ITEM NO. 23

STAFF REPORT

CITY OF OCEANSIDE

DATE: October 17, 2012

TO: Chairman and Members of the Community Development Commission

FROM: City Manager Office

SUBJECT: **RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION (MND) AND APPROVING DEVELOPMENT PLAN (RD12-00001) AND CONDITIONAL USE PERMITS (RCUP12-00001, RCUP12-00008 AND RCUP12-00009) FOR A MIXED-USE COMMERCIAL DEVELOPMENT CONSISTING OF 124-UNIT HOTEL, 90 WORK/LIVE LOFTS AND APPROXIMATELY 8,357 SQUARE FEET OF RETAIL/OFFICE SPACE LOCATED ON ONE CITY BLOCK BOUNDED BY MISSION AVENUE ON THE NORTH, SEAGAZE DRIVE ON THE SOUTH, HORNE STREET ON THE EAST AND CLEMENTINE STREET ON THE WEST – BELVEDERE – APPLICANT: AMIDI GROUP**

SYNOPSIS

Staff recommends that the Commission adopt a resolution adopting a Mitigated Negative Declaration (MND) and approving a Development Plan and Conditional Use Permits for a mixed-use commercial development consisting of 124-unit hotel, 90 work/live lofts and approximately 8,357 square feet of office/retail space located on one city block bounded by Mission Avenue on the north, Seagaze Drive on the south, Horne Street on the east and Clementine Street on the west.

BACKGROUND

On February 23, 2005, the Community Development Commission adopted Resolution No. 05-R0139-3 approving a mixed-use development consisting of 65 residential condominium units, 52 work/live loft units and 26,280 square feet of commercial use at the subject site. The City Council also approved Ordinance No. 05-OR142-1 approving 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 March 16, 2005, the City Council approved the second reading of the zone text change.

On April 20, 2005, the City Council adopted Resolution No. 05-R0356-1 ordering the vacation of a public street right-of-way for the alley located between Mission Avenue and Seagaze Drive.

On February 14, 2007, the Community Development Commission adopted Resolution No. 07-R0048-3 approving a 2-year Time Extension.

On June 6, 2007, the Community Development Commission approved a Waiver and Release of Restrictive Covenants from a portion of the Belvedere site.

On July 11, 2007, the City Council adopted Resolution No. 07-R0392-1 approving the final map for the Belvedere project.

On April 16, 2008, the Community Development Commission adopted Resolution No. 08-R0255-3 approving an amendment to the Development Plan. The amended Development Plan consisted of 65 residential condominium units, 8,000 square feet of retail/office space and 28 work/live lofts.

The subject site topography slopes down from east to west with 16-foot grade differential between the highest and lowest points of the site.

The subject site is situated along the Mission Avenue commercial corridor which consists of a mixture of commercial uses including retail, restaurants and offices. North of the site consists of commercial uses including the Mission Square shopping center. South of the subject site (Seagaze Avenue) the land uses transitions into Professional Commercial zone and ultimately into multifamily residential. Oceanside High School is located east of the subject site.

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. Office, retail sales and restaurants are allowed within Subdistrict 2 and the proposed two other uses, hotel and work/live, are allowed upon approval of a Use Permit(s).

Project Description: The project consists of a Development Plan and Conditional Use Permits. The project proposes a 7-story, 124-unit hotel, 90 work/live lofts and approximately 8,357 square feet of office/retail spaces situated on a 66,000-square-foot lot. The proposed retail has been reduced from previous approvals due to the applicant concerns over the high vacancy rate for the retail at the adjacent shopping center (Mission Avenue Shopping Center); therefore, the proposed retail will be specific to the needs of the hotel guests and/or work/live residences. The building make-up consists of two floors of underground parking, ground floor office/retail/restaurant, the next two floors are the hotel component and the final floors are the work/live lofts. Amenities include pool and spa, 4,500 square feet of meeting rooms, exercise room, four elevators and terraces (for use by both the hotel and work/live guests). In addition, the applicant is currently working with leasing tenant space to a ground floor sit-down restaurant with the provision of providing food for the terrace level via one of the elevators. The project proposes a two-level underground parking garage consisting of 388 parking spaces (includes 56 hotel valet parking spaces). The applicant also will provide a free shuttle service from the Oceanside Intermodal Transportation Center.

The work/live loft units will have minimum interior improvements to allow the greatest possible flexibility to the tenant. The 90 unit work/live lofts range in size from 606 to 1,564

square feet and have a parking space ratio of two (2) parking spaces per unit. These unimproved interiors will have stub-outs for electricity and plumbing, however, the potential renters of the units will be allowed to choose sizes and otherwise configure the working and living space to be best designed for each unique business and living situation. The project has been conditioned to provide for a Management Plan. The Management Plan in conjunction with the Business License Review process will ensure the integrity of the work/live loft unit activities by the following conditions/restrictions:

- Requiring a business license for each unit to be issued and then annually updated;
- Developing a process for an annual evaluation and review with the Oceanside Business License Department;
- Keeping an ongoing list available for the City's review of businesses in the building.

The proposed "U shaped" building design is a Contemporary Urban style with generous use of glass, terraces and decks. The proposed exterior materials are stucco and natural stone facing. The proposed colors are light grey and sea green glass with green sea foam accents.

The project proposes approximately 14,000 square feet (21 percent) landscaping and hardscape (pool and decking) The project proposes Chinese Flame and Chinese Pistache trees, shrubs include Kangaroo Paws and Dwarf Rosemary, and groundcover consists of several varieties of vines.

Vehicular access to the development will be provided from both Clementine Street and Seagaze Avenue, although the Seagaze access is only for the work/live lofts. Vehicular access on Clementine is limited to right-turn-in and right-turn out due to the Mission Avenue Improvement Plan which calls for Clementine to be one way northbound between Seagaze Drive and Mission Avenue. Pedestrian access will be provided from Clementine Street.

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 0 feet	 10 feet 10 feet 5 feet
LANDSCAPING	15%	21%
PARKING	Work/Live =180 spaces Hotel =149 spaces Retail = 33 spaces Total 362 spaces	388 spaces (includes 56 valet parking spaces for hotel)
FLOOR AREA RATIO	3.0 (Maximum)	2.3 FAR
BUILDING HEIGHT	90-feet	79-feet

Conditional Use Permit: Use permits are required for the additional building height, work/live and hotel uses.

Environmental Determination: A Mitigated Negative Declaration has been prepared for the project stating that if the conditions of approval are implemented, there will not be a significant adverse impact on the environment (see attached Mitigated Negative Declaration). Under the provisions of the California Environmental Quality Act, the Community Development Commission will consider the Mitigated Negative Declaration during its hearing on the project.

Sustainable Development: The project proposes to utilize the following materials to construct an environmentally sensitive project:

- LED lighting for the building;
- Hydro-scape low emitter's irrigation and Native California plant palette;
- Shuttle service will be provided from the Oceanside Intermodal Transit Center to reduce fuel consumption;
- Work/live component encourages people to work from their place of residence to conserve fuel;
- Minimum of R-19 insulation in walls utilized;
- Energy efficient space heaters and water heating;
- Energy efficient ducts and vents;
- Pool and spa shall be equipped with thermal efficiency system.

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 General Plan and Zoning Ordinance.

General Plan: Section 1.35 of the General Plan states that the City's objective is to promote the long-term viability and rejuvenation of the Downtown District consistent with the overall policies and improvements of the City. The proposed project is consistent with the objectives of the General Plan in that the project will promote the long term viability of downtown by providing visitor-serving commercial, retail and office uses.

Development Plan: Staff believes that the proposed project conforms to Section 1230 of the Downtown "D" District in that it meets all of the development standards. Staff's concern centered on the bulk and scale of the project and the architectural compatibility of the proposed design with the existing buildings located along the Mission Avenue commercial corridor. The height and scale of the proposed building coupled with the building "U shape" design is compatible with the existing buildings located within the Mission Avenue commercial corridor in that the second through the seventh floor are stepped back at the corners with the use of balconies and terraces 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 mixed-use Oceanside Terraces building located at Mission Avenue and Cleveland Streets and other projects approved in the downtown area.

Conditional Use Permits: Use permits are required to allow for the additional height, the work/live and the hotel uses.

Height: Within Subdistrict 2, buildings above 65 feet, up to 90 feet in height, are allowed upon approval of a Use Permit. The proposed building is 79 feet high (above existing grade), and therefore, is well below the 90-foot maximum building height. It should be noted that the "step backed" building coupled with the "U shaped" design reduces both the bulk and scale of the building.

Work/Live: The work/live use requires approval of a Use Permit. The Zoning Ordinance already recognizes the appropriateness of work/live lofts in Oceanside in accordance with Article 12 of the Zoning Ordinance. Under the commercial use classifications Live/work lofts are defined as "home base occupations such as engineers, architects, consultants, computer specialists, interior designers, lawyers and real estate professionals". The work/live lofts are an appropriate use for the Downtown Project Area in that it allows for the greatest flexibility in urban living.

Hotel Use: The hotel use also requires approval of a Use Permit. Staff believes that the proposed hotel use is consistent with both the work/live and office/retail uses. In addition, the project has been conditioned to provide a Management Plan to ensure compatibility of all the uses.

In conclusion, staff believes that the project meets the intent of the General Plan and the underlying subdistrict goals, which encourage the development of commercial mixed-use projects and brings much-needed new office-retail space as well as visitor-serving commercial uses to the downtown area. The design of the project is consistent in both height and scale to similar developments located within the Mission Avenue/Coast Highway commercial corridors. In addition, staff believes the quality of design of the proposed building is consistent with the quality of design of the newer developments located within the surrounding area such as Oceanside Terraces and the CityMark project.

COMMISSION OR COMMITTEE REPORTS

On September 26, 2012, the project was approved by the Downtown Advisory Committee (DAC) on a 6-0 vote.

FISCAL IMPACT

The $31 million development is projected to provide 150 temporary construction jobs and 270 permanent jobs. In addition, the project is also projected to provide approximately $600,000 annually in Transient Occupancy Tax, approximately $500,000 in annual retail sales tax revenues and approximately $300,000 in new property taxes.

CITY ATTORNEY'S ANALYSIS

Pursuant to Oceanside Zoning Ordinance Article 41, Section 4102, and Article 43, Section 4305, the Community Development 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 a resolution adopting a Mitigated Negative Declaration (MND) and approving a Development Plan and Conditional Use Permits for a mixed-use commercial development consisting of 124-unit hotel, 90 work/live lofts and approximately 8,357 square feet of office/retail space located on one city block bounded by Mission Avenue on the north, Seagaze Drive on the south, Horne Street on the east and Clementine Street on the west.

PREPARED BY:

Shan Babick
Associate Planner

SUBMITTED BY:

Peter A. Weiss
Executive Director

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager
Kathy Brann, Downtown Development Manager

EXHIBITS/ATTACHMENTS

1. Resolutions
2. Site Plan
3. Mitigated Negative Declaration

RESOLUTION NO. 12-

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA ADOPTING THE MITIGATED NEGATIVE FOR DEVELOPMENT PLAN (RD12-00001) AND CONDITIONAL USE PERMITS (RCUP12-00001, RCUP12-00008 & RCUP12-00009)

WHEREAS, a Mitigated Negative Declaration was prepared and circulated for the public and agency review and proper notification was given in accordance with the California Environmental Quality Act; and

WHEREAS, on October 17, 2012, the Community Development Commission held its duly noticed public hearing, considered the Mitigated Negative Declaration;

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

For the Mitigated Negative Declaration:

1. The Mitigated Negative Declaration was completed in compliance with the provisions of the California Environmental Quality Act (CEQA).
2. Potentially significant environmental effects detailed in the Mitigated Negative Declaration have been avoided or substantially lessened by the establishment of measures which are detailed in the Mitigated Negative Declaration. These measures are detailed in Exhibit "A" attached hereto.
3. The Mitigated Negative Declaration was presented to the Community Development Commission, and the Community Development Commission reviewed and considered the information contained in this document prior to making a decision on the project. The Mitigated Negative Declaration has been determined to be an accurate and adequate document which reflects the independent judgment of the Community Development Commission.

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

1. The Mitigated Negative Declaration is for Development Plan (RD12-00001) and Conditional Use Permits (RCUP12-00001, RCUP12-00008 & RCUP12-00009) for the construction of a 124 unit hotel, 90 live work units and approximately 8,357 square feet of

retail/office space located on one city block bounded by Mission Avenue on the north, Seagaze Drive on the south, Horne Street on the east and Clementine Street on the west.

2. Pursuant to Public Resources Code Section 21081.6 the City Community Development Commission adopts the Mitigated Negative Declaration attached as Exhibit "A" and finds and determines that the mitigation and monitoring program therein is designed to ensure compliance with the mitigation measures during project implementation.

3. NOTICE is hereby given that the time within which judicial review must be sought on this decision is governed by Public Resources Code 21167 (b).

PASSED AND ADOPTED by the Oceanside Community Development Commission of the City of Oceanside this ___day of _____ 2012 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
Chairman

ATTEST:

_____
Secretary

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

by_____
General Counsel

RESOLUTION NO. 12-

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING A DEVELOPMENT PLAN AND CONDITIONAL USE PERMITS FOR A MIXED-USE COMMERCIAL DEVELOPMENT CONSISTING OF 124-UNIT HOTEL, 90 LIVE/WORK UNITS AND 8,357 SQUARE FEET OF OFFICE/RETAIL SPACE LOCATED ON ONE CITY-BLOCK BOUNDED BY MISSION AVENUE ON THE NORTH, SEAGAZE DRIVE ON THE SOUTH, HORNE STREET ON THE EAST AND CLEMENTINE STREET ON THE WEST – BELVEDERE - APPLICANT: AMIDI GROUP

WHEREAS, on October 17, 2012, the Community Development Commission held its duly noticed public hearing, considered an application for a Development Plan (RD12-00001) and Conditional Use Permits (RCUP12-00001, RCUP12-00008 and RCUP12-00009) for a mixed-use commercial development consisting of 124-unit hotel, 90 live/work units and 8,357 square feet commercial/retail located on one city-block bounded by Mission Avenue on the north, Seagaze Drive on the south, Horne Street on the east and Clementine Street on the west;

WHEREAS, a Mitigated Negative Declaration (MND) has been prepared for the project stating that if the conditions of approval are implemented there will not be a significant adverse impact upon the environment;

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

WHEREAS, pursuant to 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. 06-R0334-1	$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	$2,843 per acre

Description	Authority for Imposition	Current Estimate Fee or Calculation Formula
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	$2,072 per unit $.713 per sq. ft. for com.
School Facilities Mitigation Fee	Ordinance No. 91-34	$2.63 per sq. ft resid. $.47 per sq. ft. com..
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01 Resolution No. 06-R0334-1	$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 Ordinance No. 09-OR0093-1	Fee based on water meter size. Residential is typically $4,597 per unit; Non res. is $36,775 for 2" meter
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 09-OR 0092-1	Based on meter size. Residential is typically $6,313 per unit; Non. Res. is $50,501 for 2" meter
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically $4,326 per unit; Non res. is $22,495 for 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 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 as follows:

FINDINGS:

For the 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 proposed project meets or exceed all of the development standards of the "D" Downtown District. In addition, the design of the project is consistent with the other similar mixed-use projects located west of the subject site.

2. The Development Plan as proposed conforms to the General Plan of the City in that the proposed development is consistent with the land uses of the Zoning Ordinance and the project meets the minimum development standards as stipulated within the "D" Downtown District development standards.

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 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 commercial development, is compatible with the similar mixed-use developments located within the Downtown Project Area and would have a positive effect on the area by providing retail/office space as well as visitor serving uses to the downtown 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 the proposed project would not be subject to the guidelines of the Land Use Element of the General Plan because the project consist of commercial uses and not residential uses.

Use Permit for Additional 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 commercial development with a base district height of 65-feet is permitted within the Downtown District Subdistrict 2 area. In addition, heights up to 90-feet are permitted with a Conditional Use Permit. The proposed maximum building height at 79 feet high is well below the 90 foot maximum building height allowed.

