

STAFF REPORT*CITY OF OCEANSIDE*

DATE: February 19, 2014

TO: Honorable Mayor and City Council Members

FROM: Development Services Department/Planning Division

SUBJECT: **ADOPTION OF TWO RESOLUTIONS AND INTRODUCTION OF AN ORDINANCE REGARDING THE MISSION COVE AFFORDABLE HOUSING PROJECT – APPLICANT: NATIONAL COMMUNITY RENAISSANCE**

SYNOPSIS

Staff recommends that the City Council adopt a resolution approving General Plan Amendment (GPA12-00003) to change the land use designation of APN 160-270-12-00 from Light Industrial (LI) to High Density Residential (HD-R) and General Commercial (GC); introduce an ordinance for Zone Amendment (ZA12-00003) to change the zoning designation of APNs 160-270-12-00 and 147-061-03-00 from Limited Industrial (IL) and Single Family Residential (RS) to Planned Development (PD); and adopt a resolution certifying the Final Environmental Impact Report for the Mission Cove Affordable Housing Project.

BACKGROUND

The subject site is a 14.59-acre vacant property with more than 1,400 feet of frontage on the south side of Mission Avenue. Located within the Loma Alta Neighborhood Planning Area, the site abuts a single-family residential neighborhood to the east, south, and west and a gas station at its northwest corner. The site once supported crop production. Since the cessation of agricultural activity, the site has been regularly harrowed to remove vegetation.

More than 90 percent of the project site currently bears a land use designation of Light Industrial (LI) and a zoning designation of Limited Industrial (IL). Under the City's original zoning ordinance adopted in 1958, these portions of the site were zoned Single Family Residential (R-1). At some point after 1962, these areas were rezoned for commercial use. The current land use and zoning designations were applied in 1988, when the City undertook a comprehensive zoning ordinance update.

ITEM NO. 24

In 2005, an affordable housing task force identified the subject site as having the potential to accommodate affordable housing. The property was subsequently included in an affordable housing sites inventory incorporated into the City's 2005-2010 Housing Element. In this inventory, the capacity of the site is estimated at 362 dwelling units, at a residential density of 25 dwelling units per acre.

The City purchased the project site in 2006 for the purpose of developing affordable housing. In 2009, with the support of RRM Design, the City conducted three public workshops to inform stakeholders of the City's intentions for the property and to solicit community input on project design. At the third and final workshop, the City presented a preliminary preferred alternative which depicts a mixed-use concept that includes 288 affordable dwelling units for family and senior citizens and approximately 10,000 square feet of commercial floor area. The preliminary preferred alternative was subsequently incorporated into the Mission Avenue Affordable Housing/Mixed-Use Development Vision and Strategic Plan, which was approved by the City Council in March 2010.

PROJECT DESCRIPTION

The subject application proposes amendment of the current land use and zoning designations of the industrial portions of the project site to allow for the development of 288 units of affordable housing and 10,435 square feet of commercial space. In addition to a General Plan Amendment and Zone Amendment, the proposal requires approval of a Tentative Map, Development Plan, and three Conditional Use Permits. These other components of the project were approved by the Planning Commission on December 16, 2013. Details regarding these other components of the proposal are provided in the Planning Commission staff report.

ANALYSIS

KEY PLANNING ISSUES

1. General Plan Conformance

A detailed analysis of the proposal's conformance to General Plan policies is provided in the Planning Commission staff report. Staff finds that the proposed project not only conforms to all applicable General Plan policies but also furthers the City's long-term goals for community enhancement, community development, and natural resource management. The project would provide for a balance of residential and commercial land uses, conform to the visual character of the surrounding area, mitigate flood and geologic hazards, and contribute to the preservation of sensitive habitat while creating housing opportunities for persons of low income. Proposed residential, commercial, and public/semi-public land uses would be consistent with those allowed under the proposed land use designations of High Density Residential (HD-R) and General Commercial (GC).

2. Zoning Ordinance Compliance

The Planning Commission staff report includes a detailed analysis of the proposal's compliance with applicable zoning standards. The applicant seeks to implement a Planned Development (PD) Plan that outlines land use standards, development standards, and design guidelines for the project site. The proposed PD Plan is appended to the Planning Commission staff report. The land use and development standards outlined in the PD Plan are consistent with the proposed HD-R and GC land use designations, in terms of allowable residential density and the types of commercial and public/semi-public land uses permitted on the project site. The land use standards of the PD Plan limit commercial uses on the project site to low-intensity, neighborhood-serving businesses (e.g., small-scale retail, professional office, food service without alcohol sales). The development standards require generous building setbacks from adjacent residential areas and stepped building height that concentrates three and four-story development near the Mission Avenue frontage. In staff's estimation, the design guidelines of the PD Plan ensure high-quality development with a unified architectural theme, abundant landscaping, pedestrian connectivity, ample parking, and a wide range of recreational amenities.

3. Vision Plan Consistency

The Mission Avenue Affordable Housing/Mixed-Use Development Vision and Strategic Plan was prepared to address community concerns about the potential impacts of high-density affordable housing on nearby residential neighborhoods. Participants at the three public workshops held in 2009 expressed concern about the visual impacts of multi-story buildings, loss of privacy, spillover parking, noise, and crime. These stakeholders also expressed a desire to see the project create a variety of housing options, a strong sense of community, and improved pedestrian connections within the Mission Avenue corridor.

It is staff's position that the proposed project is consistent with the planning principles and design intent of the Vision Plan, faithful to the preliminary preferred alternative, and responsive to the concerns and expectations of the stakeholders who participated in the visioning process.

4. Economic Sustainability Study

In 2008, at the request of the City Council, the City's Economic Development Commission prepared an economic sustainability study that included recommendations for increasing the City's jobs-to-housing ratio, which falls significantly below the regional average. One of the key recommendations of this study is to "maintain the integrity of office and industrial zoned property to ensure land to create quality employment opportunities." Approval of the proposed project would remove more than 15 acres from the City's current inventory of industrial land. While such an action would be inconsistent with the economic sustainability study, it should be noted that the project site was purchased by the City for the express purpose of supporting affordable housing in 2006, roughly two years before the study was prepared. Moreover, staff finds that

from the standpoint of land use compatibility, the project site is better suited for residential and neighborhood-serving commercial uses, given its adjacency to an established single-family neighborhood.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act (CEQA), the City of Oceanside acting as Lead Agency prepared an Environmental Impact Report (EIR) for the project. The EIR identifies potentially significant impacts related to air quality, noise, geology, biological resources, and cultural resources and outlines mitigation measures designed to reduce these identified impacts to less than significant levels. On the basis of the entire record, staff finds that there is no substantial evidence that, with implementation of the proposed mitigation measures, the project will have a significant impact on the environment.

A draft EIR was circulated for public review between August 2, 2013 and September 16, 2013. Public comment is addressed in the Final EIR, which was posted to the City's website on November 15, 2013. The Final EIR was certified by the Planning Commission on December 16, 2013, in conjunction with the Commission's review and approval of the project.

FISCAL IMPACT

None.

COMMISSION OR COMMITTEE REPORT

The Planning Commission reviewed the project on December 16, 2013. After due consideration, the Commission adopted PC Resolution 2013-P49, recommending approval of the project to the City Council by a 6-0 vote. The Commission encouraged the applicants to consider electric vehicle charging stations (potentially powered by photovoltaic facilities on the carport roofs), additional permeable paving in surface parking areas, and the screening of any utility fixtures visible from the public right-of-way.

CITY ATTORNEY'S ANALYSIS

The City Council, under the provisions of Section 65356 of the Government Code, has the ability to amend the General Plan by resolution. The resolution shall be adopted by the affirmative vote of not less than a majority of the total City Council membership. The Planning Commission's public hearing on December 16, 2013, and its recommendation of approval were in accord with the provisions of Section 65353 of the Government Code.

Pursuant to Oceanside Zoning Ordinance, Article 4506, the City Council is authorized to hold a public hearing on the proposed Zoning Amendments. Consideration of the Amendments should be based on the record of the decision of the Planning Commission and evidence presented at the City Council public hearing.

After conducting the public hearing, the Council shall affirm, modify, or reject the Planning Commission's recommendation with regard to the proposed General Plan and Zoning Amendment. A modification not previously considered by the Commission shall be referred to the Commission for review and action as appropriate.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution approving General Plan Amendment (GPA12-00003) to change the land use designation of APN 160-270-12-00 from Light Industrial (LI) to High Density Residential (HD-R) and General Commercial (GC); introduce an ordinance for Zone Amendment (ZA12-00003) to change the zoning designation of APNs 160-270-12-00 and 147-061-03-00 from Limited Industrial (IL) and Single Family Residential (RS) to Planned Development (PD); and adopt a resolution certifying the Final Environmental Impact Report for the Mission Cove Affordable Housing Project.

PREPARED BY:



Russ Cunningham
Senior Planner

SUBMITTED BY:



Steven R. Jepsen
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager



George Buell, Development Services Director



Marisa Lundstedt, City Planner



Attachments:

1. City Council Resolution (General Plan Amendment)
2. City Council Ordinance (Zone Amendment)
3. City Council Resolution (EIR Certification)

MEMORANDUM

DATE: February 19, 2014

TO: Honorable Mayor and Councilmembers

FROM: Judy Krueger, City Manager's Office

SUBJECT: **AVAILABILITY OF LARGE DOCUMENTS FOR REVIEW –
MISSION COVE AFFORDABLE HOUSING PROJECT**

As a courtesy, the following documents related to the Mission Cove project are available for your review on-line.

Planning Commission Meeting Documents of 12/16/2013

<http://www.ci.oceanside.ca.us/civica/filebank/blobdload.asp?blobid=31889>

Illustrative Exhibits of the Project

<http://www.ci.oceanside.ca.us/civica/filebank/blobdload.asp?blobid=31890>

Planned Development Plan

<http://www.ci.oceanside.ca.us/civica/filebank/blobdload.asp?blobid=31891>

RESOLUTION NO. 13-**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE APPROVING A GENERAL PLAN AMENDMENT (GPA12-00003) FOR CERTAIN REAL PROPERTY LOCATED ON THE SOUTH SIDE OF MISSION AVENUE BETWEEN CAROLYN CIRCLE AND FOUSSAT ROAD (APN 160-270-12-00)****(Applicant: National Community Renaissance)**

WHEREAS, there was filed with this Council a verified petition on the forms prescribed by the Council requesting a General Plan Amendment (GPA12-00003) under the provisions of Section 65356 of the Government Code for the following:

a change in the General Plan Land Use designation from Light Industrial (LI) to High Density Residential (HD-R) and General Commercial (GC), as shown on the attached Exhibit A.

