STAFF REPORT

ITEM NO. 13

CITY OF OCEANSIDE

DATE: April 16, 2008

TO: Chairman and Members of the Community Development Commission

FROM: Economic and Community Development Department

SUBJECT: **CONSIDERATION OF A RESOLUTION APPROVING AN AMENDMENT TO DEVELOPMENT PLAN (D-203-04) FOR A MIXED-USE DEVELOPMENT CONSISTING OF 65 RESIDENTIAL CONDOMINIUMS UNITS, 28 LIVE-WORK UNITS AND APPROXIMATELY 8,000 SQUARE FEET OF RETAIL-OFFICE SPACE LOCATED SOUTH OF MISSION AVENUE, WEST OF HORNE STREET, NORTH OF SEAGAZE DRIVE AND EAST OF CLEMENTINE STREET – BELVEDERE – APPLICANT: AMIDI GROUP**

SYNOPSIS

The item under consideration is an amendment to a Development Plan for a mixed-use development consisting of 65 residential condominiums units, 28 live-work units and approximately 8,000 square feet of retail-office space situated on a 66,000-square-foot lot located south of Mission Avenue, west of Horne Street, north of Seagaze Drive and east of Clementine. Staff is recommending that the Commission adopt the attached resolution approving the project.

BACKGROUND

On February 23, 2005, the Community Development Commission approved a mixed-use development consisting of 65 residential condominium units, 52 live-work units and 26,280 square feet of commercial/office uses at the subject site. The City Council also approved a zone text change to allow heights of buildings to 90 feet with a Conditional Use Permit and to allow food and beverage sales with a Conditional Use Permit.

On February 14, 2007, the Community Development Commission approved a two-year time extension for this project.

Land Use and Zoning: The subject site is located within Subdistrict 2 of the "D" Downtown District. Subdistrict 2 is primarily intended for providing sites for a financial center, supported by professional offices.

Project Description: The project application is an amendment to an approved Development Plan. The following is a table of the approved Development Plan and the proposed changes:

	Approved	Proposed
Condominium Units	65	65
Live/Work Units	2	28
Retail/Office Space	26,280 s.f.	8,000 s.f.
Condominium Size	1,247-2,215 s.f.	688-2,843 s.f.
Live/Work Size	1,194-2,692 s.f.	658-1,288 s.f.
Height	90 ft.	77 ft.
Stories	6 stories	5 stories
Density	43 du.ac.	43 du. ac.
Parking Spaces	356	218
Landscaping	10%	10%
Common Space	13,200 s.f.	33,682 s.f.

Development Plan: The "mixed use" project proposes a 65-unit 5-stories, residential condominiums, 28 live/work units and approximately 8,000 square feet of office/retail spaces situated on a 66,000-square-foot lot. Amenities include pool and spa, meeting rooms, exercise room and roof decks. The project proposes three-level underground parking garage consisting of 218 parking spaces. The proposed amended development plan is much smaller in size in terms of height, units, bulk and scale from the original design. In addition, the average daily vehicles trips (ADTs) for this project has been substantially reduced from 1,730 to 930 ADTs.

The proposed design is a Contemporary Urban style with generous use of glass, trellises, balconies and decks. The proposed exterior materials are stucco and natural stone facing. The proposed colors are sand, red cedar and light brown accents.

The project proposes landscaping consistent with the approved Street Tree Plan for the Redevelopment Project Area. The project proposes several varieties of Palm trees, shrubs include Kangaroo Paws and Dwarf Rosemary, and groundcover consists of several varieties of ice plant.

The project is required to provide 13,000 square feet of common and private useable open space. The project provides over 33,682 square feet of common and private useable open space.

Vehicular access to the development will be provided from both Clementine and Horne streets. The main pedestrian access will be provided from Horne Street.

The overall project density is 43 dwelling units per acre for the condominium component. Outlined below is the residential unit breakdown:

Plan Type	Sq.Ft.	Bedrms.	Baths	Units
Plan 1	688	studio	1	2
Plan 2	980	1	1	14
Plan 3	1,117	2	2	3
Plan 4	1,208	2	2	2
Plan 5	1,332	2	2	2
Plan 6	1,551	3	3	2
Plan 7	1,576	2	3	15
Plan 8	1,650	3	3	2
Plan 9	1,730	3	2	3
Plan 10	1,786	3	3	10
Plan 11	1,977	3	3	3
Plan 12	1,998	3	3	3
Plan 13	2,192	3	3	2
Plan 14	2,843	4	4	2
			Total	65

Outlined below is a comparison chart summarizing the required development criteria with the proposed project:

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	5,000 s.f.	66,000 s.f.
SETBACKS Front Corner Side Rear	 10 feet 10 feet 5 feet	 10 feet 10 feet 5 feet
LANDSCAPING	10%	10%
PARKING	198 spaces Res. 138 spaces Com. 60 spaces	218 spaces Res. 139 spaces Com. 79 spaces
BUILDING HEIGHT	*90 feet	77 Feet
DENSITY	43 du. Ac.	43 du. Ac.

*90 feet high per previously approved Conditional Use Permit.

Environmental Determination: An addendum to the original Negative Declaration has been prepared for this project. The proposed project was originally a mid-rise, mixed use project, which provided 26,280 square feet of retail commercial and office space, 51 commercial work/live lofts and 66 residential condominium units. The revised project consists of 65 residential condominium units, 28 live/work lofts, and approximately 8,000 square feet of retail/office space. In addition, the proposed building under the amended development plan is much smaller in size in terms of height, units, bulk and scale from the original design (see table on Page 2.) and the average daily vehicles trips (ADTs) has been substantially reduced from 1,730 to 930 ADTs. Since the project has been revised in terms of size and scope and nothing has substantially changed in the project area, no new environmental impacts have been identified and the analysis contained in the original Mitigated Negative Declaration is still valid. In addition, since the project has been substantially reduced, an addendum to the original Negative Declaration is appropriate and consistent with the California Environmental Quality Act Sections 15162, 15164 and 15073.5. C.3 and C.4.

Under the provisions of the California Environmental Quality Act, the Community Development Commission will consider the addendum to the Negative Declaration during its hearing on the project.

ANALYSIS

Staff's analysis focused on the compatibility of the project with existing development patterns of the area and the project's consistency with the underlying Redevelopment Plan and Zoning Ordinance.

Staff's concerns centered on the bulk and scale of the project and the architectural compatibility of the proposed design with the existing buildings located within the surrounding neighborhood. The height and scale of the proposed building is compatible with the existing buildings located within this district in that the second through the fifth floor are stepped back at the corners with the use of balconies which reduces the bulk and scale of the building while still providing for a very pedestrian feel on the ground floor. The proposed building is similar in scale and design to the recently completed Oceanside Terraces building located at Cleveland and Mission Avenue. In addition, as noted previously, this project is substantially smaller in numbers of live-work units, office/retail space, height, bulk and scale than the original design and the amount of traffic generated by this amended project has been substantially reduced (800 less ADTs).

In conclusion, staff believes that the amended Development Plan meets the intent of the Redevelopment Plan and the underlying subdistrict goals, which encourage the development of mixed-use projects and brings much needed new office-retail space as well as new residents to the downtown area. The design of the project is consistent in both the height and scale of similar development within the surrounding neighborhood. The proposed project is consistent with the quality of design of the newer developments located within the surrounding area such as Oceanside Terraces and the proposed CityMark project.

COMMISSION OR COMMITTEE REPORTS

The Redevelopment Design Review Committee (RDRC) reviewed the project at its February 15, 2008, meeting and approved the project on a 3-0 vote.

The Redevelopment Advisory Committee (RAC) reviewed the project at its March 26, 2008, meeting and approved the project on a 6-0 vote.

FISCAL IMPACT

The proposed project will add approximately $700,000 of tax increment yearly to the project area.

CITY ATTORNEY'S ANALYSIS

Pursuant to Oceanside Zoning Ordinance Article 4102, the Commission is authorized to hold a public hearing on this project's applications. Consideration of the project should be based on the evidence presented at the public hearing. After conducting the public hearing, the Commission shall approve, conditionally approve, or disapprove the project. The resolution has been reviewed and approved as to form by the City Attorney.

RECOMMENDATION

Staff recommends that the Commission adopt the resolution approving an amendment to Development Plan (D-203-04) for the construction of 65 residential condominium units, 28 live/work units and approximately 8,000 square feet office/retail uses located south of Mission Avenue, west of Horne Street, north of Seagaze Drive and east of Clementine.

PREPARED BY:

Shan Babick
Associate Planner

SUBMITTED BY:

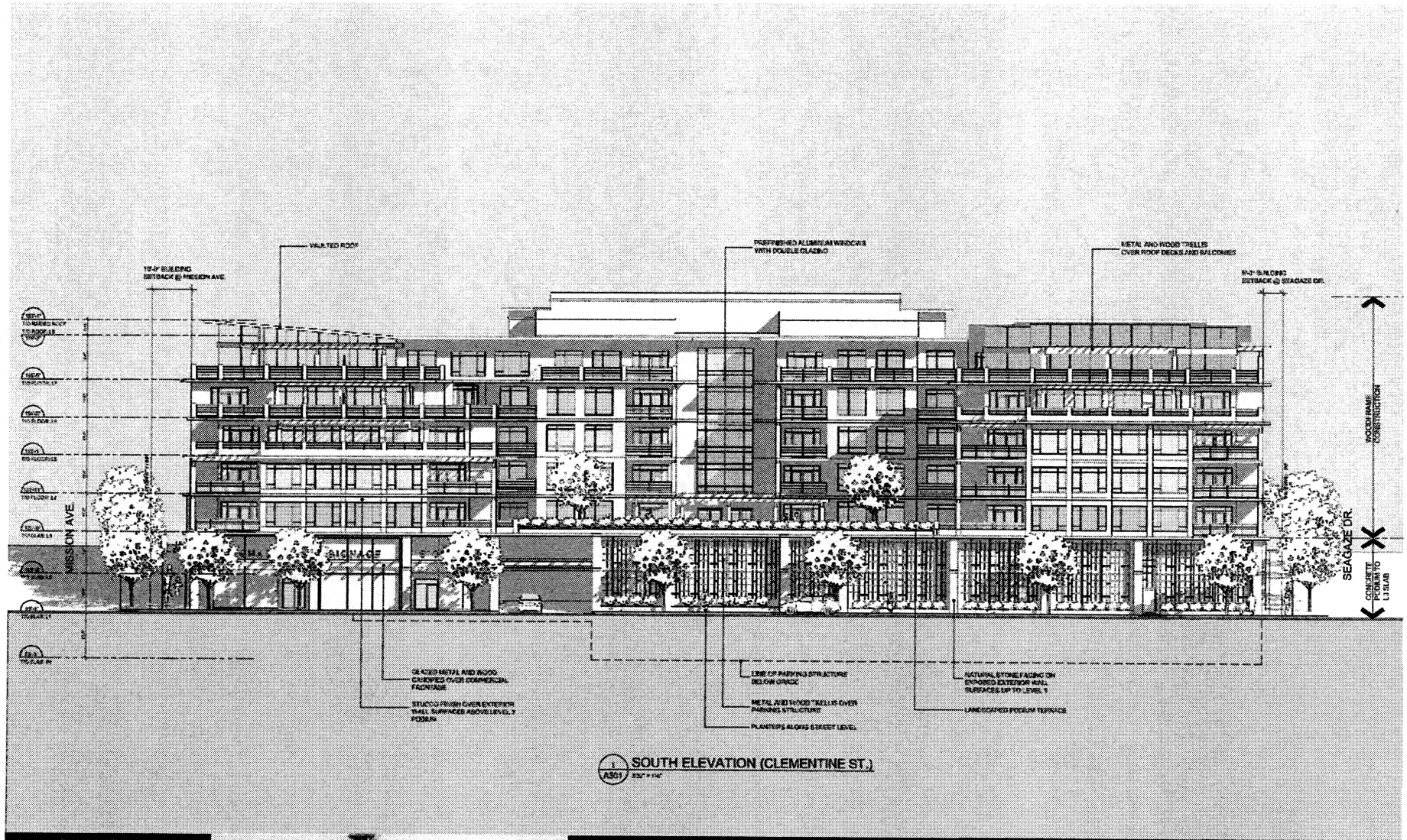
Peter A. Weiss
Executive Director

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager
Jane McVey, Economic and Community Development Director
Kathy Baker, Redevelopment Manager

EXHIBITS/ATTACHMENTS

1. Resolution
2. Addendum to the Negative Declaration
3. Site Plan / Floor Plans / Elevations



1 A301 SOUTH ELEVATION (CLEMENTINE ST.)

Oceanside Mixed Use Development

A301

1 A302 NORTH ELEVATION (HORNE ST.)

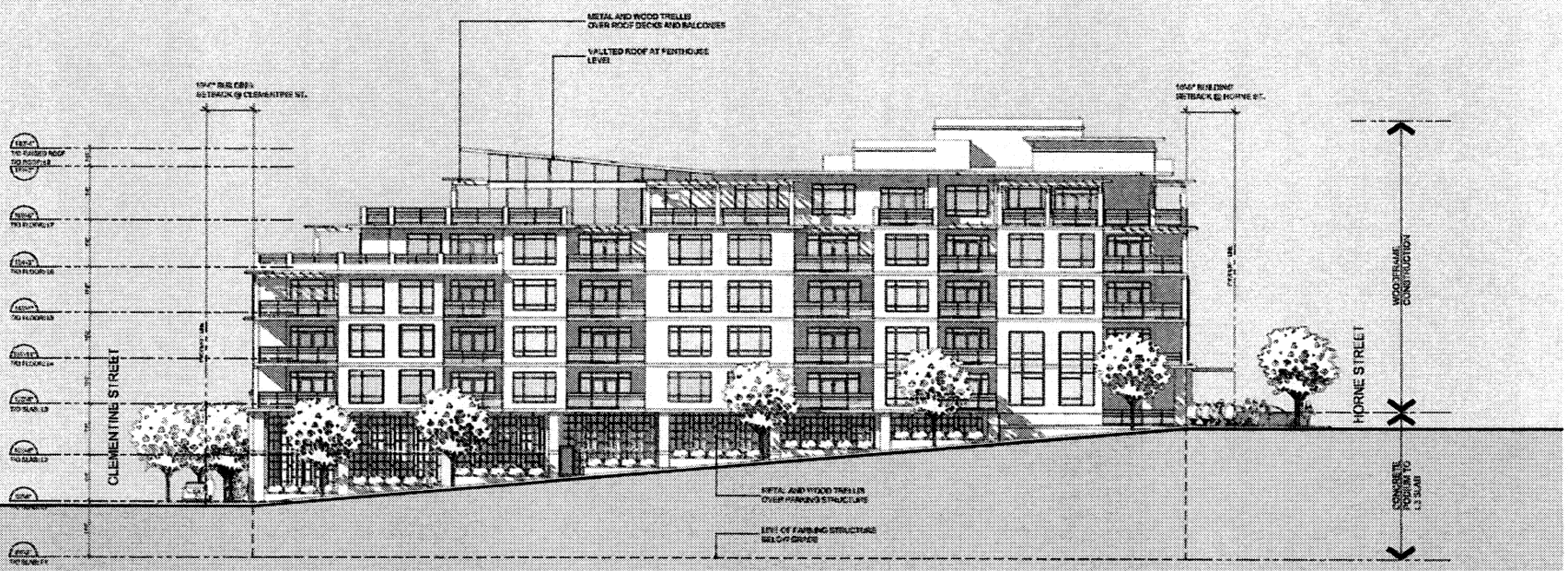
Oceanside Mixed Use Development

A302

1 A303 WEST ELEVATION (MISSION AVE.)

Oceanside Mixed Use Development

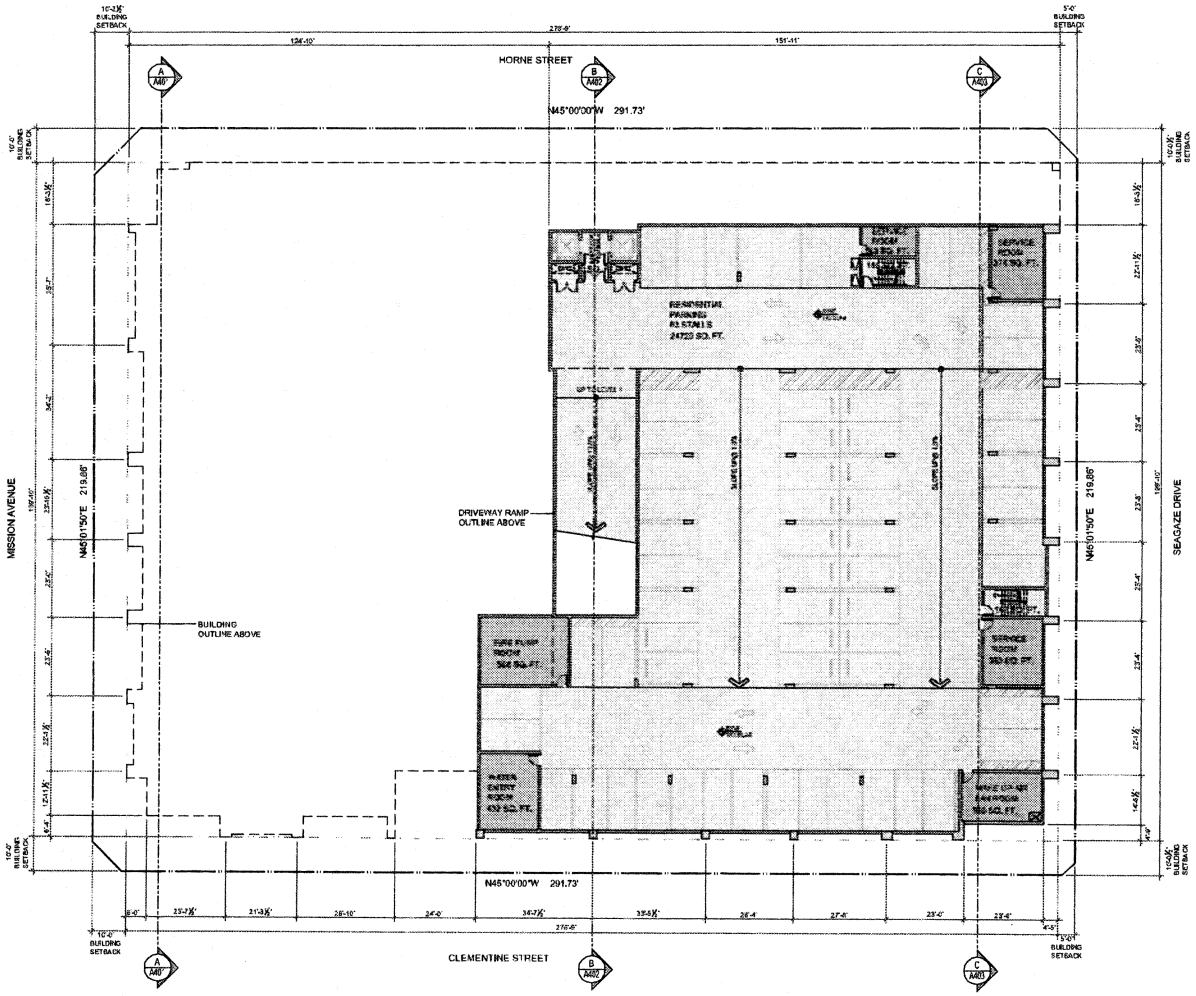
A303

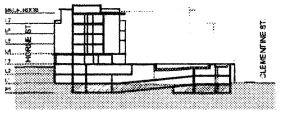


1 A304 EAST ELEVATION (SEAGAZE DR.)

Oceanside Mixed Use Development

A304





KEY SECTION
SCALE: NT.S.

Level P1 - Floor Plan
Below-Grade Parking

NORTH 1/16"=1'-0"

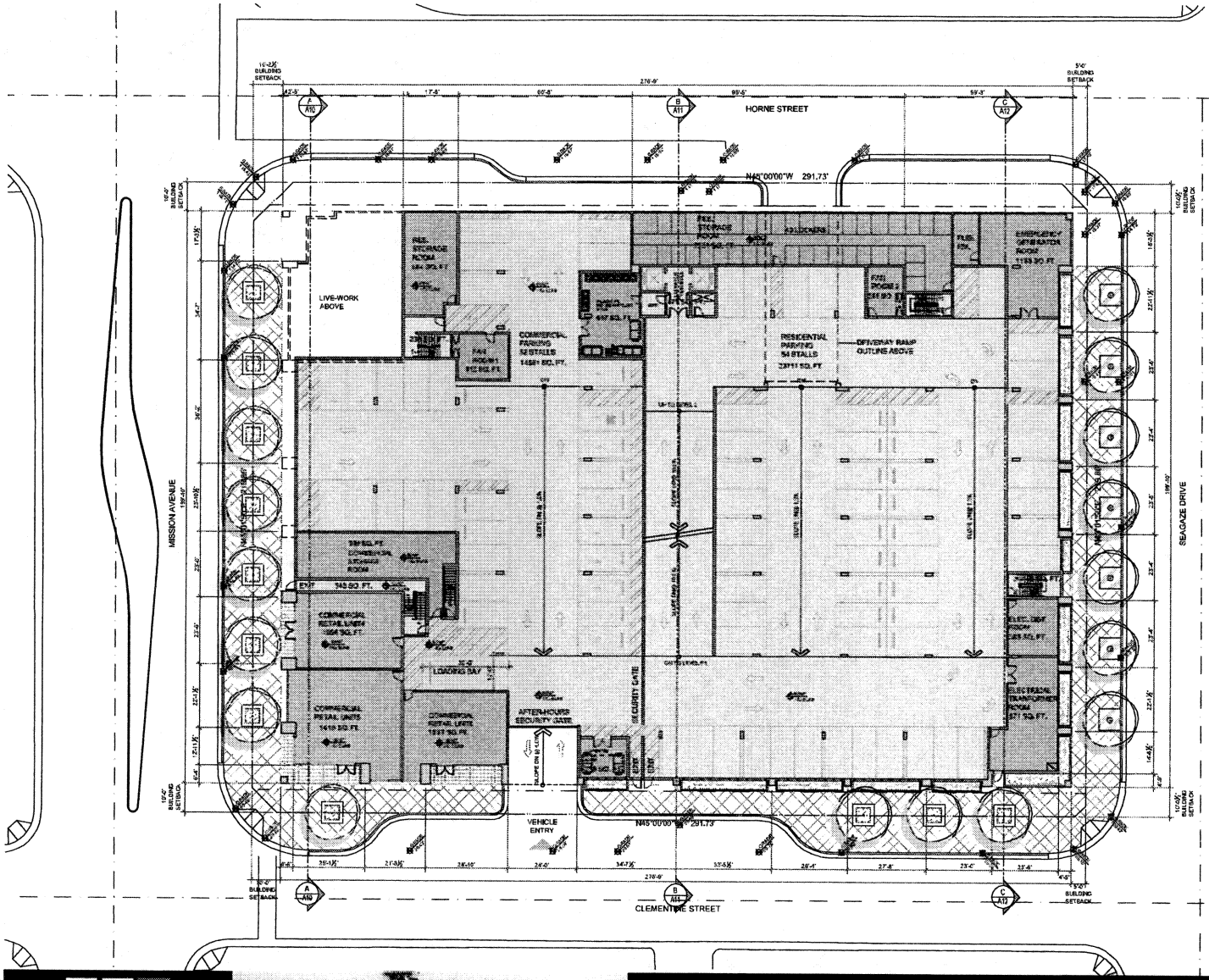
SUMMARY:

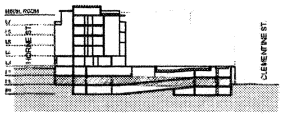
Residential Parking Area:	24,720.0 s.f.
Res. Parking stall count:	63
Common Area:	734.0 s.f.
Service/Storage Room Area:	2,320.0 s.f.

RES. WORKLIVE UNIT
RES. CONDO. UNIT
COMMERCIAL
PARKING (RESIDENTIAL)
PARKING (COMMERCIAL)
SERVICE/STORAGE
COMMON AREA
AMENITY ROOM
POOL
POOL DECK
BALCONY/ROOF DECK

Oceanside Mixed Use Development

A201





KEY SECTION
SCALE: N.T.S.

ZONING USE: RESIDENTIAL BUILD

CP BUILDING

Level L1 - Floor Plan
Clementine Street

NORTH 1/16"=1'-0"

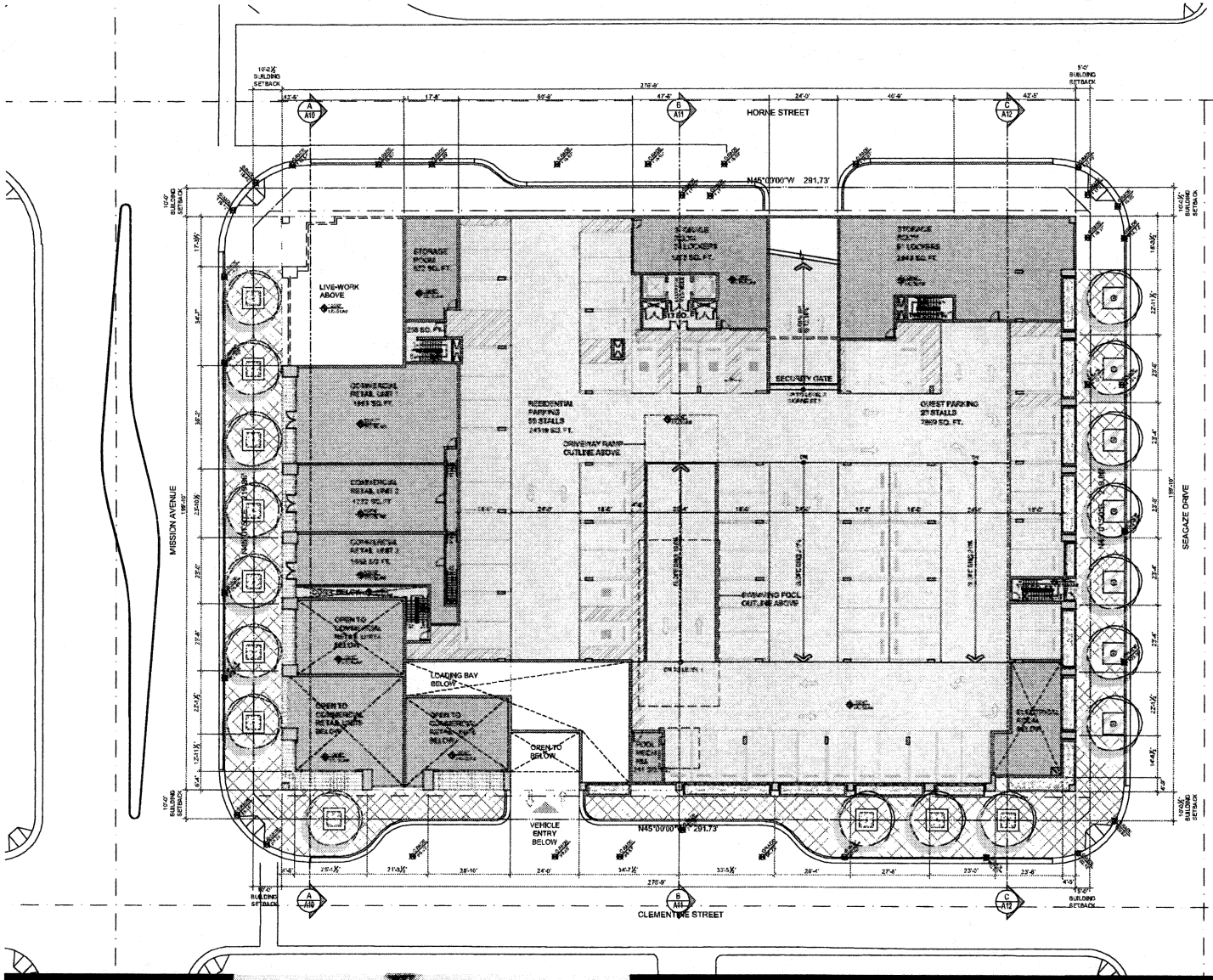
SUMMARY:

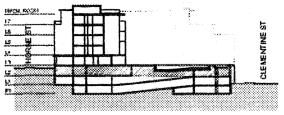
Residential Parking Area:	23,711.0 s.f.
Res. Parking stall count:	54
Commercial Parking Area:	14,861.0s.f.
Com. Parking stall count:	32
Common Area:	1,366.0 s.f.
Commercial Area:	3,503.0 s.f. (L1)
Res. and Comm. Storage Room Area:	3,905.0 s.f.
Service Room Area:	3,855.0 s.f.

RES. WORK/LIVE UNIT
RES. CONDO. UNIT
COMMERCIAL
PARKING (RESIDENTIAL)
PARKING (COMMERCIAL)
SERVICE/STORAGE
COMMON AREA
AMENITY ROOM
POOL
POOL DECK
BALCONY/ROOF DECK

Oceanside Mixed Use Development

A202





KEY SECTION
SCALE: N.T.S.

ZONING USE: RESIDENTIAL BUILDING

Level L2 - Floor Plan
Mission Avenue Retail

NORTH 1/16"=1'-0"

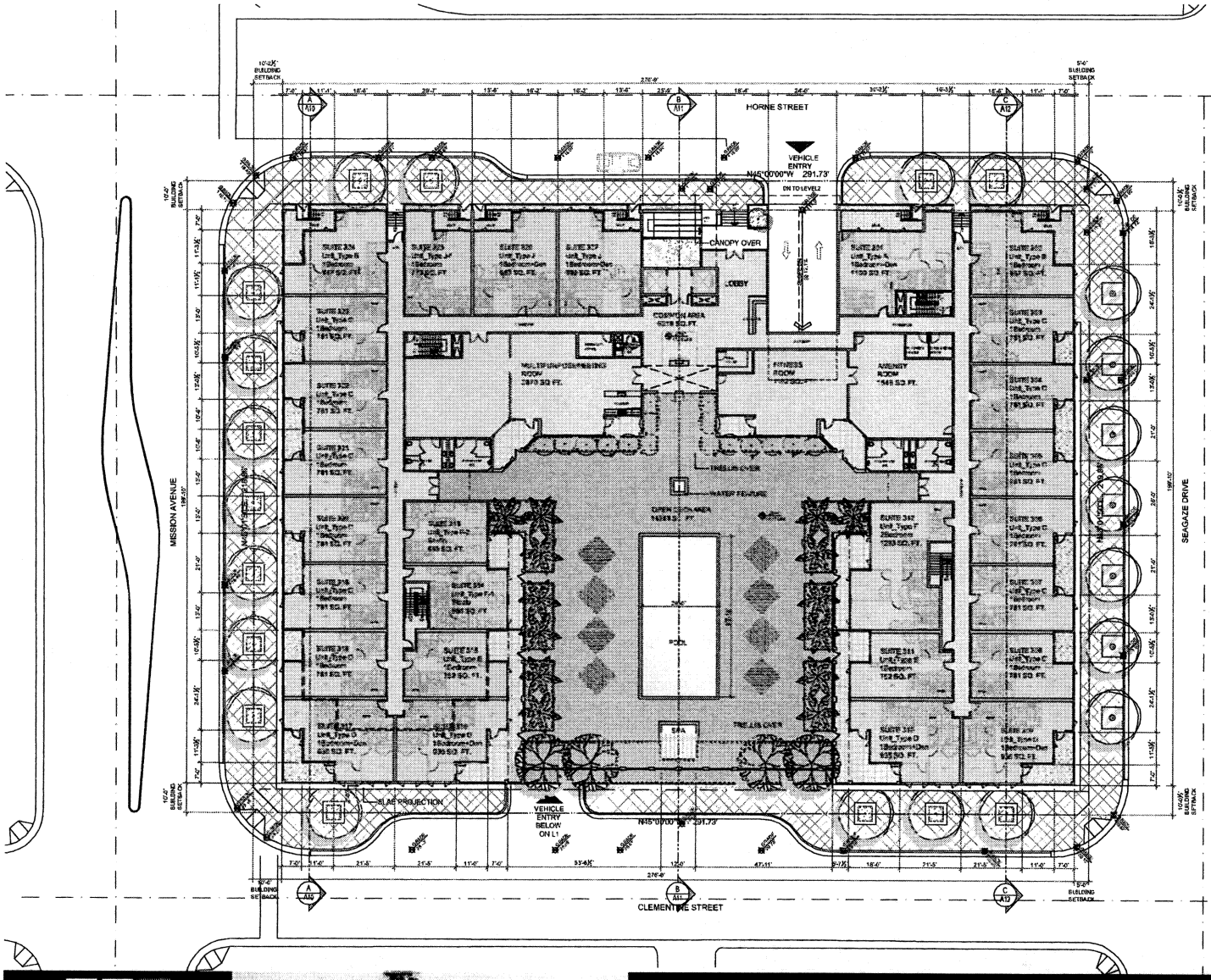
SUMMARY:

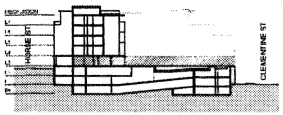
Residential Parking Area:	24,319.0 s.f.
Res. Parking stall count:	55
Guest Parking stall count:	20
Common Area:	1,082.0 s.f.
Commercial Area:	4,317.0 s.f. (L2)
Res. Storage Room Area:	4,888.0 s.f.
Service Room Area:	211.0 s.f.

RES. WORK/LIVE UNIT
RES. CONDO. UNIT
COMMERCIAL
PARKING (RESIDENTIAL)
PARKING (COMMERCIAL)
SERVICE/STORAGE
COMMON AREA
AMENITY ROOM
POOL
POOL DECK
BALCONY/ROOF DECK

Oceanside Mixed Use Development

A203





KEY SECTION
SCALE: N.T.S.

ZONING USE: RESIDENTIAL BUILDI

CP BUILDING

NORTH

Level L3 - Floor Plan
Horne Street - Main Lobby

1/16"=1'-0"

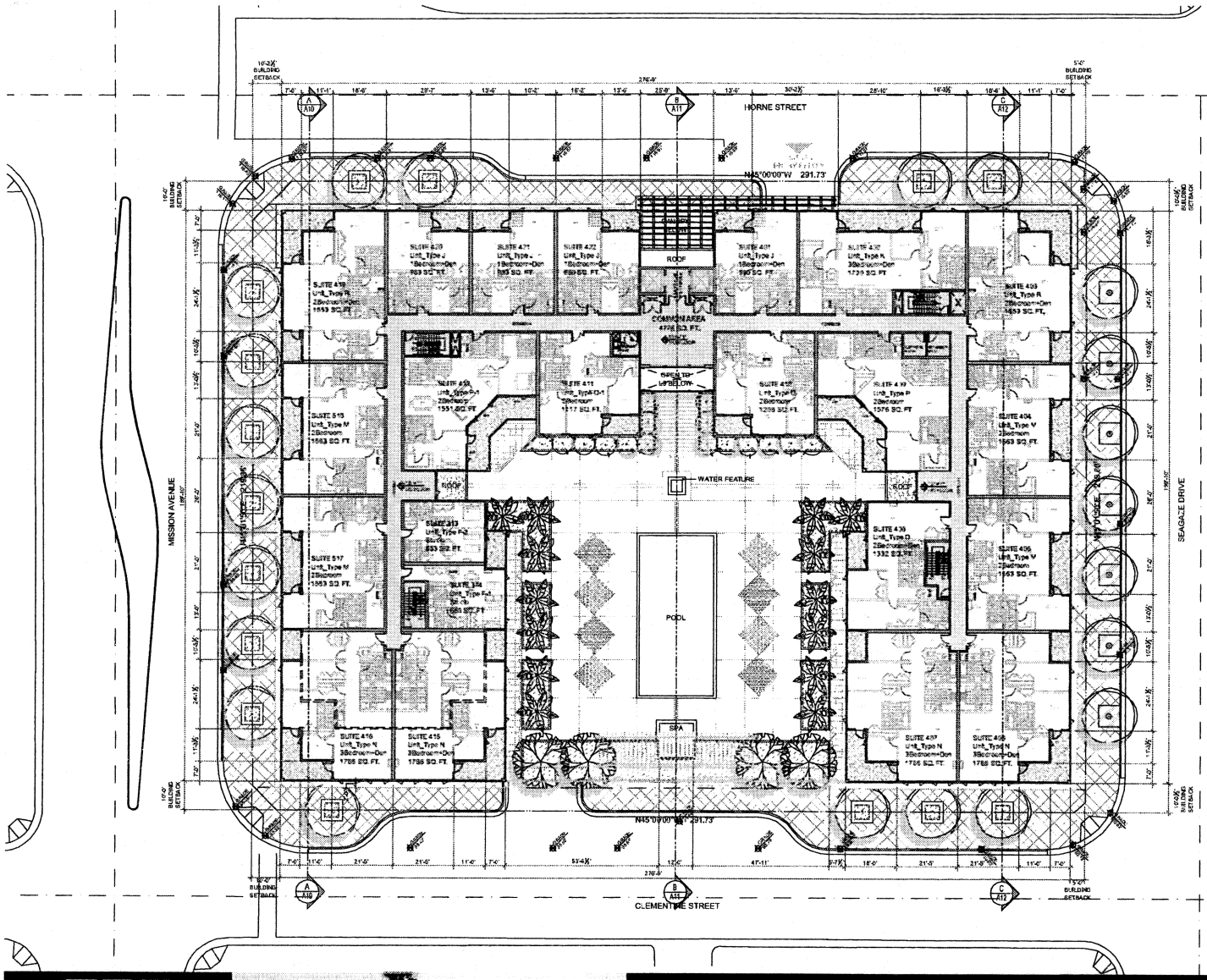
SUMMARY:

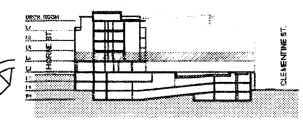
Gross Level 3 Area:	34,740 s.f.
Common Area:	8,218 s.f.
Amenity Area:	5,580.0 s.f.
Open Deck Area:	14,362.0 s.f.
Net Work/Live Area:	22,943.0 s.f.
Condo. Unit Count:	27, 1-Level Units
Average Unit Area:	849.7 s.f.

RES. WORK/LIVE UNIT
RES. CONDO. UNIT
COMMERCIAL
PARKING (RESIDENTIAL)
PARKING (COMMERCIAL)
SERVICE/STORAGE
COMMON AREA
AMENITY ROOM
POOL
POOL DECK
BALCONY/ROOF DECK

Oceanside Mixed Use Development

A204





KEY SECTION
SCALE: N.T.S.

ZONING USE: RESIDENTIAL BUILD

CP
BUILDING

NORTH

Level L4 - Floor Plan
Horne Street - Main Lobby

1/16"=1'-0"

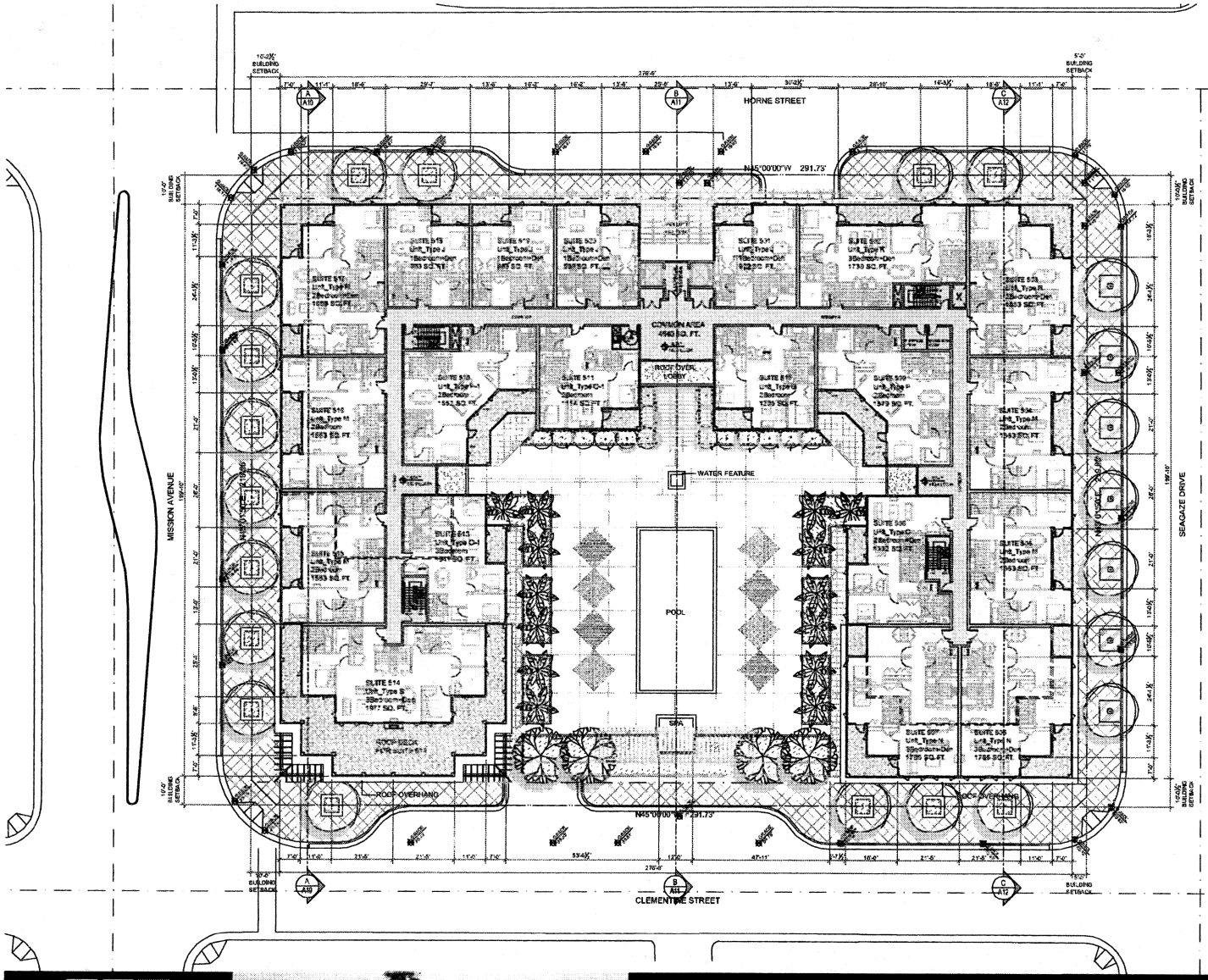
SUMMARY:

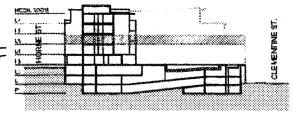
Gross Residential Area:	35,272 s.f.
Common Area:	4,776 s.f.
Net Residential Area:	30, 496 s.f.
Condo Unit Count:	22 1-Level Units
Average Unit Area:	1,386.0 s.f.

RES. WORK/LIVE UNIT	COMMON AREA
RES. CONDO. UNIT	AMENITY ROOM
COMMERCIAL	POOL
PARKING (RESIDENTIAL)	POOL DECK
PARKING (COMMERCIAL)	BALCONY/ROOF DECK
SERVICE/STORAGE	

Oceanside Mixed Use Development

A205





KEY SECTION
SCALE: N.T.S.

ZONING USE: RESIDENTIAL BUILT

OF BUILDING

Level L5 - Floor Plan

NORTH 1/16"=1'-0"

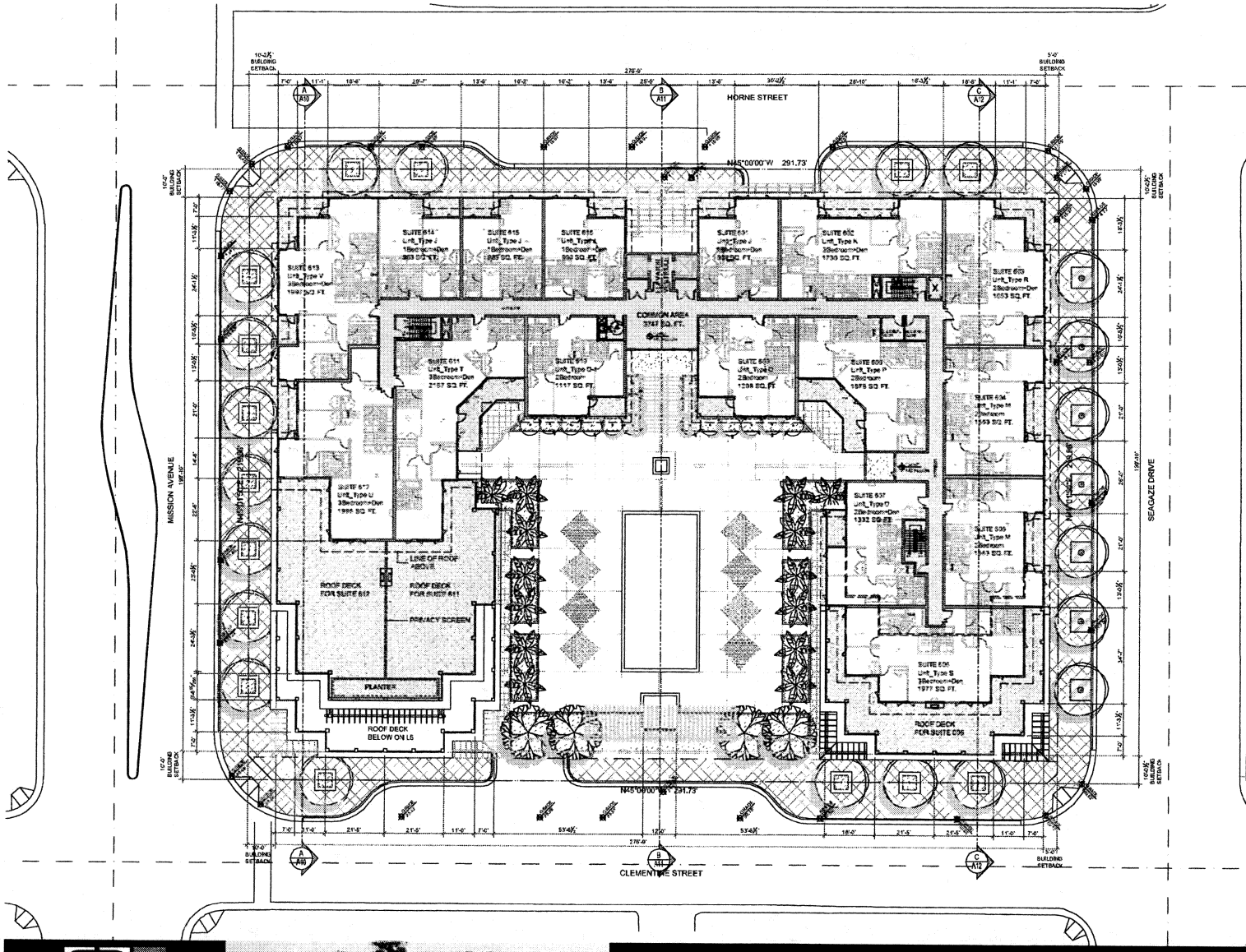
SUMMARY:

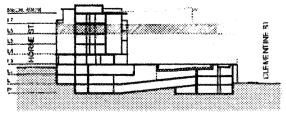
Gross Residential Area:	33,454 s.f.
Common Area:	4,540 s.f.
Net Residential Area:	28,934 s.f.
Condo. Unit Count:	20, 1-Level Units
Average Unit Area:	1,446.7 s.f.

