



DATE: June 9, 2014

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A TENTATIVE MAP (T13-00005), DEVELOPMENT PLAN (D13-00009), REGULAR COASTAL PERMIT (RC13-00015), AND A REQUEST FOR DENSITY BONUS IN ORDER TO ALLOW THE DEMOLITION OF AN EXISTING COMMERCIAL OFFICE BUILDING AND DEVELOPMENT OF 10 TOWNHOMES WITHIN THREE BUILDINGS OVER A 17,340-SQUARE-FOOT SITE LOCATED ON THE SOUTHEAST CORNER OF CASSIDY AND BROADWAY – BEACHWALK @ CASSIDY – APPLICANT: GEOFF MCCOMIC**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 32 categorical exemption for "In-Fill Development" pursuant to Section 15332 of the California Environmental Quality Act; and
- (2) Approve Tentative Map (T13-00005), Development Plan (D13-00009), Regular Coastal Permit (RC13-00015), and a request for Density Bonus per state law by adopting Planning Commission Resolution No. 2014-P12 with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The proposed project is a request to demo an existing 3,650-square-foot commercial office building, merge two 8,700-square-foot parcels into one 17,340-square-foot lot, and construct a 10-unit Condominium project within three freestanding buildings. The proposed site layout would be configured in a manner that provides access to the 10 units through an internal drive court located directly off of the alley on the east side of the property. As part of the overall project, the applicant is requesting a density bonus in conformance with State Law in order to exceed maximum density and allow the construction of 10 units. Consistent with State Law, approval of density bonus will require that one of the units be restricted as a low-income unit. The proposed

subdivision would establish a density of 25.1 dwelling units per acre, where the permitted density range for the RM-C zoned parcel is 15.1-20.9 D.U./acre. The proposed 10-unit condominium complex would be located on a 17,340-square-foot parcel situated on the south east corner of Broadway and Cassidy, within the South Oceanside Planning Neighborhood. Immediately north of the project site are multi-family residences on Cassidy Street and a mixture of multi-family and single-family residences further to the north. Multi-family residences are located further south of the project site on Broadway and Tremont Streets.

Background: The subject site is fully developed with an existing office building and associated parking lot over two legally created lots. The existing 3,498-square-foot office building was constructed for the Automobile Club of Southern California in 1965, and was used by them until the 1980s when the business was moved to their current location on Vista Way. Since then, the office building has been occupied by various tenants, or has been vacant.

On March 16, 2005 the City Council approved General Plan Amendment (GPA-4-04) to re-designate the property from Professional Commercial (PC) to Medium Density – C Residential (MDC-R), along with Zone Amendment (ZA-4-04) changing the zoning from Commercial Professional (CP) to Residential Medium Density – C (RM-C), and a Local Coastal Program Amendment (LCPA-1-04) amending the City's Local Coastal Program (LCP) Land Use Plan (LUP) from High Density Residential to Medium Density Residential.

On August 12, 2005 the California Coastal Commission took action to certify the Land Use Plan Amendment to the City of Oceanside's LCP. This action to certify the LUP has resulted in the two parcels now being regulated through the 1992 Zoning Ordinance, where all other properties within the Coastal Zone are regulated through the 1986 Zoning Ordinance.

The proposed Land Use Element, Zoning, and LCP revisions are intended to facilitate construction of multi-family residential uses with a density range of 15.1 – 20.9 dwelling units per acre on the site. At this density, the 0.4-acre project site could accommodate nine dwelling units, and subject to granting of a density bonus, a tenth unit could be achieved.

Project Description: The project application is comprised of four components, a Tentative Map, Development Plan, Regular Coastal Permit, and Request for Density Bonus as follows:

Tentative Subdivision Map T13-00005 represents a request for the following:

- (a) To merge two legally created parcels into a single 17,340-square-foot lot in order to allow the development of 10 condominium units with the internal drive court and exterior open spaces being placed in common ownership pursuant to Article VI of the Oceanside Subdivision Ordinance.

Development Plan D13-00009 represents a request for the following:

- (a) To construct three multiple unit structures (MUS) that will provide a total of 10 condominium units on a 17,340-square-foot site that exists as a relatively flat fully developed site, originally approved and constructed in 1965. The subject development plan has been prepared pursuant to Articles 10, 30, and 43 of the Zoning Ordinance and establishes superior architectural and site design features to be implemented in the development of the site.

Regular Coastal Permit RC13-00015 represents a request for the following:

- (a) A request to create a 10-unit condominium complex within the LCP jurisdictional boundaries. A Regular Coastal Permit is required to be processed due to the location of the two lots, and the requirement by the City's Zoning Ordinance to submit and gain approval of a Tentative Map and Development Plan.

Density Bonus per State Law represents a request for the following:

- (a) To allow an increase in density by 20 percent above the maximum density of 20.9 dwelling units per acre established for the site and in exchange the project would provide one unit for low income affordability.

State Density Bonus Law requires local governments to provide density bonuses and other incentives to developers of affordable housing who commit to providing a certain percentage of dwelling units to persons whose incomes do not exceed specific thresholds. Essentially, "Density Bonus" was established in order to allow more dwelling units than otherwise allowed on the site by the applicable General Plan Land Use Map and Zoning.

The project is subject to the following Ordinances and City policies:

1. General Plan Land Use Element
2. Zoning Ordinance
3. Subdivision Ordinance
4. Local Coastal Program
5. State Density Bonus Law (California Civil Code Sections 65915-65918)
6. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan Conformance

The General Plan Land Use Map designation on the subject property is Medium Density – C Residential (MDC-R) which has a density range of 15.1 – 20.9 dwelling units per gross acre. Staff has evaluated the request to demolish the existing commercial building on-site, merge the two legal lots into one 17,340-square-foot lot and construct three freestanding buildings that will be designed to provide a ten-unit condominium

complex with all common open space and drive courts being managed by an association. Staff has determined that the proposed development is consistent with the goals and objectives of the City's General Plan as follows:

A. Land Use Element

Goal 1.23: Architecture

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

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

Relative to existing development throughout the immediate area of the South Oceanside neighborhood, the proposed project would constitute a significant architectural improvement to the area. Surrounding development in the neighborhood consist of an eclectic mix of multi-family complexes intermixed with modest single-family homes. The overall architectural design within the area has evolved over time and provides a vast amount of variation including somewhat dated and monolithic structures, with minimal design being valued in the construction. The proposed condominium complex would display heavily articulated front elevations with prominent windows used for optimal solar access, a combination of simplistic cubism type elevations finished in a mix of lap siding and stucco material that is accented with earth tone color combinations. To further add visual quality and interest to the dated neighborhood, the applicant would implement a mixture of off-set flat roof elements, eyebrow accents, and modest pitched metal roof elements.

Although taller than the existing apartment complexes to the north and south, the proposed condominium units would be no more than 33 feet in height at the front building line. In order to lessen visual massing impacts to the adjacent multi-family residential complex immediately to the south, the project will implement a 45 degree daylight plane at 27 feet. Limiting the overall height and adding daylight plane offsets will further ensure enhanced integration into the neighborhood without impacting the overall visual perspectives from the adjacent multi-family and single-family developments. Staff finds that massing impacts, while an abrupt change from what exist today, would be reduced through the heavy use of wall plane off-sets and in-sets as viewed along Cassidy, Broadway, and from the residential complex to the south. These overall design features to be implemented coupled with the use of cubism architectural style would bring forward a new and youthful appearance to the area. Ultimately, redevelopment of the site should provide a catalyst for the surrounding neighborhood to identify with and set in motion the potential for improving the overall visual image of the area.

Goal 1.32: Coastal Zone

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

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

The proposed project has been reviewed by staff for compliance with the policies of the LCP. Staff finds that the application complies with applicable policies of the LCP, as follows:

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

The subject lot to be merged and developed with 10 condominium units is situated on a corner lot, bound by Cassidy on the north, Broadway on the west, and an alley to the east. Existing development of the site provided a single story commercial structure that is located on the northern portion of the site with no view corridors being obstructed by said development. Re-development of the site would provide an enhanced landscape palette along the perimeter of the site and would maintain the view corridor to the west. Overall placement of the three freestanding structures to house the 10 condominium units has been designed with sensitivity of being within the Coastal Zone and would actually open up the site in a manner that enhances the view corridor from how it exist today.

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

The proposed residences would be consistent with existing higher density multi-family development located immediately adjacent to the site and while integrated with some single-family residence the overall product type would be a vast improvement to the surrounding neighborhood. The height and overall scale of the proposed residences while new and incorporating updated design treatments would enhance the existing neighborhood and provide a suitable transition that accurately illustrates development of the area over a 60+ year timeframe. Exterior wall treatments, fenestration and other finish materials would complement the area.

2. Zoning Ordinance

This proposed project site is situated within a Residential Medium Density - C (RM-C) zone district and complies with the requirements of this zone. Table 1 summarizes the proposed and applicable development regulations for the project site. On August 12, 2005, the California Coastal Commissions (CCC) took action to approve Local Coastal Program Amendment (LCPA-1-04), changing the Land Use Plan (LUP) designation for the site from High Density Residential to Medium Density Residential. This action resulted in the 1992 OZO being established as the regulating document for the subject 17,340 square foot site. Surrounding properties on the other hand, are required to implement the 1986 OZO. The reason for the use of two different zoning ordinances dates back to

2009 when the CCC notified the City that the 1992 Zoning Ordinance and all of the amendments to the 1986 OZO were never processed and approved by the CCC. Consequently, the City was directed to implement the 1986 OZO for all properties within the Coastal Zone.

Because the CCC approved LCPA-1-04, the 1992 zoning ordinance has been applied into the overall subdivision design and the associated development regulations are denoted below to illustrate how the proposed project is consistent with the City's zoning.

Table 1. Section 1050 Residential Development Regulations

Lots	Required	Proposed
Minimum Lot Area	7,500 SF	17,340 SF Provided
Minimum Lot Width	60 feet	120 feet
Front Yard	15 feet	15 feet
Interior Side Yard	5/10 feet	5/10 feet
Corner side yard	10 feet	10 feet
Rear Yard on Alley	5 feet	5 feet
Maximum Height	36 feet	33 feet
Lot Coverage	--	43.9%

The applicant has proposes four plan types within three buildings that have a maximum height not to exceed 33'-1/4". Building and unit count will be broken down into two four-plex structures located off of Cassidy and Broadway with the eastern most building along the alley and southern property line being a duplex. The following table illustrates the product type's summary of all 10 units along with the private and common open space to be implemented into the overall site design as required by Article 10 of the 1992 Zoning Ordinance.

Unit Summary

Units	Unit S.F.	Garage S.F.	Deck	Patio	Roof Deck
1	1,626 S.F.	431 S.F.	130 S.F.	N/A	125 S.F.
2	1,646 S.F.	410 S.F.	130 S.F.	N/A	125 S.F.
3	1,646 S.F.	410 S.F.	130 S.F.	N/A	125 S.F.
4	1,646 S.F.	410 S.F.	130 S.F.	N/A	125 S.F.
5	1,673 S.F.	412 S.F.	130 S.F.	N/A	143 S.F.
6	1,673 S.F.	412 S.F.	130 S.F.	220 S.F.	143 S.F.
7	1,162 S.F.	425 S.F.	38 S.F.	150 S.F.	N/A
8 (Affordable)	1,162 S.F.	425 S.F.	38 S.F.	299 S.F.	N/A
9	1,646 S.F.	410 S.F.	130 S.F.	N/A	N/A
10	1,517 S.F.	410 S.F.	118 S.F.	N/A	N/A

Pursuant to Section 1050 *Property development regulations*, the 10-unit condominium project is subject to site landscaping, fence and wall heights, off-street parking, vehicular access, and common and private open space requirements. The proposed development complies with these requirements and has been conditioned to assure compliance with these regulations.

Pursuant to Section 1050(U), the maximum height of a fence or wall shall be six feet. The only walls proposed as part of this application are those walls associated with patio areas and common open space areas. The patio area walls are proposed with a max height of 42", constructed with a decorative block with wooden gates, while the perimeter common open space areas would incorporate a combination decorative block wall with ornamental steel railing and wood entry gates. The southern boundary of the subject project site that separates the subject lot from the existing multi-family complex to the south would be protected in place.

Overall re-development of the site would provide approximately 6,538 square feet or 37 percent of the site in landscaped open space. A public common open space area has been integrated in the northwest corner of the site, and has been designed to provide unimpeded views westward to the Ocean. As for parking, each unit has been provided with two enclosed parking spaces, along with designated space for storage of solid waste/ recyclable receptacles within the garage. Regarding vehicular access to the units, an internal drive court was designed into the project which has resulted in the addition of an additional on-street parking space where the curb would be closed along Broadway.

In summary, the proposed project meets or exceeds the development requirements. The pattern of development proposed is consistent with the surrounding neighborhood. The project provides 10 units (one of the units being affordable) with the required private and common open space being configured in a manner that affords a level of privacy, but encourages interaction with other residence. The proposed project will provide a residential product that will be an asset and compliment the surrounding neighborhood.

3. Subdivision Ordinance Compliance

The proposed project is subject to the Subdivision Map Act and the Oceanside Subdivision Ordinance (Article IV Tentative subdivision maps - five or more parcels). Pursuant to Section 401 of the Subdivision Ordinance, this proposed Tentative Subdivision Map has been prepared in a manner acceptable to the Engineering Department. The property is a legally subdivided lot with the minimum lot area and dimensions established by Article 10 of the Zoning Ordinance. The proposed subdivision generally holds an interest in common areas and facilities.

4. Local Coastal Program

The proposed project is within the Local Coastal Zone and as designed, would comply will all provisions of the Local Coastal Program (LCP). Projects within the Coastal Zone are required to meet the provisions of the adopted Local Coastal Program and the underlying RM-C zone. Such projects must provide sensitive development in order to

promote and achieve compatibility with surrounding development. The existing and evolving character of the neighborhood within the Coastal Zone and site-specific design elements have been considered at length throughout the design and review of this project.

The Coastal Act requires that the visual qualities of the Coastal Zone shall be protected and that new development be sited and designed to be visually compatible with the character of surrounding areas. All improvements to the property will not impact the surrounding areas, neighbors, or coastal views. Development of the proposed condominium complex would be consistent with the existing neighborhood in design, materials, colors, and type, and respects adjacent properties view sheds by establishing a maximum height and finished pad that is similar to the adjacent multi-family and single family residences within the South Oceanside Neighborhood.

5. State Density Bonus Law

In accordance with California Government Code Section 65915 the applicant has requested density bonus in order to obtain one additional unit over the allowable density in return for providing one affordable housing unit within the Coastal Zone. Staff has reviewed the request for conformance with State Law, and has determined that the project as conditioned would qualify to construct a total of 10 units, and would be afforded one concession to the zoning requirements established with the development regulations of the 1992 OZO. The project as designed is consistent with all development regulations and no concessions or incentives are necessary for the subject project. Consequently, the proposed development is afforded the ability to achieve a maximum residential density of 25.1 D.U. per acre as designed.

6. California Environmental Quality Act

Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based upon that review, staff finds that the proposed project constitutes in-fill development of property in an urbanized area that is under five acres, is consistent with the applicable zoning and general plan designation, that has no value as habitat, can be adequately served through existing utilities and public services, and that would not result in any significant effects relating to traffic, noise, air quality or water quality, and the project is categorically exempt, Class 32, "In-Fill Development Projects" (Section 15332).

DISCUSSION

Issue: Project compatibility with the existing neighborhood and surrounding properties: All proposed improvements to the property would be consistent with, and compatible to, the existing residence and the adjoining single-family and multi-family residences in the surrounding neighborhood.

Recommendation: Staff finds that the proposed improvements to the property would be architecturally consistent with the existing built environment and would bring forth a contemporary and fresh revitalization of the subject corner lot. Overall design has been determined to be consistent with the bulk and scale of the surrounding South Oceanside Neighborhood. The proposed 10-unit condominium complex constructed within three buildings, each three stories in height with a finished floor consistent with the existing pad elevation would be three feet below the allowable height limit of 36 feet, and developed in a manner that respects the view shed as seen from Cassidy and Broadway. The overall design and landscape techniques to be brought forward in the new development would ensure harmony in visual relationship as you transition between the older neighborhood and new subdivision; therefore, assisting in preserving the past.