WHEREAS, the Planning Commission, after giving the required notice, did on the 16th day of December 2013 conduct a duly advertised public hearing as prescribed by law to consider said application;

WHEREAS, the Planning Commission adopted Planning Commission Resolution Number 2013-P49 recommending approval of General Plan Amendment (GPA12-00003);

WHEREAS, on February 19, 2014, the City Council held a duly noticed public hearing and heard and considered written evidence and oral testimony by all interested parties on the above identified GPA12-00003;

WHEREAS, pursuant to the California Environmental Quality Act (CEQA); an Environmental Impact Report (EIR) was prepared and circulated for this project;

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

WHEREAS, based on such evidence and testimony, including but not limited to the report of the Planning Division, the City Council finds as follows:

FINDINGS:**For the General Plan Amendment:**

1. The proposed change in the land use designation of the subject property from Light Industrial (LI) to High Density Residential (HD-R) and General Commercial (GC) would provide for the development of land uses compatible with existing residential and commercial land uses in the vicinity.

- 1 2. The proposed change in the land use designation of the subject property would provide for the
2 development of affordable rental housing, consistent with policies of the Land Use Element of the
3 General Plan that encourage development of housing opportunities for persons of low and
4 moderate income.
- 5 3. The proposed change in the land use designation of the subject property would allow for a range
6 of commercial land uses serving the immediate commercial needs of nearby residents.
- 7 4. The proposed change in the land use designation of the subject property would provide for the
8 development of land uses compatible with the operation of the Oceanside Municipal Airport.

9 NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve General
10 Plan Amendment (GPA12-00003) subject to the following conditions of approval:

11 **Planning:**

- 12 1. This General Plan Amendment (GPA12-00003) approves only the change in land use
13 designation of the site as shown on the plans and exhibits presented to the City Council for
14 review and approval.
- 15 2. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the
16 City of Oceanside, its agents, officers or employees from any claim, action or proceeding against
17 the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the
18 City, concerning General Plan Amendment (GPA12-00003) and Zone Amendment (ZA12-
19 00003). The City will promptly notify the applicant of any such claim, action or proceeding
20 against the City and will cooperate fully in the defense. If the City fails to promptly notify the
21 applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the
22 applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.
- 23 3. All entitlements and conditions of approval for the Mission Cove Affordable Housing project,
24 including Tentative Map (T12-00001), Development Plan (D12-00006), Conditional Use Permit
25 (CUP12-00006), Conditional Use Permit (CUP12-00007), and Conditional Use Permit (CUP12-
26 00008), as identified in Planning Commission Resolution 2013-P49, shall remain in effect.
- 27 4. The project shall be subject to all mitigation measures contained in the mitigation, monitoring
28 and reporting program for the project as referenced in Planning Commission Resolution 2013-
P48.

1 Notice is hereby given that the time within which judicial review must be sought on this
2 decision is governed by Govt. Code Section 65009(c)(1)(B).

3 PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this 19th
4 day of February, 2014, by the following vote:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

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10 MAYOR OF THE CITY OF OCEANSIDE

11 ATTEST:

12 APPROVED AS TO FORM:

13 _____
14 CITY CLERK

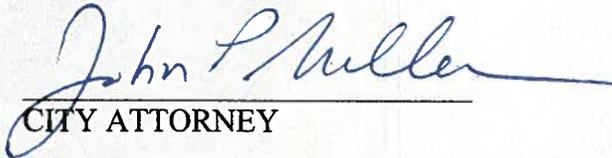
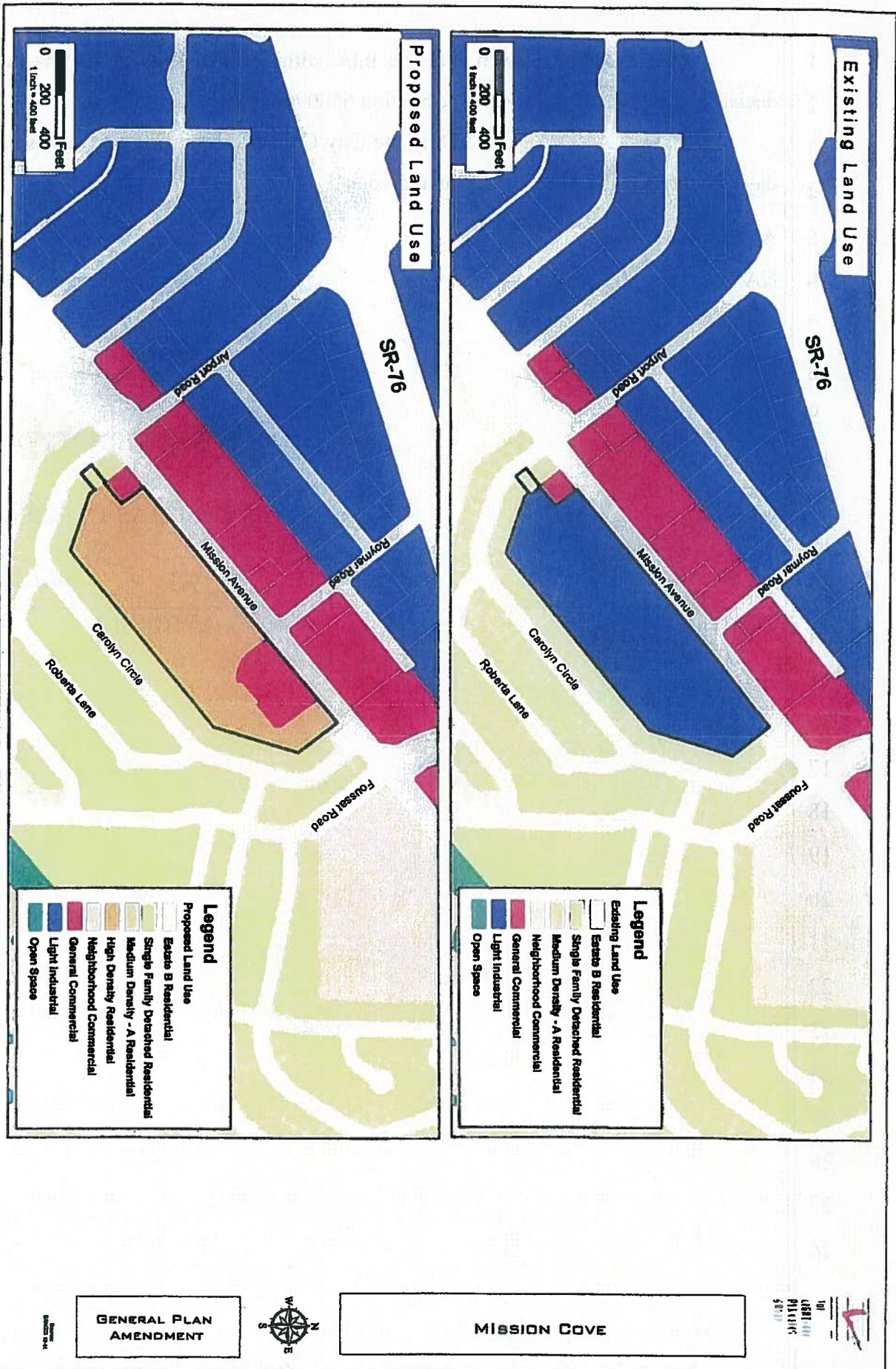
15 
16 _____
17 CITY ATTORNEY

EXHIBIT A



Existing Land Use

SR-16

0 200 400 Feet
1 inch = 400 feet

Legend

Existing Land Use

- Estate B Residential
- Single Family Detached Residential
- Medium Density - A Residential
- Neighborhood Commercial
- General Commercial
- Light Industrial
- Open Space

Proposed Land Use

SR-16

0 200 400 Feet
1 inch = 400 feet

Legend

Proposed Land Use

- Estate B Residential
- Single Family Detached Residential
- Medium Density - A Residential
- High Density Residential
- Neighborhood Commercial
- General Commercial
- Light Industrial
- Open Space



MISSION COVE



GENERAL PLAN AMENDMENT

DATE: 08/11/11

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF OCEANSIDE AMENDING THE ZONING DESIGNATION FOR CERTAIN REAL PROPERTY LOCATED ON THE SOUTH SIDE OF MISSION AVENUE BETWEEN CAROLYN CIRCLE AND FOUSSAT ROAD (APNs 160-270-12-00 AND 146-061-03-00) FROM LIMITED INDUSTRIAL (IL) AND SINGLE FAMILY RESIDENTIAL (RS) TO PLANNED DEVELOPMENT (PD) – MISSION COVE ZONE AMENDMENT (ZA12-00003)

(Applicant: National Community Renaissance)

WHEREAS, an application for Zone Amendment (ZA12-00003) has been filed under the provisions of Article 45 of the Zoning Ordinance of the City of Oceanside and the provisions of Section 65356 of the Government Code for the following:

to amend the zoning designation of certain real property on the south side of Mission Avenue between Carolyn Circle and Foussat Road (APNs 160-270-12-00 and 146-061-03-00) from Limited Industrial (IL) and Single Family Residential (RS) to Planned Development (PD), as specified in Exhibits "A" and "B" attached hereto and incorporated herein by reference thereto;

WHEREAS, the Planning Commission, after giving the required notice, did on the 16th day of December 2013 conduct a duly advertised public hearing as prescribed by law and adopt Resolution 2013-P49, recommending City Council approval of said Zone Amendment;

WHEREAS, said Planning Commission recommendation was made in conjunction with approval of a General Plan Amendment (GPA12-00003);

WHEREAS, on February 19, 2014, the City Council held a duly noticed public hearing and heard and considered written evidence and oral testimony by all interested parties and the recommendation of the Planning Commission on the above identified Zone Amendment (ZA 12-00003);

WHEREAS, based upon such evidence and testimony and staff reports, this Council finds as follows:

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///

1 For the Zone Amendment:

- 2 1. The proposed new zoning designation of Planned Development (PD) is compatible with
3 the zoning designations of adjacent residential and commercial properties.
4 2. The proposed new zoning designation would provide for the development of land uses
5 consistent with the policies of the Land Use Element of the General Plan, including those
6 pertinent to balanced land use, neighborhood compatibility, and housing.

7 NOW, THEREFORE, the City Council of the City of Oceanside DOES ORDAIN as
8 follows:

9 1. The Zone Amendment application ZA12-00003 for certain real property described in
10 Exhibit "A" (Legal Description)", and Exhibit "B (Zone Amendment Map) attached hereto is
11 hereby approved, and the City Planner is directed to amend the appropriate Zoning Map to show
12 the Zone Amendment.

13 2. This ordinance shall not be codified.

14 3. The City Clerk of the City of Oceanside is hereby directed to publish this ordinance
15 once within fifteen (15) days after its passage in the San Diego Union-Tribune, a newspaper of
16 general circulation published in the City of Oceanside.

17 4. This ordinance shall take effect and be in force on the thirtieth (30th) day from and
18 after its final passage.

19 5. Notice is hereby given that the time period within which judicial review must be
20 sought on this decision is governed by Government Code Section 65009(c)(1)(A).

