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DATE: October 15, 2014

TO: Chairperson and Members of the Community Development Commission

FROM: Development Services Department

SUBJECT: **ADOPTION OF RESOLUTIONS CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT, APPROVING TENTATIVE MAP, DEVELOPMENT PLAN, REGULAR COASTAL PERMIT, VARIANCE AND CONDITIONAL USE PERMITS FOR THE CONSTRUCTION OF A 52-UNIT RESIDENTIAL CONDOMINIUM AND MIXED-USE DEVELOPMENT LOCATED ON COSTA PACIFICA WAY, WEST OF NORTH COAST HIGHWAY – SEACLIFF TERRACE – APPLICANT: CH OCEANSIDE, LLC**

### **SYNOPSIS**

Staff and the Downtown Advisory Committee recommend that the Community Development Commission (CDC) adopt a resolution certifying a Final Environmental Impact Report (FEIR) with the associated Findings of Fact and the Mitigation Monitoring and Reporting Program; and adopt a resolution approving Tentative Map (RT13-00001), Development Plan (RD13-00001), Regular Coastal Permit (RRP13-00001, Variance (RV13-00001), and Conditional Use Permits (RCUP13-00001, RCUP13-00002) for the construction of a 52-unit residential condominium and mixed-use development located on Costa Pacifica Way, west of North Coast Highway.

### **BACKGROUND**

The project site is located on a 1.67-acre vacant lot west of a commercial area along North Coast Highway, between Neptune Way and Riverside Drive. It is adjacent to an approved, but not yet constructed hotel and condominium project that would replace the existing Rodeway Inn and Flying Bridge Restaurant to the north. Nearby development includes the Carrow's Restaurant on North Coast Highway and the Seacliff Condominium development (previously known as Renaissance Terrace) at the western terminus of Costa Pacifica Way.

**Land Use and Zoning:** The property is located within Subdistrict 7B of the Downtown District. The Local Coastal Plan (LCP) designates the site for Coastal Dependent, Recreation, and Visitor-Serving Commercial. The Downtown Zoning Ordinance states that Subdistrict 7B is intended to provide for a mix of recreational and commercial uses conveniently located near recreational and residential areas. Residential uses are allowed as part of a mixed-use development.

**Project Description:** The project developer, CH Oceanside, LLC, proposes to develop the site with a mixed-use development consisting of 52 condominium units and 1,028 square feet of ground floor commercial/retail space. The proposed building would be four stories over a two-level underground parking garage. There would be 117 parking spaces for resident, customer and public use. The project application consists of five entitlement components as described below:

Tentative Map: The project site consists of two parcels. The proposed tentative map would be for condominium purposes to create the retail and 52 residential condominium units. There will be a net grading export of 19,246 cubic yards to accommodate the underground parking garage.

Development Plan: The project is proposed as a mixed-use Development Plan incorporating retail space, residential condominium uses, and a public recreational viewing deck, public retail patio space adjacent to the retail uses fronting the coastal access path, with associated landscaped open space, underground parking and ancillary amenities. There would also be a new fire access off Costa Pacific Way running along the east side of the building as required by the Fire Department.

The ground floor retail spaces and lobby entry to the residential units are located adjacent to the existing Costa Pacifica Way. The two retail units are 463 square feet and 565 square feet in size, suitable for small service-oriented or visitor-uses such as eateries, coffee stands, flower stands, recreational rentals such as bikes and surfboards or other approved Downtown District, Subdistrict 7(B) uses.

The architectural design is contemporary and this theme is carried into the upper stories, with elements similar to the Seacliff Condominiums west of the site, providing continuity of scale, color and form with this adjacent use. All of the residential units will be single-story and arranged in a "stacked flat" configuration.

Regular Coastal Permit: This project is located within the Coastal Zone and requires a Regular Coastal Permit. The LCP land use map designates the project site as Coastal Dependent, Recreation, and Visitor-Serving Commercial while the LCP zoning map designates the site as "D" referring to the Downtown Zoning Ordinance. The project is not located in the Coastal Commission appeal area and therefore, the decision of the Community Development Commission is final.

Variance: The proposed project includes a variance request for standard (non-plantable) retaining walls over 6 feet in height in three areas located on the east side of Costa Pacifica Way, and is needed to accommodate utilities within an existing, sloped landscape area. The maximum height of the proposed retaining walls would be 12.6 feet.

Conditional Use Permits: This project requires the approval of two Conditional Use Permits (CUPs). The D District zoning regulations permit multi-family residential uses

with approval of a CUP. The second CUP is needed to allow the building to exceed the base building height from 45 feet to 65 feet.

## **ENVIRONMENTAL DETERMINATION**

Pursuant to the California Environmental Quality Act (CEQA), the City of Oceanside acting as Lead Agency caused to be prepared an Environmental Impact Report (EIR) for the proposed project. The EIR identifies potentially significant impacts relative to biological resources, cultural resources, geology/soils, and noise as well as mitigation measures designed to reduce these impacts to less-than-significant levels. A summary of these and other environmental factors potentially affected and appropriate mitigation measures are contained within the Mitigation, Monitoring, and Reporting Program (MMRP) included as part of the Final EIR and are attached to the resolution certifying the Final EIR.

The Draft EIR was circulated to the State Clearinghouse, local agencies and interested parties from June 13 to August 4, 2014. Comments were received and responses to those comments and any changes to the EIR text are in the Final EIR. On the basis of the entire record, staff finds that there is no substantial evidence that the project, with implementation of the mitigation measures as outlined in the MMRP, will have a significant impact on the environment.

## **ANALYSIS**

Staff's analysis focused on the compatibility of the project with existing development patterns of the area, and the project's consistency with the Redevelopment Plan, the Downtown Zoning Ordinance and the Local Coastal Program (LCP).

Redevelopment Plan: Downtown Zoning Ordinance Article 12 requires that the CDC make findings that projects within the Downtown Area (former Redevelopment Area) are consistent with the Redevelopment Plan. Although the Redevelopment Agency was dissolved by state legislation in 2011 and the Redevelopment Plan is therefore no longer applicable, the Downtown Zoning Ordinance has not been amended and still governs the development standards for the Downtown district. Section 301 of the Redevelopment Plan states that the Redevelopment Agency proposes to eliminate and prevent the spread of blight, and deterioration by redevelopment of land through private enterprises. The proposed project is consistent with the Redevelopment Plan in that it develops unsightly vacant property by providing new residential and commercial uses which would increase the property tax base, and the aesthetics of the neighborhood.

Downtown Zoning Ordinance: Staff has concluded that the proposed project conforms to all applicable development standards of the Downtown Zoning Ordinance in that it meets all of the applicable development standards as indicated in the analysis in Exhibit 5.

Local Coastal Program and General Plan: Table IV.1.2 on pages IV.1.10-26 of the FEIR is an analysis of applicable LCP and General Plan policies, objectives and findings. Upon review and analysis, staff has determined that the project is consistent with all applicable LCP goals, policies and findings.

**COMMISSION OR COMMITTEE REPORTS**

On October 8, 2014, the Downtown Advisory Committee (DAC) reviewed this project and voted unanimously to recommend that the Community Development Commission approve the project.

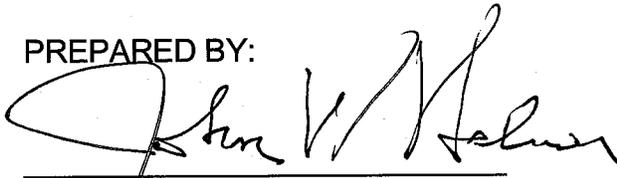
**CITY ATTORNEY'S ANALYSIS**

Pursuant to Oceanside Downtown Zoning Ordinance Article 12, and the City of Oceanside Local Coastal Program Land Use Plan, the Community Development Commission is authorized to hold a public hearing and consider the evidence presented at the public hearing. After conducting the public hearing, the Commission shall approve, conditionally approve, or deny the project. The resolution has been reviewed and approved as to form by the City Attorney.

**RECOMMENDATION**

Staff and the Downtown Advisory Committee recommend that the Community Development adopt a resolution certifying a Final Environmental Impact Report (FEIR) with the associated Findings of Fact and the Mitigation Monitoring and Reporting Program; and adopt a resolution approving Tentative Map (RT13-00001), Development Plan (RD13-00001), Regular Coastal Permit (RRP13-00001, Variance (RV13-00001), and Conditional Use Permits (RCUP13-00001, RCUP13-00002) for the construction of a 52-unit residential condominium and mixed-use development located on Costa Pacifica Way, west of North Coast Highway.

PREPARED BY:



John Helmer  
Contract Planner

SUBMITTED BY:



Steven R. Jepsen  
Executive Director

REVIEWED BY:

Michelle Skaggs Lawrence, Assistant City Manager  
Marisa Lundstedt, City Planner



**EXHIBITS/ATTACHMENTS**

1. Exhibit 1 – Analysis of Zoning Ordinance Compliance
2. Resolution Certifying the Final Environmental Impact Report (FEIR)
3. Resolution Approving the Entitlements
4. Description & Justification / Site Plan / Section / Elevations
5. Final Environmental Impact Report (FEIR) is available online at <http://www.ci.oceanside.ca.us/gov/dev/planning/agendas.asp>

## EXHIBIT 1

**Analysis of Zoning Ordinance Compliance - Seacliff Terrace**Zoning Development Standards

A summary of compliance with Downtown Zoning Ordinance Article 12 development standards is provided below. Each of the component areas of the Mixed-Use Development Plan are noted separately, along with the overall totals, to demonstrate compliance with the mixed-use development standards established in the Downtown Zoning Ordinance.

<b>DEVELOPMENT STANDARD</b>	<b>MINIMUM REQUIRED</b>	<b>PROPOSED</b>
<b>Lot Size (sf)</b>	Commercial – 10,000sf Residential–5,000sf	66,792 sf
<b>Setbacks</b>	<u>Commercial</u> <u>Residential</u>	
Front	5 feet      10 feet	20 ft. comm./res.
Side	0 feet      10 feet	10 ft.
Rear	0 feet      5 feet	10 ft.
<b>Density</b>	43 units/acre max	31.1 units/acre
<b>Floor Area Ratio (FAR)</b>	3.0 (max)	2.2
<b>Lot Coverage</b>	35%	34.9% (Parcel 1) 32.1% (Gross)
<b>Parking</b>	Residential - 104 Retail/Visitor - 10 Total - 114	Residential -105 Retail/Visitor - 12 Total -117
<b>Building Height</b>	65 feet (max with CUP)	56.4 feet - main building 62.0 feet - stair tower only
<b>Site Landscaping</b>	15 %(commercial standard) 25% (residential standard)	33% (entire site)

Open space for the residential units includes private balconies and patios (9,396 square feet), and common area in the courtyard and sideyard areas (5,154 square feet) and exceeds the minimum requirements for open space.

Conditional Use Permits

This project requires the approval of two Conditional Use Permits (CUPs). The D District zoning regulations permit multi-family residential uses with approval of a CUP. This allows the City to exercise appropriate controls over the project through conditions of approval to insure it continues to operate as intended.

The Community Development Commission may approve an application for a use permit as it was applied for or in modified form as required by the CDC, on the basis of the

application, plans, materials, and testimony submitted, if the following findings are made:

1. That the proposed location of the use is in accord with the objectives of this ordinance and the purposes of the district in which the site is located.
2. That the proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.
3. That the proposed conditional use will comply with the provisions of this ordinance, including any specific condition required for the proposed conditional use in the district in which it would be located.

Staff has reviewed the proposed project and has determined that as conditioned, these findings can be met. It is consistent with the permitted uses in this Subdistrict and as demonstrated on the table above, it complies with all applicable development standards.

The second CUP is needed to exceed the base building height. Subdistrict 7B allows the maximum height limit to be increased from 45 feet to 65 feet upon approval of a CUP and where the following criteria have been met:

- Architectural elevations shall vary in height;
- The development footprint does not exceed 35 percent;
- Roof lines vary in pitch for visual relief; and
- The maximum achievable elevation does not extend for the entire roof line of the given building.

The proposed project was evaluated to demonstrate that it would comply with the CUP criteria needed to increase the building height from 45 feet to 65 feet. The development footprint is 32.1 percent of the gross site acreage. The building elevations vary in total height between 41 feet and 56.4 feet measured from existing grade. The stair tower projection at the parking garage extends to 62.0 feet. The parapet height itself varies by 10 feet across the different roof elements, which include towers, and curved metal-roofed sections. The proposed architecture utilizes various vertical and horizontal planes with offsets, height differentiations and other architectural treatments that provide visual interest and relief along the building elevations. Therefore, staff believes that the project complies with all CUP criteria needed to increase the height limit.

### Variance

The proposed project includes a variance request for three standard (non-plantable) retaining walls that exceeds the 6 foot height standard in the zoning ordinance. The

Community Development Commission may approve an application for a variance, if the following findings are made:

1. That because of special circumstances or conditions applicable to the development site -- including size, shape, topography, location or surroundings -- strict application of the requirements of this ordinance deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification;
2. That granting the application will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare; and
3. That granting the application is consistent with the purposes of this ordinance and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district.

Staff supports the variance to increase the height of the three non-plantable retaining walls from 6 feet to a maximum of 12.6 feet for the following reasons: 1) these walls would only be visible from Costa Pacifica Way, and would not be visible from any public street; 2) the 11.9-12.6 foot tall retaining wall located along the north side of Costa Pacifica is needed to accommodate utility infrastructure within an existing, sloped landscaped area; 3) the 2.9 to 9.2 foot tall retaining wall along the eastern property line and wrapping at Costa Pacifica is necessary to provide necessary garage and adequate width for fire vehicle access; and 4) the retaining wall at the western property line with a maximum height of 6.6 feet is needed to retain the existing slopes and to provide for Fire Department personnel and fire hose pull access. The findings supporting this variance are contained in the resolution attached to this staff report.



1 The FEIR, MMRP, and Findings of Fact for the project have been determined to be  
2 accurate and adequate documents, reflecting the independent judgment of the  
3 Commission.

4 NOW, THEREFORE, the Commission resolves as follows:

5 1. The Commission certifies the FEIR for Seacliff Terrace, a copy of which is  
6 on file with the Office of the City Clerk.

7 2. Pursuant to Public Resources Code Section 21081.6 the Commission adopts  
8 the MMRP attached as Exhibit A and finds and determines that said program is designed  
9 to ensure compliance with the mitigation measures throughout the implementation of the  
10 project.

11 3. Pursuant to Public Resources Code Section 21081, the Commission hereby  
12 adopt the Findings of Fact attached as Exhibit B.

13 4. Notice is HEREBY GIVEN that the time within which judicial review  
14 must be sought on this decision is governed by Public Resources Code Section  
15 21167(c).  
16

17 PASSED and ADOPTED by the Community Development Commission of the  
18 City of Oceanside, California this 15<sup>th</sup> day of October 2014, by the following vote:

19 AYES:

20 NAYES:

21 ABSENT:

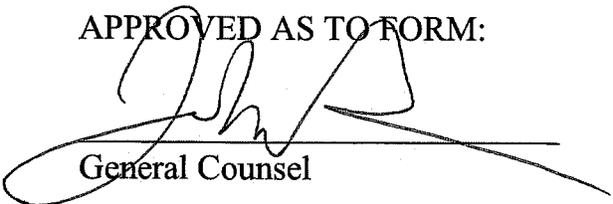
22 ABSTAIN:  
23  
24

25 \_\_\_\_\_  
Chairman of the CDC

26  
27 ATTEST:

APPROVED AS TO FORM:

28 \_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
General Counsel

**EXHIBIT "A"**

**MITIGATION, MONITORING AND  
REPORTING PROGRAM**

*for the*

**SEACLIFF TERRACE  
MIXED USE DEVELOPMENT PROJECT  
FINAL ENVIRONMENTAL IMPACT REPORT  
SCH # 2013091054**

**PROJECT REFERENCES; RT 13-00001, RD 13-00001,  
RRP 13-00001, RV 13-00001, RCUP 13-00001  
AND RCUP 13-00002**

*Prepared for:*

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

*Prepared by:*

**Affinis  
810 Jamacha Road  
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**August, 2014**

**SEACLIFF TERRACE MIXED USE PROJECT  
MITIGATION, MONITORING AND REPORTING PROGRAM**

BIOLOGICAL RESOURCES			
MITIGATION MEASURES			
MITIGATION MEASURES	TYPE	MONITOR	SCHEDULE
<p><b>B-MM1.</b> Prior to issuance of a grading permit, impacts to 0.8 acres of disturbed annual grassland shall be mitigated at a 0.5:1 ratio (0.4 acre) as follows:</p> <p>The applicant shall acquire 0.4 acre of annual grassland or up-tier habitat within the WCPZ or a Pre-Approved Mitigation Area within the City of Oceanside. Up-tiering of mitigation will be considered on a case-by case basis and must be approved by both the City and Wildlife Agencies.</p> <p>The applicant shall also provide requisite funding for the long-term maintenance and preservation of the off-site mitigation land, subject to approval by the City.</p> <p>The applicant shall also be required to provide copies of the Regular Coast Permit and permit(s) from the Regional Water Quality Control Board.</p>	CM	Planning Division and Engineering Division	Prior to issuance of grading permit

CM = Construction mitigation

## CULTURAL RESOURCES

### MITIGATION MEASURES

**C-MM1.** Due to the potential for encountering subsurface cultural resources, an archaeological and Native American monitoring program shall be conducted for the project; the monitoring program shall apply to the entire project site. Specifically, the program should consist of the following:

- Prior to implementation of the monitoring, a pre-excavation agreement shall be developed between the appropriate Luiseño Band(s), the applicant, and the City of Oceanside.
- The qualified archaeologist and the Native American representative shall attend the pre-grading meeting with the contractors to explain the requirements of the program.
- An archaeologist and a Native American monitor shall be on-site to observe all ground-disturbing activities in soils, including fill, that have a potential for yielding cultural material (monitoring would not be required in subsoil or formational soils, in which cultural material would not occur).
- If intact archaeological artifact deposits or cultural features are discovered, grading activities shall be temporarily directed away from these deposits to allow documentation and assessment of the resources.
- The San Luis Rey Band of Mission Indians (the Tribe) must be consulted if a significant cultural resource and/or unique archaeological resource is discovered during ground-disturbing activities.
- If suspected human remains and/or associated grave goods are unearthed during the project, the suspected human remains and/or associated grave goods must remain in situ and any examination of the remains occur on-site by a forensic anthropologist or osteologist.
- If any human remains are discovered, the County Coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the NAHC, shall be contacted by the NAHC in order to determine proper treatment and disposition of the remains.

TYPE	MONITOR	SCHEDULE
CM	Engineering Division	During construction and grading
CM	Engineering Division	Prior to issuance of grading permit
CM	Engineering Division	Prior to issuance of grading permit
CM	Engineering Division	During construction and grading
CM	Engineering Division	Prior to release of grading bond

<ul style="list-style-type: none"> <li>Recovered artifactual materials shall be cataloged and analyzed.</li> <li>A report shall be completed describing the methods and results of the monitoring program.</li> </ul> <p>Artifacts shall be curated with accompanying catalog to current professional repository standards or the collection will be repatriated to the Luiseño Band(s), as specified in the pre-excavation agreement.</p> <ul style="list-style-type: none"> <li></li> <li></li> </ul>			
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**PALEONTOLOGICAL RESOURCES**

**MITIGATION MEASURES**

**PAL-MM1.** Prior to issuance of grading permits, the applicant shall provide a letter of verification to the City of Oceanside's Planning Division that a qualified paleontologist has been retained to carry out the mitigation/monitoring program. All persons involved in paleontological resources monitoring shall be approved by the Planning Division prior to start of monitoring. The paleontologist shall attend pre-grade meetings to consult with grading and excavation contractors.

**PAL-MM2.** The paleontologist or paleontological monitor shall be on site full-time during the initial cutting of Paralic (Terrace) Deposits and San Onofre Breccia. Monitoring may be increased or decreased at the discretion of the qualified paleontologist, in consultation with the Planning Division; such increases or decreases will depend on the rate of excavation, materials excavated, and abundance of fossils.

**PAL-MM3.** When requested by the paleontologist, the City Engineer shall direct that construction activities in the area of fossil discovery shall be diverted, directed, or temporarily halted to allow the recovery of fossil remains. The paleontologist shall immediately notify the Planning Division of such finding at the time of discovery. The Planning Division shall approve salvage procedures to be performed before construction activities are allowed to resume.

**PAL-MM4.** Prepared fossils along with copies of all pertinent field notes, photos, and maps shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed and distributed to the City and other interested agencies which outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

The requirement for paleontological monitoring shall be noted on the grading plan. Prior to the release of the grading bond, the final report noted in MM-PAL-4 shall be approved by the Planning Division.

TYPE	MONITOR	SCHEDULE
CM	Engineering Division	Prior to issuance of grading permit
CM	Engineering Division	During construction and grading
CM	Engineering Division	During construction and grading
CM	Engineering Division	Prior to release of grading bond

**GEOLOGY / SOILS**

MITIGATION MEASURES		TYPE	MONITOR	SCHEDULE
<p><b>GE-MM1.</b> Final plans should be reviewed to determine if corrosive soils occur in areas where metal elements would be built, and if so, a corrosion engineer shall be consulted for detailed corrosion mitigation measures.</p>		CM	Engineering Division	Prior to grading and construction
<p><b>GE-MM2.</b> Temporary shoring of vertical excavations shall follow the recommendations of the geotechnical engineer, including the use of either a cantilever or braced shoring system with cast-in-place soldier piles and sheeting or wood lagging as needed. Sloped excavations should be observed by the geotechnical consultant during excavation. Settlement monitoring of adjacent settlement sensitive structures should be considered to evaluate the performance of the shoring.</p>		CM	Engineering Division	During grading and construction

**NOISE**

MITIGATION MEASURES		TYPE	MONITOR	SCHEDULE
<p><b>N-MM1.</b> A final noise study must be prepared to identify the measures needed to achieve interior noise levels of 45 dBA CNEL or less, and shall be based upon the final architectural building plans showing the room dimensions as well as window, door and wall details.</p>		CM	Planning Division	Prior to issuance of building permit

**EXHIBIT "B"**

**FINDINGS OF FACT**

*for the*

**SEACLIFF TERRACE**

**MIXED USE DEVELOPMENT PROJECT**

**RT 13-00001, RD 13-00001, RRP 13-00001,  
RV 13-00001, RCUP 13-00001 and RCUP 13-00002  
SCH # 2013091054**

*Prepared for:*

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**August, 2014**

## TABLE OF CONTENTS

INTRODUCTION	1
1.0 PROJECT DESCRIPTION	3
1.1 Project Location	3
1.2 Project Components	3
1.3 Project Objectives	5
2.0 ENVIRONMENTAL PROCESS	7
2.1 Lead Agency and Responsible Agencies	7
2.2 Environmental Impact Report	7
2.2.1 Draft EIR	7
2.2.2. Final EIR	
2.3 Public Participation	7
2.4 Record of Proceedings	8
3.0 FINDINGS PURSUANT TO CEQA	9
3.1 Purpose	9
3.2 Terminology	9
3.3 Legal Effect	9
3.4 Mitigation Monitoring and Reporting Program	10
4.0 FINDINGS REGARDING SIGNIFICANT DIRECT IMPACTS MITIGATED TO LESS THAN SIGNIFICANT	11
4.1 Biological Resources	11
4.2 Cultural and Paleontological Resources	11
4.3 Geology/Soils	13
4.4 Noise	14

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## **ACRONYMS AND ABBREVIATIONS**

ADA	Americans with Disabilities Act
CEQA	California Environmental Quality Act
CNEL	Community Noise Exposure Level
CUP	Conditional Use Permit
CZ	Coastal Zone
dBA	A-Weighted Sound Pressure Level
DEIR	Draft Environmental Impact Report
EIR	Environmental Impact Report
FEIR	Final Environmental Impact Report
LCP	Local Coastal Program
MM	Mitigation Measure
MMRP	Mitigation, Monitoring, and Reporting Program
NAHC	Native American Heritage Commission
NOC	Notice of Completion
NOP	Notice of Preparation
RCP	Regular Coastal Permit
SAP	Subarea Plan
SCH	State Clearinghouse
TM	Tentative Map
V	Variance
ZO	Zoning Ordinance

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**FINDINGS OF FACT**  
*for the*  
**SEACLIFF TERRACE**  
**MIXED USE DEVELOPMENT PROJECT**  
**RT 13-00001, RD 13-00001, RRP 13-00001,**  
**RV 13-00001, RCUP 13-00001 and RCUP 13-00002**  
**SCH # 2013091054**

**INTRODUCTION**

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

The project is proposed as a Mixed-Use Development Plan to provide retail space, residential condominium uses, a public recreational viewing deck, and public retail patio space adjacent to the retail fronting the coastal access path, with associated landscaped open space, parking and ancillary amenities.