RES. WORK/LIVE UNIT	COMMON AREA
RES. CONDO. UNIT	AMENITY ROOM
COMMERCIAL	POOL
PARKING (RESIDENTIAL)	POOL DECK
PARKING (COMMERCIAL)	BALCONY/ROOF DECK
SERVICE/STORAGE	

Oceanside Mixed Use Development

A206





KEY SECTION
SCALE: N.T.S.

ZONING USE: RESIDENTIAL BUILDING

Level L6 - Floor Plan

NORTH 1/16"=1'-0"

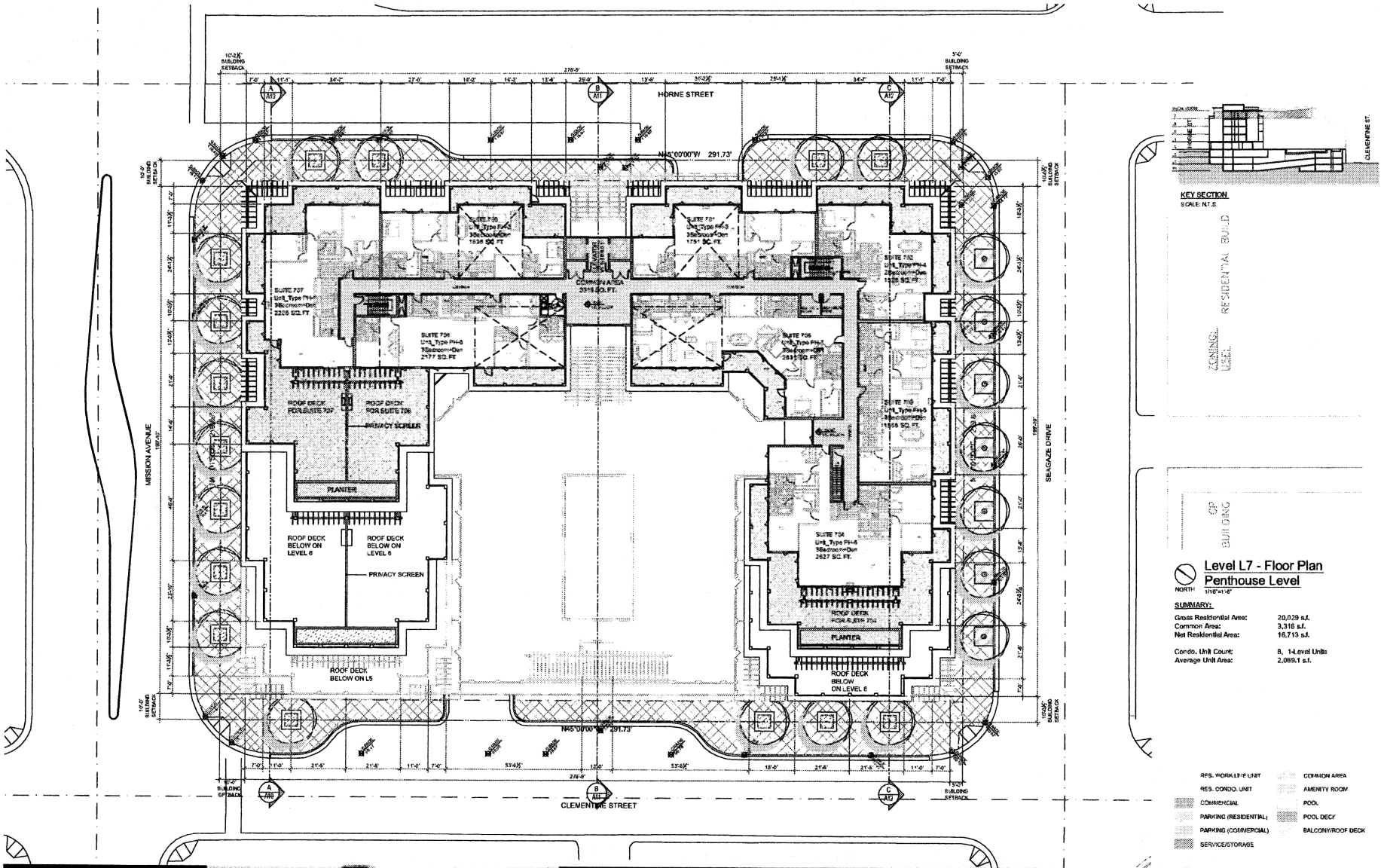
SUMMARY:

Gross Residential Area:	27,601 s.f.
Common Area:	3,747 s.f.
Net Residential Area:	23,854 s.f.
Condo. Unit Count:	16, 1-Level Units
Average Unit Area:	1,490.9 s.f.

RES. WORK/LIVE UNIT
RES. CONDO. UNIT
COMMERCIAL
PARKING (RESIDENTIAL)
PARKING (COMMERCIAL)
SERVICE/STORAGE
COMMON AREA
AMENITY ROOM
POOL
POOL DECK
BALCONY/ROOF DECK

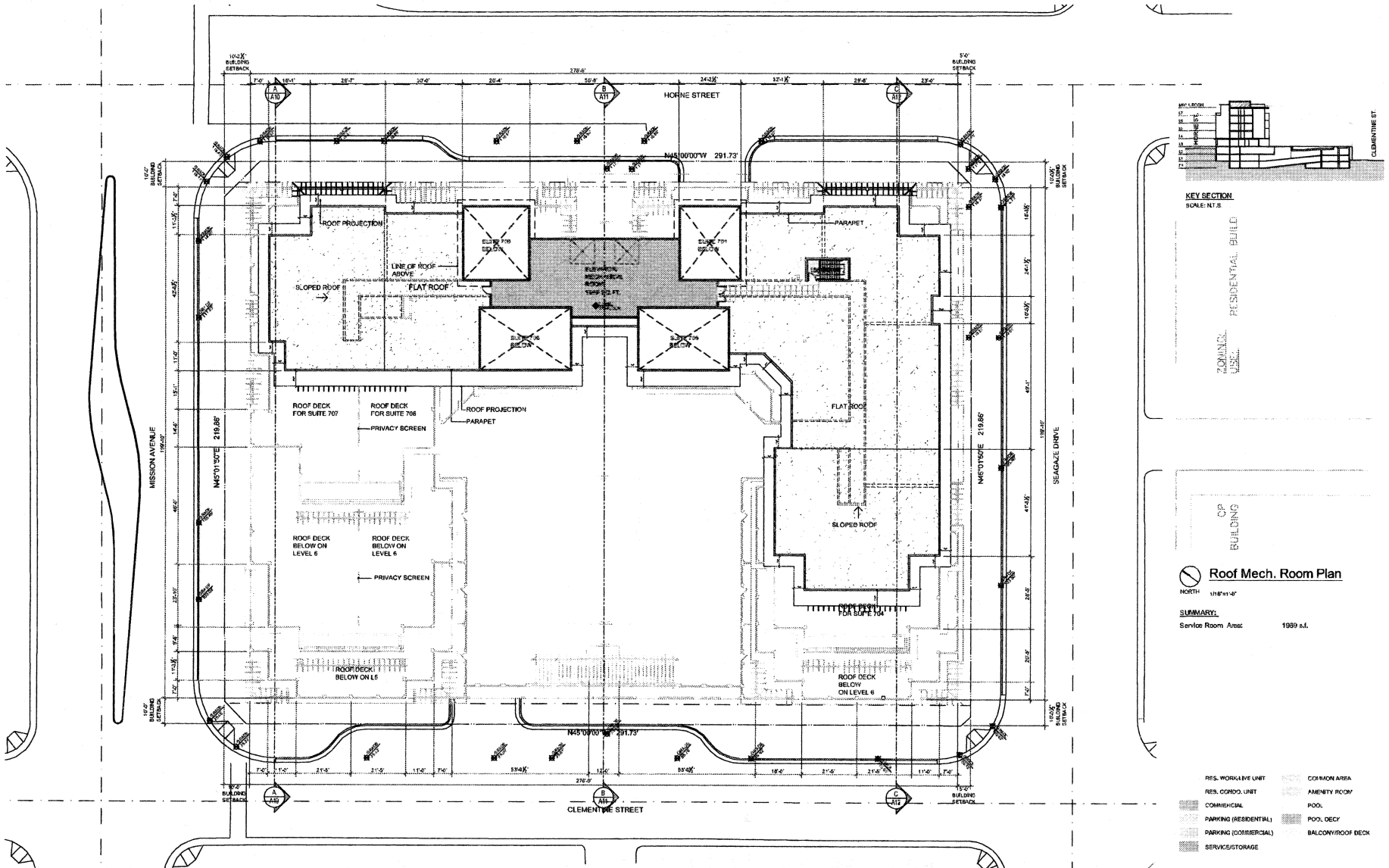
Oceanside Mixed Use Development

A207



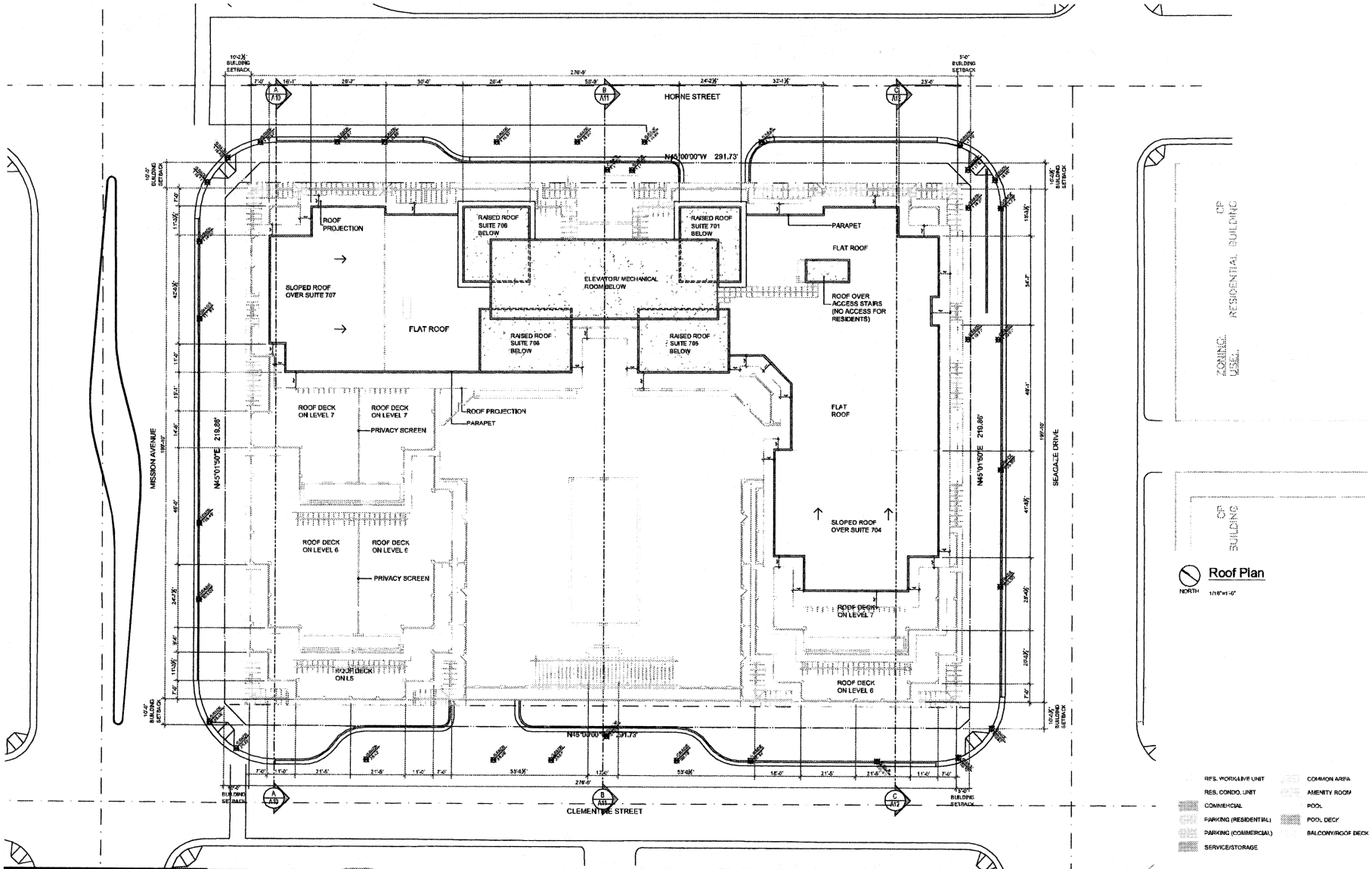
Oceanside Mixed Use Development

A208



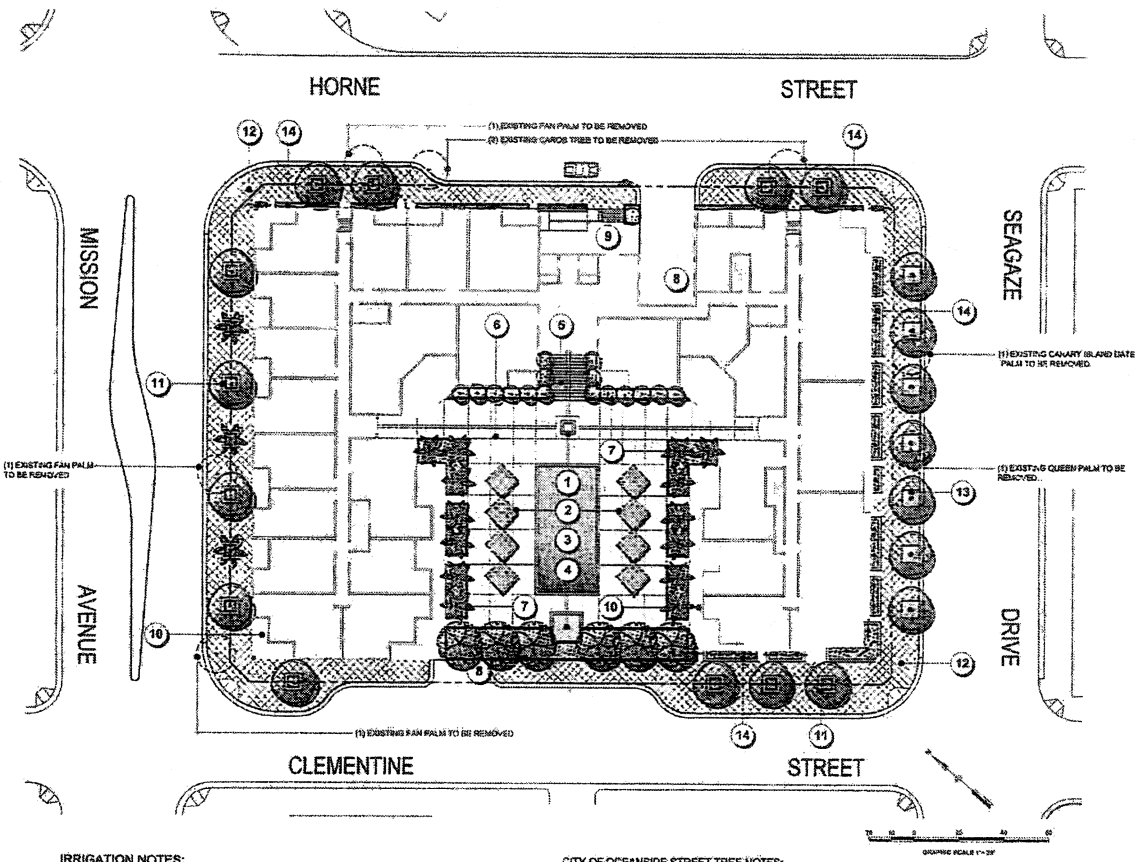
Oceanside Mixed Use Development

A209



Oceanside Mixed Use Development

A210



PLANTING LEGEND

	SIZE	QTY
EXISTING TREES, TO BE REMOVED OR RELOCATED, SEE PLAN		
STREET TREES, Such As:		
BOTANICAL NAME / COMMON NAME	SIZE	23 TOTAL
Agonis flexuosa / Peppermint Tree	36" Box	
Koelreuteria bipinnata (On Mission Ave.) / Chinese Flame Tree	36" Box	
Pistacia chinensis (On Horne St.) / Chinese Pistache 'Keith Davey'	36" Box	
Washingtonia Robusta (On Mission Ave.) / Mexican Fan Palm - Skeened	16' B.T.H.	
SHADE TREES, Such As:		
BOTANICAL NAME / COMMON NAME	SIZE	5 TOTAL
Geijera parviflora / Australian Willow	36" Box	
Metrosideros excelsus / New Zealand Christmas Tree	24" Box	
Olea Europaea 'Swan Hill' / Olive Tree	24" Box	
ACCENT PALMS, Such As:		
BOTANICAL NAME / COMMON NAME	SIZE	14 TOTAL
Archontophoenix cunninghamiana / King Palm	8' BTH	
Arecastrum romanzoffianum / Queen Palm	8' BTH	
Howea forsteriana / Kentia Palm	36" Box	
ACCENT TREES, Such As:		
BOTANICAL NAME / COMMON NAME	SIZE	17 TOTAL
Cercis occidentalis / Western Redbud	24" Box	
Leptospermum 'Ruby Glow' / New Zealand Tea Tree	24" Box	
Rhaphiolepis 'Majestic beauty' / Rhaphiolepis Std.	24" Box	
FOUNDATION SHRUBS, Such As:		
BOTANICAL NAME / COMMON NAME	SIZE	
Anigozanthos flavidus / Kangaroo Paw	5 Gal.	125
Callistemon 'Little John' / Dwarf Callistemon	5 Gal.	36
Westringia 'Wynyabbie Gem' / Coastal Rosemary	5 Gal.	65
ACCENT SHRUBS, Such As:		
BOTANICAL NAME / COMMON NAME	SIZE	
Helictotrichon sempervirens / Blue Oat Grass	5 Gal.	125
Nassella tenuissima / Mexican Feather Grass	5 Gal.	360
Ophiopogon planiscapus / Black Mondo Grass	5 Gal.	470
GROUND COVERS, Such As:		
BOTANICAL NAME / COMMON NAME	SIZE	
Drosanthemum floribundum / Rosea Ice Plant	1 Gal.	236
Lonicera hildebrandiana / Purple Trailing Lonicera	1 Gal.	235
Senecio mandraliscae / NCN	1 Gal.	233
VINES / ESPALIERS, Such As:		
BOTANICAL NAME / COMMON NAME	SIZE	36 TOTAL
Distictis buccinatoria / Blood Red Trumpet Vine	5 Gal.	
Doxantha unguis-cati / Cat's Claw Vine	5 Gal.	
Ficticia cordata / Mexican Fig Vine	5 Gal.	

CONCEPTUAL LANDSCAPE SCHEDULE

1. POOL DECK WATER FEATURE / FOUNTAIN, TYP.
2. POOL DECK TENSION SHADE STRUCTURES, TYP.
3. POOL, TYP.
4. SPA, TYP.
5. TRELLIS, SEE ARCHITECTURE PLANS, TYP.
6. POOL DECK CONCRETE SCORE LINES, TYP.
7. POOL DECK PLANTERS, 36" HT. TYP. SYM.
8. VEHICULAR PROJECT ENTRY DRIVES
9. MAIN PEDESTRIAN ENTRY / DROP OFF.
10. PRIVATE BALCONIES PATIOS, SEE ARCHITECTURE PLANS, TYP.
11. 7'-6" SQ. STREETSCAPE PLANTERS / SEATWALLS, 18" HT. TYP. SYM.
12. ENHANCED CONCRETE SCORE LINES, TYP. SYM.
13. WROUGHT IRON TREE GRATES, TYP. SYM.
14. BUILDING FOUNDATION PLANTERS / WALL LATTICES, SEE ARCHITECTURE PLANS, TYP.

IRRIGATION NOTES:

AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED TO PROVIDE COVERAGE FOR ALL PLANTING AREAS SHOWN ON THIS PLAN. LOW PRECIPITATION EQUIPMENT SHALL PROVIDE SUFFICIENT WATER FOR PLANT GROWTH WITH A MINIMUM WATER LOSS DUE TO WATER RUN-OFF. IRRIGATION SYSTEMS SHALL USE HIGH QUALITY, AUTOMATIC CONTROL VALVES, CONTROLLERS AND OTHER NECESSARY IRRIGATION EQUIPMENT. ALL COMPONENTS SHALL BE OF NON-CORROSIVE MATERIAL. ALL DRIP SYSTEMS SHALL BE ADEQUATELY FILTERED AND REGULATED PER THE MANUFACTURER'S RECOMMENDED DESIGN PARAMETERS. ALL IRRIGATION IMPROVEMENTS SHALL FOLLOW THE CITY OF OCEANSIDE GUIDELINES AND WATER CONSERVATION ORDINANCE. THE OWNER SHALL MAINTAIN THE IRRIGATION PROJECT IRRIGATION SYSTEMS.

PLANTING NOTES:

THE SELECTION OF PLANT MATERIAL IS BASED ON CULTURAL, AESTHETIC, AND MAINTENANCE CONSIDERATIONS. ALL PLANTING AREAS SHALL BE PREPARED WITH APPROPRIATE SOIL AMENDMENTS, FERTILIZERS, AND APPROPRIATE SUPPLEMENTS BASED UPON A SOILS REPORT FROM AN AGRICULTURAL SUITABILITY SOIL SAMPLE TAKEN FROM THE SITE. GROUND COVERS AND BARK MULCH SHALL FILL IN BETWEEN THE SHRUBS TO SHIELD THE SOIL FROM THE SUN, EVAPORATION AND RUN OFF. ALL THE FLOWER AND SHRUB BEDS SHALL BE MULCHED TO A 3" DEPTH TO HELP CONSERVE WATER, LOWER THE SOIL TEMPERATURE AND REDUCE WEED GROWTH. THE SHRUBS SHALL BE ALLOWED TO GROW IN THEIR NATURAL FORMS. ALL LANDSCAPE IMPROVEMENTS SHALL FOLLOW THE CITY OF OCEANSIDE GUIDELINES. OWNER SHALL MAINTAIN ALL PLANTED AREAS.

MISC. NOTES:

FINAL LANDSCAPE PLANS SHALL ACCURATELY SHOW PLACEMENT OF TREES, SHRUBS, AND GROUNDCOVERS.

THE PROJECT LANDSCAPE ARCHITECT SHALL VERIFY UTILITY, SEWER, STORM DRAIN EASEMENT AND LOCATE PLANT MATERIAL ACCORDINGLY TO MEET THE CITY OF OCEANSIDE REQUIREMENTS.

ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE PROJECT OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED PER THE CITY OF OCEANSIDE REQUIREMENTS.

CITY OF OCEANSIDE STREET TREE NOTES:

CITY OF OCEANSIDE
APPROVED STREET TREE AND SPACING STANDARD
EFFECTIVE NOVEMBER 1, 2004

STREET TREES AND OTHER TREES SHALL BE SPACED:

8 FEET (PREVIOUSLY 3 FEET) FROM TRANSFORMERS, CABLE AND PULL BOXES.

5 FEET FROM FIRE HYDRANTS (ALL SIDES)

10 FEET FROM CENTERLINE (PREVIOUSLY 7 FEET) OF ALL UTILITY LINES (WITHOUT EASEMENT) (SEWER, WATER, STORM DRAINS, DOUBLE CHECK DETECTORS, AIR RELIEF VALVES AND GAS).

10 FEET FROM DRIVEWAYS (UNLESS A LINE OF SIGHT IS DETERMINED BY THE TRAFFIC DIVISION TO BE OTHERWISE).

10 FEET FROM TRAFFIC AND DIRECTIONAL SIGNS.

15 FEET (MINIMUM) FROM STREET LIGHTS, OTHER UTILITY POLES, (DETERMINED BY SPECIFICATIONS)

STREET TREES SHALL BE PLANTED 3' OUTSIDE RIGHT-OF-WAY DOES NOT ALLOW SPACE, SUBJECT TO THE CITY ENGINEER'S APPROVAL.

LINE OF SIGHT AT ARTERIALS, COLLECTOR AND LOCAL STREETS SHALL BE REVIEWED AND DETERMINED BY TRAFFIC ENGINEER. A MINIMUM OF TWENTY-FIVE FEET (25') FROM STREET INTERSECTION OR AS APPROVED BY THE TRAFFIC ENGINEER.

MINIMUM FIFTEEN FEET (15') STREETLIGHT AND STOP SIGN OR CLEARANCE DETERMINED BY SPECIFICATIONS.

SCREEN ALL UTILITIES ACCORDING TO SPECIFIC AGENCY REQUIREMENTS.

PROJECT NAME: THE BELVEDERE
PROJECT OWNER: AMIDI GROUP
SITE ADDRESS: 901 MISSION AVENUE OCEANSIDE, CA 92054

RICK ENGINEERING COMPANY
SAN DIEGO, CA 92110
(619) 291-7191

LCP
SHT. 1 OF 1

LANDSCAPE CONCEPT PLAN

RESOLUTION NO. 08-

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE APPROVING AN AMENDMENT TO A DEVELOPMENT PLAN FOR A MIXED-USE DEVELOPMENT CONSISTING OF 65 RESIDENTIAL CONDOMINIUM UNITS, 28 LIVE/WORK UNITS AND APPROXIMATELY 8,000 SQUARE FEET OF RETAIL-OFFICE SPACE LOCATED SOUTH OF MISSION AVENUE, WEST OF HORNE STREET, NORTH OF SEAGAZE DRIVE AND EAST OF CLEMENTINE STREET – APPLICANT: AMIDI GROUP

WHEREAS, on April 16, 2008, the Community Development Commission held its duly noticed public hearing, considered an application for an amendment to Development Plan (D-203-04) for the construction of a mixed-use project consisting of 65 unit multifamily units, 28 live-work units and approximately 8,000 square feet of office/retail uses located south of Mission Avenue, west of Horne Street, North of Seagaze Drive and east of Clementine Street;

WHEREAS, the Redevelopment Design Review Committee (RDRC) of the City of Oceanside did, on February 15, 2008, review and recommend approval of an amendment to Development Plan (D-203-04);

WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of Oceanside did, on March 26, 2008, review and recommend approval of an amendment to Development Plan (D-203-04);

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

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

WHEREAS, the addendum to the Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program (MMRP) have been determined to be accurate and adequate documents, which reflect the independent judgment and analysis of the Community

Development Commission. On the basis of the entire record before it, the Community Development Commission finds that there is no substantial evidence that the project, with implementation of the mitigation measures proposed, will have a significant impact on the environment.

WHEREAS, the proposed project was originally a mid-rise, mixed-use project, which provided 26,280 square feet of retail commercial and office space, 51 commercial work/live lofts and 66 luxury residential condominium units. The revised project consists of 65 residential condominium units, 28 live-work units and approximately 8,000 square feet of retail/office space. Since the project has been revised in terms of size and scope and nothing has substantially changed in the project area, no new environmental impacts have been identified and the analysis contained in the original Mitigated Negative Declaration is still valid.

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

WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes effective upon its adoption.

NOW, THEREFORE, the Community Development Commission of the City of Oceanside does resolve as follows:

FINDINGS:

For the Amended Development Plan:

1. The site plan and physical design of the project as proposed is consistent with the purposes of the City's Zoning Ordinance and the "D" Downtown District in that the architectural design of the proposed structure and the landscaping of the open space meets or exceeds the minimum development standards of the "D" Downtown District. The proposed project meets the minimum setbacks, landscape, open space, height and parking spaces as stipulated within the "D" Downtown District development standards. In addition, the project is consistent with the other mixed-use development projects such as Oceanside Terraces located within the surrounding neighborhood.

2. The Development Plan as proposed conforms to the Redevelopment Plan, and General Plan of the City in that the mixed use development is consistent with the land uses of the Redevelopment Plan and the project meets the minimum setbacks, landscape, open space, height and parking spaces as stipulated within the "D" Downtown District development standards. In addition, the project is consistent with the newer development located within the surrounding neighborhood.

3. The area covered by the Development Plan can be adequately, reasonably and conveniently served by existing and planned public services, utilities and public facilities. The proposed mixed use development project will not create public service and facility demands exceeding the capacity of existing and planned infrastructure.

4. The proposed project, a mixed use development, is compatible with the newer development within the surrounding neighborhood in that in comparing the project's product type and corresponding square footages to the unit types and square footages that exist in the area, it can be found that the proposed unit sizes are comparable in size and would have a positive effect on the area.

5. The site plan and physical design of the project is consistent with Section 1.24 and 1.25 of the Land Use Element of the General Plan, and Section 3039 of the Oceanside Zoning Ordinance (Hillside Development Provisions), in that there is only 2.5 foot grade differentials from the highest and lowest points of the subject site and therefore the project would not be subject to the guidelines of the Land Use Element of the General Plan.

SECTION 1. That amended Development Plan (D-203-04) is hereby approved subject to the following conditions:

Building:

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Department plan check (2007 California Building Code and 2007 California Electrical Code).

Planning:

1. All of the conditions of both Resolution No. 05-R0139-3 adopted on February 23, 2005 and Resolution No. 07-R0048-3 adopted on February 14, 2007, continue to apply.

2. This amended Development Plan (D-203-04) shall expire on February 23, 2009, unless implemented as required by the Zoning Ordinance.

3. This amended Development Plan approves only a mixed use development consisting of 65 residential condominiums, 28 live-work units and approximately 8,000 square feet of ground floor retail/office uses as shown on the plans and exhibits presented to the Community Development Commission for review and approval. No deviation from these approved plans and exhibits shall occur without Economic and Community Development Department approval. Substantial deviations shall require a revision to the amended Development Plan or a new Development Plan.

4. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, amended Development Plan (D-203-04). The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

5. Failure to meet any conditions of approval for this development whether in this resolution or Resolutions No. 05-R0139 and 07-R0048-3 shall constitute a violation of the amended Development Plan (D-203-04).

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

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7. The following unit type and floor plan mix, as approved by the Community Development Commission, shall be indicated on plans submitted to the Building Division and Economic and Community Development Department for building permit:

	Sq.Ft.	# Bedrms	# Baths	# Units
Plan 1	688	studio	1	2
Plan 2	980	1	1	14
Plan 3	1,117	2	2	3
Plan 4	1,208	2	2	2
Plan 5	1,332	2	2	2
Plan 6	1,551	3	3	2
Plan 7	1,576	2	3	15
Plan 8	1,650	3	3	2
Plan 9	1,730	3	2	3
Plan 10	1,786	3	3	10
Plan 11	1,977	3	3	3
Plan 12	1,998	3	3	3
Plan 13	2,192	3	3	2
Plan 14	2,843	4	4	2

PASSED AND ADOPTED by the Oceanside Community Development Commission of the City of Oceanside this ___day of _____ 2008 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
Chairman

ATTEST:

_____
Secretary

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

by _____, DCA
General Counsel

RESOLUTION NO. 07- R0048-3

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE APPROVING A TIME EXTENSION AND REVISION TO A TENTATIVE MAP, DEVELOPMENT PLAN, CONDITIONAL USE PERMITS AND VARIATION FOR THE CONSTRUCTION OF A MIXED USE DEVELOPMENT CONSISTING OF 65 RESIDENTIAL CONDOMINIUM UNITS, 52 LIVE-WORK UNITS AND 26,280 SQUARE FEET OF RETAIL/OFFICE SPACE LOCATED SOUTH OF MISSION AVENUE, WEST OF HORNE STREET, NORTH OF SEAGAZE DRIVE AND EAST OF CLEMENTINE STREET – APPLICANT: PACIFIC CREST INVESTMENTS, LLC

WHEREAS, on February 23, 2005, the Community Development Commission held a duly noticed public hearing, and on March 16, 2005 adopted Resolution No. 05-R0139-3 approving Tentative Map (T-200-04), Development Plan (D-203-04), Conditional Use Permits (C-202-04 & C-203-04) and Variation (V-205-04) for the construction of a mixed-use development consisting of 66 residential condominium units, 51 live/work units and 26,280 square feet of retail/office space located south of Mission Avenue, west of Horne Street, North of Seagaze Drive and east of Clementine Street;

WHEREAS, on February 14, 2007, the Community Development Commission held its duly noticed public hearing, considered an application for a time extension and a revision to Tentative Map (T-200-04), Development Plan (D-203-04), Conditional Use Permits (C-202-04 & C-203-04) and Variation (V-205-04) for the construction of a mixed-use development consisting of 65 residential condominium units, 52 live/work units and 26,280 square feet of retail/office space located south of Mission Avenue, west of Horne Street, North of Seagaze Drive and east of Clementine Street;

WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of Oceanside did, on January 10, 2007, review and recommend approval of a time extension and revision to Tentative Map (T-200-04), Development Plan (D-203-04), Conditional Use Permits (C-202-04 & C-203-04) and Variation (V-205-04) for the construction of a mixed-use development consisting of 65 residential condominium units, 52 live/work units and 26,280 square feet of retail/office space located south of Mission Avenue, west of Horne Street, North of Seagaze Drive and east of Clementine Street;

WHEREAS, a Categorical Exemption was prepared by the Resource Officer of the City of Oceanside for this application pursuant to the California Environmental Quality Act 1970 and the State Guidelines implementing the Act. The project is considered an infill development and will not have a detrimental effect on the environment;

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

WHEREAS, pursuant to Government Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the Project is subject to certain fees, dedications, reservations and other exactions as provided below:

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 05-R0628-1	$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 05-R0628-1	$2,843 per acre
Public Facility Fee	Ordinance No. 91-09 Resolution No. 05-R0628-1	$2,072 per unit
School Facilities Mitigation Fee	Ordinance No. 91-34	$2.63 per square foot
Traffic Signal Fee	Ordinance No. 87-19	$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01	$255 per vehicle trip (based on SANDAG trip generation table)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96	Fee based on water meter size. Residential is typically $3,746 per unit;

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
	Ordinance No. 05-OR 0611-1	
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on meter size. Residential is typically $4,587 per unit;
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically $4,154 per unit

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

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

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

WHEREAS, pursuant to Government Code §66020(d)(1), NOTICE IS FURTHER GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020; and

WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes

effective upon its adoption.

NOW, THEREFORE, the Community Development Commission of the City of Oceanside does resolve the following facts:

FINDINGS:

For the Time Extension of the Tentative Map, Development Plan, Variation & Conditional Use Permits:

1. The project has been conditioned for payment of all applicable impact fees, and therefore will be paying its fair share toward needed public services.

2. There have been no changes in City policy, nor have there been any significant changes affecting the surrounding area since the original approval, and therefore this time extension will not adversely affect the City's General Plan nor any existing applicable City policy.

3. The applicant has made a diligent good faith effort to record the final map within the time period originally approved.

For the Revision to the Tentative Map:

1. The proposed subdivision creates parcels that are consistent with and exceed the requirements of the Subdistrict 2 zoning designation by providing a lot that exceeds the minimum lot size dimension as established by the development standards within Article 12. The subdivision map is consistent with the General Plan of the City in that it meets the minimum development standards established by Article 12 which is consistent with the Redevelopment Plan, Subdivision Ordinance and Zoning Ordinance.

2. The proposed building on the site will conform to the topography of the site, therefore making it suitable for residential development. The subject site is physically suitable to allow for the development of 65 residential condominium units, 52 live-work units and 26,280 square feet of retail/office space.

3. The subdivision complies with all other applicable ordinances, regulations and guidelines of the City.

4. The design of the subdivision or proposed improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the subdivision.

5. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their

habitat because the proposed project is an infill site that does not contain any habitat, river, blue stream, wildlife, cultural resources, riparian habitat, sensitive landform, geologic, sensitive fauna and marine life.

For the Revision to the Development Plan and Conditional Use Permit for a Mixed-Use Development:

1. The total number of dwelling units in the Mixed-Use Development Plan (MUDP) does not exceed the maximum density permitted under the General Plan land use designation. The MUDP project as proposed is consistent with the purposes of the City's Zoning Ordinance and the "D" Downtown District. The maximum dwelling units per acre as established by the Redevelopment Plan, General Plan and Article 12 is 43 dwelling units per acre. The proposed project density is 43 dwelling units per acre which is consistent with the referenced documents.

2. The development achieved under the MUDP will contribute to an enhanced and superior urban environment in comparison to a development that might otherwise be realized apart from the proposed MUDP. A MUDP combines several different land uses under one site that provides a diversity of services that would not be realized by a single commercial and/or residential use. In addition to the services provided by an MUDP, there is also the physical commitment which provides a diversity of architectural design in order to house the different land uses on one site. This can be accomplished in a variety of ways including common areas, separation of uses, urban furniture, use of differing materials, fenestration, colors, parking, ingress and egress to the subject site, architectural elements, signage and landscaping. MUDP is an urban tool that brings a variety of economics, cultural and ethnic diversity, and services on one site; MUDP has been utilized by every large city in the United States for hundreds of years.

3. The MUDP is consistent with the adopted land use policies such as the Redevelopment Plan, Article 12, General Plan and Subdivision Ordinance and the development standard regulations for the Redevelopment Project Area. In 1990, the City Council revised Article 12 of the Downtown "D" District to establish more flexibility within a MUDP. The Goal of the MUDP was to provide more economic diversity and vitality to the Downtown Redevelopment Project Area. The proposed project, with its mix of commercial and residential uses, brings that economic diversity and vitality as established by the land uses and

development standards Redevelopment Plan, Article 12, General Plan and Subdivision Ordinance.

4. The MUDP will be adequately served by the necessary utilities and facilities. The project connection to the existing utilities and facilities will not exceed the capacity of the existing systems.

5. A traffic report was prepared in May 2004, which indicated that the proposed additional traffic expected to be generated by the MUDP alone will not exceed the capacity of the affected streets; however, the increase in traffic will result in traffic mitigation of the affected streets. The traffic mitigation has been incorporated as engineering conditions of this resolution.

6. A shadow analysis report was prepared in October 2004, which indicated that the proposed project will not affect significant "shading" upon the adjacent properties in comparison to the development shading that would otherwise be realized from a development not containing a mixed-use component. The report made findings indicating that the proposed project will cast a variable sun shadow depending on the time of the year. During the summer months, the shadows cast by the proposed project affect the bank buildings to the west in the morning. The residential uses to the south of the project will be slightly affected in the afternoons. During the winter months, the shadows cast by the proposed project will affect commercial buildings to the north and a public high school to the east. The report concluded that no dominating shadows will be cast over the neighborhood residential uses.

For the Revision of the Conditional Use Permit to Exceed the Building Height:

1. The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. Mixed-Use Development with a base district height of 65-feet is permitted within the Redevelopment Subdistrict 2 area and heights up to 90-feet is permitted with a Conditional Use Permit.

2. The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan, Redevelopment Plan, and Article 12 because in 1990, the City Council revised Article 12 of the Downtown "D" District to establish more flexibility within a MUDP in order to provide more economic diversity and vitality to the Downtown Redevelopment Project Area; will not be

detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use because the proposed project will provide economic diversity, increase property values, provide valuable neighborhood services, secure the area and provide jobs; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City in that the proposed project will provide jobs, offsite and onsite improvements, infrastructure improvements, more security and increased property values. The increased height from 65 to 90 feet is a difference of 25 feet to accommodate additional dwelling space and overall architecture design concept, which would not be detrimental to properties or improvements in the vicinity in that the proposed project increases property values, provides infrastructure improvements, site improvements, more security, jobs, increased diversity of building design, neighborhood services, and increased aesthetics by adding more landscaping to the subject site.

3. The proposed conditional use permit will comply with the provisions of the Zoning Ordinance, including any specific conditional use in the district in which it would be located. The Conditional Use Permit for an additional 25 feet in height beyond the 65 feet normally allowed in Subdistrict 2, does not require additional specific conditions beyond those applicable to the mixed-use development project.

For Revision to the Variation for Setback Reductions:

1. The application of certain regulations and development standards for street corner side yard setbacks on Mission Avenue from 50 feet centerline to 40 feet and on Seagaze Drive from 10 feet to 0 feet would result in unnecessary hardships against the proposed mixed-use development project and would impact the project's ability to provide the same level of urban design qualities. Article 12 of the Downtown "D" District states that the MUDP is intended to provide flexibility in land use regulations and site development standards under control of the Community Development Commission where flexibility will enhance the potential for superior urban design. The applicant is requesting a reduction of the corner side yard setbacks in order to provide a quality design. The proposed corner side yard setback reduction meets the site development standards as set forth within Section (KK) of Article 12 of the Downtown "D" District.

2. The urban and high density nature of the project design is consistent with the

Redevelopment zoning and land use goals affecting the project site. The reduction of corner side yard setbacks is allowed under Article 12 of the Downtown "D" District which states that the MUDP is intended to provide flexibility in land use regulations and site development standards under control of the Community Development Commission where flexibility will enhance the potential for superior urban design. The applicant is requesting a reduction of the corner side yard setbacks in order to provide a quality design.

3. Permitting the Variation will not be materially detrimental to the public welfare or injurious to other properties or improvements within the Subdistrict 2 zone. The proposed project, with its mix of commercial and residential uses, brings economic diversity and vitality to the project area. Specifically, the proposed project will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use because the proposed project will provide economic diversity, increase property values, provide valuable neighborhood services, secure the area and provide jobs.

4. Permitting the Variation will not be contrary to the objectives and goals of the Redevelopment Plan, Article 12 and General Plan. The proposed corner side yards setback reduction meets the site development standards as stipulated within Section (KK) of Article 12 of the Downtown "D" District. In addition, the proposed project will not be detrimental to the public health, safety, welfare of persons residing or working in or adjacent to the neighborhood of such use because the proposed project will provide economic diversity, increase property values, provide valuable neighborhood services, secure the area and provide jobs.

That revision and time extension to Tentative Map (T-200-04), Development Plan (D-203-04), Conditional Use Permits (C-202-04 & C-203-04) and Variation (V-205-04) is hereby approved subject to the following conditions:

CONDITIONS OF APPROVAL:

Engineering:

1. Condition No. 50 of Community Development Commission Resolution No. 05-R0139-3 as attached in Exhibit "B" shall be modified as follows:

All streets shall provide a minimum of 10 feet of parkway between the face of curb and the right-of-way line with the exception of Horne Street which will provide 8 feet of parkway. Sidewalk improvements shall comply with ADA requirements.

2. Elimination of Condition No. 82 of Community Development Commission Resolution No. 05-R0139-3.

3. Condition No. 84 of Community Development Commission Resolution No. 05-R0139-3 as attached in Exhibit "B" shall be modified as follows:

That portion of Horne Street located south of Mission Avenue shall be widened to 50 feet of pavement, the re-striping of Horne Street on both approaches, and to provide phasing and signal indications for the efficient operation of the intersection. These improvements shall be completed to the satisfaction of the Public Works Director.

Planning:

4. That, except as above, all of the conditions of Resolution No. 05-R0139-3 adopted on March 16, 2005 continue to apply. Condition No. 94 is amended to change the expiration date to February 23, 2009.

5. This revision to Tentative Map (T-200-04), Development Plan (D-203-04), Conditional Use Permits (C-202-04 & C-203-04) and Variation (V-205-04) shall expire on February 23, 2009, unless implemented as required by the Zoning Ordinance.

6. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City, concerning revision to Tentative Map (T-200-04), Development Plan (D-203-04), Conditional Use Permit (C-202-04 & C-203-04) and Variation (V-205-04). The City will promptly notify the applicant of any such claim, action or proceeding against the City and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

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

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

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

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

	Sq.Ft.	# Bedrms	# Baths	# Units	%
Plan 1	1,247	2	2	17	27
Plan 2	1,236	2	2	30	46
Plan 3	1,429	2	2.5	6	9
Plan 4	1,517	2	2.5	6	9
Plan 5	2,215	3	3.5	6	9

PASSED AND ADOPTED by the Oceanside Community Development Commission of the City of Oceanside this 14th day of February 2007 by the following vote:

AYES: WOOD, CHAVEZ, FELLER, KERN

NAYS: SANCHEZ

ABSENT: NONE

ABSTAIN: NONE

Chairman

ATTEST:

Secretary

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

by , DCA
General Counsel

EXHIBIT "A"

LEGAL DESCRIPTION

BEING A SUBDIVISION OF LOTS 1 THROUGH 18, INCLUSIVE OF BLOCK 69 OF HORNE'S ADDITION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS SHOWN ON MAP NO. 323, FILED IN THE OFFICE OF THE SAN DIEGO COUNTY RECORDER; AND VACATED ALLEY PER THE CITY OF OCEANSIDE RESOLUTION NO. 05-RO356-1.

