

# AGENDA NO. 3



STAFF REPORT

## PLANNING COMMISSION

DATE: September 13, 2010

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN (D10-00004) AND THREE CONDITIONAL USE PERMITS (CUP10-00013, CUP10-00014, CUP10-00015) FOR THE DEVELOPMENT OF A 78,480-SQUARE FOOT BUSINESS HOTEL LOCATED AT THE SOUTH EAST CORNER OF SEAGATE WAY AND RANCHO DEL ORO DRIVE – COURTYARD BY MARRIOTT – APPLICANT: RD OLSON DEVELOPMENT**

### **RECOMMENDATION**

Staff recommends that the Planning Commission by motion:

- (1) Approve a Development Plan (D10-00004) and Conditional Use Permits (CUP10-00013, CUP10-00014 & CUP10-00015) by adopting Planning Commission Resolution No. 2010-P29 with findings and conditions of approval attached herein.

### **BACKGROUND AND SITE REVIEW**

**Background:** The Seagate Corporate Center (P-9-04, D-21-04) was previously considered and approved by the Planning Commission on March 28, 2005. Planning Commission Resolution No. 2005-P22 approved the creation of 14 lots on a 33.46-acre site, 53 industrial condominium units, and the construction of 16 industrial buildings totaling 384,500 square feet. This application, Development Plan (D10-00004) and Conditional Use Permits (CUP10-00013, CUP10-00014 & CUP10-00015), is specific for Parcels 1 of the aforementioned lot 11 subdivision.

**Site Review:** The subject project consists of a 2.671-acre parcel that was developed under Parcel Map 20077 for the Seagate Corporate Industrial Park. The lot is situated within the Rancho Del Oro Planned Development (PD-1) Industrial District. The surrounding land uses are primarily industrial, including *Custom Industry, Limited Industry, and Research and Development Industry*. Other land uses adjacent to the project site include a Medical Clinic and Hospital, *Office Business and Professional uses, Retail Sales, Personal Services*, a public open space park known as El Corazon, and *Visitor Accommodations Hotels, Motels, and Timeshares (Residence Inn by*

*Marriot*). The lot was previously mass graded as part of the Seagate Corporate Center master development plan and all the necessary utilities are within the property or adjacent to the lot.

**Project Description:** The application consists of four components: a Development Plan (D10-00004) and three Conditional Use Permits (CUP10-00013, CUP-00014 & CUP10-00015).

Development Plan (D10-00004) represents a request for the following:

- (a) To construct a four story 78,489-square foot business hotel containing 140 guest rooms, an outdoor swimming pool with spa, a small bistro, exercise room, a lobby area, a board room, a 2,000-square foot meeting space with an associated parking lot and landscape improvements.

This four-story, 78,489-square foot hotel will be designed in a contemporary design with a stucco wall finish, decorative stone accents, a low sloping shingle roof, and shall be consistent and compliment the existing structures in the area. The proposed Courtyard by Marriott hotel would be designed with environmentally sustainable principles; such as, providing bike racks, showers for the employees, construction waste management program, efficient-use water fixtures, the use of low energy demand LED lighting, energy star appliances and other energy saving programs would be used to create a sustainable project. The Courtyard by Marriot would be a high quality hotel that is designed to serve the business and leisure needs for the travel markets. The hotel use would provide the needed lodging to tourists, local businesses, and will help the economic tax base for the City of Oceanside. The use is anticipated to create approximately 45 permanent jobs for the community.

Conditional Use Permit (CUP10-00013) represents a request for the following:

- (a) To allow for a Hotel land use within an Industrial District pursuant to section 1320 of the Oceanside Zoning Ordinance and the Ranch Del Oro Industrial Planned Development.

The Courtyard by Marriot has proposed this new 78,489-square foot 140 guest room hotel to provide additional economic growth and provide for local commercial and residential lodging needs in the area.

Conditional Use Permit (CUP10-00014) represents a request for the following:

- (a) To allow the use of full alcohol in association with an eating and drinking establishment within the hotel pursuant to the Use classification table specified the City of Oceanside's Zoning Ordinance Section 1320.

The proposed sales of alcohol will be in conjunction with the eating and drinking establishment/bistro restaurant that is only provided for hotel guest. Sales of alcohol would be available for guest only and consumption of all beverages would only be allowed on-site.

Conditional Use Permit (CUP10-00015) represents a request for the following:

- (a) To allow a 20 percent reduction the required parking requirement as per Zoning Ordinance Section 3105.

The Marriott Hotel parking reduction shall be subject to Zoning Ordinance Section 3105 of the Oceanside Zoning Ordinance, which allows for the reduction of parking spaces by a maximum of 20 percent upon approval of a Conditional Use Permit contingent upon approval of the following two findings:

- A. The parking demand will be less than the requirement in Schedule A or B; and
- B. The probable long-term occupancy of the building or structure, based on its design, will not generate additional parking demand.

In reaching a decision, the Planning Commission shall consider the parking survey data submitted by the applicant as analyzed below.

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

- 1. Zoning Ordinance
- 2. General Plan Land Use Element
- 3. Land Use Compatibility
- 4. California Environmental Quality Act

## **ANALYSIS**

### **KEY PLANNING ISSUES**

#### **1. Zoning Compliance**

This project is located in the Rancho Del Oro Industrial Planned Unit Development (PD-1). The (PD-1) District is subject to the Limited Industrial Development standards and the proposed development will meet all the provision of the Zoning Ordinance in terms of height, setbacks, landscaping and all development regulations, with the exception of the required parking regulations.

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

	ZONING REQUIREMENTS	PROPOSED
MINIMUM LOT SIZE	20,000 square feet	Approximately 30,056 square feet (Existing)
OFF-STREET PARKING	1.2 space per hotel room = 168 stalls required	136 stalls
FRONT YARD	10-feet	76.7-feet
SIDE YARD	0-feet	78.6 feet
CORNERSIDE YARD	10-feet	100-feet
REAR YARD	0-feet	34.10- feet
HEIGHT	80-feet	51-feet
MINIMUM LANDSCAPING	12%	23.7%

The proposed project meets the applicable requirements of the zoning ordinance, with the exception of the required parking, which is subject to a Conditional Use Permit approval and based on the submitted Parking Demand Study. The project as proposed is compatible with existing and potential commercial and industrial uses in the neighborhood.

**2. General Plan conformance**

The General Plan Land Use Map designation on the subject property is Rancho Del Oro (S-1-84) Industrial. The proposed project is consistent with this designation and the goals and objectives of the City’s General Plan as follows:

**A. Land Use Element**

**Goal 1.23: Architecture**

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

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

The contemporary architectural design for the proposed Courtyard by Marriot building features Modern architectural details and materials consistent with many developments throughout the Seagate Corporate Center in which the project is

located. The three different stucco wall features, decorated stone veneer column coverings, the dark bronze wood frames, the accent features and materials, and the double paned windows would enhance the property; as well as the neighboring structures. The Courtyard by Marriot building would be designed in a U-shape building design that would compliment the surrounding office buildings within the Seagate Corporate Center and the neighboring Residence Inn by Marriot located just north of the subject property.

The proposed Mediterranean plant and landscape palette would enhance the site, as well as the Seagate Corporate Center through the use of a wide variety of trees, shrubs and some drought tolerant plant species.

### 3. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	Rancho Del Oro (S-1-84) Industrial	Rancho Del Oro (PD-1)	Vacant
North of Subject Property	Rancho Del Oro (S-1-84) Industrial	Rancho Del Oro (PD-1)	V.A. Hospital
East of Subject Property:	Rancho Del Oro (S-1-84) Industrial	Rancho Del Oro (PD-1)	V.A. Hospital Parking lot
South of Subject Property:	Rancho Del Oro (S-1-84) Industrial	Rancho Del Oro (PD-1)	Vacant
West of Subject Property:	Rancho Del Oro (S-1-84) Industrial	Rancho Del Oro (PD-1)	El Corazon & Senior Center

The proposed Hotel land use is consistent with the Seagate Corporate Center and the General Plan and Zoning Ordinance designations applicable to the project site. Staff has analyzed the proposed project and found that the land uses within the area are predominantly industrial offices and commercial and the proposed Courtyard by Marriot would be consistent with the adjoining commercial uses. The proposed Hotel will provide the much needed lodging to tourist, local business, and visitors to Camp Pendleton and is anticipated to generate over \$600,000 of annual transient occupancy tax for the City of Oceanside, in addition to other taxable business activities.

### **DISCUSSION**

*Issue: Is the hotel development and all improvements compatible with the Rancho Del Oro Industrial Planned Development and the Long Range Goals of the City of Oceanside?*

- The hotel development is consistent with the established Oceanside Zoning Ordinance, the Rancho Del Oro Development Program Master Development Plan, and the Development intent for the Seagate Corporate Center in terms of development standards, building design, permitted uses, and community enhancement.

Recommendation: Staff concludes that the proposed Courtyard by Marriott Hotel, and improvements will not negatively impact surrounding land uses, or significantly alter the industrial significance of the Seagate Corporate Center, and is consistent with the goals and objectives of the land use district.

Staff's analysis focused on the compatibility of the project with existing development patterns of the area and the project's consistency with the underlying Rancho Del Oro Industrial Planned Unit Development. As proposed, the Courtyard by Marriott development meets or exceeds the development requirements for minimum lot area, lot width, setbacks, landscaping and open space. The subject site is located along the Rancho Del Oro Drive corridor where traditional land uses vary from residential, commercial, open space and industrial uses, so the proposed hotel uses would not only be consistent with the existing uses, but will compliment the uses along the Rancho Del Oro Corridor.

Issue: Is the reduction of Hotel parking spaces by 35 percent applicable to the use and the site?

- The hotel development is required to provide 1.2 spaces per guest room; plus one space per 50 square feet of banquet seating area as per Oceanside Zoning Ordinance Section 3103. Based on the proposed 140 guest rooms with all proposed amenities, the Courtyard by Marriot requires 168 parking spaces. A total of 136 parking stalls will be provided for the hotel (131 unassigned spaces and 5 disabled parking spaces), which is under the required parking requirement.

Recommendation: Staff concludes that the proposed Courtyard by Marriott Hotel parking reduction is subject to Zoning Ordinance Section 3105 of the Oceanside Zoning Ordinance, which allows for the reduction of parking spaces by a maximum of 20 percent upon approval of a Conditional Use Permit and that two findings are met which are as follows:

C. The parking demand will be less than the requirement in Schedule A or B; and

D. The probable long-term occupancy of the building or structure, based on its design, will not generate additional parking demand.

In reaching a decision the Planning Commission shall consider survey data submitted by an applicant or collected at the applicant's request and expense.

The applicant submitted a Parking Demand Study prepared by RBF Consulting as seen in the attachment labeled Exhibit C, which describes the alternatives and reasons for the proposed decrease in the required parking stalls. The study evaluated the City of Oceanside's required 168 parking stalls for the proposed 140 guest room hotel, and reveled that with the 20 percent reduction in parking the required parking could be reduced to 134 stalls. The proposed Courtyard by Marriot Hotel would meet and exceed the 134 parking stall requirement with the proposed 136 parking stalls provided on-site. The

Parking Demand Study analyzed the proximity to transit and the carpool opportunities, which would help reduce the demand for parking and decrease the daily trips per use. The Parking Demand Study analyzed a similar 145 guest room hotel known as the Courtyard by Marriott in the City of Carlsbad California located near Palomar Airport and this study revealed that the parking demand tends to be lower for business hotels during the week since many of the hotel guest are business travelers who may carpool or take shuttles from the airport instead of renting vehicles. Based on the results of the parking occupancy study performed on the Carlsbad Marriot, the study revealed that it should be reasonable to allow a parking ration that is less than 1.2 parking spaces per room for this proposed Courtyard by Marriott in Oceanside. The results of the study indicated that the parking supply at the Carlsbad Courtyard by Marriot is almost double the peak parking demand and is substantially less parking is needed to meet the actual peak parking demands. Therefore; the study revealed that the City of Oceanside 1.2 parking requirement is conservatively high and after reviewing the actual parking demands for the Carlsbad Marriott, it was recommended that a more conservative ratio of 0.92 parking spaces should be use.

In addition, the proposed hotel will generate an insignificant increase in daily trips compared to the approved industrial use and the major roadways in the areas have already been significantly improved to accommodate the proposed hotel.

Therefore; the proposed 136 parking stalls shall be sufficient to meet the vehicle trips produced and the calculated parking demand. Based on the results of the parking surveys, traffic studies and the calculated parking ratios analyzed in the attached Parking Demand Study, the proposed Courtyard by Marriott Hotel will sufficiently meet the required parking demands for this site.

## **ENVIRONMENTAL DETERMINATION**

Pursuant to the California Environmental Quality Act of 1970 (CEQA), and State Guidelines thereto; a Mitigated Negative Declaration (MND) was prepared for the Seagate Corporate Center Initial Tentative Map (P-9-04) and Development Plan (D-21-04) that created the Seagate Corporate Center, and in accordance with CEQA guidelines section 15162 the proposed project to construct one business hotel within the Seagate Corporate Center will not result in substantial changes in the original project, will not involve substantial changes to the circumstances for which the project was originally undertaken, and no new information of substantial importance not known at the time of the initial CEQA review has been identified; therefore, the City serving as the lead agency has determined that further environmental review is not required at this time.

**PUBLIC NOTIFICATION**

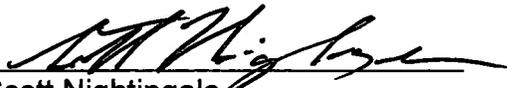
Legal notice was published in the North County Times and notices were sent to property owners of record within a 1500-foot radius of the subject property, individuals and or organizations requesting notification, applicant and other interested parties. As of September 13, 2010, no communication supporting or opposing the request has been received.

**SUMMARY**

The proposed project is in compliance with the goals objectives and polices set forth by the approved Rancho Del Oro Planned Development Plan (PD-1) and the Oceanside Zoning Ordinance. The Development Plan and three Conditional Use Permits would allow the Hotel to meet the future demands for the City's lodging and visitor serving needs. The Commission's action should be:

- Move to approve a Development Plan (D10-00004), Conditional Use Permits (CUP10-00013, CUP10-00014, CUP10-00015) and adopt Planning Commission Resolution No. 2010-P29 as attached.

