

AGENDA NO. 3



PLANNING COMMISSION

STAFF REPORT

DATE: April 26, 2010

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A GENERAL PLAN AMENDMENT (GPA-3-07), ZONE AMENDMENT (ZA-2-07), DEVELOPMENT PLAN (D-6-07), CONDITIONAL USE PERMIT (C-9-07), AND HISTORIC PERMIT (H-3-07) TO CHANGE THE LAND USE DESIGNATION FROM SINGLE-FAMILY DWELLING RESIDENTIAL (SFD-R) TO PRIVATE INSTITUTIONAL (PI) AND CHANGE THE ZONING DESIGNATION FROM SINGLE-FAMILY RESIDENTIAL (RS) TO PUBLIC & SEMI-PUBLIC (PS) ALL WITH AN HISTORIC OVERLAY (H) IN ORDER TO ALLOW THE CONSTRUCTION OF A TWO-STORY, 16,591-SQUARE FOOT, 59-BED 24-HOUR NON-MEDICAL CARE DRUG AND ALCOHOL RECOVERY CENTER ON A 1.00-ACRE SITE. THE PROJECT SITE IS LOCATED NORTH OF CHAPTER WAY, SOUTH OF SAN LUIS REY MOBILE HOME PARK, AND EAST OF THE SAN LUIS REY PARISH CHURCH WITHIN THE MISSION SAN LUIS REY NEIGHBORHOOD THE FELLOWSHIP CENTER – APPLICANT: PAUL SAVO – THE FELLOWSHIP CENTER.**

RECOMMENDATION

Staff recommends that the Planning Commission adopt PC Resolution No. 2010-P14 recommending denial of a General Plan Amendmen (GPA-3-07), Zone Amendment (ZA-2-07), Development Plan (D-6-07), Conditional Use Permit (C-9-07), and Historic Permit (H-3-07) and forward the recommendation to the City Council for final action.

As detailed below, staff makes this recommendation because the current General Plan designation and zoning are appropriate for the site; take into proper consideration the goals and objectives of the San Luis Rey Specific Plan, and the types and densities of uses allowed in a single-family zone work well with the surrounding area and the historic core. Modifying the current zoning to allow more intense uses would not keep in character with either the surrounding RS zones, or with the community character outlined in the General Plan for the historic core. Furthermore, the environmental impacts of such a GPA and ZA have not been studied in adequate detail.

Staff is recommending denial, and the applicant does not agree with staff's position, therefore, has requested the project move forward to the Planning Commission despite the lack of CEQA review. If the Planning Commission decides to recommend approval of the GPAA and ZA, and the City Council ultimately approves in concept the GPA and ZA, the project would need to then return to the Planning Division for completion of the environmental review process, as well as a hearing on any other entitlements sought, such as a Development Plan, Conditional Use Permit, and Historic Permit.

PROJECT DESCRIPTION AND BACKGROUND

Application Background: On March 26, 2007, the City of Oceanside received an application for a General Plan Amendment (GPA-3-07), Zone Amendment (ZA-2-07), Development Plan (D-6-07), Conditional Use Permit (C-9-07), and Historic Permit (H-3-07) to change the subject property's General Plan and Zoning designation from single-family residential to public/semi-public in order to allow for a 59-bed, 24-hour Non-Medical Care Drug and Alcohol Recovery Center on a one-acre site. The site is currently developed with a circa 1945 ranch style single-family residence.

For the reasons outlined above, the application remains incomplete, and the development plan and use permit applications are conceptual only. For all practical purposes this public hearing will focus on the first step in the process, which is the General Plan and Zone Amendments. This is necessary because a successful zone change from Residential to Public/Semi Public, would allow not just the project the applicant is proposing at this time, but would theoretically allow any development supported by that zoning designation. Hence, the GPA and ZA are legislative acts, not tied to any particular project, but rather focused on the larger goals and objectives delineated in the General Plan.

Procedural Background: Due to the location of the site, a Historic Permit would be required prior to any demolition or construction. Therefore, on December 1, 2009, the Oceanside Historic Preservation Advisory Commission heard and considered the conceptual project as proposed by the developer. After the hearing on that application, the Commission adopted OHPAC Resolution No. 2009-H03 overturning staff's recommendation of denial and recommending approval of a Historic Permit (H-3-07) to the City Council for final action. The Commission's action was based upon the finding that the proposed demolition of the existing residence and construction of a new, larger building would not detract from the Historical Significance of the Mission San Luis Rey de Francia and was consistent with the intent of the Mission San Luis Rey Historic Area Development Program and Design Guidelines.

Following that meeting, it came to the City's attention that one of the members of OHPAC, Greg Root, who voted on the project at the December meeting, had accepted a paid position with the applicant to lobby residents and decision-makers for project approval. The City Attorney opined that the relationship between the OHPAC Commissioner and the applicant could have the effect of tainting the OHPAC advisory vote, and therefore, the

project was re-scheduled for a future OHPAC meeting in what was essentially a do-over. Mr. Root would refrain from participation on the item, and the Commission would hear the application again.

On February 9, 2010, (OHPAC) held a public hearing to consider the project anew. Commissioner Root did not participate in the decision. After a lengthy public hearing, a motion to deny a request for a Historic Permit (H-3-07) was made, but failed in a tie vote. No other motion was offered, and no OHPAC recommendation was made.