OCEANSIDE COMMUNITY DEVELOPMENT COMMISSION

RESOLUTION NO. 05-R0139-3

A RESOLUTION OF THE OCEANSIDE COMMUNITY DEVELOPMENT COMMISSION APPROVING A TENTATIVE MAP (T-200-04), DEVELOPMENT PLAN (D-203-04), CONDITIONAL USE PERMITS (C-202-04, C-203-04) AND VARIATION (V-205-04) FOR A MIXED-USE DEVELOPMENT LOCATED WEST OF HORNE STREET, BETWEEN MISSION AVENUE AND SEAGAZE DRIVE AND EAST OF CLEMENTINE STREET – PACIFIC CREST INVESTMENTS, LLC, APPLICANT

WHEREAS, the Community Development Commission, at its duly noticed public hearing held on February 23, 2005, considered an application for a Tentative Map, Development Plan, Conditional Use Permits and Variation for a mixed-use development consisting of 26,280 square feet of retail/commercial floor area, 51 commercial work/live lofts and 66 condominiums at a site located west of Horne Street, between Mission Avenue and Seagaze Drive and east of Clementine Street; and

WHEREAS, the applicant is Pacific Crest Investments, LLC; and

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

WHEREAS, pursuant to Government Code 66020(d)(1), NOTICE IS HEREBY GIVEN that the project is subject to certain fees, dedications, reservations and other exactions as provided below:

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. R91-38	$2,200 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 89-231	Zone 5 $1,705 per acre
Public Facility Fee	Ordinance No. 91-09 Resolution No. R91-39	$.441 per square foot or $441 per thousand square feet for non-residential uses and $1,301 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	$.34 per square foot non-residential
Traffic Signal Fee	Ordinance No. 87-19	$7.80 per vehicle trip

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Thoroughfare Fee	Ordinance No. 83-01	$177 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 02-OR-332-1	Fee based on water meter size
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 02-OR-333-1	Based on capacity or water meter size
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2000-3	Based on meter size. Residential is typically $2,461 per unit; Non-residential is $12,797 for a 2" meter.

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

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

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

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

WHEREAS, the Community Development Commission, after giving the required notice, did on the 23rd day of February 2005, conduct a duly advertised public hearing as prescribed by law to consider said application; and

WHEREAS, studies and investigations made by the Community Development Commission reveal the following facts:

FINDINGS:

For the Tentative Map:

1. The proposed subdivision: 26,280 square feet of retail/commercial floor area, 51 commercial work/live lofts and 66 condominiums, is consistent with the General Plan of the City and the effective zoning regulations.
2. The subject site is physically suitable for the density and type of the proposed development.
3. The design of the subdivision and the proposed improvements will not cause significant environmental impact or damages.
4. The design of the subdivision and the project improvements will not conflict with any public easements for access through or upon the property within the proposed subdivision.
5. The subdivision complies with all other applicable ordinances, regulations and guidelines of the City of Oceanside, including but not limited to the Local Coastal Plan and the Local Floodplain Ordinance.

For the Development Plan and the Conditional Use Permit for a Mixed-Use Development:

1. The total number of dwelling units in the Mixed-Use Development Plan (MUDP) does not exceed the maximum density permitted under the General Plan land use regulations.
2. The development achieved under the MUDP will contribute to an enhanced and superior urban environment in comparison to a development that might otherwise be realized apart from the proposed MUDP.
3. The MUDP is consistent with the adopted land use policies and regulations for the Redevelopment land use area.
4. The MUDP will be adequately served by the necessary utilities and facilties. The project connection to the existing utilities and facilities will not exceed the capacity of the existing systems.
5. The traffic expected to be generated by the MUDP alone, will not exceed the capacity of the affected streets.

6. The development of the MUDP will not effect a significant "shading" upon the adjacent properties in comparison to the development shading that would otherwise be realized from a development not containing a mixed-use component.

For the Conditional Use Permit Building Height:

1. That the proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. Mixed Use Developments with a base district height of 65-feet are permitted in the Redevelopment Subdistrict 2, and heights up to 90-feet are permitted with a Conditional Use Permit.
2. That the proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety, welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City. The increased height from 65-feet to 90-feet is a difference of 25-feet to accommodate additional dwelling space and overall architectural design concept, which would not be detrimental to properties or improvements in the vicinity.
3. That the proposed conditional use will comply with the provisions of the Zoning Ordinance, including any specific condition required for the proposed conditional use in the district in which it would be located. The Conditional Use Permit for an additional 25-feet in height beyond the 65-feet normally allowed in Subdistrict 2, does not require additional specific conditions beyond those applicable to the mixed-use development project.

For the Variation for Reduction in Street Side Setbacks:

1. The application of the effective street side setbacks on Mission Avenue from 50 feet of centerline to 40 feet and on Seagaze Drive from 10 feet to 0 feet would result in unnecessary hardships against the proposed mixed-use development project and would impact the project's ability to provide the same level of urban design qualities. Such impacts and effects upon the proposed project would be inconsistent with the land use goals for the Redevelopment land use area.
2. The urban and high-density nature of the project design is consistent with the Redevelopment zoning and land use goals affecting the project site. Reduced setbacks are an accepted and special design feature of this type of development.

3. Granting the Variation, in this case, will not result in any detrimental impact to the public welfare, private property, or improvements in the area.

4. Granting the Variation in this case would not be contrary to the objectives of the Redevelopment land use goals as it would facilitate the development of a high-quality urban project.

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

NOW, THEREFORE, the Community Development Commission of the City of Oceanside does resolve that Tentative Map (T-200-04), Development Plan (D-203-04), Conditional Use Permit (C-202-04, C-203-04) and Variation (V-205-04) are hereby approved subject to the following conditions:

Building:

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Department plan check.
2. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all State and local building codes.
3. Site development, parking, access into buildings and building interiors shall comply with the State's Disabled Accessibility Regulations (2001 CBC Chapter 11A).
4. Site development, common use areas, access and adaptability of apartments and condominiums shall comply with the State's Disabled Accessibility Regulations (2001 CBC Chapter 11A).
5. All electrical, communication, CATV, etc. service lines, within the exterior lines of the property shall be underground (City Code Sec. 6.30).
6. The building plans for this project are required by State law to be prepared by a licensed architect or engineer and must be in compliance with this requirement prior to submittal for building plan review.
7. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and shall be shielded appropriately. Where color rendition is important high-pressure sodium, metal halide or other such lights may be utilized and shall be shown on final building and electrical plans.
8. The developer shall monitor, supervise and control all building construction and supportive activities so as to prevent these activities from causing a public nuisance, including, but not limited to, strict adherence to the following:

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

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

9. Separate/unique addresses will/may be required to facilitate utility releases. Verification that the addresses have been properly assigned by the City's Planning Department must accompany the Building Permit application.

10. Building (demolition) Permits will be required for the demolition of the existing structures. Plans for the Demolition Permit must clearly show that all utilities (electric, gas, water & sewer) are properly terminated/capped in accordance with the requirements of the utility service provider. All/any underground septic or water storage tanks must be removed or filled in accordance with the Uniform Plumbing Code and/or the City's Grading Ordinance.

Fire Prevention:

11. A minimum fire flow of 3000 gallons per minute shall be provided.

12. The size of fire hydrant outlets shall be 2 ½" X 2 ½" X4".

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

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

15. Provide on-site hydrant(s) and mains capable of supplying the required fire flow.

16. Standpipes shall be provided as required per U.B.C. Table 9A.

17. Buildings four or more stories in height shall be provided with not less than one standpipe during construction. The standpipe shall be installed before the progress of construction is more

than 35 feet above grade. Two and one-half-inch valve hose connections shall be provided at approved accessible locations adjacent to useable stairs.

18. All weather access roads shall be installed and made serviceable prior to and during time of construction. Sec. 902. Uniform Fire Code.

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

20. A "Knox" key storage box shall be provided for all new construction. For buildings, other than high-rise, a minimum of 3 complete sets of keys shall be provided. Keys shall be provided for all exterior entry doors, fire protection equipment control rooms, mechanical and electrical rooms, elevator controls and equipment spaces, etc. For high-rise buildings, 6 complete sets are required.

21. Fire extinguishers are required and shall be included on the plans submitted for plan check.

22. An approved fire sprinkler system must be installed throughout the building. The system shall be designed per N.F.P.A. 13, and U.B.C. standard 9-1. The sprinkler system requires 24-hour supervision.

23. The Fire Department connection shall not be affixed to the building. The Fire Department connection must be located at least 40 feet away from the building, within 40 feet of a fire hydrant and on the address side of the building, unless otherwise determined by the fire department. The hydrant shall be located on the same side of the street as the Fire Department connection.

24. Provide a fire alarm system as required per U.F.C. Article 10 and N.F.P.A. 72, 1999 Edition.

25. In accordance with the Uniform Fire Code Sec. 901.1.4.4, approved addresses for Commercial, Industrial, and Residential Occupancies shall be placed on the structure in such a position as to be plainly visible and legible from the street or roadway fronting the property. Numbers shall contrast with their background.

26. High-rise buildings require 24-inch address numbers.

27. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior to the issuance of building permits.

28. Buildings shall meet Oceanside Fire Department current adopted codes at the time of building permit application.

29. Fuel modification plans are required for all projects and/or structures receiving tentative map approval or building permits.

30. Submit three (3) sets of plans prepared by a licensed landscape architect or other design professional with equivalent credentials, for review.

31. This building must meet all high-rise requirements, which are identified in the Fire Department High-rise Standards. These guidelines are available from the Fire Department.

32. The Fire department connection must be located on the entrance side of the building, 40 feet from the structure and within 40 feet of a hydrant.

33. A fire hydrant shall be installed on the corner of Mission and Clementine Streets.

Engineering:

34. If the project involves demolition of an existing structure or surface improvements, the grading plans shall be approved by the City Engineer prior to the issuance of a demolition permit. No demolition shall be permitted without an approved erosion control plan.

35. Vehicular access rights to Mission Avenue, Seagaze Avenue, Horne Street and Clementine Street shall be relinquished to the City with the exception of the proposed project driveway locations.

36. All right-of-way alignments, street dedications, exact geometrics and widths shall be dedicated and improved as required by the City Engineer.

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

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

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

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

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

42. The approval of the tentative map shall not mean that closure, vacation, or abandonment of any public street, right of way, easement, or facility is granted or guaranteed to the subdivider. The subdivider 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 under separate process(es) per codes, ordinances, and policies in effect at the time of the application.

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

44. Prior to approval of the first final map (or engineering drawing for a site development plan) a phasing plan for the construction of public and private improvements including landscaping, streets and arterials shall be approved by the City Engineer. All improvements shall be substantially complete (per current City Policy) prior to the issuance of any building permits. All frontage improvements shall be completed prior to issuance of any certificates of occupancy.

45. Where proposed off-site improvements, including but not limited to slopes, public utility facilities, and drainage facilities, are to be constructed, the applicant shall, at his own expense, obtain all necessary easements or other interests in real property and shall dedicate the same to the City as required. The applicant shall provide documentary proof satisfactory to the City that such easements or other interest in real property have been obtained prior to the approval of the final map. The City may at its sole discretion, require that the applicant obtain at his sole expense a title policy insuring the necessary title for the easement or other interest in real property to have vested with the City of Oceanside or the applicant, as applicable.

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

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

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

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

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

48. All drainage fees, traffic signal 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 City Ordinances and policies. The subdivider shall also be required to join into, contribute, or participate in any improvement, lighting, or other special district affecting or affected by this project. Approval of the tentative map (project) shall constitute the developer's approval of such payments, and his agreement to pay for any other similar assessments or charges in effect when any increment is submitted for final map or building permit approval, and to join, contribute, and/or participate in such districts.

49. All streets shall be improved with curbs and gutters.

50. All streets shall provide a minimum of 10 feet parkway between the face of curb and the right-of-way line. Sidewalk improvements shall comply with ADA requirements.

51. Prior to approval of the grading plans, the developer shall contract with a geotechnical engineering firm to perform a field investigation of the existing pavement on all streets adjacent to the project boundary. The limits of the study shall be half-street plus twelve (12) feet along

the subdivision's frontage. The field investigation shall include a minimum of one pavement boring per every fifty (50) linear feet of street frontage. Should the existing AC thickness be determined to be less than three (3) inches or without underlying Class II base material, the Subdivider shall remove and reconstruct the pavement section as determined by the pavement analysis submittal process detailed in Item No. 2 below.

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

53. Any street shall be improved as required the City Engineer.

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

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

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

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

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

59. The applicant shall obtain any necessary permits and clearances from all public agencies having jurisdiction over the project due to its type, size, or location, including but not limited to the U.

S. Army Corps of Engineers, California Department of Fish & Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board (including NPDES), San Diego County Health Department, prior to the issuance of grading permits.

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

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

62. Landscaping plans, including plans for the construction of walls, fences or other structures at or near intersections, must conform to intersection sight distance requirements. Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer prior to the issuance of a preliminary grading permit and approved by the City Engineer prior to the issuance of building permits. Frontage and median landscaping shall be installed prior to the issuance of any building permits. Project fences, sound or privacy walls and monument entry walls/signs shall be designed, reviewed and built from the landscape plans and shown for location only on grading plans. Plantable, segmental walls shall be designed, reviewed and constructed according to the grading plans and landscaped/irrigated through project landscape plans. All plans must be approved by the City Engineer and a pre-construction meeting held, prior to the start of any improvements.

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

(open space areas) adjacent to each property shall become that of the individual property owner collectively.

64. The drainage design on the tentative map is conceptual only. The final design shall be based upon a hydrologic/hydraulic study to be approved by the City Engineer during final engineering. All drainage picked up in an underground system shall remain underground until it is discharged into an approved channel, or as otherwise approved by the City Engineer. All public storm drains shall be shown on City standard plan and profile sheets. All storm drain easements shall be dedicated where required. The applicant shall be responsible for obtaining any off-site easements for storm drainage facilities.

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

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

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

68. The development shall comply with all applicable regulations established by the United States Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge Elimination System (N.P.D.E.S.) permit requirements for urban runoff and storm water discharge and any regulations adopted by the City pursuant to the N.P.D.E.S. regulations or requirements. Further, the applicant may be required to file a Notice of Intent with the State Water Resources Control Board to obtain coverage under the N.P.D.E.S. General Permit for Storm Water Discharges Associated with Construction Activity and may be required to implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities. SWPPPs include both construction and post construction pollution prevention and pollution control measures and identify funding mechanisms for post construction control measures. The developer shall comply with all the provisions of the Clean Water Program during and after all phases of the development process, including but not limited to: mass grading, rough grading, construction of street and landscaping improvements, and

construction of dwelling units. The applicant shall design the Project's storm drains and other drainage facilities to include Best Management Practices to minimize non-point source pollution, satisfactory to the City Engineer.

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

70. The Subdivider shall prepare and submit an Operations & Maintenance (O&M) Plan to the Engineering Division with the first submittal of engineering plans. The O&M Plan shall be prepared by the applicant's Civil Engineer. It shall be directly based on the project's Storm Water Mitigation Plan (SWMP) previously approved by the project's approving authority Community Development Commission. The O&M Plan shall be approved by the City Engineer prior to approval of any plans by the Engineering Division. At a minimum the O&M Plan shall include the designated responsible parties to manage the storm water BMP(s), employee's training program and duties, operating schedule, maintenance frequency, routine service schedule, specific maintenance activities, copies of resource agency permits, cost estimate for implementation of the O&M Plan and any other necessary elements.

71. The Developer/Subdivider/Project Proponent shall enter into a City-Standard Stormwater Facilities Maintenance Agreement with the City obliging the project proponent to maintain, repair and replace the storm water Best Management Practices (BMPs) identified in the project's approved Storm Water Mitigation Plan (SWMP), as detailed in the O&M Plan into perpetuity. The Agreement shall be approved by the City Attorney prior to issuance of any precise grading permit and shall be recorded at the County Recorder's Office prior to issuance of any building permit. Security in the form of cash (or certificate of deposit payable to the City) or an irrevocable, City-Standard Letter of Credit shall be required prior to issuance of a precise grading permit. The amount of the security shall be equal to 10 years of maintenance costs, as identified by the O&M Plan. The applicant's Civil Engineer shall prepare the O&M cost estimate. The O&M cost estimate shall be approved by the City Engineer prior to approval of any engineering plans for the project.

72. At a minimum, maintenance agreements shall require the staff training, inspection and maintenance of all BMPs on an annual basis. The project proponent shall complete and maintain

O&M forms to document all maintenance activities. Parties responsible for the O&M plan shall retain records at the subject property for at least 5 years. These documents shall be made available to the City for inspection upon request at any time.

73. The Agreement shall include a copy of executed onsite and offsite access easements necessary for the operation and maintenance of BMPs that shall be binding on the land throughout the life of the project to the benefit of the party responsible for the O&M of BMPs, until such time that the storm water BMP requiring access is replaced, satisfactory to the City Engineer. The agreement shall also include a copy of the O&M Plan approved by the City Engineer.

74. The BMPs described in the project's approved Storm Water Mitigation Plan (SWMP) shall not be altered in any way, shape or form without formal approval by the project's final approving authority Community Development Commission at a public hearing, if such hearing was required for the approval of the project.

75. The Developer shall enter into an Encroachment Removal Agreement with the City for all non-standard, decorative concrete and landscaping within the public right-of-way. The private CC&Rs for this development shall include a provision stating that all of the decorative sidewalk and landscaping within the public right-of-way adjacent to the development shall be maintained into perpetuity (and replaced, if necessary) by the future homeowners' association.

76. Prior to the issuance of grading permits, the developer shall design two landscape intersection bulb-outs to the satisfaction of the Transportation Manager. The improvements shall be generally located at Horne Street and Michigan Avenue. The improvement shall be constructed by the developer and accepted by the Transportation Manager prior to the first occupancy of the building.

Transportation:

77. The project shall provide 357 on-site parking spaces in accordance with the City of Oceanside parking standards.

78. Five-foot sidewalk (not including 6" top of curb) shall be installed along all sides of the project boundaries. The sidewalk shall be Americans with Disability Act compliant and be contiguous to the curb.

79. Americans with Disability Act compliant pedestrian access shall be provided at all project driveways and the intersections of Mission Avenue at Horne Street, Mission Avenue at Clementine Street, Seagaze Drive at Horne Street, and Seagaze Drive at Clementine Street.

80. Sight distance requirements at all driveway and street intersections shall conform to the intersection corner sight distance criteria as provided by the California Department of Transportation Highway Design Manual. This will require removal of some existing curbside parking on the east side of Clementine Street adjacent to the project driveway.

81. The project shall contribute a fair share of 3.6 percent toward the cost of a future traffic signal on Mission Avenue at Cleveland Street.

82. The project shall dedicate 8 feet of right-of-way along the project frontage on Horne Street.

83. The project shall install a landscaped median island along Mission Avenue between Clementine Street and Horne Street to the satisfaction of the City Engineer.

84. The existing traffic signal on Mission Avenue at Horne Street shall be upgraded to eliminate the north/south split phasing in order to accommodate eight-phase signal operations. This shall include widening of Horne Street south of Mission Avenue to 50-feet of pavement, the re-striping of Horne Street on both approaches, and an upgrade to the traffic signal equipment. These improvements shall be completed to the satisfaction of the Transportation Manager.

85. The project shall install a traffic signal on the intersection of Mission Avenue at Clementine Street to the satisfaction of the Transportation Manager.

86. A traffic control plan shall be prepared according to the City traffic control guidelines and be submitted to and approved by the Transportation Manager prior to the start of work within open City rights-of-way. Traffic control during construction of streets that have been opened to public traffic shall be in accordance with construction signing, marking and other protection as required by the Caltrans Traffic Manual and City Traffic Control Guidelines.

87. Traffic control during construction adjacent to or within all public streets must meet Caltrans standards and City Traffic Control Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.

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

89. Streetlights shall be provided along the frontage of the project. The system shall be designed to provide uniform lighting, and be secured prior to the recordation of map or building permit issuance, if a map is not recorded. The subdivider shall pay all applicable fees, energy charges,

and/or assessments associated with City-owned (LS-2 rate schedule) streetlights and shall also agree to the formulation of, or the annexation to, any appropriate street lighting district.

90. The applicant shall pay all applicable traffic signal and thoroughfare fees.

Planning:

91. This Tentative Map, Development Plan, Conditional Use Permits and Variation shall not become effective until the effective date of the Zoning Ordinance Amendment for ZA-200-04 is effective. The effective date of the Zoning Ordinance Amendment shall be used for determining expiration dates for the attached Tentative Map, Development Plan, Conditional Use Permits and Variation.

92. This Tentative Map, Development Plan and Conditional Use Permits approves only the following: a mixed-use development consisting of 26,280 square feet of retail/commercial floor area, 51 commercial work/live lofts and 66 condominiums. Any substantial modification in the design or layout shall require a revision to the Tentative Map, Development Plan and Conditional Use Permits.

93. This Variation approves only the following: reduction in front, sides and rear setbacks in accordance with the plans approved by the Community Development Commission.

94. This Tentative Map, Development Plan, Conditional Use Permits and Variation shall expire on February 23, 2007, unless implemented as required by the Zoning Ordinance, or unless a time extension is granted by the Community Development Commission.

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

96. Landscape plans, meeting the criteria of the City's Landscape Guidelines and Water Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall be reviewed and approved by the City Engineer and Planning Director prior to the issuance of building permits. Landscaping shall not be installed until bonds have been posted, fees paid, and plans signed for final approval. The following special landscaping requirements shall be met:

a) Local street trees in parkways shall be planted at a minimum 15-gallon container size or 10 – 12-foot Brown Trunk Height (BTH), and spaced in accordance with the City's adopted Landscape Design Guidelines manual. Approved root barriers shall be incorporated.

b) All decorative pavements and hardscape materials, shown on the plans approved by the Community Development Commission, shall be included on the final landscape plans.

c) The final landscape plans shall be plan checked against the conceptual landscape plans approved by the Community Development Commission for numbers and sizes of units, areas, and overall qualitative features.

97. Trash enclosures must be provided as required by Chapter 13 of the City Code and shall also include additional space for storage and collection of recyclable materials per City standards. Recycling is required by City Ordinance. The enclosures must be built in a flat, accessible location as determined by the City Engineer. The enclosures shall meet City standards including being constructed of concrete block, reinforced with rebar and filled with cement. A concrete slab must be poured with a berm on the inside of the enclosure to prevent the bins from striking the block walls. The slab must extend out of the enclosure for the bins to roll out onto. Steel posts must be set in front of the enclosure with solid metal gates. All driveways and service access areas must be designed to sustain the weight of a 50,000-pound service vehicle. Trash enclosures and driveways and service access areas shall be shown on both the improvement and landscape plans submitted to the City Engineer. The specifications shall be reviewed and approved by the City Engineer. The City's waste disposal contractor is required to access private property to service the trash enclosures, a service agreement must be signed by the property owner and shall remain in effect for the life of the project. All trash enclosures shall be designed to provide user access without the use and opening of the service doors for the bins. Trash enclosures shall have design features such as materials and trim similar to that of the rest of the project. This design shall be shown on the landscape plans and shall be approved by the Planning Director.

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

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

100. Failure to meet any conditions of approval for this development shall constitute a violation of the Tentative Map, Development Plan, Conditional Use Permit, Variation and Regular Coastal Permit.

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

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

102. The owner of the property shall be responsible for trash abatement on the site, and shall keep the site free of litter, trash and other nuisances.

103. All retaining and other freestanding walls, fences, and enclosures shall be architecturally designed in a manner similar to and consistent with the primary structures (stucco block, split-face block or slump stone, whichever is appropriate as determined by the Planning Director) or unless otherwise shown on the conceptual landscape plan. These items shall be approved by the Planning Department prior to the issuance of building permits.

104. Elevations, siding materials, colors, roofing materials and floor plans shall be substantially the same as those approved by the Community Development Commission. These shall be shown on plans submitted to the Building Department and Planning Department.

105. A covenant or other recordable document approved by the City Attorney shall be prepared by the applicant (developer, subdivider) and recorded prior to the approval of the final map (or prior to issuance of building permits where no final map is required). The covenant shall provide that the property is subject to this Resolution, and shall generally list the conditions of approval.

106. The developer is prohibited from entering into any agreement with a cable television franchisee of the City which gives such franchisee exclusive rights to install, operate, and/or maintain its cable television system in the development.

107. The subterranean garage shall include a restricted vehicular access design so as to reserve the garage spaces for the residential occupancy of the site. The final design for garage access restriction shall be reviewed and approved by the Planning Director and the City Engineer prior to final building inspection or the first occupancy of building, whichever occurs first.

108. Purchase, lease, and rental agreements for the condominium and penthouse units shall include garage area parking. Such agreements shall not allow the owner/tenant to forfeit the use of the garage.

109. The following unit type and floor plan mix, as approved by the Community Development Commission, shall be indicated on plans submitted to the Building Department and Planning Department for building permit:

Plan Type	Sq.Ft.	Bedrms.	Baths	Units
Plan A	1,270	2	2	18
Plan B	1,281	2	2	30
Plan C	2,295	3	3.5	6
Plan D	1,436	2	2.5	6
Plan E	1,553	2	2	6
			Total	66

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

a) The subterranean garage parking shall be exclusive to the residential occupancy of the site and shall not be shared or used by any other occupancy.

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

c) Provisions regulating the use of private balcony decks and rooftop terrace areas.

d) Maintenance of all common areas, and onsite and frontage landscaping.

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

112. An architectural lighting plan shall be prepared and submitted for review and approval prior to the issuance of building permits. This plan is subject to the review and approval by the Planning Director.

113. The final construction drawings for the condominium and commercial floor area building shall demonstrate the incorporation of Best Management Practices (BMP) for the buffering, separation, or attenuation of certain nonresidential and commercial activities interface with the residential occupancy. The project BMP shall be documented to the satisfaction of the Building Director and the Planning Director and approved by each Director prior to the issuance of the first residential occupancy.

114. Prior to issuance of building permits, detailed engineering calculations shall be submitted indicating that the building construction would be able to attenuate interior noise to less than 45 dB for all units. A detailed noise study shall be prepared and approved by the City prior to issuance of building permits.

115. Prior to the issuance of a demolition permit for the Melville Goetz Residence, the following mitigation measure shall be implemented.

116. The Historic American Building Survey Level 1 standard is appropriate for recording the architectural detail of the building. The Level 1 documentation shall include the following:

a) Measured drawings depicting existing or historic conditions.

b) Photographs with large format negatives of exterior and interior views, and large format negatives of select existing drawings or historic views, where available.

c) Documentation of historic architectural elements discovered during removal of the structure.

117. The Historic American Building Survey Level 1 drawings, documentation, photographs, and any historical information collected shall be recorded with the South Coastal Information Center and a copy of the final report shall be submitted to the Oceanside Historical Society and City of Oceanside Planning Department.

118. Photographs for the Melville Goetz Residence and the other buildings on-site shall be prepared in accordance with the Oceanside Historic Preservation Advisory Commission Policy 1, Standards for Photo Documentation. The photo-documentation shall be reviewed and approved by the Planning Director prior to issuance of a demolition permit.

119. The following measures are required to offset potential impacts to paleontological resources:

a) Prior to issuance of grading permits, the applicant shall confirm to the City of Oceanside that a qualified paleontologist has been retained to carry out an appropriate mitigation program. (A qualified paleontologist is defined as an individual with a M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.) The paleontologist shall attend pre-grade meetings to consult with grading and excavation contractors.

b) A paleontological monitor shall be onsite during grading operations to evaluate the presence of fossils within previously undisturbed sediments of highly sensitive geologic formations (i.e., Santiago Formation) and moderately sensitive formations (river terrace deposits) to inspect cuts for contained fossils. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials.) The paleontological monitor shall work under the direction of a qualified paleontologist.

c) When fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete whale skeleton) may require an extended salvage time. In these instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of small fossil remains such as isolated mammal teeth, it may be necessary in certain instances to set up a screen-washing operation on the site.

d) Prepared fossils along with copies of all pertinent field notes, photos, and maps shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed and distributed to the City and other interested agencies which outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

120. Prior to issuance of demolition permits for the existing structures on the site, comprehensive asbestos and lead-based paint surveys are required to identify and abate, if necessary, any asbestos containing materials or lead based paint at the property. If such materials are identified, they should be handled in accordance with all applicable regulations.

Water Utilities:

121. All public water and/or sewer facilities not located within the public right-of-way shall be provided with easements sized according to the City's Engineers Manual. Easements shall be constructed for all weather access.

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

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

124. A separate irrigation meter and approved backflow prevention device is required.

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

126. A water and sewer study must be prepared by the developer at the developer's expense, and reviewed and approved by the Water Utilities Department. Off-site sewer improvements for the project may potentially be required for downstream sewer segments that do not meet City of Oceanside depth of flow criteria.

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

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

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

130. Subterranean parking spaces shall be drained to the City's Storm Drain System and shall comply with the California Regional Water Quality Control Board Order No. 2001-01.

131. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to be paid to the City and collected by the Water Utilities Department at the time of Building Permit issuance.

132. All Water and Wastewater construction shall conform to the most recent edition of the City's Engineers Manual, or as approved by the Water Utilities Director.

133. All new development of single-family and multi-family residential units shall include hot water pipe insulation and installation of a hot water re-circulation device or design to provide hot water to the tap within 15 seconds in accordance with City of Oceanside Ordinance No. 02-OR126-1.

134. The water line on Seagaze Drive shall be potholed between Horne Street and the alley between Horne Street and Clementine Street. Water Utilities operations personnel believe this is a 6" water line. The water line shall be upsized to 10" if it is found to be a 6" line.

PASSED AND ADOPTED by the Oceanside Community Development Commission of the City of Oceanside this 16th day of March 2005 by the following vote:

AYES: Wood, Chavez, Feller, Sanchez

NAYS: None

ABSENT: None

ABSTAIN: None

Chairman

ATTEST:

Secretary

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

by Deputy

General Counsel

CITY OF OCEANSIDE
DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION
ADDENDUM TO THE

FINAL MITIGATED NEGATIVE DECLARATION

TO: _ OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

X RECORDER/COUNTY CLERK
COUNTY OF SAN DIEGO
P.O. BOX 1750
SAN DIEGO, CA 92112-4147

PROJECT TITLE AND FILE NUMBER:
THE BELVEDERE PROJECT

PROJECT LOCATION:
Southwest corner of Mission Avenue and Horne Street.

PROJECT DESCRIPTION:

The proposed project was originally a mid-rise, mixed-use project, which provides 26,280 square feet of retail/commercial and office space, 51 commercial work/live lofts, and 66 luxury residential condominium units. The revised project consists of 65 residential condominium units, 28 live-work units and approximately 8,000 square feet of retail/office space. Since the project has been revised in terms of size and scope and nothing has substantially changed in the project area, no new environmental impacts have been identified and the analysis contained in the original Mitigated Negative Declaration are still valid. Therefore, no new environmental report need be issued.

FINDING: Pursuant to the provisions of Ordinance No. 88-31, pertaining to procedures and guidelines to implement the California Environmental Quality Act (Public Resources Code Section 21000 et. al.), the proposed project has been reviewed by the Environmental Review Committee established by ordinance to be responsible for evaluating the information. The Environmental Review Committee, after study of the facts and findings, has on March 24, 2008 determined that the project will not have a significant effect on the environment.

_ THE PROJECT WAS DETERMINED TO HAVE NO MAJOR SIGNIFICANT ADVERSE EFFECT UPON THE ENVIRONMENT.

X THE PROJECT WAS DETERMINED TO HAVE NO MAJOR SIGNIFICANT ADVERSE EFFECTS UPON THE ENVIRONMENT PER COMPLIANCE WITH THE FOLLOWING CONDITIONS:

See attached initial study

Initial Study prepared by:
Jerry Hittleman, City Planner

Contact Person:
Shan Babick, Associate Planner

The Initial Study is available for public review and may be examined at:

City of Oceanside
Planning Division
300 N. Coast Highway
Oceanside, CA 92054

SIGNATURE

March 24, 2008
DATE

CITY OF OCEANSIDE
PLANNING DEPARTMENT

MITIGATED NEGATIVE DECLARATION

TO: _ OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

_X_ RECORDER/COUNTY CLERK
COUNTY OF SAN DIEGO
P.O. BOX 1750
SAN DIEGO, CA 92112-4147

PROJECT TITLE AND FILE NUMBER:
THE BELVEDERE PROJECT

PROJECT LOCATION:
Southwest corner of Mission Avenue and Horne Street.

PROJECT DESCRIPTION:

The proposed project is a mid-rise, mixed-use project, which provides 26,280 square feet of retail/commercial and office space, 51 commercial work/live lofts, 66 luxury residential condominium units, and 357 parking spaces.

FINDING: Pursuant to the provisions of Ordinance No. 88-31, pertaining to procedures and guidelines to implement the California Environmental Quality Act (Public Resources Code Section 21000 et. al.), the proposed project has been reviewed by the Environmental Review Committee established by ordinance to be responsible for evaluating the information. The Environmental Review Committee, after study of the facts and findings, has on December 8, 2004 determined that the project will not have a significant effect on the environment.

_ THE PROJECT WAS DETERMINED TO HAVE NO MAJOR SIGNIFICANT ADVERSE EFFECT UPON THE ENVIRONMENT.

_X_ THE PROJECT WAS DETERMINED TO HAVE NO MAJOR SIGNIFICANT ADVERSE EFFECTS UPON THE ENVIRONMENT PER COMPLIANCE WITH THE FOLLOWING CONDITIONS:

See attached initial study

Initial Study prepared by:
Jerry Hittleman, Senior Planner

Contact Person:
Rita Baker, Senior Planner

The Initial Study is available for public review and may be examined at:

City of Oceanside
Planning Department
300 N. Coast Highway
Oceanside, CA 92054

SIGNATURE
For: Gerald Gilbert, Planning Director

February 9, 2005
DATE

CITY OF OCEANSIDE

INITIAL STUDY CHECKLIST

1. Project Title:

THE BELVEDERE PROJECT (ZA-200-04, T-200-04, D-203-04, C-202-04, C-203-04, V-205-04)

2. Lead Agency Name and Address:

City of Oceanside
Redevelopment Department
300 North Coast Highway
Oceanside, CA 92054

3. Contact Person and Phone Number:

Jerry Hittleman
(760) 435-3535
(760) 754-2958- fax

4. Project Location:

The project site is located at the southwest corner of Mission Avenue and Horne Street.

5. Project Sponsor's Name and Address:

Siavash Barmand
Pacific Crest Investments, LLC
1640 Tiburon Boulevard, Suite 14
Tiburon, CA 94920
(415) 710-4111

6. General Plan Designation:

Redevelopment Area

7. Zoning:

Downtown (D) District; Subdistrict 2.

8. Description of Project:

The Belvedere is a proposed mid-rise, mixed-use project, which provides 26,280 square feet of retail/commercial and office space, 51 commercial work/live lofts, 66 luxury residential condominium units, and 357 parking spaces. It is located on a full city block, bounded by Mission Avenue, Horne Street, Seagaze Drive and Clementine Street in Oceanside's designated Downtown Redevelopment Area.

The site is three quarters vacant land, with several small residential units on the remaining quarter. The site is on a slope which drops approximately 17 feet from the high point on Horne Street to the low point on Clementine Street. It has major commercial frontage along Mission Avenue, the main East/West commercial street in the downtown. Oceanside's Zoning Ordinance allows a Mixed Use Development Plan (MUDP) for the site, and provides flexibility and guidance for the project sponsor to create a project of urban style and scale.

The Belvedere is planned to be approximately 73 feet in height at its main entrances located approximately mid-block along Horne Street. The entry points along Horne will provide automobile access to the commercial loft and residential uses and two floors of commercial parking. There is also a porte-corchere. There will be separate south and north lobby areas with elevators.

Mission Avenue will be the primary retail frontage of the project. The main retail commercial entry is located mid –block and will provide access for the 16,472 square feet of space with a 19-foot high ceiling. This space can be utilized by one or more tenants and will eventually become a commercial condominium.

Above this retail space and the Horne Lobby is a full floor of approximately 46 commercial work/live loft units. Separate lobby and elevator access will be provided from Horne Street. These units will have an interior ceiling height of 17 feet with approximately 700 square feet on their main floors, and a second level loft of approximately 350 additional square feet. Each will have a distinctive 17-foot tall arched window at the street designed to emulate the California Missions. Each will have two assigned parking spaces. The units will be offered for sale to art and craft-oriented users and appropriate small business users who in varying cases may choose to exclusively do permitted commercial work on site or work and reside on the premises.

Adjacent to these work/live loft units will be a large open-air podium floor. There will be a pool in its center, and support facilities in and around it. Additionally, there will be landscaping, restroom facilities, a trellis system, secondary elevator access to Clementine Street, and the lower parking facilities.

Above the commercial work/live condominiums will be three floors of luxury residential condominium units accessed via private lobby(s) and elevators(s). They range in size from 1270 to 2295 square feet and offer a range from two bedrooms and two and a half baths to three bedrooms and three and a half baths. Each will include a spacious balcony and two parking spaces.

The project will provide a total of 357 parking stalls; 353 spaces are required by the zoning ordinance. Approximately 24,432 square feet of storage areas for the residential units will be provided in the subterranean garage.

Since the site slopes downhill from Horne to Clementine, the proposed building becomes approximately 90 feet tall in places when measured from its lower elevation. Approximately 4200 square feet of retail commercial spaces are provided along Clementine Street. Seagaze Street will have two small loft units at the building corners providing additional street activity.

There will be several entry points for commercial and residential parking along Clementine Street, as well as trash facilities and loading zones. There will be one full floor of underground parking, and because of the sloping nature of the site, the floor directly above is also considered underground. There will be a partial, mezzanine-type floor above the Clementine Street facilities, which will have building management and other offices, storage, and utility spaces.

As pedestrians look up from Clementine and Mission, they will see a large cut out above the third floor at the middle of the building. This large opening is intended to greatly reduce the mass on this tallest side of the building, while providing a large open space to serve the occupants of the upper portions of the building. When looking down from the sky, one would be able to see that the upper portion of the project is designed in the shape of a large "U" with the open end facing Clementine Street, downtown and the ocean.

The project program follows provisions set forth in the City of Oceanside guidelines for Mixed Use

Development Plans. These guidelines provide the basis upon which the project sponsor has applied his efforts to develop the proposed plan. These MUDP guidelines allow for the proposed height, site placement, orientation, style, design, architectural features, landscaping, finishes, elevators, utility shafts, roof housings, roof finishes, shapes, and related features. The Belvedere project is designed to compliment and embrace the surrounding community and its mix of design elements and uses, and to promote the further economic and social growth of Oceanside.

Earthwork for the proposed project will involve exporting 43,430 cubic yards of dirt from the project site to accommodate the building foundation and subterranean parking garage. The existing alley between Clementine and Horne Streets is proposed to be vacated to allow construction of the project over the entire block.

Discretionary actions required for the proposed project include:

- Zoning Amendment (ZA) – a zoning amendment to the "D" Downtown District to allow residential uses in Subdistrict 2 of the Redevelopment Area.

- Mixed Use Development Plan (MUDP) – a Mixed Use Development Plan are required to implement the project, which proposes both commercial and residential uses.

- Conditional Use Permit (CUP) – a CUP is required for the 51 commercial work/live units dispersed on the first, second, and third floors of the building.

- Conditional Use Permit for Height – The building is proposed to be six stories over parking and will be 90-feet tall measured from the Clementine Street side and 74 feet tall from the Horne Street side. The existing limitation on height for this area of the Redevelopment Plan is 35 feet for residential projects and 45 feet for commercial projects. A height of 90 feet is achievable in Subdistrict 2 with approval of a conditional use permit. There will also be mechanical equipment and towers for stairs and elevators exceeding the height of the roofline stated above. Mixed-use developments can be used to provide flexibility to exceed certain land use standards "where flexibility will enhance the potential for superior urban design in comparison with development under the regulations."

- Right-of-Way Vacation – The project requests that the City vacate right-of-way for an alley that runs mid-block from Clementine to Horne Street.

- Historic Permit – Several buildings older than 45 years exist on the site. In accordance with the California Environmental Quality Act (CEQA) and the City's Historic Ordinance, these buildings need to be evaluated for historic significance by the Oceanside Historic Preservation Historic Commission.

9. Surrounding Land Uses and Setting:

The site is three quarters vacant land, with several small residential units on the remaining quarter. The site is on a slope which drops approximately 17 feet from the high point on Horne Street to the low point on Clementine Street. East of the project is Oceanside High School, north of the site are commercial uses across Mission Avenue, to the west are commercial retail uses, and to the south are residential properties across Seagaze Drive.

10. Other agencies whose approval is required:

None.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

Land Use and Planning	☐	Transportation/Circulation	■	Public Services	☐
Population and Housing	☐	Biological Resources	☐	Utilities/Service Sys.	☐
Geological Problems	☐	Energy and Mineral Resources	☐	Aesthetics	☐
Water	☐	Hazards	■	Cultural Resources	■
Air Quality	☐	Noise	☐	Recreation	☐
		Mandatory Findings of Significance	☐		

Determination:

On the basis of this initial evaluation:

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

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared. ■

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

I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that EIR, including revisions or mitigation measures that are imposed upon the proposed project. ☐

Signature

Jerry Hittleman
Printed Name

December 8, 2004
Date of Draft

February 9, 2005
Date of Final

Evaluation of Environmental Impacts:

This checklist is designed to identify the potential for significant environmental impacts which could be associated with the proposed project. All "Yes" and "Yes, Unless Mitigated" responses are discussed for the corresponding issue. "No" responses are explained where it is based on project-specific factors.

		YES	YES, UNLESS MITIGATED	NO	NOT APPLICABLE
I.	**LAND USE AND PLANNING** Would the proposal:				
a)	Conflict with general plan designation or zoning?	☐	☐	■	☐
b)	Conflict with general plan environmental plans or policies adopted by agencies with jurisdiction over the project?	☐	☐	■	☐
c)	Be incompatible with existing land use in the vicinity?	☐	☐	■	☐
d)	Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?	☐	☐	■	☐
e)	Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	☐	☐	■	☐
II.	**POPULATION AND HOUSING** Would the proposal:				
a)	Cumulatively exceed official regional or local population projections?	☐	☐	■	☐
b)	Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure?	☐	☐	■	☐
c)	Displace existing housing, especially affordable housing?	☐	☐	■	☐
III.	**GEOLOGIC PROBLEMS** Would the proposal result in or expose people to potential impacts involving:				
a)	Fault rupture?	☐	☐	■	☐
b)	Seismic ground shaking?	☐	☐	■	☐
c)	Seismic ground failure, including liquefaction?	☐	☐	■	☐
d)	Seiche, tsunami, or volcanic hazard?	☐	☐	■	☐
e)	Landslides or mudflows?	☐	☐	■	☐

		YES	S, UNLESS MITIGATED	NO	NOT APPLICABLE
f)	Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?	☐	☐	■	☐
g)	Subsidence of the land?	☐	☐	■	☐
h)	Expansive soils?	☐	☐	■	☐
i)	Unique geologic or physical features?	☐	☐	■	☐

IV. WATER

Would the proposal result in:

a)	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	☐	☐	■	☐
b)	Exposure of people or property to water related hazards such as flooding?	☐	☐	■	☐
c)	Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	☐	☐	■	☐
d)	Changes in the amount of surface water in any water body?	☐	☐	■	☐
e)	Changes in currents, or the course or direction of water movements?	☐	☐	■	☐
f)	Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations, or through substantial loss of groundwater recharge capability?	☐	☐	■	☐
g)	Altered direction or rate of flow of groundwater?	☐	☐	■	☐
h)	Impacts to groundwater quality?	☐	☐	■	☐
i)	Substantial reduction in the amount of groundwater otherwise available for public water supplies?	☐	☐	■	☐

		YES	YES, UNLESS MITIGATED	NO	NOT APPLICABLE
V.	**AIR QUALITY** Would the proposal:				
a)	Violate any air quality standard or contribute to an existing or projected air quality violation?	☐	☐	■	☐
b)	Expose sensitive receptors to pollutants?	☐	☐	■	☐
c)	Alter air movement, moisture, or temperature, or cause any change in climate?	☐	☐	■	☐
d)	Create objectionable odors?	☐	☐	■	☐
VI.	**TRANSPORTATION/CIRCULATION.** Would the project result in:				
a)	Increased vehicle trips or traffic congestion?	☐	■	☐	☐
b)	Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	■	☐
c)	Inadequate emergency access or access to nearby uses?	☐	☐	■	☐
d)	Insufficient parking capacity on-site or off-site?	☐	☐	■	☐
e)	Hazards or barriers for pedestrians or bicyclists?	☐	☐	■	☐
f)	Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	■	☐
g)	Rail, waterborne or air traffic impacts?	☐	☐	■	☐
VII.	**BIOLOGICAL RESOURCES.** Would the proposal result in impacts to:				
a)	Endangered, threatened, or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	☐	☐	■	☐
b)	Locally designated species (e.g., heritage trees)?	☐	☐	■	☐
c)	Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	☐	☐	■	☐

	YES	YES, UNLESS MITIGATED	NO	NOT APPLICABLE
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?	☐	☐	■	☐
e) Wildlife dispersal or migration corridors?	☐	☐	■	☐
VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:				
a) Conflict with adopted energy conservation plans?	☐	☐	■	☐
b) Use non-renewable resources in a wasteful and inefficient manner?	☐	☐	■	☐
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	☐	☐	■	☐
IX. HAZARDS. Would the proposal involve:				
a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals, or radiation)?	☐	☐	■	☐
b) Possible interference with an emergency response or emergency evacuation plan?	☐	☐	■	☐
c) The creation of any health hazard or potential health hazard?	☐	☐	■	☐
d) Exposure of people to existing sources of potential health hazards?	☐	■	☐	☐
e) Increased fire hazard in areas with flammable brush, grass, or trees?	☐	☐	■	☐
X. NOISE. Would the proposal result in:				
a) Increases in existing noise levels?	☐	☐	■	☐
b) Exposure of people to severe noise levels?	☐	☐	■	☐
XI. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:				
a) Fire protection?	☐	☐	■	☐

		YES	YES, UNLESS MITIGATED	NO	NOT APPLICABLE
b)	Police protection?	☐	☐	■	☐
c)	Schools?	☐	☐	■	☐
d)	Maintenance of public facilities, including roads?	☐	☐	■	☐
e)	Other governmental services?	☐	☐	■	☐
XII.	**UTILITIES AND SERVICE SYSTEMS.** Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:				
a)	Power or natural gas?	☐	☐	■	☐
b)	Communications systems?	☐	☐	■	☐
c)	Local or regional water treatment or distribution facilities?	☐	☐	■	☐
d)	Sewer or septic tanks?	☐	☐	■	☐
e)	Storm water drainage?	☐	☐	■	☐
f)	Solid waste disposal?	☐	☐	■	☐
g)	Local or regional water supplies?	☐	☐	■	☐
XIII.	**AESTHETICS.** Would the proposal:				
a)	Affect a scenic vista or scenic highway?	☐	☐	■	☐
b)	Have a demonstrable negative aesthetic effect?	☐	☐	■	☐
c)	Create light or glare?	☐	☐	■	☐
XIV.	**CULTURAL RESOURCES.** Would the proposal:				
a)	Disturb paleontological resources?	☐	■	☐	☐
b)	Disturb archaeological resources?	☐	☐	■	☐
c)	Affect historical resources?	☐	■	☐	☐
d)	Have the potential to cause a physical change which would affect unique ethnic cultural values?	☐	☐	■	☐
e)	Restrict existing religious or sacred uses within the potential impact area?	☐	☐	☐	☐

		YES	YES, UNLESS MITIGATED	NO	NOT APPLICABLE
XV.	**RECREATION.** Would the proposal:				
a)	Increase the demand for neighborhood or regional parks or other recreational facilities?	☐	☐	■	☐
b)	Affect existing recreational opportunities?	☐	☐	■	☐
XVI.	**MANDATORY FINDINGS OF SIGNIFICANCE.**				
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☐	■	☐
b)	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☐	■	☐
c)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	■	☐
d)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	■	☐

XVII. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). The following is a discussion of earlier analyses:

None.