The proposed structure would be four stories over a two-level underground parking garage. The ground floor retail spaces and lobby entry to the residential units would be adjacent to the existing Costa Pacifica Way. Retail areas would total 1,028 square feet (sq ft) and would be designed and located to accommodate uses such as eateries, coffee stands, flower stands, recreational rentals such as bikes and surfboards or other authorized Downtown District D, Subdistrict 7(B) uses.

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

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

- A Mitigation, Monitoring, and Reporting Program
- The original DEIR, including the appendices

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

## **1.0 PROJECT DESCRIPTION**

### **1.1 Project Location**

The Seacliff Terrace property is within the City of Oceanside in northern San Diego County and is within Subdistrict 7B of the Downtown District. It includes two parcels (APNs 143-040-23 and -54), a vacant lot (1.53 acres) and a portion of Costa Pacifica Way (0.14 acre) which is paved and landscaped. The vacant lot is along the south side of Costa Pacifica Way, west of North Coast Highway and the Interstate-5 (I-5) interchange, and north of Sandy Court Drive. The project area is within Township 11 South, Range 5 West, Section 22, of the USGS 7.5' Oceanside quadrangle. It is within the Coastal Zone (CZ) as shown in the City of Oceanside's Final Subarea Plan (SAP) boundaries. The San Luis Rey River is approximately 220 feet to the northwest.

### **1.2 Project Components**

The project is proposing to construct a mixed use building on the currently vacant lot. The project application includes a Tentative Map (RT13-00001), Development Plan (RD13-00001), two Conditional Use Permits (RCUP13-00001 and RCUP13-00002), Regular Coastal Permit (RRP13-00001) and a Variance (RV13-00001).

#### *Tentative Map (TM)*

The project site consists of two legal parcels. The proposed TM would be for condominium purposes to create the retail and residential condominium units. The total amount of cut is estimated at 19,358 cubic yards while the amount of fill is estimated to be 112 cubic yards. There will be a net export of 19,246 cubic yards to accommodate the underground parking garage.

#### *Mixed Use Development Plan*

The proposed contemporary architectural design would be similar to the existing Seacliff Condos (previously called Renaissance Terrace) to the west, providing continuity of scale, color and form with this adjacent use. All of the residential units would be single level and arranged in a "stacked flat" configuration. A common interior courtyard would be provided at the podium level (the first floor of residential units), with a pedestrian pathway to access the first floor units. Access for the units located on levels 2-4 would be from elevators and stairways to a "catwalk" system of elevated walkways.

Each of the component areas of the proposed Mixed Use Plan are in compliance with the mixed-use development standards established for the site by the Downtown Zoning Ordinance (e.g., lot size and width, setbacks, density, floor area ratio, lot coverage, parking, building height, and landscaping).

Open space for the residential units would include private balconies and patios (9,396 sq ft), and common areas in the courtyard and side yard areas (5,154 sf). This total of 14,550 sq ft would exceed the minimum 10,400 square foot requirement for total open space. The front commercial and public areas adjacent to Costa Pacifica Way would provide an added site amenity, but are excluded from the open space total since they are more oriented towards public use.

### *Conditional Use Permits (CUPs)*

Land Use CUP. The D District regulations for Subdistrict 7B permit multi-family residential uses with approval of a Conditional Use Permit. This allows the City to exercise appropriate controls over the project through conditions of approval to insure it continues to operate as intended.

Height CUP. Subdistrict 7B allows the maximum height limit to be increased from 45 feet to 65 feet upon approval of a Conditional Use Permit and where the following criteria have been met:

- Architectural elevations shall vary in height
- The development footprint does not exceed 35%
- roof lines vary in pitch for visual relief
- The maximum achievable elevation does not extend for the entire roof line of the given building.

The project would comply with these standards for the increased height limit. The development footprint is 32.1% of the gross site area and 34.9% of parcel 1. The building elevations vary in total height between 44'7" and 56'4" measured from existing grade. The elevator/stair tower projection at the parking garage extends to 62' (allowed to be up to 75 feet under Z.O. Section 3018). The parapet height itself varies by 10 feet across the different roof elements, which include towers, and curved metal-roofed sections. The proposed architecture utilizes various vertical and horizontal planes with offsets, height differentiations and other architectural treatments to provide visual interest and relief along the building elevations.

### *Regular Coastal Permit (RCP)*

The project is within the Coastal Zone and requires a Regular Coastal Permit. As a coastal project, it has been evaluated for compliance with all applicable policies in the City's Local Coastal Program (LCP).

### *Variance*

The proposed project includes a variance request to increase the height for three standard (non-plantable) retaining walls over 6 feet in height to a maximum height of 12.6 feet, which are needed to accommodate existing topographic constraints on this infill site. The existing 11% grade of Costa Pacifica Way limits the location of the point of parking garage and Fire Department access to the project and further limits the design options for providing utilities for the site. The existing ADA accessible sidewalk

between Coast Highway and the residential area to the west, which is also a component of the public pedestrian/bicycle route onsite, needs to be retained, and those elevation constraints compound the difficulty of grading and locating the access driveway to the project.

### **1.3 Project Objectives**

The underlying purpose of the proposed project is to provide an integrated, residential and commercial mixed-use development, in a coastal setting that will be a valuable addition to the downtown area that is conveniently located to transportation, employment, shopping, and recreational and public use amenities of the area. The specific project objectives, as set forth by the project applicant are as follows:

- Develop 52 luxury residential condominium units and ground-level retail space in a mixed use building, near recreational areas, on a vacant infill property of approximately 1.67 acres within the City's Downtown District, Subdistrict 7B.
- Develop the site in conformance with the applicable policies and regulations of the Oceanside General Plan, Local Coastal Plan and Downtown Zoning Ordinance.
- Enhance the existing coastal access route through the property and provide a new community amenity in a way that provides public benefit within well-designed and connected recreational and residential spaces.
- Ensure that all public facilities and health and safety services are available to serve the project and meet or exceed applicable City standards and requirements prior to, or concurrent with, development.
- Implement a plan which is aesthetically compatible with and complementary to existing and designated future adjacent land uses.
- Add to the City's diverse inventory of housing by providing housing opportunities that are conveniently located to transportation, commercial amenities, recreational and public uses, to help meet the market demand for high quality housing and to meet the City's housing needs to support forecasted population growth as discussed in the City's General Plan.
- Achieve an environment reflecting a high level of concern for architecture, landscape, and urban design principles by developing of a high-quality, comprehensively-designed project.

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

above objectives when considering the feasibility of the alternatives analyzed in the FEIR.

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## **2.0 ENVIRONMENTAL PROCESS**

### **2.1 Lead Agency and Responsible Agencies**

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

### **2.2 Environmental Impact Report**

The FEIR was prepared as a project EIR. As noted above, discretionary actions associated with project implementation will require the approval of a Tentative Map, Development Plan, two Conditional Use Permits, Regular Coastal Permit, and a Variance.

#### **Draft EIR**

A Notice of Preparation (NOP) was circulated to the California Office of Planning and Research, responsible and trustee agencies, and other interested parties between August 27, 2013 and September 27, 2013. A Public Scoping Meeting was held on September 26, 2013. Written comments on the NOP and comments submitted at the scoping meeting are included in Appendix A of the DEIR.

The minimum 45-day public review period for the DEIR extended from June 13, 2014 to August 4, 2014. The DEIR was circulated to Responsible Agencies. Fifteen (15) electronic copies of the DEIR were sent to the State Clearinghouse along with the required Notice of Completion (NOC). Notices of the availability of the DEIR were published in the local newspaper at the same time. The DEIR was made available for review at the City's Planning Division during normal business hours and at the Downtown Oceanside Library. Digital copies were also provided to the City and were made available to the public on the City's website. Five comment letters were received at the close of the public review period.

#### **Final EIR**

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

### **2.3 Public Participation**

The City of Oceanside requires standardized posting of property to notify of a pending project application, and a sign has been posted on the property regarding this proposal since April of 2013. The sign includes project and contact information to facilitate public access to project data available at the City, on the city's website and through the applicant's representative. Inquiries generated from the signage were responded to by staff or the applicant's representative.

As noted above, a public scoping meeting was held on September 26, 2013. In addition, the project was presented in meetings at the adjacent residential properties. This included the Seacliff HOA Board meeting on October 21, 2013, where both Board members and residents were in attendance. A presentation of the project was also made at the Mira Mar Mobile Home Community Board meeting on March 8, 2014, with both Board members and residents in attendance.

## **2.4 Record of Proceedings**

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

- The DEIR and the Appendices to the DEIR
- The FEIR and the Errata (Chapter C) and Appendices to the FEIR
- The MMRP (Chapter D of the FEIR)
- The City of Oceanside's General Plan, including the Land Use Element, and Circulation Element
- The Final Draft Subarea Plan for the City
- Documents and other materials listed as references and/or incorporated by reference in the DEIR, FEIR, and the appendices thereto
- Findings and resolutions adopted by the City in connection with the project
- Documents cited or referred to in the FEIR
- Reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by City staff and consultants to the applicant or City
- Documents and other materials submitted to the City by other public agencies or members of the public in connection with the project through the close of the public hearing at which the project was approved.
- The minutes, recordings, and transcripts of public hearings held by the City concerning the FEIR and the project
- Documents or other materials submitted to the City at the public hearings concerning the project
- Matters of common knowledge to the City
- Documents expressly cited or referenced in these findings, in addition to those cited above
- Other materials required to be included in the record of proceedings by California Public Resources Code section 21167.6(e).

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

### **3.0 FINDINGS PURSUANT TO CEQA**

#### **3.1 Purpose**

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

#### **3.2 Terminology**

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

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

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

#### **3.3 Legal Effect**

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

### **3.4 Mitigation Monitoring and Reporting Program**

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

## **4.0 FINDINGS REGARDING SIGNIFICANT DIRECT IMPACTS MITIGATED TO LESS THAN SIGNIFICANT**

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

### **4.1 Biological Resources**

The project would result in the loss of 0.8 acre of disturbed annual grassland.

#### **Finding**

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

#### **Facts in Support of Finding**

Because the project site is situated within the Coastal Zone per the City's Final Subarea Plan, prior to issuance of a grading permit, this impact to disturbed annual grassland shall be mitigated at a 0.5:1 ratio (0.4 acre) as follows:

**B-MM1.** The applicant shall acquire 0.4 acre of annual grassland or up-tier habitat within the WCPZ or a Pre-Approved Mitigation Area within the City of Oceanside. Up-tiering of mitigation will be considered on a case-by case basis and must be approved by both the City and Wildlife Agencies.

The applicant shall also provide requisite funding for the long-term maintenance and preservation of the off-site mitigation land, subject to approval by the City.

The applicant shall also be required to provide copies of the Regular Coastal Permit and permit(s) from the Regional Water Quality Control Board.

Implementation of these mitigation measures will reduce impacts to biological resources to a less than significant level.

### **4.2 Cultural and Paleontological Resources**

Cultural Resources. Although no cultural resources were visible within the project site, there is a potential for previously unidentified subsurface cultural resources within the project site. Damage to or destruction of such resources would be significant.

Paleontological Resources. The project would grade within Paralic (Terrace) Deposits and San Onofre Breccia which both have potential for paleontological resources. Destruction of such resources would be significant.

## **Finding**

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

## **Facts in Support of Finding**

### Cultural Resources

**C-MM1.** Due to the potential for encountering subsurface cultural resources, an archaeological and Native American monitoring program shall be conducted for the project; the monitoring program shall apply to the entire project site. Specifically, the program should consist of the following:

- Prior to implementation of the monitoring, a pre-excavation agreement shall be developed between the appropriate Luiseño Band(s), the applicant, and the City of Oceanside.
- The qualified archaeologist and the Native American representative shall attend the pre-grading meeting with the contractors to explain the requirements of the program.
- An archaeologist and a Native American monitor shall be on-site to observe all ground-disturbing activities in soils, including fill, that have a potential for yielding cultural material (monitoring would not be required in subsoil or formational soils, in which cultural material would not occur).
- If intact archaeological artifact deposits or cultural features are discovered, grading activities shall be temporarily directed away from these deposits to allow documentation and assessment of the resources.
- If soil is imported as part of the project, it must be free of cultural material; no undocumented fill is to be utilized. Prior to the export of any soil from the project site it must be examined and cleared for removal by the archaeological and Native American monitors. This measure is to ensure that no cultural material is removed from the project site inadvertently and that no cultural material from another site is deposited in the project.
- If any human remains are discovered, the County Coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission (NAHC), shall be contacted by the NAHC in order to determine proper treatment and disposition of the remains.
- Recovered artifactual materials shall be cataloged and analyzed.

- A report shall be completed describing the methods and results of the monitoring program.
- Artifacts shall be curated with accompanying catalog to current professional repository standards or the collection will be repatriated to the Luiseño Band(s), as specified in the pre-excavation agreement.
- If soil is imported as part of the project, it must be free of cultural material; no undocumented fill is to be utilized. Prior to the export of any soil from the project site it must be examined and cleared for removal by the archaeological and Native American monitors. This measure is to ensure that no cultural material is removed from the project site inadvertently and that no cultural material from another site is deposited in the project.

### Paleontological Resources

**PAL-MM1.** Prior to issuance of grading permits, the applicant shall provide a letter of verification to the City of Oceanside's Planning Division that a qualified paleontologist has been retained to carry out the mitigation/monitoring program. All persons involved in paleontological resources monitoring shall be approved by the Planning Division prior to start of monitoring. The paleontologist shall attend pre-grade meetings to consult with grading and excavation contractors.

**PAL-MM2.** The paleontologist or paleontological monitor shall be on site full-time during the initial cutting of Paralic (Terrace) Deposits and San Onofre Breccia. Monitoring may be increased or decreased at the discretion of the qualified paleontologist, in consultation with the Planning Division; such increases or decreases will depend on the rate of excavation, materials excavated, and abundance of fossils.

**PAL-MM3.** When requested by the paleontologist, the City Engineer shall direct that construction activities in the area of fossil discovery shall be diverted, directed, or temporarily halted to allow the recovery of fossil remains. The paleontologist shall immediately notify the Planning Division of such finding at the time of discovery. The Planning Division shall approve salvage procedures to be performed before construction activities are allowed to resume.

**PAL-MM4.** Prepared fossils along with copies of all pertinent field notes, photos, and maps shall be deposited (with the applicant's permission) in a scientific institution with paleontological collections such as the San Diego Natural History Museum. A final summary report shall be completed and distributed to the City and other interested agencies which outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphy exposed, fossils collected, and significance of recovered fossils.

The requirement for paleontological monitoring shall be noted on the grading plan. Prior to the release of the grading bond, the final report noted in PAL-MM4 shall be approved by the Planning Division.

### **4.3 Geology/Soils**

Soils onsite have a moderate potential for corrosion of buried uncoated metal conduit and placement of such without mitigation measures would be a significant impact

The depth of vertical excavations creates a risk of lateral movement and settlement that will require temporary shoring in some areas. Lateral movement or settlement would be a significant impact.

#### **Finding**

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

#### **Facts in Support of Finding**

In order to reduce potential geotechnical impacts to below a level of significance, the following mitigation measures shall be implemented:

**GE-MM1.** Final plans should be reviewed to determine if corrosive soils occur in areas where metal elements would be built, and if so, a corrosion engineer shall be consulted for detailed corrosion mitigation measures.

**GE-MM2.** Temporary shoring of vertical excavations shall follow the recommendations of the geotechnical engineer, including the use of either a cantilever or braced shoring system with cast-in-place soldier piles and sheeting or wood lagging as needed. Sloped excavations should be observed by the geotechnical consultant during excavation. Settlement monitoring of adjacent settlement sensitive structures should be considered to evaluate the performance of the shoring.

### **4.4 Noise**

Noise levels at the project's building facades would be above the City's 60 dBA CNEL threshold for all four floors and without mitigation would be a significant interior noise level impact.

#### **Finding**

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

#### **Facts in Support of Finding**

**N-MM1.** A final noise study must be prepared to identify the measures needed to achieve interior noise levels of 45 dBA CNEL or less, and shall be based upon the final architectural building plans showing the room dimensions as well as window, door and wall details.

RESOLUTION NO.

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING TENTATIVE MAP (RT13-00001), DEVELOPMENT PLAN (RD13-00001), CONDITIONAL USE PERMITS (RCUP13-00001 AND RCUP13-00002), REGULAR USE PERMIT (RRP13-00001) AND VARIANCE (RV13-00001) ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

WHEREAS, on October 15, 2014, the Community Development Commission held its duly noticed public hearing, considered an application for Tentative Map (RT13-00001), Development Plan (RD13-00001), Conditional Use Permits (RCUP13-00001 and RCUP13-00002), Variance (RV13-00001), and Regular Coastal Permit (RRP13-00001) for the construction of a 52-unit residential condominium and mixed-use project located on Costa Pacifica Way, west of North Coast Highway; and

WHEREAS, the Downtown Advisory Committee (DAC) of the City of Oceanside did, on October 8, 2014 review and recommend approval of Tentative Map (RT13-00001), Development Plan (RD13-00001), Conditional Use Permits (RCUP13-00001 and RCUP13-00002), Variance (RV13-00001), and Regular Coastal Permit (RRP13-00001); and

WHEREAS, an Environmental Impact Report was prepared by the City of Oceanside for this application pursuant to the California Environmental Quality Act of 1970 and the State Guidelines implementing the Act; and

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)

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<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$2,072 per unit for residential
School Facilities Mitigation	Ordinance No. 91-34	\$3.20 per square foot
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$4,597 per unit.
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$6,313 per unit.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2013-14	Based on meter size. Residential is typically \$4,681 per unit.

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

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

///

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

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

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

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

11 FINDINGS:

12 **For the Tentative Map (RT13-00001):**

13 1. The proposed condominium and mixed-use project meets the requirements of the  
14 Downtown Zoning Ordinance Subdistrict 7B, the Subdivision Ordinance, and is consistent with  
15 the General Plan of the City. The proposed mixed-use project creates a condominium map for  
16 52 residential condominium units and two commercial condominiums map as part of a mixed-  
17 use Development Plan as specified within Article 12 of the Downtown District development  
18 standards.

19 2. The proposed building will conform to the topography of the site, therefore, making  
20 the property suitable for residential development. The subject site is physically suitable to allow  
21 for the construction of a 52-unit residential condominium mixed-use development.

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

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

27 5. The design of the subdivision and the proposed improvements will not cause  
28 substantial environment damage and will not impact wildlife or other habitat because the  
proposed project is an infill site that does not contain any sensitive habitat, river or blue stream,  
wildlife, cultural resources, riparian habitat, sensitive landforms and/or geologic formations or

1 minerals, sensitive fauna and marine life.

2 **For the Development Plan (RD13-00001):**

3 1. The site plan and physical design of the project as proposed is consistent with the  
4 purposes of the City's Downtown Zoning Ordinance and the design of the proposed structure  
5 and landscaping meets or exceeds the minimum development standards of the Downtown  
6 District except where noted below. The proposed project meets the required setbacks,  
7 landscape, and open space, height, and parking spaces requirements as specified within the  
8 Downtown Zoning Ordinance development standards.

9 2. The Development Plan as proposed conforms to the General Plan of the City in  
10 that the 52-unit residential condominium mixed-use project and the proposed density are  
11 consistent with the Land Use Element in terms of land use compatibility. The Mixed-Use  
12 Development is designed to minimize conflicts with adjacent land uses and the development  
13 would promote and reinforce the unique and positive attributes of the neighborhood. The  
14 project meets the setbacks, landscape, open space, height and parking spaces as stipulated  
15 within the Downtown District development standards. In addition, the project is compatible  
16 with the newer development located within the surrounding neighborhood.

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

21 4. The bulk and scale of the proposed project and the proposed unit sizes are  
22 compatible with the newer development within the surrounding neighborhood. A similar multi-  
23 family development exists to the west and the proposed development would be compatible with  
24 the neighboring property in terms of density and type.

25 5. The site plan and physical design of the project is consistent with Section 1.24  
26 (Topographic Resources) of the Land Use Element of the General Plan, in that the design would  
27 preserve the unique natural topography features and the design would provide adequate building  
28 setbacks from natural hazards and/or slopes. Therefore, the project would not be subject to the  
Hillside Development Guidelines and would be compliant with the policies within the General  
Plan.

1 **For the Conditional Use Permits (RCUP13-00001, RCUP13-00002):**

2 1. The proposed location of the use is in accord with the objectives of this  
3 ordinance and the purposes of the district in which the site is located. The proposed Conditional  
4 Use Permits for the multi-family development and increased building height is consistent with  
5 the land use objectives of the recreational, commercial and residential uses that are allowed  
6 within Subdistrict 7B of the Downtown District Zoning Ordinance. The multi-family  
7 development is compatible with the neighboring multi-family complex within the area and the  
8 proposed increased building height from 45-feet to 62.5-feet would be compatible with the  
9 neighboring structure and would meet the established findings of approval within the  
10 Downtown Ordinance as specified: Architectural elevations shall vary in height, the  
11 development footprint does not exceed 35 percent, the roof lines vary in pitch for visual relief,  
12 and the maximum achievable elevation does not extend for the entire roof line of the given  
13 building.

14 2. The proposed location of the conditional uses and the proposed conditions under  
15 which it would be operated or maintained will be consistent with the General Plan; will not be  
16 detrimental to the public health, safety or welfare of persons residing or working in or adjacent  
17 to the neighborhood of such use; and will not be detrimental to properties or improvements in  
18 the vicinity or to the general welfare of the city.

19 3. The proposed conditional use will comply with the provisions of this ordinance,  
20 including any specific conditions required for the proposed conditional use in the district in  
21 which it would be located. The proposed multi-family development and proposed density  
22 would be compatible with the neighboring development to the west and will be consistent with  
23 the General Plan, in terms of providing Land Use Compatibility and a balanced distribution of  
24 land uses. The proposed building height at 62.5-feet is reasonably necessary for the  
25 development and any negative visual impacts have been mitigated through the proposed design.

24 **For the Variance (RV13-00001):**

25 1. Because of special circumstances or conditions applicable to the development site,  
26 including size, shape, topography, location or surroundings, strict application of the requirements  
27 of this ordinance would deprive the property of privileges enjoyed by other property in the vicinity  
28 and under identical zoning classification. Three areas of the site will require non-plantable

1 retaining walls over six feet in height. Two walls with a maximum height of 12.6 and 9.3 feet on  
2 the north side of Costa Pacifica Way are required to accommodate utility infrastructure within an  
3 existing sloped and landscaped area. One wall is needed at the driveway for fire and garage access  
4 along the eastern property line, which has a height ranging from 2.9 – 9.2 feet with a guard fence  
5 atop for a maximum combined height of 12.5 feet, and one wall with a maximum height of 6.6 feet  
6 is associated with the stair at the western property line to provide fire hose pull access. The unique  
7 topographic features, slopes on the property, and existing building constraints warrants  
8 consideration and granting of the variance request. The strict applications of the requirements  
9 of the Zoning Ordinance would deprive the property of privileges enjoyed by other property in  
10 the vicinity and under identical zoning classification.