PUBLIC NOTIFICATION

Pursuant to Article 41 of the Oceanside Zoning Ordinance, Legal notice was published in the North County Times and notices were sent to property owners of record/and occupants within a 300-foot radius of the subject property, to individuals/organizations requesting notification, and to the applicant.

As of Thursday, June 5, 2014, no communication supporting or opposing the request had been received.

SUMMARY

The proposed Tentative Map (T13-00005), Development Plan (D13-00009), Regular Coastal Permit (RC13-00015), and a request for Density Bonus are consistent with the requirements of the 1992 Zoning Ordinance and the land use policies of the General Plan; as well as, the policies within the Local Coastal Program and State provisions for Density Bonus. The project is compatible with and complementary to the densities, site designs, and neighborhood character found throughout the surrounding developed South Oceanside neighborhood planning area. As such, Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 32 categorical exemption for "In-Fill Development" pursuant to Section 15332 of the California Environmental Quality Act; and

- (2) Approve Tentative Map (T13-00005), Development Plan (D13-00009), Regular Coastal Permit (RC13-00015), and a request for Density Bonus per state law by adopting Planning Commission Resolution No. 2014-P12 with findings and conditions of approval attached herein.

PREPARED BY:



Richard Greenbauer
Senior Planner

SUBMITTED BY:

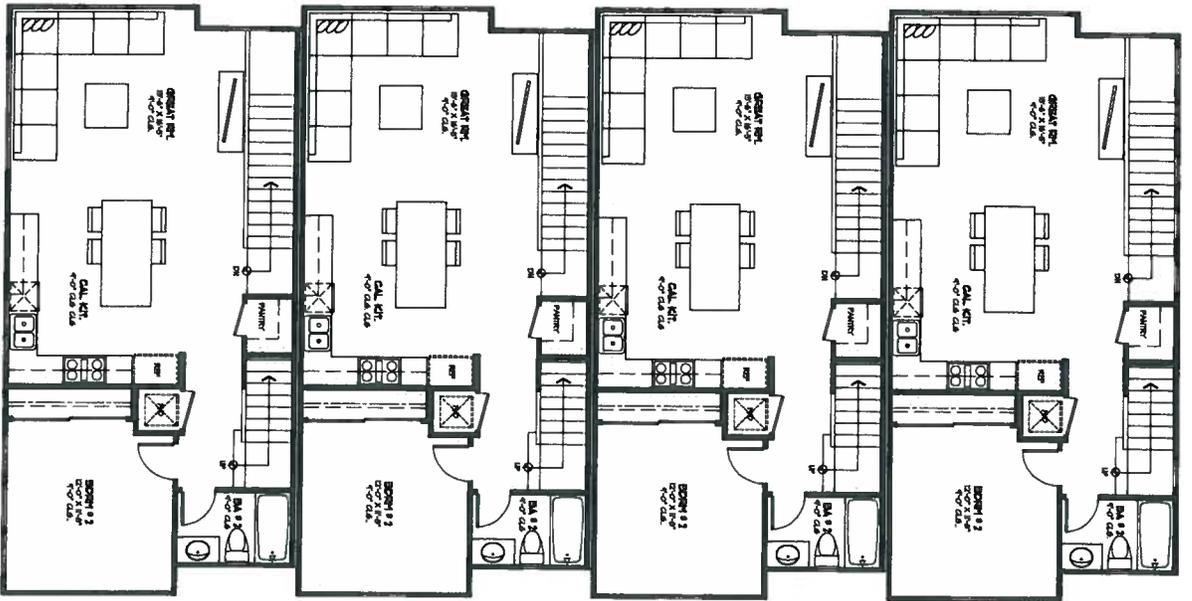


Marisa Lundstedt
City Planner

ML/RG/fil

Attachments:

1. Tentative Map, Development Plans, and Landscape Plans
2. Planning Commission Resolution No. 2014-P12
3. State Density Bonus Law Summary
4. City of Oceanside Permit for Waiver of Bin Service
5. Other Attachments (Application Page, Description and Justification, Legal Description, Notice of Exemption)



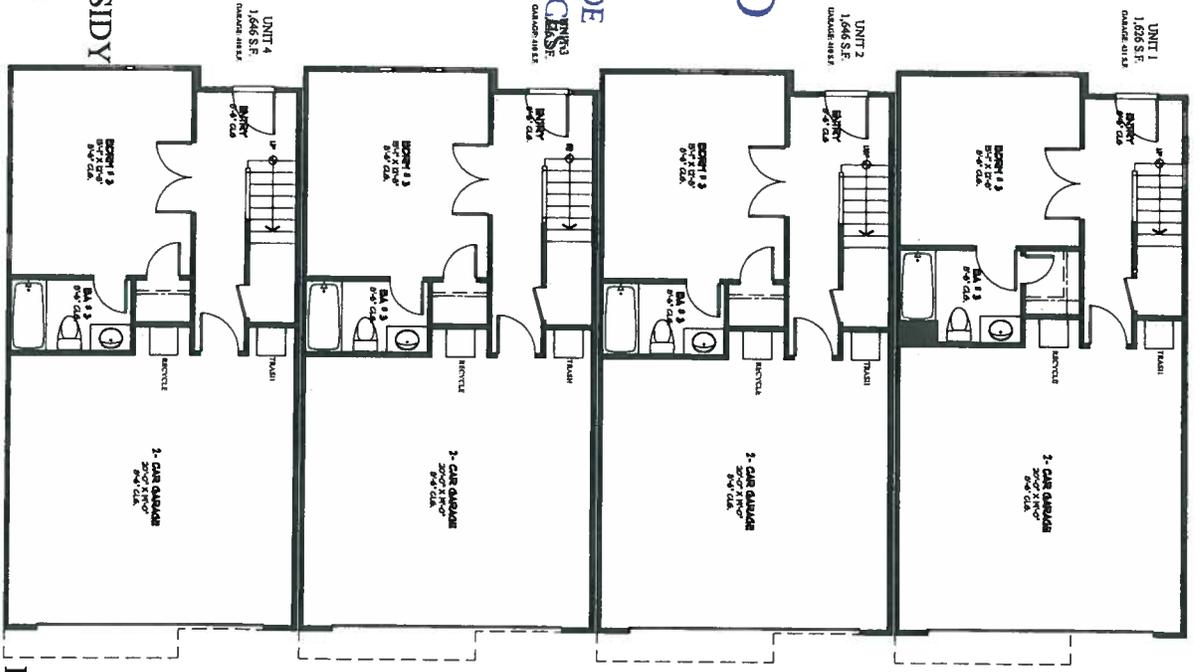
SECOND FLOOR BUILDING PLAN
SCALE: 1/8" = 1'-0"



THE ARCHITECT ASSOCIATES, INC.
12.11.13

BEACHWALK at CASSIDY
BUILDING 3
310 CASSIDY 10, LLC
1818 FIRST STREET, SAN DIEGO, CA 92101
SCALE: 1/8" = 1'-0"

CITY OF OCEANSIDE
DEVELOPMENT SERVICES
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MAR 18 2014

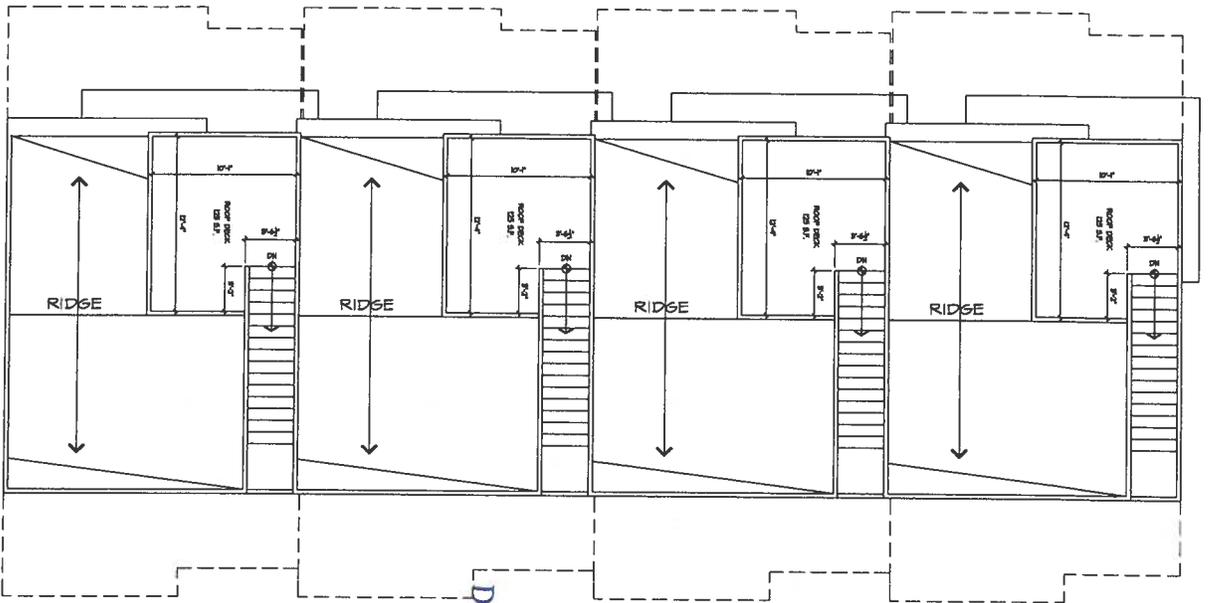


FIRST FLOOR BUILDING PLAN
SCALE: 1/8" = 1'-0"



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



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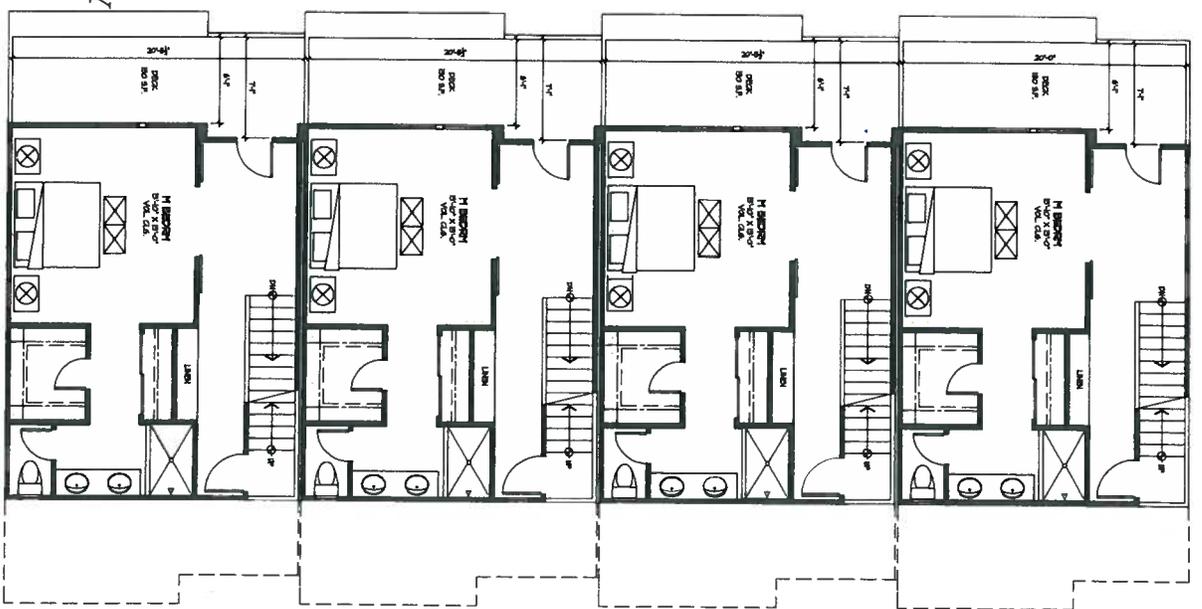
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

BEACHWALK at CASSIDY

BUILDING 3
310 CASSIDY, LLC
1818 FIRST STREET, SAN DIEGO, CA 92101
SCALE: 1/8" = 1'-0"



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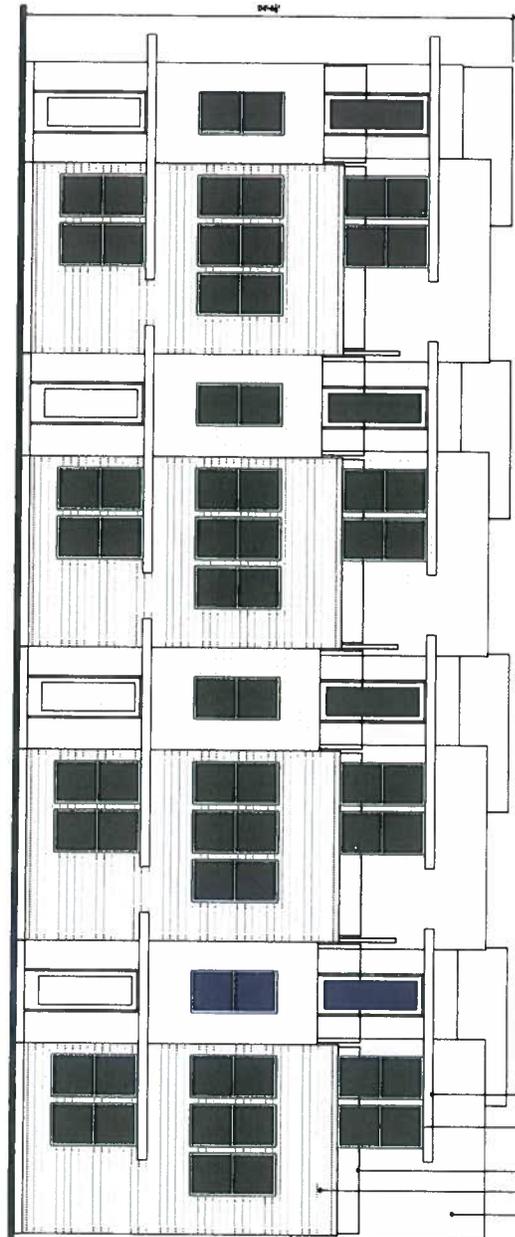
THIRD FLOOR BUILDING PLAN
SCALE: 1/8" = 1'-0"



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RC-13-00015
LCPA13-0001

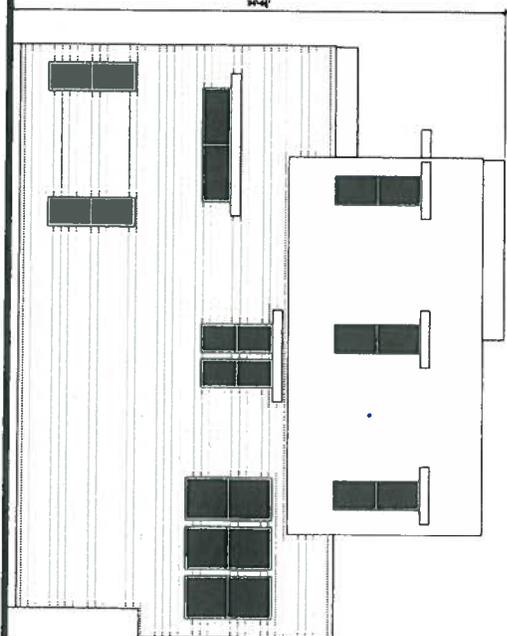
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NORTH ELEVATION
Scale: 1/8" = 1'-0"



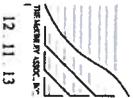
EYEBROW ROOF W/ METAL FASCIA
METAL CABLE HANDRAIL
COMPOSITE SIDING
STUCCO

WEST ELEVATION
Scale: 1/8" = 1'-0"