PREPARED BY:

  
Scott Nightingale  
Planner II

SUBMITTED BY:

  
Jerry Hittleman  
City Planner

JH/SN/fil

Attachments:

1. Site and Floor Plans
2. Planning Commission Resolution No. 2010-P29
3. Parking Demand Study prepared by RBF (Exhibit C)
4. Traffic Study (Exhibit D)



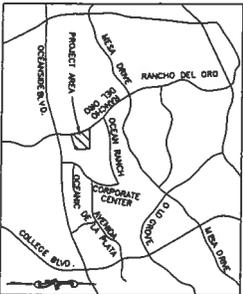
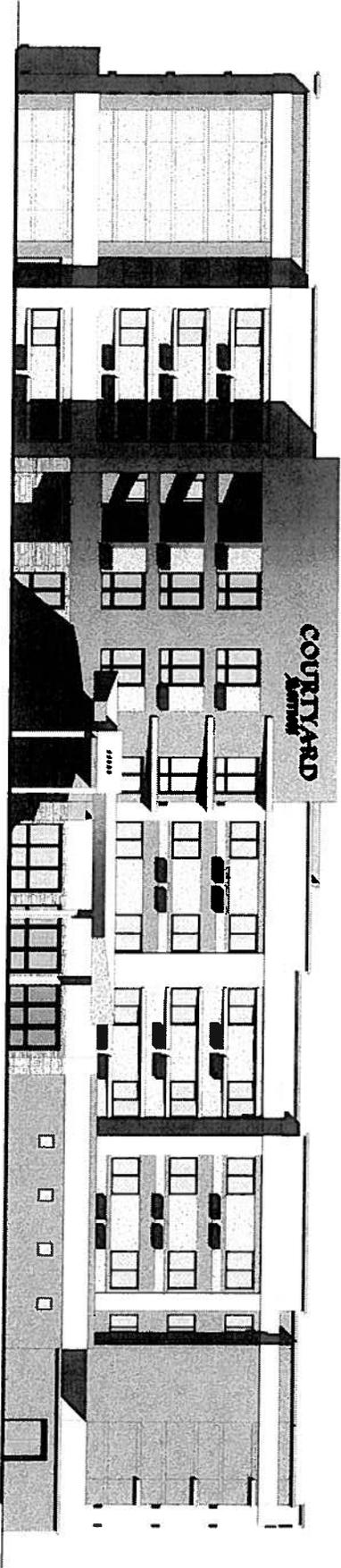




# SITE DEVELOPMENT PLAN

## COURTYARD BY MARRIOTT

### LOT 11 - SEAGATE CORPORATE CENTER CITY OF OCEANSIDE, CA



VICINITY MAP  
NTS

#### LEGAL DESCRIPTION

PARCEL 2 OF PLA-8-08 DOC#2009-0101919 RECORDED MARCH 2, 2009. THAT CERTAIN PARCEL OF LAND SITUATED IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, BEING PORTIONS OF PARCELS 11 AND 12 AS SHOWN ON PARCEL MAP NO. 20077 FILED AUGUST 14, 2006, IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY.

APN: 162-600-23  
ADDRESS: XXXX RANCHO DEL ORO DRIVE

#### SHEET INDEX

P1	TITLE SHEET
P2	PRELIMINARY SITE PLAN
P3	SITE DETAILS & NOTES
P4	FIRST FLOOR PLAN
P5	SECOND FLOOR PLAN
P6	THIRD FLOOR PLAN
P7	FOURTH FLOOR PLAN
P8	ROOF PLAN
P9	EXTERIOR ELEVATIONS
P10	PRELIMINARY LANDSCAPE PLAN
P11	PRELIMINARY LANDSCAPE LEGEND, NOTES, & DETAILS
CO	CIVIL TITLE SHEET
CI	PRELIMINARY GRADING AND DRAINAGE PLAN
C2	PRELIMINARY UTILITY PLAN

06/04/10 DEVELOPMENT PLAN SUBMITTAL  
07/16/10 DEVELOPMENT PLAN RESUBMITTAL

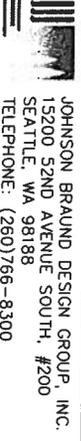
**CIVIL ENGINEER / SURVEYOR**



**OWNER / DEVELOPER**

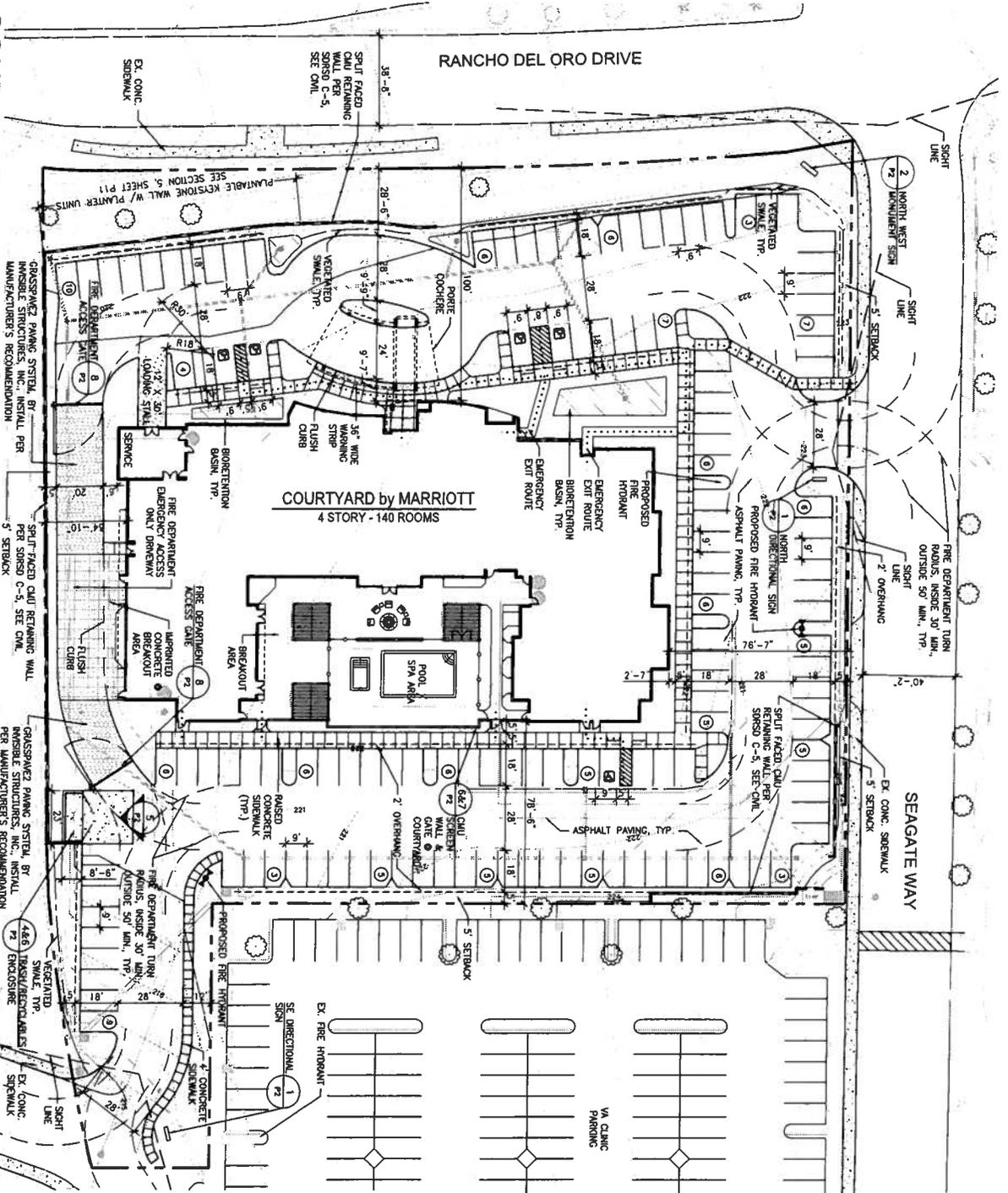


**ARCHITECT / LANDSCAPE ARCHITECT**



Oceanside, CA

# COURTYARD by MARRIOTT

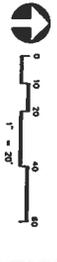


**COURTYARD by MARRIOTT**  
4 STORY - 140 ROOMS

## SUMMARY TABLE

SITE ACREAGE	2.67 ACRES
BUILDING SQUARE FOOTAGE	78,489 S.F.
GUEST ROOMS	140
LOT COVERAGE	
SITE	116,305 S.F.
LANDSCAPING %	23.7% (27,553 S.F.)
BUILDING %	19.0% (22,140 S.F.)
PAVING %	57.3% (66,616 S.F.)
F.A.R. (1.00 ALLOWED)	0.67
SETBACKS	5'
ZONING	PD-1, MIXED USE
PARKING:	
STANDARD STALLS	130
ACCESSIBLE STALLS	3
TOTAL	135 STALLS (0.93 STALL/SROOM)
ACCESSIBLE ROUTE OF TRAVEL	

