

AGENDA NO. 4

PLANNING COMMISSION



CITY OF OCEANSIDE

DATE: November 4, 2013

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE MAP (T13-00003), DEVELOPMENT PLAN (D13-00008), VARIANCE (RC13-00003), AND REGULAR COASTAL PERMIT (RC13-00008) TO ALLOW THE DEVELOPMENT OF EIGHT SINGLE-FAMILY ATTACHED UNITS ON A 10,000-SQUARE-FOOT SITE LOCATED AT THE NORTHEASTERN CORNER OF CLEVELAND STREET AND WASHINGTON AVENUE – CLEVELAND STREET EIGHT – APPLICANT: HALLMARK COMMUNITIES**

RECOMMENDATION

Staff recommends that the Planning Commission by motion;

- (1) Confirm issuance of a Categorical Exemption per CEQA Guidelines Article 19, Section 15332 (In-Fill Development Projects); and
- (2) Approve Tentative Map (T11-00003), Development Plan (D13-00008), Variance (RC13-00003), and Regular Coastal Permit (RC13-00008) by adopting Planning Commission Resolution No. 2013-P45 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review and Background: The subject property comprises 0.23 acres (10,000 sq. ft.) at the northeastern corner of Cleveland Street and Washington Avenue, within the Coastal Zone and the Townsite Neighborhood Planning Area. Consisting of two legal lots of comparable size, the subject property is currently vacant. The site not only maintains frontage on Cleveland Street and Washington Avenue but also abuts an alley at the rear. Situated in a highly urbanized area less than a quarter-mile from the Oceanside Transit Center, the subject property is bounded by three-story townhomes to the west (across Cleveland Street), one and two-story single-family homes to the east (across the alley), two-story single-family homes to the north, and a vacant 5,000-square-foot lot to the south (across Washington Avenue).

The subject property is virtually flat, with less than one foot of elevation difference between the highest and lowest points of existing grade. A biological resources survey conducted on July 29, 2013 found no sensitive habitat or protected animal species on the subject property. A cultural resources survey conducted on July 16, 2013 found no artifacts of cultural significance.

The subject property bears a land use designation of High-Density Residential under the Land Use Plan of the City's Local Coastal Program. Per the City's 1986 Zoning Ordinance, the property is zoned R-3 (Medium-Density Residential). The property's land use and zoning designations are consistent with one another and prevalent in the surrounding area. While the townhomes to the west lie with the Downtown District (Subdistrict 5), the abutting properties to the north, south, and east bear the same land use and zoning designations as those of the subject property.

The subject property lies within the Oceanside Transit Center Node, as delineated by the Coast Highway Vision and Strategic Plan (CHVSP). Approved in 2009, the CHVSP identifies this node as appropriate for "mixed-use pedestrian-oriented development that becomes an extension of the downtown business area, providing opportunities for additional commerce, employment areas, and supportive housing." In accordance with Smart Growth thresholds set by the San Diego Association of Governments (SANDAG), the CHVSP targets a residential density of 25 to 43 dwelling units per acre for this nodal area.

According to historical aerial photography and fire insurance maps, the subject property accommodated agricultural uses until the 1940s, when an office and apartment unit was constructed on the site. By the mid 1970s, the office and apartment unit had been removed. The property was under City ownership from April 1942 until February 2013, when it was sold to the applicant.

Development on the subject property is subject to the policies and standards of the following:

1. Local Coastal Program
2. 1986 Zoning Ordinance
3. Subdivision Ordinance
4. California Environmental Quality Act (CEQA)

Project Description: The proposed project requires four (4) separate entitlements: a Tentative Map, a Development Plan, a Variance, and a Regular Coastal Permit. The Tentative Map allows for a one-lot subdivision of airspace for condominium purposes, which provides for separate ownership of the eight attached dwelling units. The Development Plan allows for a residential project involving more than two dwelling units. The Variance allows for a five-foot reduction of the minimum 15-foot front yard setback. The Regular Coastal Permit allows for non-exempted/excluded development within the Coastal Zone.

Tentative Subdivision Map T13-00003 represents a request to:

Create a one-lot subdivision for condominium purposes, merging two existing legal lots and providing for a common interest development comprised of eight (8) airspace condominium units and various common areas to be managed by a homeowners association.

The Tentative Map/Site Development Plan details a variety of off-site improvements to be effected in conjunction with proposed project:

- new sidewalk along Cleveland Street, with an ADA compliant pedestrian ramp at the corner of Cleveland Street and Washington Avenue;
- new curb and gutter along the entire street frontage of the subject property;
- grinding and pavement overlay on Washington Avenue;
- new road base, pavement, and ribbon gutter in the abutting alley;
- undergrounding of existing overhead utilities on all street and alley frontages; and
- relocation of existing power poles along the alley frontage.

The exhibit further shows connection to existing water and sewer service beneath Cleveland Street and installation of utility meters (gas, electric, telephone, and cable) on the alley-facing elevation of the proposed building.

The Tentative Map/Site Development Plan indicates that the proposed project includes an irrevocable offer of dedication of five feet of additional right-of-way along the Cleveland Street frontage of the subject property. Intended to provide for underground utilities, the additional five feet of right-of-way would bring Cleveland Street to a total width of 60 feet.

Staff finds the proposed tentative map to be complete and the proposed off-site improvements to be consistent with the Subdivision Ordinance, the Circulation Element, and other applicable policies and standards.

Development Plan D13-00008 represents a request to:

Construct eight attached condominium dwelling units with associated on-site parking resources, vehicle circulation areas, and landscaping. Designed as a single three-story building divided in the middle by a private drive aisle off of the alley, the condominium complex would feature walkup townhouse units. Three of the townhouse units would open to Washington Avenue, another three units would open to the interior side yard property line, and two units would open to Cleveland Street. The primary entrances to the units would feature slightly elevated stoops, placing the entrances roughly two feet above the adjacent finished grade. All of the units would include two levels of habitable space above an enclosed garage.

Architecture

The applicant refers to the architecture of the proposed condominium building as “urban beach.” The proposed architecture is reminiscent of the beach cottage design of the adjacent single-family homes to the north, with somewhat more articulated façades and a greater variety of finish materials.

The building would feature a combination of shallow-pitched hipped roof elements with projecting eaves, accented with decorative brackets and exposed rafters. Each corner of the building would be capped with a separate hipped roof element, creating a subtle tower/turret effect. These corner elements would be connected by slightly recessed components of the overall roof design, resulting in a series of staggered rooflines. The entire roof would be finished with concrete tile.

Exterior wall surfaces would be articulated with inset balconies, projecting columnar elements, and furred-out wall sections. Foam window trim and score lines would provide additional articulation. Exterior finishes would include fiber cement lap siding and sand finish stucco, with stone veneer accents at the ground level. The building elevations reflect a straightforward and unified aesthetic, with strong horizontal lines balanced by vertically-oriented windows, eight-foot entry doors, and the overall height of the building.

Exterior lighting exhibiting a traditional gooseneck design would be provided at the primary entrances and second-story balconies.

Parking and Vehicle Circulation

The drive aisle proposed at the center of the property would provide access to private two-car garages. As shown on the roof plan, portions of the drive aisle would be open to the sky. To allow for additional natural lighting and airflow, an opening into the drive aisle would be provided on the front elevation. This second opening would be framed by a stone-clad 42-inch wall and dense landscape. The drive aisle would maintain a minimum width of 24 feet and a typical width of 27 feet, to afford ample turning radius and backup distance. The drive aisle would be surfaced with standard concrete accented by four bands of colored concrete ornamented with a diagonal score pattern. 3' x 2' at-grade planters would be located between the private garages.

Landscape

The conceptual landscape plan (CLP) details the planting scheme for the project site as well as the adjacent parkways along Cleveland Street and Washington Avenue. The CLP shows a combination of groundcover, shrubbery, and tree species consistent with the City’s Landscape Design Manual and approved street tree list. As indicated on the CLP, 24 percent of the project site would be devoted to landscape.

Within the front yard setback, plantable areas nearest the building would support groundcover, a variety of low-water shrubs, and vertical accents including giant bird of

paradise and flowering patio trees. Pygmy date palms would provide additional screening in front of the opening into the central drive aisle. Turf grass would straddle the front property line and extend into the Cleveland Street parkway, which would also accommodate five bronze loquat trees. Within the street side yard setback, a dense palette of shrubbery would share planter area with umbrella trees, flowering patio trees, and Indian hawthorne. The parkway along Washington Avenue would include turf grass and groundcover with various shrub species and three strawberry madrone trees. The interior side yard setback would include a four-foot-wide concrete walkway at the property line and a six-foot-wide planter area between the walkway and the building. This planter area would accommodate a variety of groundcover and shrub species with vertical accents including giant bird of paradise and umbrella trees. Landscaping on the alley would be contained within a two-foot-wide planter area abutting the building on either side of the central drive aisle. This shaded planter area would accommodate dymondia, Myers asparagus, and blue flax lily, with cordyline torbay at the building corners.

Landscaping would screen free-standing air conditioning units located adjacent to the primary entrance to each unit.

The complex would not provide a common area trash/recyclable enclosure; carts for disposal of trash and recyclables would be housed within each private garage. As shown on the ground-level floor plan, these carts would be stored in the recesses under the entry stairs. Residents would be responsible for placing bins in the alley for weekly solid waste collection. Language would be incorporated into the covenants, conditions, and restrictions to require timely removal of bins from the alley following pick-up.

Floor Plan

All of the interior units (Plan 2) would include two bedrooms and 2.5 bathrooms. The corner units (Plans 1 & 3) would include three bedrooms and three bathrooms. The units would range in size from 1,220 square feet to 1,604 square feet. At the ground level, primary entrances would lead to landings that provide access to both the private garages and the stairwells leading to habitable space on the upper floors. The landings would include small closets. On the second story, open floor plans would accommodate kitchen, dining, and living areas with either full or half bathrooms. End units would include bed/bath suites on the second story. The third story of each unit would be occupied by two bedrooms and two bathrooms.

It is staff's position that the site design and architecture of the proposed project meet all of the required findings for Development Plan approval.

Variance (RC13-00003) represents a request to:

Allow a five-foot reduction in the standard 15-foot front yard setback along Cleveland Street. The proposed deviation from setback standards is occasioned by the City's requirement that an additional five feet of right-of-way be dedicated along the Cleveland Street frontage. The required dedication of right-of-way would reduce the depth of the

subject property from 100 feet to 95 feet. The dedication is intended to provide additional right-of-way for utility burial; it is not for the purpose of widening the improved street dimensions. The dedicated strip of land would remain landscape area behind the sidewalk. Consequently, the proposed development would maintain a 15-foot setback from the improved portions of the right-of-way, all of which would be landscaped.

Staff finds that when coupled with 10-foot setbacks on both the interior and street side yards, the required dedication constitutes a hardship for the applicant, who has been encouraged by City staff to develop a project that approaches the maximum allowable density under R-3 zoning. The standard 15-foot front yard setback (in effect a 20-foot setback from the back of the sidewalk) would not allow for the minimum number of on-site parking spaces required for the proposed eight units.¹

Staff further finds that the proposed five-foot reduction in the standard 15-foot front yard setback would be consistent with existing front yard setbacks on adjacent properties and thus not a granting of special privilege.

It is thus staff's position that the proposed reduction in the required front yard setback should be granted.

Regular Coastal Permit (RC13-00008) represents a request to:

Allow non-exempted/excluded residential development within the Coastal Zone. The proposed project complies with the objectives and policies of the City's Local Coastal Program and its attendant Land Use Plan. The subject project does not lie within the appeal jurisdiction of the California Coastal Commission, and thus the proposed project is not subject to the public access and recreation policies of Chapter 3 of the Coastal Act. That said, consistent with these policies, the proposed project would not impede public access to the coast nor diminish opportunities for visitor-serving recreational uses within the Coastal Zone. The proposed project would be contiguous with existing developed areas with adequate public services and would enhance the scenic and visual qualities of the Coastal Zone. For these reasons, staff recommends approval of the Regular Coastal Permit.

KEY PLANNING ISSUES

1. Local Coastal Program (LCP) Conformance

Policy 1.32 of the Land Use Element of the General Plan recognizes the City's Local Coastal Program (LCP) and its attendant Land Use Plan (LUP) as the governing land use policy documents for Coastal Zone properties. The LCP outlines objectives and policies intended to achieve the goals of the California Coastal Act at the local level. These objectives and policies are summarized in Appendix B of the Land Use Element

¹ While it might be possible to meet the standard front yard setback and provide the required 16 parking spaces with a subterranean parking structure, market studies indicate that subterranean parking is not financially feasible for projects of this scale at this time.

of the General Plan. Staff finds the proposed project conforms to the policies and objectives of the City's LCP, as follows:

Coastal Access (I.C): Adequate access to and along the coast shall be provided and maintained.

The subject property lies east of the railroad, which remains a major impediment to pedestrian and vehicular access to the coast. The Tyson Street undercrossing at the Oceanside Transit Center, located 400 feet to the north of the subject property, provides the most convenient pedestrian access to the coast. Vehicles can access the coast at Mission Avenue, roughly a quarter-mile north of the subject property. The proposed project would in no way impede pedestrian or vehicular access to the coast. For residents and visitors accessing the coast from points eastward of the subject property, the proposed project would contribute to a safer and more visually appealing pedestrian experience, as it would implement new sidewalk, an ADA-compliant ramp, and additional landscape in the parkways along Cleveland Street and Washington Avenue.

Recreation and Visitor Serving Facilities (II.C.17): The City shall require that all new residential development provides adequate on-site parking...Curb cuts for new development shall be held to a minimum to preserve existing on-street parking.

The proposed project would provide on-site parking consistent with applicable parking standards. Each condominium unit would include a two-car garage directly accessible from the interior of the unit. Additionally, the proposed project would provide one ADA-compliant handicapped-accessible parking space at the northeast corner of the subject property. The handicapped-accessible space would be available to both residents and guests of the condominium complex.

All on-site parking would be accessed from the existing alley. All existing on-street parking resources along the frontage of the subject property would thus be preserved.

Water and Marine Resources: Diking, Dredging, Filling, and Shoreline Structures; and Hazard Areas (III.C): The City shall seek to minimize risks to life and property in areas of high geologic and flood hazards.

As demonstrated by a geotechnical survey and a stormwater management study, the subject property is not located in an area of high geologic or flood hazard. Situated more than 1,000 feet from the mean high tide line and more than 60 feet above mean sea level, the property does not rest on or near a coastal bluff, nor does it exhibit slopes in excess of 20 percent. The property does not lie in proximity of the San Luis Rey River, Loma Alta Creek, or Buena Vista Lagoon.

Environmentally Sensitive Habitat Areas (V.A): The Coastal Act requires that environmentally sensitive habitat areas be protected against significant

disruption. Development adjacent to such areas shall be sited and designed to prevent adverse environmental impacts.

The subject property is not located within or in proximity to an environmentally sensitive habitat area. The property lies within a highly urbanized area and contains no sensitive habitat.

Visual Resources and Special Communities (VI.C.8): The City shall ensure that all new development is compatible in height, scale, color, and form with the surrounding neighborhood. The City shall encourage variety, creativity, and site-responsive design for all new development.

The subject property lies within a highly urbanized area characterized by medium and high-density residential development ranging between one and three stories in height. Many of the properties in the surrounding area are considered to be under-utilized relative to the allowable building envelope and potential residential density.

The townhouses immediately westward of the subject property contain three stories and reach a height of over 35 feet. The single-family homes immediately to the north of the subject property contain two stories with roof projections and reach a height of over 30 feet. These homes maintain 10-foot front yard setbacks and three-foot interior side yard setbacks. Existing development across the alley from the subject property is generally of older vintage and smaller scale. Properties on the east side of the alley have the potential to redevelop with more intensive residential uses, consistent with R-3 zoning standards and the policy direction of the Coast Highway Vision and Strategic Plan (CHVSP). City staff has recently reviewed preliminary plans for the development of the vacant lot to the south of the subject property. These preliminary plans depict triplex development of comparable bulk and scale to the proposed project.

The proposed project exhibits an architectural style that features many of the design characteristics of the adjacent single-family residences to the north: e.g., pitched roof elements, decorative eaves, balconies, lap siding, and stone veneer. With primary entrances that face the interior side yard property line, the proposed project is required to maintain a 10-foot interior side yard setback – twice the standard minimum for R-3 development. Sited on a corner lot, the proposed project must maintain a 10-foot setback from the property line along Washington Avenue. Thus, while the proposed project would be slightly taller than the adjacent single-family homes, it would maintain substantially greater side yard setbacks.

The bulk and scale of the proposed project would be substantially mitigated by highly-articulated façades (accentuated by ground-level openings into the central drive aisle), pitched roof elements, open balcony railings, an array of finish materials, and a variegated paint scheme. The building would be further softened by dense, layered landscape, both on the subject property and within the adjacent parkways on both Cleveland Street and Washington Avenue. It is staff's position that the proposed project would visually complement the surrounding built environment and serve as an example

of sensitively designed high-density residential development within the Oceanside Transit Center Node.