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1 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
2 California held on the 19th day of February 2014, and, thereafter,

3 PASSED, ADOPTED by the City Council of the City of Oceanside, California, this
4 _____ day of _____, 2014 by the following vote:

5 AYES:

6 NAYES:

7 ABSENT:

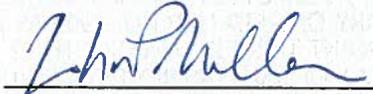
8 ABSTAIN:

9 _____
10 Mayor of the City of Oceanside

11
12 ATTEST:

APPROVED AS TO FORM:

13 _____
14 City Clerk

15 
16 _____
17 City Attorney

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL A:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

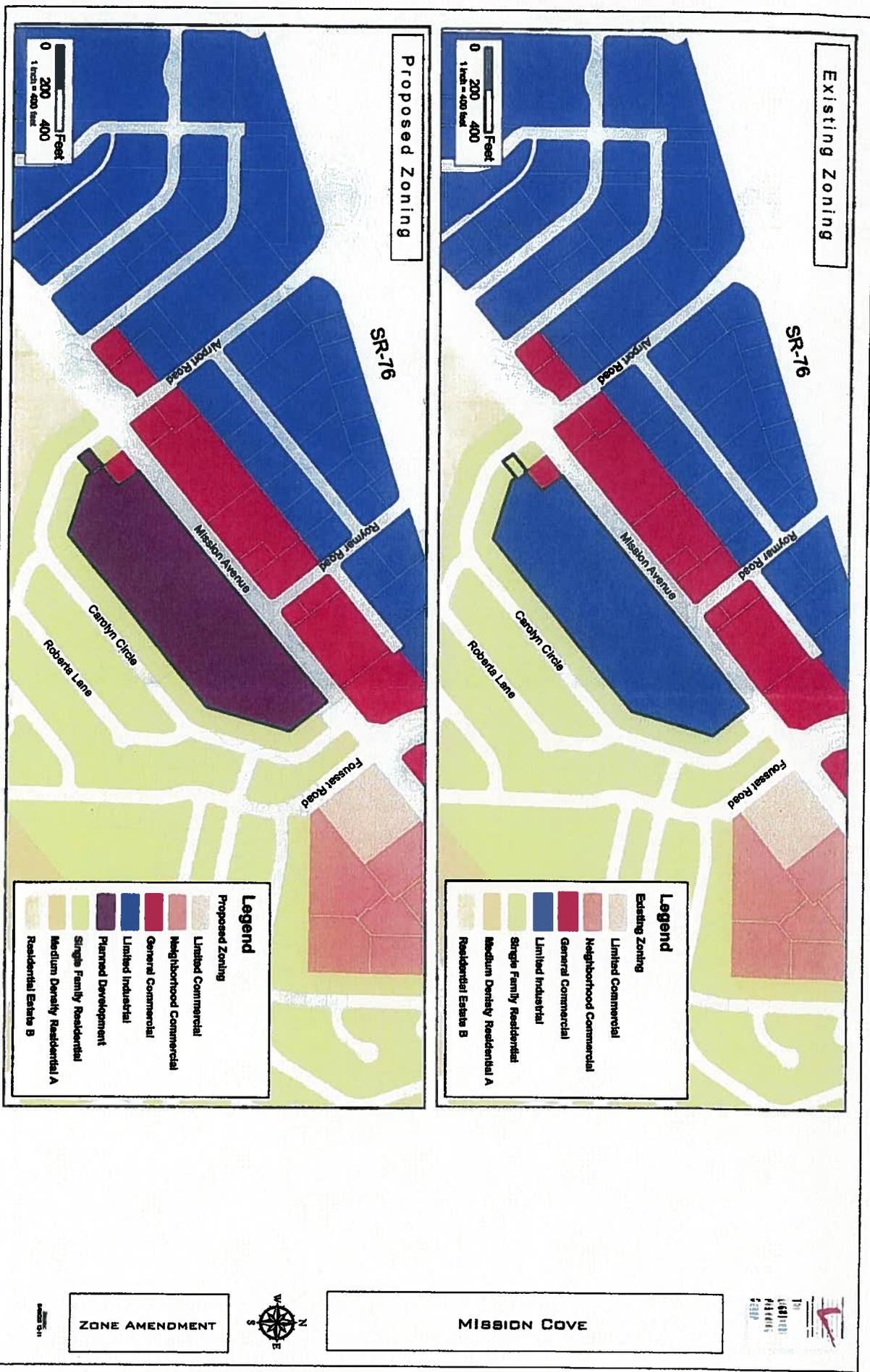
COMMENCING AT THE MOST NORTHERLY CORNER OF LOT 20 OF SAN LUIS REY ESTATES UNIT NO. 1 ACCORDING TO MAP THEREOF NO. 3907, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 11, 1958, BEING ALSO A POINT ON THE SOUTHEASTERLY LINE OF SAN LUIS REY ROAD (MISSION AVENUE), AS SHOWN ON SAID MAP NO. 3907; THENCE ALONG SAID SOUTHEASTERLY LINE NORTH 50 DEGREES 23' 30" EAST, 125.00 FEET TO THE TRUE POINT OF BEGINNING, THENCE AT RIGHT ANGLES SOUTH 39 DEGREES 36' 30" EAST 125.00 FEET; THENCE AT RIGHT ANGLES SOUTH 50 DEGREES 23' 30" WEST, 125.00 FEET TO THE NORTHEASTERLY BOUNDARY OF SAID MAP NO. 3907; THENCE ALONG THE BOUNDARY OF SAID MAP NO. 3907 AS FOLLOWS: SOUTH 39 DEGREES 36' 30" EAST 90.95 FEET TO AN ANGLE POINT THEREIN; AND SOUTH 72 DEGREES 43' 45" EAST 288.54 FEET TO AN ANGLE POINT IN THE BOUNDARY OF SAN LUIS REY ESTATES UNIT NO. 2, ACCORDING TO MAP THEREOF NO. 3989, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY October 9, 1958; THENCE ALONG THE NORTHEASTERLY LINE OF SAID MAP NO. 3989, NORTH 50 DEGREES 14' 21" EAST, 282.49 FEET TO A CORNER IN THE BOUNDARY OF SAN LUIS REY ESTATES UNIT NO. 3, ACCORDING TO MAP THEREOF NO. 4085, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 11, 1959; THENCE ALONG THE NORTHEASTERLY LINE OF SAID MAP NO. 4085, NORTH 50 DEGREES 14' 21" EAST 420.00 FEET TO A CORNER IN THE BOUNDARY OF SAN LUIS REY ESTATES UNIT NO. 4, ACCORDING TO MAP THEREOF NO. 4148, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 21, 1959, THENCE ALONG THE BOUNDARY OF SAID MAP NO. 4148 AS FOLLOWS: NORTH 50 DEGREES 14' 21" EAST, 349.69 FEET; NORTH 16 DEGREES 21' 26" EAST 407.73 FEET; AND NORTH 39 DEGREES 45' 14" WEST, 225.83 FEET TO THE SOUTHEASTERLY LINE OF SAID MISSION AVENUE; THENCE ALONG SAID SOUTHEASTERLY LINE AS FOLLOWS: SOUTH 50 DEGREES 14' 46" WEST 480.89 FEET; AND SOUTH 50 DEGREES 23' 30" WEST, 941.25 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL B:

LOT 18 OF SAN LUIS REY ESTATES-UNIT NO. 1, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 3907, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 11, 1958.

APN: 160-270-12 & 146-061-03

EXHIBIT B



Existing Zoning

SR-16



- Legend**
Existing Zoning
- Light Blue: Limited Commercial
 - Light Green: Neighborhood Commercial
 - Light Yellow: General Commercial
 - Light Purple: Limited Industrial
 - Light Orange: Single Family Residential
 - Light Red: Medium Density Residential A
 - Light Brown: Residential Estate B

Proposed Zoning

SR-16



- Legend**
Proposed Zoning
- Light Blue: Limited Commercial
 - Light Green: Neighborhood Commercial
 - Light Yellow: General Commercial
 - Light Purple: Limited Industrial
 - Light Orange: Planned Development
 - Light Red: Single Family Residential
 - Light Red-Orange: Medium Density Residential A
 - Light Brown: Residential Estate B



MISSION COVE



ZONE AMENDMENT

DATE: 11/11/11

1 3. The FEIR, MMRP, and Findings of Fact were presented to the City Council, and
2 the City Council reviewed and considered the information contained in these
3 documents prior to approving the project. The FEIR, MMRP, and Findings of Fact
4 for the project have been determined to be accurate and adequate documents,
5 reflecting the independent judgment of the City.

6 NOW, THEREFORE, the City Council of the City of Oceanside does resolve as
7 follows:

- 8 1. The City Council does hereby certify the FEIR for Mission Cove, a copy of which
9 is on file with the Office of the City Clerk.
- 10 2. Pursuant to Public Resources Code Section 21081.6 the City Council adopts the
11 MMRP attached as Exhibit A and finds and determines that said program is
12 designed to ensure compliance with the mitigation measures throughout the
13 implementation of the project.
- 14 3. Pursuant to Public Resources Code Section 21081, the City Council hereby adopts
15 the Findings of Fact attached as Exhibit B.
- 16 4. Notice is HEREBY GIVEN that the time within which judicial review must be
17 sought on this decision is governed by Public Resources Code Section 21167(c).

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19 ////
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1 PASSED and ADOPTED by the City Council of the City of Oceanside,
2 California this 19th day of February, 2014, by the following vote:

3 AYES:

4 NAYES:

5 ABSENT:

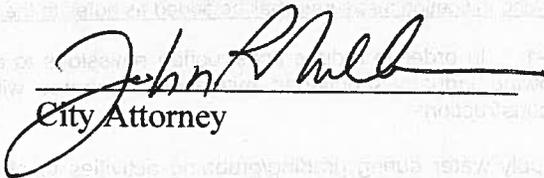
6 ABSTAIN:

7
8
9 _____
Mayor of the City of Oceanside

10
11 ATTEST:

APPROVED AS TO FORM:

12
13 _____
City Clerk

14 

City Attorney

EXHIBIT "A"

MISSION COVE PROJECT MITIGATION, MONITORING AND REPORTING PROGRAM

AIR QUALITY			
MITIGATION MEASURES	TYPE	MONITOR	SCHEDULE
<u>The following mitigation measures shall be added as notes to the grading plans:</u>			
<p>AQ-MM-1 In order to reduce construction emissions to a level below significance, the following industry-sanctioned mitigation measures will be incorporated during project construction:</p> <ul style="list-style-type: none"> • Apply water during grading/grubbing activities to all active disturbed areas at least twice daily (assuming a 55% control efficiency). • Plant landscaping as soon as possible and keep graded areas wet. • Apply water to all onsite unpaved roadways at least two times daily (Assuming 55% control efficiency). • Reduce all construction related traffic speeds onsite to below 15 miles per hour. • Install wheel shakers at all ingress/egress points of access to the project site so that vehicles wheels can be cleaned of mud and debris before entering any public roadways. 	CM	Planning Division	During construction and grading

