DATE: January 26, 2009

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE SUBDIVISION MAP (T-7-05), DEVELOPMENT PLAN (D-12-05), CONDITIONAL USE PERMIT (C-28-05) AND VARIANCE (V-7-05) TO ALLOW A TWO-LOT SUBDIVISION, AND THE DEVELOPMENT OF SIX FREESTANDING THREE AND FOUR-STORY BUILDINGS TOTALING 277,442 SQUARE FEET, WITH A MAXIMUM HEIGHT NOT TO EXCEED 53 FEET. THE RESIDENTIAL CARE FACILITY WOULD CONSIST OF 180 CONDOMINIUM UNITS, WITH ON-SITE RECREATION AND CARE FACILITIES PROVIDED ON THE 6.71-ACRE SITE LOCATED SOUTH OF HIGHWAY 76, WEST OF MELROSE DRIVE, AT THE TERMINUS OF THE DEPOT ROAD. – CLUBLIFE SENIOR LIVING CENTER – APPLICANT: SPRING CREEK COMMERCIAL VENTURES, LLC**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

(1) Adopt the Mitigated Negative Declaration for Clublife Senior Living Center Project, in light of the whole record that the project will not have a significant effect on the environment by adopting Planning Commission Resolution No. 2009-P04.

(2) Approve Tentative Subdivision Map (T-7-05), Development Plan (D-12-05), Conditional Use Permit (C-28-05), and Variance (V-7-05) by adopting Planning Commission Resolution No. 2009-P05 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The project site is located on an existing vacant 6.71-acre lot that was created and graded by Ord and Rodgers during their development of *the Casitas at Spring Creek* T-4-03, D-14-03, and V-15-03, which was approved by Planning Commission Resolution No. 2005-P02. This approval included adopting a Mitigated Negative Declaration (MND) for the Casitas at Spring Creek.

On June 21, 2005, Spring Creek Commercial Ventures submitted an application proposing to construct a 204-unit, age-restricted, residential care facility on a 6.71-gross acre site. The scope of the original proposal included 398 residential care beds, constructing a community building, and a variance from the maximum wall height regulation. The project was revised in response to public comments. For example, the applicant withdrew a variance request to exceed residential building height regulations and to construct a four-story Building 2. While the application has been on file, the number of proposed building floors was reduced and architectural details have been greatly enhanced.

Site Review: General Plan and Zoning District Designations: The 6.71-acre vacant site is bisected by district boundaries (which follow lot lines that pre-date the recording of Map 15292 the Casitas at Spring Creek). The northwesterly 5.05-acre portion of the site has a land use designation of Neighborhood Commercial (NC) and is assigned a Neighborhood Commercial - Scenic Park Overlay - Equestrian Overlay (CN-SP-EQ) Districts zone. The remaining 1.66 acres, which adjoin The Depot Road, has a land use designation of Medium Density B Residential (MDB-R) and is assigned a Medium Density B - Scenic Park Overlay - Equestrian Overlay (RM-B-SP-EQ) Districts zone.

Topography: The site consists of one gentle sloping, irregular-shaped parcel located on the south side of Mission Avenue. Site drainage appears to be accommodated by sheet flow and directed to the west. The site was rough graded in 2006 as part of grading for the Casitas at Spring Creek. Construction of the Keystone retaining walls was also completed and inspected at that time. The finish grade elevations on the property range from 123 to 143 feet above Mean Sea Level (MSL). Overall relief across the site is approximate 20 feet. The developable area of the lot is 6.29 acres.

Surrounding land uses: The site is bounded by Mission Avenue to the north and existing multi-family development to the south and west. The adjacent land use designations include multi-family (MDA-R and MDB-R) and commercial (NC). Directly east of the project site is Home Depot, which has an approximate grade elevation of 145 MSL.

Project Description: The application is comprised of four components: a Tentative Subdivision Map, Development Plan, Conditional Use Permit, and a Variance.

Tentative Subdivision Map No. T-7-05 represents a request for the following:

A. To subdivide the existing 6.71-acre parcel into two lots pursuant to Article IV of the Subdivision Ordinance; and

B. To create 180 condominium units pursuant to Article IV of the Subdivision Ordinance.

Development Plan No. D-12-05 represents a request for the following: To construct six buildings, or 277,442 square feet of floor area, pursuant to Articles 10, 11, 30, and 31 of the Zoning Ordinance and as scheduled within Table 1.

Table 1. Proposed development

Building	Number of units	Floor Area	Number of parking spaces	Roof Elevation	Maximum building stories
1	23	33,534 SF	~ 29	~ 179.5 MSL	3 and 4
2	33	48,467 SF	~ 42	~ 173 MSL	3
3	40	56,502 SF	~ 51	~ 177 MSL	3 and 4
4	54	69,667 SF	~ 69	~ 173.5 MSL	3 and 4
5	30	38,971 SF	~ 38	~ 168.5 MSL	3 and 4
6	-	30,301 SF	-	~ 168.5 MSL	3
Total	180	277,442 SF	230 proposed		

nb: Building 6 is the community center building

Conditional Use Permit C-28-05 represents a request for the following: To allow land use classification 440.S *General Residential Care* and offer 332 beds for 24-hour non-medical care to persons 55 years and older in need of services, supervision, protection, or assistance essential for sustaining the activities of daily living pursuant to Articles 4, 10, 11, 31, and 41 of the Zoning Ordinance.

Variance V-7-05 represents a request for the following: Pursuant to Article 41 of the Zoning Ordinance, the applicant requests a variance to construct a retaining wall above the maximum wall height allowed by Section 3040.

The applicant proposes a two-lot subdivision and the construction of a 180-condominium unit residential care facility for persons 55 years and older. The residential care facility comprises six buildings, one of which is a 30,301 square-foot, three-story community center building to be constructed on one of the two proposed lots. The second proposed lot includes the remaining five buildings which are inclusive of the proposed 180 condominium units. The proposal offers ownership opportunities to future residents of the 332 bed residential care facility.

The proposed site design includes a single access point from The Depot Road, which is a cul-de-sac. The proposed project entrance driveway elevation would be approximately 143 MSL and would then slope down to 130-132 MSL. The remainder of the driveway, including the project cul-de-sac, is proposed with elevations between 123 and 130 MSL. The proposal includes providing 208 underground off-street parking spaces and 22 uncovered off-street parking spaces adjacent to the project's driveway. The project's driveway has been designed to allow sufficient pavement width for both the staging of emergency vehicles and a passing lane. The proposed 48-foot radius turn around (project cul-de-sac) was redesigned (lengthened) to accommodate the turning radius of the City's largest ladder fire truck.

The proposed buildings heights vary between 36 and 53.5 feet. In response to public concerns, the applicant revised their proposal. For example, the community center building (identified as Building 6 in Tables 1 and 2) and Building 2 are proposed to have a maximum of three stories. Buildings 1, 3, 4, and 5 have three and four-story elements; typically, the center of the building rises to a fourth floor. This creates areas of each building with three stories and stepped elevations. The approximate roofline elevation of the Home Depot to the northeast of the subject site is 177 to 182 MSL. The proposed development (with an approximate 178.25 MSL) would obscure views of the back of the Home Depot building for the majority of the Casitas at Spring Creek residents.

Five condominium unit floor plans are proposed (as scheduled in Table 2). The unit sizes range between 839 square feet and 1,445 square feet. The proposed floor plans are either one bedroom units (Type A), two bedroom units (Type B, Type B-Alt and Type C), or two bedroom units with a small den (Type D).

Table 2: Schedule of residential unit types across Buildings 1 - 5

Building	Number of Unit Types					
	Type A	Type B	Type B alt	Type C	Type D	Total
1	8	12	-	3	-	23
2	6	9	9	-	9	33
3	3	19	11	-	7	40
4	4	20	26	-	4	54
5	7	8	15	-	-	30
6	-	-	-	-	-	-
Total Number of units	28	68	61	3	20	180
Floor Area per unit	839 SF	1,095 SF	1,064 SF	1,224 SF	1,445 SF	-
Patio Area per unit	118 SF	77 SF	79 SF	133 SF	177 SF	-
Bed Bath Ratio	1:1	2:2	2:2	2:2	2:2	-

Every unit is proposed to have a living room, private balcony, stacked washer and dryer hook-ups, storage areas, and a small kitchen. The proposal includes 192 storage spaces for the residents' use. These storage areas are located throughout the underground parking garage and are 120 cubic feet.

The community center building includes dining and activity centers, such as an exercise room, library, billiard room, movie theater, pottery and ceramics, knitting and sewing area, a multipurpose room and a conference room. Three dinning rooms are proposed: respectively they are 804 square feet, 1,438 square feet, and 2,334 square feet. These rooms total 4,576 square feet of dining area on the ground floor of the community center building. An outdoor pool is proposed between Buildings 1 and 4.

The proposed architecture is Southwestern Mission. Arches, window shutters, awnings, tile, window boxes, "S" tile roofing, exposed rafter tails, recessed windows and ornamental iron features are proposed. The design includes varied building heights, off-sets, and multiple roof line elements. Each building includes stairwell and elevator penthouses that are allowed to project above the district height limit by additional 10 feet. These towers are necessary to the building's function and compliment the proposed roof-line design.

The project is subject to the following Ordinances and City policies:
1. General Plan Land Use Element
2. Subdivision Ordinance
3. Zoning Ordinance
4. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan Conformance

The General Plan Land Use Map designations on the subject parcel are Neighborhood Commercial (NC) and Medium Density B Residential (MDB-R). The project is consistent with these designations and the goals and objectives of the City's General Plan, as follows:

Land Use Element II. Community Development

Goal: The continual long term enhancement of the community through the development and use of land which is appropriate and orderly with respect to type, location, timing, and intensity.

Objective 2.01 Commercial Subdivision: To assure commercial subdivisions of land shall promote long-term economic efficiency and provide benefits to the community.

Policies:

A. Commercial parcels shall be of sufficient size and dimensions to allow for the efficient potential reuse of the parcel.

B. Subdivision of commercial lands shall encourage wherever possible the unification of access and site design with adjacent and surrounding commercial land uses.

The proposed two-lot subdivision and the 180 unit condominiums would create 332 residential care beds and the associated opportunities this semipublic land use affords the community. The site is suited to the proposed residential care facility, because other commercial land uses (i.e. banking, retail, and food and beverage sales) may find the site's size and location limiting. The site is obscured by the surrounding built environs. Access to the site is from the terminus of The Depot Road. The lot is situated behind and at a lower elevation than the existing big box retailer, The Home Depot. The proposed subdivision satisfies the Community Development Goal and Objective 2.01, because the site's design is well suited to the proposed land use, the site's size is of sufficient area and dimension to encourage a better use of the existing, rough graded land.

Objective 2.2 Commercial Development: To promote and preserve a balance of successful markets and services in aesthetic, people-oriented associations that is compatible and organized to surrounding land uses.

Policies 2.22 Neighborhood Commercial:

A. Neighborhood Commercial shall provide commercial uses which meet the day to day commercial needs of the community. Commercial center development is implicit. Key tenants shall be limited to supermarkets, variety stores, drug stores, specialty stores, and similar businesses. Most retail shops, restaurants and services are permitted as minor tenants and "convenience" businesses may be allowed when well integrated into the center's design.

B. Since Neighborhood Commercial centers will meet the daily shopping needs of the community, they shall be located near residential areas along major arterials or secondary arterials, preferably at their intersections with collector streets. Consequently, there shall be limits on their intensity to be compatible with nearby residential areas. Areas shall generally be between ten (10) and thirty (30) acres.

The proposed *General Residential Care* land use (assigned a Public and Semipublic Use Classification) would provide residents with access to 24-hour non-medical care for persons 55 and older in need of personal services, supervision, protection, or assistance essential for sustaining the activities for daily living. The location is sited within an established residential area and affords area residents the convenience of proximity. Even though the site is adjacent to major arterials and secondary arterials, access to the site and visibility of the site from adjacent commercial lots is obscured by existing buildings and their access to arterial roadways. Therefore, the proposed semipublic development promotes and preserves the a balance of services in aesthetic, people-oriented associations that are compatible and organized to surrounding land uses and complies with Objective 2.2 Commercial Development of the General Plan.

2. Subdivision Ordinance Compliance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance (Article IV *Tentative subdivision maps - five or more parcels*). Pursuant to Section 401 of the Subdivision Ordinance, this proposed Tentative Subdivision Map has been prepared in a manner acceptable to the City Development Engineer.

3. Zoning Ordinance Compliance

The project is located in the Neighborhood Commercial - Scenic Park Overlay - Equestrian Overlay (CN-SP-EQ) Districts and the Medium Density B - Scenic Park Overlay - Equestrian Overlay (RM-B-SP-EQ) Districts. The site is bisected by district boundaries. The proposal complies with the requirements of the CN-SP-EQ and the RM-B-SP-EQ District development and land use regulations as described in Tables 3 and 4 (below).

Table 3: CN-SP-EQ Districts Development Regulations

Buildings 1 and 3-6	Required	Proposed
Minimum Lot Area	0.23 acre	5.05 acres within CN
Maximum Height	50 feet	50 feet
Allowable Exceptions to Height Limits	Additional 10-feet above district height limitation	53.1 feet or 3.1 feet above district limits
Maximum Lot Coverage	50 percent	42 percent
Maximum Base FAR	1.0	0.94
Minimum Site Landscaping	15 percent	58 percent
Fences and Walls	Subject to Section 3040	variance requested

The proposal exceeds vehicular access requirements and includes pavement widths of sufficient area to allow vehicles to pass staged emergency trucks and equipment. The roof-top would not be visible to the adjacent residents of Rancho Rose or the Casitas at Spring Creek subdivisions. All roof top equipment is screened by proposed building parapets. The requirements for Signs, Employee Eating Areas, Underground Utilities, and Refuse Storage Areas have been satisfied. CN District required minimum yards are not applicable to this lot. In summary, the proposal complies with development regulations of the CN-SP-EQ Districts (Table 3).

The proposal complies with the development regulations of the RM-B-SP-EQ Districts (Table 4). Building 2 is situated beyond the minimum front and side yard distances. The structure sits at the toe of the sloped driveway (approximately 133 MSL), meaning the building's footings will be well below the elevation of The Depot Road (approximately 143 MSL). The building is limited to three stories with a building height of 36 feet and elevator penthouses projecting additional eight feet above the roofline.

Table 4: RM-B-SP-EQ Districts Development Regulations

Building 2	Required	Proposed
Minimum Lot Area	0.11 acre	1.66 acres within RM-B
Minimum Lot Width	60 feet	76 feet
Front Yard	20 feet	approximately 50 feet from the cul-de-sac
Interior Side Yard	5 feet with an average 10 feet side yard	approximately 57 feet
Maximum Height	36 feet	36 feet
Allowable Exceptions to Height Limits	Additional 10-feet above district height limitation	44 feet or 8 additional feet above district limits
Maximum Lot Coverage	60 percent	42 percent

The proposal satisfies the requirements of the Scenic Park Overlay (SC) District. In compliance with Article 22, the design proposes finish materials like stucco and wood and the application of earth tone colors to the proposed structures. The proposed grading is limited (proposed cut 33,423 CY, proposed fill 7,743 CY, and export 25,680 CY) to the proposed subterranean parking areas. Due to its location within the Guajome Neighborhood, the project cannot obstruct view sheds of Guajome Regional Park.

The project satisfies the requirements of the Equestrian Overlay (EQ) District. Pursuant to Section 2808.C, all commercial projects shall provide a public equestrian trail. The public equestrian trail is incorporated into the proposed design at The Depot Road cul-de-sac. This section of the public trail was approved and constructed during the Casitas at Spring Creek's mass grading.

Pursuant to Sections 1040 and 1120 of the Zoning Ordinance, a Conditional Use Permit is required for the operation of land use classification 440.S *General Residential Care* in both RM-B and the CN Districts. Section 1120-L34 states that the land use is limited to senior, residential care assisted living units for persons age 55 and older with the approval of a Conditional Use Permit. The applicant has demonstrated experience in the management of residential care facilities and has proposed a variety of on-site amenities as out-lined in the Project Description. The proposal complies with the requirements for a Conditional Use Permit pursuant to Sections 1040, 1120, and Article 41.

Table 5: Off-street parking requirements

Land use	Required	Proposed
332 residential care beds	111 spaces	230 spaces

Pursuant to Section 3103 of the Zoning Ordinance, off-street parking requirements are determined by the proposed land use. *General Residential Care* requires one off-street parking space for every three beds (Table 5). The minimum number of off-street parking spaces required is 111 spaces where 332 beds are proposed and the parking ratio is 1 space : 3 beds. The applicant proposes 332 beds and 230 off-street parking spaces. The off-street parking design exceeds the requirements pursuant to Article 31.

Pursuant to Section 3603, a Conditional Use Permit is not required for the billiard room on the third floor of the Community Center building. Billiard Rooms are defined by Municipal Code Sec. 26.1: (a) Poolroom or billiard room means a place where billiards or pool is played for charge, consisting of two or more pool or billiard tables; provided, however, that this term shall not apply to any non-profit society, fraternal club, labor or other organization having adopted bylaws and duly elected directors and members having exclusive use of the playing facilities for which use no charge is made. It is not intended that billiards be played for charge at this site; therefore, the proposed activity does not require a Conditional Use Permit for the operation of a Regulated Use.

Pursuant to Section 4101, a Variance may be granted with respect to walls. The applicant is requesting a variance to construct a retaining wall with a height of 7.3 feet where six feet is the maximum height allowed. The wall location is approximate to the site's northeastern boundary and would be visible only to the residents of the proposed project. The wall would not be visible from SR-76 or other public viewpoints. The proposed retaining wall will accommodate the seven to eight-foot elevation differential between the Home Depot's lot and the project's proposed private access road. The project site is unusually narrow and has an atypical shape which may preclude other commercial development opportunities. Granting a variance from Section 3040's six-foot maximum wall height will not constitute a special privilege.

DISCUSSION

Issue: Are the proposed building elevations out of character with the surrounding improvements?

Recommendation: Staff recognizes that the applicant has modified the design and height of the proposed buildings and finds the proposed project compatible with the existing elevations in the surrounding area. The elevation of the project site is 20 feet lower than the elevation of The Depot Road. From The Depot Road, the visibility of the buildings' height will be reduced.

The proposed building elevations will obscure views of the back of the Home Depot building for residents of the Casitas at Spring Creek and public view sheds, like SR-76. The proposed design includes limiting sections of the buildings to three floors; this design aspect reduces the massing of Buildings 1, 3, 4 and 5. It also enhances the setting of the buildings and the proximity of their mass.

Issue: Is the accessibility and design of the underground parking area sufficient?

Recommendation: The project is amply designed to meet the off-street parking demands of the residents and employees; 111 spaces are required and 230 spaces are proposed. The residents of the proposed project will be afforded nearly twice the required parking spaces. Staff finds that the proposal includes 11 elevators and five stairwells with access between the proposed buildings and the parking garage.

ENVIRONMENTAL DETERMINATION

The proposed project could result in potentially significant impacts, all of which can be mitigated, to the following environmental resources: noise and transportation. A Mitigated Negative Declaration was prepared with mitigation measures pursuant to the provisions of the California Environment Quality Act (CEQA). The following technical report, traffic impact analysis report (July 13, 2007), was prepared for the project.

The Planning Division advertised a draft Mitigated Negative Declaration for 30 days commencing on July 14, 2008 and ending on August 13, 2008. Comments were received from the following: US Fish and Wildlife Service (A), Department of Fish and Game (B), Native American Heritage Commission (C), Governor's Office of Planning and Research (D), County of San Diego Department of Planning and Land Use (E), San Diego County Archaeological Society (F), San Luis Rey Band of Mission Indians (G), J.R. Gardner (H), Mr. Gregory Goetz (I), Mr. Jerry McLeod (J), and Ms. Margaret Malik (K).

The comments received and staff's responses to the comments are attached herein. Each correspondent received a response to their comments on the Mitigated Negative Declaration.

The Mitigated Negative Declaration and Initial Study are attached herein. Prior to any action on T-7-05, D-12-05, C-28-05, and V-7-05 Clublife Senior Living Center, it is necessary for the Planning Commission to review and adopt the Mitigated Negative Declaration as having been prepared in accordance with CEQA. Staff is recommending that the Mitigated Negative Declaration be adopted.

PUBLIC NOTIFICATION

Legal notice for the Intent to Adopt a Mitigated Negative Declaration was published in the North County Times on July 14, 2008, and notices were sent to property owners of record within a 1,500-foot radius of the subject property.

Legal notice for the Planning Commission Meeting was published in the North County Times on January 16, 2008. On the same date, notices were sent to residents of the Guajome Neighborhood Planning Area; property owners of record within a 1,500-foot radius of the subject property; individuals/organizations requesting notification; the applicant and interested parties. As of January 13, 2008, three members of the public have called staff to state their opposition to the project.

SUMMARY

The proposed Tentative Subdivision Map (T-7-05), Development Plan (D-12-05), Conditional Use Permit (C-28-05) and Variance (V-7-05) are consistent with the land use policies of the General Plan, the requirements of the Subdivision Ordinance and the Zoning Ordinance. The project meets all applicable development standards. The site design and land use is compatible with the surrounding neighborhood. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached draft resolution. Staff recommends that the Planning Commission:

- Consider the Mitigated Negative Declaration for Clublife Senior Living Center, in light of the whole record that the project will not have a significant effect on the environment and has been prepared in accordance with CEQA, and adpot the Mitigated Negative Declaration by adopting Planning Commission Resolution No. 2009-P04; and move to approve Tentative Subdivision Map (T-7-05), Development Plan (D-12-05), Conditional Use Permit (C-28-05), and Variance (V-7-05) and adopt Planning Commission Resolution 2009-P05.

PREPARED BY:

Juliana von Hacht
Associate Planner

SUBMITTED BY:

Jerry Hittleman
City Planner

JH/JH/fil

Attachments:

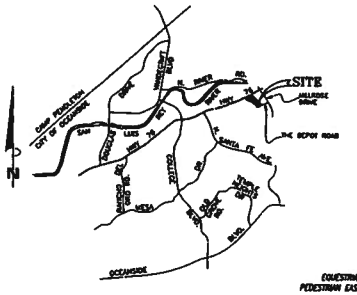
1. Site/Elevations/Conceptual Landscape Plans
2. Planning Commission Resolution No. 2009-P04
3. Planning Commission Resolution No. 2009-P05
4. Mitigated Negative Declaration (MND) and Initial Study
5. Comments on the MND and staff's response to comments

TENTATIVE TRACT MAP & DEVELOPMENT PLAN

FOR

CLUBLIFE SENIOR LIVING CENTER

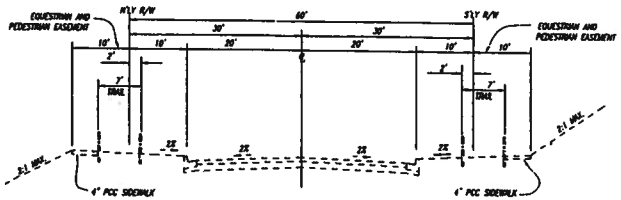
FOR CONDOMINIUM PURPOSES



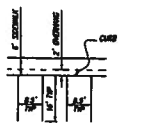
VICINITY MAP
NOT TO SCALE

LEGAL DESCRIPTION

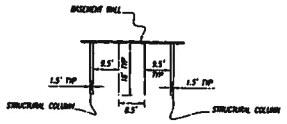
THOSE PORTIONS OF PARCELS A AND B OF PARCEL MAP NO. 12811, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON JULY 15, 1983 LYING WITHIN THE LAND DESCRIBED AS PARCEL 2 IN THAT CERTAIN CERTIFICATE OF COMPLIANCE NO. PLA-03-04 RECORDED ON FEBRUARY 16, 2005 AS DOCUMENT NO. 2005-0131238 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY.



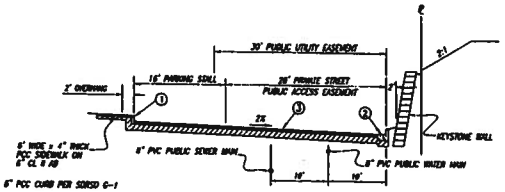
TYPICAL SECTION
THE DEPOT ROAD (EXISTING)
NOT TO SCALE



TYPICAL STREET PARKING DETAIL
1"=20'



TYPICAL UNDERGROUND PARKING DETAIL
1"=20'



① 6" PCC CURB PER SDRSD G-1
② TYPE G P.C.C. CURB & GUTTER PER SDRSD G-2
③ 3" AC PAVEMENT OVER 6" CLASS II BASE COURSE

TYPICAL SECTION
PRIVATE STREET

NOTE:
THE PROJECT WILL BE CONDITIONED TO HAVE A BIOLOGICAL MONITOR ON SITE DURING CONSTRUCTION ACTIVITIES ADJACENT TO JURISDICTIONAL AREAS TO ENSURE THAT NO UNAUTHORIZED EFFECTS RESULT.

SHEET INDEX

SHEET NUMBER	SHEET TITLE
1	TITLE SHEET
2	SITE PLAN
3	TENTATIVE MAP & DEVELOPMENT PLAN - SHT
4	TENTATIVE MAP & DEVELOPMENT PLAN - BASEMENT GARAGE
5	SECTION A-A & SECTION B-B

SOURCE OF TOPOGRAPHY

THE TOPOGRAPHY SHOWN ON THIS PLAN WAS COMPILED BY AERIAL PHOTOGRAMMETRY IN AUGUST, 2001 BY INLAND AERIAL SURVEYS.
UPDATED NOVEMBER 20, 2006 AS-BUILT FIELD SURVEY BY BUCCOLA ENGINEERING, INC.

HYDROLOGY REPORT

PRELIMINARY HYDROLOGY REPORT FOR CLUBLIFE SENIOR LIVING CENTER TENTATIVE MAP, T-07-05 BY BUCCOLA ENGINEERING, INC. DATED: OCTOBER 12, 2007 AND HYDROLOGY REPORT FOR "THE CASITAS AT SPRING CREEK" UNDERTAKEN BY BUCCOLA ENGINEERING INC, DATED MAY 27, 2005

FLOOD INSURANCE RATE MAP

PANEL 0468F
MAP NUMBER 6803730C
FEDERAL EMERGENCY MANAGEMENT AGENCY, DATED JUNE 19, 1997

SOILS REPORT

PRELIMINARY GEOTECHNICAL EVALUATION FOR CLUBLIFE SENIOR LIVING CENTER BY GEOSOILS INC. DATED OCTOBER 2, 2007

STORM WATER PLAN

STORM WATER MANAGEMENT PLAN
FOR CLUBLIFE SENIOR LIVING CENTER T-07-05
BY BUCCOLA ENGINEERING, INC.
MARCH 25, 2008 - REVISED MAY 16, 2008

NOTE:

SEWER SHALL BE PUBLIC WITH A 6" LATERAL TO EACH BUILDING.

WATER SHALL BE PUBLIC WITH A 1-1/2" OR 2" METER TO EACH BUILDING.

LETTER OF PERMISSION TO GRADE
DATED: 3-9-05
BY: JOHN HANCELL
FOR HOME DEPOT

ENVIRONMENTAL NOTES

1. BIOLOGICAL OPINION & INCIDENTAL TAKE PERMIT: 1-6-04-F-3855
2. 1602 PERMIT: 1600-2004-0179-R5
3. 401 PERMIT: #04C-059
4. 404 PERMIT: NWP39-2004-01240-LA1
5. NO NEW ENVIRONMENTAL IMPACTS ARE PROPOSED

FIRE DEPARTMENT NOTES

1. DEAD-END FIRE ACCESS ROADS IN EXCESS OF 150 FEET IN LENGTH SHALL COMPLY WITH OCEANSIDE FIRE DEPARTMENT GUIDELINES FOR EMERGENCY ACCESS ROADWAYS & FIRE LANE REQUIREMENTS, OR AS APPROVED BY THE CITY FIRE MARSHALL.
2. DWELLING UNITS ADJACENT TO THE OPEN SPACE SHALL BE EQUIPPED WITH DOUBLE-PANED WINDOWS WITH ALUMINUM FRAMES.
3. DWELLING UNITS ADJACENT TO OPEN SPACE SHALL BE CONSTRUCTED WITH BOXED EAVES.
4. REMOVE EXOTIC (NON-NATIVE) SPECIES FROM ADJACENT OPEN SPACE AND REVEGETATE PER LANDSCAPE PLAN.
5. A 30 FOOT MINIMUM SET BACK FROM OFF-SITE OPEN SPACE PRESERVE TO ALL RESIDENCES SHALL BE MAINTAINED.
6. NO BUILDING VENTS ARE ALLOWED TO FACE OPEN SPACE PRESERVE AREAS.

LEGEND

PROPOSED PUBLIC SEWER & MANHOLE
EXISTING SEWER
PROPOSED PUBLIC WATER MAIN
EXISTING WATER
PROPOSED FIRE HYDRANT
EXISTING FIRE HYDRANT
EXISTING STREET LIGHT
PROPOSED GRADE 2.0 %
PROPOSED SPOT ELEVATION 386.88
PROPOSED STORM DRAIN
EXISTING STORM DRAIN
PROPOSED CATCH BASIN
CMU RETAINING WALL
KEYSTONE RETAINING WALL
TOP OF SLOPE
TOE OF SLOPE
ELEVATOR

CLUBLIFE SENIOR LIVING CENTER GENERAL NOTES TABLE
COMMERCIAL DEVELOPMENT AREAS

TOTAL - 6.71 ACRES (5.05 ACRES COMMERCIAL; 1.66 ACRES RESIDENTIAL)	
EXISTING ZONING - RM-8-SP-EQ; CN-SP-EQ	
PROPOSED ZONING - NO CHANGE	
EXISTING GENERAL PLAN - MDB-R AND HC	
PROPOSED GENERAL PLAN - NO CHANGE	
NON-USEABLE OPEN SPACE-0.42 ACRES	
NET DEVELOPABLE - 6.29 ACRES (5.05 ACRES COMMERCIAL; 1.24 ACRES RESIDENTIAL)	
NUMBER OF LOTS - 2	
PROPOSED USE - RESIDENTIAL CARE, GENERAL	
EMPLOYEE OUTDOOR EATING AREA (REQ'D 500 SF) - 500 SF PROPOSED	
NUMBER OF BEDS - 332	
NUMBER OF UNITS - 180	
MAXIMUM ALLOWED FLOOR AREA RATIO (F.A.R.) - 1.0 PROPOSED F.A.R. RATIO - 0.95 (277,442 SF TOTAL AREA OF BUILDINGS / 305,791 COMBINED LOT AREA)	
CONTOUR INTERVAL - 1 FOOT	
PARKING REQUIRED	
PARKING (1 PARKING SPACE PER 3 BEDS) = 332/3=111 SPACES	
PARKING PROVIDED	
SUBTERRANEAN PARKING SPACES - 208 SPACES	
SURFACE PARKING SPACES - 22 UNCOVERED SPACES	
TOTAL PARKING SPACES PROVIDED - 230 SPACES	
BUILDING COVERAGE - 79,659 SF (27.3%)	
PAVEMENT AREA - 43,590 SF (14.0%)	
MAXIMUM LOT COVERAGE - 50%	
PROPOSED LOT COVERAGE - 42%	
REQUIRED LANDSCAPING - 15%	
PROPOSED LANDSCAPING - 58%	
ASSESSOR'S PARCEL NUMBER (APN) 157-411-19	
EARTHWORK	
PROPOSED CUT	33,423 CY
PROPOSED FILL	7,743 CY
EXPORT	25,680 CY

OWNER'S REPRESENTATIVE:

THE LIGHTFOOT PLANNING GROUP
5750 FLEET STREET
SUITE 258
CARLSBAD, CALIFORNIA 92008
TEL. (760) 692-1924 / FAX (760) 692-1935

OWNER / DEVELOPER:

SPRING CREEK COMMERCIAL VENTURES, LLC
1135 CHAMBO DEL MAR
DEL MAR, CA 92014
TELE: (858) 794-2300

STEPHEN L. TAYLOR, Mgr. 11-17-08
DATE

PREPARED IN THE OFFICE OF:

BUCCOLA ENGINEERING, inc 760/721-2000

3143 Vista Way, Suite 301, Oceanside, CA 92056

PHILIP D. BUCCOLA RCE 27732 11-11-08
DATE

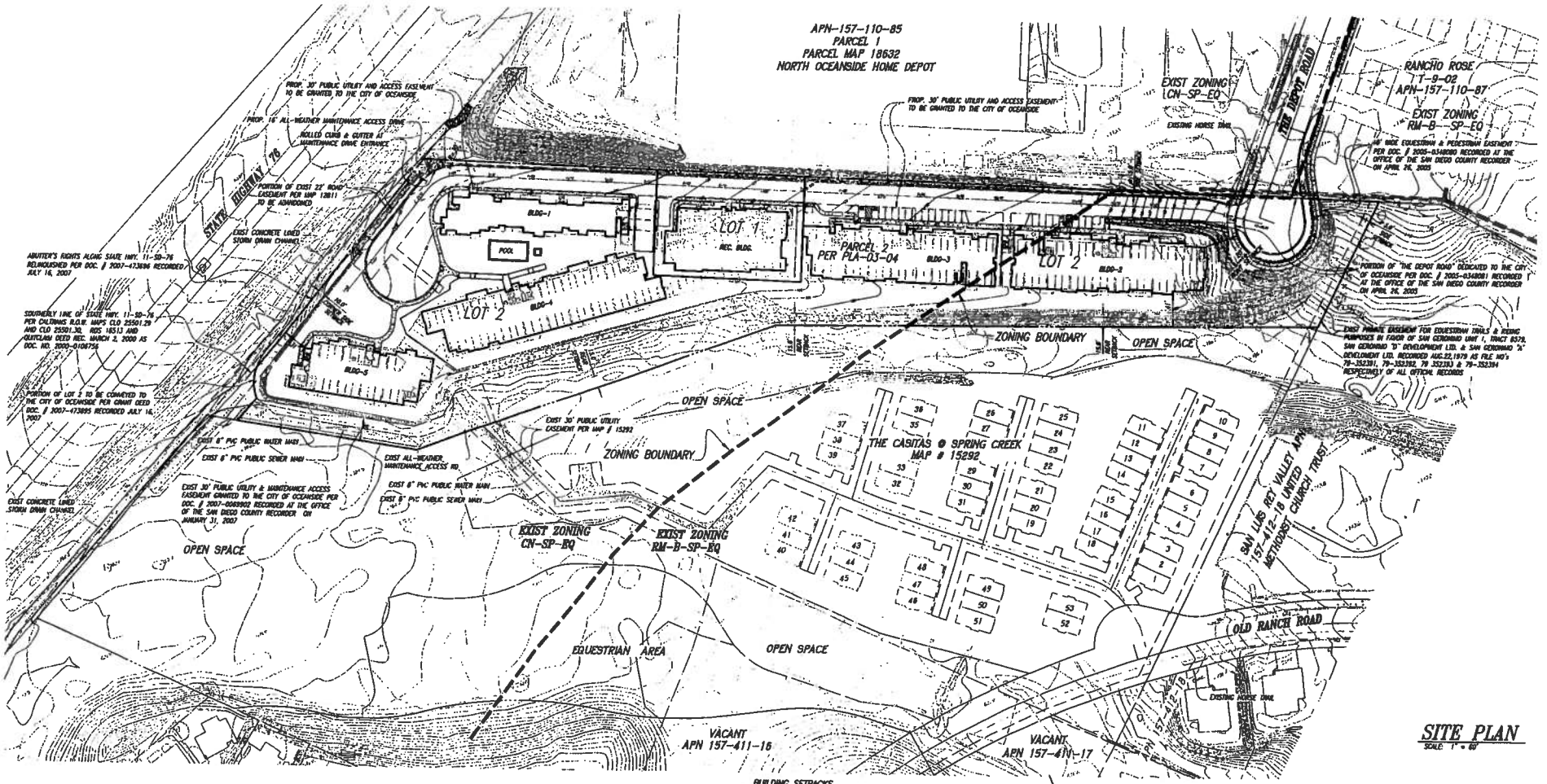
T-07-05
V-07-05
C-28-05
D-12-05

TENTATIVE TRACT MAP & DEVELOPMENT PLAN

FOR

CLUBLIFE SENIOR LIVING CENTER

FOR CONDOMINIUM PURPOSES



SITE PLAN

SCALE: 1" = 60'

BUILDING SETBACKS

CN ZONE			RM-B ZONE	
REQUIRED	PROVIDED		REQUIRED	PROVIDED
15'	20'	FRONT	20'	24'
-	26'	SIDE	5', 10'	26'
10'	31'	CORNER SIDE	10'	40'
-	41'	REAR	15'	38'

* MOST RESTRICTIVE USED

SCALE 1" = 60'

PREPARED IN THE OFFICE OF:

BUCCOLA ENGINEERING, inc
760/721-2000
3143 Vista Way, Suite 301, Oceanside, CA 92054

PHILIP D. BUCCOLA RCE 27752 DATE

T-07-05
V-07-05
C-28-05
D-12-05

TENTATIVE TRACT MAP & DEVELOPMENT PLAN

FOR

CLUBLIFE SENIOR LIVING CENTER

FOR CONDOMINIUM PURPOSES

LOT AREA

LOT 1	0.58 AC	(25,137 s.f.)
LOT 2	6.44 AC	(280,574 s.f.)

GROUND LEVEL

SCALE: 1" = 40'

PREPARED IN THE OFFICE OF:

BUCCOLA ENGINEERING, inc

760/721-2000

3142 Vista Way, Suite 301, Oceanside, CA 92056

PHILIP D. BUCCOLA RCE 27732 DATE

T-07-05
V-07-05
C-28-05
D-12-05

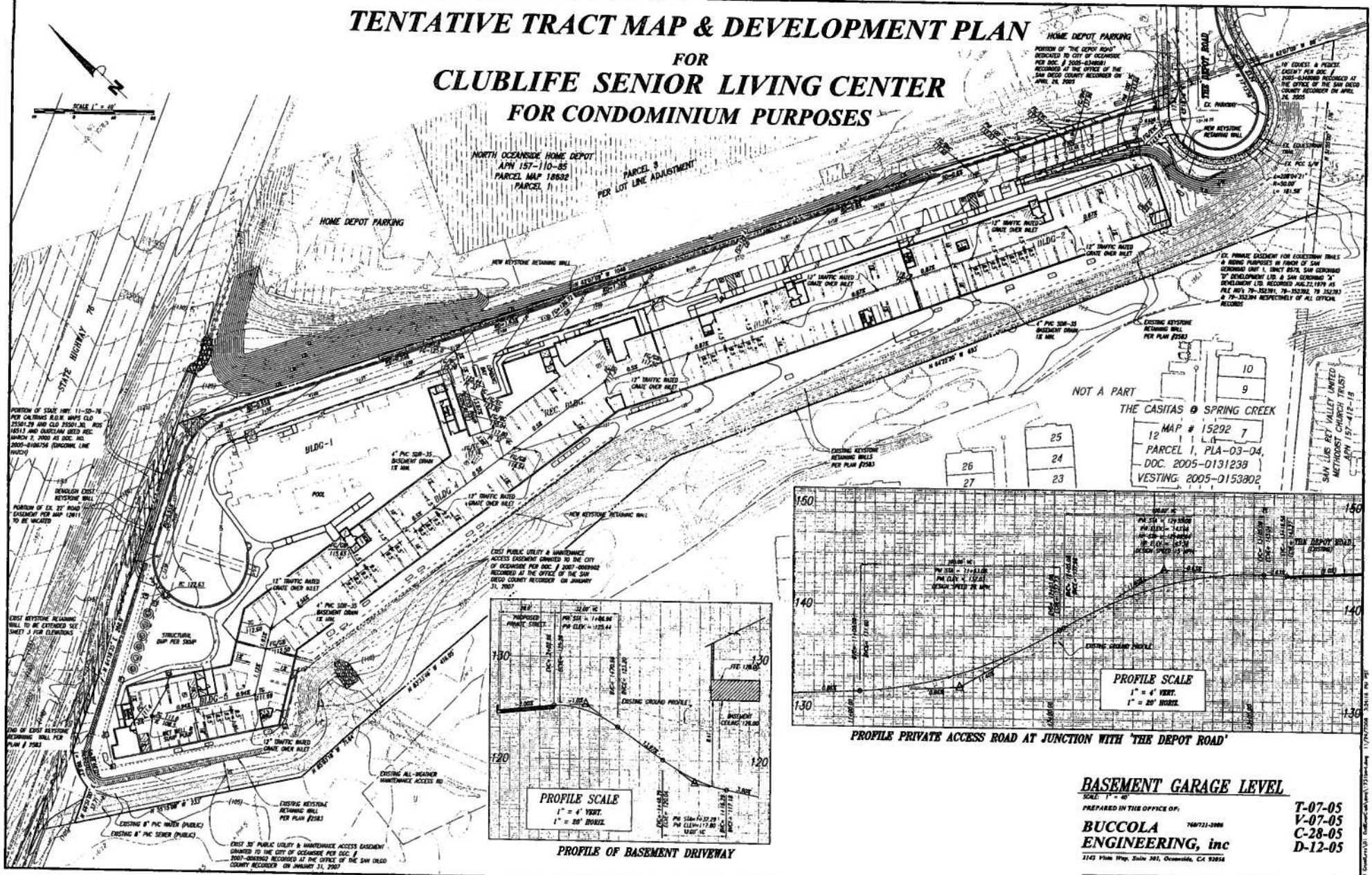
SHEET 3 OF 5 SHEETS

TENTATIVE TRACT MAP & DEVELOPMENT PLAN

FOR

CLUBLIFE SENIOR LIVING CENTER

FOR CONDOMINIUM PURPOSES



PROFILE OF BASEMENT DRIVEWAY

PROFILE PRIVATE ACCESS ROAD AT JUNCTION WITH 'THE DEPOT ROAD'

BASEMENT GARAGE LEVEL

SCALE: 1" = 40'

PREPARED IN THE OFFICE OF:

BUCCOLA ENGINEERING, inc

760/721-3986

3142 Vista Way, Suite 301, Oceanside, CA 92056

PHILIP B. BUCCOLA RCE 27732 DATE

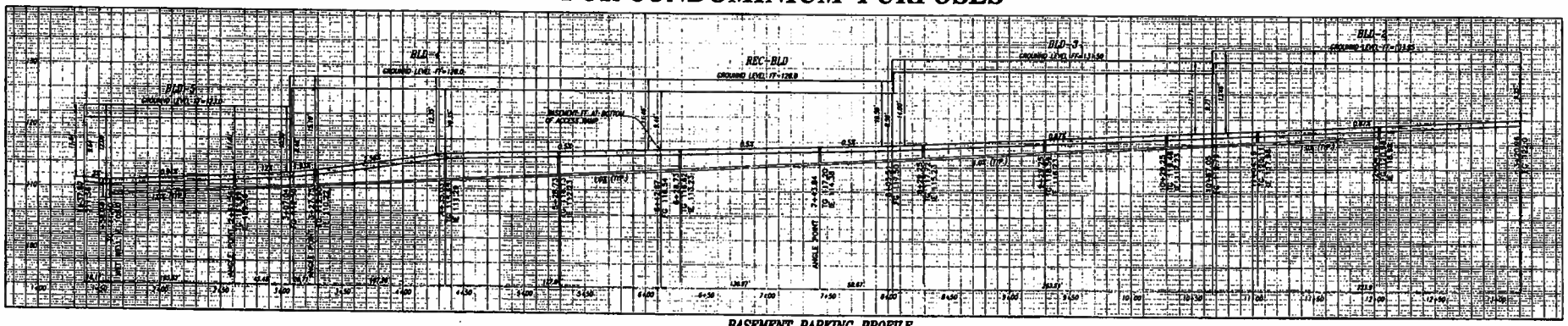
T-07-05
V-07-05
C-28-05
D-12-05

TENTATIVE TRACT MAP & DEVELOPMENT PLAN

FOR

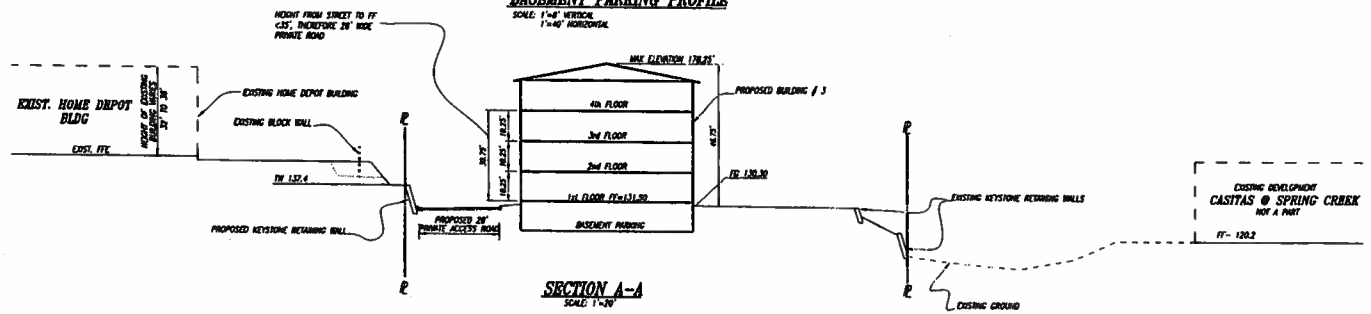
CLUBLIFE SENIOR LIVING CENTER

FOR CONDOMINIUM PURPOSES



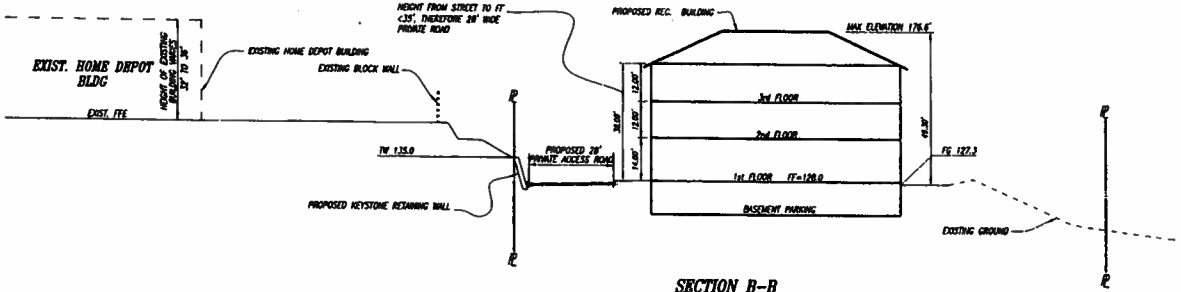
BASEMENT PARKING PROFILE

SCALE: 1"=6' VERTICAL
1"=40' HORIZONTAL



SECTION A-A

SCALE: 1"=20'



SECTION B-B

SCALE: 1"=20'

X-SECTIONS

T-07-05
V-07-05
C-28-05
D-12-05

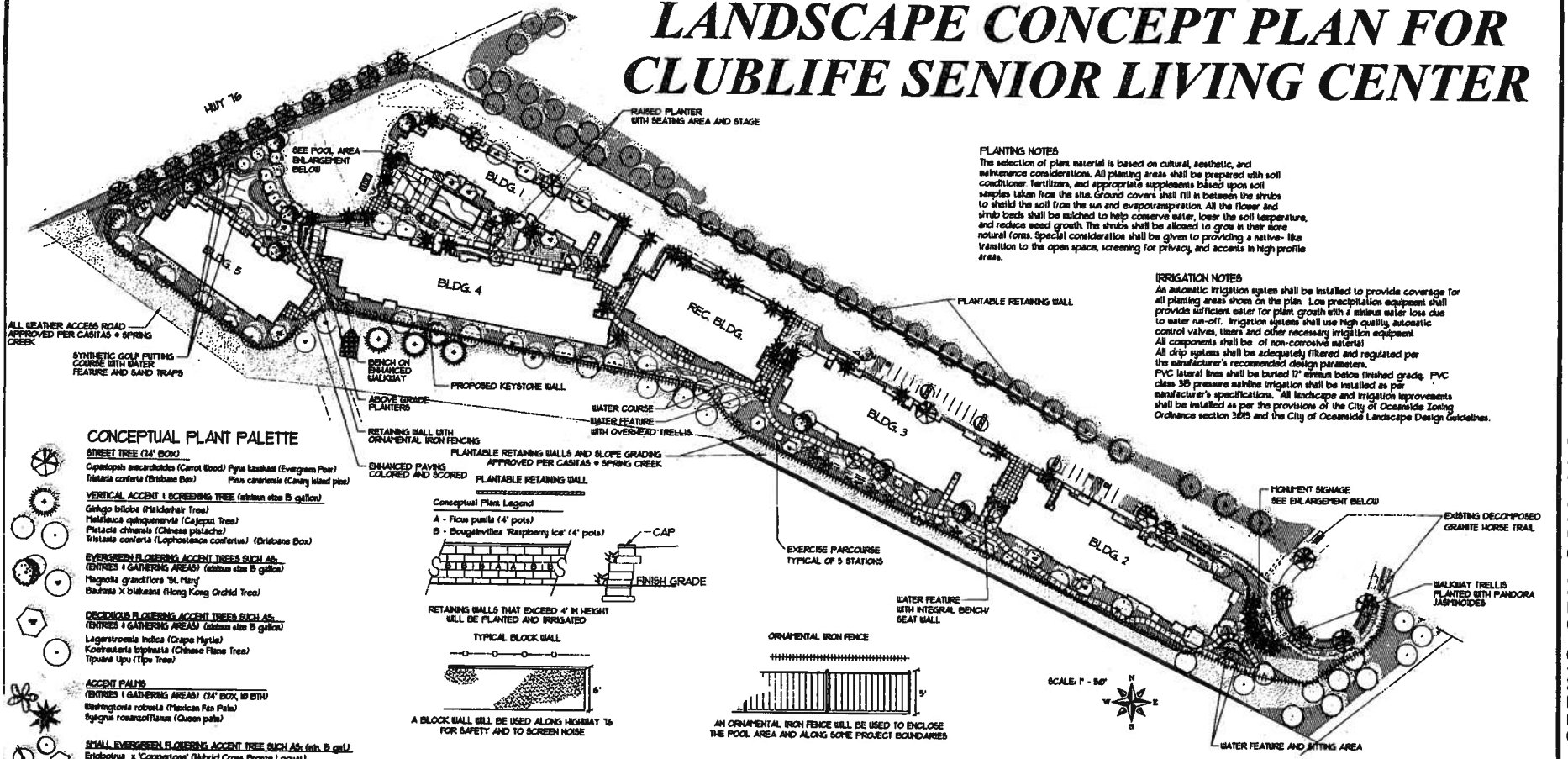
PREPARED IN THE OFFICE OF:

BUCCOLA ENGINEERING, inc 760/731-3000

3142 Vista Way, Suite 101, Oceanside, CA 92056

PHILLIP D. BUCCOLA RCE 27732 — 11-11-08 DATE

LANDSCAPE CONCEPT PLAN FOR CLUBLIFE SENIOR LIVING CENTER



PLANTING NOTES

The selection of plant material is based on cultural, aesthetic, and maintenance considerations. All planting areas shall be prepared with soil conditioner, fertilizers, and appropriate supplements based upon soil samples taken from the site. Ground covers shall fill in between the shrubs to shield the soil from the sun and evapotranspiration. All the flower and shrub beds shall be mulched to help conserve water, lower the soil temperature, and reduce seed growth. The shrubs shall be allowed to grow in their more natural form. Special consideration shall be given to providing a native- like transition to the open space, screening for privacy, and accents in high profile areas.

