



DATE: February 13, 2008

TO: Honorable Mayor and Members of the City Council

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A GENERAL PLAN AMENDMENT AND ZONE AMENDMENT TO CHANGE THE LAND USE DESIGNATION AND TO AMEND THE ZONING DISTRICT MAP ON A PORTION (0.66 ACRES) OF A LOT LOCATED ON THE NORTHEAST CORNER OF MISSION AVENUE AND DOUGLAS DRIVE – MISSION VIEW MANOR LOT – APPLICANT: COLE AND ASSOCIATES**

SYNOPSIS

Staff recommends that the City Council adopt a resolution denying General Plan Amendment (GPA-2-07) and Zone Amendment (ZA-1-07) to change the General Plan Land Use and the Zoning District Map. On a less-than-one-acre site, the applicant proposes to change the General Plan land use designation from Medium Density A (MDA-R) to General Commercial (GC) and to change the Zoning District Map from Medium Density A (RM-A) District to General Commercial (CG) District.

The applicant wishes to restore the site to a mobile home sales location, which is categorized as commercial land use 450.BB.5 Vehicle/Equipment Sales and Rentals. In order to sell mobile homes the land use designation and the zoning district must be changed to one of the following: Neighborhood Commercial (CN), Community Commercial (CC), General Commercial (CG), or Special Commercial Highway Oriented (CS-HO). In addition, a Conditional Use Permit must be obtained.

BACKGROUND

The project site is undeveloped land located in the northeast corner of Mission Avenue and Douglas Drive. The site is a 0.66-acre portion of a larger 16.37-acre parcel that is situated within the Medium Density A residential land use designation and the San Luis Rey Neighborhood.

The larger 16.37-acre site consists of the Mission View Manor East Mobile Home Park, which is identified as a part of the Senior Mobile Home Park Overlay District. The project site is also situated within the boundaries of the San Luis Rey Historic Area.

The larger 16.37-acre site includes residential land uses. Across Douglas Drive to the west is Mission View Manor West Mobile Home Park, which also includes residential land uses. To the south of the subject site are commercial lands that straddle Douglas Drive. This area has a General Plan land use designation of Special Commercial (SC). (It is the policy of the General Plan that "Special Commercial" designate commercial sites within and/or adjacent to areas with unique characteristics, such as ... historic areas).

The mostly vacant property was previously used, during the 1970s and 1980s, for mobile home sales. A 200-square-foot sales office remains on-site. The site is currently used for overflow parking (visitors to the mobile home park and others) and casually as a park-and-ride for people riding the casino buses.

ANALYSIS

The General Plan Land Use Map designation for the subject property is Medium Density A (MDA-R). The proposed land use designation is General Commercial (GC). The proposed land use designation change is inconsistent with the goals and objectives of the City's General Plan including described community values, balanced land use, land use compatibility, and community development.

For example:

Land uses shall not significantly distract from nor negatively impact surrounding conforming land uses. The 0.66-acre site has access to Douglas Drive via the Mission View Manor East entrance. Since the current driveway is proposed to be shared, a change to a commercial land use designation would directly impact the adjacent residential land use. The transportation needs of the residents distinctly differ from commercial land use demands. The traffic analysis found that the residential land use may generate 30 average daily trips. This is a lesser demand compared to an average 50 daily trips generated by the proposed land use (O.Z.O. 450.BB.5 Vehicle Equipment Sales and Rentals).

The City shall establish and enforce a balanced distribution of land uses to organize the City in a hierarchy of activity centers and land use so as to foster a sense of neighborhood, community, and regional identity. The previously approved Senior Mobile Home Park Overlay District formalizes an established neighborhood by fostering a sense of community and regional identity among the residents of the Mission View Manor East and West. Changing the land use designation to commercial could affect the neighborhood identity.

The City shall analyze proposed land uses for assurance that the land use will contribute to the proper balance of land uses within the community or provide a significant benefit to the community. Within the immediate vicinity, there are sufficient areas of lands designated Special Commercial. The adjacent Special Commercial

lands (to the south) provide adjacent neighbors and the wider community with commercial businesses such as: food and beverage sales, personal improvement, personal services, and general retail. Creating additional commercial lands at this location may not necessarily provide a balanced distribution of land uses. Connections between the existing Special Commercial areas and the project site may not be possible.