Visual Resources and Special Communities (VI.C.4): The City shall maintain existing view corridors through public rights-of-way.

The subject property does not lie within an identified public view corridor and thus the proposed project would not impact existing public views of the ocean or coastline.

New Development and Public Works (VII.C): The City endorses infilling and revitalization of the Coastal Zone for the purposes of creating an attractive, balanced, and economically sound urban environment.

The proposed project constitutes in-fill development within a highly urbanized area. The project would achieve a residential density consistent with the expectations of the Coast Highway Vision Plan, which identifies high-density residential development in proximity to Coast Highway as a key component of the revitalization of commercial activity within the corridor.

New Development and Public Works (VII.C.4): The City shall approve new development in the Coastal Zone only if essential public services are available to serve the development.

Essential public services are available to serve the proposed project.

2. Zoning Ordinance Conformance

Per the 1986 Zoning Ordinance ('86 ZO), the purpose of the R-3 zoning designation is to provide for "the orderly development of multiple family residences in a manner...compatible with surrounding properties." The '86 ZO indicates that new land uses in R-3 zones must meet "a demonstrated public need," be located on streets with a minimum width of 56 feet, and be adequately served by public services and utilities. The '86 ZO further establishes that all projects in R-3 zones, with the exception of single-family and two-family residences, are subject to approval of a Development Plan.

The Regional Housing Needs Assessment (RHNA) for the Fifth Housing Element Cycle (2013-2021) estimates that the City of Oceanside will experience demand for more than 6,200 new dwelling units over the next eight years. By contributing eight new market-rate dwelling units to the City's existing housing stock, the proposed project would help to meet this projected housing demand.

With the required dedication of five feet of additional right-of-way, Cleveland Street would achieve a total width of 60 feet across the frontage of the subject property, thereby meeting the 56-foot minimum dimension for R-3 development.

As noted above, the project would be adequately served by existing public services in the vicinity. No upsizing of water or sewer facilities is required.

The application associated with the proposed project includes a request for approval of a Development Plan (D13-00008).

In order to calculate inclusionary housing requirements for market-rate residential projects, the '86 ZO sets the allowable density range for R-3 properties at 29-43 dwelling units per acre. Market-rate residential projects in R-3 zones that exceed the base density of 29 du/acre and provide ten percent of total units as affordable to lower-income households are eligible for certain zoning incentives, including reduced parking requirements and increased building height. Projects that choose to pay fees in-lieu of providing affordable units are not eligible for these zoning concessions and are required to pay a higher "second-tier" inclusionary housing in-lieu fee for all units achieved above the base density allowance. The applicant does not propose to reserve ten percent of units as affordable and thus the proposed project is not eligible for zoning concessions. The proposed eight-unit condominium complex would achieve a residential density of 38 dwelling units per acre, more than 10 percent below the maximum density allowance of 43 du/acre. Table 1 below outlines the proposed project's conformance to other applicable development standards.

**Table1
R-3 Development Standards**

Standard	Requirement	Proposal
Minimum Lot Area	6,000 sq. ft.	10,000 sq. ft.
Minimum Lot Width	60 feet	100 feet
Minimum Front Yard	15 feet	10 feet (15 feet from improved right-of-way)
Minimum Side Yard	10 feet (when primary entrances face side yard)	10 feet
Minimum Street Side Yard	10 feet	10 feet
Minimum Rear Yard	5 feet	5 feet
Maximum Height	35 feet	35 feet
Maximum Lot Coverage	Not specified	42%
Minimum Off-Street Parking	2 spaces per unit, at least one enclosed	2 enclosed spaces per unit

In addition to furnishing the requisite amount of on-site parking for the eight proposed dwelling units, the project would also implement an ADA-compliant handicapped-accessible stall at the northeast corner of the subject property. This parking space would be available to both residents and guest of the condominium complex.

3. Subdivision Ordinance Compliance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance (Article IV Tentative Subdivision Maps - Five or More Parcels). Pursuant to Section 401 of the Subdivision Ordinance, this proposed Tentative Subdivision Map has been prepared in a manner acceptable to the Engineering Division. The property is a legally subdivided lot with the minimum lot area and

dimensions. The proposed subdivision generally holds an interest in common areas and facilities and will establish CC&Rs in conformance with state law.

ENVIRONMENTAL DETERMINATION

In accordance with Section 15332 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA), the proposed project qualifies for a Class 32 categorical exemption, being an in-fill development project that:

- conforms to applicable land use and zoning standards;
- occurs on a property of less than five acres surrounded by urban uses;
- occurs on a property having no value as habitat for endangered, rare, or threatened species;
- does not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- is adequately served by all required utilities and public services.

The proposed variance for a reduced front yard setback is occasioned by the required dedication of right-of-way along Cleveland Street and is in keeping with front yard setbacks of existing development in the vicinity. Because the five feet of dedicated right-of-way would remain plantable area behind the sidewalk, the proposed project would maintain an effective 15-foot front yard setback, consistent with zoning standards. Thus, staff finds that the proposed project qualifies for the Class 32 categorical exemption despite the variance for a reduced front yard setback.

PUBLIC NOTIFICATION

In accordance with the Coastal Permit Handbook of the City's Local Coastal Program, legal notice was published in the San Diego Union and notices were mailed to property owners of record within a 300-foot radius of the project site and occupants within a 100-foot radius of the project site. Notices were also mailed to individuals/organizations requesting notification, and to the applicant.

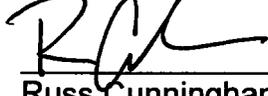
SUMMARY

Staff finds that the proposed project is consistent with the applicable objectives and policies of the City's Local Coastal Program as well as the applicable standards of the City's Zoning Ordinance and Subdivision Ordinance. Staff thus recommends that the Planning Commission approve the proposal. The Commission's action should be to:

- (1) Confirm issuance of Categorical Exemption per CEQA Guidelines Article 19, Section 15332, (In-Fill Development Projects); and

- (2) Approve Tentative Map (T13-00003), Development Plan (D13-00008), Variance (RC13-00003) and Regular Coastal Permit (R13-00008) by adopting Planning Commission Resolution No. 2013-P45 with findings and conditions of approval attached herein.

PREPARED BY:



Russ Cunningham
Senior Planner

SUBMITTED BY:



Marisa Lundstedt
City Planner

ML/RC/vm

Attachments:

1. Tentative Map, Development Plans, Conceptual Landscape Plan
2. Renderings
3. Environmental Determination
4. Planning Commission Resolution No. 2013-P45
5. Other Attachments (Application Page, Description and Justification, Legal Description)



THE LIGHTFOOT PLANNING GROUP

PLANNING
SITE DESIGN
LANDSCAPE ARCHITECTURE

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Cleveland Street 8, LLC
Cleveland Street
Oceanside, California

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Conceptual Landscape Plan

Sheet # 64400
L-1
Scale 1" = 10'
20'

LANDSCAPE DESIGN CONCEPT
THE CONCEPTUAL DESIGN LAYOUT AND PLANT PALETTE IS FOCUSED ON HOMOGENY WITH THE EXISTING STREETSCAPE ON CLEVELAND STREET AND ALLEY. THE LOCATION OF PARKWAY AND RESIDENTIAL CURB APPEAL ON BOTH WASHINGTON AND CLEVELAND STREETS.

THE LANDSCAPES ON THE STREET FRONTAGES ARE CONSISTENT WITH THE NEIGHBORHOOD LANDSCAPE. PROJECT TREES ON BOTH STREETS ARE 8" IN CALIBER RELATIVE TO THE SIZE OF THE "FRONT YARDS" AND IN KEEPING WITH THE NEIGHBORHOOD LANDSCAPE. THE ENTRY TREES ARE PARALLEL TO FRAME EACH WALKWAY AND STOOP.

PROPOSED GARAGE ACCESS IS ALLEY-LOADED WHICH IS CONSISTENT WITH THE AREA AS WELL AS OFFERING AN OPPORTUNITY TO MAKE THE ENTRIES TO THE BUILDING MORE VISIBLY ARCHITECTURAL. ELEMENTS INCLUDE ENTRY STOPS, TYPICAL ENTRY ARCHITECTURE, ENTRY ARCHITECTURE DECORS, THE CONCEPTUAL LANDSCAPE PLAN SHOWS HOW TO ACCENT THE STORIES AND OTHER ARCHITECTURAL FEATURES AND TO PROVIDE TREES, PARKWAY AND AVENUE THAT PATHS HOMAGE TO THE GUIDELINES SET FORTH IN THE COAST-HIGHWAY VISION AND STRATEGIC PLAN.

THE PLANT PALETTE ENTAILS SMALL, NATURALLY ROUND SHRUBS AS WELL AS ARRANGED TO PROVIDE SCREENING FOR THE AIR CONDITIONING UNITS AND DEFER INDIVIDUALISTIC "FRONT YARDS" FOR EACH ENTRY ON WASHINGTON STREET. THE SHRUBS ARE ALSO ARRANGED TO GIVE SEPARATION BETWEEN GARAGES AND THE STREET. SMALL SCALE PERENNIALS AND LOW GROUNDCOVERS ARE LAYERED WITH THE SHRUBS TO COMPLETE THE "ENTRY LANDSCAPES."

ALL LANDSCAPE AREAS, INCLUDING THE ROOFLANDSCAPES WILL BE PRIVATELY MAINTAINED BY THE HOA FOR THE PROJECT.

THE LANDSCAPE DESIGN PROPOSES TREES, SHRUBS AND GROUNDCOVERS THAT ARE SELECTED TO PROVIDE A LOW MAINTENANCE COMPOSITION OF CONTRASTING GRAY AND GREEN TONED PLANTS THAT ARE ACCENTED BY A VARIETY OF SUCCULENT ACCENT AND OTHER COLORFUL FOLIAGE PLANTS. FOLIAGE TEXTURAL CONTRASTS AND FLOWER COLORS ARE ALSO INTENDED TO PROVIDE VISUAL INTEREST AND CURB APPEAL.

EACH "FRONT ENTRY" HAS ITS OWN COMPOSITION IN SUPPORT OF THE DIFFERENT ARCHITECTURAL ELEVATIONS AT EACH ENTRY. HOWEVER, THERE IS REPLICATION OF PLANT MATERIAL FROM A COMMON PALETTE TO HELP CREATE COHESIVENESS IN THE LANDSCAPE, JUST AS THERE IS REPLICATION OF ARCHITECTURAL ELEMENTS.

MAINTENANCE ACCESS TO TREES SHALL BE KEPT CLEAR OF OBSTRUCTIONS. SHADE TOLERANT PLANTINGS HAVE BEEN PROPOSED FOR THE NORTH SIDE OF THE PROJECT AND IN THE AUTO-COURT WHERE BUILDING OVERHANGS LIMIT DIRECT SUNLIGHT.

TREES IN THE PARKWAYS HAS BEEN ADDED TO ALLOW FOR A PHYSICAL SEPARATION FROM THE STREET THAT WILL MAINTAIN A PREDOMINANTLY ARRIVAL FOR PEOPLE WHO PARK ON WASHINGTON STREET. THE TREES IS COMBINED WITH LOW MAINTENANCE EVERGREEN CANOPY TREES WHICH WILL PROVIDE SHADE TO ENHANCE THE EXPERIENCE ON THE PUBLIC SIDEWALKS. INTEREST AND HAVE BEEN KEPT RELATIVELY LOW IN ORDER TO ADD VISUAL SAFETY OF PEDESTRIANS AND CREATE A SPACE THAT IS DEFENDABLE AS WELL AS ATTRACTIVE.

RIGHT OF WAY TREE PARKWAY ON CLEVELAND STREET BLEND IN WITH THE EXISTING PARKWAY AND THE CHARACTER OF THE PARK-LIKE SETTING CREATED BY THE TREE PARKWAY ON WASHINGTON STREET.

THIS IS A STANDARD DEVELOPMENT PROJECT (TYPICAL FOR STORMWATER PURPOSES), AND INCLUDES A LOW IMPACT DEVELOPMENT (LID) LANDSCAPE AREA.

A 4" HIGH WALL WITH STONE-CLAD PLASTER IS PROPOSED AT END OF THE AUTO-COURT AS AN ARCHITECTURAL FEATURE TO TIE TOGETHER THE STONE FACADES OF THE BUILDING AND TO HELP SHIELD THE SIDEWALK FROM HEADLIGHTS.

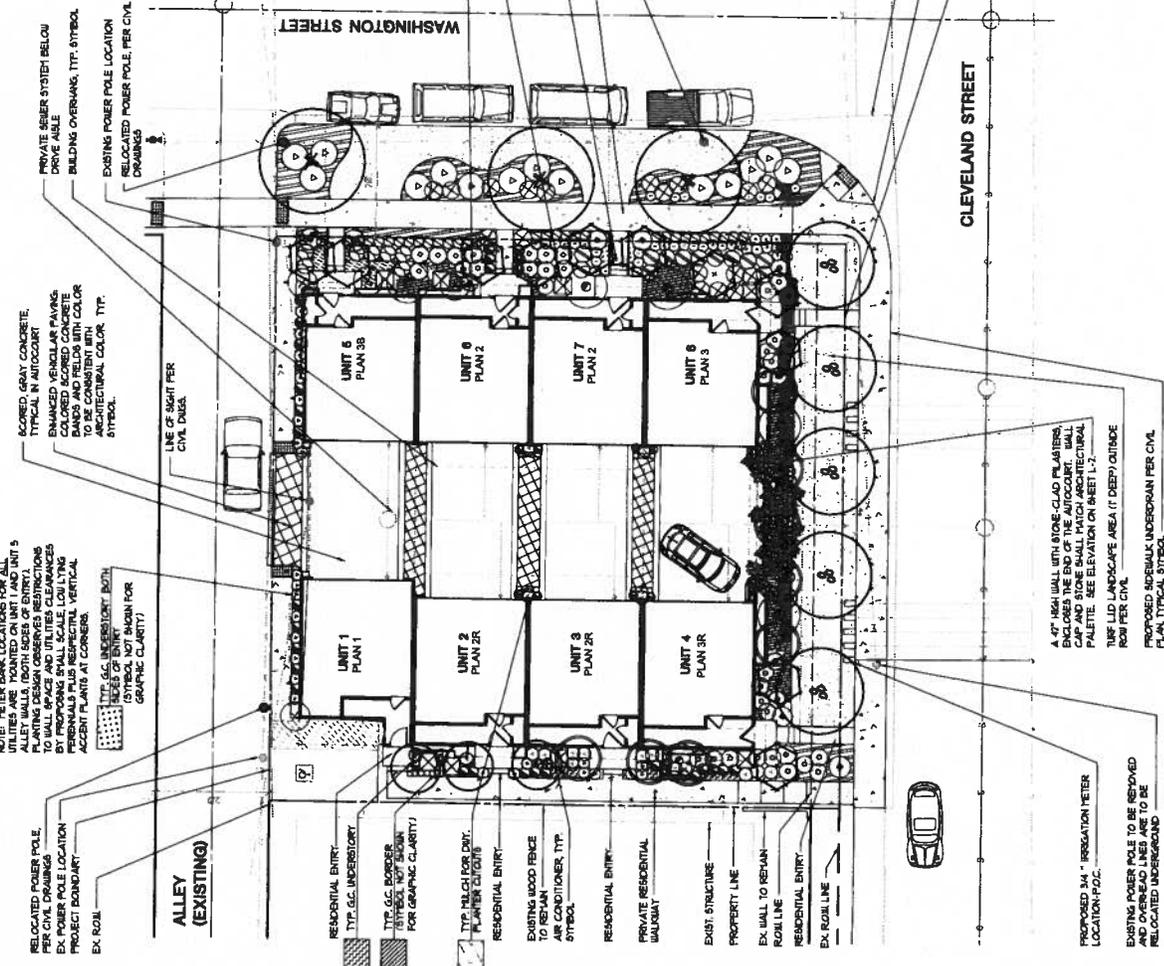
ACCENT PLANTINGS BEHIND THE WALL ALSO HELP TO SCREEN VIEWS INTO THE AUTO-COURT. FRONT GATE PALMS ARE COMBINED WITH THE PLANT PALETTE AND THE WALL TO PROVIDE VISUAL SCREENING OF THE AUTO-COURT FROM THE PUBLIC SIDEWALK AND STREET. THE SCREENING IS ACHIEVED VIA A LAYERING OF PLANT MATERIAL WITH CONTRASTING FOLIAGE TEXTURES THAT COMBINE WITH THE WALL TO PROVIDE VISUAL SEPARATION.

THE WALL AND PLANTINGS PROVIDES AN INTERESTING LANDSCAPE FEATURE THAT IS BEHIND THE ALLEY, AND THE AUTO-COURT.

THE NARROW UPRIGHT SPINELLA TREE IS COMBINED WITH OTHER SHADE TOLERANT PLANTS TO ENLIVEN THE ENTRY STORIES ON THE NORTH SIDE OF THE BUILDING.

BOLD SUCCULENTS ALONG WITH COLORED FOLIAGE SHRUBS AND PERENNIALS ARE USED IN COMBINATIONS TO PROVIDE AN INTERESTING LANDSCAPE FOR THE RESIDENTS AND NEIGHBORS.