BEACHWALK at CASSIDY

BUILDING 3
310 CASSIDY 10, LLC
1818 FIRST, SUITE 100 STREET SAN DIEGO, CA 92101
SCALE: 1/8" = 1'-0"



12.11.13

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MAR 18 2014

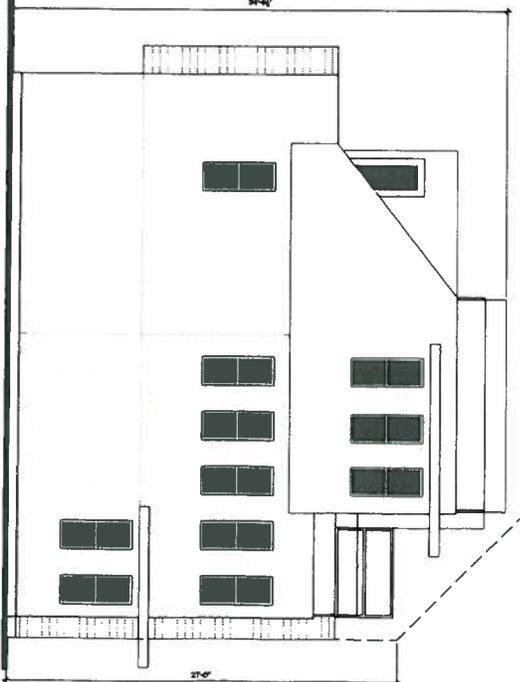
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

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SOUTH ELEVATION
2014.01.13

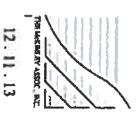


EAST ELEVATION
2014.01.13

45 DEGREE DAYLIGHT PLANE

BEACHWALK at CASSIDY

BUILDING 3
310 CASSIDY 10, LLC
818 FIRST STREET SAN DIEGO, CA 92101
SCALE: 1/4" = 1'-0"



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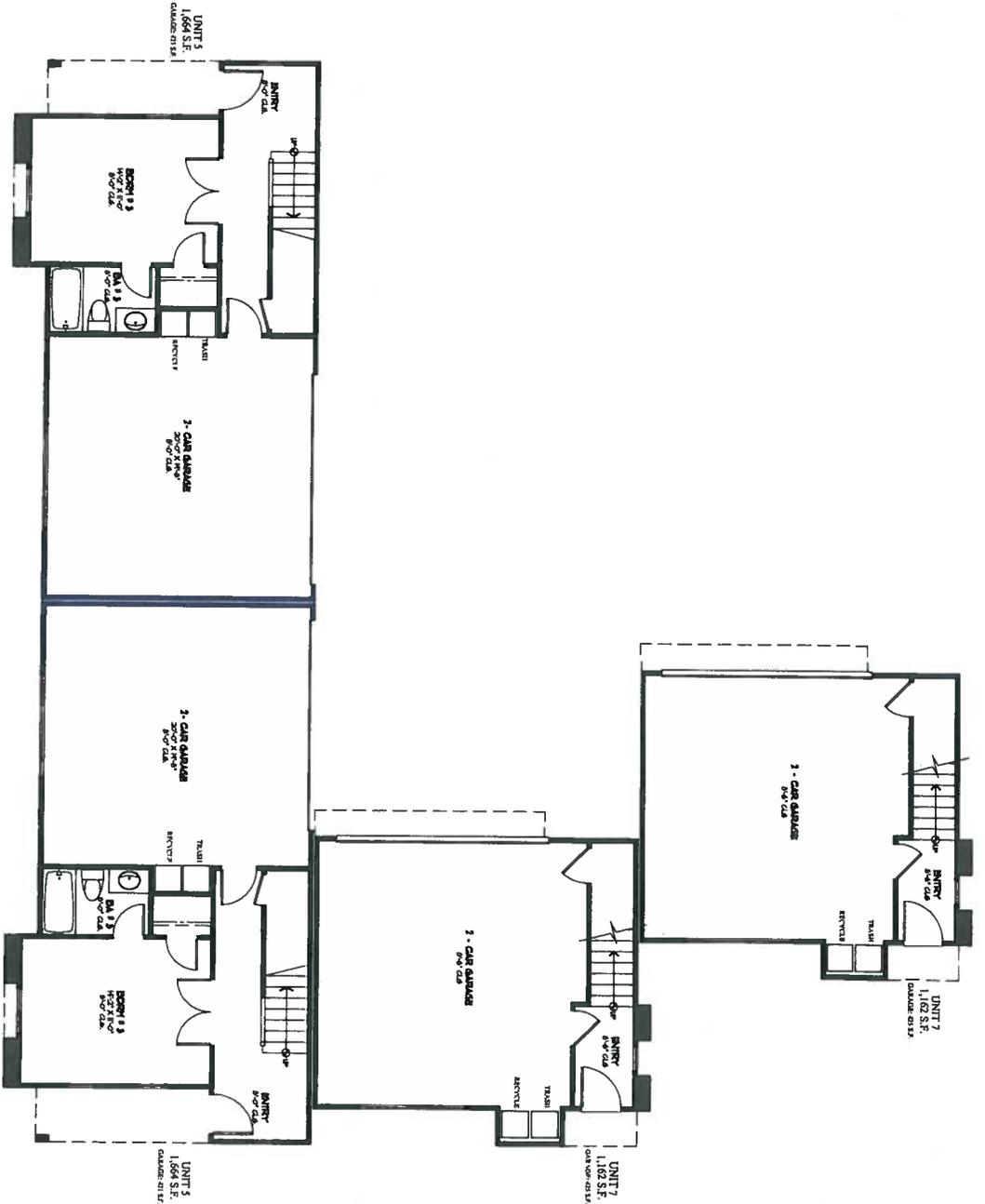
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CITY OF OCEANSIDE
DEVELOPMENT SERVICES

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LCPA13-0001

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FIRST FLOOR BUILDING PLAN
SCALE: 3/8" = 1'-0"

BEACHWALK at CASSIDY

BUILDING 2
310 CASSIDY, LLC
1818 FIRST STREET, SUITE 100, SAN DIEGO, CA 92101
SCALE: 1/4" = 1'-0"



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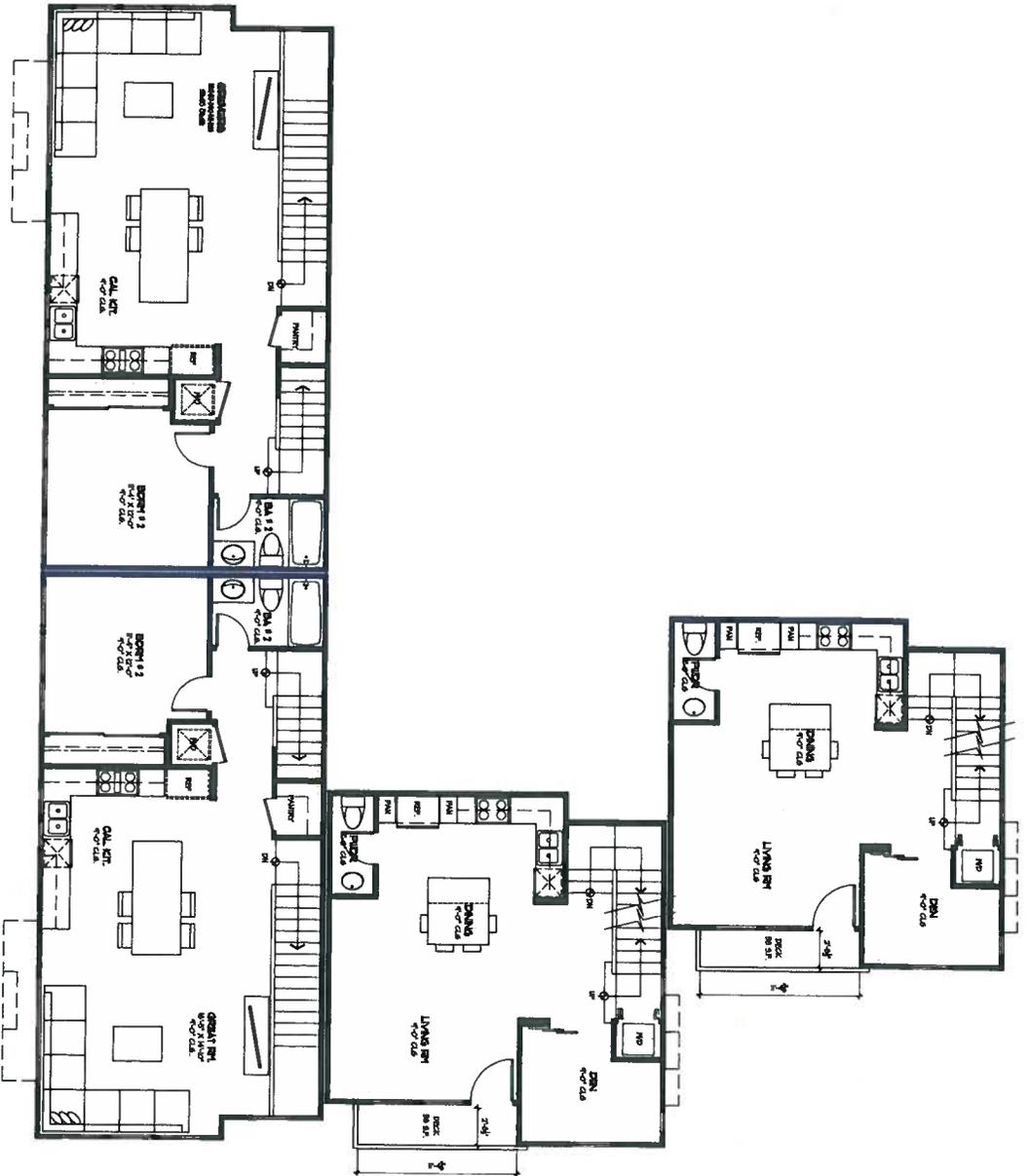
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CITY OF OCEANSIDE
DEVELOPMENT SERVICES

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LCPA13-0001

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12.11.13
PREPARED BY: RSD, INC.



SECOND FLOOR BUILDING PLAN

BEACHWALK at CASSIDY

BUILDING 2
 310 CASSIDY 10, LLC
 1111 FIRST STREET SAN DIEGO, CA 92101
 SCALE: 1/8" = 1'-0"



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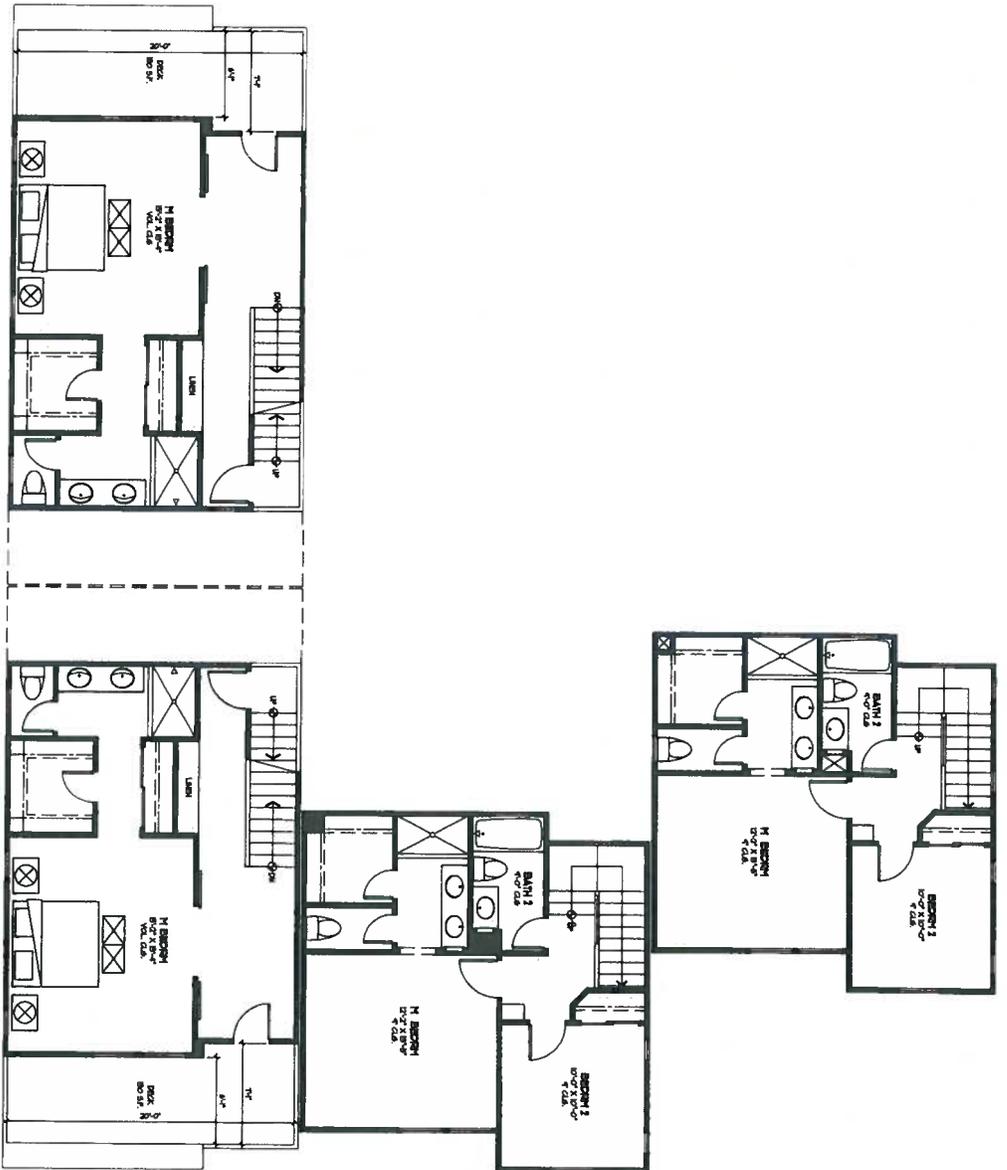
CITY OF OCEANSIDE
 DEVELOPMENT SERVICES

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 LCPA13-0001

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THIRD FLOOR BUILDING PLAN
SCALE: 1/8" = 1'-0"

BEACHWALK at CASSIDY
BUILDING 2
310 CASSIDY IO, LLC
111 FIRST STREET, 100 STREET, SAN DIEGO, CA 92101
SCALE: 1/8" = 1'-0"



RECEIVED

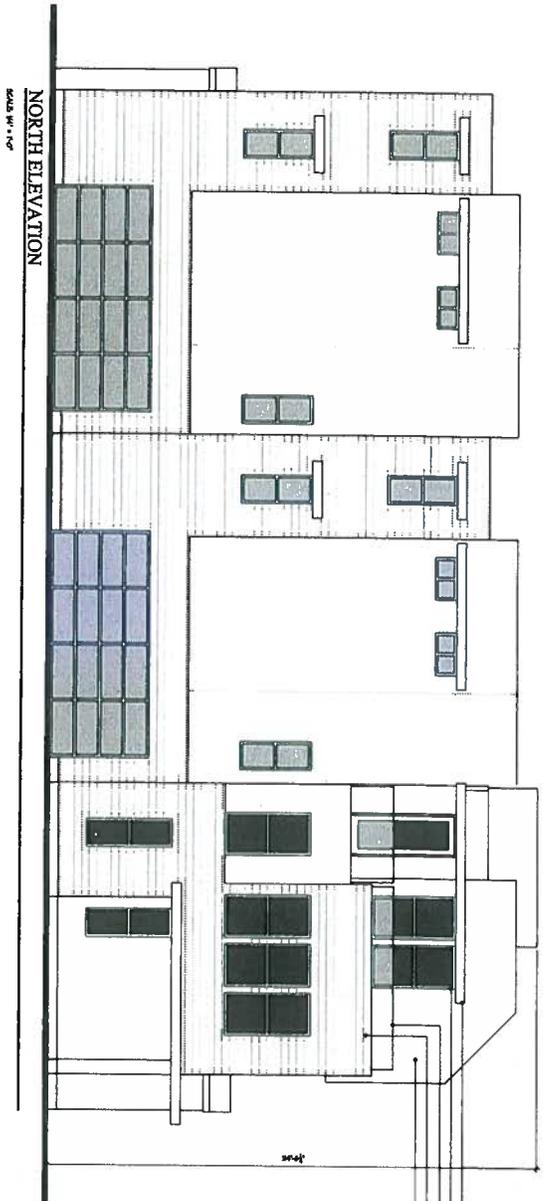
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CITY OF OCEANSIDE
DEVELOPMENT SERVICES