Adequate setbacks, buffering, and/or innovative site design shall be required for land uses that are contiguous to and incompatible with existing land uses. A variety of commercial land uses are permitted within a General Commercial District, yet the proposed 0.66-acre site might not have sufficient area to construct the necessary building, on-site parking, and provide adequate setbacks to sufficiently buffer a vibrant commercial land use from the adjacent residential land use. A change in land use designation to General Commercial may inadvertently create an opportunity for objectionable noise, light, odors, and other unanticipated impacts.

General Commercial shall be designated on small sites of between five and ten acres. The site is less than five acres in size. The site size is insufficient to support a vibrant commercial land use, such as retail shops, restaurants and services. The site's access to Douglas Drive and/or Mission Avenue would not adequately address the needs of high intensity land uses, such as drive-up, drive-through and convenience businesses. The installation of a traffic signal at this location is not recommended and will not improve service at the intersection of Mission Avenue and Douglas Drive.

The project is located in the Medium Density A (RM-A) District. The applicant proposes changing the Zoning District Map to General Commercial (CG) District. Similar to the proposed change to the Land Use Map, the proposed zoning district change to General Commercial (CG) District is inappropriate for a site of this size.

The types of permitted land uses within the General Commercial District are: Limited day care; Limited horticulture; Minor utilities; Maintenance and repair services; Animal sales and services and related land uses; Laboratories; Artist's studios; Marine sales and services; Banks and savings & loans; Business & professional offices; Building materials & services; Personal Services; Catering services; Retail sales; Communication facilities; Travel services; Eating and drinking establishments serving beer and wine; Seasonal, special sales of Agricultural; and Home improvement.

These permitted land uses would require the construction of a commercial building and adequate provisions for on-site parking and egress to the street. The district change is inappropriate due to the site's juxtaposition to the intersection of Douglas Drive and Mission Avenue. This 0.66-acre site is not suitable to foster a vibrant commercial use.

Pursuant to Section 15061(b)(4), a project is exempt from CEQA if the project will be rejected or disapproved by a public agency.

FISCAL IMPACT

The applicant has paid application fees for the processing of the General Plan and Zone Amendment.

COMMISSION OR COMMITTEE REPORT

On December 17, 2007, the Planning Commission considered the original proposed amendments to the Land Use Map and the Zoning District Map. After hearing public testimony, the Planning Commission on a 6-to-0 vote recommended denying a change to the existing Medium Density A residential land use designation and denying a change to the existing Medium Density A District zoning designation as requested by the applicant and adopted Planning Commission Resolution No. 2007-P66.

The Commission felt this designation would not be compatible with the adjacent residential land use that already exists in the neighborhood and that the area is too small to support a vibrant commercial activity.

CITY ATTORNEY'S ANALYSIS

The City Council, under the provisions of Section 65356 of the Government Code, has the ability to amend the General Plan by resolution. The resolution shall be adopted by the affirmative vote of not less than a majority of the total City Council membership. The Planning Commission's public hearing on December 17, 2007, and its recommendation of denial were in accord with the provisions of Section 65353 of the Government Code.

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

RECOMMENDATION

The proposed General Plan Amendment (GPA-2-07) and Zone Amendment (ZA-1-07) are inconsistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project is incompatible with adjacent residential land uses, the San Luis Rey Historic Area, and the surrounding neighborhood. As such, staff recommends that the City Council deny the project based on the findings and subject to the conditions contained in the attached resolution.

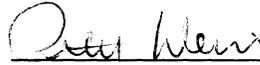
Staff recommends that the City Council adopt the resolution denying General Plan Amendment (GPA -2-07) and Zone Amendment (ZA-1-07) and affirm the recommendation of the Planning Commission Resolution 2007-P66.

