

**AGENDA**  
**OCEANSIDE DEVELOPER'S CONFERENCE**

**Tuesday, October 29, 2013, 9:00 a.m.**  
**Guajome Conference Room**

1. 9:00 a.m. - 10:00 a.m.      Discussion to construct a 3,750 square foot drive-thru restaurant located at 936 North Coast Highway.

**Zoning: 6A (Visitor Serving Commercial)**  
**Land Use: Downtown Area**  
**Neighborhood Area: Townsite**  
**Assessor Parcel Number: 147-020-37, 38**  
**Contact Person: Stephen Copen, M.D.**  
**Tel.: 310-387-7275**  
**Email: [scopen@mednet.ucla.edu](mailto:scopen@mednet.ucla.edu)**

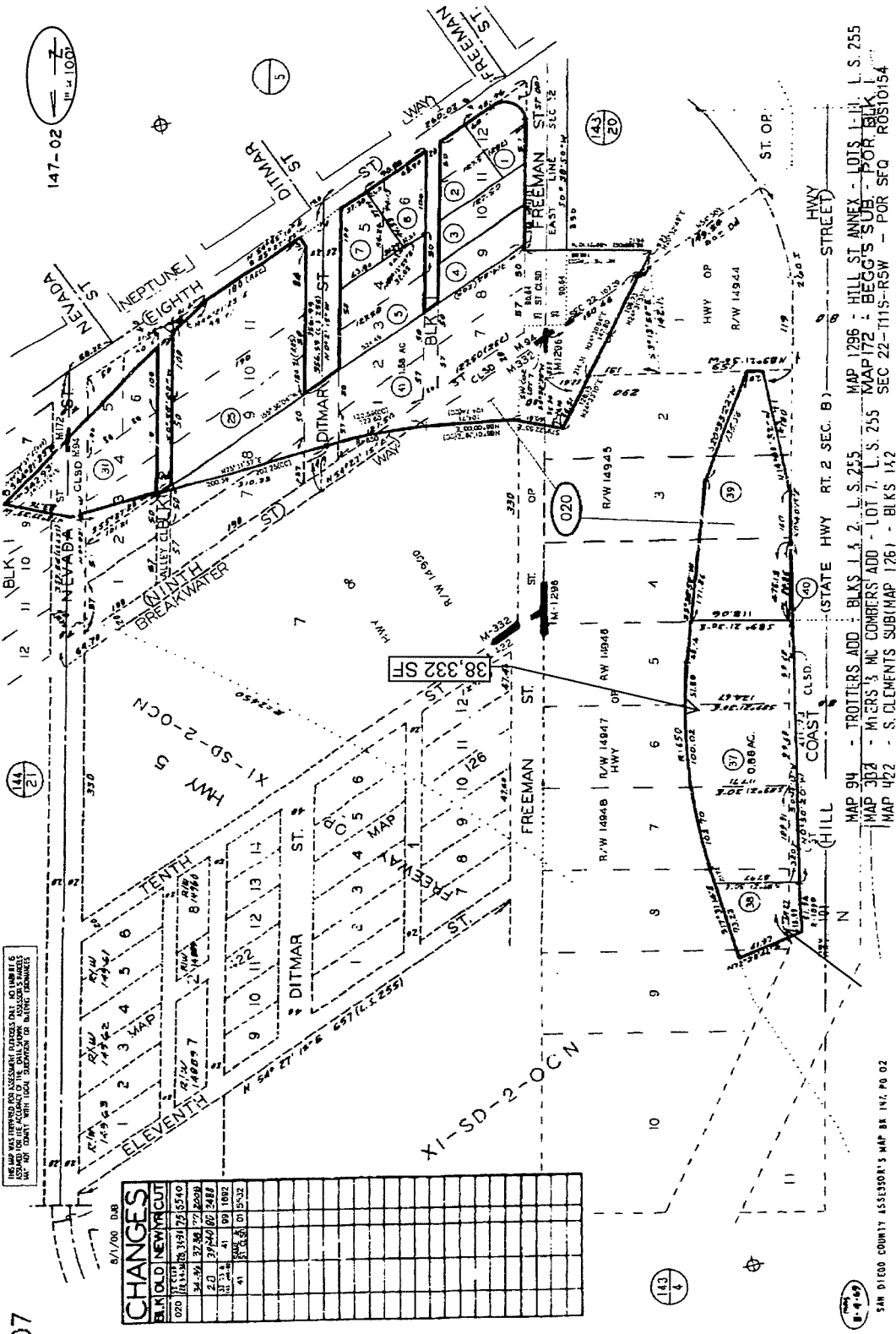
2. 10:00 a.m. - 11:00 a.m.      Discussion to review and revise an approved Development Plan known as Boardwalk for an 82-unit hotel, restaurant, and four condominium units located west of Coast Highway and south of Eaton Street.

**Zoning: C-2 (General Commercial) & R3 Medium Density Residential**  
**Land Use: General Commercial & Low Density**  
**Neighborhood Area: South Oceanside**  
**Assessor Parcel Number: 155-034-15, 16, 17**  
**Contact Person: Jon Roberts**  
**Tel.: 760-692-1924 ext. 270**  
**Email: [jon@lightfootpg.com](mailto:jon@lightfootpg.com)**

Attachments:

1. Maps
2. Project Description Letter
3. Proposed Elevations

ITEM 1



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO WARRANTY IS MADE BY THE COUNTY AS TO THE ACCURACY OF THE DATA OR THE RESULTS THEREOF.

CHANGES	6/1/00 DB
BLK OLD NEW/CUT	
020	1111008 15172 15140
	34 34 37 54 77 12098
	20 37 44 62 2488
	31 34 41 99 1882
	38 38 51 15132

07

147-020

MAP 9H - TROTTERS ADD - BLKS 1, 2, L.S. 255  
 MAP 3D2 - MITERS & MC COMBERS ADD - LOT 7, L.S. 255  
 MAP 4P2 - S. CLEMENTS SUB (MAP 126) - BLKS 142  
 MAP 1726 - HILL ST ANNEX - LOTS 1-11, L.S. 255  
 MAP 172 - BEGG'S SUB - FOR BLK 142  
 SEC 22-1115-RSW - FOR SEC 22-1115-RSW - FOR SEC 22-1115-RSW - FOR SEC 22-1115-RSW

344 D1600 COUNTY ASSESSOR'S MAP BK INV. PG 02

13502 Hamburger Lane  
Baldwin Park, California 91706-5885  
(714) 509-6200



The Best Enterprise  
Is A Free Enterprise  
"God Bless America"

#### Project Description:

The site is an existing restaurant without a drive-thru in present use. The site is in good condition and will only need repairs/replacement to the parking lot and Landscaping as a result of construction. The existing restaurant is approximately 20 + years old and is in fair shape.