NOTE: THERE ARE NO LIVING TREES ON THE PROJECT SITE TO MITIGATE.



NOTE: PETER MARK LOCATIONS FOR ALL UTILITIES ARE POINTED ON UNIT 1 AND UNIT 5. PLANTING DESIGN OBSERVES RESTRICTIONS TO WALL SPACE AND UTILITIES CLEARANCES BY PROPOSING SMALL SCALE, LOW LYING ACCENT PLANTS AT CORNERS.

SCORED GRAY CONCRETE, TYPICAL IN AUTO-COURT. ENHANCED VERTICAL PLANKS, COLORED SCORED CONCRETE BANDS AND FIELDS WITH COLOR ARCHITECTURAL COLOR. TYP.

PRIVATE SEWER SYSTEM BELOW DRIVE PALM BUILDING OVERHANGS, TYP. SYMBOL.

EXISTING POWER POLE LOCATION PER CIVIL DRAWINGS.

LINE OF SIGHT PER CIVIL DATA.

TYP. G.C. UNDERSTORY (SYMBOL NOT SHOWN FOR GRAPHIC CLARITY).

TYP. G.C. BORDER (SYMBOL NOT SHOWN FOR GRAPHIC CLARITY).

TYP. HATCH FOR DIRT, PLANTER CHAINS.

RESIDENTIAL ENTRY.

EXISTING WOOD FENCE TO REHAB.

AIR CONDITIONER, TYP. SYMBOL.

RESIDENTIAL ENTRY.

PRIVATE RESIDENTIAL WALKWAY.

EXIST. STRUCTURE.

PROPERTY LINE.

EX. WALL TO REHAB.

ROOIL LINE.

RESIDENTIAL ENTRY.

EX. ROOIL LINE.

TYP. LID LANDSCAPE AREA (T DEEP OUTSIDE ROW PER CIVIL).

PROPOSED SIDEWALK UNDERDRAIN PER CIVIL PLAN, TYPICAL SYMBOL.

EXISTING POWER POLE TO BE REMOVED AND OVERHEAD LINES ARE TO BE RELOCATED UNDERGROUND.

PROPOSED 34" IRRIGATION PETER LOCATION-POC.

A 4" HIGH WALL WITH STONE-CLAD PLASTER ENCLOSES THE END OF THE AUTO-COURT. WALL CAP AND SIDE SHALL MATCH ARCHITECTURAL PALETTE. SEE ELEVATION ON SHEET L-1.

PROPOSED GUTTER.

PROPOSED RAMP, CURB AND SIDEWALK.

RIGHT OF WAY LINE.

EX. SEWER LINE, TYP. SYM.

EX. WATERLINE, TYP. SYM.

EXISTING POWER POLE ON THIS SIDE OF WASHINGTON TO REMAIN. SEE CIVIL PLAN.

EXISTING OVERHEAD POWER LINE TO REMAIN ON THIS SIDE OF WASHINGTON, TYP. SYMBOL.

EXISTING POWER POLE TO BE RELOCATED UNDERGROUND.

TYP. G.C. UNDERSTORY FOR DIRT (SYMBOL NOT SHOWN FOR GRAPHIC CLARITY).

TYPICAL RESIDENTIAL ENTRY WALK AND STOOP.

EXISTING SIDEWALK TO REHAB.

EXISTING POWER POLE TO BE RELOCATED UNDERGROUND.

EXISTING OVERHEAD POWER LINE TO REMAIN ON THIS SIDE OF WASHINGTON, TYP. SYMBOL.

EXISTING POWER POLE TO BE RELOCATED UNDERGROUND.

EXISTING OVERHEAD POWER LINE TO REMAIN ON THIS SIDE OF WASHINGTON, TYP. SYMBOL.

EXISTING POWER POLE TO BE RELOCATED UNDERGROUND.

EXISTING OVERHEAD POWER LINE TO REMAIN ON THIS SIDE OF WASHINGTON, TYP. SYMBOL.

EXISTING POWER POLE TO BE RELOCATED UNDERGROUND.

EXISTING OVERHEAD POWER LINE TO REMAIN ON THIS SIDE OF WASHINGTON, TYP. SYMBOL.

EXISTING POWER POLE TO BE RELOCATED UNDERGROUND.

EXISTING OVERHEAD POWER LINE TO REMAIN ON THIS SIDE OF WASHINGTON, TYP. SYMBOL.

CLEVELAND STREET EIGHT

BY CLEVELAND STREET 8 LLC
IN
OCEANSIDE, CALIFORNIA

PROJECT TEAM

OWNER/APPLICANT

CLEVELAND STREET 8 LLC
10000 S. MICHIGAN AVE., SUITE 100
MIRAMONTE BEACH, CA 92650
949-441-4237 Fax
949-441-4237 Cell
Attn: Steve Smith, Owner

ARCHITECT

DAHLIN GROUP, INC.
10000 S. MICHIGAN AVE., SUITE 100
MIRAMONTE BEACH, CA 92650
949-441-4237 Fax
949-441-4237 Cell
Attn: Jim Dahlin

CIVIL ENGINEER

SB & O, INC.
2090 SULLY ROAD, SUITE 120
OCEANSIDE, CA 92054
949-441-1111
949-441-1113 Fax
949-441-1117 Cell

LANDSCAPE ARCHITECT

THE DAHLIN PLANNING GROUP
10000 S. MICHIGAN AVE., SUITE 100
MIRAMONTE BEACH, CA 92650
949-441-4237 Fax
Attn: Leahy Conley

BUILDING INFORMATION

(1) 8 UNIT BUILDING

RESIDENTIAL UNITS	1	1,408 SF
PLAN 1	4	4,038 SF
PLAN 2	2	2,019 SF
PLAN 3	2	2,019 SF
TOTAL BUILDING	8	11,125 SF

UNIT INFORMATION

PLAN 1

3 BDRM
2 BATH
1 CAR GARAGE
1,408 SF

PLAN 2

2 BDRM
2 BATH
2 CAR GARAGE
2,019 SF

PLAN 3

3 BDRM
2 BATH
1 CAR GARAGE
2,019 SF

PLAN 3B

3 BDRM
2 BATH
1 CAR GARAGE
2,019 SF

DRAWING INDEX

- CS COVER SHEET
- AL1 SECOND FLOOR BUILDING PLAN
- AL2 FIRST FLOOR BUILDING PLAN
- AL3 ROOF PLAN
- AL4 PLAN 1 FLOOR PLAN
- AL5 PLAN 2 FLOOR PLAN
- AL6 PLAN 3 FLOOR PLAN
- AL7 PLAN 3B FLOOR PLAN
- AL8 ELEVATIONS

ADDITIONAL NOTES:

1. PROJECT SHALL COMPLY WITH SPECIAL DISTRICT REGULATIONS AND DEVELOPMENT INSPECTORS ARE REQUIRED TO BE REGISTERED WITH THE CITY OF OCEANSIDE.
2. ALL OUTDOOR LIGHTING SHALL MEET POLLUTION ORDINANCES AND SHALL BE SHIELDED APPROPRIATELY.

CODE INFORMATION

CALIFORNIA BUILDING CODE (CBC) 2019
CALIFORNIA ELECTRICAL CODE (CEC) 2019
CALIFORNIA PLUMBING CODE (CPC) 2019
CALIFORNIA MECHANICAL CODE (CMC) 2019
CALIFORNIA ENERGY CODE (CEC) 2019
NOTE: JANUARY 16, 2014, THE STATE OF CALIFORNIA WILL BE UNDER THE 2015 CBC BASED ON THE 2011 CBC.

THIS PROJECT SHALL COMPLY WITH THE STATE OF CALIFORNIA GREEN BUILDING CODE. AT THE TIME OF FINAL INSPECTION, AN OBSERVATION AND MAINTENANCE MANUAL, ACCORDING TO THE EMPLOYER AGENCY SHALL BE PROVIDED TO THE BUILDING OCCUPANT.

USE AND OCCUPANCY CLASSIFICATION:

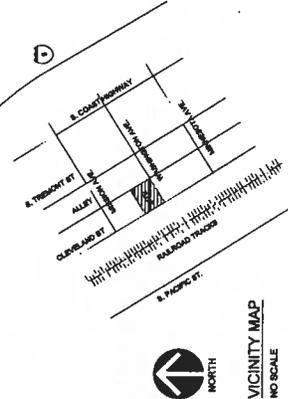
THIS PROJECT SHALL COMPLY WITH THE 2016 PERSONAL EDITION OF THE CALIFORNIA CODE OF REGULATORY CODES.

TYPE OF CONSTRUCTION:

WORK DEMONSTRATION BETWEEN LIMITS PENETRATIONS OF FIRE RESISTIVE SHALL BE PROTECTED AS REQUIRED BY CBC SEC. 712.2.4.715.4.

PROJECT NUMBER:

TS-0000013-0000013-000000000000



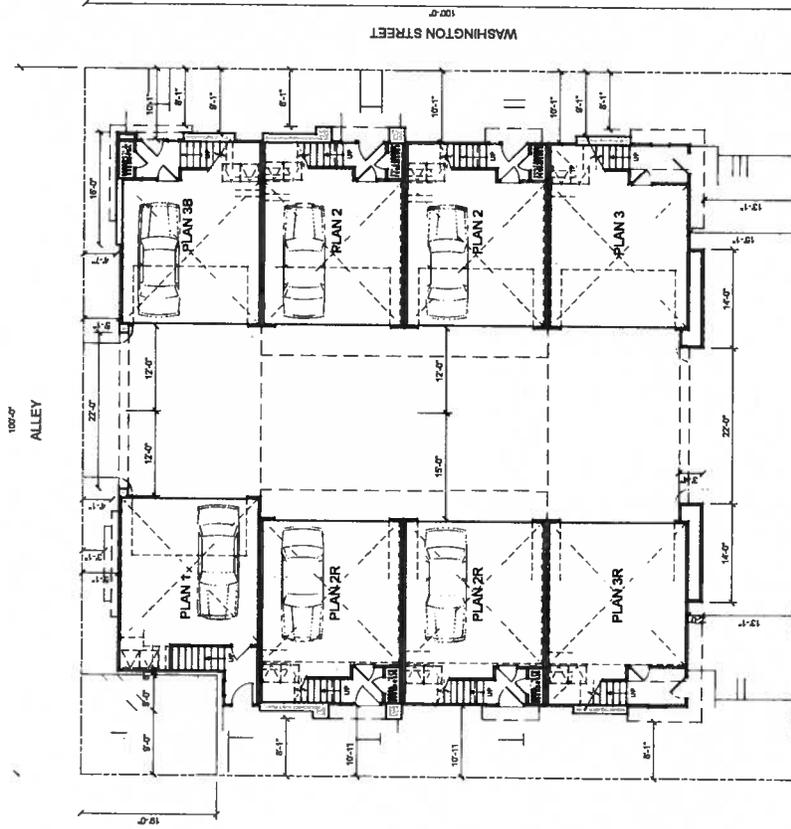
VICINITY MAP
NO SCALE

CITY OF OCEANSIDE
PLANNING REVISIONS 08-01-13 .J7J

JOB NO. 720.005
DATE 08-12-2013
539 South Catalina Avenue
Solana Beach, CA 92075
949-539-0544



CLEVELAND STREET EIGHT
BY CLEVELAND STREET 8 LLC



CLEVELAND STREET

FIRST FLOOR BUILDING PLAN

PLAN 1: 1,449 SF
3 BEDROOM
3 BATH

PLAN 2: 1,220 SF
2 BEDROOM
2 1/2 BATH

PLAN 3: 1,596 SF
3 BEDROOM
3 BATH

PLAN 3B: 1,604 SF
3 BEDROOM
3 BATH

ARCHITECTURAL
SITE PLAN /
GARAGE PLAN



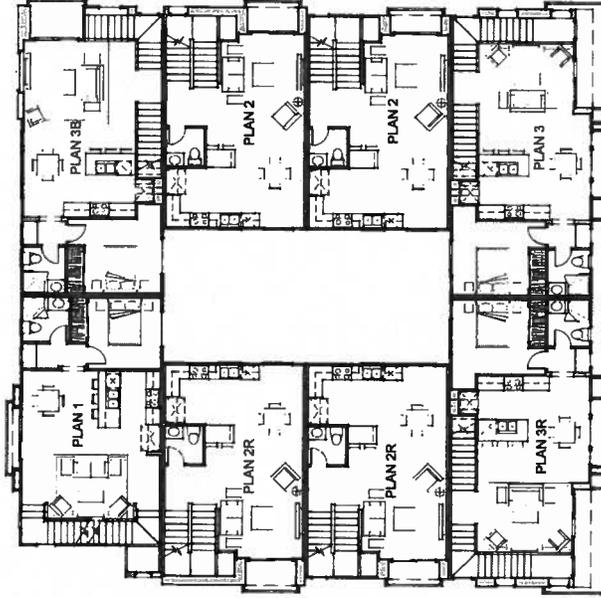
JOB NO. 720.005
DATE 06-12-2013

258 South Central Avenue
Bakers Beach, CA 92075
805-350-0544

A1.1

CLEVELAND STREET EIGHT

BY CLEVELAND STREET 8 LLC



SECOND FLOOR BUILDING PLAN

PLAN 1: 1,449 SF
3 BEDROOM
3 BATH

PLAN 2: 1,220 SF
2 BEDROOM
2 1/2 BATH

PLAN 3: 1,596 SF
3 BEDROOM
3 BATH

PLAN 3R: 1,604 SF
3 BEDROOM
3 BATH

SECOND FLOOR
BUILDING PLAN



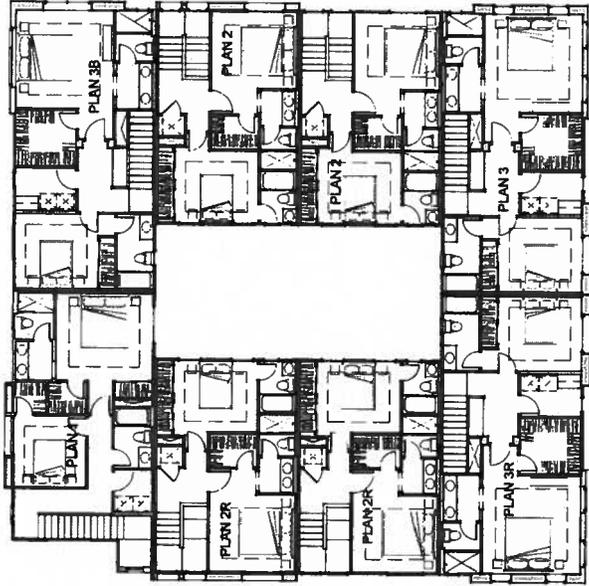
JOB NO. 720.005
DATE 08-12-2013

A1.2
328 South Catalina Avenue
Solana Beach, CA 92075
951-350-0541



CLEVELAND STREET EIGHT

BY CLEVELAND STREET 8 LLC



THIRD FLOOR BUILDING PLAN

PLAN 1: 1,449 SF
3 BEDROOM
3 BATH

PLAN 2: 1,220 SF
2 BEDROOM
2 1/2 BATH

PLAN 3: 1,596 SF
3 BEDROOM
3 BATH

PLAN 3B: 1,604 SF
3 BEDROOM
3 BATH

THIRD FLOOR
BUILDING PLAN

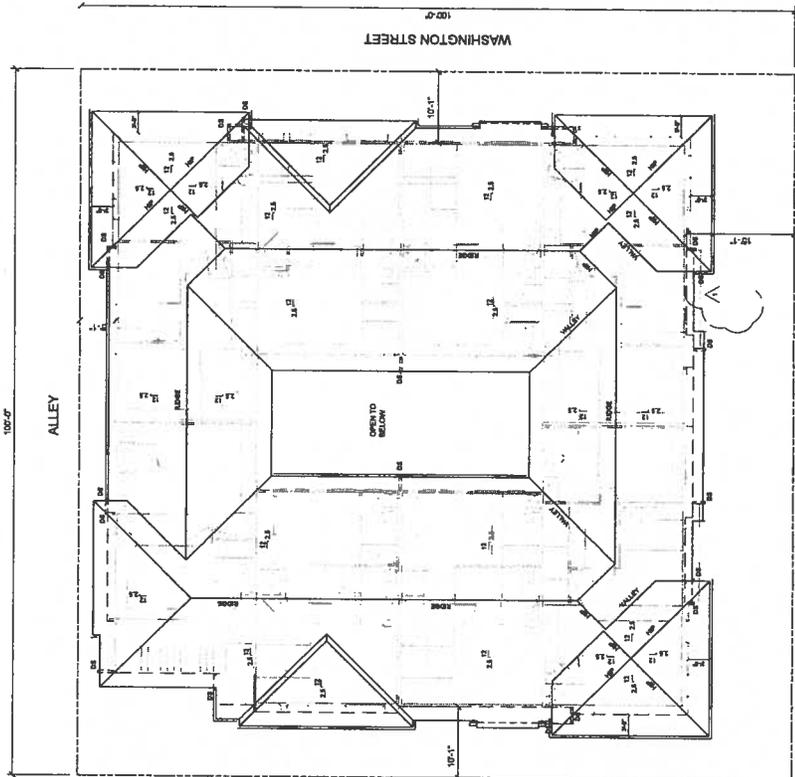


JOB NO. 720.005
DATE 09-12-2013
328 South California Avenue
Solana Beach, CA 92075
952-200-0044