PREPARED BY:

SUBMITTED BY:



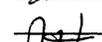
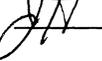
Juliana von Hacht
Associate Planner



Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager
Lauren Wasserman, Interim Development Services Director
Jerry Hittleman, City Planner

ATTACHMENTS:

1. City Council Resolution
2. Map
3. Planning Commission Resolution No. 2007-P66
4. Planning Commission Staff Report dated December 17, 2007

- 1 2. The provision of a balanced, self-sufficient, and efficient community is fostered by the
2 current general plan designation; creating additional commercial lands at this location
3 may not necessarily provide a balanced distribution of land uses within the area. The
4 recently approved Senior Mobile Home Park Overlay District formalizes an established
5 neighborhood by fostering a sense of community and regional identity.
- 6 3. A General Commercial land use designation would create conflicts with the adjacent
7 residential land use. Changing the land use designation on this 0.66-acre site would
8 potentially create an opportunity for objectionable noise, light, odors, and other impacts.
9 The 0.66-acre site does not have sufficient area to provide a buffer to the adjacent
10 mobile home park and construct the necessary infrastructure to support a vibrant
11 commercial land use.
- 12 4. The site's access to Douglas Drive and Mission Avenue would not adequately address
13 the needs of high intensity commercial land uses. The installation of a traffic signal at
14 this location is not recommended and will not improve service at the intersection of
15 Mission Avenue and Douglas Drive.
- 16 5. The surrounding San Luis Rey Mission Historic Area has satisfactory allocations of the
17 Special Commercial land use designation.
- 18 6. The proposed change to the Zoning District Map to General Commercial (CG) District is
19 inappropriate for a site of this size and juxtaposition to the intersection of Douglas Drive
20 and Mission Avenue.

21 WHEREAS, pursuant to the California Environmental Act of 1970, the City Council
22 finds that this project is exempt from review; and

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

- 1. To affirm the recommendation of the Planning Commission Resolution 2007-P66.
- 2. General Plan Amendment (GPA-2-07) is hereby denied.
- 3. Zone Amendment (ZA-1-07) is hereby denied.
- 4. Notice is hereby given that the time within which judicial review must be sought on this decision is governed Govt.C. Section 65009.

PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____ day of _____, 2008 by the following vote:

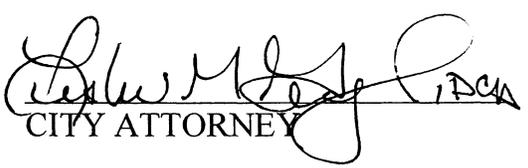
- AYES:
- NAYS:
- ABSENT:
- ABSTAIN:

MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

APPROVED AS TO FORM:

CITY CLERK


CITY ATTORNEY

Legal Description

Mission View Mobile Homes Property

All that portion of Lot 4 in Section 8, Township 11 South, Range 4 West, San Bernardino Base and Meridian, according to United States Government Survey, lying Northerly of the Northerly line of that portion of California State Highway XI-SD-195-A as described in deed to the State of California for Highway purposes, recorded September 30, 1952 as Document No. 122082 in Book 4608, Page 140 of Official Records.

Excepting therefrom that portion thereof lying Westerly of the Easterly line of the land described in deed to the County of San Diego (Road Survey 1408) recorded April 15, 1954 in Book 5206, Page 132 of Official Records.

Also excepting therefrom that portion, if any m, lying within San Luis Rey, according to Map thereof No. 76 filed in the office of the County Recorder of San Diego County November 18, 1873.