CM = Construction mitigation

OM = Operation mitigation

MMRP-1

BIOLOGICAL RESOURCES

MITIGATION MEASURES	TYPE	MONITOR	SCHEDULE
<p>B-MM-1 Because the project site is situated within the WCPZ, the Subarea Plan requires that 50 percent of the site be preserved as biological open space. As an alternative to this requirement, the applicant has the option of preserving 7.3 acres of non-native grassland at an off-site location within the WCPZ. Prior to issuance of a grading permit, the applicant shall acquire 7.3 acres of off-site non-native grassland habitat to offset the development of 100 percent of the project site. The applicant shall be responsible for establishing an endowment or other means of funding the long-term management of the mitigation area. The applicant shall also be responsible for identifying and securing an entity to manage the off-site habitat in perpetuity, subject to the approval of both the City and the resource agencies.</p>	OM	Planning Division	Prior to Issuance of Grading Permit
<p>B-MM-2 The 7.3 acres of off-site land shall support non-native grassland habitat, to mitigate the loss of 14.5 acres of like-functioning habitat (0.5:1 ratio).</p>	OM	Planning Division	Prior to Issuance of Grading Permit

CULTURAL RESOURCES			
MITIGATION MEASURES	TYPE	MONITOR	SCHEDULE
<p>C-MM-1 In order to mitigate impacts to CA-SDI-5445 Locus B, a data recovery program will be developed and implemented in the significant portions of the site that will be affected by grading, trenching, and soil removal/recompaction beyond a depth of 2 ft. (60 cm). The amount of excavation will be based on the extent of potential impacts. A specific data recovery plan will be developed based on the extent and depths of grading/soil removal in the areas of concentration.</p> <p>C-MM-2 Due to the presence of significant cultural resources and the potential for encountering human remains, an archaeological monitoring program shall be conducted for the project; the monitoring program shall apply to the entire project site. Specifically, the program should consist of the following:</p> <ul style="list-style-type: none"> • Prior to implementation of the monitoring, a pre-excavation agreement shall be developed between the appropriate Luiseño Band(s), the applicant, and the City of Oceanside. • The qualified archaeologist and the Native American representative shall attend the pre-grading meeting with the contractors to explain the requirements of the program. • An archaeologist and a Native American monitor shall be on-site during all grading, trenching, and other ground-disturbing activities. • If intact archaeological artifact deposits or cultural features are discovered, grading activities shall be temporarily directed away from these deposits to allow documentation and assessment of the resources. 	<p>CM</p> <p>CM</p>	<p>Engineering Division</p> <p>Engineering Division</p>	<p>During construction and grading</p> <p>During construction and grading</p>

<ul style="list-style-type: none"> • If any human remains are discovered, the County Coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission (NAHC), shall be contacted by the NAHC in order to determine proper treatment and disposition of the remains. • Recovered artifactual materials shall be cataloged and analyzed. • A report shall be completed describing the methods and results of the monitoring and data recovery program. • Artifacts shall be curated with accompanying catalog to current professional repository standards or the collection will be repatriated to the Luiseño Band(s), as specified in the pre-excavation agreement. 			
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GEOLOGY / SOILS

MITIGATION MEASURES	TYPE	MONITOR	SCHEDULE
<p>GE-MM1 To fully mitigate the adverse effect associated with GE-1, the following measures shall be implemented.</p>			
<p>A. GROUND IMPROVEMENTS</p>			
<p>The geotechnical report provides two options for ground improvements. The preferred method will be determined by the City Geologist and Project Geologist during rough grading. These are summarized below and detailed in the geotechnical report.</p>	CM	Engineering Division	During construction and grading
<p>1. <u>General Improvements for Building Areas</u></p>			
<p><i>Option 1:</i> This would involve removal of the existing near surface alluvial soils to a depth of seven feet below the bottom of footings and replacement with a minimum of five feet of properly compacted fill overlying two feet of compacted Crushed Miscellaneous Base (CMB). Layers of geogrid shall be placed below and above the underlying compacted CMB course prior to placement of compacted fill (See the geotechnical report for specifications)</p>	CM	Engineering Division	During construction and grading
<p>Over-excavations shall extend from property line to property line, or at least ten feet horizontally outside the building footprints to locate zones of overly saturated and/or loose unsuitable material of any origin. Removal of localized areas deeper than those documented may be required during grading.</p>			
<p>Wet soils associated with groundwater may occur at the bottom of over-excavations, resulting in difficulty in getting a firm surface. Prior to placing structural fill, coarse aggregate passing ¾ inch sieve shall be worked into the soft material.</p>			
<p><i>Option 2:</i> Other liquefaction remediation methods include deep in situ soil improvement methods. Vibro-compaction or vibro-floatation is not suitable for the proposed site due to high silt contents and saturated soil conditions. Vibro-replacement</p>			

with "stone columns" can be effective.

Densification and/or reinforcement of the soil can be achieved with compacted granular columns or "stone columns". This method can increase the bearing capacity, reduce settlement, aid densification, mitigate liquefaction induced damage, and improve shear resistance. The geotechnical report lists the specifications for column widths and spacing. Following column construction, the upper three feet of soil shall be removed and replaced with compacted fill, and additional testing would be conducted to verify the columns' effectiveness.

2. Ground Improvement Measures for Pavement Area

Option 1: For pavement areas, the remedial measures included in Option 1 above, can be applied with following changes:

The existing near surface alluvial soils shall be removed to a depth of five (5) feet below the existing grade and replaced with a minimum of two feet of properly compacted fill overlying two feet of compacted CMB. Layers of geogrid shall be placed below and above the underlying compacted CMB prior to placement of compacted fill. Over-excavations shall extend at least five feet horizontally outside the pavement/street areas.

Option 2: Remove and recompact the upper two feet below the bottom of the pavement section, extending at least five feet horizontally outside the pavement/street areas. The pavement section shall be monitored for any settlement or distress after a seismic event, and followed with necessary repair/maintenance or reconstruction.

3. Ground Improvement Measures for Other Landscaping Areas

For other landscaping areas, the upper twelve inches below the existing grade shall be scarified and recompact.

CM

Engineering
Division

During
construction and
grading

CM

Engineering
Division

During
construction and
grading

<p>conditioning will be necessary prior to the material being placed as compacted fill. Refer to the geotechnical report for details.</p> <p>Backfill behind retaining walls and footing foundations shall be placed and compacted in accordance with the recommended specifications in the geotechnical report (<i>Recommended Earthwork Specifications</i>). Heavy construction equipment shall be kept away from retaining walls and other buried structures to avoid overstressing.</p> <p>6. <u>Shrinkage and Subsidence</u>. The following shrinkage and subsidence factors shall be applied for the on-site soils in calculating earthwork quantities.</p> <p><i>Shrinkage Factor:</i> 0 to 20%, with an average of 10% shrinkage for soils removed and replaced as compacted fill, with an average relative compaction of approximately 92%.</p> <p><i>Subsidence Factor:</i> 0.2 feet of subsidence may occur. This is due to the settlement of native materials from the equipment load applied during grading. Field testing using the actual equipment and grading techniques shall be conducted.</p> <p>7. <u>Utility Trench Backfill</u>. Open cuts adjacent to existing roadways and/or adjacent structures are not recommended within a 1:1 horizontal:vertical (H:V) plane extending beyond and down from the roadway or structure perimeter. Specifications for stockpiling the spoils are detailed in the geotechnical report.</p> <p>8. <u>Pipe Bedding</u> To provide uniform and firm support for any subsurface pipelines, free-draining granular soil shall be used as pipe bedding material. For flexible pipes, excavated sandy materials may be used as bedding material. Crushed rock or gravel may be used for rigid pipes. Bedding material for the pipes shall be free from oversized particles (greater than one (1) inch). Specifications for bedding materials including required backfill requirements are detailed in the geotechnical report.</p>	<p>CM</p> <p>CM</p> <p>CM</p>	<p>Engineering Division</p> <p>Engineering Division</p> <p>Engineering Division</p>	<p>During construction and grading</p> <p>During construction and grading</p> <p>During construction and grading</p>
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<p>9. <u>Trench Zone Backfill</u></p> <p>The trench zone is defined as the portion of the trench above the pipe bedding extending up to the final grade level of the trench surface. Excavated on-site soils after proper processing and moisture conditioning may be used to backfill the trench zone. Imported trench backfill, if used, shall be approved by the project soils consultant prior to delivery at the site. The trench zone shall be backfilled in accordance with the recommendations presented in Section A-5 above (<i>Structural Backfill</i>).</p>	CM	Engineering Division	During construction and grading
<p>B. DESIGN RECOMMENDATIONS</p> <p>The various design recommendations provided below in this section are based on the assumption during site preparation, the earthwork and ground improvement recommendations provided in the geotechnical report will be followed.</p> <p>1. <u>General Evaluation</u></p> <p>Differential settlement, not total settlement, is the primary cause of distress to structures. To reduce differential settlement, variations in the soil type, degree of compaction, and thickness of the compacted fill placed underneath the footings shall be minimized.</p> <p>Potential structural damage from seismically induced ground settlement may be significantly reduced by strengthening the structures and the foundations. Stiffened structural foundations such as slabs with grade-beams and post-tensioned slabs can reduce structural damages during earthquakes. Some damage to streets, flatwork and buried utilities may still occur due to localized ground failures.</p>	CM	Engineering Division	During construction and grading
<p>2. <u>Foundation Type and Bearing Pressures</u></p>	CM	Engineering Division	During construction and grading

<p>The proposed structures may be supported on continuous (strip) and/or isolated spread footings. See the geotechnical report for specifications regarding the width of and depth of the continuous and isolated spread fittings. The maximum allowable bearing capacity shall be limited to 3,000 pounds per sq ft (psf).</p> <p>The allowable net bearing capacity is defined as the maximum allowable net bearing pressure on the ground. The net allowable bearing values indicated above are for the dead load and frequently applied live loads and are obtained by applying a factor of safety of 3.0 to the net ultimate bearing capacity. If normal code requirements are applied for design, the above vertical bearing value may be increased by 33% for short duration loading, which will include loading induced by wind or seismic forces.</p> <p>Active Earth Pressures. The active earth pressure behind any buried wall depends primarily on the allowable wall movement, type of backfill materials, backfill slopes, wall inclination, surcharges, and any hydrostatic pressures. These pressures assume a level ground surface behind the walls for a distance greater than the wall height, no surcharge, and no hydrostatic pressure.</p> <p>If water pressure is allowed to build up behind the walls, the active pressures shall be reduced by 50% and added to a full hydrostatic pressure to compute the design pressures against the walls.</p> <p>Passive Earth Pressure. Resistance to lateral loads is assumed to be provided by friction acting at the base of foundations and by passive earth pressure. Passive earth pressure of 250 psf per foot of depth may be used for the sides of footings poured against recompacted native soils. A factor of safety of 1.5 was applied in calculating passive earth pressure. The maximum value of the passive earth pressure shall be limited to 2,000 psf. These lateral resistances may be increased by 33% for seismic forces.</p> <p>Vertical and lateral bearing values indicated above are for the total dead loads and frequently applied live loads. If normal code requirements are applied for design, the above vertical bearing and lateral resistance values may be increased by 33% for short duration loading, which will include the effect of wind or seismic forces.</p>			
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<p>3. <u>Settlement</u></p> <p>For static loading, total settlement of the residential footing (designed as recommended above, from structural load-induced settlements, and short-term settlement of properly compacted fill) shall be 1-inch or less. The differential settlement can be taken as equal to one half of the total settlement.</p>	<p>CM</p>	<p>Engineering Division</p>	<p>During construction and grading</p>
<p>4. <u>Slabs-on-Grade</u></p> <p>The design of the slab-on-grade will depend on, among other factors, the expansive potential of the pad soils. As noted above, the expansive potential is very low to low, but shall be verified at the completion of grading. Post-tensioned slabs can be used for lots with expansion index greater than 20.</p> <p>Thickness of slabs-on-grade shall be determined by the Structural Engineer as specified in the geotechnical report. Subgrade for the slab-on-grade shall be firm and uniform. The report also provides details on soil moisture conditioning and recompaction.</p>	<p>CM</p>	<p>Engineering Division</p>	<p>During construction and grading</p>
<p>5. <u>Liquefaction Mitigation Measures-Structural</u></p> <p>In addition to the ground improvement measures presented in this report, the liquefaction mitigation for shallow foundation design includes</p> <ul style="list-style-type: none"> • Combination of spread footing with grade beams or rigid raft foundation. • Well-reinforced and/or post-tensioned mat foundation to provide better resistance against soil movements • Ductile connection of buried utilities such as pipelines to accommodate large movements and settlements 	<p>CM</p>	<p>Engineering Division</p>	<p>During construction and grading</p>

