



DATE: February 23, 2009

TO: Chairperson and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE SUBDIVISION MAP (T-6-06) AND DEVELOPMENT PLAN (D-9-06) TO CONSTRUCT 16 RESIDENTIAL CONDOMINIUM UNITS ON A 3.35-ACRE SITE, WITH ACCESS BEING PROVIDED DIRECTLY OFF OF RANCHO DEL ORO DRIVE. THE SITE IS ZONED MEDIUM DENSITY A RESIDENTIAL (RM-1) DISTRICT AND IS SITUATED BETWEEN RANCHO DEL ORO DRIVE AND THE WESTERN TERMINUS OF MIRA PACIFIC DRIVE IN THE MIRA COSTA NEIGHBORHOOD – VISTA PACIFIC – APPLICANT: QUALITY INVESTORS, LLC**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Adopt a Mitigated Negative Declaration for Vista Pacific 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-P06.
- (2) Approve Tentative Subdivision Map T-6-06 and Development Plan D-9-06 by adopting Planning Commission Resolution No. 2009-P11 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: This project site is situated within the Mira Costa Neighborhood along 2300 block of Rancho del Oro Drive. The proposed project site is Lot 4 of Vista del Oro Map 13018, which was recorded in 1992. The applicant is Quality Investors, LLC of San Diego, California and their initial application was filed on July 6, 2006. In response to comments on the Mitigated Negative Declaration, the applicant reduced the scope of the project by eliminating one unit.

Site Review: *General Plan and Zoning District designations:* The residential land use designation for the project site is Medium Density A (MDA-R). The zone is Medium Density A Residential (RM-A) District.

Existing uses and development on site: The proposal includes construction of 16 detached residential condominium units on an undeveloped 3.35-acre site. The project is subject to Hillside Development Regulations because on-site slopes are more than 20 percent and elevation differentials are more than 25 feet.

Topography: This is an irregular shaped parcel of land with steep to moderate steep terrain that predominately slopes from the east to the west. The majority of the slopes on-site are characteristic of the surrounding terrain, but some slopes have been eroded (and made steeper) by the discharge of water. An approximate 20-acre upstream drainage basin consisting of the existing Costa Serena development along the project site's easterly boundary flows towards the site and discharges runoff onto the site. Flows converge and then continue across the site, within an eroded canyon drain. Approximately 1.5-acre of on-site area also flows toward the canyon drain. (Section 1.0 of the "Preliminary Drainage Report for Vista Pacific," prepared by Buccola Engineering is attached).

Surrounding land uses: The project site is on the east side of Rancho del Oro Drive and west of the 697-unit Costa Serena Subdivision, which includes the western terminus of Mira Pacific Drive. The project site is north of the 120-unit Vista del Oro condominiums (located on the northeast corner of Rancho del Oro Drive and Vista Way) and south of a vacant 8.76-acre open space lot (that is owned by the Mission del Oro Hills Association as part of the Del Oro Hills Village 10 Map 12472). The surrounding land use designations are residential, including MDA-R, MDB-R, and specific plan S-2-84 for Del Oro Hills. The surrounding land use is principally multi-family, including residential condominiums, duplexes, and detached residential units. Lands at the intersection of Rancho del Oro and Vista Way have a Special Commercial (SC) land use designation.

Project Description: The project application is comprised of two components, a Tentative Subdivision Map and a Development Plan, as follows:

Tentative Subdivision Map T-6-06 represents a request to subdivide and create 16 cloud condominiums on the existing 3.35-acre site pursuant to Article III of the Subdivision Ordinance.

Development Plan D-9-06 represents a request to construct 16 single unit-variable (SU-V) units pursuant to Articles 10, 30 and 43 of the Zoning Ordinance. The detached structures contain one dwelling unit.

Access to the project would be from Rancho del Oro Drive. The applicant proposes a private street with guest parking paralleling one side of the street. The project site includes two areas with slopes in excess of 40 percent. (A geotechnical analysis of the site has been submitted and accepted by the City Engineer). One area is adjacent to Rancho del Oro Drive and other area is eroded slopes created by water discharging on

to the site. This second area of steep slopes is proposed to be graded to allow a portion of the private street to cross over undevelopable lands. The Zoning Ordinance accommodates access routes over undevelopable land, when no alternative access exists. Staff has received comments from Costa Serena residents that affirm the applicant's position that developing the site with access from Mira Pacific Drive is politically charged.

The proposed Tentative Subdivision Map includes one lot with 16 detached residential "cloud condominium" units that satisfy the ownership requirements of the RM-A District for undivided ownership of land under each dwelling unit. (A cloud condominium subdivision allows the owner of each unit to own the area of land under the detached residential unit). All other areas would be owned in common interest. Fenced areas adjacent to each residential unit would be owned in common, but enjoy exclusive use easements. These easements would afford owners with a fenced front, side, and rear yard area for their exclusive use.

The proposed density is 4.94 dwelling units per net developable acre. This is below the base density RM-A District density of six dwelling units per acre. Project amenities include a tot lot on-site and the applicant proposes construction of one on-site inclusionary housing unit (Plan C model type).

The proposed architecture is cubist with flat floor plans and flat rooflines. Building elevations are enhanced with stone veneers. Each unit's front door would open to a side courtyard. The garage doors of each unit would face the private street and would provide direct access to the two-car garage.

In addition to the garage situated on the ground floor, generally each unit would include three stories, stairs, elevators, and one ground-floor bedroom with bath. The typical design provides for common living areas (kitchen, dining, and family room) on the second floor and private space (bedrooms and bathrooms) on the third floor. Plan type B differs from Plan Types A and B, because the kitchen is on the ground floor and an elevator is not proposed. See table 1 for a schedule comparing the proposed unit types.

Table 1: Comparison of Proposed Plan Types

| Plan Types | Unit Area | Bed Bath Ratio | Deck Area | Quantity |
|-------------------|------------------|-----------------------|------------------|-----------------|
| Plan Type A | 1,984 SF | 3 : 3.5 | 43 SF | 8 |
| Plan Type B | 2,256 SF | 4 : 3.5 | 109 SF | 6 |
| Plan Type C | 1,975 SF | 3 : 3.5 | 40 SF | 2 |
| Total | | | | 16 |

Individual unit amenities would include a large kitchen, living rooms oriented to take advantage of views, fireplaces, and private decks.

The project is required to provide 5,100 square feet of usable open space (300 square feet per dwelling unit). Half the required area is proposed as common open space areas easily accessible to all of the residents. The proposed tot lot with benches, picnic table, and active recreation for young children and the proposed open space (between lots 6 and 7) with a meandering path concluding with a view point and picnic table constitute the proposed common open space areas. The remainder of the required open space areas are proposed as private yards within exclusive use easements adjacent to the front, side, and rear of each unit. See Table 2 for specific details.

Table 2: Schedule of on-site parking and open space areas

| | Required | Proposed |
|---------------------------|-----------|-----------|
| Usable open space | 5,100 SF | 20,424 SF |
| Common usable open space | 2,550 SF | 3,612 SF |
| Private usable open space | 2,550 SF | 16,812 SF |
| Multi-family unit parking | 34 spaces | 34 spaces |
| On-site guest parking | 5 spaces | 10 spaces |

The proposed terracing of the site would maintain a smooth transition from elevations along Rancho del Oro Drive, the developed portion of the site, and the Costa Serena Subdivision, which is situated above the project site. The project site includes 0.11 acres of undevelopable lands. A portion of this area is included in the grading for the proposed private street, which is accommodated by the regulations for hillside developments. Hillside regulations include the preservation of significant topographical features, which includes slopes of 20 percent or more with a minimum elevation differential of 50 feet. Units 2 through 8 are sited on significant topographical features, but the detached unit type with a single loaded driveway allows the site development pattern to preserve the terrain. Units are sited to preserve existing views, lower structural heights below adjacent ridgelines, and provide substantive yard areas between the property line and proposed site improvements.

The applicant is required to mitigate for the loss of an existing palm tree and to establish 50-foot minimum setback from a grouping of brodiaea plants on-site.

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 designation on the subject property is Medium Density A (MDA-R). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan, as follows:

Land Use Element I. Community Enhancement

Goal: The consistent, significant, long term preservation and improvement of the environment, values, aesthetics, character and image of Oceanside as a safe, attractive, desirable and well-balanced community.

Objective 1.24 Topographic Resources: To ensure that development preserves and enhances the unique beauty and character of the City's natural topographic features and does not contribute to slope instability, flooding, or erosion hazards to life and property.

Policies:

- B. Lands considered to possess significant natural topographical features shall be preserved and integrated into project designs. Such lands include natural slopes of twenty percent or more with a minimum elevation differential of 50 feet; major canyons and/or watercourses; significant rock outcroppings, trees, and native vegetation.
- D. The term "natural slope" shall also apply to any man-made or altered slope which, over a period of years, re-vegetation and/or erosion has made indistinguishable from the natural terrain.
- E Structures shall be designed to adapt to hillside conditions.
- H. Slopes shall be rounded and contoured to blend with the existing topography, unless on an individual site this practice would diminish open space or significant natural features of the site
- S. The clustering of residential units to preserve natural topographic features shall be encouraged provided: (1) It has been clearly and distinctly demonstrated that the residential cluster provides the most appropriate design to ensure preservation of the topographic resources. (3) The dwelling units of the residential cluster are consistent with the land use designation. (4) The common open areas are well integrated within the boundaries of the residential cluster and provide equitable access to all residents.

The site design proposes locating many of the units in areas with reduced slope (less than 20 percent slope) and the applicant has reduced the project's impact to significant topographic features by eliminating one unit. The proposed clustering of units reduces impacts to "lands considered to possess significant natural topographical features." The proposed 16 dwelling unit development is below the MDA-R base density of six dwelling units per gross acre. The proposed tot-lot location is accessible to all of the units. Generally, the grading of existing slopes would create rounded contours that blend with the existing topography.

Objective 1.25 Undevelopable Lands: To enhance the community welfare and increase public safety through: (1) preservation of significant natural resources, or (2) the provision of adequate building setbacks from natural hazards; and to ensure that the proposed development on the developable area of a site is compatible with surrounding developments within the same land use designation.

Policies:

- A. Lands considered undevelopable shall be unbuildable and shall not be included in density calculations that define the development potential on a site. Undevelopable lands include slopes in excess of 40 percent with a minimum elevation differential of 25 feet

- C. The following criteria governs the applicability of 1.25 Undevelopable Lands: (7) Parcels of land which become virtually undevelopable as a result of applying these development potential policies may, at the discretion of the Planning Commission or City Council as applicable, be granted an exception to the strict adherence of these policies through one of the following methods: (b) An exception from, or a modification to the specific requirements of these policies may be granted upon a finding that (1) such exception or modification fulfills the overall objective, purpose, and intent of these policies, and (2) the exception or modification demonstrates a superior and more compatible relationship to pre-existing surrounding uses and the MDA-R land use category.

The applicant requests that the Planning Commission grant an exemption from hillside provisions because the proposed site design demonstrates a superior and more compatible relationship to pre-existing surrounding uses and the MDA-R land use category. The site design includes clustering 16 detached dwelling units to one area of the 3.35-acre site. The development would include extensive landscaping to alleviate the visible bulk of the structures, obscure views of roof areas, and reduce views of the backyards from Rancho del Oro Drive. The proposal incorporates a tot-lot park for the enjoyment of future residents and provides for guest parking on one side of the private

drive. The surrounding uses are multi-family condominium units to the south and north; single-family and age-restricted units to the east; and residential to the west of Rancho del Oro Drive. The proposed detached, multi-family development complements the surrounding land uses. As such the proposed 16 residential units and the proposed tentative subdivision map complies with Community Development Land Use Goal and its Objectives 1.24 and 1.25.

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 Engineering Department. The property is a legally subdivided lot with the minimum lot area and dimensions established by Article 10 of the Zoning Ordinance. The proposed subdivision generally holds an interest in common areas and facilities.

3. Zoning Ordinance Compliance

This project is located in the Medium Density A Residential (RM-A) District and complies with the requirements of that zone. The project site is subject to Articles 10 and 30, including Section 3039 Hillside Development Provisions (see Table 3).

Table 3: Section 3039.E Hillside Development Regulations

| Regulation | Proposed |
|--|---|
| Lands not to be developed pursuant to 3039.E (A) | Slope analysis identifies the location of slopes in excess of 40 percent with a minimum elevation differential of 25 feet (refer to the Slope Analysis Legend on page 4 of the TM). |
| Lands considered to possess significant natural topographical features pursuant to 3039.E (R) | Slope analysis identifies the location of natural slopes of 20 percent or more with a 50 feet minimum elevation differential. (This area is colored grey on sheet 4 of the TM.) |
| Minimum lot area is 5,000 square-feet or 0.11 acre | 3.24 net developable acres |
| Minimum lot area per unit is 6,000 square-feet or 0.14 acre per unit | 0.21 acre per unit 4.94 dwelling units per net developable acre |
| Minimum front yard is 15 feet | 85 feet from front property line |
| Minimum side yard is 20 feet | 35 feet from southern property line and 29 feet from northern property line |
| Minimum rear yard is ~10 feet | 66 feet from easterly property line |
| Maximum structural height is 30 feet from existing grade | 29.83 feet from grade |

| Regulation | Proposed |
|---|--|
| Grading limitations pursuant to 3039.E (J)(Q) | (J)The approximate length of the proposed two parallel retaining walls is 600 lineal feet. These walls would establish the toe of an alteration to the existing contours of land. (Q) Proposed cut and fill grading quantities (7,436 cubic yards) are less than the requirement (when remedial grading is excluded). |
| Building design pursuant to 3039.E (L) | Use of flatland building styles requires Planning Commission approval. Flat roofs are an aspect of the project design. |
| Visible bulk pursuant to 3039.E (L)(M) | Planning Commission may find that the proposed design and landscape plan minimizes the bulk visible from public streets and the structures are in reasonable harmony with the character of the area. |
| Screening of mechanical equipment pursuant to 3039.E (N) | Proposed building parapets to screen rooftop mechanical equipment |
| Driveways and off-street parking pursuant to 3039.E (P) | Required parking for guests is located within 100-feet of the dwelling unit they are intended to serve. |

The proposal complies with the required yards, parking, screening of mechanical equipment, and maximum height limitations of the Zoning Ordinance. Each unit is proposed to have two enclosed parking spaces and conditions of approval address concerns regarding the potential to block the sidewalk by prohibiting obstructions in this area. The required number of guest parking spaces is five. Ten guest parking spaces are proposed along one-side of the private road.

The proposal includes 25,460 cubic yards of cut and 8,730 cubic yards of fill. The grading quantities proposed are 7,436 cubic yards per acre (or 7,600 cubic yards per acre with the inclusion of remedial grading quantities). Section 3039.E(Q) states that “the amount of hillside grading shall be limited to 7,500 cubic yards per acre or less. A reduced amount of grading shall be encouraged wherever possible.”

The Planning Commission may grant the following exceptions to the regulations by finding that the proposed site design and landscape plan minimize the bulk visible from public streets and the structures are in reasonable harmony with the character of the area:

1. *Construction on lands with significant natural topographical features:* The submitted slope analysis identified that a large area of the site includes natural slopes of 20 percent or more with a 50 feet minimum elevation differential. These lands are, by definition, considered to possess significant natural topographical features. The applicant proposes to locate Units 2 through 8 in this area.
2. *Manufacturing slopes exceeding 40 feet in length:* The project includes the construction of two parallel retaining walls that are horizontally separated by approximately 10 feet. These proposed wall footings are easterly of the proposed development. Generally, these retaining walls heights are four or five feet and are

proposed to be plantable walls. The retaining walls would create a new toe to the newly contoured slope above. These walls are designed to meander and would be curvilinear. The overall linear length of the walls exceed 400 feet (approaching 600 feet), but this measurement includes the southern retaining wall segment of ~200 feet and the northern segment of ~80 feet. Landscaping is proposed between the two retaining walls and on the slope above.

3. *Use of flatland building styles and flat roofs:* On portions of the site where slopes are 20 percent or greater, conventional flatland building styles are to be avoided. Alternative building styles are encouraged, including split level construction. The dominate roof slope shall substantially follow the slope of the natural grade. Flat roofs should be avoided. Each unit would be constructed on a flat building pad. The applicant proposes to locate solar panels on the roof and feels that a flat roof pitch provides the best opportunity to capture solar energy. Views of the solar panels would be obstructed by proposed building parapets. The structures would appear to have a flat roof from the street level.

4. *Visible bulk:* The proposed conceptual landscape plan minimizes views of the sixteen units. Views from Rancho del Oro Drive would include trees and shrubs planted on the slopes between the street and the development. Landscaping in this area would obscure views of the proposed private yards and residences. Views from the east and the Costa Serena Subdivision would not be substantially reduced because the proposed building elevation and locations were selected to minimize impacts to Costa Serena residents' view of the ocean. But the easterly slopes of the project are proposed to be landscaped with trees and shrubs. This slope landscaping would obscure the Costa Serena Unit #6 (lots directly abutting the project site) residents' views of the proposed 16 unit development.

ENVIRONMENTAL DETERMINATION

The proposed project could result in potentially significant impacts, all of which can be mitigated, to the following environmental resources: aesthetics, biological resources, cultural resources, hydrology/water quality, noise, and geology and soils. A Mitigated Negative Declaration was prepared with mitigation measures pursuant to the provisions of the California Environment Quality Act (CEQA). The following technical reports were distributed with the Initial Study: Vista Pacific Residential Project Traffic Impact Analysis dated February 29, 2008; Preliminary Drainage Report for Vista Pacific dated July 20, 2007; Biological Resources Survey, Mira Pacific Property dated April 20, 2006; *Brodiaea filifolia* Survey, Mira Pacific Property dated August 3, 2006; and Mira Pacific Archaeological Constraints Study dated April 18, 2006.

The City Planner advertised a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for 30 days commencing on April 7, 2008 and ending on May 7, 2008. Comments were received from the following: (Letter A) Governor's Office of Planning and Research, (Letter B) US Fish and Wildlife Service and Department of Fish and

Game, (Letter C) Native American Heritage Commission, (Letter D) San Luis Rey Band of Mission Indians, (Letter E) Preserve Calavera and (Letter F) from Mr. Bob Drew. The comments received and staff's responses to the comments are attached herein. (Each correspondent received a response to their comments on the MND).

In response to comments received, the location of the *Brodiaea filifolia* was surveyed during May, 2008 and the minimum distance between the plant and built environs was increased to 40 and 46 feet. One residential unit was eliminated and another was re-oriented to accommodate the change in the minimum setback from the brodiaea.

The MND notice and Initial Study are attached herein. Prior to any action on T-6-06 and D-9-06 Vista Pacific, 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

Pursuant to Article 41 of the Oceanside Zoning Ordinance, Legal notice was published in the North County Times and notices were sent to property owners of record/and occupants within a 1,500-foot radius of the subject property, to individuals/organizations requesting notification, and to the applicant.

Correspondence was received from Mr. Ronald Thompson, Mr. Bob Drew (twice), Ms. Barbara Henderson, and Ms. Christa Sherrod. During March, 2008, I received telephone calls from Ms. Lola Juris, Ms. Beverly Riasin, and Ms. Di Devine. Staff received mixed comments from the public; some support the scope of the project and others are hesitant to endorse the proposal.

SUMMARY

In summary, staff finds that the Tentative Map (T-6-06) and Development Plan (D-9-06) 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:

- Move to adopt the Mitigated Negative Declaration, and associated findings and mitigation monitoring and reporting program and adopt Planning Commission Resolution No. 2009-P06; and,

- Move to approve Tentative Subdivision Map (T-6-06) and Development Plan (D-9-06) by adopting Planning Commission Resolution No. 2009-P11.