REDEVELOPMENT PLAN SUBMITTAL  
DEVELOPMENT PLAN SUBMITTAL  
JULY 14, 2010



P1

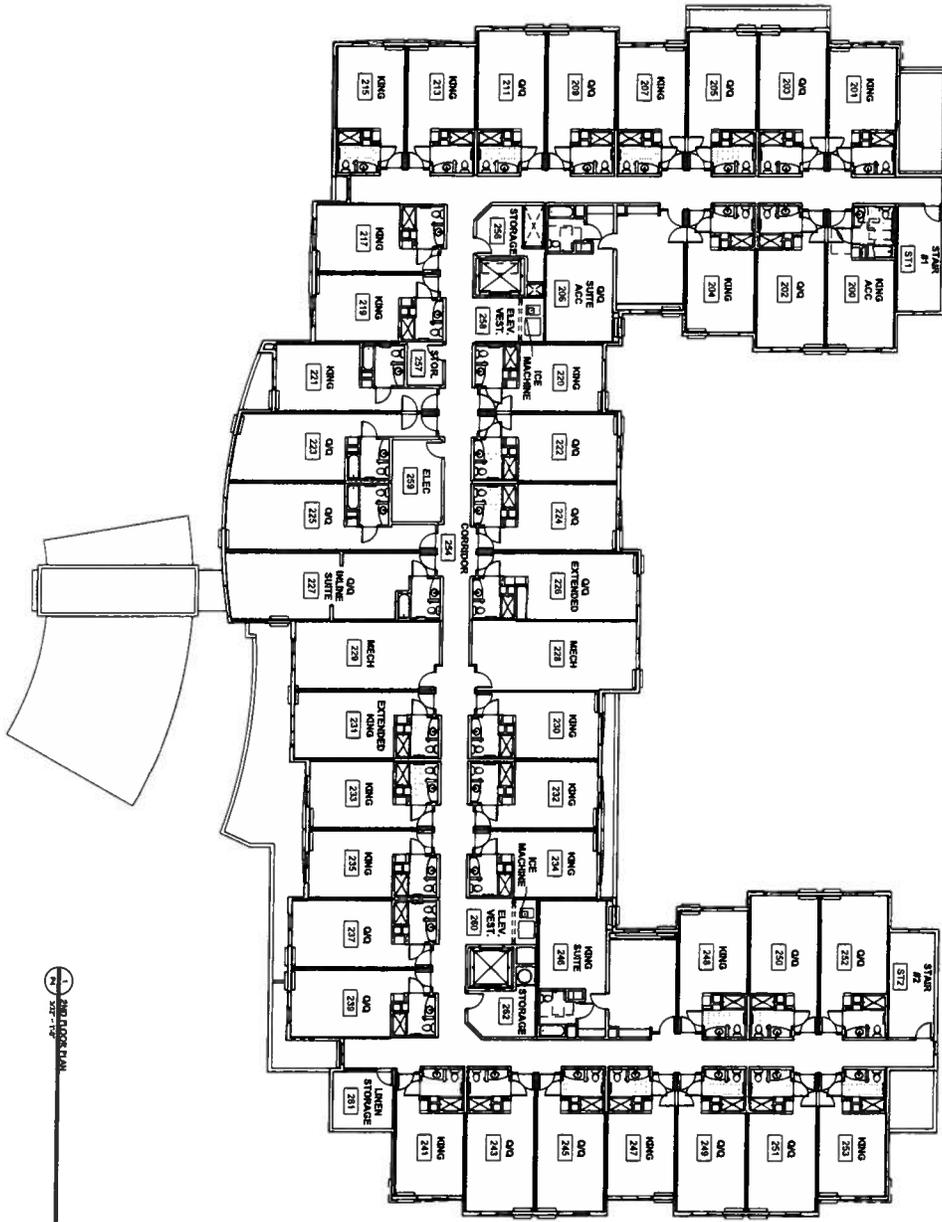
PRELIMINARY SITE PLAN

R.O. OLSON R.O. OLSON DEVELOPMENT  
2905 MAIN STREET IRVINE CA 92614  
PHONE: 949-271-1100





# COURTYARD BY MARRIOTT OCEANSIDE, CA

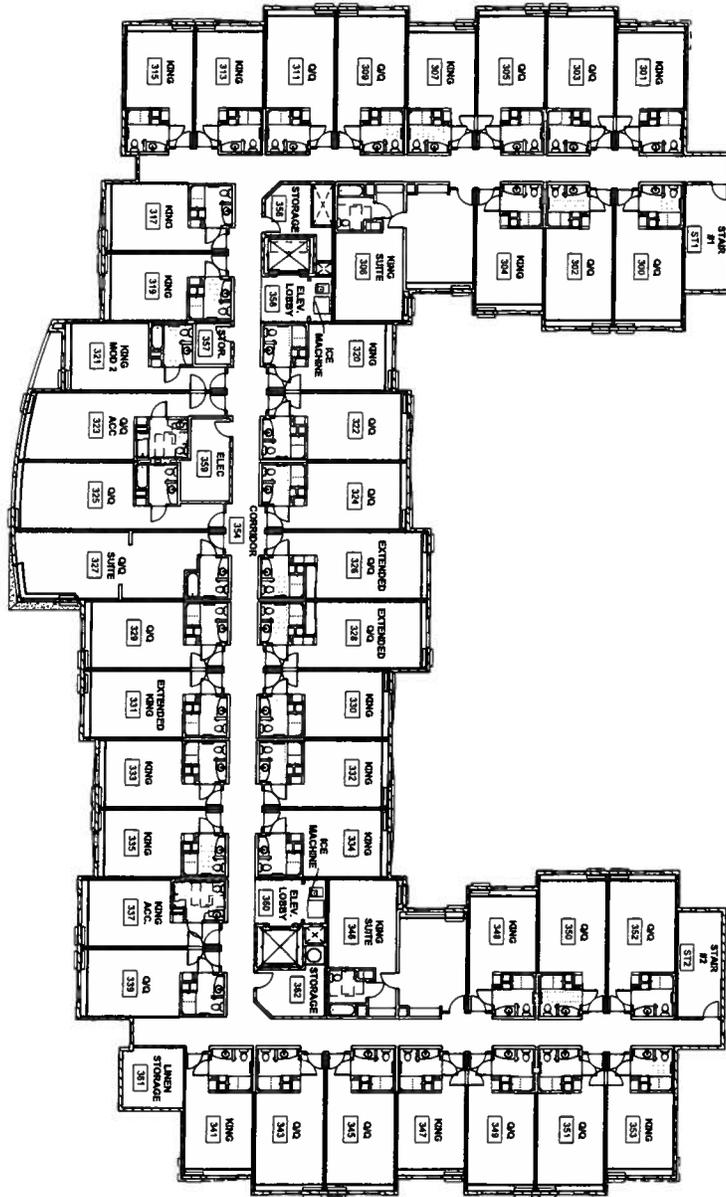


Johnson Braund  
Architects

DEVELOPER: R.D. OLSON DEVELOPMENT  
ARCHITECT: JOHNSON BRAUND ARCHITECTS  
DATE: JAN. 2010



# COURTYARD BY MARRIOTT OCEANSIDE, CA



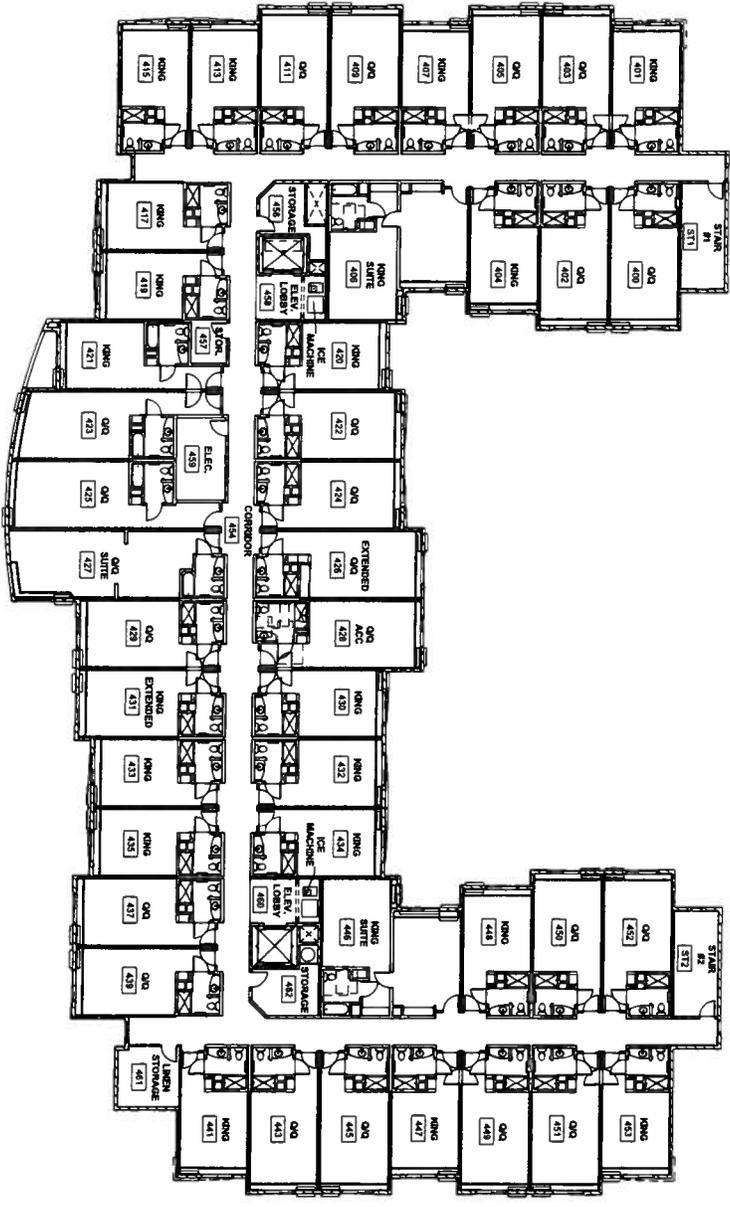
Johnson Braund  
ARCHITECTS

3RD FLOOR PLAN  
2011-10-11

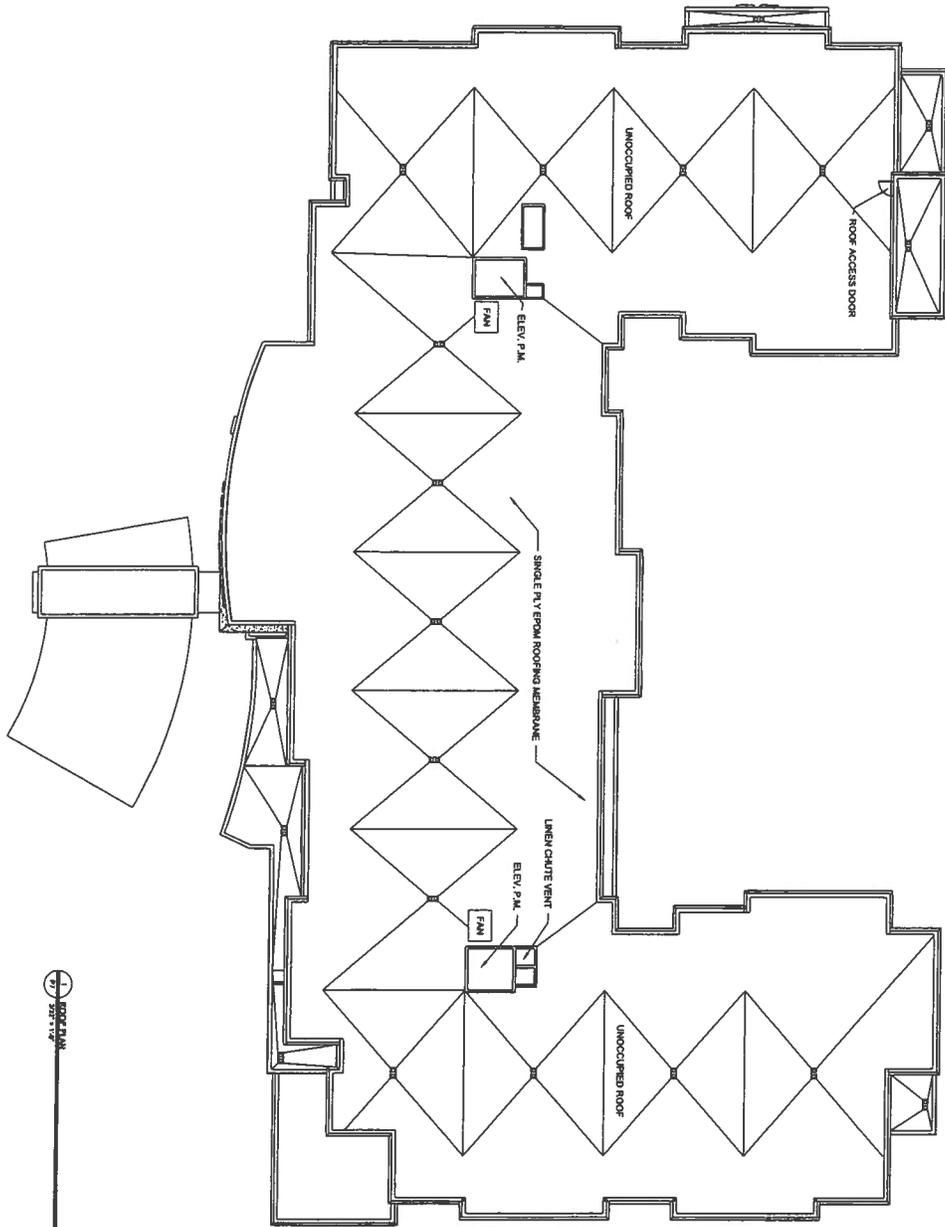
REVISIONS  
NO. 1  
DATE: 10/11/11  
BY: J.B.  
REVISIONS  
NO. 2  
DATE: 10/11/11  
BY: J.B.



COURTYARD BY MARRIOTT  
 OCEANSIDE, CA



COURTYARD BY MARRIOTT  
 OCEANSIDE, CA



NOTE:  
 ALL ROOFTOP EQUIPMENT WILL  
 BE INSTALLED ON THE ROOF  
 VIEW AND PAINTED TO MATCH  
 ADJACENT BUILDING COLOR  
 AND/OR ROOF COLOR

Johnson Brand  
 ARCHITECTS  
 1000 MAIN STREET  
 OCEANSIDE, CA 92054

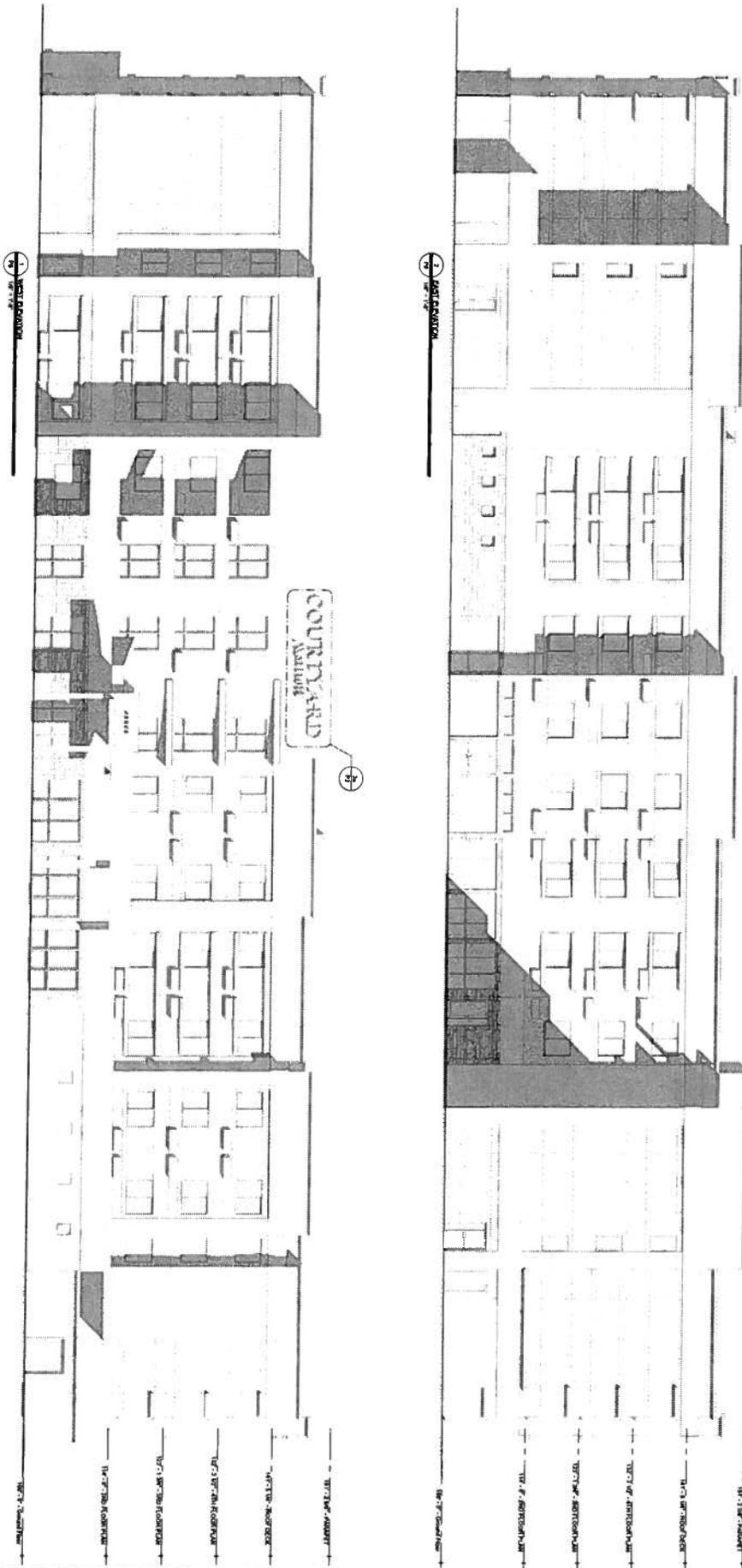
DEVELOPMENT PLAN SUBMITTAL JUNE 4, 2010  
 DEVELOPMENT PLAN RESUBMITTAL JULY 16, 2010



# COURTYARD BY MARRIOTT OCEANSIDE, CA

Johnson Brand  
Architects

REGULATORY PLAN RESUBMITTAL  
DEVELOPMENT PLAN RESUBMITTAL  
JUNE 4, 2018  
JUNE 4, 2018  
JUNE 14, 2018

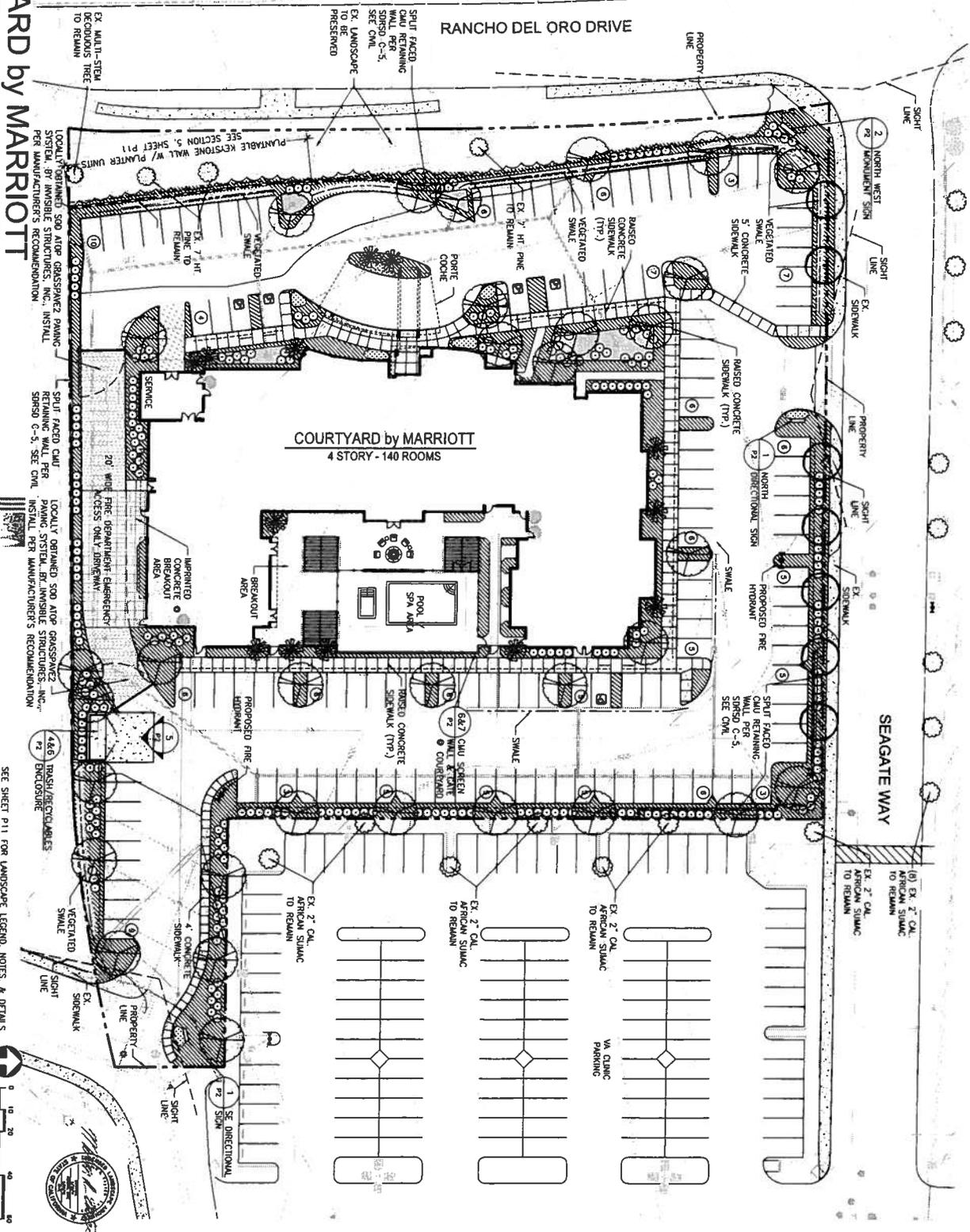




Oceanside, CA

COURTYARD by MARRIOTT

COURTYARD by MARRIOTT  
4 STORY - 140 ROOMS



Johnson Brand

SEE SHEET P11 FOR LANDSCAPE LEGEND, NOTES, & DETAILS

DEVELOPMENT PLAN SUBMITTAL  
2955 MAIN STREET DRIVE CA 92014  
JUNE 4, 2010  
3:17 PM 2010



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PLANNING COMMISSION  
RESOLUTION NO. 2010-P29

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A DEVELOPMENT PLAN AND CONDITIONAL USE PERMITS ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

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APPLICATION NO: D10-00004, CUP10-00013, CUP10-00014 & CUP10-00015  
APPLICANT: RD Olson Development  
LOCATION: South East corner of Seagate Way and Rancho Del Oro Drive

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

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

the development of a four-story 78,489-square foot business hotel containing 140 guest rooms, an outdoor swimming pool and spa, small bistro, exercise room, lobby area, board room, a 2,000-square foot meeting space with an associated parking lot and landscaping improvements;

on certain real property described in the project description;

WHEREAS, the Planning Commission, after giving the required notice, did on the 13<sup>th</sup> day of September, 2010 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; a Mitigated Negative Declaration (MND) was prepared for the Seagate Corporate Center Initial Tentative Map and Development Plan that created the Seagate Corporate Center, and in accordance with CEQA guidelines section 15162 the proposed project to construct a business hotel within the Seagate Corporate Center will not result in substantial changes in the original project, will not involve substantial changes to the circumstances for which the project was originally undertaken, and no new information of substantial importance not known at the time of the initial CEQA review has been identified. In addition, the lot was previously mass graded as part of the Seagate Corporate Center master development plan. Therefore, the City

1 serving as the lead agency has determined that further environmental review is not required at this  
2 time.