<p>6. <u>Preliminary Pavement Design Recommendations</u></p> <p>Two representative samples of site soils were tested to evaluate the Resistance (R) value. The testing indicated R-value of 49 and 62.</p> <p>Asphalt concrete pavement sections corresponding to Traffic Indices (TIs) ranging from 5.0 to 7.0, and an R-value of 35 (for conservative design) are presented for preliminary design.</p> <p>The site soils will be substantially mixed during site grading and the R-values of the final subgrade soils are likely to be different. At the completion of grading, the R-value of the subgrade soils shall be determined and the pavement structural sections shall be reevaluated. Pavement or street areas shall be founded on improved ground.</p> <p>The geotechnical report provides specifications for base materials including asphalt concrete materials and pavement subgrade, in accordance with all applicable regulations and standards.</p>	<p>CM</p>	<p>Engineering Division</p>	<p>During construction and grading</p>
<p>7. <u>Site Drainage</u></p> <p>Adequate positive drainage shall be provided away from the structures to prevent ponding and to reduce percolation of water into structural backfill. A desirable slope for surface drainage is two (2)% in landscaped areas and one (1)% in paved areas. Planters and landscaped areas adjacent to the building perimeter shall be designed to minimize water infiltration into the subgrade soils. Gutters and downspouts shall be installed on the roof, and runoff shall be directed to the storm drain through non-erosive devices.</p>	<p>CM</p>	<p>Engineering Division</p>	<p>During construction and grading</p>

<p>C. CONSTRUCTION RECOMMENDATIONS</p>	CM	Engineering Division	During construction and grading
<p>1. <u>General</u></p> <p>Site soils may be excavated using conventional heavy-duty excavating equipment. Temporary sloped excavation is feasible if performed in accordance with the slope ratios provided in Section X, (<i>Temporary Excavations</i>). Existing utilities shall be accurately located and either protected or removed as required by the site plan.</p>	CM	Engineering Division	During construction and grading
<p>2. <u>Temporary Excavations</u></p> <p>Based on the materials encountered in the borings, sloped temporary excavations may be constructed according to the slope ratios presented in the geotechnical report. Utility trench backfill or other fill encountered in excavations will be less stable than the native soils. Temporary cuts encountering loose fill or loose, dry sand may have to be constructed at a flatter gradient than presented in the following table.</p> <p>Surfaces exposed in slope excavations shall be kept moist but not saturated to retard raveling and sloughing during construction. Adequate provisions shall be made to protect the slopes from erosion during periods of rainfall. Specifications for placement of surcharge loads, including during construction, are detailed in the appendices to the geotechnical report.</p> <p>The soils exposed in cuts shall be observed during excavation by the project's geotechnical consultant. If potentially unstable soil conditions are encountered, modifications of slope ratios for temporary cuts may be required in accordance with all applicable regulations and standards.</p>	CM	Engineering Division	During construction and grading
<p>3. <u>Shoring Design</u></p> <p>Where open sloped excavations will not be feasible due to nearby existing structures or facilities, temporary shoring may be required (conventional soldier piles and lagging or sheet piles). Drilling fluids may be needed to prevent caving and to</p>	CM	Engineering Division	During construction and grading

<p>maintain an opened hole for pile installation. The design of cantilever shoring is detailed in the geotechnical report. Methods for filling any voids shall be selected by the contractor</p>			
<p>In addition to the lateral earth pressure, surcharge pressures due to miscellaneous loads, such as soil stockpiles, vehicular traffic or construction equipment located adjacent to the shoring, shall be included in the design of the shoring. Specifications are detailed in the geotechnical report.</p>			
<p>The lagging between the soldier piles may consist of pressure-treated wood members or solid steel sheets. The steel sheeting is the preferred option. The geotechnical report provides details for the design of the lagging piles including lagging design loads.</p>			
<p>Excavations shall not extend below a 1:1 horizontal: vertical (H:V) plane extending from the bottom of any existing structures, utility lines or streets. Any proposed excavation shall not cause loss of bearing and/or lateral supports of the existing utilities or streets.</p>			
<p>GE-MM2 If corrosive soils occur in areas where steel and concrete structures would be built, a corrosion engineer shall be consulted for detailed corrosion mitigation measures</p>	<p>CM</p>	<p>Engineering Division</p>	<p><u>During</u> <u>Prior to</u> <u>grading and</u> <u>construction and</u> <u>grading</u></p>

HAZARDOUS MATERIALS

MITIGATION MEASURES	TYPE	MONITOR	SCHEDULE
<p>HM-MM1 A Phase II ESA shall be conducted on-site, consisting of the following:</p> <ul style="list-style-type: none"> • Soil sampling to evaluate the potential presence of agricultural chemical residues in surface and shallow subsurface soil due to historic agricultural use of the site. • Soil, soil gas, and groundwater sampling of the site in the vicinity of the Moshen property to assess the potential impacts related to the off-site UST release. <p>Evaluation of these conditions will consist of the following:</p> <ul style="list-style-type: none"> • Shallow soil borings throughout the site • Laboratory analysis of soil samples collected from the borings for organochloride pesticides (OCPs) and arsenic • Multi-purpose borings on the portions of the site adjacent to the Moshen property • Laboratory analysis of soil, soil gas, and groundwater collected from the borings for total petroleum hydrocarbons (TPH) and volatile organic compounds (VOCs) including fuel oxygenates <p>There are no potential exposure routes for future project residents to impacted groundwater, if any, underlying the site. Potential exposure to vapor intrusion from any soil gas impacts would be mitigated by control methods such as installation of an impermeable plastic liner and/or imported clean fill material installed under proposed structures.</p>	<p>CM</p>	<p>Engineering Division</p>	<p>During Construction and Grading</p>

NOISE			
MITIGATION MEASURES	TYPE	MONITOR	SCHEDULE
<p>N-MM-1 The project's building facades were found to be above the 60 dBA CNEL threshold and therefore will require a final noise study to be prepared prior to the issuance of the first building permit. This final report would identify the interior noise requirements based upon architectural and building plans. Interior noise levels of 45 dBA CNEL can be obtained with conventional building construction methods and providing a closed window condition requiring a means of mechanical ventilation (e.g. air conditioning) for each unit and upgraded windows for all sensitive rooms (e.g. bedrooms, living areas and group rooms).</p>	CM	Planning Division	Prior to issuance of building permit

TRANSPORTATION / TRAFFIC			
MITIGATION MEASURES	TYPE	MONITOR	SCHEDULE
<p><u>No mitigation measures are required. The following improvements will be made a condition of project approval in compliance with the City's updated Circulation Element:</u></p> <p>T-MM-1—Install a Pelco HD closed-circuit television camera (CCTV) and an Actellis switch at the intersection of Mission Avenue and Fireside Street and integrate into the City's existing communication system. This is the next major intersection on Mission Avenue east of the intersection with Foussat Road, which already has a camera and switch. A CCTV allows the City to remotely monitor the traffic flows at a given intersection in real time. The Applicant will install these prior to Certificate of Occupancy and to the satisfaction of the City Traffic Engineer.</p> <p>T-MM-2—Contribute a fair-share toward the cost of installing approximately 3600 lineal feet of conduit along Mission Avenue between Airport Road and just east of Mesa Drive. The conduit would carry the cable for the overall system. The contribution will be done prior to Certificate of Occupancy and to the satisfaction of the City Traffic Engineer.</p>	CM	Planning Division	Prior to issuance of building permit
	CM	Planning Division	Prior to issuance of building permit

EXHIBIT "B"

FINDINGS OF FACT
for the
MISSION COVE
MIXED USE DEVELOPMENT PROJECT
GPA 12-00003; ZA 12-00003; D 12-00006;
CUP 12-00006, 00007, 00008
SCH # 201205010000

Prepared for:

The City of Oceanside
Development Services Department
300 North Coast Highway
Oceanside, California 92054

Prepared by:

Affinis
810 Jamacha Road
Suite 206
El Cajon, California 92019

December, 2013

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ACRONYMS AND ABBREVIATIONS

CEQA	California Environmental Quality Act
CNEL	Community Noise Exposure Level
CUP	Conditional Use Permit
dBA	A-Weighted Sound Pressure Level
DEIR	Draft Environmental Impact Report
EIR	Environmental Impact Report
ESA	Environmental Site Assessment
FEIR	Final Environmental Impact Report
GC	General Commercial
GPA	General Plan Amendment
HD-R	High Density Residential
IL	Limited Industrial
MM	Mitigation Measure
MMRP	Mitigation, Monitoring, and Reporting Program
OCPs	Organochloride Pesticides
PD	Planned Development Plan
SCH	State Clearinghouse
SR 76	State Route 76
TM	Tentative Map
TPH	Total Petroleum Hydrocarbons
UST	Underground Storage Tank
VOCs	Volatile Organic Compounds
ZA	Zoning Amendment

ACRONYMS AND ABBREVIATIONS

CEQA	California Environmental Quality Act
CEML	Community Noise Exposure Level
CUP	Conditional Use Permit
CEA	A-Weighted Sound Pressure Level
CEIR	California Environmental Impact Report
EIR	Environmental Impact Report
EIS	Environmental Site Assessment
FEIR	Final Environmental Impact Report
GC	General Contract
GPA	General Plan Amendment
ICR	Initial Conditional Report
I	Initial Industrial
M	Mitigation Measure
MMP	Mitigation Monitoring and Reporting Program
OPR	Organic Peroxide
PD	Planned Development Form
SC	State Clearinghouse
SR	State Route 99
TM	Tentative Map
TH	Total Petroleum Hydrocarbons
US	Underground Storage Tank
VOCs	Volatile Organic Compounds
W	Working Agreement

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FINDINGS OF FACT
for the
MISSION COVE
MIXED USE DEVELOPMENT PROJECT
GPA 12-00003; ZA 12-00003; D 12-00006;
CUP 12-00006, 00007, 00008
SCH # 201205010000

INTRODUCTION

The City of Oceanside's Development Services Department hereby makes the following Findings of Fact concerning the Final Environmental Impact Report (FEIR) for the Mission Cove Mixed Use Development Project (project) pursuant to the California Environmental Quality Act, Public Resources Code Section 21000 et seq. (CEQA), and its implementing regulations, California Code of Regulations, Title 14, section 15000 et seq. (CEQA Guidelines).