We propose to demolish the entire site including the building and re-grade the site for better appearance and to meet the latest codes. Also, we plan to construct a new IN N OUT Burger restaurant with a drive-thru lane that will accommodate a minimum (17) Seventeen car stack in the drive isle alone. We will have on site parking for (54) fifty four cars, seating for (40) forty outside and seating for (76) seventy six inside. We will be replacing the existing building with Landscaping and parking to match or increase the required amount from the city.

The building will be (28) twenty eight feet tall at the peak of the towers; we will be using stucco for the outside of the building painted "Bone China" and clay tile roof. The style is somewhat of a contemporary look with the building located towards N. Coast Hwy. with the drive-thru starting at the south side of the parcel, wrapping around the parking area, moving up to the building and then exiting back onto the parking area, for either a quick exit onto N. Coast Hwy., or moving back in front of the building into the parking area in front of the building, or to the main parking area to the south of the building.

The existing use and zoning is the same for the new use. We will not need a zone change, we are applying for a Conditional Use Permit, Design Review and an Environmental Review - Exemption. The applicant may choose to apply for a variance for signage, but that has not been determined at this time. The address for the proposed location is 936 N. Coast Hwy. The existing zoning for this location is applicable for the future use intended.

**The Customer Is Everything To Us**

## NOTICE OF SALE

NOTICE OF SALE OF REAL PROPERTY OWNED BY THE SUCCESSOR AGENCY TO THE CITY OF OCEANSIDE REDEVELOPMENT AGENCY, SITUATED IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND INVITING ORAL BIDS AT PUBLIC AUCTION FOR THE PURCHASE OF SAID PROPERTY.

Pursuant to Resolution No. 13-R0097-OOB of the Oversight Board for the Successor Agency of the City of Oceanside Redevelopment Agency (the "Oversight Board") of the City of Oceanside ("City"), adopted February 26, 2013, authorizing advertising the sale of parcels of land to wind down the affairs of the dissolved Redevelopment Agency, NOTICE IS HEREBY GIVEN that the Successor Agency intends to sell to the highest regular responsible bidder at public auction, for cash, the following described real property situated in the City of Oceanside, County of San Diego, State of California, to wit:

### LEGAL DESCRIPTIONS

#### Parcel 1 (801 North Coast Highway)

Being Lots 5 and 6 in Block 24 of A.J. Myers Addition, according to Map thereof No. 344, filed in the Office of the County Recorder of San Diego County, on July 1, 1885.

Together with the easterly 10 feet of the adjacent closed alley abutting the westerly line of said Lots 5 and 6, and all underlying fee ownership to any adjoining public streets and/or rights-of-way attributed or appurtenant to said Lots.

Containing 0.2525 acres or 11,000 square feet, more or less

Assessor's Parcel No. **143-201-03**

#### Parcel 2-A (900 Block North Coast Highway)

That portion of Lots 8 and 9 of Hill Street Annex, according to Map thereof No. 1296, filed in the Office of the County Recorder of San Diego County, October 20, 1910, described as follows: Commencing at the Southwesterly corner of Lot 5 of said Map No. 1296; thence Northerly along the West line of said Lots 5 through 8, North 00°40'15" East, 320.00 feet to the True Point of Beginning; thence continuing along said West line North 00°40'15" East 69.2 feet; thence leaving said West line, North 72°28'46" East, 61.97 feet to the Westerly right of way of State Highway II SD-5-53, 2; thence Southeasterly along said right of way line South 17°31'14" East, 93.23 feet; thence leaving said Westerly right of way line North 89°21'30" West, 87.92 feet to the True Point of Beginning.

#### Parcel 2-B:

That portion of Hill Street (80.00 feet wide) of Hill Street Annex, according to Map thereof No. 1296, filed In the Office of the County Recorder of San Diego County, October 20, 1910, described as follows:

Beginning at a point in the East line of said Hill Street distant thereon South 00°40'15" West (Record - South) 88.86 feet from the Northwest corner of Lot 4 of said Map No. 1296; thence North 00°50'20" West, 411.73 feet to the beginning of a tangent curve concave Westerly having a radius of 1030.00 feet; thence Northerly along said curve through a central angle of 03°26'43" an arc length of 61.94 feet to an intersection with the Southwesterly prolongation of that certain

course In the Southeasterly boundary of land described in Relinquishment Number 19047-19 to City of Oceanside, recorded January 31, 1973 as File No. 23798 of Official Records, having a bearing and length of South 72°28'46" West, 61.97 feet; thence along said prolongation North 72°28'46" East, 15.09 feet to a point in the East line of said Hill Street; thence along said East line South 00°40'15" West (Record - South) 478.13 feet to the Point of Beginning. EXCEPTING THEREFROM that portion lying Southerly of a line bearing North 89°21'30" West from the Southwest corner of Parcel 2-A, hereinabove described.

Assessor's Parcel Number: **147-020-38**

SUBJECT TO all outstanding taxes and assessments, if any.

SUBJECT TO any and all easements, covenants, conditions, restrictions, and other matters of record.

SUBJECT TO all encroachments, if any.

EXCEPTING AND RESERVING unto the City of Oceanside all water and water rights, whether surface, subsurface, or of any other kind, and all water and rights appurtenant or in any way incident to the real property herein described, or used thereon or in connection therewith, together with the right to develop, take, transport, control, regulate, and use all such water; and reserving unto the Grantor all oil, gas, petroleum, or other mineral or hydrocarbon substances in and under the surface of said land, without the right to enter upon the surface of said land for such use.

The sale parcels are vacant, unimproved lots without tenancies. The parcels will be sold separately in there as-is condition. The minimum acceptable sales price for the lot at 801 North Coast Highway is \$297,000 and the minimum acceptable sales price for the lot in the 900 Block North Coast Highway is \$183,000.