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
8 Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
9 Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$0.713 per square foot or \$713 per thousand square feet for non- residential uses
10 School Facilities 11 Mitigation Fee	Ordinance No. 91-34	\$.42 per square foot non- residential for Oceanside
12 Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
13 Thoroughfare Fee 14 (For commercial and 15 industrial please note the 16 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
17 Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Non-residential is \$37,205 for a 2" meter.
18 Wastewater System Buy-in 19 Fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Non-residential is \$50,501 for a 2" meter.
20 San Diego County Water 21 Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Non-residential is \$23,358 for a 2" meter.

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

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

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

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

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

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

19 FINDINGS:

20 For the Development Plan:

- 21 1. The site plan and physical design of the four-story, 78,489-square foot hotel with 140  
22 guest rooms are consistent with the Zoning Ordinance because the project, as designed,  
23 meets or exceeds the development standards established in the Zoning Ordinance, with  
24 exception of the request for a reduction in the required parking. The reduction in the  
25 proposed parking has been analyzed by Staff through a parking study to ensure that  
26 parking deficiencies will not arise.
- 27 2. The Development Plan is consistent with the General Plan of the City because the use is  
28 permitted by the General Plan and the Zoning Ordinance, it is consistent with the intent  
29 of the designated land use, and it is compatible with the surrounding existing land uses.

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- 1 3. The project site can be adequately served by existing public facilities, services and  
2 utilities because the site has been previously developed and the necessary infrastructure  
3 to serve the use is already in place.
- 4 4. The project, as proposed, is compatible with the existing and potential development on  
5 adjoining properties and in the surrounding neighborhood because the use is permitted in  
6 the Zone and it is an in-fill site within an existing Seagate Corporate Center Industrial  
7 Complex.
- 8 5. The site plan and physical design of the project is consistent with section 1.24 and 1.25 of  
9 the Land Use Element of the General Plan because the project site is currently developed  
10 and contains no natural topographic features; and will not lead to slope instability,  
11 flooding, or erosion hazards to life or property because those threats have been designed  
12 out of the project; there are no significant natural resources on-site to preserve; there are  
13 no natural hazards in proximity to the site and the project meets all setback requirements;  
14 the project is not subject to the Development Guidelines for Hillsides or Section 3039 of  
the Ordinance because the site contains no qualifying slopes.

15 For the Conditional Use Permit for the Hotel use:

- 16 1. The proposed hotel use and the associated ancillary uses are in accordance with the  
17 objectives of the Zoning Ordinance and the purposes of the General Commercial land use  
18 district because hotel uses are anticipated and permitted within the Rancho Del Oro  
19 Industrial Planned Development with the approval of a Conditional Use Permit.
- 20 2. The hotel use is, and the conditions under which it will be operated and regulated are,  
21 consistent with the General Plan because it is permitted and compatible with the existing  
22 industrial and commercial uses in the area; and the proposed hotel use will not be  
23 detrimental to the welfare of persons or properties working, residing, or otherwise existing  
24 in the adjacent neighborhood areas because it will provide a valuable service to the local  
25 community and patrons in the area. The hotel use will not be detrimental to properties or  
26 improvements in the vicinity or to the general welfare of the City because the use is  
27 appropriate for the site, it is permitted on the site, and it will provide a valuable service to  
the local community.

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- 1 3. The proposed hotel use and the associated ancillary uses will comply with the provisions of  
2 the Zoning Ordinance and the Rancho Del Oro Planned Industrial Development because it  
3 meets all development standards for the use and the zone and has been conditioned as  
4 required by the Code.

5 For the Conditional Use Permit to allow for the sale of full alcohol within the Hotel:

- 6 1. The bistro and bar operation, which will include full alcoholic beverage service, is  
7 consistent with the permitted land use regulations for the Rancho Del Oro Industrial  
8 Planned district. The use of liquor sales is often a part of the hotel product and are  
9 consistent with the land use. The full alcohol use would be conditioned to ensure that if  
10 complaints arise this Conditional Use Permit would be subject to Planning Commission  
11 review.  
12 2. The conditions for the restriction of the conditional use are consistent with the General  
13 Plan, will not effect neighborhood compatibility; and will not cause the operation of the  
14 conditional use to be detrimental to the welfare of persons or properties working, residing,  
15 or otherwise existing in the adjacent neighborhood areas. The business is conditioned to  
16 permit sales, service, and consumption of alcoholic beverages only within the hotel.  
17 3. The conditional use is subject to and must comply with specific local conditions and  
18 additional regulations as deemed necessary by other regulatory or permit authorities.

18 For the Conditional Use Permit for Parking Reduction:

- 19 1. The proposed location of the hotel use is in accordance with the objectives of this ordinance  
20 and the purposes of the district in which the site is located. The location of the hotel  
21 development for the reduction in parking is consistent with the allowable uses within this  
22 land use district. The submitted Parking Demand Study concluded that the parking demand  
23 shall be limited, due to the project's close proximity to a transit center, the opportunities for  
24 carpooling, and the City of Oceanside's less conservative parking ratios for hotels.  
25 2. That the proposed location of the conditional use and the proposed conditions under which  
26 it would be operated or maintained will be consistent with the General Plan; will not be  
27 detrimental to the public health, safety or welfare of persons residing or working in or  
28 adjacent to the neighborhood of such use; and will not be detrimental to properties or  
29 improvements in the vicinity or to the general welfare of the City. The proposed 20 percent  
reduction in parking is in accordance with the parking demand analysis prepared by RBF

1 Consulting for conservative parking ratios for existing and current hotels. The 20 percent  
2 parking reduction drives from the City of Oceanside's Zoning Ordinance Section 3105 for  
3 20 percent reductions of the required parking due the project nature and the probable long-  
4 term occupancy of the hotel will not generate additional parking demand. The Parking  
5 Demand Study revealed that the proposed hotel at full occupancy would not occupy a  
6 majority of the parking stalls due to the non conservative higher parking ratio used and the  
7 opportunities for employees and guest to use alternative means of transportation. It is  
8 reasonable to conclude that the parking demand tends to be lower during the week since  
9 many of the hotel guests are business travelers who may carpool or take shuttles from the  
10 airport instead of renting a vehicle. The majority of hotel guests on weekends are tourists,  
11 who typically arrive at the hotel in their own vehicles or in rented vehicles so that they can  
12 use the vehicles for sightseeing. Therefore the reduction in parking will not be determinative  
to the public health, safety or welfare of the surrounding neighborhood.

- 13 3. That the proposed conditional use will comply with the provisions of this ordinance,  
14 including any specific condition required for the proposed conditional use in the district in  
15 which it would be located. The proposed project will comply with all conditions of this  
16 resolution and any specific conditions established with the Rancho Del Oro Industrial  
17 Planned Development.

18 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
19 approve Development Plan (D10-00004) and Conditional Use Permits (CUP10-00013, CUP10-  
20 00014, and CUP10-00015), subject to the following conditions:

21 **Building:**

- 22 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for  
23 Building Division plan check (As of January 1, 2008 the 2007 California Building Code,  
24 and 2007 California Electrical Code).
- 25 2. The granting of approval under this action shall in no way relieve the applicant/project  
26 from compliance with all State and Local building codes.
- 27 3. Site development, parking, access into buildings and building interiors shall comply with  
28 Part 2, Title 24, C.C.R. (Disabled Access - Nonresidential buildings - D.S.A.). The  
29 building plans for this project are required by State law to be prepared by a licensed

1 architect or engineer and must be in compliance with this requirement prior to submittal  
2 for building plan review.

3 4. All electrical, communication, CATV, etc. service lines within the exterior lines of the  
4 property shall be underground (City Code Sec. 6.30).

5 5. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance)  
6 and shall be shielded appropriately. Where color rendition is important high-pressure  
7 sodium, metal halide or other such lights may be utilized and shall be shown on final  
8 building and electrical plans.

9 6. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the  
10 plans.

11 7. A complete Soils Report, Structural Calculations, & Energy Calculations/  
12 documentation will be required at time of plans submittal to the Building Division for  
13 plan check.

14 8. Fire Sprinklers are required for all M occupancies [CBC 903.2.7].

15 9. Separate permits are required awnings and signage.

16 10. The developer shall monitor, supervise and control all building construction and  
17 supporting activities so as to prevent these activities from causing a public nuisance,  
18 including, but not limited to, strict adherence to the following:

19 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00  
20 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for  
21 work that is not inherently noise-producing. Examples of work not permitted on  
22 Saturday are concrete and grout pours, roof nailing and activities of similar  
23 noise-producing nature. No work shall be permitted on Sundays and Federal  
24 Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving  
25 Day, Christmas Day) except as allowed for emergency work under the provisions  
26 of the Oceanside City Code Chapter 38 (Noise Ordinance).

27 b) The construction site shall be kept reasonably free of construction debris as  
28 specified in Section 13.17 of the Oceanside City Code. Storage of debris in  
29 approved solid waste containers shall be considered compliance with this  
requirement. Small amounts of construction debris may be stored on-site in a  
neat, safe manner for short periods of time pending disposal.

1 **Engineering:**

2 11. All right-of-way alignments, street dedications, exact geometrics and widths shall be  
3 dedicated and constructed or replaced as required by the City Engineer.

4 12. All right-of-way alignments, street dedications, exact geometrics and widths shall be  
5 dedicated and constructed or replaced as required by the City Engineer.

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

10 14. Prior to issuance of a building permit all improvement requirements shall be covered by  
11 a development agreement and secured with sufficient improvement securities or bonds  
12 guaranteeing performance and payment for labor and materials, setting of monuments,  
13 and warranty against defective materials and workmanship.

14 15. The owner/developer shall provide public street dedication if required to serve this  
15 project/property.

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

26 17. Prior to the issuance of a grading permit, the owner/developer shall notify and host a  
27 neighborhood meeting with all of the area residents located within 300 feet of the project  
28 site, to inform them of the grading and construction schedule, and to answer questions.  
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1 18. The owner/developer shall monitor, supervise and control all construction and  
2 construction-supportive activities, so as to prevent these activities from causing a public  
3 nuisance, including but not limited to, insuring strict adherence to the following:

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

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

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

20 d) The owner/developer shall complete a haul route permit application (if required  
21 for import/export of dirt) and submit to the City of Oceanside Engineering  
22 Department forty eight hours (48) in advance of beginning of work. Hauling  
23 operations (if required) shall be 8:00 a.m. to 3:30 p.m. unless approved  
24 otherwise.

25 19. It is the responsibility of the owner/owner/developer to evaluate and determine that all  
26 soil imported as part of this development is free of hazardous and/or contaminated  
27 material as defined by the City and the County of San Diego Department of  
28 Environmental Health. Exported or imported soils shall be properly screened, tested,  
29 and documented regarding hazardous contamination.

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- 1 20. A traffic control plan shall be prepared according to the City traffic control guidelines  
2 and approved to the satisfaction of the City Engineer prior to the start of work within the  
3 public right-of-way. Traffic control during construction of streets that have been opened  
4 to public traffic shall be in accordance with construction signing, marking and other  
5 protection as required by the Caltrans Traffic Manual and City Traffic Control  
6 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless  
7 approved otherwise.
- 8 21. Approval of this development project is conditioned upon payment of all applicable impact  
9 fees and connection fees in the manner provided in chapter 32B of the Oceanside City  
10 Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees,  
11 reimbursements, and other applicable charges, fees and deposits shall be paid prior to  
12 recordation of the map or the issuance of any building permits, in accordance with City  
13 Ordinances and policies. The owner/developer shall also be required to join into,  
14 contribute, or participate in any improvement, lighting, or other special district affecting or  
15 affected by this project. Approval of the tentative map (project) shall constitute the  
16 owner/developer's approval of such payments, and his agreement to pay for any other  
17 similar assessments or charges in effect when any increment is submitted for final map or  
18 building permit approval, and to join, contribute, and/or participate in such districts.
- 19 22. All existing sidewalk improvements (on Rancho Del Oro and Seagate Way), as well as all  
20 proposed sidewalks shall comply with ADA requirements. Publicly maintained pedestrian  
21 ramps (maintained by the City of Oceanside must be fully located within public right-of-  
22 way. Minimum curb return radius shall comply with the City of Oceanside Engineers  
23 Design and Processing Manual.
- 24 23. Sight distance requirements from Seagate Way along Rancho Del Oro shall conform to the  
25 corner sight distance criteria as provided by SDRSD DS-20A and or DS-20B.
- 26 24. This project's streets and driveways shall remain private and shall be maintained by the  
27 owner. The pavement sections, traffic indices shall be based on approved geotechnical  
28 report and in compliance with the City of Oceanside Engineers Design and Processing  
29 Manual. The private project street and driveway alignments and geometric layouts as  
well as street/driveway lighting shall meet the City of Oceanside Engineers Design and  
Processing Manual.

- 1 25. Pavement sections for all public and private streets, public and private access roads,  
2 driveways and parking areas shall be based upon approved soil tests and traffic indices.  
3 The pavement design is to be prepared by the owner/developer's/owner's soil engineer and  
4 must be in compliance with the City of Oceanside Engineers Design and Processing  
5 Manual and be approved by the City Engineer, prior to paving.
- 6 26. Any existing broken pavement, concrete curb, gutter, driveways, pedestrian ramps and  
7 sidewalk that are damaged during construction of the project, shall be repaired or replaced  
8 as directed by the City Engineer.
- 9 27. All existing overhead utility lines within the property and/or within full width of Rancho  
10 Del Oro and Seagate Way right-of-way abutting this new project, and all new extension  
11 services for the development of this project, including but not limited to, electrical, cable  
12 and telephone, shall be placed underground as required by the City Engineer and current  
13 City policy.
- 14 28. The owner/developer shall comply with all the provisions of the City's cable television  
15 ordinances including those relating to notification as required by the City Engineer.
- 16 29. Drainage facilities shall be designed and installed to adequately accommodates the local  
17 storm water runoff and shall be in accordance with the San Diego County Hydrology and  
18 Design Manual and in compliance with the City of Oceanside Engineers Design and  
19 Processing Manual to the satisfaction of the City Engineer.
- 20 30. The owner/developer shall place a covenant on the title sheet of the grading plan  
21 agreeing to the following: "The present or future owner/developer shall indemnify and  
22 save the City of Oceanside, its officers, agents, and employees harmless from any and all  
23 liabilities, claims arising from any flooding that occurs on this site."
- 24 31. The owner/developer shall obtain any necessary permits and clearances from all public  
25 agencies having jurisdiction over the project due to its type, size, or location, including but  
26 not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game,  
27 U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board  
(including NPDES), San Diego County Health Department, prior to the issuance of grading  
permits.