The project seeks to create a new neighborhood which will provide affordable housing to meet the needs of Oceanside residents along with supporting commercial and public/semi-public uses. The project is proposing 288 affordable housing units: 150 family units and 138 senior/special needs units. The project would construct fourteen separate buildings to house the proposed residential and mixed uses, resident support, and administrative buildings. The development would include family residential apartments, senior apartments, community support facilities, and a mixed-use building with ground-floor commercial/office/retail space and family apartment units above.

Pursuant to CEQA Guidelines Section 15132, the FEIR for the project consists of the following components:

- A summary of project impacts
- Copies of the written comment letters received by the City concerning the DEIR and the City's responses as the Lead Agency to significant environmental points raised in the public and agency comment, review, and consultation process
- Replacement/errata pages reflecting modifications to text included in the DEIR
- A Mitigation, Monitoring, and Reporting Program
- The original DEIR, including the appendices

The environmental effects, mitigation measures, and alternatives analyzed in the DEIR, the public comments and responses thereto, and the extensive public outreach and public participation described in the DEIR have influenced the design of the project. These analyses and activities reflect the City's commitment to incorporate the environmental considerations identified during the CEQA process into the final project design.

MIXED USE DEVELOPMENT PROJECT
GPS 12-00000, CA 12-00000, D 12-00000
GPS 12-00000, 00000, 00000
SCH # 001000000

INTRODUCTION

The City of Oceanside's Development Services Department hereby makes the following findings of fact concerning the Final Environmental Impact Report (FEIR) for the Mission Cove Mixed Use Development Project (Project) pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. (CEQA) and its implementing regulations, California Code of Regulations, Title 14, Section 21000 et seq. (CEQA Guidelines).

The project seeks to create a new neighborhood which will provide affordable housing to meet the needs of Oceanside residents along with supporting commercial and public-use public uses. The project is proposing 288 affordable housing units, 150 family units and 138 single-family units. The project would construct a multi-story apartment building to house the proposed residential and mixed-use residential and other above buildings. The development would include family residential units, multi-family units, community center facilities, and a mixed-use building with ground floor commercial/retail space and family apartment units above.

Pursuant to CEQA Guidelines Section 15122, the FEIR for the project consists of the following components:

- A summary of project impacts
- Copies of the written comment letters received by the City concerning the DEIR and the City's responses as the Lead Agency to significant comment letters raised in the public and agency comment, review, and consultation process
- Replacement impact pages reflecting modifications (as listed) included in the DEIR
- A Mitigation Monitoring and Reporting Program
- The original DEIR, including the appendices

1.0 PROJECT DESCRIPTION

1.1 Project Location

The project site lies within the northwestern quadrant of the City of Oceanside, in the Loma Alta Neighborhood Planning Area. It is approximately one mile east of Interstate 5 (I-5) and a half mile south of State Route 76 (SR 76), about a half mile south of the San Luis Rey River, and 2.5 miles east of the Pacific Ocean.

1.2 Project Components

Project implementation will require the approval of a General Plan Amendment (GPA), Zone Amendment (ZA), Development Plan, Conditional Use Permits (CUPs), and Tentative Map (TM). These are summarized below.

The General Plan Amendment (GPA) would change the current Light Industrial (LI) portion of the site to High Density Residential (HD-R) and General Commercial (GC). The Zone Amendment (ZA) would change the designation of the entire site from Limited Industrial (IL) and Single Family Residential (RS) to Planned Development. The Development Plan would include family residential apartments, senior apartments, community support facilities, and a mixed-use building with ground-floor commercial/office/retail space and family apartment units above. The project is requesting three CUPs: one to allow the mixed-use building, a second to allow a child day care operation within the Family Resident Resource Center, and the third to allow an adult day care use with the Senior Housing component. The Tentative Map (TM) for Mission Cove divides the property into five separate lots to facilitate financing, phasing, and management. The gross acreage of the site is 14.59 acres. After excluding additional right-of-way dedication for Mission Avenue, the net acreage is 14.52 acres.

1.3 Project Objectives

As stated in the *Mission Avenue Affordable Housing/Mixed Use Vision and Strategic Plan* prepared for Mission Cove ("Vision Plan"), and approved by the City Council in 2010, the project seeks to create a new neighborhood which will provide affordable housing to meet the needs of Oceanside residents along with supporting commercial uses. The project objectives are as follows:

Provide a 100% affordable housing community with a minimum of 288 affordable units to help achieve the goals and implement the policies of the Housing Element of the Oceanside General Plan and Regional Housing Needs Assessment.

1. Provide a minimum of 150 family units and 138 senior/special needs units with a mix of one, two, and three-bedroom units to serve the diverse housing needs for Oceanside residents across a range of age groups, while promoting social diversity within the community.
2. Integrate 10,000–12,000 square feet of neighborhood-serving commercial-retail space into the development (to create opportunities for complementary land uses and facilities).
3. Design a community that encourages social interaction through provision of on-site amenities and services for residents, including recreation areas, day care services and after-school programs.
4. Establish comprehensive development standards and a plan for the site that reflects the Vision Plan adopted for the property, considers site resources and conditions, and incorporates sustainability measures and conservation of resources.
5. Implement a plan which is aesthetically compatible with and complementary to adjacent land uses.
6. Add to the City's diverse inventory of housing by providing affordable housing opportunities that are conveniently located to transportation, commercial amenities, recreational and public uses.

Based on its review of the FEIR and other information received in connection with the project, the City finds these objectives to be acceptable and desirable from a policy standpoint. In choosing to approve the project, the City accords great weight to the above objectives when considering the feasibility of the alternatives analyzed in the FEIR.

2.0 ENVIRONMENTAL PROCESS

2.1 Lead Agency and Responsible Agencies

The City of Oceanside is the Lead Agency for the proposed project. Other Responsible Agencies include the California Department of Fish and Wildlife (CDFW), the U.S. Fish and Wildlife Service (USFWS), the Regional Water Quality Control Board (RWQCB, Region 9), The Federal Emergency Management Agency, and the San Diego Department of Environmental Health (DEH).

2.2 Environmental Impact Report

The FEIR was prepared as a project EIR. As noted above, discretionary actions associated with project implementation will require the approval of a General Plan Amendment (GPA), Zone Amendment (ZA), Development Plan, Conditional Use Permits (CUPs), and Tentative Map (TM).

2.2.1 Draft EIR

A Notice of Preparation (NOP) was circulated to the California Office of Planning and Research, responsible and trustee agencies, and other interested parties between July 24, 2012 and August 31, 2012. A Public Scoping Meeting was held on August 9, 2012. The 45-day public review period for the DEIR extended from August 2, 2013 to September 16, 2013. The DEIR was circulated to Responsible Agencies. Ten (10) copies of the DEIR were sent to the State Clearinghouse along with the required Notice of Completion (NOC). Notices of the availability of the DEIR were published in the local newspaper at the same time. The DEIR was made available for review at the City's Planning Division during normal business hours and at the Downtown Oceanside Library. Digital copies were also provided to the City and were made available to the public on the City's website. Six comment letters were received at the close of the public review period.

2.2.2 Final EIR

Public comments on the DEIR and the City's responses to these comments are provided in Chapter B of the FEIR.

2.3 Public Participation

Public participation played a large part in the preparation of the *Mission Avenue Affordable Housing/Mixed Use Vision and Strategy Plan (Vision Plan)*. Three community workshops were held to welcome comments, suggestions, and expectations of the community at-large through a process to identify issues, evaluate alternatives, and define a preferred alternative for the site. Notification methods included direct mail to property owners within 1500 feet of the site, press releases to the *North County Times* and *San Diego Union Tribune*, and City website postings. Flyers were also distributed to the surrounding neighborhoods (door hangers for Workshop No. 3). All

workshops were held at the Best Western Marty's Valley Inn Conference Center at 3240 Mission Avenue. The focus of the workshops was as follows:

- Workshop No. 1 (April 27, 2009). An introduction to the visioning process was given to help identify issues and goals for site development. A project overview was presented, opportunities and constraints were identified, and public participation was encouraged. Issues noted included land uses, circulation and parking, and amenities. A visual preference survey regarding architectural style was also conducted.
- Workshop No. 2 (July 20, 2009). The focus of this workshop was alternatives. Three preliminary concepts and draft principles for future development were presented for review and comment. Conceptual alternatives were discussed and participants provided comments and concerns. These were used to define a preliminary preferred alternative.
- Workshop No. 3 (September 14, 2009). The Preferred Option concept, developed based on input and discussions from the first two workshops, was presented. Overall, favorable comments were received on the plan, and the proposed project analyzed in this EIR is largely based on this concept.

The City Council adopted the Vision Plan in 2010, which included planning, design, and implementation strategies for the project. The *Vision Plan* concluded that the preferred development should include a combination of affordable family apartment homes, senior/special needs housing, a commercial/office plaza, resident community center, pocket parks, and active/passive open space.

2.4 Record of Proceedings

For the purposes of CEQA and the findings contained herein, the record of the administrative proceedings for the City's decision concerning certification of the FEIR for the project shall include, but is not limited to, the following documents:

- The DEIR and the Appendices to the DEIR
- The FEIR and the Errata (Chapter C) and Appendices to the FEIR
- The MMRP (Chapter D of the FEIR)
- The City of Oceanside's General Plan, including the Land Use Element, and Circulation Element
- The Final Draft Subarea Plan for the City
- Documents and other materials listed as references and/or incorporated by reference in the DEIR, FEIR, and the appendices thereto
- Findings and resolutions adopted by the City in connection with the project
- Documents cited or referred to in the FEIR
- Reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by City staff and consultants to the applicant or City

- Documents and other materials submitted to the City by other public agencies or members of the public in connection with the project through the close of the public hearing at which the project was approved.
- The minutes, recordings, and transcripts of public hearings held by the City concerning the FEIR and the project
- Documents or other materials submitted to the City at the public hearings concerning the project
- Matters of common knowledge to the City
- Documents expressly cited or referenced in these findings, in addition to those cited above
- Other materials required to be included in the record of proceedings by California Public Resources Code section 21167.6(e).

The documents and materials that constitute the record of administrative proceedings are maintained at the City of Oceanside's Development Services Division at 300 North Coast Highway, Oceanside, CA 92054. The custodian for these records is the City Planner.

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- Documents are maintained by the City or other public agencies or members of the public in connection with the project through the close of the public hearing at which the project was approved.
- The minutes, recordings, and transcripts of public hearings held by the City concerning the EIR and the project.
- Documents or other materials submitted to the City at the public hearings concerning the project.
- Matters of common knowledge to the City.
- Documents expressly cited or referred to in these findings, in addition to those cited above.
- Other materials required to be included in the report of proceedings by California Public Resources Code section 21127.6(a).