IRRIGATION NOTES

An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low precipitation equipment shall provide sufficient water for plant growth with a minimal water loss due to water run-off. Irrigation systems shall use high quality automatic control valves, timers 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. PVC lateral lines shall be buried 12" minimum below finished grade. PVC class 315 pressure rating irrigation shall be installed as per manufacturer's specifications. All landscape and irrigation improvements shall be installed as per the provisions of the City of Oceanside Zoning Ordinance section 3019 and the City of Oceanside Landscape Design Guidelines.

CONCEPTUAL PLANT PALETTE

STREET TREE (24" BOX)

Cupaniopsis anacardioides (Carrot Wood) Pyrus kawakami (Evergreen Pear)
Tristania conferta (Brisbane Box) Pinus canariensis (Canary Island pine)

VERTICAL ACCENT & SCREENING TREE (minimum size 15 gallon)

Ginkgo biloba (Maidenhair Tree)
Melaleuca quinquenervia (Cajeput Tree)
Pistacia chinensis (Chinese pistache)
Tristania conferta (Lophostemon confertus) (Brisbane Box)

EVERGREEN FLOWERING ACCENT TREES SUCH AS:
(ENTRIES & GATHERING AREAS) (minimum size 15 gallon)

Magnolia grandiflora 'St. Mary'
Bauhinia X blakeana (Hong Kong Orchid Tree)

DECIDUOUS FLOWERING ACCENT TREES SUCH AS:
(ENTRIES & GATHERING AREAS) (minimum size 15 gallon)

Lagerstroemia indica (Crape Myrtle)
Koelreuteria bipinnata (Chinese Flame Tree)
Tipuana tipu (Tipu Tree)

ACCENT PALMS
(ENTRIES & GATHERING AREAS) (24" BOX, 10 BTH)

Washingtonia robusta (Mexican Fan Palm)
Syagrus romanzoffianum (Queen palm)

SMALL EVERGREEN FLOWERING ACCENT TREE SUCH AS: (min. 15 gal.)

Eriobotrya x 'Coppertone' (Hybrid Cross Bronze Loquat)
Rhaphiolepis 'Majestic Beauty' (Standard Form)

SHRUBS & GROUNDCOVER SUCH AS:

SHRUBS (1 gal. & 5 gal.)
Agapanthus africanus (Lily-of-the-Nile)
Asparagus d. 'Myeri' (Myer Asparagus)
Anigozanthos flavidus (Kangaroo Paw)
Cupressus baueri (Pygmy Pines)
Escallonia 'Fradesii' (Escallonia)
Lantana camara 'Confetti' (Lantana)
Liriope muscari (Lilly Turf)
Liriope s. 'Silver Dragon' (Variegated Dwf. Lily Turf)
Kniphofia uvaria (Red Hot Poker)
Phormium 'Atropurpureum' (Hybrid New Zealand Flax)
Phormium tenax 'Jack Spratt' (Dwarf New Zealand Flax)
Pittosporum crassifolium 'Nana' (Dwarf Cape Pittosporum)
Nandina d. 'Gulf Green' (Heavenly Bamboo)
Rhaphiolepis i. 'Clara' (Indian Hawthorn)
Phormium 'Amazing Red' Hybrid New Zealand Flax
Strelitzia reginae (Bird of Paradise)
Xylosma congestum (Shiny Xylosma)

GROUND COVERS (Flats & Liners)
Hedera h. 'Needlepoint' (English Ivy Hybrid)
Vinca major (Periwinkle)
Trachelospermum jasminoides (Star Jasmine)
Lantana montevidensis 'Spreading Sunshine' (Lantana)
Hypoporus parvifolius (Prostrate Hypoporus)

VINES (1 gal.) Planted at trash enclosures
Bougainvillea 'San Diego Red' (Bougainvillea)
Distictis buccinatoria (Blood-Red Trumpet Vine)

Conceptual Plant Legend
A - Ficus pumila (4" pots)
B - Bougainvillea 'Raspberry Ice' (4" pots)

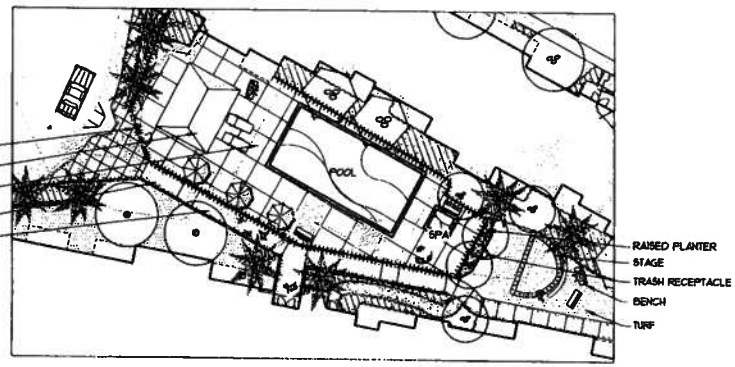
RETAINING WALLS THAT EXCEED 4' IN HEIGHT WILL BE PLANTED AND IRRIGATED

TYPICAL BLOCK WALL

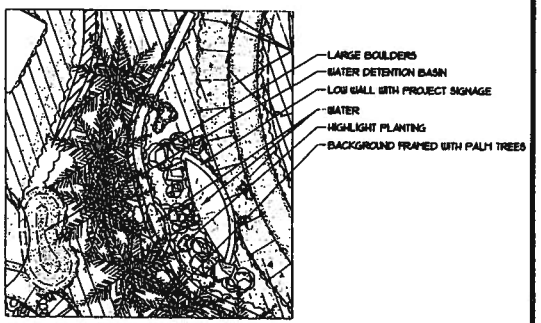
A BLOCK WALL WILL BE USED ALONG HIGHWAY 76 FOR SAFETY AND TO SCREEN NOISE

ORNAMENTAL IRON FENCE

AN ORNAMENTAL IRON FENCE WILL BE USED TO ENCLOSE THE POOL AREA AND ALONG SOME PROJECT BOUNDARIES



POOL AREA ENLARGEMENT SCALE: 1" = 20'



ENTRY MONUMENT & WATER FEATURE SCALE: 1" = 10'

THE LIGHTFOOT PLANNING GROUP
PLANNING
SITE DESIGN
LANDSCAPE ARCHITECTURE
5790 LUCCI STREET, STE. 200
CARLSBAD, CA 92008
(760) 432-1924
FAX (760) 992-1935
lightfootpg@attglobal.net

REGISTERED LANDSCAPE ARCHITECT JAMES R. LIGHTFOOT No. 2961 STATE OF CALIFORNIA

SPRING CRK. COM., LLC.
CLUBLIFE SENIOR CTR.
OCEANSIDE, CALIFORNIA

Scale: 1"=50'
Date: 6/16/08
Drawn By: DS
Revisions: 8/7/08, 3/28/08, 5/15/08

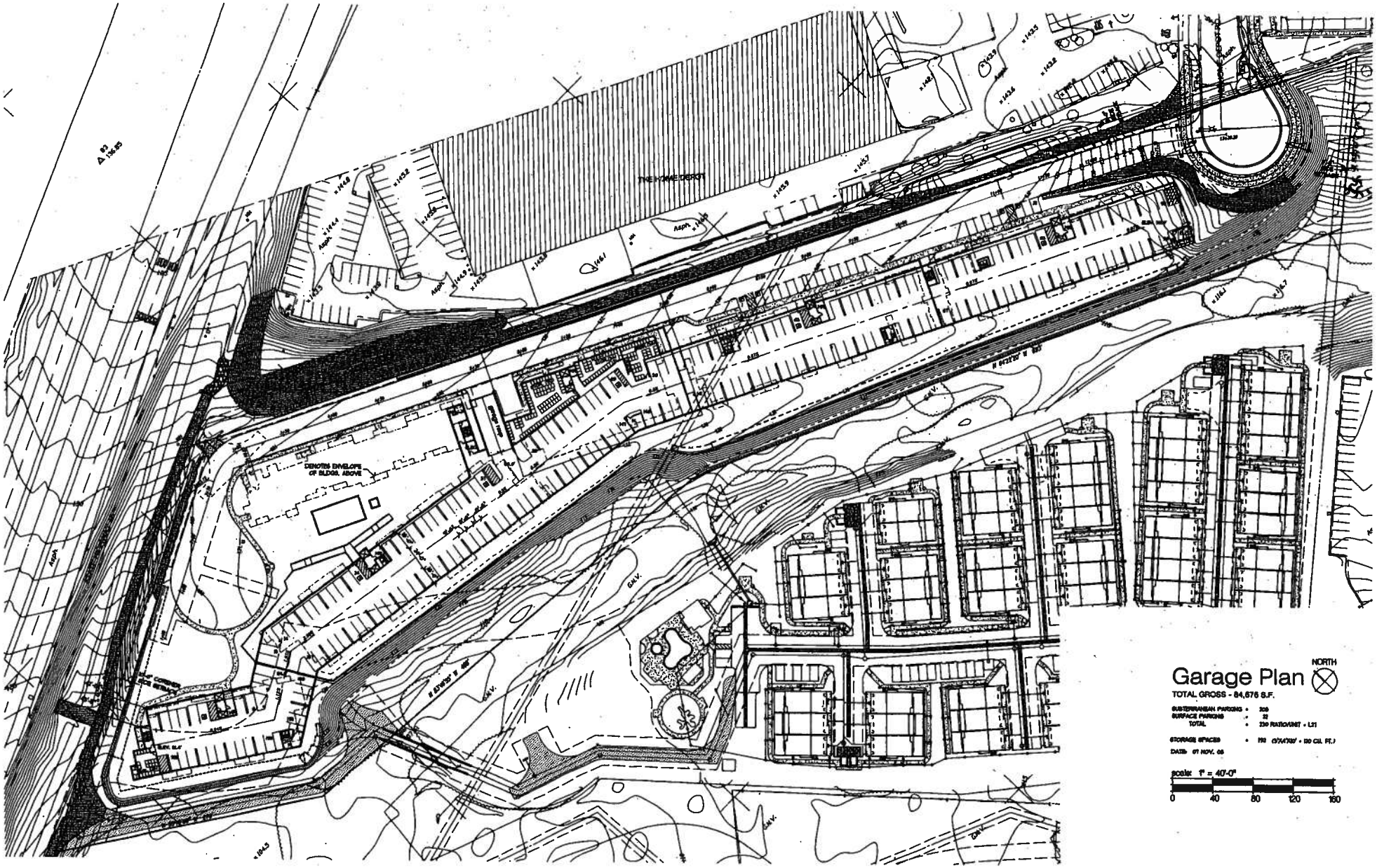
LANDSCAPE CONCEPT PLAN

Job # 855.012

1

855.012 CLUBLIFE SENIOR LIVING CENTER

RECEIVED
JUN - 6 2008
Planning Department



SENIOR LIVING

November 7, 2008

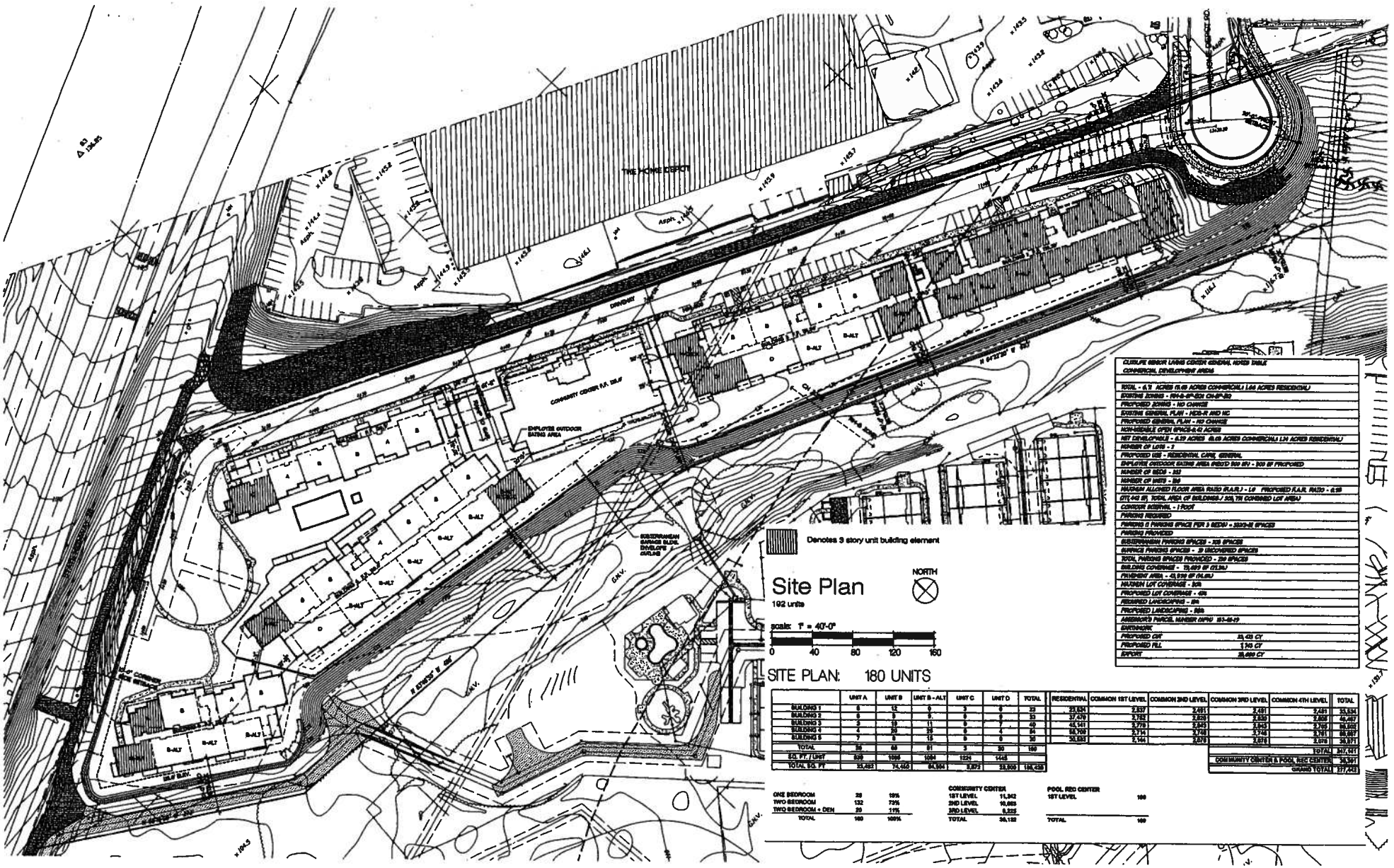
ClubLife™ Senior Living Center

Oceanside, CALIFORNIA

Withee Malcolm Architects, LLP

Project No. A6001.200

A0.01



CLUBLIFE SENIOR LIVING CENTER GENERAL NOTES TABLE
COMMERCIAL DEVELOPMENT AREA
TOTAL - 6.7 ACRES (5.49 ACRES COMMERCIAL) (.64 ACRES RESIDENTIAL)
EXISTING ZONING - RM-1-8*-SDI CM-P-SD
PROPOSED ZONING - NO CHANGE
EXISTING GENERAL PLAN - NDS-R AND NC
PROPOSED GENERAL PLAN - NO CHANGE
NON-USEABLE OPEN SPACE-0.42 ACRES
NET DEVELOPABLE - 6.29 ACRES (5.49 ACRES COMMERCIAL) (.64 ACRES RESIDENTIAL)
NUMBER OF LOTS - 1
PROPOSED USE - RESIDENTIAL CARE, GENERAL
EMPLOYEE OUTDOOR EATING AREA REQ'D 500 SF/ - 500 SF PROVIDED
NUMBER OF BEDS - 192
NUMBER OF UNITS - 180
MAXIMUM ALLOWED FLOOR AREA RATIO (F.A.R.) - 1.0 PROPOSED F.A.R. RATIO - 0.58
QTY. 643 SF, TOTAL AREA OF BUILDINGS / 305,791 COMBINED LOT AREA)
CONCRETE INTERNAL - 1 POST
PARKING REQUIRED
PARKING (1 PARKING SPACE PER 3 BEDS) - 192/3=64 SPACES
PARKING PROVIDED
SUBTERRANEAN PARKING SPACES - 105 SPACES
SURFACE PARKING SPACES - 31 UNCOVERED SPACES
TOTAL PARKING SPACES PROVIDED - 236 SPACES
BUILDING COVERAGE - 78,497 SF (5.0%)
PAVEMENT AREA - 61,516 SF (14.4%)
MAXIMUM LOT COVERAGE - 50%
PROPOSED LOT COVERAGE - 45%
REQUIRED LANDSCAPING - 25%
PROPOSED LANDSCAPING - 55%
ASSESSOR'S PARCEL NUMBER (APN) 161-161-17
EARTHWORK
PROPOSED CUT 33,425 CY
PROPOSED FILL 1,740 CY
EXPORT 31,685 CY

SITE PLAN: 180 UNITS

	UNIT A	UNIT B	UNIT B - ALT	UNIT C	UNIT D	TOTAL	RESIDENTIAL	COMMON 1ST LEVEL	COMMON 2ND LEVEL	COMMON 3RD LEVEL	COMMON 4TH LEVEL	TOTAL
BUILDING 1	6	12	0	3	0	22	23,634	2,897	2,491	2,491	2,491	33,934
BUILDING 2	4	8	0	4	0	22	27,479	2,782	2,826	2,826	2,826	46,487
BUILDING 3	2	10	11	0	0	49	48,141	2,778	2,845	1,843	2,795	58,597
BUILDING 4	4	30	25	0	4	84	58,709	2,711	2,748	2,748	2,781	69,697
BUILDING 5	7	6	15	0	0	30	30,895	2,144	2,678	2,678	2,678	34,871
TOTAL	25	66	51	7	30	180					TOTAL	347,141
SQ. FT. / UNIT	839	1066	1084	1224	1442					COMMUNITY CENTER & POOL REC CENTER		34,591
TOTAL SQ. FT.	20,982	74,455	64,564	8,572	38,900	186,456					GRAND TOTAL	377,443

ONE BEDROOM	33	19%
TWO BEDROOM	132	73%
TWO BEDROOM + DEN	20	11%
TOTAL	180	100%

COMMUNITY CENTER	
1ST LEVEL	11,342
2ND LEVEL	16,665
3RD LEVEL	8,225
TOTAL	36,132

POOL REC CENTER	
1ST LEVEL	100
TOTAL	100

SENIOR LIVING

November 7, 2008

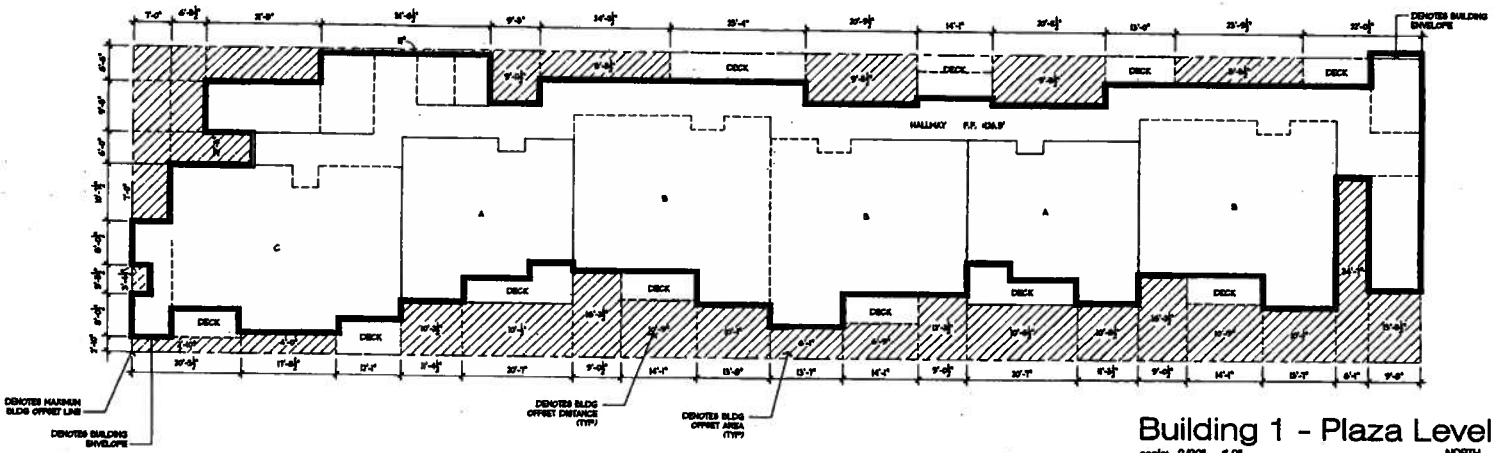
ClubLife™ Senior Living Center

Oceanside, CALIFORNIA

Withee Malcolm Architects, LLP

Project No. A6001.200

A0.02

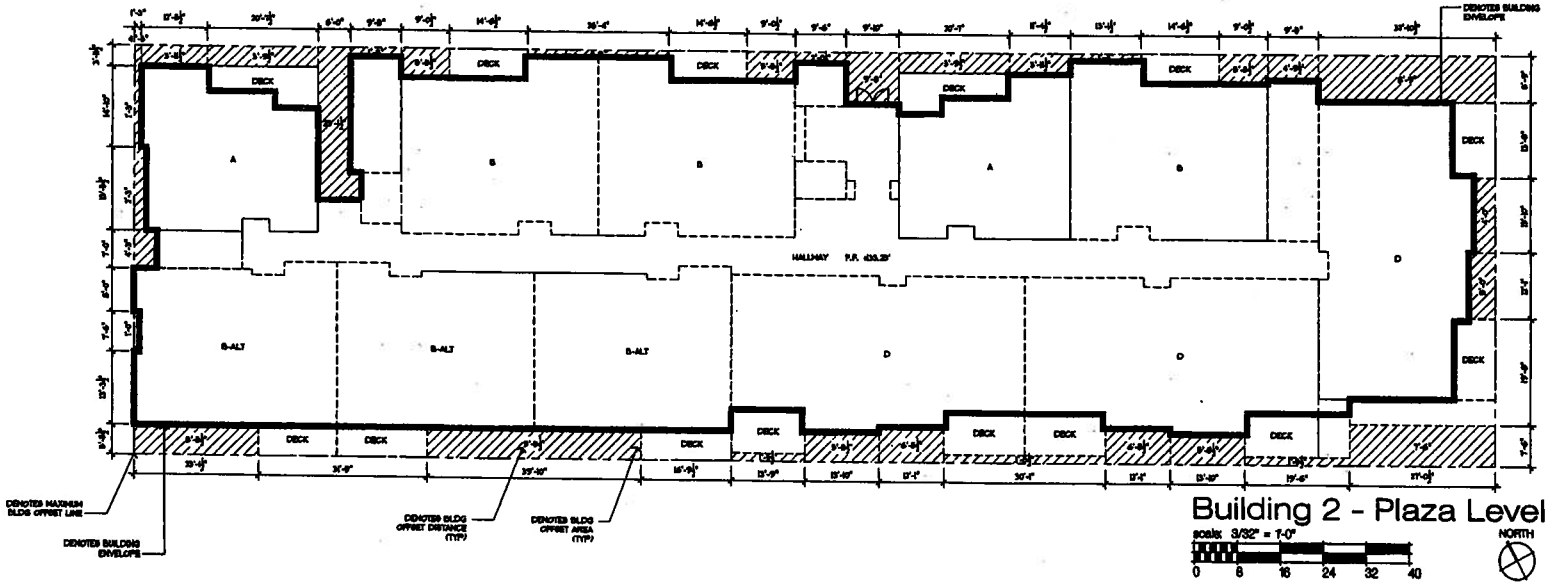


Building 1 - Plaza Level - Offset Exhibit

scale: 3/32" = 1'-0"

0 8 16 24 32 40

NORTH



Building 2 - Plaza Level - Offset Exhibit

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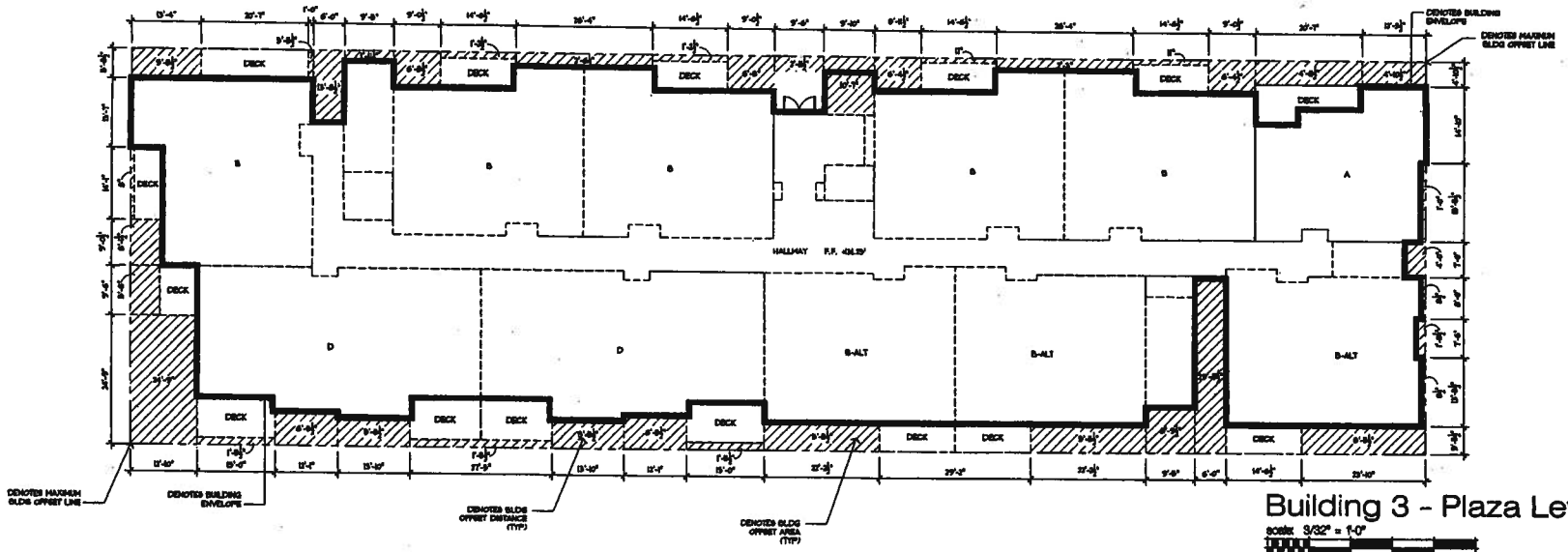
NORTH



Building 3 - Plaza Level - Offset Exhibit

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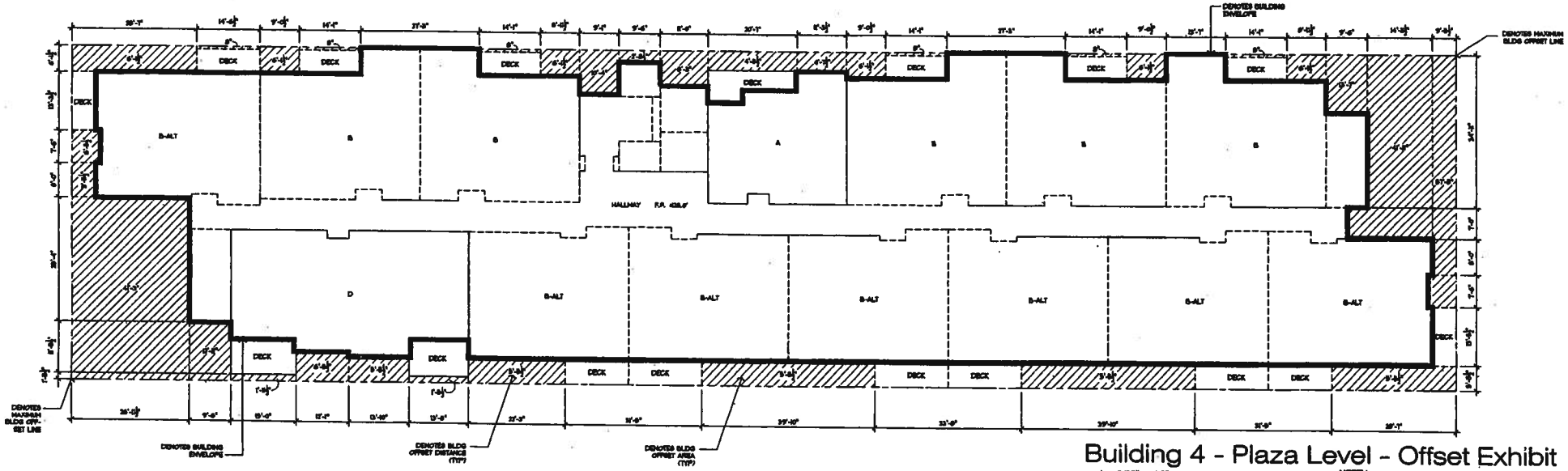
NORTH



Building 4 - Plaza Level - Offset Exhibit

scale: 3/32" = 1'-0"

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NORTH

SENIOR LIVING

November 7, 2008

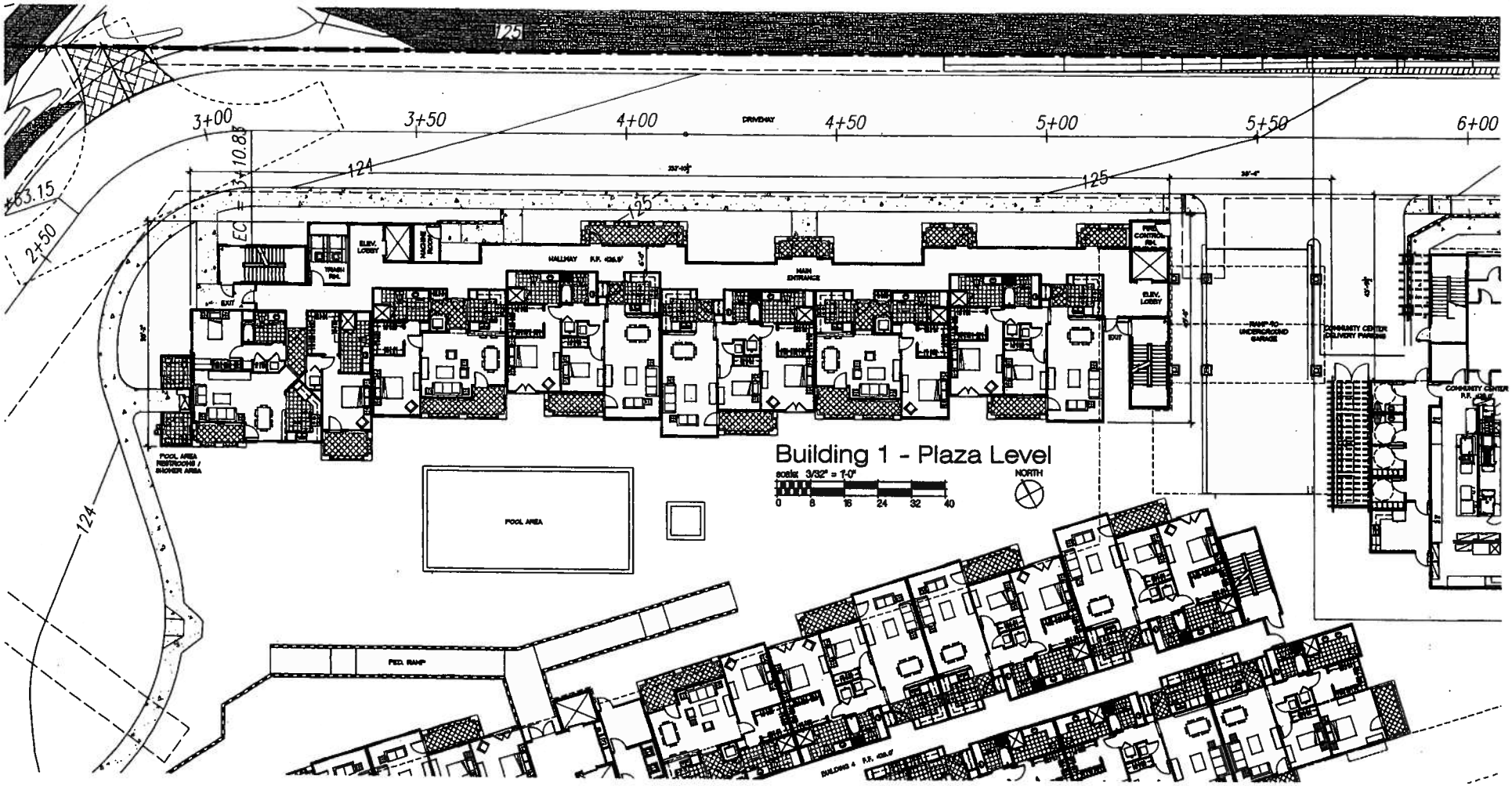
ClubLife™ Senior Living Center

Oceanside, CALIFORNIA

Withee Malcolm Architects, LLP

Project No. A6001.200

A0.02.2



SENIOR LIVING

November 7, 2008

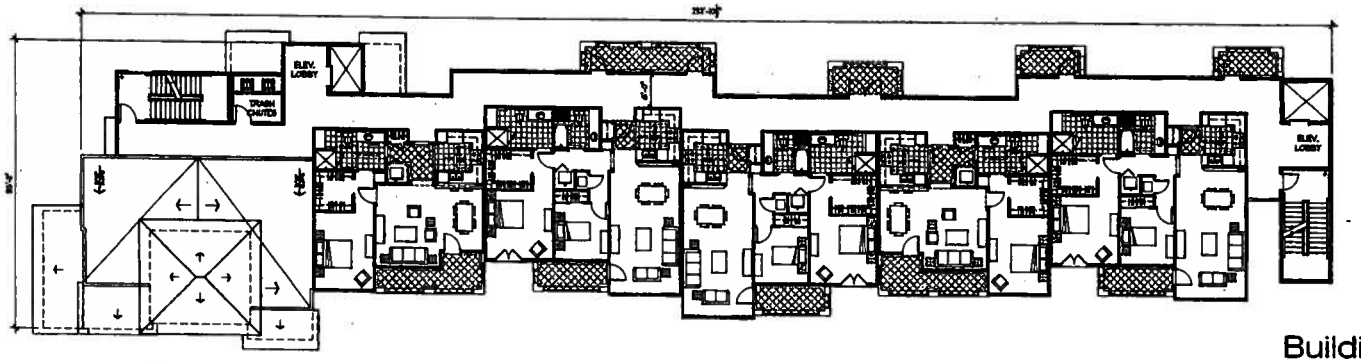
ClubLife™ Senior Living Center

Oceanside, CALIFORNIA

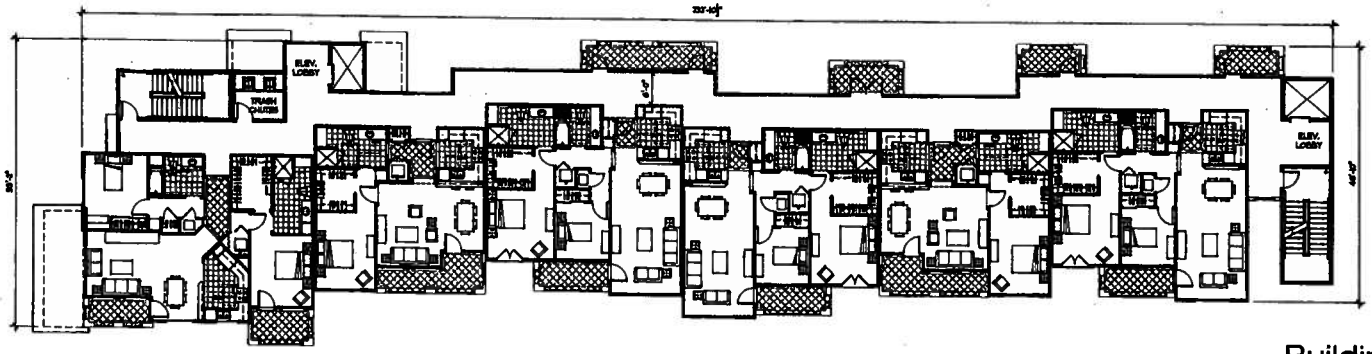
Withee Malcolm Architects, LLP

Project No. A6001.200

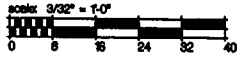
A1.01

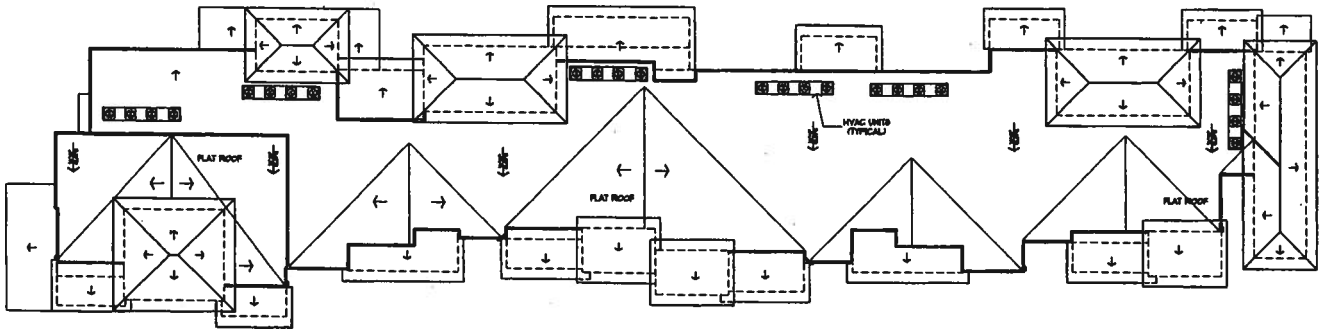


Building 1 - Level 4



Building 1 - Level 2-3





Building 1 - Roof Plan

scale: 3/32" = 1'-0"

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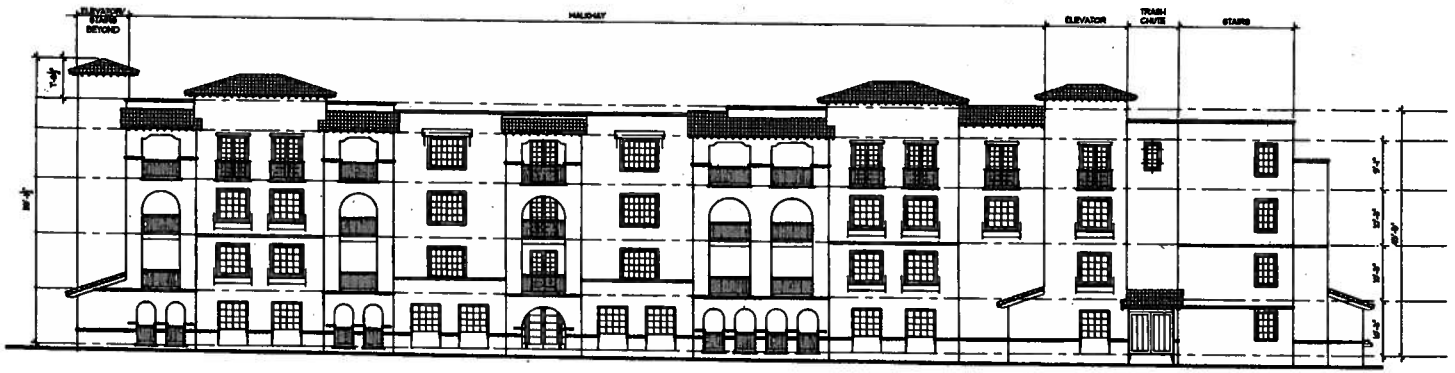
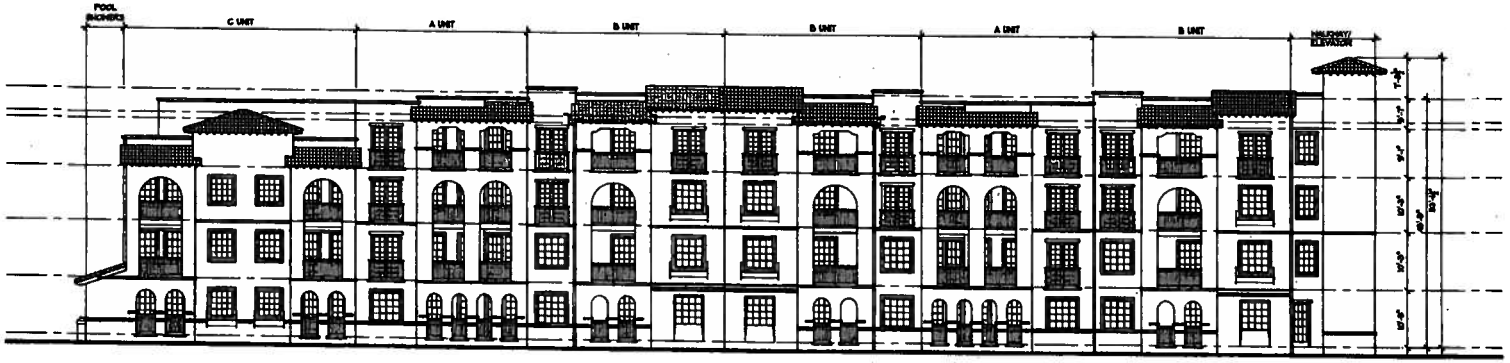