PREPARED BY:


Juliana von Hacht
Associate Planner

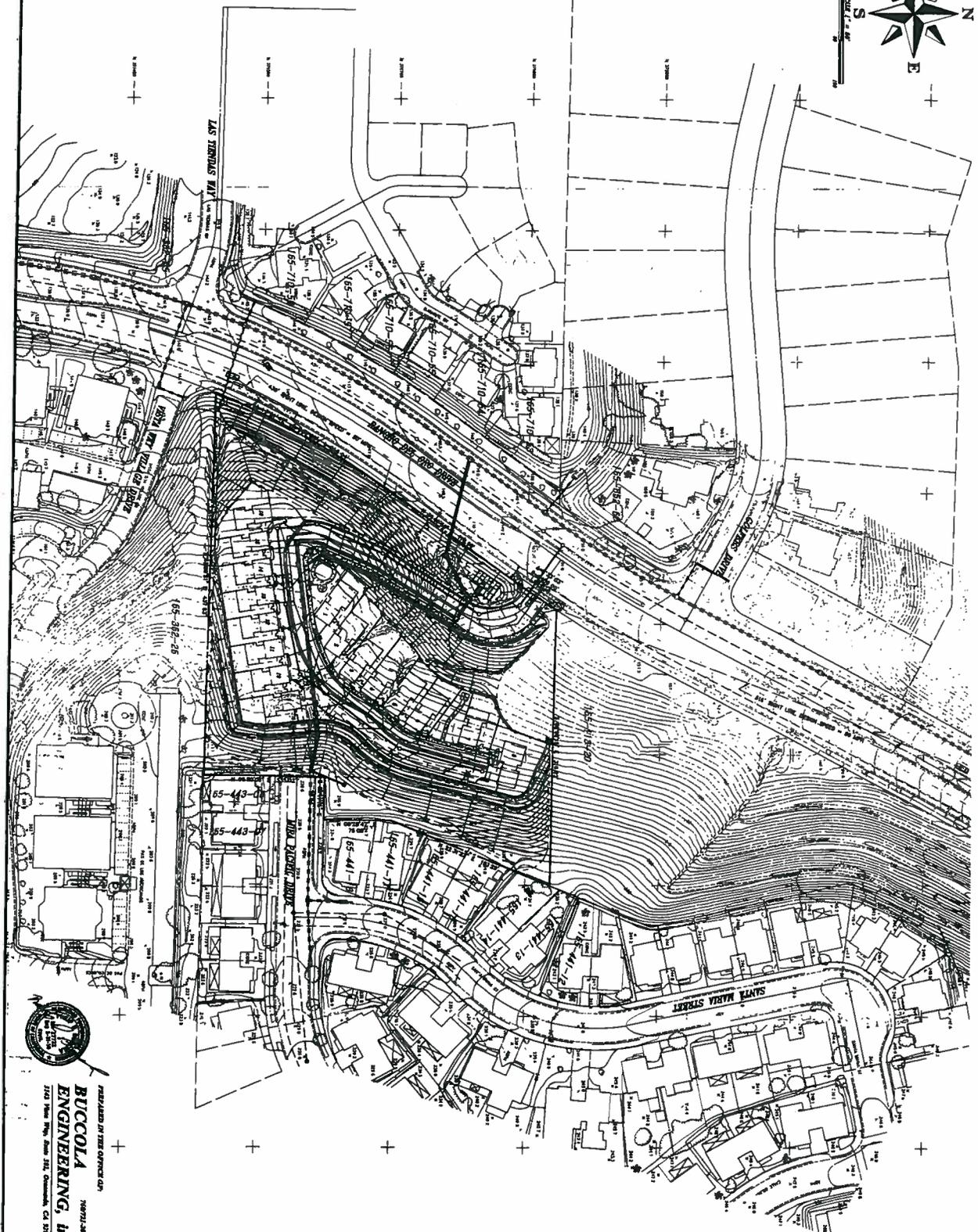
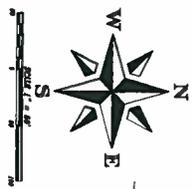
SUBMITTED BY:


Jerry Hittleman
City Planner

JH/JH/fil

Attachments:

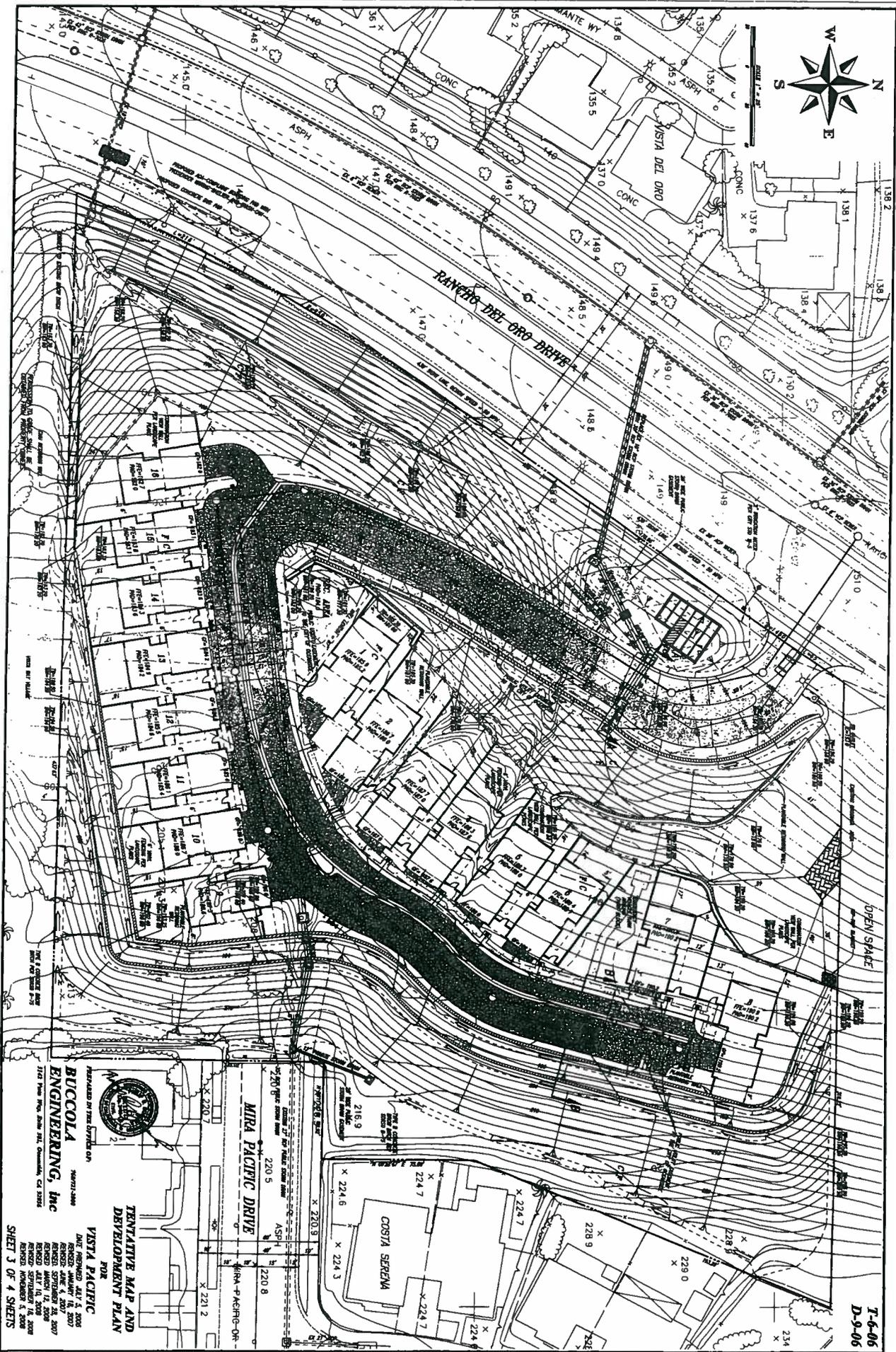
1. Tentative Subdivision Map, Slope Analysis, Development Plan, Conceptual Landscape Plans
2. Planning Commission Resolution 2009-P06
3. Planning Commission Resolution 2009-P11
4. Notice of Intent to Adopt a Mitigated Negative Declaration, Initial Study
5. Response to comments on the Mitigated Negative Declaration
6. Public comments on the proposed project



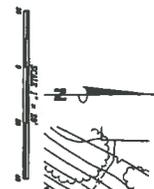
REGISTERED PROFESSIONAL ENGINEERS
**BUCCOLA
ENGINEERING, Inc**
17401 174th Ave., Suite 210, Channahon, IL 61018
815-461-1111

**TENTATIVE MAP AND
DEVELOPMENT PLAN**
FOR
VISTA PACIFIC
DATE PREPARED: MAY 5, 2006
REVISION: JANUARY 16, 2007
REVISION: SEPTEMBER 10, 2007
REVISION: MARCH 12, 2008
REVISION: MAY 10, 2008
REVISION: NOVEMBER 4, 2008
SHEET 2 OF 4 SHEETS

7-6-06
D-9-06

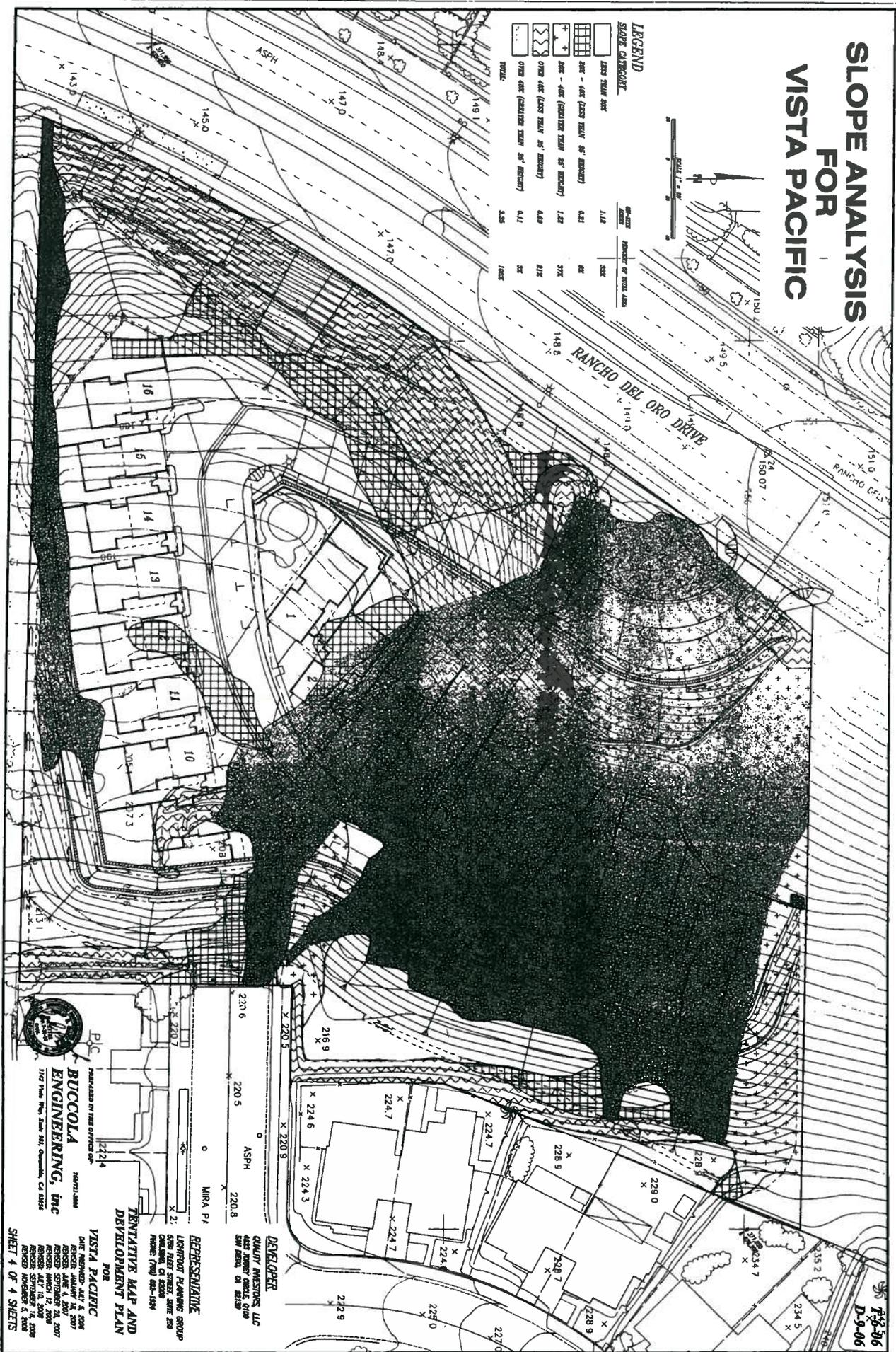


SLOPE ANALYSIS FOR VISTA PACIFIC



LEGEND

| SLOPE CATEGORY | PERCENT OF TOTAL AREA |
|----------------|-----------------------|
| LESS THAN 2% | 1.18 |
| 2% - 4% | 5.82 |
| 4% - 6% | 1.28 |
| 6% - 8% | 0.49 |
| 8% - 10% | 0.11 |
| 10% - 12% | 0.02 |
| 12% - 14% | 0.00 |
| 14% - 16% | 0.00 |
| 16% - 18% | 0.00 |
| 18% - 20% | 0.00 |
| 20% - 22% | 0.00 |
| 22% - 24% | 0.00 |
| 24% - 26% | 0.00 |
| 26% - 28% | 0.00 |
| 28% - 30% | 0.00 |
| 30% - 32% | 0.00 |
| 32% - 34% | 0.00 |
| 34% - 36% | 0.00 |
| 36% - 38% | 0.00 |
| 38% - 40% | 0.00 |
| 40% - 42% | 0.00 |
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| 62% - 64% | 0.00 |
| 64% - 66% | 0.00 |
| 66% - 68% | 0.00 |
| 68% - 70% | 0.00 |
| 70% - 72% | 0.00 |
| 72% - 74% | 0.00 |
| 74% - 76% | 0.00 |
| 76% - 78% | 0.00 |
| 78% - 80% | 0.00 |
| 80% - 82% | 0.00 |
| 82% - 84% | 0.00 |
| 84% - 86% | 0.00 |
| 86% - 88% | 0.00 |
| 88% - 90% | 0.00 |
| 90% - 92% | 0.00 |
| 92% - 94% | 0.00 |
| 94% - 96% | 0.00 |
| 96% - 98% | 0.00 |
| 98% - 100% | 0.00 |
| TOTAL | 100% |





BUCCOLA
ENGINEERING, INC.
 1727 Third Street, Suite 202, Costa Mesa, CA 92626
 714.440.1234

VISTA PACIFIC
 DATE REVISION: MAY 5, 2008
 REVISION: JANUARY 15, 2007
 REVISION: SEPTEMBER 24, 2007
 REVISION: JANUARY 12, 2006
 REVISION: MAY 18, 2006
 REVISION: NOVEMBER 5, 2005

REPRESENTATIVE
 LANDSCAPE PLANNING GROUP
 6700 FLAHERTY STREET, SUITE 200
 COSTA MESA, CA 92626
 PHONE: (714) 828-1834

DEVELOPER
 QUARTZ INVESTING, LLC
 4800 EAST STREET, SUITE 200
 SAN JERONIMO, CA 92383

**TENTATIVE MAP AND
 DEVELOPMENT PLAN**
 FOR

SHEET 4 OF 4 SHEETS

1/23/06
 D-9-06

ALL SCALE DRAWINGS AND EXHIBITS MATERIAL INDICATED OR REFERENCED BY THIS DRAWING ARE THE PROPERTY OF TETA ARCHITECTURE AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON THE PROJECT AND SHALL NOT BE LOANED, REPRODUCED, COPIED, REPRODUCED OR OTHERWISE USED FOR ANY PURPOSE UNLESS THE WRITTEN PERMISSION IS OBTAINED FROM TETA ARCHITECTURE.

VISTA PACIFIC RESIDENCES

OCEANSIDE, CALIFORNIA

APN: 165-362-02

PROJECT INFORMATION

| PLAN TYPE | ROOMS | BANKS | AREA (SQ. FT.) | | | |
|-----------|-------|-------|----------------|-----------|-----------|-----------|
| | | | TOTAL | 1ST FLOOR | 2ND FLOOR | 3RD FLOOR |
| A | 3 | 3.5 | 1,164 | 437 | 95 | 393 |
| B | 4 | 3.5 | 2,254 | 450 | 1,000 | 564 |
| C | 3 | 3.5 | 1,175 | 444 | 923 | 373 |
| TOTALS | 17 | | 4,593 | 1,331 | 2,018 | 1,330 |

1 AREA CALCULATIONS ARE PER PLANNING DEPARTMENT GUIDELINES
 2 PROJECT INCLUDES III INCLUSIONARY UNIT EVALUATED AS A PLAN C

| PLAN TYPE | ROOMS | AREA (SQ. FT.) |
|-----------|-------|----------------|
| A | 3 | 1,164 |
| B | 4 | 2,254 |
| C | 3 | 1,175 |
| TOTALS | 17 | 4,593 |

SHEET INDEX

- A1 TITLE SHEET
- A2 ARCHITECTURAL SITE PLAN
- A3 SITE SECTIONS
- A4 FLOOR PLANS
- A5 FLOOR PLANS - PLAN A
- A6 EXTERIOR ELEVATIONS - PLAN A
- A7 FLOOR PLANS - PLAN B
- A8 EXTERIOR ELEVATIONS - PLAN B
- A9 FLOOR PLANS - PLAN C
- A10 EXTERIOR ELEVATIONS - PLAN C

RECEIVED
 JUN 8 2010
 TETA ARCHITECTURE

PROJECT TEAM

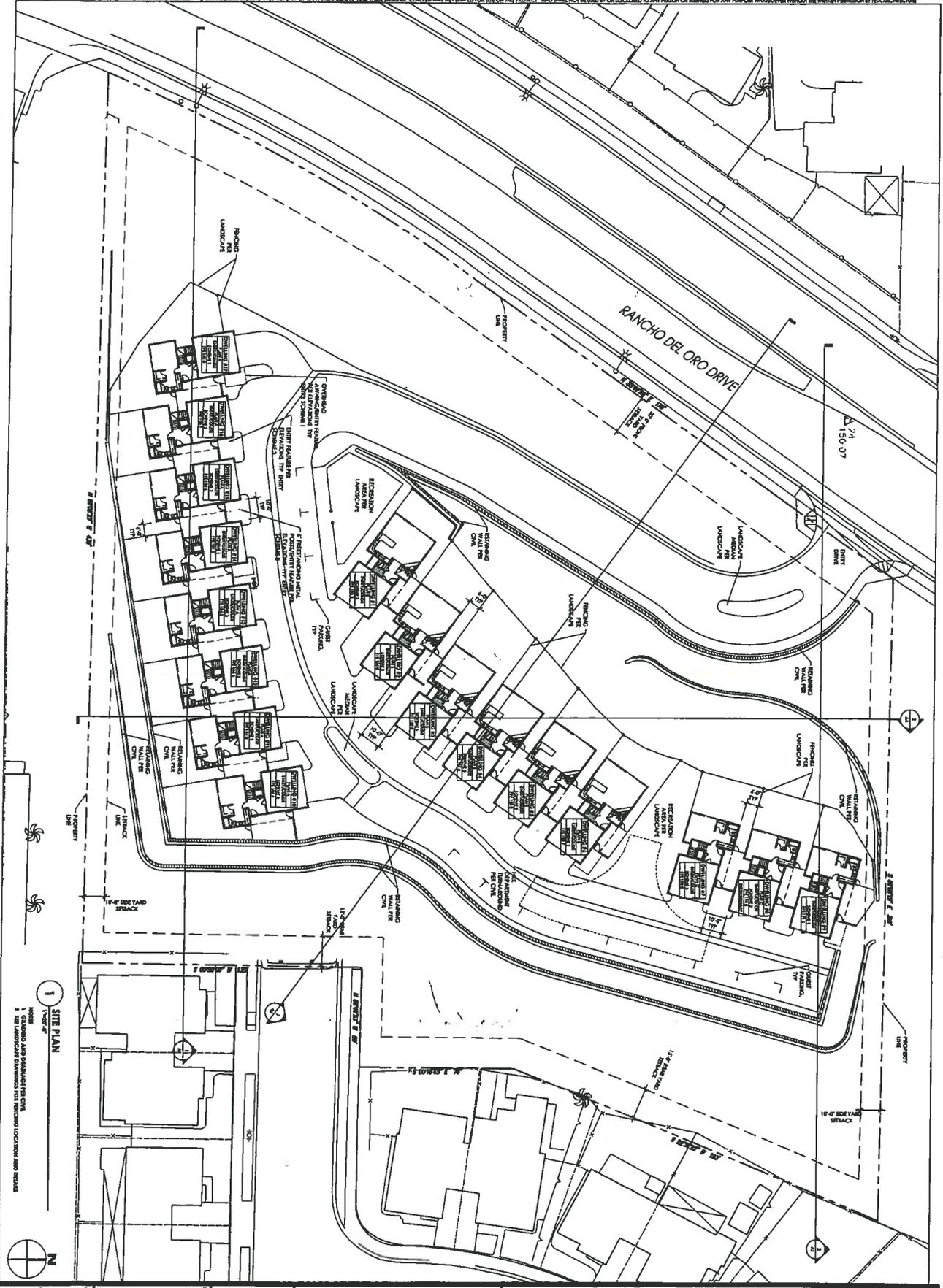
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- ARCHITECT**
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 San Diego, CA 92161
 Tel: 619.451.9900
 Fax: 619.451.9901
 email: info@tetaarchitecture.com
- PLANNING CONSULTANT**
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 Fax: 619.451.9901
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 San Diego, CA 92161
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- CIVIL ENGINEER**
 CIVIL ENGINEERING INC
 3443 Main Street, Suite 201
 Oceanside, CA 92054-4433
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TETA ARCHITECTURE
 DESIGN • DEVELOPMENT • PLANNING
 300 CARLEBAD VILLAGE DRIVE SUITE 1000 #333 CARLEBAD, CA 92008
 619.451.9900 WWW.TETAARCHITECTURE.COM

VISTA PACIFIC RESIDENCES
 DEVELOPMENT PLAN APPLICATION: OCEANSIDE, CALIFORNIA
 THIRD SUBMITTAL

DOCUMENT FILE
 TITLE SHEET
 DOCUMENT NUMBER
A1

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1 SITE PLAN
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 2. SEE LANDSCAPE DIMENSIONS FOR RANCHO DEL ORO DRIVE AND DRIVEWAYS.