XVIII. MITIGATION MEASURES

Transportation:

The following mitigation measures shall be implemented prior to the issuance of the first occupancy permit for the project:

- Remove curbside parking on the east side of Clementine Street such that adequate corner sight distance is provided for vehicles egressing the parking structure.
- Provide a minimum 357 on-site parking spaces for the project in accordance with the City of Oceanside parking standards.
- Contribute a fair share toward the future signalization of the Mission Avenue/Cleveland Street intersection, which is calculated to be 3.6 percent of the signal cost.
- Dedicate right-of-way along the project frontage on Horne Street to the City of Oceanside standard.
- Install a landscape median-island along Mission Avenue between Clementine Street and Horne Street.
- Upgrade the signal at the Mission Avenue/Horne Street intersection to eliminate the north/south split phasing to accommodate eight-phase operations. This shall include widening of Horne Street south of Mission Avenue to 50-feet of pavement, the re-striping of Horne Street on both approaches, and an upgrade to the traffic signal equipment.
- Install a traffic signal at the Mission Avenue/Clementine Street intersection.

Hazardous Materials:

Prior to issuance of demolition permits for the existing structures on the site, comprehensive asbestos and lead-based paint surveys are required to identify and abate, if necessary, any asbestos containing materials or lead based paint at the property. If such materials are identified, they should be handled in accordance with all applicable regulations.

Cultural Resources:

Prior to the issuance of a demolition permit for the Melville Goetz Residence, the following mitigation measure shall be implemented:

- The Historic American Building Survey Level 1 standard is appropriate for recording the architectural detail of the building. The Level 1 documentation shall include the following:

    1. Measured drawings depicting existing or historic conditions.
    2. Photographs with large format negatives of exterior and interior views, and large format negatives of select existing drawings or historic views, where available.
    3. Documentation of historic architectural elements discovered during removal of the structure.

- The Historic American Building Survey Level 1 drawings, documentation photographs, and any historical information collected shall be recorded with the South Coastal Information Center and a copy of the final report shall be submitted to the Oceanside Historical Society and City of Oceanside Planning Department.

- The photographs shall be prepared in accordance with the Oceanside Historic Preservation Advisory Commission Policy 1, Standards for Photo Documentation. The photo-documentation shall be reviewed and approved by the Planning Director prior to issuance of a demolition permit.

The following measures are required to offset potential impacts to paleontological resources:

- Prior to issuance of grading permits, the applicant shall confirm to the City of Oceanside that a qualified paleontologist has been retained to carry out an appropriate mitigation program. (A qualified paleontologist is defined as an individual with a M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.) The paleontologist shall attend pre-grade meetings to consult with grading and excavation contractors.

- A paleontological monitor shall be onsite during grading operations to evaluate the presence of fossils within previously undisturbed sediments of highly sensitive geologic formations (i.e., Santiago Formation) and moderately sensitive formations (river terrace deposits) to inspect cuts for contained fossils. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials.) The paleontological monitor shall work under the direction of a qualified paleontologist.

- When fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete whale skeleton) may require an extended salvage time. In these instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of small fossil remains such as isolated mammal teeth, it may be necessary in certain instances to set up a screen-washing operation on the site.

- Prepared fossils along with copies of all pertinent field notes, photos, and maps shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed and distributed to the City and other interested agencies which outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

XIX. REFERENCES USED IN COMPLETING THIS INITIAL STUDY

The following documents may be viewed at the City of Oceanside Planning Department, 300 North Coast Highway, Oceanside California:

4 Design
Air Flow Study. October 2004.
Daylight Shadows and Light Analysis. October 2004.

Geocon Geotechnical Consultants
Geotechnical Investigation. January 9, 2004.

Linscott, Law & Greenspan Engineers
Traffic Impact Analysis for The Belvedere. November 11, 2004.

Martin & Ziemniak
Preliminary Hydrology and Drainage Report. October 7, 2004.

Preliminary Sanitary Sewer Report. August 13, 2004.
Preliminary Domestic and Fire Prevention Water Report. August 13, 2004.

Oceanside, City of
Downtown District Ordinance 95-006
Noise Element (of the General Plan). 1974
Noise Ordinance.
Redevelopment Plan. 1975.

National Assessment Corporation
Phase I Environmental Site Assessment Report. October 28, 2003.

EXPLANATION OF THE
ENVIRONMENTAL CHECKLIST
FOR
THE BELVEDERE PROJECT
(ZA-200-04, T-200-04, D-203-04, C-202-04, C-203-04, V-205-04)

I. LAND USE AND PLANNING - Questions a, b, c, d, and e:

The site is three quarters vacant land, with several small residential units on the remaining quarter. The site is on a slope which drops approximately 17 feet from the high point on Horne Street to the low point on Clementine Street. East of the project is Oceanside High School, north of the site are commercial uses across Mission Avenue, to the west are commercial retail uses, and to the south are residential properties across Seagaze Drive.

The site is in the City of Oceanside's Redevelopment Area in the Downtown (D) District, Subdistrict 2. The objective of Subdistrict 2 is:

> To provide sites for a financial center, supported by professional offices.

The Belvedere is a proposed mid-rise, mixed-use project, which provides 26,280 square feet of retail/commercial and office space, 51 commercial work/live lofts, 66 luxury residential condominium units, and 357 parking spaces. It is located on a full city block, bounded by Mission Avenue, Horne Street, Seagaze Drive and Clementine Street in Oceanside's designated Downtown Redevelopment Area.

Discretionary actions required for the proposed project include:

- Zoning Amendment (ZA) – a zoning amendment to the "D" Downtown District to allow residential uses in Subdistrict 2 of the Redevelopment Area.

- Mixed Use Development Plan (MUDP) – a Mixed Use Development Plan are required to implement the project, which proposes both commercial and residential uses.

- Conditional Use Permit (CUP) – a CUP is required for the 51 commercial work/live units dispersed on the first, second, and third floors of the building.

- Conditional Use Permit for Height – The building is proposed to be six stories over parking and will be 90-feet tall measured from the Clementine Street side and 74 feet tall from the Horne Street side. The existing limitation on height for this area of the Redevelopment Plan is 35 feet for residential projects and 45 feet for commercial projects. A height of 90 feet is achievable in Subdistrict 2 with approval of a conditional use permit. There will also be mechanical equipment and towers for stairs and elevators exceeding the height of the roofline stated above. Mixed-use developments can be used to provide flexibility to exceed certain land use standards "where flexibility will enhance the potential for superior urban design in comparison with development under the regulations."

- Right-of-Way Vacation – The project requests that the City vacate right-of-way for an alley that runs mid-block from Clementine to Horne Street.

- Historic Permit – Several buildings older than 45 years exist on the site. In accordance with the California Environmental Quality Act (CEQA) and the City's Historic Ordinance, these buildings need to be evaluated for historic significance by the Oceanside Historic Preservation Historic Commission.

The proposed project would not be in conformance with the intent of Subdistrict 2. Hence, a zoning amendment to the "D" Downtown District is proposed to allow the mixed-use development. Although the proposed mixed use project is not in conformance with Subdistrict 2, the applicant contends that financial uses are not as viable in this area as

previously anticipated and would provide a more vibrant urban environment for the part of downtown. The mixed use project would be compatible in terms of land use with the surrounding commercial, residential and school uses.

The proposed project height will require approval of a conditional use permit. One of the objectives of the project is to create a landmark structure with sweeping views of the downtown area and coast. Although the building would be higher than immediately surrounding structures, other tall structures (some as high as 4-5 stories) such as the Oceanside High School Science and Technology Building, North County Transit's headquarters, the approved Fairfield Inn timeshare project, and the renovation of 550 Seagaze into work/live lofts do exist in the surrounding area. The proposed height of the structure would fit with the overall urban scheme for the downtown area. No adverse land use impacts have been identified.

II. POPULATION AND HOUSING – Questions a, b, and c:

Previous development in the area has resulted in the installation of most of the infrastructure needed for development of the project site including utilities and major roadways. Due to the developed nature of the project area and the type of improvements proposed, this project will not induce growth in the area by extending major infrastructure into an undeveloped area.

The project site is predominantly vacant. There are two existing single family residences on the project site; however, development of the site with commercial, residential and live/work uses would fulfill some goals of the City's Redevelopment Plan.

III. GEOLOGIC PROBLEMS - Questions a, b, c, d, e, f, g, h, and i:

The site has been highly disturbed by past developed and contains undocumented fill with Terrace Deposits beneath. No unique geologic features on the site or surrounding area would prohibit residential development of the site based on the Geotechnical Investigation of the proposed development (Geocon January 2004).

IV. WATER - Questions a, b, c, d, e, f, g, h, i:

Martin & Ziemniak prepared a preliminary hydrology and drainage report for the proposed project (October 2004). The study concluded that the total concentrated post development drainage is 9.4 cubic feet per second (cfs). This is an increase of 5.7 cfs due to the proposed development. The drainage will be directed off site into the public right-of-way after traveling through a vegetative swale and then discharged via sidewalk under drains subsequent to the use of a centrifical force stormceptor system to treat the water on the northeasterly side of the development. This system complies with City requirements and will adequate treat and handle the volume of storm water discharged from the site.

V. AIR QUALITY - Questions a, b, c, and d:

Air pollution standards are regulated through Federal Clean Air Act of 1970 and the Clean Air Amendment of 1977. Current standards are set for sulfur dioxide, carbon monoxide, nitrogen dioxide, hydrocarbons, ozone, and particulates of less than 10 microns in size. State of California standards, established by the Air Resources Board are generally more restrictive than national standards, and have incorporated additional pollutants, such as hydrogen sulfide.

The San Diego Air Pollution Control District (APCD) is responsible for administering state and federal air quality standards in San Diego County. Its tasks include monitoring air pollution, promoting rules and regulations, and preparing the State Implementation Plan (SIP) which includes strategies for reducing air pollution in the region.

The San Diego Air Basin (SDAB) is classified as a federal and state "serious" nonattainment area for ozone and must attain federal ozone standards by 1999. The SDAB is a federal attainment area for particulate matter, but is a state nonattainment area for this pollutant. The proposed mixed-use project is consistent with projected land uses in the area and is consistent with the SIP. During construction air quality impacts would be minimized through adherence to San Diego Air Pollution Control District dust control laws. No significant air quality impacts would result from project construction or operation.

4Design Architecture and Planning (2004) prepared an ambient airflow and wind analysis for the proposed project. The prevailing coastal winds for Southern California and the City of Oceanside are called westerlies and flow west to east from the Pacific Ocean. Wind patterns vary depending on time of day and year. However, the dominant wind pattern for the City is a cool offshore southwestern flow that ranges from 2 to 10 miles per hour.

A review of on- and off-shore wind pattern vectors was performed for the project site over an approximate 72-hour period. The wind pattern within the project site is from the southwest across the site with a reversal during Santa Ana conditions. The report concluded that the proposed building will not block the wind from residential uses to the south, but it reduces the wind speed as the westerlies curve the corners of the project towards the residential uses. During days when the Santa Ana winds come into effect, the building's height will act to block and prevent some hot air from reaching ground level. In essence, the proposed project will have a minimal effect on wind patterns in the surrounding area.

VI. TRANSPORTATION/CIRCULATION - Questions a, b, c, e, f, and g:

Linscott, Law and Greenspan Engineers (November 2004) prepared a traffic impact analysis for the proposed project. The conclusions of the study are presented below.

The traffic report included analysis of the existing, existing + cumulative projects (other proposed projects in the area), existing + project + cumulative project, Year 2020, and Year 2020 + project scenarios. The proposed project is calculated to generate 1,730 average daily trips (ADT) with 78 inbound and 63 outbound trips during the AM peak hour, and 81 inbound and 75 outbound trips during the PM peak hour.

The analysis showed that with the addition of cumulative project traffic, all intersections are calculated to operate at an acceptable LOS D or better with the exception of one movement at the Mission Avenue/Clementine Street intersection, where the minor street left/through movements are calculated to operate at LOS F during the PM Peak hour. All other movements at that intersection are calculated to continue to operate at LOS A. All roadway segments were calculated to operate at LOS C or better. The installation of a traffic signal at Mission Avenue and Clementine Street will mitigate the intersection impact to an acceptable level of service. The analysis also concluded that the project is required to contribute a fair share to the future Traffic Impact Fee for the signalization of the Mission Avenue/Cleveland Street intersection.

In addition, it is recommended that the project upgrade the Mission Avenue/Horne Street intersection to eliminate the north/south split phasing and implement a full eight-second phase signal. This will require the project to widen the south leg of Horne Street to 50-feet of pavement curb-to-curb.

Mitigation

The following mitigation measures shall be implemented prior to the issuance of the first occupancy permit for the project:

- Remove curbside parking on the east side of Clementine Street such that adequate corner sight distance is provided for vehicles egressing the parking structure.
- Provide a minimum 357 on-site parking spaces for the project in accordance with the City of Oceanside parking standards.
- Contribute a fair share toward the future signalization of the Mission Avenue/Cleveland Street intersection, which is calculated to be 3.6 percent of the signal cost.
- Dedicate right-of-way along the project frontage on Horne Street to the City of Oceanside standard.
- Install a landscape median-island along Mission Avenue between Clementine Street and Horne Street.
- Upgrade the signal at the Mission Avenue/Horne Street intersection to eliminate the north/south split phasing to accommodate eight-phase operations. This shall include widening of Horne Street south of Mission Avenue to 50-feet

of pavement, the re-striping of Horne Street on both approaches, and an upgrade to the traffic signal equipment.

- Install a traffic signal at the Mission Avenue/Clementine Street intersection.

The following mitigation measures shall be implemented prior to the issuance of the first occupancy permit for the project:

- Remove curbside parking on the east side of Clementine Street such that adequate corner sight distance is provided for vehicles egressing the parking structure.
- Provide a minimum 357 on-site parking spaces for the project in accordance with the City of Oceanside parking standards.
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- Dedicate right-of-way along the project frontage on Horne Street to the City of Oceanside standard.
- Install a landscape median-island along Mission Avenue between Clementine Street and Horne Street.
- Upgrade the signal at the Mission Avenue/Horne Street intersection to eliminate the north/south split phasing to accommodate eight-phase operations. This shall include widening of Horne Street south of Mission Avenue to 50-feet of pavement, the re-striping of Horne Street on both approaches, and an upgrade to the traffic signal equipment.
- Install a traffic signal at the Mission Avenue/Clementine Street intersection.

VII. BIOLOGICAL RESOURCES - Questions a, b, c, d, and e:

The project site is in an urbanized area and has been highly disturbed by past site development. No sensitive native habitats occur on-site and no biological resource impacts would occur if the project were to be implemented.

VIII. ENERGY AND MINERAL RESOURCES - Questions a, b, and c:

The proposed project would not conflict with adopted energy conservation plans, use non-renewable resources in a wasteful manner, or result in the loss of a known mineral resource that would be of future value to the region.

IX. HAZARDS - Questions a, b, c, d, and e:

National Assessment Corporation (2003) prepared a Phase 1 Environmental Site Assessment Report for the proposed project site. The assessment has revealed no evidence of recognized environmental conditions in connection with the project site. However, based on the age of the single family dwelling and apartment buildings on the property (1910 and 1934), lead based paint and asbestos containing materials could be present. A visual reconnaissance of selected units and the exterior portions of the Property did not indicate any areas of damaged, chipping, or peeling paint or friable or damaged building materials.

Mitigation

Prior to issuance of demolition permits for the existing structures on the site, comprehensive asbestos and lead-based paint surveys are required to identify and abate, if necessary, any asbestos containing materials or lead based paint at the property. If such materials are identified, they should be handled in accordance with all applicable regulations.

X. NOISE - Questions a and b:

The City of Oceanside typically allows outdoor noise levels in residential area which do not exceed 65 decibels (dB) Community Noise Equivalent Level (CNEL). CNEL is a 24-hour weighted average measure of community noise. The computation of CNEL adds 5 dB to the average hourly noise levels between 7 p.m. and 10:00 p.m. – the evening hours, and 10 dB to the average hourly noise levels between 10:00 p.m. and 7 a.m. – the nighttime hours. The weighting accounts for the increased human sensitivity to noise during the evening and nighttime hours. The proposed project would be a commercial – timeshare project, and would not be subject to the 65 CNEL standard that typically applies to residential land uses.

The Title 24 of the California Administrative Code and City of Oceanside 45 CNEL interior noise standard requires that transient lodging structures be designed to prevent the intrusion of exterior noise so that the interior CNEL with windows closed does not exceed 45 dB in any habitable room.

The dominant noise source on the project site is traffic noise from Mission Avenue, Horne Street, and Seagaze Drive. Exterior usable areas are predominantly in the interior of the project and will not reach noise levels in excess of 65 dBA CNEL. Interior noise levels will need to meet the 45 dB requirement through use of insulation, double pane windows along Mission Avenue, and other measures to ensure that this requirement can be met. This will be ensured through the building plan check process for the project.

The City Engineering Manual governs construction noise in the City of Oceanside. Construction is limited to the hours of 7 a.m. to 6 p.m., Monday through Friday. However, construction is allowed by special permit on Saturday. The Noise Element of the Oceanside General Plan identifies the maximum noise level for individual pieces of construction equipment at 85 dBA at 100 feet. Construction noise could adversely effect the residences to the north and east for short periods of time due to its proximity to the site.

XI. PUBLIC SERVICES - Questions a, b, d, and e:

The proposed project would not require significant levels of additional public services as it is generally in conformance with the general plan and zoning ordinance. Therefore, no adverse impacts would occur in relation to fire protection, schools, parks, or other governmental services.

XII. UTILITIES AND SERVICE SYSTEMS - Questions e, f, and g:

The proposed project would not substantially effect power and natural gas supplies or systems, communication systems, water or sewer systems, or solid waste disposal systems.

XIII. AESTHETICS - Questions a, b, and c:

The proposed project would not result in the obstruction of any scenic vista or view open to the public. Although the building would be higher than immediately surrounding structures, other tall structures (some as high as 4-5 stories) such as the Oceanside High School Science and Technology Building, North County Transit's headquarters, the approved Fairfield Inn timeshare project, and the renovation of 550 Seagaze into work/live lofts do exist in the surrounding area.

The applicant prepared a Daylight Shadows and Light Analysis (October 2004) to address any potential shadow impacts to adjacent properties. The proposed structure has a height of 74'-3" on the Horne or East elevation and a height of 90'-0" on the Clementine or west elevation. The study concluded that the proposed structure would cast a variable sun shadow depending on the time of the year. During the summer months, the shadows would affect the bank buildings to the west in the mornings and some residential uses to the south in the afternoon. The residential uses affected would be those directly on Seagaze Drive just west of Horne Street for a short period in the late afternoon. During the winter months, the proposed structure would only create shadows on the commercial buildings to the north and public high school to the east. In conclusion, shadow impacts would not be severe and would only affect some surrounding buildings during certain times of the day and year. No significant aesthetic impacts have been identified for the proposed project.

XIV. CULTURAL RESOURCES - Questions a, b, c, d, and e:

The project site is predominantly vacant but contains some older buildings along Seagaze Drive. Archaeos (2003) prepared Primary Records detailing the history and potential historical significance of the structures.
The William M. and Lucille E. Culberson Apartments are located at 906 Seagaze Drive. According to building records, the three apartment buildings associated with this portion of the site were constructed in 1947. The resources are not directly associated with any known significant historic event or events. Historic persons are not associated with this property and the design of the buildings is not distinctive and does not represent the work of a master architect. Therefore, these buildings are not considered a significant resource and demolition of these structures would not be a significant impact.

The Melville Goetz Residence is also located on the property at 902 Seagaze Drive. The residence is a rectangular, approximately 2,000 square foot 1-1/2 story wood frame house. The house is potentially eligible for listing in the local register, but is not eligible for the California or National Registers of Historic Places. The property is not associated with a significant historic event or events or directly associated with local historically important persons. The record concluded while the structure is not eligible for listing, it is recommended that measurements and drawings of this resource per the Historic American Buildings Survey standard be considered prior to demolition of the house.

According to data contained in the geotechnical report, the potentially fossil bearing Terrace Deposits underlie portions of proposed project. Therefore, mass grading of the site in these fossiliferous materials could result in potentially significant adverse impacts to paleontological resources. Mitigation measures listed below would reduce potential paleontological resource impacts to below a level of significance.

Mitigation

Prior to the issuance of a demolition permit for the Melville Goetz Residence, the following mitigation measure shall be implemented:

- The Historic American Building Survey Level 1 standard is appropriate for recording the architectural detail of the building. The Level 1 documentation shall include the following:

    1. Measured drawings depicting existing or historic conditions.

    2. Photographs with large format negatives of exterior and interior views, and large format negatives of select existing drawings or historic views, where available.

    3. Documentation of historic architectural elements discovered during removal of the structure.

- The Historic American Building Survey Level 1 drawings, documentation, photographs, and any historical information collected shall be recorded with the South Coastal Information Center and a copy of the final report shall be submitted to the Oceanside Historical Society and City of Oceanside Planning Department.

- The photographs shall be prepared in accordance with the Oceanside Historic Preservation Advisory Commission Policy 1, Standards for Photo Documentation. The photo-documentation shall be reviewed and approved by the Planning Director prior to issuance of a demolition permit.

The following measures are required to offset potential impacts to paleontological resources:

- Prior to issuance of grading permits, the applicant shall confirm to the City of Oceanside that a qualified paleontologist has been retained to carry out an appropriate mitigation program. (A qualified paleontologist is defined as an individual with a M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques.) The paleontologist shall attend pre-grade meetings to consult with grading and excavation contractors.

- A paleontological monitor shall be onsite during grading operations to evaluate the presence of fossils within previously undisturbed sediments of highly sensitive geologic formations (i.e., Terrace Deposit)

and moderately sensitive for. .ons (river terrace deposits) to inspect cuts contained fossils. (A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials.) The paleontological monitor shall work under the direction of a qualified paleontologist.

- When fossils are discovered, the paleontologist (or paleontological monitor) shall recover them. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (such as a complete whale skeleton) may require an extended salvage time. In these instances, the paleontologist (or paleontological monitor) shall be allowed to temporarily direct, divert, or halt grading to allow recovery of small fossil remains such as isolated mammal teeth, it may be necessary in certain instances to set up a screen-washing operation on the site.

- Prepared fossils along with copies of all pertinent field notes, photos, and maps shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed and distributed to the City and other interested agencies which outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

XV. RECREATION - Questions a and b:

The proposed project would not impact the quality or quantity of existing recreational activities in the area. Recreational amenities are provided onsite for future users of the mixed-use development.

COMMENTS RECEIVED DURING PUBLIC REVIEW

To: Jerry Hittleman, City of Oceanside
From: Joan Bockman
RE: Neighborhood response to the Mitigated Negative Declaration for the Belvedere Project
Date: 12/31/04

Dear Mr. Hittleman,

I speak for a large number of residents in the Seaside Neighborhood directly to the south of the proposed Belvedere project. This project has been discussed at the OCNA meetings as well as with focused meetings with the developer and architect. The neighborhood is generally supportive of the development since it represents "Smart Growth" thinking. This means that the density is concentrated on a major thoroughfare with access that does not have to go through our area. We do have requirements to maintain our neighborhood. Unless mitigated beyond those remedies listed in the Mitigated Negative Declaration, this project will severely impact us. Here are the specific requirements:

1

Ic. Land Use and Planning – This project is incompatible with the predominately single family neighborhood that is two blocks to the south. It is out of scale for height and density. This is mitigated by distance. City policy should state that this type of development is to be welcomed on Mission Avenue but restricted south of Seagaze Drive (also see IIb).

2

IIb. Population and Housing – This project will induce growth. Once the Belvedere goes in, developers will want to fill the 100 blocks of S. Horne on down the hill with tall, high density projects. This is unacceptable. The El Dorado Mar Vista building was opposed by the neighborhood and has not enhanced the area. The lofts being built on S. Freeman and Seagaze are fine because they respect the boundary of Seagaze drive. Back in the 1980's our neighborhood fought to save historic homes and this wonderful place to raise kids. For many years it has not been profitable to develop large complexes on these blocks. Now the tide will turn. The City's top priority must be to allow only "Smart Growth" and protect the residential base by encouraging an upscale family atmosphere in the historic area to the south.

3

VIa. Transportation/Circulation – There will be increased traffic cutting through the Seaside and Crown Heights Neighborhood. The traffic studies did not fully address the neighborhood so I will address it here. The increased traffic will seek the quick exit to Oceanside Blvd through our area. All of the residents routinely drive these routes so it is reasonable to assume the residents and customers of the Belvedere will do the same. This increased traffic can be remedied by reducing the traffic speeds and retaining parkland buffers between the street and sidewalk in all areas of the neighborhood. Recent developments at Michigan/S. Freeman and on N. Horne have eliminated these buffers and this must stop as a matter of policy. The Seaside Neighborhood has always shared the streets and we do not seek any form of Cul-de-Sac solutions. The issue is the speed of cars. We also want more permanent types of street mitigation than traffic bumps or humps. Here are the requirements to mitigate this issue.

1. Traffic calming on S. Horne Street from Seagaze to Michigan. (Canopy street trees placed in the center or on the sides, angled parking, bulbouts, and street narrowing.)
2. Traffic calming on S. Clementine from Seagaze to Michigan.
3. Traffic calming at Michigan and S. Horne.
4. Traffic calming at Michigan and S. Clementine.
5. Increased landscaping on Horne, Clementine and Seagaze.

We have issues with the mitigation listed in the report. It is focused on Mission Avenue. We do not agree with the items listed. While we do have a Walkable Cities Plan for Mission Avenue, the effects of the Belvedere must NOT be shunted to the neighborhood. The idea is to discourage vehicular movement beyond the Belvedere itself. The traffic corridor is Mission and Seagaze. Widening Horne Street will only dump more traffic to the south. If this traffic can be routed to Seagaze and then discouraged from entering the neighborhood, then it is ok. Wider streets are generally a bad idea in this area. Intersections must be Walkable. A signal at Clementine and Mission will just back up traffic (it already backs up there now). A better solution is to install the median on Mission and let traffic naturally slow there. The intersection in front of Oceanside High must be very Walkable so making it wider is not an answer. The reality is that anyone wanting to go fast just shouldn't be going through downtown Oceanside. Does anyone try to speed through Prospect Street in La Jolla or down Mission in Pacific Beach? No they don't.

I have come home to find my entire block flying kites in the middle of the street to slow the cars. (It was a lot of fun!) We routinely "escort" drivers as we slowly drive home. I have almost been rear-ended by someone who couldn't believe I would slow down to park in front of my own house on S. Horne. We need slowing on every intersection in the neighborhood between Mission and Oceanside Blvd. Kids on bikes and skateboards are simply more enjoyable and desirable than cars.

The project is requested to dedicate right of way to the Oceanside City Standard. I am not sure exactly what this is so it may not be ok with the neighborhood. The concern is duly raised here.

X. Noise – While traffic is certainly the major noise component, it is the car alarms that should be shut off. I encourage the City to consider severe fines for car alarms that routinely go off. These alarms in the many parking garages that are planned will be very obnoxious. I predict that a study of the issue would show that most alarms have been set off by owners and almost none were involved in deterring theft.

4

XIV. Cultural Resource – It is always a great loss when a historic home cannot be saved. Please consider relocation next to Hill St. Coffee or on N. Clementine with the other homes. These treasures are a great tourist draw and should be seen as rare jewels in our time. The Goetz Residence has served homeless men for many years. It is an asset to the community and has not been a problem for the neighborhood. We applaud the residents and management.

5

Regards,
Joan Bockman
and many residents of the Seaside Neighborhood

Letter from Joan Bockman dated 12/31/04:

1. The proposed project is compatible with the immediately surrounding area as stated. The maximum height in the Commercial Professional (CP) Zone and Residential High Density (RH-U) Zone to the south is 27 feet. This will prohibit new development from being incompatible or out of scale with existing development in terms of height and density.

2. Comment noted. The project is in the Redevelopment Area in which development is encouraged. Future growth and development to the south would need to be in conformance with the General Plan and zoning for that area.

3. The applicant is proposing additional landscaping along Horne, Clementine, and Seagaze compared to the original submittal. Trees will be retained where feasible. This will assist in traffic calming on those streets. The traffic report for the project did not indicate a significant amount of traffic being distributed to streets south of the project site and the proposed project would not be responsible for traffic calming issues in that area. The neighborhood would need to work independently with the City to resolve those issues.

4. Comment noted.

5. The Goetz Residence is a significant local historic resource. For removal of local historic resources, photo-documentation prior to demolition is acceptable mitigation for the loss. The City will not require relocation of the home, however, the owner may independently move the home to another lot in the project vicinity.

DAYLIGHT SHADOWS AND LIGHT ANALYSIS

THE BELVEDERE
901 MISSION AVE.
OCEANSIDE, CA

KENNITH L. CHRISS, AIA
4DESIGN ARCHITECTURE AND PLANNING
October 20, 2004

SITE CHARACTERISTIC

The project site is located in the City of Oceanside's Downtown District (refer to Figures 1 and 2). The site consists of approximately 1.55 acres with two existing structures and some vegetation. Land uses surrounding the site include commercial businesses to the North and West, a public high school facility to the East, and multi-family residential to the South. Mission Avenue runs adjacent to the northern edge of the site. This avenue is one of Oceanside's main East/West arteries. Three secondary two-lane streets, Clementine Street to the West, Horne to the East, and Seagaze to the South, also bound the site.

Existing on the site are two residential structures toward the southwest corner. This portion where the structures are only consists of 25% of the site, and the rest of the site is previously disturbed vacant land. The site slopes down to the west, dropping approximately 18 feet in elevation. Elevations onsite are approximately 100 Feet above mean sea level (MSL) (refer to Figures 3 and 4).

The proposed project requests the development of a mixed-use commercial, residential building consisting of 5,605 sq. ft. of commercial space, 20,675 sq. ft. of retail space, 51 live/work lofts, and 66 condominium units consistent with the City's General Plan under the Downtown Sub District 2. These uses are located within a 429,603 sq. ft. structure that in addition includes parking facilities, resident amenities, and common space, and that covers approximately 70.5% of the site. The structure has a height of 74'-3" on the Horne or East elevation and a height of 90'-0" on the Clementine or West elevation.

FIGURE 1: Aerial Photograph of Downtown District of Oceanside

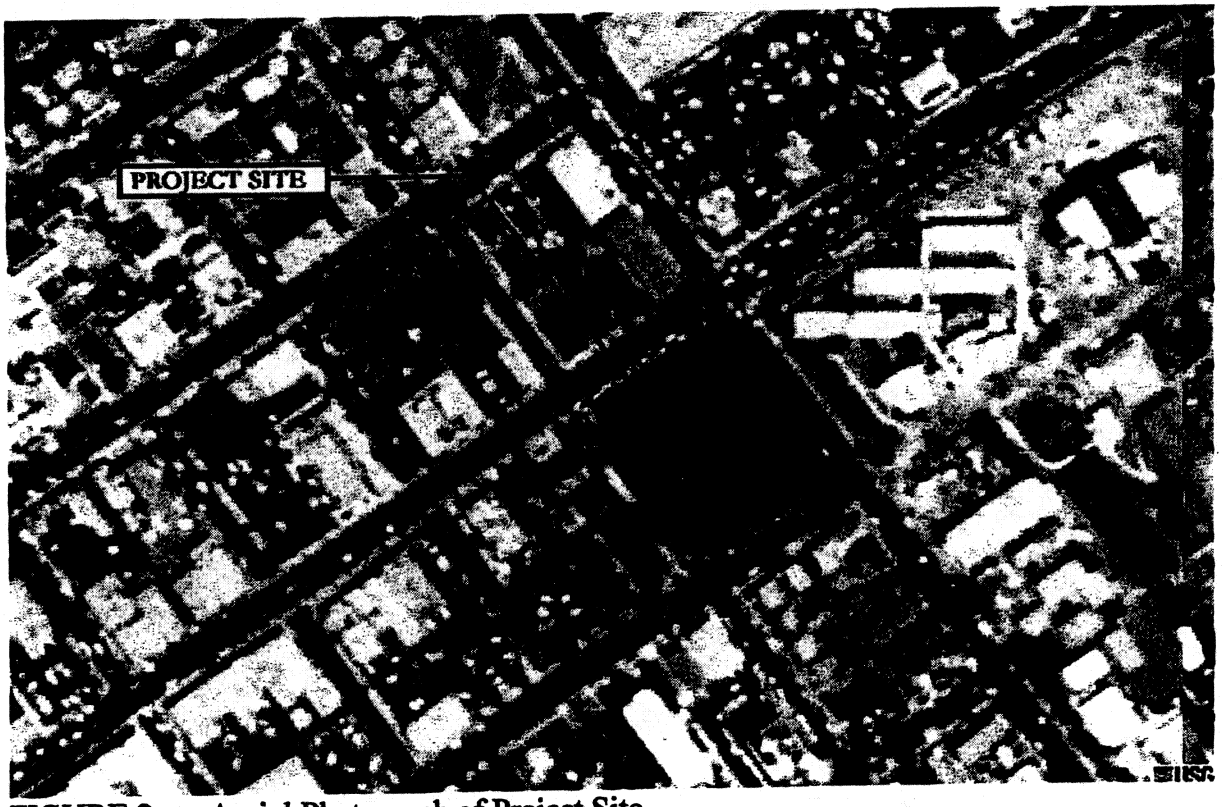


FIGURE 2: Aerial Photograph of Project Site

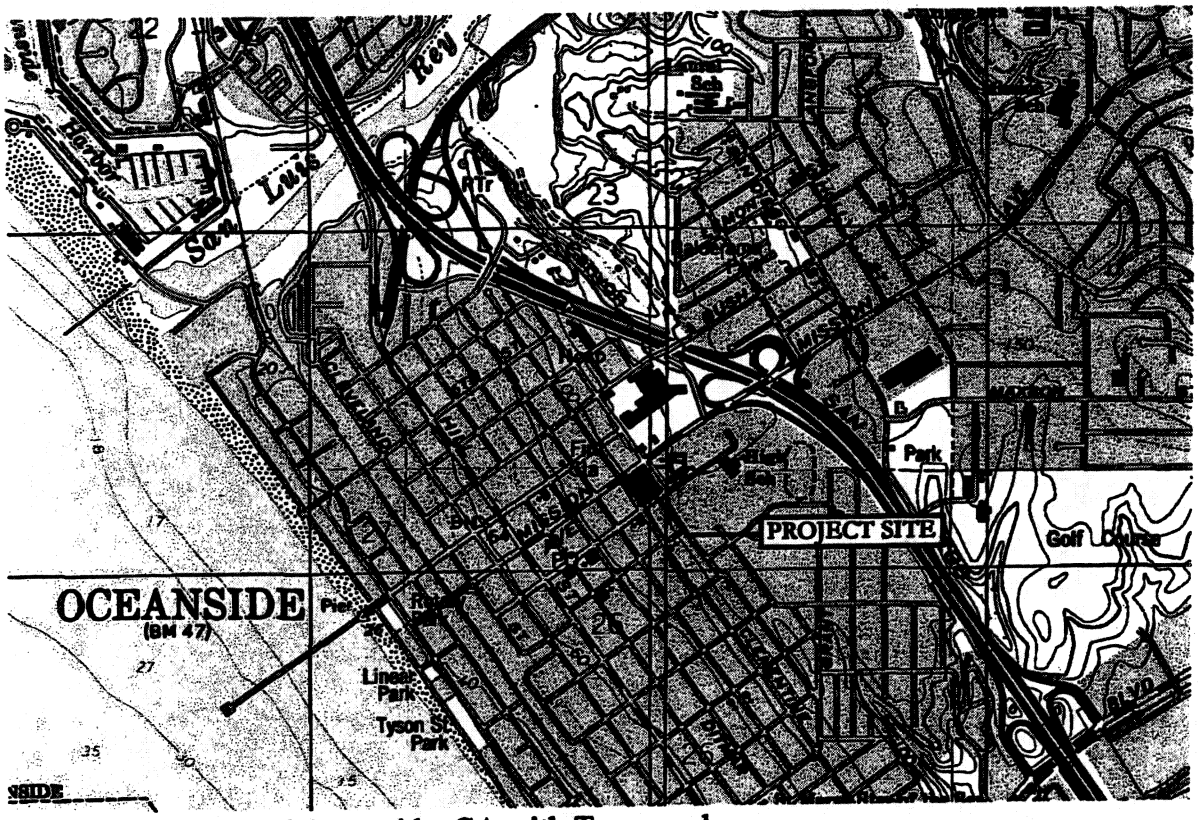


FIGURE 3: Map of Oceanside, CA with Topography

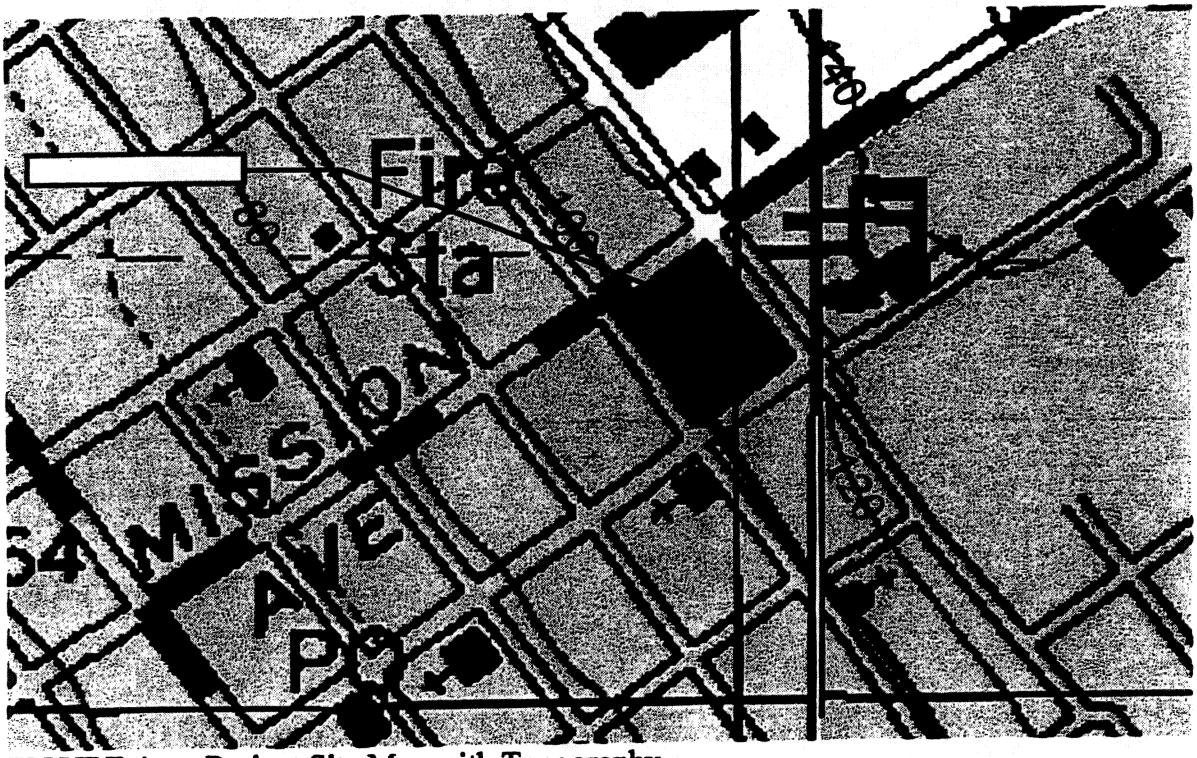


FIGURE 4: Project Site Map with Topography

DAYLIGHT SHADOW ASSESSMENT

The process of determining the daylight shadow effects of the proposed development is a simple matter since the motion (i.e. transit) of the sun can be accurately defined using classical astrodynamics. Methods for determining orbital motion within the confines of the analysis under the California Environmental Quality Act (CEQA) would be deemed exact and invariant.

The path with which the sun transits the sky is solely a function of the latitude of the local observer. The Belvedere is located at 33 degrees north of the equator (actual 33D 11' 51" north latitude). As a result, Figure 5 shows a solar angle during the local transit with respect to the horizon for each month out of the year (or alternately, the orientation of the light rays from the sun at apparent noon each day). These paths were calculated using the Astronomy Lab v2.02 software. Per this information, the sun reaches a minimum level of approximately 34 degrees above the southern horizon during the winter months and peaks during the summer months at approximately 80 degrees above the southern horizon. The sun is never fully overhead (90 degrees above southern horizon) in Oceanside. There is always a northerly-pointing component of the shadow as a result of the earth's yearly motion.

In a similar fashion, the azimuths of sunrises through the year can be calculated. Figure 6 shows the degrees from true north (i.e. azimuth) at which the sun rises. The setting azimuth can be calculated as 360-degrees minus the rising azimuth. As can be seen from Figure 6, the sun rises at slightly less than 120 degrees (or southeast) during the winter months and sets in the southwestern sky (or 360 – 120 = 240 degrees azimuth). The process is reversed in the summer with the sun rising at slightly more than 60-degrees (northeast) and setting in the northwestern sky (or 360-60 = 300 degrees azimuth).

By combining the information presented in Figures 5 and 6, one can readily calculate the apparent day length. As shown in Figure 7, the length of the day at the project site would vary between

10 hours (during winter), to approximately 14 hours (during summer). This would be the time of passage for the solar transit examined previously.

In addition, the information presented in Figures 5 and 6 can be combined to provide an indication of the shadow orientation throughout the year. Given this, Figure 8 shows the project site as seen from the maximum summer solar transit orientation of 80 degrees (i.e. a veritable 'suns-eye' view). This is repeated for the maximum winter transit of 35 degrees in Figure 9. For both figures, the orientation of the map is 'north-up' so as to maintain consistency. The orientations of the red arrows are meant to indicate the direction of the sun with respect to the project site.

Based upon the findings, the Belvedere will cast a variable sun shadow depending on the time of the year (refer to Figure 10). During the summer months, the shadows cast by The Belvedere affect the bank buildings to the West the mornings. The residential uses to the South of the project will be slightly affected in the afternoons. During the winter months, the shadows cast by The Belvedere will affect commercial buildings to the North and a public high school to the East. In conclusion, no dominating shadows will be cast over the neighboring residential uses.