NOTICE IS FURTHER GIVEN that for the purpose of receiving bids for the minimum acceptable sales price, or higher, for the aforementioned properties, a public auction will be held in Oceanside, California, on **Wednesday September 4, 2013**. Said auction will be held at the Oceanside City Council Chambers at 300 North Coast Highway, Oceanside, and will commence at **9:00 a.m.**

All persons interested are invited to attend said auction and bid for the property intended to be sold. Said property may orally be bid on by all persons present who have been designated as qualified bidders, provided, however, that each bid after the first shall exceed the last previous regular bid for that parcel by not less than One Thousand Dollars (\$1,000) until no person is willing to bid higher. Any person wishing to be designated as a qualified bidder must place a deposit with the auctioneer or his/her representative prior to the commencement of bidding on the parcels. Said deposit must be \$10,000 and in the form of a cashier's check from a bank, credit union, or a savings and loan institution made payable to the City of Oceanside. **NO PERSONAL CHECKS, ENDORSED CHECKS, OR MONEY ORDERS WILL BE ACCEPTED.** At the close of bidding, deposits will be returned to the unsuccessful bidders on the parcels.

The qualified bidder making the highest regular bid for the respective parcel shall thereupon execute and deliver to the authorized representative of the City present at said auction a written confirmation of bid on a form provided for that purpose, consisting an offer in writing to purchase for cash for the amount bid as the purchase price of said parcel; all upon the terms and

conditions, and subject to the exceptions, reservations, matters, and things herein set forth or referred to, and as contained in the Purchase and Sale Agreement, said Purchase and Sale Agreement is available for review during normal business hours prior to said auction at the Offices of the City of Oceanside Property Management Division, 300 North Coast Highway, Oceanside, CA 92054, or on the City of Oceanside website at [www.oceanside.ca.us](http://www.oceanside.ca.us), and subject to such further matters, if any, as shall have been publicly announced at the commencement of the auction.

In addition to the deposit noted above, if the offer is accepted by the Oversight Board, an additional deposit is required concurrent with the opening of escrow for the consummation of the contemplated sale of the parcel, to make the total deposits held by the Successor Agency and the escrow holder equal to ten percent (10%) of the purchase price. Said deposit shall constitute a guarantee that the person making said offer will complete the purchase according to the terms of the offer, *i.e.*, the Purchase and Sale Agreement. In the event the offer is accepted and subsequently approved by the California Department of Finance and the purchase is completed in accordance to the terms thereof, the said deposits shall be credited and applied on account to the purchase price; but, in the event the offer is rejected or disapproved, the deposits shall be returned to the bidder.

In the event said offer is accepted by the Oversight Board and approved by the California Department of Finance but the purchase is not completed and the failure in that regard is not caused by any act or omission of the Successor Agency or any representative of the Successor Agency, the said deposits shall be retained by and become the property of Successor Agency as and for all costs and expenses incurred for the necessary proceedings incidental to the acceptance of the offer.

All such written offers so received from the qualified bidders making the highest regular bid for the respective parcel and accompanied by the required deposit shall be submitted to the City Manager for recommendation for acceptance by the Oversight Board and is subject to the right of the City Manager or Oversight Board to accept or reject any and all bids or to withdraw any of the real property from sale without suffering any penalty or forfeiture whatsoever, at any time prior to the actual acceptance of said bids. **FURTHERMORE, THE SALE OF THE PROPERTY, IF THE OFFER IS ACCEPTED BY THE OVERSIGHT BOARD, SHALL BE SUBJECT TO THE APPROVAL OF THE CALIFORNIA DEPARTMENT OF FINANCE. IN THE EVENT THE DEPARTMENT OF FINANCE REJECTS OR DISAPPROVES THE SALE OF THE PROPERTY THE OVERSIGHT BOARD AND SUCCESSOR AGENCY SHALL HAVE NO RESPONSIBILITY OR OBLIGATION TO THE BIDDER MONETARILY OR OTHERWISE, EXCEPT FOR THE RETURN OF THE DEPOSITS.**

When the Oversight Board has accepted such offer and such offer has been approved by the California Department of Finance, there shall be, in due course and subject to the terms and condition of sale, executed and delivered to the purchaser, his nominee, or assign, upon payment of the balance of the purchase price and any documentary transfer taxes, escrow fees, or other fees and costs associated with the closing, a deed granting title to said property, subject to the lien for taxes and assessments then current and unpaid, if any, and subject to the following exceptions and reservations, to wit:

a) Excepting therefrom and reserving unto the City of Oceanside all water and water rights, whether surface, subsurface, or of any other kind, and all water and rights appurtenant or in any way incident to the real property herein described, or used thereon or in connection therewith, together with the right to develop, take, transport, control, regulate, and use all such water; and

reserving unto the City of Oceanside all oil, gas, petroleum, or other mineral or hydrocarbon substances in and under the surface of said land, without the right to enter upon the surface of said land for such use.

b) Subject to the lien for taxes and assessments then current and unpaid, if any, easements, encroachments, covenants, conditions and restrictions; and to all other matters of record; together with pertinent ordinances, rules, or regulations of the City of Oceanside.

c) Appropriate public utility easements shall be reserved for the parcel at the discretion of the City of Oceanside and quasigovernmental utilities.

A Policy of Title Insurance, if any be desired by the purchaser, shall be obtained by and at the expense of the purchaser. The property is being sold without warranty or guarantee, either expressed or implied, as to the ground location of property lines, zoning or encroachments.

The properties are available for inspection by bidders prior to the auction. Seller urges all bidders to inspect the property before bidding.

By bidding on the respective parcel, the bidder represents to the Seller that the bidder has in fact inspected the property to bidder's satisfaction, knows the condition thereof, and based on the knowledge and inspection, is nevertheless ready, willing and able to purchase the property.

**SELLER MAKES NO REPRESENTATION OR WARRANTY WHATSOEVER AS TO THE CONDITION OR USABILITY OF THE PROPERTY; THE PRESENCE OF ANY DEFECTS, RATHER APPARENT OR HIDDEN; OR THE FITNESS OF THE PROPERTY FOR USE, OR ITS FITNESS FOR A PARTICULAR USE.**

**THE PROPERTY OFFERED FOR SALE IS OFFERED AND SOLD IN AN "AS-IS", "WHERE-IS" AND "WITH-ALL-FAULTS" CONDITION, AND ALL BIDDERS, BY BIDDING ON THE PROPERTY, ARE, BY SUCH ACT, EXPRESSLY AGREEING TO PURCHASE THE PROPERTY IN AN "AS-IS", "WHERE-IS" AND "WITH-ALL-FAULTS" CONDITION AND WITHOUT ANY WARRANTY AS TO THE CONDITION OF THE PROPERTY AS TO FITNESS FOR USE, OR CONDITION OF THE PROPERTY, AND THAT SELLER HAS NO OBLIGATION TO CORRECT ANY CONDITION OF THE PROPERTY WHETHER KNOWN BEFORE OR AFTER THE DATE OF THE AUCTION.**



THIS SITE PLAN IS BASED ON AERIAL FILE OF A EXISTING/NEW SITE PLAN



VICINITY MAP N.T.S.