RECEIVED
MAR 22 2007
Planning Department

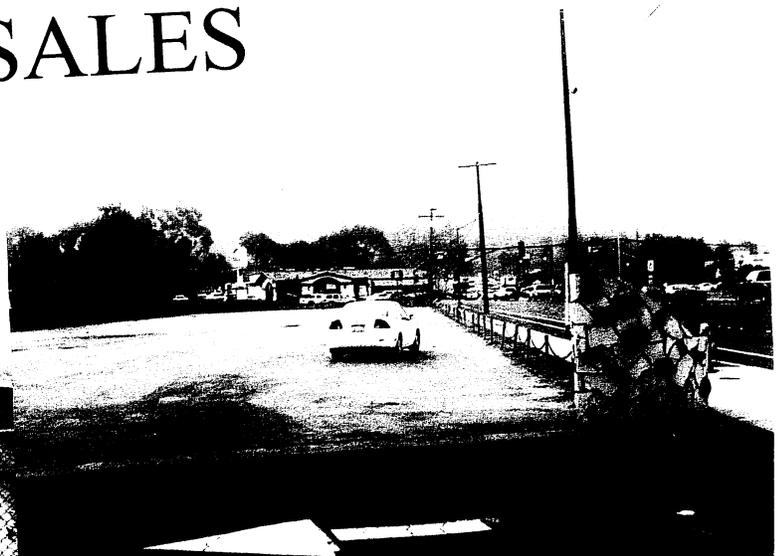
GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF OCEANSIDE DESIGN STANDARDS AND AS REQUIRED BY THE CITY OF OCEANSIDE ENGINEER.
2. WATER TO BE PRIVATE.
3. SEWER TO BE PRIVATE.
4. STORM DRAIN TO BE PRIVATE.
5. EASEMENTS AS REQUIRED BY THE CITY ENGINEER, PUBLIC UTILITIES AND DISTRICTS.
6. ALL PROPOSED UTILITIES TO BE UNDERGROUND.
7. SLOPE INTENS SHALL BE 2:1 MAXIMUM.
8. CONTOUR INTERVAL IS 1' FOR EXISTING DATA, 0.5' FOR PROPOSED DATA.
9. EXISTING GENERAL PLAN LAND USE DESIGNATION- RESIDENTIAL MEDIUM DENSITY-A.
10. PROPOSED GENERAL PLAN LAND USE DESIGNATION- GENERAL COMMERCIAL.
11. EXISTING ZONING DESIGNATION- RESIDENTIAL MEDIUM DENSITY-A (7-12 S.U. PER ACRE) - IN HISTORIC OVERLAY.
12. PROPOSED ZONING DESIGNATION- COMMERCIAL-GENERAL (C2).
13. SEE ADDRESS- 16,431 SF.
14. FOUR (4) TYPEDOWN AUGURUM WELLS PROPOSED (60x15' EACH).
15. SET BACK SHOWN ON PLAN (SHEET 2).
16. PROPOSED LANDSCAPING AS SHOWN ON LANDSCAPE PLAN.
17. FOUR (4) PARKING SPACES PROPOSED (INCLUDING ONE HANDICAP PARKING).
18. NO OFFSITE IMPROVEMENTS PROPOSED (EXCLUDING LANDSCAPING).
19. EXISTING EASEMENTS AS SHOWN ON PLAN (SHEET 2).
20. NO FLOODWAYS OR FLOOD LINES EXIST WITHIN SITE, FLOOD PLAN DESIGNATION, ZONE A.
21. NO GRADING PROPOSED.

LEGAL DESCRIPTION

MISSION VIEW MARBLE FLORES PROPERTY TRACT 13, 13.5, 14, 14.5, 15, 15.5, 16, 16.5, 17, 17.5, 18, 18.5, 19, 19.5, 20, 20.5, 21, 21.5, 22, 22.5, 23, 23.5, 24, 24.5, 25, 25.5, 26, 26.5, 27, 27.5, 28, 28.5, 29, 29.5, 30, 30.5, 31, 31.5, 32, 32.5, 33, 33.5, 34, 34.5, 35, 35.5, 36, 36.5, 37, 37.5, 38, 38.5, 39, 39.5, 40, 40.5, 41, 41.5, 42, 42.5, 43, 43.5, 44, 44.5, 45, 45.5, 46, 46.5, 47, 47.5, 48, 48.5, 49, 49.5, 50, 50.5, 51, 51.5, 52, 52.5, 53, 53.5, 54, 54.5, 55, 55.5, 56, 56.5, 57, 57.5, 58, 58.5, 59, 59.5, 60, 60.5, 61, 61.5, 62, 62.5, 63, 63.5, 64, 64.5, 65, 65.5, 66, 66.5, 67, 67.5, 68, 68.5, 69, 69.5, 70, 70.5, 71, 71.5, 72, 72.5, 73, 73.5, 74, 74.5, 75, 75.5, 76, 76.5, 77, 77.5, 78, 78.5, 79, 79.5, 80, 80.5, 81, 81.5, 82, 82.5, 83, 83.5, 84, 84.5, 85, 85.5, 86, 86.5, 87, 87.5, 88, 88.5, 89, 89.5, 90, 90.5, 91, 91.5, 92, 92.5, 93, 93.5, 94, 94.5, 95, 95.5, 96, 96.5, 97, 97.5, 98, 98.5, 99, 99.5, 100, 100.5, 101, 101.5, 102, 102.5, 103, 103.5, 104, 104.5, 105, 105.5, 106, 106.5, 107, 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MOBILEHOME SALES PARCEL





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Point 33-153323 N 117-103163 W City 51 ft
Tom Zappa de la Merced Highway

Let's Talk!