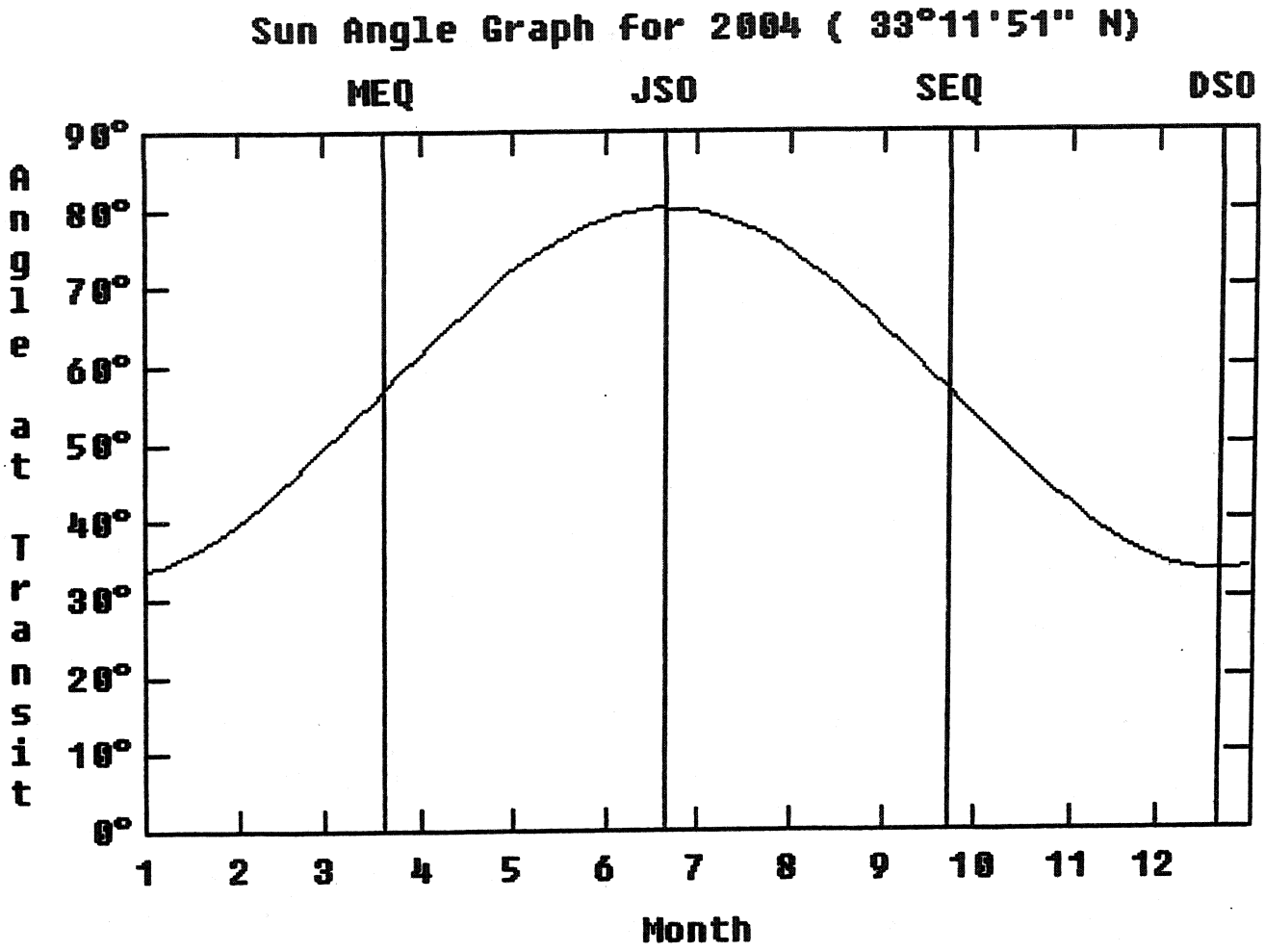


FIGURE 5: Solar Angle Variation for Oceanside, CA

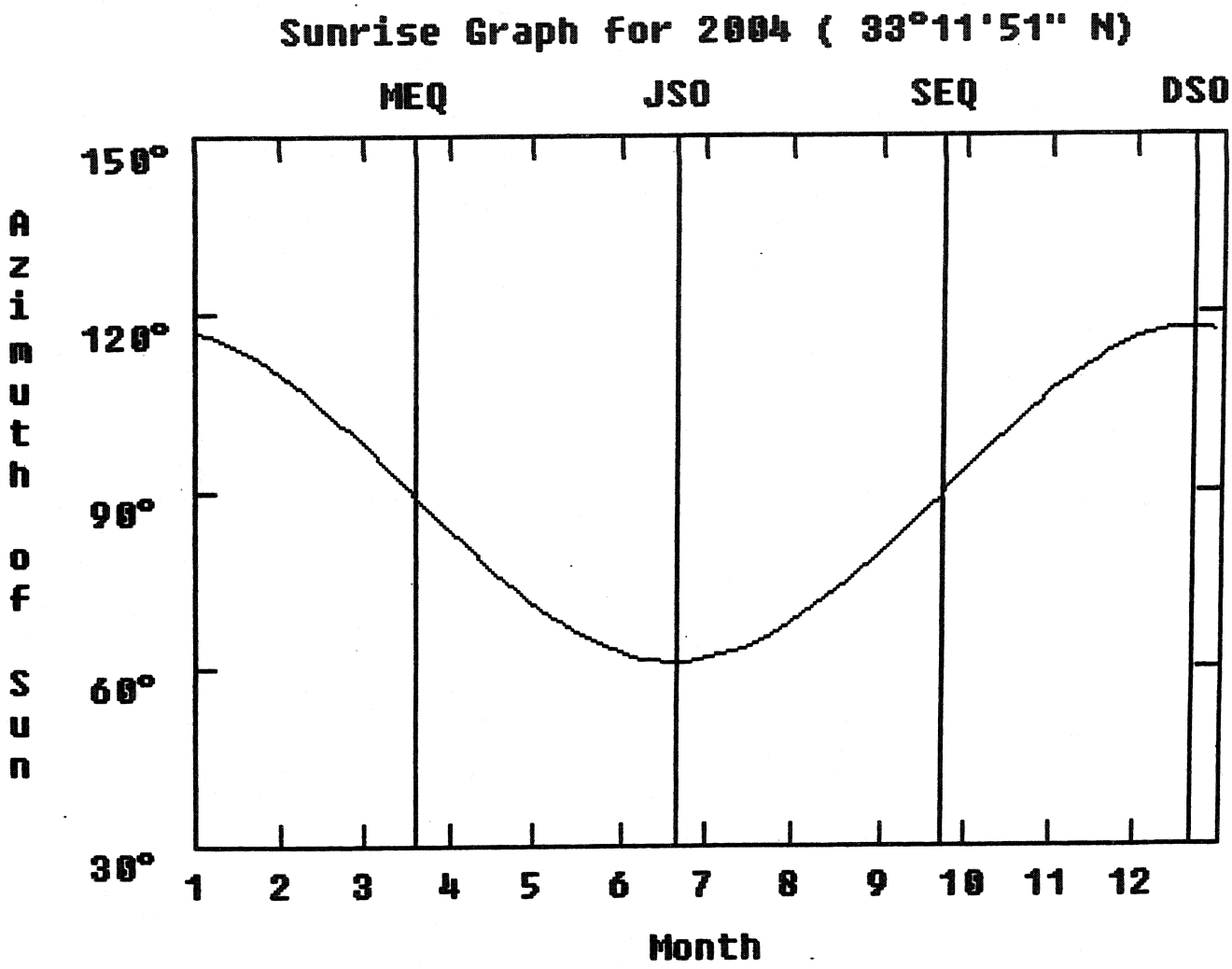


FIGURE 6: Solar Rise Angle Variation for Oceanside, CA

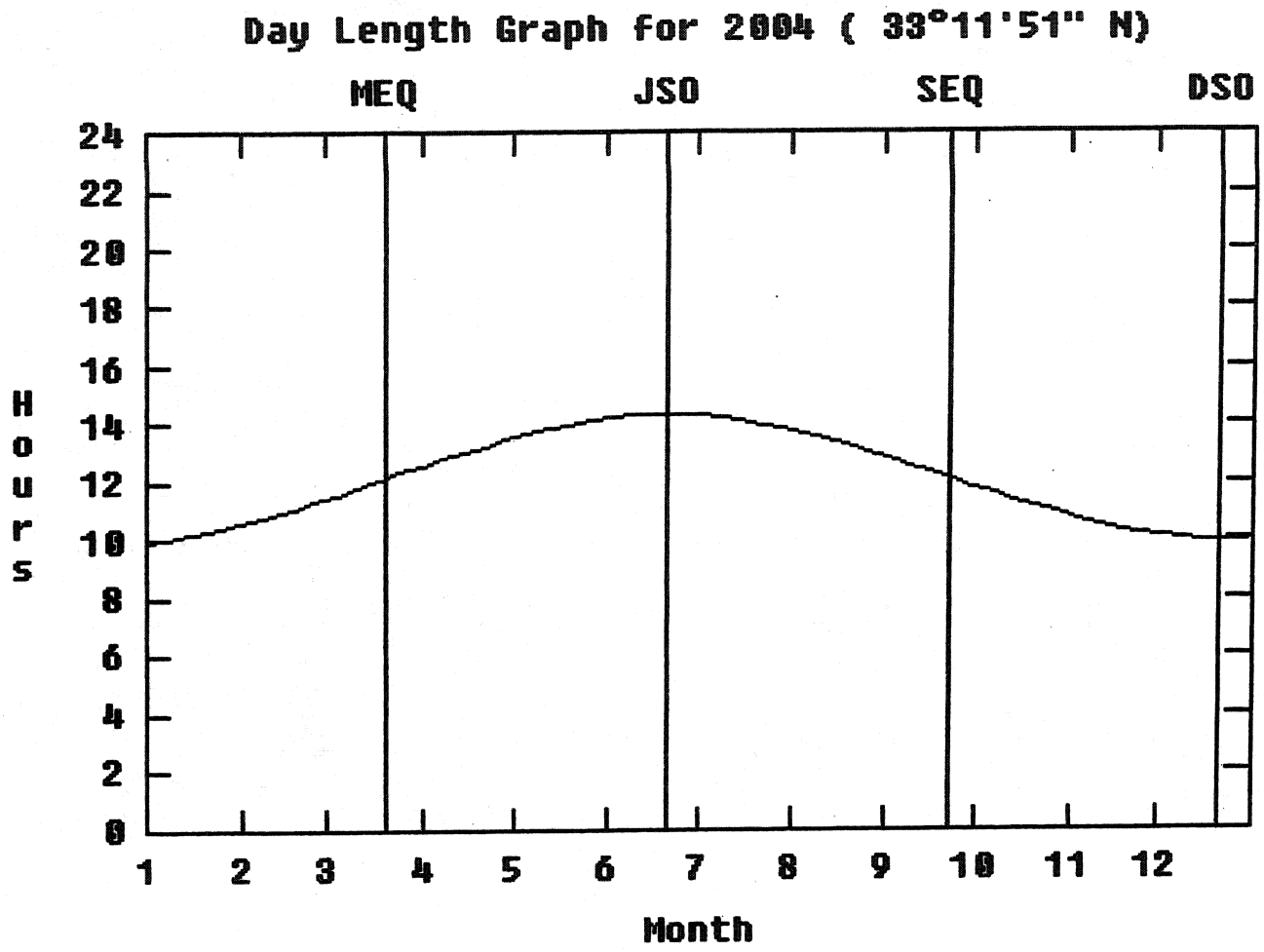


FIGURE 7: Day Length Variation for Oceanside, CA

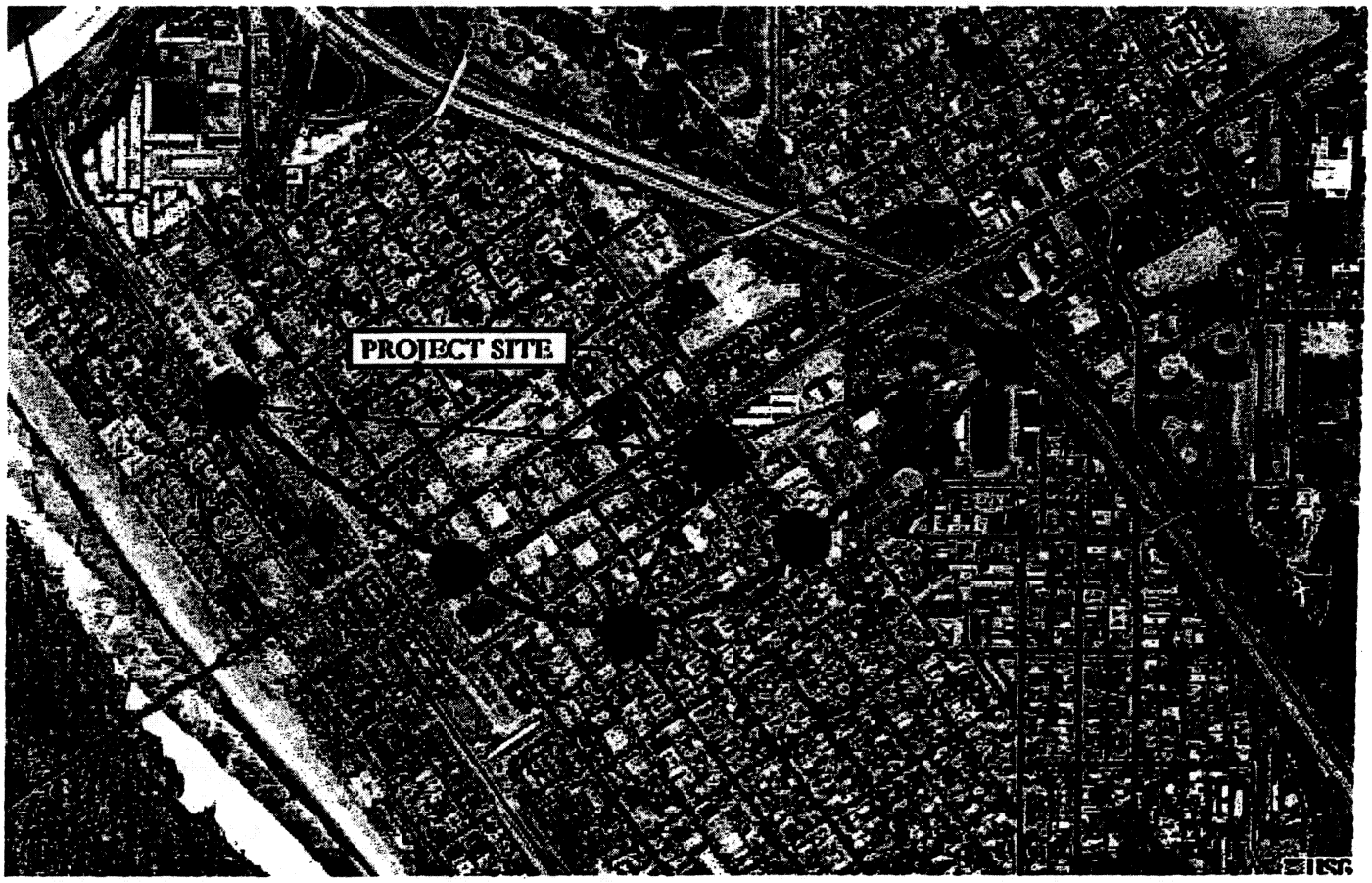


FIGURE 8: Project Site for Summer Overhead Solar Transit of 80 Degrees.

FIGURE 9: Project Site for Winter Overhead Solar Transit of 35 Degrees

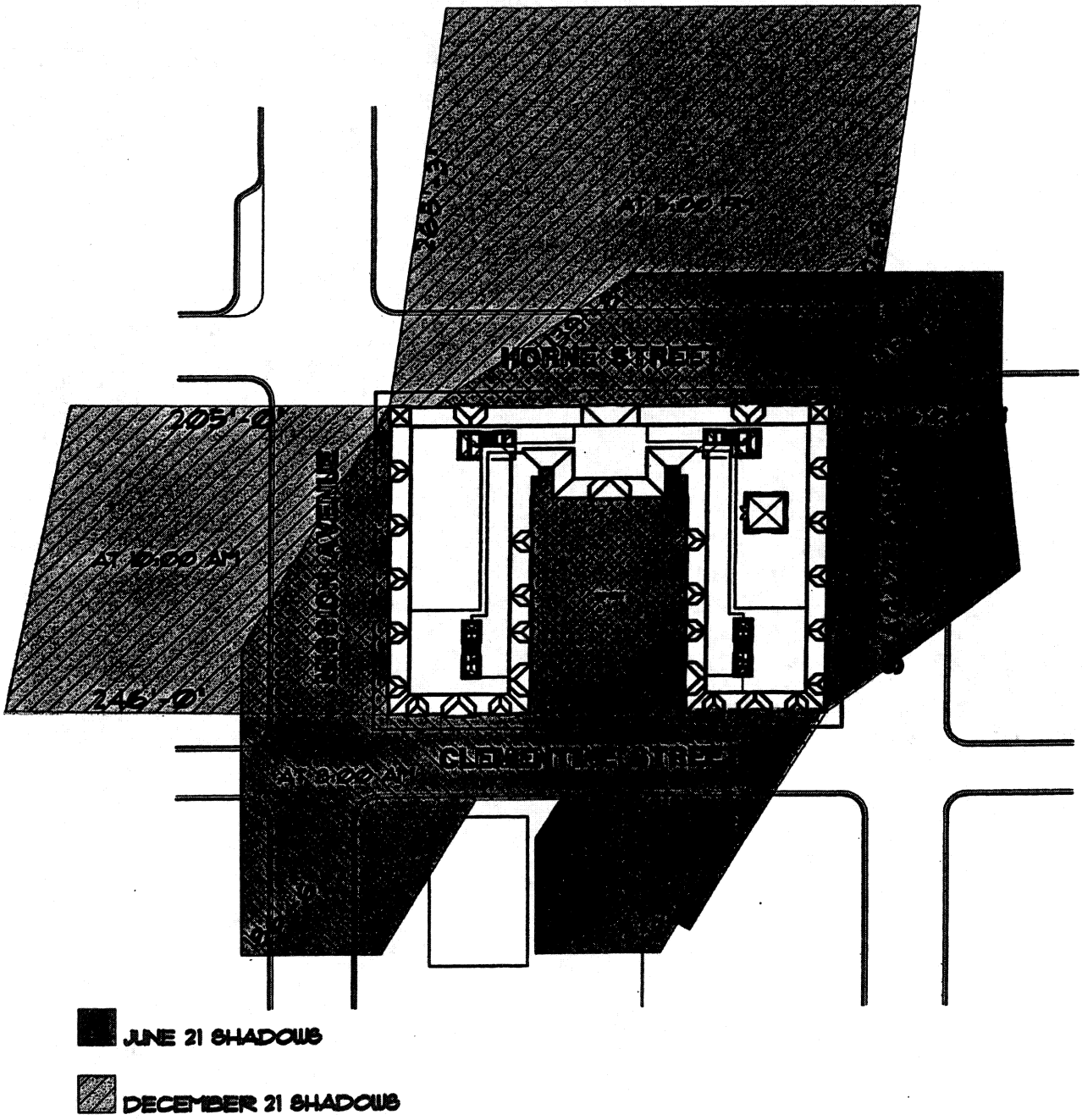


FIGURE 10 Shadow Diagram

AMBIENT AIRFLOW AND WIND ANALYSIS

THE BELVEDERE
901 MISSION AVE.
OCEANSIDE, CA

KENNITH L. CHRISS, AIA
4DESIGN ARCHITECTURE AND PLANNING
October 20, 2004

LICENSED ARCHITECT
KENNITH L. CHRISS
NO. C13351
REN 12-31-2005
STATE OF CALIFORNIA

SITE CHARACTERISTIC

The project site is located in the City of Oceanside's Downtown District (refer to Figures 1 and 2). The site consists of approximately 1.55 acres with two existing structures and some vegetation. Land uses surrounding the site include commercial businesses to the North and West, a public high school facility to the East, and multi-family residential to the South. Mission Avenue runs adjacent to the northern edge of the site. This avenue is one of Oceanside's main East/West arteries. Three secondary two-lane streets, Clementine Street to the West, Horne to the East, and Seagaze to the South, also bound the site.

Existing on the site are two residential structures toward the southwest corner. This portion where the structures are only consists of 25% of the site, and the rest of the site is previously disturbed vacant land. The site slopes down to the west, dropping approximately 18 feet in elevation. Elevations onsite are approximately 100 Feet above mean sea level (MSL) (refer to Figures 3 and 4).

The proposed project requests the development of a mixed-use commercial, residential building consisting of 5,605 sq. ft. of commercial space, 20,675 sq. ft. of retail space, 51 live/work lofts, and 66 condominium units consistent with the City's General Plan under the Downtown Sub District 2. These uses are located within a 429,603 sq. ft. structure that in addition includes parking facilities, resident amenities, and common space, and that covers approximately 70.5% of the site. The structure has a height of 74'-3" on the Horne or East elevation and a height of 90'-0" on the Clementine or West elevation.

FIGURE 1: Aerial Photograph of Downtown District of Oceanside

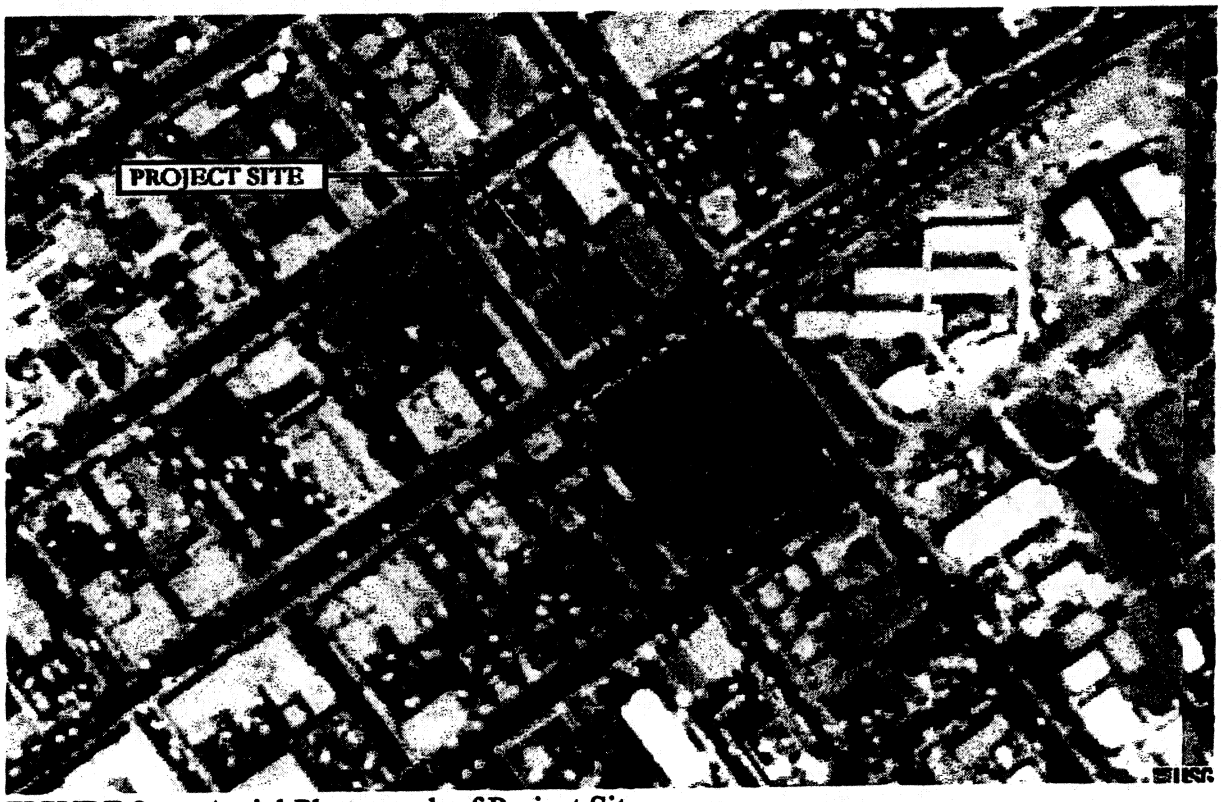


FIGURE 2: Aerial Photograph of Project Site

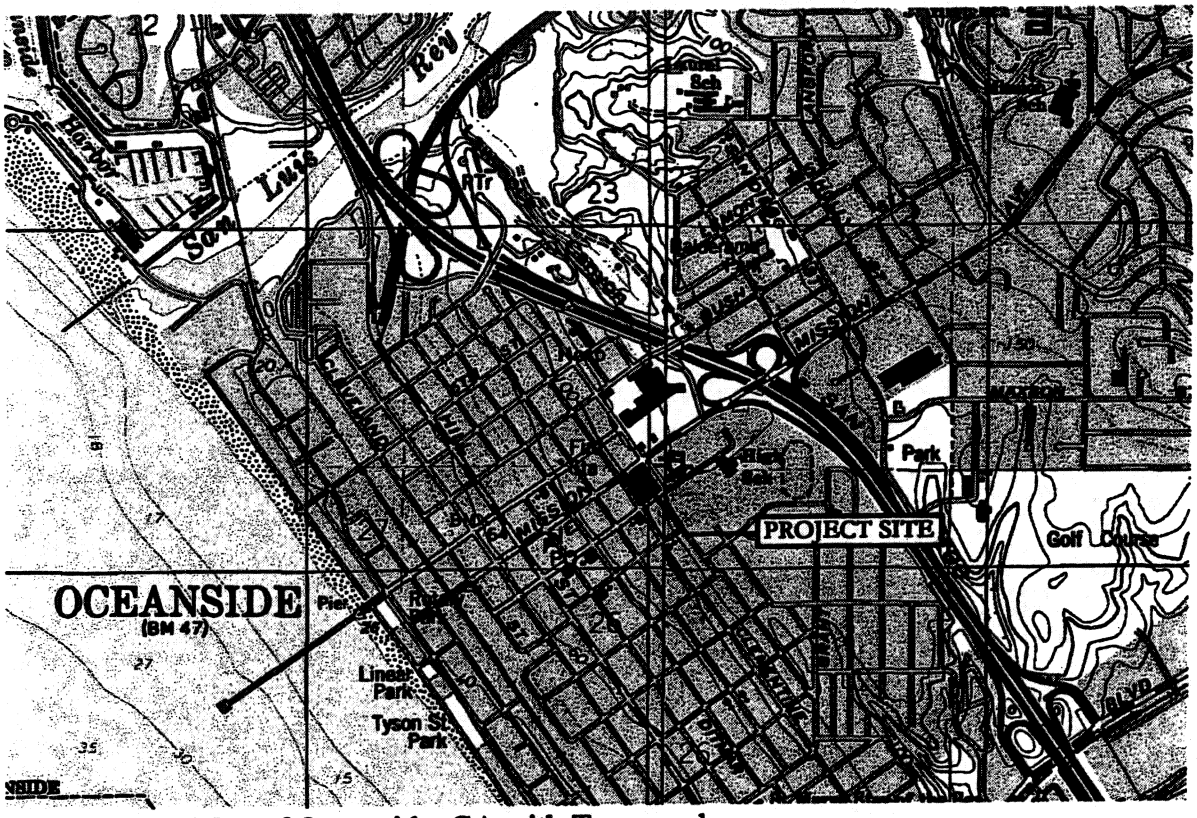


FIGURE 3: Map of Oceanside, CA with Topography

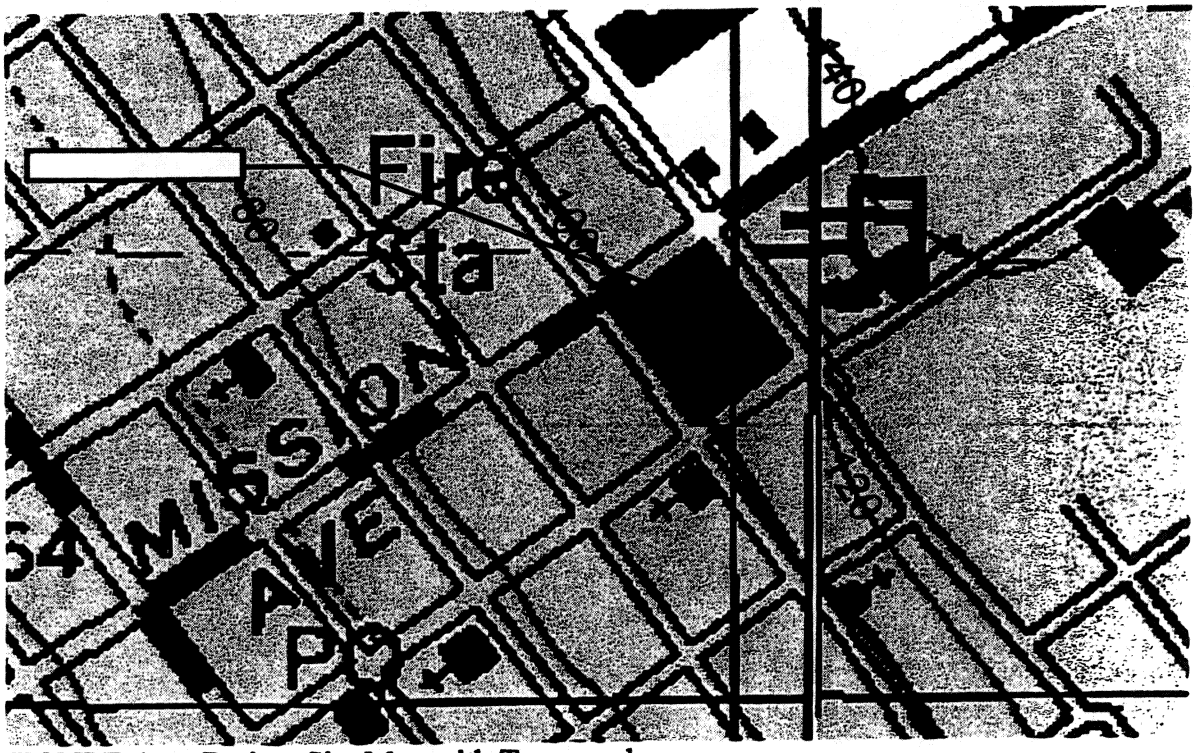


FIGURE 4: Project Site Map with Topography

AMBIENT AIRFLOW PATTERNS

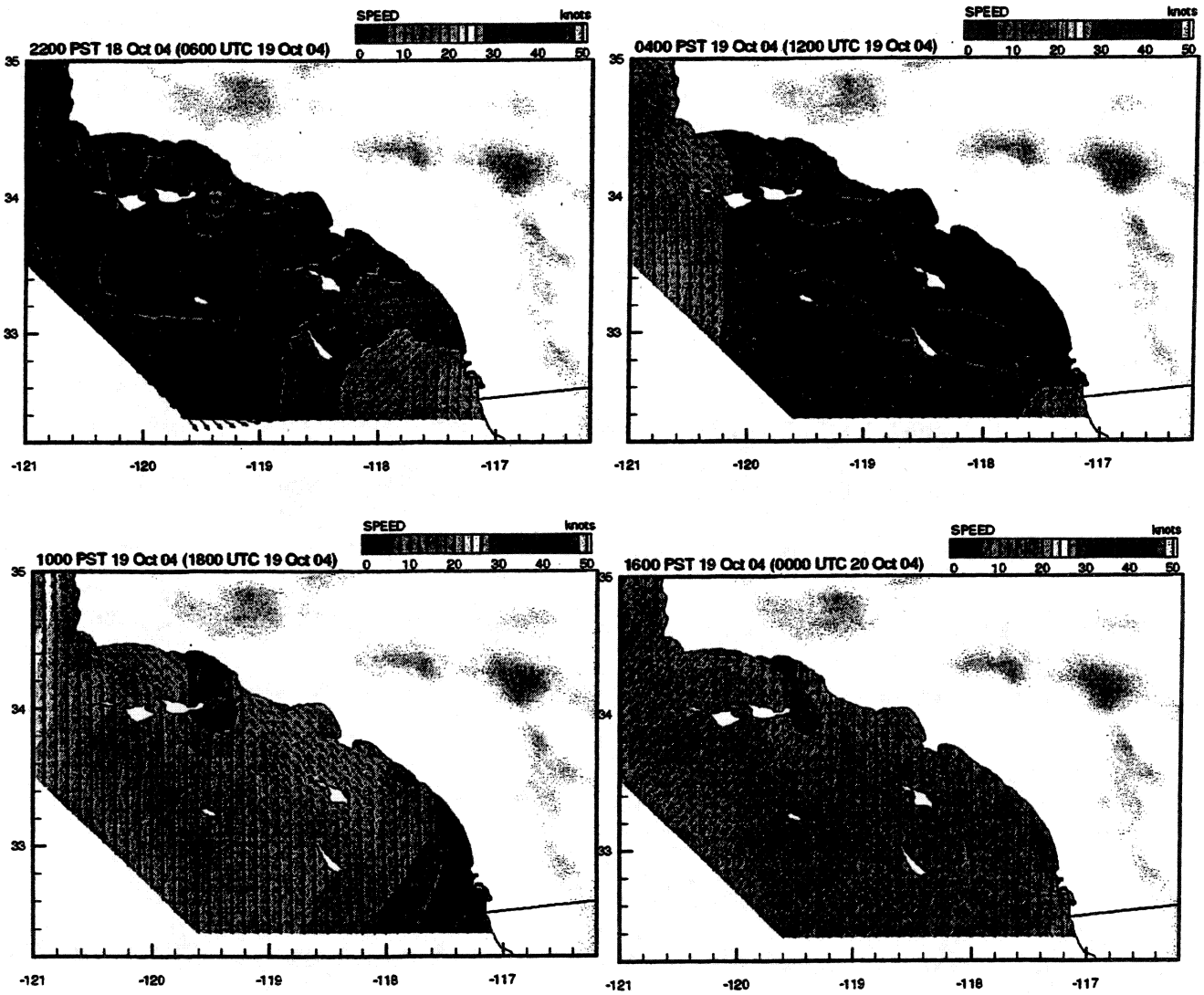
The prevailing coastal winds for Southern California and the City of Oceanside are called the westerlies (Reference 1). Westerlies get their name from their flow pattern, West towards East starting from the Pacific Ocean. The City of Oceanside's wind patterns do vary, depending on the time of the day and time of the year. However, the dominant wind pattern for the City is a cool offshore southwestern flow that on average ranges from 2 to 10 miles per hour (MPH).

Occasionally, the City of Oceanside will experience the dry Santa Ana winds (Reference 2). The Santa Ana winds are a reversal of the prevailing westerly pattern to an easterly or northeasterly wind. The Santa Ana winds are derived from high-pressure built up over Southern California's interior deserts and flows offshore to low-pressure cells. This produces a strong dry wind pattern that generally occurs during the fall season (although it has been known to occur throughout the year depending on the current meteorological conditions).

A review of the on- and offshore wind pattern vectors was performed for the project site over an approximate 72-hour period. Data for the assessment was provided by the Naval Air Warfare Center's (NAWC) Geophysics Division and is a visual computer representation of sampled data from the National Oceanographic and Atmospheric Administration's (NOAA) monitoring stations along the Southern California coastline. A sampling of the hourly variation of the wind pattern vectors is shown in Figures 5A-D.

As perceived from the data shown in Figures 5A-D, the wind pattern within the project site is from the southwest across the project site. This pattern would generally reverse during the aforementioned Santa Ana conditions. A close up of the flow patterns is shown in Figure 6. The flow pattern shown in Figure 6 would be considered representative of the average wind patterns. A section of the building (Figure 7) of the affects the Santa Ana winds and westerlies have on the project. The

site is located at an angle in respect to the flow pattern of westerlies. The building does not block the wind from the residential uses to the south, but it reduces the wind speed as the westerlies curve the corners of the project towards the residential uses. During days when Santa Ana dry wind come into effect, the building's height will act as a block and will prevent dry hot air from reaching ground level. Therefore, the Belvedere will bring minimal wind pattern change to the surrounding areas.



FIGURES 5(A-D) OFFSHORE WIND ANALYSIS

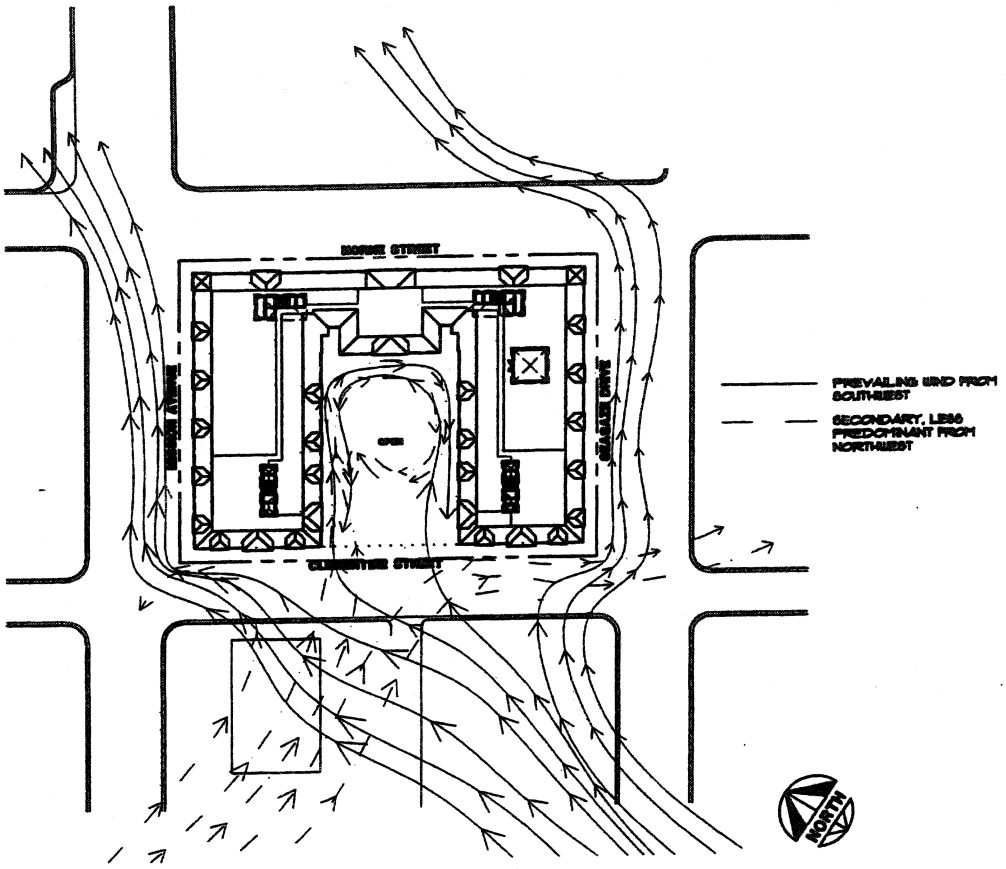


FIGURE 6: Wind Effect on Project Site in Plan

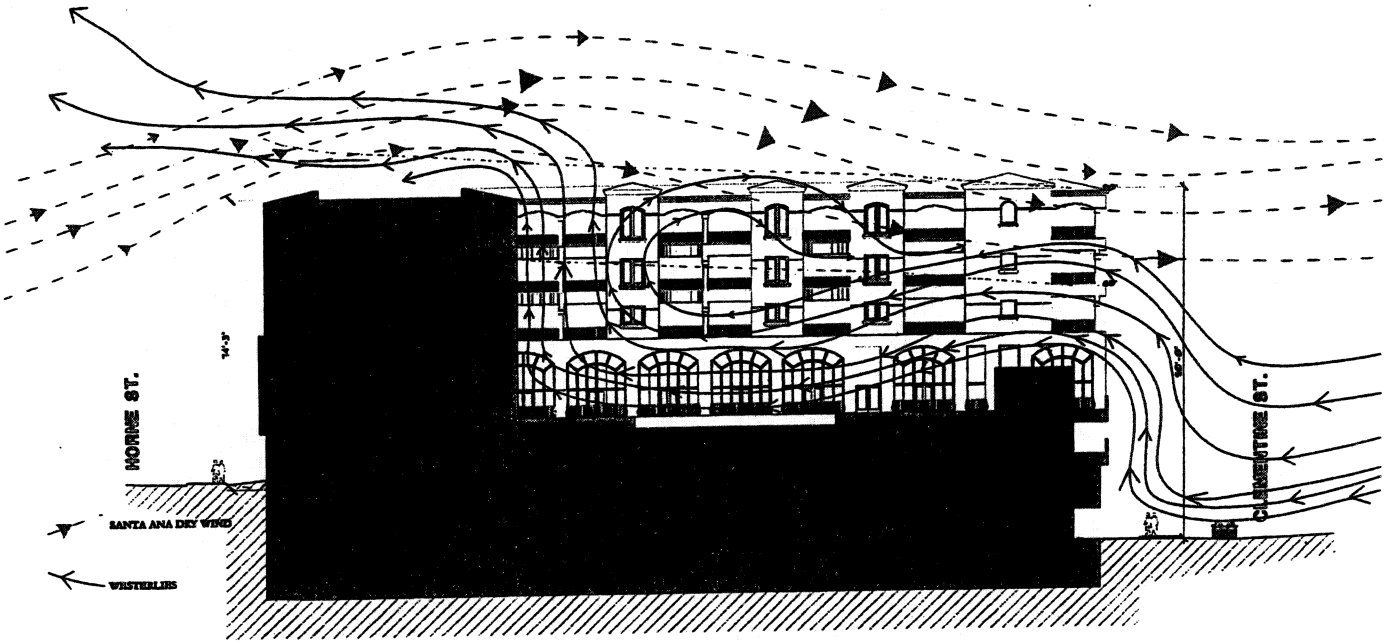


FIGURE 7 Wind Effect on Project Site in Section

Works Cited

1. http://ww2010.atmos.uiuc.edu/(Gh)/wwhlpr/hurricane_globalwinds.rxml?hret=/indexlist.rxml
2. http://www.atmos.ucla.edu/~fovell/ASother/mm5/SantaAna/winds.html

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code 6Z

Other Listings _____
Review Code _____ Reviewer _____ Date _____

*Resource Name or #: (Assigned by recorder) 902 Seagaze Drive

*P1. Other Identifier: Melville Goetz Residence

*P2. Location: ☐ Not for Publication ☒ Unrestricted * a. County: San Diego

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

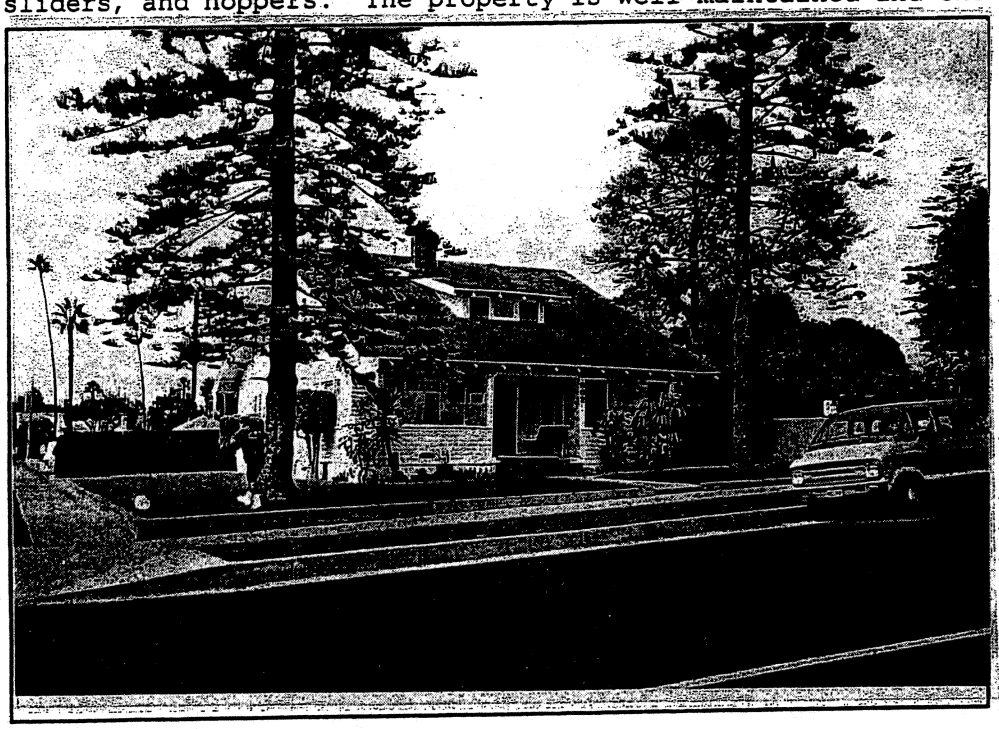
*b. USGS 7.5' Quad San Luis Rey *Date: 1975 T11S; R5W; ¼ of ¼ of Sec; B.M.: SB

c. Address: 902 Seagaze Drive (formerly known as First Street) City: Oceanside Zip: 92054

d. UTM: (Give more than one for large or linear resources) Zone 11 ; mE/ 367300 mN 465100

e. Other Locational Data (e.g., parcel #, directions to resource, elevation, etc., as appropriate): Located on the northeast corner of Seagaze Drive and Clementine Street. Assessor's Parcel No.147-196-04

*P3a. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries): The resource is a rectangular, approximately 2,000 sq ft, 1-1/2 story wood frame house with a steeply pitched end-gabled asphalt-shingled roof. Decorative rafters extend beyond the eaves. The ground story is clapboard-clad; the sides of the upper story are shingle clad. A shed dormer with three small casement windows is centered over the front entry; a brick chimney sits behinds the dormer on the gable peak. An integral half-walled clapboard-clad wooden porch with four structural posts spans the full length of the front facade. The facade is symmetrical with a central single wood door accessed by three wood steps; a second set of three wooden steps is located at the west end of the porch A tri-sectioned window is located to the west of the door. Its central pane is fixed with a leaded diamond pattern transom above it; two double-hung windows are on either side. Two other matching windows are found on the west side of the house. The side of the porch to the east of the door has been enclosed and features a tri-sectioned aluminum sliding glass window. A variety of windows are situated around the house including double-hungs, aluminum sliders, and hoppers. The property is well-maintained and the house is in good condition.



*P3b. Resource Attributes: (List attributes and codes) HP39 - Other

P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5b. Description of Photo: (View, date, accession #) Looking northeast, 10/15/03, 868:1

*P6. Date Constructed/Age and Sources: ☒ Historic ☐ Prehistoric ☐Both 1913 per Residential Building Record

*P7. Owner and Address:
Cheadle Family Trust
PO Box 127
Oceanside, CA 92049

*P8. Recorded by (Name, affiliation, and address):
Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131

*P9. Date Recorded: 10/18/03

*P10. Type of Survey: (Describe) Field Check *P11. Report Citation (Cite survey report and other sources, or enter "none".) None *Attachments: ☐NONE ☐Location Map ☐Sketch Map ☒Continuation Sheet ☒Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Resource Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

The legal description of this property is Block 69, Lots 16-18 of Hornes Addition, which was named for its developer, Col. Daniel Horne. Horne, a City trustee, is generally considered to be Oceanside's first mayor. The property is located in the Townsite area, Oceanside's oldest neighborhood. Seagaze Drive was originally known as First Street.