11 2. The proposed retaining walls up to 12.6 feet in height will not be out-of-  
12 character with existing developments in the vicinity. The granting of the variance will allow for  
13 the required utility infrastructure within the sloped and landscaped areas and fire access to this  
14 site. As such, granting the variance for the proposed wall heights will not be detrimental or  
15 injurious to property or improvements in the vicinity of the development site, or to the public  
16 health, safety or general welfare.

17 3. Granting the application is consistent with the purposes of this ordinance and will  
18 not constitute a grant of special privilege inconsistent with limitations on other properties in the  
19 vicinity and in the same zoning district. Due to the unique topography and location of the site,  
20 granting the variance for the retaining walls up to a 12.6 height limit will not constitute a grant  
21 of special privilege inconsistent with the developed character of the area.

**For the Regular Coastal Permit (RRP13-00001):**

22 1. The granting of the Regular Coastal Permit is consistent with the purposes of the  
23 California Coastal Act of 1976. The proposed 52-unit residential condominium and mixed-use  
24 development project is consistent with the Mixed-Use and High-Density Land Use as depicted  
25 in the Local Coastal Program Land Use Map.

26 2. The proposed project is consistent with the policies of the Local Coastal Program  
27 and with the applicable provisions of the City Downtown District Zoning Ordinance. The  
28 proposed 52-unit residential condominium and mixed-use project is consistent with the High-  
Density Land Use as depicted in the Local Coastal Program Land Use Map.

1           3.       The proposed project is not located along the shoreline and will not obstruct any  
2 existing or planned public beach access; therefore, the project is in conformance with the  
3 policies of Chapter 3 of the Coastal Act. The project does not impede public access to the beach  
4 because the subject site is located approximately 650 feet north of an existing pedestrian and  
5 bicycle public access located off of Costa Pacifica Way. The project will retain and enhance the  
6 existing public pedestrian/bicycle access along Costa Pacifica Way connecting with the San  
7 Luis Rey bike trail. The project will create a new public viewing platform adjacent to the  
8 pedestrian/bicycle access route that will upgrade public and visitor amenities, providing an area  
9 for public views overlooking the harbor and beach areas north of the San Luis Rey River.

10           SECTION 1. That Tentative Map (RT13-00001), Development Plan (RD13-00001),  
11 Conditional Use Permits (RCUP13-00001 and RCUP13-00002), Variance (RV13-00001) and  
12 Regular Coastal Permit (RRP13-00001) for the construction of a 52-unit residential  
13 condominium and mixed-use project located on Costa Pacifica Way, west of North Coast  
14 Highway are hereby approved subject to the following conditions;

14       **Building:**

- 15       1.       Applicable Building Codes and Ordinances shall be based on the date of submittal for  
16           Building Division plan check (Currently the 2013 California Building Code and 2013  
17           California Electrical Code).
- 18       2.       The granting of approval under this action shall in no way relieve the applicant/project  
19           from compliance with all Current State and local building codes. Applicable Building  
20           Codes and Ordinances shall be based on the date of submittal for Building Division plan  
21           check.
- 22       3.       The building plans for this project shall be prepared by a licensed architect or engineer  
23           and shall be in compliance with this requirement prior to submittal for building plan  
24           review.
- 25       4.       Site development, common use areas, access and adaptability of condominiums shall  
26           comply with the State's Disabled Accessibility Regulations (2013 California Building  
27           Code (CBC) Chapter 11A).
- 28       5.       All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance)  
          and shall be shielded appropriately. Where color rendition is important high-pressure

- 1 sodium, metal halide or other such lights may be utilized and shall be shown on final  
2 building and electrical plans.
- 3 6. All electrical, communication, CATV, etc. service lines within the exterior lines of the  
4 property shall be underground (City Code Sec. 6.30).
- 5 7. Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on the  
6 plans. Separate/unique addresses may be required to facilitate utility releases. Verification  
7 that the addresses have been properly assigned by the City's Planning Division shall  
8 accompany the Building Permit application.
- 9 8. A complete Soils Report, Structural Calculations, & Energy Calculations/documentation  
10 shall be required at time of plans submittal to the Building Division for plan check.
- 11 9. A private sewer system design shall be submitted to the Building Division and approved  
12 prior to the construction of the sewer system. If a gravity flow system is not used, an  
13 engineered mechanical system shall be submitted and approved by all City of Oceanside  
14 Departments.
- 15 10. Site development, parking, Restrooms, access into buildings and building interiors shall  
16 comply with Part 2, Title 24, C.C.R. (Disabled Access – Residential and Nonresidential  
17 buildings - D.S.A.).
- 18 11. The developer shall monitor, supervise and control all building construction and  
19 supportive activities so as to prevent these activities from causing a public nuisance,  
20 including, but not limited to, strict adherence to the following:
- 21 a) Building construction work hours shall be limited to between 7 a.m. and 6 p.m.  
22 Monday through Friday, and on Saturday from 7 a.m. to 6 p.m. for work that is  
23 not inherently noise-producing. Examples of work not permitted on Saturday are  
24 concrete and grout pours, roof nailing and activities of similar noise-producing  
25 nature. No work shall be permitted on Sundays and Federal Holidays (New  
26 Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and  
27 Christmas Day) except as allowed for emergency work under the provisions of the  
28 Oceanside City Code Chapter 38 (Noise Ordinance).
- b) The construction site shall be kept reasonably free of construction debris as  
specified in Section 13.17 of the Oceanside City Code. Storage of debris in

- 1 approved solid waste containers shall be considered compliance with this  
2 requirement. Small amounts of construction debris may be stored on site in a neat,  
3 safe manner for short periods of time pending disposal.
- 4 12. Separate/unique addresses will/may be required to facilitate utility releases.  
5 Verification that the addresses have been properly assigned by the City's Planning  
6 Division shall accompany the Building Permit application.
- 7 13. Fire sprinklers are required for all R-2 occupancies [CBC903.2.7].
- 8 14. Setbacks and Type of Construction must comply with the 2013 California Building Code.  
9 Exterior openings less than five feet from the property line shall be protected per table 704-  
10 8 of the CBC code.
- 11 15. All wired glass windows or doors between three and five feet from the property line shall  
12 meet requirements of the 2013 CBC table 715.5 and 715.5.3.
- 13 16. As part of the plan check submittal for a building permit, submit a "plat" drawing depicting  
14 the first floor elevations for each segment, the locations of the points where the floor level  
15 is 6 feet above grade, and the lowest elevation within 5 feet from the building for each  
16 segment.
- 17 17. Building levels below grade (on all sides) shall be provided with a mechanical drainage to  
18 an approved location/receptor.

18 **Engineering:**

- 19 18. For the demolition of any existing structure or surface improvements; grading plans shall  
20 be submitted and erosion control plans be approved by the City Engineer prior to the  
21 issuance of a demolition permit. No demolition shall be permitted without an approved  
22 erosion control plan.
- 23 19. Design and construction of all improvements shall be in accordance with the City of  
24 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard  
25 engineering and specifications of the City of Oceanside and subject to approval by the City  
26 Engineer.
- 27 20. All right-of-way alignments, street dedications, exact geometrics and width shall be  
28 dedicated and constructed or replaced as required by the City Engineer.

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- 1 21. The tract shall be recorded as one. A construction-phasing plan for the construction of on-  
2 site public and private improvements shall be reviewed and approved by the City Engineer  
3 prior to the recordation of the final map. Prior to the issuance of any building permits all  
4 off-site improvements including landscaping, landscaped medians, frontage improvements  
5 shall be under construction to the satisfaction of the City Engineer. Prior to issuance of any  
6 certificates of occupancy the City Engineer shall require the dedication and construction of  
7 necessary utilities, arterials and streets and other improvements outside the area of any  
8 particular final map, if such is needed for circulation, parking, access or for the welfare or  
9 safety of future occupants of the development. The boundaries of any multiple final map  
10 increment shall be subject to the approval of the City Engineer.
- 11 22. Provide the City of Oceanside with a certification from each public utility and each public  
12 entity owning easements within the proposed project stating that: (a) they have received  
13 from the owner/developer a copy of the proposed map; (b) they object or do not object to  
14 the filing of the map without their signature; (c) in case of a street dedication affected by  
15 their existing easement, they will sign a "subordination certificate" or "joint-use certificate"  
16 on the map when required by the governing body. In addition, the owner/developer shall  
17 furnish proof to the satisfaction of the City Engineer that no new encumbrances have been  
18 created that would subordinate the City's interest over areas to be dedicated for public road  
19 purposes since submittal of the project.
- 20 23. Pursuant to the State Map Act, improvements shall be required at the time of development.  
21 A covenant, reviewed and approved by the City Attorney, shall be recorded attesting to  
22 these improvement conditions and a certificate setting forth the recordation shall be placed  
23 on the map.
- 24 24. Prior to approval of the final/parcel map or any increment, all improvement requirements,  
25 within such increment or outside of it if required by the City Engineer, shall be covered by  
26 a Subdivision Improvement Agreement and secured with sufficient improvement securities  
27 or bonds guaranteeing performance and payment for labor and materials, setting of  
28 monuments, and warranty against defective materials and workmanship.
- 29 25. If a subdivider is required under this division or any other provision of law to make a  
30 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 26. A traffic control plan shall be prepared according to the City traffic control guidelines and  
4 approved to the satisfaction of the City Engineer prior to the start of work within the public  
5 right-of-way. Traffic control during construction of streets that have been opened to public  
6 traffic shall be in accordance with construction signing, marking and other protection as  
7 required by the Caltrans Traffic Manual and City Traffic Control Guidelines. Traffic  
8 control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.
- 9 27. Costa Pacifica Way along the property frontage shall be constructed per the public road  
10 standards. Costa Pacifica Way shall provide a minimum of 10 feet parkway between the  
11 face of curb and the property line, inclusive of public access sidewalks, retaining walls,  
12 planters, landscaping, fencing, utility appurtenances and other improvements occurring  
13 behind the face of curb. Sidewalk improvements shall comply with ADA requirements.  
14 Minimum curb return radius shall comply with the City of Oceanside Engineers Design  
15 and Processing Manual.
- 16 28. Sight distance requirements at the project driveway at Costa Pacifica Way shall conform to  
17 the City's corner sight distance criteria.
- 18 29. Costa Pacifica Way shall be constructed or replaced as required the City Engineer. Any  
19 existing pavement, concrete curb, gutter, driveways, pedestrian ramps and sidewalk within  
20 the project, or adjacent to the project boundary that are already damaged or damaged  
21 during construction of the project, shall be repaired or replaced as directed by the City  
22 Engineer.
- 23 30. This project's driveway shall remain private and shall be maintained by an association. The  
24 pavement sections, traffic indices shall be based on approved geotechnical report and in  
25 compliance with the City of Oceanside Engineers Design and Processing Manual. The  
26 private project driveway alignments, grade breaks and geometric layouts shall meet the  
27 City of Oceanside Engineers Design and Processing Manual. The grade breaks must not  
28 exceed the grade break as shown on the City Standard Drawing T-2.
31. Pavement sections for the private driveway and parking areas shall be based upon approved  
soil tests and traffic indices. The pavement design is to be prepared by the

- 1 owner/developer's soil engineer and must be in compliance with the City of Oceanside  
2 Engineers Design and Processing Manual and be approved by the City Engineer, prior to  
3 paving.
- 4 32. Prior to the issuance of a grading permit, the owner/developer shall notify and host a  
5 neighborhood meeting with all of the property owners located within 300 feet of the project  
6 site, to inform them of the grading and construction schedule, and to answer questions.
- 7 33. Where proposed off-site improvements, including but not limited to slopes, public utility  
8 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his  
9 own expense, obtain all necessary easements or other interests in real property and shall  
10 dedicate the same to the City of Oceanside as required. The owner/developer shall provide  
11 documentary proof satisfactory to the City of Oceanside that such easements or other  
12 interest in real property have been obtained prior to the approval of the final map and or  
13 issuance of any grading, building or improvement permit for this development.  
14 Additionally, the City of Oceanside, may at its sole discretion, require that the  
15 owner/developer obtain at his sole expense a title policy insuring the necessary title for the  
16 easement or other interest in real property to have vested with the City of Oceanside or the  
17 owner/developer, as applicable.
- 18 34. The owner/developer shall monitor, supervise and control all construction and  
19 construction-supportive activities, so as to prevent these activities from causing a public  
20 nuisance, including but not limited to, insuring strict adherence to the following:
- 21 a) Dirt, debris and other construction material shall not be deposited on any public  
22 street or within the City's storm water conveyance system.
  - 23 b) All grading and related site preparation and construction activities shall be limited  
24 to the hours of 7 AM to 6 PM, Monday through Friday. No engineering related  
25 construction activities shall be conducted on Saturdays, Sundays or legal holidays  
26 unless written permission is granted by the City Engineer with specific limitations  
27 to the working hours and types of permitted operations. All on-site construction  
28 staging areas shall be as far as possible (minimum 100 feet) from any existing  
residential development. Because construction noise may still be intrusive in the  
evening or on holidays, the City of Oceanside Noise Ordinance also prohibits "any

- 1                   disturbing excessive or offensive noise which causes discomfort or annoyance to  
2                   reasonable persons of normal sensitivity.”
- 3           c)       The construction site shall accommodate the parking of all motor vehicles used by  
4                   persons working at or providing deliveries to the site. An alternate parking site can  
5                   be considered by the City Engineer in the event that the lot size is too small and  
6                   cannot accommodate parking of all motor vehicles.
- 7           d)       The owner/developer shall complete a haul route permit application (if required for  
8                   import/export of dirt) and submit to the City of Oceanside Engineering Division  
9                   forty eight hours (48) in advance of beginning of work. Hauling operations (if  
10                  required) shall be 8:00 A.M. to 3:30 P.M. unless approved otherwise.
- 11 35.       It is the responsibility of the owner/developer to evaluate and determine that all soil  
12                  imported as part of this development is free of hazardous and/or contaminated material as  
13                  defined by the City and the County of San Diego Department of Environmental Health.  
14                  Exported or imported soils shall be properly screened, tested, and documented regarding  
15                  hazardous contamination.
- 16 36.       The approval of the tentative map shall not mean that proposed grading or improvements  
17                  on adjacent properties (including any City properties/right-of-way or easements) is granted  
18                  or guaranteed to the owner/developer. The owner/developer is responsible for obtaining  
19                  permission to grade to construct on adjacent properties. Should such permission be denied,  
20                  the tentative map shall be subject to going back to the public hearing or subject to a  
21                  substantial conformity review.
- 22 37.       Prior to any grading of any part of the tract or project, a comprehensive soils and geologic  
23                  investigation shall be conducted of the soils, slopes, and formations in the project. All  
24                  necessary measures shall be taken and implemented to assure slope stability, erosion  
25                  control, and soil integrity. No grading shall occur until a detailed grading plan, to be  
26                  prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved by  
27                  the City Engineer.
- 28 38.       The owner/developer shall place a covenant on the non-title sheet of the final map agreeing  
                to the following: “The present or future owner/developer shall indemnify and save the City  
                of Oceanside, its officers, agents, and employees harmless from any and all liabilities,

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claims arising from any landslide on this site”.

- 39. A precise grading and private improvement plan shall be prepared, reviewed, secured and approved prior to the issuance of any building permits. The plan shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage, footprints of all structures, walls, drainage devices and utility services. Ground level and underground parking lots striping and any on site traffic calming devices shall be shown on all precise grading and private improvement plans.
- 40. Prior to issuance of building permit, the owner/developer shall provide a pad certification to satisfaction of the City Engineer.
- 41. This project shall provide year-round erosion control including measures for the site required for the phasing of grading. Prior to the issuance of grading permit, an erosion control plan, designed for all proposed stages of construction, shall be reviewed, secured by the owner/developer with cash securities or a letter of credit and approved by the City Engineer.
- 42. Landscaping plans, including plans for the construction of walls, fences or other structures at or near intersections, must conform to intersection sight distance requirements. Landscape and irrigation plans for disturbed areas shall be submitted to the City Engineer prior to the issuance of a preliminary grading permit and approved by the City Engineer prior to the issuance of building permits. Frontage and median landscaping shall be installed and established prior to the issuance of any certificates of occupancy. Securities shall be required only for landscape items in the public right-of-way. Any project fences, sound or privacy walls and monument entry walls/signs shall be shown on, bonded for and built from the landscape plans. These features shall also be shown on the precise grading plans for purposes of location only. Plantable, segmental walls shall be designed, reviewed and constructed by the grading plans and landscaped/irrigated through project landscape plans. All plans must be approved by the City Engineer and a pre-construction meeting held, prior to the start of any improvements.
- 43. Shoring is required for the construction of the proposed development. The shoring design plans and structural calculations shall be submitted concurrently with the precise grading plan.

- 1 44. The drainage design shown on the tentative map, site plan or preliminary grading plan, and  
2 the drainage report for this tentative map/development plan is conceptual only. The final  
3 drainage report and drainage design shall be based upon a hydrologic/hydraulic study that  
4 is in compliance with the latest San Diego County Hydrology and Drainage Manual to be  
5 approved by the City Engineer during final engineering. All drainage picked up in an  
6 underground system shall remain underground until it is discharged into an approved  
7 channel, or as otherwise approved by the City Engineer. All public storm drains shall be  
8 shown on City standard plan and profile sheets. All storm drain easements shall be  
9 dedicated where required. The owner/developer shall be responsible for obtaining any off-  
10 site easements for storm drainage facilities.
- 11 45. Drainage facilities shall be designed and installed to adequately accommodates the local  
12 storm water runoff and shall be in accordance with the San Diego County Hydrology and  
13 Design Manual and in compliance with the City of Oceanside Engineers Design and  
14 Processing Manual to the satisfaction of the City Engineer.
- 15 46. The owner/developer shall place a covenant on the non-title sheet of the final map and on  
16 the grading plan agreeing to the following: "The present or future owner/developer shall  
17 indemnify and save the City of Oceanside, its officers, agents, and employees harmless  
18 from any and all liabilities, claims arising from any flooding that occurs on this site, and  
19 any flooding that is caused by this site impacting adjacent properties".
- 20 47. Storm drain facilities shall be designed and located such that the inside travels lanes on  
21 streets with collector or above design criteria shall be passable during conditions of a 100-  
22 year frequency storm.
- 23 48. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed  
24 of in accordance with all state and federal requirements, prior to stormwater discharge  
25 either off-site or into the City drainage system.
- 26 49. The owner/developer shall comply with the provisions of National Pollution Discharge  
27 Elimination System (NPDES) General Permit for Storm Water Discharges Associated with  
28 Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ. The  
General Permit continues in force and effect until a new General Permit is issued or the  
State Water Resources Control Board (SWRCB) rescinds this General Permit. Only those

1 owner/developers authorized to discharge under the expiring General Permit are covered by  
2 the continued General Permit. Construction activity subject to the General Permit includes  
3 clearing, grading, and disturbances to the ground such as stockpiling, or excavation that  
4 results in land disturbances of equal to or greater than one acre. The owner/developer shall  
5 obtain coverage under the General Permit by submitting a Notice of Intent (NOI) and  
6 obtaining a Waste Discharge Identification Number (WDID#) from the SWRCB. In  
7 addition, coverage under the General Permit shall not occur until an adequate SWPPP is  
8 developed for the project as outlined in Section A of the General Permit. The site specific  
9 SWPPP shall be maintained on the project site at all times. The SWPPP shall be provided,  
10 upon request, to the United States Environmental Protection Agency (USEPA), SWRCB,  
11 Regional Water Quality Control Board (RWQCB), City of Oceanside, and other applicable  
12 governing regulatory agencies. The SWPPP is considered a report that shall be available to  
13 the public per the RWQCB under section 308(b) of the Clean Water Act. The provisions of  
14 the General Permit and the site specific SWPPP shall be continuously implemented and  
15 enforced until the owner/developer obtains a Notice of Termination (NOT) from the  
16 SWRCB. The owner/developer is required to retain records of all monitoring information,  
17 copies of all reports required by this General Permit, and records of all data used to  
18 complete and obtain the NOT for all construction activities to be covered by the General  
19 Permit for a period of at least three years from the date generated.

20 50. Following the City Engineer's determination that Storm Water Mitigation Plan (SWMP) is  
21 deemed complete and prior to issuance of grading permits, the owner/developer shall  
22 submit and obtain approval of an Operation & Maintenance (O&M) Plan to the satisfaction  
23 of the City Engineer. The O&M Plan shall include an approved and executed Maintenance  
24 Mechanism pursuant to Section 5 of the Standard Urban Storm Water Mitigation Plan  
25 (SUSMP). The O&M shall satisfy the minimum Maintenance Requirements pursuant to  
26 Section 5 of the SUSMP. At a minimum the O&M Plan shall include the designated  
27 responsible party to manage the storm water BMP(s), employee training program and  
28 duties, operating schedule, maintenance frequency, routine service schedule, specific  
maintenance activities, copies of resource agency permits, cost estimate for implementation  
of the O&M Plan, a non-refundable cash security to provide maintenance funding in the

- 1 event of noncompliance to the O&M Plan, and any other necessary elements. The  
2 owner/developer shall provide the City with access to site for the purpose of BMP  
3 inspection and maintenance by entering into an Access Rights Agreement with the City.  
4 The owner/developer shall complete and maintain O&M forms to document all operation,  
5 inspection, and maintenance activities. The owner/developer shall retain records for a  
6 minimum of 5 years. The records shall be made available to the City upon request.
- 7 51. The owner/developer shall enter into a City-Standard Stormwater Facilities Maintenance  
8 Agreement (SWFMA) with the City obliging the owner/developer to maintain, repair and  
9 replace the Storm Water Best Management Practices (BMPs) identified in the project's  
10 deemed complete SWMP, as detailed in the O&M Plan into perpetuity. The Agreement  
11 shall be approved by the City Attorney prior to issuance of any precise grading permit and  
12 shall be recorded at the County Recorder's Office prior to issuance of any building permit.  
13 A non-refundable Security in the form of cash shall be required prior to issuance of a  
14 precise grading permit. The amount of the non-refundable security shall be equal to 10  
15 years of annual maintenance costs, as identified by the O&M Plan, but not to exceed a total  
16 of \$25,000.
- 17 52. At a minimum, maintenance agreements shall require the staff training, inspection and  
18 maintenance of all BMPs on an annual basis. The owner/developer shall complete and  
19 maintain O&M forms to document all maintenance activities. Parties responsible for the  
20 O&M plan shall retain records at the subject property for at least 5 years. These documents  
21 shall be made available to the City for inspection upon request at any time.
- 22 53. The Agreement shall include a copy of executed onsite and offsite access easement and or  
23 access rights necessary for the operation and maintenance of BMPs that shall be binding on  
24 the land throughout the life of the project to the benefit of the party responsible for the  
25 O&M of BMPs, satisfactory to the City Engineer. The agreement shall also include a copy  
26 of the deemed complete O&M Plan.
- 27 54. The BMPs described in the project's deemed complete SWMP shall not be altered in any  
28 way, unless reviewed and approved to the satisfaction of the City Engineer. The  
determination of whatever action is required for changes to a project's deemed complete  
SWMP shall be made by the City Engineer.

