note: If signed by agent, appellant(s) must also sign below.

**Section VI. Agent Authorization**

I/We hereby authorize JOSEPHINE GLUZMAN  
to act as my/our representative and to bind me/us in all matters concerning this appeal.

Linda Morgan  
Signature of Appellant(s)

Date: October 26, 2006

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

10-22-06

THE BATTLE FOR BUCCANEER BEACH

Dear California Coastal Commission:

We are appealing to you with the hope that you will be more considerate than the City of Oceanside Planning Commission, in regards to the issue of our concern:

Approval of the proposed building at 1507 S. Pacific. St., which violates the guidelines stated in your Public Resources Code Section 30251.

While other beach cities like Solana Beach, are getting much more sensitive to the PROBLEM of "MANSIONIZATION" of their entire coastal neighborhoods, by taking serious steps to protect ocean view corridors, etc., the city of Oceanside, on the other hand, is one of the worse when it comes to protecting ocean views, and in setting standards of structural harmony with the surrounding coastal environment.

We were very disappointed to find that there are absolutely no guidelines in place to protect the very few ocean view corridors left in the city of Oceanside.

And unlike some other cities, there are certainly NO PROPER GUIDELINES on the coast when it comes to the ratio of structural sq. ft. relative to lot size, etc:

This is why the public will continue to lose the few remaining precious corridor views from Pacific st., simply because bulky, oversized mansions are allowed to be built on the ocean front.

As for HARMONY with surrounding areas, the proposed building will stick out monumentally different, in scale and in style, to the adjacent peaceful beach & park areas.

Please remember that Buccaneer is already "towered" by TWO "old giants" (condo complexes):

(One permanently annexed to its North side & another a bit further down on its South, at 1601 S. Pacific).....

Thus, if Buccaneer gets "overshadowed" by yet another oversized building to its South side, then:

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

11 of 30

That will open up the way for still three more older (to the South of #1507) private residences to follow suite with similarly BIG & BULKY FORTRESSES !!!

On the other hand, if 1507 S. Pacific is scaled down, then that'll highly discourage ALL ocean front property owners along Pacific st. to ONLY think of maximizing their own advantage.

Please consider this:

In respect to all of the above, Buccaneer Beach stands to lose even more significantly than any other beach opening on Pacific st.:

Mainly because it is across the street from a very widely used (Buccaneer) public park, making it an even more IMPORTANT OCEAN VIEW CORRIDOR than any other!

Additionally, Buccaneer is surrounded by many public side walks, which also stand to lose their views:

Including, but not limited to, the "SEAWALL" walk way, which is VERY POPULAR due to being elevated, thus, (currently) providing great ocean views through the Buccaneer beach opening.

For your information, we have also enclosed the letter from our "Coalition", which was read at the city hearing on Oct. 9<sup>th</sup>.

We trust that you will help us win the Battle for Buccaneer!!!

Thank you kindly.

STATE OF CALIFORNIA -- THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
710 E STREET, SUITE 200  
EUREKA, CA 95501  
VOICE (707) 445-7833 FAX (707) 445-7877



**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

**SECTION I. Appellant(s)**

Name: *Patty Richenberger*  
Mailing Address: *1200 Harbor Dr. N.*  
City: *Oceanside* Zip Code: *92054* Phone: *760-212-5138*

**SECTION II. Decision Being Appealed**

- Name of local/port government:  
*City of Oceanside Planning Commission*
- Brief description of development being appealed:  
*The Stroud Residence - single family home  
2 story with roof top  
decking, railing & elevator*
- Development's location (street address, assessor's parcel no., cross street, etc.):  
*1507 S. Pacific St.*
- Description of decision being appealed (check one):  
 Approval; no special conditions  
 Approval with special conditions:  
 Denial

**Note:** For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

**TO BE COMPLETED BY COMMISSION:**

APPEAL NO: *A-6-OCN-06-134*  
DATE FILED: *11/3/06*  
DISTRICT: *SAN DIEGO*

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator  
 City Council/Board of Supervisors  
 Planning Commission  
 Other

6. Date of local government's decision: 10-9-067. Local government's file number (if any): RC-16-03SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

MR. & MRS. STRAND  
 1507 S. Pacific St. Oceanside, CA 92054

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) Josephine Gluzman on behalf of  
 "The Coalition For Preservation of  
 public ocean views from Pacific Street."  
 (2) 1602 S. Pacific St. #100  
 (3) Oceanside, CA 92054  
 (4)

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CALIFORNIA  
 COASTAL COMMISSION  
 SAN DIEGO COAST DISTRICT

14 of 30



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
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*\* See Coalition letter attached*

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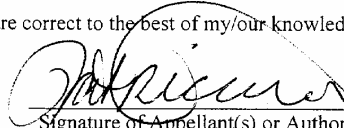
CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

15 of 30

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

  
\_\_\_\_\_  
Signature of Appellant(s) or Authorized Agent

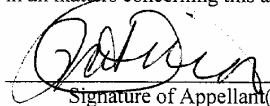
Date: 25 Oct 06

**Note:** If signed by agent, appellant(s) must also sign below.

**Section VI. Agent Authorization**

I/We hereby  
authorize

Josephine Gluzman  
\_\_\_\_\_  
to act as my/our representative and to bind me/us in all matters concerning this appeal.

  
\_\_\_\_\_  
Signature of Appellant(s)

Date: 25 Oct 06

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COUNTY OFFICE

16 of 30

10-22-06

THE BATTLE FOR BUCCANEER BEACH

Dear California Coastal Commission:

We are appealing to you with the hope that you will be more considerate than the City of Oceanside Planning Commission, in regards to the issue of our concern:

Approval of the proposed building at 1507 S. Pacific. St., which violates the guidelines stated in your Public Resources Code Section 30251.

While other beach cities like Solana Beach, are getting much more sensitive to the PROBLEM of "MANSIONIZATION" of their entire coastal neighborhoods, by taking serious steps to protect ocean view corridors, etc., the city of Oceanside, on the other hand, is one of the worse when it comes to protecting ocean views, and in setting standards of structural harmony with the surrounding coastal environment.

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And unlike some other cities, there are certainly NO PROPER GUIDELINES on the coast when it comes to the ratio of structural sq. ft. relative to lot size, etc:

This is why the public will continue to lose the few remaining precious corridor views from Pacific st., simply because bulky, oversized mansions are allowed to be built on the ocean front.

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Please remember that Buccaneer is already "towered" by TWO "old giants" (condo complexes):

(One permanently annexed to its North side & another a bit further down on its South, at 1601 S. Pacific).....

Thus, if Buccaneer gets "overshadowed" by yet another oversized building to its South side, then:

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

17 of 30

That will open up the way for still three more older (to the South of #1507) private residences to follow suite with similarly BIG & BULKY FORTRESSES !!!

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Please consider this:

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Mainly because it is across the street from a very widely used (Buccaneer) public park, making it an even more IMPORTANT OCEAN VIEW CORRIDOR than any other!

Additionally, Buccaneer is surrounded by many public side walks, which also stand to lose their views:

Including, but not limited to, the "SEAWALL" walk way, which is VERY POPULAR due to being elevated, thus, (currently) providing great ocean views through the Buccaneer beach opening.

For your information, we have also enclosed the letter from our "Coalition", which was read at the city hearing on Oct. 9<sup>th</sup>.

We trust that you will help us win the Battle for Buccaneer!!!

Thank you kindly.