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 because Article 12 of the Downtown "D" District was amended in 2005 to allow for additional building height within Subdistrict 2 to establish more flexibility in order to provide more economic diversity and vitality to the Downtown Project Area. The proposed additional building height will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood because the proposed project will provide economic diversity, increase property values, provide valuable neighborhood services, secure the area and provide jobs. The proposed project will provide jobs, offsite and onsite improvements, infrastructure improvements, provide for more security and increased property values. The proposed building height of 79 feet would not be detrimental to properties or improvements in the vicinity in that

the proposed project increases property values, provides infrastructure improvements, site improvements, increased the diversity of building design, provides neighborhood services and increased the building aesthetics.

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 building height allowed for in Subdistrict 2, does not require additional specific conditions beyond those applicable to the mixed-use commercial development project.

Use Permit for the Hotel Use:

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. The proposed hotel use, is consistent with the land uses allowed within Subdistrict 2. The proposed hotel use is also consistent with the commercial land uses within the surrounding area and will not be detrimental to the surrounding neighborhood.

2. The proposed location of the conditional use and the proposed conditions under which it would be operated and/or maintained to be consistent with the General Plan, and Subdistrict 2 of the Downtown Zoning Ordinance (Article 12).

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 the proposed hotel use does not require additional specific conditions beyond those applicable to the mixed-use commercial development project.

Use Permit for the Work/Live Use:

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. The work/live use, is consistent with the land uses allowed within Subdistrict 2. The proposed work/live use is also consistent with the commercial land uses within the surrounding area and will not be detrimental to the surrounding neighborhood.

2. The proposed location of the conditional use and the proposed conditions under which it would be operated and/or maintained to be consistent with the General Plan, and Subdistrict 2 of the Downtown Zoning Ordinance (Article 12).

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 the proposed hotel use does not require additional specific conditions beyond those applicable to the mixed-use development project.

SECTION 1. That Development Plan (RD12-00001) and Conditional Use Permits (RCUP12-00001, RCUP12-00008 and RCUP12-00009) 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 (Currently the 2010 California Building Code and 2010 California Electrical Code).
2. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all State and local building codes.
3. 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.
4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the property shall be undergrounded. (City Code Sec. 6.30).
5. 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 compliance with this requirement. Small amounts of construction debris may be stored on-site in a neat, safe manner for short periods of time pending disposal.

Engineering:

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

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

8. Vehicular access rights to Mission Avenue, Seagaze Drive, Horne Street and Clementine Street shall be relinquished with exception of the project driveways.

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

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

11. Prior to approval of the grading plan and issuance of a grading 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.

12. Prior to issuance of a building permit a phasing plan (if requested by the applicant) for the construction of public and private improvements including landscaping shall be approved by the City Engineer.

13. The owner/developer shall provide public street dedication if required to serve the property.

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

15. 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, prior to approval of any grading, erosion control, landscape or improvement plans.

16. Right of access from the public rights-of-way to the project site shall be formally modified to the satisfaction of the City Engineer prior to approval of any grading, erosion control, landscape or improvement plans.

17. A final map representing a mixed-use commercial development consisting of 124 unit hotel, 90 work/live units and 8,357 square feet of office/retail space shall be recorded prior to sale of any subdivided portion of this development.

18. Prior to issuance of any building permit a precise grading and private improvement plan shall be prepared, reviewed, secured and approved. The plan shall reflect all pavement, flatwork, landscape areas, special surfaces, curbs, gutters, sidewalks, medians, striping and signage plans, footprints of all structures, walls, drainage devices and utility services.

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

20. Prior to the issuance of a grading permit, the owner/developer shall notify and host a meeting with all of the area residents located within 300 feet of the project site, to inform them of the grading and construction schedule, and to answer questions.

21. The owner/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 AM 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. An alternate parking site can be considered by the City Engineer in the event that the lot size is too small and cannot accommodate parking of all motor vehicles.

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

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

23. Shoring maybe required for the construction of the proposed development. The shoring design plans and structural calculations shall be submitted concurrently with the precise grading plan.

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

25. Mission Avenue, Seagaze Drive, Clementine Street and Horne Street shall be constructed with curbs and gutters and sidewalk in compliance with the City of Oceanside Engineers Design and Processing Manual. Sidewalk improvements shall be ADA compliant.

26. A minimum of 10 feet parkway between the face of curb and the right of way line shall be required. Minimum curb return radius shall comply with the City of Oceanside Engineers Design and Processing Manual.

27. Sight distance requirements at the proposed project driveways shall conform to the corner sight distance criteria as provided by SDRSD DS-20A and or DS-20B.

28. Streetlights shall be maintained and installed on Mission Avenue, Seagaze Drive, Clementine Street and Horne Street per City Standards. The system shall provide uniform lighting, and be secured prior to occupancy. The owner/developer 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.

29. This proposed project driveways shall remain private and shall be maintained by an association. The driveways pavement sections, traffic indices shall be based on approved geotechnical report and in compliance with the City of Oceanside Engineers Design and Processing Manual. The private project street and driveway alignments and geometric layouts shall meet the City of Oceanside Engineers Design and Processing Manual.

30. Pavement sections for all public and private streets, driveways and parking areas shall be based upon approved soil tests and traffic indices. The pavement design is to be prepared by the owner/developer's/owner's soil engineer and must be in compliance with the City of Oceanside Engineers Design and Processing Manual and be approved by the City Engineer, prior to paving.

31. Prior to occupancy: Clementine Street, Horne Street and Seagaze Drive shall be paved (overlay) with two inches (2") of rubberized asphalt. An overall half an inch (1/2") of grinding and a one inch (1") of header grind shall be required prior to any paving or placement of any rubberized asphalt overlay on the streets.

32. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian ramps and sidewalk within the project, or adjacent to the project boundary that are damaged during construction of the project, shall be repaired or replaced as directed by the City Engineer.

33. All existing overhead utility lines within this development/property and/or within any full width street or right-of-way (Mission Avenue, Seagaze Drive, Clementine Street and Horne Street) abutting this new development, and all new extension services for the development of the project, including but not limited to, electrical, cable and telephone, shall be placed per Section 901.G. of the Subdivision Ordinance (R91-166) and as required by the City Engineer and current City policy, and per the City of Oceanside Zoning Ordinance section 3023, as required by the City Engineer and the City Planner, and current City policy.

34. The owner/developer shall install 2 inch PVC conduit, together with 1/4-inch pull- rope and pull-boxes at 400 feet intervals for future signal interconnect cable on all applicable arterial-level or above, streets to the satisfaction of the City Engineer.

35. The approval of the project shall not mean that proposed grading or improvements on adjacent properties (including any City properties/right-of-way or easements) is granted or guaranteed to the owner/developer. The owner/developer is responsible for obtaining permission to grade to construct on adjacent properties. Should such permission be denied, the tentative map/project shall be subject to going back to the public hearing or subject to a substantial conformity review.

36. 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.

37. Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer prior to the issuance of a preliminary grading permit and approved by the City Engineer prior to the issuance of occupancy permits. Frontage and median landscaping shall be installed prior to the issuance of any certificates of occupancy. Any project fences, sound or privacy walls and monument entry walls/signs shall be shown on, bonded for and built from the landscape plans. These features shall also be shown on the precise grading plans for purposes of location only. Plantable, segmental walls shall be designed, reviewed and constructed by the grading plans and landscaped/irrigated through project landscape plans. All plans must be approved by the City Engineer and a pre-construction meeting held, prior to the start of any improvements.

38. 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' or a management 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 amended map.

39. The drainage design shown on the site plan or preliminary grading plan, and the drainage report for this project/development plan is conceptual only. The final drainage report and drainage design shall be based upon a hydrologic/hydraulic study that is in compliance with the latest San Diego County Hydrology and Drainage Manual 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 owner/developer shall be responsible for obtaining any off-site easements for storm drainage facilities.

40. Drainage facilities shall be designed and installed to adequately accommodates the local storm water runoff and shall be in accordance with the San Diego County Hydrology and Design Manual and in compliance with the City of Oceanside Engineers Design and Processing Manual to the satisfaction of the City Engineer.

41. The owner/developer shall place a covenant on the title sheet of the grading plan agreeing to the following: "The present or future owner/developer shall indemnify and save the City of Oceanside, its officers, agents, and employees harmless from any and all liabilities, claims arising from any flooding that occurs on this site.

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

43. 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.

44. The owner/developer shall comply with the provisions of National Pollution Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ. The General Permit continues in force and effect until a new General Permit is issued or the SWRCB rescinds this General Permit. Only those owner/developers authorized to discharge under the expiring General Permit are covered by the continued General Permit. Construction activity subject to the General Permit includes clearing, grading, and disturbances to the ground such as stockpiling, or excavation that results in land disturbances of equal to or greater than one acre. The owner/developer shall obtain coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining a Waste Discharge Identification Number (WDID#) from the State Water Resources Control Board (SWRCB). In addition, coverage under the General Permit shall not occur until an adequate SWPPP is developed for the project as outlined in Section A of the General Permit. The site specific SWPPP shall be maintained on the project site at all times. The SWPPP shall be provided, upon request, to the United States

Environmental Protection Agency (USEPA), SWRCB, Regional Water Quality Control Board (RWQCB), City of Oceanside, and other applicable governing regulatory agencies. The SWPPP is considered a report that shall be available to the public by the RWQCB under section 308(b) of the Clean Water Act. The provisions of the General Permit and the site specific SWPPP shall be continuously implemented and enforced until the owner/developer obtains a Notice of Termination (NOT) for the SWRCB. The owner/developer is required to retain records of all monitoring information, copies of all reports required by this General Permit, and records of all data used to complete the NOI for all construction activities to be covered by the General Permit for a period of at least three years from the date generated. This period may be extended by request of the SWRCB and/or RWQCB.

45. Following deemed completion of the Storm Water Mitigation Plan (SWMP) by the City Engineer and prior to approval of grading plan and issuance of a grading permit; the owner/developer shall submit and obtain approval of an Operation & Maintenance (O&M) Plan, prepared to the satisfaction of the City Engineer. The O&M Plan shall include an approved and executed Maintenance Mechanism pursuant to Section 5 of the Standard Urban Storm Water Mitigation Plan (SUSMP). The O&M shall satisfy the minimum Maintenance Requirements pursuant to Section 5 of the SUSMP. At a minimum the O&M Plan shall include the designated responsible party to manage the storm water BMP(s), employee training program and duties, operating schedule, maintenance frequency, routine service schedule, specific maintenance activities, copies of resource agency permits, cost estimate for implementation of the O&M Plan, a non-refundable cash security to provide maintenance funding in the event of noncompliance to the O&M Plan, and any other necessary elements. The owner/developer shall provide the City with access to site for the purpose of BMP inspection and maintenance by entering into an Access Rights Agreement with the City. The owner/developer shall complete and maintain O&M forms to document all operation, inspection, and maintenance activities. The owner/developer shall retain records for a minimum of 5 years. The records shall be made available to the City upon request.

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

47. At a minimum, maintenance agreements shall require the staff training, inspection and maintenance of all BMPs on an annual basis. The owner/developer 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.

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

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

50. The Owner/developer shall provide a copy of the title/cover page of the deemed complete SWMP with the first engineering submittal package. If the project triggers the City's Stormwater requirements but no approved Stormwater document (SWMP) exists, the appropriate document shall be submitted for review and approval by the City Engineer. The SWMP shall be prepared by the owner/developer's Civil Engineer. All

Stormwater documents shall be in compliance with the latest edition of submission requirements.

51. The approval of this project shall not mean that closure, vacation, or abandonment of any public street, right of way, easement, or facility is granted or guaranteed to the owner/developer. The owner/developer is responsible for applying for all closures, vacations, and abandonments as necessary. The application(s) shall be reviewed and approved or rejected by the City of Oceanside under separate process (es) per codes, ordinances, and policies in effect at the time of the application. The City of Oceanside retains its full legislative discretion to consider any application to vacate a public street or right of way.

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

53. The owner/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.

54. Approval of this development project is conditioned upon payment of all applicable impact fees and connection fees in the manner provided in chapter 32B of the Oceanside City Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees, reimbursements, and other applicable charges, fees and deposits shall be paid prior to recordation of the map or the issuance of any building permits, in accordance with City Ordinances and policies. The owner/developer 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 this project shall constitute the owner/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 the amended final map or building permit approval, and to join, contribute, and/or participate in such districts.

55. The owner/developer 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.

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

57. A digital file of the map in a format consistent with the City's requirements for digital submittals, detailed in the Engineers Design and Processing Manual shall be submitted to the City of Oceanside concurrently with the final submittal of the map for recordation.

58. A digital file of the as-built grading plan, and as-built improvement plan in a format consistent with the City's requirements for digital submittals, detailed in the Engineers Design and Processing Manual shall be submitted to the City of Oceanside prior to occupancy permit.

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

Transportation:

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

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

Clementine Street.

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

63. The project shall contribute a fair share of 3.6 percent ($7,200) toward the cost of a future traffic signal located on Mission Avenue at Cleveland Street prior to issuance of a building permit.

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

65. The existing traffic signal located 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 54-feet of pavement with 10 feet of right-of-way, the restriping of Horne Street on both approaches, and an upgrade to the traffic signal equipment. The improvements shall be completed prior to the certificate of occupancy.

66. 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.

67. Traffic control during construction adjacent to or within all public streets shall 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.

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

69. 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 the map

and/or issuance of the building permit 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.

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

Fire:

71. Fire Department Requirements shall be placed on plans in the notes section.

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

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

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

76. Class I standpipe system connected to the fire sprinkler system required.

77. A "Knox" key storage box shall be provided for all new construction.

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

79. An approved fire sprinkler must be installed throughout the building. The system shall be designed per NFPA 13.

80. The fire department connection (FDC) shall be located on the address side of the building. The FDC shall be located on the same side of the street and within 40 feet of the public fire hydrant.

81. A manual and automatic fire alarm system is required.

82. Approved address numbers shall be placed on the structure in such a position as to be plainly visible and legible from the street or roadway fronting the property. Numbers shall be contrasting with their background and a minimum of 6 inches in height.

83. Multi-unit complexes require address directory boards that are visible from the main entrance.

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

85. Provide a fire command center in a location approved by the Fire Department. The command center must be separated from the remainder of the building by one hour fire barrier wall and shall be a minimum of 200 sq. ft. with a minimum dimension of 10 ft. The fire command center shall contain the following:

a. Fire alarm control unit.

b. A telephone for department use with control access to the public telephone system.

c. Fire pump indicators (if applicable).

d. Work table.

e. Elevator status panel and elevator recall switch.

86. All alarm systems shall be electronically monitored.

87. Any new development that necessitates updating of emergency response maps by virtue of new structures, hydrants, roadways or similar features, shall be required to provide map updates in a format (PDF, GIS and or CAD) as approved by the FAHJ or compatible with current department mapping services. The Fire Department is authorized to charge a reasonable fee for updating all response maps.

88. Building shall have approved radio coverage for emergency responders based upon the existing coverage levels of the public safety communication system in the City of Oceanside.

89. At least one elevator car extending to all floors in the building shall be of such size and arrangement to accommodate a 24 inch by 84 inch ambulance gurney or stretcher with not less than 5 inch radius corners, in the horizontal, open position. Said elevator shall be designated as a medical emergency elevator by the international symbol (Star of Life) for emergency medical services.

90. Fire in lieu fees are required for this project.

Downtown Development:

91. This Development Plan (RD12-00001) and Conditional Use Permits (RCUP12-00001, RCUP12-00008 and RCUP12-00009) shall expire on October 17, 2014, unless implemented as required by the Zoning Ordinance.

92 This Development Plan and Conditional Use Permits approves only a 124-unit hotel, 90 work/live units and 8,357 square feet of office/retail space 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 Downtown Development Department approval. Substantial deviations shall require a revision to the Development Plan and Conditional Use Permits or a new Development Plan and Conditional Use Permits.

93. 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 Development Plan (RD12-00001), and Conditional Use Permits (RCUP12-00001, RCUP12-00008 & RCUP12-00009). 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.