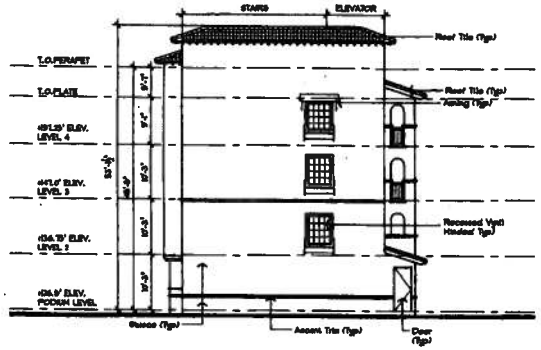
Building 1 - Elevation (North)



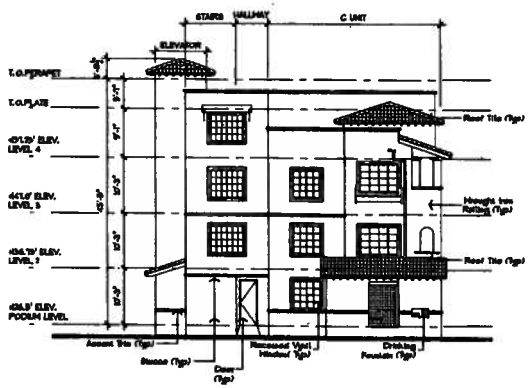
Building 1 - Elevation (South)

scale: 3/32" = 1'-0"

0 8 16 24 32 40



Building 1 - Elevation (East)



Building 1 - Elevation (West)

scale: 3/32" = 1'-0"

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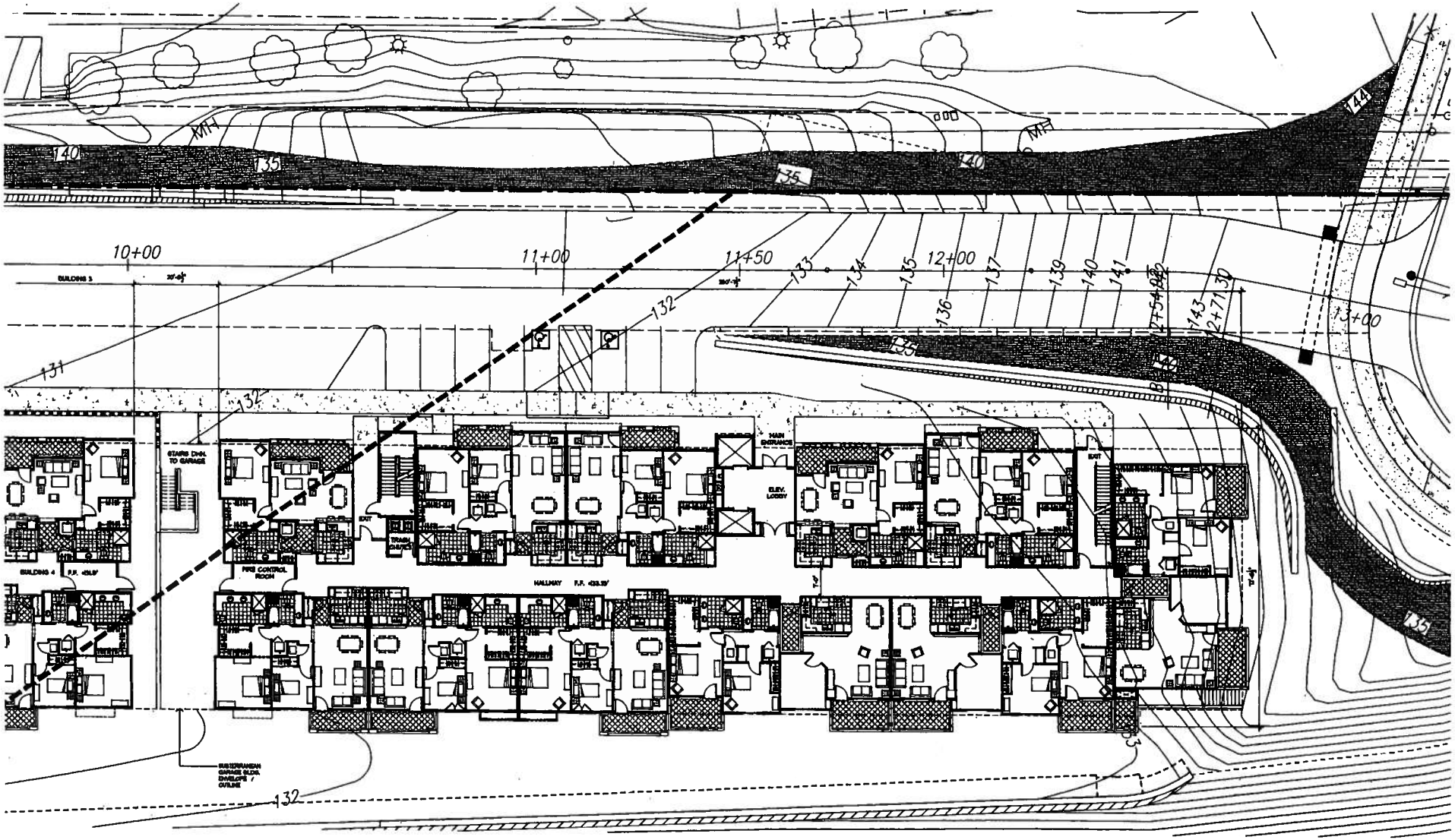


Building 2 - Plaza Level

scale: 3/32" = 1'-0"

0 8 16 24 32 40

NORTH

SENIOR LIVING

November 7, 2008

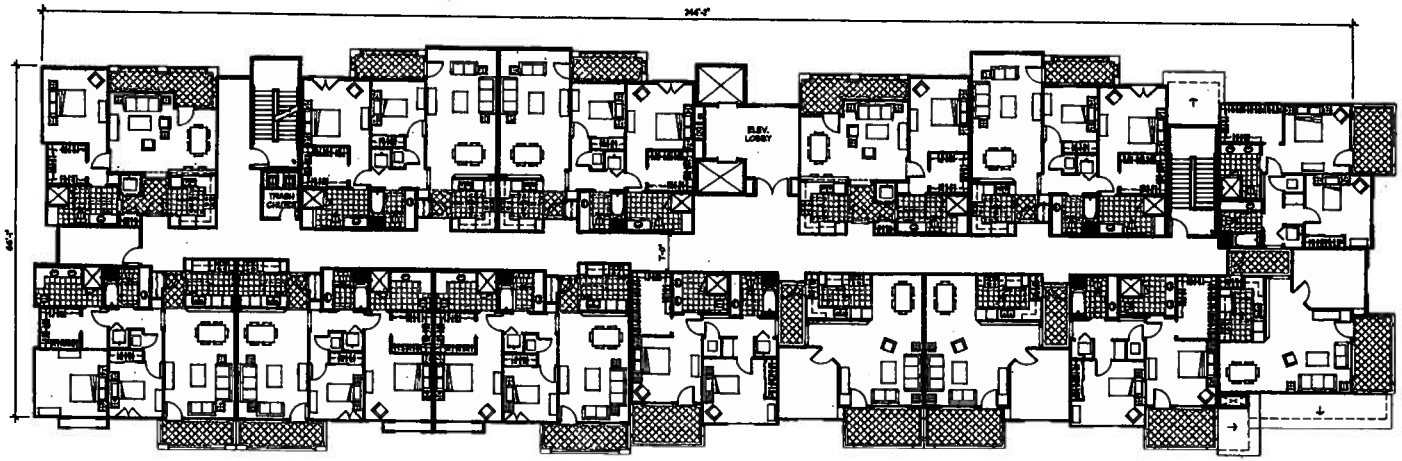
ClubLife™ Senior Living Center

Oceanside, CALIFORNIA

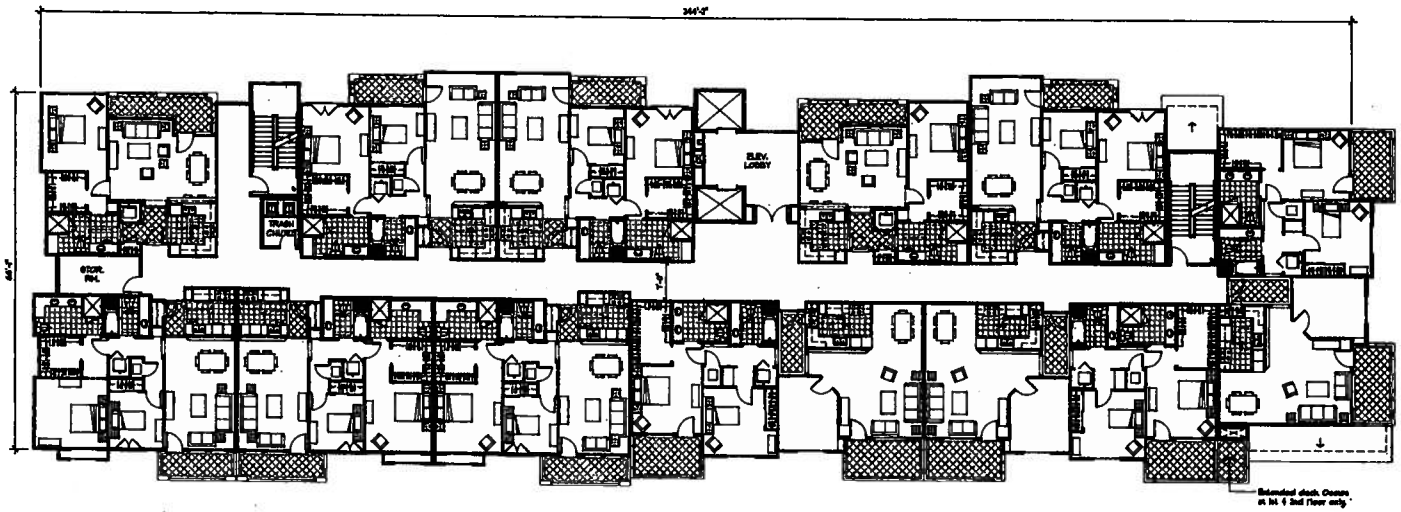
Withee Malcolm Architects, LLP

Project No. A6001.200

A2.01



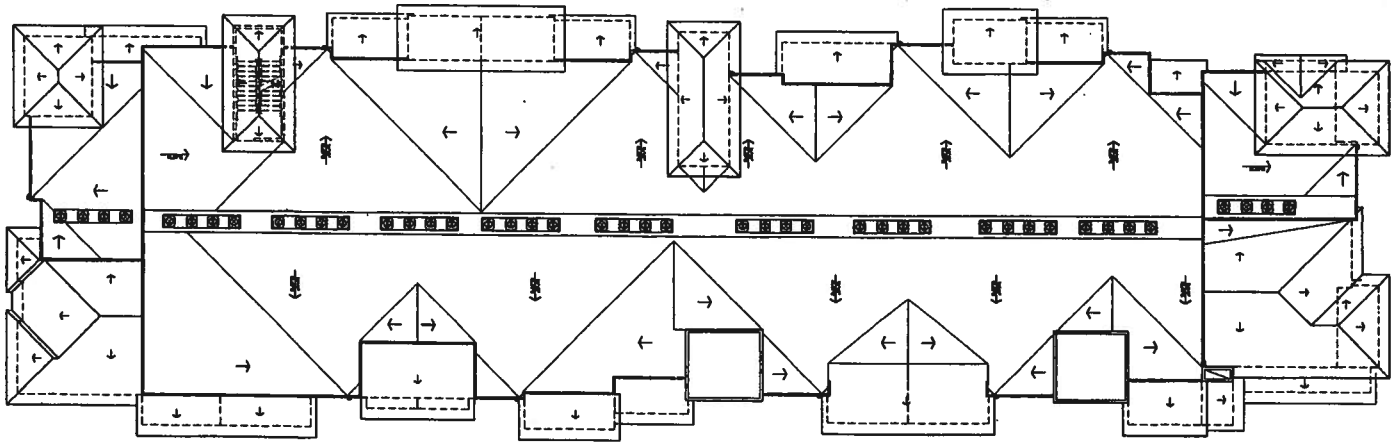
Building 2 - Level 3



Building 2 - Level 2

scale: 3/32" = 1'-0"

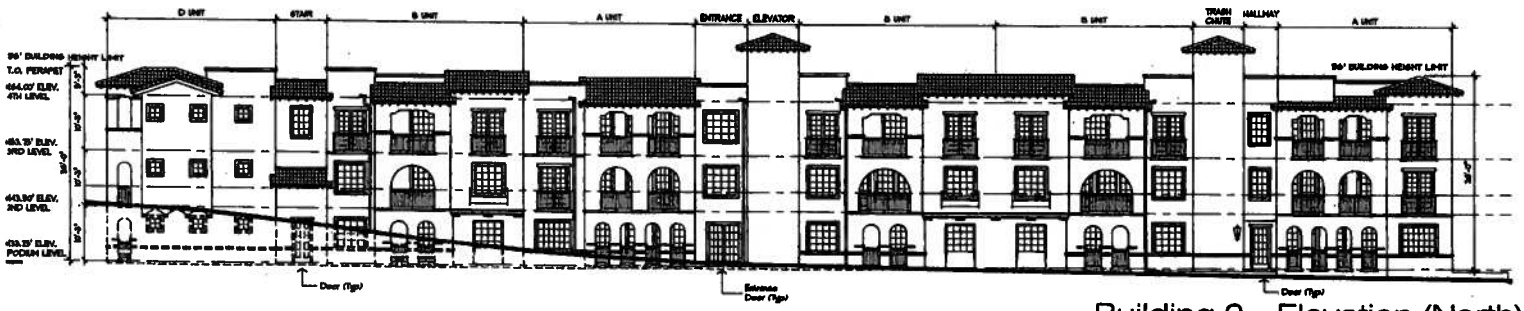
0 8 16 24 32 40



Building 2 - Roof Plan

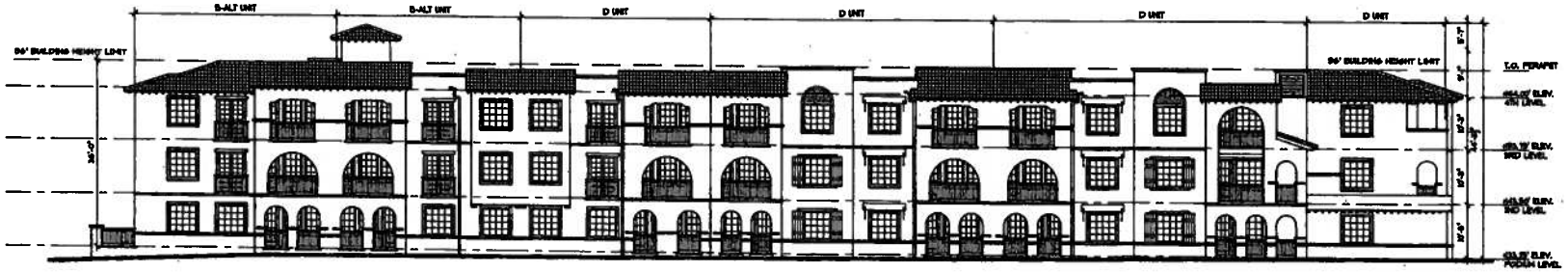
scale: 3/32" = 1'-0"

0 8 16 24 32 40



Building 2 - Elevation (North)

NOTE: FOR TYPICAL NOTES SEE SHEETS A1.04 & A1.05

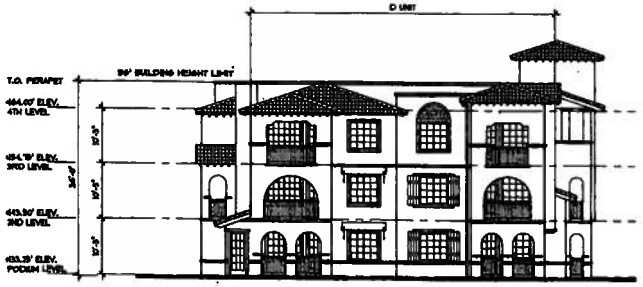


Building 2 - Elevation (South)

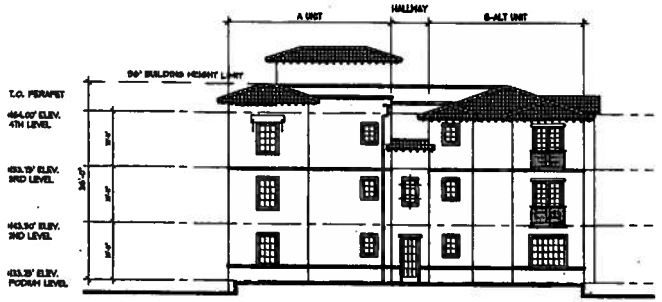
NOTE: FOR TYPICAL NOTES SEE SHEETS A1.04 & A1.05

scale: 3/32" = 1'-0"

0 8 16 24 32 40



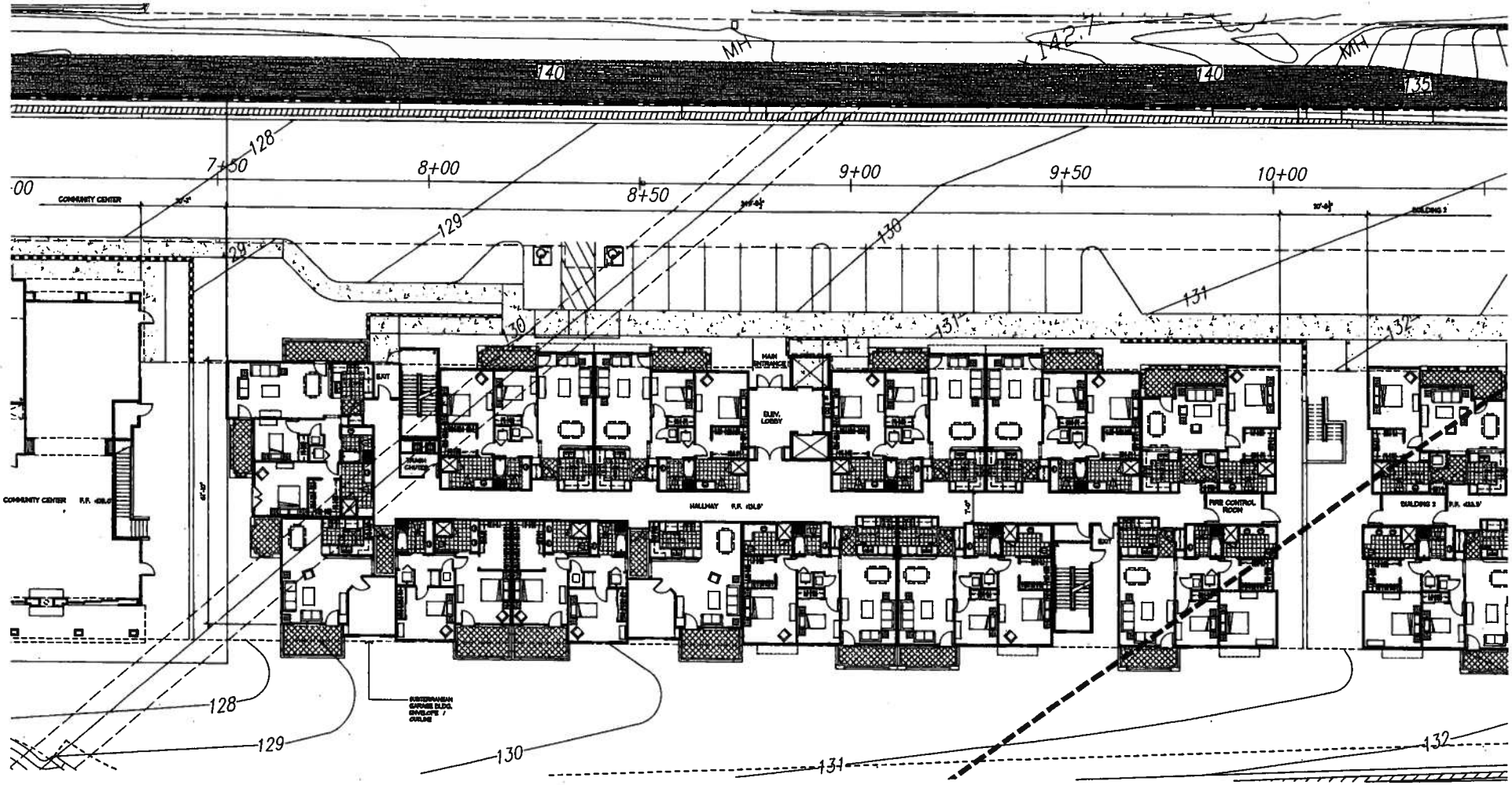
Building 2 - Elevation (East)



Building 2 - Elevation (West)

scale: 3/32" = 1'-0"

0 8 16 24 32 40



Building 3 - Plaza Level

scale: 3/32" = 1'-0"

0 8 16 24 32 40

NORTH

SENIOR LIVING

November 7, 2008

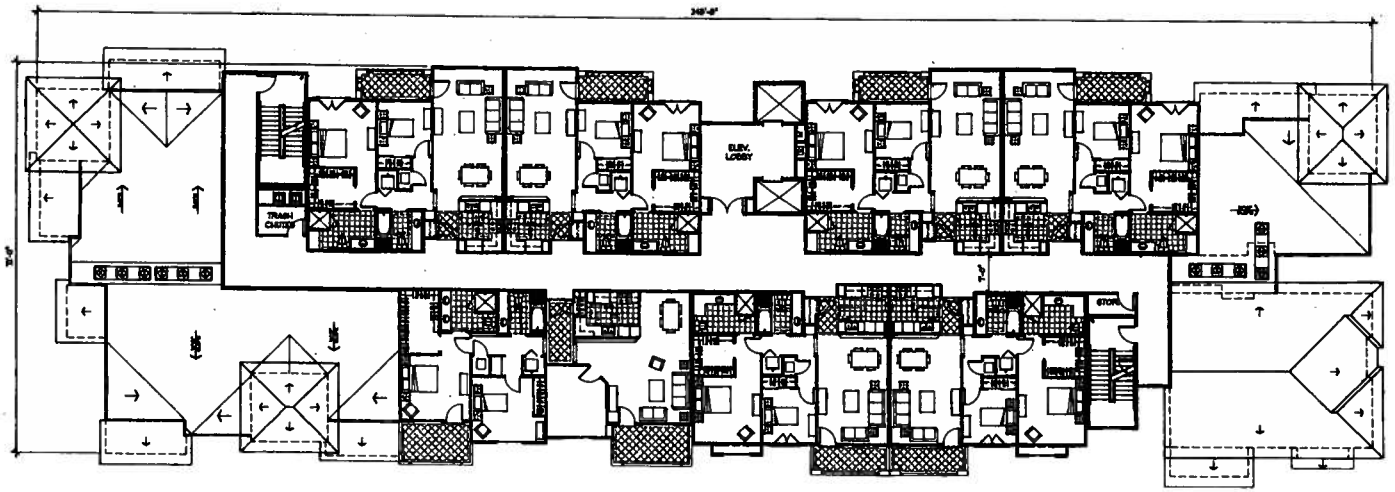
ClubLife® Senior Living Center

Oceanside, CALIFORNIA

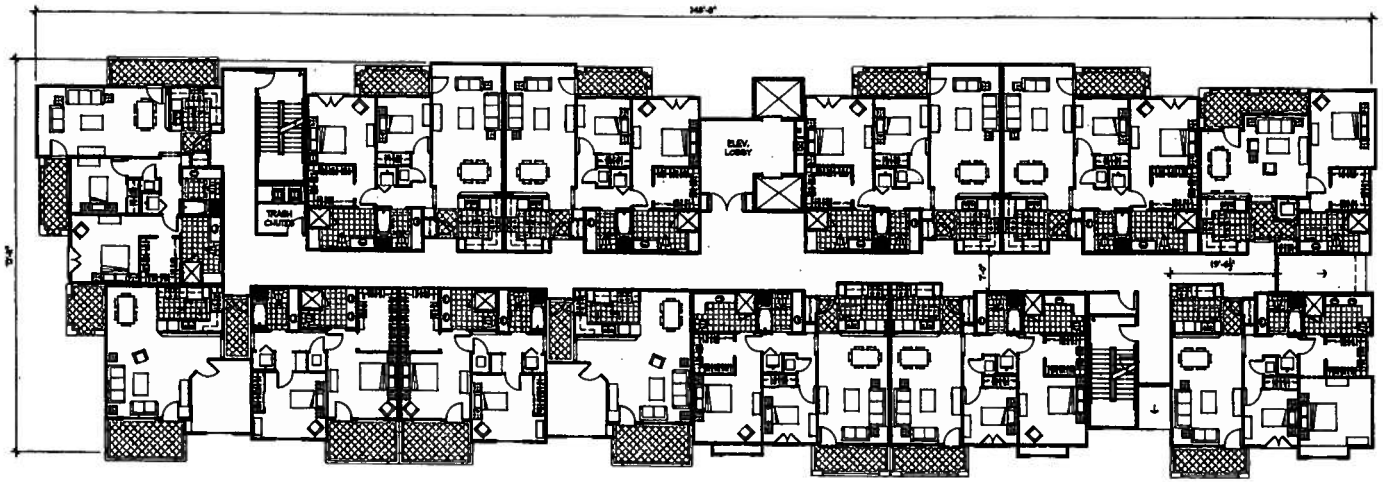
LLFT Withee Malcolm Architects, LLP

Project No. A6001.200

A3.01



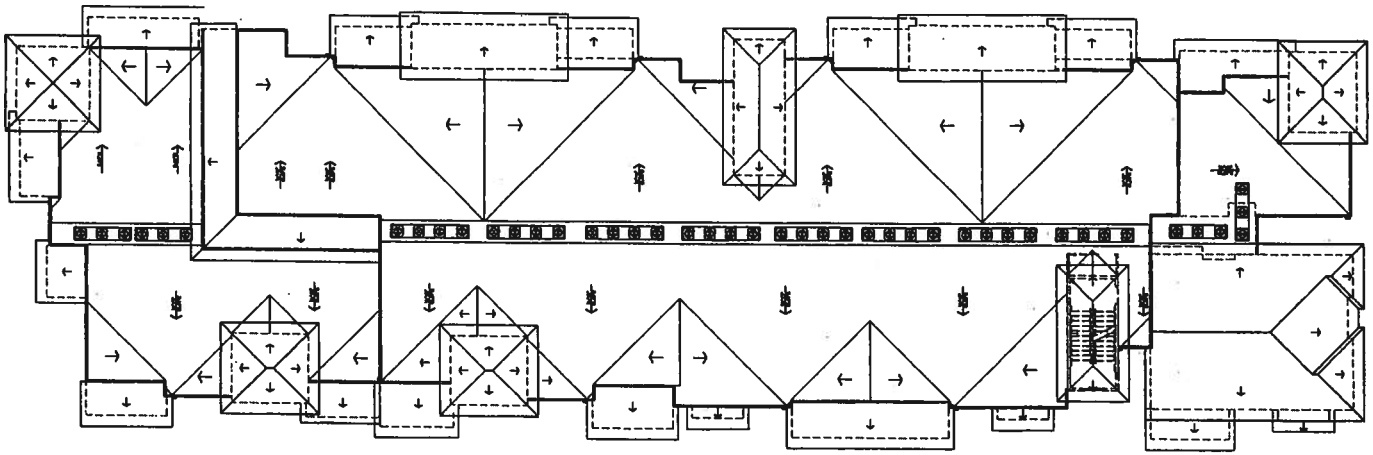
Building 3 - Level 4



Building 3 - Levels 2-3

scale: 3/32" = 1'-0"

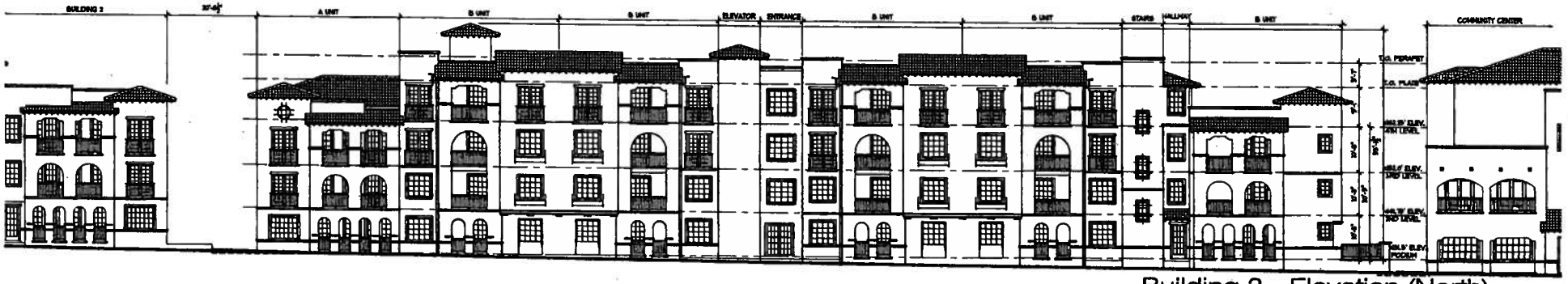
0 8 16 24 32 40



Building 3 - Roof Plan

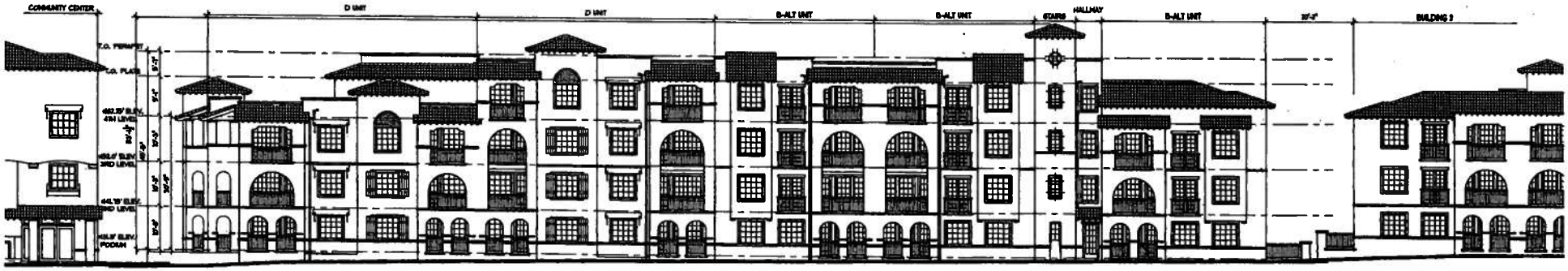
scale: 3/32" = 1'-0"

0 8 16 24 32 40



Building 3 - Elevation (North)

NOTE: FOR TYPICAL NOTES SEE SHEETS A1.01 & A1.02

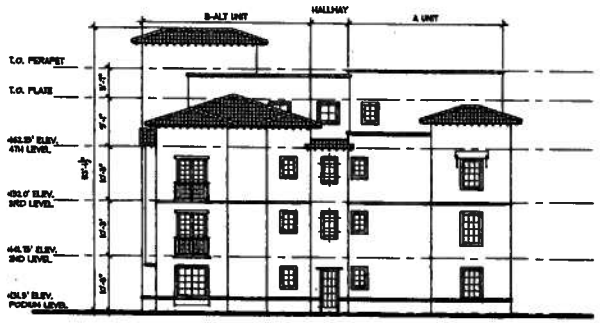


Building 3 - Elevation (South)

NOTE: FOR TYPICAL NOTES SEE SHEETS A1.01 & A1.02

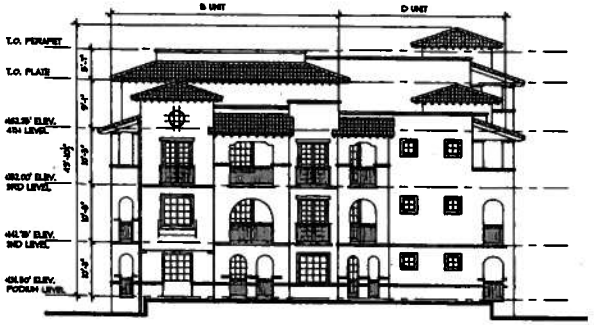
scale: 3/32" = 1'-0"

0 8 16 24 32 40



Building 3 - Elevation (East)

NOTE: FOR TYPICAL NOTES SEE SHEETS A1.01 & A1.02

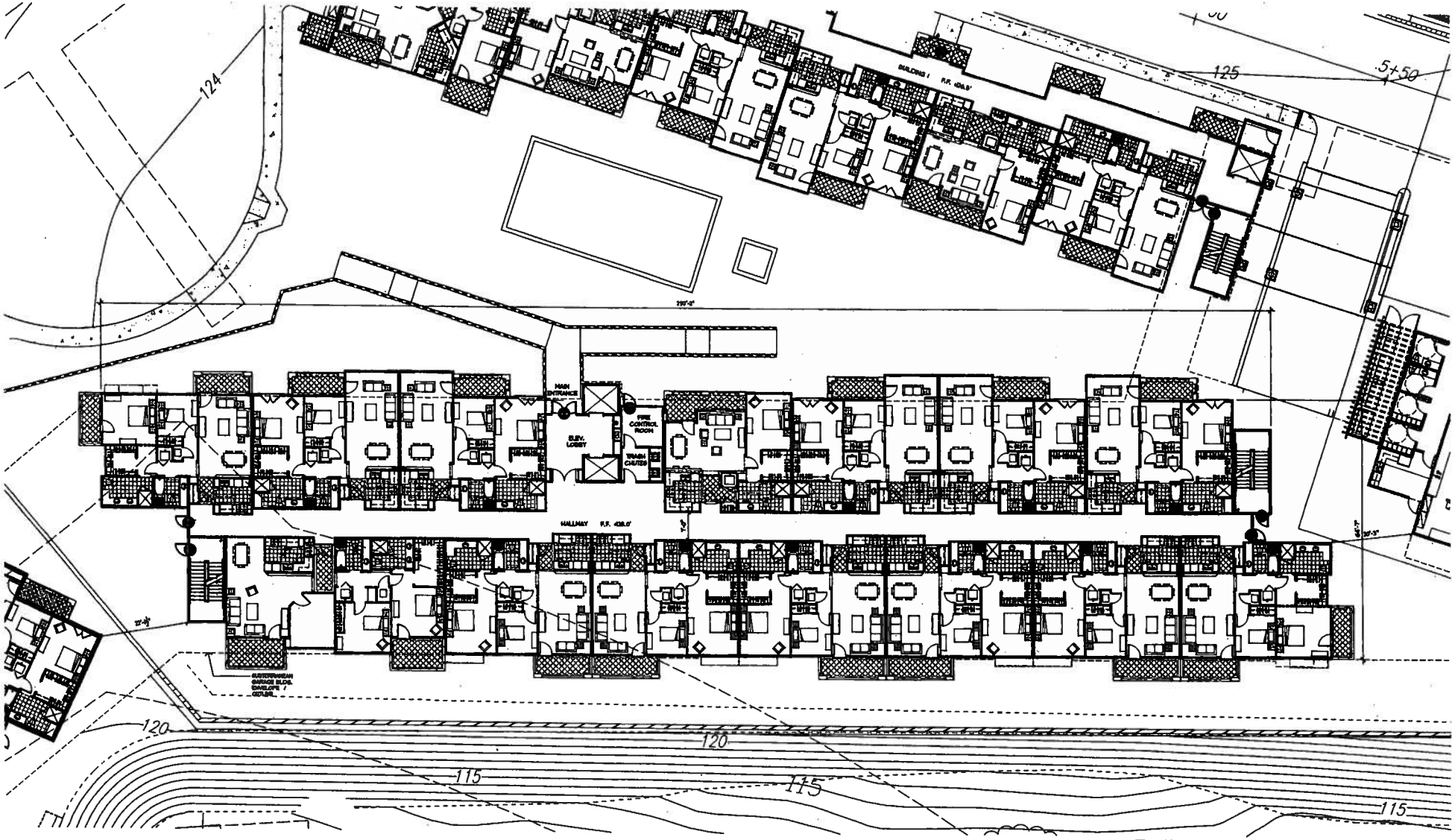


Building 3 - Elevation (West)

NOTE: FOR TYPICAL NOTES SEE SHEETS A1.01 & A1.02

scale: 3/32" = 1'-0"

0 8 16 24 32 40

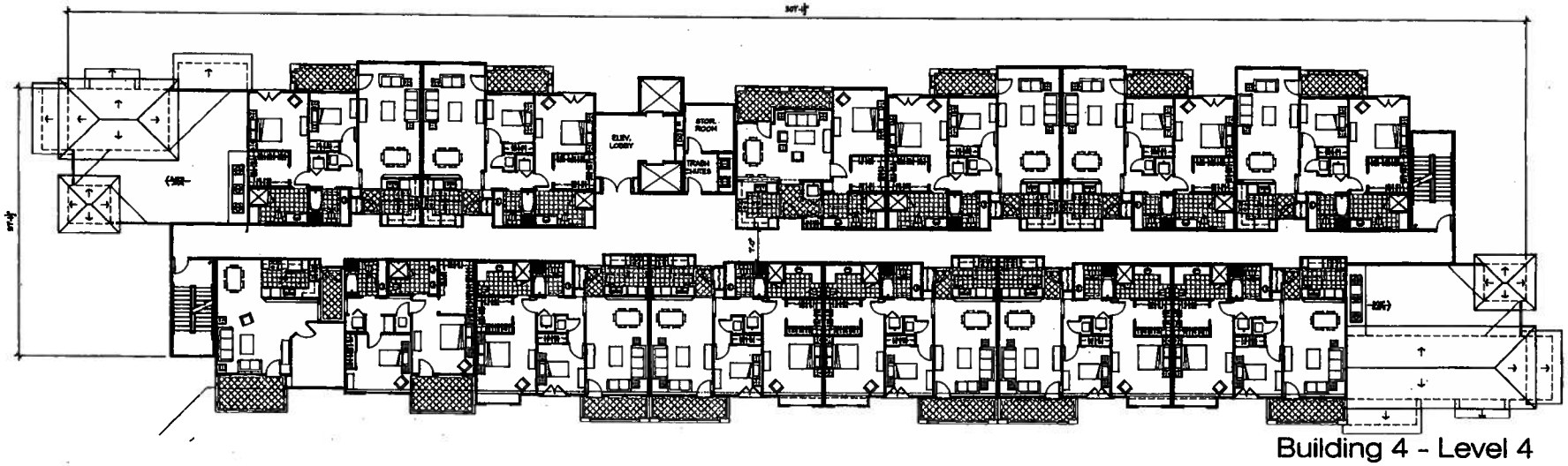


Building 4 - Plaza Level

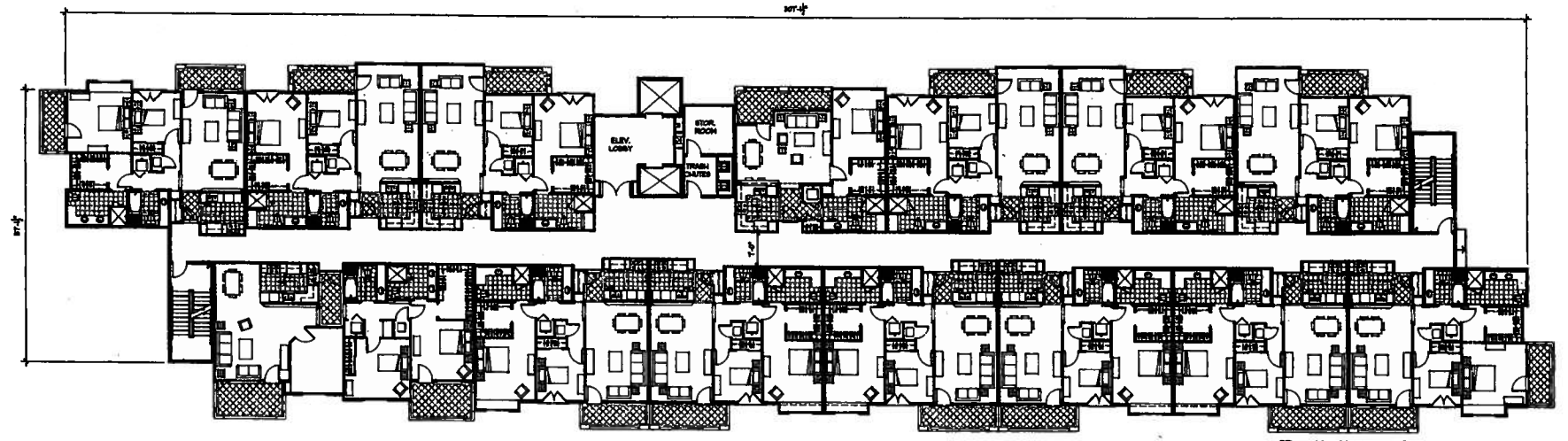
scale: 3/32" = 1'-0"

0 8 16 24 32 40

NORTH



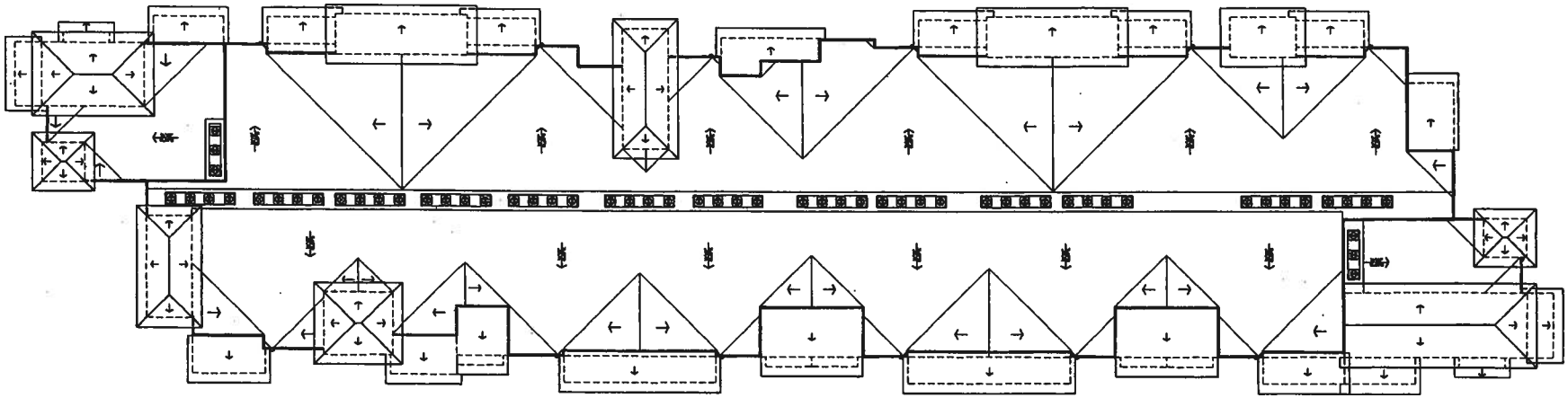
Building 4 - Level 4



Building 4 - Level 2-3

scale: 3/32" = 1'-0"