- 1 55. The Owner/developer shall provide a copy of the title/cover page of a deemed complete  
2 SWMP with the first engineering submittal package. The SWMP shall be prepared by the  
3 owner/developer's Civil Engineer. All Stormwater documents shall be in compliance with  
4 the latest edition of submission requirements.
- 5 56. Prior to any occupancy permit, the developer/owner shall construct each and all of the  
6 structural BMPs and operating in compliance with all of its specifications, plan, permits,  
7 Ordinances, and the requirement of the State Regional Water Quality Control Board  
8 (RWQCB), Order No. R9-2013-0001.
- 9 57. Open space areas and down-sloped areas visible from a collector-level or above roadway  
10 and not readily maintained by the property owner, shall be maintained by a homeowners'  
11 association that will insure installation and maintenance of landscaping in perpetuity.  
12 These areas shall be indicated on the final map and reserved for an association. Future  
13 buyers shall be made aware of any estimated monthly costs. The disclosure, together with  
14 the CC&R's, shall be submitted to the City Engineer for review prior to the recordation of  
15 final map.
- 16 58. All existing overhead utility lines within the development and/or within any full width  
17 subdivision/development/project, and all new extension services for the development of the  
18 project, including but not limited to, electrical, cable and telephone, shall be placed  
19 underground per Section 901.G. of the Subdivision Ordinance (R91-166) and as required  
20 by the City Engineer and current City policy.
- 21 59. The owner/developer shall obtain any necessary permits, and clearances from all public  
22 agencies having jurisdiction over the project due to its type, size, or location, including but  
23 not limited to the U. S. Army Corps of Engineers, California Department of Fish & Game,  
24 U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board  
(including NPDES), San Diego County Health Department, prior to the issuance of grading  
25 permits.
- 26 60. The owner/developer shall comply with all the provisions of the City's cable television  
27 ordinances including those relating to notification as required by the City Engineer.
- 28 61. Approval of this development project is conditioned upon payment of all applicable impact  
fees and connection fees in the manner provided in chapter 32B of the Oceanside City  
Code. All traffic signal fees and contributions, highway thoroughfare fees, park fees,

1 reimbursements, and other applicable charges, fees and deposits shall be paid prior to  
2 recordation of the map or the issuance of any building permits, in accordance with City  
3 Ordinances and policies. The owner/developer shall also be required to join into,  
4 contribute, or participate in any improvement, lighting, or other special district affecting or  
5 affected by this project. Approval of the tentative map (project) shall constitute the  
6 owner/developer's approval of such payments, and his agreement to pay for any other  
7 similar assessments or charges in effect when any increment is submitted for final map or  
8 building permit approval, and to join, contribute, and/or participate in such districts.

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

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

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

23 **Landscaping:**

24 65. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines and  
25 Specifications for Landscape Development (latest revision), Water Conservation Ordinance  
26 No.(s) 91-15 and 10-Ordinance 0412, Engineering criteria, City code and ordinances,  
27 including the maintenance of such landscaping, shall be reviewed and approved by the City  
28 Engineer prior to the issuance of building permits. Landscaping shall not be installed until  
bonds have been posted, fees paid, and plans signed for final approval. A landscape pre-  
construction meeting shall be conducted by the landscape architect of record, Public Works

1 Inspector, developer or owner's representative and landscape contractor prior to  
2 commencement of the landscape and irrigation installation. The following landscaping  
3 requirements shall be required prior to plan approval and certificate of occupancy:

- 4 a) Final landscape plans shall accurately show placement of all plant material such as  
5 but not limited to trees, shrubs, and groundcovers.
- 6 b) Landscape Architect shall be aware of all utility, sewer, gas, water, and storm drain  
7 lines and utility easements and place planting locations accordingly to meet City of  
8 Oceanside requirements.
- 9 c) All required landscape areas shall be maintained by owner, project homeowner  
10 association or successor of the project. Landscape areas shall include all public  
11 rights-of-way or public utility easement parallel with Costa Pacifica Way, including  
12 the median(s) and parkways. The landscape areas shall be maintained per City of  
13 Oceanside requirements.
- 14 d) Proposed landscape species shall fit the site and meet climate changes indicative to  
15 their planting location. The selection of plant material shall also be based on  
16 cultural, aesthetic, and maintenance considerations. In addition proposed landscape  
17 species shall be low water users as well as meet all Fire Department requirements.
- 18 e) Evergreen shrubs and vines as shown on the approved Conceptual Landscape Plan  
19 shall be required to help screen the proposed sewer lift stations north of Costa  
20 Pacifica Way. Plant material shall be planted from 5-gallon size container stock.
- 21 f) If existing trees located around the proposed sewer lift station require removal tree  
22 mitigation shall be required. New trees shall be replaced on a 1:1 ratio of diameter  
23 lost. The existing trees shall be measured at a diameter at breast height (DBH), 54-  
24 inches above finished grade. A minimum of 24-box size containers trees shall be  
25 required for replacement.
- 26 g) Along Costa Pacifica Way where the new driveway cut and retaining walls are  
27 being proposed shall require coordination with Renaissance Terrace Homeowner  
28 Association. The existing landscape and irrigation shall be repaired and replaced in  
kind and size. The existing irrigation system shall remain functional to provide  
coverage to the remaining existing landscape throughout construction activities.

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Prior to demolition and disconnection of the existing irrigation, contact homeowner president, Mr. Gary Broome at (760) 803-9193.

- h) The proposed landscape within the easement areas of SDG&E shall require a written approval letter from SDG&E Sempra Utilities and submitted to the City Engineer prior to the approval of the landscape construction drawings.
- i) All planting areas shall be prepared and implemented to the required depth with appropriate soil amendments, fertilizers, and appropriate supplements based upon a soils report from an agricultural suitability soil sample taken from the site.
- j) Ground covers or bark mulch shall fill in between the shrubs to shield the soil from the sun, evapotranspiration and run-off. All the flower and shrub beds shall be mulched to a 3" depth to help conserve water, lower the soil temperature and reduce weed growth.
- k) The shrubs shall be allowed to grow in their natural forms. All landscape improvements shall follow the City of Oceanside Guidelines.
- l) Root barriers shall be installed adjacent to all paving surfaces, where a paving surface is located within 6 feet of a trees trunk on site (private) and within 10 feet of a trees trunk in the right-of-way (public). Root barriers shall extend 5 feet in each direction from the centerline of the trunk, for a total distance of 10 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around the tree's root ball is unacceptable.
- m) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall obtain planning department approval for these items in the conditions or application stage prior to 1st submittal of working drawings.
- n) 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.
- o) 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.
- p) Irrigation systems shall use high quality, automatic control valves, controllers and

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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.

- q) All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.
- 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.
- v) All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way or public utility easement and within any adjoining public parkways and medians (parallel to Costa Pacifica Way) 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 Arboriculture (ISA) Standard Practices for Tree Care Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix H; and Tree Pruning Guidelines, Appendix F (most current edition). Failure to maintain landscaping shall result in the City taking all appropriate enforcement actions including but not limited to citations. This maintenance program condition shall be recorded with a covenant as required by this resolution.
- w) In the event that the conceptual landscape plan (CLP) does not match the conditions of approval, the resolution of approval shall govern.

1 **Fire:**

- 2 66. Submit a copy of as-built plans on a CD for all projects on the job site. A site plan  
3 indicating the fire access and hydrant locations must also be submitted on CD Rom.
- 4 67. Fire Department requirements shall be placed on plans in the notes section.
- 5 68. Fire flow shall be determined at the time of building permit application.
- 6 69. An approved fire sprinkler system must be installed throughout the building.
- 7 70. Approved Class I standpipe system connected to the fire sprinkler system required.
- 8 71. The fire department connection shall be located on the address side of the building – unless  
9 otherwise determined by the Fire Department and must be within 40 feet of a public fire  
10 hydrant. The hydrant shall be located on the same side of the street and drive aisle as the  
11 fire department connection.
- 12 72. Provide a manual fire alarm system with occupant notification.
- 13 73. Provide a fire master plan (FMP) at the time of building permit submittal.
- 14 74. In accordance with the Oceanside Fire Code Section 505, approved addresses for  
15 commercial, industrial, and residential occupancies shall be placed on the structure in such  
16 a position as to be plainly visible and legible from the street or roadway fronting the  
17 property. Numbers shall be contrasting with their background and meet the current City of  
18 Oceanside size and design standard. Show building address numbers on the elevation plan.
- 19 75. Multiple-unit complexes require address directory boards that are visible from the main  
20 entrance.
- 21 76. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval  
22 prior to the issuance of building permits.
- 23 77. A lighted directory map shall be installed at each driveway entrance to multi-unit  
24 residential projects in excess of 15 units.
- 25 78. Except as otherwise provided, no person shall own, erect, construct or occupy any building  
26 or structure, or any part thereof, or cause the same to be done, which fails to support  
27 adequate radio coverage for City emergency service workers operating on the 800MHz  
28 Countywide Coordinated Communication System, or the current radio system in use.
79. Smoke alarms required per 2010 California Fire Code, California Building Code and  
California Residential Code.

- 1 80. Carbon monoxide alarms required per 2010 California Fire Code, California Building Code  
2 and California Residential Code.
- 3 81. Fire apparatus access roads shall be designed and maintained to support the imposed loads  
4 of fire apparatus not less than 78,000 lbs and shall be provided with an approved paved  
5 surface to provide all-weather driving capabilities.
- 6 82. The gradient for a fire apparatus access roadway shall not exceed 12 percent.
- 7 83. All security gates shall have a Knox-box override and as required have strobe activation  
8 capability.

9 **Planning:**

- 10 84. This Tentative Map (RT13-00001), Development Plan (RD13-00001), Regular Coastal  
11 Permit (RRP13-00001), Variance (RV13-00001) and Conditional Use Permits (RCUP13-  
12 00001 and RCUP13-00002) shall expire on October 15, 2016, unless implemented as  
13 required by the Zoning Ordinance.
- 14 85. This Tentative Map, Development Plan, Variance, Conditional Use Permit and Regular  
15 Coastal Permit approve for the construction of a 52-unit residential condominium and  
16 mixed-use commercial development as shown on the plans and exhibits presented to the  
17 Community Development Commission for review and approval. No deviation from these  
18 approved plans and exhibits shall occur without City Planner approval. Substantial  
19 deviations shall require a revision to the Tentative Map, Development Plan, Conditional  
20 Use Permit, Variance, and Regular Coastal Permit or a new Tentative Map, Development  
21 Plan, Conditional Use Permit, Variance, and Regular Coastal Permit.
- 22 86. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
23 harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
24 proceeding against the City, its agents, officers, or employees to attack, set aside, void or  
25 annul an approval of the City, concerning Tentative Map (RT13-00001), Development Plan  
26 (RD13-00001), Regular Coastal Permit (RRP13-00001), Variance (RV13-00001) and  
27 Conditional Use Permits (RCUP13-00001 and RCUP13-00002). The City will promptly  
28 notify the applicant of any such claim, action or proceeding against the City and will  
cooperate fully in the defense. If the City fails to promptly notify the applicant of any such  
claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not,

- 1 thereafter, be responsible to defend, indemnify or hold harmless the City.
- 2 87. All mechanical rooftop and ground equipment shall be screened from public view as  
3 required by the Zoning Ordinance. The roof jacks, mechanical equipment, screen and  
4 vents shall be painted with non-reflective paint to match the roof. This information shall be  
5 shown on the building plans.
- 6 88. Front yard landscaping with a complete irrigation system, in compliance with Water  
7 Conservation Ordinance No. 91-15, shall be required.
- 8 89. All multi-family unit dwelling projects shall dispose of or recycle solid waste in a manner  
9 provided in City Ordinance 13.3.
- 10 90. A letter of clearance from the affected school district in which the property is located shall  
11 be provided as required by City policy at the time building permits are issued.
- 12 91. A covenant or other recordable document approved by the City Attorney shall be prepared  
13 by the applicant developer and recorded prior to the issuance of building permits. The  
14 covenant shall provide that the property is subject to this resolution, and shall generally list  
15 the conditions of approval.
- 16 92. Prior to the issuance of building permits, compliance with the applicable provisions of the  
17 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed  
18 and approved by the Development Services Department. These requirements, including  
19 the obligation to remove or cover with matching paint all graffiti within 24 hours, shall be  
20 noted on the Landscape Plan and shall be recorded in the form of a covenant affecting the  
21 subject property.
- 22 93. Prior to the transfer of ownership and/or operation of the site the owner shall provide a  
23 written copy of the applications, staff report and resolutions for the project to the new  
24 owner and or operator. This notification's provision shall run with the life of the project  
25 and shall be recorded as a covenant on the property.
- 26 94. Failure to meet any conditions of approval for this development shall constitute a violation  
27 of the Tentative Map (RT13-00001), Development Plan (RD13-00001), Regular Coastal  
28 Permit (RRP13-00001), Variance (RV13-00001) and Conditional Use Permits (RCUP13-  
00001 and RCUP13-00002).

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- 1 95. Unless expressly waived, all current zoning standards and City ordinances and policies in  
2 effect at the time building permits are issued are required to be met by this project. The  
3 approval of this project constitutes the applicant's agreement with all statements in the  
4 Description and Justification, and other materials and information submitted with this  
5 application, unless specifically waived by an adopted condition of approval.
- 6 96. The developer's construction of all walls associated with the project shall be in  
7 conformance with the approved Development Plan and Variance. Any substantial change  
8 in any aspect of wall design from the approved Development Plan with Variance shall  
9 require a revision to the Development Plan and Variance or a new Development Plan and  
10 Variance.
- 11 97. If any aspect of the project fencing and walls is not covered by an approved Development  
12 Plan and Variance, the construction of fencing and walls shall conform to the development  
13 standards of the City Zoning Ordinance. In no case, shall the construction of fences and  
14 walls (including combinations thereof) exceed the limitations of the zoning code, unless  
15 expressly granted by a Variation or other development approval.
- 16 98. A set of building plans shall be reviewed and approved by the Development Services  
17 Department prior to the issuance of building permits.
- 18 99. Elevations, siding materials, colors, roofing materials, unit types and floor plans shall be  
19 substantially the same as those approved by the Community Development Commission.  
20 These shall be shown on plans submitted to the Building Division and Development  
21 Services Department.
- 22 100. An association of homeowners (HOA) shall be formed and Covenants, Conditions and  
23 Restrictions (CC&R's) shall provide for the maintenance of all common open space, and  
24 commonly owned fences and walls and adjacent parkways. The maintenance shall include  
25 normal care and irrigation of landscaping, repair and replacement of plant material and  
26 irrigation systems as necessary; and general cleanup of the landscaped and open area,  
27 parking lots and walkways. The CC&R's shall be subject to the review and approval of the  
28 City Attorney prior to the approval of the final map. The CC&R's are required to be  
recorded prior to or concurrently with the final map. Any amendments to the CC&R's in  
which the association relinquishes responsibility for the maintenance of any common open

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space shall not be permitted without the specific approval of the City of Oceanside. Such a clause shall be a part of the CC&R's. The CC&R's shall also contain provisions for the following:

- a) The subterranean garage parking shall be exclusive to the residential and commercial occupancy of the site and shall not be shared or used by any other occupancy.
- b) Prohibition of parking or storage of recreational vehicles, trailers, or boats.
- c) Maintenance of all common areas, and on-site and frontage landscaping.
- d) Trash collection either at street level or within a subterranean garage and the funding mechanism.

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

- a) Security - The Management Plan, at a minimum, shall address on-site management, hours-of-operation and measures for providing appropriate security for the project site.
- b) Maintenance - The Management Plan shall cover, but not be limited to anti-graffiti and site and exterior building, landscaping, parking lots, sidewalks, walkways and overall site maintenance measures and shall ensure that a high standard of maintenance at this site exists at all times. The maintenance portion of the management plan shall include a commitment for the sweeping and cleaning of parking lots, sidewalks and other concrete surfaces at sufficient intervals to maintain a "like new" appearance. Wastewater, sediment, trash or other pollutants shall be collected on site and properly disposed of and shall not be discharged off the property or into the City's storm drain system.
- c) Any graffiti within the center shall be removed by the center management or its designated representative within 24 hours of occurrence. Any new paint used to cover graffiti shall match the existing color scheme.

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- 1 102. This project is subject to the provisions of the Local Coastal Plan for Coastal Housing. The  
2 developer shall obtain a Coastal Affordable Housing Permit from the Director of Housing  
3 and Neighborhood Services prior to issuance of building permits or recordation of a final  
4 map, whichever occurs first.
- 5 103. A trash enclosure must be provided as required by Chapter 13 of the City Code and shall  
6 also include additional space for storage and collection of recyclable materials per City  
7 standards. Recycling is required by City Ordinance. The enclosure must be built in a flat,  
8 accessible location as determined by the City Engineer. The enclosure shall meet City  
9 standards for trash enclosures. All driveways and service access areas must be designed to  
10 sustain the weight of a service vehicle as determined by the City Engineer. Trash  
11 enclosures, driveways and service access areas shall be shown on both the improvement  
12 and landscape plans submitted to the City Engineer. All other specifications shall be  
13 reviewed and approved by the City Engineer. A service agreement with the City's waste  
14 disposal contractor must be signed by the property owner and shall remain in effect for the  
15 life of the project. This agreement will outline responsibility and cost to move the trash and  
16 recycling bins to the street on the trash collection days. It will also be the developer's  
17 responsibility to have the trash and recycling bins removed from the street within three  
18 hours of the pick-up. The handling of all of the trash and recycled materials within a project  
19 will be clearly identified within the Management Plan is subject to the review and approval  
20 of the Development Services Department and Waste Management prior to the issuance of a  
21 building permit, and shall be recorded as CC&R's against the property. This design shall  
22 be shown on the landscape plans or the architecture plans and shall be approved by the  
23 Development Services Department.
- 24 104. Prior to the issuance of a building permit, the applicant and landowner, shall execute and  
25 record a covenant, in a form and content acceptable to the City Attorney, which shall  
26 provide:  
27 a) That the applicant understands that the site may be subject to extraordinary hazard  
28 from waves during storms and from erosion and the applicant assumes the liability  
from those hazards.

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1           b)     That the applicant unconditionally waives any claim of liability on the part of the  
2                     City and agrees to defend and indemnify and hold harmless the City and its  
3                     advisors relative to the City's approval of the project for any damage due to natural  
4                     hazards.

5     **Water Utilities:**

- 6     105.   All public water and/or sewer facilities not located within the public right-of-way shall be  
7           provided with easements sized according to the Water, Sewer, and Reclaimed Water  
8           Design Construction Manual. Easements shall be constructed for all weather access.
- 9     106.   No trees, structures or building overhang shall be located within any water or wastewater  
10           utility easement.
- 11    107.   The property owner will maintain private water and wastewater utilities located on private  
12           property.
- 13    108.   Water services and sewer laterals constructed in existing right-of-way locations are to be  
14           constructed by approved and licensed contractors at developer's expense.
- 15    109.   The developer will be responsible for developing all water and sewer utilities necessary to  
16           develop the property. Any relocation of water and/or sewer utilities is the responsibility of  
17           the developer and shall be done by an approved licensed contractor at the developer's  
18           expense.
- 19    110.   All lots with a finish pad elevation located below the elevation of the next upstream  
20           manhole cover of the public sewer shall be protected from backflow of sewage by installing  
21           and maintaining an approved type backwater valve, per the Uniform Plumbing Code  
22           (U.P.C.).
- 23    111.   Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to  
24           be paid to the City and collected by the Water Utilities Department at the time of Building  
25           Permit issuance.
- 26    112.   All Water and Wastewater construction shall conform to the most recent edition of the  
27           Water, Sewer, and Reclaimed Water Design and Construction Manual, or as approved by  
28           the Water Utilities Director.
113.   Each building shall be metered individually by the City of Oceanside. All condominium  
         units within this development shall be sub-metered by a private company to comply with

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the Water Conservation Master Plan.

114. All new development of multi-family residential units shall include hot water pipe insulation and installation of a hot water re-circulation device or design to provide hot water to the tap within 15 seconds in accordance with City of Oceanside Ordinance No. 02 0R126-1.

115. The developer shall construct a public reclamation water system that will serve each lot and or parcels that are located in the proposed project in accordance with the City of Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be located in the public right-of-way or in a public utility easement. However, the developer can opt to pay a reclaim water system in lieu fee. A letter to the City's Water Utilities Division Manager should be provided indicating such. The cost estimate will be provided by the Water Utilities Department.

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

117. A grease, oil and sand interceptor, as described by the Uniform Plumbing Code, relating to garages and wash racks shall be installed in each building sewer in an appropriate location and shall be maintained by the property owner. The location shall be called out on the approved building plans.

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1 118. The parking area shall be designed with a drainage system that complies with the California  
2 Regional Water Quality Control Board Order No. 2007-0001.

3 PASSED AND ADOPTED by the Oceanside Community Development Commission of  
4 the City of Oceanside this \_\_\_\_\_ day of \_\_\_\_\_ 2014 by the following  
5 vote:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

10 \_\_\_\_\_  
Chairman

11 ATTEST:  
12 \_\_\_\_\_  
13 Secretary

14  
15 APPROVED AS TO FORM:  
16 OFFICE OF THE CITY ATTORNEY

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18 by *Richard J. Hamilton, A.B.S.T.*  
19 General Counsel

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# Seacliff Terrace

## A Mixed Use Development

Tentative Map, Development Plan, Regular Coastal Permit  
Conditional Use Permits and Variance

(RT13-00001, RD13-00001, RRP13-00001, RCUPI3-00001, RCUPI3-00002, RV13-00001)

### Description & Justification

Rev. February 2014

#### Introduction

This application is for a mixed use development that includes ground-level commercial/retail space, residential condominiums and a new public recreational viewing deck along the permanent coastal access path previously granted to the public, by the Applicant, during the approval of the existing Seacliff Project. The site is approximately 1.67 acres near the north end of Oceanside's Downtown District, within the Townsite Neighborhood Planning Area and the Coastal Zone.

The property includes two parcels that encompass a vacant, undeveloped lot and a portion of Costa Pacifica Way (APNs 143-040-23 and -54). The vacant portion of the site is located behind other commercial parcels and existing development that fronts Coast Highway.

The proposed mixed use building will be four stories over a two-level underground garage, with commercial/retail space at Parking Level 1, fronting Costa Pacifica Way. There will be 52 residential units in four stories and 117 subterranean parking spaces for commercial/retail, residents, and visitor parking.

#### Project Setting and Land Use Concept

The implementing Zoning Ordinance for this property is Subdistrict 7B of the Downtown District, and provides for a mix of recreational and commercial uses conveniently located near recreational and residential areas; residential uses are allowed as part of a mixed use project. Further, the Local Coastal Plan designates this site for Coastal Dependent, Recreation, and Visitor Serving Commercial, with typical uses to include motels, hotels, restaurants and beach rentals.

Existing uses in the vicinity include a variety of commercial, hotel/motel, and residential developments, with the San Luis Rey River to the northwest and Interstate 5 further east. The project site is tucked behind existing, currently underutilized commercial development along Coast Highway, adjacent to an approved but not yet constructed hotel and condominium project designed to replace the existing hotel use to the north. Site access is from the existing Costa Pacifica Way, which provides access to the residential condominium units to the west. But for the proposed design, these factors combine to limit the viability of this site for

commercial uses. The best opportunity for commercial activities was evaluated and determined to be along Costa Pacifica Way, which is designated as a public coastal access, specifically for both pedestrians and bicycles. This route connects with the San Luis Rey bike trail through the existing condominium development. The proposed project is designed to provide commercial/retail space at the ground level on the northerly elevation of the building (the only publicly accessible elevation of the building), adjacent to the existing pedestrian/bicycle coastal access, providing expanded public patio entries to the commercial/retail area, and adding a new recreational observation deck at the westerly edge of the site to create expanded public amenities adjacent to this public coastal access route. Residential uses will be located in four levels over a 2-level subterranean garage that will provide parking spaces for customers, residents and visitors. As a combined whole with its surroundings, this design and project fits nicely into the overall Visitor Serving Commercial Recreation and Mixed Uses of Subdistrict 7(B).

## Subdistrict 7B Land Uses

Subdistrict 7B presently includes 18 individual parcels with 11 different owners. Development includes both long established and newer businesses and uses. Some early redevelopment concepts for the overall 7B Subdistrict envisioned using parcel assemblage for a comprehensive redevelopment in this area. As recently as during the Coast Highway visioning process, conceptual plans were drawn that ignored current parcel boundaries and ownerships. In that plan, uses generally identified hotel/commercial/retail along the Coast Highway frontage, transitioning to residential and mixed use in westerly areas of the Subdistrict.

However, the pattern of current existing uses and ownership are not conducive to such assemblage for redevelopment under these concepts, and more recent parcel by parcel development with newer hotel/motel uses along Coast Highway have made assemblage even more unlikely. It is more realistic to anticipate development or redevelopment of parcels by individual owners, as has been occurring for many years within this Subdistrict.