94. Failure to meet any conditions of approval for this development shall constitute a violation of the Development Plan (RD12-00001) and Conditional Use Permits (RCUP12-00001, RCUP12-00008 and RCUP12-00009).

95. 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.

96. All mechanical rooftop 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.

97. 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 City Planner 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.

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

99. All commercial projects shall dispose of or recycle solid waste in a manner provided in City Ordinance 13.3.

100. 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.

101. 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.

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

103. 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.

104. All applicable 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.

105. 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 Division and Downtown Development Department.

106. A trash enclosure for both the commercial and residential portion of the project shall 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 enclosure must be built in a flat, accessible location as determined by the City Engineer. All driveways and service access areas must be designed to sustain the weight of a 50,000-pound service vehicle. Trash enclosures, 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 Downtown Development Manager.

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

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

b) Maintenance - The Management Plan shall cover, but not be limited to anti-graffiti and site and exterior building, landscaping, parking lots, sidewalks,

walkways and overall site maintenance measures and shall ensure that a high standard of maintenance at this site exists at all times. The maintenance portion of the management plan shall include a commitment for the sweeping and cleaning of parking lots, sidewalks and other concrete surfaces at sufficient intervals to maintain a "like new" appearance. Wastewater,

sediment, trash or other pollutants shall be collected on site and properly disposed of and shall not be discharged off the property or into the City's storm drain system.

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

b) All work/live units require a business license and then annually updated.

c) Develop a process of an annual business license review for each work/live unit.

108. Due to the potential for unidentified cultural resources to be unearthed during redevelopment phases, an archaeological monitoring program shall be conducted during demolition and grading to ensure that site development would have no significant impacts to cultural resources within the development area. The program would consist of the following:

a). The of a pre-excavation agreement between the applicant, the appropriate Lusieno tribe(s) and the City of Oceanside.

b). The presence of a qualified archaeologist and a Native American monitor at the pre-construction meeting.

c). A Native American monitor and an archaeological monitor on-site during grading, trenching and other ground-disturbing activities.

d). The analysis of any cultural material found.

e). The preparation of a report detailing the methods and results of the monitoring program.

f). The curation or repatriation of the cultural material collected.

109. 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 the mitigation program. The paleontological shall attend pre-grade meetings to consult with grading and

excavation contractors.

110. A paleontological monitor shall be onsite during grading operations to evaluate the presence of fossils within previously undisturbed sediments 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.

111. If 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. 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, diver, 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.

112. Prepared fossils along with copies of all pertinent field notes, photographs and maps shall be deposited (with the applicant's permission) in a scientific institution with paleontological collection 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.

113. The project's proposed parking spaces, aisle dimension, obstructions, etc. shall be consistent with Sections 3110 and 3111 of the Oceanside Zoning Ordinance.

114. All driveway ramps including ramps grade and grade breaks shall be consistent with Standard Drawing T-2 of the most recent edition of the Oceanside Engineers Design Manual.

115. An association of homeowners (HOA) shall be formed and Covenants, Conditions and Restrictions (CC&R's) shall provide for the maintenance of all common open space, 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 CC&R's shall be subject to the review and

approval of the City Attorney prior to the approval of the final map. The CC&R's are required to be recorded prior to or concurrently with the final map. Any amendments to the CC&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 CC&R's. The CC&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) Maintenance of all common areas, and on-site and frontage landscaping.

d) Trash collection either at street level or within a subterranean garage and the funding mechanism.

116. Prior to the issuance of building permits, a detailed acoustical analysis will be required demonstrating that interior noise levels due to exterior sources will be at or below the 45 CNEL standard. The exterior-to-interior noise reduction provided by the building structure is partially a function of the sound transmission class (STC) values of the window and door components used in the building. The greater the STC values of the window and door components used in the building. The greater the STC value, the greater the noise reduction. The interior noise report shall calculate the required STC values for window and door components necessary to reduce interior noise levels to 45 CNEL

Additionally, where exterior noise levels are projected to exceed 60 CNEL, it will be necessary for the windows to be closed in order to achieve the necessary exterior-to-interior noise reduction. Consequently, the design for the affected units shall include a ventilation or air conditioning system to provide a habitable interior environment when the windows are closed.

Water Utilities:

117. 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.

118. The property owner shall maintain private water utilities located on private property.

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

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

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 Water, Sewer and Reclaimed Water Design and Construction Manual.

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

123. All lots with a finished 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.).

124. The developer shall construct a public reclamation water system that will serve each lot and 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.

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

126 An inspection manhole, described by the Water, Sewer, and Reclaimed Water Design and Construction Manual, shall be installed in each building sewer lateral and the location shall be called out on the approved improvement plans.

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

128. If a restaurant or food service tenant occupies the property; a grease, oil and sand interceptor shall be installed in each building sewer in an appropriate location and shall be maintained by the property owner, in accordance with City of Oceanside Ordinance 07-OR0021-1. The location shall be called out on the approved building plans.

129. 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.

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

131. All new live/work units shall include hot water pipe insulation and installation of a hot water recirculation device or design to provide hot water to the tap within 15 seconds in accordance with City of Oceanside Ordinance No. 02-OR126-1.

132. A new water main shall be installed from the intersection of Mission Avenue and Horne Streets to the corner of Mission Avenue and Clementine Street and then re-connect to the 10 inch ACP water main at the intersection of Seagaze Drive and Clementine Street. The new water main will be in the place of the abandoned water main located in the alley of Mission Avenue.

133 The tentative water meter sizing for the hotel portion of this building shall be a minimum of a 3 inch compound water meter based on the planning submittal. The meter size will be confirmed once the building plans are submitted.

133. The tentative water meter for the live-work portion of this building shall be a minimum of a 3 inch compound water meter. The meter size will be confirmed once the building plans are submitted. Each live/work unit shall be sub-metered by a private company to comply with the Water Conservation Master Plan.

134. Each commercial suite shall have an individual water meter based on the size of the commercial space and size to be determined at a later date.

135. One sewer lateral shall be provided for the commercial suites and another sewer lateral shall be provided for the live/work component of this development.

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Environmental:

136. The project shall be subject to all mitigation measures contained in the mitigation, monitoring and reporting program as depicted in the Mitigated Negative Declaration.

PASSED AND ADOPTED by the Oceanside Community Development Commission of the City of Oceanside this _____day of _____2012 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____
Chairman

ATTEST:

_____
Secretary

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

by_____
General Counsel

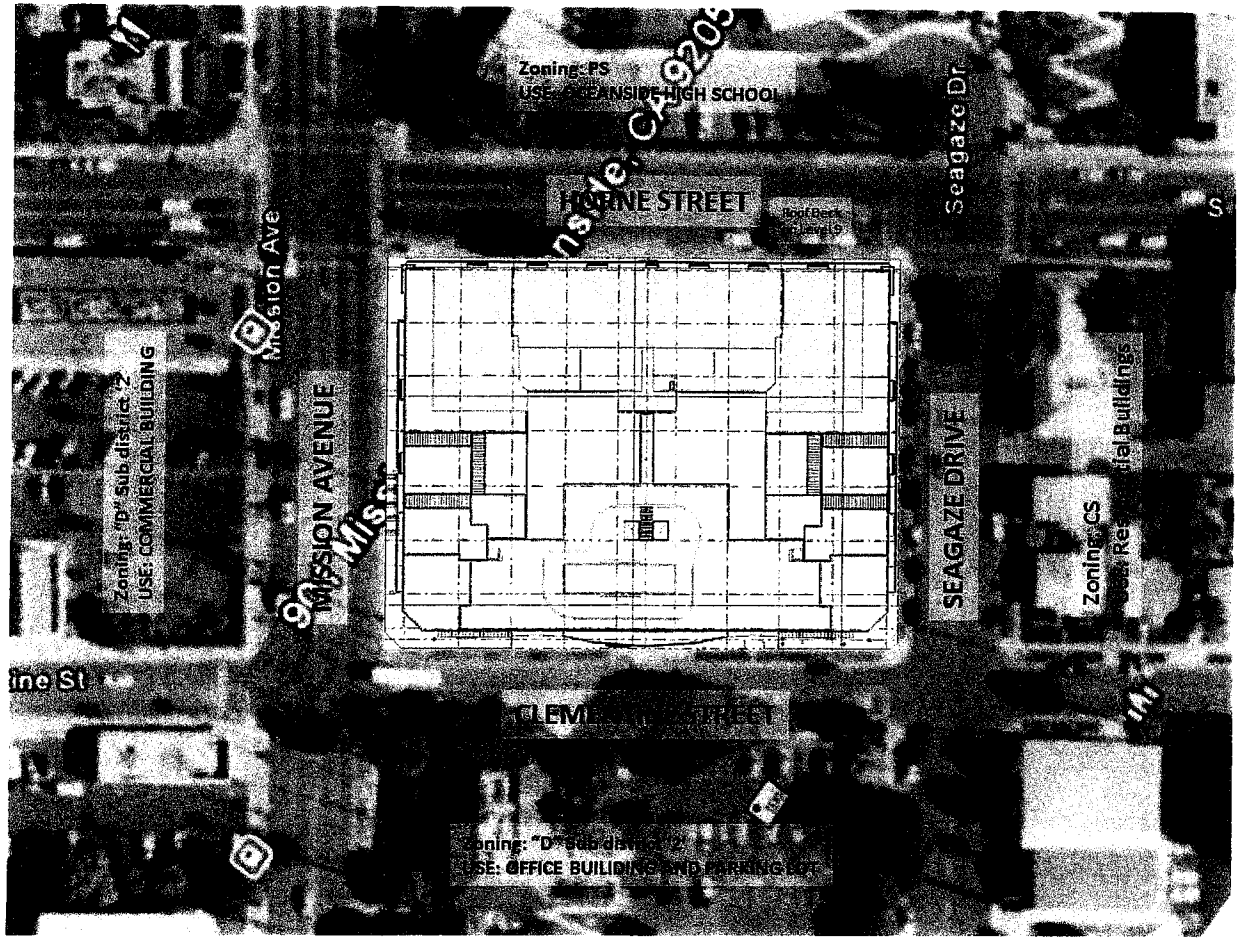
AMIDI
REAL ESTATE GROUP
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 785-5120 Fax: (213) 785-5001

PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 344-0780 Fax: (213) 785-0129

Land Use (Entitlement) Modification
March 2012
3D Render 01

A102



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REAL ESTATE GROUP
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Tel: (213) 765-6020 Fax: (213) 765-6294

PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO LINE
1010 Wilshire Blvd., Suite 109, Los Angeles, CA 90017
Tel: (213) 344-8760 Fax: (213) 765-5129

Land Use (Entitlement) Modification
March 2012
Top View Streets

A105

LEGAL DESCRIPTION

LOT 1 OF THE BELVEDERE MIXED-USE PROJECT, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 15581, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 23, 2007.

APN: 147-166-04 THRU 09, INCLUSIVE

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM ZONE 6, (EPOCH 1991.35), AND IS DETERMINED BY RTK G.P.S. MEASUREMENTS, TAKEN ON MAY 2, 2005 AT PT #CP1 AND #CP2 PER RECORD OF SURVEY MAP NO. 16796.

BEARING #CP2 TO #CP1: N34°45'07"W 1300.65' GRID

QUOTED BEARINGS FROM REFERENCE MAPS/DEEDS MAY OR MAY NOT BE IN TERMS OF SAID SYSTEM.

SURVEYOR'S NOTES:

1) CALCULATED AREA OF SITE: 1.469 ± ACRES

2) FOR EXACT LOCATIONS OF UNDERGROUND FACILITIES, INTERESTED PARTIES SHOULD CONTACT A LOCATION SERVICE.

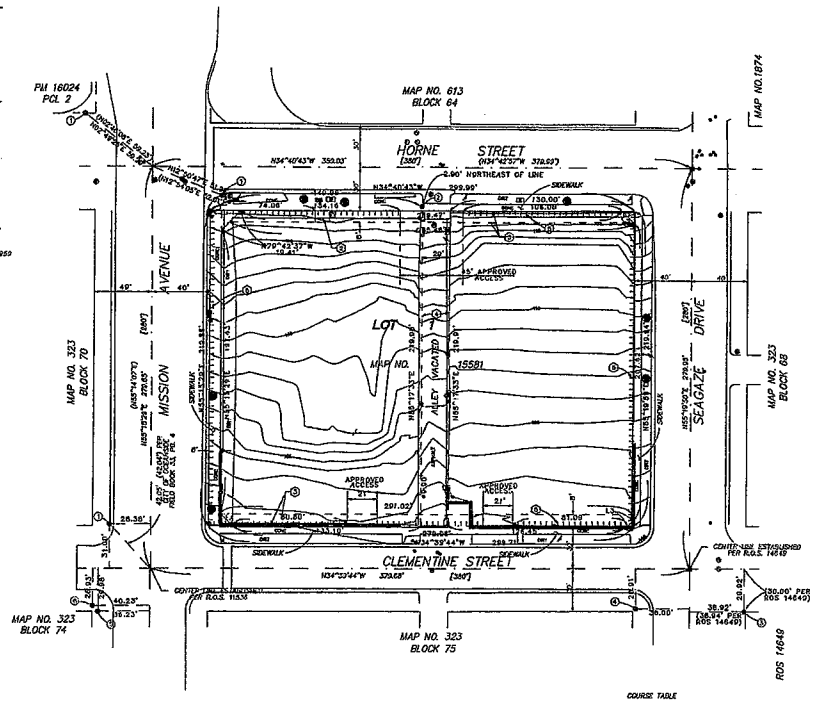
3) NO STRUCTURES WERE LOCATED BY FIELD SURVEY WHICH ARE MORE THAN 5' FROM THE PROPERTY LINES, EXCEPT AS SHOWN.

4) NO MONUMENTS WERE SET IN THE PREPARATION OF THIS SURVEY.

5) SUBJECT PROPERTY LIES IN "ZONE AR/A1-99 ZONE 'X' (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN) PER F.I.R.M. COMMUNITY PANELS NO. 06073C0234 D AND 06073C0753 G, DATED JANUARY 19, 2001.

LEGEND

- INDICATES PROJECT BOUNDARY
- INDICATES FOUND 3" BRASS DISK IN WELL MONUMENT MKD. L.S. 7959 (CORN. 5&6) PER CERTIFICATE OF CORRECTION AT PROCESS WITH THE CITY OF OCEANSIDE PER MAP NO. 10838
- INDICATES EASEMENT
- INDICATES ABUTTER'S RIGHTS OF ACCESS RELINQUISHED PER MAP 15581
- (6) INDICATES TITLE REPORT ITEM NUMBER
- (1) FOUND LEAD & TACK MKD. L.S.4391 PER ROS 11536
- (2) FOUND LEAD & TACK MKD. RCE 14900 AND RCE 14705
- (3) FOUND LEAD & TACK MKD. RCE 10035 PER ROS 14649
- (4) FOUND LEAD & TACK MKD. L.S.2901 PER ROS 14649
- (5) FOUND LEAD & TACK NO TAG (NO RECORD)
- (6) FOUND LEAD & TACK MKD. RCE 7004 (NO RECORD)
- ( ) INDICATES RECORD DATA PER R.O.S. 11536 UNLESS OTHERWISE NOTED
- [ ] INDICATES RECORD INFORMATION PER MAP NO. 323 UNLESS OTHERWISE NOTED
- INDICATES TELEPHONE PEDESTAL
- INDICATES ELECTRIC PULL BOX
- INDICATES ELECTRIC TRANSFORMER
- INDICATES ELECTRIC VAULT
- INDICATES FIRE HYDRANT
- INDICATES GAS VALVE
- INDICATES LIGHT POLE
- INDICATES POWER POLE
- INDICATES SEWER MANHOLE
- INDICATES SIGN POST
- INDICATES TRAFFIC SIGNAL POLE
- INDICATES TELEPHONE MANHOLE
- INDICATES TRAFFIC PULLBOX
- INDICATES WIRE ANCHOR
- INDICATES TREE
- INDICATES WATER METER
- INDICATES WATER VALVE
- INDICATES FENCE
- INDICATES RETAINING WALL



COURSE TABLE

No.	DIRECTION	LENGTH
C1	N 10°08'33" E	12.35
C2	N 10°18'35" E	12.43
C3	N 78°47'21" W	5.27

GRAPHIC SCALE 1" = 20'

TITLE MATTERS

1. TITLE IS VESTED IN A & J LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AS TO AN UNDIVIDED 50% INTEREST AND AMIDI REAL ESTATE, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 50% INTEREST, BOTH AS TENANTS IN COMMON.