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

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FRO LCP

FAX NO. : 8584571442

Oct. 25 2006 04:49PM P2

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE  
710 E STREET, SUITE 200  
EUREKA, CA 95601  
VOICE (707) 445-7833 FAX (707) 445-7877



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: MR + MRS ROGER D. CHAUSSEE  
Mailing Address: 6561 OAK MEADOW DR.  
City: RIVERSIDE, CA Zip Code: 92506 Phone: (951) 789-9309

SECTION II. Decision Being Appealed

- 1. Name of local/port government: CITY OF OCEANSIDE - PLANNING COMMISSION
- 2. Brief description of development being appealed:

THE STROUD RESIDENCE  
Single Family Home

- 3. Development's location (street address, assessor's parcel no., cross street, etc.): 2-story with rooftop deck + pool + Elevator

1507 So. Pacific St.

- 4. Description of decision being appealed (check one.):

- Approval; no special conditions
- Approval with special conditions:
- Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:	
APPEAL NO:	A-6-OCN-06-134
DATE FILED:	11/3/06
DISTRICT:	San Diego

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COUNTY OFFICE

FROM : LCF

FAX NO. : 8584571442

Oct. 25 2006 04:50PM P3

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)**

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission
- Other

6. Date of local government's decision: 10-9-06

7. Local government's file number (if any): RC-16-03

**SECTION III. Identification of Other Interested Persons**

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

MRT MRS STROUD  
1507 So. Pacific St. Oceanside, CA. 92054

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) MRT MRS ROGER D. CHAUSSEE  
1601 SO. MYERS ST. (A,B,C)  
OCEANSIDE, CA. 92054
- (2)
- (3)
- (4)

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COUNTY OF SAN DIEGO  
SAN DIEGO COAST DISTRICT

20 of 30

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

**PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

\* SEE LETTER ENCLOSED

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

21 of 30

FROM : LCF

FAX NO. : 8584571442

Oct. 25 2006 04:50PM P5

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)**

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

Roger D. Chaunce  
Signature of Appellant(s) or Authorized Agent

Date: 10-26-06

Note: If signed by agent, appellant(s) must also sign below.

**Section VI. Agent Authorization**

I/We hereby authorize JOSEPHINE GLUZMAN to act as my/our representative and to bind me/us in all matters concerning this appeal.

Roger D. Chaunce  
Signature of Appellant(s)

Date: 10-26-06

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NOV 03 2006

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

22 of 30



10-22-06

THE BATTLE FOR BUCCANEER BEACH

Dear California Coastal Commission:

We are appealing to you with the hope that you will be more considerate than the City of Oceanside Planning Commission, in regards to the issue of our concern:

Approval of the proposed building at 1507 S. Pacific. St., which violates the guidelines stated in your Public Resources Code Section 30251.

While other beach cities like Solana Beach, are getting much more sensitive to the PROBLEM of "MANSIONIZATION" of their entire coastal neighborhoods, by taking serious steps to protect ocean view corridors, etc., the city of Oceanside, on the other hand, is one of the worse when it comes to protecting ocean views, and in setting standards of structural harmony with the surrounding coastal environment.

We were very disappointed to find that there are absolutely no guidelines in place to protect the very few ocean view corridors left in the city of Oceanside.

And unlike some other cities, there are certainly NO PROPER GUIDELINES on the coast when it comes to the ratio of structural sq. ft. relative to lot size, etc:

This is why the public will continue to lose the few remaining precious corridor views from Pacific st., simply because bulky, oversized mansions are allowed to be built on the ocean front.

As for HARMONY with surrounding areas, the proposed building will stick out monumentally different, in scale and in style, to the adjacent peaceful beach & park areas.

Please remember that Buccaneer is already "towered" by TWO "old giants" (condo complexes):

(One permanently annexed to its North side & another a bit further down on its South, at 1601 S. Pacific).....

Thus, if Buccaneer gets "overshadowed" by yet another oversized building to its South side, then:

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COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

23 of 30

That will open up the way for still three more older (to the South of #1507) private residences to follow suite with similarly BIG & BULKY FORTRESSES !!!  
On the other hand, if 1507 S. Pacific is scaled down, then that'll highly discourage ALL ocean front property owners along Pacific st. to ONLY think of maximizing their own advantage.

Please consider this:

In respect to all of the above, Buccaneer Beach stands to lose even more significantly than any other beach opening on Pacific st.:

Mainly because it is across the street from a very widely used (Buccaneer) public park, making it an even more IMPORTANT OCEAN VIEW CORRIDOR than any other!

Additionally, Buccaneer is surrounded by many public side walks, which also stand to lose their views:

Including, but not limited to, the "SEAWALL" walk way, which is VERY POPULAR due to being elevated, thus, (currently) providing great ocean views through the Buccaneer beach opening.

For your information, we have also enclosed the letter from our "Coalition", which was read at the city hearing on Oct. 9<sup>th</sup>.

We trust that you will help us win the Battle for Buccaneer!!!

Thank you kindly.

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SAN DIEGO COAST DISTRICT

24 of 30

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO COAST DISTRICT OFFICE  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4421  
VOICE (619) 767-2370 FAX (619) 767-2384



**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

**SECTION I. Appellant(s)**

Name: JOSEPHINE GLUZMAN  
Mailing Address: 1602-100 S. PACIFIC ST  
City: OCEANSIDE Zip Code: 92054 Phone: (760) 439-7988

**SECTION II. Decision Being Appealed**

1. Name of local/port government:  
OCEANSIDE PLANNING COMMISSION
2. Brief description of development being appealed:  
2-STORY SINGLE FAMILY RESIDENCE
3. Development's location (street address, assessor's parcel no., cross street, etc.):  
1507 S. PACIFIC ST. OCEANSIDE, CA 92054
4. Description of decision being appealed (check one.):  
 Approval; no special conditions  
 Approval with special conditions:  
 Denial

**Note:** For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

<b>TO BE COMPLETED BY COMMISSION:</b>	
APPEAL NO:	<u>A-6-OCN-06-134</u>
DATE FILED:	<u>11/7/06</u>
DISTRICT:	<u>San Diego</u>

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SAN DIEGO COAST DISTRICT

25 of 30

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission
- Other

6. Date of local government's decision: 10-9-06

7. Local government's file number (if any): \_\_\_\_\_

**SECTION III. Identification of Other Interested Persons**

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

MARYANNE STROUD 1507 S. PACIFIC ST.  
OCEANSIDE CA 92054

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) JOSEPHINE GLUZMAN ON BEHALF OF:  
THE COALITION FOR PRESERVATION OF PUBLIC
- (2) OCEANVIEWS FROM PACIFIC ST. (OCEANSIDE)

(3)

(4)

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NOV 07 2006  
CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

26 of 30

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

**SECTION IV. Reasons Supporting This Appeal**

**PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

— PLEASE SEE ATTACHED LETTERS

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NOV 07 2006

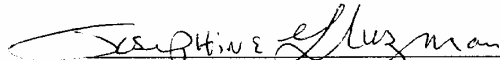
CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

27 of 30

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)**

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

  
\_\_\_\_\_  
Signature of Appellant(s) or Authorized Agent

Date: 11-7-06

**Note:** If signed by agent, appellant(s) must also sign below.

**Section VI. Agent Authorization**

I/We hereby  
authorize \_\_\_\_\_  
to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date: \_\_\_\_\_

**RECEIVED**

NOV 07 2006

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

28 of 30

10-22-06

THE BATTLE FOR BUCCANEER BEACH

Dear California Coastal Commission:

We are appealing to you with the hope that you will be more considerate than the City of Oceanside Planning Commission, in regards to the issue of our concern:

Approval of the proposed building at 1507 S. Pacific. St., which violates the guidelines stated in your Public Resources Code Section 30251.

While other beach cities like Solana Beach, are getting much more sensitive to the PROBLEM of "MANSIONIZATION" of their entire coastal neighborhoods, by taking serious steps to protect ocean view corridors, etc., the city of Oceanside, on the other hand, is one of the worse when it comes to protecting ocean views, and in setting standards of structural harmony with the surrounding coastal environment.

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And unlike some other cities, there are certainly NO PROPER GUIDELINES on the coast when it comes to the ratio of structural sq. ft. relative to lot size, etc:

This is why the public will continue to lose the few remaining precious corridor views from Pacific st., simply because bulky, oversized mansions are allowed to be built on the ocean front.