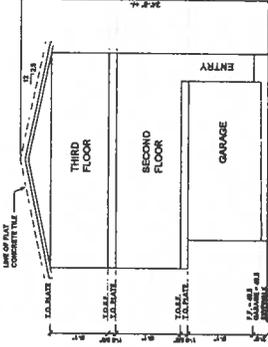
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CLEVELAND STREET EIGHT

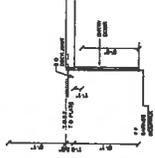
BY CLEVELAND STREET 8 LLC



KEY:
 DS DOWNSPOUT
 12 ROOF PITCH
 12.5
 12.75
 15
 18
 24
 30
 36
 45
 60
 72
 90



BUILDING SECTION



ENTRY DOOR SECTION

ROOF PLAN



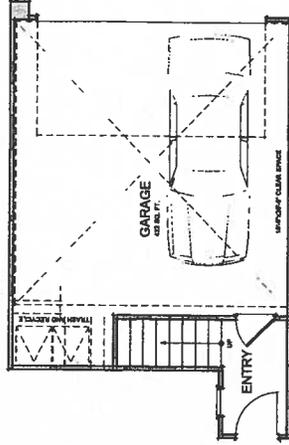
JOB NO. 720.005
 DATE 08-12-2013
 228 South Country Avenue
 Solana Beach, CA 92075
 952-550-0544

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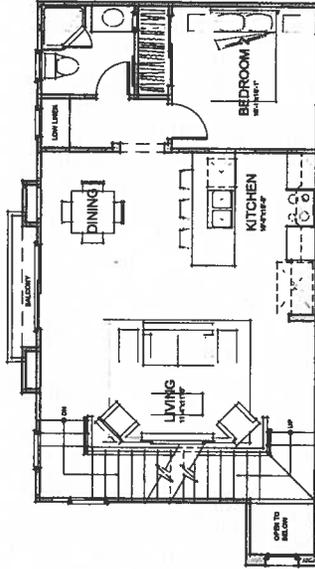


CLEVELAND STREET EIGHT
 BY CLEVELAND STREET 8 LLC

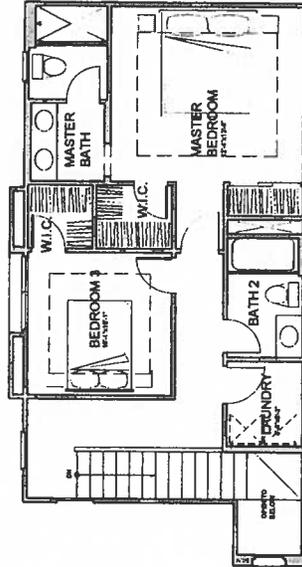
CITY OF OCEANSIDE
 PLANNING DEPARTMENT 08-01-13 JPJ



GARAGE PLAN
41 SF



SECOND FLOOR PLAN
704 SF



THIRD FLOOR PLAN
704 SF

PLAN 1: 1,449 SF
3 BEDROOM
3 BATH

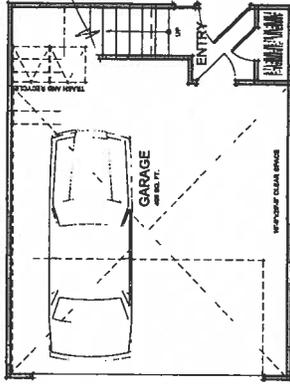


JOB NO. 720.006
DATE 08-12-2013
328 South Colton Avenue
Brea, CA 92607
951-350-0544

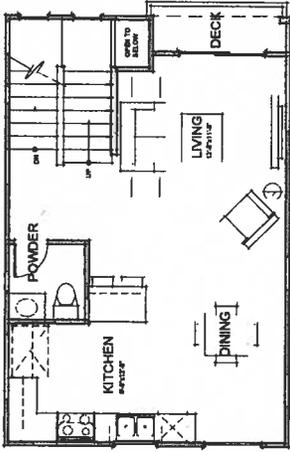
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CLEVELAND STREET EIGHT

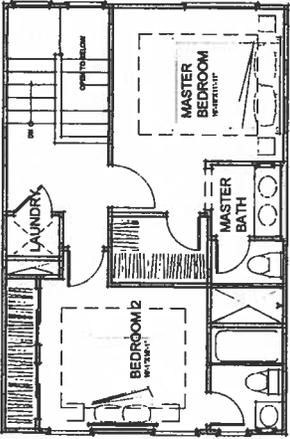
BY CLEVELAND STREET 8 LLC



GARAGE PLAN
49 SF



SECOND FLOOR PLAN
576 SF



THIRD FLOOR PLAN
606 SF

PLAN 2: 1,220 SF
2 BEDROOM
2 1/2 BATH

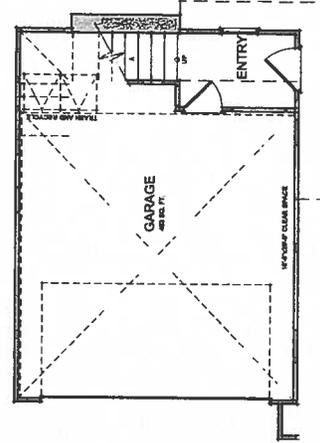
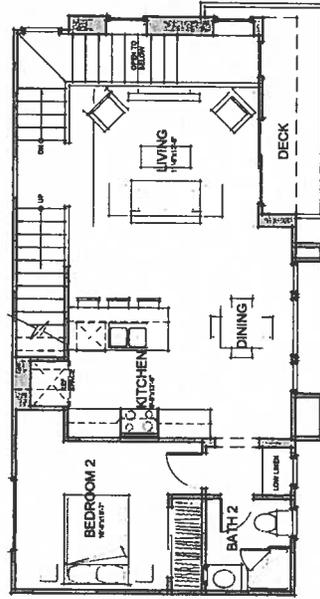
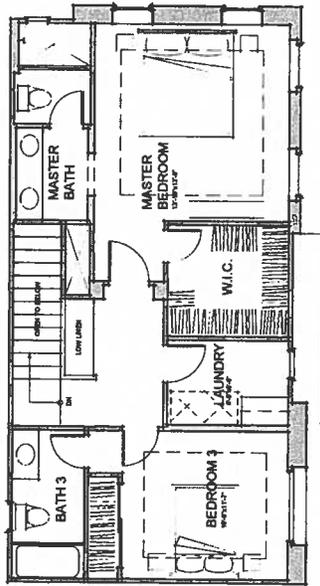


JOB NO. 720.005
DATE 08-12-2013
528 South Colton Avenue
Salinas, CA 95075
831-351-0644

A1.6



CLEVELAND STREET EIGHT
BY CLEVELAND STREET 8 LLC



PLAN 3: 1,596 SF
3 BEDROOM
3 BATH

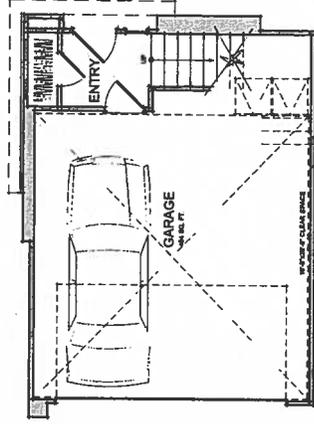


JOB NO. 720.005
DATE 06-12-2013
328 South Central Avenue
Bakersfield, CA 93307
805-350-0544

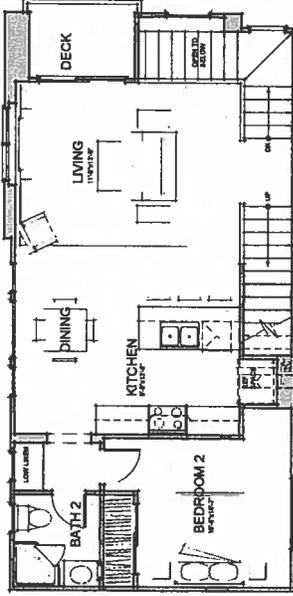
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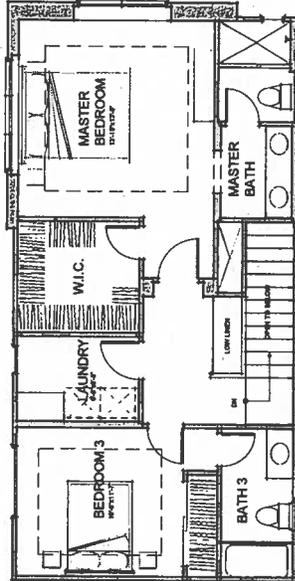
CLEVELAND STREET EIGHT
BY CLEVELAND STREET 8 LLC



GARAGE PLAN
47 SF



SECOND FLOOR PLAN
785 SF



THIRD FLOOR PLAN
792 SF

PLAN 3B: 1,604 SF
3 BEDROOM
3 BATH



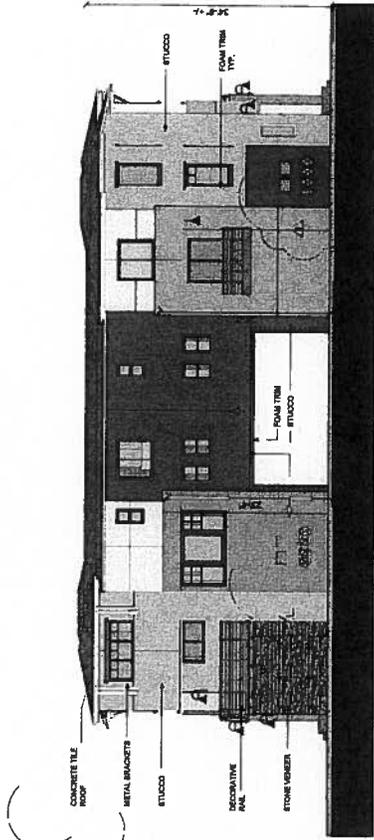
JOB NO. 720.005
DATE 06-12-2013
538 South Oakland Avenue
Redding, CA 96075
855-350-0544