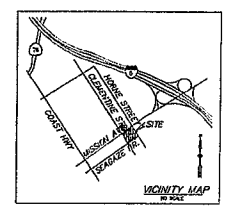
2. SUBJECT PROPERTY MAY BE ENCUMBERED BY MATTERS OF RECORD NOT ADDRESSED ON THIS DRAWING INCLUDING BUT NOT LIMITED TO: TAXES, LIENS, AGREEMENTS, CC&R'S, ASSESSMENTS, ETC. ATTENTION IS DIRECTED TO THE BELOW-MENTIONED TITLE REPORT CONCERNING THESE MATTERS.

TITLE REPORT ITEMS

REFERENCE IS MADE TO COMMONWEALTH LAND TITLE COMPANY'S PRELIMINARY REPORT NUMBER 04015034-54 DATED AS OF DECEMBER 16, 2009.

THE FOLLOWING ARE EXCEPTIONS DISCLOSED IN SAID REPORT:

ITEM NO.	RECORDING DATE	DOCUMENT NO.	DESCRIPTION	REMARKS
A-E			GENERAL & SPECIAL TAXES	SEE TITLE REPORT
F			LIEN OF SUPPLEMENTAL TAXES	SEE TITLE REPORT
I			WATER RIGHTS	SEE TITLE REPORT
(2)	05-23-1978	78-209243	SAN DIEGO GAS & ELEC. ESMT.	PLOTTED
(3)	MAP 15581		PUBLIC ACCESS AND GENERAL UTILITIES ESMT.	PLOTTED
(4)	MAP 15581		UTILITY EASEMENT RESERVATION	PLOTTED
(5)	MAP 15581		RIGHTS OF ACCESS RELINQUISHED BY MAP	PLOTTED
6	07-23-2007	2007-0491204	DECLARATION OF RESTRICTIONS	SEE TITLE REPORT
7	07-23-2007	2007-0491205	C C & R's	SEE TITLE REPORT
8	08-06-2007	2007-0524490	DEED OF TRUST	SEE TITLE REPORT
9	08-06-2007	2007-0524491	ASSIGNMENT OF ALL RENTS	SEE TITLE REPORT
10			MATTERS WHICH MAY BE DISCLOSED	SEE TITLE REPORT
11			RIGHTS OF PARTIES IN POSSESSION	SEE TITLE REPORT
12			DISCLOSURE STATEMENT	SEE TITLE REPORT
13			DISCLOSURE STATEMENT	SEE TITLE REPORT



ALTA-ACSM LAND TITLE SURVEY
LOT 1 OF THE BELVEDERE MIXED-USE PROJECT, MAP NO. 15581,
IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

NO.	REVISION	BY	DATE
1	ORIGINAL		01-18-2008
2			
3			
4			

Sheet Number 1 Of 1 Sheets

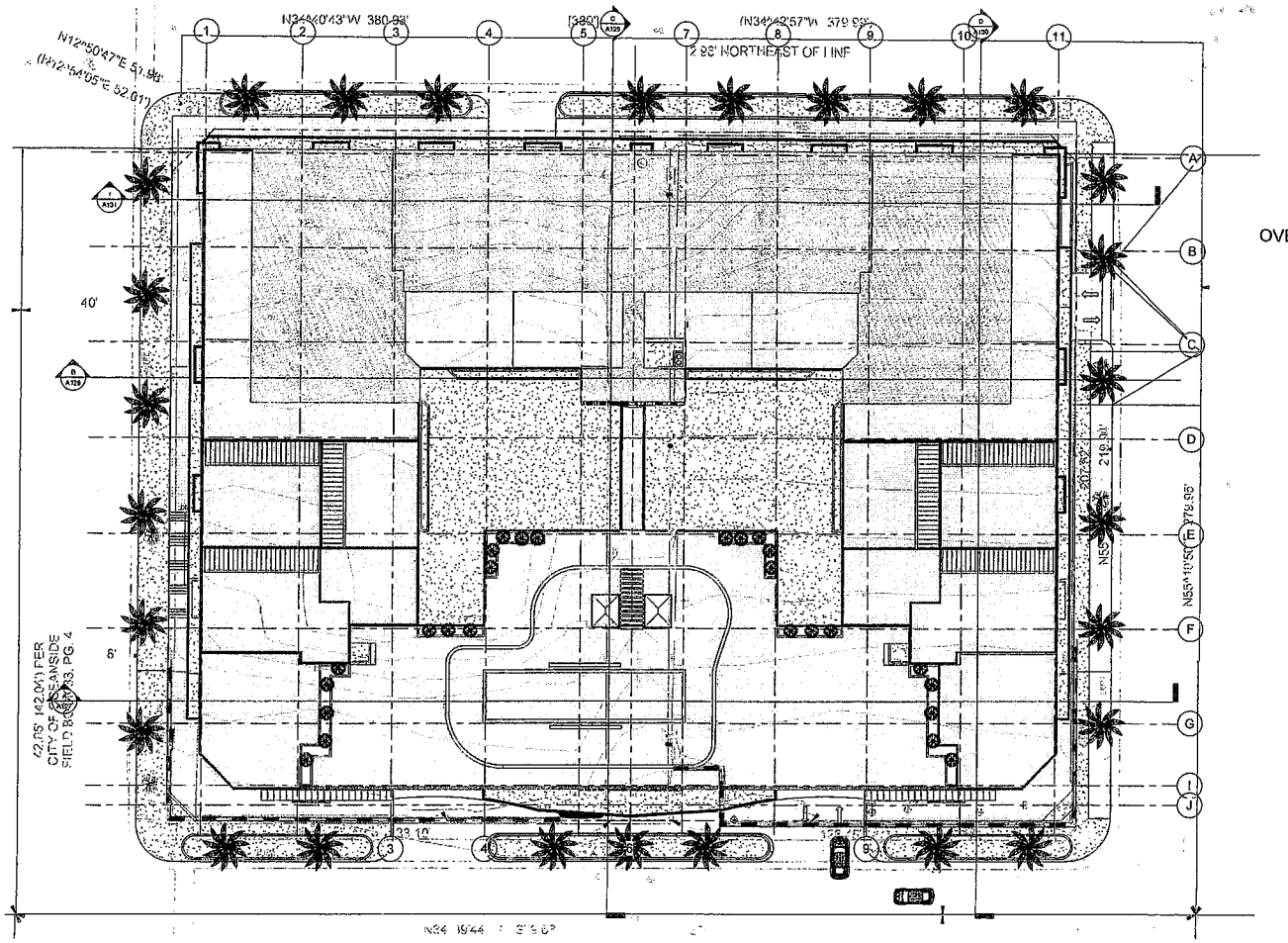
AMIDI
REAL ESTATE GROUP
1010 Wilshire Blvd., Suite 109, Los Angeles, CA 90017
Tel: (213) 785-5120 Fax: (213) 785-5131

PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO LAND
1010 Wilshire Blvd., Suite 109, Los Angeles, CA 90017
Tel: (213) 344-8780 Fax: (213) 785-5120

Land Use (Entitlement) Modification
March 2012
Site Grading

A106



SITE PLAN
OVERLAYED ON THE RECORDED MAP

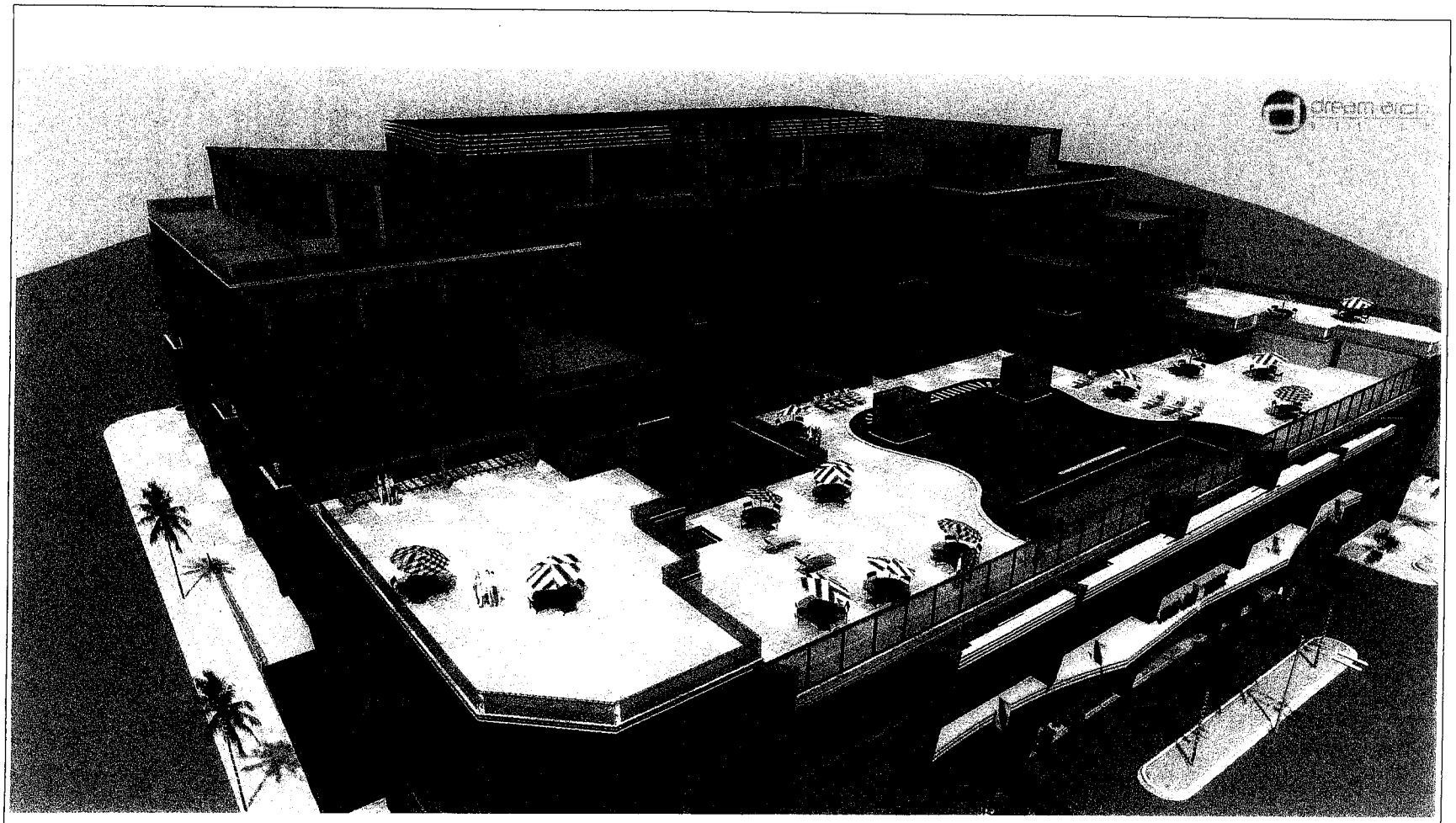
AMIDI
REAL ESTATE GROUP
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 785-0109 Fax: (213) 785-0231

PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO DESIGN
1010 Wilshire Blvd., Suite 400, Los Angeles, CA 90017
Tel: (213) 344-9760 Fax: (213) 785-0129

Land Use (Entitlement) Modification
March 2012
Site Plan

A108



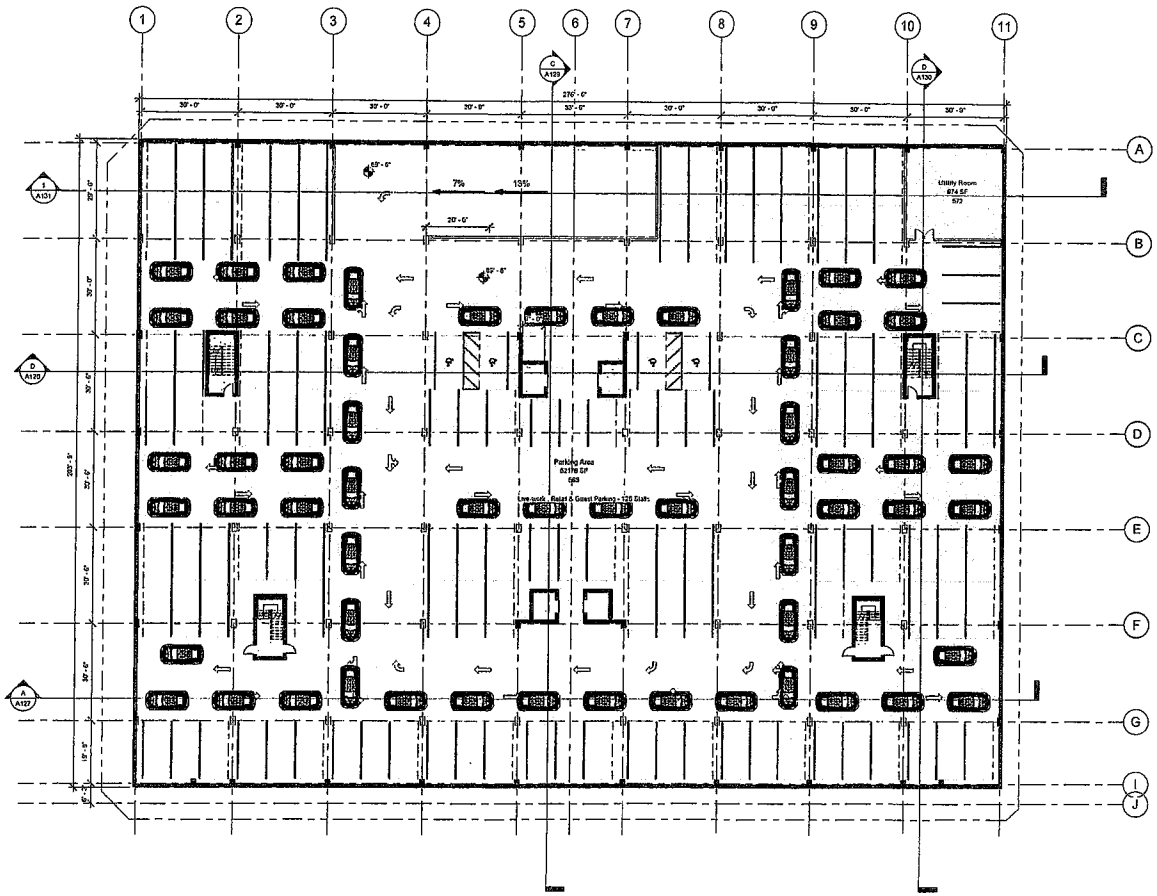
AMIDI
REAL ESTATE GROUP
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 785-0129 Fax: (213) 785-0091

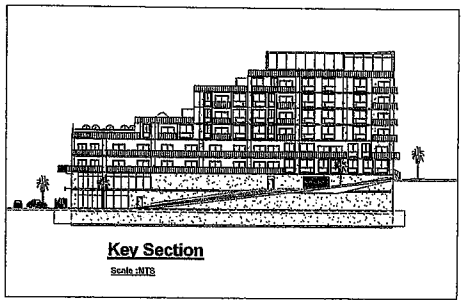
PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO ONE
1010 Wilshire Blvd., Suite 103, Los Angeles, CA 90017
Tel: (213) 344-8750 Fax: (213) 785-5128

Land Use (Entitlement) Modification
March 2012
3D Render 04

A111





Key Section

Scale :NTS

North

Level P1 - Floor Plan

1/16"=1'-0"