As for HARMONY with surrounding areas, the proposed building will stick out monumentally different, in scale and in style, to the adjacent peaceful beach & park areas.

Please remember that Buccaneer is already "towered" by TWO "old giants" (condo complexes):

(One permanently annexed to its North side & another a bit further down on its South, at 1601 S. Pacific).....

Thus, if Buccaneer gets "overshadowed" by yet another oversized building to its South side, then:

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COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

29 of 30

That will open up the way for still three more older (to the South of #1507) private residences to follow suite with similarly BIG & BULKY FORTRESSES !!!  
On the other hand, if 1507 S. Pacific is scaled down, then that'll highly discourage ALL ocean front property owners along Pacific st. to ONLY think of maximizing their own advantage.

Please consider this:

In respect to all of the above, Buccaneer Beach stands to lose even more significantly than any other beach opening on Pacific st.:  
Mainly because it is across the street from a very widely used (Buccaneer) public park, making it an even more IMPORTANT OCEAN VIEW CORRIDOR than any other!

Additionally, Buccaneer is surrounded by many public side walks, which also stand to lose their views:  
Including, but not limited to, the "SEAWALL" walk way, which is VERY POPULAR due to being elevated, thus, (currently) providing great ocean views through the Buccaneer beach opening.

For your information, we have also enclosed the letter from our "Coalition", which was read at the city hearing on Oct. 9<sup>th</sup>.  
We trust that you will help us win the Battle for Buccaneer!!!  
Thank you kindly.

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CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

30 of 30



DEC-4-2006 02:46P FROM: SOANES, LTD.

760-476-0937

TO: 16197672384

P.3

**Stroud Residence Blockface Measurements  
1507 S. Pacific Street**

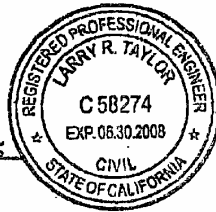
Address	PL to Bldg. Face (ft)	Address	PL to Bldg. Face (ft)
1401 S. Pacific Street	0.0	1625-1627 S. Pacific Street	1.8
1409 S. Pacific Street	0.1	1629 S. Pacific Street	3.1
1413 S. Pacific Street	0.5	1631 S. Pacific Street	1.1
1415-1417 S. Pacific Street	0.0	1633 S. Pacific Street	0.4
1419 S. Pacific Street	2.4	1635 S. Pacific Street	0.4
1421 S. Pacific Street	2.0	1637 S. Pacific Street	0.3
1423 S. Pacific Street	15.0	1639 S. Pacific Street	0.3
1425 S. Pacific Street	15.0	1643 S. Pacific Street	1.9
1427 S. Pacific Street	9.9	1701 S. Pacific Street	0.9
1429 S. Pacific Street	17.2	1705 S. Pacific Street	0.9
1431 S. Pacific Street	17.2	1709 S. Pacific Street	0.6
1433 S. Pacific Street	9.8	1711 S. Pacific Street	0.6
1435 S. Pacific Street	7.4	1713 S. Pacific Street	0.5
1437 S. Pacific Street	7.4	1715 S. Pacific Street	0.9
1439 S. Pacific Street	7.4	1717 S. Pacific Street	0.8
1441 S. Pacific Street	4.2	1719 S. Pacific Street	1.1
1443 S. Pacific Street	0.0	1721 S. Pacific Street	1.0
1445 S. Pacific Street	0.0	1723 S. Pacific Street	1.0
1509 S. Pacific Street	20.5	1725 S. Pacific Street	1.0
1511 S. Pacific Street	25.0	1727 S. Pacific Street	0.8
1513 S. Pacific Street	15.8	1729 S. Pacific Street	1.0
1601 S. Pacific Street	4.8	1731 S. Pacific Street	1.5
1609 S. Pacific Street	3.9	1733 S. Pacific Street	1.5
1611 S. Pacific Street	15.5	1735 S. Pacific Street	0.5
1615 S. Pacific Street	8.9	1737 S. Pacific Street	0.9
1617 S. Pacific Street	2.8	1739 S. Pacific Street	0.0
1619 S. Pacific Street	0.0	1745 S. Pacific Street	0.0
1621-1623 S. Pacific Street	0.0	1747 S. Pacific Street	0.8

TOTAL: 238.0

Average (feet): 4.28

Average (inches): 51

*[Signature]*  
LARRY R. TAYLOR  
RCE 58274  
Expires 06/30/2008



TAYLOR GROUP, INC.

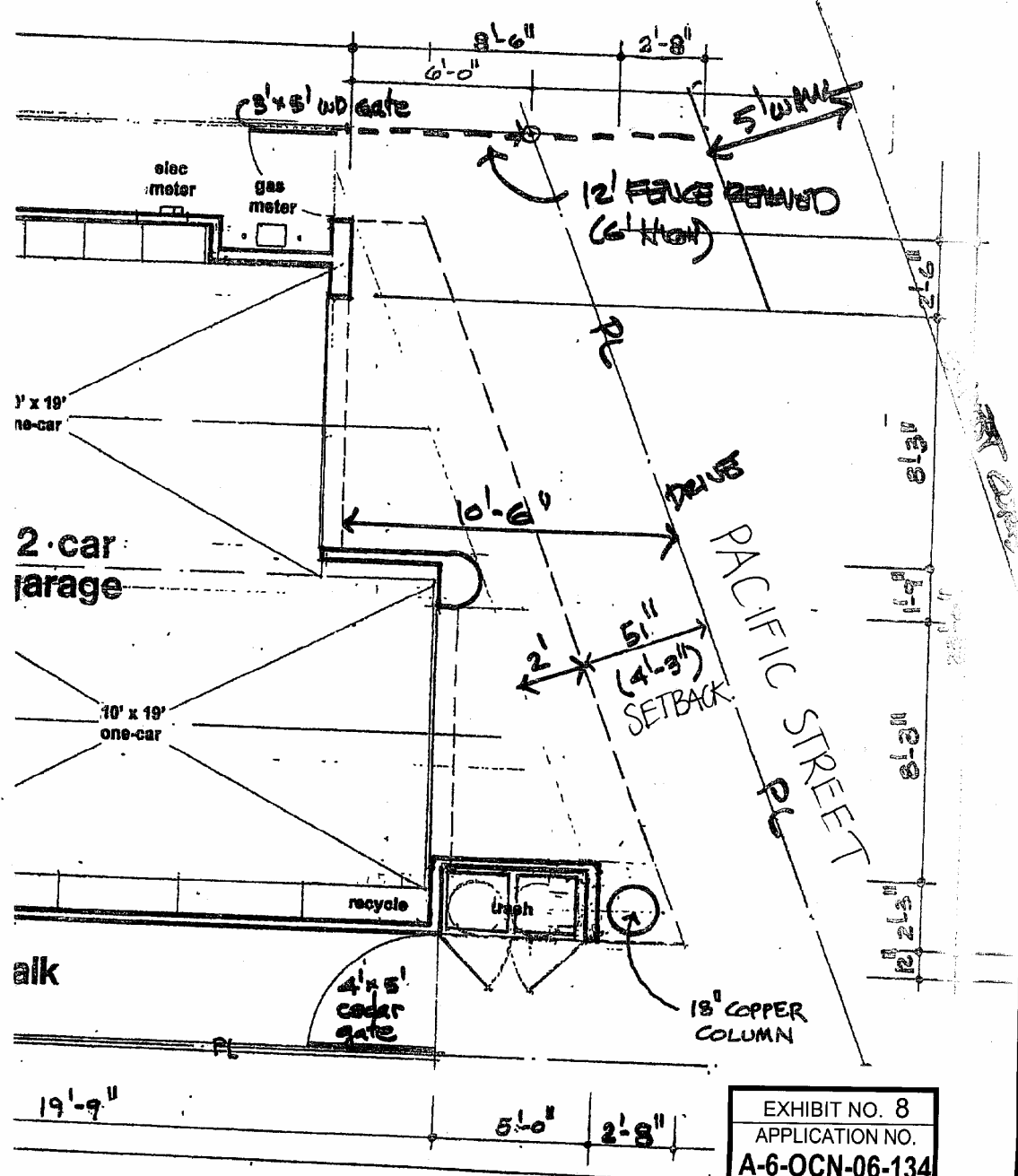
EXHIBIT NO. 7  
APPLICATION NO.  
**A-6-OCN-06-134**  
Block Face Average  
Survey

DEC-4-2006 02:47P FROM: SOANES, LTD.