RECEIVED
MAR 22 2007
Planning Department

A local business enterprise will be proposing
An Amendment to the Oceanside General Plan
To change the vacant parcel on the northeast corner of Mission and Douglas
so that it can be used for a **Commercial Use**
(A site to sell new manufactured homes.)

RECEIVED

MAR 22 2007

Planning Department



You are invited to provide input:
11 a.m. Thursday, March 30,
2006
in the Clubhouse at
Mission View Manor East
140 Douglas Drive



Note:

This has not yet been
filed with the City so
there is no file to
Review at City Hall
at his time

Elizabeth J. Graff AICP, land use planning consultant,
Phone/fax (760-231-7459 is the contact person

PLANNING COMMISSION
RESOLUTION NO. 2007-P66

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF OCEANSIDE RECOMMENDING
DENIAL OF A GENERAL PLAN AMENDMENT AND
ZONE AMENDMENT ON CERTAIN REAL PROPERTY
IN THE CITY OF OCEANSIDE

APPLICATION NO: GPA-2-07, ZA-1-07
APPLICANT: Cole and Associates
LOCATION: Northeast corner of Mission Avenue and Douglas Drive

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a General Plan Amendment and Zoning Amendment under the provisions of Article 45 of the Zoning Ordinance of the City of Oceanside to permit the following:

to change the General Plan land use designation from Medium Density A (MDA-R) to General Commercial (GC) and to change the Zoning District Map from the Medium Density A (RM-A) District to the General Commercial (CG) District on a 0.66-acre portion of a larger lot;

on certain real property described in Exhibit "A" attached.

WHEREAS, the Planning Commission, after giving the required notice, did on the 17th day of December, 2007 conduct a duly advertised public hearing as prescribed by law to consider said application;

WHEREAS, pursuant to the California Environmental Act of 1970, the Planning Commission finds that this project is exempt from review;

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

For the Denial of the General Plan Amendment:

1. The long term community and neighborhood values are supported by the current general plan designation. The proposed shared egress with the mobile home park would impact

1 the existing residential land use. An increase in the average daily trips would negatively
2 affect the area.

3 2. The provision of a balanced, self-sufficient, and efficient community is fostered by the
4 current general plan designation; creating additional commercial lands at this location
5 may not necessarily provide a balanced distribution of land uses within the area. The
6 recently approved Senior Mobile Home Park Overlay District formalizes an established
7 neighborhood by fostering a sense of community and regional identity.

8 3. A General Commercial land use designation would create conflicts with the adjacent
9 residential land use. Changing the land use designation on this 0.66-acre site would
10 potentially create an opportunity for objectionable noise, light, odors, and other impacts.
11 The 0.66-acre site does not have sufficient area to provide a buffer to the adjacent
12 mobile home park and construct the necessary infrastructure to support a vibrant
13 commercial land use.

14 4. The site's access to Douglas Drive and Mission Avenue would not adequately address
15 the needs of high intensity commercial land uses. The installation of a traffic signal at
16 this location is not recommended and will not improve service at the intersection of
17 Mission Avenue and Douglas Drive.

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1 For the Denial of the Zone Amendment:

2 1. The proposed zoning district change to General Commercial (CG) is inappropriate for a
3 site of this size and juxtaposition to the intersection of Douglas Drive and Mission
4 Avenue.

5 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
6 recommend denial to the City Council of General Plan Amendment (GPA-2-07) and Zone
7 Amendment (ZA-1-07).

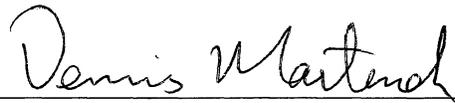
8 PASSED and ADOPTED Resolution No. 2007-P66 on December 17, 2007 by the
9 following vote, to wit:

10 AYES: Martinek, Parker, Neal, Troisi, Balma and Bertheaud

11 NAYES: None

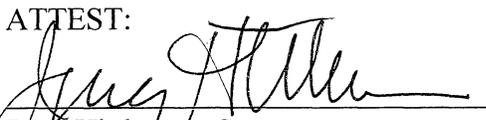
12 ABSENT: Horton

13 ABSTAIN: None

14 

15 _____
16 Dennis Martinek, Chairman
17 Oceanside Planning Commission

17 ATTEST:

18 
19 _____
20 Jerry Hittleman, Secretary

21 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
22 this is a true and correct copy of Resolution No. 2007-P66.