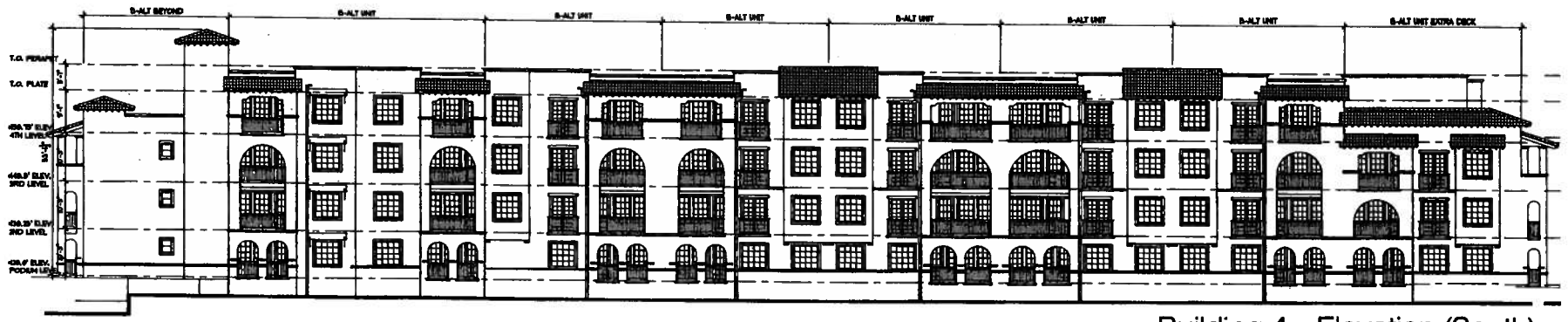
0 8 16 24 32 40



Building 4 - Roof Plan

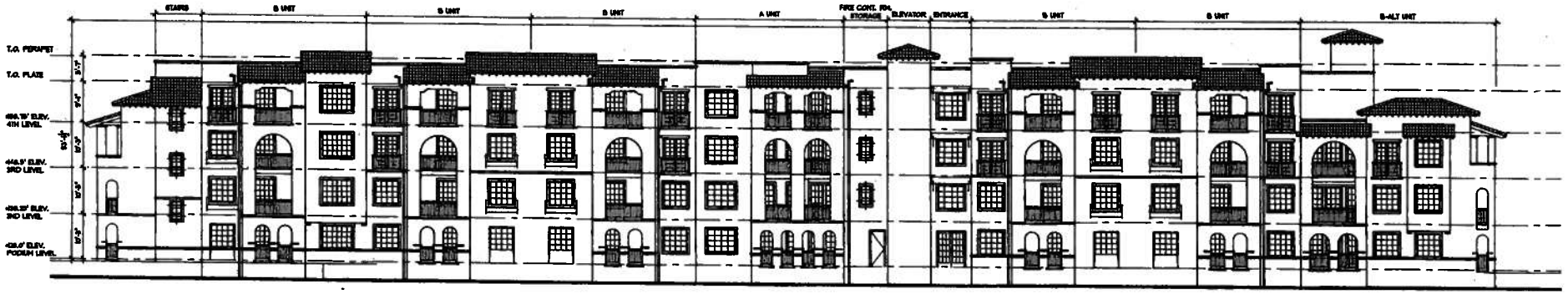
scale: 3/32" = 1'-0"

0 8 16 24 32 40



Building 4 - Elevation (South)

NOTE: FOR TYPICAL NOTES SEE SHEETS A1.04 & A1.05

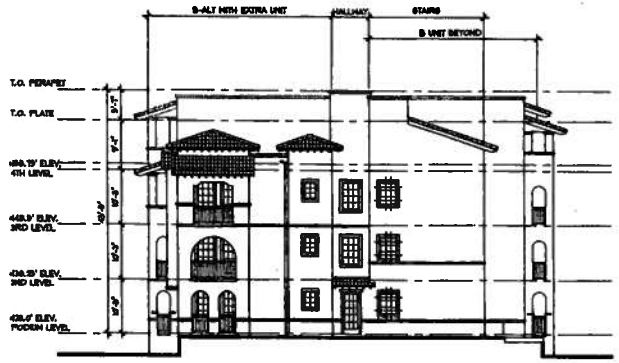


Building 4 - Elevation (North)

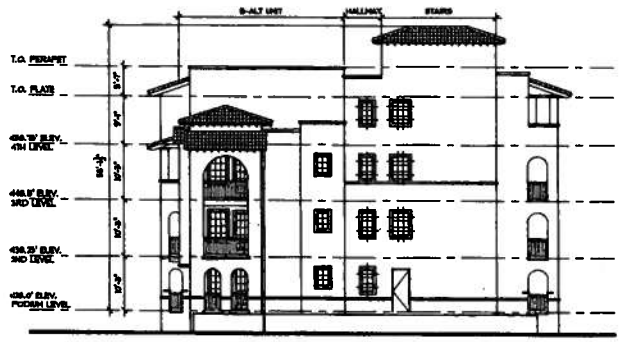
NOTE: FOR TYPICAL NOTES SEE SHEETS A1.04 & A1.05

scale: 3/32" = 1'-0"

0 8 16 24 32 40



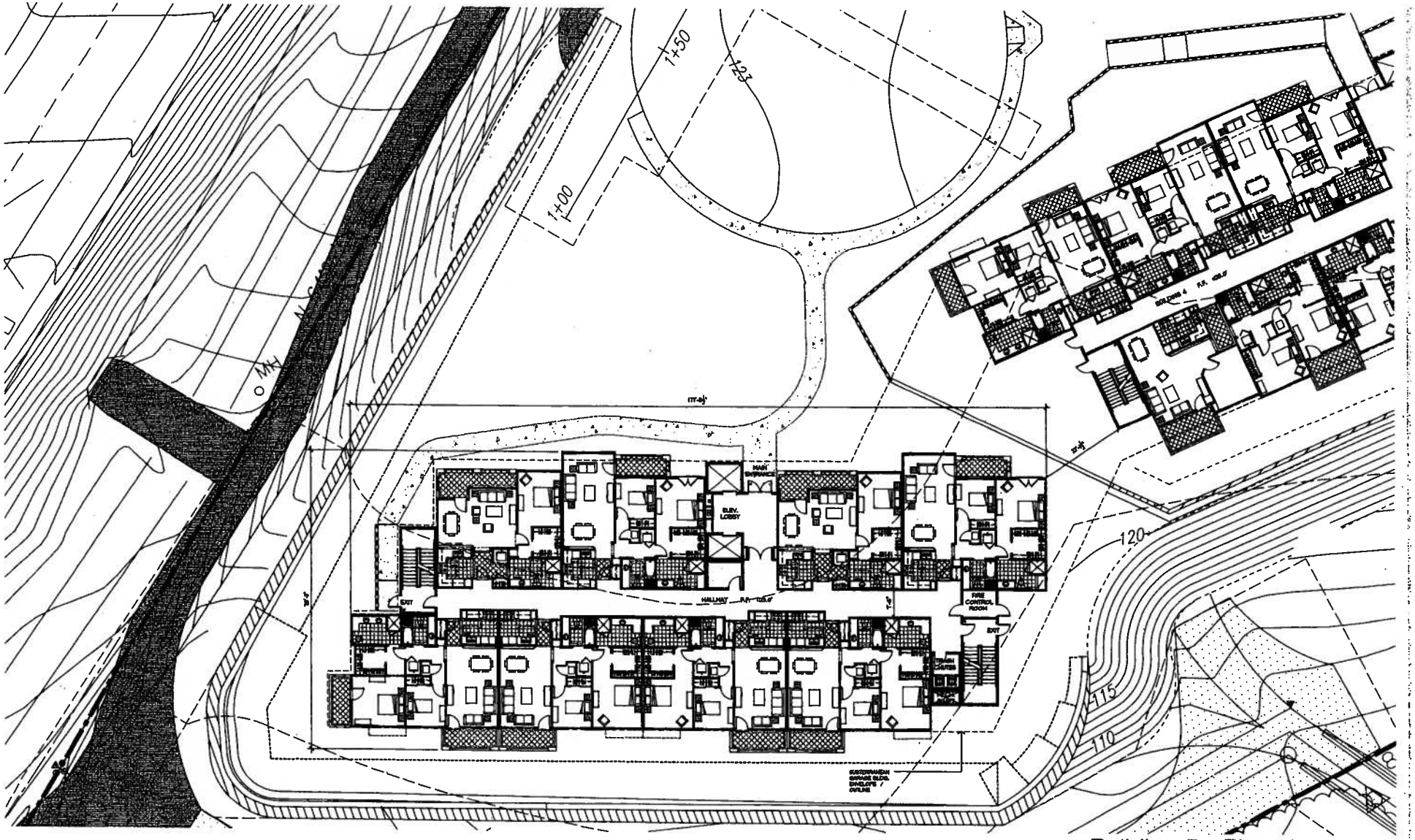
Building 4 - Elevation (East)



Building 4 - Elevation (West)

scale: 3/32" = 1'-0"

0 8 16 24 32 40

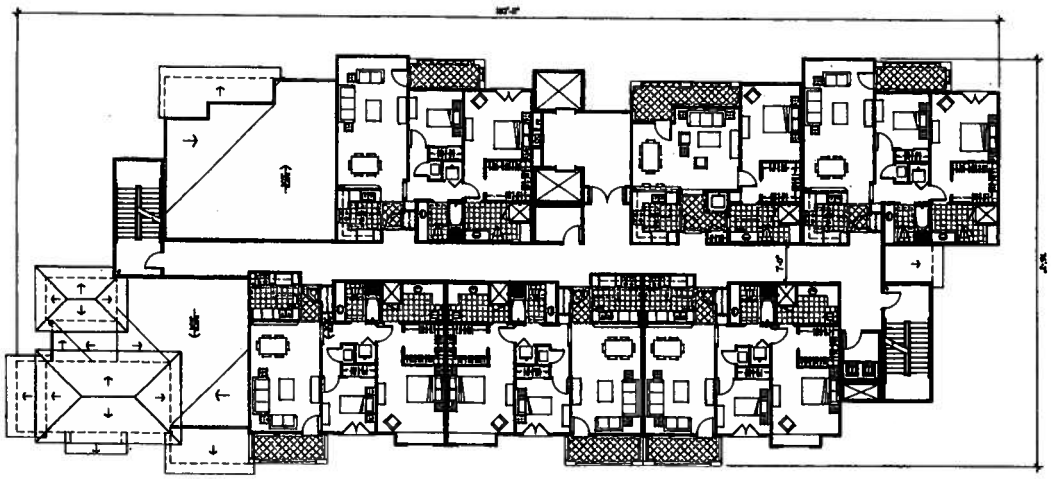


Building 5 - Plaza Level

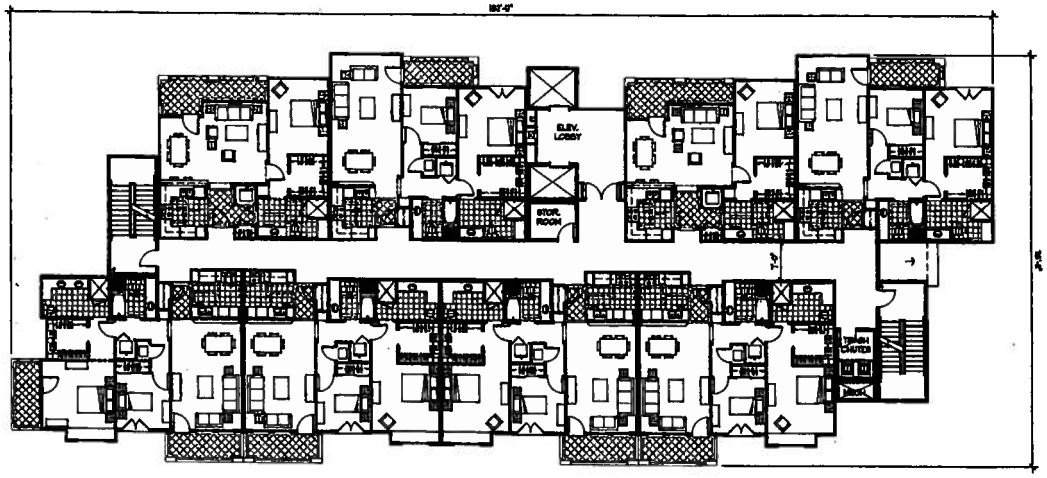
scale: 3/32" = 1'-0"

0 8 16 24 32 40

NORTH



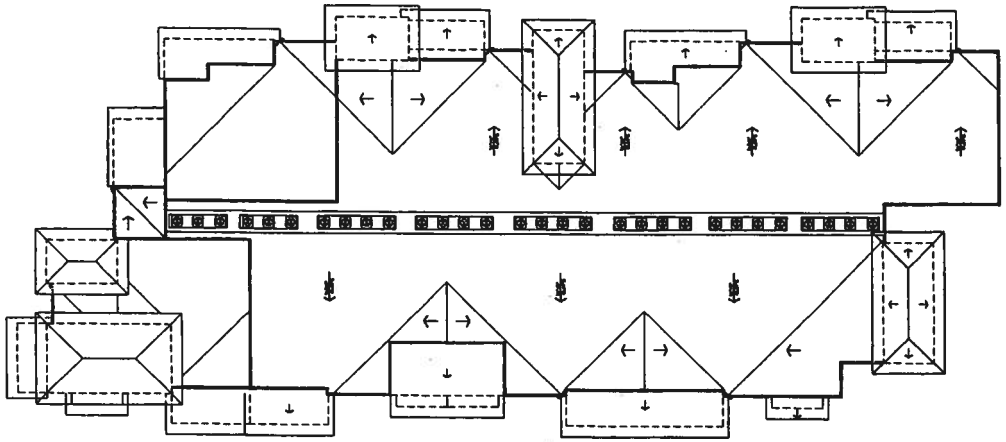
Building 5 - Level 4



Building 5 - Levels 2-3

scale: 3/32" = 1'-0"

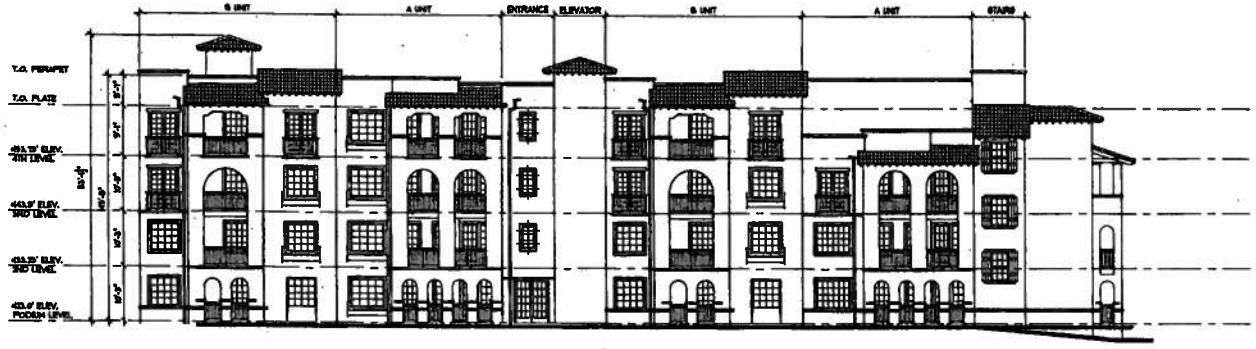
0 8 16 24 32 40



Building 5 - Roof Plan

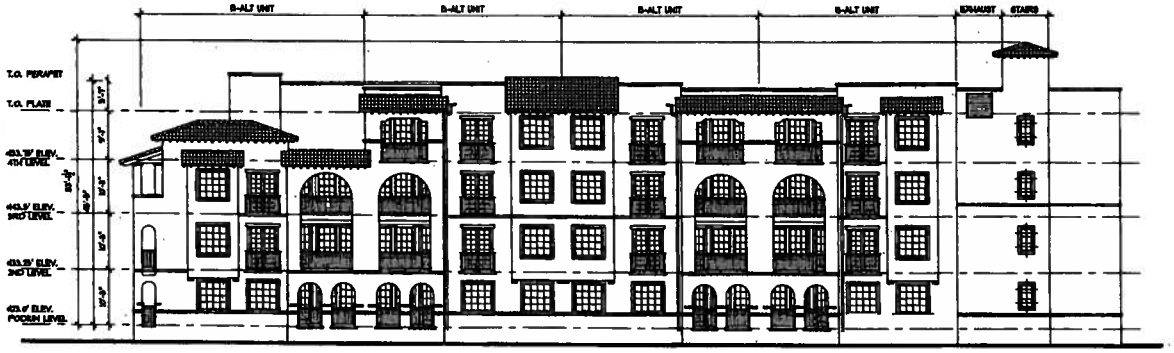
scale: 3/32" = 1'-0"

0 8 16 24 32 40



Building 5 - Elevation (North)

NOTE: FOR TYPICAL NOTES SEE SHEETS A5.01 & A5.03

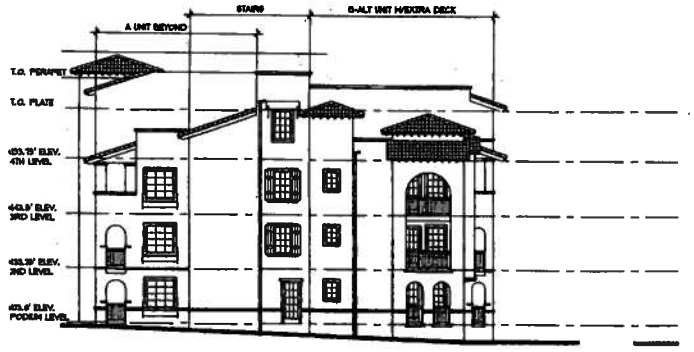


Building 5 - Elevation (South)

NOTE: FOR TYPICAL NOTES SEE SHEETS A5.01 & A5.03

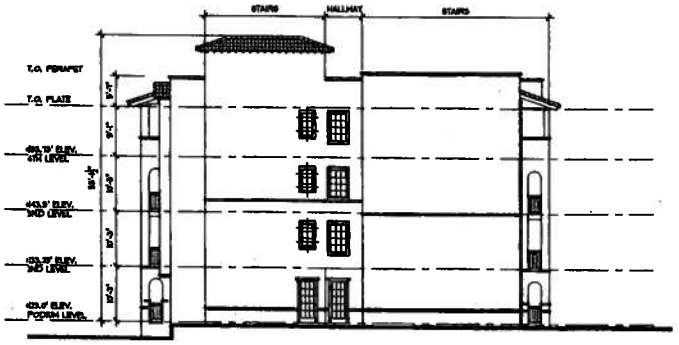
SCALE: 3/32" = 1'-0"

0 8 16 24 32 40



Building 5 - Elevation (West)

NOTE: FOR TYPICAL NOTES SEE SHEETS AL04 & AL05

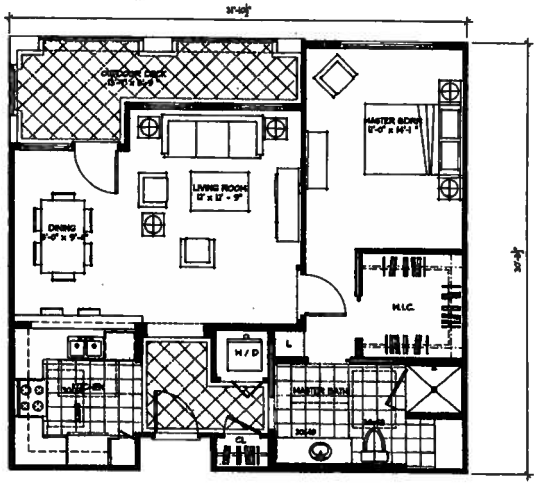


Building 5 - Elevation (East)

NOTE: FOR TYPICAL NOTES SEE SHEETS AL04 & AL05

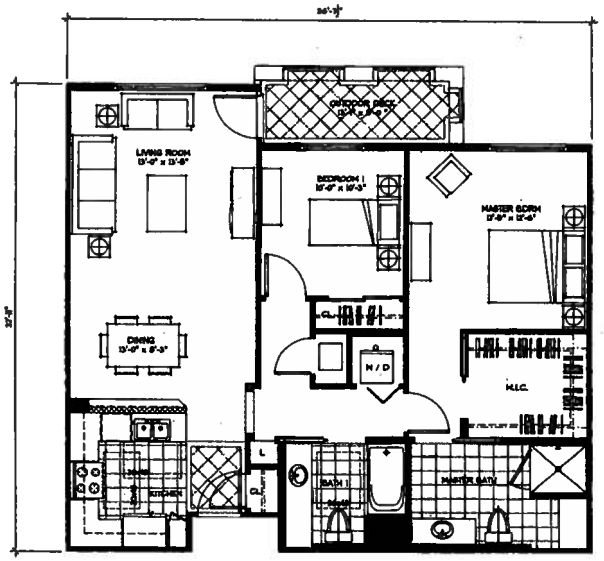
scale: 3/32" = 1'-0"

0 8 16 24 32 40



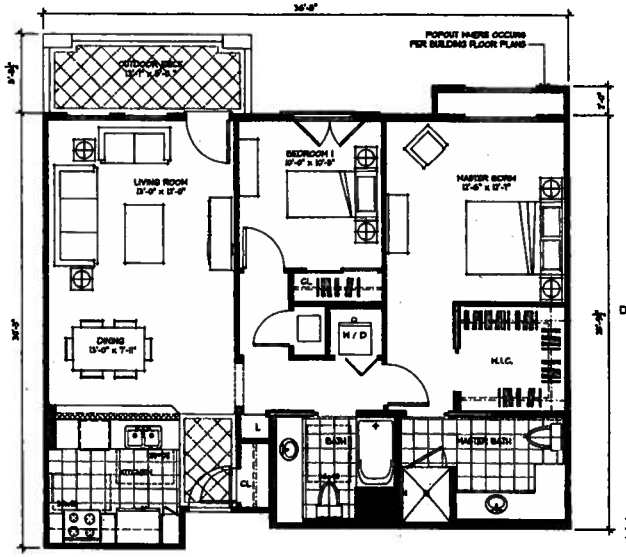
PLAN A

GROSS AREA: 839 S.F.
NET: 794 S.F.
DECK / PATIO AREA: 116 S.F.



PLAN B

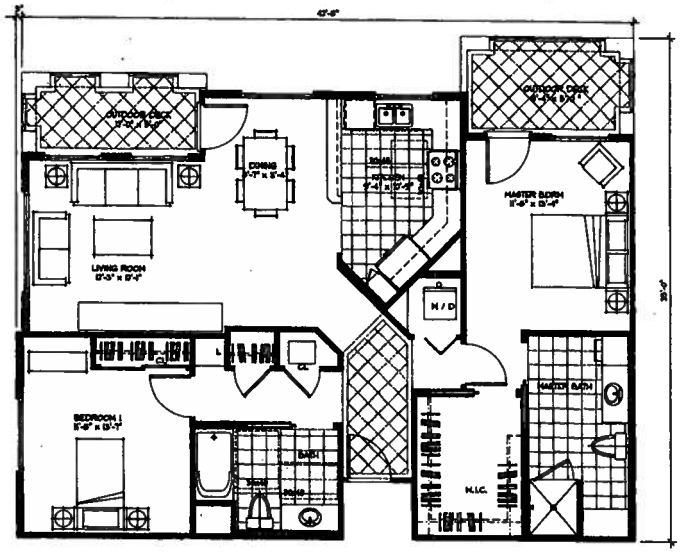
GROSS AREA: 1095 S.F.
NET: 1037 S.F.
DECK / PATIO AREA: 77 S.F.



PLAN B-ALT

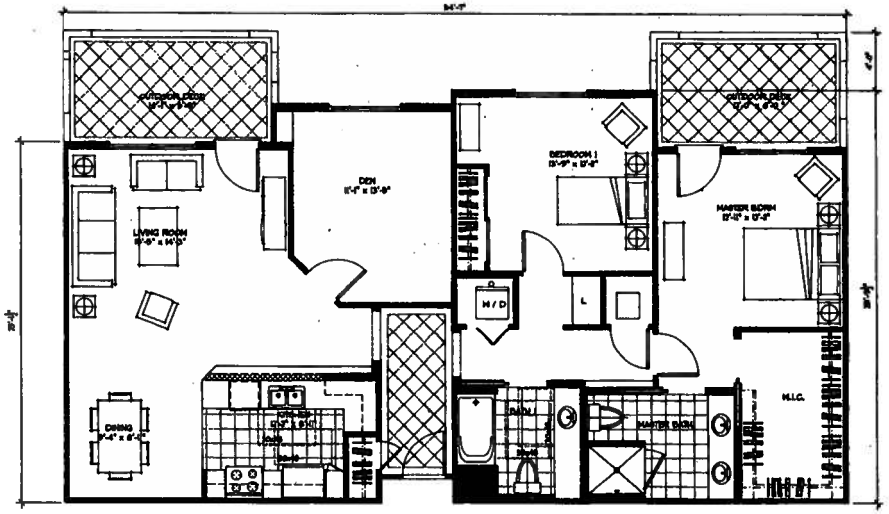
GROSS AREA: 1094 S.F.
NET: 1036 S.F.
DECK / PATIO AREA: 79 S.F.

scale: 1/4" = 1'-0"
0 4 8 12 16



PLAN C

GROSS AREA: 1224 S.F.
NET: 1166 S.F.
DECK / PATIO AREA: 133 S.F.

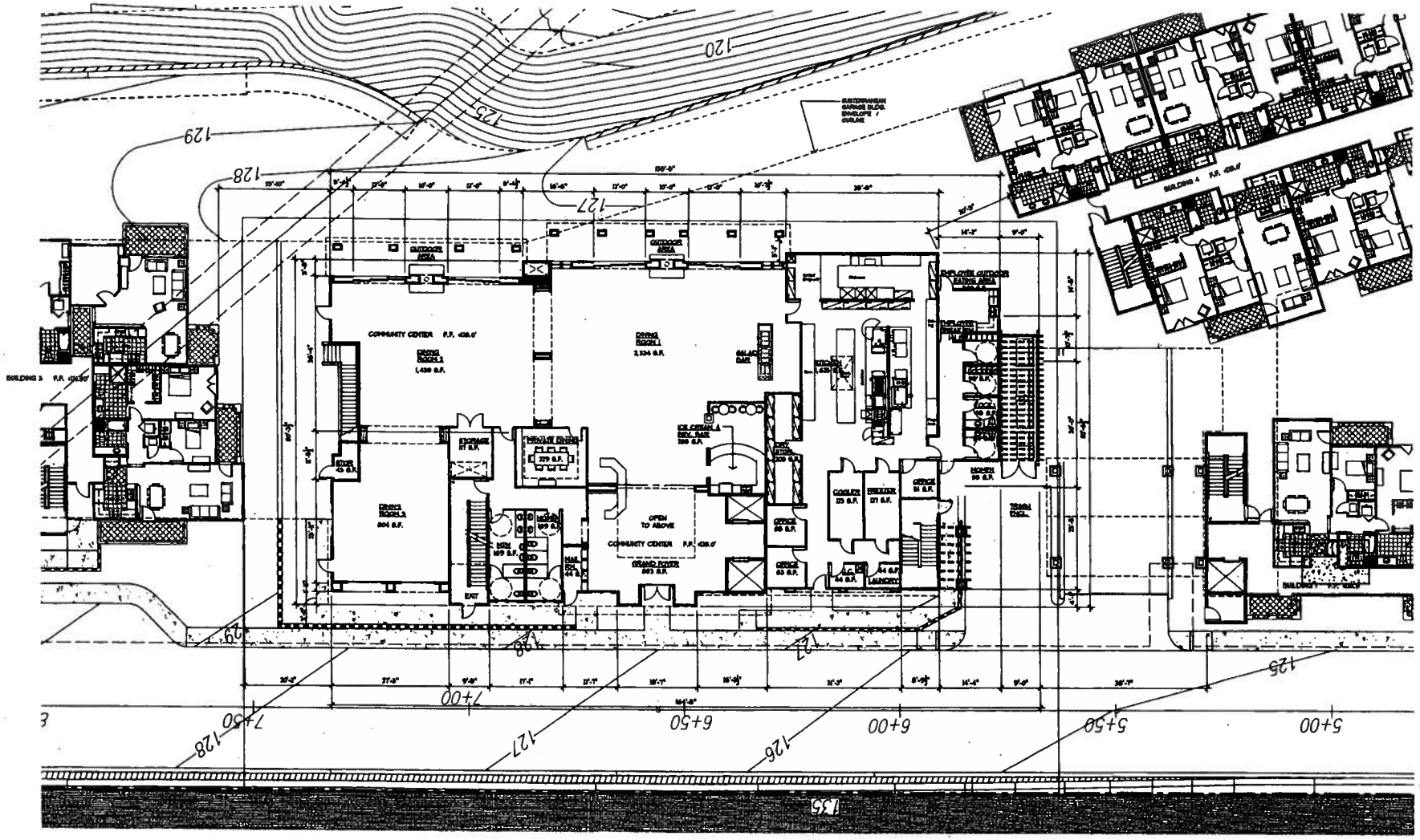


PLAN D

GROSS AREA: 1446 S.F.
NET: 1377 S.F.
DECK / PATIO AREA: 177 S.F.

scale: 1/4" = 1'-0"

0 4 8 12 16



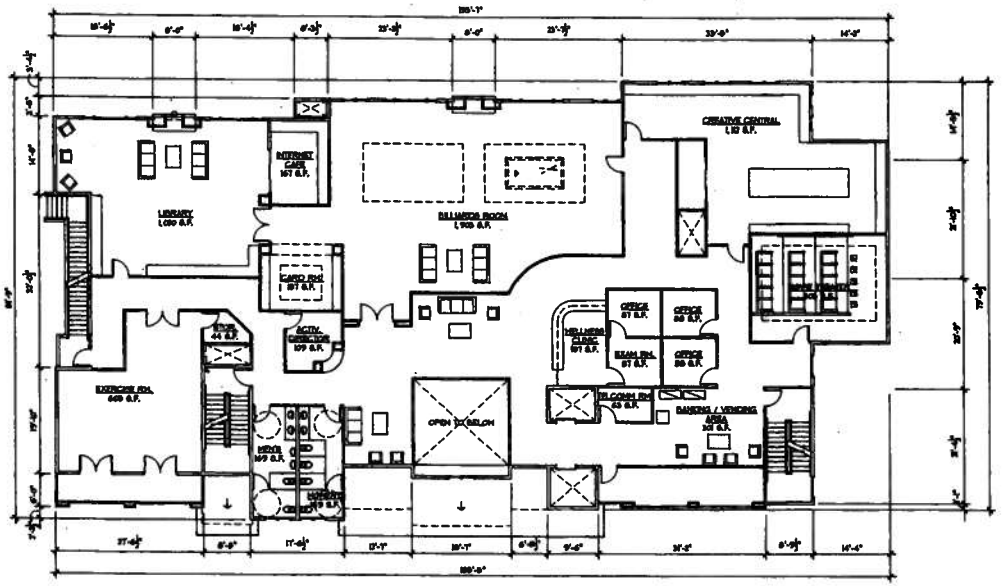
Community Center - Plaza Level

TOTAL GROSS - 11,242 S.F.

scale: 3/32" = 1'-0"

0 8 16 24 32 40

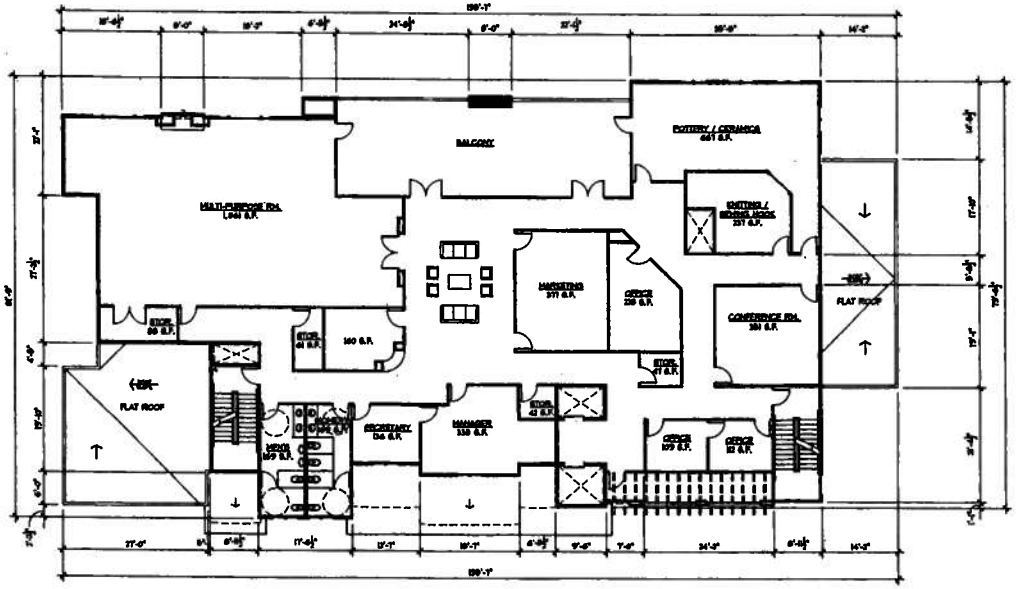
NORTH



Community Center - 2nd Level

TOTAL GROSS - 10,685 S.F.

scale: 3/32" = 1'-0"



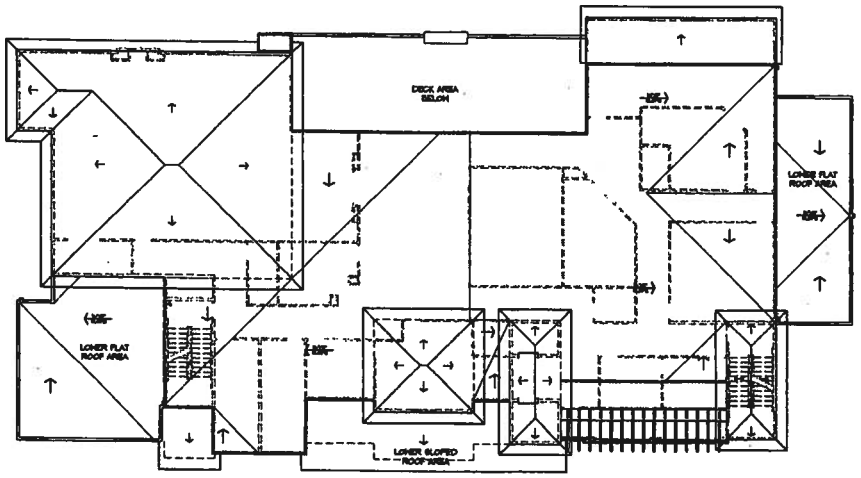
NORTH

Community Center - 3rd Level

TOTAL GROSS - 8,226 S.F.

scale: 3/32" = 1'-0"

0 8 16 24 32 40

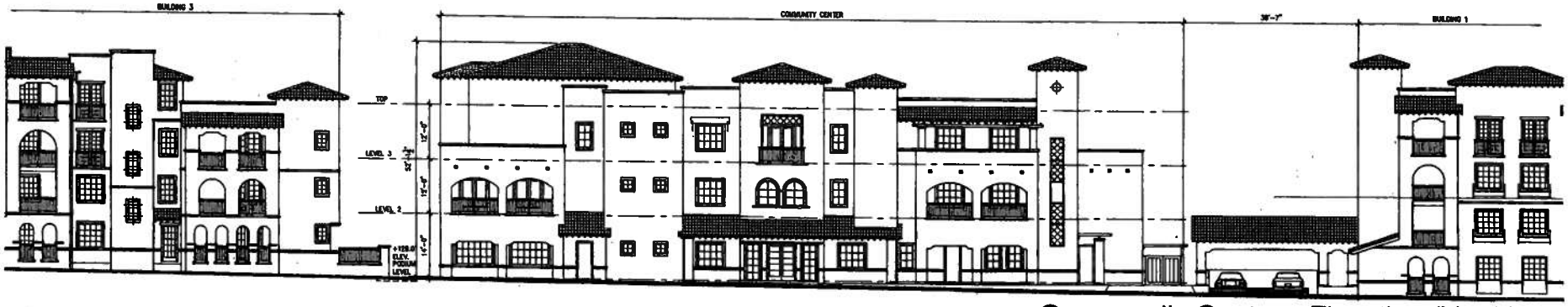


NORTH

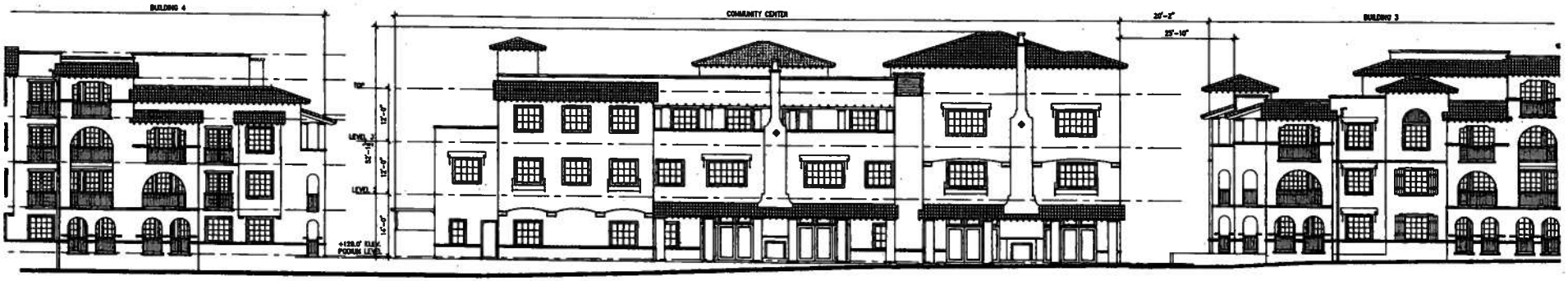
Community Center - Roof Plan

scale: 3/32" = 1'-0"

0 8 16 24 32 40



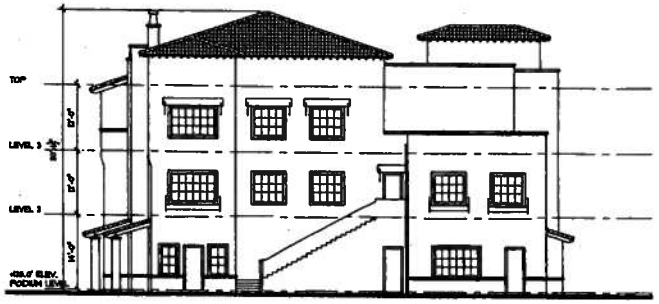
Community Center - Elevation (North)



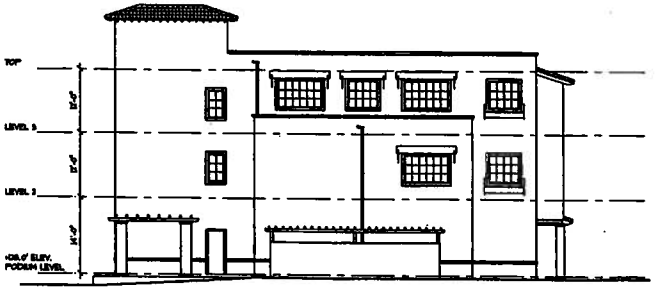
Community Center - Elevation (South)

scale: 3/32" = 1'-0"

0 8 16 24 32 40



Community Center - Elevation (East)



Community Center - Elevation (West)

scale: 3/32" = 1'-0"

0 8 16 24 32 40

PLANNING COMMISSION
RESOLUTION NO. 2009-P04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: T-7-05, D-12-05, C-28-05 and V-2-05
APPLICANT: Spring Creek Commercial Ventures, LLC
LOCATION: The southern terminus of The Depot Road

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

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was prepared and circulated for public and agency review and property notification was given in accordance with the California Environmental Quality Act; and

WHEREAS, the Planning Commission, after giving the required notice, did on the 26th day of January, 2009, conduct a duly advertised public hearing on the content of the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program; and

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

FINDINGS:

For the Mitigated Negative Declaration:

1. The Mitigated Negative Declaration and Initial Study were completed in compliance with the provisions of the California Environmental Quality Act (CEQA).
2. Pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto, a Mitigated Negative Declaration has been prepared stating that if the mitigation measures are met there will not be an adverse impact upon the environment.
3. The new mitigation measures are equivalent or more effective in mitigation or avoiding potential significant effects than the proposed draft mitigation measures and would not cause any potentially significant effect on the environment.
4. The Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program (M.M.R.P.) have been determined to be accurate and adequate documents,

which reflect the independent judgment and analysis of the Planning Commission. On the basis of the entire record before it, the Planning Commission finds that there is no substantial evidence that the project, with implementation of the mitigation measures proposed, will have a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby adopt the Mitigated Negative Declaration and adopt the mitigation measures provided therein subject to the following conditions:

Mitigation Monitoring and Reporting Program:

1. Prior to the issuance of building permits, the developer shall submit the California Code of Regulations Title 24 Noise Study to the City Building Official for review and approval.
2. Prior tot he issuance of occupancy permits, the developer shall demonstrate to the City Building Official and City Planner that the interior noise levels in habitable rooms do not exceed 45 dB(A) and that the project complies with all necessary structural enhancements identified within the Title 24 Noise Study.

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3. Prior to the issuance of building permits, the developer shall provide fair-share contributions to the City dedicated toward the installation of an eight-phase traffic signal at the intersection of Melrose Drive and Old Ranch Road.

PASSED AND ADOPTED Resolution No. 2009-P04 on January 26, 2009 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Dennis Martinek, Chairman
Oceanside Planning Commission

ATTEST:

_____

Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2009-P04.

Dated: January 26, 2009

PLANNING COMMISSION
RESOLUTION NO. 2009-P05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATIVE SUBDIVISION MAP, DEVELOPMENT PLAN, CONDITIONAL USE PERMIT AND VARIANCE ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: T-7-05, D-12-05, C-28-05, and V-2-05
APPLICANT: Spring Creek Commercial Ventures, LLC
LOCATION: The southern terminus of The Depot Road

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 Tentative Subdivision Map, Development Plan, Conditional Use Permit and Variance under the provisions of Articles 10, 11, 22, 28, 30, 31, 41 and 43 of the Zoning Ordinance and Article IV of the Subdivision Ordinance of the City of Oceanside to permit the following:

subdivision of an existing 6.71-acre lot into two lots, creating 180 residential condominiums, construction of six buildings totaling 277,422 square feet, providing 332 general residential care beds, and allowing the construction of a retaining wall that exceeds the height requirements of Section 3040 of the Zoning Ordinance

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 26th day of January, 2008 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 has been prepared stating that if the mitigation measures are met there will not be an adverse impact upon the environment;

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

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

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is $2,843-$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	$.713 per square foot or $713 per thousand square feet for non-residential uses and $2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	$.42 per square foot non-residential for Oceanside ($.42 for Vista and Fallbrook) $2.63 per square foot residential ($2.63 for Vista; $2.63 for Fallbrook)
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	$15.71 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically $4,395 per unit; Non-residential is $35,160 for a 2" meter.

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically $6,035 per unit; Non-residential is $48,280 for a 2" meter.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically $4,326 per unit; Non-residential is $22,495 for a 2" meter.

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

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

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

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

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

WHEREAS, the Mitigated Negative Declaration together with any comments received, and Mitigation and Monitoring and Reporting Program (MMRP) incorporated into the conditions of approval for the project, were presented to the Planning Commission, and the

Planning Commission reviewed and considered the information contained in these documents prior to making a decision on the project.

WHEREAS, the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) have been determined to be accurate and adequate documents, which reflect the independent judgment and analysis of the Planning Commission. On the basis of the entire record before it, the Planning Commission finds that there is no substantial evidence that the project, with implementation of the mitigation measures proposed, will have a significant impact on the environment.

WHEREAS, the documents or other material which constitute the record of proceedings upon which the decision is based will be maintained by the City of Oceanside Planning Division, 300 North Coast Highway, Oceanside, California 92054.

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

FINDINGS:

For the Tentative Subdivision Map T-7-05:

1. The proposed two-lot subdivision and the proposed 180 unit condominium subdivision are consistent with the General Plan, including Community Development Goal and Objective 2.01 regarding Commercial Subdivisions. The site is suited to the proposed residential care facility, including the proposed two-lot subdivision and 180 condominium units, because the proposed use encourages a better use of the existing, rough graded land that has limited access from The Home Depot Road and limited visibility from major arterials or secondary arterial streets.
2. The site is suited to the proposed semi-public land use, the proposed division of land, and the construction of 277,442 square feet structure for a 332-bed residential care facility. The technical reports (geotechnical, hydrology, storm water management) have demonstrated that the proposed design is suitable for the existing 6.71-acre site.
3. The proposed density of development meets or exceeds development regulations, including height, yard requirements, floor area ratio, landscaping, off-street parking, and lot coverage. The proposed six buildings meet or exceed all development regulations. The proposal includes providing more than twice the required parking spaces.

4. The design of the subdivision will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The potential project impacts, which are transportation and noise related, would be mitigated to a less than significant impact and shall be monitored as a condition of approval, pursuant to CEQA regulations.

5. The design of the subdivision and the construction of six buildings and an outdoor pool will not conflict with easements for access through or the use of property within the proposed subdivision.

6. The proposed two-lot subdivision and the proposed 180 unit condominium subdivision complies with all applicable ordinances, regulations, and guidelines of the City of Oceanside, including but not limited to the Subdivision Ordinance, the Zoning Ordinance, and Municipal Codes.

For the Development Plan D-12-05:

1. The 6.71-acre site, the proposed six-building development, and the physical design of the project is consistent with the purposes of the Zoning Ordinance, including the purposes for Residential Districts, Commercial Districts, Scenic Park Overlay Districts, and Equestrian Overlay Districts. The proposal complies with requirements for equestrian trails, the allowed types of exterior building facades and colors, and height limitations for structures and rooftop appurtenances.

2. The proposed 277,442-square foot residential care facility conforms to the General Plan of the City, including the Community Development goal and Objectives 2.01 and 2.2. The proposed residential care facility would provide residents with access to 24-hour non-medical care for persons 55 and older in need of personal services, supervision, protection, or assistance essential for sustaining the activities for daily living. This land use supports the continual long term enhancement of the community by fostering the availability of residential care services to Oceanside residents.

3. The 6.71-acre site can be adequately, reasonably and conveniently served by existing and planned public services, utilities and public facilities. The project's driveway has been designed to allow sufficient pavement width for both the staging of emergency vehicles and a passing lane. The proposed 48-foot radius turn around (project cul-de-

sac) is designed to accommodate the turning radius of the City's largest ladder fire truck.