Current uses of land in Subdistrict 7B result in the following mix of uses:

<b>Current Land Use Mix</b>	<b>Acres</b>	<b>Percent of Total</b>
Visitor Serving (Hotel & Restaurant)	10.0 ac	59%
Residential (Mobile Homes)	0.5 ac	3%
Open Space	1.5 ac	9%
Access	0.7 ac	4%
Vacant	4.0 ac	25%

Of the 25% of land in Subdistrict 7B that is currently vacant, approximately half (including the proposed project site) is not directly adjacent to Coast Highway and is considered more suitable for predominantly residential uses. The other half of the vacant property adjacent to Coast Highway is more likely to develop as visitor serving uses. Under these assumptions, the projected ultimate mix of uses would change, increasing visitor-serving uses to 72% and

residential uses to 15% of the total land in Subdistrict 7B. The balance would remain in open space and access uses.

### **Mixed Use Development Plan and Regular Coastal Permit**

The project is proposed as a Mixed-Use Development Plan incorporating commercial/retail space, residential condominium uses, a public recreational viewing deck, public commercial/retail patio space adjacent to the commercial/retail fronting the coastal access path, with associated landscaped open space, parking and ancillary amenities.

The ground floor commercial/retail spaces, and lobby entry to the residential units, are located adjacent to the existing Costa Pacifica Way. The commercial/retail areas total 1,028 sf in size, suitable for small service-oriented or visitor uses. The commercial/retail space is designed and located to accommodate uses such as eateries, coffee stands, flower stands, recreational rentals such as bikes and surfboards or other approved Downtown District D, Subdistrict 7(B) uses. The architectural features for this level incorporate extensive façade glazing and glass entry doors to maintain a commercial character, and provide visibility to future business tenants.

The contemporary architectural design is carried into the upper stories, with elements similar to the Renaissance Terrace (SeaCliff) condominiums west of the site, providing continuity of scale, color and form with this adjacent use. All of the residential units will be single level and arranged in a “stacked flat” configuration. The building includes a common interior courtyard at the podium level (the first floor of residential units), with a pedestrian pathway that provides access to the first floor units. Access for the units located on levels 2-4 is from elevators and stairways to a “catwalk” system of elevated walkways.

A summary of the floor plan mix for the residential units is listed in Table 1 below:

**Table 1**

<b>Plan Type</b>	<b>Sq. Ft.</b>	<b>Bedrooms</b>	<b>Baths</b>	<b>Units</b>
A	1,061	2	2	8
B	1,274	2	2	4
C	1,361	2	2	8
D	1,338	2	2	12
E	1,520	3	2	4
F	1,530	2	2	4
G	1,334	2	2	4
H	1,060	2	2	4
I	1,628	2	2	4
<b>Total</b>				<b>52</b>

A summary of development standards compliance is provided in Table 2. Each of the component areas of the Mixed Use Plan are noted separately, along with the overall totals, to demonstrate compliance with the mixed-use development standards established for the site.

**Table 2**

<b>DEVELOPMENT STANDARD</b>	<b>MINIMUM REQUIRED</b>	<b>PROPOSED</b>
<b>Lot Size (sf)</b>	Commercial – 10,000 sf Residential – 5,000 sf	66,792 sf (Parcel 1)
<b>Lot Width</b>	50 feet	Parcel 1 – 60 feet (at Coast Hwy) Parcel 2 – 70 feet (at Costa Pacifica Way) Parcel 2 – 175 feet (building area)
<b>Setbacks</b>	<u>Commercial</u> <u>Residential</u>	
<b>Front</b>	5 ft                  10 ft	20 ft
<b>Side</b>	0 ft                  10 ft	10 ft
<b>Corner</b>	---                  10 ft	---
<b>Rear</b>	0 ft                  5 ft	10 ft
<b>Density</b>	43 du/ac max	31.1 du/ac
<b>Floor Area Ratio (FAR)</b>	3.0 (max)	2.2
<b>Lot Coverage</b>	35%	34.9% (Parcel 1) 32.1% (Gross Site)
<b>Parking</b>	Resid – 104 Visitor – 5 <u>Commercial/retail – 5</u> Total – 114	Resid 105 <u>Commercial/Retail/Visitor 12</u> Total 117
<b>Building Height</b>	65 feet (max) (Stair tower up to 75 feet per Z.O. Section 3018)	56' 4" - main building 62' 0" – Elevator & stair tower only
<b>Site Landscaping</b>	15%(comml std) 25% (resid std)	33% (Gross Site)

Open space for the residential units includes private outdoor living space on balconies and patios (9,396 sf), and shared open space areas in the courtyard and side yard areas (5,154 sf). This total of 14,550 sf exceeds the minimum 200 sf/unit requirement for total open space of 10,400 sf. The front commercial and public areas adjacent to Costa Pacifica Way provide an added site amenity, but are excluded from the open space calculations for the project since they are more oriented towards public use.

## Architecture

The architectural style incorporates simple geometries, as well as the articulation of building masses and planes. The architectural elements provide an animated façade which incorporates

elements of both vertical and horizontal relief, with color shadings used to emphasize the hierarchy of masses and planes. Elevations will be accented with arches and trellises. Proposed building material finishes include stucco walls, decorative trellises and balcony guardrails, with varied roofline heights and curved roof elements for visual interest.

The project site has limited visibility due to its location behind existing commercial development. The proposed four story building will be visible above the existing single story commercial buildings along Coast Highway and from a distance from offsite areas, where they will appear above and behind the existing Renaissance Terrace (SeaCliff) condominiums. As noted earlier, the design will be similar to that existing project, and it will coordinate with existing design elements to be compatible with the surrounding development, fit in with the City's downtown environment, and remain sensitive to the coastal setting.

The proposed building also provides a transition between the high density residential areas of Subdistrict 7A, and the residential component of the mixed uses in Subdistrict 7B including the approved but not yet constructed condominium units of the Hyatt Place & Luxury Condo's, project to the north.

## Landscape Design

The landscape is designed to link with the public pedestrian and bike access along Costa Pacifica Way, adding new patio entries in front of the commercial/retail space(s), and a new public observation deck at the westerly edge of the site which will provide views toward the San Luis Rey River, harbor and beach area. Other onsite areas are designed to provide for passive recreational amenities and outdoor living areas for future residents, including seating areas and landscape features in the central courtyard for sheltered outdoor space. The design expands on the architectural style with the use of a lush yet drought tolerant palette that uses color, texture and form to complement and enhance the architecture and site amenities.

## Tentative Map

The project site is already two legal parcels, and will have a Tentative Map for condominium purposes to establish the commercial/retail and residential condominium units. The total grading quantity estimates are provided in the table below. There will be a net export to accommodate the underground parking garage.

<b>EARTHWORK</b>	<b>CONDO II</b>
Cut	19,358 CY
Remedial	NA
Fill	112 CY
<i>Export</i>	<i>Export 19,246 CY</i>

## **Conditional Use Permits**

This project requires Conditional Use Permits for residential land use in a mixed use structure and for increased height limits per the development standards of Subdistrict 7B.

### ***Land Use CUP***

The D District regulations for Subdistrict 7B permit multi-family residential uses with approval of a Conditional Use Permit. This allows the City to exercise appropriate controls over the project through conditions of approval to insure it continues to operate as intended.

### ***Height***

Subdistrict 7B allows the maximum height limit to be increased from 45 feet to 65 feet upon approval of a Conditional Use Permit and where the following criteria have been met:

- Architectural elevations shall vary in height
- The development footprint does not exceed 35% of the gross site area.
- Roof lines vary in pitch for visual relief
- The maximum achievable elevation does not extend for the entire roof line of the given building.

The proposed project was evaluated to demonstrate that it would comply with these standards. The development footprint is 34.9%. The building elevations vary in total height between 44'7" and 56'4" measured from existing grade. The elevator/stair tower projection at the parking garage extends to 62'0" (allowed to be up to 75 feet under Z.O. Section 3018). The parapet height itself varies by 10 feet across the different roof elements, which include towers, and curved metal-roofed sections. The proposed architecture utilizes various vertical and horizontal planes with offsets, height differentiations and other architectural treatments that provide visual interest and relief along the building elevations. The project complies with the criteria for the increased height limit.

## **Variance**

The proposed project includes a variance request for standard (non-plantable) retaining walls over 6 feet in height. The walls are needed to accommodate existing topographic constraints on this infill site. The existing 11% grade of Costa Pacifica Way limits the location of the point of access to the project, and the elevation change between the existing Costa Pacifica Way and the existing development pad further limits the design options for access into the site. The existing ADA accessible sidewalk between Coast Highway and the residential area to the west, which is also a component of the public pedestrian/bicycle route onsite, needs to be retained, and those elevation constraints compound the difficulty of grading and locating the access driveway to the project. The proposed walls occur in three locations:

1. On the north side of Costa Pacifica Way, to accommodate utility infrastructure within an existing, sloped landscape area. To minimize the visual impact and mass of the sewer lift station, it was divided into two smaller pads set into this landscaped slope area. At the westerly pad, the maximum height of the retaining wall will be at the back

of the enclosure, and will be 11.9 - 12.6 feet, At the easterly pad, the maximum height of the retaining wall will also be at the back of the enclosure, and will be 8.6 - 9.3 feet. Both will be inset into the existing 2:1 slope, with a screening fence along the front side of the enclosure that will screen the necessary sewer pump facilities.

2. Along the eastern property line and wrapping at Costa Pacifica Way to provide for fire access and garage access. In order to meet appropriate grade and width for access into the parking garage and for fire lane access, while matching grades on the existing Costa Pacifica Way, the easterly boundary of the site must be lowered. Where the wall wraps along the south side of Costa Pacifica Way, a retaining wall extends about 2/3 along the eastern property line, with a height ranging between 2.9 and 9.2 feet. At the top of the retaining wall, a 42" guard rail will be installed such that the maximum combined height of the guard rail fence and retaining wall along the eastern boundary will be 12.5 feet.
3. Along the western property line and wrapping at Costa Pacifica Way, to provide access for fire hose pull. There is an existing 2:1 slope in the northwestern corner of the site. In order to meet hose pull distance around the building, access is needed from this corner. In order to construct stairs in this sloping location, retaining walls are needed to achieve the appropriate elevation. The walls vary in height with the staircase, with a maximum height of 6.6 feet.

## Summary

The proposed project will add upscale residential units with a commercial/retail component and a public recreational viewing deck adjacent to the existing public coastal access and in close proximity to the public San Luis Rey bike path at the westerly edge of Subdistrict 7B. It will provide a combination of uses to transition between existing residential to the west, on an infill parcel, and more intense commercial uses located to the north and east. The high quality architecture and landscape are designed to be appealing to visitors, future residents and neighbors. The project implements the goals, intents and objectives of the City's General Plan, Zoning Ordinance, and Local Coastal Plan.

## **LCP Land Use Plan Compliance**

A summary of the project consistency with the underlying policies of the Local Coastal Program is provided below:

### **Coastal Access**

The project is not located along the shoreline and will not obstruct and/or block any existing and/or proposed public beach access. Costa Pacifica Way, which provides access to the property, includes an existing public pedestrian/bicycle access connecting with the San Luis Rey bike trail, and the project will enhance and maintain portions of this route. The project design includes the addition of a public viewing platform adjacent to the pedestrian/bicycle access route, to afford public views overlooking the harbor and beach areas north of the San Luis Rey River, which will enhance this existing access route.

### **Recreation and Visitor Serving Facilities**

As noted above, the project design includes the addition of a public viewing platform at the northwest corner of the site, adjacent to the pedestrian/bicycle access route, to afford a resting area with views overlooking the harbor and beach areas to the north of the San Luis Rey River. This will enhance and upgrade public and visitor amenities along this route. The first level of the proposed building also includes commercial/retail space that fronts onto the existing public pedestrian/bicycle access, designed to accommodate and be attractive for visitor-serving uses.

### **Parking**

The project is providing parking areas within an underground garage structure for the commercial/retail, visitor and residential uses. The amount of parking provided exceeds the minimum parking standards for these uses, to assure that functionally adequate parking for the proposed development is met.

### **Water and Marine Resources; Diking, Dredging, Filling, and Shoreline Structure; and Hazard Areas**

The Coastal Act requires maintenance, protection and restoration of marine resources and coastal water quality, as well a control of discharges and run-off into the ocean and coastal wetlands. The project as proposed includes a stormwater management plan to meet the most recent water quality and runoff standards promulgated by the Regional Water Quality Control Board and implemented by the City of Oceanside.

The project does not include any diking, dredging, filling or shoreline structures, and is not located in an area of high geologic or flood hazards.

### **San Luis Rey River Specific Plan**

The Storm Water Management Plan (“SWMP”) as noted above will assure that runoff from the project site is controlled for quantity and quality prior to ultimate discharge to the San Luis

Rey River. In fact, the post construction runoff for the project and its surrounding areas will be less than currently exists, pre-construction, due to the project's water infiltration, storm drainage and water quality designs and systems.

The public viewing platform along the existing public pedestrian/bicycle access that connects to the existing San Luis Rey bike path will enhance low cost recreation amenities along this route.

### **Environmentally Sensitive Habitat Areas**

The project site is not located in or immediately adjacent to any environmentally sensitive habitat areas.

### **Visual Resources and Special Communities**

The project site is located in an infill location within the Downtown area, without direct frontage onto Coast Highway, in an area where the proposed project will not obstruct and/or block any existing public coastal views. The building will be located behind some existing, currently vacant commercial structures along Coast Highway, and is east of existing residential uses. The design of the structure is similar in architectural style to newer developments in the area, and the project will help enhance the quality within the project area. The proposed building will be compatible in height, scale, color and form with the newer uses in the surrounding neighborhood.

### **New Development and Public Works**

The proposed project will monitor grading for any potential archaeological or paleontological resources, and will enhance the existing onsite pedestrian/bicycle access route with the addition of a public viewing platform.

The project will be an infill site contributing to revitalization of this area of Downtown within the Coastal Zone. It does not diminish public access to the shoreline, but rather, will maintain and enhance the existing pedestrian/bicycle access through the site that connects with the San Luis Rey bike path.

The project does not degrade coastal aesthetics – it represents an attractive addition to the Downtown consistent with newer development.

The project does not affect or preclude the provision of adequate urban services for coastal-dependent, recreation or visitor-serving uses, and essential public facilities are available to serve the proposed development.

# Conditional Use Permit – Findings

## Residential Land Use in a Mixed Use Structure

1. *That the proposed location of the use is in accord with the objective of this ordinance and the purposes of the district in which the site is located.*

The purposes of Subdistrict 7B specifically state that residential uses are allowed as part of a mixed use project, and the “D” District use regulations further specify that multi-family residential is allowed with a CUP. The project is proposed as a Mixed-Use Development Plan incorporating commercial/retail space, residential condominium uses, a public recreational viewing deck, public commercial/retail patio space adjacent to the commercial/retail uses fronting the coastal access path, with associated landscaped open space, parking and ancillary amenities. This parcel is one that is not directly adjacent to Coast Highway and therefore is most suitable for predominantly residential uses. Commercial/retail areas at the ground floor are located adjacent to the existing public access (pedestrian and bicycle).

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

The project as designed is consistent with the General Plan in that it complies with the Downtown “D” District and Subdistrict 7B designations. It will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of the proposed use, and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city as it will provide for a structure consistent with all codes and ordinances, a use that complements the area and provides a transition between more commercially oriented properties adjacent to Coast Highway and the residential uses to the west.

3. *That the proposed conditional use will comply with the provisions of this ordinance, including any specific condition required for the proposed conditional use in the district in which it would be located*

The residential use will comply with the standards of Subdistrict 7B and other provisions of the City’s zoning regulations, and specifically complies with the criteria to be part of a mixed use development.

## **Increased Height Limits Per the Development Standards of Subdistrict 7B**

1. *That the proposed location of the use is in accord with the objective of this ordinance and the purposes of the district in which the site is located.*

The purposes of Subdistrict 7B specifically state that residential uses are allowed as part of a mixed use project. The development standards further provide for an increase in the maximum height limit from 45' to 65' within Subdistrict 7B where the total building floor coverage (footprint) of the development does not exceed 35% and specific criteria have been met. The project meets these criteria (see finding 3 below for additional detail).

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

The project as designed is consistent with the General Plan in that it complies with the Downtown "D" District and Subdistrict 7B designations. It will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of the proposed use, and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city as it will provide for a structure consistent with all codes and ordinances.

3. *That the proposed conditional use will comply with the provisions of this ordinance, including any specific condition required for the proposed conditional use in the district in which it would be located.*

The proposed project development footprint is 34.9%, which is below the maximum 35% criteria of Subdistrict 7B to allow the maximum height limit to be increased from 45 feet to 65 feet, and meets the additional specific criteria provided in the "D" District regulations as follows:

- i. *The architectural elevation shall vary in height along any road or street, especially along Hill Street (Coast Highway).*

The proposed building does not front on any street, but will be visible from Coast Highway. The building elevations vary in total height between 44'3" and 56'4" measured from existing grade.

- ii. *Roof lines shall be pitched with flat roof lines allowed only for intermittent visual relief in character.*

The project roofline includes parapets with heights that vary by 10 feet across the different roof elements, with towers and curved metal-roofed sections. The proposed architectural style utilizes various vertical and horizontal planes with offsets, height differentiations and other architectural treatments that provide visual interest and relief along the building elevations. The varying flat rooflines are an integral component of the architectural style and are broken up by the use of trellis structures. This style is used for compatibility with the nearby development and allows intermittent visual relief to the community within the meaning of the LCP and zoning regulations.

- iii. *The maximum achievable elevation shall not extend for the entire roof line of the given building. (The use of jogs, offsets, height differentiations and other architectural features shall be used to reduce the appearance of a constant roof height.)*

The entire building is not proposed to be at the maximum height. The buildings vary from approximately 44'3" above existing grade to 56'4" above grade. As noted above, the proposed architectural style utilizes various vertical and horizontal planes with offsets, height differentiations and other architectural treatments that provide visual interest and relief along the building elevations.

- iv. *The use of a full roof, not flat, with appropriate pitch, shall be used whenever possible. (A full roof aids in the reducing any environmental noise pollution by providing proper sound attenuation.)*

As noted above, the flat rooflines are an integral component of the architectural style and include more contemporary architectural features that provide intermittent visual relief in the roofline. The project acoustical analysis did not request or require any modification to the roof design to achieve acceptable sound levels.

- v. *In no case shall a building elevation exceed 45 feet in height unless developed under the auspices of a Disposition and Development Agreement, Owner Participation Agreement, Development Agreement or Conditional Use Permit (CUP). In such case, each such Agreement or CUP shall require a site plan and design criteria approval by the CDC.*

A Conditional Use Permit (CUP) for the increased height is a part of this application, and includes site plan and design plans as part of the request.

- vi. *No structure within 50' of the 100 Year Flood-plain boundary shall exceed 45' in height.*

None of the project site, and no structure, is within 50 feet of the 100-year flood-plain boundary.

# Variance Findings

## Retaining Walls

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

The proposed project site is an infill parcel located west of Coast Highway, with constraints due to topography, size of the property, elevations of adjacent parcels and existing 11% grade of Costa Pacifica Way, all of which combine to limit access and utility configurations for the property. The site is at an elevation that requires sewer flows to be pumped to the existing main lines in Coast Highway. The sewer pump infrastructure is being located on the north side of Costa Pacifica Way, within two separate fenced enclosures. There are existing 2:1 slopes in this area, so in order to locate the sewer pumps at the proper elevation, it is necessary to use retaining walls to create the enclosure. Based on the existing grades and depth necessary for the sewer pump equipment, these walls will be over 6 feet in height (up to a maximum of 12.6 feet) and will be standard (non-plantable) retaining walls. The retaining walls along the eastern and western property lines, and wrapping to the south side of Costa Pacifica Way are necessary to meet width and grade requirements for fire truck access and hose pull distance. Strict application of retaining wall height and design requirements would limit the ability to provide appropriate sewer service and fire access to serve the site.

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

The proposed retaining walls are provided to accommodate utility infrastructure and fire access for this project. The walls proposed in the existing, sloped area at the north side of Costa Pacific Way will be internal to the enclosure, and there will be a screening fence along the front edge of the enclosure that will provide a visual screen. The walls proposed along the eastern and western property lines, and wrapping to the south side of Costa Pacifica Way will maintain existing grades and improvements on adjacent properties, provide fire truck access and hose pull access that works with existing grades along Costa Pacifica Way and maintains the ADA sidewalk grades. Through the proposed design of the walls and enclosures, the appropriate fire access and sewer infrastructure can be constructed, and granting the variance will not be detrimental or injurious to property or improvements in the vicinity of the site, or to the public health, safety or general welfare.

3. *That granting the application is consistent with the purposed of this ordinance and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district.*

The use of retaining walls will allow for this infill site to meet city standards for driveway access and grades, while accommodating the existing 11% grade on Costa Pacifica Way and the existing ADA sidewalk grades, and will provide a suitable area for the necessary sewer pump facilities in a way that maintains the maximum area of existing landscaping as a visual amenity along the north side of Costa Pacifica Way.