**SUMMARY**

**IN-N-OUT SITE AREA:** LOT 1 (43,667 S.F.±) ACRE 1.00  
 LOT 2 (6,139 S.F.±) ACRE .140  
 TOTAL (49,806 S.F.±) ACRE 1.40

**SITE ADDRESS:** 936 N. COAST HIGHWAY  
**JURISDICTION:** CITY OF OCEANSIDE, CA

**APN:** LOT1: EXISTING CARROWS 147-020-37-00  
 LOT2: EXISTING VACANT LOT 147-020-38-00

**ZONING:** MIXED USED DOWNTOWN REDEVELOPMENT SUB DISTRICT 7

**PROPOSED USE:** DRIVE-THRU FASTFOOD  
**CAR STACKING IN DRIVE THRU:** 17 CARS MIN.

**CONDITIONAL USE PERMIT:** NO DRIVE THRU S ALLOWED IN CURRENT ZONE WITH OUT A ZONE CHANGE FROM ZONE TECH AND CITY PLANING COMMISSION

BUILDING/LANDSCAPE SET BACKS	REQD	PROVD
BLDG' FRONT:	5'-0"	50'-2"
BLDG' SIDE:	0'-0"	15'-10"
BLDG' REAR:	0'-0"	4'-2-1/2"

**BUILDING AREA**

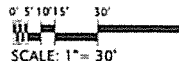
**IN-N-OUT BUILDING AREA:** 3,750 S.F.  
**IN-N-OUT SEATING:**  
 INDOOR: 76 SEATS  
 OUTDOOR: 40 SEATS

**PARKING SUMMARY**

	REQD	PROVD
IN-N-OUT BLDG(@1 SP PER 100 S.F.) AREA 3750 SF :	38	
OUTDOOR SEATING(1 SP@100 S.F.) 10 TABLES= 1350 S.F.:	14	
STANDARD STALLS		52
ACCESSIBLE STALLS		2
	52	54

DATE	REVISIONS

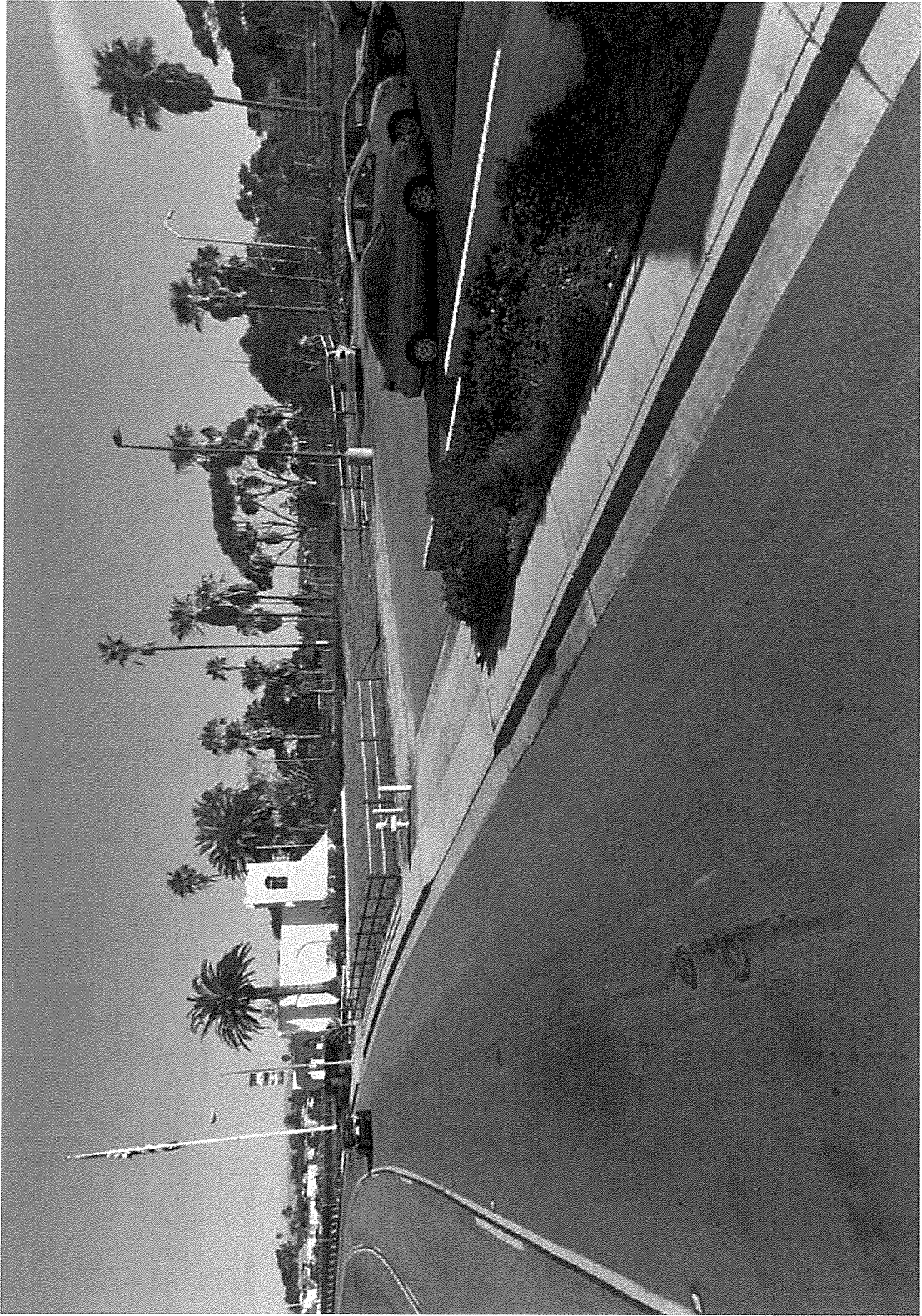
PRELIMINARY SITE PLAN LAYOUT  
 (936 N. COAST HIGHWAY) OCEANSIDE, CA



INO\_CA-OCEANSIDE  
 (936 N. COAST HIGHWAY) - SP 2  
 (EXISTING CARROWS)