760-476-0937

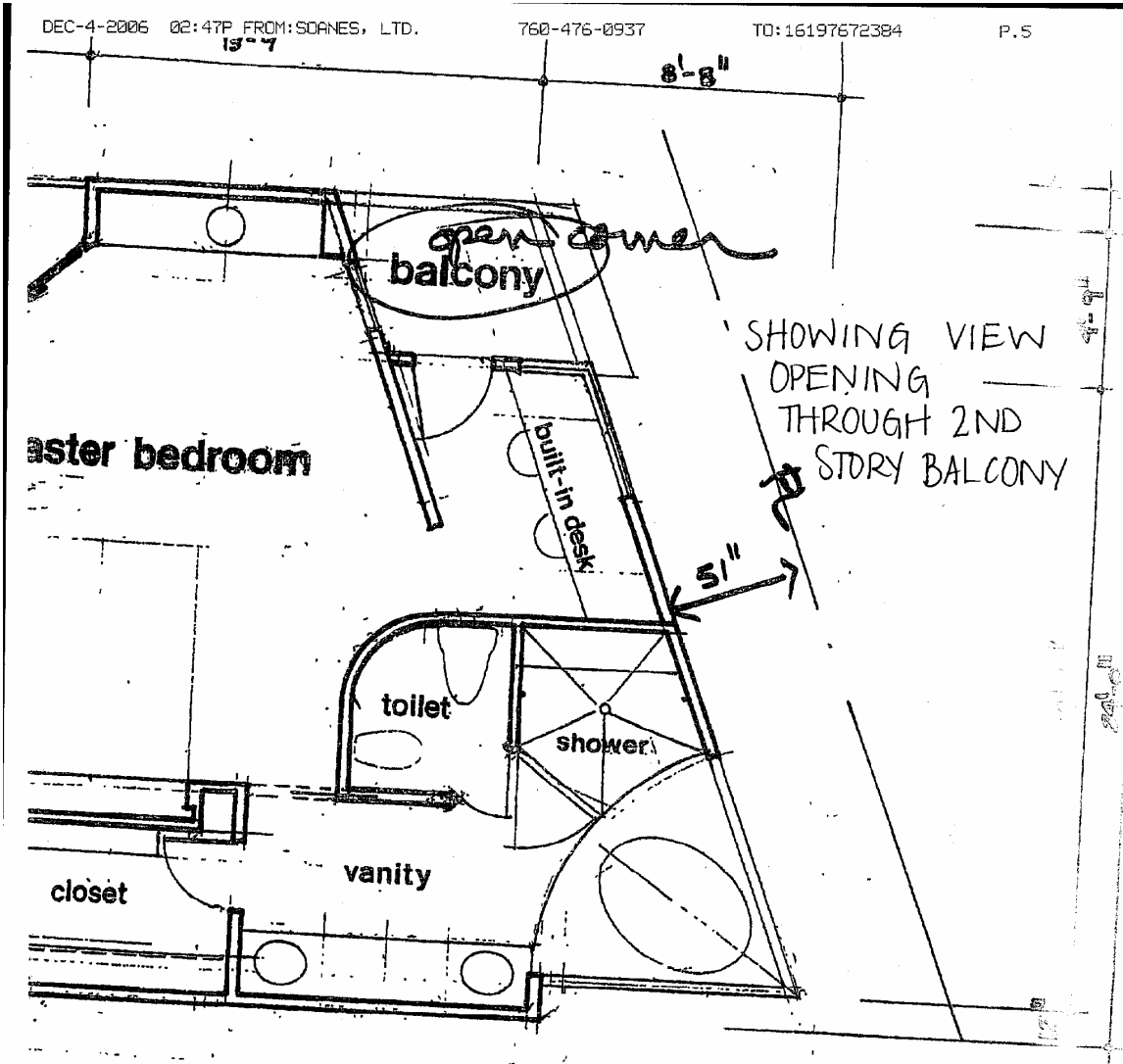
TD:16197672384

P.4



# first floor plan

EXHIBIT NO. 8
APPLICATION NO.
<b>A-6-OCN-06-134</b>
Blow-up of staggered front yard setback
California Coastal Commission



# second floor plan

EXHIBIT NO. 9
APPLICATION NO.
<b>A-6-OCN-06-134</b>
Blow up of second floor balcony
 California Coastal Commission

FROM : LCF

FAX NO. : 8584571442

Dec. 20 2006 10:54AM P1

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**THE COALITION FOR PRESERVATION OF PUBLIC OCEAN VIEWS  
FROM PACIFIC ST. (OCEANSIDE)**

DEC 20 2006

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

PETITIONS OF THE PUBLIC CONCERNED WITH THE LOSS OF  
CORRIDOR OCEAN VIEWS THROUGH BUCCANEER BEACH  
OPENNING:  
(REGARDING: THE PROPOSED BUILDING AT 1507 S. PACIFIC ST.)

Name	Address	Ph#
<i>Julie Davis</i>	<i>7030 Avenida Encinas</i>	<i>Carlsbad 92011 760-473-3154</i>
<i>A. Taylor</i>	<i>P.O. Box 812 CARROLL - ST. JAMES - SEA CA 92007</i>	<i>760-688-8882</i>
<i>CHRIS CUSACK</i>	<i>3792 Mykors Ln #39</i>	<i>(658) 331-801</i>
<i>W. J. ...</i>	<i>830 Stralmer St #26</i>	<i>San Diego CA 92106 (658) 331-48</i>
<i>John ...</i>	<i>3708 Mykors Lane #173</i>	<i>S.D. (658) 92130 518-1122</i>
<i>Patricia ...</i>	<i>12544 Ave. Bluff</i>	<i>San Diego CA 92130 92130</i>
<i>Karen Margarini</i>	<i>1935 Redford St</i>	<i>Oceanside 92058 760-713</i>
<i>Kim ...</i>	<i>6742 Paseo del Vista</i>	<i>92009 858 4494662</i>
<i>Mother Felicia Faye Blakes-Cook-Nunn</i>	<i>1152 Keston Road</i>	<i>(619) San Diego, CA 92114 262-0634</i>
<i>Brittany Kitchman</i>	<i>1115 Small Gardens Dr Encinitas, CA</i>	<i>92024 (760) 846-2172</i>
<i>JAMES RUNDLE</i>	<i>(650) 703-2917</i>	
<i>James Cowan</i>	<i>1275 Bredtrot RD - Chicas</i>	<i>760-585-2401</i>
<i>Stuart ...</i>	<i>1106 2nd St #35</i>	
<i>Lisa A. ...</i>	<i>" " " "</i>	
<i>Matt Stading</i>	<i>401 Villa Blanca Ct. Enc</i>	
<i>Barry Elliot</i>	<i>3071 NEVADA ST.</i>	

\*1 of 5 pgs  
80 signatures total

EXHIBIT NO. 10  
APPLICATION NO.  
**A-6-OCN-06-134**  
Various correspondence  
with appellant  
18 pgs  
California Coastal Commission  
1 of 18

FROM : LCF

FAX NO. : 8584571442

Nov. 13 2006 02:57PM P2

(ORIGINAL LETTER READ AT OCT. 9<sup>TH</sup> HEARING) P1

10-01-06

*The coalition for preservation of the public ocean views from Pacific st.*

This letter is in regard to the proposed project at 1507 S. Pacific st. in Oceanside.