23 Date: December 17, 2007
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DATE: December 17, 2007

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **GENERAL PLAN AMENDMENT (GPA-2-07) AND ZONE AMENDMENT (ZA-1-07) TO CHANGE THE LAND USE FROM MEDIUM DENSITY A RESIDENTIAL (MDA-R) TO GENERAL COMMERCIAL (GC) AND TO AMEND THE ZONING MAP DESIGNATION FROM MEDIUM DENSITY A RESIDENTIAL DISTRICT (RM-A) TO GENERAL COMMERCIAL (CG) DISTRICT ON A PORTION (0.66 ACRES) OF A LOT SITUATED ON THE NORTHEAST CORNER OF MISSION AVENUE AND DOUGLAS DRIVE. THE PROJECT SITE IS LOCATED IN THE SAN LUIS REY NEIGHBORHOOD – MISSION VIEW MANOR LOT – APPLICANT: COLE AND ASSOCIATES**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

1. Deny General Plan Amendment (GPA-2-07) and Zone Amendment (ZA-1-07)
2. Adopt Planning Commission Resolution No. 2007-P66 with findings of denial attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Site Review: The project site is undeveloped land located in the northeast corner of Mission Avenue and Douglas Drive. The site is a 0.66-acre portion of a larger 16.37-acre parcel that is situated within the Medium Density A residential land use designation and the San Luis Rey Neighborhood.

The larger 16.37-acre site consists of the Mission View Manor East Mobile Home Park, which is identified as a part of the Senior Mobile Home Park Overlay District. The project site is also situated within the boundaries of the Historic District.

The larger 16.37-acre site includes residential land uses. Across Douglas Drive to the west is Mission View Manor West Mobile Home Park, which also includes residential land uses. To the south of the subject are commercial lands that straddle Douglas Drive. This area has a General Plan land use designation of Special Commercial (SC).

Background: The mostly vacant property was previously used, during the 1970s and 1980s, for mobile home sales. A 200 square-foot sales office remains on-site. The site is currently used for overflow parking (visitors to the mobile home park and others) and casually as a park-n-ride for people riding the casino buses.

Project Description: The project application is comprised of two components: a general plan amendment and a change to the zoning district map.

General Plan Amendment GPA-2-07 represents a request for the following:

- (a) To change the General Plan land use designation from Medium Density A (MDA-R) to General Commercial (GC) and,

Zoning Amendment ZA-1-07 represents a request for the following:

- (b) To change the Zoning District Map from the Medium Density A (RM-A) District to General Commercial (CG) District.

The applicant wishes to restore the site to a mobile home sales location, which is categorized as commercial land use 450.BB.5 *Vehicle/Equipment Sales and Rentals*. In order to sell mobile homes the land use designation and the zoning district must be changed to one of the following: Neighborhood Commercial (CN), Community Commercial (CC), General Commercial (CG), or Special Commercial Highway Oriented (CS-HO). In addition, a Conditional Use Permit must be obtained.

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

1. General Plan Land Use Element
2. Zoning Ordinance
3. California Environmental Quality Act

ANALYSIS

KEY PLANNING ISSUES

1. General Plan Conformance

The General Plan Land Use Map designation on the subject property is Medium Density A (MDA-R). The proposed land use designation is General Commercial (GC). The proposed land use designation change is inconsistent with the goals and objectives of the City's General Plan as follows:

A. Land Use Element I. Community Enhancement

Goal The consistent, significant, long term preservation and improvement of the environment, values, aesthetics, character and image of Oceanside as a safe, attractive, desirable and well-balanced community.

Objective 1.1 Community Values: To ensure the enhancement of long term community and neighborhood values through effective land use planning.

Policies:

- A. Land uses shall be attractively planned and benefit the community.
- B. Land uses shall not significantly distract from nor negatively impact surrounding conforming land uses.
- C. The City shall analyze the long-term effects of all proposed development to assure both the present and future social, economical, and physical enhancement of the community.
- D. The City shall support and encourage the fulfillment of widespread neighborhood and community values.

The 0.66-acre site has access to Douglas Drive via the Mission View Manor East entrance. Since the current driveway is proposed to be shared, a change to a commercial land use designation would directly impact the adjacent residential land use.