The documents and materials that constitute the report of administrative proceedings are maintained at the City of Oceanside's Development Services Division at 200 North Coast Highway, Oceanside, CA 92054. The custodian for these records is the City Planner.

3.0 FINDINGS PURSUANT TO CEQA

3.1 Purpose

CEQA requires the City to make written findings of fact for each significant environmental impact identified in the FEIR (Pub. Res. Code section 21081; CEQA Guidelines section 15091). The purpose of findings is to systematically restate the significant effects of the proposed project on the environment and to determine the feasibility of mitigation measures and alternatives identified in the FEIR that would avoid or substantially lessen the significant effects. If significant impacts remain after application of all feasible mitigation measures, the City must review the alternatives identified in the FEIR and determine whether they are feasible. These findings set forth the reasons, and the evidence in support of, the City's determinations.

3.2 Terminology

A "finding" is a written statement made by the City that explains how the City dealt with each significant impact and alternative identified in the FEIR. Each finding identifies a significant impact and provides an ultimate conclusion regarding each significant impact, substantial evidence supporting the conclusion, and an explanation of how the evidence supports the conclusion.

For each significant impact identified in the FEIR, CEQA requires the City to make a written finding reaching one or more of the following conclusions: (1) that changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effect; (2) that the changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency; or (3) that specific legal, economic, social, or technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR (Pub. Res. Code section 21081(a); CEQA Guidelines section 15091(a)).

A mitigation measure or an alternative is considered "feasible" if it is capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors, as well as considerations for employment of highly trained workers (Pub. Res. Code section 21061.1; CEQA Guidelines section 15364).

3.3 Legal Effect

To the extent that these findings conclude that mitigation measures identified in the FEIR are feasible and have not been modified, superseded, or withdrawn, the City hereby binds itself to implement those measures. These findings are not merely informational, but constitute a binding set of obligations upon the City and responsible agencies that take effect upon the City's adoption of the resolutions certifying the FEIR and approving the proposed project.

3.4 Mitigation Monitoring and Reporting Program

In adopting these findings, the City also adopts an MMRP pursuant to Public Resources Code section 21081.6. This program is designed to ensure the proposed project complies with the feasible mitigation measures identified below during implementation of the project. The program is set forth in the *Mission Cove Mixed Used Development Mitigation Monitoring and Reporting Program (MMRP)*, which the City adopts concurrently with these findings and is incorporated herein by reference.

4.0 FINDINGS REGARDING SIGNIFICANT DIRECT IMPACTS MITIGATED TO LESS THAN SIGNIFICANT

The FEIR determined that the project may result in direct significant environmental impacts to air quality, biological resources, cultural/paleontological resources, geology/soils, hazards/hazardous materials, noise, and utilities. The FEIR also identified mitigation measures and design features that will avoid or substantially lessen the impacts to a less-than-significant level (Chapter A of the FEIR and Chapter IV of the DEIR, Environmental Analysis, Sections IV.1 – 13). In addition, the full suite of mitigation measures described and required within the FEIR is sufficient to mitigate the impacts of the project as proposed.

4.1 Air Quality

Construction Emissions. Construction emissions would exceed SDAPCD air quality standards during grading operations for PM₁₀ and PM_{2.5} without mitigation (Impact AQ-1).

Operational Emissions. Project-generated traffic emissions were found to be within SDAPCD thresholds. Impacts are therefore less than significant.

Cumulative Impacts

Construction Emissions. As the reasonably foreseeable projects within the vicinity of the proposed project are either not expected to be under construction simultaneously with, or are considerably distant from the project site, cumulative impacts would not be expected from daily construction activities.

Operational Emissions. Project-generated traffic emissions were found to be within SDAPCD thresholds. Impacts are therefore less than significant.

Finding

Pursuant to CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Facts in Support of Finding

In order to reduce construction emissions to a level below significance, the following industry-sanctioned mitigation measures will be incorporated during project construction and made conditions of the development permit (AQ-MM-1):

- Apply water during grading/grubbing activities to all active disturbed areas at least twice daily (assuming a 55% control efficiency).
- Plant landscaping as soon as possible and keep graded areas wet.
- Apply water to all onsite unpaved roadways at least two times daily (assuming 55% control efficiency).

- Reduce all construction related traffic speeds onsite to below 15 miles per hour.
- Install wheel shakers at all ingress/egress points of access to the project site so that vehicles wheels can be cleaned of mud and debris before entering any public roadways.

Implementation of the above measures would reduce potentially significant impacts to a less than significant level.

4.2 Biological Resources

While only sparse non-native vegetation was identified on site, unmaintained, the property could support weedy non-native grassland habitat. Impacts to this habitat would be significant (Impact B-1).

The project would not be in compliance with the City's Subarea Plan (SAP) as it would not preserve 50% of the site in biological open space. This would result in the loss of 14.2 acres of land within the Wildlife Corridor Planning Zone (WCPZ, Impact B-2).

Finding

Pursuant to CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Facts in Support of Finding

Because the project site is situated within the WCPZ, the Subarea Plan requires that 50 percent of the site be preserved as biological open space. As an alternative to this requirement, the applicant has the option of preserving 7.3 acres of non-native grassland at an off-site location within the WCPZ, as permitted per Section 5.3.1.1 of the SAP. Prior to issuance of a grading permit, the applicant shall acquire 7.3 acres of off-site non-native grassland habitat to offset the development of 100 percent of the project site. The applicant shall be responsible for establishing an endowment or other means of funding the long-term management of the mitigation area. The applicant shall also be responsible for identifying and securing an entity to manage the off-site habitat in perpetuity, subject to the approval of both the City and the resource agencies (B-MM-1)

The 7.3 acres of off-site land shall support non-native grassland habitat, to mitigate the loss of 14.5 acres of like-functioning habitat (0.5:1 ratio) (B-MM-2).

Proof of acquisition of the mitigation land will be required prior to issuance of the project's grading permit, as approved by the City's Engineering Division. Implementation of these mitigation measures will reduce impacts to biological resources to a less than significant level.

4.3 Cultural and Paleontological Resources

Cultural Resources. Archaeological site CA-SDI-5445 Locus B covers a portion of the Mission Cove project area. This site locus was determined to be a significant cultural resource, due to its research potential, based on testing conducted in 2002. The project has been redesigned to avoid impacts to the significant portions of the archaeological site. However, if removal and recompaction of soils is required to depths greater than the anticipated 2 ft. in the areas of concentration, the project would have significant impacts to cultural resources. Similarly, if any ground disturbance for the community garden or other project features in the areas of concentration would be deeper than 2 ft. (60 cm), there is the potential for significant impacts to cultural resources.

Paleontological Resources. No significant impacts to paleontological resources are anticipated, as the project does not propose grading into the Santiago Formation. However, direct or indirect destruction of a unique paleontological resource during project construction would be considered a significant impact.

Finding

Pursuant to CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the FEIR.

Facts in Support of Finding

Cultural Resources

In order to mitigate impacts to CA-SDI-5445 Locus B, a data recovery program will be developed and implemented in the significant portions of the site that will be affected by grading, trenching, and soil removal/recompaction beyond a depth of 2 ft. (60 cm). The amount of excavation will be based on the extent of potential impacts. A specific data recovery plan will be developed based on the extent and depths of grading/soil removal in the areas of concentration (C-MM-1)

Due to the presence of significant cultural resources and the potential for encountering human remains, an archaeological monitoring program shall be conducted for the project; the monitoring program shall apply to the entire project site (C-MM-2). Specifically, the program should consist of the following:

- Prior to implementation of the monitoring, a pre-excavation agreement shall be developed between the appropriate Luiseño Band(s), the applicant, and the City of Oceanside.
- The qualified archaeologist and the Native American representative shall attend the pre-grading meeting with the contractors to explain the requirements of the program.
- An archaeologist and a Native American monitor shall be on-site during all grading, trenching, and other ground-disturbing activities.

If intact archaeological artifact deposits or cultural features are discovered, grading activities shall be temporarily directed away from these deposits to allow documentation and assessment of the resources.

- If any human remains are discovered, the County Coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission (NAHC), shall be contacted by the NAHC in order to determine proper treatment and disposition of the remains.
- Recovered artifactual materials shall be cataloged and analyzed.
- A report shall be completed describing the methods and results of the monitoring and data recovery program.
- Artifacts shall be curated with accompanying catalog to current professional repository standards or the collection will be repatriated to the Luiseño Band(s), as specified in the pre-excavation agreement.

Implementation of the data recovery program and the monitoring program would serve to mitigate impacts to cultural resources within the project area to below a level of significance. Monitoring will be made a condition of project approval and would be conducted during project grading.

4.4 Geology/Soils

On-site soils are considered unsuitable for project construction in their current condition. Without remediation, groundshaking from seismic activities could result in lateral spreading, subsidence, or liquefaction (Impact GE-1). The on-site soil was also found to be "Severely Corrosive" and "Corrosive" for ferrous (iron) materials in contact with the soil (Impact GE-2).

Finding

Pursuant to CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the FEIR.

Facts in Support of Finding

To fully mitigate the adverse effect associated with GE-1, ground improvements are necessary (GE MM-1).

The geotechnical report provides two options for ground improvements. These are summarized below. The decision concerning which option to use would be determined by the City Geologist and Project Geologist when rough grading commences. Design and Construction Recommendations are detailed in Chapter IV.E Geology/Soils of the FEIR.

1. General Improvements for Building Areas

Option 1: This would involve removal of the existing near surface alluvial soils to a depth of seven feet below the bottom of footings and replacement with a minimum of five feet of properly compacted fill overlying two feet of compacted Crushed Miscellaneous Base (CMB). Layers of geogrid shall be placed below and above the underlying compacted CMB course prior to placement of compacted fill (See Appendix E for specifications)

Over-excavations shall extend from property line to property line, or at least ten feet horizontally outside the building footprints to locate zones of overly saturated and/or loose unsuitable material of any origin. Removal of localized areas deeper than those documented may be required during grading.

Wet soils associated with groundwater may occur at the bottom of over-excavations, resulting in difficulty in getting a firm surface. Prior to placing structural fill, coarse aggregate passing $\frac{3}{4}$ inch sieve shall be worked into the soft material.

Option 2: Other liquefaction remediation methods include deep in situ soil improvement methods. Vibro-compaction or vibro-floatation is not suitable for the proposed site due to high silt contents and saturated soil conditions. Vibro-replacement with "stone columns" can be effective.

Densification and/or reinforcement of the soil can be achieved with compacted granular columns or "stone columns". This method can increase the bearing capacity, reduce settlement, aid densification, mitigate liquefaction induced damage, and improve shear resistance. Appendix E lists the specifications for column widths and spacing. Following column construction, the upper three feet of soil shall be removed and replaced with compacted fill, and additional testing would be conducted to verify the columns' effectiveness.