The chain of title shows that Hannah Maxson sold the property to John Goetz in 1895. Mrs. Maxson was the widow of William Maxson. Her son Chester W. Maxson, was one of early Oceanside's leading citizens, involved with real estate, insurance, and banking. In 1889, he was a trustee of the Oceanside Bath House Company, along with Daniel Horne, M.W. Spencer, and Andrew Jackson Myers, one of the co-founders of Oceanside. John Goetz, who purchased the property from Mrs. Maxson, was also a trustee of this company. In 1892, Goetz founded a popular Oceanside department store, which sold dry goods, clothing, and furnishings. Following his death in 1909, the property passed to his son Melville and daughter-in-law Fay. Mel Goetz ran the family store with his three brothers. He also served on the Oceanside Board of Trustees in 1909. The residential Building Record identifies the date of construction of the house as 1913.

In 1916 the house was sold to Alice M. Newton, a local high school teacher, later a vice-principal of the Oceanside-Carlsbad High School and the wife of Harry Crise. Miss Newton was the daughter of Jesse Newton who brought his family to Oceanside in the 1890s. Mr. Newton was a successful farmer, president of the First National Bank of Oceanside, an Oceanside City Councilman, and the owner of valuable Oceanside real estate. After retiring in the early 1930s, Newton and his wife Sarah lived in the subject house until his death in 1936. The house remained the property of Alice Newton Crise until 1946 when it was sold to W.D. and Maxine Montgomery.

The property then underwent a succession of sales. The Montgomerys held the property only two years, deeding it to Pierre C. Brolliet in 1948; Brolliet sold the property to Arthur and Louise Glaser in 1950, who in turn, sold it to Shirley E. Garner in 1957. Garner may have been a tenant of the house prior to purchasing it, as she is listed as residing there in the 1955-56 Oceanside Directory. When Garner sold the property the to Dr. Robert and Mildred Gilliam in 1959,the transaction was reported as the sale of a rental by the Oceanside Blade Tribune. The Gilliams sold the house to James and Mildred Rogers in 1964.

The Cheadle Family Trust, which presently owns the property, has held title since 1988. Since the early 1990s, the house has served as a drug and alcohol rehabilitation facility and emergency shelter under the sponsorship of the Brother Benno Foundation. Prior to this, the property was leased to Catholic Charities, which provided various social services on the premises.

Brother Benno, a Benedictine monk, came to Oceanside in 1960 to help establish the St.Charles Priory at Prince of Peace Abbey. In 1982, he started a soup kitchen which was expanded in 1990 to become the Brother Benno Center. Brother Benno also opened a thrift shop and established two small shelters, of which the subject property is one, in the early 1990s. He died in late 1991.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD

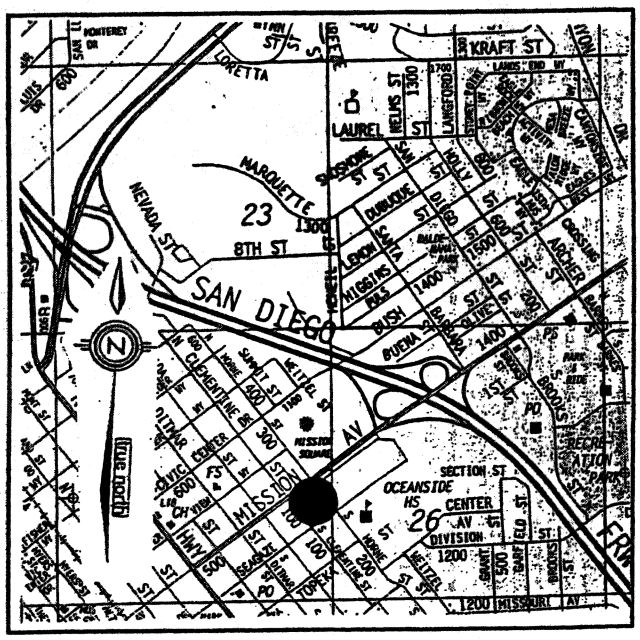
Primary # _____
HRI# _____
*NRHP Status Code 6Z
Page 3 of 3 *Resource Name or # (Assigned by recorder) 902 Seagaze Drive

B1. Historic Name: Melville Goetz Residence
B2. Common Name: Cheadle Family Trust Property
B3. Original Use: Single-family residence B4. Present Use Group home
*B5.Architectural Style: Carpenter-built Craftsmanesque
*B6.Construction History: (Construction date, alternations, and date of alterations)
According to the Residential Building Record, this house was constructed in 1913, making it 90 years old. A portion of the front facade has been enclosed with siding and aluminum windows and some of the other windows have also been replaced with aluminum. According to the Residential Building Record, this remodeling occurred in 1970.
*B7. Moved? ☒No ☐Yes ☐Unknown Date: _____ Original Location: _____
*B8. Related Features: None
B9a. Architect: Unknown b. Builder: Unknown
*B10. Significance: Theme: Residential development Area Oceanside, California
Period of Significance 1900 to present Property Type Residential Applicable Criteria N/A
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.) The legal description of this property is Block 69, Lots 16-18 of Horne's Addition, which was named for its developer, Col. Daniel Horne. Horne, a City trustee, is generally considered to be Oceanside's first mayor. The property is located in the Townsite area, Oceanside's oldest neighborhood. Seagaze Drive was originally known as First Street. Originally single-family residential in character, the neighborhood has undergone major transitions to become an area of mixed commercial and multi-family use, as well. When constructed, this house would have been typical of this comfortable middle class area, which offered access to downtown, the beach, and nearby schools.

This house was previously assessed in 1999 as part of the Christmas in April program which was based on the 1992 Oceanside Historic Resources Inventory. That study identified the resource as potentially eligible for listing in the local register, but did not take into account the impact of the enclosure of a portion of the porch and replacement of windows which are considered major exterior modifications. According to the Residential Building Record, the house is of fair architectural design and of average workmanship. It was likely carpenter-built. The building does not qualify for nomination to the California Register, the National Register of Historic Places, or the local register. The property is not associated with a significant historic event or events, and while built, owned and occupied by Melville Goetz a local merchant and member of the Oceanside Board of Trustees and later owned and occupied by teacher/vice principal Alice M. Newton, it is not directly associated with the professional lives of either and is therefore is not considered to be directly associated with local historically important persons. Its design is not particularly distinguished, and its architectural integrity has been compromised. The building is unlikely to yield important information relevant to local, state or national history.

While not eligible for listing, it is recommended that measurements and drawings of this resource per the Historic American Buildings Survey standard be conducted prior to the demolition of the house.

B11. Additional Resource Attributes: (List attributes and codes) None
*B12. References: Flanigan S.K., S.H. Carrico, and R.L. Carrico, Oceanside, California's Pride: 1992 Cultural Resource Survey, 1992; Hawthorne, K., *Oceanside, Where Life is Worth Living*, Donning Company Publishers, Virginia Beach, Virginia, 2002;McAlester, V. and L., *A Field Guide to American Houses*, 1991. Alfred A. Knopf, New York.
B13. Remarks:
*B14. Evaluator: Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131
*Date of Evaluation: 9/18/03



(This space reserved for official comments.)

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

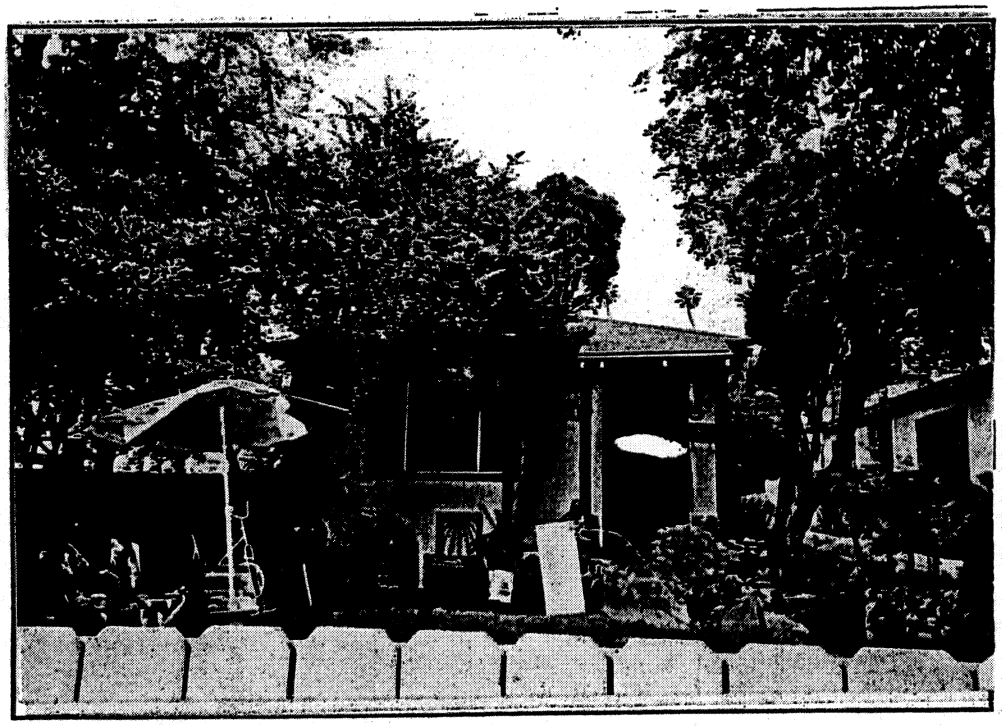
Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code 6Z

Other Listings _____
Review Code _____ Reviewer _____ Date _____

*Resource Name or #: (Assigned by recorder) 906 Seagaze Drive

*P1. Other Identifier: William M. and Lucille E. Culberson Apartments (Building 1)
*P2. Location: ☐ Not for Publication ☒ Unrestricted * a. County: San Diego
and (P2b and P2c or P2d. Attach a Location Map as necessary.)
*b. USGS 7.5' Quad San Luis Rey *Date: 1975 T11S; R5W; ¼ of ¼ of Sec; B.M.: SB
c. Address: 906 Seagaze Drive (formerly known as First Street) City: Oceanside Zip: 92054
d. UTM: (Give more than one for large or linear resources) Zone 11 ; mE/ 367300 mN 465100
e. Other Locational Data (e.g., parcel #, directions to resource, elevation, etc., as appropriate):. Assessor's Parcel No.147-196-05
*P3a. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries):

The resource consists of a small, rectangular, one story, wood frame and stucco single simple Ranch style unit with a hipped, composition-shingled roof. The eaves project moderately over the walls. The fenestration consists of original wood framed double hungs and replaced metal sliders; some of the windows are paired. Access to the building from the sidewalk is via a common concrete walkway, up one step, to a concrete floored porch beneath an integral porch roof with exposed rafters. The porch roof is supported by two posts. The single wood entry door is covered by a metal screen. The building appears to be in fair condition.



*P3b. Resource Attributes: (List attributes and codes) HP3 - Multiple-family residence
P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)
P5b. Description of Photo: (View, date, accession #) Looking northeast,10/15/03,882:1
*P6. Date Constructed/Age and Sources: ☒ Historic ☐ Prehistoric ☐Both 1947 per the Notice of Completion
*P7. Owner and Address: Cheadle Family Trust
PO Box 127
Oceanside, CA 92049
*P8. Recorded by (Name, affiliation, and address): Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131

*P9. Date Recorded: 11/18/03 *P10. Type of Survey: (Describe) Field Check *P11. Report Citation (Cite survey report and other sources, or enter "none".) None *Attachments: ☐NONE ☐Location Map ☐Sketch Map ☒Continuation Sheet ☒Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Resource Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code 6Z

Other Listings _____
Review Code _____ Reviewer _____ Date _____

*Resource Name or #: (Assigned by recorder) 906 Seagaze Drive

*P1. Other Identifier: William M. and Lucille E. Culberson Apartments (Building 2)
*P2. Location: ☐ Not for Publication ☒ Unrestricted * a. County: San Diego
and (P2b and P2c or P2d. Attach a Location Map as necessary.)
*b. USGS 7.5' Quad San Luis Rey *Date: 1975 T11S; R5W; ¼ of ¼ of Sec; B.M.: SB
c. Address: 906 Seagaze Drive (formerly known as First Street) City: Oceanside Zip: 92054
d. UTM: (Give more than one for large or linear resources) Zone 11 ; mE/ 367300 mN 465100
e. Other Locational Data (e.g., parcel #, directions to resource, elevation, etc., as appropriate):. Assessor's Parcel No.147-196-05

*P3a. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries):

The resource consists of a small, rectangular, one story, wood frame and stucco, simple Ranch style, three unit building with a low hipped, composition-shingled roof. The eaves project moderately over the walls. The fenestration consists of original wood framed 2-over-2 double hungs flanked by wood shutters. Access to the building from the sidewalk is via a common concrete walkway to a concrete stoop. The entry to each unit is located beneath an integral porch extension with exposed rafter tails. The single, paneled, wood entry doors are covered by screens. A concrete foundation planter runs along the building. The building appears to be in fair condition.

*P3b. Resource Attributes: (List attributes and codes) HP3 - Multiple-family residence

P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)

P5b. Description of Photo: (View, date, accession #) Looking northeast, 10/15/03, 882:2

*P6. Date Constructed/Age and Sources: ☒ Historic ☐ Prehistoric ☐Both 1947 per the Notice of Completion

*P7. Owner and Address:
Cheadle Family Trust
PO Box 127
Oceanside, CA 92049

*P8. Recorded by (Name, affiliation, and address):
Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131

*P9. Date Recorded: 11/18/03 *P10. Type of Survey: (Describe) Field Check *P11. Report Citation (Cite survey report and other sources, or enter "none".) None *Attachments: ☐NONE ☐Location Map ☐Sketch Map ☒Continuation Sheet ☒Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Resource Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

*Required Information

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code 6Z

Other Listings _____
Review Code _____ Reviewer _____ Date _____

*Resource Name or #: (Assigned by recorder) 906 Seagaze Drive

*P1. Other Identifier: William M. and Lucille E. Culberson Apartments (Building 3)
*P2. Location: ☐ Not for Publication ☒ Unrestricted * a. County: San Diego
and (P2b and P2c or P2d. Attach a Location Map as necessary.)
*b. USGS 7.5' Quad San Luis Rey *Date: 1975 T11S; R5W; ¼ of ¼ of Sec; B.M.: SB
c. Address: 906 Seagaze Drive (formerly known as First Street) City: Oceanside Zip: 92054
d. UTM: (Give more than one for large or linear resources) Zone 11 ; mE/ 367300 mN 465100
e. Other Locational Data (e.g., parcel #, directions to resource, elevation, etc., as appropriate):. Assessor's Parcel No.147-196-05
*P3a. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries):

The resource consists of a rectangular, two story, wood frame, stucco and horizontal board clad, simple Ranch style building. The building appears to be divided into four units; two upper and two lower. The building is located at the back of the parcel, along the rear alley. The upper units sit over the garages and are accessed from two wood staircases. Storage spaces may be incorporated on the ground level. The fenestration consists of wood framed 1-over-one double hungs. The entries to the units are covered by integral porch roofs; the single, wood entry doors are paneled. The building appears to be in fair condition.

*P3b. Resource Attributes: (List attributes and codes) HP3 - Multiple-family residence
P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (Isolates, etc.)
P5b. Description of Photo: (View, date, accession #) Looking northeast, 10/15/03, 882:2
*P6. Date Constructed/Age and Sources: ☒ Historic ☐ Prehistoric ☐Both 1947 per the Notice of Completion
*P7. Owner and Address:
Cheadle Family Trust
PO Box 127
Oceanside, CA 92049
*P8. Recorded by (Name, affiliation, and address):
Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131

*P9. Date Recorded: 11/18/03 *P10. Type of Survey: (Describe) Field Check *P11. Report Citation (Cite survey report and other sources, or enter "none".) None *Attachments: ☐NONE ☐Location Map ☐Sketch Map ☒Continuation Sheet ☒Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Resource Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

The legal description of this property is Block 69, Lots 14 and 15 and the NE 15 ft of Lot 16 of Hornes Addition, which was named for its developer, Col. Daniel Horne. Horne, a City trustee, is generally considered to be Oceanside's first mayor. The property is located in the Townsite area, Oceanside's oldest neighborhood. Seagaze Drive was originally known as First Street.

The chain of title shows that Daniel Horne sold a portion of this unimproved property to Ben F. Griffin in January, 1888. Mr. Griffin was a member of a pioneering Oceanside family and was serving as the county treasurer at the time of this purchase. In August, 1891, Melissa Carrier bought Griffin's parcel. Having already acquired the adjacent portion of the property, department store owner John Goetz purchased Carrier's parcel in August, 1905.

Col. Horne also sold another portion of the subject property in January, 1888 to Chester W. Maxson, one of early Oceanside's leading citizens who was involved with real estate, insurance, and banking. A month after purchasing the property, Maxson transferred title to his mother, Hannah R. Maxson. John Goetz, purchased this property from Mrs. Maxson in February, 1895.

With the parcels united, in May, 1906, Goetz sold the property to Hale Backnesto. Two years later, San Luis Rey Valley pioneer Herbert Crouch purchased the land from Backnesto in January, 1908. Crouch, a native of Australia, came to the San Diego area in 1869. He and Major Lee Utt became partners in a San Luis Rey Valley sheep ranch venture and Crouch purchased more land in the valley as well as in Oceanside over the years. The subject property, as yet undeveloped, stayed in the Crouch family until it was sold to William Culberson in August, 1946.

Culberson, a former naval officer, went into the construction business with a partner, Dale Kettle, after the war. Their company built many houses, particularly on Pacific Street and in Plumosa Heights, in 1947. The Notice of Completion indicates the subject resources were finished in August, 1947, but it is unclear whether Culberson and Kettle were responsible for the actual construction of the three apartment buildings. The buildings, however, were likely constructed for speculation as they were sold to Nels A. and Johanna Nelson in January, 1949. The Nelsons subsequently sold the complex to James and Carol Kennedy in September, 1950.

Kenneth and Nell S. Becker purchased the property from the Kennedys in June, 1954. Mrs. Becker assumed sole ownership in November, 1957. Carole and Paul Wueste acquired title in February, 1964; Elmer and Iolla Gates bought the apartments from the Wuestes in October, 1972. Al Bentley purchased the complex in May, 1978. Title to the apartments was transferred to Del Sol Properties in April, 1980, and to Four Bayfront Houses in August, 1982. Oceanside Rentals bought the property in November, 1985. The present owner, the Cheadle family, purchased the apartments in November, 1988. They also own the adjacent property at 902 Seagaze Drive.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD

Primary # _____
HRI# _____
*NRHP Status Code 6Z

 *Resource Name or # (Assigned by recorder) 906 Seagaze Drive

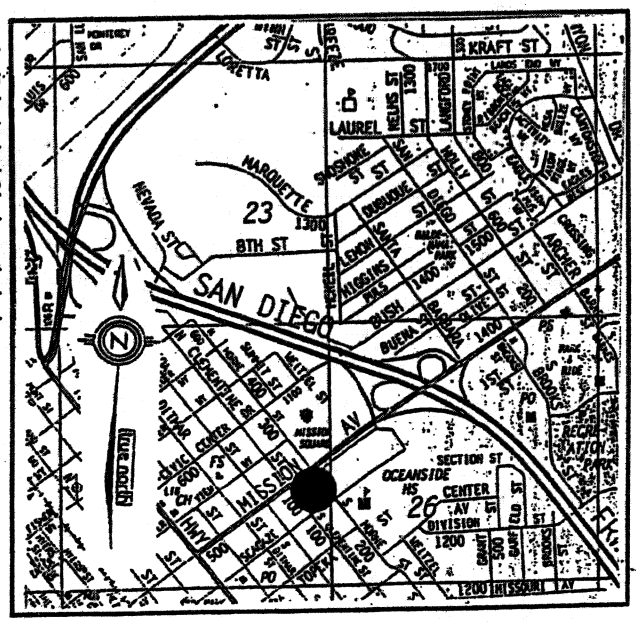
B1. Historic Name: William M. and Lucille E. Culberson Apartments
B2. Common Name: Cheadle Family Trust Property
B3. Original Use: Multi-family residence B4. Present Use Multi-family residence
*B5.Architectural Style: Ranch
*B6.Construction History: (Construction date, alternations, and date of alterations)
According to the Notice of Completion, these three apartment buildings were constructed in 1947, making them 56 years old. The exteriors of all three buildings appear to be reasonably intact and no major exterior modifications are evident.
*B7. Moved? ☒No ☐Yes ☐Unknown Date: _____ Original Location: _____
*B8. Related Features: None
B9a. Architect: None b. Builder: Failard Incorporated (illegible on Notice of Completion)
*B10. Significance: Theme: Residential development Area Oceanside, California
Period of Significance 1900 to present Property Type Residential Applicable Criteria N/A
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The legal description of this property is Block 69, Lots 14 and 15 and the NE 15 ft of Lot 16 of Horne's Addition, which was named for its developer, Col. Daniel Horne. Horne, a City trustee, is generally considered to be Oceanside's first mayor. The property is located in the Townsite area, Oceanside's oldest neighborhood. Seagaze Drive was originally known as First Street. Originally single-family residential in character, the neighborhood has undergone major transitions to become an area of mixed commercial and multi-family use, as well.

The subject resources are typical of this later development, constructed just after the end of World War II. The modest sized units were likely built to accommodate the demand for affordable housing that occurred as the area returned to post-war normalcy. Their Ranch style design was very common for the time, becoming the most popular regional building style until about 1960. The concept for the apartments probably originated in a pattern book. The materials used in their construction were fairly standard and of average quality for the period.

The resources are not directly associated with any known significant historic event or events. Historically significant personages are not associated with them. Their design is not distinctive and does not represent the work of a master architect or craftsman, and they are not constructed of rare or unique materials. The buildings are unlikely to yield important information relevant to local, state or national history. Their locational and associational integrity are intact, and their design and feeling have been not compromised by exterior modifications. The setting has been altered by stylistic additions and revisions to the neighborhood.

B11. Additional Resource Attributes: (List attributes and codes) None
*B12. References: Flanigan S.K., S.H. Carrico, and R.L. Carrico, *Oceanside, California's Pride: 1992 Cultural Resource Survey*, 1992; Hawthorne, K., *Oceanside, Where Life is Worth Living*, Donning Company Publishers, Virginia Beach, Virginia, 2002; McAlester, V. and L., *A Field Guide to American Houses*, 1991. Alfred A. Knopf, New York.
B13. Remarks:
*B14. Evaluator: Ruth Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131
*Date of Evaluation: 11/18/03



(This space reserved for official comments.)

TM NO.

TENTATIVE MAP
DEVELOPMENT PLAN & CONDITIONAL USE PERMIT
FOR
THE BELVEDERE MIXED USE PROJECT

901 MISSION AVENUE
OCEANSIDE, CALIFORNIA

BASIS OF BEARING

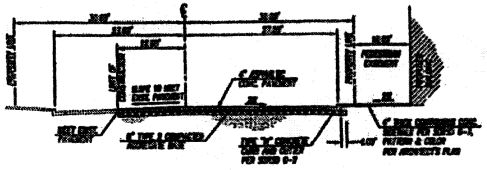
[illegible]

TITLE REPORT

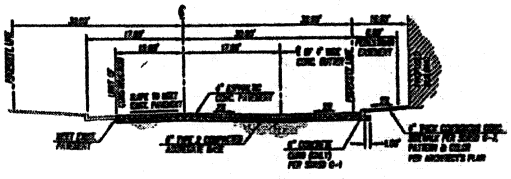
PROPERTY BOUNDARY AND EASEMENTS BASED UPON
FIRST AMERICAN TITLE
[illegible] STREET
SAN DIEGO, CA 92101
AS ORDER NO. [illegible]
DATED MAY 28, 2003
UPDATED ON DECEMBER 12, 2003

NOTE TO CITY ON FLOODPLAIN

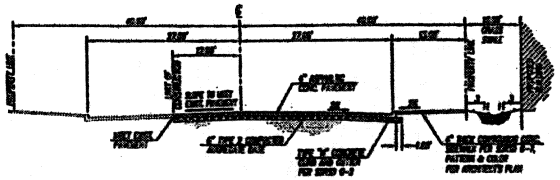
THIS SITE IS IN ZONE "X" PER FEDERAL EMERGENCY MANAGEMENT AGENCY MAP NO. [illegible] DATED JANUARY 16, 2004.
ZONE "X" DENOTES AREA IS SUBJECT TO NORMAL FLOODING.
THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THE CIVIL ENGINEER OR LAND SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE DATA BASES. IN ADDITION, THIS STATEMENT DOES NOT REPRESENT THE CIVIL ENGINEER'S OR LAND SURVEYOR'S OPINION OF THE FREQUENCY OF FLOODING.



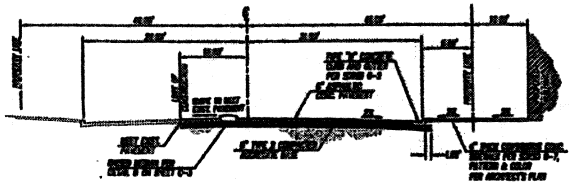
HORNE ST. TYPICAL SECTION A-A
SCALE 1" = 10'



CLEMENTINE ST. TYPICAL SECTION B-B
SCALE 1" = 10'

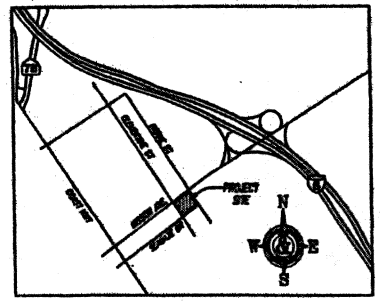


SEAGAZE DR. TYPICAL SECTION C-C
SCALE 1" = 10'

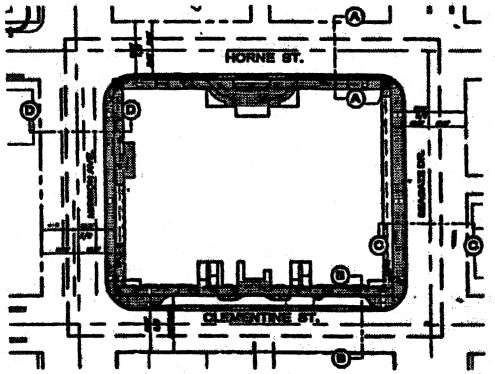


MISSION AVE. TYPICAL SECTION D-D
SCALE 1" = 10'

[illegible] PROPERTY IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA WHICH PARTICULARLY DESCRIBED AS FOLLOWS: [illegible] THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP NO. [illegible] DATED [illegible] AND DESCRIBED PROPERTY CONTAINS [illegible] ACRES MORE OR LESS.



VICINITY MAP
NO SCALE



SITE PLAN
SCALE 1" = 10'

GEOTECHNICAL INVESTIGATION

THE PROJECT GEOTECHNICAL REPORT WAS PREPARED BY GEOCON INCORPORATED. THE REPORT IS ADDRESSED ARCHITECT DEL [illegible] DATED JANUARY 5, 2004 AND REVISED LETTER OF JUNE 2004.

HYDROLOGY AND DRAINAGE REPORT

THE PROJECT HYDROLOGY AND DRAINAGE REPORT WAS PREPARED BY [illegible] & DRAINAGE DATED MAY 18, 2004, UPDATED AUGUST 12, 2004

DOMESTIC WATER REPORT

THE PROJECT DOMESTIC WATER REPORT WAS PREPARED BY [illegible] & DRAINAGE DATED MAY 18, 2004, UPDATED AUGUST 12, 2004.

SANITARY SEWER REPORT

THE PROJECT SANITARY SEWER REPORT WAS PREPARED BY [illegible] & DRAINAGE DATED MAY 18, 2004, UPDATED AUGUST 12, 2004.

LEGEND

DESCRIPTION	SYMBOL/ABBREVIATION
PROPOSED SANITARY SEWER	[illegible]
PROPOSED STORM DRAIN	[illegible]
PROPOSED NATURAL GAS	[illegible]
EXISTING WATER LINE	[illegible]
EXISTING SANITARY SEWER	[illegible]
EXISTING STORM DRAIN	[illegible]
EXISTING NATURAL GAS LINE	[illegible]
EXISTING FIRE HYDRANT	FH
PROPOSED WATER METER	WM
PROPOSED REDUCED PRESSURE BACKFLOW PREVENTER	[illegible]
PROPOSED VALVE	[illegible]
PROPOSED INLET	[illegible]
EXISTING CONTOUR	[illegible]
PROPOSED CONTOUR	[illegible]
PROPOSED RETAINING WALL	[illegible]
TOP OF CURB	TC
FLOW LINE	FL
FINISH SURFACE	FS
INVERT	INV
TOP OF GRATE	TG/GRATE
CENTER LINE	℄
PROPERTY LINE	[illegible]

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR OF THE STATE OF CALIFORNIA. THAT THE MAP CONSISTING OF [illegible] SHEETS IS A TRUE AND CORRECT SURVEY AS SHOWN BASED UPON A ALL/PARTS LAND TITLE SURVEY COMPLETED BY ARCE CIVIL ENGINEERS, BY OR UNDER THE DIRECTION OF DANIEL E. CORT LS [illegible]. FOR [illegible] CIVIL ENGINEERS BY SURVEY MONUMENTS WERE FOUND AS THE TRUE, THE SURVEY WAS COMPLETED [illegible], 2003. THE GEOMETRY OF THE [illegible] ESTABLISHED BY STATING THE CURB LINE ALONG SEAGAZE DRIVE AND CLEMENTINE STREET AND EXISTING POSITIONS OF EXISTING PARCEL BOUNDARIES AS THE CONTROLS OF THE INTERSECTIONS OF SEAGAZE DRIVE AND CLEMENTINE STREET PER DANIEL E. CORT.

[illegible] PLS NO. [illegible]
EXP. 7-31-05 DATE

OWNERS CERTIFICATE

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LAND DESCRIBED WITHIN THE EXCEPTION SHOWN ON THE SURVEY AND SHOWN THE EXISTING PARCEL LINES, AND WE CONSENT TO THE PREPARATION AND FILING OF SAID TENTATIVE MAP AND SUBDIVISION.

PACIFIC CREST INVESTMENTS, LLC
[illegible] BLVD., SUITE [illegible]
[illegible], CA [illegible]

DAVID BURNS, PRESIDENT DATE

SANFORD L. GOLDEN, PRESIDENT DATE

GENERAL NOTES

TOTAL AREA	[illegible] ACRES MORE OR LESS
LINE/NOW LOFTS	[illegible] – [illegible] S.F. TO [illegible] S.F. EACH
3 BEDROOM CONDOMINIUMS	[illegible] – [illegible] S.F. TO [illegible] S.F. EACH
2 BEDROOM CONDOMINIUMS	[illegible] – [illegible] S.F. EACH
RETAIL STORE SPACE	[illegible] S.F. TOTAL
COMMERCIAL OFFICE SPACE	[illegible] S.F. TOTAL
EXISTING ZONING	DEVELOPMENT DISTRICT "I" AND [illegible] AND DISTRICT [illegible]
PROPOSED ZONING	DEVELOPMENT DISTRICT "I" AND [illegible] AND DISTRICT [illegible]
GENERAL PLAN DESIGNATION	DEVELOPMENT AREA
NUMBER OF UNITS EXISTING	[illegible]
NUMBER OF UNITS PROPOSED	[illegible]
DENSITY	[illegible] DU/AC
CONTOUR INTERVAL	1.0 FT
TOTAL BUILDING SQUARE FOOTAGE (GROSS)	[illegible] S.F.
TOTAL PARKING AREA IN BUILDING	[illegible] S.F.
TOTAL SERVICE AREA IN BUILDING	[illegible] S.F.
TOTAL LINE/NOW LOFT AREA IN BUILDING	[illegible] S.F.
TOTAL CONDOMINIUM AREA IN BUILDING	[illegible] S.F.
TOTAL RETAIL AREA IN BUILDING	[illegible] S.F.
TOTAL COMMERCIAL AREA IN BUILDING	[illegible] S.F.
TOTAL COMMON AREA IN BUILDING	[illegible] S.F.
FOR FLOOR PLAN DETAILS SEE ARCHITECTURAL PLANS	
TOTAL LOT SQUARE FOOTAGE	[illegible] S.F.
TOTAL BUILDING FOOT PRINT SQUARE FOOTAGE	[illegible] S.F.
LANDSCAPE/HARDSCAPE AREA	[illegible] S.F.
EARTHWORK CUT	[illegible] C.Y.
EARTHWORK FILL	0 C.Y.
EXPORT	[illegible] C.Y.

PREPARED BY:
MARTIN & ZIEMNIAK
CIVIL ENGINEERING AND LAND SURVEYING
[illegible] Gardens Service Rd
San Diego, CA 92123
Phone (858) 631-[illegible]
FAX (858) 631-[illegible]

NO.	DESCRIPTION	APPD	DATE

Description
Condition
Related Permits
Date Before

C-1

CITY OF OCEANSIDE
ENGINEERING DEPARTMENT

SHEET

DATE

BELVEDERE MIXED USE PROJECT

TITLE SHEET

APPROVED

CITY ENGINEER

DATE OF ISSUE

Checked By

Approved Date

PLAN NUMBER

2:\Civil\Land Projects 3\204105\dwg\SHEETS\C-1 Title.dwg 10/07/2004 03:42:14 PM PDT

TM NO.

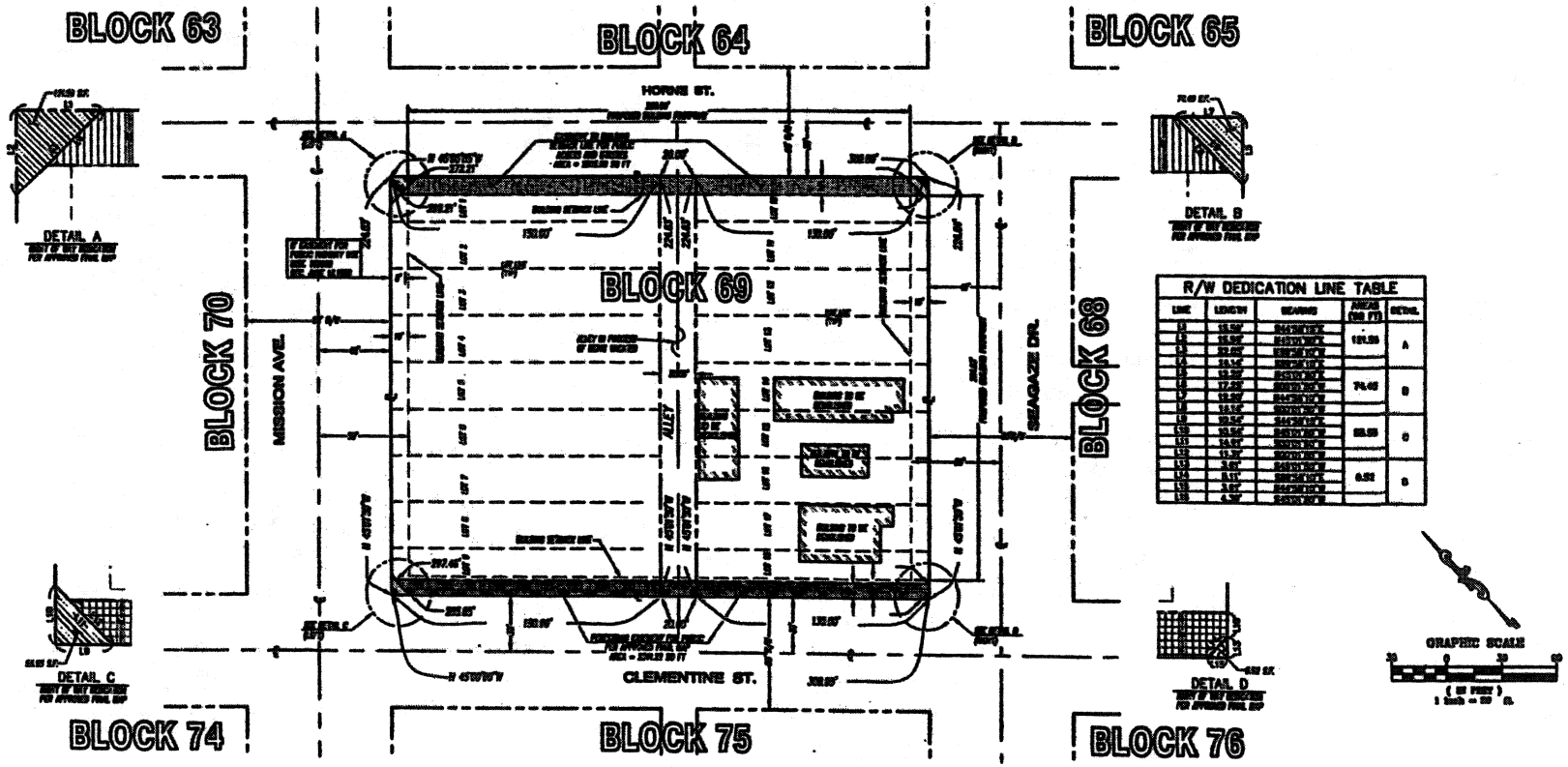
TENTATIVE MAP

DEVELOPMENT PLAN & CONDITIONAL USE PERMIT

FOR

THE BELVEDERE MIXED USE PROJECT

901 MISSION AVENUE
OCEANSIDE, CALIFORNIA



R/W DEDICATION LINE TABLE				
LINE	LENGTH	BEARING	AREAS (SQ FT)	DETAIL
L1	15.50'	S44°30'10"E	121.50	A
L2	15.50'	S45°01'30"W		
L3	22.00'	S39°30'10"W		
L4	14.14'	S39°30'10"E		
L5	13.20'	S45°01'30"W	74.40	B
L6	17.20'	S39°01'30"W		
L7	13.20'	S44°30'10"W		
L8	14.14'	S39°01'30"W		
L9	10.54'	S44°30'10"E	55.55	C
L10	10.54'	S45°01'30"W		
L11	14.07'	S39°01'30"W		
L12	11.37'	S39°01'30"W		
L13	3.61'	S45°01'30"W	6.52	D
L14	5.11'	S39°30'10"E		
L15	3.61'	S44°30'10"W		
L16	4.30'	S45°01'30"W		

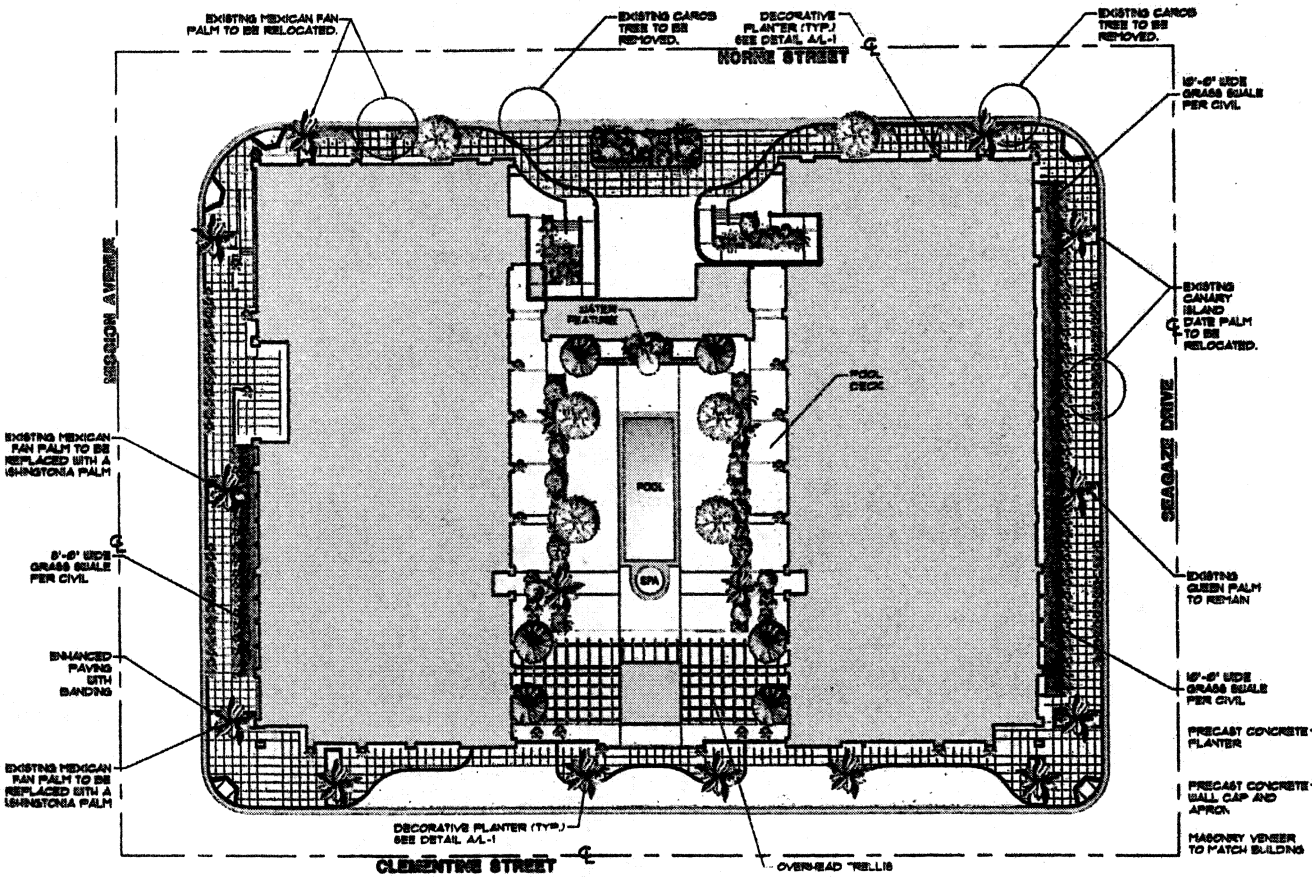
HORNE'S ADDITION
MAP 323

PREPARED BY:
MARTIN & ZIEMNIAK
CIVIL ENGINEERING AND LAND SURVEYING
[illegible]

C-2

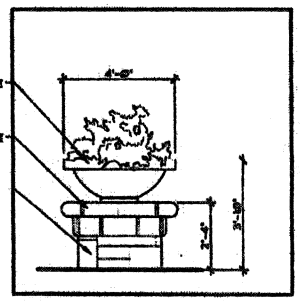
BELVEDERE MIXED USE PROJECT
TENTATIVE MAP

Z:\Civil\Land Projects 3\204103\dwg\SHEETS\C-2 Tentative Map.dwg 10/07/2004 03:44:06 PM PDT



PRELIMINARY LANDSCAPE CONCEPT PLAN

SCALE : 1" = 20'-0"



TYPICAL DECORATIVE LANDSCAPE POT DETAIL

SCALE : 1/2" = 1'-0"

CONCEPTUAL PLANT LIST

TREES

Acer palmatum - Japanese Maple, 15 gallon

Archontophoenix cunninghamiana - King Palm, 8' BTH

Cassia leptophylla - Gold Medallion Tree, 15 gallon

Eriobotrya deflexa - Bronze Loquat, 15 gallon

Feijoa sellowiana - Pineapple Guava, 15 gallon

Syagrus romazoffianum - Queen Palm, 8' BTH

SHRUBS

Abutilon hybrida - Chinese Lantern, 5 gallon
Aucuba japonica - Japanese Aucuba, 1 gallon
Agapanthus - Lily-of-the-Nile, 1 gallon
Alyogyne huegelii - Blue Hibiscus, 1 gallon
Calliandra haematocephala - Pink Powder Puff, 5 gallon
Cistus 'Doris Hibberson' - Doris Hibberson Rockrose, 1 gallon
Dietes vegeta - Fortnight Lily, 1 gallon
Escallonia 'Fradesii' - Frades Escallonia, 5 gallon
Nandina domestica - Heavenly Bamboo, 5 gallon
Pennisetum setaceum 'Rubrum' - Red Fountain Grass, gallon
Phoenix roebelleni - Pygmy Date Palm, 15 gallon
Phormium tenax 'Maori Queen' - Maori Queen Flax, 5 gallon
Tulbaghia violaceae - Society Garlic, 1 gallon
Zantedeschia aethiopica - Calla Lily, 1 gallon

GROUND COVERS

Annual Color, liners
Dichondra micrantha - Dichondra, flats
Festuca ovina glauca - Blue Fescue, flats
Laurentia fluviatilis - Blue Star Creeper, flats
Myoporum parvifolium - Myoporum, flats
Pelargonium peltatum - Ivy Geranium, flats
Trachelospermum jasminoides - Star Jasmine, flats

VINES

Clytostoma callistegioides - Violet Trumpet Vine, 5 gallon, staked
Distictis buccinatoria - Blood Red Trumpet Vine, 5 gallon, staked
Gelsemium sempervirens - Carolina Jessamine, 5 gallon, staked

GRASSES (TREATMENT BMP SWALES)

Tall Fescue

IRRIGATION NOTES

An automatic irrigation system shall be installed on each individual lot to provide coverage for all planting areas shown on the plan. Low precipitation equipment shall provide sufficient water for plant growth with a minimum of water loss due to run-off. All irrigation improvements shall be installed as per the provisions of the City of Oceanside Guidelines and Specifications for Landscape Development (1989, revised 1991), City of Oceanside Zoning Ordinance section 3019, and the Water Conservation Ordinance 091-B.

In all drip irrigation areas, 3" of bark mulch shall bury all tubing and stakes.

If static water pressure is 60 PSI or greater, a pressure regulator shall be installed.

PLANTING NOTES

The selection of plant material is based on cultural, aesthetic, and maintenance considerations. All planting areas shall be prepared with soil conditioners, fertilizers, and appropriate supplements based upon soil samples taken from the site. All landscaping will meet the requirements of the City of Oceanside Guidelines and Specifications for Landscape Development (1989, revised 1991).