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- 1 32. The approval of the project shall not mean that proposed grading or improvements on  
2 adjacent properties (including any City properties/right-of-way or easements) is granted  
3 or guaranteed to the owner/developer. The owner/developer is responsible for obtaining  
4 permission to grade to construct on adjacent properties. Should such permission be  
5 denied, the tentative map/project shall be subject to going back to the public hearing or  
6 subject to a substantial conformity review.
- 7 33. Prior to any grading of any part of this project, a comprehensive soils and geologic  
8 investigation shall be conducted of the soils, slopes, and formations in the project. All  
9 necessary measures shall be taken and implemented to assure slope stability, erosion  
10 control, and soil integrity. No grading shall occur until a detailed grading plan, to be  
11 prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved by  
12 the City Engineer.
- 13 34. This project shall provide year-round erosion control including measures for the site  
14 required for the phasing of grading. Prior to the issuance of grading permit, an erosion  
15 control plan, designed for all proposed stages of construction, shall be reviewed, secured by  
16 the owner/developer with cash securities and approved by the City Engineer.
- 17 35. A precise grading and private improvement plan shall be prepared, reviewed, secured and  
18 approved prior to the issuance of any building permits. The plan shall reflect all pavement,  
19 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,  
20 footprints of all structures, walls, drainage devices and utility services. Parking lot striping  
21 and any on-site traffic calming devices shall be shown on all precise grading and private  
22 improvement plans.
- 23 36. Landscaping plans, including plans for the construction of walls, fences or other structures  
24 at or near intersections, must conform to intersection sight distance requirements.  
25 Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer  
26 prior to the issuance of a preliminary grading permit and approved by the City Engineer  
27 prior to the issuance of occupancy permits. Frontage and median landscaping shall be  
28 installed prior to the issuance of any certificates of occupancy. Any project fences, sound  
29 or privacy walls and monument entry walls/signs shall be shown on, bonded for and built  
from the landscape plans. These features shall also be shown on the precise grading plans  
for purposes of location only. Plantable, segmental walls shall be designed, reviewed and

1 constructed by the grading plans and landscaped/irrigated through project landscape plans.  
2 All plans must be approved by the City Engineer and a pre-construction meeting held,  
3 prior to the start of any improvements.

4 37. The drainage design on the project is conceptual only. The final design shall be based upon  
5 a hydrologic/hydraulic study (latest San Diego County Hydrology and Drainage Manual)  
6 to be approved by the City Engineer during final engineering. All drainage picked up in an  
7 underground system shall remain underground until it is discharged into an approved  
8 channel, or as otherwise approved by the City Engineer. All public storm drains shall be  
9 shown on City standard plan and profile sheets. All storm drain easements shall be  
10 dedicated where required. The owner/developer shall be responsible for obtaining any off-  
11 site easements for storm drainage facilities.

12 38. Storm drain facilities shall be designed and located such that the inside travels lanes on  
13 streets with collector or above design criteria shall be passable during conditions of a 100-  
14 year frequency storm.

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

18 40. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high  
19 barrier, approved by the City Engineer, shall be provided at the top of all slopes whose  
20 height exceeds 20 feet or where the slope exceeds 4 feet and is adjacent to any streets, an  
21 arterial street.

22 41. The owner/developer shall comply with the provisions of National Pollution Discharge  
23 Elimination System (NPDES) General Permit for Storm Water Discharges Associated  
24 with Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ.  
25 The General Permit continues in force and effect until a new General Permit is issued or  
26 the SWRCB rescinds this General Permit. Only those owner/developers authorized to  
27 discharge under the expiring General Permit are covered by the continued General  
28 Permit. Construction activity subject to the General Permit includes clearing, grading,  
29 and disturbances to the ground such as stockpiling, or excavation that results in land  
disturbances of equal to or greater than one acre. The owner/developer shall obtain  
coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining

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

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

1 Agreement with the City. The owner/developer shall complete and maintain O&M  
2 forms to document all operation, inspection, and maintenance activities. The  
3 owner/developer shall retain records for a minimum of 5 years. The records shall be  
4 made available to the City upon request.

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

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

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

25 46. The BMPs described in the project's approved SWMP shall not be altered in any way,  
26 unless reviewed and approved to the satisfaction of the City Engineer. The  
27 determination of whatever action is required for changes to a project's approved SWMP  
28 shall be made by the City Engineer.  
29

- 1 47. The owner/developer shall provide a copy of the title/cover page of an approved SWMP  
2 with the first engineering submittal package. If the project triggers the City's  
3 Stormwater requirements but no approved Stormwater document (SWMP) exists, the  
4 appropriate document shall be submitted for review and approval by the City Engineer.  
5 The SWMP shall be prepared by the owner/developer's Civil Engineer. All Stormwater  
6 documents shall be in compliance with the latest edition of submission requirements.
- 7 48. The approval of the project shall not mean that closure, vacation, or abandonment of any  
8 public street, right-of-way, easement, or facility is granted or guaranteed to the  
9 owner/developer. The owner/developer is responsible for applying for all closures,  
10 vacations, and abandonments as necessary. The application(s) shall be reviewed and  
11 approved or rejected by the City of Oceanside under separate process (es) per codes,  
12 ordinances, and policies in effect at the time of the application. The City of Oceanside  
13 retains its full legislative discretion to consider any application to vacate a public street  
14 or right-of-way.
- 15 49. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire  
16 project will be subject to prevailing wage requirements as specified by Labor Code  
17 section 1720(b) (4). The owner/developer shall agree to execute a form acknowledging  
18 the prevailing wage requirements prior to the granting of any fee reductions or waivers.
- 19 50. In the event that the conceptual plan does not match the conditions of approval, the  
20 resolution of approval shall govern.
- 21 51. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way  
22 and within any adjoining public parkways shall be permanently maintained by the  
23 owner, his assigns or any successors-in-interest in the property. The maintenance  
24 program shall include: a) normal care and irrigation of the landscaping b) repair and  
25 replacement of plant materials which includes trees c) irrigation systems as necessary d)  
26 general cleanup of the landscaped and open areas e) parking lots and walkways, walls,  
27 fences, etc. f) pruning standards for street trees shall comply with the International  
28 Society of Arboriculture (ISA) *Standard Practices for Tree Care Operations – ANSI*  
29 *A300, Appendix G: Safety Standards, ANSI Z133; Appendix H; and Tree Pruning*  
*Guidelines, Appendix F (most current edition)*. Failure to maintain landscaping shall  
result in the City taking all appropriate enforcement actions including but not limited to

1 citations. This maintenance program condition shall be recorded with a covenant as  
2 required by this resolution.

3 52. In the event that the conceptual landscape plan (CLP) does not match the conditions of  
4 approval, the resolution of approval shall govern.

5 53. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines  
6 and Specifications for Landscape Development (latest revision), Water Conservation  
7 Ordinance No. 91-15 and 10-OR0412-1, Engineering criteria, City code and ordinances,  
8 including the maintenance of such landscaping, shall be reviewed and approved by the  
9 City Engineer prior to the issuance of building permits. Landscaping shall not be  
10 installed until bonds have been posted, fees paid, and plans signed for final approval. A  
11 landscape preconstruction meeting shall be conducted by the landscape architect of  
12 record, Public Works Inspector, developer or owner's representative and landscape  
13 contractor prior to commencement of the landscape and irrigation installation. The  
14 following landscaping requirements shall be required prior to plan approval and  
certificate of occupancy:

- 15 a) Final landscape plans shall accurately show placement of all plant material such  
16 as but not limited to trees, shrubs, and groundcovers.
- 17 b) Landscape Architect shall be aware of all utility, sewer, storm drain easement  
18 and place tree planting locations accordingly to meet City of Oceanside  
19 requirements.
- 20 c) Existing landscaping located on the westerly slope adjacent to Rancho Del Oro  
21 Drive shall continue to be maintained by the Master Developer per the Seagate  
22 Corporate Center CC&R's. All new planting areas not covered by the Master  
23 Developer per the Seagate Corporate Center CC&R's shall be planted, irrigated,  
24 and maintained by the hotel operator or owner.
- 25 d) All required landscape areas shall be maintained by the hotel operator or owner  
26 including public rights-of-way (parkways) if not covered by the Master  
27 Developer per the Seagate Corporate Center CC&R's. The landscape areas shall  
28 be maintained per City of Oceanside requirements.
- 29 e) Proposed landscape species shall be native or naturalized to fit the site and meet  
climate changes indicative to their planting location. The selection of plant

1 material shall also be based on cultural, aesthetic, and maintenance  
2 considerations. In addition proposed landscape species shall be low water users  
3 as well as meet all fire department requirements.

4 f) All planting areas shall be prepared with appropriate soil amendments, fertilizers,  
5 and appropriate supplements based upon a soils report from an agricultural  
6 suitability soil sample taken from the site.

7 g) Ground covers or bark mulch shall fill in between the shrubs to shield the soil  
8 from the sun, evapotranspiration and run-off. All the flower and shrub beds  
9 shall be mulched to a 3" depth to help conserve water, lower the soil temperature  
10 and reduce weed growth.

11 h) Turf areas on-site shall not exceed 35 percent of overall landscape square  
12 footage.

13 i) The shrubs shall be allowed to grow in their natural forms. All landscape  
14 improvements shall follow the City of Oceanside Guidelines.

15 j) All street trees shall comply with the City of Oceanside Standard Detail for tree  
16 installation which is currently No. 211A.

17 k) Root barriers shall be installed adjacent to all paving surfaces, where a paving  
18 surface is located within six feet of a trees trunk on-site (private) and within 10  
19 feet of a trees trunk in the right-of-way (public). Root barriers shall extend five  
20 feet in each direction from the centerline of the trunk, for a total distance of 10  
21 linear feet. Root barriers shall be 24 inches in depth. Installing a root barrier  
22 around the tree's root ball is unacceptable.

23 l) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall  
24 obtain Planning Division approval for these items in the conditions or application  
25 stage prior to 1<sup>st</sup> submittal of working drawings.

26 m) Unless an appropriate barrier is approved on a landscape plan, a minimum 42"  
27 high barrier, approved by the City Engineer, shall be provided at the top of all  
28 slopes whose height exceeds 20 feet or where the slope is 4 feet or higher  
29 adjacent to an arterial street or state highway.

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- n) For the planting and placement of trees and their distances from hardscape and other utilities/structures the landscape plans shall follow the City of Oceanside’s (current) Tree Planting Distances and Spacing Standards.
- o) An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low volume equipment shall provide sufficient water for plant growth with no water loss due to water run-off.
- p) Irrigation systems shall use high quality, automatic control valves, controllers and other necessary irrigation equipment. All components shall be of non-corrosive material. All drip systems shall be adequately filtered and regulated per the manufacturer’s recommended design parameters.
- q) All irrigation improvements shall follow the City of Oceanside Guidelines and most current Water Conservation Ordinance.
- r) The landscape plans shall match all plans affiliated with the project.
- s) Landscape plans shall comply with Biological and/or Geotechnical reports, as required, and shall match the final grading and final improvement plans.
- t) The landscape improvement plans shall comply with SWMP Best Management Practices and meet the satisfaction of the City Engineer. All information on the SWMP pursuant to the landscape plan set (i.e. vegetated swales) for this project shall be transferred to the landscape improvement plans including but not limited to the planting and irrigation plans, planting legend, details, and specifications.
- u) Existing landscaping on and adjacent to the site shall be protected in place and supplemented or replaced to meet the satisfaction of the City Engineer.
- v) Turf paver specified on the Conceptual Landscape Plan (CLP) shall be specified on the landscape improvement plans for the site and is required to meet or exceed the manufacturer’s specifications. If a separate turf paver product is proposed it shall meet the specific load and installation requirements of the City of Oceanside Fire Department and shall be approved by the City of Oceanside Fire Marshall and the City Landscape Architect prior to plan approval.

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1 **Fire:**

- 2 54. Fire Department requirements shall be placed on plans in the notes section.
- 3 55. Building must be fire sprinklered per NFPA 13.
- 4 56. A minimum fire flow of 3,000 gallons per minute shall be provided.
- 5 57. Fire hydrants and fire department connection must be a minimum of 40 feet from the  
6 building.
- 7 58. Fire Department connection must be located within 40 feet of the fire hydrant located on  
8 the same side of the street or drive aisle.
- 9 59. Provide a minimum of two fire hydrants capable of supplying the required fire flow.  
10 Maximum distance between hydrants shall be 450 feet measured in an approved route  
11 around the exterior of the building.
- 12 60. Show all proposed and available existing fire hydrants within 600 feet of the project  
13 (measured in an approved route around the building) on the site plan.
- 14 61. The size of fire hydrant outlets shall be 2 ½ "X 4".
- 15 62. The fire hydrants shall be installed and tested prior to placing any combustible materials  
16 on the job site.
- 17 63. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design  
18 and Processing Manual Standard Drawing No. M-13.
- 19 64. Provide Standpipes as required per Oceanside Fire Code Section 905.10.
- 20 65. Standpipe(s) required during construction per CFC Chapter 14.
- 21 66. Fire alarm system required per CFC Chapter 9.
- 22 67. Provide a horn strobe device on the exterior of the building to be activated by fire  
23 sprinkler water flow.
- 24 68. All weather access roads shall be installed and made serviceable prior to and maintained  
25 during time of construction.
- 26 69. A fire apparatus access road shall be provided within 150 feet of all exterior walls of the  
27 first floor of the building. The route of the fire apparatus access road shall be approved  
28 by the Fire Department. The 150 feet is measured by means of an unobstructed route  
29 around the exterior of the building.

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- 1 70. Fire Department access roadways must be engineered and maintained to support of the  
2 imposed loads of fire apparatus not less than 75,000 lbs and shall be surfaced so as to  
3 provide all-weather driving capabilities.
- 4 71. Apparatus access roads shall have a minimum unobstructed width of 28 feet. A  
5 minimum vertical clearance of 14 feet shall be provided for the apparatus access roads.  
6 The gradient for a fire apparatus access roadway shall not exceed 15 percent.
- 7 72. Buildings or portions of buildings more than 35 feet in height, as defined by the Fire  
8 Code of the City of Oceanside, shall be provided with a street, driveway, or designated  
9 fire lane not less than 35 feet wide which shall be able to accommodate Fire Department  
10 aerial apparatus and designed in a matter so that ladder truck operations can be affected  
11 on at least one side of the building which has openings into its interior. Such street,  
12 alley, driveway, or designated fire lane shall be located not more than 15 feet from  
13 buildings at a point adjacent to the highest building or portion thereof.
- 14 73. The Fire Department access roadway shall be provided with adequate turning radius for  
15 Fire Department apparatus: a 50-foot outside and 30-foot inside turning radius.
- 16 74. Fire Department emergency access shall meet grade requirements per the Oceanside Fire  
17 Code Section 503.2.7
- 18 75. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per  
19 Vehicle Code Section 22500.1. Any markings, signs and/or fire lane identification shall  
20 be in accordance with the Fire Department Standard Guidelines for Emergency Access.
- 21 76. A "Knox" key storage box shall be provided for all new construction.
- 22 77. All security gates shall have a Knox-box override and as required have strobe activation  
23 capability.
- 24 78. In accordance with the Oceanside Fire Code Section 505, approved addresses for  
25 commercial, industrial, and residential occupancies shall be placed on the structure in  
26 such a position as to be plainly visible and legible from the street or roadway fronting  
27 the property. Numbers shall be contrasting with their background and meet the current  
28 City of Oceanside size and design standard.
- 29 79. Commercial require six-inch address numbers. Minimum specifications are set forth in  
Oceanside Fire Code Section 505.1, and the Fire Marshal may establish other  
requirements as deemed necessary.

- 1 80. Plans shall be submitted to the Fire Prevention Bureau for plan check review and  
2 approval prior to the issuance of building permits.
- 3 81. Buildings shall meet Oceanside Fire Department's current codes at the time of building  
4 permit application.
- 5 82. A lighted directory map shall be installed at each driveway entrance to multi-unit  
6 residential projects in excess of 15 units.
- 7 83. Any new development that necessitates updating of emergency response maps by virtue  
8 of new structures, hydrants, roadways or similar features, shall be required to provide  
9 map updates in a format (PDF, GIS and/or CAD) as approved by the FAHJ or  
10 compatible with current department mapping services. The Fire Department is  
11 authorized to charge a reasonable fee for updating all response maps.
- 12 84. Except as otherwise provided, no person shall own, erect, construct or occupy any  
13 building or structure, or any part thereof, or cause the same to be done, which fails to  
14 support adequate radio coverage for City emergency service workers operating on the  
15 800MHz Countywide Coordinated Communication System, or the current radio system  
16 in use. Further, owners must maintain a reasonable standard of reliable radio  
17 communication within their buildings and structures once a Certificate of Occupancy is  
18 issued. The BDA coverage enhancers must be maintained as a condition of occupancy  
19 and tested annually. When tested, if the 800MHz signal strength readings (RSSI) fall  
20 below 65 in any portion of the building, either above or below grade as measured by an  
21 800 MHz portable radio, the purchase and installation of one or more bidirectional  
22 amplifier radio coverage enhancers is required. A minimum signal strength of (-95dBm)  
23 in 90 percent of the area of each floor building from both the 800 MHz Countywide  
24 Communications Systems and from within the building is required.