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LCPA13-0001

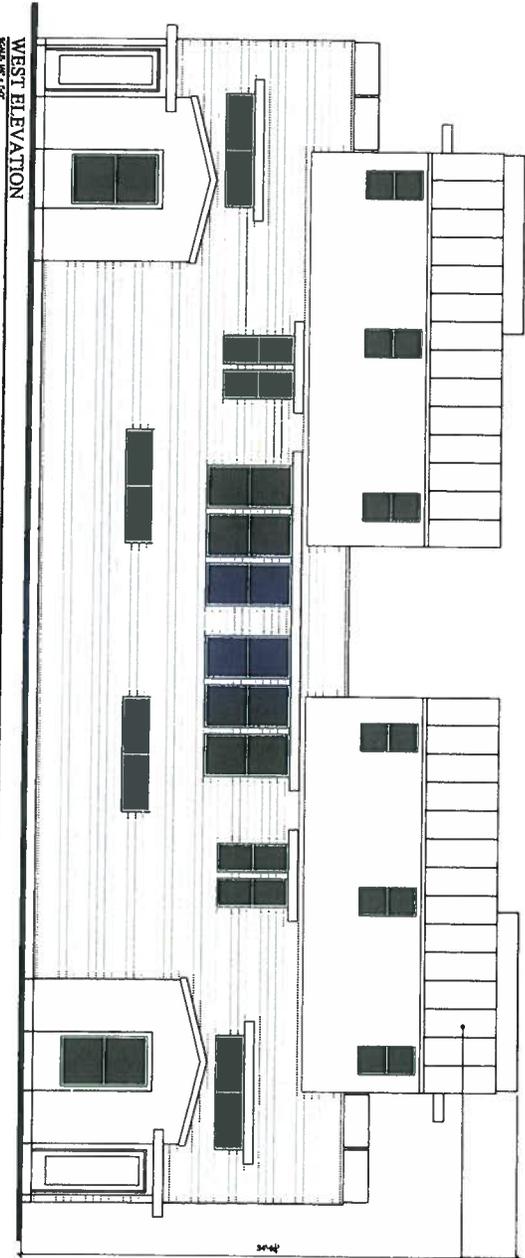
A-8

12.11.13



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

EYEBROW ROOF W/ METAL FASCIA
VINYL WINDOW
METAL CABLE HANDRAIL
METAL CORNER SIDING
STUCCO



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

METAL ROOF

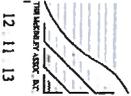
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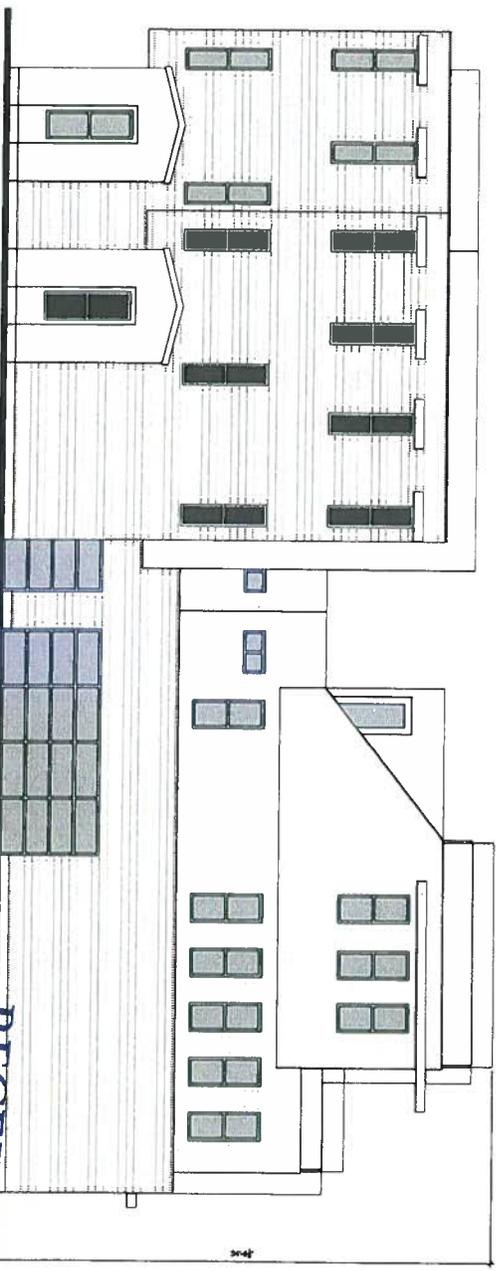
CITY OF OCEANSIDE
DEVELOPMENT SERVICES



A-10



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



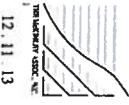
EAST ELEVATION
SCALE: 1/8" = 1'-0"

BEACHWALK at CASSIDY

BUILDING 2
310 CASSIDY 10, LLC
818 FIRST STREET, SUITE 100, SAN DIEGO, CA 92101
SCALE: 1/8" = 1'-0"

RECEIVED

MAR 18 2014

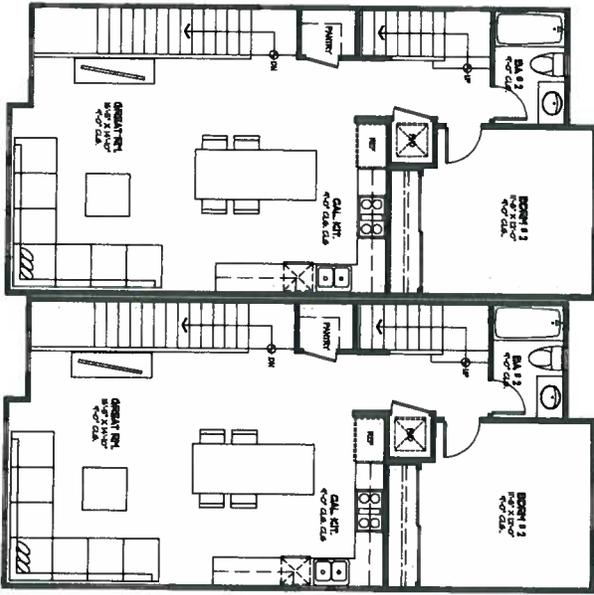


12.11.13

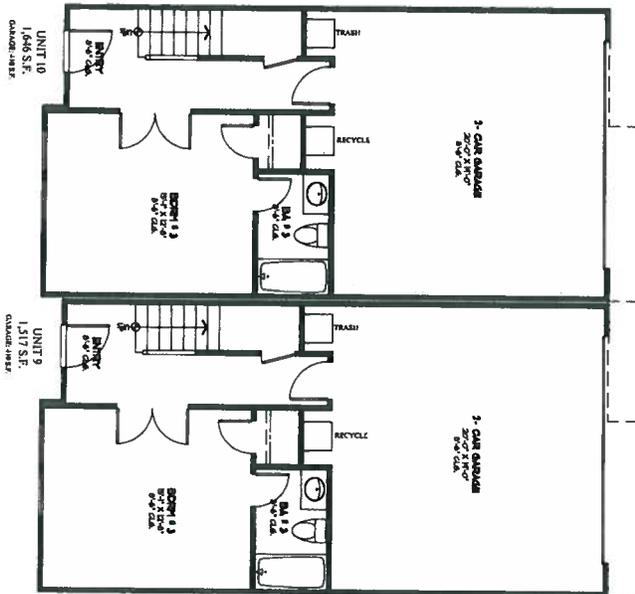
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

T-13-00005
D-13-00009
RC-13-00015
LCPA13-0001

A-11



SECOND FLOOR BUILDING PLAN

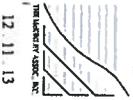


FIRST FLOOR BUILDING PLAN



BEACHWALK at CASSIDY

BUILDING 1
 310 CASSIDY 10, LLC
 1818 FIRST STREET, SAN DIEGO, CA, 92161
 SCALE: 1/8" = 1'-0"



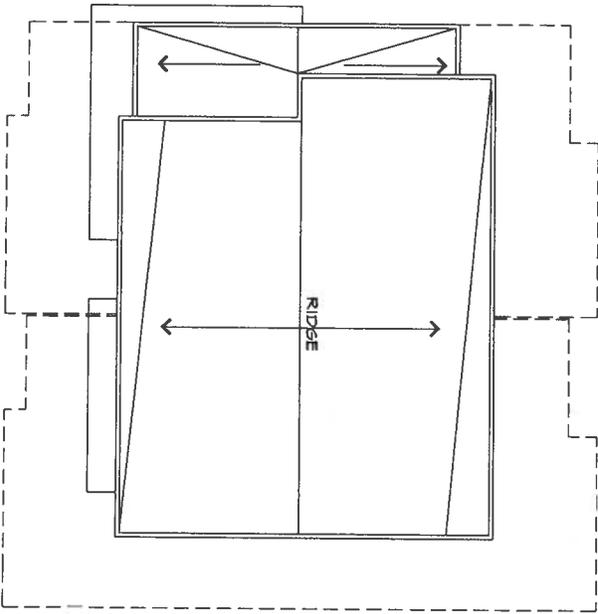
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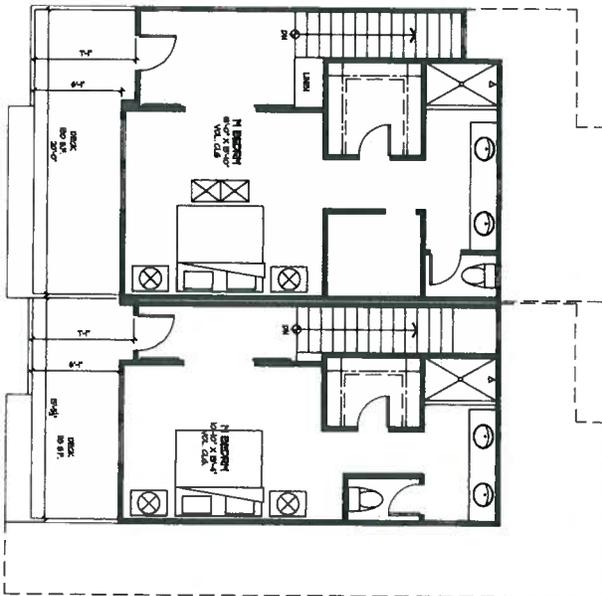
CITY OF OCEANSIDE
 DEVELOPMENT SERVICES

T-13-00005
 D-13-00009
 RC-13-00015
 LCPA13-0001

A-12



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



THIRD FLOOR BUILDING PLAN
SCALE: 1/8" = 1'-0"



BEACHWALK at CASSIDY

BUILDING 1
310 CASSIDY 10, LLC
1111 FIRST STREET SAN DIEGO, CA 92101
SCALE: 1/8" = 1'-0"



12.11.13

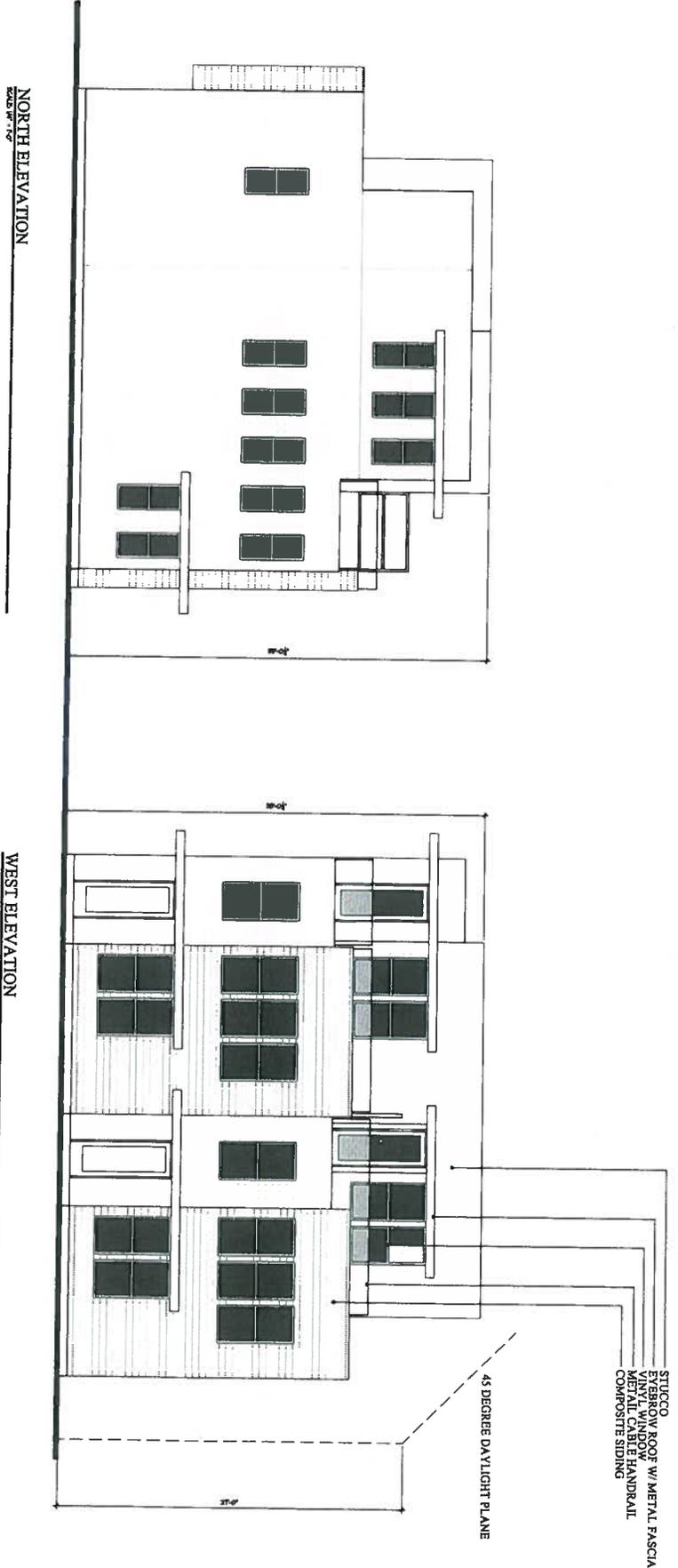
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CITY OF OCEANSIDE
DEVELOPMENT SERVICES

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LCPA13-0001

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STUCCO
 EYEBROW ROOF W/ METAL FASCIA
 VINYL WINDOW
 METAL CABLE HANDRAIL
 COMPOSITE SIDING

45 DEGREE DAYLIGHT PLANE

NORTH ELEVATION
 SCALE: 1/4"

WEST ELEVATION
 SCALE: 1/4"

BEACHWALK at CASSIDY
 BUILDING 1
 310 CASSIDY 10 LLC
 110 FIRST STREET SAN DIEGO, CA 92101
 SCALE: 1/4" = 1'-0"

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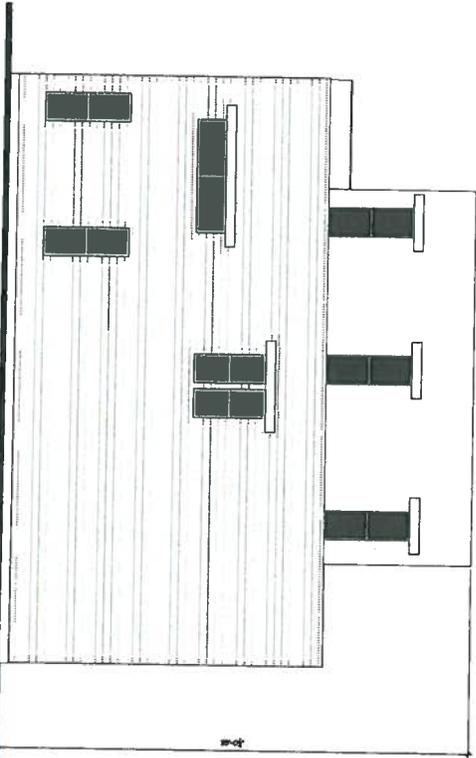
MAR 18 2014