All planted areas are to be owner maintained unless otherwise noted.

3.10.04
7.9.04
1.18.09
2.7.09
2.9.09

THE BELVEDERE - 901 MISSION

L-1

9 OF 27

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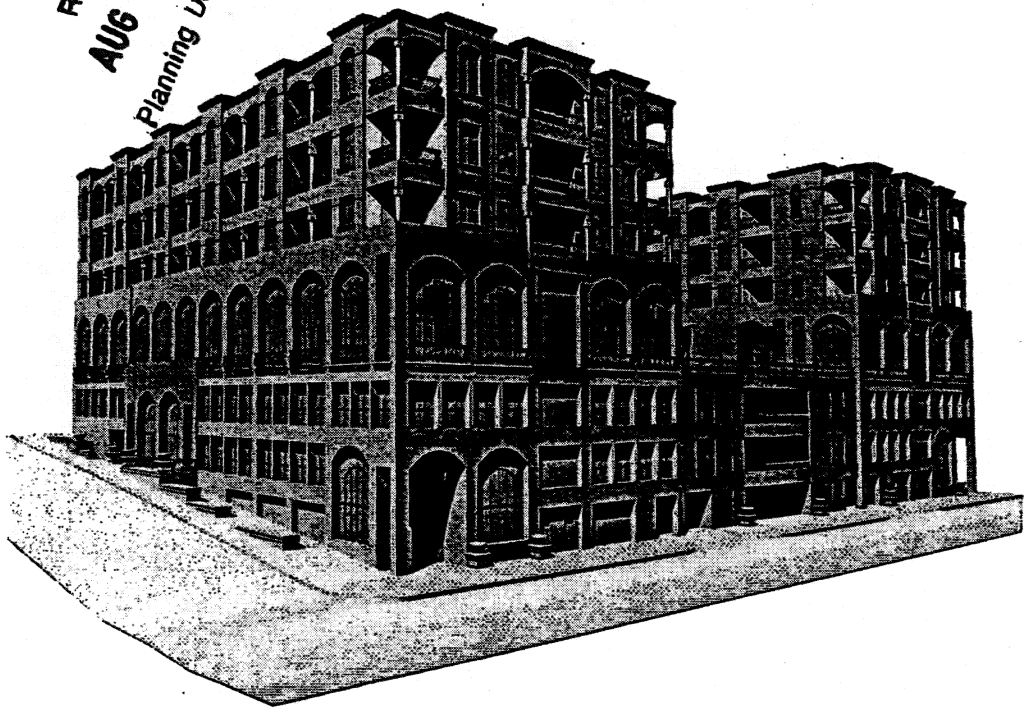
Planning Department



THE BELVEDERE

901 MISSION AVENUE

OCEANSIDE, CALIFORNIA

A MIXED USE PROJECT

ELECTRICAL:
BRICHARD & ASSOCIATES
ALAN BLEIGH
[illegible] TRIESTA STREET, SUITE [illegible]
SAN DIEGO, CALIFORNIA [illegible]
PHONE: ([illegible]) [illegible]
FAX: ([illegible]) [illegible]

PLUMBING:
BRICHARD & ASSOCIATES
ALAN BLEIGH
[illegible] TRIESTA STREET, SUITE [illegible]
SAN DIEGO, CALIFORNIA [illegible]
PHONE: ([illegible]) [illegible]
FAX: ([illegible]) [illegible]

MECHANICAL:
BRICHARD & ASSOCIATES
ALAN BLEIGH
[illegible] TRIESTA STREET, SUITE [illegible]
SAN DIEGO, CALIFORNIA [illegible]
PHONE: ([illegible]) [illegible]
FAX: ([illegible]) [illegible]

CIVIL ENGINEER:
MARTIN & ZEPNIAK
ANDREW ZEPNIAK
[illegible] CAMINO SANTA FE
SAN DIEGO, CALIFORNIA [illegible]
PHONE: ([illegible]) [illegible]
FAX: ([illegible]) [illegible]

SOILS:
GEOCON INCORPORATED
[illegible] FLANDERS DRIVE
SAN DIEGO, CALIFORNIA [illegible]
PHONE: ([illegible]) [illegible]
FAX: ([illegible]) [illegible]

PROJECT DATA:

SITE ACREAGE: [illegible] ACRES

LAND USE DESIGNATION:
EXISTING GEN. PLAN DESIGNATION:
EXISTING ZONING: REDEVELOPMENT
'D' DISTRICT, SUBDISTRICT 2
EXISTING LAND USE: VACANT LAND AND RESIDENTIAL
PROPOSED LAND USE: MIXED USE-COMMERCIAL AND RESIDENTIAL

BUILDING COVERAGE: [illegible]% / [illegible] S.F.

LANDSCAPE AREA: [illegible]%

BUILDING GROSS SQUARE FOOTAGES:

SUBTERRANEAN PARKING:	[illegible] S.F.
CLEMENTINE STREET:	[illegible] S.F.
MISSION RETAIL LEVEL:	[illegible] S.F.
HORNE STREET:	[illegible] S.F.
THIRD FLOOR:	[illegible] S.F.
LOFT LEVEL:	[illegible] S.F.
FOURTH FLOOR:	[illegible] S.F.
FIFTH FLOOR:	[illegible] S.F.
SIXTH FLOOR:	[illegible] S.F.
TOTAL:	[illegible] S.F.

USE SQUARE FOOTAGES:

	[illegible] S.F.
PARKING:	[illegible] S.F.
WORK LOFTS:	[illegible] S.F.
RETAIL:	[illegible] S.F.
COMMERCIAL:	[illegible] S.F.
RESIDENTIAL:	[illegible] S.F.

PARKING:
REQUIRED:

COMMERCIAL RETAIL:	([illegible]) [illegible] STALLS
COMMERCIAL LEASE:	([illegible]) [illegible] STALLS
WORK/LIVE LOFTS:	([illegible]) [illegible] STALLS
RESIDENTIAL:	([illegible]) [illegible] STALLS
TOTAL REQUIRED:	[illegible] STALLS

PROPOSED: [illegible] STALLS

OPEN SPACE SQUARE FOOTAGE: [illegible] S.F.

PROPOSED DENSITY: [illegible] DU/AC.

CUBIC FOOTAGE OF STORAGE AREA: [illegible] CU. FT.
(SEE BASEMENT PLAN FOR LOCATIONS)

AVERAGE DAILY AUTOMOBILE TRIPS: [illegible] ADT.

DESCRIPTION OF WORK:

THE BELVEDERE IS AN URBAN-SCALE MIXED USE RESIDENTIAL, COMMERCIAL, WORK/LIVE LOFT PROJECT WITH RETAIL SPACE ON THE STREET LEVEL. THE PROJECT WILL CONSIST OF [illegible] LUXURY CONDOMINIUMS AND [illegible] WORK/LIVE LOFTS ON THE BLOCK BOUNDED BY CLEMENTINE, MISSION, SEAGAZE AND HORNE IN THE 'D' DOWNTOWN DISTRICT OF THE REDEVELOPMENT AREA.

PLANNING CONSULTANT:
BETTY GRAFF
[illegible] SEA MOSE ROAD
OCEANSIDE, CALIFORNIA [illegible]
PHONE: ([illegible]) [illegible]

STRUCTURAL:
MARTIN & ASSOCIATES
JOHN MARTIN
[illegible] S. FLOWER STREET
LOS ANGELES, CALIFORNIA [illegible]
PHONE: ([illegible]) [illegible]
FAX: ([illegible]) [illegible]

ARCHITECTURAL CONSULTANT:
EPA ARCHITECTURE PLANNING INTERIORS
[illegible] EASTGATE MALL
SUITE [illegible]
SAN DIEGO, CALIFORNIA [illegible]
PHONE: ([illegible]) [illegible]

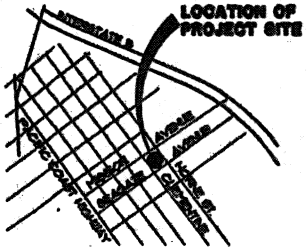
TRAFFIC:
LINSCOTT LAW & GREENSPAN ENGINEERS
DOUG TALBOTT
[illegible] HOTEL CIRCLE SOUTH, SUITE [illegible]
SAN DIEGO, CALIFORNIA [illegible]
PHONE: ([illegible]) [illegible]
FAX: ([illegible]) [illegible]

SHEET SCHEDULE:

A-1 COVER SHEET
A-2 DEVELOPMENT SITE PLAN
C-1 CIVIL TITLE SHEET
C-2 TENTATIVE MAP
C-3 GRADING PLAN
C-4 UTILITY PLAN
C-5 PRELIMINARY STORM WATER PLAN
C-6 AERIAL MAP OF EXISTING TOPOGRAPHY
L-1 LANDSCAPE CONCEPT PLAN
A-3 SUBTERRANEAN PARKING (LEVEL -2)
A-4 CLEMENTINE STREET (LEVEL -1)
A-5 MISSION RETAIL LEVEL (LEVEL 0)
A-6 HORNE STREET (LEVEL 1)
A-7 THIRD FLOOR PLAN (LEVEL 2)
A-8 LOFT FLOOR PLAN (LEVEL 2½)
A-9 FOURTH FLOOR PLAN (LEVEL 3)
A-10 FIFTH FLOOR PLAN (LEVEL 4)
A-11 SIXTH FLOOR PLAN (LEVEL 5)
A-12 TYPICAL CONDOMINIUM UNIT PLANS
A-13 ROOF PLAN
A-14 NORTH EXTERIOR ELEVATION
A-15 EAST EXTERIOR ELEVATION
A-16 SOUTH EXTERIOR ELEVATION
A-17 WEST EXTERIOR ELEVATION
A-18 BUILDING SECTION A
A-19 BUILDING SECTION B
A-20 BUILDING SECTION C

LOCATION MAP:

CITY OF OCEANSIDE



A.P.N.

[illegible]

PROJECT ADDRESS:

901 MISSION AVENUE
OCEANSIDE, CA [illegible]

APPLICATIONS REQUIRED:

ZONING AMENDMENT	ZA-[illegible]
TENTATIVE MAP	T-[illegible]
DEVELOPMENT PLAN	D-[illegible]
CONDITIONAL USE PERMITS	C-[illegible], C-[illegible]
VARIATION	V-[illegible]

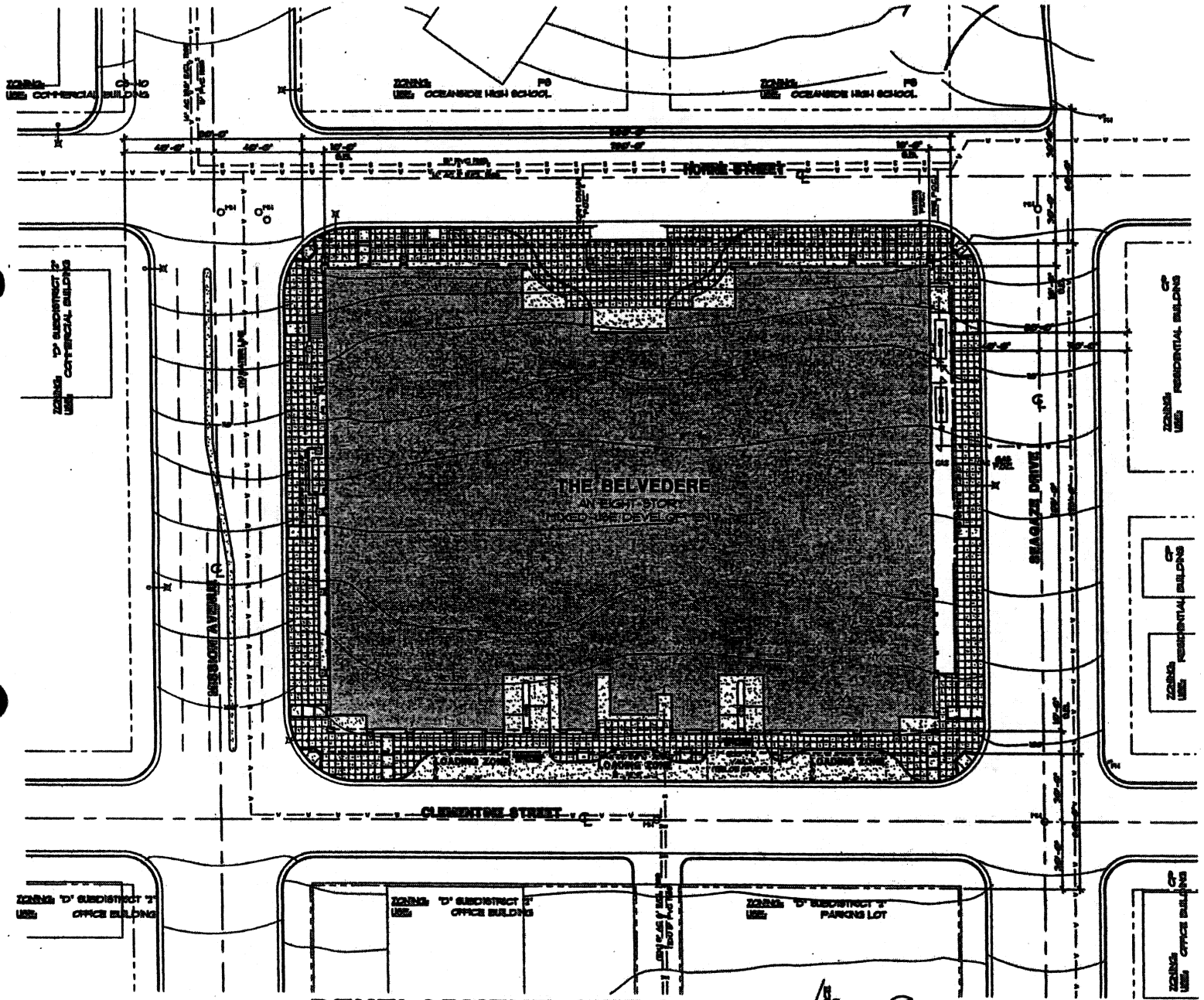
OWNER:
PACIFIC CREST INVESTMENTS, LLC.
[illegible] TRIBUNE BLVD.
TRIBUNE, CALIFORNIA [illegible]
PHONE: ([illegible]) [illegible]
FAX: ([illegible]) [illegible]

ARCHITECT:
KENNETH L. CARSON, ARCHITECT
TIMOTHY BRENNAN, PROJECT MANAGER
P.O. BOX [illegible]
OCEANSIDE, CALIFORNIA [illegible]
PHONE: ([illegible]) [illegible]
FAX: ([illegible]) [illegible]

[illegible]
[illegible]

1 of 21
[illegible]

1 BELVEDERE - 901 MISSIC



LEGEND:

- SEWER LINE
- WATER LINE
- GAS LINE
- EX. LIGHT POLE
- EX. FIRE HYDRANT
- EXISTING GRADE

DEVELOPMENT SITE PLAN

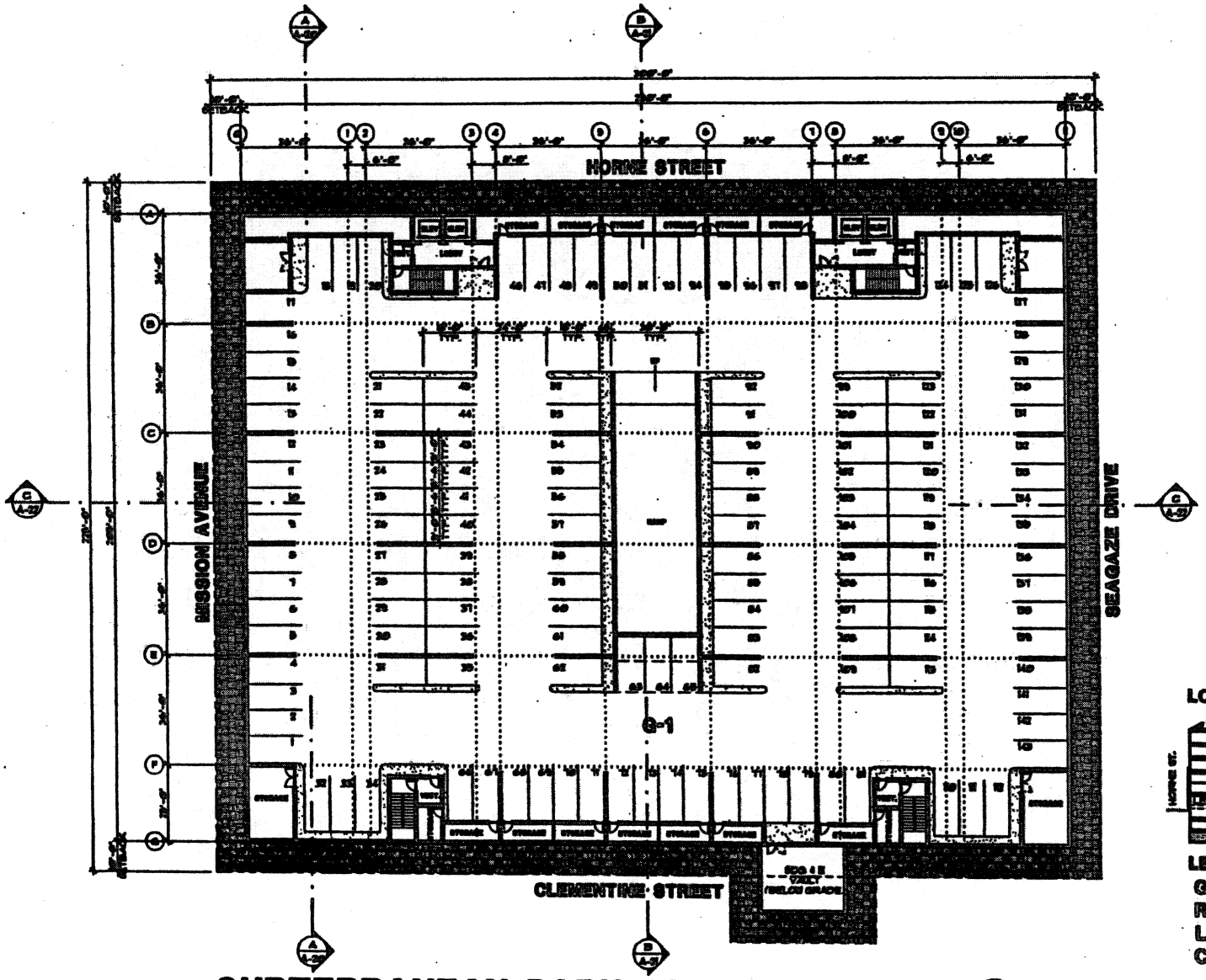
SCALE: 1" = 20'-0"

REFERENCE NORTH

THE BELVEDERE - 901 MISSI

A-2

2 OF 21

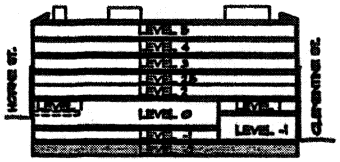


SUBTERRANEAN PARKING - LEVEL -2

SCALE : 1/16" = 1'-0"

143 PARKING STALLS
2,300 SQFT. STORAGE
230 SQFT. COMMON/ACCESS
30/40-4 SQFT. PARKING

LOCATION KEY :

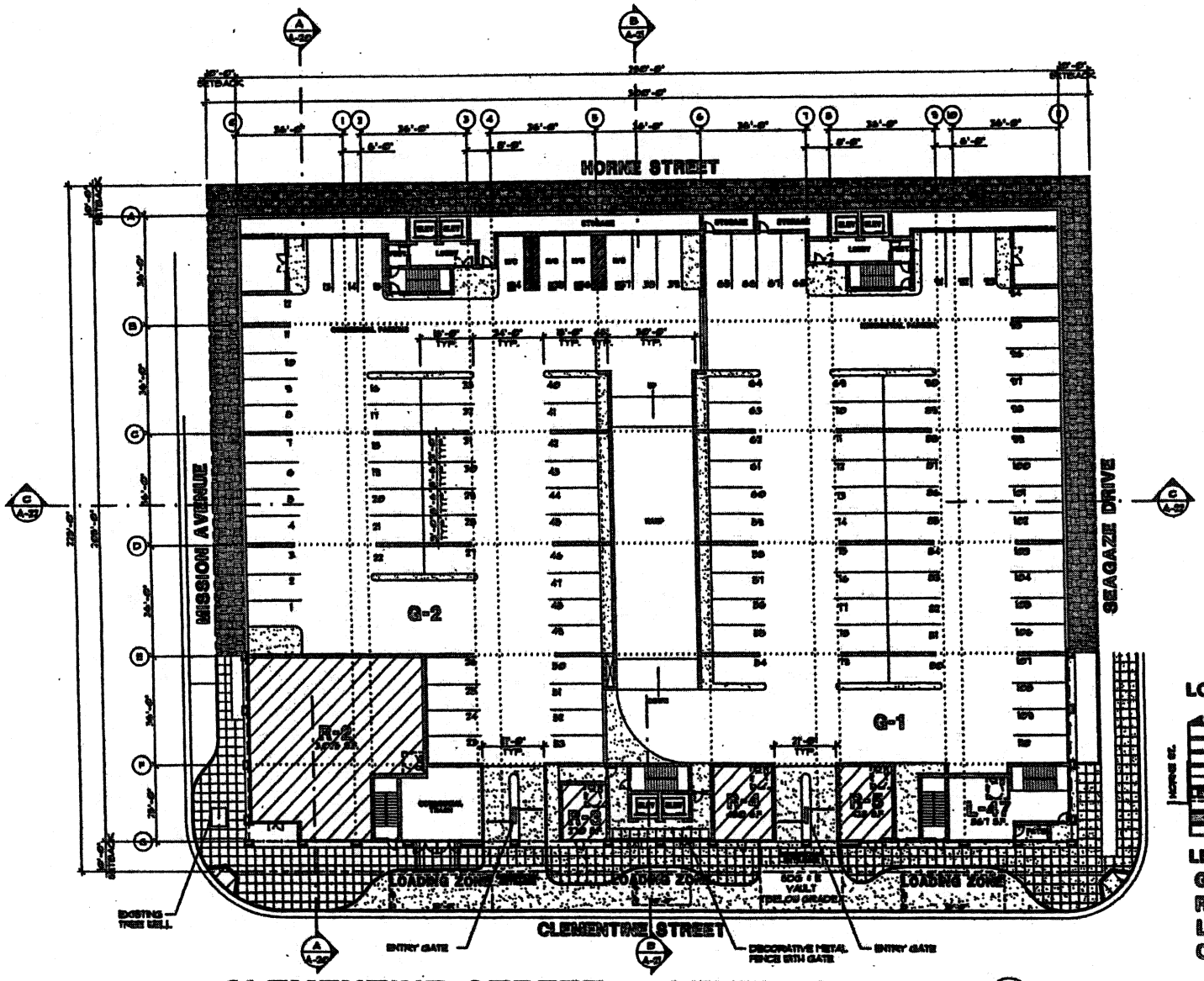


LEGEND:

G GARAGE
R RETAIL
L SOHO/LIVE LOFT
C COMMERCIAL

1 BELVEDERE - 901 MISSIO

A-3

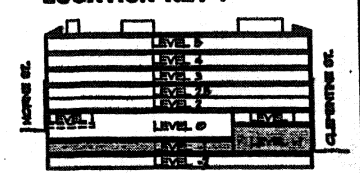


CLEMENTINE STREET - LEVEL -1

SCALE : 1/16" = 1'-0"

50 PARKING STALLS (INCLUDES 4 HANDICAP STALLS)
4203 SQFT. RETAIL
784 SQFT. STORAGE
48,472 SQFT. PARKING
861 SQFT. WORK/LIVE

LOCATION KEY :



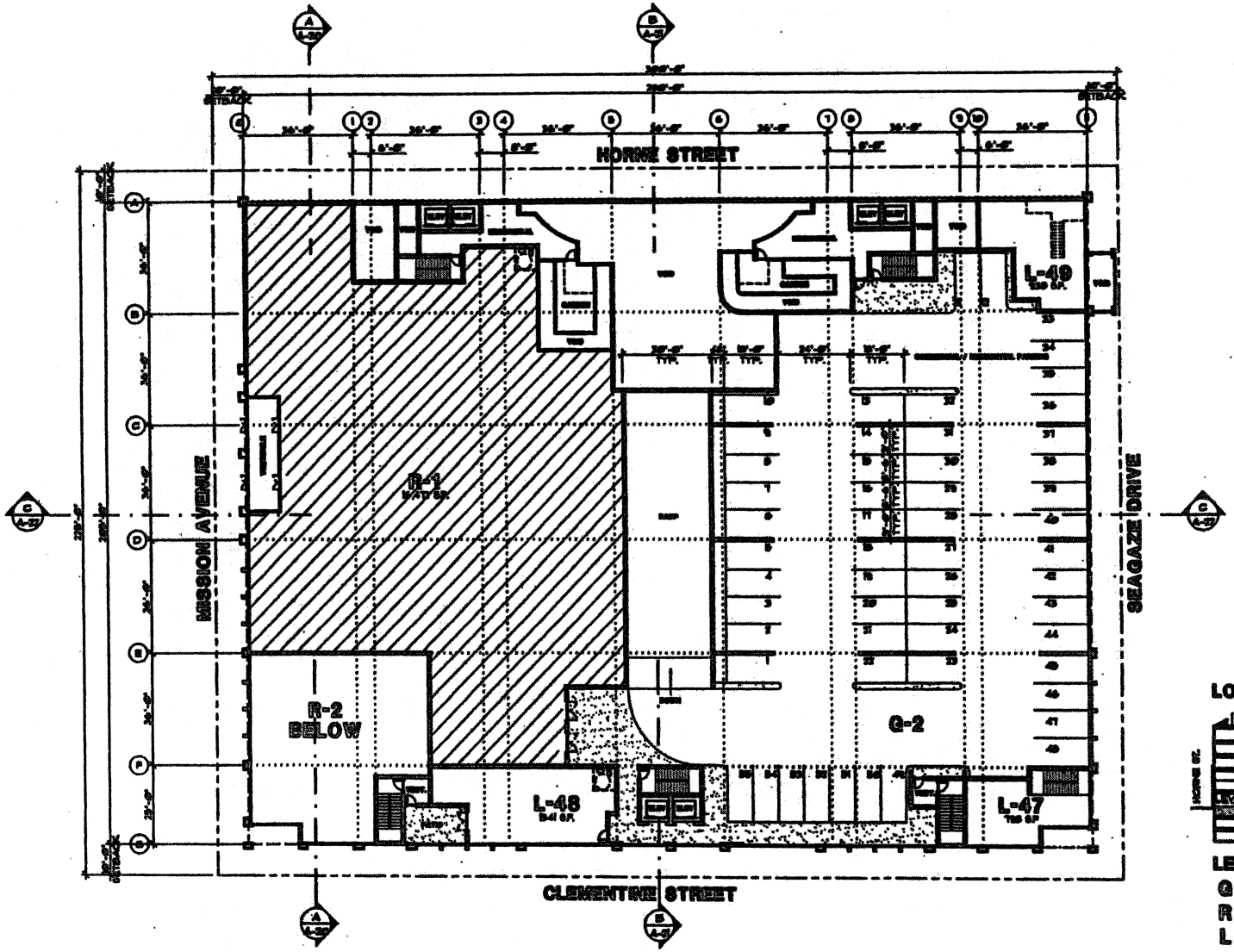
LEGEND:

- G GARAGE
- R RETAIL
- L WORK/LIVE LOFT
- C COMMERCIAL

THE BELVEDERE - 901 MISS. N

A-4

11 OF 21
03-5458

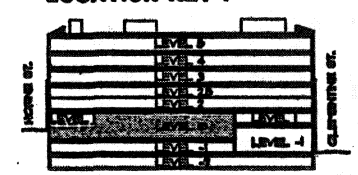


MISSION RETAIL - LEVEL 0

SCALE : 1/16" = 1'-0"

50 PARKING STALLS
24,842 SQFT. PARKING
16,412 SQFT. RETAIL
3,271 SQFT. WORK/LIVE LOFT

LOCATION KEY :

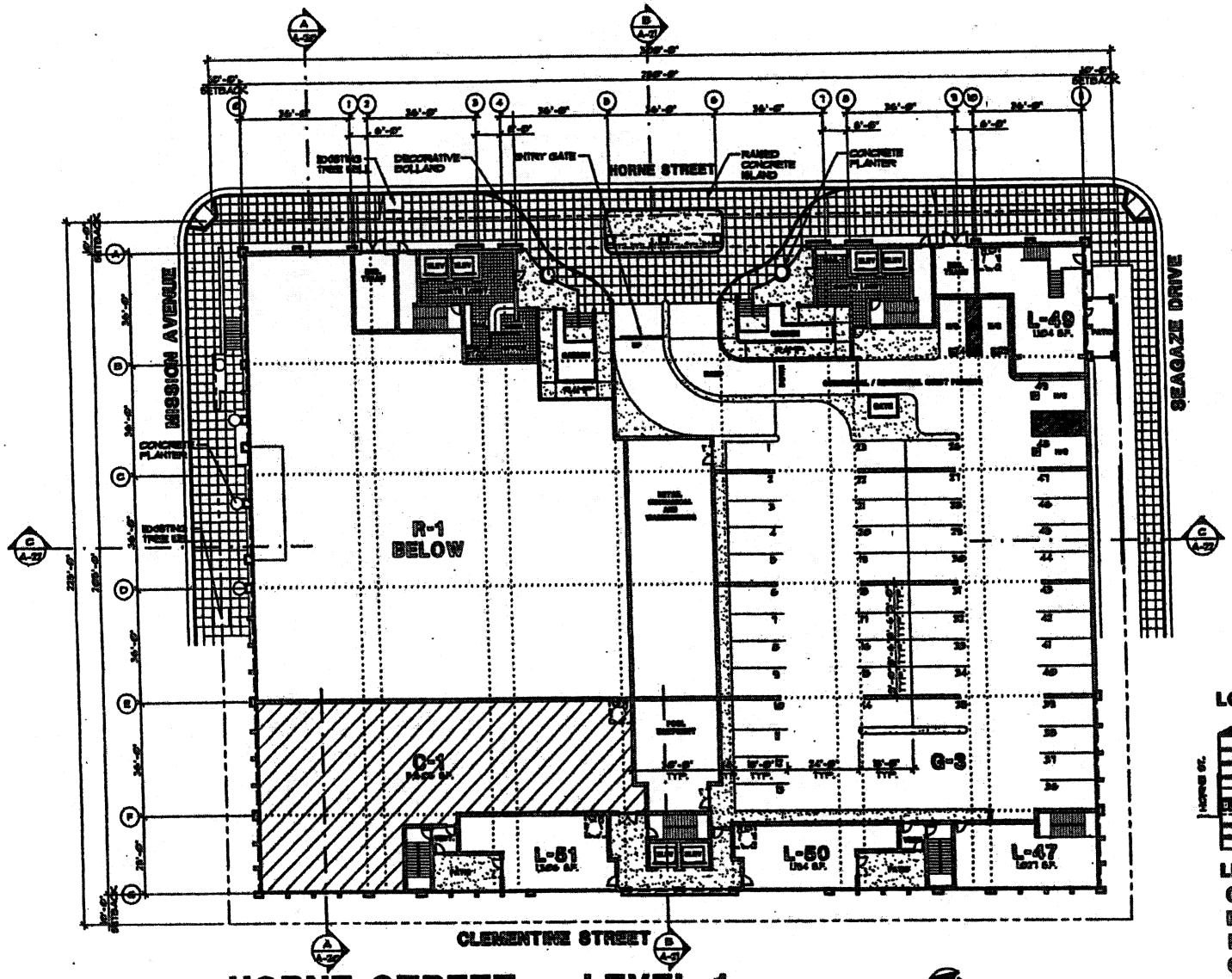


LEGEND:

- G GARAGE
- R RETAIL
- L WORK/LIVE LOFT
- C COMMERCIAL

BELVEDERE - 901 MISSIC

A-5

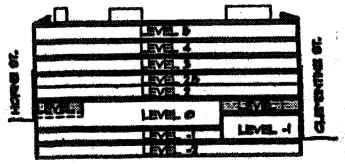


HORNE STREET - LEVEL 1

SCALE : 1/16" = 1'-0"

48 PARKING STALLS (INCLUDES 4 HANDICAP STALLS)
18,269 SQFT. PARKING
5,605 SQFT. COMMERCIAL LEASE SPACE
4,631 SQFT. EORK/LIVE LOFT

LOCATION KEY :



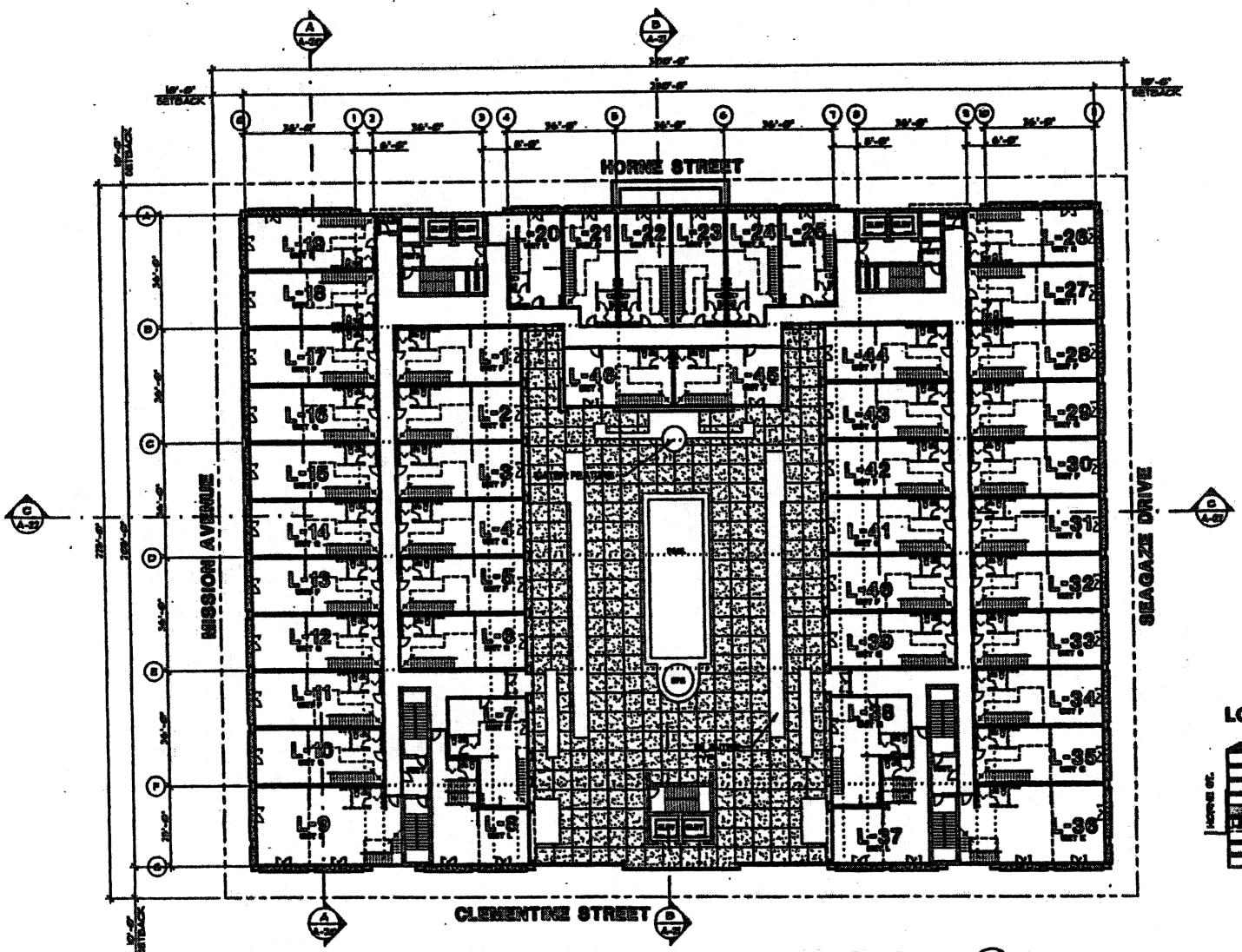
LEGEND:

- G GARAGE
- R RETAIL
- L EORK/LIVE LOFT
- C COMMERCIAL

THE BELVEDERE - 901 MISSI

A-6

13 OF 21

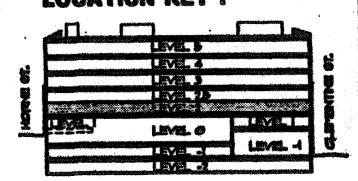


WORK/LIVE FLOOR PLAN - LEVEL 2

SCALE : 1/16" = 1'-0"

(14) TYPE F	1,318 SQ.FT.
(14) TYPE G	1,294 SQ.FT.
(2) TYPE H	1,326 SQ.FT.
(2) TYPE I	1,314 SQ.FT.
(2) TYPE J	1,332 SQ.FT.
(2) TYPE K	1,300 SQ.FT.
(2) TYPE L	1,313 SQ.FT.
(2) TYPE M	1,309 SQ.FT.
(2) TYPE N	1,021 SQ.FT.
(2) TYPE O	1,033 SQ.FT.
(2) TYPE P	1,058 SQ.FT.
COMMON AREA (PODIUM ONLY)	14,836 SQ.FT.

LOCATION KEY :

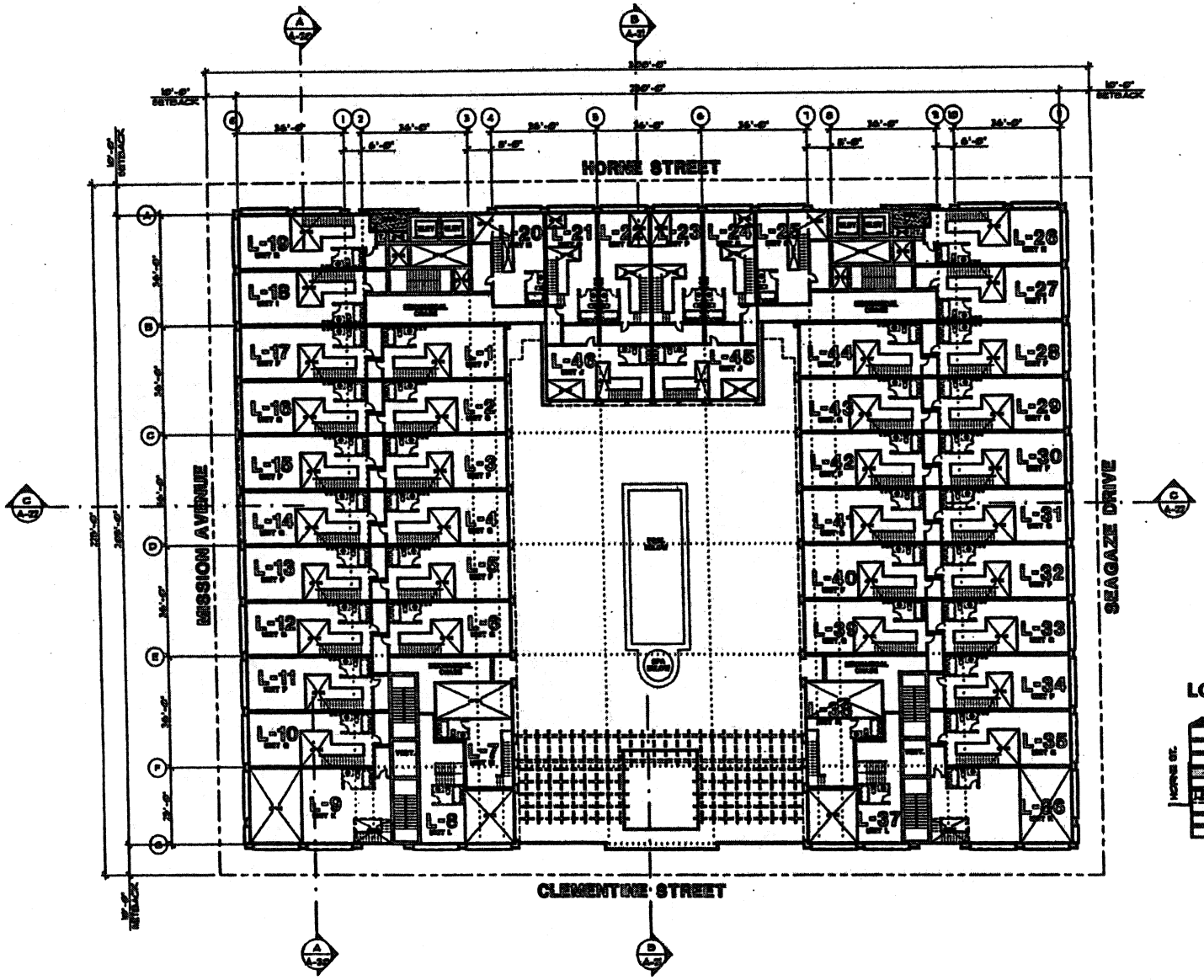


THE BELVEDERE - 901 MISSIO

A-7

14 OF 21

03-5455

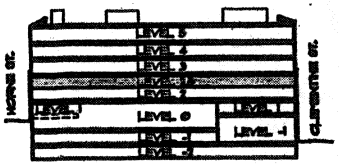


LOFT PLAN - LEVEL 2.5

SCALE: 1/8" = 1'-0"

WORK/LIVE LOFTS (SECOND LEVEL OF THE 46 UNITS ON THE THIRD FLOOR)

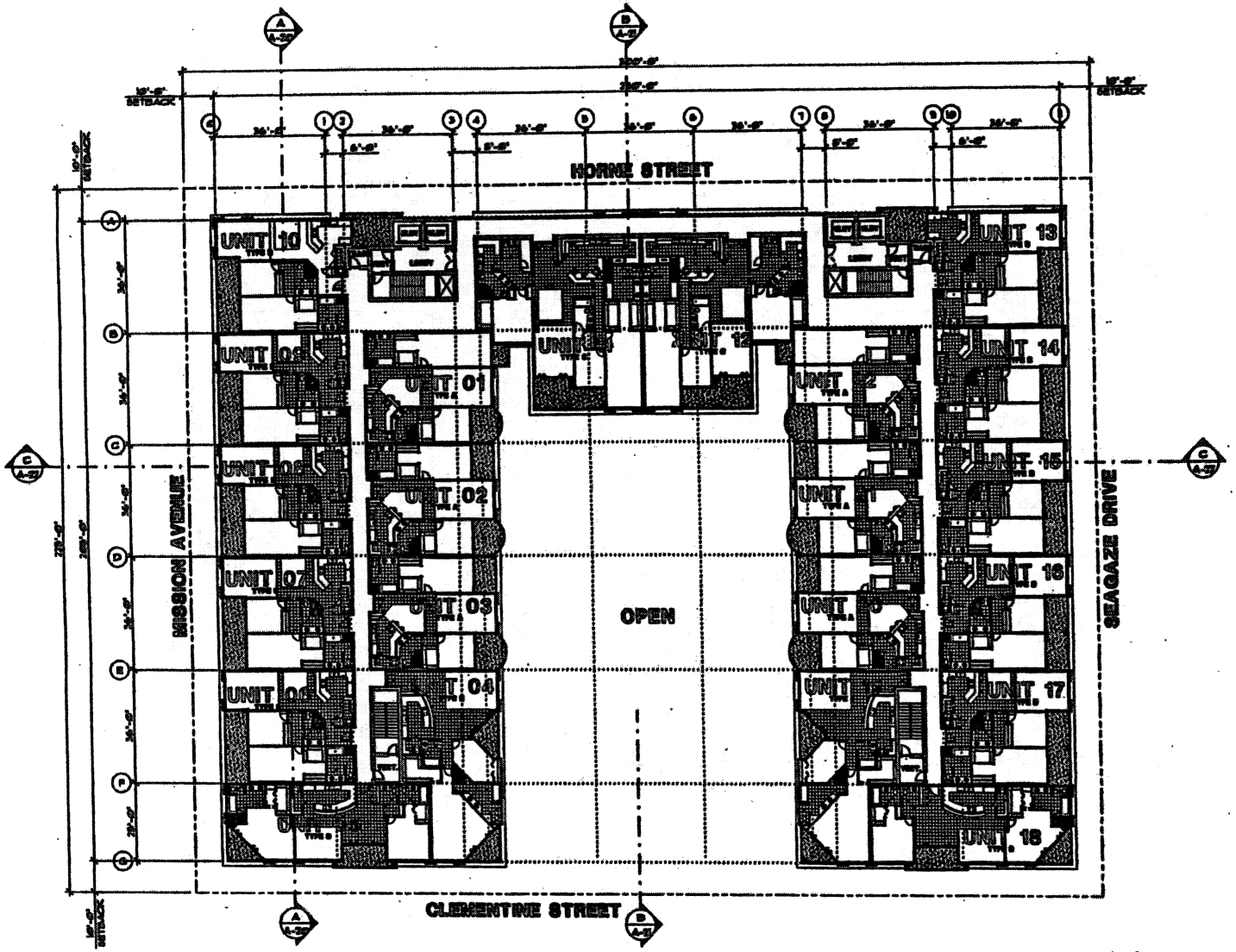
LOCATION KEY :



THE BELVEDERE - 901 MISS

A-8

8 OF 21



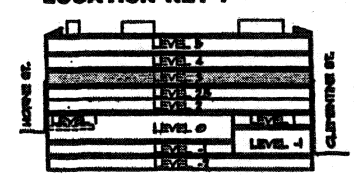
FOURTH FLOOR PLAN - LEVEL 3

SCALE : 1/16" = 1'-0"

CONDOMINIUMS (22 UNITS)

(6) TYPE A	1,210 SQ.FT.
(10) TYPE B	1,281 SQ.FT.
(2) TYPE C	2,259 SQ.FT.
(2) TYPE D	1,436 SQ.FT.
(2) TYPE E	1,383 SQ.FT.