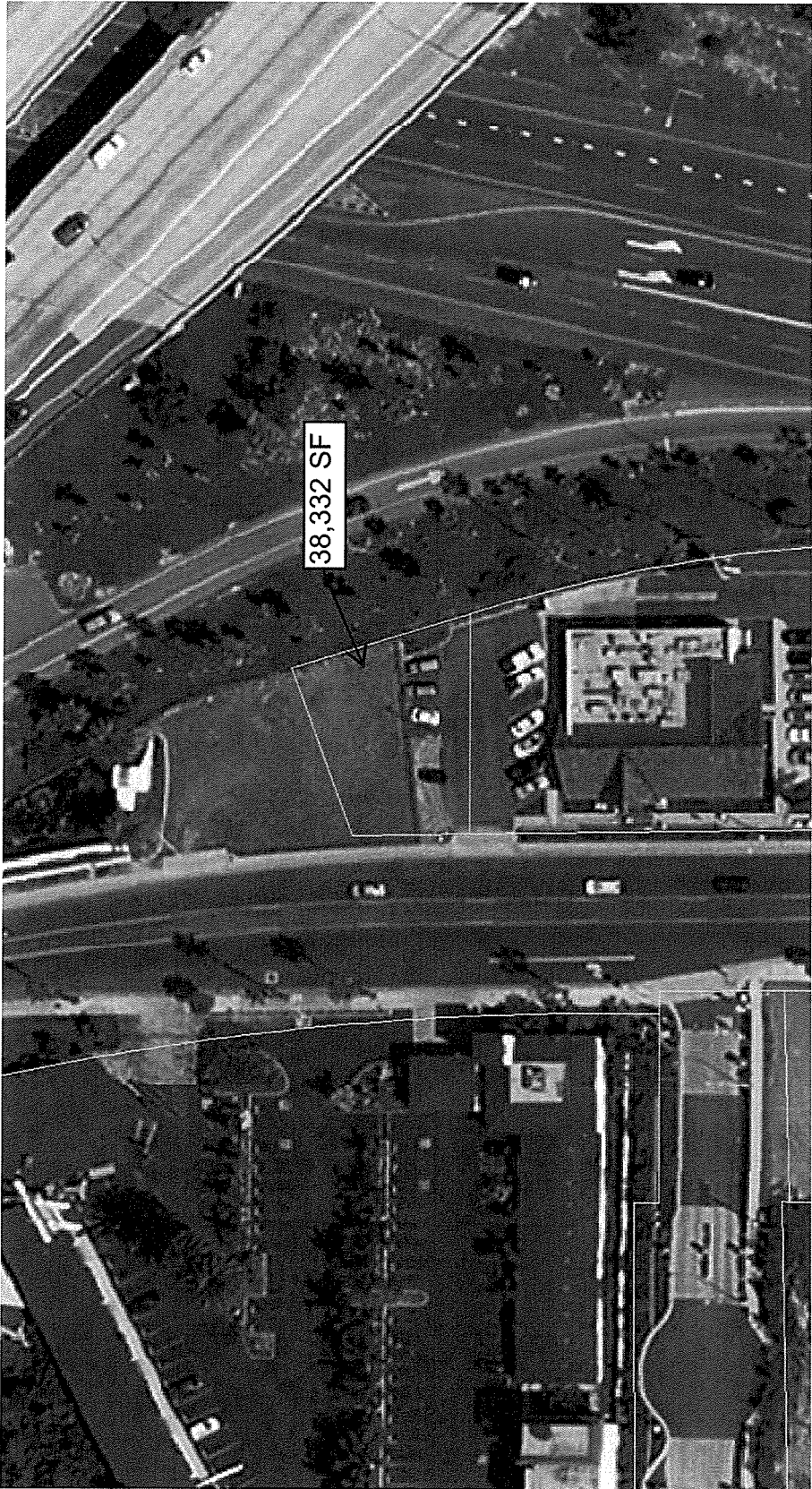












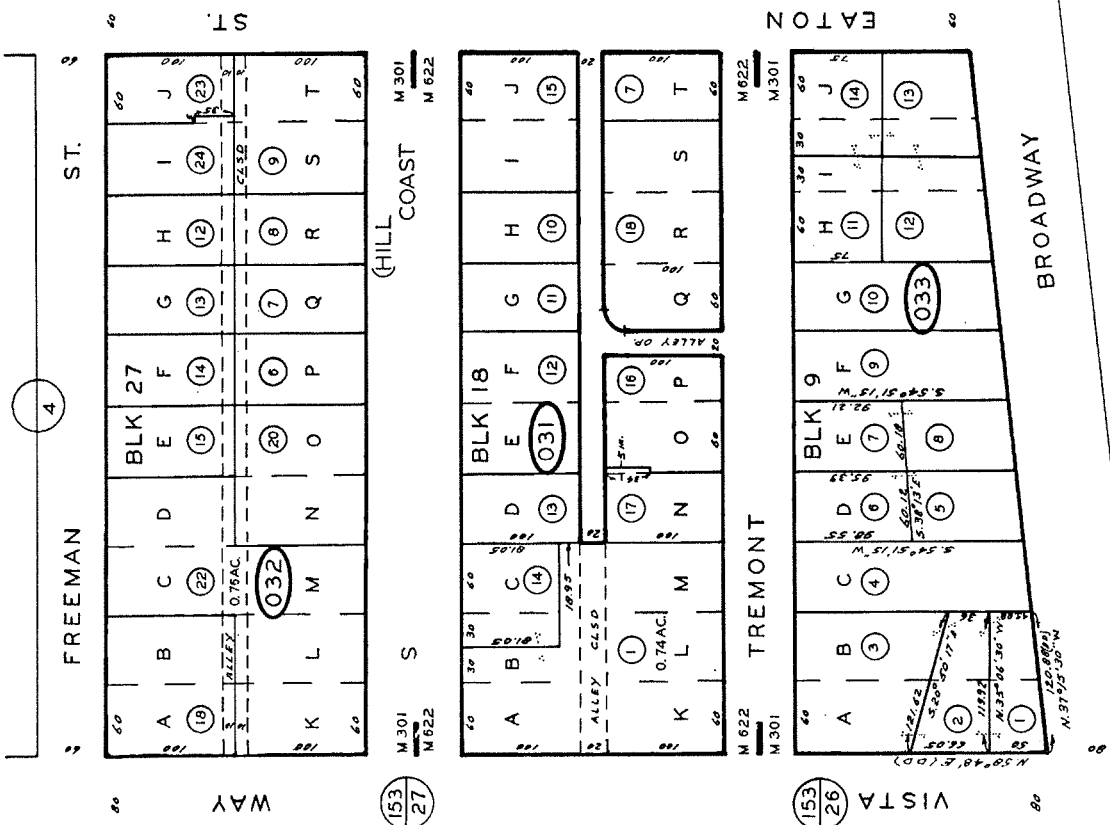
38,332 SF



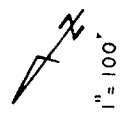
Site

38,332 SF

07



155-03



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSORS PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