We, the public, are very concerned that the above project will block public's ocean views from the surrounding side walks, especially from S. Pacific st. through the Buccaneer beach opening.

The present architectural design does not take that into account.

This is one of ONLY FEW precious openings to the ocean in South Oceanside.

The truth is that the proposed house can be built, while preserving the precious views enjoyed by so many:

That would require an additional set back of approximately 15 ft.  
Even a 10 ft. additional set back would make a DRASTIC difference for preservation of public views!

This would also make Stroud's house appear less bulky and less massive and more in HARMONY with the peaceful Buccaneer beach and park surroundings.

Because the owners of the above property are already so blessed as to be adjacent to Buccaneer beach, and to have an unobstructible panoramic ocean views in every direction, we ask that they would consider public's right of views by not maximizing every square inch of property at the expense of public interest.

Sometimes a house can not be built without covering public views, and that is understandable, but in this case a compromise can be reached:

The proposed house CAN BE built and the views CAN BE preserved.

Perhaps, this will set an example for all future properties with a similar situation, making architects and property owners more considerate to the 'public view factor' right from the start of the project.

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NOV 13 2006

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

2 of 18

FROM : LCF

FAX NO. : 8584571442

Nov. 13 2006 02:57PM P3

P2

We all know that sometimes it's easier to vote yes than no.  
But please think of the positive long term effect on beach front home  
construction:

Consideration will be given to the wishes of the property owners, while  
keeping in mind the welfare of the public and other homeowners in the area.

You also can't deny that this will encourage all future projects towards more  
**socially considerate designs** that allow for the benefits of all parties  
affected.

And needless to say, when it comes to the **beaches**, there are certainly  
COUNTLESS who are AFFECTED!!!

Thank you so kindly for your consideration.

(public signatures are being petitioned and will be presented at the public  
hearing on Oct. 9<sup>th</sup>)

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NOV 13 2006

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

3 of 18

FROM : LCF  
ORIGINAL  
LETTER WITH  
SOME ADDED MATERIAL  
& FACTS.

FAX NO. : 8584571442

Nov. 13 2006 02:58PM Pa

P 1

RECEIVED  
NOV 13 2006  
CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

Fr: The coalition for preservation of the public ocean views from Pacific St. oceanside  
To: The Planning Commission, City of Oceanside

10-01-06

This letter is in regards to the proposed project at 1507 S. Pacific St. in Oceanside.

We the public, are very concerned that the above project will block public's ocean views from the surrounding side walks, especially form S. Pacific St., through the Buccaneer beach opening.

This is the ONLY actual beach opening left in the growing community of South Oceanside...and in light of this fact, please consider this:

According to the city of Oceanside's LCP, which calls for protection of visual resources of beach areas, and also, according to California Coastal Commission's pubic resources code section #30251:

"The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and must be visually compatible with the surrounding areas..."

The present architectural design of the proposed house does not take the above into account...

There are two ways that the proposed project can be built with minimal damage to the precious views enjoyed by so many:

- 1- an additional set back of approx. 15 ft., (even a 10 ft. additional set back would make a DRASTIC difference for preservation of public views!)
- 2- modification of the HIEGHT, BULK, & SCALE of the proposed house, with consideration to the smallness of the lot and the publicly important location, which affects a great number of people.

This would also help make the proposed house appear more in HARMONY with the peaceful Buccaneer beach and park surroundings.

FROM : LCF

FAX NO. : 8584571442

Nov. 13 2006 02:58PM PE

P. 2

Because the owners of the above property are already adjacent to a wide beach and have an unobstructible ocean view in every direction, we ask that they would consider Public's right of views by not maximizing every square inch of their property at the expense of public interest.

Perhaps, this will set an example for all future properties with a similarly significant situation, making architects and property owners more considerate to the 'public view factor' right from the start to the project.

Please think of the possible long term effects on beach front residential development standards:

Before giving approvals to every wish of the property owners, consideration must be given to the interests of the public, and other residents of the community.

You can't deny that this will encourage all future projects towards more socially considerate designs that allow for the benefit of ALL involved.

Again, because the proposed house is at such a publicly important (limited opportunity) location, we ask that there would be a reconsideration of the bulk, height, and set backs from the street, so as to minimize the damage to public views.

Thank you so kindly for your consideration.

**RECEIVED**

NOV 13 2006

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

5 of 18





# CITY OF OCEANSIDE

COMMUNITY DEVELOPMENT DEPARTMENT / PLANNING DIVISION

NOTE:

THIS NOTICE HAS THE WRONG HEARING DATE!  
HEARING OCCURED ON OCT. 9<sup>TH</sup> & CITY DID NOT SEND  
CORRECTION NOTICES OUT.

## NOTICE OF PLANNING COMMISSION PUBLIC HEARING, CITY OF OCEANSIDE

This is to notify you that on Monday, September 25, 2006, at the meeting of the Planning Commission of the City of Oceanside, beginning at 7:00 p.m. at City Council Chambers of City Hall Civic Center, 300 North Coast Hwy., a Public Hearing will be conducted on the following application for project:

REGULAR COASTAL PERMIT (RC-16-03) for a 3,182-square foot addition to an existing 948-square foot single-family residence located at 1507 South Pacific Street. The project site is zoned RT (Residential Tourist) and is situated within the South Oceanside Neighborhood and the Coastal Zone. - **STROUD RESIDENCE**

The project is exempt from the California Environmental Quality Act.

You are being notified of this hearing as required by State law and local ordinance, because you are listed on the latest available tax assessor's rolls as the owner of the property within 300 feet of the exterior boundary of the site. You are invited to attend.

You may review the file relating to this project, including the documents relating to the California Environmental Quality Act, at the Planning Division, 300 North Coast Hwy., during regular weekday office hours of 7:30 a.m. to 5:00 p.m. (Monday - Thursday), 7:30 a.m. to 4:00 p.m. (alternate Friday). A staff report will be available the Thursday before the public hearing. Written comments may be submitted prior to the hearing and will be made part of the public record and provided to the Planning Commission.

If you should wish to challenge this project at some future time, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

**REC-1111**

NOV 1 8 2006

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

CIVIC CENTER 300 N. COAST HIGHWAY OCEANSIDE, CA 92054 TELEPHONE 760-435-3520 FAX 760-754-2958

NOV 13 2006 02:59PM

FAX NO. : 8584571442

60 of 18

FROM : LCF

J. ←

Date: September 13, 2006

Public Hearing Coastal Permit  
Identification No. RC-16-03

NOTICE OF PUBLIC HEARING  
COASTAL DEVELOPMENT PERMIT

This is a notice to you as an interested party that the City of Oceanside Planning Commission will hold a public hearing on the Coastal Permit application of Mary Anne and Duke Stroud. This application was received on December 19, 2003. The application is described as follows:

For a 3,182-square foot addition to an existing 943-square foot single-family residence located at 1507 South Pacific Street.

The project site is zoned RT (Residential Tourist) and is situated within the South Oceanside Neighborhood and the Coastal zone.

Said hearing will be held on September 25, 2006, at 7:00 p.m. in the Council Chamber of City Hall, 300 North Coast Hwy., Oceanside, California at which time and place any and all interested persons may appear and be heard. Interested persons may contact the Planning Division at (760) 435-3520 after September 20, 2006, to be informed of the place on the agenda and the approximate time of hearing.