LOCATION KEY :



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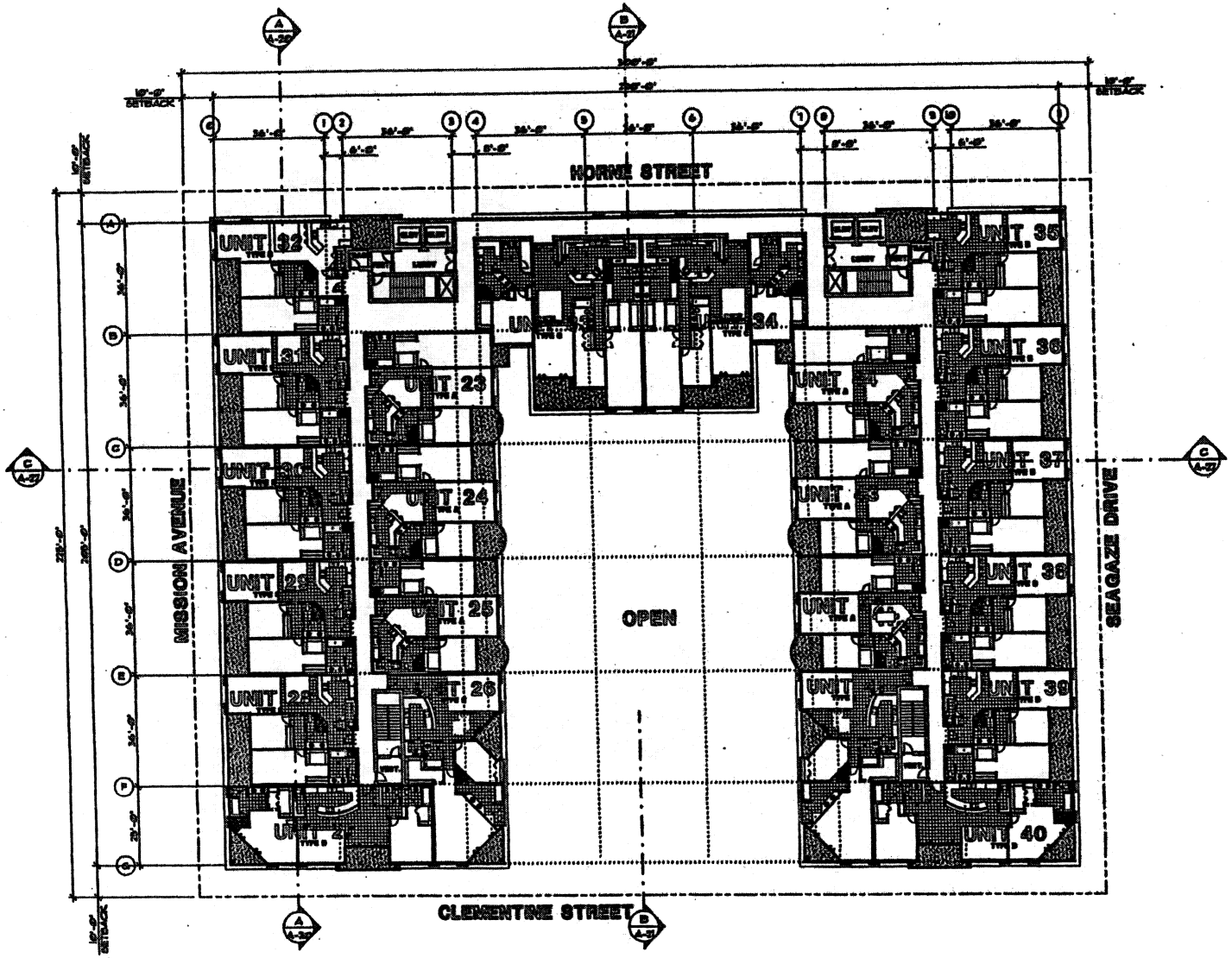


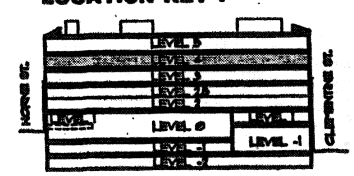
FIFTH FLOOR PLAN - LEVEL 4

SCALE: 1/16" = 1'-0"

CONDOMINIUMS (22 UNITS)

(6) TYPE A	1,210 SQ.FT.
(10) TYPE B	1,281 SQ.FT.
(2) TYPE C	2,259 SQ.FT.
(2) TYPE D	1,436 SQ.FT.
(2) TYPE E	1,383 SQ.FT.

LOCATION KEY :



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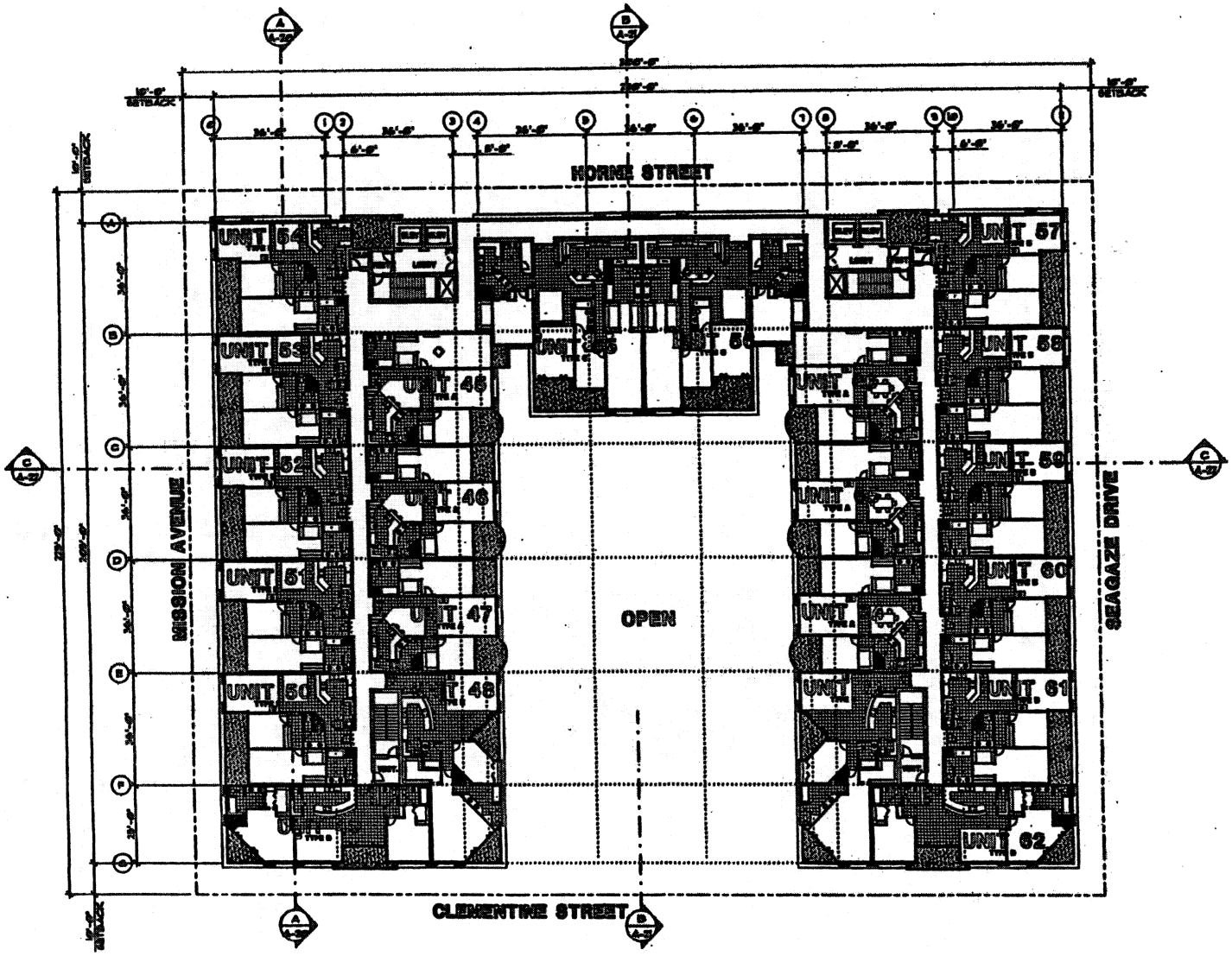


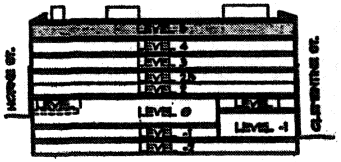
SIXTH FLOOR PLAN - LEVEL 5

SCALE : 1/16" = 1'-0"

CONDOMINIUMS (22 UNITS)

(6) TYPE A	1710 SQ.FT.
(10) TYPE B	1281 SQ.FT.
(2) TYPE C	2,218 SQ.FT.
(2) TYPE D	1,456 SQ.FT.
(2) TYPE E	1,863 SQ.FT.

LOCATION KEY :



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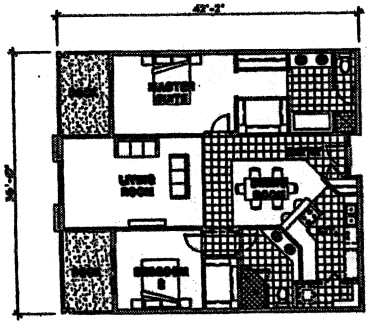
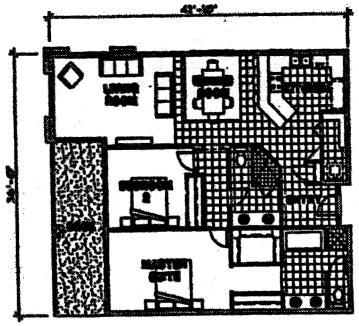
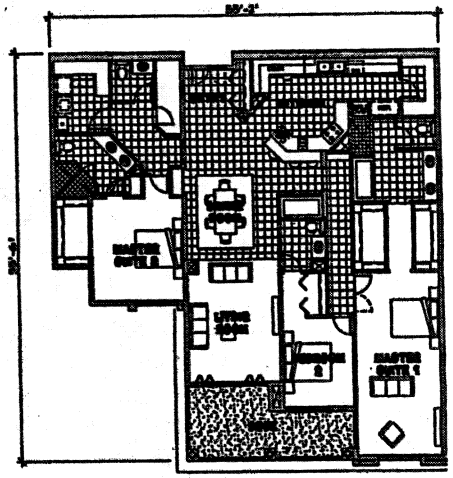


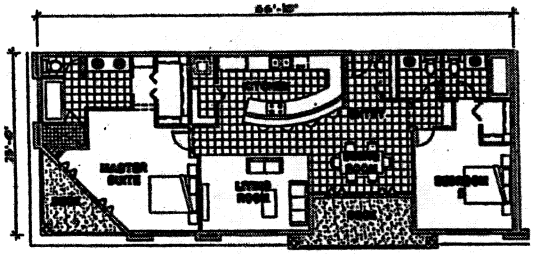
TYPE A 1219 SQ. FT.
DECKS 164 SQ. FT.



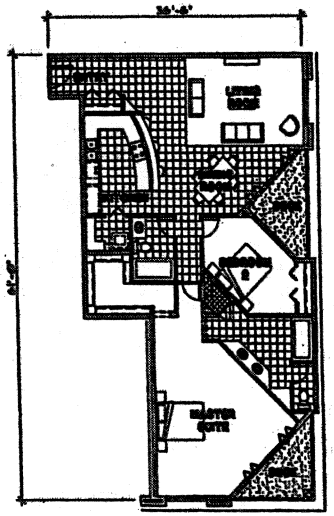
TYPE B 1281 SQ. FT.
DECK 114 SQ. FT.



TYPE C 2219 SQ. FT.
DECK 119 SQ. FT.



TYPE D 1436 SQ. FT.
DECKS 184 SQ. FT.



TYPE E 1383 SQ. FT.
DECKS 147 SQ. FT.

TYPICAL CONDOMINIUM UNIT FLOOR PLANS

SCALE: 1/8" = 1'-0"

UNIT TYPE TOTAL:

UNIT A:	FOURTH FLOOR	6
	FIFTH FLOOR	6
	SIXTH FLOOR	6
	TOTAL:	18
UNIT B:	FOURTH FLOOR	10
	FIFTH FLOOR	10
	SIXTH FLOOR	10
	TOTAL:	30
UNIT C:	FOURTH FLOOR	2
	FIFTH FLOOR	2
	SIXTH FLOOR	2
	TOTAL:	6
UNIT D:	FOURTH FLOOR	2
	FIFTH FLOOR	2
	SIXTH FLOOR	2
	TOTAL:	6
UNIT E:	FOURTH FLOOR	2
	FIFTH FLOOR	2
	SIXTH FLOOR	2
	TOTAL:	6

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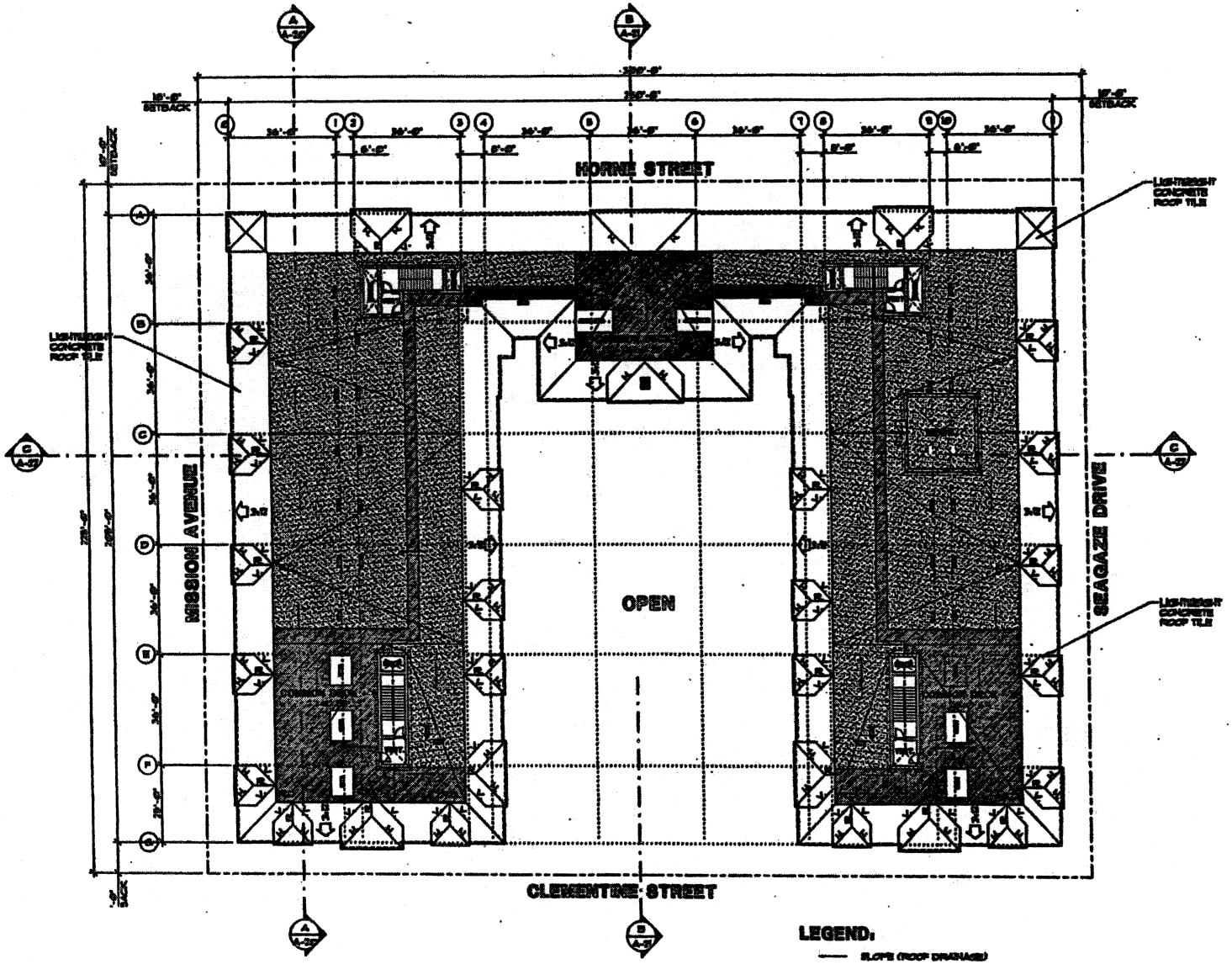

ROOF PLAN

SCALE: 1/16" = 1'-0"

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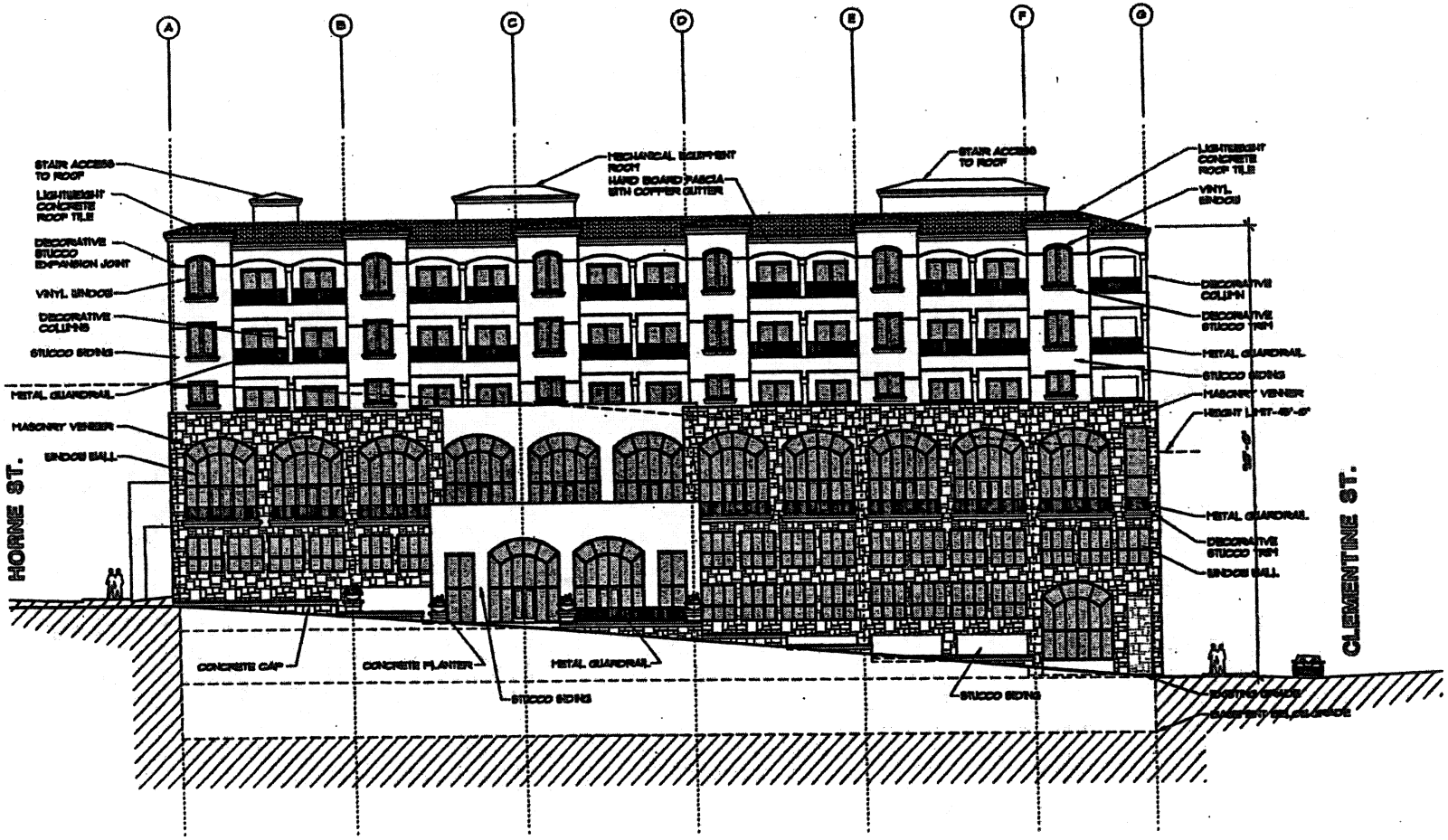

NORTH ELEVATION (MISSION AVENUE)

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

FIVE FLOORS OVER TWO LEVELS OF BASEMENT

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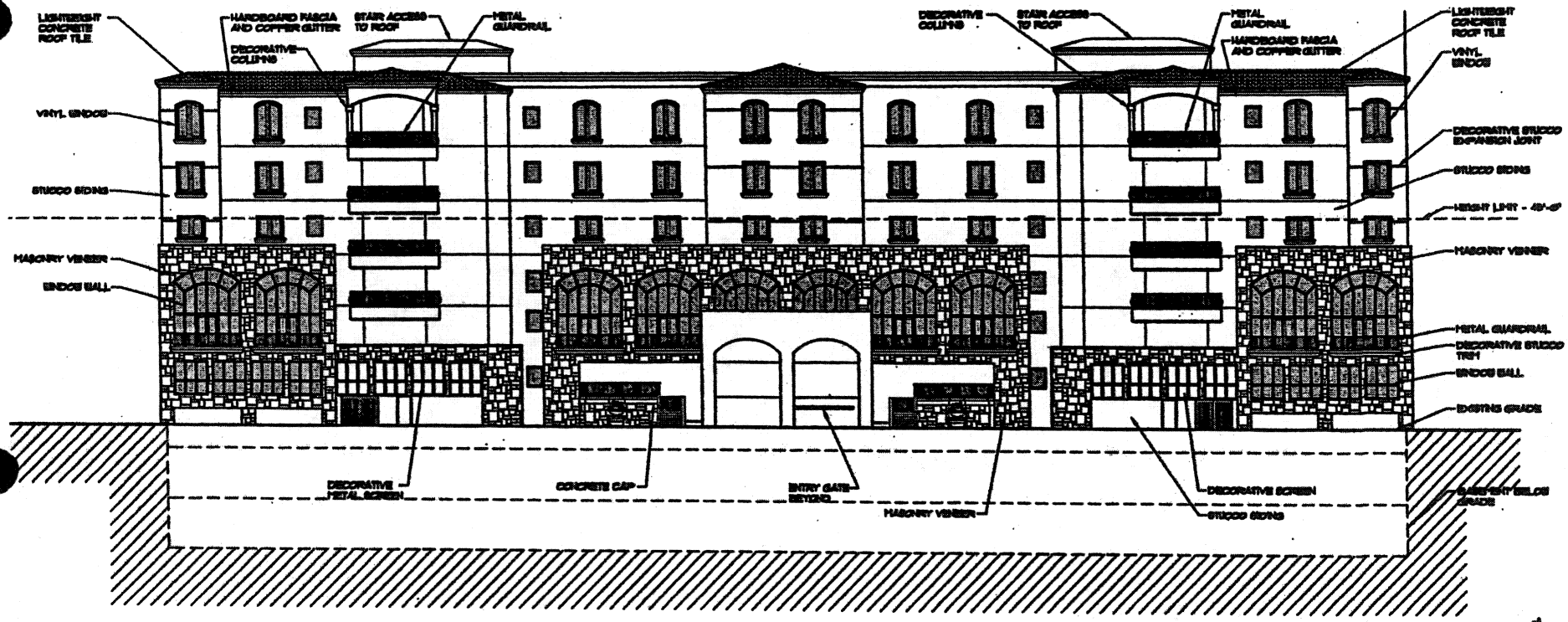

EAST ELEVATION (HORNE STREET)

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

FIVE FLOORS OVER TWO LEVELS OF BASEMENT

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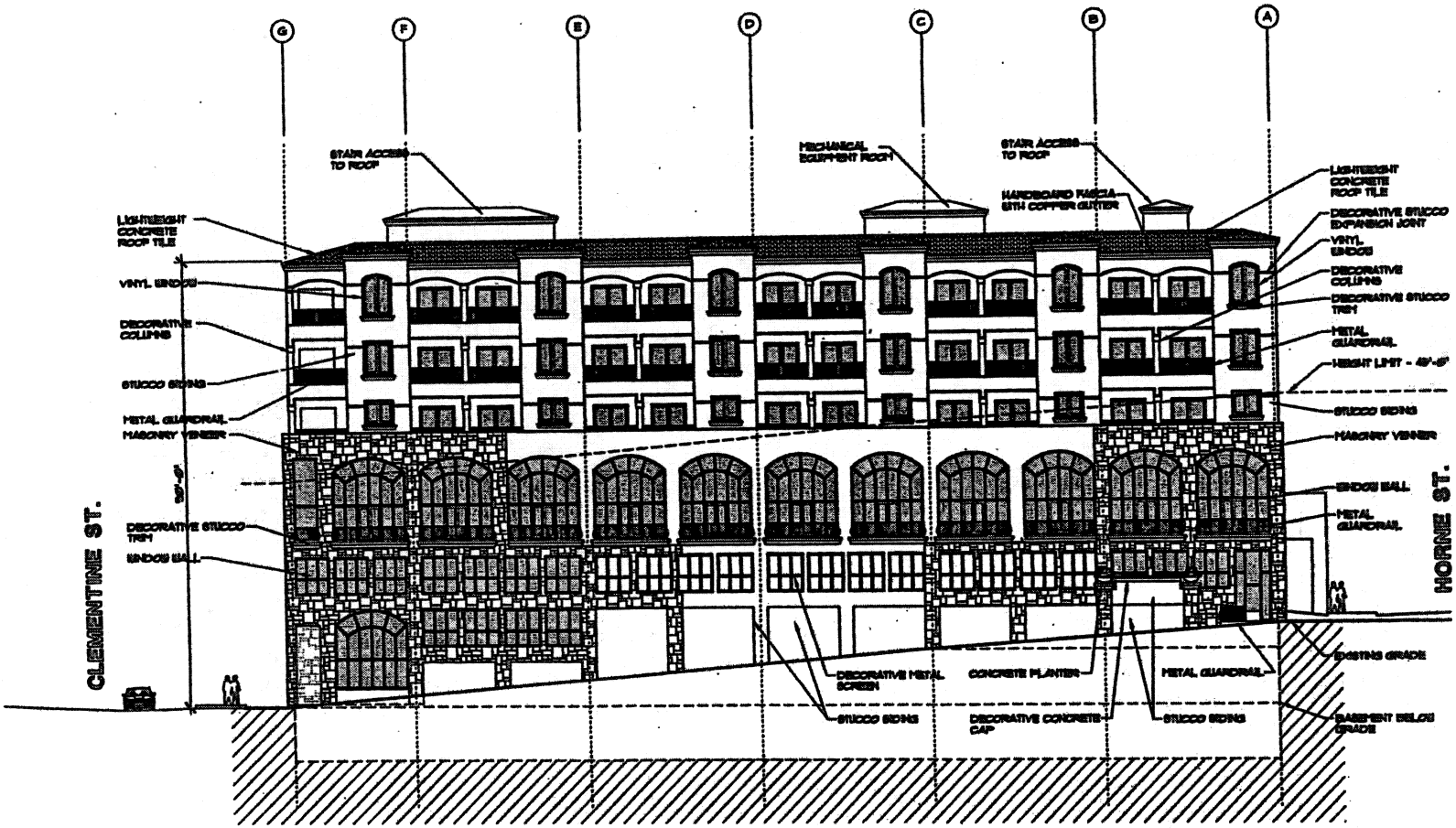

SOUTH ELEVATION (SEAGAZE DRIVE)

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

FIVE FLOORS OVER TWO LEVELS OF BASEMENT

HE BELVEDERE - 901 MISS N

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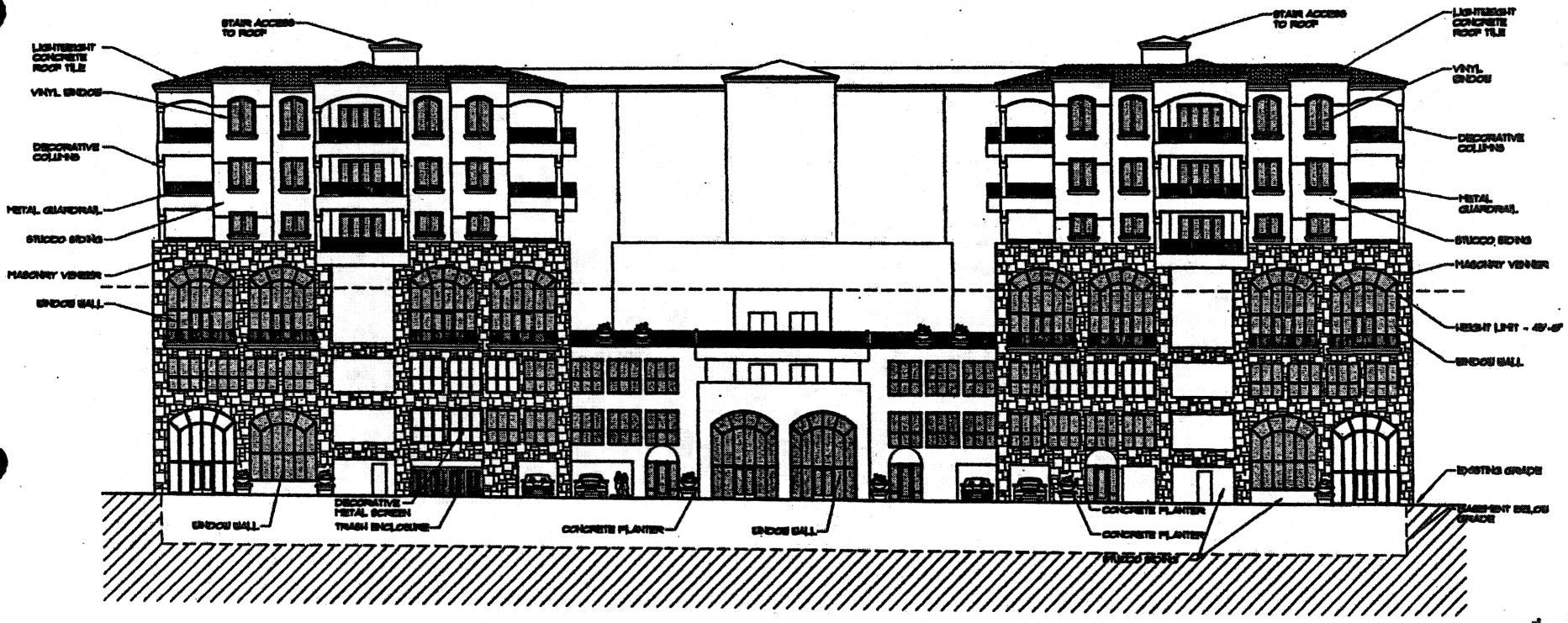

WEST ELEVATION (CLEMENTINE STREET)

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

FIVE FLOORS OVER TWO LEVELS OF BASEMENT

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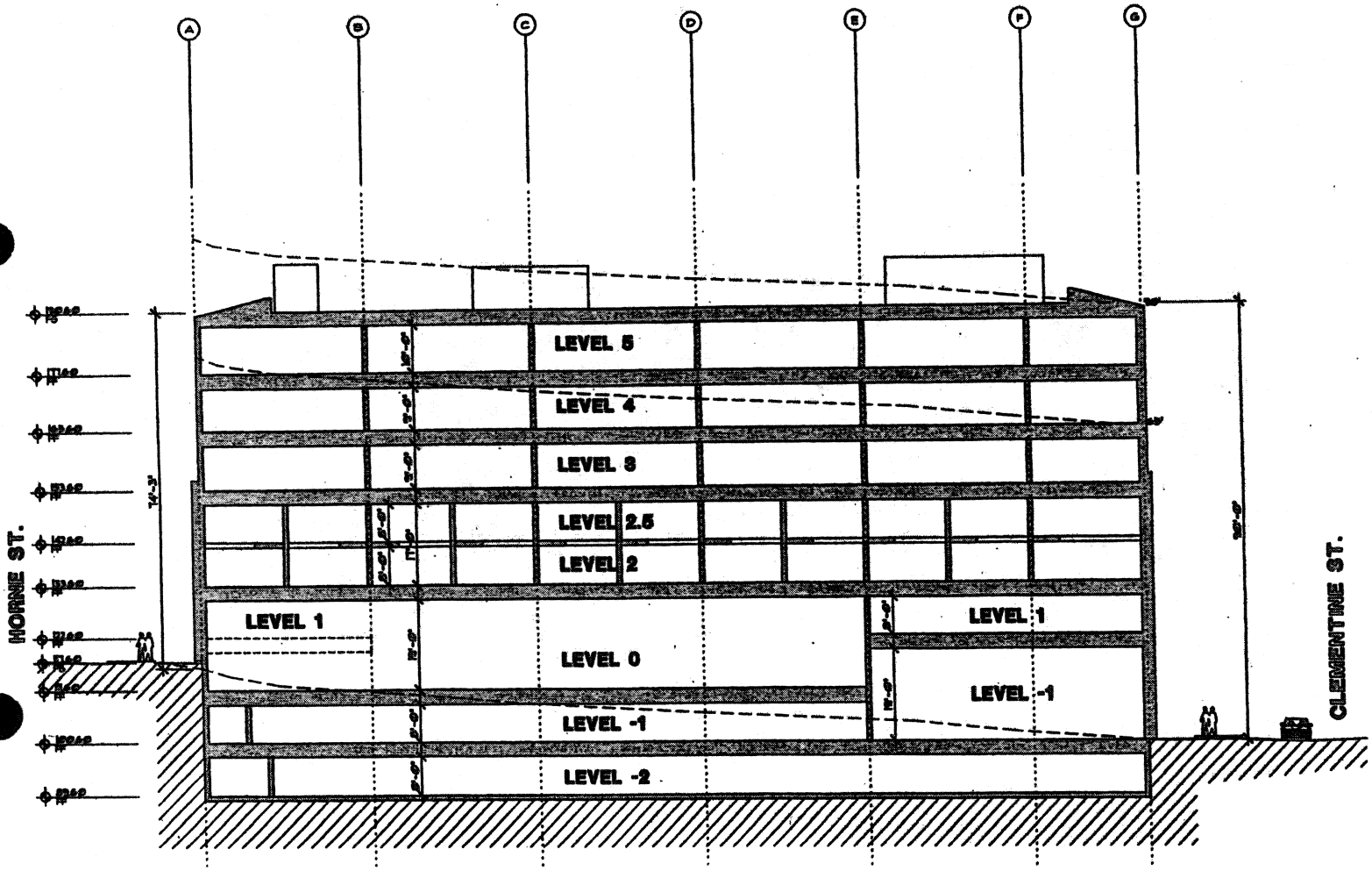

BUILDING SECTION - A

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

FIVE FLOORS OVER TWO LEVELS OF BASEMENT

CONSTRUCTION OUTLINE:

CONSTRUCTION: CONSTRUCTION TO BE TYPE I CONSTRUCTION WITH FIRE SPRINKLERS.

BASEMENT FLOOR: THE FLOOR SHALL HAVE A CONCRETE SLAB THAT IS POURED IN PLACE.

OTHER FLOORS: THESE FLOORS SHALL BE A STEEL DECK WITH CAST-IN-PLACE CONCRETE.

EXTERIOR WALLS: THE EXTERIOR WALLS SHALL BE 2x6 STEEL FRAMING WITH STUCCO FINISH OVER EXPANDED METAL LATH OVER 60 LB. BUILDING PAPER AT THE EXTERIOR SIDE AND SMOOTH FINISH GYPSUM BOARD AT THE INTERIOR SIDE. THE INTERIOR SURFACE SHALL HAVE A SPRAY ON SMOOTH FINISH.

INTERIOR WALLS: THE INTERIOR NON-BEARING WALLS SHALL BE 4 STEEL FRAMING WITH GYPSUM BOARD COVERING AND A SPRAY ON SANDED SMOOTH FINISH. KITCHEN, BATHS AND OTHER WET AREAS SHALL HAVE WATER PROOF GYPSUM BOARD.

ROOF: ROOFING TO BE CLASS A BUILT-UP ROOFING.

ROOF DECKS AND BALCONIES: DECKS AND BALCONIES SHALL CONSIST OF WEATHERPROOF DECK SURFACE BY 'EXCEL-COATING' U.C.B.O. 94804 OR AN APPROVED EQUAL.

CEILING: THE CEILINGS SHALL BE GYPSUM BOARD ATTACHED TO STEEL FRAMING WITH A SPRAY ON SANDED SMOOTH FINISH WET AREAS SHALL HAVE WATER PROOF GYPSUM BOARD.

INSULATION: ALL 2x6 FRAMED EXTERIOR WALLS TO RECEIVE FIBERGLASS BATT INSULATION TO MEET TITLE 24 REGULATIONS. ALL INTERIOR WALLS RECEIVE FIBERGLASS BATT INSULATION.

DOORS: EXTERIOR COMMERCIAL ENTRANCE DOORS TO BE ALUMINUM WINDOW WALL SYSTEM WITH SOLID BRASS BUTTS EXTERIOR. OTHER EXTERIOR DOORS TO BE SOLID CORE METAL DOORS INTERIOR NON-RATED DOORS SHALL BE A RAITED PANEL FIBERGLASS.

GLASS AND GLAZING: ALL WINDOWS TO BE DUAL GLAZED ALUMINUM WINDOW WALL SYSTEM WITH FINISH. ALL WINDOWS TO BE TINTED.

PAINTING: ALL EXTERIOR SURFACES NOT PER MANUFACTURED SHALL BE PROVIDED. INTERIOR SURFACES TO RECEIVE ONE COAT PAINT. ENAMEL PAINT SHALL BE USED IN ALL KITCHEN AND BATH AREAS. ALL SURFACES TO BE PAINTED IN THE BEST PRACTICE AND WITH QUALITY MATERIALS.

EXPOSED METAL: ALL METAL THAT IS EXPOSED TO THE EXTERIOR SHALL BE COPPER.

PLUMBING: ALL FIXTURES TO BE 'KOHLER' OR AN APPROVED EQUAL. ALL PLUMBING TO BE INSTALLED AS PER THE U.P.C. WATER HEATERS TO BE GAS-FIRED. ALL PLUMBING SHALL BE PER THE UNIFORM PLUMBING CODE.

MECHANICAL: INSTALL A CENTRAL FORCED AIR HEATING AND COOLING SYSTEMS. HEAT TO BE GAS-FIRED. ALL WORK SHALL BE PER THE UNIFORM MECHANICAL CODE.

ELECTRICAL: ALL ELECTRICAL WORK TO BE PER THE NATIONAL ELECTRIC CODE. PREWIRE FOR CABLE T.V., SECURITY SYSTEM, AUDIO SYSTEM, TELEPHONE, AND COMPUTER WITH INTERNET SYSTEM.

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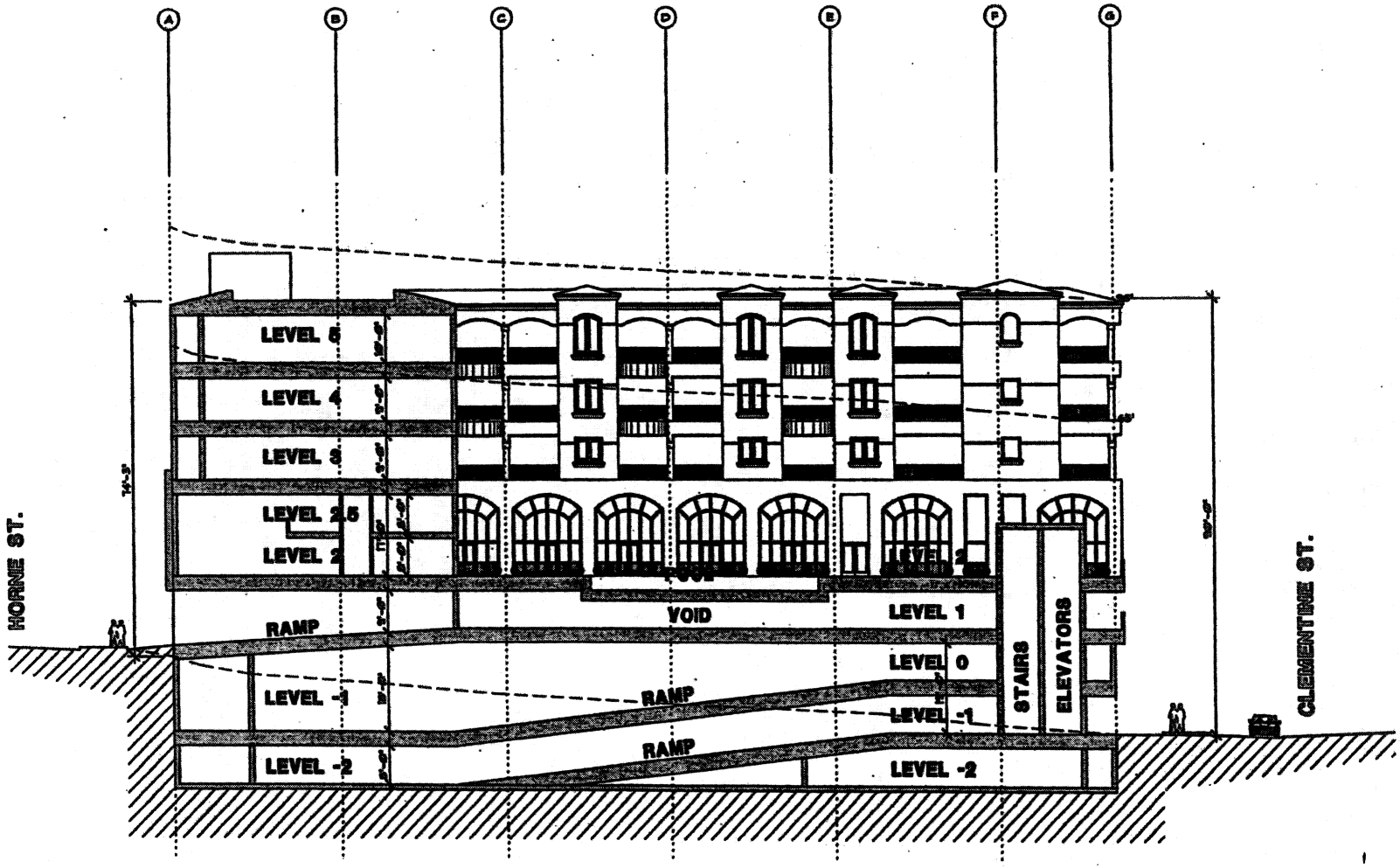

BUILDING SECTION - B

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

FIVE FLOORS OVER TWO LEVELS OF BASEMENT

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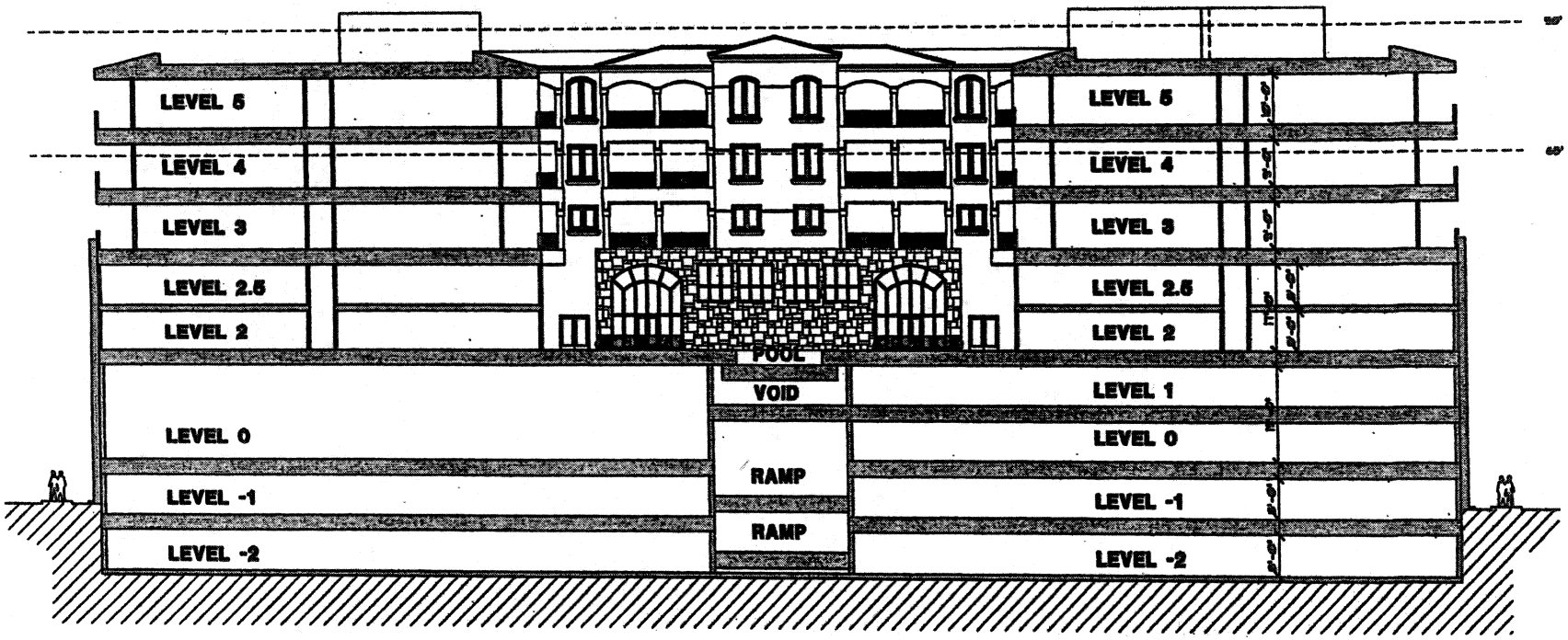

BUILDING SECTION - C

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

FIVE FLOORS OVER TWO LEVELS OF BASEMENT

THE BELVEDERE - 901 MISSI

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