The transportation needs of the residents distinctly differ from commercial land use demands. The traffic analysis found that the residential land use may generate 30 average daily trips. This is a lesser demand compared to an average 50 daily trips generated by the proposed land use (O.Z.O. 450.BB.5 Vehicle Equipment Sales and Rentals). Please note that the traffic analysis and staff concluded that signalization of the Mission View Manor East entrance is not warranted if the proposed mobile homes sales are approved.

Objective 1.11 Balanced Land Use: To develop and use lands for the long-term provision of a balanced, self-sufficient, and efficient community.

Policies:

A. The City shall establish and enforce a balanced distribution of land uses to organize the City in a hierarchy of activity centers and land use so as to foster a sense of neighborhood, community, and regional identity.

B. The City shall analyze proposed land uses for assurance that the land use will contribute to the proper balance of land uses within the community or provide a significant benefit to the community.

C. The City shall continuously monitor the impact and intensity of land use and land use distribution to ensure that the City's circulation system is not overburdened beyond design capacity.

The previously approved Senior Mobile Home Park Overlay District formalizes an established neighborhood by fostering a sense of community and regional identity among the residents of the Mission View Manor East and West. Changing the land use designation to commercial could affect the neighborhood identity.

Within the immediate vicinity, there are sufficient areas of lands designated Special Commercial. The adjacent Special Commercial lands (to the south) provide adjacent neighbors and the wider community with commercial businesses such as: food and beverage sales, personal improvement, personal services, and general retail. Creating additional commercial lands at this location may not necessarily provide a balanced distribution of land uses. Connections between the existing Special Commercial areas and the project site may not be possible.

Objective 1.12 Land Use Compatibility: To minimize conflicts with adjacent or related land uses.

Policies:

A. Adequate setbacks, buffering, and/or innovative site design shall be required for land uses that are contiguous to and incompatible with existing land uses

B. The use of land shall not create negative visual impacts to surrounding land uses.

C. The use of land shall not subject people to potential sources of objectionable noise, light, odors, and other emissions nor to exposure of toxic, radioactive, or other dangerous materials.

A variety of commercial land uses are permitted within a General Commercial District, yet the proposed 0.66-acre site might not have sufficient area to construct the necessary building, on-site parking, and provide adequate setbacks to sufficiently buffer a vibrant commercial land use (i.e. banks, day care, restaurants, convenience stores, nurseries, offices, personal services, retail sales, and or travel services) from the adjacent residential land use. A change in land use designation to General Commercial may inadvertently create an opportunity for objectionable noise, light, odors, and other unanticipated impacts.

B. Land Use Element II. Community Development

Goal The continual long term enhancement of the community through the development and use of land which is appropriate and orderly with respect to type, location, timing, and intensity.

Objective 2.2 Commercial Development: To promote and preserve a balance of successful markets and services in aesthetic, people-oriented associations that are compatible and organized to surrounding land uses.

Policies 2.23 General Commercial:

A. General Commercial shall provide retail shops, restaurants and services which meet the "immediate" commercial needs of the community. High intensity, drive-up/drive-through and convenience businesses shall be developed in commercial centers or clustered together in coordinated site or development plans to avoid the proliferation of driveway-cuts and to accommodate their high traffic generation characteristics.

B. General Commercial shall be designated on small sites of between five and ten acres. General Commercial areas shall be located on streets designated as major arterials or higher or at the intersection of two secondary arterials.

The site is less than five acres in size. The site size is insufficient to support a vibrant commercial land use, such as retail shops, restaurants and services. The site's access to Douglas Drive and or Mission Avenue would not adequately address the needs of high intensity land uses, such as drive-up, drive-through and convenience businesses. The installation of a traffic signal at this location is not recommended and will not improve service at the intersection of Mission Avenue and Douglas Drive.

Policies 2.244 Mission San Luis Rey Historic Area:

A. Commercial development within the Mission San Luis Rey Historic Area shall place a major emphasis on protection of views; provision of architecture, landscaping and streetscapes consistent with the "Mission San Luis Rey Historic Area Development Program and Design Guidelines"; and provision of visitor-serving uses and facilities (see Figure LU-20).

The project site is situated within the Mission San Luis Rey Historic Area. A change in the land use designation could be conditioned to comply with policy 2.24.A. This would be similar to other commercial lands situated within the Mission San Luis Rey Historic Area.