4. The 277,442-square foot residential care facility with an outdoor pool is compatible with existing and potential development on adjoining properties and the surrounding Guajome Neighborhood. The site is an infill lot with the adjoining lots fully developed. The proposed roof elevations are similar in elevation to adjacent commercial buildings; and for the residents of the Casitas at Spring Creek, the proposed buildings will obstruct views of the back side of the Home Depot.

5. The site plan and physical design of the residential care facility is consistent with the policies 2.01 and 2.2 of the Land Use Element of the General Plan. The proposed general residential care facility would provide residents with access to 24- hour non-medical care for persons 55 and older in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. The location is sited within an established residential area and affords area residents the convenience of proximity. The proposed semi-public development promotes and preserves the balance of services in aesthetic, people-oriented associations that are compatible and organized to surrounding land uses.

For Conditional Use Permit C-28-05:

1. The proposed location of the residential care facility is in accord with the Residential District, Commercial District, Scenic Park Overly District, and the Equestrian District objectives of the Zoning Ordinance and the purposes of the CN-SP-EQ Districts and the RM-B-SP-EQ Districts in which the 6.71-acre site is located. The proposal complies with land use regulations and development regulations for the construction of six buildings and the provision of 332 residential care beds for persons 55 and older.

2. The proposed location of the 332-bed residential care facility and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan, including Objective 2.2; will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.

3. The proposed 332-bed residential care facility complies with the provisions of Zoning Ordinance, including 1120 L-34 and any specific condition required for the proposed conditional use in the CN-SP-EQ Districts and the RM-B-SP-EQ Districts in which it would be located. The proposed land use complies with the provisions of the Municipal Code regarding billiard tables and provisions of the Zoning Ordinance for regulated uses.

For the Variance V-7-05:

1. That the atypical shape of the 6.71-acre site and its usually narrow lot width causes strict application of the wall height requirements of Section 3040 of the Zoning Ordinance would deprive such property of privileges enjoyed by other property in the vicinity and under CN-SP-EQ Districts and RM-B-SP-EQ Districts Zoning classification.
2. Granting construction of a 7.3-foot high retaining wall will not be detrimental or injurious to the property or improvements in the vicinity of 6.71-acre site or to the public health, safety or general welfare.
3. Granting construction of 7.3-foot high retaining wall is consistent with the purposes of the Zoning Ordinance and will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and in the CN-SP-EQ Districts and the RM-B-SP-EQ Districts Zoning classification.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Tentative Subdivision Map (T-7-05), Development Plan (D-12-05), Conditional Use Permit (C-28-05) and Variance (V-7-05) subject to the following conditions:

Building:

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Division plan check (As of January 1, 2008 the 2007 California Building Code, and 2007 California Electrical Code).
2. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all State and Local building codes.
3. Site development, common use areas, access and adaptability of apartments and condominiums shall comply with the State's Disabled Accessibility Regulations (2007 California Building Code (CBC), Chapter 11A).

4. Site development, parking, access into buildings and building interiors shall comply with the State's Disabled Accessibility Regulations (2007 California Building Code (CBC), Chapter 11B).

5. The building plans for this project are required by State law to be prepared by a licensed architect or engineer and must comply with this requirement prior to submittal for building plan review.

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

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

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

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

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

   b) The construction site shall be kept reasonably free of construction debris as specified in Section 13.17 of the Oceanside City Code. Storage of debris in 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.

c) Construction plans submitted to the Building Division after January 1st 2008 must comply with the State adopted California Building codes.

10. Separate unique addresses shall be required to facilitate utility releases. Verification that the addresses have been properly assigned by the City's Planning Division must accompany the Building Permit application.

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

12. Retaining walls that will be installed as a part of this design must be designed per the Soils report for the whole project.

13. Setbacks and Type of Construction must comply with the 2007 California Building Code. Exterior openings must be protected per table 704.8 of the CBC. Exterior walls must be rated per Table 602 of the CBC.

14. Fire sprinklers are required for all R-2 occupancies [CBC 903.2.7].

15. Final plans for all buildings including all redlines, as-builts, and revisions must be submitted on a CD formatted with a TIF or JPEG image file.

16. Prior to plan check submittal for a Building Permit, submit a "plat" drawing showing the first floor elevations for each segment, the locations of the points where the floor level is six feet above grade, and the lowest elevation within five feet from the building for each segment.

17. Building levels below grade (on all sides) shall be provided with a mechanical drainage system that provides drainage to an approved location/receptor.

18. Tenant Improvements or other construction to the existing building requires permits (including all required Inspections and approvals, and Issuance of Certificate of Occupancy) from the Building Division.

Fire:

19. Fire flow shall be determined at the time of building permit application.

20. The size of fire hydrant outlets shall be 2 ½ "X 2 ½ " X 4"

21. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the site plan.

22. Provide on-site hydrants and mains capable of supplying the required fire flow of 3,000 gallons per minute.

23. Provide Standpipes as required per CBC Sec. 905.

24. Buildings four or more stories in height shall be provided with not less than one standpipe during construction. The standpipe shall be installed before the progress of construction is more than 35 feet above grade. Two and one-half-inch valve hose connections shall be provided at approved accessible locations adjacent to useable stairs.

25. A fire apparatus access road shall be provided within 150 feet of all exterior walls of the first floor of the building. The route of the fire apparatus access road shall be approved by the Fire Department. The 150 feet is measured by means of an unobstructed route around the exterior of the building.

26. Apparatus access roads shall have a minimum unobstructed width of 28 feet. A minimum vertical clearance of 14 feet shall be provided for the apparatus access roads.

27. Buildings or portions of buildings more than 35 feet in height, as defined by the California Building Code of the city of Oceanside, shall be provided with a street, driveway, or, as shown on the plans, a designated fire lane not less than 28 feet wide and having wider sections able to accommodate Fire Department aerial apparatus and designed in a matter so that ladder truck operations can be affected on at least one side of the building which has openings into its interior. Such street, alley, driveway, or designated fire lane shall be located not more than 15 feet from buildings at a point adjacent to the highest building or portion thereof.

28. The Fire Department access roadway shall be provided with adequate turning radius for Fire Department apparatus a 48-foot outside and 30-foot inside radius.

29. Fire Department emergency access shall not exceed 15 percent grade.

30. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per Vehicle Code Section 22500.1 and in accordance with the Fire Department Standard Guidelines for Emergency Access.

31. An approved fire sprinkler system must be installed throughout the building. The system shall be designed per NFPA 13, and UBC Standard 9-1. The sprinkler system requires 24-hour supervision.

32. The Fire Department connection shall be located on the address side of the building – unless otherwise determined by the Fire Department. The hydrant shall be located on the same side of the street as the Fire Department connection.

33. Provide a fire alarm system as required per CFC Article 10 and NFPA 72

34. Buildings shall meet Oceanside sprinkler ordinance in effect at the time of building permit application.

35. In accordance with the California Fire Code Sec. 505, approved address for commercial, industrial, and residential occupancies shall be placed on the structure in such a position as to be plainly visible and legible from the street or roadway fronting the property. Numbers shall be contrasting with their background.

36. Commercial buildings and multi-family dwellings require six-inch address numbers.

37. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior to the issuance of building permits. A site plan indicating the fire access and hydrant locations must also be submitted on CD Rom.

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

39. 800mHz Radio Signal Interference/Bi-directional Amplifier Required (BDA)

40. All new commercial and R-1 buildings and existing buildings where a structural T.I. is being proposed must be tested for 800MHz radio transmission interference. The findings must be submitted to the Fire Marshal prior to final inspection by the fire department.

41. When tested, if 800MHz signal strength readings (RSSI) fall below 65 in any portion of the building, either above or below grade as measured by an 800MHz portable radio, purchase and installation of one or more

42. Bi-directional Amplifier radio coverage enhancer/s is required. The BDA coverage enhances must be maintained as a condition of occupancy and tested annually.

Engineering:

43. With the exception of the access point approved by the City Engineer, vehicular access rights to The Depot Road shall be relinquished by the property owner to the City.

44. All right-of-way alignments, street dedications, exact geometrics and widths shall be dedicated and improved (constructed or replaced) as required by the City Engineer.

45. Design and construction of all improvements shall be in accordance with standard plans, specifications of the City of Oceanside and subject to approval by the City Engineer.

46. For the demolition of any existing structures or surface improvements, grading plans shall be submitted and erosion control plans be approved by the City Engineer prior to the issuance of a demolition permit. No demolition shall be permitted without an approved erosion control plan.

47. Prior to issuance of a building permit, unless already fully covered by an appropriately binding subdivision agreement, all improvement requirements shall be covered by a development agreement and secured with sufficient improvement securities or bonds guaranteeing performance and payment for labor and materials, setting of monuments, and warranty against defective materials and workmanship.

48. Prior to issuance of a building permit a phasing plan for the construction of public and private improvements including landscaping, shall be approved by the City Engineer.

49. Legal access shall be provided to The Depot Road prior to the filing of the final map.

50. The developer shall provide public street dedication as required to serve the property.

51. Prior to approval of the final map or any increment, all improvement requirements, within such increment or outside of it if required by the City Engineer, shall be covered by a subdivision agreement and secured with sufficient improvement securities or bonds guaranteeing performance and payment for labor and materials, setting of monuments, and warranty against defective materials and workmanship.

52. The subdivision shall be recorded as one. The subdivision may be developed in phases. A phasing plan for the construction of public and private improvements, including landscaping, streets and arterials, shall be reviewed and approved by the City Engineer prior to the recordation of the final map. Prior to the issuance of any building permits, all improvements including but not limited to landscaping and frontage improvements

shall be under construction to the satisfaction of the City Engineer. All improvements shall be completed prior to issuance of any certificates of occupancy, together with the dedication and construction of necessary utilities, and streets and other improvements outside the area of any particular final map, if such is needed for circulation, parking, access, or for the welfare or safety of future occupants of the development. The boundaries of any multiple final map increment shall be subject to the approval of the City Engineer.

53. Where off-site public or private improvements, including but not limited to slopes, utility facilities, and drainage facilities, or on-site public facilities are to be constructed and/or maintained, the developer shall, at his own expense, obtain all necessary easements or other interests in real property and, in case of public facilities, shall dedicate the same to the City of Oceanside or to the appropriate utility company as required. The developer shall provide documentary proof satisfactory to the City of Oceanside that such easements or other interest in real property have been obtained prior to the approval of the final map or issuance of appropriate grading, building or improvement permit for the development to the satisfaction of the City Engineer. Additionally, the City of Oceanside, may at its sole discretion, require that the developer obtain at his sole expense a title policy insuring the necessary title for the easement or other interest in real property to have vested with the City of Oceanside or the developer, as applicable.

54. Pursuant to the State Map Act, improvements shall be required at the time of development. A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to these improvement conditions and a certificate setting forth the recordation shall be placed on the map. (DCC&R)

55. Prior to the issuance of a grading permit, the developer shall notify and host a neighborhood meeting with all of the area residents located within 1,500 feet of the project site, and residents of property along any residential streets to be used as a "haul route", to inform them of the grading and construction schedule, haul routes, and to answer questions.

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

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

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

c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

d) A haul route shall be obtained at least 7 days prior the start of hauling operations and must be approved by the City Engineer. Hauling operations shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

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

58. A traffic control plan shall be prepared according to the City traffic control guidelines and be submitted to and approved by the City Engineer prior to the start of work within open City rights-of-way. Traffic control during construction of streets that have been opened to public traffic shall be in accordance with construction signing, marking and

other protection as required by the Caltrans Traffic Manual and City Traffic Control Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.

59. Approval of this development project is conditioned upon payment of all applicable impact fees and connection fees in the manner provided in chapter 32B of the Oceanside City Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be paid prior to recordation of the map or the issuance of any building permits (whichever occurs first), in accordance with City Ordinances and policies. The subdivider, developer, and or owner shall also be required to join into, contribute, or participate in any improvement, lighting, or other special district affecting or affected by this project. Approval of the tentative map and development plan shall constitute the developer's approval of such payments, and his agreement to pay for any other similar assessments or charges in effect when any increment is submitted for final map or building permit approval, and to join, contribute, and/or participate in such districts.

60. The Depot Road, along the frontage of the subject property, shall be improved with portland cement concrete curb and gutter.

61. The subdivider shall provide a minimum of 10 feet parkway between the face of curb and the right-of-way line along the project's frontage on The Depot Road. All improvements, structures, including retaining wall(s), and the landscaping of the unpaved portion of the parkway shall be maintained by the owner of the subject property or by a Property Owners' Association in perpetuity.

62. Sidewalk improvements (construct/replace) shall comply with ADA requirements and all pedestrian ramps for public access must be fully located within public right-of-way.

63. Sight distance and clear space easement requirements at vehicular access points shall conform to the corner sight distance criteria as provided by SDRSD DS-20A and or DS-20B. The project's civil engineer shall submit an appropriate "Sight Distance Letter" to the City Engineer certifying compliance with this requirement.

64. Streetlights shall be maintained and installed on the public street along the project's frontage per City Standards. The system shall provide uniform lighting, and be secured

prior to occupancy. The developer shall pay all applicable fees, energy charges, and/or assessments associated with City-owned (LS-2 rate schedule) streetlights and shall agree to the formulation of, or the annexation to, any appropriate street lighting district.

65. This project's interior circulation shall remain private and shall be maintained by an association or an appropriate private road maintenance agreement binding on the owners of all proposed lots. Such agreement shall be submitted for review and approval by the City Attorney and the City Engineer and shall be recorded prior to or concurrent with the final map. The pavement sections, traffic indices, alignments, and all geometrics shall meet appropriate City street standards. Appropriate reciprocal access and parking shall be secured for all proposed lots and units.

66. Prior to approval of the grading plans, the developer shall contract with a geotechnical engineer to perform a field investigation of the existing pavement on the street adjacent to the project boundary. The limits of the study shall include the cul-de-sac bulb along the subdivision's boundary. The field investigation shall be performed according to a specific boring plan prepared by a geotechnical engineer and approved by the City Engineer. In the absence of such approved boring plan, the field investigation shall include a minimum of one pavement boring per every 50 linear feet of street frontage. Should the existing AC thickness be determined to be less than the current minimum standard for AC and Class II Base as set forth in the table for City of Oceanside Pavement Design Guidelines in the City's Engineers Manual, the developer shall remove and reconstruct the pavement section as determined by the pavement analysis submittal process detailed below.

67. Upon review of the pavement investigation, the City Engineer shall determine whether the developer shall: 1) Repair all failed pavement sections, header cut and grind per the direction of the City Engineer, and construct a two-inch thick rubberized AC overlay; or 2) Perform R-value testing and submit a study that determines if the existing pavement meets current City standards/traffic indices. Should the study conclude that the pavement does not meet current requirements, rehabilitation/mitigation recommendations shall be provided in a pavement analysis report, and the developer

shall reconstruct the pavement per these recommendations, subject to approval by the City Engineer.

68. Pavement sections for all streets, alleys, driveways and parking areas shall be based upon approved soil tests and traffic indices. The pavement design is to be prepared by the developer's/owner's soil engineer and must be approved by the City Engineer, prior to paving.

69. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during construction of the project, shall be repaired or replaced as directed by the City Engineer.

70. All existing overhead utility lines within the subdivision/development and within any full width street or right-of-way abutting a new subdivision/development, and all new extension services for the development of the project, including but not limited to, electrical, cable and telephone, shall be placed underground per Section 901.G. of the Subdivision Ordinance (R91-166) and as required by the City Engineer and current City policy.

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

72. Grading and drainage facilities shall be designed and installed to adequately accommodate the local storm water runoff and shall be in accordance with the City's Engineers Manual and as directed by the City Engineer.

73. All storm drains shall be designed and constructed per current editions of the City's Engineers Design and Processing Manual, the San Diego County Hydrology and Drainage Design Manuals, and San Diego Area Regional Standard Drawings.

74. For any increase of stormwater flows from the development site to other properties, the developer shall secure appropriate easement(s) from and maintenance agreement(s) with the owner(s) of the impacted properties to the satisfaction of the City Engineer. Upon approval by City Engineer and the City Attorney, the appropriate documents shall be recorded prior to issuance of any permits for the development. Should the developer be unable to secure such easement(s) or agreement(s), the resulting changes to the Development Plan shall be subject to a Substantial Conformity review. Changes not

meeting substantial conformity requirements shall be submitted for appropriate public hearing action.

75. The developer/owner shall obtain any necessary permits and clearances from all public agencies having jurisdiction over the project due to its type, size, or location, including but not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, 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.

76. The approval of the tentative map shall not mean that any grading or improvements on adjacent properties (including any City properties/right-of-way or easements) is granted or guaranteed to the developer/owner. The developer/owner is responsible for obtaining written permission from the adjacent property owner(s) to grade or construct on their properties prior to issuance of any grading permit. Should the denial of such permission necessitate deviation(s) from the approved Tentative Map/Development Plan, the deviation(s) shall be subject to substantial conformity review and approval. If substantial conformity is not approved, the deviation(s) shall be subject to public hearing.

77. Prior to any grading of any part of the subdivision or project, a comprehensive soils and geologic investigation shall be conducted of the soils, slopes, and formations in the project. All necessary measures shall be taken and implemented to assure slope stability, erosion control, and soil integrity. No grading shall occur until a detailed grading plan, to be prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by the City Engineer.

78. This project shall provide year-round erosion control including measures for the site required for the phasing of grading. Prior to the issuance of grading permit, an erosion control plan, designed for all proposed stages of construction, shall be reviewed, secured by the applicant with cash securities and approved by the City Engineer.

79. A precise grading and private improvement plan shall be prepared, reviewed, secured and approved prior to the issuance of any building permits. The plan shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping,

and signage, footprints of all structures, walls, drainage devices and utility services. Parking lot striping and any on-site traffic calming devices shall be shown on all Precise Grading and Private Improvement Plans.

80. Landscaping plans, including plans for the construction of walls, fences or other structures at or near intersections, must conform to intersection sight distance requirements. Landscape and irrigation plans shall be approved by the City Engineer prior to the issuance of occupancy permits, and a pre-construction meeting held, prior to the start of any improvements.

81. Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer prior to the issuance of a preliminary grading permit and approved by the City Engineer prior to the issuance of occupancy permits. Frontage and median landscaping shall be installed prior to the issuance of any certificates of occupancy. Any project fences, sound 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 constructed by the grading plans and landscaped/irrigated through project landscape plans. All plans must be approved by the City Engineer and a pre-construction meeting held, prior to the start of any improvements.

82. Open space areas and down-sloped areas visible from a collector-level or above roadway and not readily maintained by the property owner, shall be maintained by a property owners' association that will insure installation and maintenance of landscaping in perpetuity. These areas shall be indicated on the final map and reserved for an association. Future buyers shall be made aware of any estimated monthly costs. The disclosure, together with the CC&R's, shall be submitted to the City Engineer for review prior to the recordation of final map.

83. The drainage design on the development plan/tentative map is conceptual only. The final design shall be based upon a hydrologic/hydraulic study to be approved by the City Engineer during final engineering. All drainage picked up in an underground system shall remain underground until it is discharged into an approved channel, or as otherwise approved by the City Engineer. All public storm drains shall be shown on

City standard plan and profile sheets. All storm drain easements shall be dedicated where required. The applicant shall be responsible for obtaining any off-site easements for storm drainage facilities.

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

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

86. The Landowner shall comply with the provisions of National Pollution Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity (General Permit) Water Quality Order 99-08-DWQ. The General Permit continues in force and effect until a new General Permit is issued or the SWRCB rescinds this General Permit. Only those Landowners authorized to discharge under the expiring General Permit are covered by the continued General Permit. Construction activity subject to the General Permit includes clearing, grading, and disturbances to the ground such as stockpiling, or excavation that results in soil disturbances of at least one acre of total land area. The Landowner shall obtain coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining a Waste Discharge Identification Number (WDID#) from the State Water Resources Control Board (SWRCB). In addition, coverage under the General Permit shall not occur until an adequate SWPPP is developed for the project as outlined in Section A of the General Permit. The site specific SWPPP and associated NOI shall be maintained on the project site at all times. The SWPPP shall be provided, upon request, to the United States Environmental Protection Agency (USEPA), SWRCB, Regional Water Quality Control Board (RWQCB), City of Oceanside, and other applicable governing regulatory agencies. The SWPPP is considered a report that shall be available to the public by the RWQCB under section 308(b) of the Clean Water Act. The provisions of the General Permit and the site specific SWPPP shall be continuously implemented and

enforced until the Landowner obtains a Notice of Termination (NOT) for the SWRCB. The Landowner is required to retain records of all monitoring information, copies of all reports required by this General Permit, and records of all data used to complete the NOI for all construction activities to be covered by the General Permit for a period of at least three years from the date generated. This period may be extended by request of the SWRCB and/or RWQCB.

87. Upon acceptance of any fee waiver or reduction by the developer/owner, the entire project will be subject to prevailing wage requirements as specified by Labor Code section 1720(b) (4). The developer/owner shall agree to execute a form acknowledging the prevailing wage requirements prior to the granting of any fee reductions or waivers.

88. Following approval of the SWMP by the City Engineer and prior to issuance of grading permits, the Project Proponent shall submit and obtain approval of an Operation & Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer. The O&M Plan shall include an approved and executed Maintenance Mechanism pursuant to Section 4.1 of the Interim Standard Urban Storm Water Mitigation Plan (ISUSMP). The O&M shall satisfy the minimum Maintenance Requirements pursuant to Section 4.3 of the ISUSMP. At a minimum the O&M Plan shall include the designated responsible party to manage the stormwater BMP(s), employee training program and duties, operating schedule, maintenance frequency, routine service schedule, specific maintenance activities, copies of resource agency permits, cost estimate for implementation of the O&M Plan, a security to provide maintenance in the event of noncompliance to the O&M Plan, and any other necessary elements. The Project Proponent shall provide the City with access to site for the purpose of BMP inspection and maintenance by entering into an Access Rights Agreement with the City. The Project Proponent shall complete and maintain O&M forms to document all operation, inspection, and maintenance activities. The Project Proponent shall retain records for a minimum of five years. The records shall be made available to the City upon request.

89. The developer/owner shall enter into a City-Standard Stormwater Facilities Maintenance Agreement with the City obliging the project proponent to maintain, repair and replace the Storm Water Best Management Practices (BMPs) identified in the

project's approved SWMP, as detailed in the O&M Plan into perpetuity. The Agreement shall be approved by the City Attorney prior to issuance of any precise grading permit and shall be recorded at the County Recorder's Office prior to issuance of any building permit. Security in the form of cash (or certificate of deposit payable to the City) or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance of a precise grading permit. The amount of the security shall be equal to 10 years of maintenance costs, as identified by the O&M Plan, but not to exceed a total of $25,000. The applicant's Civil Engineer shall prepare the O&M cost estimate.

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

91. The Agreement shall include a copy of executed on-site and off-site access easements necessary for the operation and maintenance of BMPs that shall be binding on the land throughout the life of the project to the benefit of the party 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.

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

93. The developer/owner shall provide a copy of the title/cover page of the approved SWMP with the first engineering submittal package. All Stormwater documents shall comply with the latest edition of submission requirements.

94. Right-of-way or easement vacations shall be recorded prior to issuance of grading permit or approval of final map, whichever comes first. Application(s) for right-of-way or easement vacations shall be reviewed and approved or rejected by the City of Oceanside under separate process (es) per codes, ordinances, and policies in effect at the

time of the application. The City of Oceanside retains its full legislative discretion to consider any application to vacate a public street, right-of-way, or easement.

95. The subdivider shall provide the City of Oceanside with a certification from each public utility and each public entity owning easements within the proposed project stating that: (a) they have received from the developer a copy of the proposed map; (b) they object or do not object to the filing of the map without their signature; (c) in case of a street dedication affected by their existing easement, they will sign a "subordination certificate" or "joint-use certificate" on the map when required by the governing body. In addition, the subdivider shall furnish proof to the satisfaction of the City Engineer that no new encumbrances have been created that would subordinate the City's interest over areas to be dedicated for public road purposes since submittal of the project.

96. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines and Specifications for Landscape Development (latest revision), Water Conservation Ordinance No. 91-15, Engineering criteria, City code and ordinances, including the maintenance of such landscaping, shall be reviewed and approved by the City Engineer prior to the issuance of building permits. Landscaping shall not be installed until bonds have been posted, fees paid, and plans signed for final approval. The following landscaping requirements shall be required prior to plan approval and certificate of occupancy:

a) Final landscape plans shall accurately show placement of all plant material such as but not limited to trees, shrubs, and groundcovers.

b) Landscape Architect shall be aware of all utility, sewer, storm drain easement and place planting locations accordingly to meet City of Oceanside requirements.

c) All required landscape areas shall be maintained by owner. The landscape areas shall be maintained per City of Oceanside requirements.

d) 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 material shall also be based on cultural, aesthetic, and maintenance

considerations. In addition proposed landscape species shall be low water users as well as meet all Fire Department requirements.

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

f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil from the sun, evapotransporation and run-off. All the flower and shrub beds shall be mulched to a three-inch depth to help conserve water, lower the soil temperature and reduce weed growth.

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

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

i) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall obtain Planning Division approval for these items in the conditions or application stage prior to first submittal of working drawings.

j) 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.

k) An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low precipitation equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off.

l) 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.

m) All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.

n) The landscape plans shall match all plans affiliated with the project.

o) Landscape plans shall comply with Biological and/or Geotechnical reports, as required, shall match the grading and improvement plans, comply with SWMP Best Management Practices and meet the satisfaction of the City Engineer.

p) 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.

97. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way and within any adjoining public parkways shall be permanently maintained by the owner, his assigns or any successors-in-interest in the property. The maintenance program shall include: a) normal care and irrigation of the landscaping b) repair and replacement of plant materials c) irrigation systems as necessary d) general cleanup of the landscaped and open areas e) parking lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result in the City taking all appropriate enforcement actions including but not limited to citations. This maintenance program condition shall be recorded with a covenant as required by this resolution.

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

Planning:

99. This Tentative Subdivision Map, T-7-05, approves only a two-lot subdivision and a 180-condominium subdivision as shown on the plans and exhibits presented to the Planning Commission for review and approval. No deviation from these approved plans and exhibits shall occur without the City Planner, City Engineer, and/or Planning Commission's approval. Substantial deviations shall require a revision to the Tentative Subdivision Map or a new Tentative Subdivision Map.

a) In accordance with City Council Policy 300-05, the Tentative Subdivision Map shall expire 24 months after its approval, unless implemented as provided by the Subdivision Ordinance.

b) A time extension may be granted in accordance with Article IV of the Subdivision Ordinance.

c) Modifications to an approved Tentative Subdivision Map are subject to Section 410 of the Subdivision Ordinance.

100. This Development Plan, D-12-05, approves only the construction of six buildings totaling 277,442 square feet and inclusive of 180 units as shown on the plans and exhibits presented to the Planning Commission for review and approval. No deviation from these approved plans and exhibits shall occur without the City Planner and/or Planning Commission's approval. Substantial deviations shall require a revision to the Development Plan or a new Development Plan.

a) This Development Plan shall lapse in two years unless implemented as provided in Section 4308.B of the Zoning Ordinance.

b) A time extension may be granted in accordance with Section 4308.C of the Zoning Ordinance.

c) Changes to the approved plans are subject to Section 4308.D of the Zoning Ordinance.

d) The Development Plan is subject to the regulations set forth in Articles 10, 11, 22, 28, 30, 31, and 33 of the Zoning Ordinance.

101. This Conditional Use Permit, C-28-05, approves only a 332-bed residential care facility offering 24-hour non-medical care to persons 55 years and older in need of services, supervision, protection, or assistance essential for sustaining the activities of daily living, as shown on the plans and exhibits presented to the Planning Commission for review and approval. No deviation from these approved plans and exhibits shall occur without City Planner and or Planning Commission approval. Substantial deviations shall require a revision to the Conditional Use Permit or a new Conditional Use Permit.

a) This Conditional Use Permit shall lapse two years after the effective date of approval unless implemented as provided in Section 4108.A of the Zoning Ordinance.

b) A time extension may be granted in accordance with Section 4108.B of the Zoning Ordinance.

c) Changes to the approved plans are subject to Section 4109 of the Zoning Ordinance.

d) The validity of the use permit shall not be affected by changes in ownership.

e) A use permit that is exercised in violation of a condition of approval or a provision of the Zoning Ordinance may be revoked, as provided in Section 4706.

102. This Variance, V-7-05, from wall height regulations (Section 3040.C.2) approves only a maximum retaining wall height of 7.3 feet as shown on the plans and exhibits presented to the Planning Commission for review and approval. No deviation from these approved plans and exhibits shall occur with out City Planner, City Engineer, and/or Planning Commission approval. Substantial deviations shall require a revision to the Variance or a new Variance. The construction and design of the wall is subject to Section 3040(d) of the Zoning Ordinance; the retaining walls shall be planted in accordance with the requirements of the Zoning Ordinance.

a) This Variance shall lapse two years after the effective date of approval unless implemented as provided in Section 4108.A of the Zoning Ordinance.

b) A time extension may be granted in accordance with Section 4108.B of the Zoning Ordinance.

c) Changes to the approved plans are subject to Section 4109 of the Zoning Ordinance.

d) The validity of the variance shall not be affected by changes in ownership.

e) The variance shall lapse if the exercise of rights granted by the Planning Commission is discontinued for six consecutive months.

f) A variance that is exercised in violation of a condition of approval or a provision of the Zoning Ordinance may be revoked, as provided in Section 4706.

103. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning Tentative Map T-7-05, Development Plan D-12-05, Conditional Use Permit C-28-05, and Variance V-7-05. The City will promptly notify the applicant of any such claim, action or proceeding against the city and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

104. All mechanical rooftop and ground equipment shall be screened from public view as required by the Zoning Ordinance. That is, on all four sides. The roof jacks, mechanical equipment, screen and vents shall be painted with non-reflective paint to match the roof. This information shall be shown on the building plans.

105. A trash enclosure (or trash enclosures) must be provided as required by Chapter 13 of the City Code and shall include additional space for storage and collection of recyclable materials per City standards. Recycling is required by City Ordinance. The enclosure (or enclosures) must be built in a flat, accessible location as determined by the City Engineer. Trash enclosures and driveways and service access areas shall be shown on both the improvement and landscape plans submitted to the City Engineer. The specifications shall be reviewed and approved by the City Engineer. The City's waste disposal contractor is required to access private property to service the trash enclosures, a service agreement must be signed by the property owner and shall remain in effect for the life of the project. All trash enclosures shall be designed to provide user access without the use and opening of the service doors for the bins. This design shall be shown on the landscape plans and shall be approved by the City Planner.

106. Prior to the approval of a business license for land use 440.S *General Residential Care*, the applicant (developer, subdivider) shall demonstrate that a covenant or other recordable document approved by the City Attorney has been be prepared and recorded.

The covenant shall provide that the property is subject to this resolution, and shall generally list the conditions of approval.

107. The project shall prepare a Management Plan. The Management Plan is subject to the review and approval of the City Planner and the Police Chief prior to the occupancy of the project, and shall be recorded as CC&R's against the property. The Management Plan shall cover the following:

a) Security - The Management Plan, at a minimum, shall address on-site management, hours-of-operation and measures for providing appropriate security for the project site.

b) Maintenance - The Management Plan shall cover, but not be limited to anti-graffiti and site and exterior building, landscaping, parking lots, sidewalks, walkways and overall site maintenance measures and shall ensure that a high standard of maintenance at this site exists at all times. The maintenance portion of the management plan shall include a commitment for the sweeping and cleaning of parking lots, sidewalks and other concrete surfaces at sufficient intervals to maintain a "like new" appearance. Wastewater, sediment, trash or other pollutants shall be collected on site and properly disposed of and shall not be discharged off the property or into the City's storm drain system.

c) Any graffiti within the center shall be removed by the center management or its designated representative within 24 hours of occurrence. Any new paint used to cover graffiti shall match the existing color scheme.

d) An acknowledgement that the City of Oceanside does not have a view preservation ordinance and that views may be subject to change with maturing off-site landscape and the potential for future off-site building.

e) An acknowledgement that the site is approved to provide General Residential Care to persons 55 years and older.

f) An agreement that playing billiards on-site will not be for fee and will consist of less than three billiard or pool tables.

108. Prior to the issuance of building permits, compliance with the applicable provisions of the City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be

reviewed and approved by the City Planner. These requirements, including the obligation to remove or cover with matching paint all graffiti within 24 hours, shall be noted on the Landscape Plan and shall be recorded in the form of a covenant affecting the subject property.

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

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

111. This Conditional Use Permit shall be called for review by the Planning Commission if complaints are filed and verified as valid by the Code Enforcement Office concerning the violation of any of the approved conditions or does not conform with the information contained in or representations made in the application, any supporting material submitted to the City or during any hearing on the application.

112. The developer's construction of all fencing and walls associated with the project shall be in conformance with the approved Development Plan and Variance. Any substantial change in any aspect of fencing or wall design from the approved Development Plan and Variance shall require a revision to the Development Plan and Variance or a new Development Plan and Variance.

113. If any aspect of the project fencing and walls is not covered by an approved Development Plan or Variance, the construction of fencing and walls shall conform to the development standards of the City Zoning Ordinance. In no case, shall the construction of fences and walls (including combinations thereof) exceed the limitations of the zoning code, unless expressly granted by Variance V-7-05 or other development approval.

114. All rear wood fences adjacent to public right-of-way and/or visible from the public right-of-way will be stained or otherwise finished with a waterproof material.

115. An association shall be formed and Covenants, Conditions and Restrictions (C.C. & R's) shall provide for the maintenance of all common open space, medians and commonly owned fences and walls and adjacent parkways. The maintenance shall include normal care and irrigation of landscaping, repair and replacement of plant material and irrigation systems as necessary; and general cleanup of the landscaped and open area, parking lots and walkways. The C.C. & R's shall be subject to the review and approval of the City Attorney prior to the approval of the Final Map. The C.C. & R's are required to be recorded prior to or concurrently with the Final Map. Any amendments to the C.C. & R's in which the association relinquishes responsibility for the maintenance of any common open space shall not be permitted without the specific approval of the City of Oceanside. Such a clause shall be a part of the C.C. & R's. The C.C. & R's shall also contain provisions for the following:

a) Prohibition of parking or storage of recreational vehicles, trailers or boats.

b) Provisions for the maintenance of all common open space and open space easements on private lots, including provisions establishing mechanisms to ensure adequate and continued monetary funding for such maintenance by the homeowners' association.

c) Provisions that restrict any private use of open space easement areas. Restrictions shall include, but are not limited to, removing retaining walls, installing structures such as trellises, decks, retaining walls and other hardscape and any individual landscape improvements.

d) Provisions prohibiting the homeowners association from relinquishing its obligation to maintain the common open space and open space easement areas without prior consent of the City of Oceanside.

e) An acknowledgement that the City of Oceanside does not have a view preservation ordinance and that views may be subject to change with maturing off-site landscape and the potential for future off-site building.

116. Project entrance signs shall meet the requirements of the Sign Ordinance and be approved by the City Planner.

117. A set of building plans shall be reviewed and approved by the City Planner prior to the issuance of building permits. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially the same as those approved by the Planning Commission. These shall be shown on plans submitted to the Building Division and Planning Division.

118. Garages and off-street parking spaces shall be kept available and useable for the parking of employee and tenant's automobiles at all times.

119. Agreements shall be for the dwelling unit with the garage or parking space. The garage/parking space shall be used for the purpose of vehicular parking and the owner or tenant shall not lease or rent the area separately from the dwelling unit.

Water:

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

121. The property owner will maintain private water and wastewater utilities located on private property.

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

123. All Water and Wastewater construction shall conform to the most recent edition of the Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by the Water Utilities Director.

124. The following conditions shall be met prior to the approval of engineering design plans:

a) To ensure easy access for the tie-in connection along Highway 76, the water main valves located along Highway 76 shall be moved out of the stormwater channel.

b) All public water and/or sewer facilities not located within the public right-of-way shall be provided with easements sized according to the Water, Sewer, and

Reclaimed Water Design and Construction Manual. Easements shall be constructed for all weather access.

c) No trees, structures or building overhang shall be located within any water or wastewater utility easement.

d) All lots with a finish pad elevation located below the elevation of the next upstream manhole cover of the public sewer shall be protected from backflow of sewage by installing and maintaining an approved type backwater valve, per the Uniform Plumbing Code (UPC).

e) The developer shall construct a public reclamation water system that will serve each lot and or parcels that are located in the proposed project in accordance with the City of Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located in the public right-of-way or in a public utility easement.

f) A water study must be prepared by the developer at the developer's expense and approved by the Water Utilities Department.

g) A separate irrigation meter and approved backflow prevention device is required and shall be displayed on the plans.

h) Subterranean parking structures shall be designed with a drainage system that conveys runoff to the City's Storm Drain System and shall comply with the California Regional Water Quality Control Board Order No. 2007-0001.

125. The following condition of approval shall be met prior to building permit issuance. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to be paid to the City and collected by the Water Utilities Department at the time of Building Permit issuance.

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126. The following condition of approval shall be met prior to occupancy. All new development of single-family and multi-family residential units shall include hot water pipe insulation and installation of a hot water recirculation device or design to provide hot water to the tap within 15 seconds in accordance with City of Oceanside Ordinance No. 02-OR126-1.

PASSED AND ADOPTED Resolution No. 2009-P05 on January 26, 2009 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Claudia Troisi, Chairperson
Oceanside Planning Commission

ATTEST:

_____

Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2009-P05.

Dated: January 26, 2009

INITIAL STUDY
City of Oceanside, California

1. **PROJECT:** T-7-05, D-12-05, C-28-05, V-07-05, V-02-07 - CLUBLIFE SENIOR LIVING CENTER PROJECT

2. **LEAD AGENCY:** City of Oceanside

3. **CONTACT PERSON & PHONE:**
   Juliana von Hacht, Associate Planner
   (760) 435-3520

4. **PROJECT LOCATION:** The project site is located south of State Route 76, west of Melrose Drive, north of Old Ranch Road at the current terminus of The Depot Road in the City of Oceanside.

5. **APPLICANT:**
   Spring Creek Commercial Ventures, LLC
   1135 Camino Del Mar
   Del Mar, CA 92014
   Tel. (858) 794-2300

6. **GENERAL PLAN DESIGNATIONS:** Neighborhood Commercial (NC) and Medium Density-B Residential (MDB-R).

7. **ZONING:** Neighborhood Commercial – Scenic Park Overlay – Equestrian Overlay Districts (CN-SP-EQ) and Medium Density B – Scenic Park Overlay – Equestrian Overlay Districts (RM-B-SP-EQ).

8. **PROJECT DESCRIPTION:**

   The proposed project is a senior living community that will consists of 354 beds within 192 residential units ("condominiums"), including on-site meals and limited scope, on-site medical services and associated recreational facilities including a club house, putting green; trail and a pool complex. The "condominium ownership" of the individual units is a unique aspect of the project, which will allow the residents to have an ownership interest in the development while still providing the residents with all of the commercial aspects of a more traditional senior living facility.

   The project site is comprised of 7.02 acres. Of the 7.02 acres, a total of 6.6 acres would be developed while the remainder (0.42 acres) would be placed into permanent open space. Access to the proposed project would be from the south via the existing The Depot Road. A private cul-de-sac drive would provide onsite vehicular circulation including emergency access.

   The living units would be located within a total of five, three to four-story buildings.

   The project will provide a total of 225 parking spaces, which is 107 more spaces than required. Of this amount, 203 spaces will be located in the underground parking garage that

spans the length of the site. The additional 22 parking spaces would be surface level and would be accessed via the main drive aisle.

The main meeting and recreation area for residents and their guests will be focused within a proposed Community Club House, which would be located in a separate three-story building, comprised of a total of 30,164 square feet of usable space. It would include a main lobby and reception area, a resident services office, a mail room, laundry facilities, a community dining room, a large kitchen as well as a more intimate dining room, an assembly room, an exercise room and a library. The club house facility would not be open to the general public.

The equestrian trail within the proposed project already exists and is located around the cul-de-sac of the Depot Road within the public right-of-way. It was constructed as part of the requirements of the Rancho Rose development.

The proposed project would implement three different types of storm water collection systems; a private area drain, a structural treatment control system and a food services related system. The private area system would collect runoff from the roof areas, interior walkways and interior landscape features, all of which represent proposed project areas that are not subject to vehicular traffic. The private area system would empty directly into the existing drainage course. The structural treatment control system would collect runoff from the private cul-de-sac, parking, building and landscape areas that are subject to vehicular traffic. The structural treatment control system would be isolated from the private area system and would be comprised of a "treatment train" that would divert runoff through an "offline" series of structural treatment control BMPs prior to emptying into the existing drainage course. Lastly, the food services related system would implement site-specific treatment control BMPs such as clarifiers, grease traps, sand filters and other pretreatment facilities that would treat the runoff prior to emptying into the existing drainage course.

Implementation of the proposed development would require approval of a tentative map for condominium purposes. The tentative map would divide the property into two separate lots and 192 air space "condominiums". Also included with this discretionary application is a Development Plan, Variance for retaining wall heights and building heights, and a Conditional Use Permit to allow a "Residential Care – General" Land Use within a residential district.

9. SURROUNDING LAND USE(S) AND PROJECT SETTING:

The proposed project site is bisected by two zoning districts. The northern portion of the project site is located within the Neighborhood Commercial – Scenic Park Overlay – Equestrian Overlay Districts (CN-SP-EQ). The southern portion of the project site is located within the Medium Density B – Scenic Park Overlay – Equestrian Overlay Districts (RM-B-SP-EQ).

Onsite

The proposed project site is currently vacant and contains no biological resources. The site was graded in 2006 as part of the development of The Casitas project, which is located across Spring Creek on the south side of the project site.

Offsite

Land use surrounding the project site includes; residential and retail uses as well as open space. A Home Depot store is adjacent to the northeast. Residential development is located to the south beyond Spring Creek which separates this area from the proposed project. State Route SR-76 lies adjacent to the northwest. Residential uses lie further east, across SR- 76. Land use to east, beyond the Home Depot consists of residential. Guajome Regional Park is located southwest of the proposed project vicinity.

10. OTHER REQUIRED AGENCY APPROVALS:

None

11. PREVIOUS ENVIRONMENTAL DOCUMENTATION:

As indicated earlier, the subject property has been previously graded as part of The Casitas development to the south. An Initial Study and Mitigated Negative Declaration (MND) was approved for this development by the City of Oceanside on January 24, 2005. The MND addressed the environmental effects of grading related to biology and cultural resources.

12. CONSULTATION:

The following documents were consulted in the preparation of this Initial Study.

- Application Review Committee Response Letter, November 6, 2007
- Revised Application Page
- Revised Description & Justification
- Revised Tentative Map & Site Development Plan (with reduction)
- Revised Architecture package (with reduction)
- City of Oceanside General Plan
- City of Oceanside Zoning Ordinance
- City of Oceanside Subdivision Ordinance
- Revised Landscape Concept Plan (with reduction)
- Update Geotechnical Evaluation, September 24, 2007
- Change of Geotechnical Consultant of Record Letter, October 2, 2007
- Sewer Capacity Analysis, March 29, 2007
- Water System Analysis, July 13, 2007
- Revised Storm Water Mitigation Plan, May 29,2008
- Revised Hydrology Report, October 12, 2007
- Traffic Impact Analysis, July 13, 2007
- Approval E-Mail from Dave Overton, Fire Protection Plan, May 21, 2007
- Fire Dept. Access Design OK, Notes from meeting with Fitzgerald, June 13, 2007
- Mitigated Negative Declaration + Initial Study for The Casitas, January 24, 2005.

13. SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The project would not affect any environmental factors resulting in a Potentially Significant Impact or Potentially Significant Impact Unless Mitigated. A summary of the environmental factors potentially affected by this project, consisting of a Potentially Significant Impact or Potentially Significant Impact Unless Mitigated, include:

☐ Aesthetics	☐ Agricultural	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geological
☐ Hazards	☐ Water	☐ Land Use & Planning
☐ Mineral Resources	☒ Noise	☐ Population & Housing
☐ Public Services	☐ Recreation	☒ Transportation
☐ Utilities Systems		

14. ENVIRONMENTAL CHECKLIST

This section analyzes the potential environmental impacts which may result from the proposed project. For the evaluation of potential impacts, the questions in the Initial Study Checklist (Section 2) are stated and answers are provided according to the analysis undertaken as part of the Initial Study. The analysis considers the project's short-term impacts (construction-related), and its operational or day-to-day impacts. For each question, there are four possible responses. They include:

1. *No Impact*. Future development arising from the project's implementation will not have any measurable environmental impact on the environment and no additional analysis is required.

2. *Less Than Significant Impact*. The development associated with project implementation will have the potential to impact the environment; these impacts, however, will be less than the levels or thresholds that are considered significant and no additional analysis is required.

3. *Potentially Significant Unless Mitigated*. The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the project's physical or operational characteristics can reduce these impacts to levels that are less than significant.