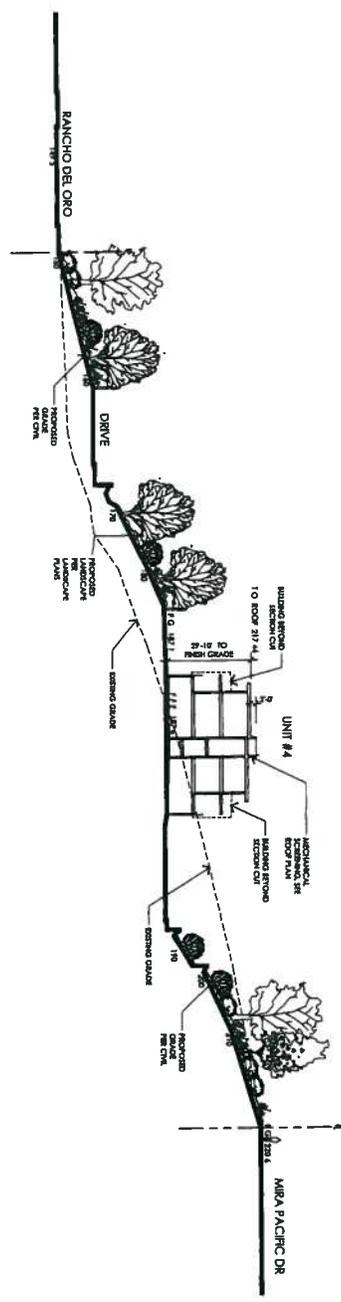
A2
 ARCHITECTURAL
 SITE PLAN
 OCCUPANT NAME:
 PROJECT NAME:

OCCUPANT NAME:
 PROJECT NAME:
 PROJECT NUMBER:
 PROJECT LOCATION:
 PROJECT ADDRESS:
 PROJECT CITY/STATE/ZIP:
 PROJECT PHONE NUMBER:
 PROJECT FAX NUMBER:

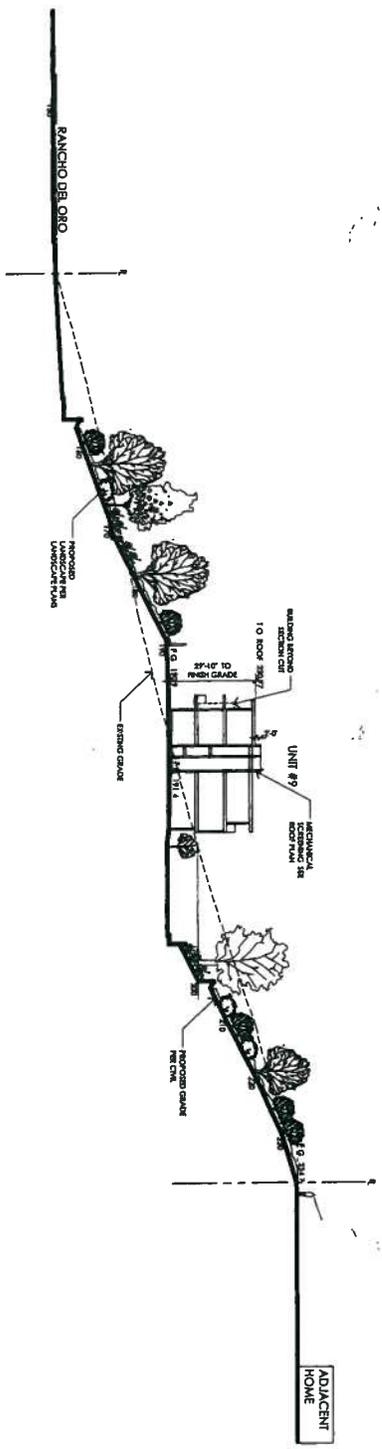
TETA ARCHITECTURE
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 288 CARLSBAD VILLAGE DRIVE SUITE 106A #338 CARLSBAD, CA 92008
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VISTA PACIFIC RESIDENCES
 DEVELOPMENT PLAN APPLICATION: OCEANSIDE, CALIFORNIA
 THIRD SUBMITTAL

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1 SITE SECTION
1/2" = 1'-0"



2 SITE SECTION
1/2" = 1'-0"

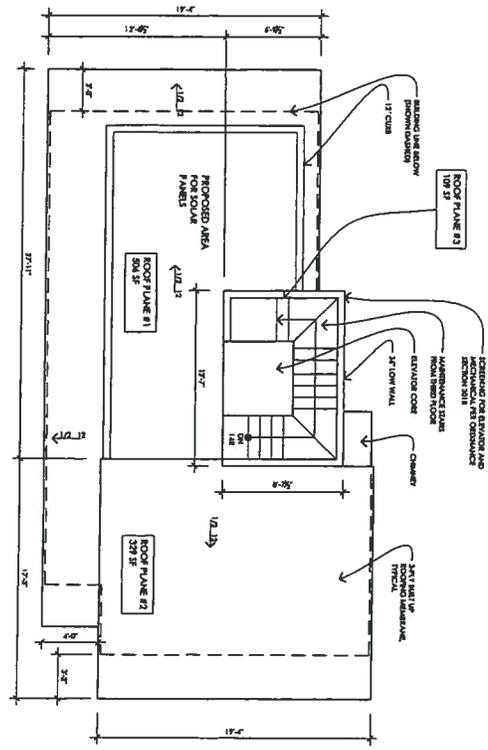
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 INCLUSION: 1.00
 DRAWING: 1.00 SITE SECTION
 DATE: 08/20/12
 DRAWN BY: J. B. BROWN
 CHECKED BY: J. B. BROWN
 PROJECT: VISTA PACIFIC RESIDENCES
 42700 MIRAGE DRIVE, CARLSBAD, CA 92008

TETA ARCHITECTURE
 ARCHITECTS - DEVELOPMENT - PLANNING
 300 CARLSBAD VILLAGE DRIVE SUITE 100A #234 CARLSBAD CA 92008
 619 847 8869 WWW.TETAARCHITECTURE.COM

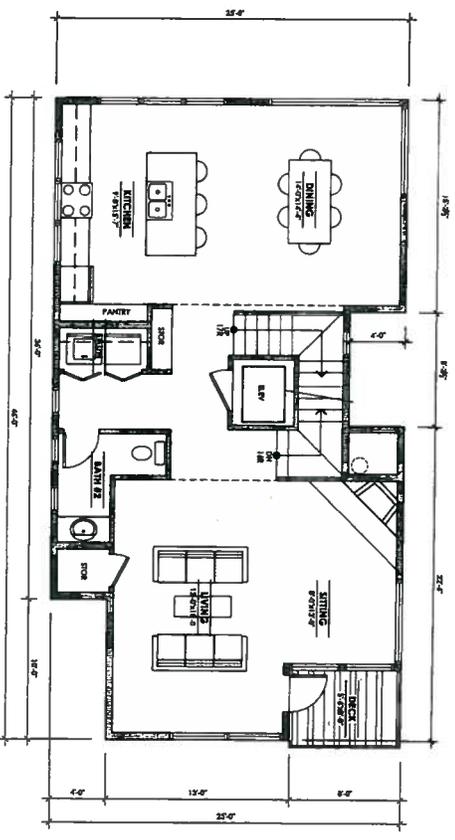
VISTA PACIFIC RESIDENCES
 DEVELOPMENT PLAN APPLICATION: OCEANSIDE, CALIFORNIA
 THIRD SUBMITTAL

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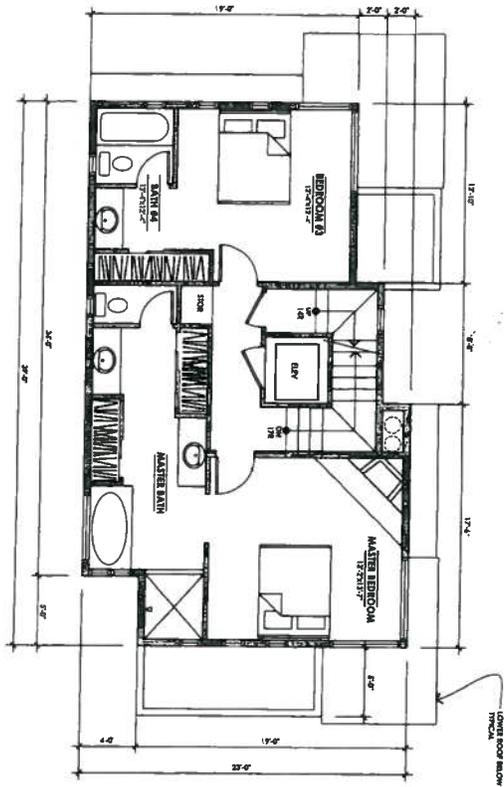
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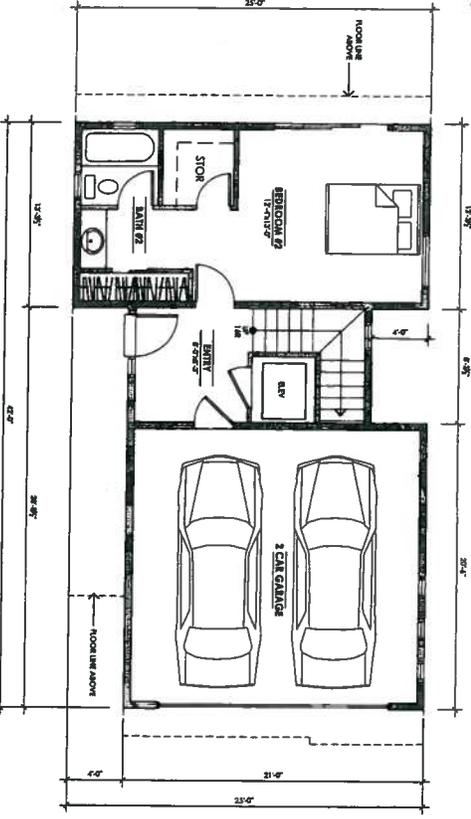
4 ROOF PLAN - PLAN A
1/8" = 1'-0"



2 SECOND FLOOR PLAN - PLAN A
1/8" = 1'-0"

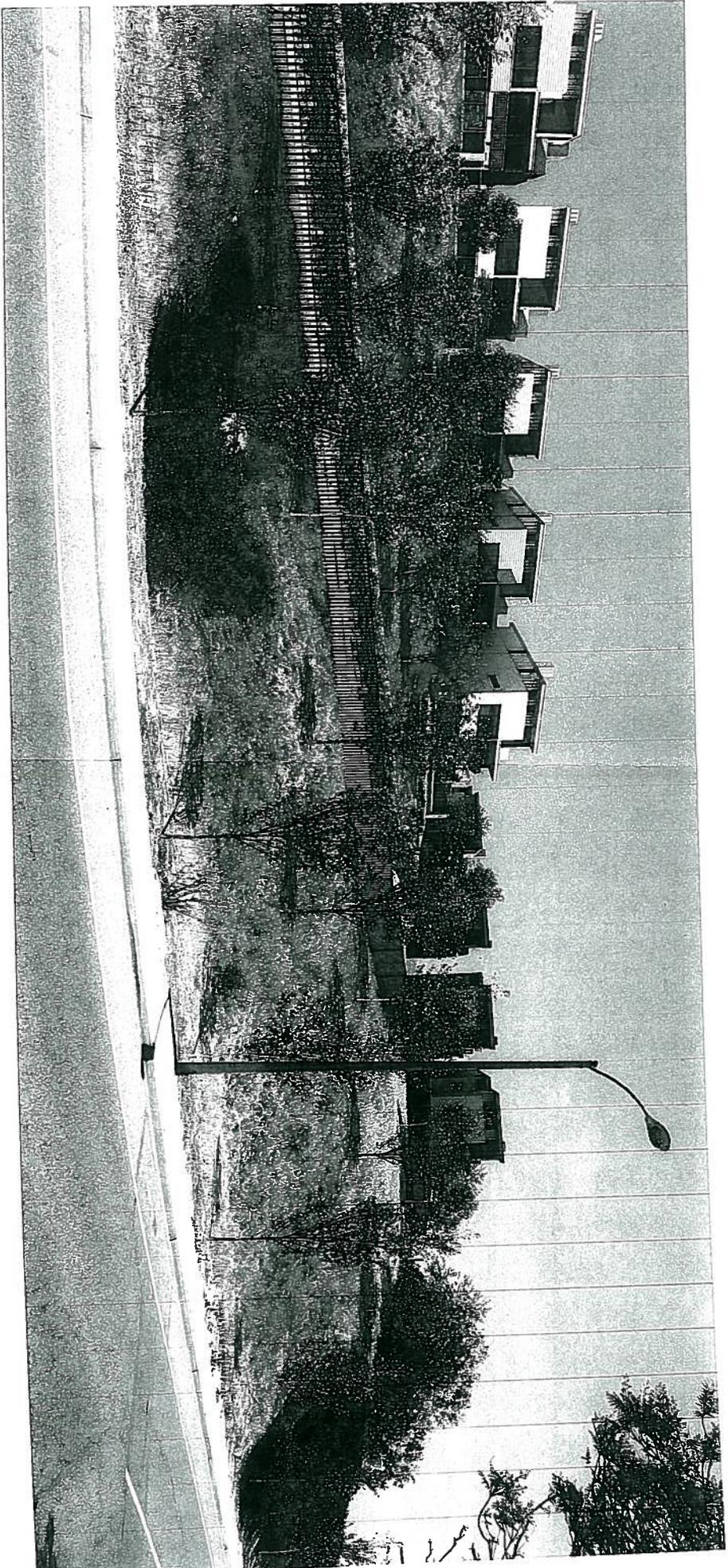


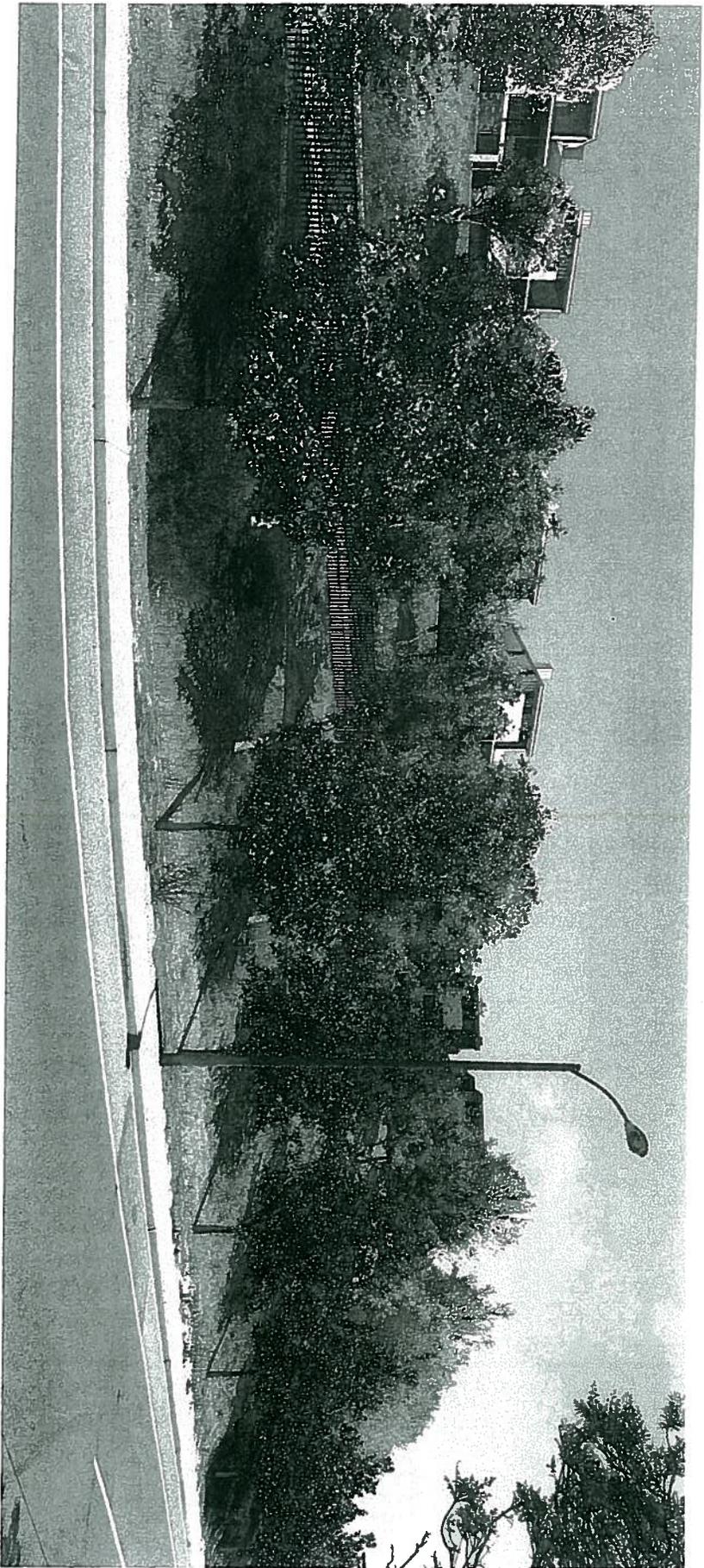
3 THIRD FLOOR PLAN - PLAN A
1/8" = 1'-0"



1 FIRST FLOOR PLAN - PLAN A
1/8" = 1'-0"







VISTA PACIFIC RESIDENCES
OCEANSIDE, CALIFORNIA
JULY 25, 2007

VIEW 2
COLOR RENDERING

BUCCOLA
ENGINEERING, Inc

THE
LIBERTY
PLANNING
GROUP

tetarcitecture



VISTA PACIFIC RESIDENCES
OCEANSIDE, CALIFORNIA
JULY 25, 2007

VIEW 3
COLOR RENDERING

BUCCOLA
ENGINEERING, Inc

THE
LIGHTFOOT
PLANNERS
GROUP

tetraarchitecture



VISTA PACIFIC RESIDENCES
OCEANSIDE, CALIFORNIA
JULY 25, 2007

VIEW 4
COLOR RENDERING

*BUCCOLA
ENGINEERING, Inc*


**THE
HERITAGE
PLANNERS
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tetraarchitecture



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Planning Department

VISTA PACIFIC RESIDENCES
OCEANSIDE, CALIFORNIA
JULY 25, 2007

VIEW 1
COLOR RENDERING

BUCCOLA
ENGINEERING, Inc



THE
LIGHTFOOT
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tetraarchitect