23 **Planning:**

- 24 85. The Development Plan and Conditional use Permit shall expire on September 13, 2013,  
25 unless implemented in accordance with the City of Oceanside Zoning Ordinance or unless  
26 a time extension is granted by the Planning Commission.
- 27 86. This Development Plan (D10-00004) and three Conditional Use Permits (CUP10-00013,  
28 CUP10-00014, CUP10-00015) approves the construction of a four-story 78,489-square  
29 foot 140-room business hotel with bistro, an outdoor pool and spa, exercise room, lobby

1 area, a 2,000-square foot meeting area, a board room, associate parking, and landscaping as  
2 depicted on the plans and exhibits presented to the Planning Commission for review and  
3 approval. No deviation from these approved plans and exhibits shall occur without City  
4 Planner or Planning Commission approval. Substantial deviations shall require a revision  
5 to the Development Plan and Conditional Use Permit, or a new Development Plan and  
6 Conditional Use Permit, as determined by the City Planner.

7 87. A ground mounted bicycle rack must be provided in front or near the business. The bicycle  
8 rack shall meet the provisions of Zoning Ordinance Section 3108 for Bicycle Parking.

9 88. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
10 harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
11 proceeding against the City, its agents, officers, or employees to attack, set aside, void or  
12 annul an approval of the City, concerning Development Plan (D10-00004) and/or  
13 Conditional Use Permits (CUP10-00013, CUP10-00014 and CUP10-00015). The City  
14 will promptly notify the applicant of any such claim, action or proceeding against the  
15 City and will cooperate fully in the defense. If the City fails to promptly notify the  
16 applicant of any such claim action or proceeding or fails to cooperate fully in the  
17 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold  
18 harmless the City.

18 89. All lighting showcasing building architecture shall be shown on the building plans.

19 90. The final hardscape design shall be substantially the same as shown on the Conceptual  
20 Landscape Plan and is subject to review and approval by the City Planner and City  
21 Engineer.

22 91. All mechanical rooftop and ground equipment shall be screened from public view as  
23 required by the Zoning Ordinance. The roof jacks, mechanical equipment, screen and  
24 vents shall be painted with non-reflective paint to match the roof. This information shall be  
25 shown on the building plans.

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

28 93. The tote and bale storage area is required to be enclosed on all sides and treated to  
29 substantial match the buildings architecture. It shall provide and designate adequate  
space for the storage of totes, cardboard bales, and the general trash bin. At no time

1 shall the totes, cardboard bales, or the general trash bin be stored outside of the tote and  
2 bale storage area.

3 94. Recycling Services: OCC 13.16(h), the requirement to separate all recyclable material  
4 from solid waste for separate collection.

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

8 96. A covenant or other recordable document approved by the City Attorney shall be prepared  
9 by the developer and recorded prior to issuance of building permits. The covenant shall  
10 provide that the property is subject to this resolution, and shall generally list the conditions  
11 of approval.

12 97. Prior to the issuance of building permits, compliance with the applicable provisions of the  
13 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed  
14 and approved by the Planning Division. These requirements, including the obligation to  
15 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the  
16 Landscape Plan and shall be recorded in the form of a covenant affecting the subject  
17 property.

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

22 99. Failure to meet any conditions of approval for this development shall constitute a violation  
23 of the Development Plan and Conditional Use Permit.

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

29 101. Unless expressly waived, all current zoning standards and City ordinances and policies in  
effect at the time building permits are issued are required to be met by this project. The  
approval of this project constitutes the applicant's agreement with all statements in the

1 Description and Justification Plan and other materials and information submitted with this  
2 application, unless specifically waived by an adopted condition of approval.

3 102. The applicant, tenants, or successors in interest shall comply with the City's business  
4 license requirements as necessary.

5 103. Elevations, siding materials, colors, roofing materials and floor plans shall be  
6 substantially the same as those approved by the Planning Commission. These shall be  
7 shown on plans submitted to the Building Division and Planning Division for permit  
8 plan check, and prior to issuance of any building permit.

9 104. No project signage is approved with this application. All project signage shall be subject  
10 to a separate sign permit and be in compliance with Article 33, Signs, of the Zoning  
11 Ordinance.

12 105. The approval does not relieve the applicant from an obligation to obtain an alcohol license  
13 from the State Department of Alcoholic Beverage Control (ABC). Any license and permit  
14 conditions imposed by the ABC and the City Police Chief shall be in addition to the  
15 conditions of this approval and the most restrictive conditions shall apply.

16 106. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.

17 **Water Utilities:**

18 107. The developer will be responsible for developing all water and sewer utilities necessary to  
19 develop the property. Any relocation of water and/or sewer utilities is the responsibility of  
20 the developer and shall be done by an approved licensed contractor at the developer's  
21 expense.

22 108. The property owner shall maintain private water and wastewater utilities located on private  
23 property.

24 109. Water services and sewer laterals constructed in existing right-of-way locations are to be  
25 constructed by approved and licensed contractors at developer's expense.

26 110. All Water and Wastewater construction shall conform to the most recent edition of the  
27 Water, Sewer, and Reclaimed Water Design and Construction Manual (Water Design  
28 Manual) or as approved by the Water Utilities Director.

29 111. All water and hydrant services shall be installed perpendicular to main without bends. If an  
existing service run cannot be utilized, then this service shall be abandoned at the main in  
accordance with the Water Design Manual.

- 1 112. All existing stubbed out water services and sewer laterals that will not be utilized for this  
2 project shall be abandoned in accordance with the Water Design Manual.
- 3 113. All public water and/or sewer facilities not located within the public right-of-way shall be  
4 provided with easements sized according to the Water, Sewer, and Reclaimed Water  
5 Design and Construction Manual. Easements shall be constructed for all weather access.
- 6 114. No trees, structures or building overhang shall be located within any water or wastewater  
7 utility easement.
- 8 115. All lots with a finish pad elevation located below the elevation of the next upstream  
9 manhole cover of the public sewer shall be protected from backflow of sewage by installing  
10 and maintaining an approved type backwater valve, per the Uniform Plumbing Code  
11 (U.P.C.).
- 12 116. A separate irrigation meter and approved backflow prevention device is required and shall  
13 be displayed on the plans.
- 14 117. An Inspection Manhole, described by the Water, Sewer, and Reclaimed Water Design and  
15 Construction Manual, shall be installed in each building sewer lateral and the location shall  
16 be called out on the approved Improvement Plans.
- 17 118. If a restaurant or food service tenant occupies the property; a Grease, Oil, and Sand  
18 Interceptor shall be installed in each building sewer in an appropriate location and shall be  
19 maintained by the property owner, in accordance with City of Oceanside Ordinance 07-  
20 0R0021-1. The location shall be called out on the approved Building Plans.
- 21 119. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to  
22 be paid to the City and collected by the Water Utilities Department at the time of Building  
23 Permit issuance.

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

4 PASSED AND ADOPTED Resolution No. 2010-P29 on September 13, 2010 by the  
5 following vote, to wit:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

10  
11 \_\_\_\_\_  
12 Robert Neal, Chairperson  
13 Oceanside Planning Commission

14 ATTEST:

15 \_\_\_\_\_  
16 Jerry Hittleman, Secretary

17 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
18 this is a true and correct copy of Resolution No. 2010-P29.

19 Dated: September 13, 2010

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

23  
24 \_\_\_\_\_  
25 Applicant/Representative

26 \_\_\_\_\_  
27 Date



July 12, 2010

JN 55-100693.001

Mr. Blake Evans  
**RD Olson Development**  
2955 Main Street, Suite 350  
Irvine, CA 92614

**Subject: Courtyard by Marriott Parking Demand Study**

Dear Mr. Evans,

RBF Consulting has completed the parking demand study for the proposed Courtyard by Marriott hotel located at the southeast corner of Rancho Del Oro Drive / Seagate Way in the City of Oceanside. The proposed hotel would be a mid-range priced (\$100 - \$250) business hotel providing a total of 140 rooms and approximately 2,000 square-feet of meeting/conference room space. A total of 136 parking stalls are proposed to be provided for the hotel (131 unassigned spaces and 5 disabled parking spaces).

For a typical hotel use, the *City of Oceanside Zoning Ordinance* (Article 31) requires 1.2 parking spaces per hotel room, plus 1 parking space per 50 square-feet of banquet seating area. Based on the number of rooms and the meeting/conference room space a minimum of 208 parking spaces are required based on the City of Oceanside off-street parking requirements.

A parking occupancy survey was conducted by RBF Consulting at an existing Courtyard by Marriott located near Palomar Airport in the City of Carlsbad. The selected existing hotel for the parking occupancy survey is located in a business/office park environment similar to the proposed hotel site in Oceanside. The purpose of the parking occupancy survey is to determine the peak parking demand for a typical Courtyard by Marriott located in a business/office park environment, in comparison to the City parking requirement.

Detailed information about the selected survey hotel is provided below:

**Courtyard by Marriott – 5835 Owens Avenue, Carlsbad, CA**

- Number of Rooms: 139 rooms, 6 suites
- Number of Parking Stalls: 199
- Room Rates: \$159 - \$229
- Amenities: 3 meeting rooms with 1,290 square-feet of total meeting space, pool, fitness center, breakfast café, evening lounge, internet access in each guest room

The Institute of Transportation Engineers (ITE) publication titled *Parking Generation, 3<sup>rd</sup> Edition* includes specific parking characteristics data for a "Business Hotel" land use category, which is described as having limited amenities and no on-site meeting or convention facilities. Although the only available parking demand data for a business hotel is between 11:00 p.m. and 12:00 a.m. in ITE *Parking Generation*, it is expected that peak parking demand would occur overnight, after 12:00 a.m. and before 6:00 a.m. The ITE parking characteristics data for a business hotel use are provided later in this report.

The parking utilization characteristics of the existing Courtyard by Marriott site were observed on three weekday mornings (Tuesday, Thursday, and Friday) and one weekend morning (Saturday) between 5:00 a.m. and 5:30 a.m. Table 1 presents the results of the parking occupancy survey conducted for each day at the survey hotel site.

**Table 1  
 Parking Occupancy Survey  
 Carlsbad Courtyard by Marriott**

Parking Type	Parking Inventory	Thursday, 6/24/2010		Friday, 6/25/2010		Saturday, 6/26/2010		Tuesday, 6/29/2010	
		5:00 AM - 5:30 AM		5:00 AM - 5:30 AM		5:00 AM - 5:30 AM		5:00 AM - 5:30 AM	
		Occupied Spaces	Parking Utilization (%)	Occupied Spaces	Parking Utilization (%)	Occupied Spaces	Parking Utilization (%)	Occupied Spaces	Parking Utilization (%)
General	191	105	55.0%	94	49.2%	106	55.5%	89	46.6%
Disabled	8	1	12.5%	2	25.0%	4	50.0%	2	25.0%
<b>Total</b>	<b>199</b>	<b>106</b>	<b>53.3%</b>	<b>96</b>	<b>48.2%</b>	<b>110</b>	<b>55.3%</b>	<b>91</b>	<b>45.7%</b>

As shown in Table 1, the results of the parking occupancy surveys are as follows:

- Thursday, June 24<sup>th</sup> (5:00 a.m. – 5:30 a.m.): 106 occupied parking spaces
- Friday, June 25<sup>th</sup> (5:00 a.m. – 5:30 a.m.): 96 occupied parking spaces
- Saturday, June 26<sup>th</sup> (5:00 a.m. – 5:30 a.m.): 110 occupied parking spaces
- Tuesday, June 29<sup>th</sup> (5:00 a.m. – 5:30 a.m.): 91 occupied parking spaces

Table 1 shows that the highest parking utilization (55.3%) occurred on Saturday morning, when 110 occupied parking spaces were counted at the survey hotel.

Overnight room occupancy information was acquired from the hotel for each evening previous to the parking occupancy counts. The number of occupied hotel rooms and corresponding hotel occupancy rate for each survey morning is listed below:

- Wednesday night/Thursday morning (June 23<sup>rd</sup>-24<sup>th</sup>): 144 occupied rooms (99% occupancy)
- Thursday night/Friday morning (June 24<sup>th</sup>-25<sup>th</sup>): 125 occupied rooms (86% occupancy)
- Friday night/Saturday morning (June 25<sup>th</sup>-26<sup>th</sup>): 120 occupied rooms (83% occupancy)
- Monday night/Tuesday morning (June 28<sup>th</sup>-29<sup>th</sup>): 103 occupied rooms (71% occupancy)

As shown above, the highest room occupancy rate occurred on Wednesday night/Thursday morning of June 23<sup>rd</sup>-24<sup>th</sup>, when 144 out of the 145 hotel rooms were occupied.

Table 2 summarizes the parking demand ratios derived from the parking occupancy and hotel room occupancy data acquired for this analysis. Two sets of ratios are provided: the parking demand ratio per hotel room (occupied parking spaces / total hotel rooms), and the parking demand ratio per occupied hotel room (occupied parking spaces / occupied hotel rooms).

**Table 2**  
**Parking Demand Ratios**  
**Carlsbad Courtyard by Marriott**

Survey Date and Time	Occupied Parking Spaces	Total Hotel Rooms	Occupied Hotel Rooms	Parking Demand Per Room Ratio <sup>(1)</sup>	Parking Demand / Occupied Room Ratio <sup>(2)</sup>
Thursday, 6/24/2010 5:00 AM - 5:30 AM	106	145	144	0.73	0.74
Friday, 6/25/2010 5:00 AM - 5:30 AM	96	145	125	0.66	0.77
Saturday, 6/26/2010 5:00 AM - 5:30 AM	110	145	120	0.76	0.92
Tuesday, 6/29/2010 5:00 AM - 5:30 AM	91	145	103	0.63	0.88

<sup>(1)</sup> Ratio of occupied parking spaces to total number of hotel rooms

<sup>(2)</sup> Ratio of occupied parking spaces to occupied hotel rooms.

As shown in Table 2, the highest parking demand per room ratio (0.76) occurred on the Saturday morning survey. On Saturday morning the parking demand per occupied room ratio was 0.92.

It must be noted that although the peak parking demand for the survey days occurred on Saturday morning, the peak occupancy of the hotel rooms occurred during the Thursday morning survey. Although the hotel was at peak occupancy during the Thursday morning survey, the lowest parking demand per occupied room ratio (0.74) was calculated on that survey day.

As previously mentioned, ITE *Parking Generation, 3<sup>rd</sup> Edition* includes specific parking characteristics data for a Business Hotel. The parking characteristics are derived from research studies conducted by ITE. The research studies include a utilization profile along with a formula that describes the

relationship between parking demand and the time of day. As noted earlier in this report, ITE only provides parking demand data for a Business Hotel use between 11:00 p.m. and 12:00 a.m., which does not account for the time period in which the parking demand peak may actually occur (12:00 a.m. to 6:00 a.m.). For the purposes of this report, however, it will be assumed the parking demand ratios generated by ITE for a Business Hotel reflects the peak parking demand.