4. *Potentially Significant Impact*. Future implementation will have impacts that are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.1 AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic building along a State-designated scenic highway?	☐	☐	☐	☒
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

a) *Have a substantial adverse effect on a scenic vista?* **No Impact.** The project site is located within the Scenic Park Overlay District (SP). The site, however, is adjacent to the northwestern border of the District, directly adjacent to an existing Home Depot and meets all City guidelines regarding development within the SP District. The project site is surrounded on three sides by development including the aforementioned Home Depot store to the northeast, residential development to the south and east, and SR-76 to the northwest. In addition, the site of the proposed development has been previously rough graded and no new substantial landform alteration would occur with the project. The only natural area within the immediate vicinity of the site is the drainage which is located along the site's southern boundary. While this area has some scenic qualities, they are minimal in nature and no public/private views of the drainage will be impacted. Consequently, development of the subject property would not have a substantial adverse impact on a scenic vista. The project is in compliance with the City's Scenic Park Overlay District and, therefore, there will be no impacts to scenic vistas.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?* **No Impact.** No scenic resources, such as trees, rock outcroppings or historic buildings are situated on-site. In addition, the project site is not situated within the viewshed of any designated scenic highway. Thus, no impacts to scenic resources would occur with development of the proposed project.

c) *Substantially degrade the existing visual character or quality of the site and its surroundings?* **No Impact.** The project is situated within the City's Scenic Park Overlay District whose purpose is to conserve and protect the valuable resources of recreational and scenic areas in and adjacent to the Guajome Regional Park. Some of the pertinent district requirements include that structures be oriented to preserve views of the park, that exterior building materials shall be brick, stone, stucco, concrete or wood, that all exterior building

finishes shall be painted in earth tones, and that all roofing materials shall be compatible in color and texture with the surrounding environment. Additionally, the district requires that grading of land shall be minimized and any contours altered by grading shall be planted with plant materials that are compatible with the adjacent landscape.

The closest part of Guajome Regional Park is located approximately 2,000 feet from the proposed project site. While the proposed project is within the vicinity of Guajome Regional Park, the proposed project site is not adjacent to the park and several intervening, residential developments lie between the proposed project and Guajome Regional Park. Therefore, the proposed project would not obstruct any public or private views of the park due to its location east and north of the existing residential uses (which are closer to the park than the project itself) and its location just west of the Home Depot.

As proposed, the project grading is minimal with the majority being for the underground parking garage and, therefore, the grading and the majority of the parking is not "visible" from the park or surrounding areas.

Furthermore, physical design attributes of the project are compatible with the surrounding landscape and will minimize the overall aesthetic impact of the proposed development in accordance with the Scenic Park Overlay District requirements. These design attributes include the proposed architectural theme for the project which is "southwestern mission," mission "S" tile roofing on all buildings, stucco exterior building material, exterior earth tone building colors, arches, accent trim, recessed windows and ornamental iron features. Additionally, landscape designs are anticipated to include species similar to those surrounding the existing project site and compatible with the adjacent landscape.

As proposed, the project is in compliance with the Scenic Park Overlay District requirements, it will have no impacts on the visual character of the park.

d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* **No Impact.** The proposed project would create no new significant source of lighting. The City's Light Pollution Ordinance requires that all lighting be directed on-site to prevent light spillover onto adjacent areas. The project will be required to comply this requirement per standard City practice and thus, the project would have no impact.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.2 AGRICULTURAL RESOURCES. Would the project:				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance as depicted on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA. Resources Agency?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?* **No Impact.** The proposed project site is composed of the following soils mapping units; Diablo Clay, 9 to 15 percent slopes and Las Flores loamy fine sand, 5 to 9 percent slopes, eroded. Both of these soil types meet the criteria for Farmland of Statewide Importance, as outlined in the U.S. Department of Agriculture's Land Inventory and Monitoring Project for the San Diego area soil survey. However, designated land uses within the project area do not currently support agricultural uses and the proposed project site is not conducive to agricultural uses because of the surrounding residential and commercial developments. Therefore, even though the soil mapping units correspond to Farmland of Statewide Importance, implementation of the project would not result in conflicts with potential agricultural uses for the proposed site.

b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?* **No Impact.** The proposed project is located in an area zoned for Neighborhood Commercial and Medium -Density Residential uses; agricultural designations do not occur within the project area and no Williamson Act contracts apply. Therefore, implementation of the project would not result in any conflicts with existing zoning for agricultural use or a Williamson Act Contract. Thus, no impact would occur.

c) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?* **No Impact.** As previously stated, neither the proposed project site nor any of the surrounding area is being used for agriculture. Furthermore, the site does not support any designated farmland. Thus, the proposed development would not impact agriculture.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.3 AIR QUALITY. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b. Violate an air quality standard or contribute to an existing or projected air quality violation?	☐	☐	☐	☒
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under the applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

a) *Conflict with or obstruct implementation of the applicable air quality plan?* **No Impact.** The project site is located within the San Diego Air Basin (SDAB), which is governed by the San Diego Air Pollution Control Board (SDAPCD). In order to reduce emissions within the air basin, The SDACPD has developed a series of policies and guidelines collectively known as the Regional Air Quality Strategy (RAQS). As emission control is generally beyond the control of individual projects, the RAQS are intended to be implemented by local governments. Because the RAQS are based on population projections provided by local agencies, individual developments are covered by the RAQS provided the developments are consistent with the population projections. As the proposed project would be consistent with the City's General Plan and Zoning, it would not conflict with the RAQS.

b) *Violate any air quality standard or contribute substantially to an existing or projected air quality violation?* **No Impact.** Neither construction nor long-term use of the site would contribute substantially to air quality problems currently experienced in the San Diego Air Basin. While construction would generate air emissions related to equipment operation and dust generation, the construction process would implement dust control measures in accordance with the City of Oceanside's Grading Ordinance (Ordinance Nos. 81-20, 92-15, and 82-43), which require discretionary approval of applicable grading and excavation activities.

The primary long-term source of air emissions will be automobile trips related to the seniors (assisted) living use. Although the project-generated traffic would contribute emissions to the SDAB, the contribution would be minimal and not constitute a significant impact. Furthermore, the project would have been anticipated by the RAQS.

c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?* **Less than Significant.** The SDAB is currently in non-attainment for ozone, particulate matter 10 microns or less, and particulate matter 2.5 microns or less. Construction and operation of the proposed project would generate emissions of pollutants (including ozone and particulate matter), resulting in localized increased levels of emissions and particulates. Implementation of dust control measures mandated by the City of Oceanside's Grading Ordinance (Ordinance Nos. 81-20, 92-15, and 82-43) would serve to reduce emissions associated with construction. Additionally, project-generated traffic associated with the proposed senior living use would not constitute a significant contribution of any criteria pollutants. As construction and operational emissions would not generate significant quantities of any pollutants, impacts associated with a cumulatively considerable net increase of criteria pollutants for which the SDAB is in non-attainment are less than significant.

d) *Expose sensitive receptors to substantial pollutant concentrations?* **Less than Significant.** Although construction and operation of the project would increase vehicle trips on area roadways and result in associated air pollutants, these increases would not significantly contribute to increased pollution levels. In addition, these increases were planned by the City per the site's Land Use Designations of the General Plan, with which the project complies. Thus, no sensitive receptors would be exposed to substantial pollutant levels related to the proposed project.

e) *Create objectionable odors affecting a substantial number of people?* **No Impact.** The proposed project would not create objectionable odors.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.4 BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the USFWS?	☐	☐	☒	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game (DFG) or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

a. *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the USFWS?* **Less than Significant.** The biological resources that were present on the 20.4-acre Casitas property, that includes both the Casitas and the ClubLife projects, were mapped and detailed in a Biological Technical Report in 2004 completed by Helix. Additionally, a Review of Biological Conformance of the Club Life Senior Living Center Project was completed in February 2007 by Helix.

All areas proposed for development within the site have been previously grubbed, cleared and graded in 2006. Furthermore, the natural vegetation on site would be retained in open space. Thus, the proposed project would not have direct impact on candidate, sensitive, or special status species.

However, the proposed project site is adjacent to sensitive riparian resources that are protected and regulated under several valid biological permits and agreements. The avoided sensitive areas were preserved and are currently being restored and enhanced. The proposed project's effects on natural resources are fully authorized under valid permits, authorizations, and agreements. Those effects will be fully mitigated by the successful implementation of the HMP (HELIX 2004) and Wetland Mitigation Plan (HELIX 2005). No additional permit or authorization is required for the construction of the proposed project.

b. *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game (DFG) or U.S. Fish and Wildlife Service?* **No Impact.** The development will be confined to previously graded areas which do not support wetlands and no new impacts would occur.

c. *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?* **No Impact.** The development will be confined to previously graded areas which do not support wetlands and no new impacts would occur.

d. *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?* **No Impact.** Project implementation would not interfere with the movement of any native resident or migratory fish or wildlife species, with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, as and no new impacts are would occur.

e. *Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance?* **No Impact.** The development will be confined to previously graded areas which do not support biological resources and no new impacts would occur.

f. *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?* **No Impact.** A portion of the project area is adjacent to Spring Creek which is identified as a hardline preserve area requiring 90 to 100 percent conservation. As the project lies outside of Spring Creek, no new impacts would occur. Furthermore, the project would be in conformance with existing Take Permits. Thus, the proposed development would not conflict with the Subarea Habitat Conservation Plan/Natural Communities Conservation Plan.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.5 CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5 of CEQA?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 of CEQA?	☐	☐	☐	☒
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

a. *Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5 of CEQA?* **No Impact.** The proposed development area has been previously graded. Thus, no historic or pre-historic resources would be impacted by development.

b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 of CEQA?* **No Impact.** The proposed project site has been previously graded; therefore, there are no undisturbed surface soils. The previous grading of the site likely resulted in the removal or destruction of any surface archaeological resources that may have been present. Development of the proposed project would involve minor grading to establish building pads and develop onsite infrastructure; however, the proposed grading would not encroach into previously undisturbed soils. For this reason, no impacts to archaeological resources would occur.

c. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?* **No Impact.** The proposed project site is located within a natural geomorphic province in southwestern California known as the Peninsular Ranges. The geologic units that underlie the proposed site generally consist of artificial fill and Quaternary terrace deposits. Alluvial materials do not contain fossils and Quaternary terrace deposits are assigned a low paleontological sensitivity rating. Thus, development of the property would not have a significant impact on paleontological resources.

d. *Disturb any human remains, including those interred outside of formal cemeteries?* **No Impact.** There are no known grave sites within the project limits. Therefore, the disturbance of human remains is not anticipated. However, in the unlikely event that human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of any human remains find immediately. If the remains are determined to be

prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC) which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery, and shall complete the inspection within 24 of notification by the NAHC. The MLD will have the opportunity to make recommendations to the NAHC on the disposition of the remains.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.6 GEOLOGY AND SOILS. Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving (i.) rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist, or based on other substantial evidence of a known fault (Refer to DM&G Pub. 42)?; or, (ii) strong seismic ground shaking?; or, (iii) seismic-related ground failure, including liquefaction?; or, (iv) landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18- 1-B of the 1994 UBC, creating substantial risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? **Less than Significant.** No known active seismic faults traverse the proposed project site. Therefore, significant impacts from fault rupture are not anticipated.

2) *Strong seismic ground shaking?* **Less than Significant.** Southern California is a seismically active region likely to experience, on average, one earthquake of Magnitude 7.0, and ten (10) earthquakes of Magnitude 6.0 over a period of 10 years. Active faults are those faults that are considered likely to undergo renewed movement within a period of concern to humans. These include faults that are currently slipping, those that display earthquake activity, and those that have historical surface rupture. The California Geological Survey (CGS) defines active faults as those which have had surface displacement within Holocene times (about the last 11,000 years).

   There are several active and potentially active fault zones that could affect the project site. The faults within these zones include the Newport-Inglewood, Whittier, San Andreas, San Jacinto, Malibu-Coast-Raymond, Palos Verdes, San Gabriel, and Sierra Madre-Santa Susana-Cucamonga faults. The proposed project would be required to be in conformance with the California Building Code (CBC), the City's Seismic Hazard Mitigation Ordinance, and other applicable standards. Conformance with these regulations as well as standard engineering practices and design criteria would reduce the effects of seismic groundshaking to less than significant levels.

3) *Seismic-related ground failure, including liquefaction?* **Less than Significant.** Liquefaction generally occurs as a "quicksand" type of ground failure caused by strong groundshaking. The primary factors influencing liquefaction potential include groundwater, soil type, relative density of the sandy soils, confining pressure, and the intensity and duration of groundshaking. According to the *City of Oceanside General Plan*, the project area is not susceptible to liquefaction hazards. Additionally, the geotechnical evaluation indicates that the site currently has a very low potential for liquefaction due to the generally dense nature of the deposits that underlie the site.

4) *Landslides?* **Less than Significant.** According to the *City of Oceanside General Plan*, the project site is not located within a known or highly suspected landslide area. Further, site stabilization and soil compaction requirements required by project geotechnical investigation and design parameters established by the most recent CBC and the City's Seismic Hazard Mitigation Ordinance would reduce any potential impacts to less than significant levels.

b) *Result in substantial soil erosion or the loss of topsoil?* **Less than Significant.** The site was graded into a single pad as part of the Casitas development in 2006. The graded pad contains a single low-point located in the northwestern portion of the site. Erosion control measures and pad stabilization have been installed and maintained as indicated on the erosion control plan that was approved for the Casitas project. As such, significant impacts are not anticipated in this regard.

c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?* **Less than Significant.** According to the geotechnical evaluation (GeoSoils, Inc. 2007), the nature of the geologic unit that underlies the proposed project site includes dense Quaternary-age terrace deposits which correspond to a low potential for liquefaction. Additionally, conformance with the California Building Code (CBC) standards would ensure that stability of the completed project. Accordingly, significant impacts are not anticipated in this regard.

d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?* **Less than Significant.** Based on the geotechnical evaluation, it is anticipated that the site is underlain by Quaternary-age terrace deposits and documented artificial fill, primarily consisting of silty sands to sandy clays. The Expansion Index of tested onsite soils is generally low to medium. Adherence to standard engineering practices contained within the most recent CBC will reduce any potential impacts to less than significant levels.

e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?* **No Impact.** The proposed project will utilize the public sewer system. Thus, the onsite soil conditions are irrelevant and no impact would occur.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.7 HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b. Create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.7 HAZARDS AND HAZARDOUS MATERIALS. (cont.)				
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?* **No Impact.** The proposed project would not involve the routine transport, use, or disposal of hazardous materials, and would not result in such impact.

b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?* **Less than Significant.** The proposed project is not anticipated to result in a substantial release of hazardous materials into the environment. During the short-term period of project construction, there is the possibility of accidental release of hazardous substances such as spilling of hydraulic fluid or diesel fuel associated with construction equipment maintenance. The level of risk associated with the accidental release of these hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials. Furthermore, the contractor will be required to use standard construction controls and safety procedures which would avoid and minimize the potential for accidental release of such substances into the environment.

Long-term use of the property for residential purposes could generate hazardous materials related to the application of pesticides and fertilizers to landscape as well as the release of pollutants related to automobiles (e.g. oil, gas and brake lining). However, as discussed earlier in the project description, the two sources of contaminants stemming from vehicles and the food services related area, are included in the proactive storm water treatment design. Thus, significant impacts are not anticipated in this regard.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?* **No Impact.** No existing or proposed school facilities are located within a one-quarter mile radius of the project site.

d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?* **No Impact.** The proposed project site is not

included on a list of sites containing hazardous materials, and would not result in a significant hazard to the public or to the environment.

e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?* **No Impact.** The proposed project site is not located within an airport land use plan or within two miles of a public airport and would not result in a safety hazard for people residing or working in the project area. The nearest airport, Oceanside Municipal Airport, is located approximately six miles southwest and, given the project's distance from that airport, no significant impacts are anticipated.

f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?* **No Impact.** The proposed project site is not located within the vicinity of a private airstrip and would not result in a safety hazard for people residing or working in the project area.

g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?* **No Impact.** The proposed project would have no impacts on emergency response plans or emergency evacuation plans. No revisions to adopted emergency plans would be would be required as a result of the proposed project.

h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?* **No Impact.** The project would not expose people or structures to a significant risk of wildland fires because the project site does not adjoin designated wildland areas.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.8 HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.8 HYDROLOGY AND WATER QUALITY. (cont.)				
c. Substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off- site?	☐	☐	☐	☒
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?	☐	☐	☐	☒
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f. Otherwise substantially degrade water quality?	☐	☐	☒	☐
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
k. Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	☐	☐	☒	☐
l. Result in significant alternation of receiving water quality during or following construction?	☐	☐	☒	☐
m. Could the proposed project result in increased erosion downstream?	☐	☐	☒	☐

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.8 HYDROLOGY AND WATER QUALITY. (cont.)				
n. Result in increased impervious surfaces and associated increased runoff?	☐	☐	☒	☐
o. Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?	☐	☐	☒	☐
p. Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	☐	☐	☐	☒
q. Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?	☐	☐	☐	☒
r. Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?	☐	☐	☒	☐
s. Have a potentially significant adverse impact on groundwater quality?	☐	☐	☐	☒
t. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	☐	☐	☐	☒
u. Impact aquatic, wetland, or riparian habitat?	☐	☐	☐	☒
v. Potentially impact stormwater runoff from construction or post construction?	☐	☐	☒	☐
w. Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	☐	☐	☐	☒
x. Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	☐	☐	☐	☒

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.8 HYDROLOGY AND WATER QUALITY. (cont.)				
y. Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	☐	☐	☒	☐
z. Create significant increases in erosion of the project site or surrounding areas?	☐	☐	☒	☐

a) *Violate any water quality standards or waste discharge requirements?* **Less than Significant.** Impacts related to water quality would range over three different phases of project implementation: 1) during the earthwork and construction phase, when the potential for erosion, siltation and sedimentation into on-site drainages would be the greatest; 2) following construction, prior to the establishment of ground cover, when the erosion potential may remain relatively high; and 3) following completion of the project, when impacts related to sedimentation would decrease markedly, but those associated with site runoff would increase.

The City of Oceanside Standard Urban Storm Water Mitigation Plan (SUSMP) dictates that the proposed implement storm water BMPs to mitigate the identified pollutants and conditions of concern. BMPs shall follow the requirements outlines in the SUSMP and shall be designed as to remove pollutants to the maximum extent practicable and minimize the introduction of pollutants into the Receiving Water to the Maximum Extent Practicable. The proposed project would be required to provide hydrologic project design that "attempts to mimic" the natural hydrology.

While the proposed project would incorporate as many Site Design BMPs as feasible, there are some BMP considerations that are not included in the Storm Water Mitigation Plan (SWMP) because of pre-existing conditions created by the The Casitas development plan. For example, the conservation of natural areas and preservation of native trees and shrubs was not possible because natural conditions do not exist on the proposed project site. However, conservation of natural areas and native plants was included as part of the SWMP for The Casitas development.

The Casitas project preserved and utilized the existing natural drainage course and areas of native vegetation that border the southern portion of the proposed project site. Additionally, the Casitas project implemented a native plant re-vegetation plan in and near the natural drainage course in order to ensure the establishment of indigenous plant species while stabilizing the watercourse. Because the proposed project is in compliance with the requirements of the SUSMP, significant impacts are not anticipated in this regard.

b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?* **Less than Significant.** Future development would be served through a public water agency and would not utilize groundwater. While development would increase the amount of impermeable surfaces and eliminate the recharge potential over the 6-acre development area, this loss would not have a substantial impact on groundwater levels. Furthermore, groundwater is not used in the project area. Thus, no impact on groundwater supplies would occur.

c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?* **No Impact.** The project would not alter the drainage pattern. Runoff would be directed to the existing drainage and that drainage would be retained in its current condition. No substantial erosion or sedimentation is anticipated with development of the site.

d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?* **No Impact.** A comparison of the onsite pre-development and post-development drainage scenarios indicates a net increase of 6.5 cfs for the post-development condition. As this would represent less than a one percent increase in the overall watershed runoff, it is considered negligible. In addition the varying peak times for the onsite storm event to the entire watershed storm event is such that the on site flows will have peaked and dissipated prior to the overall watershed reaching its peak. Therefore, on site post development flows will not result in onsite or downstream flooding.

e) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?* **Less than Significant.** As indicated earlier, surface runoff velocities, volumes and peak flow rates would increase due to impervious surfaces. However, due to the relatively limited area which would be converted to impermeable surfaces, the proposed project would not have the capacity to create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of water.

f) *Otherwise substantially degrade water quality?* **Less than Significant.** No other sources of water quality degradation are associated with the proposed development.

g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?* **No Impact.** The proposed project area is not located within a 100-year flood hazard area. Therefore, no flood related impacts would occur.

h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows?* The project site is not located within a 100-year flood hazard area. **No Impact.** Therefore, no flood related impacts would occur.

i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?* **No Impact.** As previously stated, the project does not propose any new housing or building structures within the 100-year flood plain. Furthermore, there is no large dam facility located upstream from the proposed project.

j) *Inundation by seiche, tsunami, or mudflow?* **No Impact.** There are no anticipated impacts to the proposed project from seiche, tsunami or mudflow, as no topographical features or water bodies capable of producing such events occur within the immediate project site vicinity.

k) *Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?* **Less than Significant.** The specific receiving waters of the proposed project site are Guajome Lake, the San Luis Rey River and the Pacific Ocean Shoreline.

The City of Oceanside Storm Water Mitigation Plan (SUSMP) establishes local controls for storm water quality associated with the development of the proposed project. According to the established criteria of the SUSMP, Primary Pollutants of Concern for the receiving waters bodies include: indicator bacteria, and nutrients such as chlorides, TDS and eutrophic.

The SUSMP states "a change to a priority project site's hydrologic regime would be considered a condition of concern, *if the change would impact downstream channels and habitat integrity.* The findings of the Storm Water Mitigation Plan indicate that the development of the proposed project would not create an impact that would significantly affect downstream water quality.

l) *Result in significant alteration of receiving water quality during or following construction?* **Less than Significant.** No substantial pollutants would be contributed to receiving waters during or after construction and local and state regulations would be implemented, as appropriate.

m) *Could the proposed project result in increased erosion downstream?* **Less than Significant.** Given the project's limited size and limited impervious surface, the project would produce a relatively low volume of storm water runoff that would not result in increased downstream erosion. Furthermore, construction would be required to implement BMPs in accordance with the mandated SWPPP.

n) *Result in increased impervious surfaces and associated increased runoff?* **Less than Significant.** The project will increase the impervious area from 3% before development to 45% in the post-development condition. The impact on downstream drainage facilities would not be significant.

o) *Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?* **Less than Significant.** The project would not modify the

existing drainage pattern or substantially increase runoff. The development of the proposed project would result in a net increase of the pre-development drainage of 6.5 cfs. This increase of 6.5 cfs from the pre-development drainage to the post-development drainage represents less than a one percent increase in the overall watershed runoff, and thus is considered negligible. Runoff from the proposed project site would be directed to the existing drainage system. As the increase in runoff that would result from implementation of the proposed project is small, and runoff would be directed to the existing drainage system, the proposed project would not result in significant adverse environmental impacts to drainage patterns. Impacts associated with this issue would be less than significant.

p) *Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?* **No Impact.** The combined flows of the proposed project site outfall to Guajome Lake which is a tributary of the San Luis Rey River. The San Luis Rey River represents an impaired water body as listed on the Clean Water Act Section 303(d) list. However, as a result of the BMPs that the proposed project would implement, the project would not result in an increase in any pollutant for which the water body is already impaired. Therefore, no significant impacts are anticipated in this regard.

q) *Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?* **No Impact.** The flows of the proposed project site outfall to Gajome Lake, which is a tributary of the San Luis River. The proposed project is required to implement BMPs in compliance with the City's SUSMP. Implementation of BMPs for the proposed project would ensure that flows from the project site would not exacerbate already existing sensitive conditions for any environmentally sensitive areas. No impact would occur.

r) *Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?* **Less than Significant.** The project would not result in substantial pollutant discharges. The only long-term water pollutants expected to be generated on the site would be typical urban storm water pollutants. Compliance with the City's SUSMP ordinance would ensure that typical urban storm water pollutants would not substantially degrade surface water quality to either marine, fresh, or wetland waters. For this reason, impacts associated with surface water quality would be less than significant.

s) *Have a potentially significant adverse impact on groundwater quality?* **No Impact.** The project would implement a number of BMPs which would reduce surface water contaminants which, in turn, would reduce the potential for groundwater quality degradation. Thus, the proposed project would not impact groundwater quality. While specific BMPs would be determined during the SWMP process based on site-specific characteristics (soils, slopes, etc.), examples of possible BMPs to reduce surface water contaminants could include the following:

- All materials that have the potential to contribute nonvisible pollutants to stormwater must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences and covered with plastic tarps.

While these examples are not specific to the project site, compliance with the City's SUSMP would result in the development of BMPs for use at the project site. Compliance with the City's SUSMP would ensure that no impact associated with groundwater quality would occur.

t) *Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?* **No Impact.** The proposed project would not contribute substantial levels of pollutants to local surface and ground water. As required, the proposed project would comply with the City's SUSMP. Compliance with the SUSMP would result in the implementation of BMPs to control the amount of and the quality of runoff from the site. The provision of BMPs at the project site would ensure that discharges from the proposed project site meet appropriate water quality objectives. Therefore, the proposed project would not cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives, and no impact would occur.5

u) *Impact aquatic, wetland, or riparian habitat?* **No Impact.** The project would not adversely impact wetland habitat. The development of the proposed project would be confined to previously graded areas which do not support wetlands. No impact would occur.

v) *Potentially impact stormwater runoff from construction or post construction?* **Less than Significant.** The proposed development would not substantially impact storm water runoff. While storm water runoff, would increase slightly (by 6.5 cfs) from the pre-development to the post-development scenario, the increase represents less than a one percent increase in the overall watershed runoff. This increase in storm water runoff, would correspond to increased surface runoff velocities, volumes and peak flow rates. However, due to the relatively limited area which would be converted to impermeable surfaces and the relatively small increase in storm water runoff, the proposed project would not have a significant impact on storm water runoff from construction or post construction. Impacts would be less than significant.

w) *Result in a potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?* **No Impact.** The proposed development would not result in a substantial discharge of storm water pollutants, as it would comply with the City's SUSMP ordinance and would implement BMPs for runoff.

Furthermore, the facility plan for the Community Club House incorporates indoor material storage and indoor contained wash areas. All trash and recyclables would be stored inside a separate enclosed room, not subject to runoff. The proposed project would include an at grade delivery area with a curb surround that is immediately accessible from the interior storage areas, reducing the potential exposure to storm water runoff. In addition, all kitchen equipment wash areas are located indoors and shall be equipped with a clarifier, grease trap or other appropriate pretreatment device in conformance with SUSMP and Uniform Plumbing Code requirements. The facility does not have Maintenance Bays, Vehicle Wash Areas, Outdoor Processing Areas or Fueling Areas. The design characteristics of the

proposed project would not create any significant impacts in this regard. No impact would occur.

x) *Result in the potential for discharge of storm water to affect the beneficial uses of the receiving waters?* **No Impact.** Compliance with the City's SUSMP would result in the implementation of BMPs to control the amount of and the quality of runoff from the site. Implementation of BMPs for the proposed project would ensure that discharges from the proposed project site meet appropriate water quality objectives and therefore would not affect the beneficial uses of receiving waters. Thus, the proposed development would not affect beneficial uses of receiving waters and no impact would occur.

y) *Create the potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?* **Less than Significant.** The change in velocity or volume of stormwater would not result in environmental harm. Any increase in flow velocity would be mitigated by the inclusion of a modified SDRSD D 40 energy dissipator. The dissipator would reduce the storm drain exit velocity to a non-erosive level and upon establishment of vegetative growth would provide additional, however, limited filtration.

z) *Create significant increases in erosion of the project site or surrounding areas?* **Less than Significant.** While construction of the proposed project would require soil movement, rough grading has already occurred at the proposed project site. Remaining soil movement that would occur at the project site would be required to comply with BMPs implemented as part of the City's SUSMP program. Compliance with BMPs would reduce soil erosion at the proposed project site; therefore, the proposed project would not create significant increases in erosion on the project site or surrounding areas. Impacts would be less than significant.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.9 LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

a) *Physically divide an established community?* **No Impact.** The proposed project will not have an impact on the physical arrangement of an established community because the project site is being developed on a single existing vacant lot, in accordance with the surrounding land

uses and in accordance with surrounding zoning designations. Therefore, no impacts are anticipated to occur in this regard.

b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?* **Less than Significant.** The proposed development would be consistent with the applicable land use plans and policies. With the exception of building height for Building 2 and Building 3, the development would be consistent with the City's General Plan and Zoning designations. All of Building 2 and a portion of building 3 exceed the 36-foot residential maximum, but, are within the allowable 50-foot maximum of the commercial zone. The height of the proposed main building walls would reach a maximum of 48 feet, with some 36-foot high elements on the corners as transition points. The commercial zone allows a maximum building height of 50 feet and the residential zone allows for a maximum of 36 feet in height. The remainder of the project is in the commercial zone and is in compliance with the commercial height standards.

With approval of the proposed Variance, no conflict would occur with the height regulations. Approval of the variance is considered appropriate for the following reasons. First, the proposed use is allowed in the residential zone and allowing the height to be consistent with the commercial zone would allow for a single unified development theme that will provide a transitional use between the Home Depot and the adjacent residential uses. Second, the granting of this Variance would not be detrimental to adjacent properties or the neighborhood as a whole because the Variance accommodates a situation unique to the site and would result in a development compatible with the other existing uses in the area. The additional building height will be compatible with the rest of the project and the existing Home Depot.

Preservation of the portion of the creek that traverses the southern edge of the property and inclusion of a riding trail along The Depot Road cul-de-sac would be consistent with the Scenic Park and Equestrian Overlay designations. Therefore, with approval of the zoning variance, impacts would be less than significant.

c) *Conflict with any applicable habitat conservation plan or natural community conservation plan?* **No Impact.** A portion of the project area is adjacent to Spring Creek. Spring Creek is identified as a hardline preserve area requiring 90 to 100 percent conservation. While a portion of the project site is adjacent to Spring Creek, no portions of the project site are located within Spring Creek. The project would be in conformance with existing Take Permits and thus, would not conflict with the Subarea Habitat Conservation Plan/Natural Communities Conservation Plan. No impact would occur.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.10 MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?* **No Impact.** The project site does not possess any substantial mineral resources. Thus, development of the site would not impact the regional supply of mineral resources.

b) *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?* **No Impact.** No locally important mineral resources are located within the project site. For this reason, implementation of the proposed project would not result in the loss of availability of a locally important mineral resource recovery site and no impact would occur.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.11 NOISE. Would the project:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?* **Potentially Significant Unless Mitigated.** An *Acoustical Site Assessment* was conducted for the proposed project by Investigative Science and Engineering, Inc. in January 2007. Potential noise effects related to the proposed project are associated with short-term construction noise and long-term exposure of future residents to traffic noise.

Noise generated by construction and demolition equipment, including trucks, backhoes and other equipment, may temporarily impact nearby sensitive receptors. However, pursuant to the City's Noise Ordinance standards, construction activities would be limited to daytime hours for the duration of construction. Also, all vehicles and equipment will use available noise suppression devices and be equipped with mufflers during construction activities. Due to the restricted hours, equipment restrictions, and relatively short period of construction, noise resulting from construction and demolition related activities would not represent a significant impact.

The primary sources of future traffic noise near the proposed project would be from SR-76. Based upon the findings of the Acoustical Site Assessment, no exterior noise impacts were identified within any sensitive use area. Therefore, no outdoor remedial mitigation would be required. However, interior noise mitigation would be required for all areas where the façade noise levels are in excess of 60 dBA. Interior noise levels in excess of 60 dBA would be a significant impact. However, implementation of the following mitigation measure would reduce the impact to below a level of significance.

Mitigation Measure NOI-1: Prior to the issuance of building permits, the project applicant shall submit the California Code of Regulations Title 24 Noise Study to the City for review and approval. Prior to the issuance of occupancy permits, the project applicant shall demonstrate to the City that interior noise levels in habitable rooms do not exceed 45 dB(A) and that the project complies with all necessary structural enhancements identified within the Title 24 Noise Study.

b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?* **Less than Significant.** The amounts of construction and demolition required for the proposed facility is not anticipated to generate excessive groundborne vibrations or noise levels. Due to the temporary nature of construction activities, impacts in this regard are considered to be less than significant. Similarly, groundborne vibration from traffic on SR 76 would not be significant.

c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?* **No Impact.** No major noise sources would be associated with the proposed development. A seniors ("assisted") living facility does not generate high noise levels. While roof-top heating and ventilation systems associated with retail uses could generate noise, the size of the units is not anticipated to be sufficient to represent a major noise source. In addition, some mechanical equipment will be located in the subterranean parking garage. Thus, the project would not have a significant impact on ambient noise levels in the area.

d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?* **Less than Significant.** As noted above, the implementation of the proposed project may result in short-term increased noise levels within the project vicinity due to construction activities. This temporary condition would cease upon project completion and is subject to the City's noise mitigation guidelines.

e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?* **No Impact.** As previously stated, the proposed project is not located within two miles of a public airport or public use airport. The nearest airport, Oceanside Municipal Airport is located approximately six miles southwest and given the project's distance from that airport, no impacts are anticipated.

f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?* **No Impact.** The proposed project

site is not located within the vicinity of a private airstrip and would not expose people residing or working in the project area to excessive noise levels.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.12 POPULATION & HOUSING. Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?* **No Impact.** The proposed development is consistent with the current General Plan and Zoning Designations of Neighborhood Commercial and Medium Density-B Residential. The project site is an "in-fill" site. Therefore, it would be consistent with local and regional population projections. No new roads would be constructed as a result of the project. Thus, no impacts to population and housing beyond those identified within the *City's General Plan* would occur.

b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?* **No Impact.** The proposed project site is an existing vacant lot. Therefore, the proposed project would not require the removal existing housing, and would not necessitate the construction of replacement housing elsewhere.

c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?* **No Impact.** The proposed project site is currently vacant and does not contain any existing housing. Therefore, implementation of the proposed project would not result in the displacement of any people, nor would it require the construction of replacement housing. No impact would occur.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.13 PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	☐	☐	☒	☐
Police Protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

a) *Fire protection?* **Less than Significant.** The project is anticipated to be adequately served by the City fire station located at 895 North Santa Fe Avenue which is approximately 1.7 miles from the proposed project site. The additional demand for fire protection generated by the project would not result in the need to add staff or equipment to this station.

b) *Police protection?* **Less than Significant.** The project is anticipated to be adequately served by the City police station located at 3855 Mission Avenue. The additional demand for police protection generated by the project would not result in the need to add staff or equipment to this station.

c) *Schools?* **No Impact.** As the proposed housing would be limited to seniors, no school-aged children would be generated by the development. Thus, local schools would not be impacted.

d) *Parks?* **Less than Significant.** As the proposed use will serve seniors only, the demand for recreation would likely be limited to passive activities such as walking, reading and picnicking. Thus, active recreation facilities such as sports fields would not be impacted. As proposed, the project will provide a large variety of these types of amenities including an on-site 30,000 square-foot community center, a lap pool, putting green, seniors-related par course, a trail and vista nodes. Given the low demand generated by the project, City parks (or the County's Guajome Park) would not be adversely affected by the project.

e) *Other public facilities?* **Less than Significant.** No significant impacts to other public facilities are anticipated to occur with project implementation.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.14 RECREATION. Would the project:				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?* **No Impact.** The proposed project includes the provision of on-site recreational facilities including a club house, putting green, trail, and pool complex. As the proposed project would house senior citizens and provides recreational amenities on-site, the proposed project would not result in increased usage of existing parks in the area. No impact would occur.

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?* **No Impact.** The project would include a variety of recreational amenities. These facilities combined with passive recreation activities associated with nearby City parks and the County's Guajome Park would satisfy the recreational needs of the project. Local and regional park facilities would not be adversely impacted. Thus, no additional facilities would be required.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.14 TRANSPORTATION/TRAFFIC. Would the project:				
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☒	☐	☐
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion/management agency for designated roads or highways?	☐	☒	☐	☐
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e. Result in inadequate emergency access?	☐	☐	☐	☒
f. Result in inadequate parking capacity?	☐	☐	☐	☒
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? **Potentially Significant Unless Mitigated.** A *Traffic Impact Analysis Report* for the project was conducted by RBF Consulting in July of 2007. The traffic report based its analysis on a 368-bed facility rather than the proposed 354-bed facility. Because the conclusions of that report are based on a higher number of beds, the results remain applicable to the proposed project. Although the traffic study evaluated the impact of 1,104 daily trips from the project, the proposed project would generate only 1,062 trips based on the reduced number of beds.

A total of ten intersections and eleven roadway segments were evaluated by the traffic study analysis.

Intersections

The traffic analysis concluded that the following intersections would operate at unacceptable levels of service in the near-term condition:

- SR-76/College Boulevard (LOS F –p.m. peak hour);
- SR-76/Jeffries Ranch Road (LOS E –p.m. peak hour); and
- SR-76/E. Vista Way (LOS E – a.m. peak hour).

The traffic analysis further concluded that these intersections would be impacted in the near-term whether or not the proposed project is developed. In addition, the analysis indicated that the addition of project traffic would not result in a change in delay that exceeds 2.0 seconds. Thus, the project would not have an impact on the level of service at nearby intersections in the near-term condition.

In the long-term (year 2020), the traffic analysis concluded that the following intersections would operate at unacceptable levels of service, dependent upon the status of the planned completion of Melrose Drive.

Without Completion of Melrose Drive

- SR-76/College Boulevard (LOS F –a.m./p.m. peak hour);
- SR-76/Guajome Lake Road (LOS F –a.m./p.m. peak hour); and
- Melrose Drive/Old Ranch Road (LOS F – p.m. peak hour).

With Completion of Melrose Drive

- SR-76/College Boulevard (LOS F – a.m./p.m. peak hour); and
- Melrose Drive/Old Ranch Road (LOS F – a.m./p.m. peak hour).

The traffic analysis concluded that the traffic contributed by the proposed project would have a significant impact on the intersection of Melrose Drive and Old Ranch Road due to the fact that the addition of project traffic would increase the delay by more than 2 seconds. Although the peak hour impacts differ with the completion of Melrose Drive, the impact would be significant during at least one peak hour period. With respect to impacts to the intersections of College Boulevard and/or Guajome Lake Road with SR-76, the traffic analysis concluded that the intersections would be impacted in the long-term condition whether or not the proposed project is developed and the delay would not exceed 2 seconds. Thus, the project would result in a significant, long-term traffic impact to the intersection of Melrose Drive and Old Ranch Road. However, implementation of the following mitigation measure would reduce the impact to below a level of significance.

Mitigation Measure TRA-1: Prior to the issuance of building permits, the project applicant shall provide fair-share contributions to the City dedicated toward the installation of an eight-phase traffic signal at the intersection of Melrose Drive and Old Ranch Road.

Roadway Segments

Roadway segments within the study area were found to operate at acceptable levels of service in the near-term and long-term condition. Although SR-76 would exceed the City's LOS D standard, the facilities would be within the Caltrans standard of LOS E.

Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? **Potentially Significant Unless Mitigated.** The proposed project would result in exceedances of level of service standards in the nearby vicinity. The following intersections would operate at unacceptable levels of service in the near-term condition:

- SR-76/College Boulevard (LOS F –p.m. peak hour);
- SR-76/Jeffries Ranch Road (LOS E –p.m. peak hour); and
- SR-76/E. Vista Way (LOS E – a.m. peak hour).

While these intersections would operate at unacceptable levels of service in the near-term scenario, these levels of service would occur with or without implementation of the proposed project. The addition of project traffic would not result in a change in delay that exceeds 2.0 seconds for any of these intersections. Thus, the project would not have an impact on the level of service these intersections.

Additionally, in year 2020, the following intersections would operate at unacceptable levels of service, dependent upon the status of the planned completion of Melrose Drive:

Without Completion of Melrose Drive

- SR-76/College Boulevard (LOS F –a.m./p.m. peak hour);
- SR-76/Guajome Lake Road (LOS F –a.m./p.m. peak hour); and
- Melrose Drive/Old Ranch Road (LOS F – p.m. peak hour).

With Completion of Melrose Drive

- SR-76/College Boulevard (LOS F – a.m./p.m. peak hour); and
- Melrose Drive/Old Ranch Road (LOS F – a.m./p.m. peak hour).

Traffic generated by the proposed project would have a significant, long-term impact on the intersection of Melrose Drive and Old Ranch Road, as it would increase the delay by more than 2.0 seconds. However, implementation of the following mitigation measure would reduce the impact to below a level of significance.

Mitigation Measure TRA-1: Prior to the issuance of building permits, the project applicant shall provide fair-share contributions to the City dedicated toward the installation of an eight-phase traffic signal at the intersection of Melrose Drive and Old Ranch Road.

c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?* **No Impact.** The project is not located within the sphere of influence for any airports. The nearest airport, Oceanside Municipal Airport is located approximately six miles southwest and given the project's distance from that airport, no impacts are anticipated.

d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?* **No Impact.** No new public roadways are proposed as part of the project. Access would be taken from the Depot Road and conform to the City's sight distance requirements. Thus, no substantial increase in traffic hazards would occur with the proposed project.

e) *Result in inadequate emergency access?* **No Impact.** The internal drive-way cul-de-sac has been designed to meet all City of Oceanside Fire Department Standards and therefore, emergency access to the project will be adequate. Thus, no impacts related to emergency access would occur.

f) *Result in inadequate parking capacity?* **No Impact.** The project is required to provide one parking space for every three beds per the Residential Care – General parking guidelines. The project has a total of 192 units with 162 two-bedroom units and 30 one-bedroom units which make the total number of beds in the project 354. Thus, the number of required spaces is 118 spaces. As the project would provide a total of 252 spaces, the parking would more than meet the requirement. No impacts would occur.

g) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?* **No Impact.** The project would provide sidewalks to promote walking, the required equestrian trail (existing) along The Depot Road cul-de-sac, and will include a shuttle service for on-site residents. The project has also received support from the North County Transit District. In addition, the existing equestrian trail along The Depot Road connects with the existing regional trail in the area. Thus, the project would not adversely affect the City's plans for alternative forms of transportation.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.15 UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?* **No Impact.** As the project would not involve wastewater treatment, it would not exceed RWQCB standards for wastewater treatment.

c) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?* **No Impact.** The nature and scope of the proposed project would not require or result in the construction of new water or wastewater treatment facilities. Water service to the proposed project would be supplied by an extension of the City of Oceanside's 320 Pressure Zone public water system.

c) *Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

No Impact. The project development design includes an onsite stormwater collection system which would discharge directly into the adjacent creek. The creek and downstream drainage facilities are sufficient to handle the minimal increase in runoff resulting from the proposed development.

d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?* **No Impact.** The proposed uses are consistent with the General Plan and Zoning. Thus, the City's Water Master Plan has taken serving the project into account and the project can be adequately served.

e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?* **No Impact.** The proposed project would connect to the existing public sanitary sewer system. Wastewater flows generated at the project site would be collected by the City's wastewater system and would be conveyed to one of the two City wastewater treatment plants for treatment. The project would not result in the determination of inadequate capacity for treatment by a wastewater treatment provider. No impact would occur.

f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?* **No Impact.** The demolition and removal of existing improvements would generate a minor increase in solid waste. This increase would not be significant in the context of the relevant landfill's operating capacity.

g) *Comply with federal, state, and local statutes and regulations related to solid waste?* **No Impact.** The proposed project must comply with federal, state and local statutes and regulations related to solid waste. The City's Municipal Code, Article II (Solid Waste Services), Chapter 13 (Solid Waste and Recycling) regulates waste disposal in the city. The proposed project would comply with all applicable regulations.

	Potentially Significant	Potentially Significant Unless Mitigated	Less than Significant	No Impact
14.16 MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to decrease below self- sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory?	☐	☐	☒	☐
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☐	☐	☒
c. Does the project have impacts which are individually limited, but cumulatively considerable (Cumulatively considerable means the project's incremental effects are considerable when compared to the past, present, and future effects of other projects)?	☐	☒	☐	☐
d. Does the project have environmental effects which will have substantial adverse effects on human beings, directly or indirectly?	☐	☒	☐	☐

a. *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to decrease below self- sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory?* **Less than Significant.** The proposed project would have a less than significant impact in regard to the quality of the environment and impacts upon habitat populations or range of plant and animal species. All areas proposed for development within the site have been previously grubbed, cleared and graded in 2006. Furthermore, the natural vegetation on site would be retained in open space. The proposed project would not result in any impacts to wetland areas or wildlife corridors. Additionally, the proposed development would not conflict with the Subarea Habitat Conservation Plan/Natural Communities Conservation Plan. The proposed project would not eliminate important examples of California history or prehistory. There are no historic structures on the project site, and based on the previous disturbance of the site for rough grading, no

impacts to archaeological resources are expected to occur. Impacts are less than significant.

b. *Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?* **No Impact.** Implementation of the project would not interfere with long-term environmental goals. The natural resource to the south (Spring Creek) is protected in open space and water quality BMPs would be implemented by the proposed project to avoid impacts to wildlife habitat associated with this drainage. No other environmental goals would be significantly impacted by the proposed project.

c. *Does the project have impacts which are individually limited, but cumulatively considerable (Cumulatively considerable means the project's incremental effects are considerable when compared to the past, present, and future effects of other projects)?* **Potentially Significant Unless Mitigated.** Under the SANDAG Series 10 North County Sub Area traffic model, Horizon Year 2020 cumulative conditions, the proposed project would contribute to pre-existing unacceptable conditions at the un-signalized intersection of Melrose Drive/Old Ranch Road. To mitigate for impacts to the intersection, the installation of an eight-phase traffic signal at this intersection is proposed (Mitigation Measure TRA-1) and would mitigate project impacts to a less than significant level. The proposed project would provide a fair share contribution toward improvements at the Melrose Drive/Old Ranch Road intersection. Implementation of this measure would ensure that project-related traffic impacts would be less than significant.

d. *Does the project have environmental effects which will have substantial adverse effects on human beings, directly or indirectly?* **Potentially Significant Unless Mitigated.** Noise levels for some interior areas were determined to be in excess of 60 dBA, exceeding the interior noise standard of 45 dBA. Exceedances of interior noise standards would result in a significant impact on human beings. However, with implementation of Mitigation Measure NOI-1, impacts associated with interior noise levels would be reduced to below the 45 dBA standard. With implementation of mitigation, the proposed project would not cause substantial adverse effects on human beings, either directly or indirectly. The potentially significant impacts related to traffic and noise would be reduced to a less than significant level with implementation of mitigation.