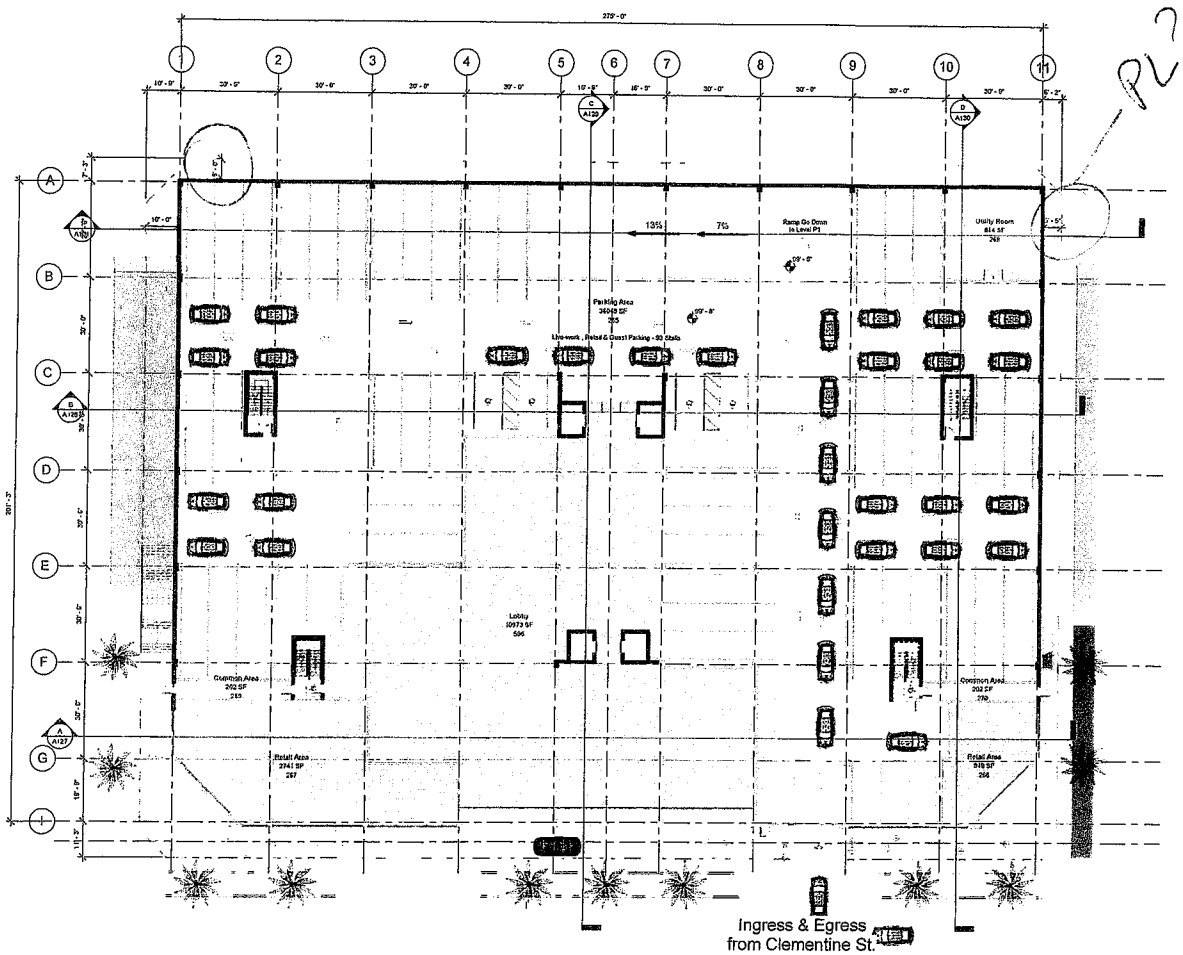
AMIDI
REAL ESTATE GROUP
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 785-5129 Fax: (213) 785-5091

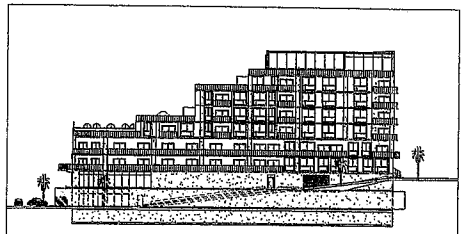
PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 344-8780 Fax: (213) 785-5129

Land Use (Entitlement) Modification
March 2012
Level P1

A112





Key Section

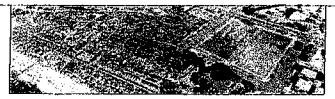
Scale :NTS

North

Level L1 - Floor Plan

1/16"=1'-0"

AMIDI
REAL ESTATE GROUP
1010 Wilshire Blvd., Suite 103, Los Angeles, CA 90017
Tel: (213) 785-5120 Fax: (213) 785-5091

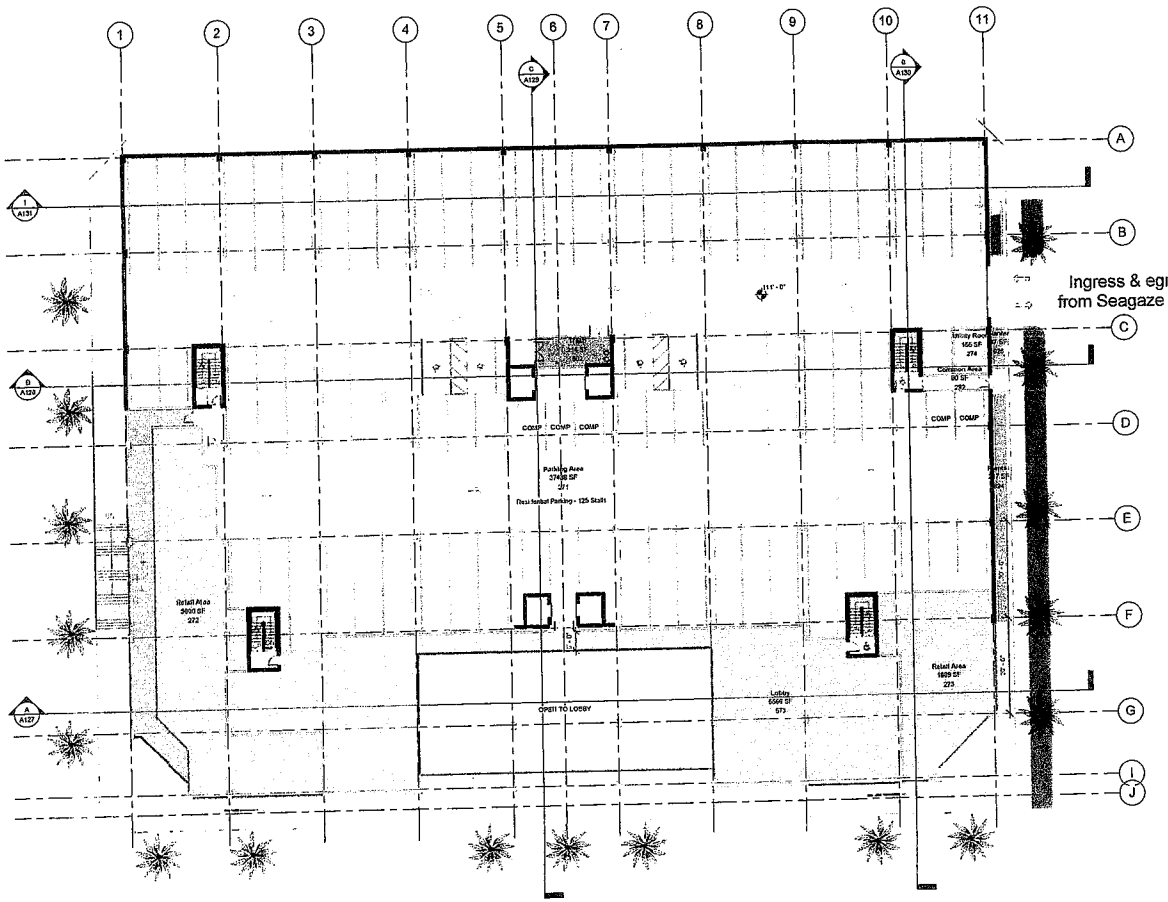


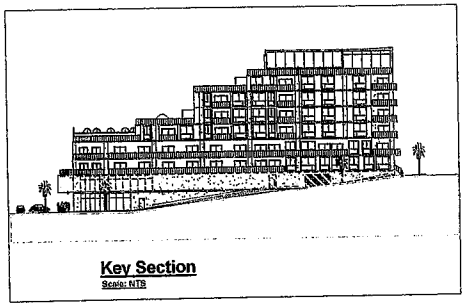
PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MPCARD LAND
1010 Wilshire Blvd., Suite 103, Los Angeles, CA 90017
Tel: (213) 344-8780 Fax: (213) 785-5129

Land Use (Entitlement) Modification
March 2012
Level 01

A113





Key Section
Scale: NTS

Level L2 - Floor Plan

1/16"=1'-0"

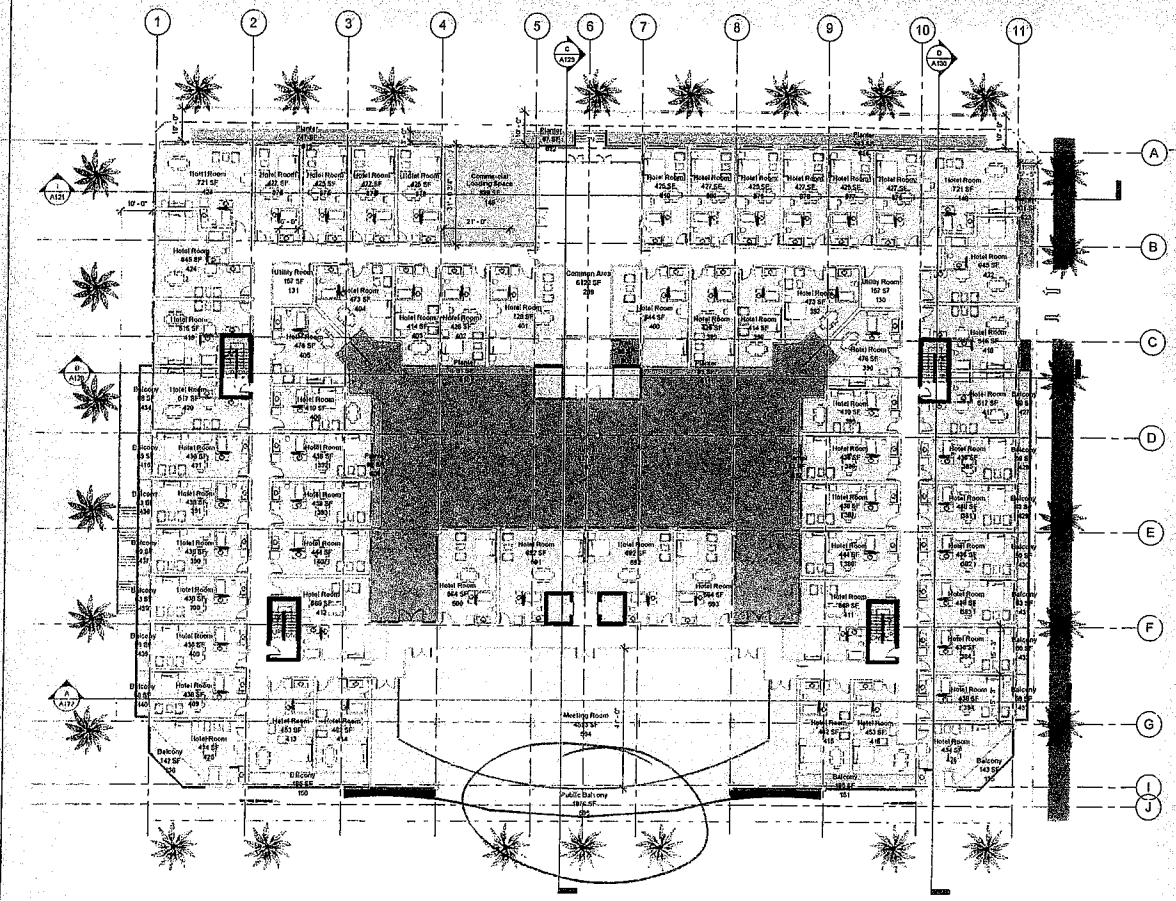
AMIDI
REAL ESTATE GROUP
1010 Wilshire Blvd., Suite 109, Los Angeles, CA 90017
Tel: (213) 765-5120 Fax: (213) 765-5591

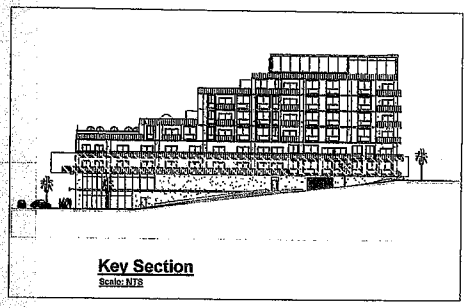
PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO
1010 Wilshire Blvd., Suite 109, Los Angeles, CA 90017
Tel: (213) 344-0750 Fax: (213) 765-5120

Land Use (Entitlement) Modification
March 2012
Level 02

A114





North

Level L3 - Floor Plan

1/16"=1'-0"

AMIDI
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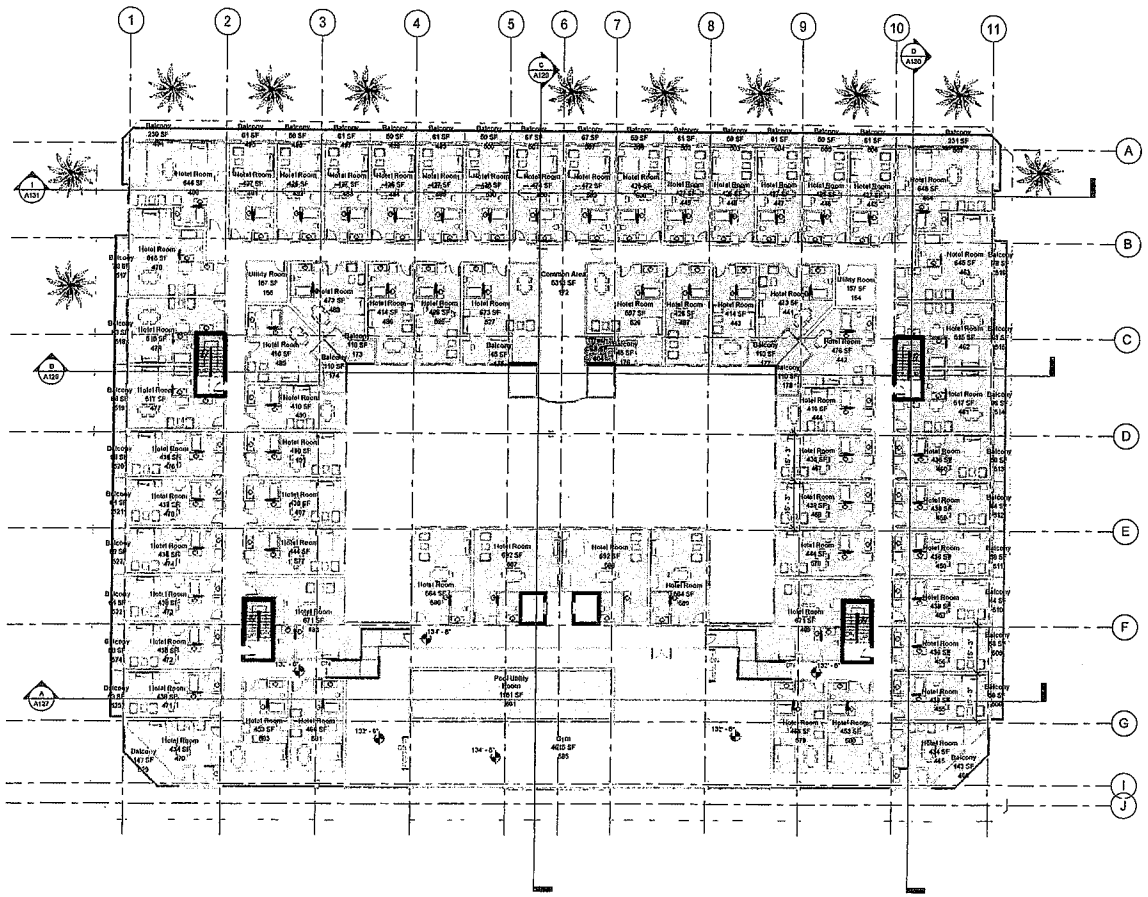
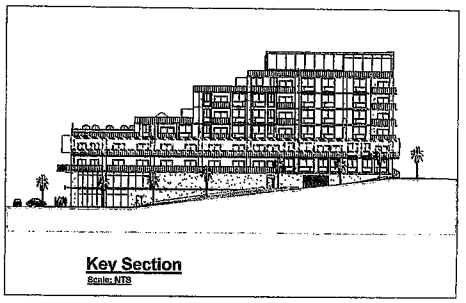
PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACROLUX
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 344-8780 Fax: (213) 785-5129

