



DATE: January 8, 2007

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A CONDITIONAL USE PERMIT (C-41-06) TO ALLOW THE USE OF A RELIGIOUS FACILITY WITHIN AN EXISTING BUILDING LOCATED AT 3803 OCEANIC DRIVE. – VINEYARD CHRISTIAN FELLOWSHIP (VINEYARD OCEANSIDE CHURCH) – APPLICANT: RONALD PAUL FORD**

RECOMMENDATION

Staff recommends that the Planning Commission approve the Conditional Use Permit (C-41-06) and adopt Planning Commission Resolution No. 2007-P03 as attached.

PROJECT DESCRIPTION AND BACKGROUND

Background: The applicant proposes to relocate a religious assembly facility (Vineyard Christian Fellowship) within an existing industrial building at 3803 Oceanic Drive. The site was originally subdivided in 2002 and developed under an administrative development plan which permitted construction of six industrial shell buildings at the corner of Corporate Centre Drive and Oceanside Boulevard.

Project Description: The property is located within the Rancho Del Oro Business Industrial Master Plan Area and is zoned Rancho Del Oro Planned Unit Development (PD-1). Establishment of religious assembly facilities within the PD-1 zoning district is subject to review and approval of a Conditional Use Permit.

The subject use will occupy 6,006 square feet of an existing industrial shell building. The applicant proposes to conduct religious services every Sunday, operate an office during the week and hold small group religious meetings on weekday evenings. The proposed schedule and types of use is as follows:

Use	Days of the week	# of people	Hours
Office	Monday-Friday	2-5	8am - 5pm
Services	Sunday morning	85	8am -12pm
	Sunday evening	30-45	6pm - 9pm
Meetings	Weekday evenings	5-25	6pm - 9pm

ANALYSIS

KEY PLANNING ISSUES

1. Are there any public health, safety, or welfare impacts associate with the operation of the proposed religious facility?
2. Does the proposed use meet the Oceanside Zoning Ordinance regulations?

DISCUSSION

Section 1100 of the Oceanside Zoning Ordinance requires that all proposals for religious assembly facilities be analyzed via a Conditional Use Permit. Religious Assembly uses include uses which involve religious worship and incidental religious education as well as other religious facility related supportive and social services. Staff's review for the Vineyard Christian Fellowship conditional use permit centered on compatibility issues with existing industrial uses within the business park and project compliance with applicable development standards.

The subject industrial park includes a wide variety of uses and contains a total of 97 parking spaces. Based upon the seating capacity in the sanctuary and ancillary areas, the proposed religious assembly use requires provision of 48 parking spaces. Peak parking demand will occur during Sunday Worship Service when the parking lot is minimally utilized by other industrial users. During the week, day use will be limited to office personnel. On weekday evenings Bible study meetings will be held.

Staff finds that the limited use of the proposed facilities by office staff personnel during the week, the limited weekday evening use, and proposed hours of religious services during the weekend will not result in a parking deficiency or conflict with existing or future industrial uses which typically operate during the weekday daytime hours. Furthermore, the proposed church site has been vacant for some time and meets the Uniform Building Code requirements for church occupancies; therefore the proposed use can be accommodated within the existing vacant suite.

ENVIRONMENTAL DETERMINATION

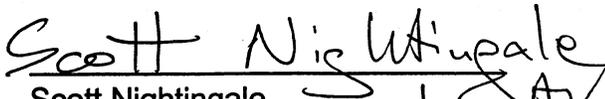
The project is exempt from review under the California Environmental Quality Act (CEQA).

SUMMARY

The proposed religious assembly activities will not interfere with the primary industrial uses in the area. Parking for the proposed uses will be provided in accordance with zoning ordinance parking regulations. Therefore, staff recommends that the Planning Commission approve the project. The Commission's action should be:

- Move to approve Conditional Use Permit (C-41-06) and adopt Planning Commission Resolution No. 2007-P03 as attached.