16. **PREPARATION.** The initial study for the subject project was prepared by:

Bruce McIntyre, Environmental Planning Group Manager

17. **DETERMINATION.** (To be completed by lead agency) Based on this initial evaluation:

[ ] I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

[☑] I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described herein have been included in this project. A MITIGATED NEGATIVE DECLARATION will be prepared.

[ ] I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

18. **DE MINIMIS FEE DETERMINATION** (Chapter 1706, Statutes of 1990-AB 3158)

[ ] It is hereby found that this project involves no potential for any adverse effect, either individually or cumulatively, on wildlife resources and that a "Certificate of Fee Exemption" shall be prepared for this project.

[ ] It is hereby found that this project could potentially impact wildlife, individually or cumulatively, and therefore fees shall be paid to the County Clerk in accordance with Section 711.4(d) of the Fish and Game Code.

19. **ENVIRONMENTAL DETERMINATION:** The initial study for this project has been reviewed and the environmental determination, contained in Section V. preceding, is hereby approved:

Juliana von Hackt for
Jerry Hittleman, Environmental Coordinator

20. **PROPERTY OWNER/APPLICANT CONCURRENCE:** : Section 15070(b)(1) of the California Environmental Quality Act (CEQA) Guidelines provides that Lead Agencies may issue a Mitigated Negative Declaration where *the initial study identifies potentially significant effects, but, revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.* The property owner/applicant signifies by their signature below their concurrence with all mitigation measures contained within this environmental document. However, the applicants concurrence with the Draft Mitigated Negative Declaration is not intended to restrict the legal rights of the applicant to seek potential revisions to the mitigation measures during the public review process.

Spring Creek Commercial Ventures, LLC

RESPONSE TO COMMENTS
ClubLife Senior Living Center

This MND for the proposed ClubLife Senior Living Center project complies with all criteria, standards, and procedures of the California Environmental Quality Act (CEQA) of 1970 (California Public Resources Code, Sections 21000 et seq) and the City of Oceanside's implementation guidelines.

The City provided a notice of intent to adopt a mitigated negative declaration and circulated the mitigated negative declaration and initial study for a 30-day public review between July 14, 2008 - August 13, 2008.

A total of 11 comment letters were received, and copies of all the letters, along with written responses to each comment are included on the following pages for reference.

Based upon the comments received, and input from City Staff, project revisions were made to lessen building height at key locations and to reduce the total number of the units proposed. These revisions reduced the overall project impacts and no new avoidable significant effects would be associated with these project revisions.

In accordance with Section 15073.5, the document did not require substantial revisions, and re-circulation is not required.

As a result of the public comments and input from City staff, several project revisions were incorporated into the project prior to decision by the Planning Commission. Included in the project revisions were the reduction in the height of building 2 to all 3-story and 36 feet. This change eliminated the need for the Building Height Variance and reduced the overall unit count by 8 units. The other project changes included incorporating a 3-story building height element into the western ends of building 1, building 4, and building 5. This change resulted in the loss of an additional 4 units. Based on the all of the changes, the total loss of units in the project is 12 units. The project now has 180 units, and not the 192 units analyzed in the Initial Study.

The changes to the project do not create any substantial grading or site changes.

LIST OF PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES THAT COMMENTED ON THE DRAFT MITIGATED NEGATIVE DECLARATION (MND)

A draft version of this MND was circulated for public review from July 14, 2008 to August 14, 2008. The following is a listing of the names and addresses of persons, organizations, and public agencies that commented during this public review period.

STATE AGENCIES		ADDRESS
A	Department of Fish and Game	David Lawhead Staff Environmental Scientist South Coast Region Restoration Program - Cypress 4949 Viewridge Ave. San Diego, CA 92123
B	Native American Heritage Commission	State of California Katy Sanchez, Program Analyst 915 Capitol Mall, Room 364 Sacramento, CA 95814
C	Governor's Office of Planning and Research	Terry Roberts Director, State Clearinghouse 1400 10th Street Sacramento, CA 95812-3044

COUNTY, CITY, AND OTHER LOCAL AGENCIES		ADDRESS
D	County of San Diego	Eric Gibson, Interim Director Department of Planning and Land Use 5201 Ruffin Road, Suite B San Diego, CA 92123-1666

ORGANIZATIONS		ADDRESS
E	San Diego County Archaeological Society	James W. Royle, Jr. Chairperson, Environmental Review Committee P.O. Box 81106 San Diego, CA 92138-1106
F	San Luis Rey Band of Mission Indians	Michele Fahley California Indian Legal Services 609 South Escondido Blvd. Escondido, CA 92025

INDIVIDUALS		ADDRESS
G	Gardner, J.R.	679 Edgewater Ave. Oceanside, CA 92057-4660
H	Goetz, G.H.	5601 Old Ranch Road Oceanside, CA 92057
I	McLeod, Jerry	1517 Del Mar Road Oceanside, CA 92057-5708
J	Malik, Margaret	1611 Hackamore Road Oceanside, CA 92057
K	Nygaard, Diane	Preserve Calavera 5020 Nighthawk Way Oceanside, CA 92056

Responses to Comments

for the

Club Life Senior Living Center Project

T-7-05, D-12-05, C-28-05, V-7-05, V-2-07

November 2008

Joy Chung

From: Juliana Von Hacht [JVonHacht@ci.oceanside.ca.us]
Sent: Wednesday, August 13, 2008 3:17 PM
To: Chris Harrison
Cc: Ann Gunter; Joy Chung
Subject: Comments T-7-05 Clublife Senior Living Center Project MND

Chris, FYI

-----Original Message-----
From: David Lawhead [mailto:DLawhead@dfg.ca.gov]
Sent: Wednesday, August 13, 2008 3:07 PM
To: Juliana Von Hacht
Cc: marci_koski@fws.gov
Subject: Clublife Senior Living Center Project MND

Ms. Von Hacht,

I have completed a review of the Draft Mitigated Negative Declaration for the Clublife Senior Living Center Project in the City of Oceanside (SCH# 2008071055) and wanted to give you several comments and recommendations to improve the design of the project to make it more consistent with the conservation of sensitive biological resources and the City's Draft MHCP Subarea Plan.

A1

The primary concern the Department of Fish and Game (Department) has with this project relates to the lack of an adequate buffer zone between the development and the sensitive riparian habitat, which supports the State endangered least Bells' vireo and southwestern willow flycatcher. The City's draft Subarea Plan calls for a 50-foot natural habitat buffer and a 50-foot planning buffer between the development features and the outer dripline of the riparian vegetation. The project as proposed does not meet that standard.

The Department recommends that the proposed access road to the development be shifted to the southwest boundary of the project site to run parallel and adjacent to the creek, and the buildings and other infrastructure be shifted as far to the northeast as possible away from the creek. Placing the road between the development and the creek will provide additional buffering from noise and lighting between the development and the sensitive resources in the creek.

Thank you for the opportunity to comment on this project. Please contact me at the number below if you have questions.

Sincerely,

David Lawhead
Staff Environmental Scientist
CA Dept. of Fish and Game
South Coast Region
4949 Viewridge Ave.
San Diego, CA 92123
(858) 627-3997

A-1: The proposed project is included as a part of a larger project known as Casitas @ Spring Creek. The Club Life property was included initially as a disposal site for excess grading material generated by the Casitas @ Spring Creek development. However, in anticipation of the ultimate development of the Club Life property, a concept development for this property was considered as part of the wetland permit process.

The CDFG issued a 1602 Streambed Alteration Agreement (#1600-2004-0179-R5) on February 28, 2005 for the Casitas @ Spring Creek project that included the Club Life development concept plan. The Club Life property was also included in a 404 permit (File No. 200401240-LAI) and Section 7 Consultation completed by the U.S. Army Corps of Engineers. A 401 Water Quality Certification (#04C-059) was issued by the San Diego Regional Water Quality Control Board on January 28, 2005. It authorized the same project effects on jurisdictional areas as did the 404 Permit.

The 1602 Streambed Alteration Agreement authorized the project to affect 1.17 acres of wetlands and streambed. The 404 permit authorized the project's fill of 0.02 acre of wetland waters of the U.S. and 0.01 acre of non-wetland waters of the U.S.

A1 cont.

The 404 and 401 permits and the 1602 agreement all required mitigation that included the creation, restoration and enhancement of 2.89 acres of wetlands and aquatic areas on the project site. These mitigation efforts are ongoing at the project site and the created and restored habitats are required to attain specific success criteria. The permittee has posted a $240,000 performance bond with the CDFG for grading, planting, irrigation, and 5 years of maintenance and monitoring of wetland/riparian and upland mitigation. That bond guarantees the successful implementation of the wetland/riparian and upland mitigation construction, maintenance and monitoring.

A comparison of the jurisdictional delineation and anticipated impact areas indicates that the disturbance area associated with current Club Life proposal lies within the disturbance area assumed for the property as a part of the Casitas @ Spring Creek project. Thus, the Club Life project is in conformance with the permitted limits of impacts and covered by the wetland permits previously issued to the Casitas @ Spring Creek project.
With respect to impacts to the least Bell's vireo, the U.S. Fish and Wildlife Service (Service) rendered a Biological Opinion (BO) #1-6-04-F-3895 on March 8, 2005t hat analyzed the impacts of Casitas @ Spring Creek project on the state and federal listed as endangered least Bell's vireo and southwestern willow flycatcher.

Based on the BO, the Service issued an Incidental Take Permit (ITP) for the project's effects on federal-listed species. The California Department of Fish and Game (CDFG) determined that the projects would not result in take of any state-listed species and no take permit was required.

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STATE OF CALIFORNIA Arnold Schwarzenegger, *Governor*

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax

July 16, 2008

RECEIVED
JUL 21 2008
Planning Department

Juliana von Hacht
City of Oceanside
300 N. Coast Hwy.
Oceanside, CA 92054

RE: SCH# 2008071055 T-7-05, D-12-S, C-28-05, V-7-05, V-2-07 Clublife Senior Living Center Project; San Diego County.

Dear Ms. Von Hacht:

The Native American Heritage Commission has reviewed the Notice of Completion (NOC) regarding the above referenced project. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

B1
- ✓ Contact the appropriate Information Center for a record search to determine:
  - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
  - If any known cultural resources have already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.

B2
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure.
  - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.

B3
- ✓ Contact the Native American Heritage Commission for:
  - A Sacred Lands File Check. **Sacred Lands File check completed, no sites indicated**
  - A list of appropriate Native American Contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached**

B4
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
  - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
  - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
  - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez

Katy Sanchez
Program Analyst
(916) 653-4040

CC: State Clearinghouse

B-1: As indicated in the previous Initial Study completed for the Casitas at Spring Creek project, that included grading of the subject property, a record search and onsite reconnaissance concluded that there were no cultural resources on the surface of the site. Furthermore, as discussed on page 12 of the project's Initial Study, grading on the subject property has minimized the possibility for encountering subsurface cultural resources. However, in the interest of caution, the City will require a qualified archaeological and Native American monitor onsite during any grading that would encroach into undisturbed soil.

B-2: As indicated above, a Cultural Resources Inventory was completed for the subject property (ASM 2002) and determined that no obvious signs of cultural resources existed on the subject property. This report is on file at the City of Oceanside.

B-3: A Sacred Lands File (SLF) search was not mandated by law when the original report was done. Therefore, none was completed. However, as indicated in response to comment C-1, future grading will be monitored to assure that no significant cultural resources are impacted during construction.

B-4: As indicated in response to comment C-1, the City will require archaeological monitoring during grading as a condition of project approval.

Native American Contacts
San Diego County
July 16, 2008

Ewiiaapaayp Tribal Office
Chairperson
PO Box 2250 Kumeyaay
Alpine , CA 91903-2250
wmicklin@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

Kumeyaay Cultural Historic Committee
Ron Christman
56 Viejas Grade Road Diegueno/Kumeyaay
Alpine , CA 92001
(619) 445-0385

Manzanita Band of Kumeyaay Nation
Leroy J. Elliott, Chairperson
PO Box 1302 Kumeyaay
Boulevard , CA 91905
(619) 766-4930
(619) 766-4957 Fax

Campo Kumeyaay Nation
Monique LaChappa, Chairperson
36190 Church Road, Suite 1 Kumeyaay
Campo , CA 91906
chairman@campo-nsn.gov
(619) 478-9046
(619) 478-5818 Fax

Sycuan Band of the Kumeyaay Nation
Danny Tucker, Chairperson
5459 Sycuan Road Diegueno/Kumeyaay
El Cajon , CA 92021
ssilva@sycuan-nsn.gov
619 445-2613
619 445-1927 Fax

Jamul Indian Village
Chairperson
P.O. Box 612 Diegueno/Kumeyaay
Jamul , CA 91935
jamulrez@sctdv.net
(619) 669-4785
(619) 669-48178 - Fax

Viejas Band of Mission Indians
Bobby L. Barrett, Chairperson
PO Box 908 Diegueno/Kumeyaay
Alpine , CA 91903
daguilar@viejas-nsn.gov
(619) 445-3810
(619) 445-5337 Fax

Kumeyaay Cultural Heritage Preservation
Paul Cuero
36190 Church Road, Suite 5 Diegueno/ Kumeyaay
Campo , CA 91906
chairman@campo-nsn.gov
(619) 478-9046
(619) 478-9505
(619) 478-5818 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2008071055 T-7-05, D-12-05, C-28-05, V-7-05, V-2-07 Clubilfe Senior Living center Project; San Diego County.

Native American Contacts
San Diego County
July 16, 2008

Kumeyaay Cultural Repatriation Committee
Steve Banegas, Spokesperson
1095 Barona Road Diegueno/Kumeyaay
Lakeside , CA 92040
(619) 742-5587
(619) 443-0681 FAX

Campo Kumeyaay Nation
ATTN: Fidel Hyde, EPA Supervisor
36190 Church Road, Suite 1 Kumeyaay
Campo , CA 91906
(619) 478-9369
(619) 478-5818 Fax

Ewiiaapaayp Tribal Office
Will Micklin, Executive Director
PO Box 2250 Kumeyaay
Alpine , CA 91903-2250
wmicklin@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

Clint Linton
P.O. Box 507 Diegueno/Kumeyaay
Santa Ysabel , CA 92070
(760) 803-5694
cjlinton73@aol.com

Ewiiaapaayp Tribal Office
Michael Garcia, Vice-Chairman/EPA Director
PO Box 2250 Kumeyaay
Alpine , CA 91903-2250
michaelg@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

Sycuan Band of the Kumeyaay Nation
Sydney Morris, Environmental Coordinator
5459 Sycuan Road Diegueno/Kumeyaay
El Cajon , CA 92021
(619) 445-2613
(619) 445-1927-Fax

Manzanita Band of Mission Indians
ATTN: Keith Adkins, EPA Director
PO Box 1302 Kumeyaay
Boulevard , CA 91905
(619) 766-4930
(619) 766-4957 Fax

Manzanita Band of the Kumeyaay Nation
Nick Elliott, Cultural Resources Coordinator
P.O. Box 1302 Kumeyaay
Boulevard , CA 91905
(619) 766-4930
(619) 925-0952 - cell
(919) 766-4957

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2008071055 T-7-05, D-12-05, C-28-05, V-7-05, V-2-07 Clubilfe Senior Living center Project; San Diego County.

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

August 12, 2008

Juliana von Hacht
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

AUG 15 2008
Planning Department

Subject: T-7-05, D-12-05, C-28-05, V-7-05, V-2-07 Clublife Senior Living Center Project
SCH#: 2008071055

Dear Juliana von Hacht:

C1

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 11, 2008, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

C-1: No response is required as this letter raises no issues with respect to the adequacy of the MND.

Document Details Report
State Clearinghouse Data Base

SCH# 2008071055
Project Title T-7-05, D-12-05, C-28-05, V-7-05, V-2-07 Clubllfe Senior Living Center Project
Lead Agency Oceanside, City of

Type MND Mitigated Negative Declaration

Description A Tentative Parcel Map (T-7-05), Development Plan (D-12-05), Conditional Use Permit (C-28-05) and Variances (V-7-05 and V-2-07) to allow a two lot subdivision and 192 residential condominiums; the construction of five buildings totaling 208,761 square feet and allow land use 440.S General Residential Care; and to allow building and retaining wall heights that vary from district regulations on a 6.71 acre site located at the western terminus of The Depot Road (APN 157-411-19). The project site is zoned CN-SP-EQ Districts and RM-B-SP-EQ Districts, and is situated within the Guajome Neighborhood.

Lead Agency Contact

Name Juliana von Hacht
Agency City of Oceanside
Phone (760) 435-3520 **Fax**
email
Address 300 North Coast Highway
City Oceanside **State** CA **Zip** 92054

Project Location

County San Diego
City Oceanside
Region
Lat / Long
Cross Streets Melrose Drive and The Depot Road
Parcel No. 157-411-19
Township 11S **Range** 4W **Section** 34 **Base**

Proximity to:

Highways SR 76
Airports
Railways
Waterways
Schools
Land Use Neighborhood Commercial-Scenic Park Overlay-Equestrian Overlay District and Medium Density B-Scenic Park Overlay-Equestrian Overlay District

Project Issues Noise; Traffic/Circulation

Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 9; Department of Parks and Recreation; Native American Heritage Commission; Department of Fish and Game, Region 5; Department of Water Resources; Department of Conservation; California Highway Patrol; Caltrans, District 11

Date Received 07/11/2008 **Start of Review** 07/11/2008 **End of Review** 08/11/2008

Note: Blanks in data fields result from insufficient information provided by lead agency.

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ERIC GIBSON
INTERIM DIRECTOR

County of San Diego

DEPARTMENT OF PLANNING AND LAND USE

5201 RUFFIN ROAD, SUITE B, SAN DIEGO, CALIFORNIA 92123-1666
INFORMATION (858) 694-2960
TOLL FREE (800) 411-0017
www.sdcounty.ca.gov/dplu

AUG 1 9 2008
Planning Department

August 13, 2008

Juliana von Hacht
City of Oceanside Planning Department
300 N. Coast Highway
Oceanside CA 92054-2885

COMMENTS ON THE NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE T-7-05, D-12-05, C-28-05, V-7-05, V-2-07 CLUBLIFE SENIOR LIVING CENTER PROJECT

The County of San Diego has reviewed the Notice of Intent to Adopt a Mitigated Negative Declaration for the T-7-05, D-12-05, C-28-05, V-7-05, V-2-07 Clublife Senior Living Center Project received by the County on July 15, 2008, the Initial Study (IS) dated July 14, 2008 and the Traffic Impact Analysis (TIA) dated July 13, 2008, and appreciates this opportunity to comment. The County Department of Planning and Land Use (DPLU) and Department of Public Works (DPW) staff has the following comments regarding the content of the above documents:

PROJECT DESCRIPTION

D1

1. The IS identifies that the proposed project will consist of 354 beds, while the TIA indicates 368 beds. The project descriptions in the IS and TIA should be consistent.

D-1: The difference between the Traffic Impact Analysis (TIA) and the most recent development proposal is discussed on page 33 of the Initial Study. As discussed on this page, the traffic study conclusions regarding potential traffic impacts associated with the project are adequate because the analysis is based on a higher number of trips than would be expected. Thus, the mitigation measures identified in the traffic report would be effective for the proposed project. Since this clarification is made in the MND, there is no need to modify the TIA.

STORMWATER RUNOFF

D2

2. The proposed project's private area stormwater system would collect runoff from the roof areas, interior walkways and interior landscape features and would release the runoff directly into the existing drainage, which flows to Guajome Lake in Guajome Regional Park. The City should consider low impact development (LID) measures, such as onsite bioswales and porous materials for walkways, to reduce the project's storm water pollution contribution to the lake. The County has prepared a Low Impact Development Handbook (http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf) and LID Fact Sheets (http://www.sdcounty.ca.gov/dplu/docs/LID-Appendices.pdf) that provide techniques for treating storm water runoff onsite.

TRAFFIC IMPACT ANALYSIS

D3

3. The TIA states that the proposed project will have less than significant impacts to the surrounding roadways. However, the County is concerned with impacts on two Circulation Element roadways: Mission Ave (SR-76) and East Vista Way. The proposed project traffic impacts (direct or cumulative) on these two Circulation Element roadways should be analyzed and if impacts would be significant, mitigation should be proposed.

D4

4. The TIA (Pg. 18) identifies that the proposed project will generate an estimated 1,104 trips per day, with project-related traffic (Exhibit 6a) distributing onto County roadways. In addition, the Initial Study identifies that the project may have potential significant impacts to intersections located in the unincorporated area. Table ES-1 (TIA Pg. 3) indicates that the proposed project will be part of a cumulative impact to the SR-76/East Vista Way intersection (LOS E –a.m. peak hour). Therefore, the proposed project will have cumulative impacts to roadway facilities located within the unincorporated area and should mitigate accordingly.

D5

5. The project should consider mitigating its cumulative impacts by participating in the County's Traffic Impact Fee (TIF) program. The amount of the TIF could be based on the number of trips anticipated to distribute onto County roads. The TIF funds will be used to help pay for future capacity-enhancing road improvements in order to mitigate the cumulative traffic impacts caused by new development. The City and the project applicants should provide a discussion of the feasibility of the proposed project participating in the TIF program in order to mitigate their cumulative impacts. Fair-share contributions to an official County road /intersection improvement project or physical road improvements are other options for mitigating a project's cumulative impacts.

D-2: As indicated in the project's Storm Water Management Plan (SWMP), the proposed project includes Low Impact Development (LID) measures including:

- Increasing building intensity by adding building stories and utilizing underground parking;
- Minimizing width of streets, sidewalks and parking areas within the limits of public safety;
- Directing flows from impervious areas to filtration BMPs designed to treat runoff;
- Incorporating depressions in landscaping to allow infiltration;
- Integrating vegetated swales to provide infiltration,
- Minimizing soil compaction in landscaped areas; and
- Draining rooftop and sidewalk runoff into landscaped areas.

D-3: The TIA utilized impact thresholds that are traditionally used by agencies throughout San Diego, including the County of San Diego. These thresholds are based on two parameters: a substantial change in LOS and/or a substantial change in the delay experienced by motorists on facilities that are already operating at unacceptable levels of service. Based on these thresholds, the TIA appropriately concludes that although the project would contribute to unacceptable levels of service on SR-76, the delays caused by the project traffic would not reach a level of significance.

East Vista Way was not included in the traffic impact analysis report because the traffic added to that roadway segment would be below the threshold for analysis. The project would add 55 trips per day to East Vista Way (1104 trips x 5% = 55 trips). Although this segment of East Vista Way is currently operating at LOS E, the additional traffic from the proposed project would not be significant because it would fall well below the County's significance threshold of 200 trips for facilities operating at LOS E.

D-4: The intersection of SR-76 and East Vista Way currently operates at LOS D in the a.m. peak. The addition of project traffic would not change this LOS. Therefore, the addition of project related trips would not result in a direct significant impact. The addition of cumulative plus project traffic would reduce the LOS in the a.m. peak to LOS E operating conditions, however, the net increase in delay would be 1.8 seconds which is below the City's 2-second threshold of significance. Therefore, the project would not significantly impact this location and mitigation measures would not be required.

The County of San Diego appreciates the opportunity to participate in the environmental review process for this project. We look forward to receiving any future environmental documents related to this project or providing additional assistance at your request. If you have any questions regarding these comments, please contact Bobbie Stephenson at (858) 694-3680.

Sincerely,

ERIC GIBSON, Interim Director
Department of Planning and Land Use

cc: Dustin Steiner, Policy Advisor, Board of Supervisors, District 5, (via email)
Vince Nicoletti, CAO Staff Officer, DCAO, (via email)
Francisco "Nick" Ortiz, Department of Public Works, Transportation Division, (via email)
Bonsall Community Planning Group
Jennifer Campos, Land Use/Environmental Planner, Department of Planning and Land Use (via email)
Priscilla Jaszkowiak, Administrative Secretary, Department of Planning and Land Use, MS 0650

Reference County Project IJN 08-053

D-5: The County Traffic Impact Fee (TIF) program is intended to mitigate impacts on County facilities included in the TIF program. Based on the 2008 TIF program, the affected segments of SR-76 and East Vista Way are not included in the TIF program. Furthermore, under the TIF program, fees can only be spent on facilities included within the program. Therefore, the imposition of TIF fees on this project would not help reduce congestion associated with the proposed project. Lastly, as indicated in response to comment E-3, the proposed project would not make a significant contribution to the traffic on East Vista Way.

San Diego County Archaeological Society, Inc.

Environmental Review Committee

19 July 2008

To: Ms. Juliana von Hacht
Planning Division
City of Oceanside
300 North Coast Highway
Oceanside, California 92054

RECEIVED
JUL 21 2008
Planning Department

Subject: Draft Mitigated Negative Declaration
Clublife Senior Living Center Project
T-7-05, D-12-05, C-28-05, V-7-05, V-2-07

Dear Ms. Von Hacht:

I have reviewed the subject DMND on behalf of this committee of the San Diego County Archaeological Society.

E1 Based on the information contained in the DMND and initial study for the project, we would agree that no further impacts to cultural resources should result from the project. However, if the grading work for the previous project included archaeological monitoring, any resulting collection which has not already been curated should be curated before the current project is allowed to proceed.

SDCAS appreciates being provided this DMND as part of the City's environmental review process.

Sincerely,

James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File

P.O. Box 81106 • San Diego, CA 92138-1106 • (858) 538-0935

E-1: As discussed in response to comments C-1 and C-2, no cultural resources were recovered from the subject property. Thus, no curation was required.

CALIFORNIA INDIAN LEGAL SERVICES

Escondido Office
609 South Escondido Boulevard, Escondido, CA 92025 ✦ Phone 760/746-8941 ✦ Fax 760/746-1815
www.calindian.org ✦ contactCILS@calindian.org

ESCONDIDO SACRAMENTO
EUREKA BISHOP

August 12, 2008

VIA FAX (760) 754-2958

Ms. Juliana von Hacht, Associate Planner
City of Oceanside Planning Dept.
300 North Coast Highway
Oceanside, CA 92054

AUG 1 2 2008
Planning Department

Re: Notice of Intent to Adopt a Mitigated Negative Declaration, T-7-05, D-12-05. C-28-05, V-7-05, V-2-05, Clublife Senior Living Center Project

Dear Ms. von Hacht:

The San Luis Rey Band of Mission Indians hereby submits the following comments on the Notice of Intent to Adopt a Mitigated Negative Declaration for the Clublife Senior Living Center Project("Project"). The San Luis Rey Band ("Band" or "Tribe") is a San Diego County Tribe whose traditional territory includes the current cities of Vista, Oceanside, Carlsbad, San Marcos, Escondido, Fallbrook, and Bonsall, among others.

The Band's primary concerns are the preservation and protection of cultural, archaeological, sacred and historical sites of significant to the Band which may be located within the Project area. The Tribe is also concerned about the appropriate and lawful treatment of Native American human remains and cultural and sacred items which may be disturbed during grading.

Band members have visited the site and understand that it has been disturbed previously. However, the appearance of the site indicates that it might not have been graded deeply, but rather covered with some kind of fill. Given the location of the project, which includes a drainage area into the San Luis Rey River located on the north side of Mission Avenue, the Band is concerned that there may still be cultural resources on the site.

F1

If the City of Oceanside approves the project, the Band requests the following mitigation measures be a mandatory requirement for the grading permit. The Developer must be required to submit written proof of these requirements before the permit may be issued.

1. The Developer must execute a Pre-Excavation Agreement with the San Luis Rey Band prior to any ground-disturbing activities on the Project site. The agreement will, at minimum, include the following provisions:

   A. Require appropriate treatment of human remains and cultural items.

F-1: As discussed on page 12 of the Initial Study, the grading that has previously taken place on the proposed project site has disturbed on-site soils. However, as indicated in response to comment C-2, a qualified archaeological and Native American monitor would be present when grading would encroach into undisturbed soils. Consequently, the applicant would be required as a condition of project approval to enter into a Pre-Excavation Agreement with the San Luis Rey Band of Mission Indians.

B. Require a good faith effort by the parties to agree on what is appropriate treatment and dignity when addressing human remains and cultural items.

C. Require that any human remains or cultural items recovered during the grading process be returned to the Band, and not curated in a facility absent the express written consent of the Band.

D. Require that any remains or cultural items discovered be re-interred in the same area in which they were discovered and in a place where they would not be subject to further disturbance, if possible. The agreement would require a good faith negotiation on behalf of the Tribe and the City for such reburial.

E. Require avoidance for all significant and sacred archaeological sites which may be found during development. Avoidance is the preferred method of preservation under CEQA for such resources.

F. Require Native American monitors from the Band to be present during all ground-disturbing activities.

G. Provide for the compensation of tribal monitors at the expense of the Developer.

F1 cont.

2. Additionally, the Band requests that Native American monitors from the San Luis Rey Band be added as a mandatory requirement, in addition to any archaeological monitor required by state law.

If the project is approved, the San Luis Rey Band believes that the mitigation measures described above will provide adequate protection for the cultural resources and human remains that may be discovered in the Project area. The Band intends to carefully monitor this Project to ensure that the requirements imposed by CEQA are rigorously applied for the duration of the Project.

The Band truly appreciates the opportunity to comment on this Project. We look forward to continuing the positive relationship that has been established with the City and we thank you for your assistance in protecting our invaluable Luiseño cultural resources.

Sincerely,

CALIFORNIA INDIAN LEGAL SERVICES

Michele Fahley

Michele Fahley, Staff Attorney
Attorneys for the San Luis Rey Band of Mission Indians

cc: Carmen Mojado, President, Saving Sacred Sites and Secretary of Government Relations, San Luis Rey Band of Mission Indians

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RECEIVED
JUL 2 3 2008
Planning Department

J. R. Gardner
679 Edgewater Avenue
Oceanside, California 92057-4660
Phone (760) 631-1313
Fax (760) 724-0759

July 22, 2008

Juliana von Hacht, Planning Division
City of Oceanside
300 N. Coast Hwy,
Oceanside, CA 92054

RE: T-7-05. D-12-05, C-26-05, V-7-05, V-2-07. Clublife Senior Living Center Project.

Thank you for the recent notice of intent concerning subject project. It is difficult to understand, in spite of the explanation (?), how a ***negative declaration***, "should not be construed as a recommendation of either approval or denial"-----but that's my problem.

I am totally against **any** further development and related construction in the Melrose Drive---Highway 76—Guajome Park area of Oceanside until the following items are completed in their entirety.

G1 G2 G3

1. Highway 76 is fully improved, with four lanes, divided, from Melrose Drive to Junction with Interstate 15.
2. The two Magnet High Schools, to be constructed by Vista Unified School District, on *eminent domain* land North of Highway 76 at intersection with Melrose Drive, are completed, including landscaping, parking and provisions for totally safe access by students and general public.
3. The subdivision North of existing Guajome Meadows subdivision and abutting highway 76 on the South and Pacesetter Drive on the West is fully developed---including all building and street construction, landscaping and lighting, and the first phase of completed dwellings is sold and occupied.

G4

With the current traffic congestion caused by two-lane, two-way Highway 76 East of Melrose Avenue intersection; the grading and construction activity at the two Magnet schools; and the daily grading and blasting activity, by developer of the new subdivision; the once pristine Guajome Meadows Residential Area is already dominated by excessive noise Monday thru Friday, and excessive vehicular traffic, seven days per week.

Get all of the neighborhood construction, safety and traffic problems connected with the previously approved projects resolved and completed in a conscientious and respectable manner before heaping any more adversity from construction on the tax-paying residents living in this area of Eastern Oceanside. **Then** rethink feasibility of subject project.

Most Sincerely,

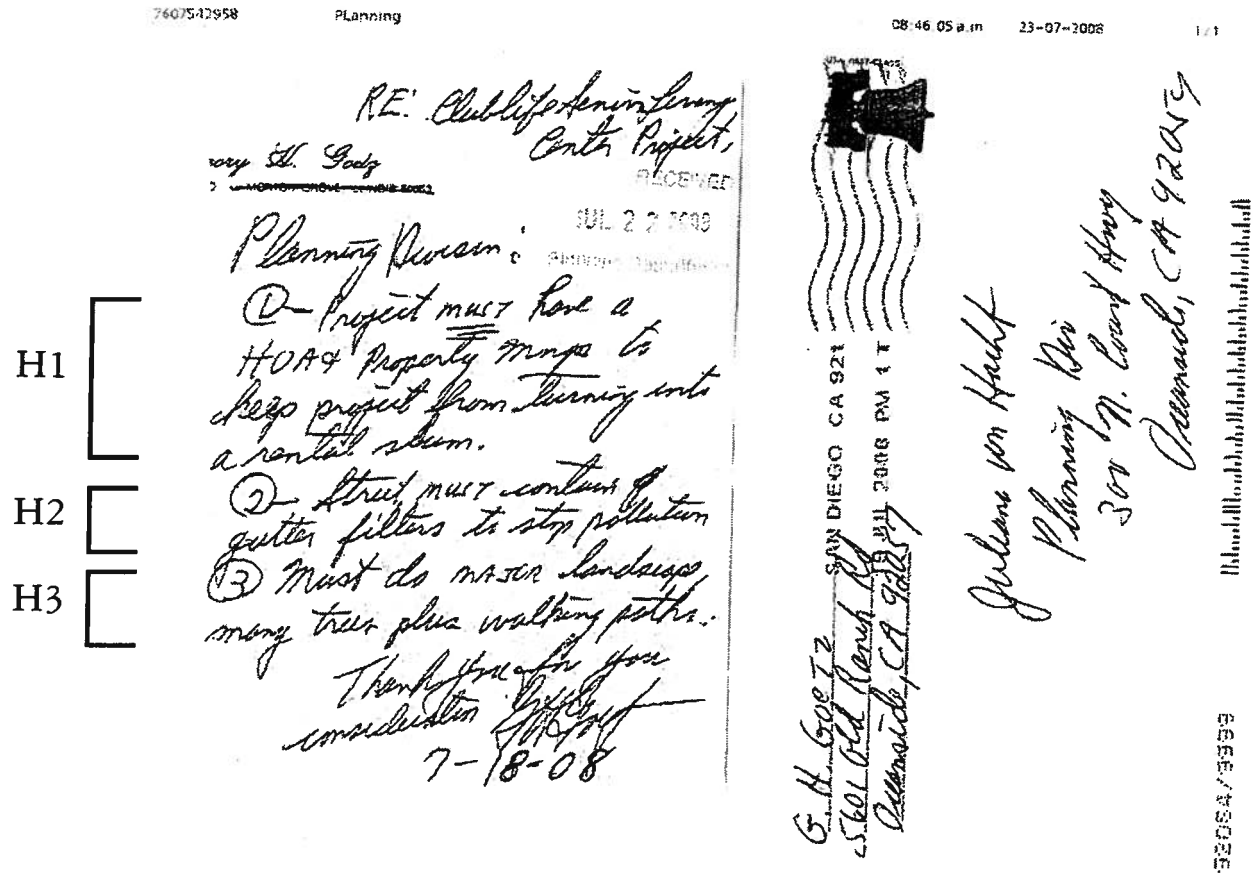
jrgsw

G-1: The City recognizes the fact that traffic congestion will continue to occur on SR-76 until planned improvements are constructed. However, as discussed on pages 33-36 of the Initial Study, the proposed project would not have a significant impact on SR-76.

G-2: There is no reason to delay the decision on the proposed project due to safety concerns related to the future schools. Each of these schools will implement individual pedestrian safety measures required by the state of California and the City of Oceanside. Furthermore, the contribution of the project to traffic volumes at the intersection of SR-76 and Melrose Drive would not result in a significant impact.

G-3: Delaying action on the proposed project until the first phase of the referenced subdivision is completed would not change any of the impacts associated with the proposed project.

G-4: Construction on the site would be required to comply with the City's Noise Ordinance. As indicated in the MND, much of the grading necessary to accommodate the proposed project has already occurred and blasting is not anticipated to be required.



7607542958 PLanning 08:46:05 a.m. 23-07-2008 1/1

RE: Clublife Senior Living Center Project,

ory H. Godz

RECEIVED
JUL 2 2 2008
Planning Department

Planning Division:

H1 ① Project must have a HOA & Property mngs to keep project from turning into a rental slum.

H2 ② Street must contain gutter filters to stop pollution

H3 ③ Must do major landscape many trees plus walking paths.

Thank you for your consideration [signature]
7-18-08

SAN DIEGO CA 921
JUL 2008 PM 1 T

G. H. Goetz
5601 Old Ranch Rd
Oceanside, CA 92057

Juliana von Hacht
Planning Div
300 N. Coast Hwy
Oceanside, CA 92054

9205 4/9999

H-1: The project will be conditioned to establish a homeowners association (HOA).

As with any single- or multi-family residential unit, the owners of units within the proposed Club Life project would have the right to rent their units. However, renters would be required to be a minimum of 55 years old and the owners would continue to pay HOA fees. As a result, the overall character of the facility as a senior retirement facility would be unaffected by rental activities. Furthermore, the overall condition of the project would not be adversely affected by rental units because the entity operating would have the funds available, from the HOA fees, and the responsibility pursuant to the Conditional Use Permit, to maintain the facility including the landscaping and building exteriors.

H-2: Curb inlets would be installed as a part of the project.

H-3: The landscaping, including walkway along the south side of the project, (as illustrated on the project landscape plan) will be required to be constructed as a part of the project.

August 13, 2008

Re: Mitigated Negative Declaration
Club Life Senior Living Center
T-7-05, D-12-05, C-28-05, V7-05

Mr. Jerry Hittleman
City Planner
300 N. Coast Hwy.
Oceanside, CA. 92054

Dear Mr Hittleman:

I apologize for this being both late and brief. Some of my comments will touch on this. Also, I do not have Ms. von Hacht's email address and would appreciate your forwarding this to her.

I1 I tried studying this document two different times and found that it is very difficult to concentrate while sitting at the table provided in the Planning Department. Also, there isn't enough room for someone to spread out and take notes. It would have been more convenient for me if I could have sat down in my own home to study this document. I hope that in the future extra copies of these documents would be made available for those that prefer going over this type of information in a different location such as our home.

I2 I will repeat what another neighbor recently said in that we are interested in anything east of College Blvd. I never received any notification on the 33-home project located on Guajome Lake Road. I believe the project is called the Guajome View Homes. I happened to notice the project in the Legal Section of the local paper.

I3 This Club Life project behind Home Depot is one that generated numerous concerns with many of the attendees of the only neighborhood meeting. There were several questions regarding the height of the project in relation to the surrounding area. This entire area is residential with the exception of the Home Depot and Singh Packing area.

I4 And many of us were concerned about the monthly dues or fees over and above the purchase price of each unit. I believe there were several questions regarding the survival of such a project. Is there any way to prevent these units from becoming rentals or even apartments? Even before the recent decline of home values we questioned how such a project could survive!

I5 I looked at the Declaration again on August 7th and noticed a comment in an 8-24-04 letter from VUSD (page 26 of the Report) regarding the number of students expected from this (?) project. I used the (?) to note that it isn't clear

I-1: While the City appreciates the commenter's concern, the public is not allowed to take home the documents overnight because it is difficult to assure that the documents are returned promptly the next day. Keeping a sufficient number of copies on hand to account for any delayed returns would increase the cost of producing copies of the report for public review.

I-2: The California Environmental Quality Act (CEQA) does not require the City to mail a notice regarding availability of environmental documentation to nearby property owners. It does mandate publishing a notice in a general circulation newspaper which is why the commenter saw the notice in the local paper.

I-3: Approximately 80% of the site is designated for neighborhood commercial uses, the remainder of the site is designated for medium density residential development. The commercial zone allows a maximum building height of 50 feet and the residential zone allows for a maximum of 36 feet in height. The portion of the project in the commercial zone would be in compliance with the commercial height standards. The portion of the project that is within the residentially zoned area, however, exceeds the residential height limit. All of Building 2 and a portion of building 3 exceed the 36-foot maximum, but, are within the allowable 50-foot maximum of the commercial zone as discussed earlier.

The proposed architectural theme for the project would be southwestern mission. All buildings would incorporate tile roofing, stucco and other elements such as arches, window shutters, awnings, tile, accent trim, window boxes, exposed rafter tails, recessed windows and ornamental iron features. The buildings would include 3 and 4-story elements, off-sets and multiple roof line elements to enhance the facades and reduce the bulk and scale of the buildings.

I5 cont.

which project that this letter is referring to. The VUSD letter notes an expected 62-student increase. However, because of the letter's date and the construction of two groups of townhomes in this immediate area it is difficult to know which project was being referred to.

Perhaps I simply missed the clarifying wording of this part of the letter but if it was referring to this new project how would a seniors facility generate this many students. And, if was referring to one of the previous projects why was it included in this document?

I6

I hope that another neighborhood meeting will be held to answer these and the many other questions. I would like to see a price comparison between the per unit cost and homeowners' fees between this project and the other two townhouse projects in case the marketing of this project's units have to be changed.

I7

I could go on but I am short of time. I will say that I am concerned about the actual soil stability of the project. There was a lot of fill brought in and the plan is to remove a fair amount of it for underground parking. I'm by no means an engineer but common sense tells me that this could cause problems.

I would appreciate email addresses for your planners so that I can add them to my list.

Thank you,

Jerry McLeod
1517 Del Mar Rd.
Oceanside CA 92057-5708

760-940-1151 home and fax
760-518-6166 cellular

I3 cont.

In addition, the project site is located in an area that exhibits a variety of land uses including a "large box" retailer (The Home Depot) to the north, single-family development to the west and multi-family development to the south and east. As such, the project would represent an appropriate transition between commercial and residential development.

I-4: As discussed in response to comment H-3, renting out individual units could occur. However, the overarching management responsibility of the project operator and the availability of HOA fees to support ongoing maintenance would retain the character of the proposed project.

I-5: The letter from the VUSD, dated 8/24/04, was written in reference to the Casitas at Spring Creek project, located south of the proposed project. The letter is an attachment to the original MND for the Casitas at Spring Creek project which was included in the current MND for the proposed project because it addressed the initial grading that took place on the site of the proposed project. As indicated on page 31 of the Initial Study for the Club Life project, the proposed project would not generate any new school children because the project is proposed to be senior housing.

I-6: The proposed project will be considered at a public hearings held by the City's Planning Commission and duly noticed as required by local and state regulations. At that hearing, the public will have an opportunity to express their concerns related to the proposed project. Economic issues may be raised at public hearings, but are not mandated by CEQA to be discussed in the Initial Study and MND.

I-7: A geological reconnaissance has already been completed for the project to provide initial direction on remedial measures required. In addition, the City will require a detailed construction documents be prepared and approved prior to approving any building permits. Should any special remedial measures be required to prevent significant geologic risks, the City would require these actions be incorporated into the project before a grading permit would be issued. In addition, building plans will be required to include design measures required to prevent significant geologic risks prior to approving building permits. Lastly, geotechnical engineer will be required to be present on-site during grading to insure that grading is done pursuant to the requirements of the approved grading plan.

7607542956 Planning 09:58:32 a.m. 13-08-2008 1 1

Margaret Malik
1611 Hackamore Road
Oceanside, CA
92057

AUG 1 3 2008
Planning Department

I am commenting on the proposed four-story building near the Home Depot on Melrose Street. I request that my comments be included in any and all documents created regarding this proposal.

J1 The four-story building is out a character with the surrounding neighborhood. With the exception of some apartments and the Home Depot Center, most of the neighborhood is developed in single family homes. I would like to see a project with a lower profile with architectural characteristics in line with the neighborhood.

J2 I am very concerned that the project does not take into account the possibility of the extension of Melrose into Vista. This extension would bring heavy traffic in and out of the neighborhood and would be used as a short cut to Vista by people tying to escape the traffic on State Route 76 and by residents of Vista who work in Riverside County. This four-story building would be growth inducing because of the contemplated higher density development in Vista. Most of the neighborhood is not in favor of the extension of Melrose and will fight it. If we are successful in stopping it this four-story building will be even more out of character with the neighborhood.

J3

J4 I am also concerned about the drainage problems we would experience during construction if it should occur in the rainy season. We have experienced this with other development in the same area and we do not want it to happen again.

J5 There is a number of sensitive wildlife and vegetation in the area, which should be thoroughly surveyed and mitigated before this project is even thought about. Birds in particular would be at risk from any cats owned by the senior citizens who could be expected to occupy the four-story building. I would like a full assessment and identification project done on the land in Vista that will be opened to this project. Fish and Game and Fish and Wildlife should thoroughly inspect and catalog the wild life in the area.

J6 This area is a horse community with bridle trails and many horses. Horses are not always compatible with senior neighborhoods. There are flies and other inconveniences that do not help seniors who have health concerns.

Our neighborhood wants to be respected and any development in the area should be compatible with our uses. There is also the problem of near by pond and drainage areas that do produce flies and mosquitoes. These vermin are not healthy for most seniors.

J-1: As discussed in response to comment J-3, the project will represent an appropriate transition from the commercial to residential uses that surround the site.

J-2: The TIA prepared for the project evaluates the traffic flow in the area in the future with and without the connection of Melrose Drive.

J-3: As discussed in response to comment J-3, the proposed building heights are considered appropriate. This, in combination with the fact that the property in the immediate vicinity of the project is already developed, reduces potential growth-inducing impacts of the project to below a level of significance.