LANDSCAPE CONCEPT PLAN

VISTA PACIFIC

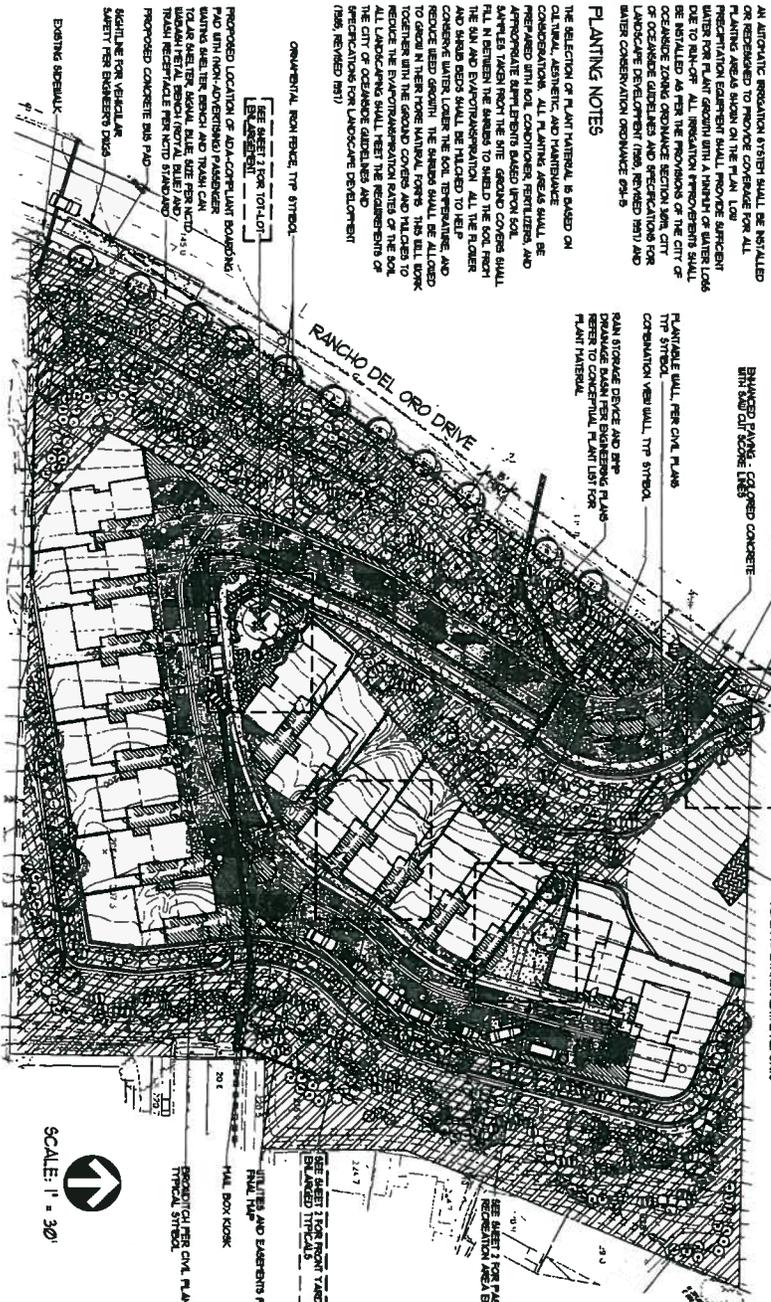
OCEANSIDE, CALIFORNIA

IRRIGATION NOTES

AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED OR REDESIGNED TO PROVIDE COVERAGE FOR ALL PLANTING AREAS SHOWN ON THE PLAN. LOW PRESSURE IRRIGATION SYSTEMS SHALL PROVIDE SUFFICIENT WATER TO ALL PLANTS WITH A MINIMUM OF WATER LOSS. THE SYSTEM SHALL BE DESIGNED TO MAINTAIN SOIL MOISTURE AS PER THE RECOMMENDATIONS OF THE CITY OF OCEANSIDE ZONING ORDINANCE SECTION 16.01.01 FOR LANDSCAPE DEVELOPMENT (1986, REVISED 1997) AND WATER CONSERVATION ORDINANCE 294-9.

PLANTING NOTES

THE SELECTION OF PLANT MATERIAL IS BASED ON CLIMATE, AESTHETIC, AND MAINTENANCE CONSIDERATIONS. ALL PLANTING AREAS SHALL BE PREPARED WITH SOIL CONDITIONS, FERTILIZERS, AND APPROPRIATE MULCHING BASED FROM SOIL ANALYSIS. PLANTS SHALL BE PLANTED AT THE PROPER DEPTH AND SPACING. THE SUN AND EVAPORATION. ALL THE FLOWER AND SHrub BEES SHALL BE PLACED TO HELP CONSERVE WATER. LOWER THE SOIL TEMPERATURE AND REDUCE THE NEED FOR WATER. THE SOIL SHALL BE WORK TO GROW IN THE TROPICAL CLIMATE. THIS WILL WORK TO REDUCE THE EVAPORATION RATES OF THE SOIL. ALL LANDSCAPING SHALL MEET THE REQUIREMENTS OF THE CITY OF OCEANSIDE ZONING ORDINANCE SECTION 16.01.01 FOR LANDSCAPE DEVELOPMENT (1986, REVISED 1997).



SEE SHEET FOR TREATMENT AREA AREA BY WALKER FOR FERTILIZER PLAN

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SEE SHEET FOR TREATMENT AREA AREA BY WALKER FOR FERTILIZER PLAN



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LANDSCAPE CONCEPT PLAN

DATE: 10/11/1998

SCALE: 1" = 30'

PROJECT: VISTA PACIFIC

LOCATION: OCEANSIDE, CALIFORNIA

DESIGNER: [Firm Name]

DATE: 10/11/1998

QUALITY INVESTORS

VISTA PACIFIC

OCEANSIDE, CALIFORNIA

10/11/1998

THE LIGHTFOOT PLANNING GROUP

PLANNING SITE DESIGN LANDSCAPE ARCHITECTURE

5710 15TH STREET, SUITE 100, OCEANSIDE, CA 92054

TEL: (760) 434-1111

FAX: (760) 434-1112

WWW.LIGHTFOOTPLANNING.COM

**PRELIMINARY DRAINAGE REPORT
FOR
VISTA PACIFIC**

OCEANSIDE, CALIFORNIA

Prepared for:

Quality Investors LLC
4623 Torrey Circle, Q109
San Diego, California 92130

Prepared by:

BUCCOLA ENGINEERING, INC.
3142 Vista Way, Suite 301
Oceanside, California 92056
(760) 721-2000

June 7, 2006
Revised: February 9, 2007
Revised July 20, 2007
JN 182-1

Filed w/Application

08/03/07


Philip D. Buccola
Registration Expires 3-31-08



Prepared By: LBR

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- 2.0 HYDROLOGY CALCULATIONS
 - 2.1 Determination of Runoff Coefficient
 - 2.2 Determination of Intensity
 - 2.3 Determination of Areas
 - 2.4 Determination of Initial Time of Concentration
 - 2.5 Flood Routing Method
 - 2.6 Hydrology Calculations

SECTION 1.0

PROJECT DESCRIPTION

The VISTA PACIFIC site is located north of Highway 78 on the east side of Rancho Del Oro Drive in the City of Oceanside. The site is bound along the west by Rancho Del Oro Drive, north by undeveloped vacant land and the eastern boundary abuts existing multi-family duplex development. Multi-family apartments/condo's abut the south boundary. The site is approximately 3.4 ac. with steep to moderate steep terrain that predominantly slopes from the east to the west. An approximate 20 Ac. upstream drainage basin consisting of the existing multi-family development along the easterly boundary, flows towards the site and discharges runoff onto the site via an existing 27" RCP storm pipe system that outlets at the extension of Vista Pacific Drive. In addition, existing surface runoff from Vista Pacific Drive flows onto the site at the barricaded end of Vista Pacific Drive. The two flows converge at the approximate outlet point of the existing 27" RCP and then continues across the site, within an eroded Canyon drain. Approximately 1.5 Ac. of onsite area also flows toward the Canyon drain. These combined flows eventually flow to a sump area located at the mid portion of the site directly adjacent to Rancho Del Oro Drive. Flows discharge from this sump area via an existing 18" RCP which connects to an existing 42" RCP storm drain system in Rancho Del Oro Drive. It is evident that during a major storm event, the capacity of this 18" RCP is over burdened and some portion of these flows overtop the westerly property line of the site and discharge into Rancho Del Oro Drive. The overflow then flows southerly within in the easterly half of Rancho Del Oro Drive. Flows eventually discharge into the existing storm system within Rancho Del Oro Drive via existing curb inlets located downstream of the site. The total existing condition runoff for the 100 year storm event for this basin will be 49.9 cfs, with a TC of 14.27 mins. and an area consisting of 21.7 Ac.

There is approximately 0.60 Ac. of onsite area along the northerly boundary and 0.32 Ac. at the mid-west/south boundary that surface flows directly onto Rancho Del Oro Drive. These combined basin areas will also flow to the south within the easterly half of Rancho Del Oro Drive and discharge into the existing storm drain system via existing curb inlets located at the intersection of Rancho Del Oro Drive and Vista Way. The total existing condition runoff for the 100 year storm event for this basin will be 2.96 cfs, with a TC of 10.31 mins. and an area consisting of 1.02 Ac.

Approximately 1.12 Ac. of onsite and offsite area along the southerly boundary, surface flows to an existing concrete drainage ditch that discharge's into an existing inlet structure at the south westerly corner of the site. Flows are then carried via an existing 18" RCP that connects to the existing 42" RCP storm drain system in Rancho Del Oro Drive. The total existing condition runoff for the 100 year storm event for this basin will be 4.61 cfs, with a TC of 4.89mins. and an area consisting of 1.30 Ac

The existing 42" storm drain system within Rancho Del Oro Drive is presently picking up existing development flows from an undetermined watershed area located up stream of this site, together with existing development flows upstream of this project, this projects existing onsite

flows and existing downstream development flows. The storm drain system continues southerly within Rancho Del Oro Drive and becomes a 48" RCP just prior to the intersection of Vista Way. The existing storm drain system then continues westerly within Vista Way to a sump location where curb inlets pick off the street flows. Total combined flows for the overall watershed area are then passed under State Hwy 78 through an existing pipe system that discharges into Buena Creek.

Existing offsite and onsite drainage basins and flow patterns are shown on exhibits "A" and "B" at the end of this report.

The proposed onsite condition runoff will be collected via private storm drain lines that will connect to a proposed main trunk line storm drain system located within the private roadway's. The proposed trunk line storm drain system will connect to the existing 27" RCP storm drain that presently discharges offsite runoff onto this site from the easterly existing residential development. Existing surface runoff from Vista Pacific Drive will discharge into proposed concrete drainage ditches and be carried to a type F catch basin that will connect at the 27" RCP outlet pipe. All offsite drainage will be carried in this trunk line storm system, through the project and discharge into the detention/storage basin located at the project entry. Flows from the onsite lot areas will discharge into a private storm drain system located within each lot. These private storm drains will connect to the main storm drain trunk system and be carried to the detention/storage basin. Most onsite roadway surface's will be collected at a curb type inlet located at the project entry and discharged into the detention/storage basin. The total combined offsite and onsite 100 year event flows discharging into the detention/storage basin are estimated to be 51.3 cfs at a tc of 14.55 mins. and a basin area consisting of 22.4 ac. Compared with the existing condition flow of 49.9 cfs, there is an increase in runoff of 1.4 cfs. The detention basin will consist of a 36" RCP inflow pipe that connects to a grated inlet, double type 'G' catch basin. The catch basin will be utilized as a portion of detention/storage volume and will have a 30" RCP outlet pipe to attenuate the proposed condition flows to the existing condition runoff value. This 30" RCP pipe will replace an existing 18" RCP presently connecting to the 42" RCP within Rancho Del Oro Drive. Detention routing calculations are included at the rear of this report.

Several portions of the onsite slope areas along the northerly and westerly property lines will flow directly onto Rancho Del Oro Drive as did occur in the existing project condition. The total proposed condition runoff for the 100 year storm event for these basins will be 2.04 cfs, with a TC of 8.03 mins. and an area consisting of 0.74 ac. Compared to the existing condition flow of 2.46 cfs, there is a net decrease in runoff of 0.42 cfs. This results from a decreased basin area and re-routing onsite.

Approximately 0.57 ac. of proposed onsite and offsite area along the southerly boundary, surface flows to the existing concrete drainage ditch as did occur under the existing condition runoff. The flows from this basin will also discharge as before into the existing inlet structure at the south westerly corner of the site. Flows are then carried via an existing 18" RCP that connects to the existing 42" RCP storm drain system in Rancho Del Oro Drive. The total proposed condition runoff for the 100 year storm event for this basin will be 1.99 cfs, with a TC of 5.46 mins. and an area consisting of 0.57 ac. Compared with the existing condition flow of 4.61 cfs, there is a decrease in runoff of 2.62 cfs. This net decrease in runoff is the result of 0.73 ac. area being rerouted onsite. The overall effect of the total combined flows for the proposed condition runoff

will be less than or attenuated to the existing condition flows by detention storage and decreased area. Therefore there will be no added impact to downstream drainage facilities from this development. For purposes of this preliminary report proposed condition drainage basins and flow patterns are shown on exhibit "C" at the end of this report.

This Preliminary Report has been prepared using methods described in the San Diego County Hydrology Manual. Supporting charts are included in the appendix of the report. A node-to-node computer analysis is used for the rational method calculations. Ultimate development runoff coefficients are used throughout the study. For off-site areas, appropriate C-values were chosen based on existing land use.

The following reference documents were used in the preparation of this study:

- City of Oceanside "Engineer's Design and Processing" Manual, dated February 13, 1991; revised August 26, 1992.
- Hydrology Manual, County of San Diego, 2003 ("County Design Manual").

1 PLANNING COMMISSION
2 RESOLUTION NO. 2009-P06

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

7 APPLICATION NO: T-6-06 and D-9-06
8 APPLICANT: Quality Investors, LLC
9 LOCATION: 2300 block of Rancho Del Oro Drive

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

12 WHEREAS, there was filed with this Commission a verified petition on the forms
13 prescribed by the Commission requesting Tentative Subdivision Map and Development Plan
14 under the provisions of Articles 10, 30 and 43 of the Zoning Ordinance of the City of Oceanside to
15 permit the following:

16 development of a single lot with 16 detached single-family residences and subdivided to
17 create 16 condominium units on a 3.56-acre undeveloped site that is subject to a Hillside
18 Development Plan;

19 on certain real property described in the project description.

20 WHEREAS, the Planning Commission, after giving the required notice, did on the 23rd
21 day of February, 2009 conduct a duly advertised public hearing as prescribed by law to consider
22 said application.

23 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
24 Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that if the
25 mitigation measures are implemented there will not be an adverse impact upon the environment;

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

28 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that
29 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;

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

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

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

8 FINDINGS:

- 9 1. The Mitigated Negative Declaration together with any comments received, and
10 Mitigation and Monitoring and Reporting Program (MMRP) incorporated into the
11 conditions of approval for the project, were presented to the Planning Commission, and
12 the Planning Commission reviewed and considered the information contained in these
13 documents prior to making a decision on the project.
- 14 2. The Mitigated Negative Declaration and Mitigation and Monitoring and Reporting
15 Program (MMRP) have been determined to be accurate and adequate documents,
16 which reflect the independent judgment and analysis of the Planning Commission. On
17 the basis of the entire record before it, the Planning Commission finds that there is no
18 substantial evidence that the project, with implementation of the mitigation measures
19 proposed, will have a significant impact on the environment.

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

- 23 1. Prior to the issuance of a grading permit, the applicant shall (pursuant to Mitigation
24 Measure AES #2) submit Final Landscape Plans, prepared to the satisfaction of the City
25 Engineer, showing the following project features: (a) terraced hillside; (b) landscaped
26 slopes; and (c) planted retaining walls.
- 27 2. The Building Division staff shall (pursuant to Mitigation Measure AES #3) review to
28 confirm that final architectural drawings show that the project will not install outdoor
29 lighting that directly illuminates neighboring properties. The Building Inspector shall
confirm the illumination direction of outdoor lighting prior to completing final inspection.

- 1 3. The applicant shall ensure that (pursuant to Mitigation Measure AES #4) the project will
2 not install outdoor lighting that would cast a direct beam angle towards a potential
3 observer, such as motorists, cyclist or pedestrian.
- 4 4. The Building Division staff shall (pursuant to Mitigation Measure AES #5) review
5 building plans to confirm that the project will not install outdoor lighting for vertical
6 surfaces such as buildings, landscaping, or signs in a manner that would result in useful
7 light or spill light being cast beyond the boundaries of intended area to be lit.
- 8 5. The Building Division staff shall review architectural drawings to confirm that (pursuant to
9 Mitigation Measure AES #6) the project will not install any highly reflective surfaces such
10 as glare-producing glass or high-gloss surface color that will be visible along roadways,
11 pedestrian walkways, or in the line of sight of adjacent properties.
- 12 6. The Building Division staff shall review architectural drawings to ensure that (pursuant to
13 Mitigation Measure AES #7) that the project conforms to the Light Pollution Regulations
14 (Chapter 39 of Municipal Code) and the Multiple Species Conservation Program (MSCP)
15 Plan, Section 6.3.9 Fencing, Signs, and Lighting. Compliance with the Municipal Code is
16 required prior to issuance of any building permit for any project. Mandatory compliance
17 for all new building permits ensures that this project will not contribute to a cumulatively
18 considerable impact.
- 19 7. Prior to project grading, the applicant shall demonstrate to City Planner and City Engineer
20 that (pursuant to Mitigation Measures BIO #1 and BIO #7) the project is located in the
21 Off-site Mitigation Zone I of the Subarea Plan and that impacts to non-native grassland
22 and coastal sage scrub have been mitigated within the proposed Wildlife Corridor Planning
23 Zone (WCPZ) or within a Pre-Approved Mitigation Area (PAMA) within Zone 1.
- 24 8. Prior to issuance of a grading permit, the applicant shall, to the satisfaction of the City
25 Planner; City Engineer; and California Department of Fish and Game, (pursuant to
26 Mitigation Measure BIO #4) provide the Director of the Development Services
27 Department with a copy of a Streambed Alteration Agreement issued by the California
28 Department of Fish and Game for all project-related disturbances of any streambed or
29 provide evidence satisfactory to the City of Oceanside that such an agreement is not
required.

- 1 9. Prior to issuance of a grading permit, the applicant shall, to the satisfaction of the City
2 Planner; City Engineer; Regional Water Quality Control Board; and US Army Corps of
3 Engineers, (pursuant to Mitigation Measure BIO #5) provide the Director of the
4 Development Services Department with a copy of a Clean Water Act, Section 401/404
5 permit issued by the California Regional Water Quality Control Board and the U.S. Army
6 Corps of Engineers for all project-related disturbances of waters of the U.S. and/or
7 associated wetlands or provide evidence satisfactory to the City of Oceanside that such a
8 permit is not required.
- 9 10. Prior to the issuance of a grading permit, the applicant shall, to the satisfaction of the City
10 Planner and City Engineer, (pursuant to Mitigation Measures AES #1 and BIO #6) prior to
11 the issuance of a grading permit, show on the Final Landscape Plan mitigation of the
12 existing Canary Island Palm.
- 13 11. Prior to project grading, the applicant shall mitigate, to the satisfaction of the City Planner;
14 City Engineer; Resource Agencies; and Biological Monitor, (pursuant to Mitigation
15 Measures BIO #2 and BIO #8) for the loss of non-native grassland (at a ratio of 0.5:1) and
16 coastal sage scrub (at a ratio of 3:1). As such, mitigation of 1.73 acres of non-native
17 grassland and 0.39-acre of coastal sage scrub shall be provided, either within the WCPZ or
18 PAMA. Mitigation credits may not be available within the jurisdiction of the City of
19 Oceanside. As such, the purchase of mitigation credits from an alternative jurisdiction
20 may be possible with consultation with the U.S. Fish and Wildlife Service and the
21 California Department of Fish and Game during the permitting process. Furthermore,
22 coastal sage scrub credits may be purchased to mitigate for impacts resulting from the loss
23 of both the non-native grassland habitat and coastal sage scrub habitat if, non-native
24 grassland credits are unavailable.
- 25 12. To ensure compliance during project grading, the applicant shall, to the satisfaction of the
26 City Planner; City Engineer; and Biological Monitor, (pursuant to Mitigation Measures
27 BIO #3 and BIO #9) mitigate for potential impacts to the cluster of Thread-leaf brodiaea
28 (*Brodiaea filifolia*) identified on-site. The applicant shall provide for total avoidance of the
29 Thread-leaf brodiaea (*Brodiaea filifolia*) by establishing a minimum 25-foot setback from
the Thread-leaf brodiaea (*Brodiaea filifolia*).