(STATE HWY XI-SD-2B) HWY

CHANGES	
BLK	OLD NEW YR CUT
032	02-17 23-04 78 2053
034	12-13 SAME 82 5550
034	13 14-16 85 2192
034	16-14 17 88 1970
034	9-12 87-88 92 5627

ITEM 2

MAP 2743-STMALO TERRACE - LOTS 1-12  
 MAP 622-SOUTH OCEANSIDE REFILED 1890  
 MAP 301-SOUTH OCEANSIDE CORRECTION  
 BLKS 8, 9, 18 & 27 - ROS 4240, 17392

SHT 1

SAN DIEGO COUNTY  
 ASSESSORS MAP  
 BOOK 155 PAGE 03

# MacHutchin Property

## Project Description

Developer's Conference

October 26, 2013

The subject 3.8 acre property was approved by the City Council on February 14, 2007, for the development of an 82 unit hotel, restaurant, and 4 condominium units (T-8-02, D-13-02, D-14-02)(City Council Resolution No. 07-R0049-1). The approval was appealed to the Coastal Commission where final action is still pending. Earlier this year, the Commission Staff determined that 2.69 acres include coastal wetland habitat and the required 100 foot wide habitat buffer area, thereby making the approved project undevelopable.

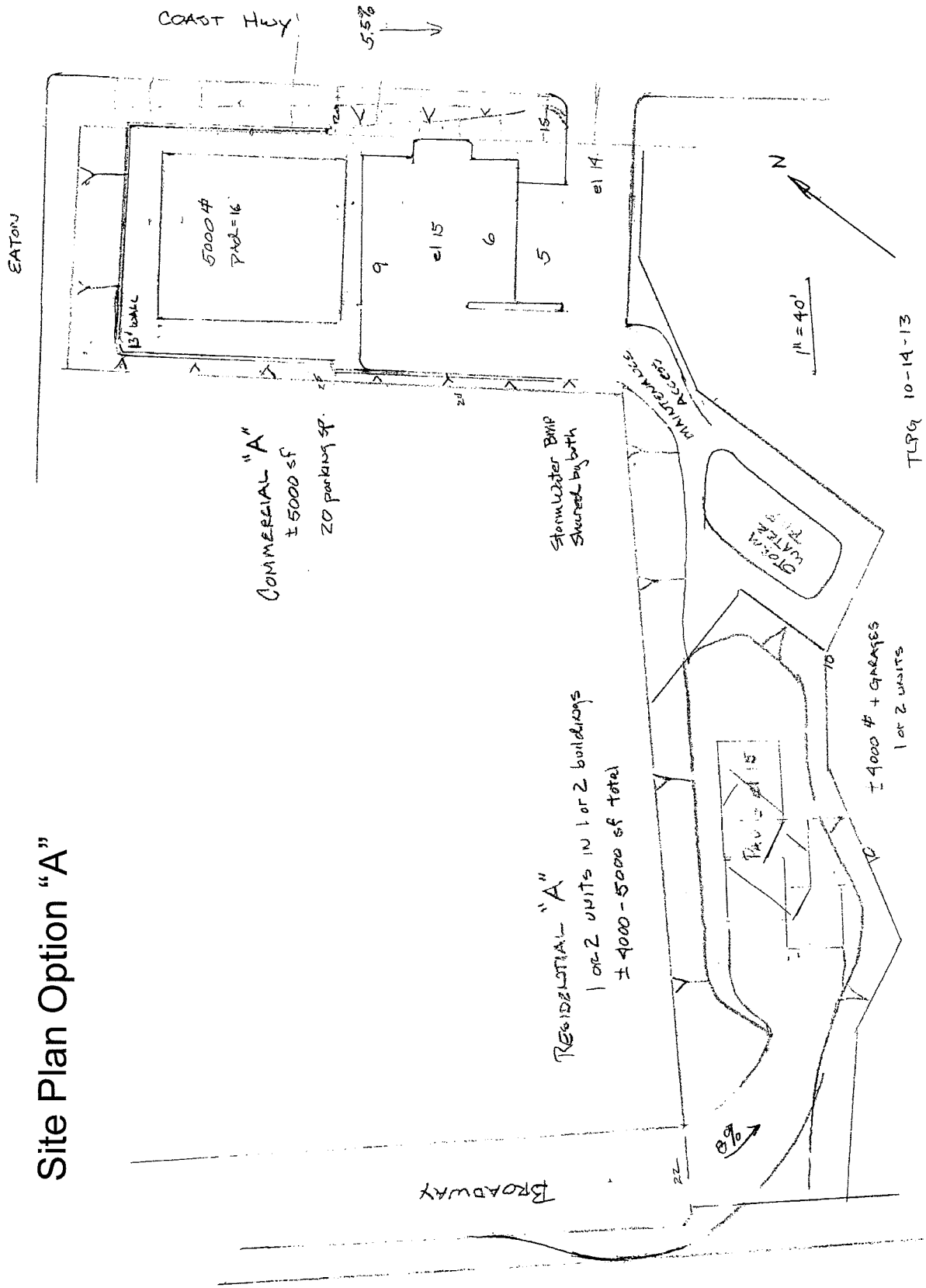
This proposal is an attempt to identify an alternative project for the property that complies with the existing commercial (C-2) and high density residential (R-3) zoning while retaining the habitat and buffer area. The proposal would be presented to Coastal for their concurrence, and then filed and processed for City approval.

The property consists of 3 legal parcels created in 1980 by Parcel Map 11758. The wetland determination has significantly reduced the size of the developable area and physically separated the commercial and residential portions of the property. This proposal would include a lot line adjustment that would create two developable lots, one commercial and one residential, which could be sold to separate small developers, and a third open space/habitat parcel that could be sold for mitigation purposes.

Individual development plans would be filed by the buyers for their respective projects. The public improvements identified in the original project approval are probably no longer applicable because of the greatly reduced scope of the project. Included with this proposal for the purpose of identifying new potential public improvement requirements are two commercial scenarios and two residential scenarios. Identifying these requirements at this time, even though there may be changes based on the final plans submitted to the City, will assist both Coastal and potential buyers in evaluating the feasibility of the new project.