2. Ground Improvement Measures for Pavement Area

Option 1: For pavement areas, the remedial measures included in Option 1 above, can be applied with following changes:

The existing near surface alluvial soils shall be removed to a depth of five (5) feet below the existing grade and replaced with a minimum of two feet of properly compacted fill overlying two feet of compacted CMB. Layers of geogrid shall be placed below and above the underlying compacted CMB prior to placement of compacted fill. Over-excavations shall extend at least five feet horizontally outside the pavement/street areas.

Option 2: Remove and recompact the upper two feet below the bottom of the pavement section, extending at least five feet horizontally outside the pavement/street areas. The pavement section shall be monitored for any settlement or distress

after a seismic event, and followed with necessary repair/maintenance or reconstruction.

3. Ground Improvement Measures for Other Landscaping Areas

For other landscaping areas, the upper twelve inches below the existing grade shall be scarified and recompact.

The geotechnical report provides additional requirements for subgrade preparation, structural backfill, shrinkage and subsidence, utility trench backfill, pipe bedding, and trench zone backfill. These are detailed in Chapter E of this FEIR.

4. Subgrade Preparation

If corrosive soils occur in areas where steel and concrete structures would be built, a corrosion engineer shall be consulted for detailed corrosion mitigation measures. This will be monitored during grading as required by the City's Engineering Division (GE MM-2).

4.5 Hazards and Hazardous Materials

There is a potential for pesticide residue on the portion of the site with historical agricultural uses, and there is a potential for groundwater and soil gas contamination on the portion of the property abutting the existing gas station at Mission Avenue and Carolyn Circle (Impact HM-1).

Finding

Pursuant to CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the FEIR.

Facts in Support of Finding

A Phase II Environmental Site Assessment (ESA) shall be conducted on-site (HM MM-1), consisting of the following:

- Soil sampling to evaluate the potential presence of agricultural chemical residues in surface and shallow subsurface soil due to historic agricultural use of the site.
- Soil, soil gas, and groundwater sampling of the site in the vicinity of the Moshen property to assess the potential impacts related to the off-site underground storage tank (UST) release associated with the gas station.

Evaluation of these conditions will consist of the following:

- Shallow soil borings throughout the site
- Laboratory analysis of soil samples collected from the borings for organochloride pesticides (OCPs) and arsenic
- Multi-purpose borings on the portions of the site adjacent to the Moshen property
- Laboratory analysis of soil, soil gas, and groundwater collected from the borings for total petroleum hydrocarbons (TPH) and volatile organic compounds (VOCs) including fuel oxygenates

There are no potential exposure routes for the site's groundwater to be impacted. Potential exposure to vapor intrusion from any soil gas impacts would be mitigated by control methods such as installation of an impermeable plastic liner and/or imported clean fill material installed under proposed structures.

4.6 Land Use

The project could result in potentially significant impacts with regard to land use.

Finding

Pursuant to CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the FEIR.

Facts in Support of Finding

The GPA and Zone Amendment would allow the PD Plan to be the governing document for future site development. The uses and development standards set forth in the PD Plan are designed to ensure compatibility with adjacent uses while implementing the *Vision Plan* previously adopted for this property. As the project meets or exceeds all of the development standards set forth in the proposed PD Plan, no conflicts regarding land use would occur.

The City of Oceanside is located within the North San Diego County Multiple Habitat Conservation Program (MHCP), and its subarea plan is pending approval by the City Council. Since the City is not located within an approved habitat conservation plan or natural community conservation plan area, there is no land use impact per the significance criteria. Impacts related to biological resources are discussed in Chapter IV.C (Biological Resources) of the FEIR and above under Section 4.2. The project will mitigate these impacts in accordance with Section 5.3.1.1 of the SAP, which allows off-site mitigation within the WCPZ rather than 50% preservation of the project site.

4.7 Noise

The project could result in potentially significant impacts regarding noise.

Finding

Pursuant to CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the FEIR.

Facts in Support of Finding

Traffic Generated Noise

Exterior noise levels were measured to determine the impact of existing ambient noise levels on the proposed project. The primary source of existing noise at the project site is generated from traffic. Exterior noise levels measured at all outdoor receptors placed in common use areas were found to be below 65 dBA CNEL. The project would therefore be in compliance with the City's exterior noise level goal; no significant impacts would occur with project implementation.

Noise levels at the project's building façades were found to be above the City's 60 dBA CNEL threshold for all buildings, at all three floor levels (Impact N-1).

Although the project site is located within close proximity to the Oceanside Municipal Airport, it is not within any of the airport's noise contours due to infrequent flights. In addition, noise from the airport would not be expected to exceed 65 dBA CNEL; therefore no significant impacts would occur.

Off-Site Project-generated Traffic Noise Levels

The Project does not create a direct noise increase of more than 3 dBA CNEL on any roadway segment. Therefore, the project's direct contributions to off-site roadway noise increases will not cause any significant impacts to any existing or future noise sensitive land uses.

Cumulative Traffic Noise Levels

The noise level increase that would result from development of the project and cumulative projects would be greater than 4.3 dBA CNEL on Foussat Road, between SR-76 and Mission Avenue. Although this exceeds the 3 dBA CNEL allowable increase, this segment of road is developed with commercial uses; no noise sensitive receptors are present. The project's related direct increase on that roadway segment is below 1 dBA CNEL. Therefore, the project's contributions to off-site roadway noise increase would not be considered cumulatively considerable and would not cause any significant impacts.

Construction Generated Noise

Noise from construction is considered to be a short-term adverse impact, provided that construction activity is limited to the hours permitted by the City. Average noise levels would be 74.9 dBA when construction equipment is located 115 feet from the property lines. As this is below the 75 dBA standard, no significant impacts would occur. In addition, construction activities would be limited to the hours set forth in the City's Noise Element.

The project's building facades were found to be above the 60 dBA CNEL threshold and therefore will require a final noise study to be prepared prior to the issuance of the first building permit. This final report would identify the interior noise requirements based upon architectural and building plans. Interior noise levels of 45 dBA CNEL can be obtained with conventional building construction methods and providing a closed window condition requiring a means of mechanical ventilation (e.g. air conditioning) for each unit and upgraded windows for all sensitive rooms (e.g. bedrooms, living areas and group rooms)(N-MM-1).

Implementation of this measure would reduce noise impacts to below a level of significance.

4.8 Traffic

The segment of Mission Avenue between Foussat Road and El Camino Real is projected to operate at a deficient level under the existing traffic plus cumulative traffic study scenario, both with and without the project.

Finding

Pursuant to CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the FEIR.

Facts in Support of Finding

As the project does not result in significant traffic impacts, no mitigation measures are required. However, consistent with policies established in the Circulation Element, project approval is conditioned upon improvements intended to alleviate a deficient level of service along that segment of Mission Avenue between Foussat Road and El Camino Real, a condition projected to exist both with and without the project. Specifically project approval is conditioned upon the following two requirements:

- Installation of a Pelco HD closed-circuit television camera (CCTV) and an Actellis switch at the intersection of Mission Avenue and Fireside Street (Figure IV.L-1), and integrate into the City's existing communication system. This is the next major intersection on Mission Avenue east of the intersection with Foussat Road, which already has a camera and switch. A CCTV allows the City to remotely

monitor the traffic flows at a given intersection in real time. The Applicant will install these prior to Certificate of Occupancy and to the satisfaction of the City Traffic Engineer.

- Contribute a fair-share toward the cost of installing approximately 3600 lineal feet of conduit along Mission Avenue between Airport Road and just east of Mesa Drive. The conduit would carry the cable for the overall system. The contribution will be done prior to Certificate of Occupancy and to the satisfaction of the City Traffic Engineer.

These improvements would fill an existing gap in the TMC infrastructure along Mission Avenue and would be consistent with the City's updated City Circulation Element.

4.9 Utilities

The project could result in potentially significant impacts to utilities.

Finding

Pursuant to CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the FEIR.

Facts in Support of Finding

Water Supply The primary source of water in the project area is the Wire Mountain Reservoir. Water service is provided by the City's 320 Pressure Zone System, which has adequate capacity and pressure to serve the project. The project's water system has been designed in accordance with the City's *Water, Sewer, and Reclaimed Water Design & Construction Manual* (September 2009) to function within the overall system.

A 24-inch diameter water line extends south from the reservoir, crossing over the river in the Benet Road bridge and then under SR 76 to San Luis Rey Road. From this point a ten-inch diameter water main extends eastward in San Luis Rey Road. A ten-inch diameter water main comes off this line to run south under Mission Avenue. Additionally, there is an existing 14-inch diameter water main in Foussat Road at its intersection with Mission Avenue, just east of the project site. The proposed project will connect to the existing 14-inch diameter water line in Foussat Road east of the project, and to the existing ten-inch diameter water line on the west side of the project. This will create an on-site looped system. The system will serve fire hydrants, fire sprinkler systems, irrigation, and domestic water. The existing 14-inch water main in Foussat Road and the ten-inch diameter line at the western end of the project have sufficient capacity and pressure to serve the project.

Wastewater Collection The property is located in the Roymar Sewer Lift Station Sewer Sub-Basin; this sub-basin includes the general area south of SR 76, west of El Camino Real, north of Mesa Drive, and east of Benet Road. This gravity sewer system flows to

the west in Mission Avenue to the Roymar Sewer Lift Station, located near the western end of San Luis Rey Road. The overall gravity flow portion of the sub-basin is presently functioning adequately at this time, and the lift station is operating well within capacity.

At this time there are no wastewater facilities for the overall site. Existing residential is present along Carolyn Drive, which wraps around this property on the east, south, and west sides. There is an existing 8-inch diameter gravity sewer in Carolyn Drive, which increases to a ten-inch diameter at Manhole #30 at its western end to then pass north under Mission Avenue.

The sewer then flows to the existing twelve-inch diameter gravity sewer main in San Luis Rey Road. The sewer continues to the west in San Luis Rey Road to discharge into the Roymar Sewer Lift Station wet well. From this point sewage is pumped east in an existing twelve-inch diameter force main in Mission Avenue to a gravity sewer manhole east of Copperwood Way. Even with the addition of the project sewage flows, the lift station pumps would not have to operate at maximum design capacity, and thus the pumps have adequate capacity to accommodate the project's sewage flow.

The project is calculated to add 57,240 gallons per day to the system. The project's sewer line will connect to the existing 8-inch diameter sewer in Carolyn Circle, at the western end of the property upstream of manhole #30, at manhole #40. While the existing sewer can accommodate the addition of project sewage, flow would exceed the industry guideline for an 8-inch diameter sewer (Impact U-1).

The project will replace the existing 8-inch diameter sewer between manholes #40 and #30 with a 10-inch diameter sewer (U-MM-1). This replacement will allow the system to again flow within design guidelines, and no significant impacts would remain.

Solid Waste Disposal Service. Waste Management of North County services the entire City of Oceanside. Waste Management provides bulk bins for multi-family housing. Trash, recyclables and green waste are normally picked up weekly. Pickup services can occur more frequently, if needed. This mixed-use residential and commercial project is adjacent to other residential and commercial use, with existing waste disposal service. Other than increasing demand for solid waste disposal, which can be met, the project would have no impacts on solid waste disposal service.