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 D-13-00009
 RC-13-00015
 LCPA13-0001

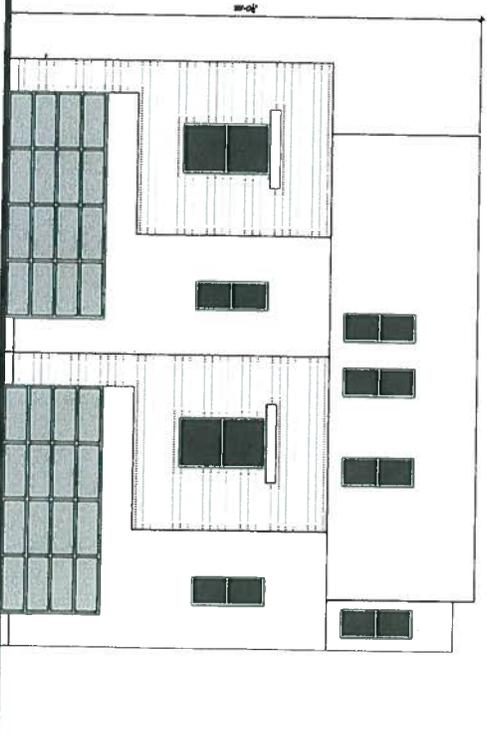


CITY OF OCEANSIDE
 DEVELOPMENT SERVICES

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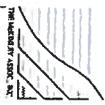
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



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

BEACHWALK at CASSIDY

BUILDING 1
310 CASSIDY 10, LLC
181 FIRST STREET, SAN DIEGO, CA 92101
SCALE: 1/8" = 1'-0"



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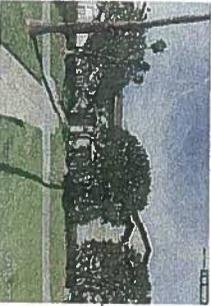
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**CITY OF OCEANSIDE
DEVELOPMENT SERVICES**

T-13-00005
D-13-00009
RC-13-00015
LCPA13-0001

A-15



TWO STORY BUILDING ACROSS CASSIDY TO THE NORTH



ONE STORY BUILDING ACROSS ALLEY TO THE EAST



RAILROAD TRACKS AND OPEN AREA ACROSS BROADWAY TO THE WEST



TWO STORY BUILDING ADJACENT TO SITE TO THE SOUTH

T-13-00005
D-13-00009
RC-13-00015
LCPA-13-000



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MAR 18 2014

BEACHWALK at CASSIDY

PAC DEVY

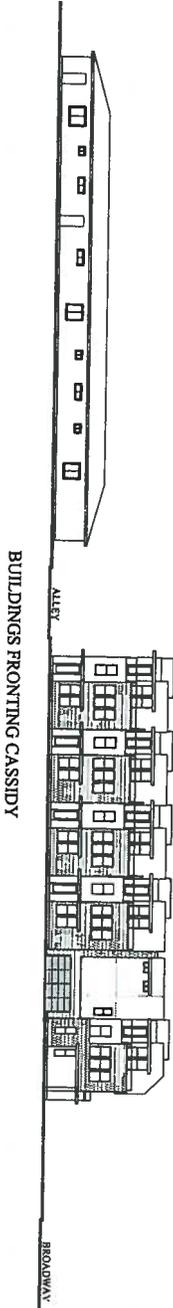
1818 FIRST STREET, SUITE 100, SAN DIEGO, CA 92101



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**CITY OF OCEANSIDE
DEVELOPMENT SERVICES**

P-1

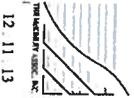


BEACHWALK at CASSIDY
 STREET IMAGES
 310 CASSIDY 10, LLC
 118 FIRST STREET, 100 STREET, SAN DIEGO, CA, 92101

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MAR 18 2014

T-13-00005
 D-13-00009
 RC-13-00015
 LCPA13-0001



CITY OF OCEANSIDE
 DEVELOPMENT SERVICES

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PLANNING COMMISSION
RESOLUTION NO. 2014-P12

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

APPLICATION NO: T13-00005, D13-00009, RC13-00015
APPLICANT: 301 Cassidy Ten, LLC., Geoff McComic
LOCATION: 301 Cassidy Street

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Tentative Map, Development Plan, Regular Coastal, and Density Bonus in accordance with State Law and under the provisions of Article 10, 30, 41, and 43 of the Zoning Ordinance, Article IV of the Subdivision Ordinance, and the Local Coastal Program Coastal Permit Handbook of the City of Oceanside to permit the following:

demolition of an existing 3,650-square-foot commercial office building, a lot merger of two 8,670-square-foot parcels into one 17,340-square-foot lot, and construction of a ten-unit Condominium project within three freestanding;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 9th day of June, 2014 conduct a duly advertised public hearing as prescribed by law to consider said application;

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto (Section 15332); this project qualifies for a Class 32 categorical exemption (In-Fill Development), the proposed project constitutes in-fill development of property in an urbanized area that is under five acres, is consistent with the applicable zoning and general plan designations, has no value as habitat, can be adequately served through existing utilities and public services, and would not result in any significant effects relating to traffic, noise, air quality or water quality;

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

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

5 <u>Description</u>	6 <u>Authority for Imposition</u>	7 <u>Current Estimate Fee or Calculation Formula</u>
8 Parkland Dedication/Fee	9 Ordinance No. 91-10 Resolution No. 06-R0334-1	10 \$3,503 per unit
11 Drainage Fee	12 Ordinance No. 85-23 Resolution No. 06-R0334-1	13 Depends on area (range is \$2,843-\$15,964 per acre)
14 Public Facility Fee	15 Ordinance No. 91-09 Resolution No. 06-R0334-1	16 \$2,072 per unit for residential
17 School Facilities Mitigation Fee	18 Ordinance No. 91-34	19 \$2.63 per square foot residential
20 Traffic Signal Fee	21 Ordinance No. 87-19 Resolution No. 06-R0334-1	22 \$15.71 per vehicle trip
23 Thoroughfare Fee	24 Ordinance No. 83-01	25 \$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
26 Water System Buy-in Fees	27 Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	28 Fee based on water meter size. Residential is typically \$4,597 per unit.
29 Wastewater System Buy-in fees	30 Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	31 Based on capacity or water meter size. Residential is typically \$6,313 per unit.
32 San Diego County Water Authority Capacity Fees	33 SDCWA Ordinance No. 2005-03	34 Based on meter size. Residential is typically \$4,326 per unit.
35 Inclusionary housing in lieu fees—Residential only.	36 Chapter 14-C of the City Code	37 \$1,000 per development project, \$100 per unit, plus \$1.15 per square foot.

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

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

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

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

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

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

19 FINDINGS:

20 For the Tentative Map (T13-00005) and Development Plan (D13-00009):

21 1. That the proposed Tentative Map is consistent with the General Plan of the City in that
22 subject to granting of Density Bonus per State Law, the density would be consistent with
23 Medium Density Residential C and other all applicable provisions of the Zoning
24 Ordinance and the Subdivision Ordinance.

- 25 • The subject parcel located in the South Oceanside Neighborhood
26 Planning Area is designated Medium Density – C Residential (MDC-R)
27 which allows (15.1 – 20.9 dwelling units/acre) and has a corresponding
28 zoning of Residential Medium Density - C (MDC-R), with a minimum
29 lot size of 7,500 square feet as defined in the 1992 Zoning Ordinance.
The subject subdivision would create ten residential condominium units

1 with all drive courts and common open space areas being under common
2 ownership.

3 2. That the site is physically suitable for the type and proposed density of development by
4 providing a for sale multi-family development that is consistent with the pattern of
5 development within the South Oceanside Neighborhood Planning Area.

- 6 • The proposed subdivision would create ten residential condominium units
7 that range in size from 1,517 to 1,673 square feet in size; therefore,
8 making the proposal consistent with the character and pattern of
9 development in the area and the underlying land use designation of
10 Medium Density – C Residential.

11 3. That the design of the subdivision or the proposed improvements will not cause
12 substantial environmental damage or substantially and avoidably injure fish or wildlife
13 or their habitat and a Categorical Exemption has been prepared that states the proposed
14 project constitutes in-fill development of property in an urbanized area that is under five
15 acres, is consistent with the applicable zoning and general plan designations, has no
16 value as habitat, can be adequately served through existing utilities and public services,
17 and would not result in any significant effects relating to traffic, noise, air quality or
18 water quality.

- 19 • The proposed ten unit condominium complex would be located on an
20 existing fully developed and serviced site. Re-development of the site
21 with a residential use would not contribute to any environmental impacts
22 and would require only grading necessary to create buildable pad areas
23 for the ten units and designed in a manner that respects the view shed of
24 the existing neighborhood to the west.

25 4. That the design of the subdivision or the type of improvements meets City standards and
26 will not conflict with easements, acquired by the public at large, for access through or
27 the use of property within the proposed subdivision.

- 28 • The proposed ten unit condominium complex would incorporate the use
29 of a shared drivecourt with access occuring directly off the alley and for
private purposes only. The overall site design would not conflict with the

1 public right-of-way along Cassidy or Broadway and would establish
2 additional on street parking along the perimeter of the site.

3 5. That the subdivision complies with all other applicable ordinances, regulations and
4 guidelines of the City of Oceanside.

- 5 • The proposed subdivision would not involve any variances from the
6 regulations established at the time of this approval and as part of this
7 approval, the Development Plan (D13-00009) would ensure that superior
8 architectural design features are implemented into the projects overall
9 design.

10 For the Request for Density Bonus per State Law:

11 1. That the proposed location of the use is in accord with the objectives of the Zoning
12 Ordinance and the purposes of the district in which the site is located.

- 13 • The subject property is zoned Residential Medium Density - C (RM-C)
14 with a corresponding Land Use designation of Medium Density – C
15 Residential (MDC-R) (15.1 – 20.9 dwelling units per acre). The density
16 of 25.1 dwelling units per acre is consistent with State Law subject to
17 providing one of the units as an affordable low income unit. Approval of
18 D13-00009 will ensure that the sites development implements and
19 possesses an excellence in design features without the need to grant a
20 concession to the development regulations established with the 1992
21 Zoning Ordinance.

22 2. That the proposed location of the use and the proposed conditions under which it would
23 be operated or maintained will be consistent with the General Plan; will not be
24 detrimental to the public health, safety or welfare of persons residing or working in or
25 adjacent to the neighborhood of such use; and will not be detrimental to properties or
26 improvements in the vicinity or to the general welfare of the City.

- 27 • The proposed ten-unit condominium complex will improve the right-of-
28 way areas adjacent to the site and will not result in any development that
29 would be unsafe for persons residing or working in the area.

1 3. That the proposed use will comply with the provisions of the Zoning Ordinance,
2 including any specific condition required for the proposed conditional use in the district
3 in which it would be located.

- 4 • The Tentative Map has been adequately conditioned and designed to
5 comply with applicable requirements of the Zoning Ordinance. Approval
6 of Development Plan (D13-00009) will ensure zoning ordinance
7 compliance.

8 For the Regular Coastal Permit (RC13-00015):

9 1. The proposed project is consistent with the policies of the Local Coastal Program as
10 implemented through the Zoning Ordinance.

- 11 • Specifically, the physical aspects of the project are consistent with the
12 properties neighboring the project site. In addition, the project will not
13 substantially alter or impact existing public views of the coastal zone
14 area.

15 2. The proposed project will not obstruct any existing or planned public beach access;
16 including any beach areas fronting the existing property, therefore, the project is in
17 conformance with the policies of Chapter 3 of the Coastal Act.

18 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
19 approve Tentative Parcel Map (T13-00005), Development Plan (D13-00009), Regular Coastal
20 Permit (RC13-00015), and a request for Density Bonus consistent with State Law subject to the
21 following conditions:

22 Building:

23 1. Provide a statement on the title sheet of the plans that the proposed project shall comply
24 with the 2010 Triennial Edition of California Code of Regulations (CCR), Title 24; see
25 "Applicable Codes and Regulations for 2010" (CCR). **PLEASE NOTE** Jan. 1, 2014 the
26 State of California will be under the 2013 CBC based on the 2011 IBC.

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

29 3. Site development, parking, access into buildings and building interiors shall comply
WITH ALL CURRENT State of California Accessibility Codes.

1 4. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation
2 shall be required at time of plans submittal to the Building Division for plan check.

3 5. This project shall be designed to The 2010 California Green Building Standards Code
4 (CALGreen Code) This Part is known as the California Green Building Standards Code,
5 and it is intended that it shall also be known as the CALGreen Code.

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

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

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

22 **Engineering:**

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

27 8. Vehicular access rights to Cassidy Street and Broadway, along the property frontage shall
28 be relinquished to the City from all abutting lots.

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

- 1 10. Design and construction of all improvements shall be in accordance with the City of
2 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard
3 engineering and specifications of the City of Oceanside and subject to approval by the
4 City Engineer.
- 5 11. Prior to approval of the final map or any increment, all improvement requirements, within
6 such increment or outside of it if required by the City Engineer, shall be covered by a
7 subdivision agreement and secured with sufficient improvement securities or bonds
8 guaranteeing performance and payment for labor and materials, setting of monuments, and
9 warranty against defective materials and workmanship.
- 10 12. The owner/developer shall provide public street dedication for Cassidy Street and
11 Broadway if required to serve the property, to the satisfaction of the City Engineer.
- 12 13. The tract shall be recorded and developed as one. The City Engineer shall require the
13 dedication and construction of necessary utilities, streets and other improvements outside
14 the area of any particular final map, if such is needed for circulation, parking, access or for
15 the welfare or safety of future occupants of the development.
- 16 14. Prior to the issuance of any grading, improvement or building permits for a model
17 complex, a construction-phasing plan for the entire project shall be reviewed and
18 approved by the City Planner, City Engineer, Building Chief Official, and Fire Chief.
19 All improvements shall be under construction to the satisfaction of the City Engineer prior
20 to the issuance of any building permits. All public and private improvements including
21 landscaping and offsite streets or arterials that are found to be required to serve the
22 model complex shall be completed prior to the issuance of any certificates of occupancy.
- 23 15. Where proposed off-site improvements, including but not limited to slopes, public utility
24 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his
25 own expense, obtain all necessary easements or other interests in real property and shall
26 dedicate the same to the City of Oceanside as required. The owner/developer shall provide
27 documentary proof satisfactory to the City of Oceanside that such easements or other
28 interest in real property have been obtained prior to the approval of the final map (or)
29 /issuance of any grading, building or improvement permit for this development. Additionally, the City of Oceanside, may at its sole discretion, require that the owner/developer obtain at his sole expense a title policy insuring the necessary title for the

1 easement or other interest in real property to have vested with the City of Oceanside or the
2 owner/developer, as applicable.

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

7 17. A precise grading and private improvement plan shall be prepared, reviewed, secured and
8 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
9 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,
10 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
11 and any on-site traffic calming devices shall be shown on all precise grading and private
12 improvement plans.