PREPARED BY:



Scott Nightingale
Planner II

SUBMITTED BY:



Jerry Hitlerman
City Planner

REVIEWED BY:


Amy Volzke, Principal Planner

JH/SN/fil

Attachments:

1. Site Plans & Floor Plans
2. Planning Commission Resolution No. 2007-P03

1 PLANNING COMMISSION
2 RESOLUTION NO. 2007-P03

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 CONDITIONAL USE PERMIT ON CERTAIN REAL
6 PROPERTY IN THE CITY OF OCEANSIDE

7 APPLICATION NO: C-41-06
8 APPLICANT: Vineyard Oceanside Church
9 LOCATION: 3803 Oceanic Drive

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

12 WHEREAS, there was filed with this Commission a verified petition on the forms
13 prescribed by the Commission requesting a Conditional Use Permit under the provisions of
14 Articles 11 and 41 of the Zoning Ordinance of the City of Oceanside to permit the following:

15 establishment of a 6,006-square foot religious assembly facility within an existing
16 industrial shell building;
17 on certain real property described in the project description.

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 8th day
19 of January, 2007 conduct a duly advertised public hearing as prescribed by law to consider said
20 application;

21 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
22 Guidelines thereto; this project is exempt from environmental review;

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

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

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

1 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes
2 effective 10 days from its adoption in the absence of the filing of an appeal or call for review;

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

5 FINDINGS:

6 For the Conditional Use Permit:

- 7 1. That the proposed location of the use is in accord with the objectives of the Zoning
8 Ordinance and the purposes of the district in which the site is located.
- 9 2. That the proposed location of the conditional use and the proposed conditions under
10 which it would be operated or maintained will be consistent with the General Plan; will
11 not be detrimental to the public health, safety or welfare of persons residing or working
12 in or adjacent to the neighborhood of such use; and will not be detrimental to properties
13 or improvements in the vicinity or to the general welfare of the City.
- 14 3. That the proposed conditional use will comply with the provisions of the Zoning
15 Ordinance and the Rancho Del Oro Planned Unit Development, including any specific
16 condition required for the proposed conditional use in the district in which it would be
17 located.

18 For the Use in the Planned Unit Development Industrial (PD-1) Zone:

- 19 1. That the location proposed is not in an area considered "prime" for immediate
20 commercial development.
- 21 2. That the religious assembly activities do not interfere with the primary industrial uses in
22 the vicinity of the immediate existing users and there are no public health and safety
23 issues from the location of the religious use.
- 24 3. That the buildings will meet the requirements imposed by the Uniform Building Code
25 for assembly occupancy.
- 26 4. That parking is provided as required by the parking regulations for religious assemblies.

27 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
28 approve Conditional Use Permit (C-41-06) subject to the following conditions:
29

1 **Building:**

- 2 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
3 Building Division plan check.
- 4 2. The granting of approval under this action shall in no way relieve the applicant/project
5 from compliance with all State and local building codes.
- 6 3. Site development, parking, access into buildings and building interiors shall comply with
7 C.C.R. Title 24, Part 2 (Disabled Access - Nonresidential buildings - D.S.A.).
- 8 4. All outdoor lighting must comply with Chapter 39 of the City Code (Light Pollution
9 Ordinance). Where color rendition is important, high-pressure sodium, metal halide or
10 other such lights may be utilized and shall be shown on building and electrical plans.
- 11 5. The building plans for this project are required by State law to be prepared by a licensed
12 architect or engineer and must be in compliance with this requirement prior to submittal
13 for building plan review.
- 14 6. This is a change in use as defined in the California Building Code (CBC) from B, F-1,
15 and S-1 to A-2.1. Prior to Occupancy, the building must comply with all CBC
16 requirements for the new use, and a new Certificate of Occupancy (C of O) must be
17 issued by the Building Division. In order for a new C of O to be issued, a licensed
18 architect or engineer must submit an analysis to the Building Division showing the status
19 of the building with respect to the code requirements for the new use. If the building
20 does not currently comply with the requirements for the new use, a permit will be
21 necessary for the work necessary to bring the building into compliance, and the C of O
22 will be issued upon completion of the permit.
- 23 7. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
24 plans.
- 25 8. Complete Energy Calculations/documentation will be required at time of plan submittal
26 to the Building Division for plan check.
- 27 9. A Building (Demo) Permit will be required for the demolition of any existing walls.
28 Plans for the Demolition Permit must clearly show that all work to be completed.
- 29 10. Setbacks and Type of Construction must comply with UBC Table 5-A. Allowable area
must be shown to comply with chapter 5 of the UBC.