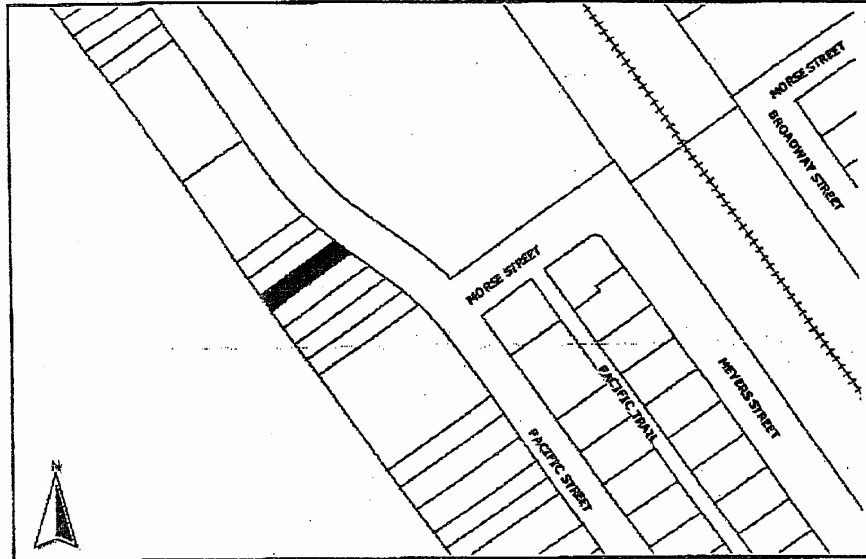
If you have any questions or comments regarding this matter, or want to be notified of the decision, contact the City of Oceanside, Planning Division at (760) 435-3520. Written comments may be submitted prior to the hearing and will be made part of the public record and provided to the Planning Commission.

If you disagree with the decision of the Planning Commission concerning this project's conformance to the Local Coastal Plan, you may appeal the decision to the City Council. The appeal, accompanied by the appropriate fee must be filed in the City Clerk's Office, 300 North Coast Hwy., Oceanside, no later than 5:00 p.m. on October 5, 2006 (10 days from the adoption of the Planning Commission Resolution).

The project is "appealable" to the California Coastal Commission under Section 30603(a) of the California Public Resources Code. An aggrieved person may appeal the decision to the Coastal Commission within ten (10) working days following the Commission receipt of the Notice of Final Action on this project. The Notice of Final Action is mailed after the City's last action, such as Planning Commission resolution, Community Development Commission resolution (for projects in the Redevelopment Area), or City Council resolution (for projects involving a zone change or which resulted in a local appeal). Please contact the Planning Division at (760) 435-3520 for this information.

Appeals must be in writing. The Coastal Commission, San Diego District Office is at 7575 Metropolitan Drive, Suite 103, San Diego, California 92108-4402. The phone number is (619) 767-2370.

7 of 18



**File Number:** RC-16-03

**Applicant:** Mary Anne and Duke Stroud

**Description:**

REGULAR COASTAL PERMIT (RC-16-03) for a 3,182 square foot addition to an existing 948 square feet single-family residence located at 1507 South Pacific Street. The project site is zoned RT (Residential Tourist) and is situated within the South Oceanside Neighborhood and the Coastal zone. **STROUD RESIDENCE**

**Environmental Determination:**

The project is exempt from the California Environmental Quality Act.

City of Oceanside, Planning Department  
300 N. Coast Highway  
Oceanside, CA 92054 (760) 435-3520

**RECEIVED**  
NOV 13 2006  
CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

**REC**  
NOV 13 2006  
CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

Nov 13 2006 03:00PM

FAX NO. : 8584571442

8 of 18

FROM : LCF

10-22-06

THE BATTLE FOR BUCCANEER BEACH

Dear California Coastal Commission:

We are appealing to you with the hope that you will be more considerate than the City of Oceanside Planning Commission, in regards to the issue of our concern:

Approval of the proposed building at 1507 S. Pacific. St., which violates the guidelines stated in your Public Resources Code Section 30251.

While other beach cities like Solana Beach, are getting much more sensitive to the PROBLEM of "MANSIONIZATION" of their entire coastal neighborhoods, by taking serious steps to protect ocean view corridors, etc., the city of Oceanside, on the other hand, is one of the worse when it comes to protecting ocean views, and in setting standards of structural harmony with the surrounding coastal environment.

We were very disappointed to find that there are absolutely no guidelines in place to protect the very few ocean view corridors left in the city of Oceanside.

And unlike some other cities, there are certainly NO PROPER GUIDELINES on the coast when it comes to the ratio of structural sq. ft relative to lot size, etc:

This is why the public will continue to lose the few remaining precious corridor views from Pacific st., simply because bulky, oversized mansions are allowed to be built on the ocean front.

As for HARMONY with surrounding areas, the proposed building will stick out monumentally different, in scale and in style, to the adjacent peaceful beach & park areas.

Please remember that Buccaneer is already "towered" by TWO "old giants" (condo complexes):

(One permanently annexed to its North side & another a bit further down on its South, at 1601 S. Pacific).....

Thus, if Buccaneer gets "overshadowed" by yet another oversized building to its South side, then:

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That will open up the way for still three more older (to the South of #1507) private residences to follow suite with similarly BIG & BULKY FORTRESSES !!!  
On the other hand, if 1507 S. Pacific is scaled down, then that'll highly discourage ALL ocean front property owners along Pacific st. to ONLY think of maximizing their own advantage.

Please consider this:

In respect to all of the above, Buccaneer Beach stands to lose even more significantly than any other beach opening on Pacific st.:  
Mainly because it is across the street from a very widely used (Buccaneer) public park, making it an even more IMPORTANT OCEAN VIEW CORRIDOR than any other!

Additionally, Buccaneer is surrounded by many public side walks, which also stand to lose their views:  
Including, but not limited to, the "SEAWALL" walk way, which is VERY POPULAR due to being elevated, thus, (currently) providing great ocean views through the Buccaneer beach opening.

For your information, we have also enclosed the letter from our "Coalition", which was read at the city hearing on Oct. 9<sup>th</sup>.  
We trust that you will help us win the Battle for Buccaneer!!!  
Thank you kindly.

Judy Davis  
7030 Avenida Encina  
Carlsbad Ca 92011  
760-473-3156

Patty Cantres  
12544 High Bluff  
San Diego, CA 92130

B. K...  
P.O. Box 812  
Laniff by the Sea CA 9207.

K...  
1935 Radford St  
Oceanside, CA 92056  
(760) 945-8963

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\*20 signatures  
total received

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FROM : LCF

FAX NO. : 8584571442

Nov. 17 2006 11:52AM PF

**The coalition for preservation of the public ocean views from Pacific St.**

11-11-06

NOV 17 2006

To: California Coastal Commission

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

In reference to the proposed house at 1507 S. Pacific, please consider the following facts:

The proposed project is:

- 1- Right next to a public beach, the only public beach in S. Oceanside,
- 2- In front of Buccaneer park, which is heavily used by locals, tourists and all of North County San Diego.
- 3- Blocking views form large areas of Buccaneers Park,
- 4- Blocking side views from the elevated sidewalks of S. Pacific St., and form both sides of Morse St.,
- 5- Blocking expansive views from large portions of Buccaneer Park, and the adjacent sidewalks.

The property owners of the above address must be willing to accept a normal (in most cases) set back of 15 feet from their property line. As of now, their plan calls for only a 4 feet set back!

In accordance to the California Coastal Act, the proposed building must be set back from Pacific St. by at least 15 feet, in order to satisfy the following: **"protection of public views", and "structural compatibility with the surrounding areas"**.

Looking at the provided photos, one can clearly see that even an additional set back of only 10 feet will make an ENORMOUS difference!

If the owners of the above mentioned property are so privileged as to be given a permit to build what they wish, at such an environmentally sensitive location, they must be held accountable for the IMPACT of their building on the surrounding area, and on the public!

In the more responsible and strictly regulated cities such as La Jolla, Del Mar, or Solana Beach, this project would've never gotten a pass from the city planning commission!!!

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NOV 17 2006  
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FROM : LCF

FAX NO. : 8584571442

Nov. 17 2006 11:52AM P3

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Unlike its neighboring coastal cities, the city of Oceanside certainly does not protect its public by mandating story poles, or even requiring the applicant to post a sign of "application for permit", (NO NOTIFICATION SIGN of any kind has ever been posted at above property).

Additionally, the city of Oceanside utterly discourages appeals, not only by having no regulation & no listening, but by charging a hefty fee of over \$600!!!