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

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

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

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

- 1 c) The construction site shall accommodate the parking of all motor vehicles used by
2 persons working at or providing deliveries to the site. An alternate parking site can
3 be considered by the City Engineer in the event that the lot size is too small and
4 cannot accommodate parking of all motor vehicles.
- 5 d) The owner/developer shall complete a haul route permit application (if required
6 for import/export of dirt) and submit to the City of Oceanside Engineering
7 Department 48 hours in advance of beginning of work. Hauling operations (if
8 required) shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.
- 9 20. It is the responsibility of the owner/developer to evaluate and determine that all soil
10 imported as part of this development is free of hazardous and/or contaminated material
11 as defined by the City and the County of San Diego Department of Environmental
12 Health. Exported or imported soils shall be properly screened, tested, and documented
13 regarding hazardous contamination.
- 14 21. A traffic control plan shall be prepared according to the City traffic control guidelines
15 and approved to the satisfaction of the City Engineer prior to the start of work within the
16 public right-of-way. Traffic control during construction of streets that have been opened
17 to public traffic shall be in accordance with construction signing, marking and other
18 protection as required by the Caltrans Traffic Manual and City Traffic Control
19 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless
20 approved otherwise.
- 21 22. Cassidy Street and Broadway Street shall be constructed with new curbs and gutters,
22 sidewalk and landscape parkway to the satisfaction of the City Engineer. Sidewalk
23 improvements shall comply with ADA requirements. New improvements shall be shown
24 on grading and improvement plans.
- 25 23. The existing publicly maintained pedestrian ramp at the corner of Cassidy Street and
26 Broadway Street, and the two existing pedestrian ramps at the intersection of Cassidy Street
27 and Alley (west and east) shall be reconstructed to ADA standards, and in accordance with
28 the City of Oceanside Engineers Design Standards. Minimum curb return radius shall
29 comply with the City of Oceanside Engineers Design and Processing Manual.
24. The existing cross gutter at the intersection of Cassidy Street and the Alley shall be
reconstructed to the City Standards, to the satisfaction of the City Engineer.

- 1 25. The existing mid-block cross gutter on Broadway Street shall be reconstructed to City
2 Standards, to the satisfaction of the City Engineer.
- 3 26. Sight distance requirements at the proposed project driveway in the alley shall conform to
4 the corner sight distance criteria as provided by the City of Oceanside Engineers Design
5 Standards.
- 6 27. Streetlights shall be installed or replaced on Cassidy Street and Broadway per City
7 Standards as required by the City Engineer. The system shall provide uniform lighting, and
8 be secured prior to occupancy. The owner/developer shall pay all applicable fees, energy
9 charges, and/or assessments associated with City-owned (LS-2 rate schedule) streetlights
10 and shall also agree to the formulation of, or the annexation to, any appropriate street
11 lighting district.
- 12 28. This project's streets or driveways shall remain private and shall be maintained by an
13 association. The pavement sections, traffic indices shall be based on approved geotechnical
14 report and in compliance with the City of Oceanside Engineers Design and Processing
15 Manual. The private project street or driveway alignments and geometric layouts shall
16 meet the City of Oceanside Engineers Design and Processing Manual.
- 17 29. Pavement sections for Cassidy Street and Broadway Street, and private streets or private
18 driveways, the existing alley, driveways and parking areas shall be based upon approved
19 soil tests and traffic indices. The pavement design is to be prepared by the
20 owner/developer's soil engineer and must be in compliance with the City of Oceanside
21 Engineers Design and Processing Manual and be approved by the City Engineer, prior to
22 paving.
- 23 30. Prior to approval of the grading plans, the owner/developer shall contract with a
24 geotechnical engineering firm to perform a field investigation of the existing pavement on
25 Cassidy Street, Broadway Street and the existing alley adjacent to the project boundary.
26 The limits of the study shall be half-street plus 12 feet along the project's frontage. The
27 field investigation shall include a minimum of one pavement boring per every 50 linear feet
28 of street and alley frontage. Should the existing AC thickness be determined to be less than
29 the current minimum standard for AC and Class II Base as set forth in the table for City of
Oceanside Pavement Design Guidelines in the City of Oceanside Engineers Manual, the

1 owner/developer shall remove and reconstruct the pavement section as determined by the
2 pavement analysis submittal process detailed in the condition listed below:

- 3 31. Upon review of the pavement investigation, the City Engineer shall determine whether the
4 owner/developer shall: 1) Repair all failed pavement sections, header cut and grind per the
5 direction of the City Engineer, and construct a two-inch thick rubberized AC overlay; or 2)
6 Perform R-value testing and submit a study that determines if the existing pavement meets
7 current City standards/traffic indices. Should the study conclude that the pavement does
8 not meet current requirements, rehabilitation/mitigation recommendations shall be provided
9 in a pavement analysis report and shown on grading and improvement plan and the
10 owner/developer shall reconstruct the pavement per these recommendations, subject to
11 approval by the City Engineer. Upon review of the pavement investigation, the City
12 Engineer shall determine whether the owner/developer shall: Repair all failed pavement
13 sections, header cut and grind per the direction of the City Engineer, and construct a two-
14 inch thick rubberized AC overlay; or 2) Perform R-value testing and submit a study that
15 determines if the existing pavement meets current City standards/traffic indices. Should the
16 study conclude that the pavement does not meet current requirements,
17 rehabilitation/mitigation recommendations shall be provided in a pavement analysis report,
18 and the owner/developer shall reconstruct the pavement per these recommendations,
19 subject to approval by the City Engineer.
- 20 32. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian
21 ramps and sidewalk within the project, or adjacent to the project boundary that are already
22 damaged or damaged during construction of the project, shall be repaired or replaced as
23 directed by the City Engineer.
- 24 33. Full width alley replacement including paving and the installation of a longitudinal
25 concrete alley gutter shall be constructed, based on the pavement evaluation study, and in
26 accordance with the City of Oceanside Engineers Design and Processing Manual, the City
27 Standards plans and specifications as approved by the City Engineer.
- 28 34. All existing overhead utility lines within this residential condominium/subdivision project
29 and/or within any full width street or right-of-way abutting this new residential
condominium/subdivision project, and all new extension services for the development of
this project, including but not limited to, electrical, cable and telephone, shall be placed

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

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

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

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

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

1 plans. All plans must be approved by the City Engineer and a pre-construction meeting
2 held, prior to the start of any improvements.

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

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

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

23 42. The owner/developer shall place a covenant on the title sheet of the grading plan, on the
24 non-title sheet of the final map agreeing to the following: "The present or future
25 owner/developer shall indemnify and save the City of Oceanside, its officers, agents, and
26 employees harmless from any and all liabilities, claims arising from any flooding that
27 occurs on this site, and any flooding that is caused by this site impacting adjacent
28 properties".
29

- 1 43. Storm drain facilities shall be designed and located such that the inside travels lanes on
2 streets with collector or above design criteria shall be passable during conditions of a 100-
3 year frequency storm.
- 4 44. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed
5 of in accordance with all state and federal requirements, prior to stormwater discharge
6 either off-site or into the City drainage system.
- 7 45. The owner/developer shall comply with the provisions of National Pollution Discharge
8 Elimination System (NPDES) General Permit for Storm Water Discharges Associated
9 with Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ.
10 The General Permit continues in force and effect until a new General Permit is issued or
11 the SWRCB rescinds this General Permit. Only those owner/developers authorized to
12 discharge under the expiring General Permit are covered by the continued General
13 Permit. Construction activity subject to the General Permit includes clearing, grading,
14 and disturbances to the ground such as stockpiling, or excavation that results in land
15 disturbances of equal to or greater than one acre. The owner/developer shall obtain
16 coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining
17 a Waste Discharge Identification Number (WDID#) from the State Water Resources
18 Control Board (SWRCB). In addition, coverage under the General Permit shall not
19 occur until an adequate SWPPP is developed for the project as outlined in Section A of
20 the General Permit. The site specific SWPPP shall be maintained on the project site at
21 all times. The SWPPP shall be provided, upon request, to the United States
22 Environmental Protection Agency (USEPA), SWRCB, Regional Water Quality Control
23 Board (RWQCB), City of Oceanside, and other applicable governing regulatory
24 agencies. The SWPPP is considered a report that shall be available to the public by the
25 RWQCB under section 308(b) of the Clean Water Act. The provisions of the General
26 Permit and the site specific SWPPP shall be continuously implemented and enforced
27 until the owner/developer obtains a Notice of Termination (NOT) for the SWRCB. The
28 owner/developer is required to retain records of all monitoring information, copies of all
29 reports required by this General Permit, and records of all data used to complete the NOI
for all construction activities to be covered by the General Permit for a period of at least

1 three years from the date generated. This period may be extended by request of the
2 SWRCB and/or RWQCB.

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

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

- 1 48. At a minimum, maintenance agreements shall require the staff training, inspection and
2 maintenance of all BMPs on an annual basis. The owner/developer shall complete and
3 maintain O&M forms to document all maintenance activities. Parties responsible for the
4 O&M plan shall retain records at the subject property for at least 5 years. These
5 documents shall be made available to the City for inspection upon request at any time.
- 6 49. The Agreement shall include a copy of executed on-site and off-site access easement and
7 or access rights necessary for the operation and maintenance of BMPs that shall be
8 binding on the land throughout the life of the project to the benefit of the party
9 responsible for the O&M of BMPs, satisfactory to the City Engineer. The agreement
10 shall also include a copy of the deemed complete O&M Plan.
- 11 50. The BMPs described in the project's deemed complete SWMP shall not be altered in
12 any way, unless reviewed and approved to the satisfaction of the City Engineer. The
13 determination of whatever action is required for changes to a project's deemed complete
14 SWMP shall be made by the City Engineer.
- 15 51. The owner/developer shall provide a copy of the title/cover page of a deemed complete
16 SWMP with the first engineering submittal package. If the project triggers the City's
17 Stormwater requirements but no deemed complete Stormwater document (SWMP)
18 exists, the appropriate document shall be submitted to the City Engineer for review. The
19 SWMP shall be prepared by the owner/developer's Civil Engineer. All Stormwater
20 documents shall be in compliance with the latest edition of submission requirements.
- 21 52. The approval of the tentative map shall not mean that closure, vacation, or abandonment
22 of any public street, right of way, easement, or facility is granted or guaranteed to the
23 owner/developer. The owner/developer is responsible for applying for all closures,
24 vacations, and abandonments as necessary. The application(s) shall be reviewed and
25 approved or rejected by the City of Oceanside under separate process (es) per codes,
26 ordinances, and policies in effect at the time of the application. The City of Oceanside
27 retains its full legislative discretion to consider any application to vacate a public street
28 or right of way.
- 29 53. If a subdivider is required under this division or any other provision of law to make a
dedication for specified public purposes on a final map, the local agency shall specify

1 whether the dedication is to be in fee for public purposes or an easement for public
2 purposes.

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

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

14 56. Approval of this development project is conditioned upon payment of all applicable impact
15 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
16 Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees,
17 reimbursements, and other applicable charges, fees and deposits shall be paid prior to
18 recordation of the map or the issuance of any building permits, in accordance with City
19 Ordinances and policies. The owner/developer shall also be required to join into,
20 contribute, or participate in any improvement, lighting, or other special district affecting or
21 affected by this project. Approval of the tentative map shall constitute the
22 owner/developer's approval of such payments, and his agreement to pay for any other
23 similar assessments or charges in effect when any increment is submitted for final map or
24 building permit approval, and to join, contribute, and/or participate in such districts.

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

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

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

7 **Landscaping:**

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

- 18 a) Final landscape plans shall accurately show placement of all plant material such as
19 but not limited to trees, shrubs, and groundcovers.
- 20 b) Landscape Architect shall be aware of all utility, sewer, gas and storm drain lines
21 and utility easements and place planting locations accordingly to meet City of
22 Oceanside requirements.
- 23 c) All required landscape areas shall be maintained by owner, project association or
24 successor of the project (including public rights-of-way (parkways) parallel with
25 Cassidy St. and Broadway St.). The landscape areas shall be maintained per City of
26 Oceanside requirements.
- 27 d) Prior to the final approval of the landscape construction drawings, owner shall
28 obtain SDG&E Sempra Utilities written approval of the landscape plan and submit
29 a copy to the City Engineer.
- e) Proposed landscape species shall fit the site and meet climate changes indicative to
their planting location. The selection of plant material shall also be based on

1 cultural, aesthetic, and maintenance considerations. In addition proposed landscape
2 species shall be low water users as well as meet all fire department requirements.

3 f) All planting areas shall be prepared and implemented to the required depth with
4 appropriate soil amendments, fertilizers, and appropriate supplements based upon a
5 soils report from an agricultural suitability soil sample taken from the site.

6 g) Ground covers or bark mulch shall fill in between the shrubs to shield the soil from
7 the sun, evapotranspiration and run-off. All the flower and shrub beds shall be
8 mulched to a 3" depth to help conserve water, lower the soil temperature and
9 reduce weed growth.

10 h) The shrubs shall be allowed to grow in their natural forms. All landscape
11 improvements shall follow the City of Oceanside Guidelines.

12 i) Street trees approved in the public right-of-way (parkways) parallel to Cassidy St.
13 and Broadway St. shall comply with the City of Oceanside- Street Tree Standard
14 Detail 211A. Proposed and existing street trees within the public parkways and
15 under the jurisdiction of SDG&E Sempra Utilities shall be reviewed and approved
16 by SDG&E Sempra Utilities. Review comments and written approval from
17 SDG&E Sempra Utilities shall be submitted to the City Engineer prior to final
18 approval of the landscape construction drawings.

19 j) Root barriers shall be installed adjacent to all paving surfaces, where a paving
20 surface is located within 6 feet of a trees trunk on site (private) and within 10 feet of
21 a trees trunk in the right-of-way (public). Root barriers shall extend 5 feet in each
22 direction from the centerline of the trunk, for a total distance of 10 feet. Root
23 barriers shall be 24 inches in depth. Installing a root barrier around the tree's root
24 ball is unacceptable.

25 k) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
26 obtain Planning Division approval for these items in the conditions or application
27 stage prior to 1st submittal of working drawings.

28 l) Landscape planters adjacent to the garage doors shall be provided with decorative
29 architectural ornamental iron trellis and evergreen vines.

- m) For the planting and placement of trees and their distances from hardscape and other utilities/ structures the landscape plans shall follow the City of Oceanside's (current) Tree Planting Distances and Spacing Standards.
- n) An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low volume equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off.
- o) Irrigation systems shall use high quality, automatic control valves, controllers and other necessary irrigation equipment. All components shall be of non-corrosive material. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters.
- p) All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.
- q) The automatic irrigation system for the public right-of-way (parkways) parallel to Cassidy St. and Broadway St. shall be connected to the homeowner association irrigation system and shall be maintained by the association in perpetuity.
- r) The landscape plans shall match all plans affiliated with the project.
- s) Landscape construction drawings are required to implement approved Fire Department regulations, codes, and standards at the time of plan approval.
- t) Landscape plans shall comply with Biological and/or Geotechnical reports, as required, shall match the grading and improvement plans, comply with SWMP Best Management Practices and meet the satisfaction of the City Engineer.
- u) Existing landscaping on and adjacent to the site shall be protected in place and supplemented or replaced to meet the satisfaction of the City Engineer.

61. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way and within any adjoining public parkways parallel to Cassidy St. and Broadway St. shall be permanently maintained by the owner, project homeowner association, his assigns or any successors-in-interest in the property. The maintenance program shall include: a) normal care and irrigation of the landscaping b) repair and replacement of plant materials (including interior trees and street trees) c) irrigation systems as necessary d) general cleanup of the landscaped and open areas e) parking lots and walkways, walls, fences, etc. f) pruning standards for street trees shall comply with the International Society of

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

- 6 62. In the event that the conceptual landscape plan (CLP) does not match the conditions of
7 approval, the resolution of approval shall govern.

8 **Fire:**

- 9 63. Show adjacent alley width on the site plan.
10 64. Plans for buildings and fire sprinkler systems shall be submitted to the Fire Prevention
11 Bureau for plan check review and approval prior to the issuance of building permits.
12 65. Alarm system with occupant notification activated by the fire sprinkler system required.
13 66. Show all fire hydrants within 400 ft. of the project on the site plan. Fire department
14 connection for fire sprinkler system should be located within 40 ft. of a public fire
15 hydrant located on the same side of the street.
16 67. Minimum four inch high address numbers facing Cassidy required on the buildings.