A1.8

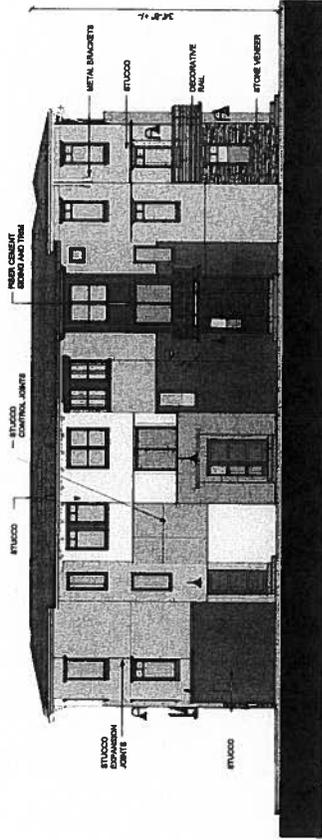


CLEVELAND STREET EIGHT

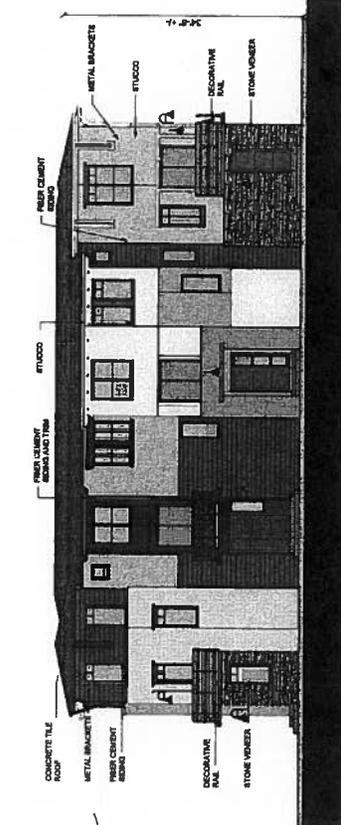
BY CLEVELAND STREET 8 LLC



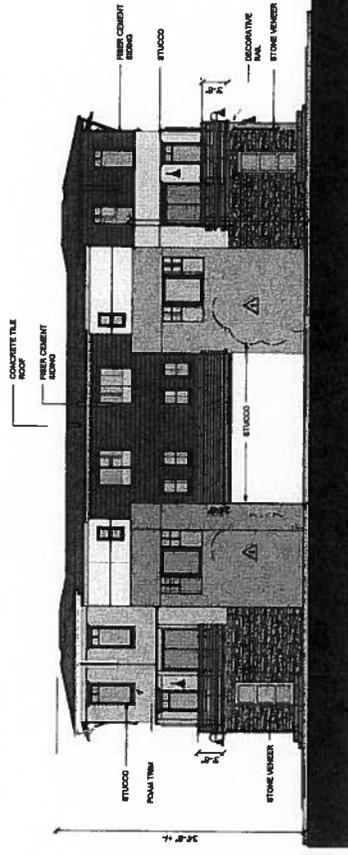
ALLEY ELEVATION



INTERIOR ELEVATION



WASHINGTON STREET ELEVATION



CLEVELAND STREET ELEVATION

CITY OF OAKLAND
PLANNING REVISIONS 08-01-13 JPJ

ELEVATIONS



JOB NO. 720.008

DATE 08-12-2013

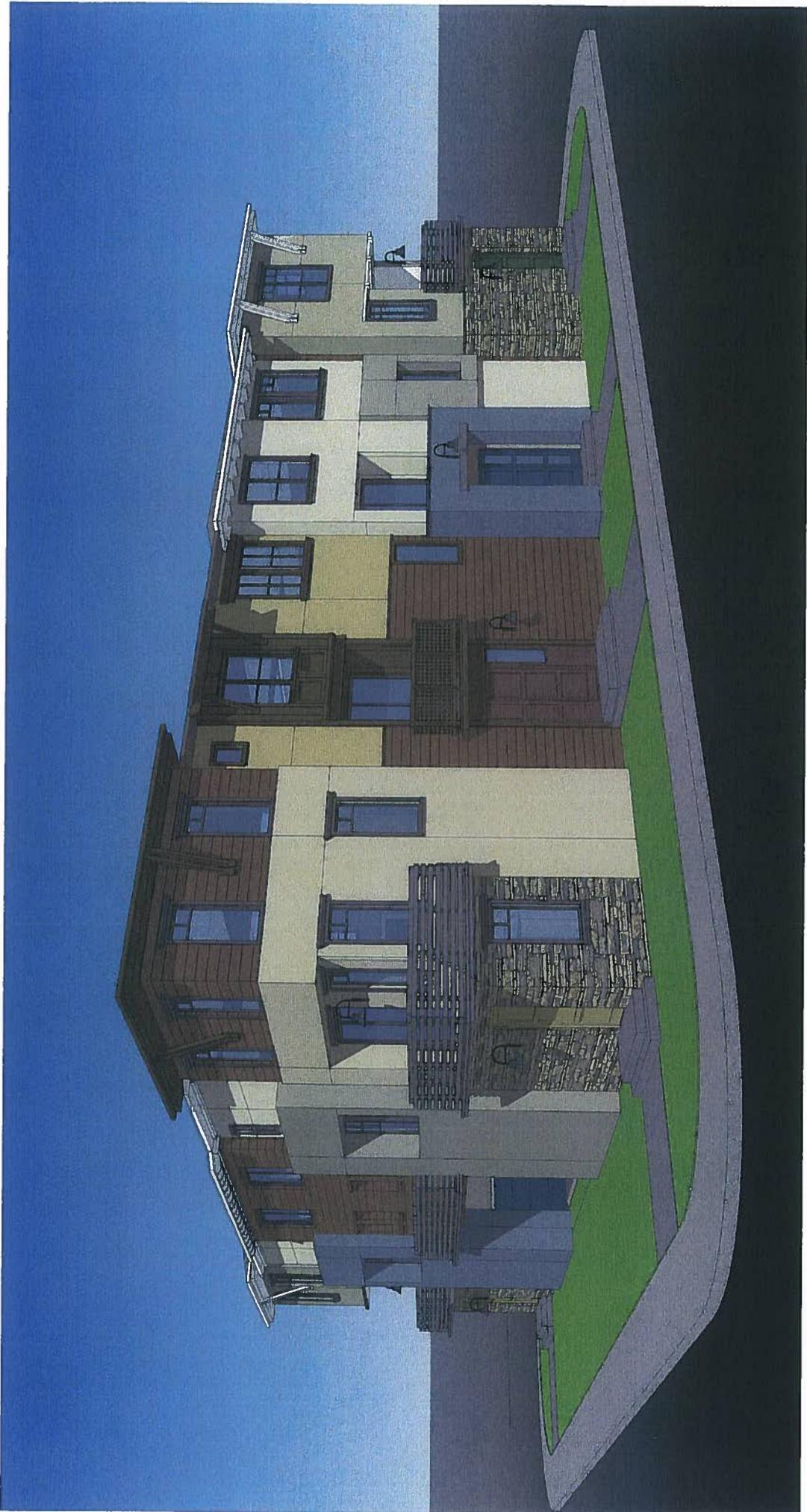
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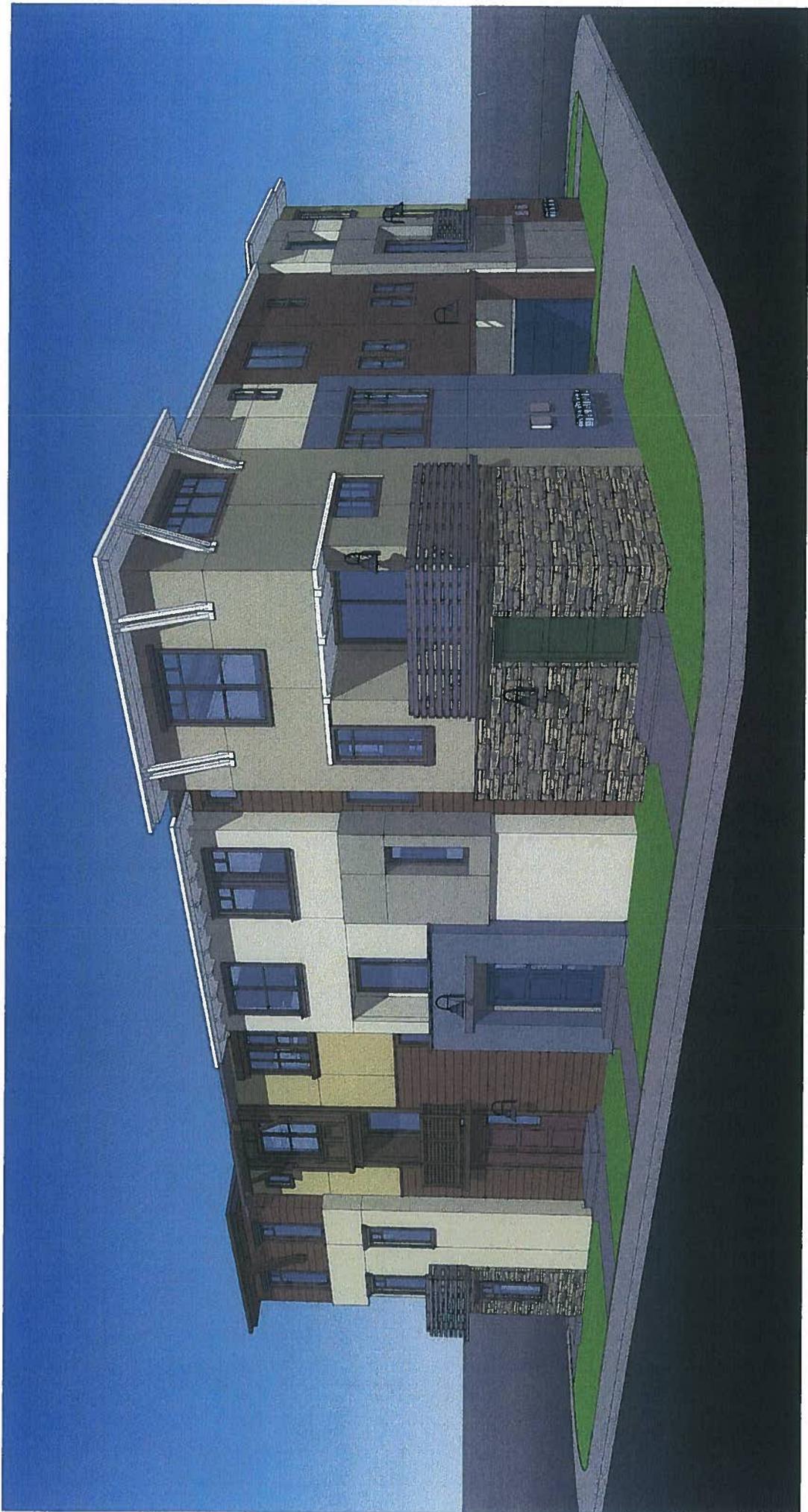


528 South Collins Avenue
Riverside Beach, CA 92075
657-300-0544

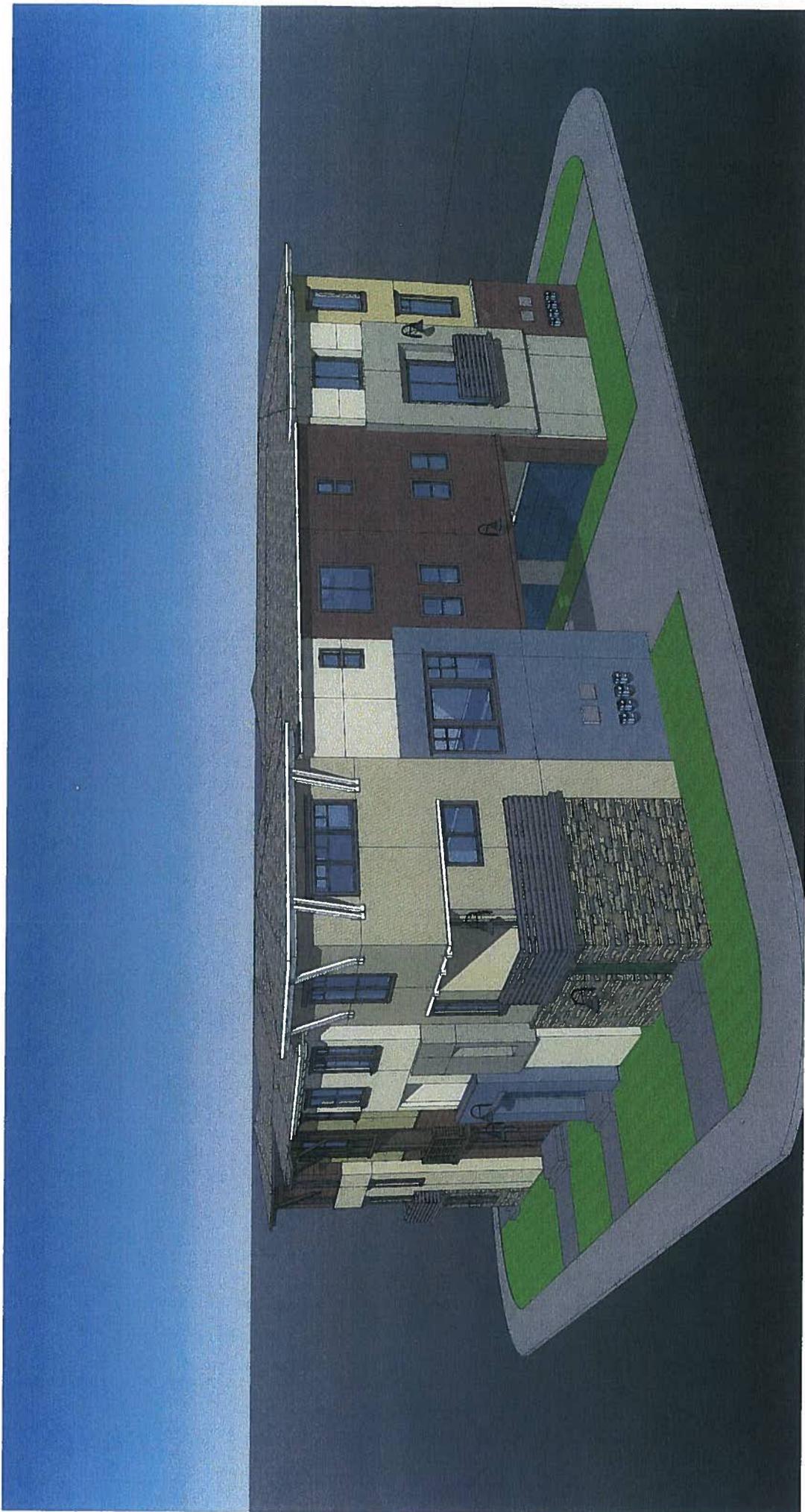
CLEVELAND STREET EIGHT

BY CLEVELAND STREET 8 LLC













NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(180 days)

1. **APPLICANT:** Cleveland Street 8, LLC
2. **ADDRESS:** 740 Lomas Santa Fe Drive #204 Solana Beach, CA 92075
3. **PHONE NUMBER:** (858) 481-3310 x122 (Sean Santa Cruz)
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT PLANNER:** Russ Cunningham, Senior Planner
6. **PROJECT TITLE:** T13-00003/D13-00008/V13-00003/RC13-00008 (Cleveland Street 8)

7. DESCRIPTION: A one-lot subdivision for condominium purposes and construction of eight single-family attached units on a 10,000 square-foot site located at the northeastern corner of Cleveland Street and Washington Avenue (APN 150-182-06-00). The subject site bears a zoning designation of Medium Density Residential (R-3) and is situated within the Townsite Neighborhood Planning Area and the Coastal Zone.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA). Based on this review, the City has determined that further environmental evaluation is not required because:

- The project qualifies for a Class 32 categorical exemption under Section 15332 (In-Fill Development Projects);
- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section, _____ (Sections 15260-15277); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Russ Cunningham, Senior Planner

Date: October 28, 2013

cc: Project file Counter file Library Posting: County Clerk \$50.00 Admin. Fee

PLANNING COMMISSION
RESOLUTION NO. 2013-P45

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

APPLICATION NO: T13-00003, D13-00008, V13-00003, RC13-00008
APPLICANT: Cleveland Street 8, LLC
LOCATION: Northeast Corner of Cleveland Street and Washington Street (APN 150-182-06-00)

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Tentative Map, Development Plan, Variance, and Regular Coastal Permit, and under the provisions of Articles 7, 17, 21, and 27 of the Zoning Ordinance, Article IV of the Subdivision Ordinance, and the Local Coastal Program Coastal Permit Handbook of the City of Oceanside to permit the following:

a one-lot subdivision for condominium purposes and construction of an eight-unit townhouse building with associated on-site parking facilities and landscaping; on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 4th day of November, 2013 conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, pursuant to the California Environmental Quality Act and State Guidelines thereto; this project is categorically exempt from CEQA per Article 19, Section 15332 (In-Fill Development Projects);

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

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

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
6			
7	Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential
8			
9	School Facilities Mitigation Fee	Ordinance No. 91-34	\$3.20 per square foot residential
10			
11	Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
12			
13	Thoroughfare Fee	Ordinance No. 83-01	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
14			
15	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 09-OR 0093-1	Fee based on water meter size. Residential is typically \$4,597 per unit.
16			
17	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0092-1	Based on capacity or water meter size. Residential is typically \$6,313 per unit.
18			
19	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,492 per unit.
20			
21	Inclusionary housing in lieu fees—Residential only.	Chapter 14-C of the City Code	\$1,000 per development project, \$100 per unit, plus \$1.31 per square foot.
22			
23			
24			
25			
26			
27			
28			
29			

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

1 resolutions, presume the accuracy of relevant project information provided by the applicant, and
2 are not necessarily the fee amount that will be owing when such fee becomes due and payable;

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

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

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

13 WHEREAS, pursuant to Oceanside Zoning Ordinance §2115, this resolution becomes
14 effective 20 days from its adoption in the absence of the filing of an appeal or call for review;

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

17 FINDINGS:

18 For Tentative Map (T13-00003):

- 19 1. That the proposed Tentative Map is consistent with the General Plan of the City by
20 meeting and exceeding lot size requirements and other applicable provisions of the
21 Zoning Ordinance and the Subdivision Ordinance. The subject property bears a zoning
22 designation of Medium-Density Residential (R-3), which requires a minimum lot size of
23 6,000 square feet. Following the required five-foot dedication of public right-of-way
24 along the Cleveland Street frontage, the property would comprise 10,018 square feet.
- 25 2. That the site is physically suitable for the type and proposed density of development by
26 providing lot areas consistent with the Townsite Neighborhood Planning Area. The
27 surrounding area is characterized by 5,000-square-foot lots that are generally 50 feet in
28 width and 100 feet in depth. It is common for corner properties in the vicinity (both
29 vacant and developed) to be consolidations of two or more of these 5,000-square-foot
lots. The proposed one-lot subdivision for condominium purposes would create one

1 10,018-square-foot lot with roughly 100 feet of frontage on Cleveland Street,
2 Washington Street, and the abutting alley at the rear.

3 3. That the design of the subdivision or the proposed improvements will not cause
4 substantial environmental damage or substantially and avoidably injure fish or wildlife
5 or their habitat. The subject property is located in a highly urbanized area and contains
6 no sensitive habitat.

7 4. That the design of the subdivision or the type of improvements meets City standards and
8 will not conflict with easements, acquired by the public at large, for access through or
9 the use of property within the proposed subdivision. There are no easements, acquired
10 by the public at large, for access through or the use of the subject property.

11 5. That the subdivision complies with all other applicable ordinances, regulations and
12 guidelines of the City of Oceanside. The proposed tentative map exhibit accords with
13 the form and content requirements of the City's Subdivision Ordinance (Section 401).

14 For the Development Plan (D13-00008):

15 1. The approval of the proposed project will be subject to conditions that, in view of the
16 size and shape of the parcel and the present zoning and use of the subject property,
17 provide the same degree of protection to adjoining properties, including protection from
18 unreasonable interference with the use and enjoyment of said properties, depreciation of
19 property values, and any potentially adverse impacts on the public peace, health, safety
20 and welfare. The siting and architecture of the proposed condominium complex would
21 avoid potential adverse massing impacts on adjacent properties with ample setbacks,
22 highly-articulated facades, pitched roofing, and high-quality finish materials. The
23 proposed building would be significantly softened and screened by dense, vertically-
24 oriented landscaping. Ample on-site parking resources would avoid on-street parking
25 impacts, and the absence of curb cuts on Cleveland Street and Washington Street would
26 preserve all existing on-street parking spaces.

27 For the Variance (V13-00003):

28 1. Due to special circumstances or conditions applicable to the subject property – i.e., the
29 required dedication of five feet of additional public right-of-way at the Cleveland Street
frontage – strict application of the requirements of the 1986 Zoning Ordinance (Section
1701) deprives such property of rights enjoyed by other property in the vicinity and

1 within the Medium-Density Residential (R-3) District. Zoning Ordinance Section 1701
2 establishes a 15-foot front yard setback for development in R-3 zones. The single-
3 family homes immediately to the north of the subject property, approved in 2008 under
4 the previously-applicable 1992 Zoning Ordinance, maintain 10-foot front yard setbacks
5 from Cleveland Street. The townhomes immediately to the west of the subject property,
6 approved under the Redevelopment Zoning Ordinance, also maintain 10-foot front yard
7 setbacks from Cleveland Street. Coupled with more restrictive side yard setbacks
8 occasioned by side-facing entrances and the site's corner location, the required 15-foot
9 front yard setback unduly restricts the development potential of the subject property
10 relative to recently approved development on adjacent sites.

11 2. Granting the Variance (V13-00003) will not be materially detrimental or injurious to
12 surrounding properties nor to the general development pattern of the neighborhood. The
13 proposed variance would allow for front yard setbacks equal to those exhibited by
14 adjacent development to the north and west. Furthermore, given that the additional five
15 feet of dedicated public right-of-way along Cleveland Street would continue to function
16 as landscape area, the proposed project would be set back no less than 17 feet from the
17 back of the adjacent sidewalk (consistent with the single-family homes immediately to
18 the north).

19 3. Granting the Variance (V13-00003) is consistent with the purposes of the Zoning
20 Ordinance and will not constitute a grant of special privilege inconsistent with limitations
21 on other properties in the vicinity and within the R-3 District. Zoning Ordinance Section
22 1701(b) states that R-3 development is to be located on streets "having a pavement width
23 of not less than 56 feet." The required dedication of five feet of additional public right-
24 of-way along Cleveland Street would bring the total dimension of the public right-of-way
25 to 60 feet. The variance would serve to offset the loss of private property occasioned by
26 the required dedication while maintaining a front yard setback consistent with that
27 evidenced by adjacent development.

28 4. Granting the Variance (V13-00003) will not adversely affect the General Plan. Policy
29 1.32 of the Land Use Element of the General Plan establishes that "the goals and policies
of the Local Coastal Program Land Use Plan (LUP) shall be the guiding policy review
document" for Coastal Zone properties. The proposed project is consistent with all

1 applicable objectives and policies of the LUP, including those pertinent to coastal access,
2 recreation and visitor-serving facilities, and visual resources.

3 For the Regular Coastal Permit (RC13-00008):

- 4 1. The proposed project is consistent with the policies of the Local Coastal Program as
5 implemented through the Zoning Ordinance. The placement and design of the proposed
6 project would be visually compatible with the character of surrounding areas. The
7 proposed project would not substantially alter or impact existing public views of the
8 coastline.
- 9 2. The proposed project would not obstruct any existing or planned public beach access,
10 thereby conforming to the policies of Chapter 3 of the Coastal Act.