- 1 11. Tenant Improvements or other construction to the existing building requires permits
2 (including all required Inspections and approvals, and Issuance of Certificate of
3 Occupancy) from the Building Division.
- 4 12. A letter of clearance from the school district in which the property is located shall be
5 provided at the time building permits are issued.
- 6 13. The developer shall monitor, supervise and control all building construction and supportive
7 activities so as to prevent these activities from causing a public nuisance, including, but not
8 limited to, strict adherence to the following:
- 9 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
10 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for
11 work that is not inherently noise-producing. Examples of work not permitted on
12 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
13 producing nature. No work shall be permitted on Sundays and Federal Holidays
14 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
15 Christmas Day) except as allowed for emergency work under the provisions of the
16 Oceanside City Code Chapter 38 (Noise Ordinance).
- 17 b) The construction site shall be kept reasonably free of construction debris as
18 specified in Section 13.17 of the Oceanside City Code. Storage of debris in
19 approved solid waste containers shall be considered compliance with this
20 requirement. Small amounts of construction debris may be stored on-site in a neat,
21 safe manner for short periods of time pending disposal.

21 **Fire:**

- 22 14. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval
23 prior to the issuance of building permits.
- 24 15. Fire extinguishers are required and shall be included on the plans submitted for plan check.
- 25 16. The building shall be sprinklered and monitored by an approved Central Station prior to
26 building final.
- 27 17. Buildings shall meet Oceanside Fire Department's current codes at the time of building
28 permit application.
- 29 18. Fire alarm system plans shall be submitted for approval prior to installation.

1 19. All requirements from Chapter 10, Means of Egress, California Building Code must be
2 met.

3 20. All requirements from Article 25 of the California Fire Code must be met.

4 **Planning:**

5 21. This Conditional Use Permit shall expire on January 8, 2009 unless implemented as
6 required by the Zoning Ordinance.

7 22. This Conditional Use Permit approves only the religious assembly facility/use and
8 associated tenant improvements as shown on the plans and exhibits presented to the
9 Planning Commission for review and approval. No deviation from these approved plans
10 and exhibits shall occur without Planning Division approval. Substantial deviations shall
11 require a revision to the Conditional Use Permit or a new Conditional Use Permit.

12 23. The permitted uses and hours of operation will be as follows:

Usage	Days of the week	Times of the day
Offices	Monday-Friday	8am-5pm
Services	Sunday Morning & Evening	8am-12pm & 6pm-9pm
Meetings	Weekday Evenings	6pm-9pm

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18 24. Any proposed new signs shall be in conformance with the Rancho Del Oro Master Plan
19 and shall be submitted to the Planning Division.

20 25. The existing trash enclosures shall be rehabilitated with new doors and paint.

21 26. A covenant or other recordable document approved by the City Attorney shall be prepared
22 by the applicant and recorded prior to the issuance of building permits. The covenant shall
23 provide that the property is subject to this resolution, and shall generally list the conditions
24 of approval.

25 27. Prior to the issuance of building permits, compliance with the applicable provisions of the
26 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
27 and approved by the Planning Division. These requirements, including the obligation to
28 remove or cover with matching paint all graffiti within 24 hours shall recorded in the form
29 of a covenant affecting the subject property.