J-4: As indicated in response to comment E-2, the City will require the development to comply with the requirements of its SUSMP which mandates specific erosion control measures be implemented during construction.

J-5: As indicated on page 11 of the Initial Study and discussed in response to comment B-1, the subject property does not currently support any native vegetation. The removal of the native vegetation that previously existed on the subject property was evaluated and mitigated as a part of the Casitas @ Spring Creek project that included rough grading of the subject property.

J-6: There is no evidence presented to support the contention that a significant fly or mosquito problem currently exists in the project area.

J7

Lastly, I am concerned that this project may be sold as a senior community and then be converted to an apartment or condo project. Senior facilities are not always able to get funding. Please –if this is to be developed –make sure that there is protection from conversion and that the neighborhood be notified of any changes that occur during or after construction.

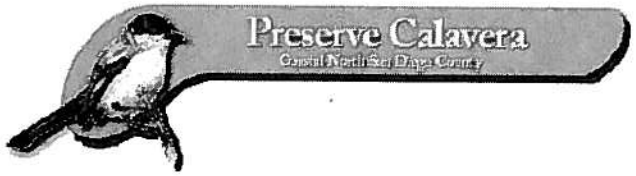
Thank You,

Margaret Malik

AUG 1 3 2008

Planning Department

J-7: As discussed in response to comment H-3, a restriction will be recorded on the land that will restrict the use to residents 55 years or older. In addition, any persons renting units within the development must also be 55 years or older.



August 8, 2008

Juliana von Hacht, Associate Planner
City of Oceanside , Planning Division
300 N. Coast Highway
Oceanside, CA 92054

Subject : Comments on MND- Clublife Senior Living Center

Dear Ms. Von Hacht :

Preserve Calavera is a grassroots organization focused on preserving and protecting the natural resources of coastal north county. We are concerned about the Clublife Senior Living Center because of its direct and indirect impact on the San Luis Rey watershed, impact on sensitive species both on and off-site, and impacts on the nearby riparian habitat.

General comment :

- reliance on mitigation measures included in another project

K1 There are only two project specific mitigation measures included as it is assumed that additional measures approved as part of the Casitas at Spring Creek Project will address all of the other potential impacts. We are very concerned that these measures are not specifically identified as conditional requirements for this project , nor is there any formal linkage or requirement nor are they repeated in the MND so that there is any transparency or accountability. Please include a summary of all of the relevant MM and show what impact they will address.

The following are our specific comments on this project:

Aesthetics

- no discussion of impact of height variance

K2 The project proposes a variance for building height- a potential visual impact in an area designated as a scenic overlay zone. In some cases increasing building height in order to reduce site coverage and provide better open space may be an acceptable trade-off. In this case it appears that both the height has been increased and the site coverage has been increased- a

5020 Nighthawk Way – Oceanside, CA 92056
www.preservecalavera.org

1

K-1: No additional project-specific mitigation measures for biological impacts are required for the Club Life project because no native biological resources would be impacted by the project. In addition, the proposed project is a part of a larger project known as Casitas @ Spring Creek. The Casitas @ Spring Creek included the grading which has already removed any biological resources previously occurring on the Club Life site. This grading was done pursuant to a Streambed Alteration Agreement and 404 Permit which have already been issued to the Casitas @ Spring Creek. These permits required enhancement of the wetland areas along Spring Creek as compensation for the grading associated with Casitas @ Spring Creek including Club Life. Furthermore, this enhancement has already been completed as part of the Casitas @ Spring Creek project.

K-2: After the issuance of the Initial Study, the project has been reduced to eliminate the need for the Variance for building height (building 2 has been reduced to comply the height restrictions of the RM-B zone). The project now complies with all height requirements and site coverage requirements of the Zoning Code. An FAR of 1 is allowed. The original FAR for the project was 0.95 which was less than the allowed FAR. With the height reduction, the FAR is even less now. The FAR is 0.949.

K2 cont.

double whammy. The height increase is a huge issue of concern to the nearby residents- and the amount of site coverage is a huge issue of concern to us.

Please include discussion of potential impacts from all proposed variances- both to aesthetics and land use. These variances were not included in the Casitas project and therefor represent new potential impacts. Include appropriate mitigation- and trade-offs such as reducing the amount of site coverage and increasing landscaping if any such variances are to be proposed.

Biological Resources

- Insufficient wetland buffers

K3

The project describes wetland buffers that in some cases are only 30' wide. The function of the buffers is further compromised by the location of equestrian trails, a block wall, and unclear delineation of fire department fuel modification area. The back-up material states that compliance with the minimum required 100' buffer would preclude viable site development- but this has not been demonstrated. The applicant needs to fully comply with minimum buffer criteria, or provide a complete description of how the proposed design provides for equivalent function- neither of which has been provided.

- No discussion of wetlands avoidance/minimization

K4

State and federal law, the MHCP and city of Oceanside draft SAP all require that wetlands impacts are first to be avoided, then minimized. The MND includes no discussion of avoidance or minimization measures. The "no net loss" requirement is not just to acres- but to the function of the wetlands. The MND has not demonstrated that the proposed design has met wetlands avoidance/minimization requirements or that they function has been propected.

- No mitigation measures to protect for potential adverse impacts associated with equestrian use

K5

The MND references the Equestrian O & M Plan- but adoption of the plan and compliance with the plan is not identified as a project condition. Please provide better assurances that this plan addresses all of the impacts, and that its provisions remain operative for the life of this project- as well as the Casitas at Spring Creek which was the project the plan was conditioned to address.

Please include the plan with the final MND, including provisions that assure it cannot be modified without City review and concurrence that such modification does not result in any adverse impacts.

- landscape plan not appropriate for area near sensitive riparian habitat

K6

The landscape plan has not optimized the use of native plants, and includes some species (particularly vinca) that are considered potentially invasive. It also is not clear what is intended for the plantable wall as it appears to include the same long list of potential shrubs and groundcover shown on the entire site. While many of the listed plants are low water users the

K-3: The development setbacks (buffers) included in the Club Life project provide adequate protection to Spring Creek. Several aspects of the proposed project reduce the indirect impacts on the riparian habitat from development of the Club Life project. First, the proposed development and the riparian habitat will be separated vertically by a minimum of 5 feet, and as much as 15 feet, due to the fact that the development pad is located on an existing pad above the habitat. Second, a six-foot fence will be constructed at the edge of the pad to minimize encroachment from future residents and their pets. Pursuant to the requirements of the original Section 7 Consultation: (1) signs will be posted on the fence to alert residents that the riparian area is a natural preserve, (2) an educational program will be instituted to inform the future residents of the nature and value of the riparian area and (3) lighting would be directed away from the riparian habitat.

K-4: No discussion of wetlands avoidance or minimization is required because the project would not result in the loss of any wetlands.

K-5: The horse trail currently exists and is not a project feature. Thus, any impacts from use of this trail would not be the result of the proposed Club Life project.

K-6: In order to provide maximum protection from introduction of non-native plants into Spring Creek, the City will require that the following plants be removed from the project's landscape plan: Periwinkle, English Ivy and Mexican Fan Palm. The following species would be acceptable substitutes. However, other species may be substituted provided it can be demonstrated that they would not be invasive.

English Ivy: Groundcover Manzanitas, Dwarf Coyote Brush, Wood Strawberry, San Diego Marsh Elder or Evergreen Currant

Periwinkle: Poverty Weed, San Diego Marsh Elder, Wild Lilac or Manzanita

Mexican Fan Palm: Guadalupe Palm or Mexican Blue Palm

K6 cont. amount of required irrigation on a plantable wall that is adjacent to a road is poor site design from a watershed perspective.

Please increase the use of natives, reduce irrigation requirements and include better integration of landscape plan with good site design (LID).

- wildlife movement corridor

K7 The discussion on page 11 is insufficient to make any claim that there is no adverse impact on wildlife movement through this area. Please provide further discussion of the corridor route, width and protection on encroachment that assure the functionality of the corridor through the project site.

Hydrology and Water Quality

- potential horse use impact on water quality

K8 Horse use can also have significant water quality impacts that were neither identified nor mitigated for in the MND. A single horse is generally assumed to produce 50 pounds of manure per day. This manure can contaminate streams, destroy shellfish and other macroinvertebrates, and effect water quality all the way to the coast. The San Luis Rey is an impaired water body for several pollutants- including bacteria that are directly related to feces in the watershed. Horse trails in areas with minimal creek buffers create potential adverse impacts on the wetlands and water quality. If this project is again relying on the Equestrian O and M plan to address this is should be specifically identified. If not, a MM needs to be added to assure no adverse water quality impact associated with horse use.

- percent impervious cover

K9 Item n on page 22 states that the project site currently has 3% impervious cover and will have 45% in the post development condition. This does not appear correct- perhaps this is based on the combined project area with the adjacent Casitas at Spring Creek. Gross review of the site plan looks like well over 80% of the project site is impervious- a very high percent even for multi-family residential uses. Please correct the analysis for this project site.

- Excess parking

K10 For some reason the project is overparked by 107 spaces- and proud of it. Part of this excess parking is along project roadways and part in the underground parking garage. Reducing parking in both of these areas provides opportunities to reduce the amount of impervious cover which should be the first level of BMP's. Please reconfigure the project to reduce the excess parking and impervious cover.

- Excess roadway

K11 The primary site access road could very easily stop with a turnaround between Bldg 1 and the

K-7: The proposed project would not physically reduce the area available within Spring Creek for wildlife movement. Furthermore, the vertical separation combined with the proposed fencing along the creek would avoid any significant indirect impacts on wildlife moving along Spring Creek.

K-8: There is an existing horse trail in the cul-de-sac of The Depot Road, within the existing public right-of-way, constructed by others, prior to this project being proposed. The proposed project does not include equestrian uses, therefore, no specific mitigation measures are required. Furthermore, runoff from the existing horse trail would pass through the structural BMP included in the proposed project.

K-9: The amount of impervious cover for the project is actually extremely low. As indicated earlier, the project is required to provide 15% landscaping and the project includes over half the site, 58%, in landscaping. The project exceeds all requirements in regards to impervious cover.

K-10: The majority of the proposed parking would be located beneath the proposed buildings in a subterranean parking area. Only 10% of the parking would be surface parking. Thus, the parking spaces which would be over and above that required by the zoning, would not contribute additional impervious surface area nor reduce the amount of landscaping. Also, as indicated earlier, the project landscaping already represents 58% of the site which easily exceeds the 15% required by City regulations.

K-11: The access road and cul-de-sac bulb as proposed are required to meet safety standards per the Oceanside Fire Department for access and emergency vehicle operations. The amount of pervious cover for the project is actually extremely low. As indicated earlier, the project is required to provide 15% landscaping and the project includes over half the site, 58%, in landscaping. The project exceeds all requirements in regards to impervious cover.

K11 cont.

Recreation Center with Building 1 shifted slightly northwest. This would also reduce 100's of square feet of impervious cover resulting in better LID site design.

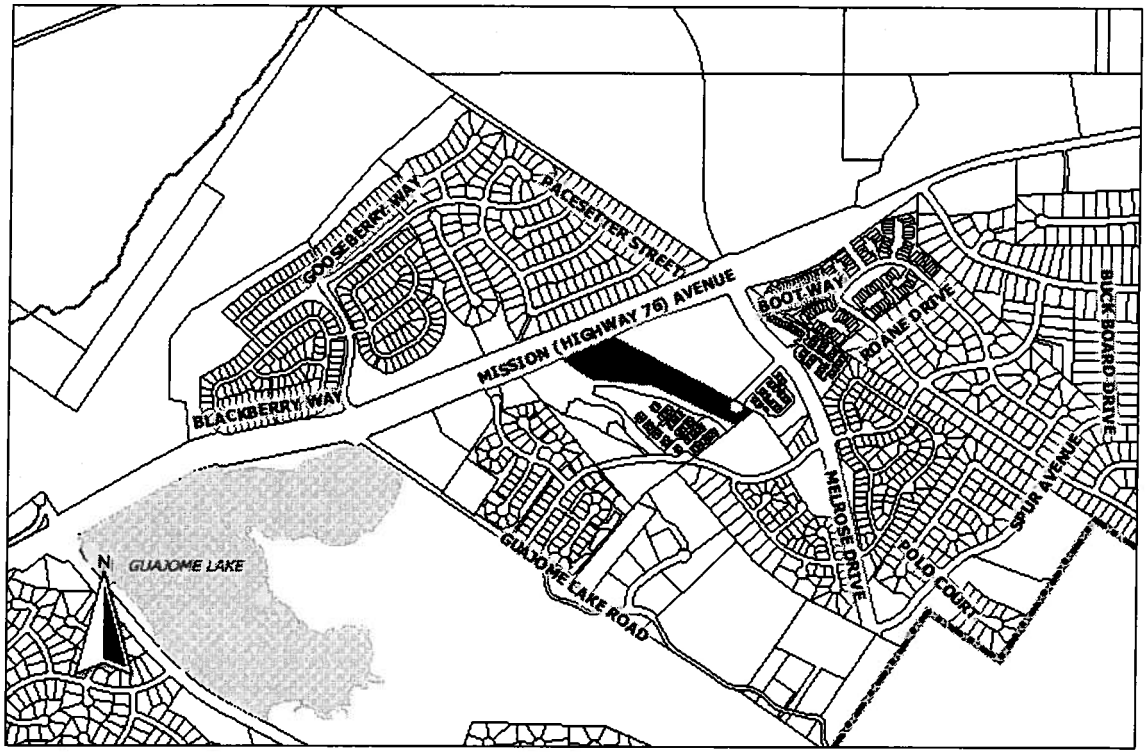
Both reducing the number of parking spaces and reducing the length of the road provide opportunities to reduce impervious cover.

We believe that further analysis and mitigation is needed to address the impacts that will result from this project. Thank you for your consideration of these comments. We look forward to working with you to achieve a project that fully protects the natural resources of this area.

Sincerely,

Diane Nygaard

Cc: Marci Koske USFWS, David Lawhead CDFG



File Numbers: T-7-05, D-12-05, C-28-05, V-7-05

Applicant: Spring Creek Commercial Ventures, LLC

Project Description:
TENTATIVE SUBDIVISION MAP (T-7-05), DEVELOPMENT PLAN (D-12-05), CONDITIONAL USE PERMIT (C-28-05) and VARIANCE (V-7-05) to allow a two-lot subdivision, and the development of six freestanding three and four-story residential condominium buildings totaling 277,442 square feet, with a maximum height not to exceed 53 feet. The senior residential care facility would consist of a total of 180 individual market rate condominium units, with on-site recreation and care facilities provided on the 6.71-acre site located south of Highway 76, west of Melrose Drive, at the terminus of The Depot Road. – **CLUBLIFE SENIOR LIVING CENTER**

Environmental Determination:
A Mitigated Negative Declaration has been prepared stating that if the conditions of approval are implemented, there will not be a significant adverse impact upon the environment. Under the provisions of the California Environmental Quality Act, the Planning Commission will consider the Negative Declaration during its hearing on the project.

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

APPLICATION FOR PLANNING COMMISSION HEARING

PLANNING DEPARTMENT (760) 966-4770
OCEANSIDE CIVIC CENTER
300 NORTH COAST HIGHWAY, OCEANSIDE, CA 92054-2885

STAFF USE ONLY	
ACCEPTED	BY

PLEASE PRINT OR TYPE ALL INFORMATION

HEARING		
	VAR.	V-7-05
	C.U.P.	C-28-05
	DEV.PL.	D-12-05
	SP.PL.	
	ZONE CH.	
	G.P.A.	
	PAR.MAP	
	TENT.MAP	T-7-05
	O.H.P.A.C.	
	COASTAL	

PART I - APPLICANT INFORMATION

1. APPLICANT	2. STATUS
Spring Creek Commercial Ventures, LLC	Owner/Applicant
3. ADDRESS	**4. PHONE**
1135 Camino Del Mar Del Mar, CA 92014	858-794-2300
5. APPLICANT'S REPRESENTATIVE (OR PERSON TO BE CONTACTED FOR INFORMATION DURING PROCESSING)	
The Lightfoot Planning Group	
6. ADDRESS	**7. PHONE**
5750 Fleet Street, Suite 250 Carlsbad, CA 92008	(760) 692-1924

PART II - PROPERTY DESCRIPTION

8. LOCATION	9. SIZE
South of Expressway 76, west of Melrose Drive, at the terminus of The Depot Drive.	6.71 Acres

10. GENERAL PLAN	11. ZONING	12. LAND USE	13. ASSESSOR'S PAR. NO.
NC & MDB-R	CN-SP-EQ & RMB-SP-EQ	Vacant Graded Pad	157-411-19

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION

A Tentative Tract Map & Development Plan for a 332 bed Seniors Living Center Condominium (w/in 180 units) including senior living services, club house uses, a Conditional Use Permit, and a Variance for retaining wall heights in excess of 6 feet.

15. PROPOSED GEN. PLAN	16. PROPOSED ZONING	17. PROPOSED LAND USE	18. # BEDS/UNITS	19. DENSITY
No Change	No Change	Residential Care - General	332/180	N/A

20. BUILDING SIZE	21. PARKING SPACES	22. % LANDSCAPING	23. % LOT COVERAGE
839 SF to 1,445 SF & 30,132 SF Club House	111 required (1 per 3 beds) & 230 provided	58% (LS & OS)	42% (Bldg & Pavement)

PART IV - ATTACHMENTS

ALL APPLICATIONS				DEV.PLANS,CUP & TENT.MAPS*	
X	24. DESCRIPTION/JUSTIFICATION	X	25. LEGAL DESCRIPTION	X	30. FLOOR PLANS & ELEVATIONS
X	26. 300 FT. RADIUS MAP	X	27. PROPERTY OWNERS' LIST		31. CONSTRUCTION SCHEDULE
X	28. ENVIRONMENTAL ASSESSMENT	X	29. PLOT PLANS	X	32. OTHER Tech. Reports

PART V - SIGNATURES

THE APPLICANT OR HIS REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION

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 INFORMATION AS NECESSARY)

33. APPLICANT OR REPRESENTATIVE	34. DATE
Stephen L. Taylor, Mgr., Spring Creek Commercial Ventures, LLC	

I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

37. OWNER	38. DATE
Stephen L. Taylor, Mgr, Spring Creek Com Vnt, LLC	
39. OWNER	40. DATE

35. APPLICANT	36. DATE	41. OWNER	42. DATE
Stephen L. Taylor, Mgr., Spring Creek Commercial Ventures, LLC			

* TENTATIVE MAPS FOR CONDOMINIUM DEVELOPMENTS (ONLY ATTACHMENT 30)

CLUBLIFE℠ SENIOR LIVING CENTER

Tentative Tract Map, Development Plan
Conditional Use Permit & Variance

Description and Justification
Rev. January 5, 2009

This application is for a 2 lot Tentative Tract Map for condominium purposes, a Development Plan, a Conditional Use Permit for a 332 bed age-restricted (55 and older) Senior Living Center project (Land Use Category: Public and Semipublic - "Residential Care, General") with a total of 180 air space condominiums and a Variance for retaining wall height. The project also includes a large community recreation building that will also house the on-site operations needed to run the facility. The Conditional Use Permit is required for the "Residential Care, General" Land Use within the RM-B zone. The Variance is for a plantable retaining wall greater than 6 feet in height (including the extension of an existing wall which was previously granted a Variance by the Planning Commission). An underground parking garage is also proposed which will provide a significant portion of the project's parking spaces.

The property consists of approximately 6.71 gross acres of which 6.29 acres are developable. The subject site has been rough graded as a part of the previously approved "The Casitas @ Spring Creek" project (T-4-03; D-14-03; V-15-03; Approved January 24, 2005 through Planning Commission Resolution NO. 2005-P02). The site's rough graded pad footprint area and environmental impacts were reviewed, approved and permitted by both the City and the environmental resource agencies as part of "The Casitas @ Spring Creek" project (hereinafter, The Casitas). No new environmental impacts are proposed with this application. The proposed project represents the implementation of the anticipated land use associated with the graded pad.

The project site is located south of Expressway 76, west of Melrose Drive, north of Old Ranch Road at the current terminus of The Depot Road. It is surrounded by multiple types of land uses including single-family and multi-family residential uses, commercial uses (the Home Depot), the San Luis Rey Valley United Methodist Church and the future dual magnet high schools proposed by the Vista Unified School District. The property is situated within the Guajome Neighborhood Planning Area.

The project site has two General Plan and Zoning designations. The largest developable portion of the site (5.05 acres) has a General Plan Land Use designation of Neighborhood Commercial (NC) with the smaller developable portion of the site (1.24 acres) having a Medium Density-B Residential (MDB-R; 10-15 du/ac) designation. The site also has the appropriate corresponding Zoning designators, as well as the Scenic Park (SP) and Equestrian Overlay Zone (EQ) designators (CN-SP-EQ & RM-B-SP-EQ). The Equestrian Overlay designation requires that a public equestrian trail be incorporated into the project design at The Depot Road. This public trail component was approved as part of the mass grading of the pad associated with The Casitas project and currently exists. The proposed land use is "Residential Care, General" as defined by the Zoning Ordinance which is allowed in the CN zone for residents age 55 and older and is allowed in the RM zone with the approval of a Conditional Use Permit.

CLUBLIFE SENIOR LIVING

Spring Creek Commercial Ventures, LLC is excited to be bringing it's "ClubLife Seniors Living" concept to Oceanside. The ClubLife concept is an exciting alternative to the old traditional Continuing Care Retirement Community (CCRC) seniors project. The ClubLife concept offers an ownership share unit (residents "own their own home") and a full package of services for seniors who want to spend their retirement years in a fun and unique environment. This unique opportunity of ownership and services helps to resolve the two greatest concerns seniors have when retiring; the loss of personal and financial independence.

The unique ClubLife concept allows residents to have an ownership share of the community via the condominium unit ("own their own home") which maintains their benefit of real estate appreciation without the maintenance burdens of a traditional single-family or multi-family home. In addition, the residents will be able to "will" their ownership interest to their heirs and also benefit from numerous tax advantages (i.e. writing off the interest, etc). This opportunity is a significant benefit to the residents over the more traditional seniors type residences (CCRC's) that offer a monthly rental residence after a large "buy-in" fee that offers no mechanism to recoup the costs of "buying-in", either to the residents or their families.

The unique ClubLife concept replaces the exorbitant "buy-in" fees (which reduce capital) with the value of ownership while still providing a full range of services, activities and care to all the residents. The services that will be provided at the Oceanside ClubLife community include the following:

- Community Dining Room & Club House Facility (up to three meals per day)
- Weekly housekeeping
- Arts and crafts
- Exercise facilities and classes
- Pool and spa
- On-site putting green
- Active Seniors Par Course
- Passive recreational areas
- Numerous active living programs and outings
- Planned community events
- Neighborhood van service
- On-site Wellness clinic
- In-room Emergency Call Systems
- 24-hour on-site nursing staff
- 24-hour security

This will be a truly unique project that will be a valuable addition to the City of Oceanside.

TENTATIVE TRACT MAP

The proposed 2 lot Tentative Tract Map is for condominium purposes with 180 individual air-space units which accommodate 332 beds. The "condominium ownership" of the individual units is a unique aspect of the project. This will allow the residents to have an ownership interest in the project while still providing them all of the commercial aspects of a more traditional seniors living facility.

The site consists of a graded pad that was created as part of The Casitas project. That project entitled the rough grading of the site and included the existing retaining walls on the site's western and northern edges. A Variance was approved for the retaining walls and combination retaining wall and safety fence for all being over 6 feet in height. In addition, the public utility access road shown on the plan (northwestern corner) was approved through The Casitas project. All environmental impacts associated with the limits of grading impact shown for this project were also reviewed and approved through The Casitas project. It is important to note that no new environmental impacts are proposed. The grading shown on the project plans is to accommodate the development specific needs of the ClubLife Senior Living project.

The project site will have a single access point off of the existing cul-de-sac bulb of The Depot Road. No direct access to Expressway 76 is proposed or required for the project. In addition, there is no access between this project and The Casitas project. The site will have a single access drive aisle that will extend from The Depot Road to the turnaround located at the northwestern end of the site. The access into the parking garage will come from this drive aisle and will be located mid-way through the site. The surface drive aisle is a minimum of 28-feet wide to accommodate emergency vehicles and the turnaround at the north end of the drive aisle is a full cul-de-sac bulb. The underground drive aisle is 24 feet wide with parking on both sides.

Water and sewer services to the site will come from existing lines in The Depot Road. The project will relocate a portion of the existing sewer line (that is currently west of Home Depot) to run through the main drive aisle for easier access and maintenance. This line will still tie into the existing trunk line adjacent to Expressway 76.

DEVELOPMENT PLAN

The project will be comprised of a large community resource "Club House" building, 5 residence buildings accommodating 332 total beds within 180 living units, and a variety of community outdoor recreation areas including a pool and spa, meeting areas, pedestrian walkways, a putting green, water features and passive use areas throughout.

Architecture:

The proposed architectural theme for the project is southwestern mission. All buildings will incorporate mission "S" tile roofing, stucco and other elements such as arches, window shutters, awnings, tile, accent trim, window boxes, exposed rafter tails, recessed windows and ornamental iron features. The use of varied building heights including 3-story and 4-story elements, off-sets and multiple roof line elements make for very interesting facades.

Community Club House Building:

The proposed community resource building will be the focal point of the ClubLife community and it is centrally located within the site for easy access. This 3-story building, which will include 30,132 square feet of usable area, will stand at 32 feet tall at the main building lines with a tower element that extends to 49 feet tall. It also includes two internal elevators (from floor 1 to floor 3) as well as elevator service into the building from the parking garage below. It will be the main meeting and recreation place for residents and their guests.

The building will be accented by many multi-paned windows, window surrounds, concrete tile roof elements, wood shutters, arched openings, awnings, ornamental iron, exposed rafter tails and 2 community fireplaces. There are numerous surface parking spaces that will serve the building and a separate dedicated "delivery" location on the buildings northern side. This multi-purpose building includes all the space necessary to operate the commercial aspects of the ClubLife Seniors Living Center and all of the extra amenities required to make the project a highly desirable place to live.

The first floor of the building (plaza level) includes 11,242 square feet and is largely dedicated to the uses that will serve the daily needs of the community. This floor includes the main lobby and reception area, a resident services office and restrooms. In addition, there will be lockers, a mail room, and laundry and storage areas. The main feature will be the large community dining room with 2,772 square feet of seating area (broken up into 2 rooms of 2,334 square feet and 1,438 square feet respectively) which will be the on-site "restaurant". In addition, two smaller dining areas of 804 square feet and 229 square feet will be available for more private, intimate gatherings. There will also be a 1,625 square foot kitchen which is needed to run the "restaurant" function of the community, with associated ancillary storage areas. The residents and their guests will be able to eat three meals a day in the dining room. The Home Owners Association fees will include two meals per day per resident at the "restaurant". This facility will not be open to the general public. In addition, there is a 141 square foot employee break room with direct access to the 500 square foot outdoor employee eating area (which meets the code requirement). This area is located at the southwest corner of the building and was chosen to allow the on-site staff to also enjoy the vistas of the adjacent open space preserve.

The second floor of the building includes 10,665 square feet and contains more resident serving facilities. The main feature of the second floor is the game/billiards room which is 1,903 square feet. Other facilities on this floor include an arts and crafts room (1,112 square feet), exercise room (665 square feet), a library (1,020 square feet), movie theater (505 square feet), a well-ness clinic, offices, vending area and restrooms.

The third floor of the building is 8,225 square feet and contains more resident use areas as well as the on-site management offices. This floor includes a large multipurpose room of 1,861 square feet, a pottery and ceramics room (667 square feet) several offices and administration space, a small conference room and restrooms. In addition, a large balcony (approximately 990 square feet) is accessed from this floor along the buildings south(western) elevation that takes advantage of the open space vistas adjacent to the site.

Residence Buildings:

The proposed 332 beds are contained within 180 residential ownership units that are placed within 5 residential buildings. There will be 5 residential unit types. Each of the 5 buildings is unique in its footprint and will accommodate at least 3 of the unit types. All buildings are "double loaded" except for building 1 which is "single loaded". Building 2 (the building located on the residentially zoned portion of the site) and the Community Center are both 3 -story buildings, while each of the other buildings contain both 3-story and 4-story elements to reduce the visible bulk of the buildings at key locations. This was done in response to community and staff input on the project. The main parapet walls for each of the buildings meet the 50-foot height limit of the CN Zone (building 2 complies with the residential standards). In addition, however, each of the buildings has a "tower" element at the elevator/stair well that exceed 50 feet in height, all of which stand at 53' - 1.5" (except building 2, the tower stands at 43' - 0.5"). Per Section 3108 of the Ordinance, however, these tower elements are allowed to extend up to 10 feet above the height limit if they cover 10% or less of the ground area of the building they are accessory to. All of the tower elements are less than half of the allowable height and cover less than 6% of the allowable 10% of the ground area of their respective building and are, therefore, in conformance with the Code.

A breakdown of the tower element coverage and " % of floor area" is contained in the table below:

Height Limit Exception Table

BUILDING	TOWER HEIGHT (< 60 FEET)	GROUND AREA	TOWER AREA	% COVERAGE (< 10%)
Building 1	53' - 1.5"	9,007 SF	508 SF	5.6%
Building 2	43' - 0.5"	15,312 SF	437 SF	2.9%
Building 3	53' - 1.5"	15,247 SF	437 SF	2.9%
Building 4	53' - 1.5"	18,544 SF	437 SF	2.4%
Building 5	53' - 1.5"	10,357 SF	437 SF	4.2%

The applicant has worked extensively with staff throughout the entitlement process to achieve the outstanding architectural style represented in the project. Architecturally, the buildings have been treated to match the main community building. In addition to the standard multi-paned windows, window surrounds, concrete tile roofs and exposed rafter tails, the buildings will be further accented with window shutters, ornamental iron balcony railings, arch elements, awnings and limited banding. Building 1 will contain 23 units, Building 2 contains 33 units, Building 3 contains 40 units, Building 4 contains 54 units and Building 5 contains 30 units.

Living Units:

There will be a total of 5 unit types (A, B, B-Alt, C, & D). The units will range in size from 839 square feet to 1,445 square feet. Of the 5 unit types, one will have 1 bedroom, three will have 2 bedrooms, and one will have 2 bedrooms and a small den. In addition, each unit will have a living room, private balcony, stacked washer and dryer hook-ups, storage areas, and a modest

kitchen. The individual owners will be permitted to enhance the decks to their own liking subject to the community CC&R's.

Breakdowns of the buildings and unit mix are contained in the tables below:

Unit Breakdown Table

UNIT	SIZE	BD/BATH	DECK OR PATIO
A	839 SF	1/1	118 SF
B	1,095 SF	2/2	77 SF
B-Alt	1,064 SF	2/2	79 SF
C	1,224 SF	2/2	133 SF
D	1,445 SF	2/2 + den	177 SF

Building Breakdown Table

BUILDING	UNIT A	UNIT B	UNIT B-Alt	UNIT C	UNIT D	TOTAL
Building 1	8	12	0	3	0	23
Building 2	6	9	9	0	9	33
Building 3	3	19	11	0	7	40
Building 4	4	20	26	0	4	54
Building 5	7	8	15	0	0	30
TOTAL	**28**	**68**	**61**	**3**	**20**	**180**
SF/UNIT	**839**	**1,095**	**1,064**	**1,224**	**1,445**	---------
TOTAL SF*	23,492	74,460	64,904	3,672	28,900	195,428

* Excludes Common Areas

In addition, there are 192 storage spaces available for resident use only (i.e. no "outside leasing"). These storage areas are provided throughout the underground parking garage and are approximately 3' x 4' x 12' in size (120 cubit feet). Storage is always a big concern for people when they move into senior communities and downsize their homes. The option for additional storage is a highly desirable feature within this type of community that allows residents to keep a few additional things that they may not have had room for otherwise.

Landscape Concept Plan

The landscape design for the ClubLife Senior Living project took into consideration the nature of the local built and natural communities and incorporated a variety of plant types and recreational

amenities into the design. The selection of plant materials was based on cultural, aesthetic, environmental and maintenance considerations. The planting materials used for the site are in compliance with the provisions established in Section 3019 of the Zoning Ordinance. Special consideration was given to the general edge conditions throughout the project. All planting areas will be prepared with soil conditioners, fertilizers, and appropriate supplements based on soil samples. The retaining walls and plant materials adjacent to the creek and wetlands were permitted through The Casitas project and were planted with native non-invasive, fire retardant, transitional plant species to compliment the open space preserve and to provide an extra measure of fire protection.

The plant palette incorporated into the Landscape Concept Plan includes species that compliment the site. Street trees, including Carrot Wood and Evergreen Pears, will be planted adjacent to Expressway 76 to provide visual and acoustical screening. Other species, including Cajeput Trees and Brisbane Box, will be planted adjacent to the Home Depot and along the access drive to provide the same screening effect. Throughout the site, a number of evergreen and deciduous flowering accent trees, as well as accent palms, shrubs and groundcover will be planted to add to the sites appeal. The entire conceptual plant palette can be found on the Landscape Concept Plan. Fencing details are also illustrated on the Landscape Concept Plan and they include block wall and ornamental iron.

The Landscape Concept Plan includes a number of additional unique features that will enhance the ClubLife community. The use of water features has been incorporated into the project's design to enhance its aesthetic appeal. A small water feature and monument sign will greet residents and visitors as they enter the project. In addition to water, the monument will incorporate large boulders, palm trees and a low wall to create an entry statement. There will be a second water feature near the entry sign, associated with a viewing area just north of the cul-de-sac bulb at The Depot Road. In addition, there will be water features between Buildings 2 and 3, and between Building 3 and the Club House building. The water feature at the Club House will feed into a "stream" that extends between Building 3 and Building 4, adjacent to the Club House building. The stream will create the soothing sound of cascading water.

In addition to the numerous water features, many recreational amenities have been provided to enhance the project. These amenities include a putting green located towards the northern end of the project, east of Building 5. This synthetic putting green will include multiple holes, sand traps and a water feature. A pool area will also be constructed for the residents enjoyment. This area will include a 25' X 50' lap pool, a spa and a restroom building and a generous lounge/deck area. Also included on site is a 5 station, seniors designed par course, a horseshoe pit, and bench/view areas.

Parking:

The project is required to provide 1 parking space for every three beds per the Residential Care - General, parking guidelines of the Zoning Code. The project has a total of 332 beds within 180 air-space units, made up of 152 two-bedroom units and 28 one-bedroom units. The number of required parking spaces, therefore, is 111 spaces (332/3 = 111).

The project as proposed, far exceeds the parking requirement. The project provides a total of 230 parking spaces which is 119 more spaces than required (the total provided is more than double the required amount). Of this amount, 208 spaces will be located in the underground parking garage that spans the length of the site. The additional 22 parking spaces are surface level and will be accessed via the main drive aisle. In addition, a dedicated space has been provided to accommodate the on-site shuttle bus that will serve future residents.

A breakdown of the parking required and provided is found in the table below:

Required Parking Breakdown

UNIT	NUMBER OF UNITS	BEDS/UNIT	TOTAL BEDS
Unit A	28	1 bed	28
Unit B	68	2 beds	136
Unit B-Alt	61	2 beds	122
Unit C	3	2 beds	6
Unit D	20	2 beds	40
TOTAL			**332**
	Parking Ratio	**TOTAL BEDS**	**PARKING REQUIRED**
Required Parking Standards	1 space per 3 beds	332 beds	111 Spaces
Total Parking Provided			**230 Spaces**
Excess Parking Provided			**119 Spaces**

EQUESTRIAN OVERLAY

The project is subject to the requirements of the City's Equestrian (EQ) Overlay District as set forth within Section 2806 of the Zoning Ordinance. Section 2802 (C) of the Zoning Ordinance establishes that all commercial projects shall provide a public equestrian trail. In this community, the public equestrian trail is required to be incorporated into the project design at The Depot Road cul-de-sac within the public right-of-way. This public trail component was approved as part of the mass grading of the pad associated with The Casitas project and currently exists.

SCENIC PARK OVERLAY

The project is situated within the Scenic Park Overlay District whose purpose is to conserve and protect the valuable resources within the Guajome Regional Park. The requirements of the District dictate that the structures utilize stucco, concrete or wood and be painted in earth tone colors. The development should limit the amount of grading and the structures should be oriented to preserve views of the park. As proposed, the project grading is minimal with the majority being for the underground parking garage and, therefore, not "visible" from the park or surrounding areas. As this grading will not be visible from the park, the grading is in conformance with the Scenic Park

Overlay District. The proposed colors and materials are also consistent with the District requirements and the surrounding communities. In addition, the proposed project will not obstruct any public or private views of the park due to its location east of existing residential uses (which are closer to the park than the project itself) and its location just west of the Home Depot. As proposed, the project is in compliance with the Scenic Park Overlay District requirements.

CONDITIONAL USE PERMIT

The Club Life Seniors Living project is a commercial operation that is defined as Residential Care, General by the Zoning Ordinance. This use type is allowed in the CN Zone and is allowed in the RM Zone with the approval of a Conditional Use Permit. Because a portion of the site is Zoned RM-B, a Conditional Use Permit is included.

The project as proposed has parking and residence buildings only on the portion of the site that is Zoned RM-B. These uses are consistent with the intent of the RM-B Zone. In addition, the residential aspect of the use is similar in intensity to surrounding residential uses which makes it an appropriate "transitional use" between the commercial (the Home Depot) and the adjacent RM uses (Rancho Rose and The Casitas @ Spring Creek). The proposed seniors community will be much less intense than a more traditional commercial use would be and therefore it is more appropriate adjacent to the existing residential uses. The project as proposed meets the intent of both the General Plan and the Zoning Ordinance.

VARIANCE - RETAINING WALL HEIGHT

A Variance is being requested for a retaining wall over six feet in height. This retaining wall is located along the east side of the main drive aisle between the site and the Home Depot. The wall is required to accommodate the grade difference between the Home Depot site and the on-site pad area. The Home Depot pad has a general finish grade of 143 feet adjacent to The Depot Road and it is generally at 145 feet adjacent to Expressway 76. Due to the project site's topography, the pad will have a general finished elevation of 133 feet adjacent to The Depot Road and an elevation of 122 feet adjacent to the Expressway at the north east corner. This 11-foot difference at the north east corner, which lessens as you move south along the eastern property line, is the driving force behind the retaining wall and the 2:1 slope behind it. The highest point of the retaining wall is 7.3 feet, but, it is over 500 feet away from the Expressway at that point which lessens it's appearance. Because the wall is so far away from the Expressway, and it's location between the proposed buildings and the Home Depot, it will have very little visual impact to commuters or the public, if any at all. In addition, the wall will be plantable to further soften its appearance.

The other consideration is the creek channel abutting the site's western edge. As part of The Casitas project, a dual retaining wall system was approved along this edge to pull the grading impacts as far away from the creek as possible. Those walls had a maximum combined height of 13.5 feet. The proposed wall is necessary to accommodate the earlier approved walls and to maintain the most environmentally sensitive grading pattern for the site. The proposed wall meets the spirit and intent of the Zoning Ordinance, is consistent with the other walls approved on the site, and would not constitute a special privilege to the site.

The final project design also requires that the existing approved wall located at the site's north western corner be extended to the north. When the project pad was originally designed, it was anticipated that the underground garage would have an access point adjacent to the wall in this location. The final design, however, has a single access point mid-way through the site. This change was necessary because the ramp grades needed for the anticipated access point were too steep to meet City standards. Due to this change in anticipated grading, the existing retaining wall needs to be extended northerly to accommodate the cul-de-sac bulb turnaround. The existing wall is 13 feet and will taper down to 1.2 feet as it moves northerly.

SUMMARY

The ClubLife Seniors Living Center project meets all of the goals and objectives of the City's General Plan and Zoning Ordinance. The project is a well thought out seniors community that offers the benefit of "home ownership" with the value of a full service community. This unique design represents the new direction for seniors only communities and optimizes environmental sensitivity through a practical physical design. This project will provide a high quality, semi-rural living environment that will be a great benefit to the surrounding residential communities.

JUSTIFICATION HIGHLIGHTS:

- This well thought out design results in a superior seniors living community that has an excellent physical design, an abundance and variety of recreational opportunities and is environmentally sensitive to the surrounding natural resources.

- The project will create a highly desirable seniors living community with a full assortment of on-site recreational, health, and lifestyle amenities.

- The project design compliments the existing projects in the surrounding area.

- The parking provided for guests and residents is almost double the City's standards for this type of project.

- The overall landscaping provided on site exceeds all City requirements.

Your favorable consideration is appreciated.

REQUIRED FINDINGS

Development Plan:
The City of Oceanside Zoning Ordinance stipulates that five specific findings must be made before a Development Plan can be adopted. This proposal meets those conditions as follows:

1. The site plan and physical design of the proposed project is consistent with the purposes of the Zoning Ordinance because it meets the intent of the development regulations and design standards over the entire site and it provides amenities far in excess of those required.

2. The Development Plan as proposed, conforms to the City's General Plan because the proposed use and intensity are consistent with the Land Use Element requirements established for the site, the proposed amenities far exceed the minimum requirements and it will be very compatible with surrounding uses.

3. The area covered by the Development Plan can be adequately, reasonably and conveniently served by existing and planned public services, utilities and public facilities because said provisions have been successfully incorporated into the proposed design.

4. The proposed development is compatible with existing surrounding land uses because the site is proposed to be developed under the regulations the City previously established for the site and it is similar in intensity to existing land uses in the area.

5. The site plan and physical design of the proposed project is consistent with Section 1.24 and 1.25 of the General Plan Land Use Element because it was designed to be sensitive to the adjacent natural habitat conserved by The Casitas @ Spring Creek project.

Conditional Use Permit:

The City of Oceanside Zoning Ordinance stipulates that three specific findings must be made before a Conditional Use Permit can be adopted. This proposal meets those conditions as follows:

1. The project location is consistent with the intent of the Ordinance and the purposes of the RM Zone because the residential nature of the use is similar in intensity to surrounding residential uses, it is an appropriate transitional use between the commercial (the Home Depot) and the adjacent RM uses (Rancho Rose and The Casitas @ Spring Creek), and the seniors community will be much less intense than a more traditional commercial use would be and thereby it is more appropriate directly adjacent to the existing residential uses.

2. The proposed project will be consistent with the General Plan because it is an allowed use in both land use categories on the site and the Conditional Use Permit will allow the City to exercise appropriate controls over the project to insure it continues to operate as it was intended. The project will not result in any detrimental effects on the public health, safety and welfare of the local and general public, and it will not be detrimental to property or improvements in the vicinity, or the City as a whole, because the proposed use is allowed within the Zones and the project has been designed in accordance with all applicable development regulations.

3. The proposed use is in compliance with the provisions of the Ordinance, because it meets all development criteria and it is an allowed use within the Zones and the Conditional Use Permit and project Conditions of Approval will further insure the project operates as represented and intended.

Variance - Retaining Wall Height:

The City of Oceanside Zoning Ordinance stipulates that three specific findings must be made before a Variance can be adopted. This proposal meets those conditions as follows:

1. The Variance has been requested due to the topography differences between the ClubLife site and the adjacent existing "hard edges" of the Home Depot project and the open space preserve, as well as the new access design. The existing hard edge of the Home Depot is significantly higher than the project site which gets progressively lower from east to west and from north to south. In addition, the creek habitat preserve area along the site's southern edge also limits the grading opportunities of the site which makes the use of the retaining wall the most environmentally attractive alternative. In addition, the extension of the existing retaining wall accommodates the existing pad and the new turn-around cul-de-sac bulb required for the public health, safety and welfare. The walls do not represent a special privilege to the site.

2. The granting of this Variance will not be detrimental to adjacent properties or the neighborhood as a whole because the retaining walls will mostly not be visible from adjacent parcels, and will not have any negative impacts on the health, safety or welfare of the general public, or on the adjacent open space areas.

3. The granting of this Variance will not constitute a granting of special privilege to the ClubLife project because the existing site topography, the existing developed "hard edges" of the Home Depot, the existing creek channel open space area, and the existing retaining wall that is to be extended, are unique circumstances to this specific site that warrant the use of a retaining wall in excess of 6 feet.

CLUBLIFE SENIOR LIVING CENTER

LEGAL DESCRIPTION

RECEIVED
JUN 21 2005
Planning Department

THOSE PORTIONS OF PARCELS A AND B OF PARCEL MAP NO. 12811, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 15, 1983, LYING WITHIN THE LAND DESCRIBED AS PARCEL 2 IN THAT CERTAIN CERTIFICATE OF COMPLIANCE NO. PLA-03-04 RECORDED ON FEBRUARY 16, 2005 AS DOCUMENT NO. 2005-0131238 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY AND LYING NORTHEASTERLY AND NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT OF THE SOUTHEASTERLY OF SAID PARCEL A DISTANT SOUTH 51°18'57" WEST 176.16 FEET FROM THE MOST EASTERLY CORNER THEREOF; THENCE, LEAVING SAID SOUTHEASTERLY LINE, NORTH 64°58'23" WEST 692.83 FEET, THENCE NORTH 84°09'49" WEST 416.05 FEET; THENCE NORTH 85°39'21" WEST 71.64 FEET; THENCE NORTH 55°51'11" WEST 272.45 FEET, MORE OR LESS TO A POINT IN THE NORTHWESTERLY LINE OF SAID PARCEL B, SAID NORTHWESTERLY LINE BEING A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 8925.08 FEET, CENTRAL ANGLE OF 2°23'16" AND ARC LENGTH OF 371.95 FEET AS SHOWN ON SAID PARCEL MAP NO. 12811.

CONTAINING AN AREA OF 7.021 ACRES, MORE OR LESS.