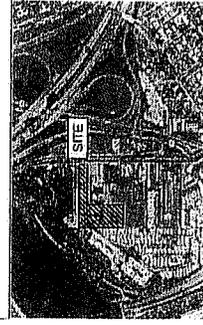












**SEA CLIFF TERRACE**  
 COSTA PACIFICA WAY, OCEANSIDE, CALIFORNIA 92054

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Architect  
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**SITE PLAN**

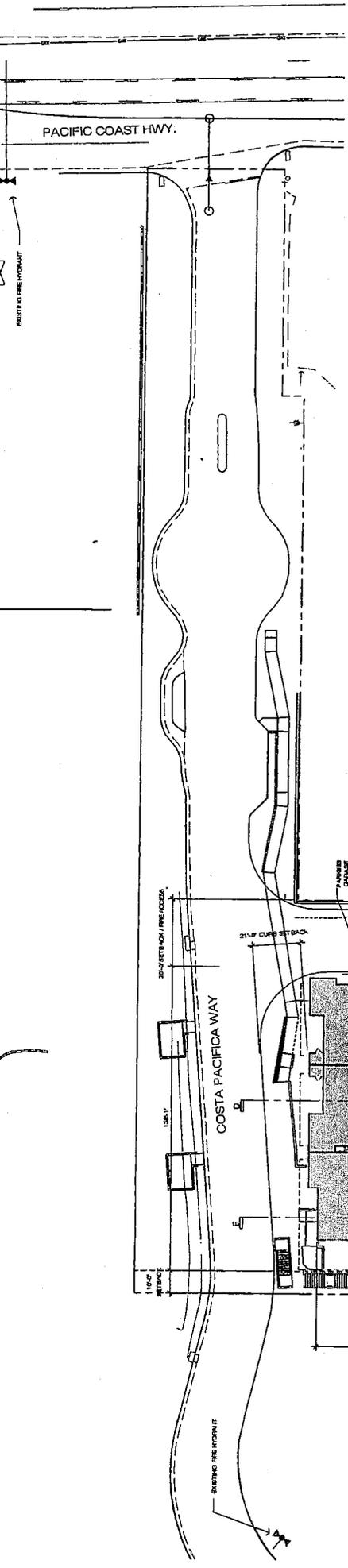
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2	2-BR	1,500	15%	15,000
3	3-BR	2,000	20%	20,000
4	4-BR	2,500	25%	25,000
5	5-BR	3,000	30%	30,000
6	6-BR	3,500	35%	35,000
7	7-BR	4,000	40%	40,000
8	8-BR	4,500	45%	45,000
9	9-BR	5,000	50%	50,000
10	10-BR	5,500	55%	55,000
11	11-BR	6,000	60%	60,000
12	12-BR	6,500	65%	65,000
13	13-BR	7,000	70%	70,000
14	14-BR	7,500	75%	75,000
15	15-BR	8,000	80%	80,000
16	16-BR	8,500	85%	85,000
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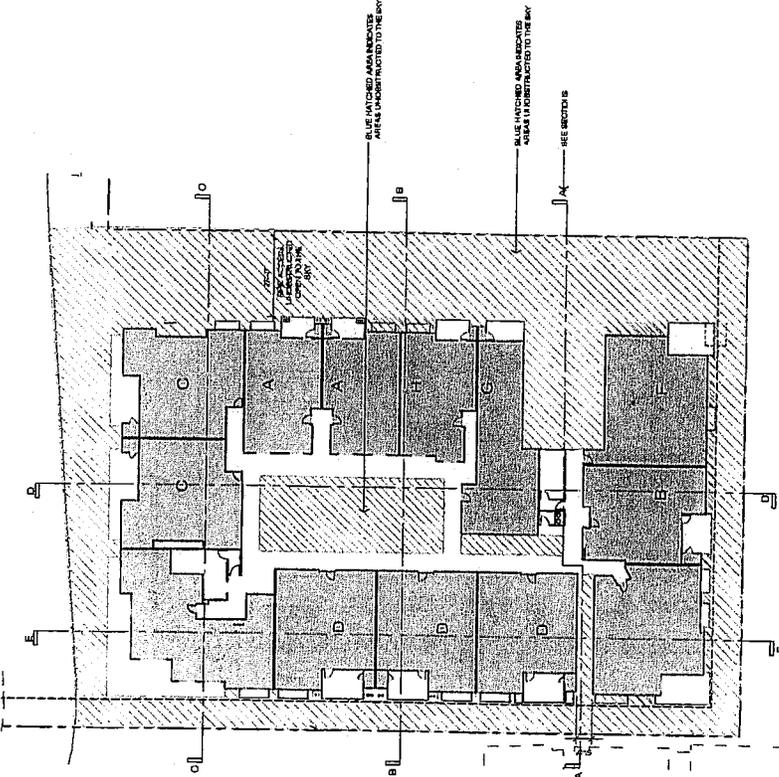
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2	2-BR	1,500	15%	15,000
3	3-BR	2,000	20%	20,000
4	4-BR	2,500	25%	25,000
5	5-BR	3,000	30%	30,000
6	6-BR	3,500	35%	35,000
7	7-BR	4,000	40%	40,000
8	8-BR	4,500	45%	45,000
9	9-BR	5,000	50%	50,000
10	10-BR	5,500	55%	55,000
11	11-BR	6,000	60%	60,000
12	12-BR	6,500	65%	65,000
13	13-BR	7,000	70%	70,000
14	14-BR	7,500	75%	75,000
15	15-BR	8,000	80%	80,000
16	16-BR	8,500	85%	85,000
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18	18-BR	9,500	95%	95,000
19	19-BR	10,000	100%	1,000,000

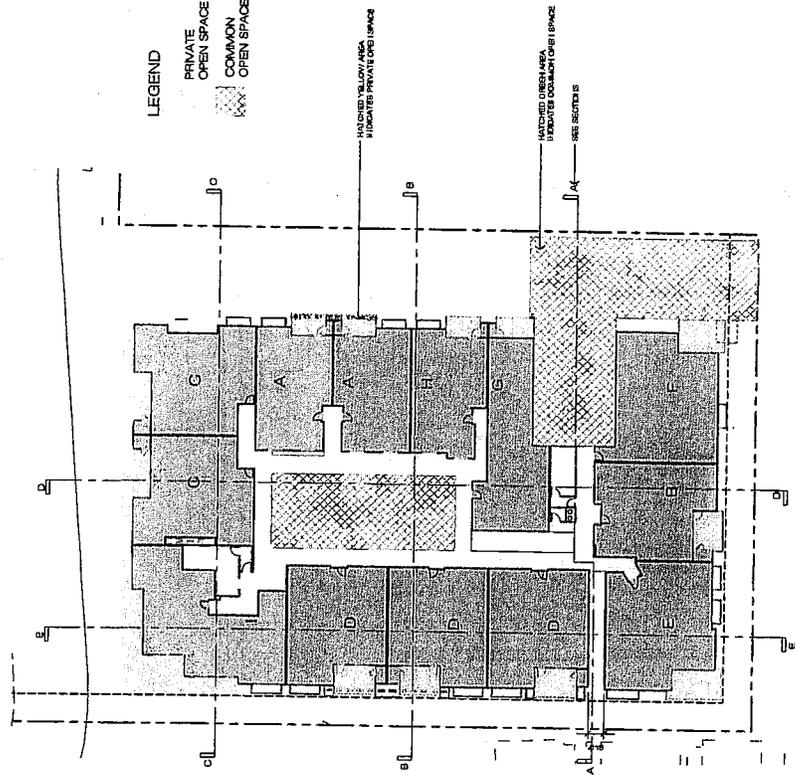
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2	2-BR	1,500	15%	15,000
3	3-BR	2,000	20%	20,000
4	4-BR	2,500	25%	25,000
5	5-BR	3,000	30%	30,000
6	6-BR	3,500	35%	35,000
7	7-BR	4,000	40%	40,000
8	8-BR	4,500	45%	45,000
9	9-BR	5,000	50%	50,000
10	10-BR	5,500	55%	55,000
11	11-BR	6,000	60%	60,000
12	12-BR	6,500	65%	65,000
13	13-BR	7,000	70%	70,000
14	14-BR	7,500	75%	75,000
15	15-BR	8,000	80%	80,000
16	16-BR	8,500	85%	85,000
17	17-BR	9,000	90%	90,000
18	18-BR	9,500	95%	95,000
19	19-BR	10,000	100%	1,000,000



52 UNIT CONDOMINIUM  
 4 STORIES OVER PARKING



OPEN TO THE SKY DIAGRAM



OPEN SPACE DIAGRAM

**LEGEND**  
 PRIVATE OPEN SPACE  
 COMMON OPEN SPACE  
 OPEN SPACE

NOTE: SEE SHEET 05-01 FOR OPEN SPACE CALCULATIONS

**EXTERIOR DIAGRAMS  
 OPEN SPACE AND OPEN TO THE SKY  
 SEACLIFF TERRACE**

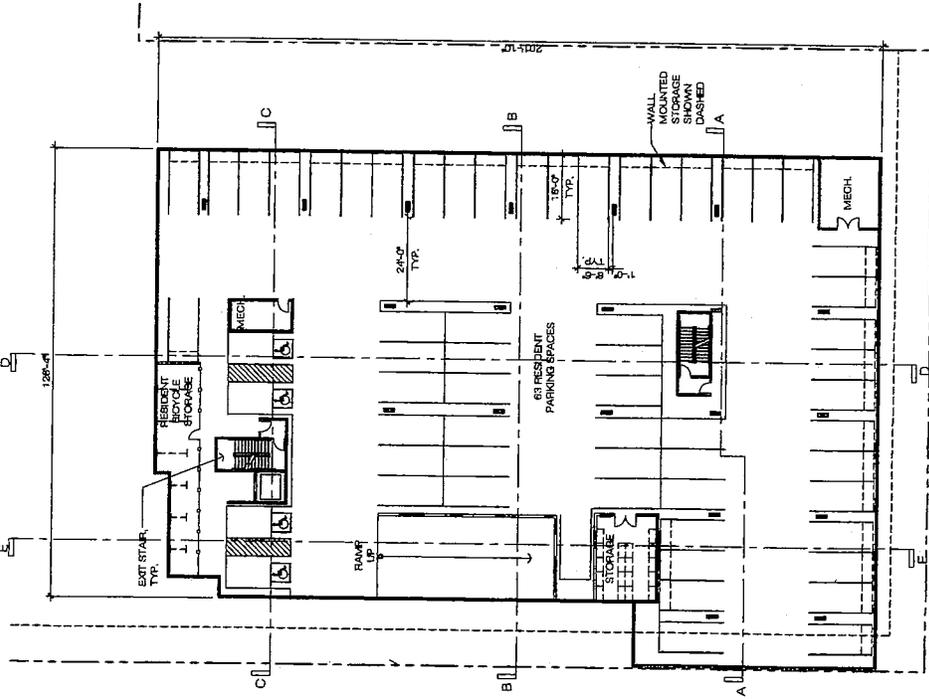
DEVELOPER  
 C.H. OCEANSIDE LLC  
 COSTA PACIFICA WAY, OCEANSIDE, CALIFORNIA 92064

2251 W. 110th Street  
 Torrance, CA 90504  
 Tel: (310) 217-8888  
 Fax: (310) 217-0425

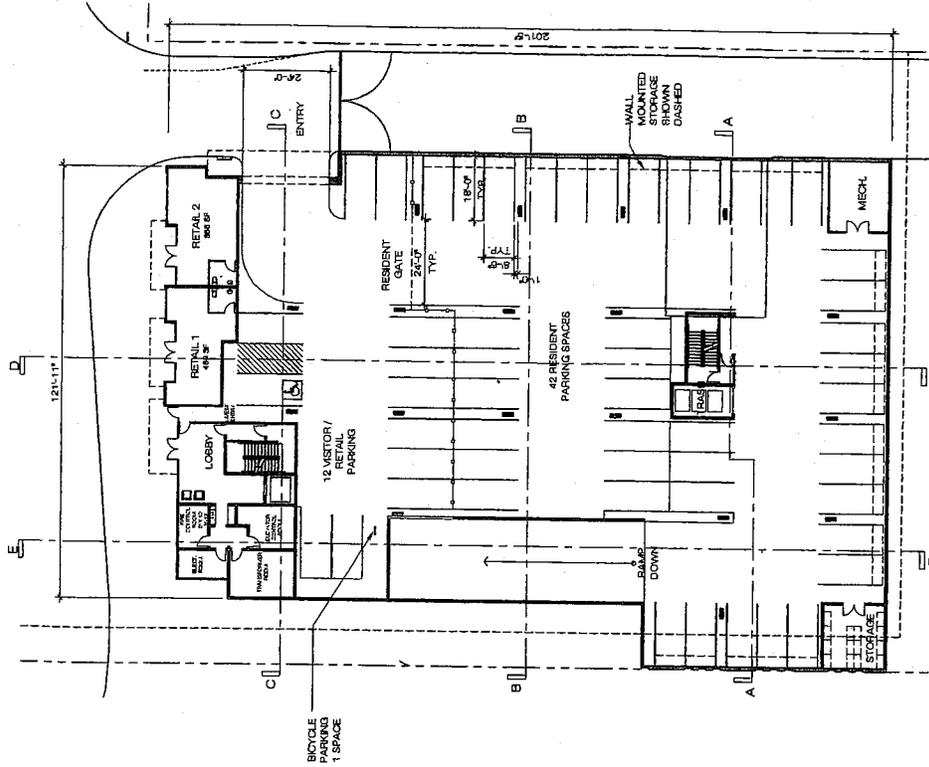
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 NOVEMBER 10, 2013



**SD-02**



PARKING - BASEMENT LEVEL



PARKING - GROUND LEVEL

PARKING AND RETAIL PLANS

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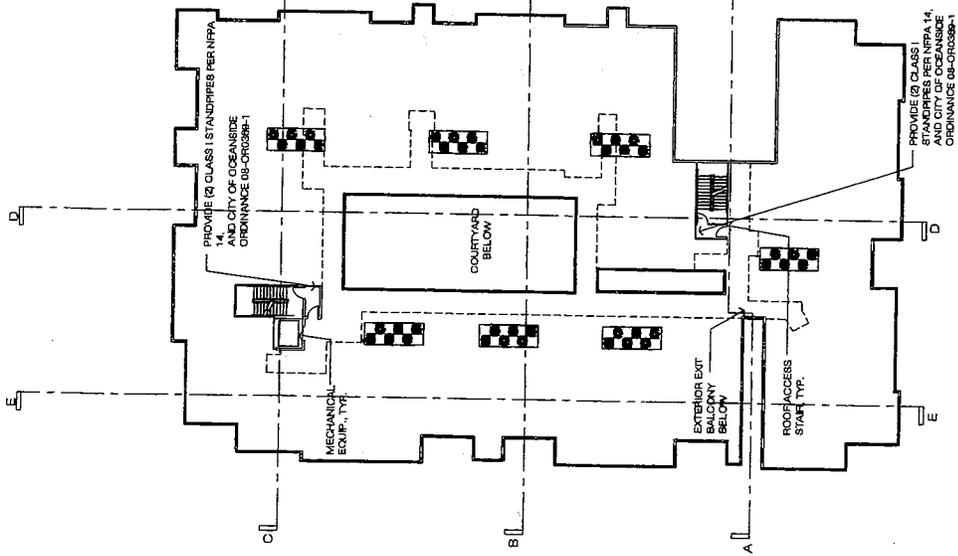


Witness Malcolm Architects, LLP  
 2221 W. 180th Street  
 Torrance, CA 90504  
 TEL: (310) 217-8855  
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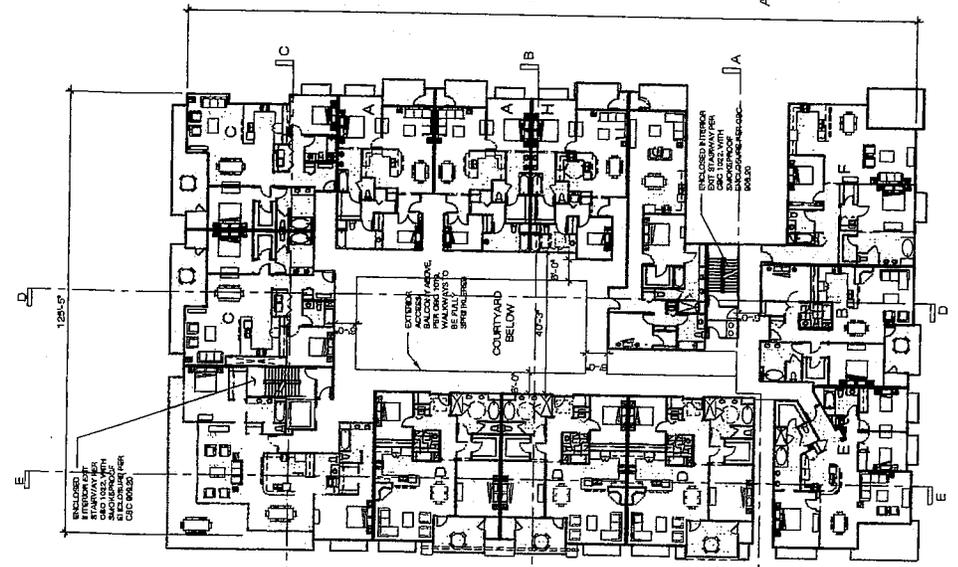
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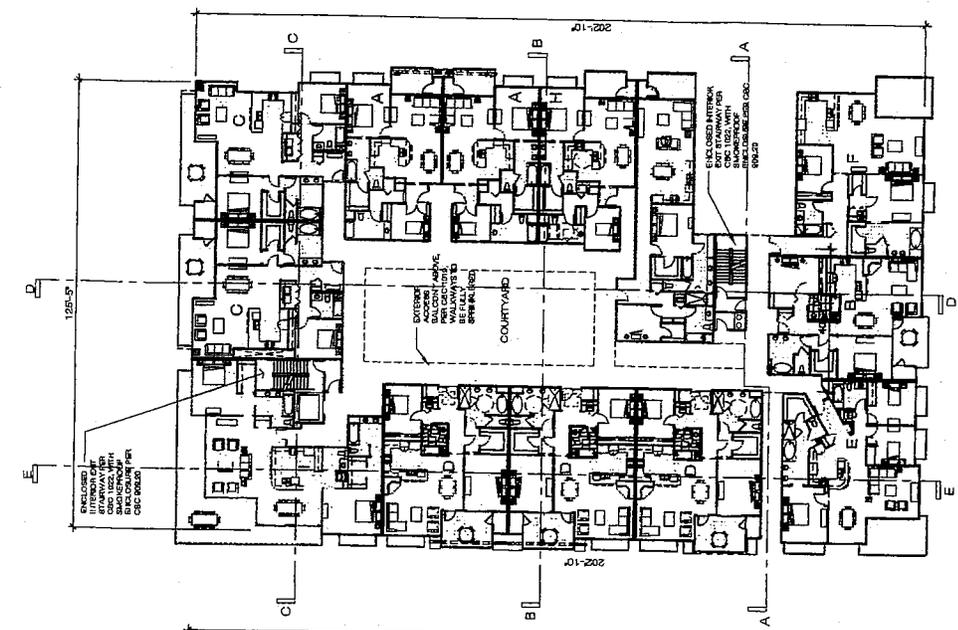
SD-03



BUILDING PLAN - ROOF LEVEL



BUILDING PLAN - TYPICAL LEVEL 2, 3, 4



BUILDING PLAN - LEVEL 1

BUILDING PLANS

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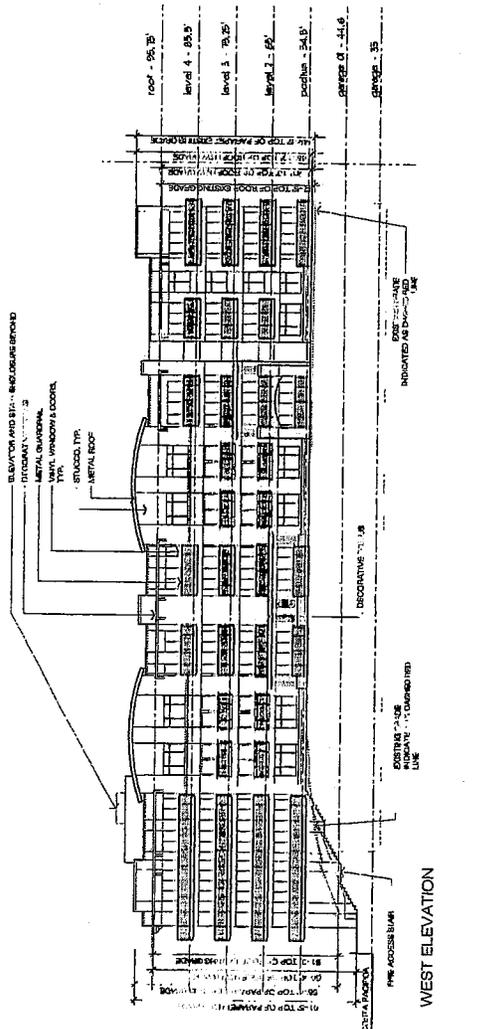


Wilmer Malcom Architects, LLP  
 2201 W. 10th Street  
 San Diego, CA 92161  
 Tel: (619) 217-3888  
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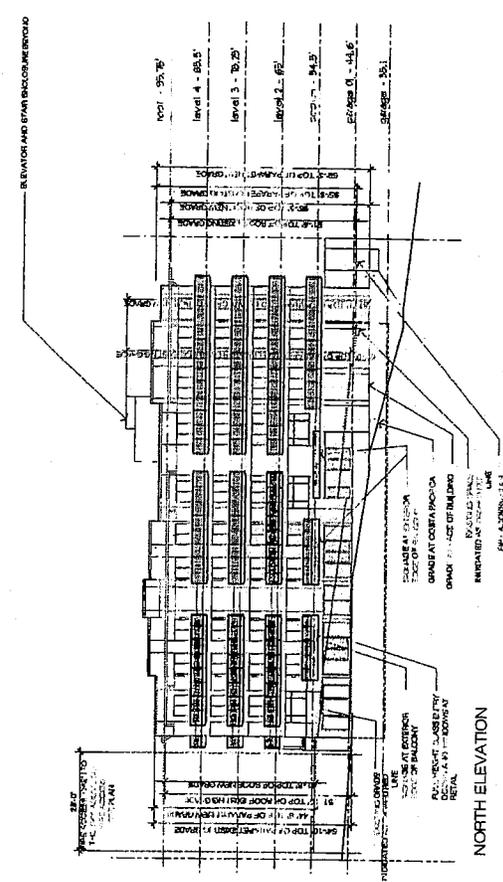


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 NOVEMBER 19, 2013

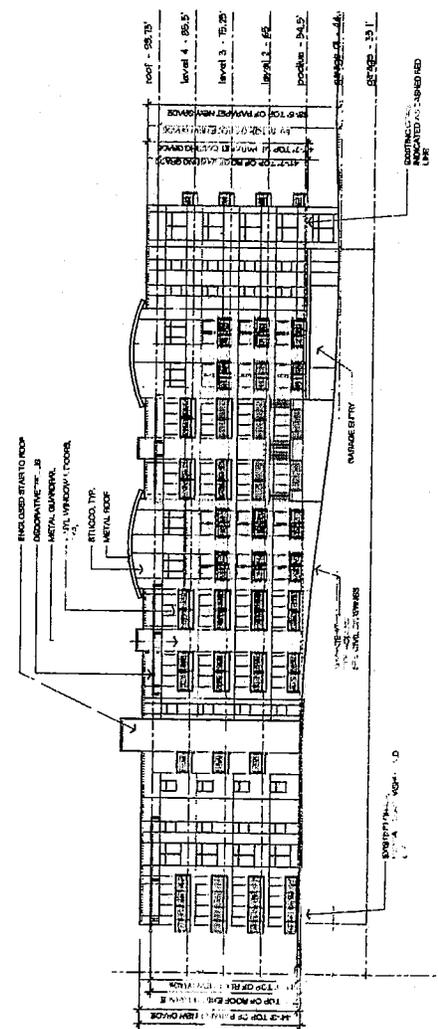
SD-04



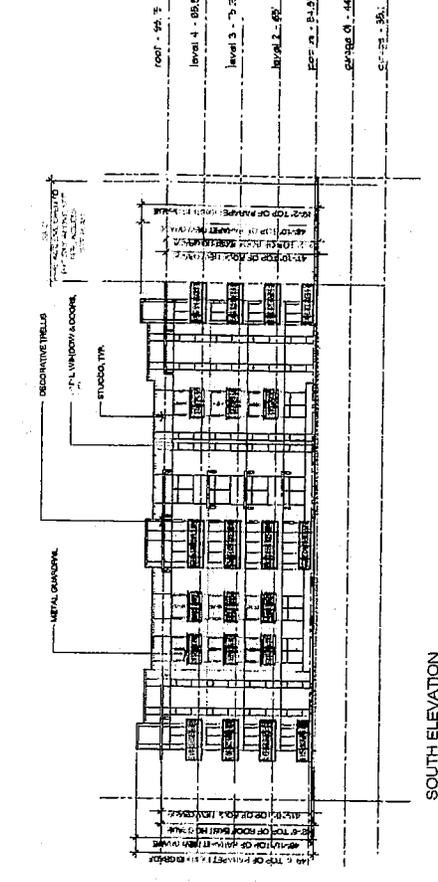
WEST ELEVATION



NORTH ELEVATION

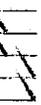


EAST ELEVATION



SOUTH ELEVATION

BUILDING ELEVATIONS



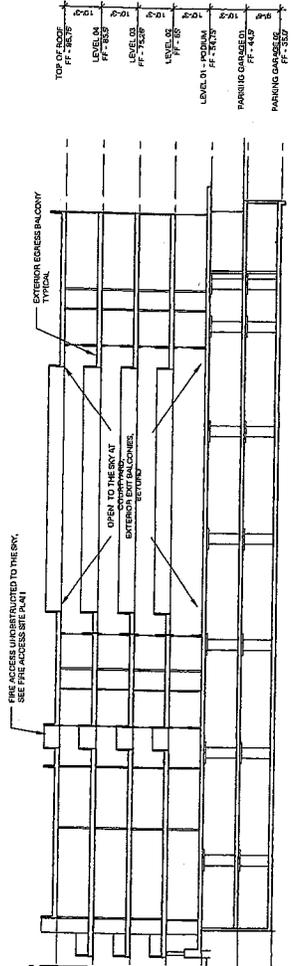
WHYBO MICHIE ARCHITECTS, LLP  
 2551 W. 180th Street  
 Torrance, CA 90504  
 Tel: (310) 217-4828  
 Fax: (310) 217-4828