- 1 28. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
- 2 written copy of the applications, staff report and resolutions for the project to the new
- 3 owner and or operator. This notification's provision shall run with the life of the project
- 4 and shall be recorded as a covenant on the property.
- 5 29. Failure to meet any conditions of approval for this development shall constitute a violation
- 6 of the Conditional Use Permit.
- 7 30. Unless expressly waived, all current zoning standards and City ordinances and policies in
- 8 effect at the time building permits are issued are required to be met by this project. The
- 9 approval of this project constitutes the applicant's agreement with all statements in the
- 10 Description and Justification, Management Plan and other materials and information
- 11 submitted with this application, unless specifically waived by an adopted condition of
- 12 approval.
- 13 31. This Conditional Use Permit shall be called for review by the Planning Commission if
- 14 complaints are filed and verified as valid by the Code Enforcement Office concerning the
- 15 violation of any of the approved conditions or assumptions made by the application.

Water Utilities:

- 16 32. No trees, structures or building overhand shall be located within any water or wastewater
- 17 utiliti easement.

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1 33. The property owner will maintain private water and wastewater utilities located on private
2 property.

3 PASSED AND ADOPTED Resolution No. 2007-P03 on January 8, 2007 by the
4 following vote, to wit:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

9

10

Dennis Martinek, Chairman
Oceanside Planning Commission

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ATTEST:

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Jerry Hittleman, Secretary

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I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
17 this is a true and correct copy of Resolution No. 2007-P03.

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Dated: January 8, 2007

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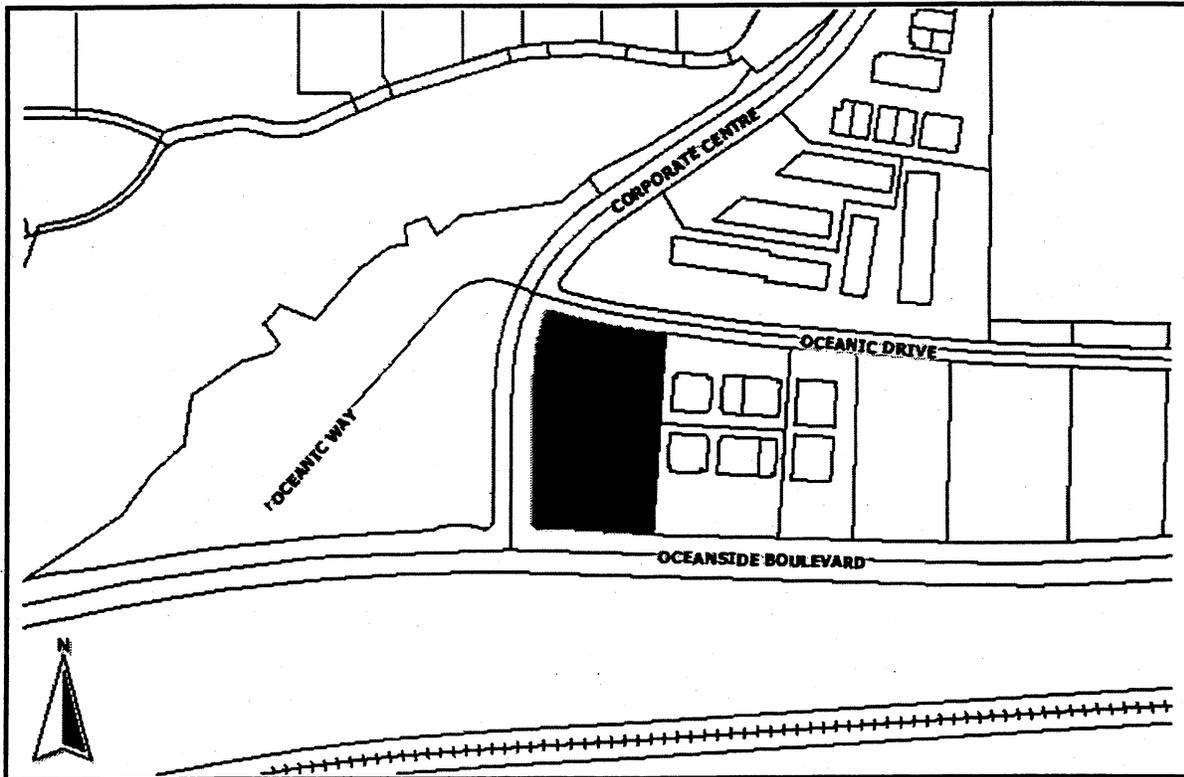
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File Number: C-41-06