16 **Planning:**

- 17 68. This Tentative Map, Development Plan, Regular Coastal Permit, and Density Bonus
18 Approval shall expire 24 months from its approval, unless this time period is extended
19 by the provisions of Section 408 or 409 of the Subdivision Ordinance.
20 69. This Tentative Map, Development Plan, Regular Coastal Permit, and Density Bonus
21 Approval approve only a ten unit condominium project with one unit being allocated for
22 low income affordability as shown on the plans and exhibits presented to the Planning
23 Commission for review and approval. No deviation from these approved plans and
24 exhibits shall occur without Planning Division approval. Substantial deviations shall
25 require a revision to the Development Plan and Regular Coastal Permit or a new
26 Development Plan and Regular Coastal Permit.
27 70. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
28 harmless the City of Oceanside, its agents, officers or employees from any claim, action
29 or proceeding against the City, its agents, officers, or employees to attack, set aside, void
or annul an approval of the City, concerning Tentative Map (T13-00005), Development

1 Plan (D13-00009), and Regular Coastal Permit (RC13-00015). The City will promptly
2 notify the applicant of any such claim, action or proceeding against the city and will
3 cooperate fully in the defense. If the City fails to promptly notify the applicant of any
4 such claim action or proceeding or fails to cooperate fully in the defense, the applicant
5 shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

6 71. All 10 of the single-family dwelling units shall dispose of, or recycle solid waste in a
7 manner provided in City Code Section 13.3. and shall obtain approval of a Permit for
8 Waiver of Bin Service from the City of Oceanside Code Enforcement Division prior to
9 issuance of the first certificate of occupancy.

10 72. Outdoor lighting shall be low emission, shielded, and directed away from the southern
11 property lines adjacent to the Multi-Family apartment complex located off of Broadway.

12 73. All wood gates adjacent to public right-of-way and/or visible from the public right-of-
13 way will be stained or otherwise finished with a waterproof material.

14 74. Adjacent homeowners shall be notified of planned construction activities and times
15 approximately one week prior to the start of work.

16 75. A covenant or other recordable document approved by the City Attorney shall be
17 prepared by the property owner and recorded prior to the approval of the final map. The
18 covenant shall provide that the property is subject to this resolution, and shall generally
19 list the conditions of approval.

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

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

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

- 1 79. The developer's construction of all fencing and walls associated with the project shall be
2 in conformance with the approved Development Plan. Any substantial change in any
3 aspect of fencing or wall design from the approved Development Plan shall require a
4 revision to the Development Plan or a new Development Plan.
- 5 80. If any aspect of the project fencing and walls is not covered by an approved
6 Development Plan, the construction of fencing and walls shall conform to the
7 development standards of the City Zoning Ordinance. In no case, shall the construction
8 of fences and walls (including combinations thereof) exceed the limitations of the
9 zoning code, unless expressly granted by a Variance or other development approval.
- 10 81. Prior to the issuance of building permits, compliance with the applicable provisions of the
11 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
12 and approved by the Planning Division. These requirements, including the obligation to
13 remove or cover with matching paint all graffiti within 24 hours, shall be noted on the
14 Landscape Plan and shall be recorded in the form of a covenant affecting the subject
15 property.
- 16 82. Elevations, siding materials, colors, roofing materials and floor plans shall be
17 substantially the same as those approved by the Planning Commission. These shall be
18 shown on plans submitted to the Building Division and Planning Division.
- 19 83. This project is subject to the provisions of Chapter 14C of the City Code regarding
20 Inclusionary Housing. Ten (10) percent or (1) housing unit shall be reserved for sale to
21 low and moderate income households. The city shall determine the eligibility of such
22 households. A deed restriction, covenant, and/or other instrument enforceable by the city
23 and approved by the City Attorney and Director of Housing and Neighborhood Services,
24 limiting the resale of such units to eligible low or moderate-income households shall be
25 recorded against the title of the reserved unit at affordable prices as described in
26 subsection (4) immediately above. The duration of such resale restrictions shall run with
27 life of the project and/or a minimum of fifty-five (55) years. The project shall conform
28 with the Mello Act, which requires the conversion or demolition of existing residential
29 dwelling units occupied by persons and families of low or moderate income, as defined
in Section 50093 of the Health and Safety Code, shall not be authorized unless provision

1 has been made for the replacement of those dwelling units with units for persons and
2 families of low or moderate income.

3 84. Prior to issuance of any building or grading permit, the director of housing and
4 neighborhood services shall certify that the proposed development has complied with the
5 requirements for inclusionary housing and all provisions of Chapter 14C.

6 85. Garages shall be kept available and useable for the parking of tenant's automobiles at all
7 times.

8 86. Individual Trash/Recycling bins shall be kept within the designated spaces provided within
9 the garage areas for each individual unit. No storage of bins on the outside shall occur.
10 Bins shall be wheeled out to an appropriate location on the designated pickup date and
11 returned within 24 hours to the interior spaces within the garages.

12 87. At all times, the sidewalk shall be free of obstructions, including private vehicles and other
13 objects. Vehicles, or other objects, shall not be parked in the common drive court and shall
14 not project over or obstruct the sidewalk.

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

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

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

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

27 **Water Utilities:**

28 92. Water and sewer studies must be prepared by the developer at the developer's expense and
29 approved by the Water Utilities Department per Section 1-General Guidelines of *City of*

1 *Oceanside – Water, Sewer, and Reclaimed Water Design & Construction Manual*. If study
2 indicates existing water and/or sewer facilities will need to be upsized to develop property,
3 show proposed improvements on plans.

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

8 94. The property owner shall maintain private water and wastewater utilities located on private
9 property.

10 95. All Water and Wastewater construction shall conform to the most recent edition of the
11 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
12 the Water Utilities Director (Manual).

13 96. Residential units shall be metered individually. Private utility systems for residential
14 developments are not allowed.

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

15 97. All public water and/or sewer facilities not located within the public right-of-way shall be
16 provided with easements sized according to the Water, Sewer, and Reclaimed Water
17 Design and Construction Manual. Easements shall be constructed for all weather access.

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

20 99. The developer shall construct a public reclamation water system that will serve each lot and
21 or parcels that are located in the proposed project in accordance with the City of Oceanside
22 Ordinance No. 91-15. The proposed reclamation water system shall be located in the
23 public right-of-way or in a public utility easement. Owner also has the option to pay an In-
24 Lieu Fee, provide the Water Utilities Department with a formal letter requesting this.
25 Payment will be required prior to engineering plan approval.

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

- 1 101. A separate irrigation meter and approved backflow prevention device is required. Add
2 meter symbol to irrigation water service fronting Cassidy Street.
- 3 102. Per section 2.7 of the manual, show on plans 3-foot separation between water services and
4 10-foot separation between water and sewer laterals; particularly laterals in alley.
- 5 103. If existing 1-inch water meter to property will be not be used, then indicate it will be
6 abandoned per City Standard Drawing W-6.
- 7 104. Show proposed public 8-inch sewer running down middle of lot centered within the
8 proposed 20-foot public utility easement.
- 9 105. Show dedicated fire service connection for each building with double check detector check
10 assembly per City Standard Drawing W-14. On plans, delete meter symbol on fire service
11 fronting Cassidy Street.
- 12 106. Show all existing sewer laterals connecting to existing sewer main in alley. If there is no
13 sewer lateral between existing sewer manhole and new sewer manhole in Alley, then the
14 existing sewer manhole will need to be removed and pipe segment shall be abandoned in
15 place.
- 16 107. Upsize existing 6-inch water main and valves in Alley to minimum 8-inch PVC pipe from
17 existing valve at Cassidy Street to valve at south property line as required per Section 2.4,
18 B. of *City of Oceanside – Water, Sewer, and Reclaimed Water Design & Construction*
19 *Manual*. If results from water study to be prepared by developer as Condition of Approval
20 indicate a larger water main size is required, then improvement plans will need to reflect
21 this.

The following conditions of approval shall be met prior to building permit issuance.

- 22 108. Provide fixture unit count and meter sizing for each meter and provide flow requirements
23 for irrigation meter per control valve.
- 24 109. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
25 be paid to the City and collected by the Water Utilities Department at the time of Building
26 Permit issuance.

27 //////////////

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

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

//////////

1 **The following conditions of approval shall be met prior to occupancy.**

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

6 PASSED AND ADOPTED Resolution No. 2014-P12 on June 9, 2014, by the following
7 vote, to wit:

8 AYES:
9 NAYS:
10 ABSENT:
11 ABSTAIN:

12 _____
13 Robert Neal, Chairperson
14 Oceanside Planning Commission

15 ATTEST:
16 _____
17 Marisa Lundstedt, Secretary

18 I, MARISA LUNDSTEDT, Secretary of the Oceanside Planning Commission, hereby certify
19 that this is a true and correct copy of Resolution No. 2014-P12.

20 Dated: June 9, 2014

21 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may
22 be required as stated herein:

23 _____
24 Applicant/Representative Date



State Density Bonus Law

June 18, 2013

Summary

State density bonus law, Government Code Section 65915, was first enacted in 1979. The law requires local governments to provide density bonuses and other incentives to developers of affordable housing who commit to providing a certain percentage of dwelling units to persons whose incomes do not exceed specific thresholds. Cities also must provide bonuses to certain developers of senior housing developments, and in response to certain donations of land and the inclusion of childcare centers in some developments. Essentially, state density bonus law establishes that a residential project of five or more units that provides affordable or senior housing at specific affordability levels may be eligible for a “density bonus” to allow more dwelling units than otherwise allowed on the site by the applicable General Plan Land Use Map and Zoning.

The density bonus may be approved only in conjunction with a development permit (i.e., tentative map, parcel map, use permit or design review). Under State law, a jurisdiction must provide a density bonus, and concessions and incentives will be granted at the applicant’s request based on specific criteria. These concessions and incentives will be granted based on the following criteria:

<i>TARGET GROUP*</i>	Target Units	Density Bonus	Concessions or Incentives
Very Low Income ⁽¹⁾	5%	20%	1
	10%	33%	2
	15% or above	35%	3
Lower Income ⁽²⁾	10%	20%	1
	20%	35%	2
	30% or above	35%	3
Moderate Income ⁽³⁾ (condominium or planned development)	10%	5%	1
	20%	15%	2
	30% or above	25%	3

** California Civil Code Section 65915 applies only to proposed developments of five (5) or more units.*

(1) For each 1% increase over 5% of the Target Units the Density Bonus shall be increased by 2.5% up to a maximum of 35%

(2) For each 1% increase over 10% of the Target Units the Density Bonus shall be increased by 1.5% up to a maximum of 35%

(3) For each 1% increase over 10% of the Target Units the Density Bonus shall be increased by 1% up to a maximum of 35%



**City of Oceanside
Code Enforcement
Permit for Waiver of Bin Service**

Property Address: 301 Cassidy Street		Permit No. (office use) BW -	
Owner Name: 301 Cassidy Ten, LLC		APN: 153-262-23-00	
Mailing Address: 1818 1 st Ave. San Diego, Ca. 92101 suite 100		Phone: 858-414-5859	
Property Maintenance Contact: N/A		Phone:	
Use: <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial Number of Units: 10	Existing Level of Collection Service: Number of bins: N/A Number of pickups: N/a (per week) Size of bins: yd		
Waiver Request: We are requesting a waiver to allow individual cart service for 10 proposed townhome units in lieu of dumpster service. Each unit will have a designated space for trash and recycling carts in the garage. Carts will be wheeled to street on pick days and returned the same day to garage. The homeowner's association documents will provide language that requires the carts to be returned to the gargages after pick. (See attached)			
Reason for Request: Due to the constrained nature of the site, there is no viable location for a dumpster enclosure that would not adversely impact the residences. A variety of alternative were reviewed. All units have immediate access to the street frontage which allows for regular cart service. The development will have a Homeowner's Association that will provide oversight to ensure that the carts are properly managed.			
Applicant must contact Waste Management to complete change of service. Please call Lori Somers at 760-754-4120.			
Applicant's Signature: 		Date: 1/17/14	
For office use only			
Approvals	Code Enforcement	Approved by:	Date:

(Revised 04-28-05)

(a) All rubbish, trash and garbage shall be regularly removed from Property, and shall not be allowed to accumulate thereon. Trash, garbage and other waste shall not be kept except in, trash bins or cans designed for such purpose.

(b) The Board may require, pursuant to its Rules, that all garbage and other wastes be segregated and such segregated elements be separately packaged (for example, all cans, glass, paper products and other items of trash be segregated from each other and separate packaged for pickup and disposal by a garbage and waste disposal company or a department of any governmental agency having jurisdiction over the Project).

(c) All equipment, trash bins or cans for storage or disposal of such materials shall be kept in a clean and sanitary condition. All equipment, trash bins or cans shall be placed curbside no earlier than the morning of trash pickup and shall, no later than 9 p.m. that same day, be returned to each Dwelling's garage. All equipment, trash bins or cans shall be kept screened and concealed from view of other Dwellings and the Common Area when not in use.

(d) Failure to comply with these restrictions may result in the levying of monetary penalties against an individual Member as a disciplinary measure for failure of a Member to comply with provisions of the Project Documents or Board resolutions, or as a means of causing the Member to reimburse the Association for costs and expenses incurred by the Association in the repair of damage to the Common Area and facilities for which the Member was allegedly responsible, or in bringing the Member and his or her Condominium to compliance with the Project Documents or Board resolutions.



Application for Discretionary Permit

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

STAFF USE ONLY

ACCEPTED

8/1/13

BY

SN

Developer Deposit Account

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT 301 Cassidy Ten, LLC	2. STATUS Developer
3. ADDRESS 1818 1st Ave San Diego, Ca 92101	4. PHONE/FAX/E-mail 619 481 7830 # 306
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Geoff McComie	
6. ADDRESS 1818 1st Ave, Ste 100, S.D. Ca 92101	7. PHONE/FAX/E-mail 619 481-7830

GPA
MASTER/SP.PLAN
ZONE CH. ZA13-00003
TENT. MAP T13-00005
PAR. MAP
DEV. PL. D13-00009
C.U.P.
VARIANCE
COASTAL RC13-00015
O.H.P.A.G. LCPA13-00001

PART II - PROPERTY DESCRIPTION

8. LOCATION 301 Cassidy St.	9. SIZE 17,340 Square feet		
10. GENERAL PLAN MDC-R	11. ZONING RM-C	12. LAND USE Residential	13. ASSESSOR'S PARCEL NUMBER 153-262-22 and 23
14. LATITUDE 33.174	15. LONGITUDE 117.3634		

PART III - PROJECT DESCRIPTION

16. GENERAL PROJECT DESCRIPTION **Beachwalk @ Cassidy**
Demolition of one story office buildings.
Construction of ten new residential condo units in three buildings.
Each with private two car garage

17. PROPOSED GENERAL PLAN MDC-R	18. PROPOSED ZONING RM-C	19. PROPOSED LAND USE Residential	20. NO. UNITS 10	21. DENSITY 25/acre
22. BUILDING SIZE 19,527	23. PARKING SPACES 21	24. % LANDSCAPE 31.7%	25. % LOT COVERAGE or FAR 43.9%	

PART IV - ATTACHMENTS

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

PART V - SIGNATURES

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

35. APPLICANT OR REPRESENTATIVE (Print): R. Geoffrey McComie	36. DATE 7/31/13	37. OWNER (Print)	38. DATE
Sign: R. Geoffrey McComie	Sign:		

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



Application for Discretionary Permit

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

STAFF USE ONLY

ACCEPTED	BY

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT 301 Cassidy Ten, LLC	2. STATUS Developer
3. ADDRESS 1818 1st Ave San Diego, CA 92101	4. PHONE/FAX/E-mail 619 481 3830 #306
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Geoff McComic	6. ADDRESS 1818 1st Ave Ste 100, S.D. CA 92101
	7. PHONE/FAX/E-mail 619 481-3830

GPA
MASTER/SP.PLAN
ZONE CH.
TENT. MAP
PAR. MAP
DEV. PL.
C.U.P.
VARIANCE
COASTAL
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*Demolition of one story office buildings.
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each with private two car garage*

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35. APPLICANT OR REPRESENTATIVE (Print): Michael Rota	36. DATE	37. OWNER (Print): Michael Rota	38. DATE
<i>[Signature]</i>		<i>[Signature]</i>	7-24-2013

• I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS.