This is exactly why we have no other authority to turn to, except the Coastal Commission!

In the absence of reasonable regulations to protect our coastal treasures, we're counting on the California Coastal Commission to honor their own Coastal Act, and to take a stand in this obvious case of infringement on public views.

Thank you.

- Ruth A. J. Good  
314 S. Pacific  
Oceanside, CA 92054  
760-757-0940

- Holly Richberger  
1700 Harbor Dr. N.  
Oceanside  
760-212-5138

- Linda Morgan  
140 So. Pacific  
Oceanside, CA 92054

- Eva Robbins  
804 N. The Strand #18  
Oceanside, CA 92054

- Virginia Powers  
136 S. Pacific St  
Oceanside, CA 92054

- Carolyn Krampton  
964 Leonard  
Oceanside 92054

439-0863 12 of 18

- Josephine Morgan  
1602 S. Pacific

4/2006 03:47 FAX 8587927507

Andalucia

001/00

12-04-06

To: California Coastal Commission

Fr: Coalition of Preservation of Public Ocean Views From Pacific St., Oceanside

**Measurements of Ocean view blockages from the surrounding areas caused by the proposed project at 1507 S. Pacific St. :**

- 1) 270 ft. of ocean views from the east side of S. Pacific St. will be affected, (with 100 ft. getting total blockage, from the highly used elevated part).
- 2) 120 ft. of ocean views from the front of Buccaneer Park (an ocean front park), is affected:  
(120 ft. is  $\frac{1}{2}$  of the entire park frontage that faces the ocean), and 60 ft. of that is being heavily blocked (this is  $\frac{1}{4}$  of the park frontage facing the ocean).
- 3) Ocean views from the south / west area of the park are heavily affected (to a total blockage).....  
This is a place where people currently enjoy watching the sunset through the Buccaneer Beach corridor.
- 4) 100 ft. of the west side of S. Pacific will get total ocean view blockage.
- 5) 110 ft. of the ocean views from the south side of Morse St. will get heavily affected, (with 50 ft. getting totally blocked).
- 6) 50 ft. of the ocean views from the north side of Morse St. will be heavily blocked.

Given the importance of the Buccaneer Beach corridor, (named as one of the only three protected beach corridors for public's enjoyment and views, in the city of Oceanside), and given the fact that the area where Morse and S. Pacific streets meet, is the first public ocean view contact from the recently built, "Coastal Rail Trail", it is unacceptable that the massive impact of the above proposed project will not be carefully reviewed by the California Coastal Commission.

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DEC 12 2006

12-10-06

To: California Coastal Commission

Fr: Coalition for Preservation of Public Ocean Views from Pacific St., Oceanside

Re: proposed project @ 1507 S. Pacific St., Oceanside, Ca 92054

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT**“Statement of Substantial Issues” regarding the above proposed project**

1- It is undeniably a substantial issue when a new development significantly encroaches on a public ocean view corridor that is protected in the Oceanside LCP.

(see the enclosed photos of total and partial ocean view coverage, and pertinent measurements of coverage from surrounding streets).

2- It is a substantial issue, when the area where coverage of views will occur, is very highly used and enjoyed by thousands of people, and is where the “Coastal Rail Trail” meets the Pacific ocean (@ the corner of Morse and Myers Streets, leading to Pacific St.).

3- It is a substantial issue because of the stand of the city of Oceanside to protect its’ corridor public views as stated in the LCP, and the Public Access Policy documents.

4- It is a substantial issue because in the Planning Commission staff report, in the section under “public views”, there is no mention whatsoever of public corridor view protection from Pacific St. (towards the ocean):

There is no assessment or even mentioning of public view coverage in this case, where public views are affected from every surrounding street, and from Buccaneer Park, which is used by thousands of visitors and locals:

No mentioning at all, as if Oceanside’s LCP does not even exist!!!

Above mentioned documents clearly state the commitment to protect ocean view corridors along Pacific St.

This fact exposes something that is beyond simple negligence on the part of Oceanside Planning Commission:

Given the other facts such as blunt misinformation provided to us on several occasions, by the planning staff, and of course, by the developer/applicant..... there’s a smell of corruption, and a ‘covered-up’ siding with the applicants’ interests!

5- It is a substantial issue because of the outburst of public support and peoples’ passion to preserve precious corridor ocean views for countless visitors, who enjoy it all year round (please refer to the numerous petitions and letters signed by many locals and visitors).

6- It is a substantial issue because MANY dedicated and powerful voices, local activists and even public servants, such as the Deputy Mayor Shari Mackin (see her letter), support the fight to save Buccaneer Beach corridor views.

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7- It is a substantial issue because a precedence must be set for the next three homes to follow this one (directly to the South of above property): if developed with the same lack of consideration, they too, will encroach on the Buccaneer beach corridor views).

\*\*\*This is what our Coalition is asking the developers of the above proposed project:

ONLY an additional 10' ft. set back will make a significant difference in resolving all above mentioned beach corridor view blockage issues (all exact measurements of blockages from various areas around Buccaneer Beach and Park are enclosed).

If the above compromise is not reached, then our Coalition is prepared and committed to go as far as necessary (including a court of law), to save the precious Buccaneer Beach corridor views for the enjoyment of all, for years to come.

Given the heavy weight of the above mentioned facts, we are counting on the Coastal Commission to take a stand for the thousands of people that will be affected by the desire of one applicant to build as they wish and to maximize every square foot, at the expense of the public!!!

Your prompt attention to this matter is greatly appreciated.

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FROM : LCF

FAX NO. : 8584571442

DEC 20 2006 10:18 AM PST  
SAN DIEGO COASTAL DISTRICT  
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DEC 20 2006

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12-18-06

To: Lee McEachern, Toni Ross, Deborah Lee, "California Coastal Commission"  
Fr: Coalition for Preservation of the Public Ocean Views from Pacific St., Oceanside  
Re: Proposed Project @ 1507 S. Pacific St., Oceanside

Dear Lee / Deborah /Toni:

No matter whether or not you decide to make a recommendation of "Substantial Issue", regarding the above proposal, there are undisputable facts that must be mentioned in your report, simply because it's only fair that along with your opinion, you state what is undeniably true:

1- The coverage of ocean views from the surrounding streets and from Buccaneer Park are measurable... Thus, these measurements, as provided and verified by your staff, must be included in your report.

2- South Oceanside and the beach residential neighborhood both are mentioned in the LCP's as "Significant Areas" (in the "Coastal Development Design Standards" of the Oceanside LCP's: P. #3, last paragraph, & P. #5, last paragraph.

3- In the same chapter as above note the section:

IV. "Preserving and Creating views", states the following:

"The visual orientation to the Pacific Ocean is a major identity factor for the city of Oceanside. Traditional view corridors should be preserved and reinforced not the placement of buildings and landscaping. Additionally, some views not presently recognized, deserve consideration in the design and location of further costal improvements".

4- Further down in Standard #13, note the description of a view corridor that reads as follows:

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FROM : LCF

FAX NO. : 8584571442

Dec. 20 2006 10:18AM PM

**“Definition”:**

A view corridor is an unobstructed line of view to be preserved for passing motorists, pedestrians and bicyclists from the nearest public road to the open, lagoon or other scenic landscape.

**“Specifications”:**

View corridors should be considered as “visual access” and an integral part of coastal access.

**“Location and Distribution”:**

Because of the recreational and scenic value of the coastal landscape, view corridors should be provided wherever possible, along linear greenbelts or internal streets. In the event of proposed new development or redevelopment, structures should be sited so as to protect existing view corridors and provide new corridors.

Please note that the above definition is clearly much broader than simply a tunnel view from any of the east/west streets, and it includes angular views as the one from “Pacific Terrace Promenade”.

5- **“Pacific Terrace Promenade”**, as stated in the letter of the Deputy Mayor, is a significant recreational pathway enjoyed by thousands of tourists and locals (it's very important that you include her letter in your report!)