Table 3 summarizes the parking demand data for a Business Hotel as provided in ITE *Parking Generation, 3<sup>rd</sup> Edition*. Table 3 also provides a comparison between the parking demand ratios generated by ITE and the parking demand ratios calculated from the results of the parking occupancy surveys.

**Table 3**  
**Comparison of Parking Demand Data**  
**ITE Parking Generation vs. Parking Occupancy Surveys**

ITE Parking Demand Data			Parking Occupancy Survey Results	
Parking Data	Weekday Parking Demand	Weekend Parking Demand	Weekday Parking Demand	Weekend Parking Demand
Land Use	Business Hotel	Business Hotel	Business Hotel	Business Hotel
Peak Period	11:00 p.m. - 12:00 a.m.	11:00 p.m. - 12:00 a.m.	5:00 a.m. - 5:30 a.m.	5:00 a.m. - 5:30 a.m.
# of Study Sites	3	3	1	1
Average Size of Study Sites	130 rooms	130 rooms	145 rooms	145 rooms
Average Peak Period Parking Demand	0.64 vehicles per room	0.66 vehicles per room	0.73 vehicles per room <sup>(1)</sup>	0.76 vehicles per room <sup>(1)</sup>

Source: ITE Parking Generation, 3<sup>rd</sup> Edition (2004).

<sup>(1)</sup> Parking demand ratio is based on the number of occupied parking spaces to total number of rooms. Highest weekday parking demand ratio was used in this table.

As shown in Table 3, the ITE parking demand data for a Business Hotel indicates a higher parking demand on a weekend than on a weekday, with a peak parking demand ratio of 0.66 vehicles per room. The results of the parking occupancy surveys show a peak parking demand ratio of 0.76 vehicles per room, with the highest peak parking demand occurring on a weekend.

Although typically the highest peak parking demand would coincide with the highest hotel occupancy rate, this pattern did not occur during the survey days at the Courtyard by Marriott in Carlsbad. While the highest parking demand per hotel room ratio (0.76) and highest parking demand per occupied room ratio (0.92) occur on a weekend (Saturday morning), the highest number of occupied rooms (144) occurred overnight on Wednesday into Thursday morning, which resulted in the lowest parking demand per occupied room ratio (0.74) of all the survey days. As can be seen in Table 3, this weekday-to-weekend parking demand relationship is consistent with the results of the ITE studies.

The hotel manager reported that there were not any tour or charter buses that arrived on Wednesday evening with guests, but there are a number of other reasons as to why the parking demand during the Thursday morning survey was so low when compared with the number of occupied rooms:

- Possible high proportion of carpooling hotel guests taking separate rooms (more common with business travelers).
- Higher number of hotel guests getting picked up by the hotel's complimentary shuttle at nearby McClellan-Palomar Airport than on weekends.
- Higher number of hotel guests checking out before 5:00 a.m. than on weekends.

It is reasonable to conclude that the parking demand tends to be lower during the week since many of the hotel guests are business travelers who may carpool or take shuttles from the airport instead of renting vehicles. The majority of hotel guests on weekends are tourists, who typically arrive at the hotel in their own vehicles or in rented vehicles so that they can use the vehicle for sightseeing.

Based on the results of the parking occupancy surveys and calculated parking demand ratios, it should be reasonable to allow a parking ratio that is less than 1.2 parking spaces per room per the City of Oceanside Zoning Ordinance off-street parking requirements. The results of the parking occupancy surveys indicate that the parking supply at the Carlsbad Courtyard by Marriott is almost double the peak parking demand and substantially less parking is needed to meet the actual peak parking demand. In support of the project's goal to incorporate as many LEED elements as possible we are recommending that the project minimize the number of parking spaces provided so that the project is not overparked.

Although the ratio of peak parking demand to total hotel rooms was found to be only 0.76 parking spaces per room in our survey, it is recommended that the more conservative ratio of **0.92** parking spaces per occupied hotel room found in the survey be used to determine the minimum parking requirement at the proposed Courtyard by Marriott in Oceanside. Applying this ratio to the total number of rooms at the proposed hotel would result in a minimum parking space requirement of **129** parking spaces. The proposed hotel will provide a total of **136** parking spaces, which equates to a ratio of **0.97** parking spaces per room and seven more parking spaces than the recommended minimum requirement based on our survey. The suggested parking ratio is also conservatively high, since no reduction has been applied due to the hotel's proximity to transit service facilities.

It is our professional opinion that the City of Oceanside requirement for one additional parking space per 50 square-feet of banquet seating (or meeting/conference room) area is not applicable to this type of hotel and would result in a significant surplus of parking spaces for the proposed hotel. Conference oriented hotels typically have over 10,000 square feet of meeting room floor area. The amount of meeting room floor space in the proposed hotel is merely provided as an amenity and convenience to the hotel business guests and is not intended to serve outside conferences.

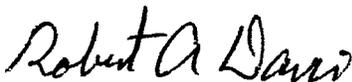
Furthermore, even at conference oriented hotels, the typical event attendees would be comprised of a mix of hotel guests and business professionals from outside the hotel who park at the hotel to attend the event and then leave. The additional one parking space per 50 square-feet of conference room area requirement is based on an assumption that all of the hotel guests would remain parked at the hotel during the hours of an event and that additional parking is needed to accommodate visitors when conferences or other special events are occurring. Based on past parking studies conducted by RBF Consulting at conference oriented hotels, the peak parking demand for conference events and hotel guests occurs in the late afternoon or early evening and this parking demand is approximately the same or less than the overnight hotel guest demand. This suggests that the number of non-hotel guest conference attendees is comparable to the number of hotel guests that are away from the hotel during the conference event. Many hotel guests are in transition (checking out or in) or are at destinations outside of the hotel while conferences are occurring.

#### **Study Recommendations**

The study recommendation is to apply a minimum parking ratio of **0.92** parking spaces per room which equates to a minimum parking space requirement of **129** parking spaces.

If you have any questions pertaining to the analysis results summarized in this letter, please call me at (760) 603-6244.

Sincerely,



Robert Davis, PTP  
Senior Associate  
Transportation Services

EXH. D

**R.D. OLSON**  
**DEVELOPMENT**

*Real Estate Services  
Development*

March 26, 2010

John Amberson  
City of Oceanside  
Transportation Division  
300 North Coast Highway  
Oceanside, California 92054

Re: Proposed Oceanside Courtyard – Insignificant Traffic Impact

Dear John:

As a follow up to our March 24, 2010 phone conversation, RD Olson Development is proposing a 139 room Courtyard by Marriott business hotel on Parcel 11 of the Seagate Corporate Center (“Subject Parcel”). This proposed change in use will cause an insignificant impact to traffic on the surrounding roadways and, therefore, should not require further traffic study. Our assessment is supported by the enclosed Revised Seagate Corporate Center Traffic Analysis with VA Medical Center conducted by RBF Consultants, which demonstrates that the Subject Parcel is approved for a 45,000 square foot single tenant office building.

The enclosed Project Site Plan for the Seagate Corporate Center shows the original configuration of the master development. The Subject Parcel was initially approved for 38,000 square feet of single tenant office space. Pursuant to the revised traffic analysis, the VA Medical Center required a change in land use from the original plan of 78,000 square feet of R&D space to 84,000 square feet of medical office space. The placement of the VA Medical Center parking lot adjacent to the Subject Parcel caused the removal of 38,000 square feet of proposed single tenant office space allowing for the addition of 7,000 square feet of single tenant office space to the Subject Parcel for a grand total of 45,000 square feet.

The table below shows the variance between the existing entitlement and the proposed use:

Land Use	Daily Rates*	Daily Trips	Total AM Peak Trips	Total PM Peak Trips
45,000 Single Tenant Office	14/1000sf	630	95 (15%)*	95 (15%)*
139 Room Business Hotel	7/occupied room	973	78 (8%)*	88 (9%)*
<b>Variance</b>	--	<b>343</b>	<b>-17</b>	<b>-7</b>

\*Rates from SANDAG Trip Generation Guide (Enclosed)

Due to the relatively insignificant increase in daily trips, the net reduction in peak hour trips, and the fact that the major roadways in the area have already been significantly improved to

accommodate the level of service necessary for the surrounding developments, it is our request that this letter exist in lieu of a traffic study for the proposed hotel project that would demonstrate the same.

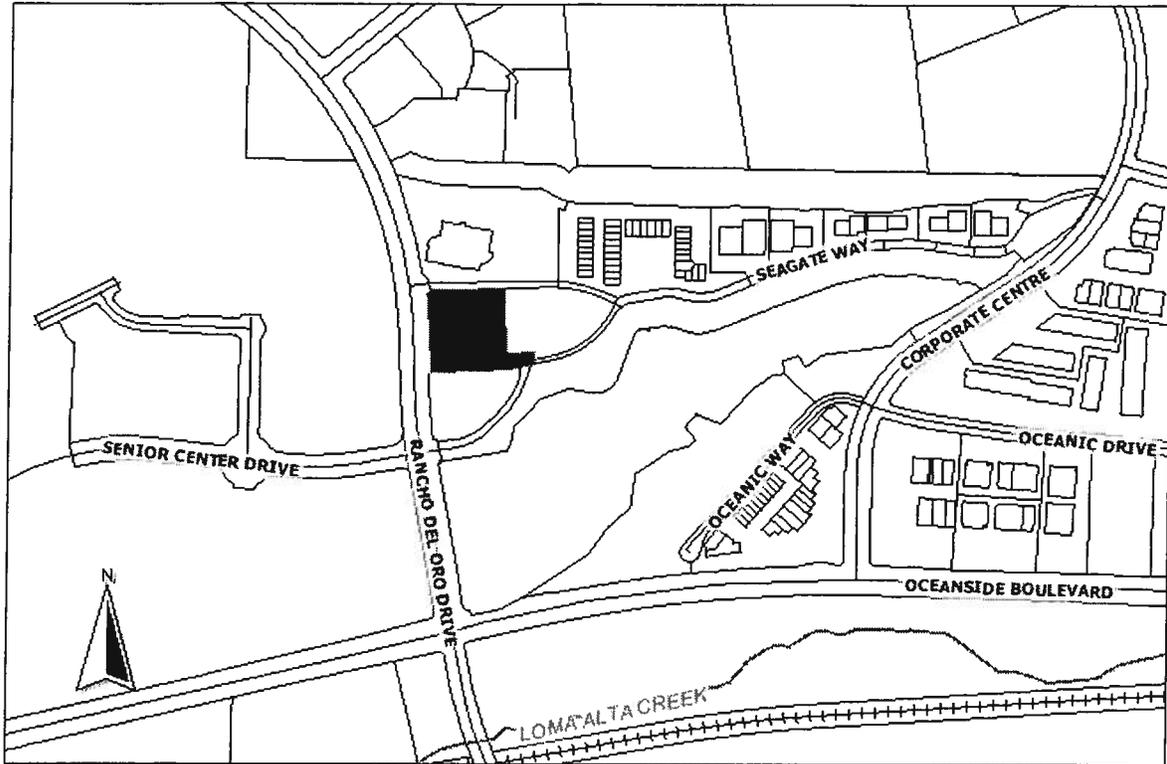
Should you have any further questions or comments regarding this letter, please contact me at (949) 271-1119.

Sincerely,



Blake Evans  
Financial Analyst  
RD Olson Development

Enc: Revised Seagate Corporate Center Traffic Analysis with VA Medical Center  
Seagate Corporate Center Project Site Plan  
SANDAG Trip Generation Guide



**File Number:** D10-00004, CUP10-00013, CUP10-00014 & CUP10-00015

**Applicant:** RD Olson Development

**Description:**

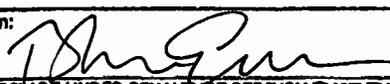
DEVELOPMENT PLAN (D10-00004) and CONDITIONAL USE PERMITS (CUP10-00013, CUP10-00014 & CUP10-00015) to allow for the development of a four-story, 78,489-square foot business hotel containing 140 guest rooms, an outdoor swimming pool with spa, a bistro, lobby area, board room, a 2,000-square foot meeting space, an associated parking lot and landscape improvements located east of Rancho Del Oro Drive and on Seagate Way. The project site has a General Plan Land Use Designation of Light Industrial (LI), is zoned Limited Industrial (IL), and is situated within the Ivey Ranch Rancho Del Oro Planning Area. – **COURTYARD BY MARRIOTT**

**Environmental Determination:**

The project is exempt from the California Environmental Quality Act.

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

CUP 10-00013  
 CUP 10-00014  
 CUP 10-00015

 <b>Application for Public Hearing</b> Community Development Department / Planning Division (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885				<b>STAFF USE ONLY</b> ACCEPTED <div style="font-size: 2em; text-align: center;">6/4/10</div>		BY <div style="font-size: 1.5em; text-align: center;">S.N.</div>			
Please Print or Type All Information				HEARING					
<b>PART I - APPLICANT INFORMATION</b>				GPA					
1. APPLICANT		2. STATUS		MASTER/SP.PLAN					
RD OLSON DEVELOPMENT		OWNER/DEVELOPER		ZONE CH.					
3. ADDRESS		4. PHONE/FAX/E-mail		TENT. MAP					
2955 MAIN STREET #350		(949) 271-1000		PAR. MAP					
IRVINE, CA 92614				DEV. PL.		D10-00004			
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)				3 C.U.P.C					
BLAKE EVANS				1 VARIANCE		<del>XXXXXXXXXX</del>			
6. ADDRESS		7. PHONE/FAX/E-mail		COASTAL					
2955 MAIN STREET #350		(949) 271-1119		O.H.P.A.C.					
IRVINE, CA 92614									
<b>PART II - PROPERTY DESCRIPTION</b>									
8. LOCATION				9. SIZE					
SOUTHEAST CORNER OF SEAGATE WAY & RANCHO DEL ORO DR.				2.671 ACRES					
10. GENERAL PLAN		11. ZONING	12. LAND USE	13. ASSESSOR'S PARCEL NUMBER					
RANCHO DEL ORO INDUSTRIAL		PD-1	INDUSTRIAL	162-600-23-00					
<b>PART III - PROJECT DESCRIPTION</b>									
14. GENERAL PROJECT DESCRIPTION									
DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT FOR A 140 ROOM BUSINESS HOTEL, COURTYARD BY MARRIOTT.									
15. PROPOSED GENERAL PLAN		16. PROPOSED ZONING	17. PROPOSED LAND USE	18. NO. UNITS	19. DENSITY				
---		---	HOTEL	---	---				
20. BUILDING SIZE		21. PARKING SPACES	22. % LANDSCAPE	23. % LOT COVERAGE or FAR					
78,489 SF		136	23.7%	0.675 FAR					
<b>PART IV - ATTACHMENTS</b>									
24. DESCRIPTION/JUSTIFICATION		25. LEGAL DESCRIPTION		26. TITLE REPORT					
27. NOTIFICATION MAP & LABELS		28. ENVIRONMENTAL INFO FORM		29. PLOT PLANS					
30. FLOOR PLANS AND ELEVATIONS		31. CERTIFICATION OF POSTING		32. OTHER (See attachment for required reports)					
<b>PART V - SIGNATURES</b>									
33. APPLICANT OR REPRESENTATIVE (Print):		34. DATE	SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).						
BLAKE EVANS		6/4/10							
Sign:				35. OWNER (Print)		36. DATE			
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.				Sign:					

**RECEIVED**

JUL 16 2010

July 16, 2010

**Project:** Courtyard by Marriott Oceanside, CA  
**Re:** **Project Description and Justification for Planning Re-Submittal**  
(Original Submittal Dated 6/4/10)

**Owner/Developer:** R.D. Olson Development  
Mr. Blake Evans – 949.271.1119

**Architect/Landscape Architect:** Johnson Braund Design Group, Inc.  
Jeff Williams – 206.766.8300

**Civil Engineer:** RBF Consulting  
Tim Thiele – 760.603.6243

**Project Description**

The proposed Courtyard by Marriott business hotel will be located on Lot 11 of the Seagate Corporate Center, at the southeast corner of Rancho Del Oro Drive and Seagate Way. The project submittal consists of a Development Plan, Conditional Use Permits (hotel use, liquor sales, parking reduction), and a Variance (loading dock requirement reduction).