- 1 13. Throughout grading activities, the City Engineer; Qualified Archaeologist; and
2 Archaeological Monitor shall provide periodic verification of the absence of subsurface
3 archaeological resources. (pursuant to Mitigation Measure CR #1) In the event any
4 subsurface archaeological resources are encountered during grading or construction
5 activities, such activities in the locality of the find shall be halted immediately. An
6 archaeologist, certified by the Society of Professional Archaeologists (SOPA), shall be
7 brought in to determine the significance of the archaeological resources and implement
8 appropriate mitigations prior to recommending earthwork.
- 9 14. Prior to issuance of a grading permit, the applicant shall, to the satisfaction of City
10 Engineer; Qualified Archaeologist; and Archaeological Monitor, execute (pursuant to
11 Mitigation Measure CR #2) a pre-excavation agreement with the San Luis Rey band of
12 Mission Indians, specifying the disposition of human remains, grave goods, or other
13 culturally sensitive material encountered during grading, trenching, or other ground
14 disturbance in conjunction with implementation of the proposed project.
- 15 15. An archaeologist and a Native American monitor shall be (pursuant to Mitigation Measure
16 CR #3) on-site during grading and trenching within the project area. The archaeologist
17 and the Native American monitor may determine, in coordination with City staff, that the
18 full-time presence of a monitor is not required, that checking the grading at regular
19 intervals is sufficient.
- 20 16. The monitors shall have the power to temporarily halt or redirect grading if sensitive
21 cultural material is found (pursuant to Mitigation Measure CR #4).
- 22 17. An archaeologist and a Native American monitor shall be present during pre-grade
23 meeting(s) to discuss the monitoring program with the grading contractor, City staff and
24 the developer (pursuant to Mitigation Measure CR #5).
- 25 18. If archaeological materials are encountered during grading or construction, then their
26 importance must be evaluated to assess the significance of impacts (pursuant to Mitigation
27 Measure CR #6). If significant cultural resources are encountered mitigation would be
28 accomplished through documentation and excavation of features, cataloging and analysis
29 of cultural materials collected, and preparation of a report detailing the methods and results
of the monitoring/ data recovery program.

- 1 19. Prior to the issuance of grading permits, the applicant shall establish a program with a
2 qualified paleontologist to monitor grading activities (pursuant to Mitigation Measure CR
3 #7). The applicant shall provide the City Engineer with a copy of the paleontological
4 resource-monitoring program.
- 5 20. The applicant shall (pursuant to Mitigation Measure CR #8) demonstrate to the satisfaction
6 of the City Engineer that the following notes have been placed on the grading and
7 improvement plans and are mitigation and monitoring measures adopted as conditions of
8 project approval: (a) If human remains are encountered, State Health and Safety Code
9 Section 7050.5 states that no further disturbance shall occur until the County Coroner has
10 made a determination of origin and disposition pursuant to Public Resources Code Section
11 5097.98. (b) The County Coroner must be notified of any human remains find
12 immediately. (c) If the remains are determined to be prehistoric, the Coroner will notify
13 the Native American Heritage Commission (NAHC) which will determine and notify a
14 Most Likely Descendant (MLD). With the permission of the landowner the MLD may
15 inspect the site of the discovery, and shall complete the inspection within 24 hours of
16 notification by the NAHC. The MLD will have the opportunity to make recommendations
17 to the NAHC on the disposition of the remains.
- 18 21. A qualified geologist shall be present onsite during grading activities to determine whether
19 adverse soil conditions are present in the final slopes and whether remedial actions are
20 necessary (pursuant to Mitigation Measure GEO #1). If any adverse conditions are
21 identified site-specific recommendations will be provided at that time by the qualified
22 geologist present on-site.
- 23 22. Prior to issuance of a grading permit and to the satisfaction of the City Engineer, (pursuant
24 to Mitigation Measures GEO #2, GEO #9 and GEO #16) Geotechnical consultants shall
25 review and approve the detailed foundation/grading/site work plans. This approval shall
26 be by wet signature which clearly indicates that the Geotechnical Consultants have
27 reviewed the plans prepared by the design engineer and that plans are in conformance with
28 the recommendation contained in their Geotechnical Report.
- 29 23. An “as-built” report prepared by the consultant must be submitted to the City for review
(pursuant to Mitigation Measures GEO #3, GEO #10 and GEO #17). The report must
include the results of all compaction tests as well as a map depicting the limits of over

- 1 excavation, observed geologic conditions, locations of all density tests, locations and all
2 removal bottoms, and locations and elevation of all retaining wall back drains and outlets.
- 3 24. Prior to issuance of a grading permit, the applicant shall, to the satisfaction of the City
4 Engineer, (pursuant to Mitigation Measures GEO #4, GEO #11, and GEO #18) print the
5 name, address, and phone number of the Project Geotechnical consultant and list all
6 applicable Geotechnical reports on the building and grading plans.
- 7 25. Prior to issuance of a grading permit, the applicant shall, to the satisfaction of the City
8 Engineer and Qualified Geologist, (pursuant to Mitigation Measures GEO #5, GEO #12,
9 and GEO#19) prepare foundation plans and foundation details that clearly depict the
10 embedment material and minimum depth of embedment for the foundations.
- 11 26. Prior to issuance of a grading permit, (pursuant to Mitigation Measures GEO #6, GEO
12 #13, and GEO #20) the following note shall appear on all foundation plans: "All
13 foundation excavations must be observed and approved by the Project Geotechnical
14 Consultant prior to placement of reinforcing steel."
- 15 27. Prior to issuance of a grading permit (pursuant to Mitigation Measures GEO #7, #14, and
16 GEO #21), the final grading, drainage, and foundation plans should be reviewed, signed
17 and wet stamped by the project geotechnical consultants.
- 18 28. A qualified geologist shall be present onsite during grading activities to determine whether
19 adverse soil conditions are present in the final slopes and whether remedial actions are
20 necessary (pursuant to Mitigation Measures GEO #8 and GEO#15). If any adverse
21 conditions are identified site-specific recommendations shall be provided at that time by
22 the qualified geologist present on-site.
- 23 29. To the satisfaction of the City Engineer and Building Official, the applicant shall (pursuant
24 to Mitigation Measures NOI #1 and NOI #7) use construction methods or equipment that
25 will provide the lowest level of noise impact during grading and project construction.
- 26 30. To the satisfaction of the City Engineer and Building Official, the applicant shall (pursuant
27 to Mitigation Measures NOI #2 and NOI #8) use a noise-attenuating jacket around the
28 jackhammer.
- 29 31. To the satisfaction of the City Engineer and Building Official, the applicant shall (pursuant
to Mitigation Measures NOI #3 and NOI #8) schedule construction so the absolute
minimum number of equipment would be operating at the same time.

1 32. To the satisfaction of the City Engineer and Building Official, the applicant shall (pursuant
2 to Mitigation Measures NOI #4) use the latest technology to mitigate construction
3 equipment noise, i.e., engine enclosures, intake and exhaust silencers, etc.

4 33. To the satisfaction of the City Engineer and Building Official, the applicant shall (pursuant
5 to Mitigation Measures NOI #5) construct temporary noise walls or sound blankets along
6 the project boundaries.

7 34. To the satisfaction of the City Engineer and Building Official, the applicant shall (pursuant
8 to Mitigation Measures NOI #6) ensure that all project-related equipment and vehicles are
9 fitted with effective exhaust silencers and are maintained in proper working condition.
10 Machines, in intermittent use, shall be shut down or throttled down during periods between
11 use.

12 PASSED AND ADOPTED Resolution No. 2009-P06 on February 23, 2009 by the
13 following vote, to wit:

- 14 AYES:
- 15 NAYS:
- 16 ABSENT:
- 17 ABSTAIN:

18 _____
19 Claudia Troisi, Chairperson
20 Oceanside Planning Commission

21 ATTEST:
22 _____
23 Jerry Hittleman, Secretary

24 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
25 this is a true and correct copy of Resolution No. 2009-P06.

26
27 Dated: February 23, 2009
28
29

1 PLANNING COMMISSION
2 RESOLUTION NO. 2009-P11

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 TENTATIVE SUBDIVISION MAP AND DEVELOPMENT
6 PLAN ON CERTAIN REAL PROPERTY IN THE CITY OF
OCEANSIDE

7 APPLICATION NO: T-6-06, D-9-06
8 APPLICANT: Quality Investors, LLC
9 LOCATION: 2300 block of Rancho del Oro Drive

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

12 WHEREAS, there was filed with this Commission a verified petition on the forms
13 prescribed by the Commission requesting a Tentative Subdivision Map and Development Plan
14 under the provisions of Articles 10, 30, and 43 of the Zoning Ordinance and Article IV of the
Subdivision Ordinance of the City of Oceanside to permit the following:

15 development of a single lot with 16 detached single-family residences and subdivided to
16 create 16 condominium units on a 3.56-acre undeveloped site that is subject to a Hillside
17 Development Plan;

18 on certain real property described in the project description.

19 WHEREAS, the Planning Commission, after giving the required notice, did on the 23rd
20 day of February, 2009 conduct a duly advertised public hearing as prescribed by law to consider
said application.

21 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
22 Guidelines thereto; a Mitigated Negative Declaration has been prepared stating that if the
23 mitigation measures are implemented there will not be an adverse impact upon the environment

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

26 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that
27 the project is subject to certain fees, dedications, reservations and other exactions as provided
28 below:
29

| 1 | <u>Description</u> | <u>Authority for Imposition</u> | <u>Current Estimate Fee or</u> |
|----|--|--|--|
| 2 | | | <u>Calculation Formula</u> |
| 3 | Parkland Dedication/Fee | Ordinance No. 91-10 Resolution No. 06-R0334-1 | \$3,503 per unit |
| 4 | | | |
| 5 | Drainage Fee | Ordinance No. 85-23 Resolution No. 06-R0334-1 | Depends on area (range is \$2,843-\$15,964 per acre) |
| 6 | | | |
| 7 | Public Facility Fee | Ordinance No. 91-09 Resolution No. 06-R0334-1 | \$2,072 per unit for residential |
| 8 | | | |
| 9 | School Facilities Mitigation Fee | Ordinance No. 91-34 | \$2.63 per square foot residential |
| 10 | | | |
| 11 | Traffic Signal Fee | Ordinance No. 87-19 Resolution No. 06-R0334-1 | \$15.71 per vehicle trip |
| 12 | | | |
| 13 | Thoroughfare Fee | 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) |
| 14 | | | |
| 15 | 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 |
| 16 | | | |
| 17 | | | |
| 18 | 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 |
| 19 | | | |
| 20 | | | |
| 21 | | | |
| 22 | San Diego County Water Authority Capacity Fees | SDCWA Ordinance No. 2005-03 | Based on meter size. Residential is typically \$4,154 per unit |
| 23 | | | |
| 24 | Inclusionary housing in lieu fees—Residential only. | Chapter 14-C of the City Code | \$1,000 per development project + \$100 per unit plus \$10,275 per unit |
| 25 | | | |

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

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

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

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

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

13 WHEREAS, the Mitigated Negative Declaration together with any comments received,
14 and Mitigation and Monitoring and Reporting Program (MMRP) incorporated into the
15 conditions of approval for the project, were presented to the Planning Commission, and the
16 Planning Commission reviewed and considered the information contained in these documents
17 prior to making a decision on the project.

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

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

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

29 //

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1 FINDINGS:

2 For the Tentative Subdivision Map T-6-06, pursuant to Section 406.C of the Subdivision
3 Ordinance:

- 4 1. The proposed map is consistent with the General Plan and Subdivision Ordinance,
5 including General Plan Objectives 1.24 and 1.25. A geotechnical analysis has been
6 accepted by the City Engineer for the project site, which includes undevelopable lands
7 and lands considered to have significant topographical features. The proposal is
8 consistent with Section 3039 Hillside Development Provisions of the Zoning
9 Ordinance, because the majority of the development is sited on slopes that qualify as
10 developable. Grading is less than the maximum allowed 7,500 cubic yards per acre and
11 the design of the buildings and site layout do not obscure the surrounding
12 neighborhood's view shed.
- 13 2. The site is physically suitable for subdivision and construction of 16 detached
14 residential units. A geotechnical analysis has been accepted by the City Engineer for
15 the project site, which includes undevelopable lands and lands considered to have
16 significant topographical features. The proposal is consistent with Section 3039
17 Hillside Development Provisions of the Zoning Ordinance, because the majority of the
18 development is sited on slopes that qualify as developable.
- 19 3. The site is physically suitable for 4.94 dwellings per gross acre, which is below the RM-
20 A District base density of six dwelling units per gross acre.
- 21 4. The design of the subdivision and proposed improvements will not cause substantial
22 environmental damage or substantially and avoidably injure fish or wildlife or their
23 habitat. The project scope includes mitigation of the loss of costal sage scrub and a
24 minimum open space buffer from a small grouping of brodiaea.
- 25 5. The design of the subdivision and the type of improvements will not conflict with
26 easements, acquired by the public at large, for access through or use of, property within
27 the proposed subdivision. The area covered by the Development Plan can be served by
28 existing public facilities, because these elements have been addressed and incorporated
29 into the proposed project design. Since the proposal is below the base density of the
RM-A District, it will not inundate existing public facilities.

1 6. The proposal complies with all other applicable ordinances, regulations and guidelines
2 of the City of Oceanside, including but not limited to hillside regulations. The proposal
3 is consistent with Section 3039 Hillside Development Provisions of the Zoning
4 Ordinance, because the majority of the development is sited on slopes that qualify as
5 developable. Grading is less than the maximum allowed 7,500 cubic yards per acre and
6 the design of the buildings and site layout do not obscure the surrounding
7 neighborhood's view shed.

8 For the Development Plan D-9-06, pursuant to Section 4306 of the Zoning Ordinance:

- 9 1. The site plan and physical design of the project as proposed is consistent with the
10 purposes of the Zoning Ordinance because it satisfies the intent of the Hillside
11 Development Regulations, complies with RM-A development regulations including
12 required setbacks, height limitations, open space requirements, and off-street parking
13 requirements.
- 14 2. The Development Plan conforms to the General Plan of the City, because the proposed
15 residential product type, Single Unit-Variable, is consistent with the Land Use Element
16 requirements established for the site. Additionally, the proposed project density is 4.94
17 dwelling units per acre which is below the RM-A District's base density of six dwelling
18 units per acre.
- 19 3. The area covered by the Development Plan can be served by existing public facilities,
20 because these elements have been addressed and incorporated into the proposed project
21 design. Since the proposal is below the base density of the RM-A District, it will not
22 inundate existing public facilities.
- 23 4. The project is compatible with existing development in the surrounding neighborhood,
24 because it is similar in residential density and building type. The project does not
25 exceed the base density established for this site and remains consistent with the allowed
26 building types. Surrounding developments adjacent to Rancho del Oro and Vista Way
27 have similar building heights and styles. Three-story buildings and flat roof
28 architectural styles are present in the vicinity of the project area.
- 29 5. The site plan and physical design of the project is consistent with the Objectives 1.24
and 1.25 of the General Plan Land Use Element Community Development Goals.
Additionally, the proposal is consistent with Section 3039 Hillside Development

1 Provisions of the Zoning Ordinance, because the majority of the development is sited on
2 slopes that qualify as developable. Grading is less than the maximum allowed 7,500
3 cubic yards per acre and the design of the buildings and site layout do not obscure the
4 surrounding neighborhood's view shed.

5 Findings for the Hillside Development Plan, pursuant to Section 3039.H.3 of the Zoning
6 Ordinance:

- 7 1. The site plan and physical design of the project as proposed is consistent with the
8 purposes of the Zoning Ordinance because it satisfies the intent of the Hillside
9 Development Regulations, complies with RM-A development regulations including
10 required setbacks, height limitations, open space requirements, and off-street parking
11 requirements.
- 12 2. The Development Plan conforms to the General Plan of the City, because the proposed
13 residential product type, Single Unit-Variable, is consistent with the Land Use Element
14 requirements established for the site. Additionally, the proposed project density is 4.94
15 dwelling units per acre which is below the RM-A District's base density of six dwelling
16 units per acre.
- 17 3. The area covered by the Development Plan can be served by existing public facilities,
18 because these elements have been addressed and incorporated into the proposed project
19 design. Since the proposal is below the base density of the RM-A District, it will not
20 inundate existing public facilities.
- 21 4. The proposed site improvements comply with Section 3039.E(A), because the proposed
22 access to the site from Rancho del Oro Road and crossing of undevelopable land with
23 an improved street allows a clustering pattern of development that follows the existing
24 terrain.
- 25 5. The two proposed retaining walls comply with Section 3039.E(J), because the natural
26 contour altered by grading shall be rounded and shaped to simulate natural terrain even
27 though the two parallel retaining wall length are individually ~ 600 lineal feet.
- 28 6. The proposed location of units 2 through 8 on lands considered to possess significant
29 natural topographical features complies with Section 3039.E(L), because the elevation
of the building pads follow the natural rise of the existing terrain.

1 7. The visible bulk of the proposed buildings comply with Section 36039.E(M), because
2 the proposed site design and conceptual landscape plan minimize views of the
3 development from public streets and the proposed structures are in reasonable harmony
4 with the character of the surrounding area.

5 8. The grading quantities proposed are 7,436 cubic yards per acre and complies with
6 Section 3039.E(Q) because the site requires extensive grading to accommodate required
7 public utility systems and system components.

8 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
9 approve Tentative Subdivision Map T-6-06 and Development Plan D-9-06 subject to the
10 following conditions:

11 1. Planning Commission Resolution No. 2009-P06 is not replaced by this resolution. The
12 conditions herein augment the mitigation monitoring and reporting program measures
13 adopted by Planning Commission Resolution No. 2009-06 on February 23, 2009. If there
14 is any inconsistency between this resolution's conditions and the conditions in Resolution
15 No. 2009-P06, then the adopted mitigation measures and report program conditions shall
16 prevail.

Building:

17 2. Applicable Building Codes and Ordinances shall be based on the date of submittal for
18 Building Division plan check. (Currently the 2007 California Building Code, and 2007
19 California Electrical Code)

20 3. The granting of approval under this action shall in no way relieve the applicant/project
21 from compliance with all State and Local building codes.

22 4. The building plans for this project are required by State law to be prepared by a licensed
23 architect or engineer and must be in compliance with this requirement prior to submittal
24 for building plan review.

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

27 6. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
28 plans.
29

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

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

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

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

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

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

24 **Engineering:**

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

29 12. Vehicular access rights to Mira Pacific Drive and Rancho Del Oro Drive, with the
exception of the access points approved by the City Engineer, shall be relinquished by the
property owner.

- 1 13. All right-of-way alignments, street dedications, exact geometrics, widths, and
2 improvements shall comply with the requirements of the City Engineer.
- 3 14. Design and construction of all improvements shall be in accordance with standard plans,
4 specifications of the City of Oceanside and subject to approval by the City Engineer.
- 5 15. Prior to issuance of a building permit, unless already fully covered by an appropriately
6 binding subdivision agreement, all improvement requirements shall be covered by a
7 development agreement and secured with sufficient improvement securities or bonds
8 guaranteeing performance and payment for labor and materials, setting of monuments, and
9 warranty against defective materials and workmanship.
- 10 16. Prior to approval of the final map or any increment, all improvement requirements, within
11 such increment or outside of it if required by the City Engineer, shall be covered by a
12 subdivision agreement and secured with sufficient improvement securities or bonds
13 guaranteeing performance and payment for labor and materials, setting of monuments, and
14 warranty against defective materials and workmanship.
- 15 17. The subdivision shall be recorded and developed as one. A construction-phasing plan for
16 the construction of public and private improvements shall be reviewed and approved by
17 the City Engineer prior to the approval of the final map or issuance of a building permit
18 (whichever occurs first). Prior to the issuance of any building permits all improvements
19 including landscaping, frontage improvements shall be under construction to the
20 satisfaction of the City Engineer. Prior to issuance of any certificates of occupancy the
21 City Engineer shall require the dedication and construction of necessary utilities, streets
22 and other improvements outside the area of any particular final map, if such is needed for
23 circulation, parking, access or for the welfare or safety of future occupants of the
24 development.
- 25 18. The owner/developer shall provide the City of Oceanside with a certification from each
26 public utility and each public entity owning easements within the proposed project stating
27 that: (a) they have received from the developer a copy of the proposed map; (b) they
28 object or do not object to the filing of the map without their signature; (c) in case of a street
29 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
owner/developer shall furnish proof to the satisfaction of the City Engineer that no new

1 encumbrances have been created that would subordinate the City's interest over areas to be
2 dedicated for public road purposes since submittal of the project.

3 19. Prior to the issuance of any permits for models, a construction-phasing plan for the entire
4 project shall be reviewed and approved by the City Planner, City Engineer, and Building
5 Official. All improvements shall be under construction to the satisfaction of the City
6 Engineer prior to the issuance of any building permits. All public and private
7 improvements including landscaping and offsite streets or arterials that are found to be
8 required to serve the model complex shall be completed prior to the issuance of any
9 certificates of occupancy.