6- The ocean views from the sloped area of **“Pacific Terrace Promenade”** will be completely blocked by the proposed project, (note that the sloped section of the “Promenade” is the only section that offers white water ocean views, the Cassidy St. corridor being an exception.)

7- The area surrounding the proposed project is a **very heavily used recreational area**:

- A- The “Coastal Rail Trail”, runs into “Morse” St., which is currently an ocean view street, whose ocean views will be almost completely lost as a result of the proposed project.
- B- “Buccaneer Park”, which is the only major beach park in South Oceanside, will lose considerable ocean views from the south side.
- C- This is also an area of a proposed lagoon enlargement, which is meant to further increase recreational use.

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FROM : LCF

FAX NO. : 8584571442

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\*\*\*Please remember to also mention the following facts:

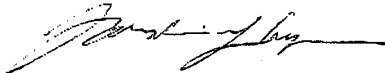
1- Thus far, there are five appeals, and about 200 (with more coming soon) signatures on letters and petitions, representing a 'movement' to protect the Buccaneer Beach corridor views.

2- The Planning Commission Notice of the Hearing was dated wrong, (9-25-06), and no revision was ever mailed out (if they would've mailed out the correct hearing date, there would be even more appeals!).

3- Deputy Mayor, Shari Mackin's letter, pointing out her findings, recommendations, and conclusions.

4- Given the significance of the location, the number of appeals, the complexity of this matter, and the public support it has received, it would be desirable / ideal if the developer respected the community's wishes, & the public's 'point of view', and considered an additional set back of 10' ft.

Thank you.



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FROM : LCF

FAX NO. : 8584571442

Dec. 12 2006 10:17AM P.



# CITY OF OCEANSIDE

DEPUTY MAYOR  
SHARI MACKIN

RECEIVED

October 25, 2006

DEC 12 2006

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

California Coastal Commission  
San Diego Coast District Office

Toni Ross, Planner

7575 Metropolitan Drive Ste 103  
San Diego, CA 92108-4402

RE: Regular Coastal Permit (RC-16-03). Address: 1507 South Pacific Street, Oceanside, CA

Dear Ms. Ross,

I read with great concern that our Planning Commission approved the above mentioned Regular Coastal Permit even though many spoke out in objection to the project. I understand that the project has been appealed to Coastal, and I would like to comment on the project and a couple of inconsistencies I see between Staff's recommendation and our Local Coastal Plan<sup>1</sup>.

The Staff Report Analysis indicates it based its decision to approve the project on two issues:

1. Compatibility of the project with existing development patterns of the area
2. Underlying zoning regulations and policies of the Local Coastal Program

In judging the compatibility of the project with existing development patterns of the area, one must consider that all the large buildings to the north or south of the site area are pre Coastal Act—one would doubt if approvals for such projects would be granted today. Both properties to the north and south of this project are vacation rentals, not primary residences and stringline violations in the area have increased with non-permitted development. This project does not meet with the underlying zoning regulations and policies of the Local Coastal Program for the reasons listed below.

Section VI: Visual Resources and Special Communities, Section C.:

Objective: "The City shall protect, enhance and maximize public enjoyment of Coastal Zone scenic resources" (p. 36). The Special Community of South Oceanside (home to visitors/tourists and residents alike) enjoy glimpses of coastal vi Pacific Terrace Public Promenade (elevated) which runs parallel to Pacific

<sup>1</sup> City of Oceanside Local Coastal Program Land Use Plan Summary of Findings and Policies, Adopted 1985, Certified July 10, 1985

EXHIBIT NO. 11
APPLICATION NO.
<b>A-6-OCN-06-134</b>
Letter from Shari Mackin
3 pgs.

FROM : LCF

FAX NO. : 8584571442

Dec. 12 2006 10:17AM P2



## CITY OF OCEANSIDE

DEPUTY MAYOR  
SHARI MACKIN

east on their way to Buccaneer Beach. The views enjoyed by the public using Pacific Terrace Public Promenade can be compared to that of the enjoyment people experience as they stroll along our Linear Park (unobstructed views along Pacific Street) in the Redevelopment Area from Wisconsin to Surfrider Way. The South Oceanside Community has treasured the public promenade since it was constructed, and on any given day of the week, one can see many people walking along the promenade taking in glimpses of the gorgeous coastal views between side yard setbacks as they make their way to Buccaneer Beach. Also, due to the lack of proper street set-backs on Pacific Street (especially through this area) it necessitates the use of the elevated promenade for safe pedestrian north-south passage along Pacific Street. The project as proposed will block a substantial amount coastal view from this public promenade. It might be suggested that the project assume a larger set back (see Policy #9) in order to retain the present coastal view from the public promenade as well as the Coastal Rail Trail.

Policy #9: "In areas where a change to a more intensive use is proposed, adequate buffers or transition zones (such as increased setbacks, landscaped barriers, or decorative walls) shall be provided" (p. 37). The project proposes a much more intensive use for this property: an increase to the overall intensity of the present square footage (1,002 SF) by approximately four times (4,050 SF): increased setbacks in excess of the proposed 4 feet should be required due to the major increase of intensity on the site.

### Section IV: Preserving and Creating Views<sup>2</sup>:

"The visual orientation to the Pacific Ocean is a major identity factor for the City of Oceanside. Traditional view corridors should be preserved and reinforced in the placement of buildings and landscaping. Additionally, some views not presently recognized, deserve consideration in the design and location of further coastal improvements" (p. 9). Although the Buccaneer Beach view corridor is not a "named" view corridor, it is a view which does deserve consideration in the design and location of coastal improvements as it is a widely used area, our Coastal Rail Trail feeds into it, and the project will restrict views from the public promenade.

### Section VII: Site Development/Building Design Standards, Section A.:

Site Planning and Setbacks, #2.: "Varying building setbacks create special variety. Designing a large building with varying setbacks adds interest and creates small intimate spaces" (p.9) The project as proposed does not create special variety. It creates

<sup>2</sup> Coastal Development Design Standards, City of Oceanside Local Coastal Plan

FROM : LCF

FAX NO. : 8584571442

Dec. 12 2006 10:19AM P3



## CITY OF OCEANSIDE

DEPUTY MAYOR  
SHARI MACKIN

a large, rectangular box with little variety and no varying setbacks. Considering the project is next to an open space (public beach), there is an opportunity to create interest and special variety by the creative use of setbacks and superior structural design. If a larger setback was required at the street, it would offer much needed space from the sidewalk to the building instead of the 'tunnel effect' which creates a non-visitor/walking friendly atmosphere.

Summary:

I believe that the proposed project is inconsistent with the underlying zoning regulations and policies of the Local Coastal Program as it does not enhance and maximize public enjoyment of Coastal Zone scenic resources; it does not include adequate buffers or transition zones considering the major increase in intensity the applicant is requesting; it does not recognize views from the public promenade and Coastal Rail Trail; and it does not conform with projects in the surrounding neighborhood in use or design (post Coastal Act).

In closing, as Deputy Mayor of the City of Oceanside, I brought forth policy (with council consensus) to update our Building Guidelines in order to address many of the box like structures we have been seeing come through our Planning Department as well as the inconsistencies between proposed developments and our LCP. Our sidewalks and views are shrinking, and our character beginning to vanish. I encourage you to take a good look at the area in question as we have the opportunity to "do it right" and request the applicant to expand the setback and save a major public view corridor, enhance public safety (sidewalk access and views of on-coming traffic) or should the approval move forward—create yet another big, rectangular box on the beach next to a coastal access. Considering the improvements to Buccaneer Beach (UV Treatment at the Loma Alta Creek sloth and wetland restoration project), we should make a concerted effort to preserve this public view corridor, and retain *some* of the uniqueness that the special community of South Oceanside has to offer.

I thank you for the opportunity to discuss this appeal with you, and look forward to reviewing Staff's recommendation.

Sincerely,

  
Shari Mackin

cc: files