This 4-story, 78,489 square foot, Type III-A, wood-frame structure will contain 140 guest rooms. The site will include an enclosed exterior courtyard with patio space and an outdoor swimming pool and spa. Public amenities within the building provide a small bistro (whose primary focus will be serving meals to guests), exercise room, lobby area (which includes guest registration, business center, lounge, and bar), 2,000 square feet of meeting space, and a board room.

Primary vehicular access will come from Seagate Way on the north side of the property with secondary access at the southeast corner of the site. The site will provide off-street parking for 136 vehicles and one (1) 12' x 30' loading stall. The perimeter of the site and periphery of the building will be landscaped with a mix of native and ornamental trees, shrubs, and groundcover plantings. Anticipated hotel signage will include wall mounted and back-lit signs on the building elevations, a primary "Courtyard" monument sign at the northwest corner of the site, and directional monument signage at the two driveway entries. Retaining walls will be required along portions of the northeastern, western, and southern property lines to provide sufficient usable site area. Wall design will conform to Oceanside City Code and the style of other walls used throughout the Seagate Corporate Center.

The contemporary styling of the U-shaped building will include a stucco exterior with decorative stone accents and a low-slope roof with single-ply membrane roofing. The design will complement that of the surrounding office buildings within the Seagate Corporate Center.

This same design and development group also teamed up to create the Residence Inn by Marriott hotel located just north of the property in the Ocean Ranch Development.

Marriott has taken the initiative to be a leader in implementing environmentally sustainable elements into the design, construction, and operation of their hospitality product and the development team will apply these principles to the proposed project wherever feasible. From a design and construction standpoint, the project will include: facilities for the storage and collection of recyclables, bike racks with guestroom showers available for employee use, construction activity pollution prevention measures, a construction waste management program that will reduce disposal volume, environmental tobacco smoke control, public transportation access, and efficient-use water fixtures. The operation of the hotel will implement the use of low energy demand LED and/or fluorescent lighting, a linen reuse program to reduce water and cleaning substance use, Energy Star appliances, and numerous other programs to create a more efficient product.

The Courtyard is a high quality Marriott hotel designed to serve both the business and leisure travel markets. The product will provide much needed lodging to tourists, local businesses, and visitors to Camp Pendleton and will generate over \$600,000 of annual transient occupancy tax for the City of Oceanside in addition to other taxable business activities. The hotel will create approximately 45 permanent jobs for the local community ranging from housekeeping and maintenance positions to front desk, managerial, and sales positions earning between \$30,000 to \$120,000 per year. The development will also create business for local consultants and contractors during the design and construction phase.

The anticipated timing for this project is to work through the City entitlement processes in the second and third quarters of 2010 followed immediately by building permit submittal with building permit issuance and start of construction in the fourth quarter of 2010. The construction timeframe is expected to be 12 months with an anticipated hotel opening in the fourth quarter of 2011.

#### **Development Plan**

The subject site is zoned PD-1 light industrial allowing for the proposed hotel land use by obtaining a conditional use permit. The site plan and physical design of the project is consistent with the development regulations set forth in the Zoning Ordinance, General Plan, and Specific Plan by:

- Meeting performance standards regarding noise, vibration, dust and odors, glare, outdoor lighting (project will adhere to lighting provisions in Article 31), combustibles and explosives, radioactive materials, hazardous materials, heat and humidity, and electromagnetic interference;
- Conforming to the General Plan which designates the Rancho del Oro Specific Plan to provide a mixed variety of industrial and commercial uses;
- Conforming to the objectives of the Rancho Del Oro Specific Plan by providing for the growth and development of the City's economic base and providing a use to satisfy surrounding residential and commercial needs;

- Integrating project architectural and landscape design with the Rancho del Oro Specific Plan and the Seagate Corporate Center as dictated master development's CC&Rs and Operation and Maintenance Plan;
- Providing signage consistent with City Code and the Seagate Corporate Center as dictated master development's CC&Rs and Operation and Maintenance Plan;
- Designing a swimming pool and hot tub area in accordance with the City Site Regulations;
- Conforming to City development standards with a 56' maximum building height;
- Creating a landscaping plan designed by a licensed landscape architect and maintained as dictated by the Seagate Corporate Center CC&Rs and Operation and Maintenance Plan. Landscaping elements will be properly utilized to provide shade and reduce solar radiation, prevent soil erosion, reduce and treat storm water run-off, soften architectural elements and glare, and screen mechanical wells, trash enclosures, and other undesirable functional elements, and irrigation design will comply with water conservation program standards; and,
- Complying with the code requirements for handicapped parking spaces, parking space dimensions, drive aisle width, and access drive width.

The project can be served by existing infrastructure as developed for the Seagate Corporate Center as follows:

- Ample sewer capacity exists by connecting the hotel into the 8" sewer line located off the southeast drive access of the property;
- Sufficient domestic and fire water exists along Seagate Way that meets usage and fire system requirements of the project;
- Storm drain infrastructure is sufficient (see Drainage Report included in the submittal package); and,
- Local roadway infrastructure is capable of supporting peak and daily traffic counts generated by the project (see traffic study included in submittal package).

The site plan and physical design conform to the sections 1.24 and 1.25 of the Land Use Element of the General Plan, Development Guidelines for Hillsides, and Section 3039 of the Zoning Ordinance as the master developer has previously mass graded the site and acquired the approval for office development, which has a similar environmental impact to the proposed hotel development.

### **Variance**

#### **Loading Stalls:**

Comments received on July 1, 2010 for the proposed Development Plan provided by the City of Oceanside Transportation Division state the code requirement for two (2) 12' x 35' loading stalls to be provided on the site. Their recommendation was to include at least one (1) 12' x 35' stall. Due to size constraints of the subject site, the proposed site plan provides for one (1) 12' x 30' loading stall. A variance will be pursued to accommodate this reduction.

The following findings support the request for a variance from the established code:

- This particular site is constrained from a size perspective for the proposed use. A hotel of this size with surface parking typically requires in excess three acres, whereas this is a 2.67 acre site. Furthermore, nearly a quarter of an acre of the gross area of the site is at a slope that is not useful for supporting the proposed development. The size limitation has forced the applicant to conserve space wherever possible in order to accommodate the proposed hotel use. Additionally, the required fire access lane on the southern edge of the building further decreases the ability to accommodate multiple stalls 35' in length. In order to accommodate the fire lane access, the stall had to be shortened to allow the proper access width and turning radius for a fire apparatus.
- Granting this application will not cause any detrimental or injurious conditions on the subject site considering that the reduced delivery requirements of this particular hotel product will not create the demand for multiple stalls, and the stall size provided corresponds to that which is required by the Code. The limited amount of amenities provided by the site, especially in the case of food service, reduces the volume of deliveries required by the Courtyard product. Marriott operations department has found in their decades of experience, that one loading stall of the proposed size will accommodate all deliveries required by the Courtyard product (see Marriott letter included in submittal package). Additionally, the reduced volume of deliveries does not require semi-trucks and can be accomplished with smaller two-axel trucks that do not require a 35' foot long loading stall or large radius turnarounds.
- The variance will not create a situation where the project will enjoy any special privilege inconsistent with limitations on other similar properties. The nearby Residence Inn similarly does not provide the required loading stalls and has employed a comparable solution. The reduction of parking stalls provided is not intended to obtain, nor does it provide an unfair advantage against competitors, it is solely a result of the limited size of the site.

### **Conditional Use Permits**

#### **Hotel Use:**

The site is zoned light industrial pursuant to the Rancho Del Oro Specific Plan which permits a variety of commercial uses, including hotel, with a use permit. The use corresponds with the objectives of the General Plan and Rancho Del Oro Specific Plan which aim to promote economic growth and provide for local commercial and residential lodging needs in the area. The proposed use will not create any detriment to public health, safety, or welfare as it does not create an unreasonable amount of pollutants, or hazardous materials nor does it create an unsafe traffic situation.

#### **Liquor Sales:**

Operation of the hotel includes liquor sales, which is permitted with a use permit. Liquor sales are often found in hotel product and are not inconsistent with the land use. The use is not

inconsistent with the surrounding land uses as other businesses in the vicinity are approved for liquor sale as well. There are no uses in the immediate area to which this designation would cause a detriment to public health, safety or welfare.

**Parking Reduction:**

Oceanside Zoning Ordinance 3103 requires hotel use to provide off-street parking at a ratio of 1.2 stalls for every guestroom. Due to size constraint of the subject site, 136 parking stalls are the maximum amount able to be provided for the 140 guestroom hotel, a ratio of 0.96 stalls per guestroom. A conditional use permit will be sought to allow for a reduced parking ratio. Zoning Ordinance 3105 states that a use permit to reduce the parking requirement may be approved if it is shown that parking demand will be less than the requirement and long-term occupancy of the building will not generate additional parking demand.

The ratio required by the Zoning Ordinance is more apt for full service hotel product offering restaurant facilities and convention space intended to attract non-guests. The select-service Courtyard dining and meeting space facilities are intended solely for the use of guests and will not drive the parking demand. A parking study has been conducted for this site and is attached to this application which recommends a minimum parking count of 129 stalls to accommodate the proposed use.

The long-term occupancy will not change as there will be no addition of guestrooms or facilities to this site.

Due to the reduced parking demand required by this select service hotel product (as supported by the parking study), the parking reduction will not be detrimental to public health, safety, or welfare of the community nor will it impact properties or improvements in the vicinity.

**LEGAL DESCRIPTION**

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

**PARCEL A:**

THAT CERTAIN PARCEL OF LAND SITUATED IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, BEING PORTIONS OF PARCELS 11 AND 12 AS SHOWN ON PARCEL MAP NO. 20077 FILED AUGUST 14, 2006, IN THE OFFICE OF THE COUNTY RECORDER OF SAID SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY TERMINUS OF THAT CERTAIN COURSE SHOWN AS "NORTH 88°30'00" EAST 493.95 FEET" ON THE NORTHERLY LINE OF SAID PARCEL 11; THENCE ALONG THE NORTHERLY LINES OF SAID PARCELS 11 AND 12 NORTH 88°30'00" EAST 312.84 FEET; THENCE SOUTH 01°30'00" EAST 270.00 FEET; THENCE NORTH 88°30'00" EAST 114.00 FEET; THENCE SOUTH 01°30'00" EAST 49.98 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID PARCEL 12, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 792.28 FEET, A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS NORTH 15°31'49" WEST; THENCE ALONG SAID SOUTHERLY LINE AND CURVE, AND THE SOUTHERLY AND WESTERLY LINES OF SAID PARCEL 11 THROUGH THE FOLLOWING COURSES: WESTERLY 119.03 FEET THROUGH A CENTRAL ANGLE OF 08°36'28" TO AN INTERSECTION WITH A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 8076.47 FEET, A RADIAL LINE OF SAID CURVE FROM SAID INTERSECTION BEARS NORTH 04°15'22" WEST; THENCE ALONG SAID CURVE WESTERLY 23.14 FEET THROUGH A CENTRAL ANGLE OF 00°09'51"; THENCE NON-TANGENT FROM SAID CURVE SOUTH 87°28'37" WEST 290.95 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 168.00 FEET, A RADIAL LINE OF SAID CURVE FROM SAID POINT BEARS NORTH 84°02'09" WEST; THENCE ALONG SAID CURVE NORTHERLY 23.48 FEET THROUGH A CENTRAL ANGLE 08°00'27"; THENCE TANGENT FROM SAID CURVE NORTH 02°02'36" WEST 148.16 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 1864.00 FEET; THENCE ALONG SAID CURVE NORTHERLY 146.37 FEET THROUGH A CENTRAL ANGLE OF 04°29'57"; THENCE NON-TANGENT FROM SAID CURVE NORTH 11°22'12" WEST 12.10 FEET; THENCE NORTH 37°37'40" EAST 21.52 FEET TO THE POINT OF BEGINNING.

THE ABOVE LAND IS DESCRIBED AS PARCEL 2 ON THE CERTIFICATE OF COMPLIANCE RECORDED MARCH 02, 2009 AS INSTRUMENT NO. 2009-0101919 OF OFFICIAL RECORDS.

**PARCEL B:**

AN EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PORTION OF SECTION 21, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO OFFICIAL PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERLY TERMINUS OF THE EASTERLY LINE OF PARCEL 2, SHOWN AS NORTH 00 DEGREE 59'59" EAST 2000.05 FEET ON MAP NO. 14168 RECORDED MARCH 15, 2001 AS INSTRUMENT NO. 01-0150424 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE SOUTHERLY ALONG SAID EASTERLY LINE SOUTH 00 DEGREES 59'59" WEST 1999.95 FEET TO THE NORTHEAST CORNER OF SAID SECTION 21; THENCE CONTINUING SOUTHERLY ALONG SAID MAP NO. 14168 SOUTH 00 DEGREE 51'59" WEST 1309.84 FEET TO

THE EASTERLY TERMINUS OF THAT LINE SHOWN AS NORTH 88 DEGREES 58'00" WEST 5198.85 FEET ON SAID MAP NO. 14168; THENCE WESTERLY ALONG SAID LINE NORTH 88 DEGREES 58'25" WEST 1733.48 FEET TO THE INTERSECTION OF THE NORTHEASTERLY PROLONGATION OF THAT CERTAIN COURSE SHOWN ON NORTH 38 DEGREES 55'00" EAST 378.00 FEET IN GRANT DEED RECORDED FEBRUARY 23, 2001 AS INSTRUMENT NO. 01-0103813 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE SOUTHWESTERLY ALONG SAID NORTHEASTERLY PROLONGATION AND SAID CERTAIN COURSE SHOWN AS NORTH 38 DEGREES 55'00" EAST 378.00 FEET IN SAID GRANT DEED, SOUTH 38 DEGREES 54'41" WEST 102.45 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID GRANT DEED SOUTH 38 DEGREES 54'41" WEST 301.75 FEET; THENCE LEAVING SAID GRANT DEED NORTH 54 DEGREES 48'18" EAST 305.05 FEET TO THE WESTERLY SIDELINE OF CORPORATE CENTER AS SHOWN ON SAID MAP NO. 14168, BEING A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 958.00 FEET, A RADIAL LINE TO WHICH BEARS SOUTH 56 DEGREES 38'20" EAST; THENCE NORTHERLY ALONG SAID WESTERLY SIDELINE AND SAID NON-TANGENT CURVE THROUGH A CENTRAL ANGLE OF 4 DEGREES 56'27" AN ARC LENGTH OF 82.61 FEET; THENCE LEAVING SAID WESTERLY SIDELINE SOUTH 88 DEGREES 21'41" WEST 102.84 FEET TO TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN PARCEL A ABOVE.

PARCEL C:

AN EASEMENT AND RIGHT OF WAY FOR RECIPROCAL ACCESS AND PUBLIC UTILITIES AND APPURTENANCES THERETO, OVER, UNDER, ALONG AND ACROSS THAT PORTION OF PARCEL MAP 20077, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER AUGUST 14, 2006 AS INSTRUMENT NO. 2006-0577840 OF OFFICIAL RECORDS, DESIGNATED AND DELINEATED AS "PROPOSED RECIPROCAL ACCESS EASEMENT" AND "PROPOSED PRIVATE UTILITY EASEMENT".

EXCEPTING THEREFROM THAT PORTION LYING WITHIN PARCELS A AND B.

APN: 162-600-23-00 (New APN, not currently assessed)