Land Use (Entitlement) Modification
March 2012
Level 03

A115





North

Level L4 - Floor Plan

1/16"=1'-0"

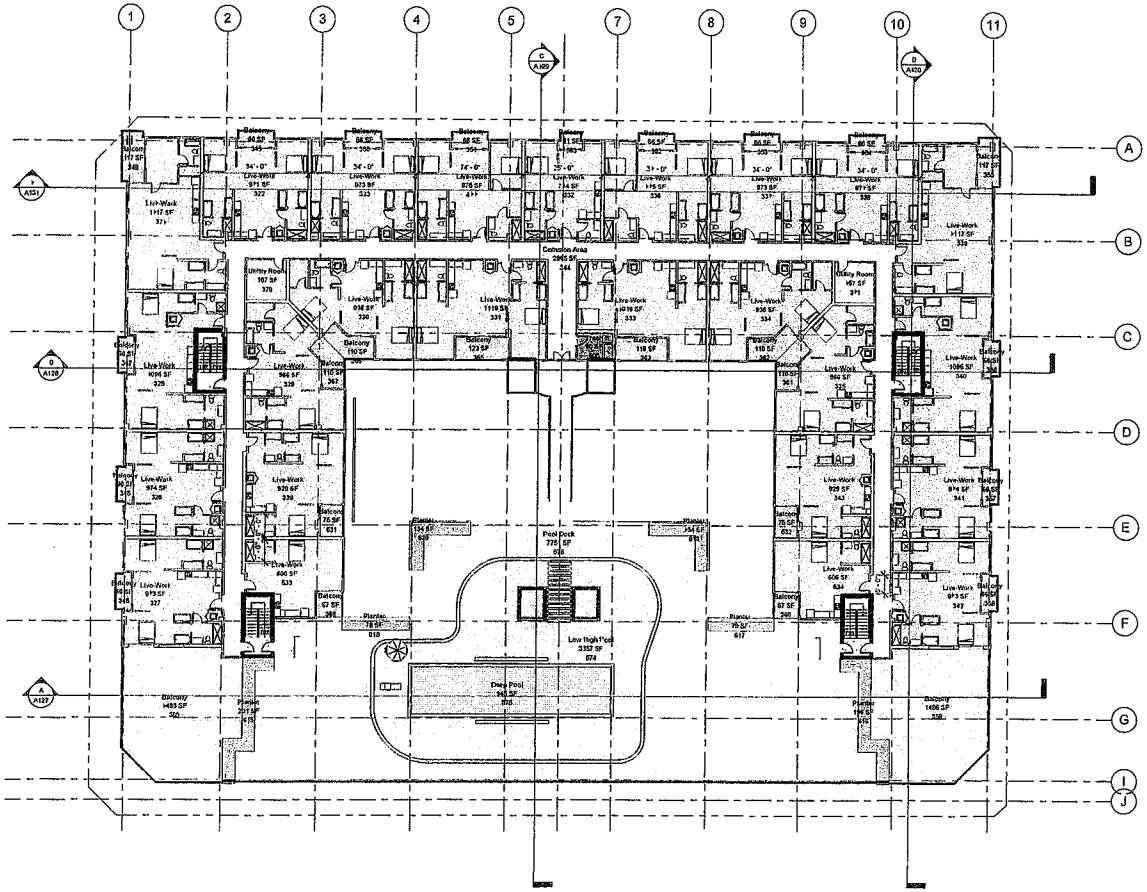
AMIDI
REAL ESTATE GROUP
1016 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 785-5129 Fax: (213) 785-5031

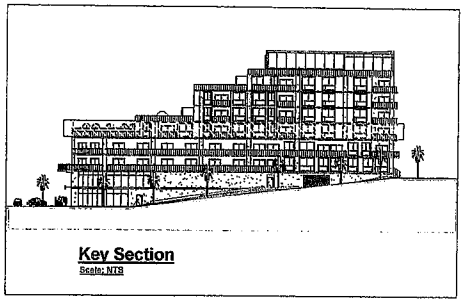
PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MICRO LINE
1016 Wilshire Blvd., Suite 108, Los Angeles, CA 90017
Tel: (213) 344-9750 Fax: (213) 785-5129

Land Use (Entitlement) Modification
March 2012
Level 04

A116





North

Level L5 - Floor Plan

1/16"=1'-0"

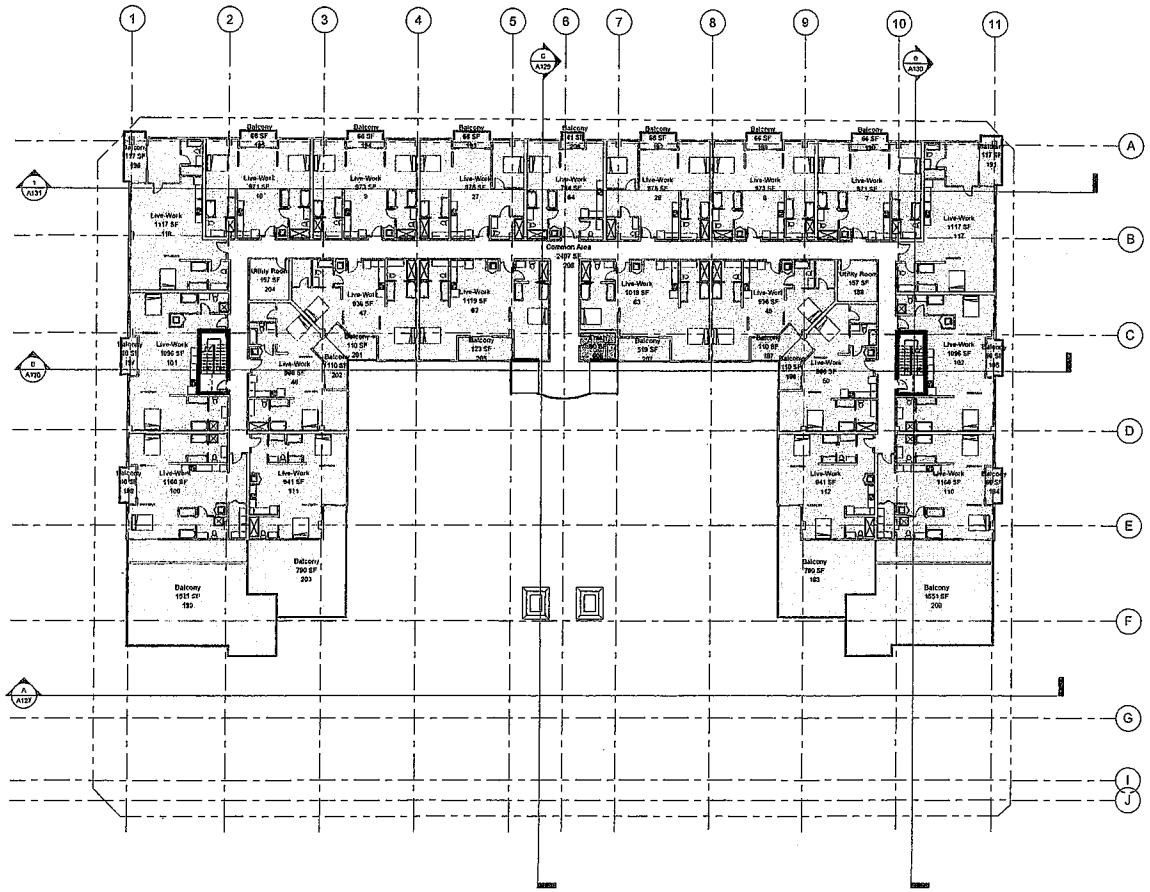
AMIDI
REAL ESTATE GROUP
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 785-3125 Fax: (213) 785-5501

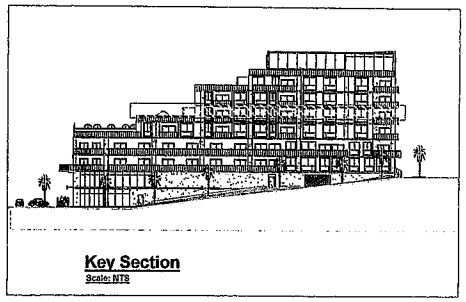
PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO LINE
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 244-8700 Fax: (213) 785-9120

Land Use (Entitlement) Modification
March 2012
Level 05

A117



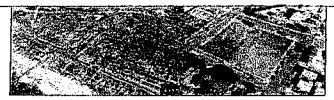


North

Level L6 - Floor Plan

1/16"=1'-0"

AMIDI
REAL ESTATE GROUP
1010 Wilshire Blvd., Suite 103, Los Angeles, CA 90017
Tel: (213) 785-5125 Fax: (213) 785-5231

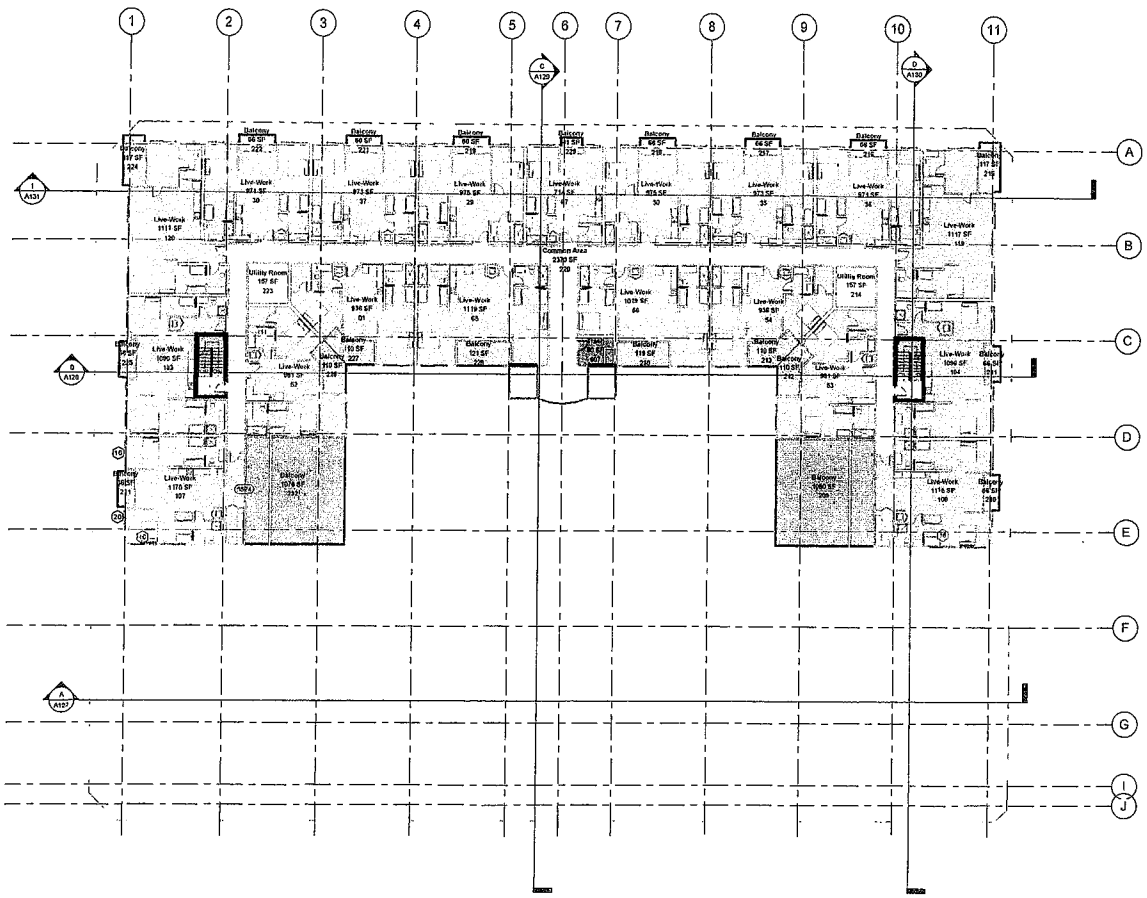


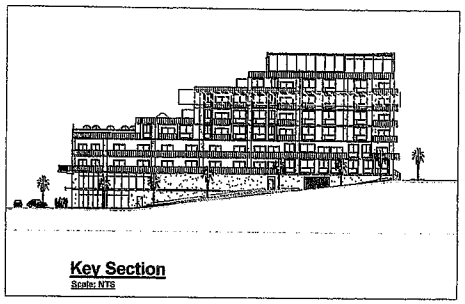
PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO TONE
1010 Wilshire Blvd., Suite 103, Los Angeles, CA 90017
Tel: (213) 344-9700 Fax: (213) 785-3129

Land Use (Entitlement) Modification
March 2012
Level 06

A118





North

Level L7 - Floor Plan

1/16"=1'-0"

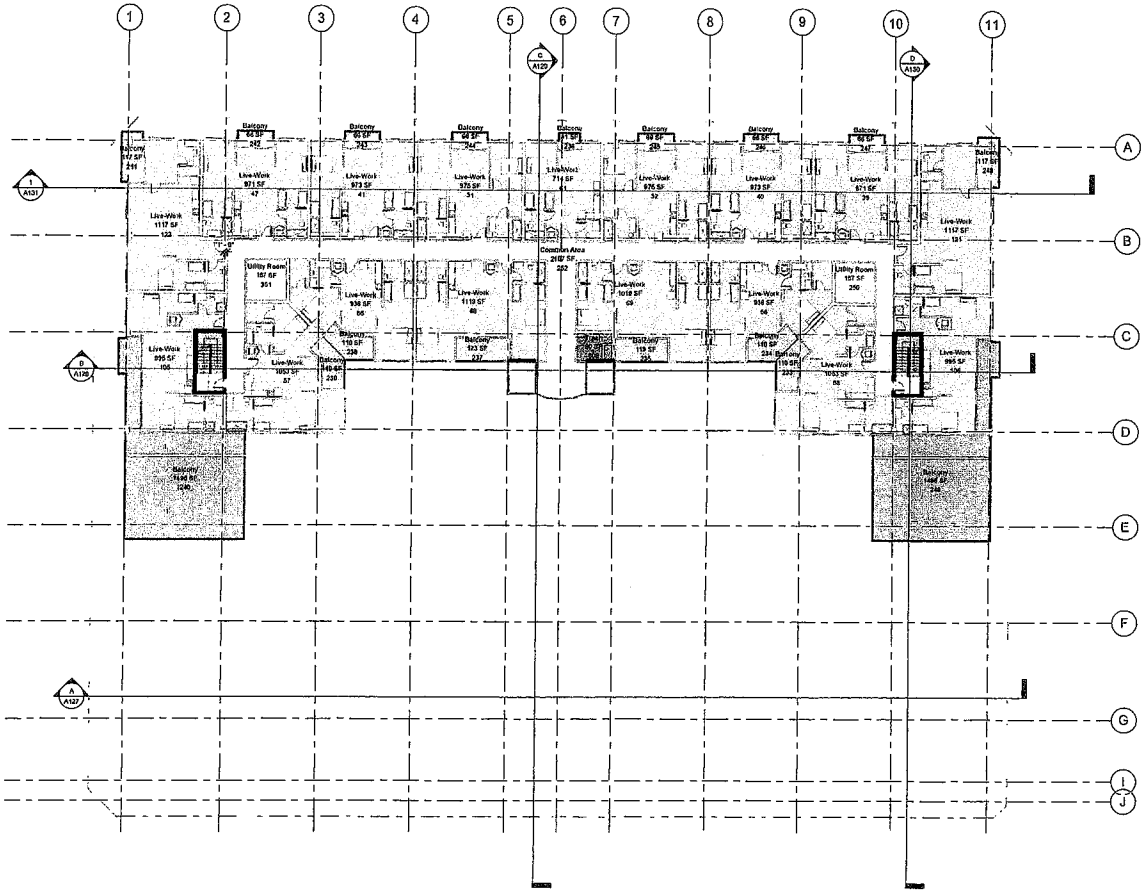
AMIDI
REAL ESTATE GROUP
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 385-3129 Fax: (213) 785-5291