SCALE: 1/16" = 1'-0"  
 0 16 32 48 84  
 NOVEMBER 19, 2013

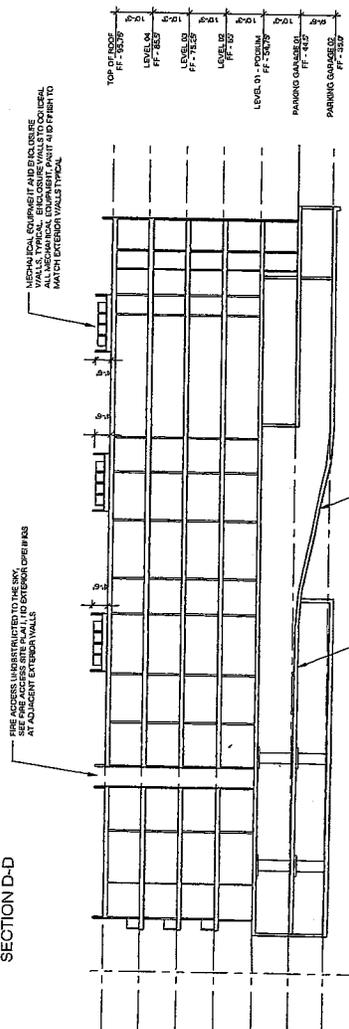
SEACLIFF TERRACE  
 COSTA PACIFICA WAY, OCEANSIDE, CALIFORNIA 92054

DEVELOPER  
 C.H. OCEANSIDE LLC  
 10000 S. 10th Street  
 Soledad, CA 95072  
 Tel: (888) 872-7973

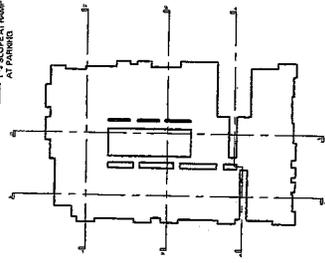
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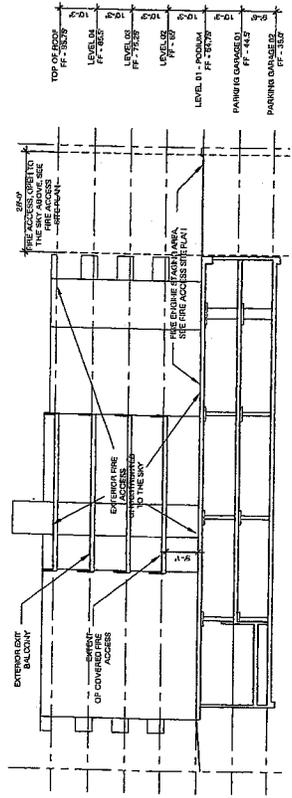
SECTION D-D



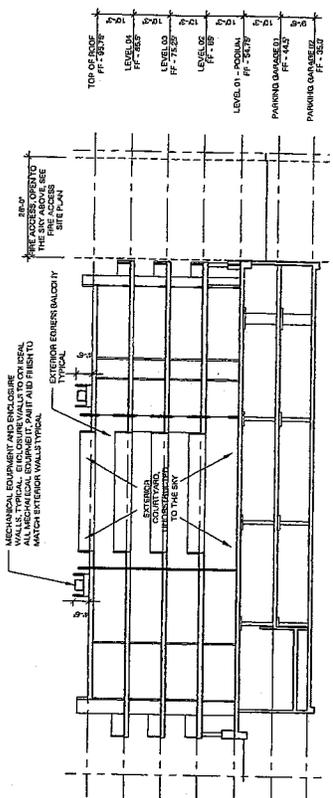
SECTION E-E



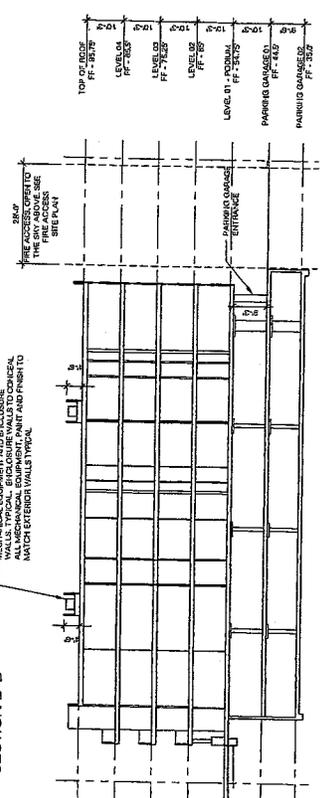
KEYMAP



SECTION A-A



SECTION B-B



SECTION C-C

BUILDING SECTIONS



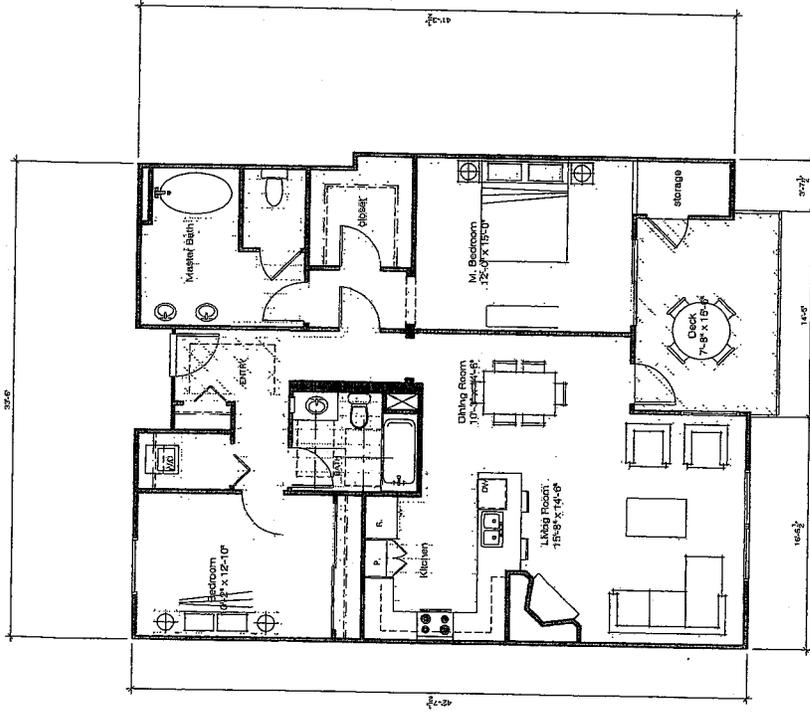
SEACLIFF TERRACE  
 COSTA PACIFICA WAY, OCEANSIDE, CALIFORNIA 92054  
 DEVELOPER  
 C.H. OCEANSIDE LLC  
 457 S. Pacific Coast Hwy, Suite 212  
 Sanema Beach, CA 92675  
 Tel: (949) 815-1973

Withes Malcom Architects, LLP  
 2251 W. 130th Street  
 San Diego, CA 92130  
 Tel: (619) 217-8885  
 Fax: (619) 217-0425

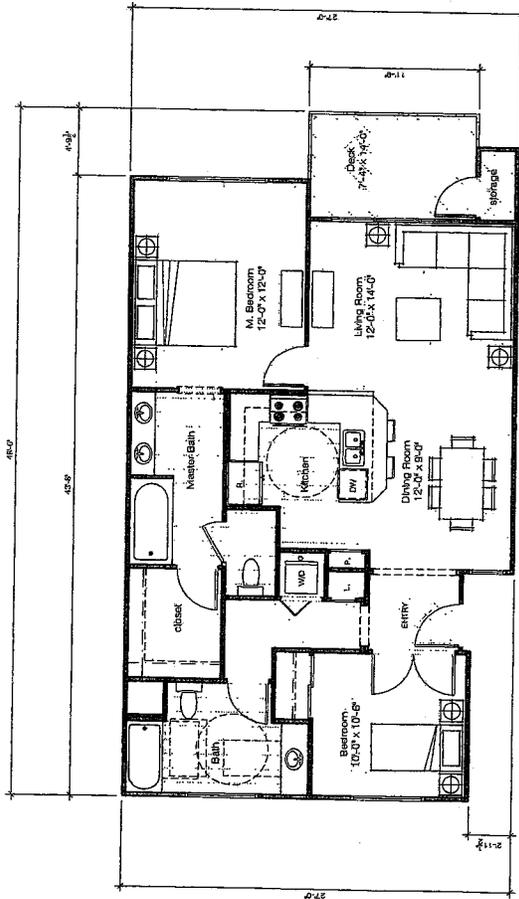
Scale: 1/8" = 1'-0"  
 0 15 32 48 64

NOVEMBER 18, 2013

SD-06



**PLAN B**  
1,274 sf  
2 bedroom + 2 bath



**PLAN A**  
1,061 sf  
2 bedroom + 2 bath

**UNIT PLANS**

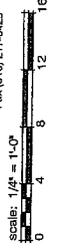
SEACLIFF TERRACE  
COSTA MESA, CALIFORNIA 92624

DEVELOPER  
OCEANSIDE LLC  
447 S. Coast Street, Suite 212  
Santa Ana, CA 92705  
Tel: (949) 875-7973

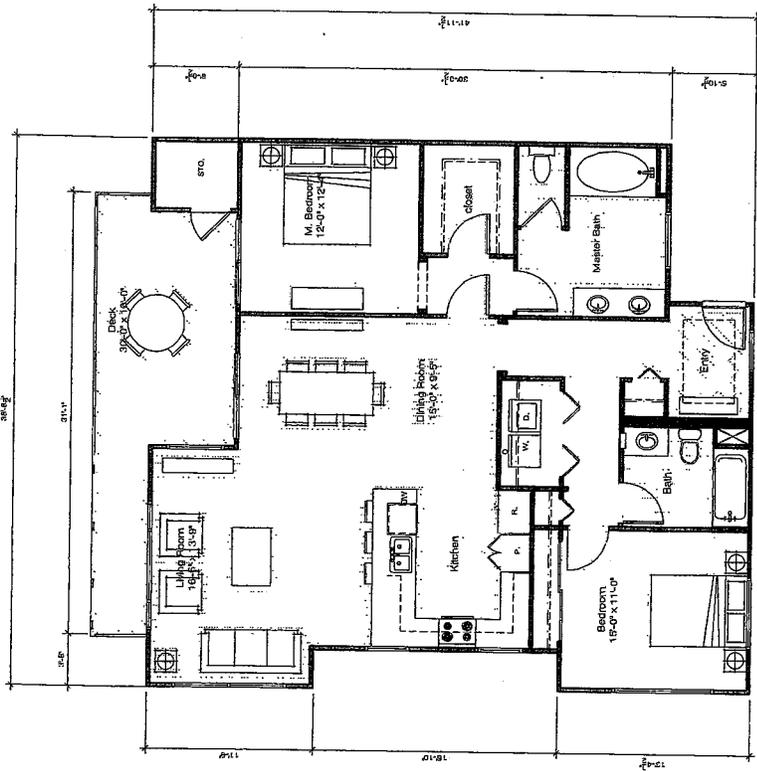
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NOVEMBER 19, 2013



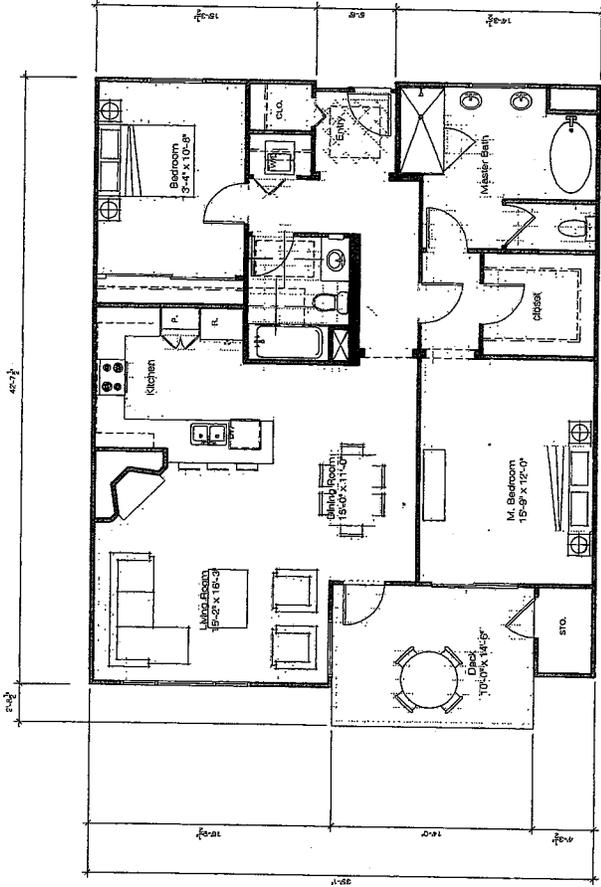
Witusa Makoto Architects, LLP  
2201 W. 180th Street  
Torrance, CA 90504  
Tel: (310) 217-0425  
Fax: (310) 217-0425



**SD-07**



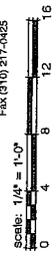
**PLAN C**  
1,361 sf  
2 bedroom + 2 bath



**PLAN D**  
1,338 sf  
2 bedroom + 2 bath



Winboo Malcolm Architects, LLP  
225 W. 100th Street  
San Diego, CA 92104  
Tel: (619) 591-4885  
Fax: (619) 591-4825

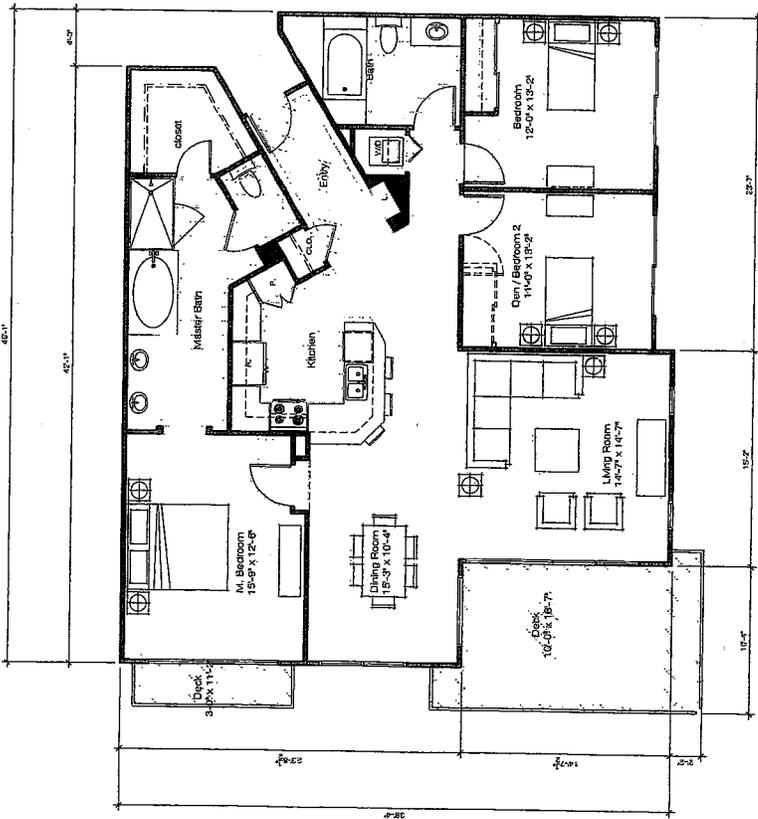


**UNIT PLANS**

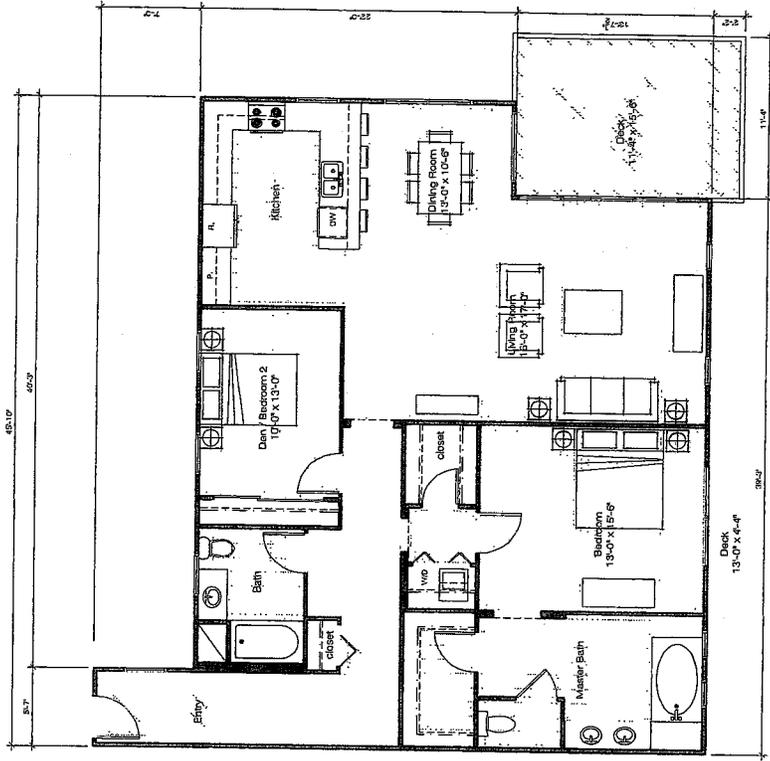
**SEA CLIFF TERRACE**  
COSTA PACIFICA WAY, OCEANSIDE, CALIFORNIA 92054  
**DEVELOPER**  
**C.H. OCEANSIDE LLC**  
457 S. Pacific Coast Hwy, Suite 212  
Solana Beach, CA 92075  
Tel: (949) 497-9793

SCALE: 1/4" = 1'-0"  
NOVEMBER 18, 2013

**SD-08**



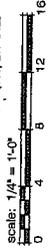
**PLANE**  
1,520 sf  
3 bedroom + 2 bath



**PLANE**  
1,500 sf  
2 bedroom + 2 bath



Wilshire Malibon Architects, LLP  
2200 Wilshire Blvd., Suite 200  
Torrance, CA 90504  
Tel: (310) 217-9855  
Fax: (310) 217-0425



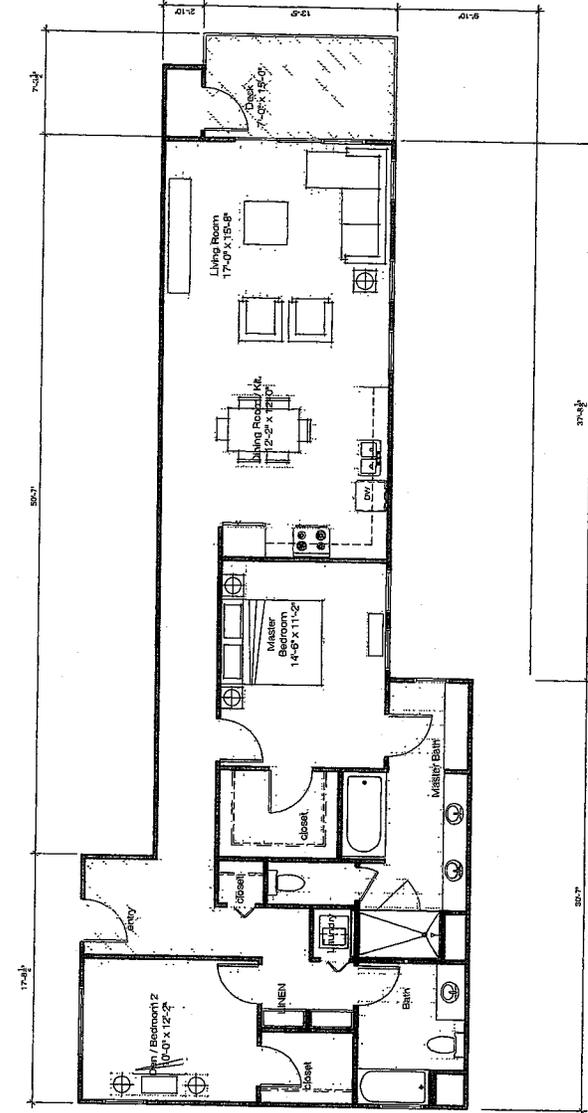
**UNIT PLANS**

**SEACLIFF TERRACE**  
COSTA PACIFICA WAY, OCEANSIDE, CALIFORNIA 92054

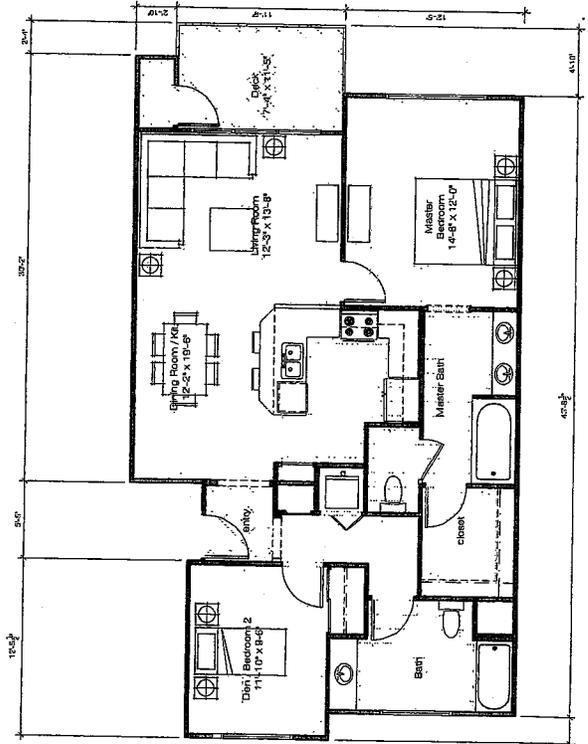
**DEVELOPER**  
C.H. OCEANSIDE LLC  
3700 S. Pacific Coast Hwy, Suite 212  
San Juan Capistrano, CA 92675  
Tel: (949) 675-7373

SCALE: 1/4" = 1'-0"  
NOVEMBER 19, 2013

**SD-09**



**PLAN G**  
1354 sf  
2 bedroom + 2 bath



**PLAN H**  
1050 sf  
2 bedroom + 2 bath

**UNIT PLANS**



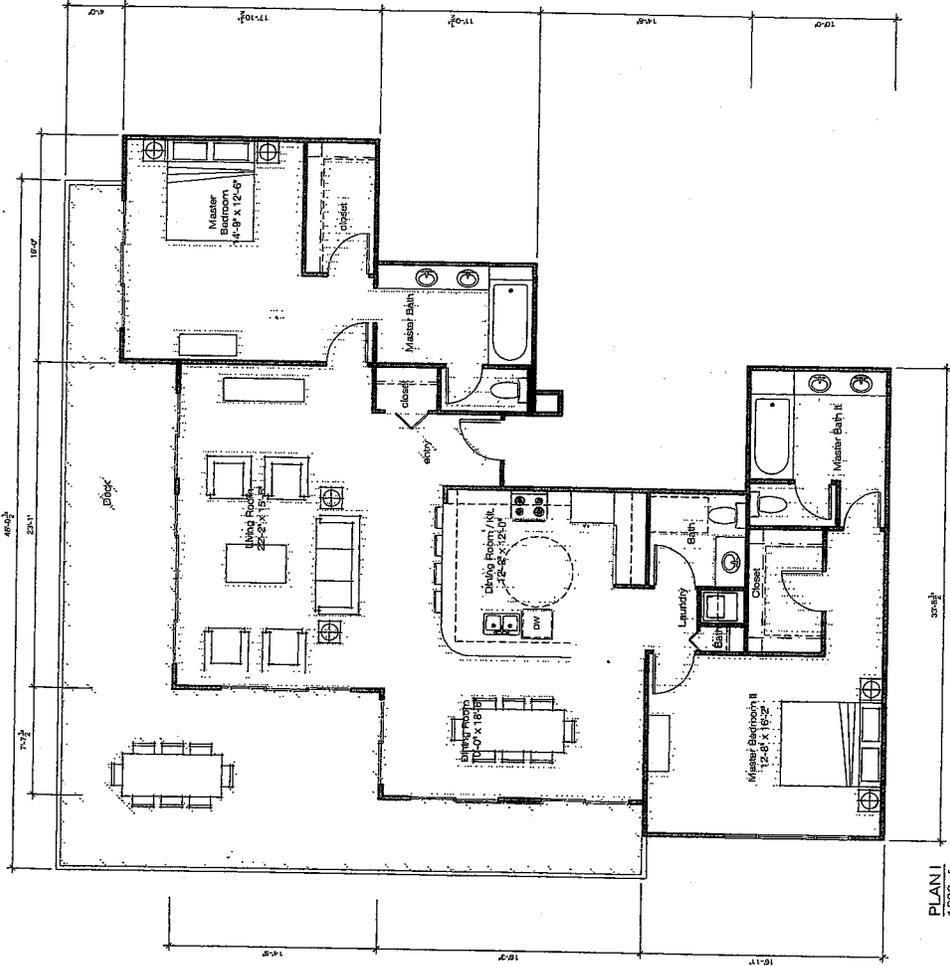
Whitson Malcolm Architects, LLP  
2251 W. 180th Street  
Irvine, CA 92614  
Tel: (949) 217-0425  
Fax: (949) 217-0425