2. Zoning Ordinance

The project is located in the Medium Density A (RM-A) Residential District. The applicant proposes changing the district map to General Commercial (GC). The proposed amendment to the zoning map is subject Article 45 *Amendments* of the Oceanside Zoning Ordinance.

The proposed zoning district change to General Commercial (CG) is inappropriate for a site of this size. The types of permitted land uses within the CG District are listed in table 1.

Table 1. Permitted land uses within the General Commercial (CG) District

Limited day care	Limited horticulture
Minor utilities	Maintenance and repair services
Animal sales and services and related land uses	Laboratories
Artist's studios	Marine sales and services
Banks and savings & loans	Business & professional offices
Building materials & services	Personal Services
Catering services	Retail sales
Communication facilities	Travel services and
Eating and drinking establishments serving beer and wine	Seasonal, special sales of Agricultural
Home improvement	

These permitted land uses would require the construction of a commercial building and adequate provisions for on-site parking and egress to the street. The district change is inappropriate due to the site's juxtaposition to the intersection of Douglas Drive and Mission Avenue. This 0.66-acre site is not suitable for a vibrant commercial use.

3. California Environmental Quality Act

The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

Pursuant to Section 15061(b)(4), a project is exempt from CEQA if the project will be rejected or disapproved by a public agency.

Staff is recommending denial of the project. If Planning Commission makes a different recommendation to City Council, then staff suggests conditioning the project to complete an Initial Study and Mitigated Negative Declaration prior to considering any additional entitlements on the land.

DISCUSSION

Issue: The selling of mobile homes is no longer a conforming use at this site.

Recommendation: The opportunity to continue a nonconforming use ceased during the 1980s. The lot has remained vacant for some time.

Issue: The change in the land use designation and the zoning district would allow mobile home sales at this site.

Recommendation: The sale of mobile homes is allowed in some of the commercial districts with an approved Conditional Use Permit. After the approval of a change in the land use designation and zoning district map to a commercial designation, the applicant can apply for the consideration of a CUP allowing mobile home sales at this site.

Issue: Compliance with the California Environmental Quality Act (CEQA) did not require an Initial Study or Mitigated Negative Declaration.

Recommendation: Staff's recommendation to Planning Commission (to deny the project) determined that the project is exempt from CEQA. If the project is approved (not denied), then staff recommends any future entitlements be dependent upon further CEQA review.

Issue: The Economic Development Department staff prepared a draft report, *City of Oceanside sustainability study* November 2007. This report recommends creating additional areas for commercial land uses.

Recommendation: Staff has discussed this proposal with the Economic Development staff. It is our opinion that the site is too small to support commercial activity. The access to the site would significantly deter many commercial land uses. A commercial land use would not be compatible with residential land uses situated along a common boundary and on other residential lots situated along Douglas Drive.

ENVIRONMENTAL DETERMINATION

Pursuant to Section 15061(b)(4), a project is exempt from CEQA if the project will be rejected or disapproved by a public agency.

PUBLIC NOTIFICATION

A legal notice was published in the North County Times on Friday, December 7, 2007, and notices were sent to property owners of record within a 300-foot radius of the subject property, individuals and or organizations requesting notification, the applicant, and other interested parties.

This project was deemed complete prior to October 9, 2007 and it is therefore not required to comply with City Council Policy 300-14 *Enhanced notification program*.

As of Wednesday, December 12, 2007 three residents contacted staff by telephone stating their opposition to the project and one letter was received, also recommending denial of the project (attached). No other correspondence has been received at the time the staff report was published.

SUMMARY

The proposed General Plan Amendment (GPA-2-07) and Zone Amendment (ZA-1-07) are inconsistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project is incompatible with adjacent residential land uses and the surrounding neighborhood. As such, staff recommends that the Planning Commission deny the project based on the findings and subject to the conditions contained in the attached Resolution. Staff recommends that the Planning Commission:

- Move to deny General Plan Amendment (GPA -2-07) and Zoning Amendment (ZA-1-07) and adopt Planning Commission Resolution 2007-P66 as attached.

PREPARED BY:


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SUBMITTED BY:


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City Planner

JH/jh/fil

Attachments:

1. Maps
2. Planning Commission Resolution No. 2007-P66
3. Photos/Neighborhood Meeting Sing-in Sheets