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

22 21. Pursuant to the State Map Act, improvements shall be required at the time of development.
23 A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to
24 these improvement conditions and a certificate setting forth the recordation shall be placed
25 on the map.

26 22. Prior to the issuance of a grading permit, the owner/developer shall notify and host a
27 neighborhood meeting with all of the area residents located within 300 feet of the project
28 site, and residents of property along any residential streets to be used as a "haul route", to
29 inform them of the grading and construction schedule, haul routes, and to answer
questions.

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

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

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

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

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

21 24. A traffic control plan shall be prepared according to the City traffic control guidelines and
22 approved by the City Engineer prior to the start of work within open City right-of-way.
23 Traffic control during construction of streets that have been opened to public traffic shall
24 be in accordance with construction signing, marking and other protection as required by
25 the Caltrans Traffic Manual and City Traffic Control Guidelines. Traffic control plans
26 shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.

27 25. Approval of this development project is conditioned upon payment of all applicable impact
28 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
29 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, in accordance with

1 City Ordinances and policies. The owner/developer shall also be required to join into,
2 contribute, or participate in any improvement, lighting, or other special district affecting or
3 affected by this project. Approval of the tentative map and development plan shall
4 constitute the owner's/developer's approval of such payments, and his agreement to pay
5 for any other similar assessments or charges in effect when any increment is submitted for
6 the final map or the building permit approval, and to join, contribute, and/or participate in
7 such districts.

8 26. The street improvements shall include Portland cement concrete curb, gutter, and
9 sidewalk.

10 27. The development/subdivision shall provide a minimum of 10 feet parkway between the
11 face of curb and the right-of-way line along the project's frontage on Rancho Del Oro
12 Drive. Sidewalk improvements shall comply with ADA requirements. A minimum four
13 wide continuous strip of the parkway shall be kept unpaved. All improvements, structures,
14 including retaining wall(s), and the landscaping of the unpaved portion of the parkway
15 shall be maintained by the owner of the subject property or by a Home Owners'
16 Association in perpetuity.

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

22 29. Streetlights shall be maintained and installed on all public and private streets within the
23 project and along the project's frontage per City Standards as required by the City
24 Engineer. The system shall provide uniform lighting, and be secured prior to occupancy.
25 The owner/developer shall pay all applicable fees, energy charges, and/or assessments
26 associated with City-owned (LS-2 rate schedule) streetlights and shall also agree to the
27 formulation of, or the annexation to, any appropriate street lighting district.

28 30. The alignments and all geometrics for streets and driveways shall meet the City's
29 applicable standards, unless alignment or geometric deviations are otherwise approved by
satisfying sight distance and fire truck turning movement requirements approved with the
tentative map and development plan.

1 31. This project's interior street shall remain private and shall be maintained by a
2 Homeowners' Association in perpetuity. The pavement sections, traffic indices,
3 alignments, and all geometrics shall meet public street standards, unless alignment or
4 geometric deviations are otherwise approved by satisfying the applicable sight distance
5 and fire truck turning movement requirements.

6 32. Pavement sections for all streets, driveways and parking areas within the project and along
7 the project's frontage shall be based upon approved soil tests and traffic indices. The
8 pavement design is to be prepared by the developer's soil engineer and must be approved
9 by the City Engineer, prior to paving.

10 33. Prior to approval of the grading plans, the owner/developer shall provide appropriate
11 documentation from a geotechnical engineer on the current state of the street's structural
12 section to the satisfaction of the City Engineer. If such documentation is not available, the
13 developer's geotechnical engineer shall perform a field investigation of the existing
14 pavement on all streets adjacent to the project boundary. The limits of the study shall be
15 half-street (including median) plus 12 feet along the project's frontage on Rancho Del Oro
16 Drive. If required, the field investigation shall be performed according to a specific boring
17 plan prepared by a licensed Geotechnical Engineer and approved by the City Engineer. In
18 the absence of such approved boring plan, the field investigation shall include a minimum
19 of one pavement boring per every 100 linear feet of street frontage. Should the existing
20 structural section be determined to be less than the current minimum standard for AC and
21 Class II Base as set forth in the table for City of Oceanside Pavement Design Guidelines in
22 the City of Oceanside Engineers Manual, the owner/developer shall remove and
23 reconstruct the pavement section as determined by the pavement analysis submittal
24 process detailed below.

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

1 provided in a pavement analysis report, and the owner/developer shall reconstruct the
2 pavement per these recommendations, subject to approval by the City Engineer.

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

5 36. All existing, proposed or temporary overhead utility lines within the subdivision and
6 within the full width street, alley or right-of-way abutting the new subdivision, and all new
7 extension services for the development of the project, including but not limited to,
8 electrical, cable and telephone, shall be placed underground prior to issuance of a building
9 permit per Section 901.G. of the Subdivision Ordinance (R91-166) and as required by the
10 City Engineer and current City policy.

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

13 38. Grading and drainage facilities shall be designed and installed to adequately accommodate
14 the local stormwater runoff and shall be in accordance with the City's Engineers Manual
and as directed by the City Engineer.

15 39. The owner/developer shall obtain any necessary permits and clearances from all public
16 agencies having jurisdiction over the project due to its type, size, or location, including but
17 not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game,
18 U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
19 (including NPDES), San Diego County Health Department, prior to the issuance of
20 grading permits.

21 40. The approval of the tentative map or development plan shall not mean that proposed
22 grading or improvements on adjacent properties (including any City properties/right-of-
23 way or easements) is granted or guaranteed to the owner/developer. The owner/developer
24 is responsible for obtaining permission to grade or to construct on adjacent properties.
25 Should such permission be denied, the resulting changes to the tentative map/development
26 plan shall be subject to a Substantial Conformity review. Changes not meeting substantial
conformity requirements shall be submitted for appropriate public hearing action.

27 41. Prior to any grading of any part of the subdivision/development, a comprehensive soils and
28 geologic investigation shall be conducted of the soils, slopes, and formations in the project.
29 All necessary measures shall be taken and implemented to assure slope stability, erosion

1 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
2 prepared in accordance with the Grading Ordinance and Zoning Ordinance and is
3 approved by the City Engineer.

4 42. The extent and location of proposed grading including "over-excavation", if any, should be
5 clearly depicted on a grading plan. The consultant shall provide appropriate
6 recommendations and the means for temporary excavations for removals during
7 construction and the sequence of construction. Appropriate cross sections depicting the
8 location of adjacent structures and public ways where the excavations would remove the
9 lateral support shall be part of the excavation plans.

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

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

19 45. Precise grading and private improvement plans shall be prepared, reviewed, secured and
20 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
21 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,
22 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
23 and any on-site traffic calming devices shall be shown on all the precise grading and
24 private improvement plans.

25 46. Landscaping plans, including plans for the construction of walls, fences or other structures
26 at or near intersections or project entrances, must conform to intersection sight distance
27 requirements.

28 47. Landscape and irrigation plans must be submitted to the City Engineer prior to the
29 issuance of a grading permit and approved by the City Engineer prior to the issuance of
occupancy permits. Frontage landscaping shall be installed prior to the issuance of any
certificates of occupancy. Any project fences, sound or privacy walls and monument

1 entry walls/signs shall be shown on, bonded for and built from the landscape plans. These
2 features shall also be shown on the precise grading plans for purposes of location only.
3 Plantable, segmental walls shall be designed, reviewed and constructed by the grading
4 plans and landscaped/irrigated through project landscape plans. All plans must be
5 approved by the City Engineer and a pre-construction meeting held, prior to the start of
6 any improvements.

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

14 49. The drainage design on the development plan/tentative map is conceptual only. The final
15 design shall be based upon a hydrologic/hydraulic study to be approved by the City
16 Engineer during final engineering. All drainage picked up in an underground system shall
17 remain underground until it is discharged into an approved channel, or as otherwise
18 approved by the City Engineer. All public storm drains shall be shown on the City
19 standard plan and profile sheets. All storm drain easements shall be dedicated where
20 required. The owner/developer shall be responsible for obtaining all easements for storm
21 drainage facilities.

22 50. All storm drains shall be designed and constructed per current editions of the San Diego
23 County Hydrology and Drainage Design Manuals, and San Diego Area Regional Standard
24 Drawings.

25 51. For any increase of storm water flows from the development site to other properties, the
26 developer shall secure appropriate easement(s) from and maintenance agreement(s) with
27 the owner(s) of the impacted properties to the satisfaction of the City Engineer. Upon
28 approval by City Engineer and the City Attorney, the appropriate documents shall be
29 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

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

3 52. Storm drain facilities shall be designed and located such that the inside travel lanes on
4 streets with collector or above design criteria shall be passable during conditions of a 100-
5 year frequency storm.

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

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

13 55. The owner/developer shall comply with the provisions of National Pollution Discharge
14 Elimination System (NPDES) General Permit for Storm Water Discharges Associated
15 with Construction Activity (General Permit) Water Quality Order 99-08-DWQ. The
16 General Permit continues in force and effect until a new General Permit is issued or the
17 SWRCB rescinds this General Permit. Only those owner/developers authorized to
18 discharge under the expiring General Permit are covered by the continued General Permit.
19 Construction activity subject to the General Permit includes clearing, grading, and
20 disturbances to the ground such as stockpiling, or excavation that results in soil
21 disturbances of at least one acre of total land area. The owner/developer shall obtain
22 coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining a
23 Waste Discharge Identification Number (WDID#) from the State Water Resources Control
24 Board (SWRCB). In addition, coverage under the General Permit shall not occur until an
25 adequate SWPPP is developed for the project as outlined in Section A of the General
26 Permit. The site specific SWPPP and associated NOI shall be maintained on the project
27 site at all times. The SWPPP shall be provided, upon request, to the United States
28 Environmental Protection Agency (USEPA), SWRCB, Regional Water Quality Control
29 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

1 the site specific SWPPP shall be continuously implemented and enforced until the
2 owner/developer obtains a Notice of Termination (NOT) for the SWRCB. The
3 owner/developer is required to retain records of all monitoring information, copies of all
4 reports required by this General Permit, and records of all data used to complete the NOI
5 for all construction activities to be covered by the General Permit for a period of at least
6 three years from the date generated. This period may be extended by request of the
7 SWRCB and/or RWQCB.

8 56. Upon acceptance of any fee waiver or reduction by the owner/developer, the entire project
9 will be subject to prevailing wage requirements as specified by Labor Code section
10 1720(b)(4). The developer shall agree to execute a form acknowledging the prevailing
11 wage requirements prior to the granting of any fee reductions or waivers.

12 57. Following approval of the SWMP by the City Engineer and prior to issuance of grading
13 permits, the owner/developer shall submit and obtain approval of an Operation &
14 Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer. The O&M
15 Plan shall include an approved and executed Maintenance Mechanism pursuant to Section
16 4.1 of the Interim Standard Urban Storm Water Mitigation Plan (ISUSMP). The O&M
17 shall satisfy the minimum Maintenance Requirements pursuant to Section 4.3 of the
18 ISUSMP. At a minimum the O&M Plan shall include the designated responsible party to
19 manage the stormwater BMP(s), employee training program and duties, operating
20 schedule, maintenance frequency, routine service schedule, specific maintenance activities,
21 copies of resource agency permits, cost estimate for implementation of the O&M Plan, a
22 security to provide maintenance in the event of noncompliance to the O&M Plan, and any
23 other necessary elements. The Project Proponent shall provide the City with access to site
24 for the purpose of BMP inspection and maintenance by entering into an Access Rights
25 Agreement with the City. The Project Proponent shall complete and maintain O&M forms
26 to document all operation, inspection, and maintenance activities. The Project Proponent
27 shall retain records for a minimum of five years. The records shall be made available to
28 the City upon request.

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

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

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

14 60. The Agreement shall include a copy of executed on-site and off-site access rights
15 necessary for the operation and maintenance of BMPs that shall be binding on the land
16 throughout the life of the project to the benefit of the party responsible for the O&M of
17 BMPs, satisfactory to the City Engineer. The agreement shall also include a copy of the
18 O&M Plan approved by the City Engineer.

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

23 62. The owner/developer shall provide a copy of the title/cover page of the approved SWMP
24 with the first engineering submittal package. The appropriate document shall be submitted
25 for review and approval by the City Engineer. All Storm-water documents shall be in
26 compliance with the latest edition of submission requirements.

27 63. The approval of the tentative map/development shall not mean that closure, vacation, or
28 abandonment of any public street, right-of-way, easement, or facility is granted or
29 guaranteed to the developer. The owner/developer is responsible for applying for all
closures, vacations, and abandonments as necessary. The application(s) shall be reviewed
and approved or rejected by the City of Oceanside under separate process per codes,

1 ordinances, and policies in effect at the time of the application. The City of Oceanside
2 retains its full legislative discretion to consider any application to vacate a public street or
3 right-of-way.

4 64. In the event that conceptual plan does not match the conditions of approval, the resolution
5 of approval shall govern.

6 **Fire:**

7 65. Submit a copy of as-built plans on a CD for all projects on the job site. A site plan
8 indicating the fire access and hydrant locations must also be submitted on CD Rom.

9 66. Fire Department requirements shall be placed on plans in the notes section.

10 67. Smoke detectors are required, and detector locations must be indicated on the plans.

11 68. A minimum fire flow of 1500 gallons per minute shall be provided.

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

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

15 71. The fire hydrants shall be installed and tested prior to placing any combustible materials
16 on the job site.

17 72. Provide on-site hydrants and mains capable of supplying the required fire flow.

18 73. The developer shall supply the Fire Department with updated map and hydrant locations
19 in a digital format compatible with the Fire Department's mapping program upon
20 approval of final improvements plans.

21 74. Blue hydrant identification markers shall be placed as per Oceanside's Engineers
22 Design and Processing Manual Standard Drawing No. M-13.

23 75. All weather access roads shall be installed and made serviceable prior to and maintained
24 during time of construction.

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

29 77. 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.

- 1 78. The Fire Department access roadway shall be provided with adequate turning radius for
2 Fire Department apparatus: a 50-foot outside and 30-foot inside turning radius.
- 3 79. Fire Department emergency access shall meet grade requirements per the Oceanside
4 Fire Code Section 503.2.7
- 5 80. Cul-de-sacs shall be shown on the site plan with a 40-foot radius minimum.
- 6 81. All streets less than 32 feet wide shall be posted "NO PARKING FIRE LANE" per
7 Vehicle Code Section 22500.1. Any markings, signs and/or fire lane identification shall
8 be in accordance with the Fire Department Standard Guidelines for Emergency Access.
- 9 82. In accordance with the Oceanside Fire Code Section 505, approved addresses for
10 commercial, industrial, and residential occupancies shall be placed on the structure in
11 such a position as to be plainly visible and legible from the street or roadway fronting
12 the property. Numbers shall be contrasting with their background and meet the current
13 City of Oceanside size and design standard.
- 14 83. Single-family dwellings require four-inch address numbers. Commercial buildings and
15 multi-family dwellings require six-inch address numbers. Industrial buildings require
16 12-inch address numbers. Minimum specifications are set forth in Oceanside Fire Code
17 Section 505.1, and the Fire Marshal may establish other requirements as deemed
18 necessary.
- 19 84. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
20 approval prior to the issuance of building permits.
- 21 85. All dead-end fire apparatus access roads in excess of 150 feet shall be provided with an
22 approved area for turning around the fire apparatus.
- 23 86. The gradient for a fire apparatus access roadway shall not exceed 15 percent.
- 24 87. Any new development that necessitates updating of emergency response maps by virtue
25 of new structures, hydrants, roadways or similar features, shall be required to provide
26 map updates in a format (PDF, GIS and/or CAD) as approved by the FAHJ or
27 compatible with current department mapping services. The Fire Department is
28 authorized to charge a reasonable fee for updating all response maps.
- 29 88. All water mains which support fire hydrants shall be looped as required by City of
Oceanside Engineer's Manual.

1 89. As shown on the plans presented to Planning Commission, an additional fire hydrant is
2 required on private access road.

3 **Planning:**

4 90. This Tentative Map T-6-06 shall expire two years from the effective date of this
5 resolution.

6 91. This Development Plan D-9-06 shall expire two years from the effective date of this
7 resolution unless implemented as required by the Zoning Ordinance.

8 92. This Development Plan approves only construction of 16 residential units as shown on the
9 plans and exhibits presented to the Planning Commission for review and approval. No
10 deviation from these approved plans and exhibits shall occur without Planning Division
11 approval. Substantial deviations shall require a revision to the Development Plan or a new
12 Development Plan.

13 93. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
14 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
15 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
16 annul an approval of the City, concerning Tentative Map T-6-06 and Development Plan
17 D-9-06. The City will promptly notify the applicant of any such claim, action or
18 proceeding against the city and will cooperate fully in the defense. If the City fails to
19 promptly notify the applicant of any such claim action or proceeding or fails to
20 cooperate fully in the defense, the applicant shall not, thereafter, be responsible to
21 defend, indemnify or hold harmless the City.

22 94. All mechanical rooftop and ground equipment shall be screened from public view as
23 required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,
24 mechanical equipment, screen and vents shall be painted with non-reflective paint to match
25 the roof. This information shall be shown on the building plans. Photo-voltaic equipment
26 is not required to be screened across the top.

27 95. Model Landscape plans and Front Yard Landscape plans, designed in compliance with
28 Water Conservation Ordinance No. 91-15 shall be submitted as schematic drawings and
29 shall be approved and signed by the City Engineer and the City Planner prior to the
issuance of building permits. No bonding shall be required. Precise Grading Plans for
model homes shall be prepared by a Civil Engineer and shall be approved by the City

1 Engineer prior to the issuance of building permits. Prior to the issuance of occupancy
2 permits, the City's Landscape Technician/Inspector shall review each unit requested for
3 occupancy to ensure that the installation of planting and irrigation has occurred in
4 conformance with the approved schematic drawings. The irrigation system will also be
5 tested to ensure adequate operation and coverage.

6 96. All single-family or multi-family unit dwelling projects shall dispose of or recycle solid
7 waste in a manner provided in City Code Section 13.3.

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

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

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

22 100. Failure to meet any conditions of approval for this development shall constitute a violation
23 of the Development Plan.

24 101. Unless expressly waived, all current zoning standards and City ordinances and policies in
25 effect at the time building permits are issued are required to be met by this project. The
26 approval of this project constitutes the applicant's agreement with all statements in the
27 Description and Justification and other materials and information submitted with this
28 application, unless specifically waived by an adopted condition of approval.

29 102. The developer's construction of all fencing and walls associated with the project shall be in
conformance with the approved Development Plan. Any substantial change in any aspect

1 of fencing or wall design from the approved Development Plan shall require a revision to
2 the Development Plan or a new Development Plan.

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

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

10 105. The applicant shall provide for the maintenance of all common open space, medians and
11 commonly owned fences and walls and adjacent parkways. Maintenance shall include
12 normal care and irrigation of landscaping, repair and replacement of plant material and
13 irrigation systems as necessary; and general cleanup of the landscaped and open area,
14 parking lots and walkways. The applicant shall provide for the following to the project
15 site, its development, and use:

- 16 a) A prohibition of parking or storage of recreational vehicles, trailers or boats.
- 17 b) Provisions regulating individual patio covers, room additions and other
18 appurtenances.
- 19 c) Provisions for the ongoing maintenance of median landscaping.
- 20 d) Provisions for the maintenance of all common open space and open space
21 easements on private lots, including provisions establishing mechanisms to ensure
22 adequate and continued monetary funding for such maintenance.
- 23 e) Provisions that restrict any private use of open space easement areas. Restrictions
24 shall include, but are not limited to, removing retaining walls, installing structures
25 such as trellises, decks, retaining walls and other hardscape and any individual
26 landscape improvements.
- 27 f) An acknowledgement that the City of Oceanside does not have a view preservation
28 ordinance and those views may be subject to change with maturing off-site
29 landscape and the potential for future off-site building.

106. All street names shall be approved by the City Planner prior to the approval of the Final
Map for each phase of development.

1 107. The following unit type and floor plan mix, as approved by the Planning Commission,
2 shall be indicated on plans submitted to the Building Division and Planning Division for
3 building permit:

| 4 Plan Type | Sq.Ft. | # Bedrms | # Baths | # Stories | # Units | Percent |
|-------------|----------|----------|---------|-----------|---------|---------|
| 5 A | 1,984 SF | 3 | 3.5 | 3 | 8 | 50% |
| 6 B | 2,256 SF | 4 | 3.5 | 3 | 6 | 38 % |
| 7 C | 1,975 SF | 3 | 3.5 | 3 | 2 | 12 % |

8 108. Side and rear elevations and window treatments shall be trimmed to substantially match
9 the front elevations. A set of building plans shall be reviewed and approved by the
10 Planning Division prior to the issuance of building permits.