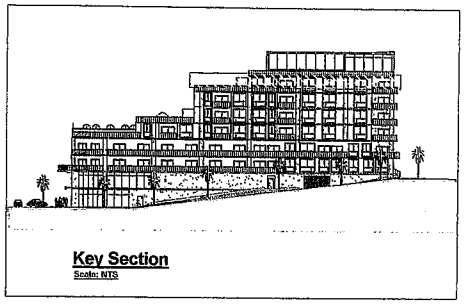
PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACROLINE
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 344-8760 Fax: (213) 785-5129

Land Use (Entitlement) Modification
March 2012
Level 07

A119





North

Level L8 - Floor Plan

1/16"=1'-0"

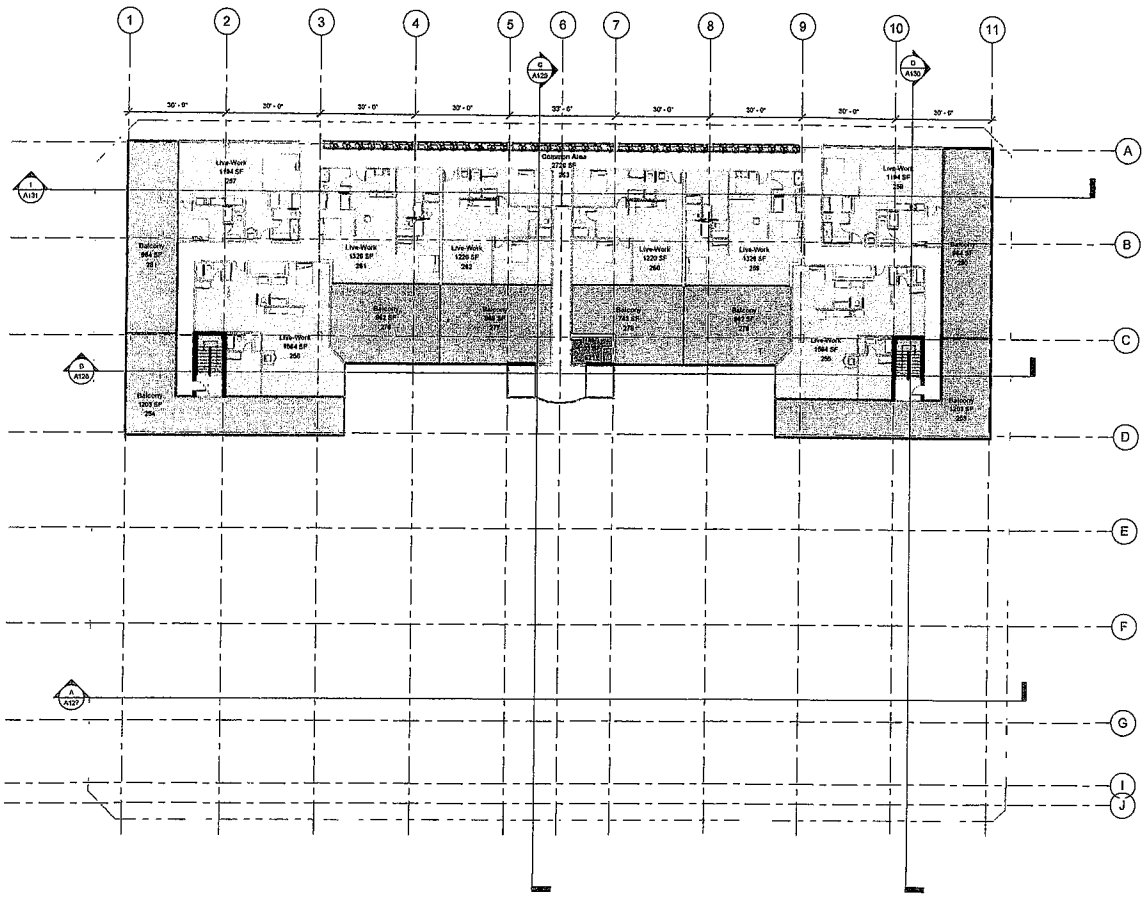
AMIDI
REAL ESTATE GROUP
1010 Wilshire Blvd., Suite 103, Los Angeles, CA 90017
Tel: (213) 785-5129 Fax: (213) 785-5501

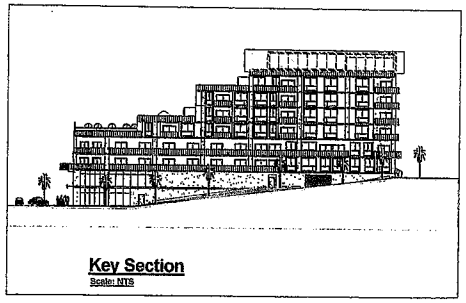
PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO LINE
1010 Wilshire Blvd., Suite 103, Los Angeles, CA 90017
Tel (213) 344-8750 Fax: (213) 785-5129

Land Use (Entitlement) Modification
March 2012
Level 08

A120





Key Section
Scale: NTS

North

Level L9 - Floor Plan

1/16"=1'-0"

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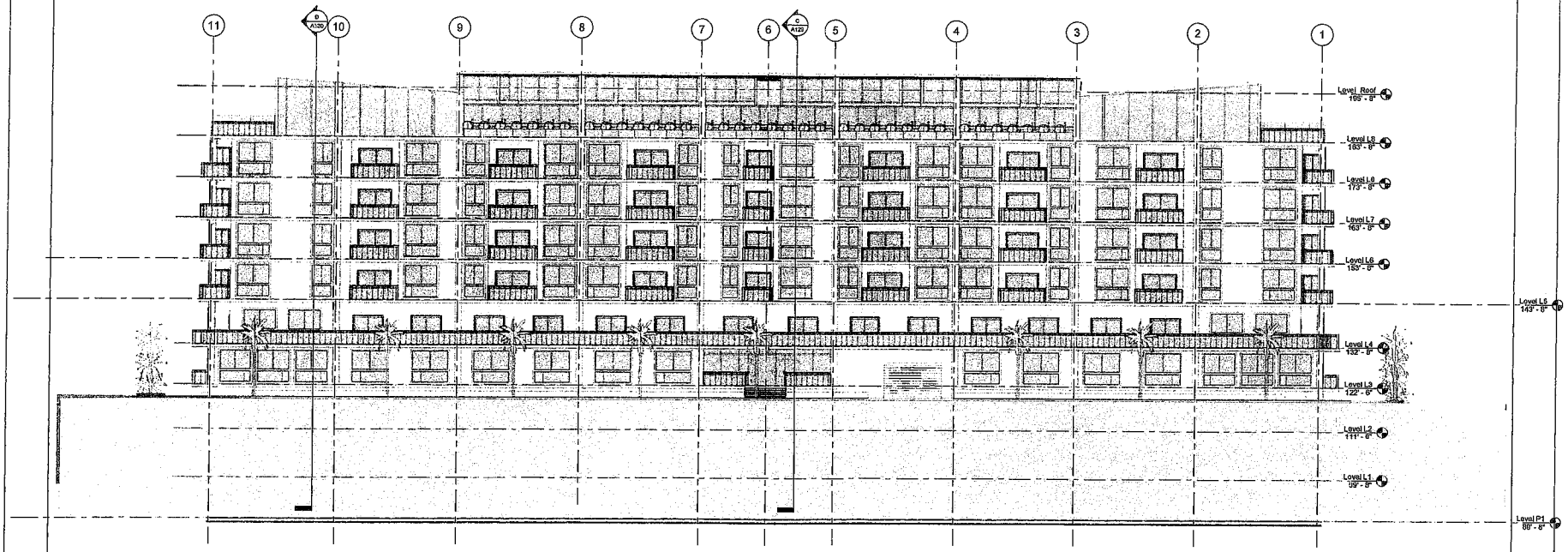
Tel: (213) 785-5120 Fax: (213) 785-5131

PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO:CNS
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 344-0760 Fax: (213) 785-5125

Land Use (Entitlement) Modification
March 2012
Level 09

A121



North Elevation

3/32"=1'-0"

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PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACDONALD
10100 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
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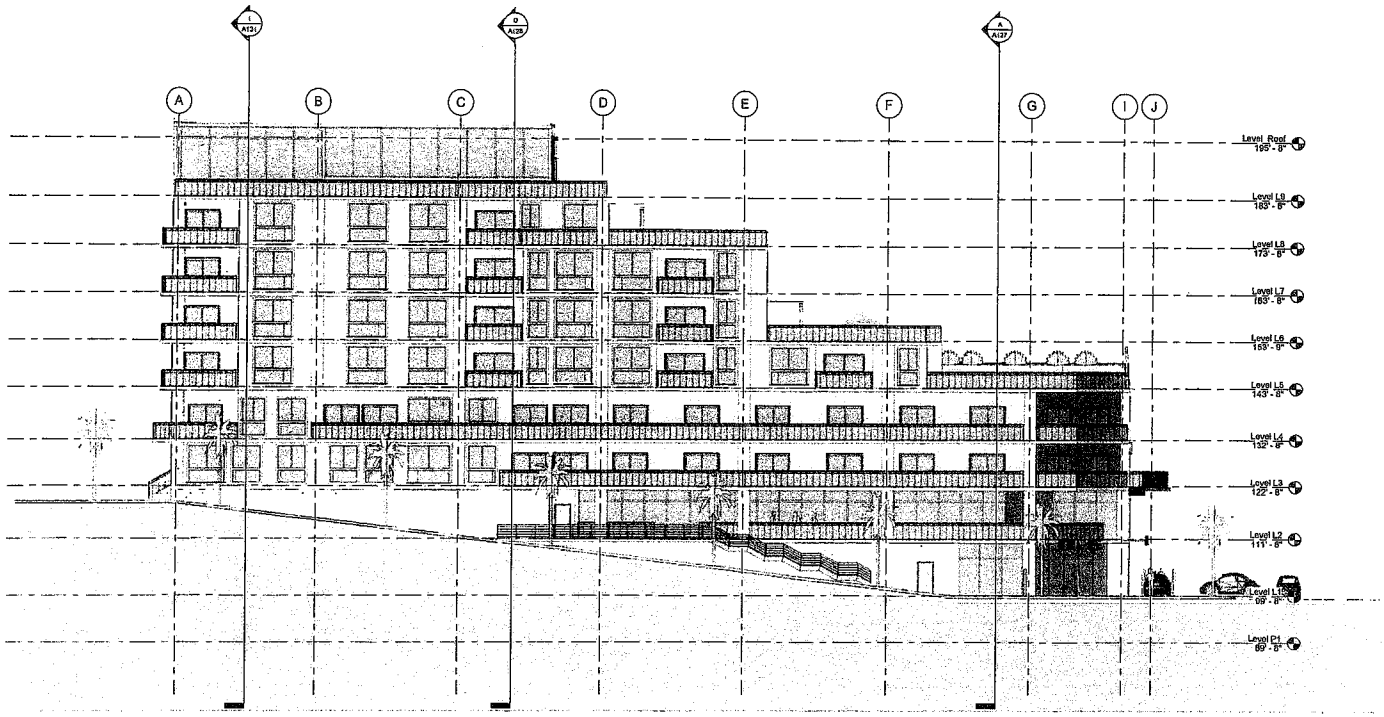
Land Use (Entitlement) Modification
March 2012
North Elevation

A124



West Elevation

3/32"=1'-0"

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1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
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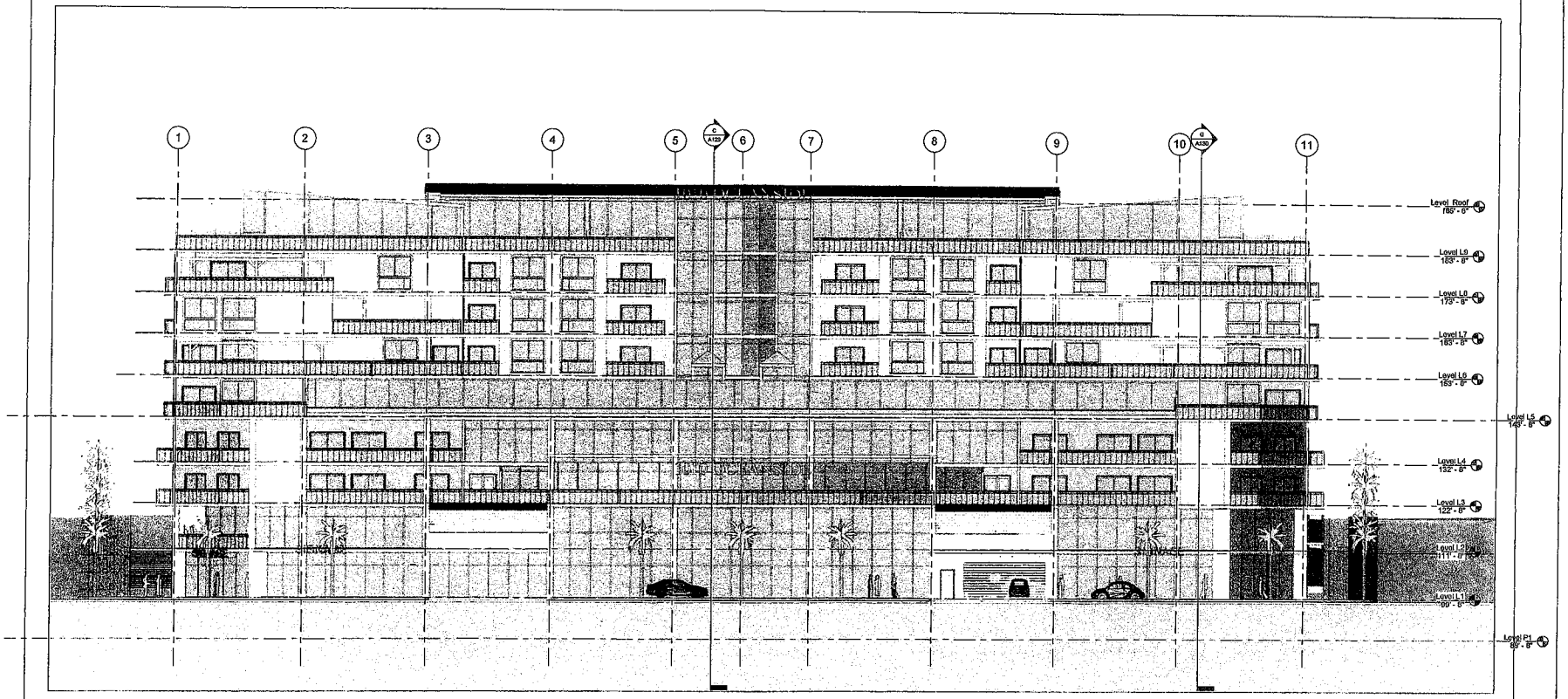
PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO ARC
1010 Wilshire Blvd., Suite 109, Los Angeles, CA 90017
Tel: (213) 344-8766 Fax: (213) 785-5129

Land Use (Entitlement) Modification
March 2012
West Elevation

A125



South Elevation

3/32"=1'-0"