Applicant: Ronald Paul Ford

Description:

CONDITIONAL USE PERMIT (C-41-06) to allow the use of a religious facility within an existing building located at 3803 Oceanic Drive. The project site is zoned PD-1 (Planned Development) and is situated within the Ivey Ranch/Rancho Del Oro Neighborhood. **VINEYARD OCEANSIDE CHURCH**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

City of Oceanside, Planning Department
300 N. Coast Highway
Oceanside, CA 92054 (760) 435-3520

Application For Planning Commission Hearing

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

STAFF USE ONLY

ACCEPTED BY
 8/28/06 SN.

Please Print or Type All Information

PART I - APPLICANT INFORMATION

1. APPLICANT Ronald Paul Ford	2. STATUS LEASEE	HEARING GPA
3. ADDRESS 7916 El Astillero Pl. Carlsbad	4. PHONE/FAX 760 809 1781	MASTER/SP.PLAN
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)		ZONE CH.
6. ADDRESS	7. PHONE/FAX	TENT. MAP
		PAR. MAP
		DEV. PL.
		C.U.P. C-41-06
		VARIANCE
		COASTAL
		O.H.P.A.C.

PART II - PROPERTY DESCRIPTION

8. LOCATION 3803 Oceanic Dr., Ste 202, Oceanside	9. SIZE 6000 sq ft
10. GENERAL PLAN Industrial	11. ZONING IL
12. LAND USE INDUSTRIAL	13. ASSESSOR'S PARCEL NUMBER 160-880-20

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
Tenant improvement of space for use for religious assembly on nights AND WEEKENDS AND light office during the week.

15. PROPOSED GENERAL PLAN SAME	16. PROPOSED ZONING	17. PROPOSED LAND USE	18. NO. UNITS	19. DENSITY
20. BUILDING SIZE	21. PARKING SPACES 16 (+32)	22. % LANDSCAPE	23. % LOT COVERAGE	

PART IV - ATTACHMENTS

ALL APPLICATIONS

DEV. PLANS, C.U.P.s & TENT. MAPS

<input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION	<input checked="" type="checkbox"/> 30. FLOOR PLANS AND ELEVATIONS
<input checked="" type="checkbox"/> 26. 300-FT. RADIUS MAP	<input checked="" type="checkbox"/> 27. PROPERTY OWNERS' LIST	31. CONSTRUCTION SCHEDULE
<input checked="" type="checkbox"/> 28. ENVIRONMENTAL ASSESSMENT	<input checked="" type="checkbox"/> 29. PLOT PLANS	32. OTHER

PART V - SIGNATURES

THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.

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

33. APPLICANT OR REPRESENTATIVE (Print): Ron Ford	34. DATE 8/25/06	37. OWNER (Print): STUART SOBEK		38. DATE 8/25/06
Sign: <i>Ron Ford</i>		Sign: <i>Stuart Sobek</i>		
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.				
35. APPLICANT (Print): Ron Ford	36. DATE 8/25/06	39. OWNER (Print):	40. DATE	
Sign: <i>Ron Ford</i>		Sign:		

RECEIVED

RECEIVED

AUG 28 2006

Planning Department

(24)

RECEIVED
AUG 28 2006
Planning Department

Description/Justification of Proposal for a Conditional Use Permit

This application is a request is for a Conditional Use Permit (CUP) for an existing structure in the Carlsbad city limits. We are seeking to use this facility for church meetings on the weekends and weekday evenings, and related office usage during normal office hours. The property is located at 3803 Oceanic Dr., Ste. 202, Oceanside, CA.

Tenant improvement will consist of adding bathrooms, classrooms and an area for assembly for worship (see attached).

The facility will be used for Sunday religious services, and during the weekdays for normal office use, as well as some small group meetings on some weekday evenings.