**APN: 155-034-15, 16, 17**

# Site Plan Option "A"



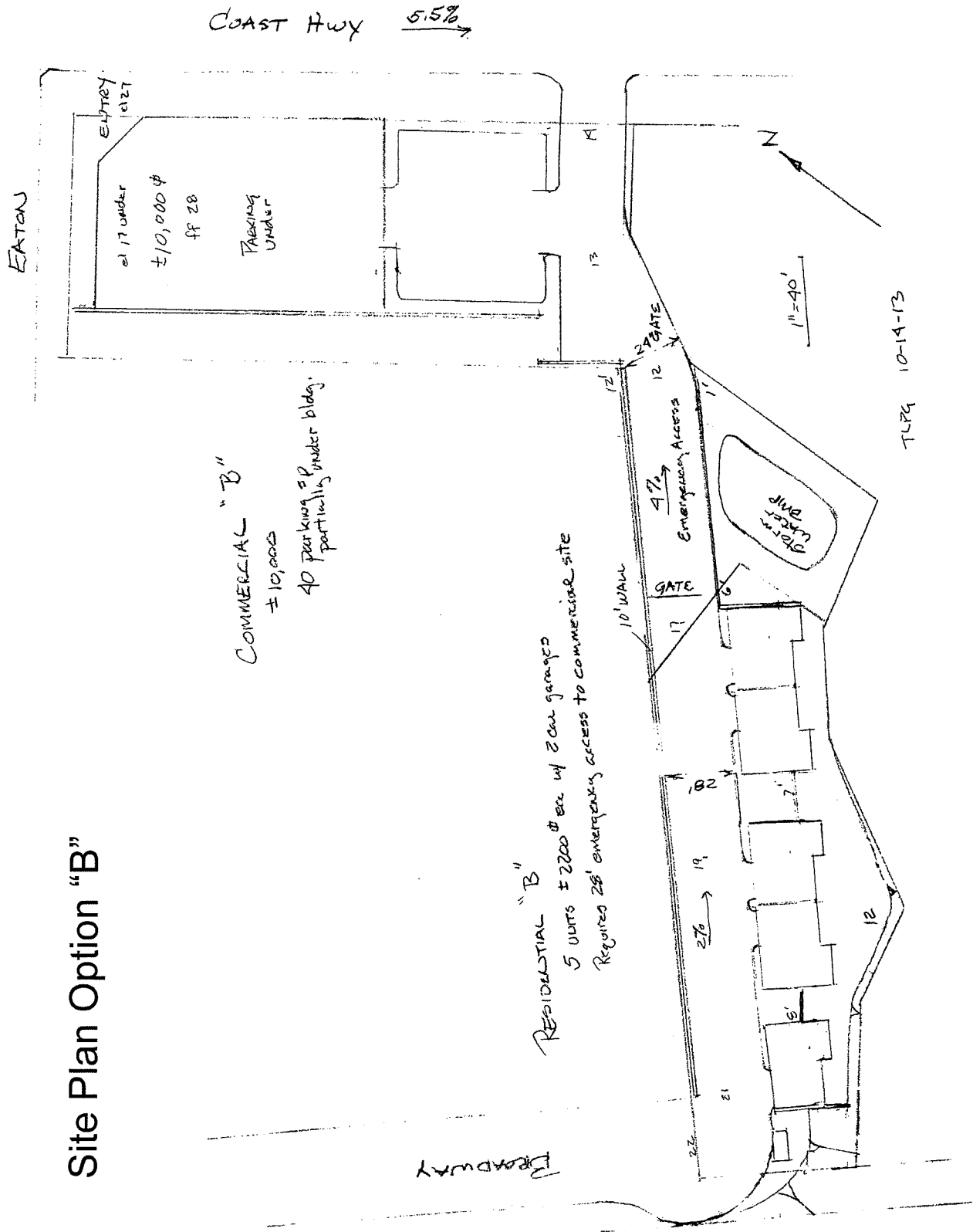
COMMERCIAL "A"  
± 5000 sf  
20 parking sp.

RESIDENTIAL "A"  
1 or 2 units in 1 or 2 buildings  
± 4000 - 5000 sf total

± 4000 # + garages  
1 or 2 units

TLPG 10-14-13

# Site Plan Option "B"



COAST HWY 5.5%

EATON

COMMERCIAL "B"  
± 10,000  
40 parking ± parking under bldg.

RESIDENTIAL "B"  
5 UNITS ± 2200 sq ft ea. w/ 2 car garages  
Requires 28' emergency access to commercial site

TL24 10-14-13

1" = 40'

Boundary

ENTRY  
el 17 under  
el 27

± 10,000 sq ft  
ff 28

Parking Under

GATE

EMERGENCY ACCESS

GATE

DUMP TRUCK

12

12

19

27'