11 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
12 approve Tentative Parcel Map (T13-00003), Development Plan (D13-00008), Variance (V13-
13 00003), and Regular Coastal Permit (RC13-00008), subject to the following conditions:

14 Building:

- 15 1. Construction shall comply with the current addition edition of the California Codes.
- 16 2. California Residential Code requires each new one and two family dwellings to install
17 an Automatic Fire Sprinkler System designed and installed in accordance with CRC
18 Section R 313.3 or NFPA 13D.
- 19 3. All new one and two family dwellings shall comply with the current California Green
20 Code.
- 21 4. The granting of approval under this action shall in no way relieve the applicant/project
22 from compliance with all state and local building codes.
- 23 5. The building plans for this project are required by state law to be prepared by a licensed
24 architect or engineer and must comply with this requirement prior to submittal for building
25 plan review.
- 26 6. All electrical, communication, CATV, etc. service lines within the exterior lines of the
27 property shall be underground (City Code Sec. 6.30).
- 28 7. The developer shall monitor, supervise and control all building construction and supporting
29 activities so as to prevent these activities from causing a public nuisance, including, but not
limited to, strict adherence to the following:

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

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

14 8. Separate/unique addresses will be required to facilitate utility releases. Verification that the
15 addresses have been properly assigned by the City's Planning Division must accompany
16 the Building Permit application.

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

19 **Engineering:**

20 10. Vehicular access rights to Cleveland and Washington Streets shall be relinquished to the
21 City from all abutting lots. Access to the project shall be from the public alley only.

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

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

28 13. Prior to approval of the final map or any increment, all improvement requirements, within
29 such increment or outside of it if required by the City Engineer, shall be covered by a
subdivision agreement and secured with sufficient improvement securities or bonds

1 guaranteeing performance and payment for labor and materials, setting of monuments, and
2 warranty against defective materials and workmanship.

3 14. The owner/developer shall provide a minimum of five feet (5') public street dedication on
4 Cleveland Street along the property frontage to serve the property.

5 15. The tract shall be recorded and developed as one. The City Engineer shall require the
6 dedication and construction of necessary utilities, streets and other improvements outside
7 the area of any particular final map, if such is needed for circulation, parking, access or for
8 the welfare or safety of future occupants of the development.

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

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

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

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

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

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

11 20. The construction site shall accommodate the parking of all motor vehicles used by persons
12 working at or providing deliveries to the site. An alternate parking site can be considered
13 by the City Engineer in the event that the lot size is too small and cannot accommodate
14 parking of all motor vehicles.

15 21. The owner/developer shall complete a haul route permit application (if required for
16 import/export of dirt) and submit to the City of Oceanside Engineering Department forty
17 eight hours (48) in advance of beginning of work. Hauling operations (if required) shall be
18 8:00 A.M. to 3:30 P.M. unless approved otherwise.

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

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

24. Sidewalk improvements shall comply with ADA requirements. Publicly maintained
pedestrian ramps (maintained by the City of Oceanside must be fully located within public

1 right-of-way. Minimum curb return radius shall comply with the City of Oceanside
2 Engineers Design and Processing Manual.

3 25. Sight distance requirements at the project driveway shall conform to the corner sight
4 distance criteria as provided by San Diego County Regional Standard Drawings (SDRSD),
5 DS-20.

6 26. The relocation of the existing streetlight in the Alley (if required) shall require City's
7 approval prior to any reconstruction. The system shall provide uniform lighting, and be
8 secured prior to occupancy. The owner/developer shall pay all applicable fees, energy
9 charges, and/or assessments associated with City-owned (LS-2 rate schedule) streetlights
10 and shall also agree to the formulation of, or the annexation to, any appropriate street
11 lighting district.

12 27. Pavement improvements are required for Cleveland Street and Washington Avenue along
13 the property frontage. Full width pavement improvement shall be required on Washington
14 Avenue with minimum of one and half inches (1 ½") surface grinding, and with addition of
15 three inches (3") thick asphalt section overlay to the satisfaction of City Engineer. The
16 existing damaged concrete panels on Cleveland Street (including the proposed utility
17 trenches) shall be reconstructed and replaced to the nearest joints to the satisfaction of the
18 City Engineer.

19 28. Any existing public or private pavement, concrete curb, gutter, pedestrian ramps and
20 sidewalk within the project, or adjacent to the project boundary that are already damaged or
21 damaged during construction of the project, shall be repaired or replaced as directed by the
22 City Engineer. The existing sidewalk, curb and gutter on Cleveland Street and Washington
23 Avenue along the property frontage shall be constructed per the current City and ADA
24 Standards.

25 29. Full width Alley replacement and reconstruction, including the installation of a longitudinal
26 concrete alley gutter shall be required in accordance with the City of Oceanside Engineers
27 Design and Processing Manual, to the satisfaction of the City Engineer.

28 30. All existing overhead utility lines within the property, and along Cleveland Street and
29 Washington Avenue, and all new extension services for the development of this project,
including but not limited to, electrical, cable and telephone, shall be placed underground

1 per Section 901.G. of the Subdivision Ordinance (R91-166) and as required by the City
2 Engineer and current City policy.

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

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

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

19 34. A precise grading, public and private improvement plans shall be prepared, reviewed,
20 secured and approved prior to the issuance of any building permits. The plan shall reflect
21 all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, striping, and
22 signage, footprints of all structures, walls, drainage devices and utility services.

23 35. Landscaping plans, including plans for the construction of walls, fences or other structures
24 at or near intersections, must conform to intersection sight distance requirements.
25 Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer
26 prior to the issuance of a preliminary grading permit and approved by the City Engineer
27 prior to the issuance of occupancy permits. Frontage and median landscaping shall be
28 installed prior to the issuance of any certificates of occupancy. Any project fences, sound
29 or privacy walls and monument entry walls/signs shall be shown on, bonded for and built
from the landscape plans. These features shall also be shown on the precise grading plans
for purposes of location only. Plantable, segmental walls shall be designed, reviewed and

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

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

11 37. The drainage design shown on the site plan or preliminary grading plan, and the drainage
12 report for this tentative map is conceptual only. The final drainage report and drainage
13 design shall be based upon a hydrologic/hydraulic study that is in compliance with the
14 latest San Diego County Hydrology and Drainage Manual to be approved by the City
15 Engineer during final engineering. All drainage picked up in an underground system shall
16 remain underground until it is discharged into an approved channel, or as otherwise
17 approved by the City Engineer. All public storm drains shall be shown on City standard
18 plan and profile sheets. All storm drain easements shall be dedicated where required. The
19 owner/developer shall be responsible for obtaining any off-site easements for storm
20 drainage facilities.

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

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

27 40. Prior to approval of a grading plan and issuance of any grading permit the owner/developer
28 shall submit a copy of the previously "deemed complete" Storm Water Management Plan-
29 Standard Development Plan (SWMP-SDP).

41. The approval of the tentative map shall not mean that closure, vacation, or abandonment of
any public street, right of way, easement, or facility is granted or guaranteed to the

1 owner/developer. The owner/developer is responsible for applying for all closures,
2 vacations, and abandonments as necessary. The application(s) shall be reviewed and
3 approved or rejected by the City of Oceanside under separate process (es) per codes,
4 ordinances, and policies in effect at the time of the application. The City of Oceanside
5 retains its full legislative discretion to consider any application to vacate a public street or
6 right of way.

7 42. If a sub-divider is required under this division or any other provision of law to make a
8 dedication for specified public purposes on a final map or parcel map, the local agency
9 shall specify whether the dedication is to be in fee for public purposes or an easement for
10 public purposes.

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

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

22 45. Approval of this development project is conditioned upon payment of all applicable impact
23 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
24 Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees,
25 reimbursements, and other applicable charges, fees and deposits shall be paid prior to
26 recordation of the map or the issuance of any building permits, in accordance with City
27 Ordinances and policies. The owner/developer shall also be required to join into,
28 contribute, or participate in any improvement, lighting, or other special district affecting or
29 affected by this project. Approval of the tentative map shall constitute the
owner/developer's approval of such payments, and his agreement to pay for any other

1 similar assessments or charges in effect when any increment is submitted for final map or
2 building permit approval, and to join, contribute, and/or participate in such districts.

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

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

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

14 **Landscaping:**

15 49. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines
16 and Specifications for Landscape Development (latest revision), Water Conservation
17 Ordinance No.(s) 91-15 and 10-Ordinance 0412, Engineering criteria, City code and
18 ordinances, including the maintenance of such landscaping, shall be reviewed and
19 approved by the City Engineer prior to the issuance of building permits. Landscaping
20 shall not be installed until bonds have been posted, fees paid, and plans signed for final
21 approval. A landscape pre-construction meeting shall be conducted by the landscape
22 architect of record, Public Works Inspector, developer or owner's representative and
23 landscape contractor prior to commencement of the landscape and irrigation installation.
24 The following landscaping requirements shall be required prior to plan approval and
25 certificate of occupancy:

- 26 a) Final landscape plans shall accurately show placement of all plant material such
27 as but not limited to trees, shrubs, and groundcovers.
28 b) Landscape Architect shall be aware of all utility, sewer, gas, water and storm
29 drain lines and utility easements and place planting locations accordingly to meet
City of Oceanside requirements.

- 1 c) All required landscape areas shall be maintained by owner, project homeowner
2 association or successor of the project (including public rights-of-way
3 (parkways) parallel with and on Cleveland Street, Washington Street, and the
4 alley). The landscape areas shall be maintained per City of Oceanside
5 requirements.
- 6 d) Proposed landscape species shall fit the site and meet climate changes indicative
7 to their planting location. The selection of plant material shall also be based on
8 cultural, aesthetic, and maintenance considerations. In addition proposed
9 landscape species shall be low water users as well as meet all fire department
10 requirements.
- 11 e) All planting areas shall be prepared and implemented to the required depth with
12 appropriate soil amendments, fertilizers, and appropriate supplements based
13 upon a soils report from an agricultural suitability soil sample taken from the
14 site.
- 15 f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil
16 from the sun, evapotranspiration and run-off. All the flower and shrub beds shall
17 be mulched to a 3" depth to help conserve water, lower the soil temperature and
18 reduce weed growth.
- 19 g) The shrubs shall be allowed to grow in their natural forms. All landscape
20 improvements shall follow the City of Oceanside Guidelines.
- 21 h) Root barriers shall be installed adjacent to all paving surfaces, where a paving
22 surface is located within 6 feet of a trees trunk on site (private) and within 10 feet
23 of a trees trunk in the right-of-way (public). Root barriers shall extend 5 feet in
24 each direction from the centerline of the trunk, for a total distance of 10 feet.
25 Root barriers shall be 24 inches in depth. Installing a root barrier around the
26 tree's root ball is unacceptable.
- 27 i) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
28 obtain planning department approval for these items in the conditions or
29 application stage prior to 1st submittal of working drawings.
- j) Decorative enhanced vehicular hardscape/ paving shall be required in the auto
court as shown on the conceptual landscape plan approved by the Planning

1 Division. All enhanced vehicular hardscape/ paving where applicable shall be
2 required to meet the most current California Accessibility Code (CALDAD) and
3 the most current American Disability Act (ADA).

4 k) For the planting and placement of trees and their distances from hardscape and
5 other utilities/ structures the landscape plans shall follow the City of Oceanside's
6 (current) Tree Planting Distances and Spacing Standards.

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

11 m) Irrigation systems shall use high quality, automatic control valves, controllers
12 and other necessary irrigation equipment. All components shall be of non-
13 corrosive material. All drip systems shall be adequately filtered and regulated
14 per the manufacturer's recommended design parameters.

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

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

18 p) Landscape construction drawings are required to implement approved Fire
19 Department regulations, codes, and standards at the time of plan approval.

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

23 r) Existing landscaping on and adjacent to the site shall be protected in place and
24 supplemented or replaced to meet the satisfaction of the City Engineer.

25 50. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way
26 and within any adjoining public parkways on Cleveland Street, Washington Street and
27 alley shall be permanently maintained by the owner, his assigns, project homeowner
28 association or any successors-in-interest in the property. The maintenance program shall
29 include: a) normal care and irrigation of the landscaping b) repair and replacement of
plant materials (including interior trees and street trees) c) irrigation systems as
necessary d) general cleanup of the landscaped and open areas e) parking lots and

1 walkways, walls, fences, etc. f) pruning standards for street trees shall comply with the
2 International Society of Arboriculture (ISA) Standard Practices for Tree Care Operations
3 – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix H; and Tree
4 Pruning Guidelines, Appendix F (most current edition). Failure to maintain landscaping
5 shall result in the City taking all appropriate enforcement actions including but not
6 limited to citations. This maintenance program condition shall be recorded with a
7 covenant as required by this resolution.

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

10 **Fire:**

11 52. Fire Department requirements shall be placed on plans in the notes section.

12 53. Smoke detectors are required, and detector locations must be indicated on the plans.

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

15 55. An NFPA 13R or NFPA 13 sprinkler system is required per CBC.

16 56. A fire alarm system with occupant notification is required.

17 57. Approved addresses for residential occupancies shall be placed on the structure in such a
18 position as to be plainly visible and legible from the street or roadway fronting the
19 property. Numbers shall be contrasting with their background and meet the current City
20 of Oceanside size and design standard.

21 58. Single-family dwellings require 4-inch address numbers.

22 59. Plans for buildings and fire sprinkler systems shall be submitted to the Fire Prevention
23 Bureau for plan check review and approval prior to the issuance of building permits.

24 **Planning:**

25 60. This Tentative Map, Development Plan, Variance, and Regular Coastal Permit shall
26 expire 24 months from approval, unless this time period is extended by the provisions of
27 Section 408 or 409 of the Subdivision Ordinance.

28 61. This Tentative Map, Development Plan, Variance, and Regular Coastal Permit approve
29 only a one-lot subdivision for condominium purposes as shown on the plans and exhibits
presented to the Planning Commission for review and approval. No deviation from
these approved plans and exhibits shall occur without Planning Division approval.

1 Substantial deviations shall require a revision to the Tentative Map, Development Plan,
2 Variance, and/or Regular Coastal Permit, or a new Tentative Map, Development Plan,
3 Variance, and/or Regular Coastal Permit.

4 62. The applicant, permittee, or any successor-in-interest shall defend, indemnify, and hold
5 harmless the City of Oceanside, its agents, officers, or employees from any claim,
6 action, or proceeding against the City, its agents, officers, or employees to attack, set
7 aside, void, or annul an approval of the City, concerning Tentative Map (T13-00003),
8 Development Plan (D13-00008), Variance (V13-00003), and Regular Coastal Permit
9 (RC13-00008). The City will promptly notify the applicant of any such claim, action, or
10 proceeding against the City and will cooperate fully in the defense. If the City fails to
11 promptly notify the applicant of any such claim action or proceeding or fails to
12 cooperate fully in the defense, the applicant shall not, thereafter, be responsible to
13 defend, indemnify, or hold harmless the City.

14 63. All dwelling units shall dispose of or recycle solid waste in a manner provided in City
15 Code Section 13.3.

16 64. Outdoor lighting shall be low emission, shielded, and directed away from the southern
17 property lines adjacent to lot A.

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

20 66. Adjacent homeowners shall be notified of planned construction activities and times
21 approximately one week prior to the start of work.

22 67. A covenant or other recordable document approved by the City Attorney shall be
23 prepared by the property owner and recorded prior to the approval of the final map. The
24 covenant shall provide that the property is subject to this resolution, and shall generally
25 list the conditions of approval.

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

69. Failure to meet any conditions of approval shall constitute a violation of the Tentative
Map, Development Plan, Variance, and Regular Coastal Permit.

- 1 70. Unless expressly waived, the project shall be subject to all current zoning standards and
2 City ordinances and policies in effect at the time building permits are issued. The
3 approval of this project constitutes the applicant's agreement with all statements in the
4 Description and Justification and other materials and information submitted with this
5 application, unless specifically waived by an adopted condition of approval.
- 6 71. The developer's construction of all fencing and walls associated with the project shall be
7 in conformance with the approved Development Plan. Any substantial change in any
8 aspect of fencing or wall design from the approved Development Plan shall require a
9 revision to the Development Plan or a new Development Plan.
- 10 72. If any aspect of the project fencing and walls is not covered by an approved
11 Development Plan, the construction of fencing and walls shall conform to the
12 development standards of the City Zoning Ordinance. In no case, shall the construction
13 of fences and walls (including combinations thereof) exceed the limitations of the
14 zoning code, unless expressly granted by a Variance or other development approval.
- 15 73. Prior to the issuance of building permits, compliance with the applicable provisions of the
16 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
17 and approved by the Planning Division. These requirements, including the obligation to
18 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
19 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
20 property.
- 21 74. Elevations, siding materials, colors, roofing materials, and floor plans shall be
22 substantially the same as those approved by the Planning Commission. These shall be
23 shown on plans submitted to the Building Division and Planning Division.
- 24 75. This project is subject to the provisions of Chapter 14C of the City Code regarding
25 Inclusionary Housing.
- 26 76. Garages shall be kept available and useable for the parking of tenant's automobiles at all
27 times.
- 28 77. At all times, the alley shall be free of obstructions, including private vehicles and other
29 objects. Vehicles, or other objects, parked in the driveway shall not project over or obstruct
the sidewalk.