SEACLIFF TERRACE  
COSTA PACIFICA WAY, OCEANSIDE, CALIFORNIA 92054  
DESIGN OFFICE  
**C.H. OCEANSIDE LLC**  
437 S. Pacific Coast Highway, Suite 212  
Solana Beach, CA 92075  
Tel: (858) 675-1973



SCALE: 1/4" = 1'-0"  
NOVEMBER 15, 2013

**SD-10**



**PLAN J**  
1628 sf  
2 bedroom + 2 bath

**UNIT PLANS**

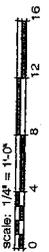
**SEACLIFF TERRACE**  
COSTA MEXICO VIA 1, OCEANSIDE, CALIFORNIA 92054

DEVELOPER  
**C.H. OCEANSIDE LLC**  
2251 W. 130th Street  
Torrance, CA 90504  
Sales: (310) 317-4425  
tel: (858) 675-7373

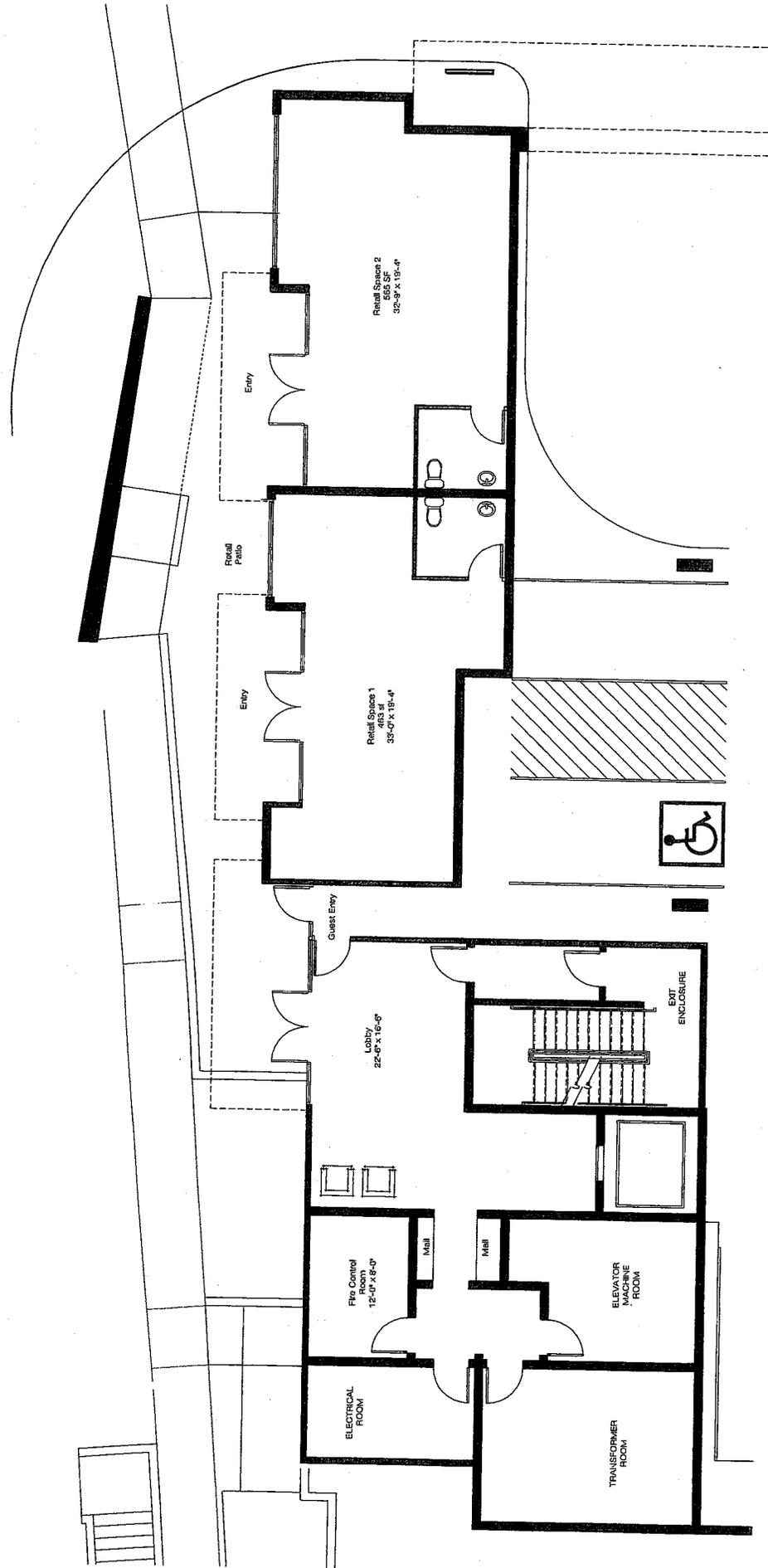
SCALE: 1/4" = 1'-0"  
NOVEMBER 19, 2013



Winters Architects, LLP  
2251 W. 130th Street  
Torrance, CA 90504  
Tel: (310) 317-4425  
Fax: (310) 317-4425



**SD-11**



**RETAIL PLAN**



White Mountain Architects, LLP  
 2251 W. 18th Street  
 Berkeley, CA 94705  
 Tel: (910) 217-0885  
 Fax: (910) 217-0425

SEACLIFF TERRACE  
 COSTA PACIFICA WAY, OCEANSIDE, CALIFORNIA 92054

DESIGNER  
**C.H. OCEANSIDE LLC**  
 437 S. Pacific Coast Hwy., Suite 212  
 Solana Beach, CA 92075  
 Tel: (951) 675-7573

SCALE: 1/4" = 1'-0"  
 NOVEMBER 19, 2013

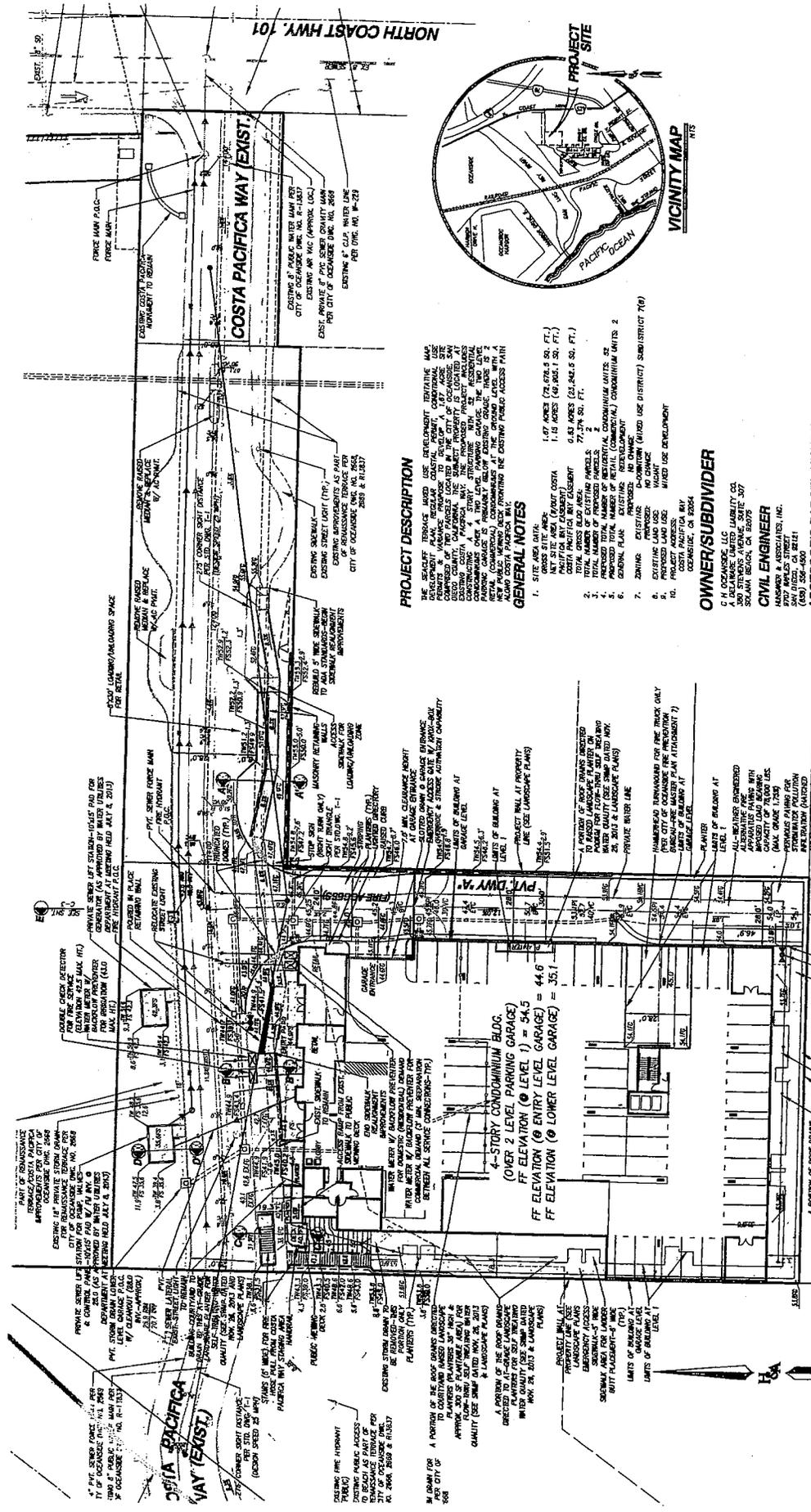


**SD-12**

# SEACLIFF TERRACE

## A MIXED USE DEVELOPMENT

City of Oceanside, California



### PROJECT DESCRIPTION

THE SEACLIFF TERRACE MIXED USE DEVELOPMENT TERRITINE MAP PERMITS A VARIANCE TO DEVELOP A 4.57 ACRE SITE IN THE CITY OF OCEANSIDE, CALIFORNIA. THE PROPOSED PROJECT INCLUDES A 4-STORY CONDOMINIUM BLDG WITH 2 LEVELS OF PARKING GARAGE, A 4-STORY CONDOMINIUM BLDG WITH 2 LEVELS OF PARKING GARAGE, A 4-STORY CONDOMINIUM BLDG WITH 2 LEVELS OF PARKING GARAGE, AND A 4-STORY CONDOMINIUM BLDG WITH 2 LEVELS OF PARKING GARAGE.

### GENERAL NOTES

1. SITE AREA: 4.57 ACRES (197,874.5 SQ. FT.)
2. NET SITE AREA (EXCLUDING EXISTING PAVED AREAS): 4.57 ACRES (197,874.5 SQ. FT.)
3. TOTAL PROPOSED FLOOR AREA: 1,077,000 SQ. FT.
4. TOTAL NUMBER OF PROPOSED UNITS: 220
5. PROPOSED TOTAL NUMBER OF RESIDENTIAL CONDOMINIUM UNITS: 220
6. GENERAL FLOOR AREA: 1,077,000 SQ. FT.
7. ZONING: EXISTING: M-1 (MEDIUM DENSITY RESIDENTIAL); PROPOSED: M-1 (MEDIUM DENSITY RESIDENTIAL)
8. PROJECT ADDRESS: 101 NORTH COAST HWY., OCEANSIDE, CA 92054
9. PROJECT OWNER: SEACLIFF TERRACE DEVELOPMENT, INC.
10. PROJECT ARCHITECT: HUNSAKER & ASSOCIATES, INC.

### OWNER/SUBDIVIDER

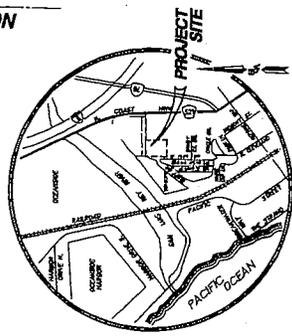
G. H. OCEANSIDE, LLC  
 300 STEVENS AVENUE, SUITE 307  
 SOLANA BEACH, CA 92075

### CIVIL ENGINEER

HUNSAKER & ASSOCIATES, INC.  
 101 NORTH COAST HWY., SUITE 307  
 OCEANSIDE, CA 92054

### ASSESSOR'S PARCEL NUMBER

143-00-03 & 143-040-54



NOVEMBER 27, 2013  
 SHEET 1 OF 3  
**SEACLIFF TERRACE**  
 SUPPLEMENTAL ENGINEERING EXHIBIT  
 GRADING PLAN, SLOPE, EROSION CONTROL, PROFILES & LOADING ZONE OPTIONS  
 CITY OF OCEANSIDE, CALIFORNIA

SHEET #	SHEET INDEX
1	10. SEACLIFF TERRACE
2	20. SEACLIFF TERRACE
3	30. SEACLIFF TERRACE

SHEET #	LOCATION ALTERNATIVES
1	PRIVATE DRIVEWAY / LAKE OF SEACLIFF (R.M. & PROFILES)
2	PRIVATE DRIVEWAY / LAKE OF SEACLIFF (R.M. & PROFILES), LOADING ZONE
3	LOCATION ALTERNATIVES







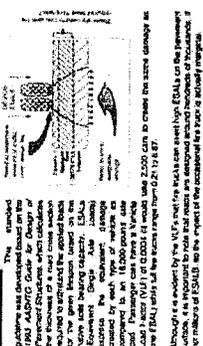




**STRUCTURAL DESIGN OF CONCRETE CURB AND TRUCKS**  
(Last Updated January 20, 2014)

A previous version issued by Belgard is hereby withdrawn. The design of concrete curb and trucks is a critical component of any pavement structure. This is due to the inherent high modulus of concrete and the high modulus of steel reinforcement. The design of curb and trucks must be based on the most current industry standards and specifications. The design of curb and trucks must be based on the most current industry standards and specifications. The design of curb and trucks must be based on the most current industry standards and specifications.

- DESIGN ERRATA**
1. The design of curb and trucks must be based on the most current industry standards and specifications.
  2. The design of curb and trucks must be based on the most current industry standards and specifications.
  3. The design of curb and trucks must be based on the most current industry standards and specifications.

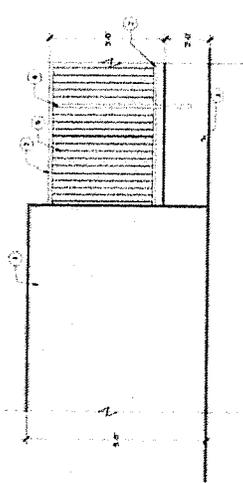


**WHEEL & AXLE LOADS**

Designers use 14,000 lbs for HS-20 type AASHTO design truck. The design of curb and trucks must be based on the most current industry standards and specifications. The design of curb and trucks must be based on the most current industry standards and specifications. The design of curb and trucks must be based on the most current industry standards and specifications.

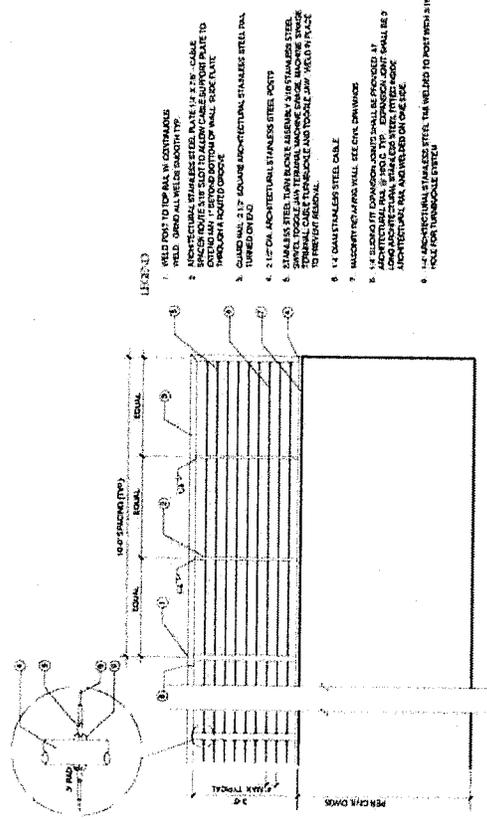


When the subgrade strength is less than 1,500 psi, the design of curb and trucks must be based on the most current industry standards and specifications. The design of curb and trucks must be based on the most current industry standards and specifications. The design of curb and trucks must be based on the most current industry standards and specifications.



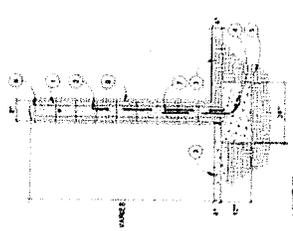
- LEGEND**
1. 30" MASONRY WALL WITH WROUGHT IRONS FENCE
  2. 24" WROUGHT IRONS FENCE
  3. 2" OF POLYURETHANE INSULATION
  4. 1/2" OF POLYURETHANE INSULATION
  5. 1/2" OF POLYURETHANE INSULATION
  6. 1/2" OF POLYURETHANE INSULATION

**A MASONRY WALL WITH WROUGHT IRONS FENCE**  
N.T.S.



- LEGEND**
1. 12" HIGH CONCRETE BLOCK TO MATCH ARCHITECTURE
  2. 12" WROUGHT IRONS FENCE
  3. 2" OF POLYURETHANE INSULATION
  4. 1/2" OF POLYURETHANE INSULATION
  5. 1/2" OF POLYURETHANE INSULATION
  6. 1/2" OF POLYURETHANE INSULATION

**B RETAINING WALL WITH GUARD RAIL**  
N.T.S.



- LEGEND**
1. 12" MASONRY WALL WITH STUCCO
  2. 12" STUCCO
  3. 1/2" OF POLYURETHANE INSULATION
  4. 1/2" OF POLYURETHANE INSULATION
  5. 1/2" OF POLYURETHANE INSULATION
  6. 1/2" OF POLYURETHANE INSULATION

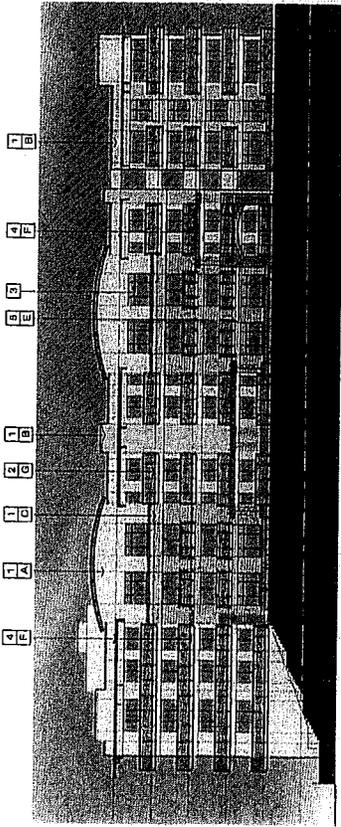
**C MASONRY WALL WITH STUCCO**  
N.T.S.

PREPARED BY:  
**WILKS**  
Professional Engineers & Architects  
10000 Wilks Drive, Suite 100  
San Diego, CA 92121  
Tel: 619-594-1100  
Fax: 619-594-1101  
www.wilks.com

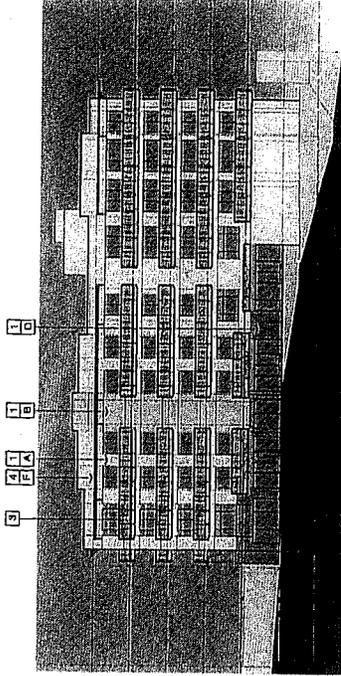
CONCEPTUAL LANDSCAPE PLAN  
**SEACLIFF TERRACE**  
52 RESIDENTIAL CONDOMINIUMS  
(WITH RETAIL/COMMERCIAL)

CITY OF OCEANSIDE, CALIFORNIA

SHEET **L-3** OF **3**



WEST ELEVATION



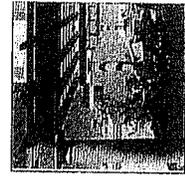
NORTH ELEVATION

**MATERIALS**

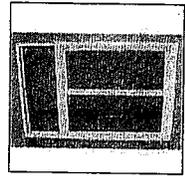
- 1 STUCCO  
PAINTED FINISH TO MATCH COLOR AND GRAY
- 2 METAL GUARDRAIL
- 3 VINYL WINDOWS
- 4 TRELLIS  
PAINTED
- 5 PRE-CAST COLUMN

**PAINT & FINISH COLORS**

- A BEIGE - SMALL OF STRING  
DUNN EDWARDS
- B DESICC - BURMERE TAN  
DUNN EDWARDS
- C DEC769 - HICKORY  
DUNN EDWARDS
- D DER907 - MONTEREY BROWN  
DUNN EDWARDS
- E DEC779 - HEATHER  
DUNN EDWARDS
- F DESK65 - BUFFALO HERD  
DUNN EDWARDS
- G DESK93 - TEA BAG  
DUNN EDWARDS



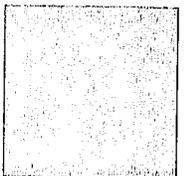
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2



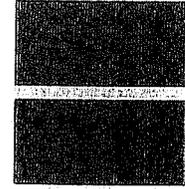
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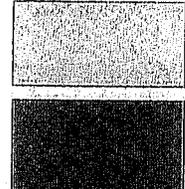
4



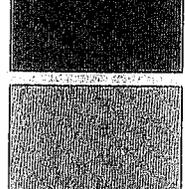
5



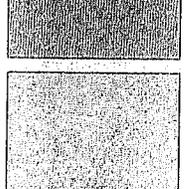
A



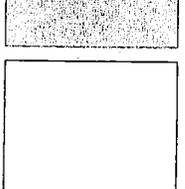
B



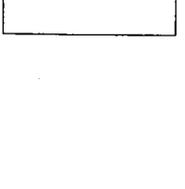
C



D



E

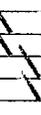


F



G

**COLOR & MATERIAL BOARD**



Wilson Mizobin Architects, LLP  
2251 W. 190th Street  
Torrance, Ca 90504  
Phone (310) 217-4423  
Fax (310) 217-4423

Scale: 1/16" = 1'-0"  
0 16 32 48 64

SEACLIFF TERRACE  
CORTEA PACIFICA WAY, OCEANSIDE, CALIFORNIA 92054  
DESIGNER:  
C.H. OCEANSIDE L.L.C.  
437 B. Pacific Coast Highway, Suite 212  
Solana Beach, Ca 92075  
Tel: (858) 575-7373

SCALE: 1/16" = 1'-0"  
NOVEMBER 16, 2013

## MEMORANDUM

**DATE:** October 15, 2014

**TO:** Honorable Mayor and Councilmembers

**FROM:** Judy Krueger, City Manager's Office

**SUBJECT:** **AVAILABILITY OF LARGE DOCUMENTS FOR REVIEW – FINAL ENVIRONMENTAL IMPACT REPORT FOR SEACLIFF TERRACE**

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As a courtesy, the following document related to the Seacliff Terrace project is available for your review on-line.

Final Environmental Impact Report (FEIR)  
<http://www.ci.oceanside.ca.us/civica/filebank/blobdload.asp?blobid=33580>