AMIDI
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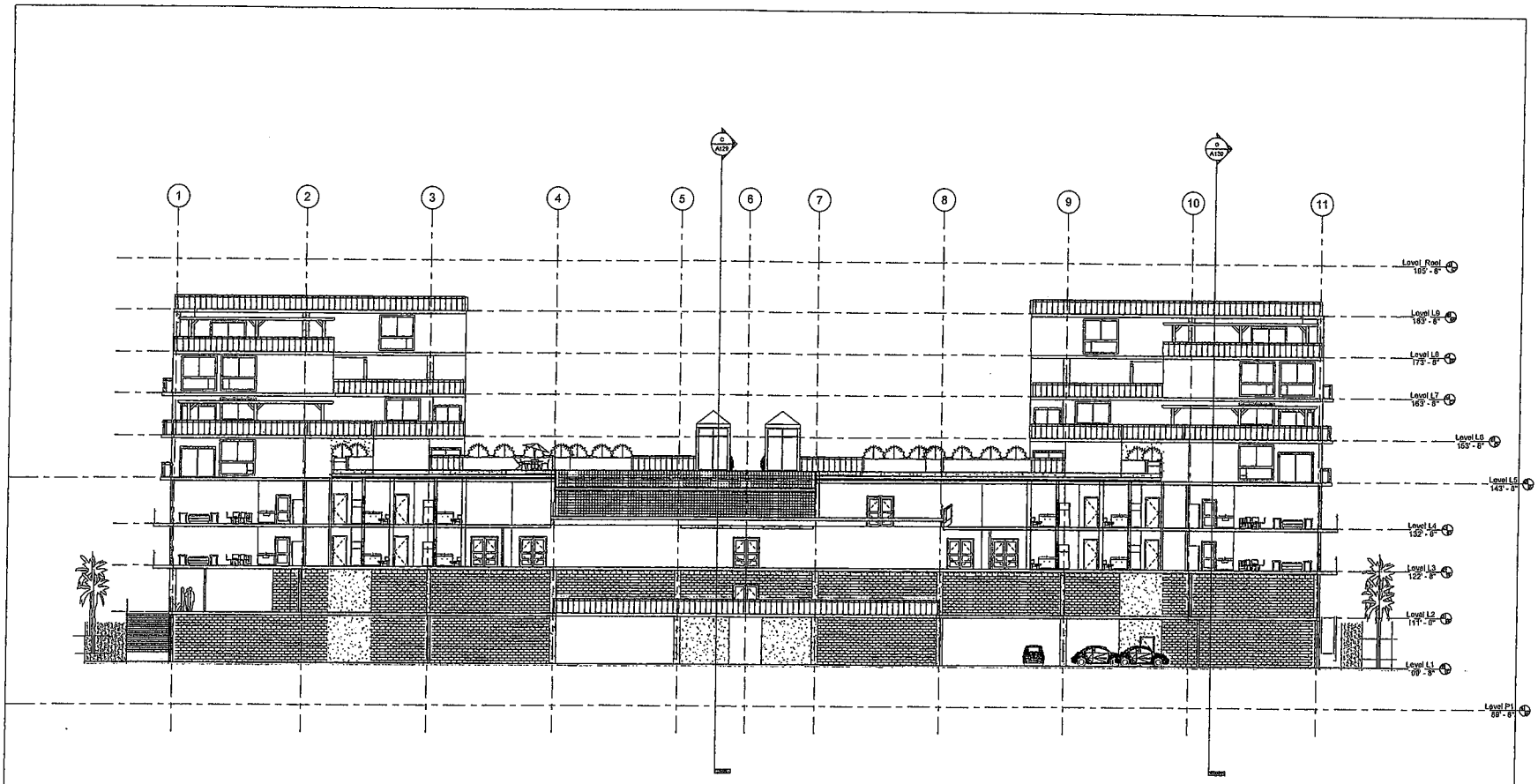
PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO LINE
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 344-8780 Fax: (213) 765-5129

Land Use (Entitlement) Modification
March 2012
South Elevation

A126



Section A

3/32"=1'-0"

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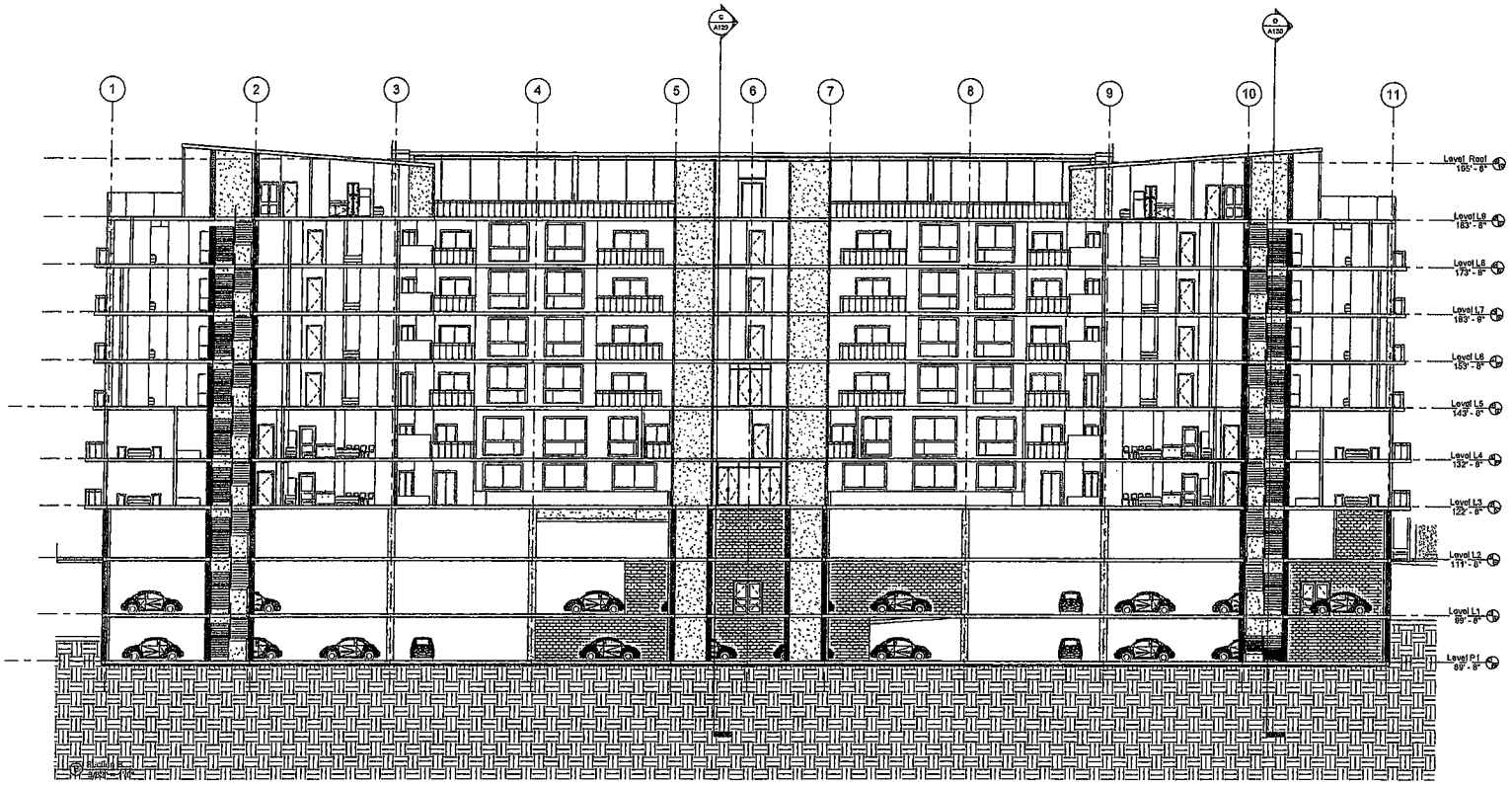
PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO LINE
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 344-8700 Fax: (213) 785-5120

Land Use (Entitlement) Modification
March 2012
Section A

A127



Section B

1/16"=1'-0"

AMIDI
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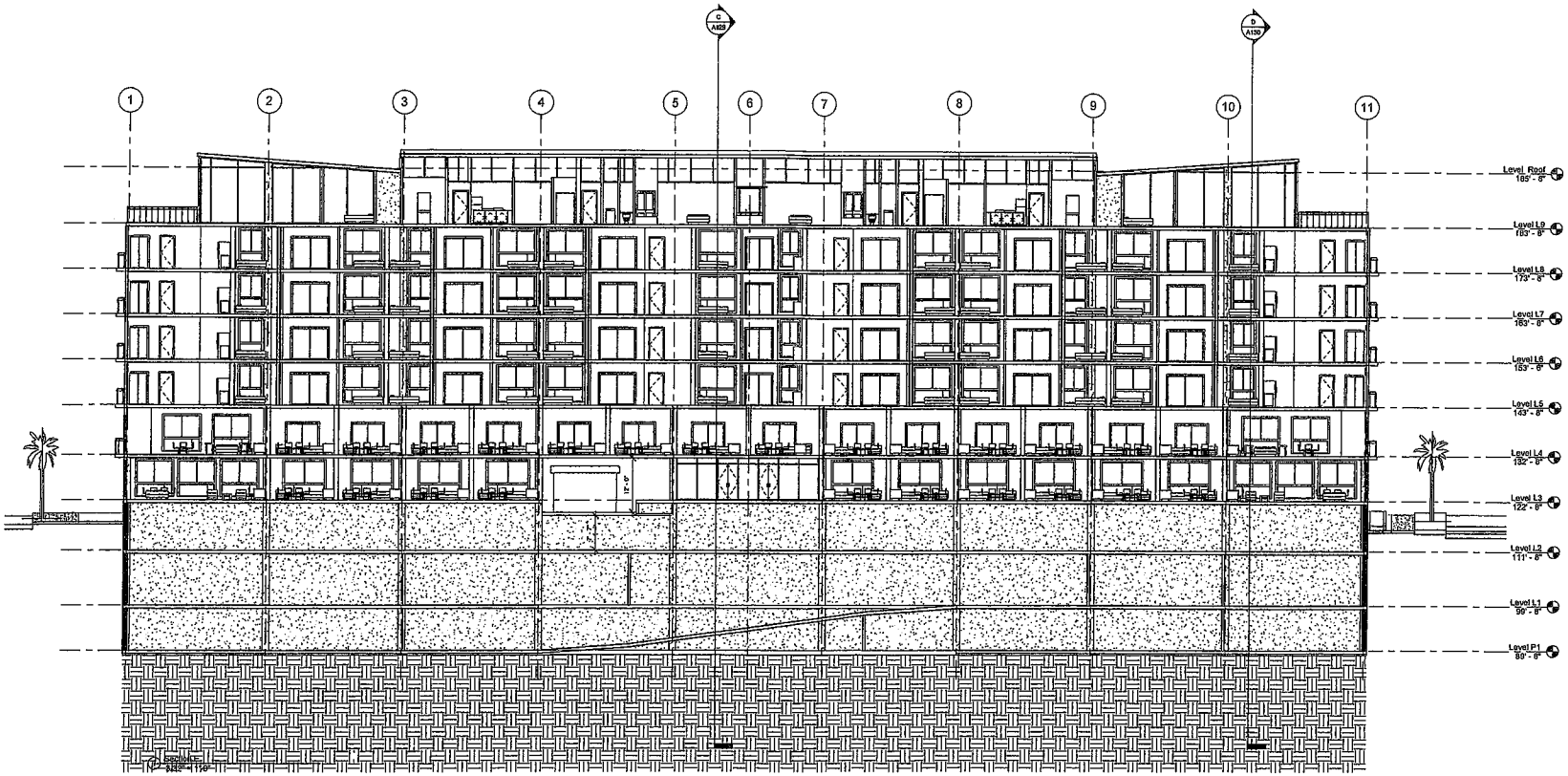
1019 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 785-5929 Fax: (213) 785-3991

PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO DESIGN
1010 Wilshire Blvd., Suite 100, Los Angeles, CA 90017
Tel: (213) 344-0760 Fax: (213) 785-5129

Land Use (Entitlement) Modification
March 2012
Section B

A128



Section E

3/32"=1'-0"

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PROPOSED MIXED-USE DEVELOPMENT
901 MISSION AVENUE, OCEANSIDE, CA

MACRO: ONS
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Tel: (213) 344-6700 Fax: (213) 785-5129

Land Use (Entitlement) Modification
March 2012
Section E

A131

Doug & Diane Fencl
307 S. Horne Street
Oceanside, CA 92054
Cell: (949) 795-9409
Email: dougfencloc@yahoo.com

October 5, 2012

To: The Oceanside City Council Members

Re: The Belvedere Project

Traffic and Landscape Concerns -- And, Long-Term Vision

It is truly "GREAT" to know that this project is actually going to get underway! This and the hotel project breaking ground will kick-off the VIBRANCY that downtown Oceanside really needs! Both will bring good, long-term jobs to the area, increase the tax base and increase the desirability for people to move to (i.e. buy houses) and live in and near downtown Oceanside.

Since my wife and I moved here in 2006 we have eagerly awaited the start of all the downtown redevelopment. We actively attended the city development meetings about the five blocks downtown. One of our main reasons for moving from Orange County to Oceanside was because of the vision being projected by Oceanside for the downtown and pier area. Oceanside has the capability and capacity to really experience dramatically increasing real estate values which brings on-going, greatly increased revenues via real estate taxes to the city. There are others in our neighborhood that moved here with the same thoughts.

This potential for dramatically increase real estate values is the primary reason for writing to you about a two concerns about The Belvedere Project. Let me be clear, I do not ask nor desire the project to be delayed for one minute. But I do ask for strong consideration on these two points.

#1 Traffic

1. I believe the time is now to have the "vision" and implementation of the vision to establish neighboring areas to downtown as high-end residential neighborhoods by means of implementing many of the traffic plans that have been proposed and/or approved by the city.
    a. By doing so now allows future residents (house and other real estate buyers) as well as current/prospective businesses to solidly know what the traffic patterns will be --- not just what is planned; that is, not really knowing when or if these plans will be implemented. This 'certainty' makes for more confident consumers of real estate and business planning.
2. With this being said, I do believe now is the time to wipe the dust off and implement the plan to make the 300 block of South Horne Street (see attached) into a one-way street with diagonal parking with a couple speed bumps.
    a. The street needs to be one-way going north from Missouri to Michigan Streets. By making this a one-way, it will encourage traffic to go all the way down to the traffic light on Coast Highway for those drivers needing to travel to farther south than the immediate neighborhood. Thus, this neighborhood has been "established" as quiet, residential neighborhood.
    b. Diagonal parking should be on the right (east side of the street). There are 48 apartment units on this one block of South Horne Street; 38 on the east side of the street, 10 on the west side. South Horne Street already 'bends & narrows' at the corner

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of Michigan & S. Horne. (See attached picture) Additionally, the diagonal parking will actually increase street available parking spaces and will make the parking safer for those getting in/out of cars. Since most of those parking on the streets are the apartment renters, this is a "plus" for them and the owner's of the properties and for home owners and their guests.

c. Speed bumps would be located at both ends of the street for the 300 block.

#2 Landscaping at The Belvedere

1. After reviewing The Belvedere documents and pictures, it looks like there will be some fairly tall, bare concrete walls when completed. Or, we may want to call these bare walls "Graffiti Magnets". I would strongly urge the developer to eliminate this possibility.
2. There are probably many ways to eliminate these magnets, but the first thing that I think of is to plant climbing vines and maintain them. These would be much more desirable to look at and a lot less work overall than frequently having to remove or paint over graffiti. Of course, we would all like to eliminate 100% of the graffiti that occurs, but I do not believe that is a reality for now.

I do appreciate your taking time to read, look at the attachments and consider this input. I did get agreement to these two topics at a recent OCNA/Seaside Neighborhood meeting and have attached their signatures with addresses for most.

I do look forward to speaking with or receiving emails from any of you or your staff about my concerns and suggestions.

Sincerely,

Doug Fencl

P.S. I believe all the Oak trees throughout our neighborhood are scheduled to be removed because all have internal rotting due to age. It is sad to see them go, but it is also good because limbs do break off without warning and, therefore, a definite hazard to people, cars and houses.....and the potential liability for the city. (See pictures) Please consider allocating funds to have the trees quickly replaced. Trees lining the streets help people drive calmer and creates an ambiance that improves neighborhood desirability; that is, better real estate value → more long-term revenue for the city.