17

10' WALL

12

13

13

17

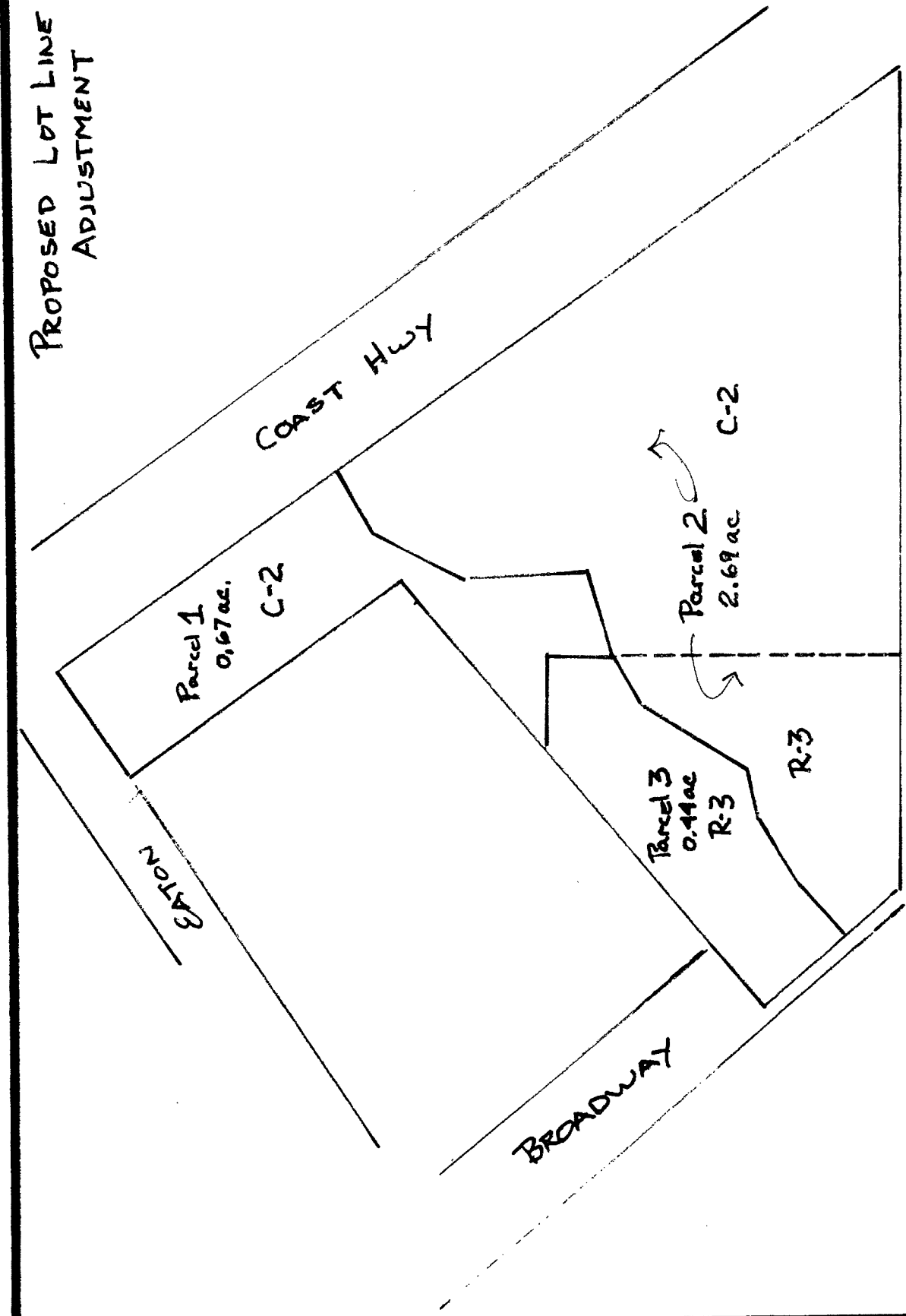
12

12

12

12

PROPOSED LOT LINE  
ADJUSTMENT



Parcel 1  
0.67 ac.  
C-2

Parcel 2  
2.69 ac  
C-2

Parcel 3  
0.44 ac  
R-3

R-3

GATON

COAST HWY

BROADWAY

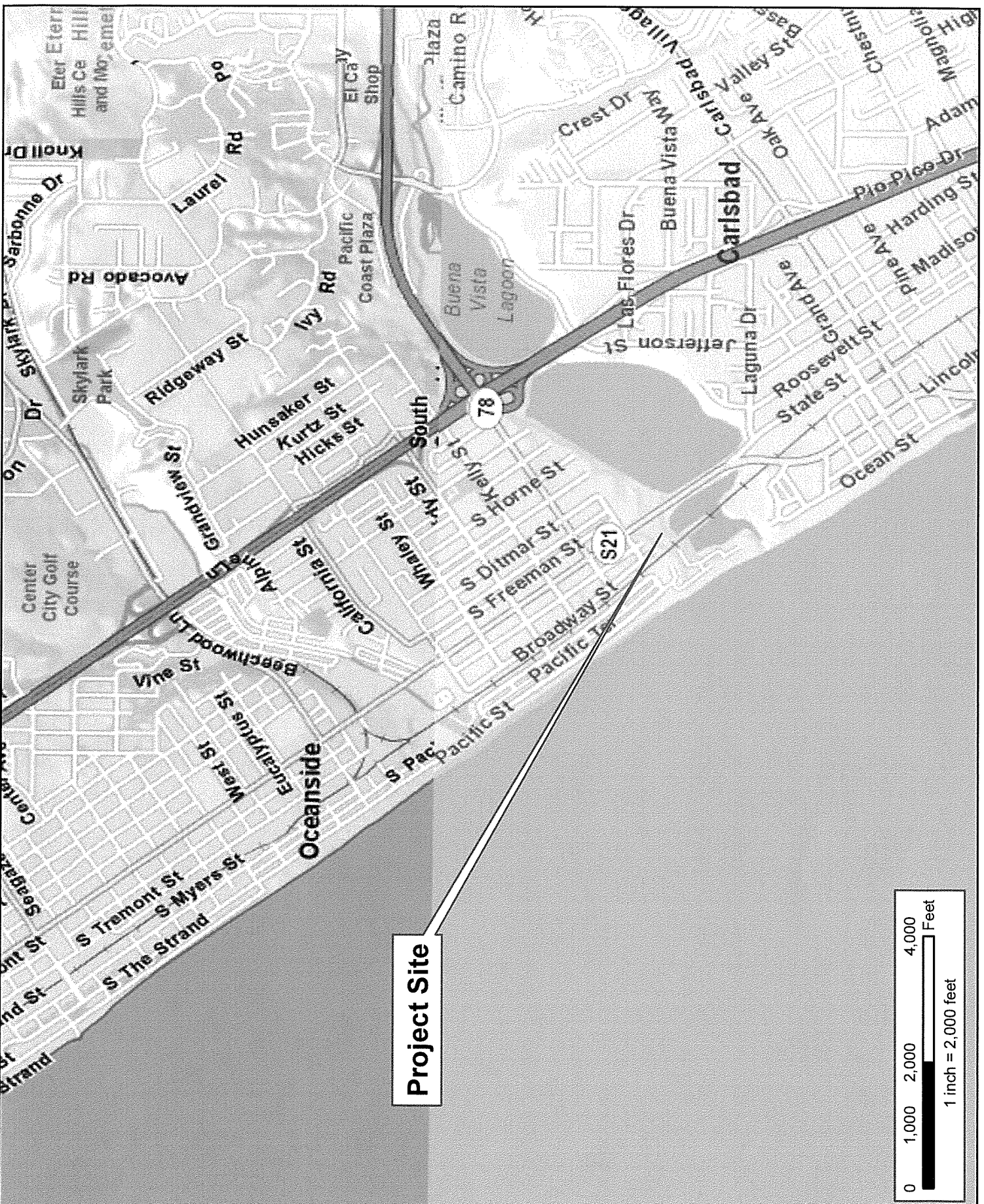


APN: 155-034-15, 16, 17



REGIONAL MAP

Source:  
Source 1-13  
Aerial Street Map



**Project Site**