11 109. Elevations, siding materials, colors, roofing materials and floor plans shall be
12 substantially the same as those approved by the Planning Commission. These shall be
13 shown on plans submitted to the Building Division and Planning Division.

14 110. This project is subject to the provisions of Chapter 14C of the City Code regarding
15 Inclusionary Housing.

16 111. This project shall comply with all provisions of the City's Affirmative Fair Housing
17 Marketing Agreement Policy as required in the project's Affirmative Fair Housing
18 Marketing Agreement. Such agreement shall be submitted to and approved by the
19 Housing and Neighborhood Services Director prior to the issuance of a building permit for
20 the project.

21 112. Garages shall be kept available and useable for the parking of tenant's automobiles at all
22 times.

23 113. At all times, the sidewalk shall be free of obstructions, including private vehicles and other
24 objects. Vehicles, or other objects, parked in the driveway shall not project over or
25 obstruct the sidewalk.

26 114. Lease and rental agreements shall be for the dwelling unit with the garage. The garage
27 shall be used for the purpose of vehicular parking and the owner or tenant shall not lease or
28 rent the garage separately from the dwelling unit.

29 **Water Utilities:**

115. 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

1 the developer and shall be done by an approved licensed contractor at the developer's
2 expense.

3 116. The property owner will maintain private water and wastewater utilities located on private
4 property.

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

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

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

11 a) All public water and/or sewer facilities not located within the public right-of-way
12 shall be provided with easements sized according to the Water, Sewer, and
13 Reclaimed Water Design and Construction Manual. Easements shall be
14 constructed for all weather access.

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

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

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

25 120. Prior to the issuance of a building permit, Water and Wastewater Buy-in fees and the San
26 Diego County Water Authority Fees are to be paid to the City and collected by the Water
27 Utilities Department at the time of Building Permit Issuance.

28 //////////////

29 //////////////

30 //////////////

31 //////////////

1 121. Prior to building occupancy, all new development of single-family and multi-family
2 residential units shall include hot water pipe insulation and installation of a hot water
3 recirculation device or design to provide hot water to the tap within 125 seconds in
4 accordance with City of Oceanside Ordinance No. 02-OR126-1.

5 PASSED AND ADOPTED Resolution No. 2009-P11 on February 23, 2009 by the
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11
12 _____
13 Claudia Troisi, Chairperson
Oceanside Planning Commission

14 ATTEST:

15
16 _____
17 Jerry Hittleman, Secretary

18 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
19 this is a true and correct copy of Resolution No. 2009-P11.

20
21 Dated: February 23, 2009
22
23
24
25
26
27
28
29

en R T-6-06. D-9-06 Vista Pacific

Mrs Von Hault

Is there any point any more to point out the increased noise, congestion, traffic, inconvenience, and frustrations of living in this part of Oceanside any more?!

Enough is never enough it seems - the worried people who underwrite these projects and the political entities that approve them, none of whom live in this area - will in this town have their way.

Civic pride? our senior community is in a very real danger of losing its senior status - opening the area up to multiple occupants for whom the houses were never designed - all this for real-estate speculators -

P.S.
You mention aesthetic effects - what a travesty on a quest for beauty!

RJT

Sincerely
Ron Thompson



Juliana Von Hacht

From: Bob Drew [bob_drew@cox.net]
Sent: Sunday, May 04, 2008 10:45 AM
To: Juliana Von Hacht
Subject: Vista Pacific project

Hi, Juliana

A couple of months ago you very generously discussed with me about the faults you have found with the Vista Pacific project T-6-06 D-9-06. I have been contacted by Diane Nygaard to comment on the letter she sent you on May 5 detailing the objections of the Preserve Calavera group which she represents. I am most impressed by the research, care and attention which have obviously gone into her letter, and I wholeheartedly endorse her concerns and conclusions.

That said, I feel it necessary to reiterate the thoughts I expressed to you in our earlier conversation, namely that, from the strictly (perhaps even blinkered) viewpoint of a Costa Serena resident, this development is quite close to ideal: there is no traffic or physical intrusion of any sort into Costa Serena, and the views and sight lines of Costa Serena homes along the eastern edge of this property are unimpeded. The Costa Serena community would be most concerned if, as a consequence of this project being denied, some new plan should involve a vehicular connection to Costa Serena and thus expose a peaceful and stable community to all the disruptions of construction traffic.

It's my hope, therefore, that the modifications expressed by Ms Nygaard be incorporated as much as possible within the general layout of the present plan. Traffic will always remain a problem with any development of this property. The gated community just to the south of it already must deal with the one-way u-turn awkwardness of traffic along this part of Rancho del Oro; Vista Pacific would only add to it. In Costa Serena, I believe we would be most concerned that proposed plantings along the eastern side of Vista Pacific not interfere with the view of neighboring residents.

Bob Drew

Juliana Von Hacht

From: Bob Drew [bob_drew@cox.net]
Sent: Monday, March 03, 2008 2:39 PM
To: Juliana Von Hacht
Subject: My report to Costa Serena on Vista Pacific Project

Hi, Juliana

I thought I should pass on to you the report I prepared for our local newsletter which came out this weekend. I hope you approve. We are having a community meeting this coming Saturday, March 8, at 10AM in the library Community Room off Mission Avenue, adjacent to the police station. I think it would be great if you could give a talk on this project. Please call Dee Devine, our leader, for permission and confirmation. Dee's number is 721-3456. She's a magnificent person, and I think you two would hit it off.

Thanks again for your attentions, and all the best, Bob

A report on the Vista Pacific Project – Bob Drew

Costa Serena residents recently received a “Mitigated Negative Declaration” regarding a proposed housing development on the property between the end of Mira Pacific Drive and Rancho del Oro Parkway. I first looked at these plans on March 21 last year in response to a neighbor’s observation of extensive land clearing taking place there. I wrote a report which I presented at the April 14 general meeting of the Architectural Committee. The plan met two of Costa Serena’s prime concerns: (1) there was no vehicular connection at all between this development and Costa Serena and (2) no sightlines or views of those living adjacent to this development would be obstructed or impeded.

Last Tuesday, February 19, I again reviewed the plans with the very helpful assistance of **Juliana Von Hacht**, Associate Planner with the Community Development Department of the Planning Division at City Hall. Basically the plan is unchanged from the one I saw almost a year ago. But in my earlier report I neglected to address the possibility of plantings. The roofs in the development are well below the Mira Pacific elevation, but whatever trees or bushes the developer intends to plant on the upper part of this property may indeed impede views and present sightline problems.

For her part Ms Von Hacht thinks this is a terrible project. There is just one U-shaped street serving the property with its only outlet onto Rancho del Oro. To enter the project, traffic from the north would have to go to the Vista Way signal and make a u-turn; similarly, anyone exiting the property could not turn left but would have to u-turn at Golfers Drive. Traffic could become pretty messy on Rancho del Oro.

Ms Von Hacht also said that the present plans anticipate a Highway 78 interchange by the year 2030. Her criticisms of the project were many and very well thought out, and she hopes the project will be denied. She is eager to have the opinions of Costa Serena residents. Her **business phone** is **435-3520** and her **e-mail** is **jvonhacht@ci.oceanside.ca.us**. Copies of her business card will be available at our next Community meeting. People concerned about this project should contact Juliana. The environmental report has not yet been made on this property, so there’s still plenty of time. When the report is made, another mailing will be sent to homes within 1500 feet of this property, and there will be an additional 15-day period for public comment. Juliana does not

Juliana Von Hacht

From: linda talcott [2lindata@cox.net]
Sent: Wednesday, March 05, 2008 7:45 PM
To: Juliana Von Hacht
Subject: Vista Pacific project

Hello Ms. Von Hacht,

We currently do not live in Costa Serena but own my mother's former home and plan to live there when we retire. It's a charming little home with the most beautiful view! The proposition of a new development (Vista Pacific) is of concern to us due to the possible loss of views and to increased traffic congestion. Please count us in with those who would rather not see the housing built on the property adjacent to Costa Serena.

Thank you for your time and consideration,

Barbara Henderson
Happy Oceanside homeowner and resident of 15 years

Juliana Von Hacht

From: Juliana Von Hacht
Sent: Monday, March 03, 2008 12:25 PM
To: 'Christa Sherrod'
Subject: RE: Subject project T-6-06. D-9-06 Vista Pacific Public Comments Received

Contacts: Joy Chung
Categories: T-6-06

Ms. Sherrod,
Thank you for your comments. I will add them to the public record.
If you would like to respond with your home address, that would be helpful.

Thank you, J.

Juliana von Hacht, Associate Planner
Community Development Department, Planning Division Reception 760-435-3520

From: Christa Sherrod
Sent: Sunday, March 02, 2008 8:27 AM
To: Juliana Von Hacht
Subject: Subject project T-6-06. D-9-06

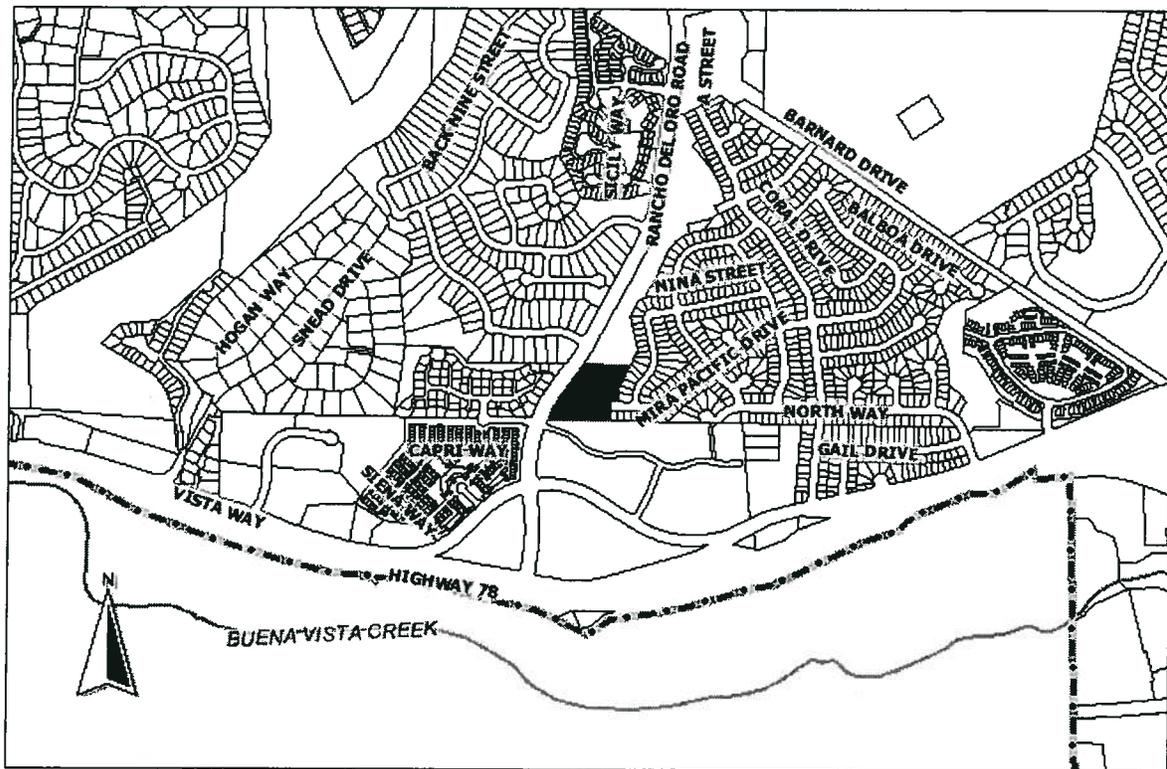
We strongly oppose the building of a 17 condo complex below the Costa Serena neighborhood. (Ranche del Oro, Mira Pacific.) The traffic would increase substantially, the site is on a steep slope.

It is a real nice greenbelt with different vegetation and maybe it could be made into a little park?

There are so many condos which are empty.

Thank you

Christa Sherrod and other concerned neighbors.



File No. T-6-06, D-9-06

Applicant: Quality Investors, LLC

Description:

TENTATIVE SUBDIVISION MAP (T-6-06) and DEVELOPMENT (D-9-06) to construct 16 detached residential condominium units on a 3.35-acre site, with access being provided directly off of Rancho Del Oro Drive. The site is zoned Medium Density A Residential (RM-A) District and is situated between Rancho Del Oro Drive and the western terminus of Mira Pacific Drive in the Mira Costa Neighborhood. – **VISTA PACIFIC**

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 Mitigated 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) 435-3520
Oceanside Civic Center
300 North Coast Highway
Oceanside, California 92054-2885

STAFF USE ONLY

| | |
|----------|----|
| ACCEPTED | BY |
|----------|----|

Please Print Or Type All Information

PART I - APPLICANT INFORMATION

RECEIVED
MAR 06 2007
Planning Department

| | |
|--|--------------------|
| HEARING | |
| GPA | |
| MASTER/SP.PLAN | |
| ZONE CH. | 2A-3-06 |
| TENT. MAP | T-6-06 |
| <input checked="" type="checkbox"/> PAR. MAP | |
| <input checked="" type="checkbox"/> DEV. PL | D-9-06 |
| C.U.P. | |
| VARIANCE | V-11-06 |
| COASTAL | |
| O.H.P.A.C. | |

| | |
|--|--|
| 1. APPLICANT Quality Investors, LLC. | 2. STATUS Owner Planning Department |
| 3. ADDRESS 4623 Torrey Circle, #Q109 San Diego, CA 92130 | 4. PHONE / FAX 858-458-6374 858-458-7613 (fax) |
| 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) The Lightfoot Planning Group - Joy Chung | |
| 6. ADDRESS 5750 Fleet Street, Suite 250 Carlsbad, CA 92008 | 7. PHONE (760) 692-1924 phone (760) 692-1935 fax |

PART II - PROPERTY DESCRIPTION

| | |
|--|---|
| 8. LOCATION Rancho Del Oro Drive, north of Vista Way | 9. SIZE <p style="text-align: center; font-weight: bold;">3.56 ACRES</p> |
| 10. GENERAL PLAN <p style="text-align: center;">MDA-R</p> | 11. ZONING <p style="text-align: center;">RM-A</p> |
| 12. LAND USE <p style="text-align: center;">Residential</p> | 13. ASSESSOR'S PARCEL NUMBER <p style="text-align: center;">165-362-02</p> |

PART III - PROJECT DESCRIPTION

| | |
|--|---|
| 14. GENERAL PROJECT DESCRIPTION One lot parcel map with a 17 unit "cloud condominium" map. | Rev. 3/6/07, 8/2/07, 10/16/07, 10/13/08 |
|--|---|

| | | | | |
|---|---|---|--|---|
| 15. PROPOSED GENERAL PLAN <p style="text-align: center;">No Change</p> | 16. PROPOSED ZONING <p style="text-align: center;">No Change</p> | 17. PROPOSED LAND USE <p style="text-align: center;">No Change</p> | 18. NO. UNITS <p style="text-align: center;">17</p> | 19. DENSITY <p style="text-align: center;">4.8 DU/AC</p> |
| 20. BUILDING SIZE <p style="text-align: center;">1,975 - 2,256 sf</p> | 21. PARKING SPACES <p style="text-align: center;">46</p> | 22. % LANDSCAPE <p style="text-align: center;">62%</p> | 23. % LOT COVERAGE <p style="text-align: center;">38%</p> | |

PART IV - ATTACHMENTS

| ALL APPLICATIONS | | | | DEV. PLANS, C.U.P.s & TENT. MAPS | |
|-------------------------------------|-------------------------------|-------------------------------------|---------------------------|-------------------------------------|------------------------------|
| <input checked="" type="checkbox"/> | 24. DESCRIPTION/JUSTIFICATION | <input checked="" type="checkbox"/> | 25. LEGAL DESCRIPTION | <input checked="" type="checkbox"/> | 30. FLOOR PLANS & ELEVATIONS |
| <input checked="" type="checkbox"/> | 26. 300-FT. RADIUS MAP | <input checked="" type="checkbox"/> | 27. PROPERTY OWNERS' LIST | N/A | 31. CONSTRUCTION SCHEDULE |
| <input checked="" type="checkbox"/> | 28. ENVIRONMENTAL ASSESSMENT | <input checked="" type="checkbox"/> | 29. PLOT PLANS | N/A | 32. OTHER |

PART V - SIGNATURES

| | | | |
|--|--|--|--|
| THE APPLICANT OR HIS/HER 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 PAGES AS NECESSARY). | |
| 33. APPLICANT OR REPRESENTATIVE (Print): <p style="text-align: center;">Robert Lowry</p> | 34. DATE <p style="text-align: center;">1/25/2007</p> | Signatures: | |
| Sign: | | 37. OWNER (Print): <p style="text-align: center;">Robert Lowry</p> | 38. DATE <p style="text-align: center;">1/25/2007</p> |
| I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. | | Sign: | |
| 35. APPLICANT (Print): <p style="text-align: center;">Robert Lowry</p> | 36. DATE <p style="text-align: center;">1/25/2007</p> | 39. OWNER (Print): <p style="text-align: center;">Douglas Lowry</p> | 40. DATE <p style="text-align: center;">1/25/2007</p> |
| Sign: | | Sign: | |

HK

VISTA PACIFIC

Tentative Map and Development Plan

DESCRIPTION and JUSTIFICATION

revised September 2008

This application is for a one lot tentative map and development plan with 16 residential “cloud condominium” units. The subject property consists of 3.35-acres located along Rancho Del Oro Drive, north of Vista Way (APN 165-362-02). The parcel currently has a General Plan land use designation of Residential Medium Density A (MDA-R), and a zoning designation of Medium Density A (RM-A). Located in the Mira Costa neighborhood, the parcel is bordered by multi-family residential to the north, south and east, and single family residential to the west.

The project site is currently undeveloped vacant land. The project is subject to the Hillside Development provisions of the Zoning Ordinance for having land with a slope in excess of 20 percent with a minimum elevation differential of 25 feet. A Hillside Development discussion has been included as a subsequent component of this document. The project has been designed to feature 71 % of the site as landscaped areas, concentrating the development on 29% of the most usable portions of the site.

TENTATIVE MAP

The Tentative Map includes one lot with 16 detached residential “cloud condominium” units that meet the ownership requirements within the RM-A zone for undivided ownership of land under each dwelling unit. The product type, Single Unit-Variable (SU-V), requires that each unit be on a legally subdivided lot. The use of the “cloud condominium” concept allows the owner of each unit to own the portion of the land under the individual unit. All other areas outside of the individual units will be owned in common interest through the use of a Homeowners Association (HOA). The fenced areas at the rear, side, and front of the homes will be part of the common ownership and each homeowner will have exclusive use easements for their associated area.

The proposed project density is 4.9 dwelling units per acre which is below the base density of 6.0 dwelling units per acre in MDA-R district. The density calculation is based on 3.24 acres of developable land (3.35 gross acres less 0.11 acre of undevelopable land comprised of slopes over 40% that have a 25 foot elevation differential). The project has been designed to repair the areas of undevelopable land caused by mismanaged water runoff discharge. The remaining slope areas will be re-graded and re-vegetated and are shown on the landscape concept plan.

Access

Access to the project will be provided by a private street off Rancho Del Oro Drive along the project frontage. A portion of the access road into the project is proposed over the 0.11 acre of land that is considered “undevelopable.” This is allowed per Section 3039 Hillside Development Provisions because of an additional regulation allowing the undevelopable portion to be graded for access purposes where no other alternative exists to access the more developable portions of the

property. While the existing stubbed street of Mira Pacific would seem to offer an alternative access point for the property, there are limitations on the use of this access. The Costa Serena community has long had concerns and issues with extending access into the site via Mira Pacific. Extensive research and background on the property has been conducted to assess the feasibility of creating either a family project or an addition to the existing senior community using Mira Pacific as the point of entry; the findings for using Mira Pacific as the access point were unfavorable. Creating a family project using the extension of Mira Pacific was not acceptable to the residents of the Costa Serena community. Because Costa Serena is a retirement community with age restrictions, residents have concerns about having additional traffic, potentially from inexperienced drivers, coming through their community. In addition, increased noise from a family type project would disrupt the quiet retirement community.

The project also considered creating the new homes as a retirement community, however State law requires that a retirement community have a minimum of 35 units, which is not possible under the zoning designation of the property. Annexing into the Costa Serena community was also not a feasible option for the community because the annexation action could affect Costa Serena's own designation as a retirement community. Costa Serena was designated as retirement community before regulations regarding community amenities were in place, thus Costa Serena is lacking some of the amenities that would be required with any new retirement community; annexation could compromise their ability to remain a retirement community.