The schedule of normal usage will be as follows:

Usage	Days of the week	# of People	Times of day
Offices:	Monday through Friday	2-5	8am-5pm
Services:	Sunday morning	85	9-12pm
	Sunday Evening	45	6-8pm
Meetings:	Wednesday evening	10-25	6-9pm

Project Information

Project Name	Vineyard Christian Fellowship
Project Address	3801 Oceanic Dr., Ste. 202, Oceanside, CA.
Owner	SLP Oceanic, LLP 3909 Oceanic Drive, Suite 403, Oceanside, CA. Contact: Stuart Sobek
Applicant	Ron Ford 7916 El Astillero Place, Carlsbad, CA
Building area	16,700 S.F.
Lease area subject to CUP	6006 S.F.
Construction Type	V-N
Building Height	29'-0"
Parking	Parking requirements of 38 spaces according to Oceanside code Article 32, Section 3103 (Religious Assembly) will be met through a combination of allocated parking spaces and spaces granted for use through letters of permission for use (see attached) by neighboring lessees and building owners.

Description/Justification of Proposal for a Conditional Use Permit

The schedule of normal usage is summarized as follows:

Type of Usage	Days of the week the facility will be in use.	# of People Using Facility.	Times of day that the facility will be in use.
Office work:	Monday through Friday	2-5	8am-5pm
Congregational Services:	Sunday Morning	85	8am-noon
	Sunday Evening	30-45	6-9pm
Small Meetings:	Weekday Evenings (varies)	5-25	6-9pm

Parking Management

Since the church's hours of use of the facility for congregational worship services and assembly are during the non-business hours for neighboring tenants (evenings and weekends) there is ample parking available using the assigned 16 spaces for suite 202 and neighboring, unused after-hours parking from adjoining suites (see plot map). In addition, two (2) neighboring tenants have given written approval to the use of their spaces for weeknight and weekend uses by the church (see attached). With their additional spaces the evening and weekend parking availability is totals 48 spaces, with ample additional parking available from other non-business hours spaces open in the development for attendees to park safely off of roadways and traffic areas.

LEGAL DESCRIPTION

(25)

RECEIVED
AUG 28 2006
Planning Department

3. **Description of Property.** The Property to be conveyed by SELLER upon Close of Escrow is commonly known as 3803 Oceanic Drive, Suites 201, 202 and 203, Oceanside, California 92056, and consists of three (3) condominiums ("*Condominiums*") located within a portion of Building H(as shown on the Condominium Plan attached hereto as *Exhibit "1"*), and which is part of the Project, as defined below, and the tenant improvements described in section 17 below. The Property is more particularly described as follows:

Parcel 1

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



CITY OF OCEANSIDE
PLANNING DEPARTMENT

NOTICE OF EXEMPTION

TO: RECORDER/COUNTY CLERK
COUNTY OF SAN DIEGO
P.O. BOX 1750
SAN DIEGO, CA 92112-4147

PROJECT TITLE AND FILE NUMBER:
COASTLINE BAPTIST CHURCH (C-41-06)

PROJECT LOCATION - SPECIFIC: 3803 Oceanic Dr.
APN 160-880-20

PROJECT LOCATION - GENERAL:
City of Oceanside

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:
Conversion of 6000 square feet of a industrial building into religious assembly.

NAME OF PUBLIC AGENCY APPROVING PROJECT:
City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:
Ronald Paul Ford
7916 El Astillero Pl.
Carlsbad CA 92008
(760) 809-1781

Exempt Status per the Guidelines to Implement the California Environmental Quality Act (CEQA)
(Public Resources Code Section 21000 et. al.):

NOT SUBJECT TO CEQA PER THE GENERAL RULE, SECTION 15061(B)(3)

STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)

CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION(S) 15301

REASONS WHY PROJECT IS EXEMPT:

The project does not propose any additions to the existing buildings.

Contact Person: Scott Nightingale, Planner II

SIGNATURE
For: Jerry Hittleman, City Planner

December 28, 2006
DATE