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

4 79. This project shall comply with all provisions of the City's Affirmative Fair Housing
5 Marketing Agreement policy. Such agreement shall be submitted to and approved by the
6 Housing and Neighborhood Services Director prior to the recordation of a Final Map or the
7 issuance of a building permit for the project, whichever comes first.

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

10 81. In the event any subsurface archaeological resources are encountered during grading or
11 construction activities, such activities in the locality of the find shall be halted
12 immediately. An archaeologist, certified by the Society of Professional Archaeologists
13 (SOPA), shall be brought in to determine the significance of the archaeological
resources and implement appropriate mitigations prior to recommencing earthwork.

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

	<u>Sq.Ft.</u>	<u># Bedrooms</u>	<u># Bathrooms</u>	<u>#Parking Spaces</u>	<u># Stories</u>
17 Plan 1	1,449	3	3	2	3
18 Plan 2	1,220	2	2.5	2	3
19 Plan 3	1,596	3	3	2	3
20 Plan 3B	1,604	3	3	2	3

21 83. A set of building plans shall be reviewed and approved by the City Planner prior to the
22 issuance of building permits.

23 **Water Utilities:**

24 84. All domestic water meters shall be 3/4".

25 85. The developer shall provide calculations for irrigation meter sizing.

26 86. Project is subject to a Reclaimed Water in Lieu Fee. Fee amount will be provided by the
27 City upon Request.

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

4 88. All Water Utilities Fees are due at the time of building permit issuance.

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

9 PASSED AND ADOPTED Resolution No. 2013-P45 on November 4, 2013, by the
10 following vote, to wit:

11 AYES:

12 NAYS:

13 ABSENT:

14 ABSTAIN:

15 _____
16 Robert Neal, Chairperson
17 Oceanside Planning Commission

18 ATTEST:

19 _____
20 Marisa Lundstedt, Secretary

21 I, MARISA LUNDSTEDT, Secretary of the Oceanside Planning Commission, hereby certify
22 that this is a true and correct copy of Resolution No. 2013-P45.

23 Dated: November 4, 2013

24 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may
25 be required as stated herein:
26

27 _____
28 Applicant/Representative

_____ Date

Developer Deposit Account

#100697 - CLEVELAND 8



Application for Discretionary Permit

Development Services Department / Planning Division
 (760) 435-3520
 Oceanside Civic Center 300 North Coast Highway
 Oceanside, California 92054-2885

STAFF USE ONLY

ACCEPTED	BY
5/23/13	SN ? JD

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT CLEVELAND STREET 8, LLC	2. STATUS OWNER
3. ADDRESS 740 LOMAS SANTA FE DR STE 204 SOLANA BEACH, CA 92075	4. PHONE/FAX/E-mail (858) 481-3310 X122
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) JEAN SANTA CRUZ, hallmarkcommunications.com	
6. ADDRESS 740 LOMAS SANTA FE DR STE 204 SOLANA BEACH, CA 92075	7. PHONE/FAX/E-mail (858) 481-3310 X122

GPA	
MASTER/SP.PLAN	
ZONE CH.	
TENT. MAP	T13-00003
PAR. MAP	
DEV. PL.	D13-00008
C.U.P.	
VARIANCE	V13-00013
COASTAL	RC13-00018
O.H.P.A.C.	

PART II - PROPERTY DESCRIPTION

8. LOCATION NORTHEAST CORNER OF CLEVELAND STREET & WASHINGTON AVENUE		
10. GENERAL PLAN MD-R	11. ZONING R3	12. LAND USE HDR per LCP LUP MD-R
14. LATITUDE N 33° 11' 23.3426 "		15. LONGITUDE W 117° 22' 36.1486 "

9. SIZE 0.23 AC	
13. ASSESSOR'S PARCEL NUMBER 150-182-06	

PART III - PROJECT DESCRIPTION

16. GENERAL PROJECT DESCRIPTION
SEE DESCRIPTION & JUSTIFICATION

17. PROPOSED GENERAL PLAN MD-R	18. PROPOSED ZONING R3	19. PROPOSED LAND USE MD-R	20. NO. UNITS 8	21. DENSITY 34.78 du/ac
22. BUILDING SIZE 1,200 - 1,600 SF	23. PARKING SPACES 16-2 CAR GARAGE 1-OPEN	24. % LANDSCAPE 24%	25. % LOT COVERAGE or FAR 42%	

PART IV - ATTACHMENTS

<input checked="" type="checkbox"/> 26. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 27. LEGAL DESCRIPTION	<input checked="" type="checkbox"/> 28. TITLE REPORT
<input checked="" type="checkbox"/> 29. NOTIFICATION MAP & LABELS	<input checked="" type="checkbox"/> 30. ENVIRONMENTAL INFO FORM	<input checked="" type="checkbox"/> 31. PLOT PLANS
<input checked="" type="checkbox"/> 32. FLOOR PLANS AND ELEVATIONS	<input type="checkbox"/> 33. CERTIFICATION OF POSTING	<input type="checkbox"/> 34. OTHER (See attachment for required reports)

PART V - SIGNATURES

SIGNATURES FROM ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).

35. APPLICANT OR REPRESENTATIVE (Print): JEAN SANTA CRUZ	36. DATE 5/15/13	37. OWNER (Print) CLEVELAND STREET 8, LLC BY: CHRISTOPHER R. HALL PRESIDENT	38. DATE 5/15/13
Sign: LLC	Sign:		

• I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS.
 • I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.

CLEVELAND STREET 8 TOWNHOMES

DESCRIPTION AND JUSTIFICATION

TENTATIVE MAP, DEVELOPMENT PLAN, COASTAL DEVELOPMENT PERMIT & VARIANCE

(T13-00003; D13-00008; RC13-00018; V13-00013)

APPLICANT: CLEVELAND STREET 8, LLC

Attn: Sean Santa Cruz

740 Lomas Santa Fe Drive Suite 204

Solana Beach, CA 92075

858-481-3310 x122

858-481-6325 Fax

ssantacruz@hallmarkcommunities.com

DATE 8/12/13 (Rev)

RECEIVED
AUG 12 2013
CITY OF OCEANSIDE
DEVELOPMENT SERVICE

OVERVIEW

This application is for a Tentative Tract Map, Development Plan, Coastal Development Permit, and Variance to create separate airspace ownerships for 8 attached townhomes. The subject property consists of 0.23 acres (10,000 SF lot) located on the corner of Cleveland Street and Washington Avenue (APN 150-182-06). The property has a General Plan land use designation of High Density Residential under the coastal land use plan and the corresponding zoning designation of Medium Density Residential (R-3). The site is a vacant infill property and is located in the Townsite neighborhood. It is surrounded on all four sides by existing residential homes made up of single family and multi-family homes. The project is subject to the 1986 Zoning Ordinance and the project is located in the Coastal Zone and will require a Coastal Development Permit. The project is also in the sphere of influence of the April 15, 2009 City of Oceanside Vision Plan indicating that although not in a "node," the project resides in the Transit Oriented Development area of the vision plan. This area is looking for pedestrian oriented development with densities ranging from 29 du/ac to 43 du/ac and maximizing unit count on each project site. The surrounding land uses include the following:

LOCATION	ZONING	LAND USE
Subject Property	R3	Multi-Family Residential
North of Subject Property	R3	Multi-Family Residential
East of Subject Property	R3	Multi-Family Residential
South of Subject Property	R3	Multi-Family Residential
West of Subject Property	Downtown Sub. District	Multi-Family Residential

The development standards are as follows for this zone:

DEVELOPMENT STANDARDS	REQUIRED	PROPOSED
Front Yard	15'0" from Right of Way	10'0" from Ultimate Right of Way
Interior Side Yard	10'0" when primary entrance to dwelling unit is provided off side yard (Section 1723)	10'0"
Corner Side Yard	10'0"	10'0"
Rear Yard	5'0"	5'0"
Maximum Height	35 feet above average finished grade or 3 stories whichever is less	35 feet
Coverage	60%	42%

One variance is requested as part of this project application. The variance requested is to allow for a five (5) foot reduction in the front yard setback off of Cleveland Street.

TENTATIVE TRACT MAP

The Tentative Tract Map proposes the subdivision of 0.23 gross acres into a total of 1 lot. The proposed project density is eight (8) dwelling units per acre (du/ac) which is between the base density of 6.66 du/ac (29 du/ac) and 9.87 du/ac (43 du/ac). The lot is above the minimum size requirement of 6,000 square feet for the R-3 zone. The Building Lot Coverage proposed for the site is 42%, which is less than the 60% maximum Building Lot Coverage allowed for on an R-3 zoned piece of property. No Conditional Use Permit is required for the project per the Planning Department. The project is subject to the Inclusionary Housing requirements of the City of Oceanside, however it is exempt from the second-tier inclusionary housing in-lieu fee due to the fact that it does not meet both criteria of exceeding the base density and a project of 10 or more units.

The project site is flat (< 1%) and fronts Cleveland Street, Washington Avenue, and an unnamed Alley. The main vehicular access will be via an unnamed Alley on the rear of the property off of Washington Avenue. A private alley or "motor court" is designed to provide access to the proposed two car private garages for each of the eight (8) townhomes and will be a minimum of twenty-four (24) feet wide (garage face to garage face) and non-gated. The "motor court" is proposed to be 6" PCC over 6" Class II AB with enhanced concrete paving as shown on the Conceptual Landscape Plan. It will also include planter pockets as shown on the Conceptual Landscape Plan to soften the look of the "motor court." Drainage for the site shall be handled by a combination of private area drains, PVC storm drain, and curb outlets. These storm drain improvements are proposed to service the project along Washington Avenue and Cleveland Street. Frontage improvements include the following:

Unnamed Alley:

The project proposes the complete removal and replacement of the twenty (20) feet of unnamed Alley, with seventeen (17) feet of 3" AC over 6" Class II AB and a three (3) foot 8" PCC ribbon gutter over 6" Class II AB (per John Amberson) along the alley frontage. This improvement is consistent with the adjacent street improvements installed for 420 S. Cleveland Street (R-13942). Overhead utilities shall be placed underground along the alley frontage however the existing utility poles servicing properties both north and south of the property shall be relocated accordingly. Service to two existing homes along the alley frontage shall be converted as part of the undergrounding of the overhead lines. Electrical, gas, cable, and telephone service is to be provided to each townhome along the unnamed Alley. Meters will be attached to the wall of Units 1 & 5 and shall meet all necessary vertical and horizontal clearance requirements per the Utility companies.

Cleveland Street:

The project proposes the removal of the existing five (5) foot sidewalk and curb and gutter along the frontage. The project proposes to install a new five (5) foot sidewalk made of 4"

PCC over 6" Class II AB along with a new 6" Type "G" Curb and Gutter to match the existing improvements to the north of the property. The new gutter shall be extended to the existing concrete pavement per the Engineering Department. Overhead utilities shall be placed underground along the Cleveland Street frontage. A five (5) foot Irrevocable Offer to Dedicate shall be made by the project to the City of Oceanside via the Final Subdivision Map in order to have a sixty (60) foot right of way along Cleveland Street. An eight (8) foot landscape parkway shall be installed along Cleveland Street and will be maintained by the project. Water service shall be off of the existing 8" PVC main in Cleveland Street. Each townhome shall have an individual water meter placed in the Cleveland Street Right of Way with private 1" laterals extended to service each of the townhomes. Sewer service shall be off of the existing 8" VCP main in Cleveland Street. A new 6" PVC private sewer main shall be installed in the "motor court" along with a new manhole and private 4" PVC sewer laterals to each of the townhomes. The site is designed to drain all storm water to Cleveland Street, as well as Washington Avenue. The project has been classified as a Standard Development Project (Minor) in regards to Storm Water Priority and all required treatment measures per the proposed SWMP are proposed to be installed in the front setback area on Cleveland Street (i.e. outside of the right of way) per City of Oceanside Engineering Department. No street lights are proposed to be installed by the project on Cleveland Street as there are two existing street lights located on both the west and east side of Cleveland Street at the intersection of Cleveland Street and Washington Avenue. No fire hydrants are proposed to be installed by the project on Cleveland Street as there is an existing fire hydrant one hundred (100) feet to the north of the project site on the west side of Cleveland Street.

Washington Avenue:

The project proposes the removal of the existing curb and gutter, along with pavement improvements that shall consist of 1.5 inches of grinding of the existing AC and 3 inches of full width AC overlay on Washington Avenue, curb to curb per the Engineering Department. The project shall also install 6" Type "G" Curb and Gutter along its frontage. The existing sidewalk is to remain and shall be protected in place as it is in good condition and the pedestrian ramp shall be removed and replaced. The concrete driveway apron from Washington Avenue to the unnamed Alley is to remain and shall be protected in place. Overhead utilities shall be placed underground along Washington Avenue however an existing alley pole may need to be relocated into the proposed parkway in order to continue to provide service to adjacent homes to the south and east of the site on Washington Avenue. The existing landscape parkway shall remain and new landscaping shall be installed and maintained by the project. No fire hydrants are proposed to be installed by the project on Washington Avenue as there is an existing fire hydrant installed 20 feet east of the site in the landscape parkway on the east side of the driveway apron from Washington Avenue into the unnamed alley. No street lights are proposed to be installed by the project on Washington Avenue as there is an existing street light located on Washington Avenue across from the access to the unnamed alley.

DEVELOPMENT PLAN:

The Cleveland Street townhomes are designed as multi-family carriage units consisting of one 8-plex building, consisting of eight (8) attached townhomes. The townhomes are designed to meet the maximum thirty-five (35) foot height limit for the R-3 zone. All eight (8) townhomes are three stories and each has a private two car garage and each unit will have private open space in the form of decks and/or balconies. The theme proposed for the Cleveland Street townhome project is Urban Coastal. Due to the highly visible nature from Cleveland Street and Washington Avenue, great care was taken in designing the product and its architectural features to insure an interesting street scene along the project frontages. Relating the project to the existing street scape and existing landscaped parkways played an integral part in designing the architecture. The articulation in each unit through the use of offsets, the configuration and types of windows, the selection of architectural features, the types and varying use of color on the buildings were all key aspects in the architecture and provide the look of individual townhome units on all four sides of the 8-plex building.

ARCHITECTURE:

The 8-Plex includes three floor plans, Units 1, 2, 3, and 3B. Unit 1 is an end unit on the alley side. Unit 2 is an interior unit facing Washington Avenue and the interior side yard, and Unit 3 is an end unit on Cleveland Street and Unit 3B is an end unit on the alley in the building complex. The two (2) Unit 3 plans fronting Cleveland Street shall take primary access to the units off of Cleveland Street. These attached townhomes are designed with 9' high ceilings on the 1st and 2nd floors, and an 8' ceiling on the 3rd floor. Living area is located only on the second and third floors of all plans. The building is designed so that only the end units on the alley and Cleveland Street are connected on the second and third floor of the building. This design creates a bridge over the "motor court" and is apparent in the side elevations of the buildings by creating an entryway into the "motor court."

8- Plex Building Mix:

Unit	Unit Size	Unit #	Bedrooms/Baths	Garage
1	1,449 SF	Unit 1 (Alley Facing)	3BR/3BA	2-Car
2	1,220 SF	Units 2, 3, 6 & 7 (Interior Side and Washington Ave Facing)	2BR/2.5BA	2-Car
3/3B	1,596/1,604 SF	Unit 4 & 8 (Cleveland St Facing) Unit 5 (Alley Facing)	3BD/3BA	2-Car

Floor	Unit 1	Unit 2	Unit 3
1	Garage, Entry Door/Porch	Garage, Entry Door/Porch	Garage, Entry Door/Porch
2	Living Room, Dining, Kitchen, 3 rd Bedroom, 3 rd Bath, Deck	Living Room, Kitchen, Dining, Powder, Deck	Living Room, Dining, Kitchen, 3 rd Bedroom, 3 rd Bath, Deck
3	Master Bedroom, Master Bath, 2 nd Bedroom, 2 nd Bath, Laundry	Master Bedroom, Master Bath, 2 nd Bedroom, 2 nd Bath, Laundry,	Master Bedroom, Master Bath, 2 nd Bedroom, 2 nd Bath, Laundry

The Cleveland Street townhomes are designed with Urban Coastal architecture. There are detailed architectural features on each of the four (4) building elevations of the townhomes. The architecture is designed with varied rooflines (gables and hips), architectural pop-outs (ground floor to 3rd floor), and windows. The elevations are detailed with numerous pop-outs such as decks, decorative railings, metal outlookers/braces, decorative tails, stucco details, decorative window surrounds, as well as recessed openings and windows. In addition, the architect has used differing color schemes and textures on elevations to create the look of individual townhomes on all four (4) sides of the building. Building materials include stucco, siding, cultured stone veneer, stucco trim, decorative decking and railing, concrete tile roofs, decorative metal outlookers/braces, decorative tails, step up entry porch, and varying rooflines. The extensive use of colors on all townhomes creates an attractive and varying street scene from all four (4) sides.