• I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.

SCHEDULE "A"

The estate or interest in the land hereinafter described or referred to covered by this report is:

A Fee

Title to said estate or interest at the date hereof is vested in:

Michael John Rota, Trustee of the Michael John Rota Living Trust dated June 12, 1990

The land referred to in this report is situated in the County of San Diego, State of California, and is described as follows:

Parcel 1:

Lot A, Block 11, South Oceanside, in the City of Oceanside, County of San Diego, State of California, according to map thereof no. 622, filed in the office of the County recorder of San Diego County, February 7, 1890.

Also all that portion of the Southwesterly 15 feet of the unnamed street formerly Tremont Street, lying Northeasterly of and adjoining said lot, as vacated and closed to public use on July 12, 1928 by Resolution No. 479 of the City of Oceanside, a certified copy of said vacation having been filed on August 9, 1928 in book 1505, page(s) 249.

Parcel 2:

Lot B in Block 11 of South Oceanside, in the City of Oceanside, County of San Diego, State of California, according to map thereof no. 622, filed in the office of the County recorder of San Diego County, February 7, 1890.

Also all that portion of the Southwesterly 15 feet of the unnamed street formerly Tremont Street, lying Northeasterly of and adjoining said lot, as vacated and closed to public use on July 12, 1928 by Resolution No. 479 of the City of Oceanside, a certified copy of said vacation having been filed on August 9, 1928 in book 1505, page(s) 249.

Assessor's Parcel Number(s):

1: 153-262-22-00

1: 153-262-23-00

Legal Description

Parcel 1:

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RECEIVED

MAR 18 2014

CITY OF OCEANSIDE
DEVELOPMENT SERVICES

PROJECT DESCRIPTION AND BACKGROUND

The application is for a Tentative Map, Development Plan, Regular Coastal Permit, Local Coastal Plan Amendment and Density Bonus for a ten unit townhome project on a 40 site. This property consists of two separate 8,700-square foot parcels. The subject property is located at 301 Cassidy Street on the south-east corner of Cassidy Street and Broadway in South Oceanside and borders an alley to the east.. The property is a result of a recordation of map performed in 1928. An existing underutilized 3,650-square foot commercial office building with associated parking is located over on the site.

The site was originally developed as an Auto Club for Southern California and was later used by several different office uses throughout the years. The existing commercial office building does not hold any historical significance as per the National Registry of Historical Places; therefore, the project is only subject to photo documentation prior to demolition.

The site is one hundred percent disturbed. It fronts on both Cassidy Street and Broadway. One driveway apron exists at the western street frontage of the site and alley access at the east property line. The site is relatively flat with a slight one to three-foot elevation difference sloping down from east to west.

Surrounding land uses include multi-family apartments to the north and south and single-family developments to the east. Rail road tracks are located to the west of the project site.

The General Plan designation is MDC-R. The land use designation in the LCP is Medium Density Residential and the zoning classification is RM-C (Medium Density Residential Zone) The property is surrounded by R-3 properties. This property is within the South Oceanside Neighborhood and its development requires a Regular Coastal Permit based on its location. The property is not within the "appeal jurisdiction" of the Coastal Zone; under the certified Local Coastal Program (LCP), any action by the City on this proposed coastal development permit may not be appealed to the California Coastal Commission.

Improvements

As the site consists of parcels that have been developed in the past, the grading is minimal. All of the existing improvements will be removed and the site will be graded such that its high point will be along the eastern property line adjacent to the alley and the low point on the western boundary. There are 10 yards of cut and 510 yards of fill required.

The site will drain east to west. Drainage will be handled with a combination of surface flow and drain pipes. The storm water will be run through a bio-retention swale in the northwest corner of the property to be treated per LID standards prior to leaving the site. Since the project will decrease the impervious area over the site from existing conditions, there will be a decrease in storm water flowing off of the property.

Sewer will be provided from a private main down the drive aisle for the project that connects

to an existing sewer main in the alley. Water will be provided with lateral connections from existing mains in Cassidy and the alley.

There will be a new road base and paving along the Broadway Street frontage as well as new base, paving and ribbon gutter along the alley project frontage. The handicap ramps at Broadway and Cassidy and Cassidy and the alley will be replaced. The sidewalk at the Broadway frontage will be replaced.

The above ground power lines in the alley will be underground as will all new service to the units.

Site Plan

The proposed plans call for 10 units in three buildings. The product will range in from 1,162 to 1,673 square feet.

PLAN	SQUARE				ROOF			NO. UNITS
	FOOTAGE	BEDROOMS	BATHS	DECK	DECK	PATIO	Garage	
1	1,162	2	2.5	N/A	N/A	150 S.F.	425	2
2	1,517	3	3	118 S.F.	N/A	N/A	410	1
3	1,646	3	3	130 S.F.	125 S.F.	N/A	410	5
4	1,673	3	3	130 S.F.	143 S.F.	N/A	412	2

Each unit has distinct private outdoor living spaces with a minimum area of 118 square feet. This is in addition to the 1,625 square foot of common landscape open space not included in the setbacks.

The buildings are pulled back from the corner of Cassidy and Broadway and there is a 19.5 foot opening at this location in order to produce open space and a break in the massing at the intersection.

Each unit will have a two car enclosed garage. The parking for eight of the units will be accessed from a motor court off of the existing alley to the east. Two of the units will have garage access directly off of the alley.

One four-plex building will front along Cassidy Street. The other four-plex building will have two units fronting on Broadway and two units fronting onto interior opens space along the south property line. There will be a duplex which fronts onto the interior open space element.

For those units not fronting on Cassidy or Broadway, pedestrian access to the project will be provided via a walkway between Building One and Building Two off of Cassidy. There will be an internal walkway off of the drive aisle that will provide access to the duplex units and Unit 7 and 8.

Each unit will have space for trash and recycling in the garage.

Landscaping

The Conceptual Landscape Plan details the planting and irrigation plan for project site as well as for the project frontage along Broadway and Cassidy. The CLP shows a combination of groundcover, shrubbery, and tree species consistent with the City's Landscape Design Manual and approved street tree list.

The project provides 6,538 square feet of landscaped open space including the setback areas or 37 percent of the site. The open space area in the northwest corner of the site is designed to act as a private gathering area for the residences. The landscaping is designed to work with the clean contemporary feel of the architecture.

The right of way along Cassidy and Broadway will be re-designed with landscaping immediately behind the curb in order to conform to adjacent right of way. This shall consist of turf and shade trees. The existing palms are to be protected in place and the missing one replaced.

The setback area on the southern property line will be planted with shrubs along the existing wall which will provide screening for the adjacent property.

The spaces between the garages will be planted with ground cover and a trellis with flowering vines.

Architecture

The buildings are designed in a contemporary coastal style. This style combines contemporary elements such a flat roofs and galvanized metal awnings and detailing with traditional materials such a wood siding and gabled roof entries.

Each building has significant levels of articulation due to offsetting planes and architectural elements. Third story balconies along Cassidy and Broadway increase this articulation. The balconies provide additional architectural details by introducing both glass and wrought iron elements.

The introduction of courtyard walls and gates on the ground level continues the theme of offsetting planes and different materials.

Landscape and entry lighting will add accents to the overall theme and soften the buildings.

Project Approval Components:

The project application is comprised of four components: a Tentative Map, Development Plan, Regular Coastal Permit and a Local Coastal Plan Amendment.

Tentative Map

To merge two individual parcels into one 17,400-square foot lot and subdivide/develop

a ten-unit residential condominium pursuant to Article VI of the Subdivision Ordinance of the City of Oceanside.

Development Plan

To develop a ten-unit residential condominium in three buildings with a combined size (including garages) of 19,552 square feet. Each building would be three stories and the units would range in sizes from 1,162 square-feet to 1,673 square-feet. All of the ten condominium units would consist have private two-car garages. One handicap guest parking stall shall be provided. The condominium building will include a common motor court and two separate shared open space areas. The building is designed in contemporary style architecture.

Regular Coastal Permit

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

Local Coastal Plan Amendment

The LCP amendment is a cleanup of an action taken in 2005. When the property was rezoned in 2005, the LCP designation was inadvertently change to Medium Density Residential with a maximum density of 15 units to the acre while at the same time the zoning was changed to RM-C with a maximum density of 20.9 units to the acre. The staff report from the 2005 action clearly intended the LCP designation to allow for up to 20 units to the acre. All of the adjacent properties have an R-3 zone with a High Density Residential LCP. The amendment will correct this discrepancy.

Density Bonus

Per Sections 65915 through 65918 of the California Civil Code, the project proposes to increase the density of the project by twenty percent in exchange for providing ten percent (or one Unit) as low income affordable.

Under the RM-C zoning, the project is allowed one unit per 2,000 square feet of site area. The site is 17,400 square feet allowing 8.7 Units. A twenty percent bonus increases that to 10.4 Units. The project proposes 10 units. Ten percent of that is one unit as affordable.

As part of the Density Bonus law, a project is allowed a number of concessions on development standards depending on the amount of affordable provided. For ten percent, one concession is allowed. The project is proposing as its concession an increase in the height limit from 27 feet to 34.5 feet. It is important to note that the site is the only property in the area zoned RM-C and is surrounded by properties zoned R3 which allows a 35 foot maximum height.

Zoning Ordinance Conformance

Setbacks

Front Yard (for project west of the I-5)	15 feet required	15 feet provided
Interior Side Yard	5 to 10 required	5-10 minimum provided
Corner Side Yard	10 required	10 minimum provided
Rear on Alley	5 required	5 provided

Lot Size

7,500 square feet required	17,400 provided
----------------------------	-----------------

Lot Width

60 feet required	119.97 feet provided
------------------	----------------------

Open Space

300 square feet per unit required	410 square feet per unit provided
150 square feet per unit of common space required)	162 square feet per unit provided

Parking

One space required	One space provided
--------------------	--------------------

General Criteria

GP

The General Plan designation on the subject property is MDC-R allowing up to 20.9 dwelling units per gross acre and the proposed project density is 20.9 dwelling units per acre before applying the Density Bonus.

Location

The site fronts along Cassidy Street. Cassidy Street provides direct access to Coast Highway which is a Major Street.

Need

The project will provide modern pedestrian oriented housing in the coastal area of Oceanside as well as provide affordable housing.

Public Services

The site is in close proximity to schools, libraries, a fire department and the police department. In addition, there are numerous stores and marketplace services near the site.

Utilities and Service Conformance

As an in fill project, the site is surround by existing utilities and public services and requires no offsite improvements.

Neighborhood Compatibility

The surrounding area consists of a mixture of single and multi-family residential housing. The developments immediately adjacent to the south and north are high density multi story apartments. The block in which the site is on consist primarily of multi-story high density residential. The proposed housing product type is consistent and compatible with the development pattern within the surrounding neighborhood; in terms of building massing and land use.

Local Costal Program Conformance

The project is will be High Density Residential. This allows 20 units to the acre. The project is 20 units to the acre prior to apply the Density Bonus provision. The project is not located in the Appeal Jurisdiction Area of the *Post LCP Certification Permit and Appeal Jurisdiction Map*. The proposed Tentative Map conforms to the policies of the Local Coastal Program. The Local Coastal Program contains policies that require development to maintain the character of the existing neighborhood.

Coastal Access (1.CI): Adequate access to and along the coast shall be provide and maintained.

Vehicles and Pedestrians can access the coast at Cassidy, immediately adjacent to the property. The proposed project would in no way impede pedestrian or vehicular access to the coast. For residents and visitors accessing the coast from points eastward of the subject property, the proposed project would contribute to a safer and more visually appealing pedestrian experience,

as it would implement new sidewalk, an ADA compliant ramp, and additional landscape in the parkways along Broadway Street and Cassidy.

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

The proposed project would provide on-site parking consistent with applicable parking standards. Each condominium unit would include a two-car garage directly accessible from the interior of the unit. Additionally, the proposed project would provide one ADA compliant handicapped-accessible parking space at the northwest corner of the subject property. The handicapped-accessible space would be available to both residents and guests of the condominium complex. All on-site parking would be accessed from the existing alley. All existing on-street parking resources along the frontage of the subject property would thus be preserved.

Water and Marine Resources: (III.C1): The City shall seek to minimize risks to life and property in areas of high geologic and flood hazards.

The subject property is not located in an area of high geologic or flood hazard. Situated more than 500 feet from the mean high tide line and more than 37 feet above mean sea level, the property does not rest on or near a coastal bluff, nor does it exhibit slopes in excess of 20 percent. The property does not lie in close proximity of the San Luis Rey River, Lorna Alta Creek, or Buena Vista Lagoon.

Environmental Sensitive Habitat Areas (V.A): The Coastal Act requires that environmentally sensitive habitat areas be protected against significant disruption. Development adjacent to such areas shall be sited and designed to prevent adverse environmental impacts.

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

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

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

The properties to the south and north are multi story high density apartments. The complex to the south is of 1970's construction. There several three story residential buildings on the same block to the south. All of the properties immediately adjacent except one with OP zoning are zoned R-3 and High Density Residential. Many are underutilized based on this zoning.

The proposed project maintains a minimum ten foot setback on the sides and a minimum 15 foot setback from the front on Broadway. The break in the buildings at the corner of Broadway and Cassidy accentuates the side and front setback at this corner.

The bulk and scale of the proposed project would be substantially mitigated by highly articulated facades, gabled roof elements, open balcony railings, an array of finish materials, and a varied paint scheme. The building would be further softened by dense, layered landscape, both on the subject property and within the adjacent parkways on both Broadway and Cassidy Avenue.

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

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

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

The proposed project constitutes in-fill development within a highly urbanized area.

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

Essential public services are available to serve the proposed project.



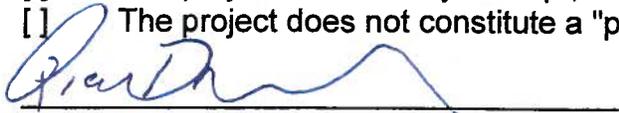
NOTICE OF EXEMPTION
City of Oceanside, California

Post Date:
(180 days)

- 1. **APPLICANT:** 301 Cassidy Ten, LLC.
- 2. **ADDRESS:** 1818 1st Avenue San Diego, CA. 92101
- 3. **APPLICANT REP/PHONE NUMBER:** Geoff McComic, (619) 481-3830
- 4. **LEAD AGENCY:** City of Oceanside
- 5. **PROJECT PLANNER:** Richard Greenbauer, Senior Planner
- 6. **PROJECT TITLE:** Beachwalk @ Cassidy: Tentative Map (T13-00005), Development Plan (D13-00009), Regular Coastal Permit (D13-00019), and a Request for Density Bonus
- 7. **DESCRIPTION:** The applicant request approval to demo an existing 3,650-square-foot commercial office building, merge two 8,700-square-foot parcels into one 17,340-square-foot lot, and construct a 10-unit Condominium project within three freestanding buildings. The proposed site layout would be configured in a manner that provides access to the 10 units through an internal drive court located directly off of the alley on the east side of the property. As part of the overall project, the applicant is requesting a density bonus in conformance with State Law in order to exceed maximum density and allow the construction of 10 units. The site is zoned Residential Medium Density – C (RM-C), has a General Plan Land Use Designation of Medium Density – C Residential (MDC-R), and is located within the South Oceanside Planning Neighborhood.

ADMINISTRATIVE DETERMINATION: Planning Department staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on this review, the Environmental Coordinator has determined that further environmental evaluation is not required because the proposed project constitutes in-fill development of property in an urbanized area that is under five acres, is consistent with the applicable zoning and general plan designation, that has no value as habitat, can be adequately served through existing utilities and public services, and that would not result in any significant effects relating to traffic, noise, air quality or water quality; therefore:

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


Richard Greenbauer, Senior Planner

Date: June 9, 2014