After evaluating these situations, taking access from Rancho Del Oro appeared to be the most appropriate course to take. The project will be able to create a family project without disrupting the adjacent retirement community. The access road has been designed to reach the flatter portions of the site and tucking the proposed residences into the hillside in order to not disturb any existing views the existing homes in Costa Serena may currently have. This access will be restricted to a right-in, right-out turn only, due to an existing raised median along Rancho Del Oro Drive. Parking will be allowed on one side of the private street and only in marked spaces. A turnaround area for emergency vehicles has been provided between lots 6 and 7; no parking will be permitted in this area. A sidewalk is included in the project to provide pedestrian access to Rancho Del Oro Drive.

The site has been terraced in order to help maintain a smooth transition from the street elevation to the upper portions of the site. The development has been designed so that there is a significant difference in elevation between the proposed project and the adjacent existing neighborhood. This elevation differential ensures that the building rooftops will not encroach above the ridgeline created by the existing pad elevations in the adjacent neighborhood. Several retaining walls have been included to help lower the building pad and create a substantial separation between the existing neighborhood to the east of the project. The use of these double walls allow a larger slope area between the existing residences and the proposed development. There is approximately 12 feet between the two walls, with 8 feet of slope area available for planting. These walls do not exceed 6 feet in height, and all walls over 4 feet in height are proposed to be planted and irrigated.

Utilities

All utilities will be located in the proposed private street and will connect to existing utilities in Rancho Del Oro Drive. An existing storm drain pipe empties at the highest elevation on the site and has been releasing runoff from the existing neighborhood for several decades. As a result, the runoff water has created a deep ravine which will be corrected during the grading and construction of the proposed project. The project will correct the problem by incorporating the pipe's runoff into the project storm water drainage system which will run through the project access drive and empty into a detention basin, where the water can be treated before being released into the public storm drain in Rancho Del Oro Drive. Water and sewer will be located within the access drives and will connect to existing systems located in Rancho Del Oro Drive.

DEVELOPMENT PLAN

The proposed project includes the amenities of a condominium project yet retains the visual appeal of a single family development consistent with the type of homes in the Del Oro Hills neighborhoods. The site design and architecture of the project was developed with sensitivity to the surrounding neighbors and the existing hillside. According to the General Plan Housing Element, the project site is identified as one of the sites which must designate on-site inclusionary housing. This project proposes one inclusionary housing unit, which will be the Plan C model described below, and will not differ from the remaining units in terms of exterior aesthetics or interior space.

The proposed project meets and exceeds the development regulations for the RM-A zone for the one lot tentative map. The table below illustrates the required and proposed setback development regulations. The extensive front and rear setbacks provide open space landscape buffers between the new and existing residents as well as enhancing the streetscape along Rancho Del Oro Drive for passing motorists.

| SETBACKS | REQUIRED | PROPOSED |
|-------------------------|----------|----------|
| Front Yard (feet) | 20 | 116 |
| Side Yard (feet) | 5;10 | 13;21 |
| Corner Side Yard (feet) | 10 | - |
| Rear Yard (feet) | 15 | 67 |

Parking

Each home has a two car garage with direct access from the unit. Guest parking has been provided in marked parallel spaces along the private drive. The RM-A district requires that projects with over 10 units provide one guest parking space plus 20% of the total number of units. For this project, with 16 units, it is required to provide 4.2 guest parking spaces. A total of 10 guest parking spaces have been located along the interior street of the project.

Zero Energy Homes

All of the Vista Pacific homes are proposed to feature State of California recognized Zero Energy

Home (ZEH) status. The homes have been designed to allow for photovoltaic cells to be configured on all rooftops. ZEH brings together energy efficient construction and appliances with renewable energy systems such as solar powered electricity systems. Zero Energy Homes, which are connected to the utility grid, combine highly energy-efficient design and technology with solar electric and thermal systems to produce as much energy as they consume. Zero-Energy homes not only save energy and reduce pollutants, they also have added benefits of an energy efficient building envelope that reduces temperature fluctuations, can continue operations during blackouts, and can protect the owner from fluctuating energy prices.

The project is looking to partner with Energy Star to help make this project a zero energy community. The Energy Star program has several criteria that must be met in order for the homes to be labeled as zero energy. The technology and features used can include high performance windows, tight construction, improved insulation, tight duct work, and energy efficient heating and cooling equipment. The zero energy homes will combine state-of-the-art, highly energy efficient designs and equipment with on-site renewable energy generation to return as much energy to the utility as it takes on an annual basis with the installation of solar panels located on the rooftops of each residence. The flat roofs of the units provides the area for the solar panels necessary to achieve this energy savings. With today's fuel cost, it is projected that future residents could save as much as 80% on their energy costs.

The United States Green Building Council's LEED (Leadership in Energy and Environmental Design) Rating System evaluates buildings in various categories, ranging from building materials to storm water management design. Many of the features mentioned earlier have the ability to earn points toward LEED Certification.

Architecture

The Vista Pacific project architecture evolved from the clustering of the development in the interior of the site surrounded by landscaped open space, which consists of 71% of the project site. To maintain the single family quality for the condominium units, and to provide for solar infrastructure screening, a modern urban design is employed. The designs are stepped back with each floor to reduce the visible bulk and scale of each residence from the street.

The Vista Pacific project architecture is intended to be distinguishable while complementing the hillside and the surrounding architecture. The design approach is to incorporate residential architecture that is appropriate for the site and consistent with styles in nearby urban development. The proposed home facades are designed with a refined architectural style united with colors, materials and shapes inspired from nature and the local vernacular of Oceanside. This union promotes a warm, inviting residential architecture that respects its surroundings.

Sustainability of the appearance and energy efficiency through the use of low maintenance energy efficient materials and provision for solar panels is a primary design objective. The project design incorporates natural stone, plaster and fiber cement boards to provide a rich yet durable aesthetic. Adding interest and pattern to the project is the use of three distinctive color schemes and alternating entry treatments. The three colors complement each other, ranging from a golden

wheat color, to the color of a warm sunset. Defined entry ways use a suspended trellis, freestanding columns, or a simple gate to differentiate between each residences entry courtyards. These variations add character to each home, while breaking up the streetscape views. The balconies and large expanses of glass address the valuable view, while roof located solar panels take advantage of the Southern California climate and are screened from view.

The project design utilizes the transformation of materials and architectural elements to diminish the scale of the homes. The rhythm of materials and colors alter from top to bottom, breaking the vertical plane. Cantilevers, offsets and balconies step the building back and decrease the structure's bulk. The design also uses a mixture of minor sloping roofs that make the building height seem lower from the street. While Article 3039 of the Oceanside Zoning Ordinance recommends that flat roofs should be avoided in hillside areas, for this project the flat roof design serves a dual purpose as they provide a practical base to service and screen the proposed solar panels for energy generation and thermal heating, as well as enhance the design features of the residences. None of the roof planes exceed 600 square feet.

The homes have been grouped into three sections of similar homes, alternating three individual design ideas while still maintaining continuity throughout the project. The three different floor plans and the variety of accent materials give interest to the building elevations and streetscape. The contemporary architectural style helps to create a natural feel. The features of each plan are summarized below.

Plan A and C: Almost mirror images of each other, Plan A and C have a total of 1,984 and 1,975 habitable square feet, respectively. The plans feature three bedrooms and three and a half baths spread over three stories. With the main living space located on the second floor, an elevator has been included for simpler access to all three levels. Additional features include a large gourmet kitchen which opens to the spacious dining room, a large living room that maximizes the views from the site, and fireplaces in the living room and master bedroom. A deck on the second floor offers private open space as a continuation of the main living portion of the home.

Plan B: The largest plan at 2,256 habitable square feet, locates the main living spaces on the first floor. This allows for direct access to the large private rear yards. This plan is also three stories, with four bedrooms and three and a half baths. The prominent feature of this plan is the large master suite that occupies the entire third floor. This plan features two private decks on the second floor. One balcony is accessible from Bedroom 2, and the second balcony is accessible from bedrooms 3 and 4. Additional features include a spacious kitchen and main living area, large laundry room, and fireplaces in the living room and master suite.

The product mix for the units is as follows:

| Plan* | Unit Size | Bedrooms/Baths | Mix |
|-----------------|------------------|-----------------------|------------|
| Plan A | 1,984 sq. ft. | 3/3.5 | 8 |
| Plan B | 2,256 sq. ft. | 4/3.5 | 6 |
| Plan C** | 1,975 sq. ft. | 3/3.5 | 2 |
| Total | | | 16 |

*Includes one required inclusionary housing unit.

** One unit will have side loaded garage.

Landscape and Common Open Space

Upon completion, the project will be landscaped and common recreation spaces installed in accordance with an approved Landscape Concept Plan. The landscape design takes into consideration the nature of the existing community and strives to integrate peaceful and relaxing living spaces for it's future residents. Plant materials and the landscaping will complement the architecture, creating a lush and full landscape. The two recreation areas and mailboxes have been located in central areas, within easy walking distance from each unit.

The project is required to provide a total of 5,100 square feet of usable open space (300 square feet per dwelling unit). Fifty percent of this requirement can be allocated as common open space (2,550 square feet). The common open space has been designed to be an easily accessible and enjoyable space for residents to gather. The remaining amount of required open space is provided as private open space within exclusive use easements at the rear of each home, front courtyards, and balconies. The total amount of open space provided (common and private) is 20,424 square feet. All common open space areas and amenities, front courtyards, fencing and site landscaping will be maintained by the Homeowners Association. Exclusive use easements over the outdoor rear spaces will be maintained by the homeowners, but ownership will remain with the HOA.

The main common open space is located at the front of the project, adjacent to the main drive. An almost fully fenced play area with a tot lot, hardscape, bench and picnic table, provides an active recreation area for younger children. The tot lot was placed in this location because of its central location, the size of the area provided ample space, and has a terrific view towards the west from this vantage point. A sidewalk along the fronts of Buildings 1-8 has been included to provide a safe pedestrian walkway to both common areas. Rolled curbs are used to provide a seamless transition between the private drive, sidewalk, and landscaped areas. A second common space is provided between lots 6 and 7, a portion of which is also used as the emergency vehicle turnaround. A meandering path through a small grass field leads the way to a view point with a picnic table. The total common open space area provided is 3,612 square feet.

The project has been located on the site to provide a large buffer of open space around the perimeter of the project. A large setback from the street provides a pleasant streetscape along Rancho Del Oro Drive. The north and south boundaries have large setbacks from existing

development. The rear setback has been increased from the minimum standards in order to create a larger separation between the existing age-restricted community and the new project.

In addition to the two common open space areas, each unit has a generous amount of private open space from large rear or side exclusive use easements, front courtyards and private deck areas. The average rear outdoor spaces are 15 feet by 30 feet, creating large private exclusive use areas that provide more than the requirements of private open space for the RM-A zone. Front courtyards provide a secluded and comfortable entry with consistent landscaping. Different entry treatments define each residence's main entry, also giving each an individual identity. The amount of private open space provided totals approximately 16,812 square feet.

The amenities are summarized below:

| | REQUIRED | PROPOSED |
|----------------------------------|-----------------|-----------------|
| Parking (2 spaces/unit) | 32 | 32 |
| Guest Parking* | 4.2 | 10 |
| Usable Open Space: | 5,100 sq. ft. | 20,424 sq. ft. |
| Common Usable Open Space | 2,550 sq. ft. | 3,612 sq. ft. |
| Private Usable Open Space | 2,550 sq. ft. | 16,812 sq. ft. |

* More than 10 units: 1 space plus 20% total number of units.

HILLSIDE DEVELOPMENT REGULATIONS

The project is subject to the Hillside Development Regulations of the City of Oceanside Zoning Ordinance. The project conforms to the design and layout regulations in Article 3039 Hillside Development Provisions. The following sections will discuss the applicability of various development regulations and how these regulations were uniquely applied to the project.

Additional Hillside Development Regulation (A)

The property has 0.11 acres of 40 percent slopes that have an elevation differential of 25 feet or greater (undevelopable slopes). A portion of this area has been included in the grading of the street access into the project, the remainder is left as open slope. As discussed earlier, grading on undevelopable steep land is allowed to provide access according to Section 3039 A3, Additional Hillside Development Regulation, which state that, "Where no other access exists and where it is determined that no less environmentally damaging alternative exists, local public or private streets and driveways which are necessary for access to the more developable portions of a site on slopes equal or to or less than 40 percent grade (2.5:1 slope)." The proposed access road was chosen in order to preserve the existing neighborhood character of the adjacent seniors-age restricted community by avoiding the extension of Mira Pacific as the project's main access. The remaining areas with a 40 percent slope will be corrected and incorporated into newly restored and landscaped slopes. No buildings are located on areas that have a slope of greater than 40% with a 25 foot elevation differential.

Additional Hillside Development Regulation (J)

The proposed project has been designed to include grading which similarly follows the natural contours with rounded corners and smooth curved slopes. Additional hillside development regulation J discusses the appropriate length and height of manufactured slopes in the hillside area. The proposed project does not include any manufactured slopes greater than 400-feet in length. While there are slopes that run almost the entire width of the property, this measurement is less than 400-feet. In addition, these slopes currently exist and after development are proposed to have rounded edges and be shaped to simulate natural terrain.

Along the front property line, there is one slope area that is over 30-feet in height. At the highest point, the slope is approximately 38-feet high with a length of approximately 190-feet. The project was designed in order to focus the development at the center of the site, in order to minimize the bulk of the buildings from the public right-of-way and keep the development from encroaching on existing homes at the top of the ridgeline. This slope will be enhanced with landscaping including trees and shrubs, which will enhance the streetscape screening.

Additional Hillside Development Regulation (L)

Additional regulation L1 discusses avoiding the use of conventional flatland building styles. Because the unique characteristics of this site dictated the street layout, a single graded pad in the central portion of the property maintained more of the natural landform than grading individual pads. Grading multiple smaller pads for each individual building would have created greater disturbance to the existing slope contours. In order to help minimize the overall grading, a single-loaded private street is being used in order to lessen the required width for access.

While roof planes are not designed to follow the slope of the natural grade as suggested by regulation L2, the roof planes are designed to create a surface for more efficient use of solar panels. The project has incorporated many “green building” techniques that reflect the changing attitudes of environmental considerations for new construction. The roof planes are also designed to screen the view of solar panels from the public right-of-way as well as the existing residences along the ridgeline more effectively than a pitched roof. The roof planes are not visible from the public right-of-way.

Lastly, as additional regulation L3 suggests, the buildings have been designed to introduce second and third story setbacks to minimize the appearance of vertical mass and bulk. Balconies, offsets, and large window panes are utilized to step the building back or relieve building material mass.

Additional Hillside Development Regulation (M)

This regulation aims to reduce the apparent visible bulk of a building located in a hillside development area. The residences have been designed to comply with additional regulation M1, with wall planes not exceeding 40 feet in length. In addition, several offsets of 6 feet in length and 4 feet in depth have been incorporated into the buildings design. Dimensions and roof plane areas have been included in the architectural package to demonstrate compliance with additional regulation M2. The intent of this regulation was to ensure that large expanses of roof planes were not a feature of potential residences located within hillsides. The proposed roof planes are not visible from the public right-of-way, and have been screened from the existing residences at the top of the ridge.

Additional Hillside Development Regulation (O)

The proposed project has been designed to comply with the volume of earth moved for cuts and fills for hillside developments. The project is proposing 7,436 cubic yards per acre, which is below the maximum 7,500 cubic yards per acre allowed under the hillside development regulations.

Additional Hillside Development Regulation (R)

This regulation discusses the preservation and integration of significant topographical features, which include natural slopes of 20% or more with a minimum elevation differential of 50 feet, major canyons and/or water courses, significant rock outcroppings, trees, and native vegetation. Development on the slopes which are 20% or greater with an elevation differential of 50-feet do not need to be eliminated from the development plan, however it is acknowledged that the terrain features in these areas must be preserved. By utilizing a single pad to accommodate a single loaded driveway approximately halfway up the slope, the terrain feature is preserved. The units are sited such that existing views are preserved and the proposed structures do not encroach above the ridgeline. In addition, the 116-foot setback from Rancho Del Oro Drive greatly reduces the appearance of mass and height from the public street and provides sufficient area for landscaping to further soften the buildings appearance. The overall effect is to maintain the slope up from Rancho Del Oro Drive with a single row of units tucked into the slope about half way up.

There is a single palm tree on the property, as indicated on the tree survey, and will be mitigated for during development. A small grouping of brodiaea plants was discovered in 2006 along the northern property boundary. This area has been protected from any grading activity and the storm water has been designed to allow some water to continue to filter into this area. There are no water courses, canyons, or major rock outcroppings on this site.

The overall project meets the intent for hillside development including grading limitations and building mass and design. The proposed unit architecture reduces the visible bulk of the buildings by stepping back each floor. The landscaping has been designed to incorporate the project into the hillside and complement the architecture while providing sufficient screening where necessary.

To ensure that the proposed community of Vista Pacific is harmonious with the existing residences in the area, preserving the existing views of the neighboring adjacent community to the east is paramount. Building heights do not exceed the maximum height limit for the RM-A base zone. In addition, efforts have been made to lower the developable building pad elevation, while staying within the allowable volume of grading parameters, so that the proposed building rooftops do not exceed the existing street grade of Mira Pacific Drive.

The City of Oceanside Zoning Ordinance stipulates that five specific findings must be made before a Development Plan can be adopted. The proposed required findings are as follows:

1. *That the site plan and physical design of the project as proposed is consistent with the purposes of the Zoning Ordinance.*

The site plan and physical design of the project as proposed 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 by remaining within required setbacks, height limitations, open space requirements, and off-street parking requirements.

2. *That the Development Plan as proposed conforms to the General Plan of the City.*

The Development Plan as proposed conforms to the General Plan of the City of Oceanside because the proposed residential product type, Single Unit-Variable, is consistent with the Land Use Element requirements established for this site. Additionally, the proposed project is below the base density of 6.0 dwelling units per acre as stated in the Land Use Element.

3. *That the area covered by the Development Plan can be adequately, reasonably and conveniently, served by existing and planned public services, utilities and public facilities.*

The area covered by the Development Plan can be served by existing public facilities because these elements have been addressed and incorporated into the proposed design. Additionally, the proposed project is below the base density allowed for this site and will not inundate existing public facilities.

4. *That the project as proposed is compatible with existing and potential development on adjoining properties or in the surrounding neighborhood.*

As proposed the project is compatible with existing development in the surrounding neighborhood because it has similar densities and building types. The project does not exceed the base density established for this site and remains consistent with the allowable building type. Surrounding communities along Vista Way near Rancho Del Oro have similar building heights and styles. Three story buildings and flat roof architecture styles are found in the vicinity of the project area.

5. *That the site plan and physical design of the project is consistent with the policies contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan, the Development Guidelines for Hillsides, and Section 3039 of this ordinance.*

The site plan and physical design of the project is consistent with the policies in Sections 1.24 and 1.25 of the General plan and Hillside Development Plan of Section 3039 because it situates the development on pockets of land considered more developable. Grading has been kept under the maximum allowable of 7,500 cubic yards per acre as stated in Section 3039 of the Oceanside Zoning Ordinance. Design of the buildings and site layout have taken into consideration the surrounding neighborhood's view preservation as well as the conditions of the hillside development guidelines.

CONCLUSION

In light of the challenges and circumstances, Vista Pacific has been designed to best utilize the development potential of the property by providing unique home ownership opportunities, including one onsite inclusionary, affordable home, and innovations in household amenities through the proposed implementation of energy efficient technology. Future residents will enjoy

ample passive recreational opportunities and views looking west, as well as large private useable outdoor spaces exclusive for each residence. The project offers superior architectural style that not only provides a smooth transition from the current urban development along Vista Way and Rancho Del Road to the established adjacent communities, but also provides a strong character to the unique and innovative community of Vista Pacific. The project utilizes a small site with significant accessibility issues and neighborhood concerns to design a distinctive community the future residents, the neighborhood, and the City of Oceanside can embrace and be proud of.

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA AS DESCRIBED IN A GRANT DEED RECORDED ON SEPTEMBER 16, 2005 AS DOCUMENT NO. 2005-0804834 OF OFFICIAL RECORDS AND SHOWN AS THE REMAINDER LOT OF VISTA DEL ORO ACCORDING TO MAP THEREOF NO. 13018 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY ON FEBRUARY 26, 1993.

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