PARKING

In compliance with off-street parking requirements per Section 2702 of Article 27 Off-Street Parking of the 1986 Zoning Ordinance, two (2) spaces are required per dwelling unit. All plans propose a two (2) car garage for each unit with a minimum inside area of 400 SF and a minimum inside dimension of 18 feet x 20 feet. The total amount of parking provided for this project meets the requirements for the City of Oceanside. No guest parking is required under the 1986 Zoning Ordinance, however there is on-street parking along both Cleveland Street and Washington Avenue currently to service visitors and guests of the project. One (1) handicap parking space has been provided as required to service a multi-family development. All garages shall be accessed off of the unnamed Alley and then via the proposed private alley or "motor court" as shown on the plans.

LANDSCAPE CONCEPT PLAN

Per Section 1731 of the 1986 Zoning Ordinance, the project is proposing landscaping in the required front and side yard setbacks, as well as a portion of the rear yard setback in the alley. All areas within the setbacks other than pedestrian walkways and mechanical equipment are landscaped as required. The total proposed landscape area for the site is 24% of the 0.23 acres or 2,400 SF. A combination of ground cover, shrubs, and trees are proposed and a permanent irrigation system is proposed and will be tied to the common irrigation meter to be installed and maintained by the homeowners association for the project. Planting shall comply with the City of Oceanside Landscape Design Manual and street trees shall consist of Strawberry Madrone (24" box), Bronze Loquat (24" box), Indian Hawthorn (15 gal), and Flowering Patio Tree (15 gal). The proposed landscaping was selected to complement the project and to blend with the proposed architectural style of the buildings.

The project proposes to provide landscape parkways along Cleveland Street and Washington Avenue as well and has taken great care in the selection of the ground cover, shrubs, and trees given the highly visible nature of this portion of the site. This area shall be maintained by the HOA as required by the City. No common usable open space is required for the project, however turf is proposed in the front yard setback for the enjoyment of the future residents. Private usable open space has been provided in a combination of the decks and balconies for each of the units. Perimeter fencing is proposed in the form of utilizing an existing six (6) foot high wood fence on the interior side of the lot. No fencing is proposed along Cleveland Street, Washington Avenue, or the unnamed alley. A 42" block wall with cultured stone veneer pilasters is proposed at the end of the "motor court" facing Cleveland Street. This low wall will allow for a decorative element along Cleveland Street, as well as allow for extensive planting behind the wall in order to block the opening of the "motor court" from Cleveland Street. This will allow for a more visually appealing street scene that will blend in the existing and proposed project planting for both Cleveland Street and Washington Avenue frontages. Concrete walkways will be installed to provide access from Cleveland Street to the units along the interior side yard and separate walkways to access Units 4 & 8 as well. Access to the units fronting Washington Avenue will be from the existing sidewalk. Air conditioning units shall be located on the ground floor as shown the Tentative Map/Site Development Plan and Landscape Concept Plan. All air conditioning units shall be screened as required by shrubs as noted on the Landscape Concept Plan.

VARIANCES

Front Yard Setback Reduction

Per Article 19 Variances Section 1900 & 1901 of the 1986 Zoning Ordinance, a practical difficulty and unnecessary hardship has resulted due to the required dedication of an additional five (5) feet of right of way and the resulting front yard setback imposed under the 1986 Zoning

Ordinance. Under the now invalidated 1992 Zoning Ordinance for coastal properties, the required front yard setback for this property would have been ten (10) feet from the ultimate right of way if the property were to be developed as single family detached homes on a minimum lot of 2,500 SF, which was allowed with a Conditional Use Permit within the RH District when determined to be compatible with existing and future land uses and plans. Since the Bahama Garden project (P-3-07, C-16-07, and RC-8-07; Resolution No. 2008-P49) consisting of four detached single family homes is built adjacent to the property, the applicant would have proposed the same development on the subject property as was approved and constructed next door, thus allowing for the same ten (10) foot front yard setback from the ultimate right of way on Cleveland Street.

Per Section 1701 (b) of the 1986 Ordinance, the project is required to provide a fifteen (15) foot front yard setback from the ultimate right of way. However, the requirement as previously indicated of an additional five (5) foot right of way dedication to the City of Oceanside would force the project to measure the fifteen (15) feet from the new right of way, and thus imposing essentially a twenty (20) foot setback from the current property line. Per Section 1703 Rear Yards, the project will require a five (5) foot setback off of the alley. The depth of our lot is one hundred (100) feet. If the project is required to provide the aforementioned setbacks, the amount of developable area will be reduced by twenty-five (25) feet, which would place an unnecessary hardship on the project and a loss of significant amount of developable property compared to the developments surrounding it to the North and West. On top of which the project is a corner lot and per Section 1702 requires a ten (10) foot side yard setback and as such further squeezes the developable area of the lot. As mentioned above, the developer of the adjacent Bahama Garden property (P-3-07, C-16-07, RC-8-07, Resolution No. 2008-P49) which was permitted under the 1992 Zoning Ordinance (Section 1050 HH) was required to provide the five (5) foot right of way to the City of Oceanside and then was permitted under a Conditional Use Permit to have a ten (10) foot setback along Cleveland Street. The project is asking for the City to grant a variance to allow for the proposed project to match the setback approved for the adjacent four (4) unit single family row home project. The adjacent building is shown on the proposed Tentative Map and Site Development Plan for the project.

Additionally, the portion of Cleveland Street on which the project fronts is fully built out with curb, gutter, sidewalk, and landscaping. No future widening of Cleveland Street along this portion can be anticipated due to the fact that this area is essentially built out and that a recently built project adjacent to and across the street from the project has been built and as such all of the road improvements have been completed for this portion of Cleveland Street. The desire by the City to make this section of Cleveland Street a section of road with a sixty (60) foot of right of way versus the more commonly found fifty-five (55) feet along Cleveland Street places an undue burden on the site and as such the project request for a variance should be considered for these aforementioned reasons.

COASTAL DEVELOPMENT PERMIT

The project is located in the Coastal Zone and is required to obtain a Coastal Development Permit per the Local Coastal Program approved by the Oceanside City Council on May 8, 1985 as Ordinance No. 85-11. A public hearing will be required due to the needed discretionary approvals required for the project (i.e. Tentative Map, Site Development Plan, Variance). Per Article 6 Development Section 30250, the project is located within, contiguous with, and in close proximity to existing residential developed areas with similar residential homes. Public access will be maintained by existing and proposed sidewalks along Cleveland Street and Washington Avenue. Adequate public services can be provided to the property. Per Section 30251, no scenic or visual qualities of coastal areas shall be impacted as a result of the development and the project is designed according to the desires of Section 30251. Access to transit services (i.e. Sprinter, Amtrack, bus) shall be provided via the public sidewalks along Cleveland Street and Washington Avenue.

WASTE MANAGEMENT

The project proposes the use of individual bin service for each of the units to be placed within the private garages of each of the unit, outside of the required clear space. Waste Management and the City have agreed on the use of individual bins in the multi-family development. The location of the bins within the private garages is shown on the Architectural plans for the project. An email from Lori Somers at Waste Management has been provided indicating that they will allow for individual bin service for the eight (8) proposed units. Garbage service for surrounding properties is off of the unnamed alley. Residents would place their individual bins within the required five (5) foot alley setback area on trash pickup day so that Waste Management could service the project from the alley rather than having to go down the "motor court." The project CC&R's would have specific time requirements for the owners on the removal of the bins from the alley after trash pickup.

RECLAIMED WATER

The project shall pay the Reclaimed Water In-Lieu fee for its one hundred foot (100') frontage along Cleveland Street in lieu of the construction of these improvements per City of Oceanside Ordinance 91-15. The amount was provided by Sabrina Dolezal on November 1, 2012 via email and it totaled \$20,953.80 per the Cost Estimate provided.

PROJECT HIGHLIGHTS:

- A) The project will replace a vacant lot with a highly desirable and unique townhome product and meet the density and design goals of the City of Oceanside.
- B) The proposed project incorporates a multitude of architectural features and colors to create an interesting street scene for residents and neighbors.

- C) The landscaping proposed will enhance and add to the existing street scene along Cleveland Street and Washington Avenue.
- D) Overhead lines and needed road improvements will be completed by the project.

REQUIRED FINDINGS

General Plan:

The General Plan Land Use Map designation for the subject property is High Density Residential. The proposed project is consistent with this land use designation as well as the goals and objectives of the City's General Plan, as follows:

A. Land Use Element

Goal 1.23: Architecture

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

Policy A: Architectural form, treatments, and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.

The eight (8) three-story townhomes are designed in an Urban Coastal style respectively. The architecture consists of stucco, siding, cultured stone veneer, stucco trim, decorative decking and railing, pop-outs, asphalt shingle roofs, decorative metal outlookers/braces, decorative tails, step up entry porches, and varying rooflines. High quality building materials, architectural details, and landscaping are proposed to further enhance the appearance of the project from the street frontages. The structures will be situated and constructed in compliance with development standards, with the exception of the reduced front yard setback along Cleveland Street, which will be consistent with the existing development to the north of the project site. The proposed height limits and three story unit type for this property under the 1986 Zoning Ordinance will be consistent with the height standards of the existing townhomes to the west, which is higher, and with the adjacent single family homes to the north, which is slightly lower in height limitation. The overall design, form, and materials will contribute toward improving the visual image of the surrounding neighborhood and City image.

Goal 1.32: Coastal Zone

Objective: To provide for the conservation of the City's coastal resources and fulfill the requirements of the California Coastal Act of 1976.

Policy A: The City shall utilize the certified Local Coastal Plan for review of all proposed projects within the Coastal Zone. Specifically, the goals and policies of the Local Coastal Program Land Use Plan are the guiding policy review document.

The City shall maintain existing view corridors through public rights-of-way.

Development of the project site will adhere to applicable development standards. Building setbacks and site landscaping improvements along Cleveland Street and Washington Avenue and would not impact any existing view corridors through public rights of way.

The City shall ensure that all new development is compatible in height, scale, color, and form with the surrounding neighborhood.

The proposed project would not exceed the maximum building height (35 ft.) permitted within the zoning district. The Cleveland Street and Washington Avenue facades, form, scale, and color palette, will positively contribute to the existing street scene. Building elevations will maintain an overall scale, complimentary to adjoining buildings and consistent with previously approved and constructed projects along Cleveland Street. The Bahama Garden project adjacent to the site is a three (3) story detached single family product consisting of a combination of earth tone stucco and siding, along with decorative cultured stone veneer, stucco trim, decorative decking and railing, decorative tails/outlookers, step up entry porches, and varying rooflines. The multi-family attached four (4) story development on the west side of Cleveland Street in front of the project consists of a motor court design with private garages for each unit, along with earth tone and bold stucco colors with decorative pop outs, metal decking and railings, vertical elements, flat roofs, and roof top decks.

New development shall utilized optimum landscaping to accent and enhance desirable site characteristics and architectural features.

Front, interior and exterior side, as well as alley landscaping improvements on the subject property will accent and enhance site characteristics and architectural features. The project will provide an eight (8) foot landscape parkway along Cleveland Street in addition to the landscaping proposed in the front yard setback. The project will provide new landscaping for the existing Washington Avenue parkway. The project will be conditioned to ensure the proposed landscape palette takes into account the site's coastal location and addresses aesthetic and maintenance issues and comply with the City of Oceanside's landscape design manual.

The City shall require all new residential development provides adequate on-site parking.

The Zoning Ordinance for the R-3 district requires the project to furnish two (2) parking spaces (open or enclosed) for each of the proposed units. The project as designed is providing a two (2) car garage for every unit that is a minimum of 400 SF in size. The project is required to provide a van accessible handicap spot as well, which has been placed off of the existing alley. The proposed project would free up on-street

parking along Washington Avenue and Cleveland Street, which currently allows for parking on both sides of Cleveland Street and Washington Avenue for guests and visitors of all surrounding developments.

Development Plan:

The City of Oceanside stipulates that three specific findings must be made before a Development Plan can be adopted. This proposal meets those conditions as follows:

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

The Site Plan and physical design of the proposed project is consistent with the purposes of the Zoning Ordinance because it meets all development regulations and design standards less the front yard setback measurement which requires a variance. However, it meets the goal of the City and General Plan to bring a high density development under the R3 zone and that the proposed residential product type and density are consistent with the Land Use Element requirements established in the General Plan. The project as proposed is compatible with the existing and potential development on adjoining properties or in the surrounding neighborhood. Many multi-family developments along Cleveland Street mirror the physical design and layout of the units especially the development across from the property on the west side of Cleveland Street. The effective setback from the back of sidewalk on Cleveland Street will be eighteen (18) feet approximately.

2. *Complies with the land-use and development regulation of the base zoning district, the Hillside Development Provisions of this Section, and any other overlay districts applied to the property.*

The Site Plan and physical design of the proposed project is consistent with the land-use and development regulations of the R3 district and it was designed based on the fact that there are no sensitive resources, environmental habitat, or hillsides located on the site and no significant impacts to any of these resource types is proposed nor are there any overlay districts that apply to this property. A Cultural Resources Study was performed for the project and a single isolated manoa was found during the survey, and no other cultural resources have been identified in the project area. Therefore, no impacts to cultural resources are anticipated. However, there is some potential for subsurface historic archaeological resources and the recommendation is to have archaeologist and a Native American monitor onsite during any grading or ground-disturbing activity.

3. *Can be adequately, reasonably and conveniently served by the public services, utilities, and public facilities.*

The area covered by the Development Plan can be adequately, reasonably and conveniently served by existing and planned public services, utilities and public

facilities because said provisions have been successfully incorporated into the proposed design and are readily available. The project is designed to provide individual trash and recycling bin service to each of the units rather than providing a common area dumpster to service the entire project. The bins are to be stored in the private garages of each unit in the area identified on the Architectural plans for each of the units. Waste Management was consulted to ensure that both individual bin service and alley pick up of the bins could be provided to the development and correspondence was received indicating that individual bin service and alley pick up could be provided to the project. This design is consistent with the multi-family attached townhome development on the west side of Cleveland Street in front of the project which allows for individual bin service storage in the private garages and pick up off the existing motor courts. The project CC&R's would have specific time requirements for the owners on the removal of the bins from the alley after trash pickup.

Variance: Front Yard Setback:

The City of Oceanside stipulates that three specific findings must be made before a Variance can be approved. The proposed findings are as follows:

- 1. That because of special circumstances or conditions applicable to the development site-including size, shape, topography, location or surroundings- strict application of the requirements of the this ordinance deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.*

A Variance is necessary for the front yard setback due to the special circumstance of having the Coastal Commission invalidate the 1992 Zoning Ordinance for the Coastal Zone and as such switch the Zoning Designation from RH-U to R3. Existing developments to the north, south, and west of the subject property all were built with ten (10) foot front yard setbacks from the right of way along Cleveland Street. Additionally, the City is requesting a five (5) foot dedication of right of way along Cleveland Street in order to make the ultimate right of way sixty (60) feet along Cleveland Street. However, Cleveland Street is fully widened and no future widening will be performed along this section of Cleveland due to the inability to widen the road as a result of previous approved and built developments along this stretch of road which would make it infeasible. As such, the additional request of right of way by the City with no benefit to the existing road width along Cleveland Street would force the property to measure a fifteen (15) foot setback under the 1986 Zoning Ordinance from the new right of way and as such would deprive the use of the property for multi-family development and the privileges enjoyed by other properties to the north, south, and west that fall under identical zoning classifications.

2. *That granting the variance will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare.*

The granting of this Variance will not be detrimental or injurious to property or improvements in the vicinity. Given the location and surrounding developments and the previous approval and construction of projects with ten (10) foot front yard setbacks along Cleveland Street, the proposed project will have consistent placement of multi-family buildings along Cleveland Street and will still provide for a significant landscape parkway and additional landscaping within the setback along the project's frontage on Cleveland Street. Additionally, no impact to the proposed public improvements along Cleveland Street or the use of the existing road will hinder the safe development of the site ensuring that the public health, safety, and welfare will be maintained within the surrounding community.

3. *That granting the variance is consistent with the purposes of the Zoning Ordinance and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district.*

Granting the Variance would accommodate a high density multi-family residential development that is transit oriented in nature and which meets the purposes of a multi-family development under the R3 Zone and the Coast Highway Vision Plan of which the property falls within the sphere of influence, and which addresses site conditions associated with the property. The Variance requested for the project site will not grant the applicant special privilege or setback that other property owners were not previously afforded under the 1992 Zoning Ordinance, which to no fault of the applicant was invalidated by the Coastal Commission, thus forcing the City to revert to the 1986 Zoning Ordinance. Had this not happened, the setback variance would not have needed to be requested for the project as it would have been previously allowed under the RH-U Zoning Ordinance. Additionally, the requirements to provide five (5) feet of right of way along the Cleveland Street frontage even though the improvements are fully built out along this section of Cleveland Street will be consistent with past and future projects in terms of additional right of way required to be dedicated and from the location of which the front yard setback measurement was taken from.

LEGAL DESCRIPTION OF PROPERTY

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

LOTS NINE (9), TEN (10), OF BLOCK TWENTY-EIGHT (28) OF BRYAN'S ADDITION TO THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NUMBER 219 FILED IN THE OFFICE OF THE RECORDER OF SAN DIEGO COUNTY, CALIFORNIA, ON THE 10TH DAY OF MARCH, 1887.

APN: 150-182-06-00