Site Review: The proposed project site is located within a Single-Family Residential–Historic Overlay (RS-H) zone district, and consists of a relatively flat pad that slopes downward to the northwest and is fully developed with a single-family residence circa 1945. The site is located within the locally designated Mission San Luis Rey Historic Area, and therefore is subject to the Mission San Luis Rey Historic Area Development Program and Design Guidelines.

Adjacent land uses include the Parish Church and Montessori School, and Mission San Luis Rey de Francia to the west just beyond a single-family residential parcel, vacant undeveloped land to the south that is owned by the Diocese of San Diego and is zoned as Public & Semi-Public, two parcels of Public & Semi-Public immediately east with single-family residential beyond that. Access to the one-acre site would occur via private easements off of Mission Avenue, and are referred to as Academy and Chapter Way.

Project Description: The project application is comprised of five components: a General Plan Amendment (GPA-3-07), Zone Amendment (ZA-2-07), Development Plan (D-6-07), Conditional Use Permit (C-9-07), and Historic Permit (H-3-07) as follows:

General Plan Amendment (GPA-3-07) represents a request for the following:

- (a) A request to change the Land Use Designation from Single-Family Detached Residential (SFD-R) to Private Institutional (PI) in order to accommodate a Residential Care – General type land use.

Zone Amendment (ZA-2-07) represents a request for the following:

- (b) A request to change the Zoning Designation from Single-Family Residential Historic Overlay (RS-H) to Public & Semi-Public Historic Overlay (PS-H) in order to accommodate a Residential Care – General type land use.

Development Plan (D-6-07) represents a request for the following:

- (c) A request to demolish the existing circa 1945 single-family residence, raise the current finish grade by approximately 4'-0", and development of the one-acre site with a two-story 16,591-square foot, 59-bed 24-hour non-medical care drug and alcohol recovery center.

Site development would include on-premise shared dining, laundry, and restroom facilities, with approximately 30 off-street parking spaces being provided on-site for residents and staff.

Architectural design incorporates a courtyard layout with four wings. The south wing facing Chapter Way provides the entrance to the site and would consist of a lobby, eight counseling rooms/offices, and a conference room. The west wing would house a large multi-purpose/dining room, a central kitchen, and restroom facilities. The north and east wings would contain approximately 20 bedrooms to house 59 residents, and would include central laundry facilities.

Conditional Use Permit (C-9-07) represents a request for the following:

- (d) A request to allow a Residential Care, General land use on a proposed Public & Semi- Public zoned parcel and in accordance with Article 16 Section 1620 Land Use Regulations for Public & Semi-Public parcels.

Historic Permit H-3-07 represents a request for the following:

- (e) A Historic Permit is required in order to demolish the existing building and permit the construction of a new 16,591-square foot two-story building located within the boundaries of the Historic Overlay District pursuant to Article 21 Section 2111.

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

1. General Plan
2. Mission San Luis Rey Historic Area Development Program and Design Guidelines
3. Zoning Ordinance
4. California Environmental Quality Act

ANALYSIS

City Planning Staff has recommended denial of the GPA and ZA for the following reasons:

KEY PLANNING ISSUES

1. The General Plan:

California State law requires each city to adopt a comprehensive, long-term General Plan to guide the physical development of the incorporated city. According to state law, the General Plan is the primary document the City utilizes to regulate land use. Consequently, the Zoning Ordinance, Specific Plans, and individual public and private development proposals must be consistent with the

General Plan goals, objectives, policies and standards. A City may modify its General Plan no more than four times in a calendar year. A General Plan Amendment requires an affirmative vote by no fewer than the majority of the total membership of the legislative body, regardless of how many commissioners actually vote on the project. Thus, an affirmative recommendation will require four affirmative votes from this seven-member Planning Commission.

The General Plan provides the way to achieve the future the community has identified for itself. It consists of 10 elements, including a Land Use Element. The Land Use Element and associated Land Use Map are guides to land use planning within the City and affect many of the issues addressed in the other General Plan elements. The Land Use Element and Map identify the type and location of future land uses within the City, reflecting the community's goals for its future form and character.

The purpose of the Land Use Element is to describe present and planned land use activity that has been designed to achieve the community's long-range objectives for the future. The Land Use Element and Map identify the proposed general distribution, location, and extent of land uses such as industrial, commercial, residential, institutional, agricultural, open space, and community facilities. The element contains goals, objectives, policies, and implementation programs, along with maps and diagrams that outline the future land uses within the City and within specific planning areas. The element also provides direction related to how future development will occur, such as the intensity/density and character of new development. The element also addresses the relationship between development, community enhancement and natural resource management.

A vast majority of the time, applicants propose projects that are already allowed within a specific land use designation (i.e., they are "consistent" with the General Plan). However, if an applicant requests development that does not conform to the General Plan Land Use Element and Map, the applicant may apply for a General Plan Amendment – instead of proposing development that "fits" the Land Use Element, the applicant asks the legislative body to modify the General Plan Land Use Element to "fit" the development proposed by the applicant.

Unlike the quasi-judicial decisions the Planning Commission and/or City Council is required to make for an individual project, a modification to the General Plan Land Use Element involves a legislative act. For this reason, the Planning Commission should focus on the impact to the City's character and community by the change in Land Use, and not specifically focus on the exact use proposed for the site.

2. The Project Requires a General Plan Amendment:

The project site is designated by the General Plan as Single-Family Detached Residential (SFD-R) on the Land Use Map. Under this designation, no multi-dwelling structures or institutional uses are allowed. Therefore, in order for the applicant to build the requested multiple dwelling unit, or implement the requested institutional use, the General Plan will have to be amended to change the Land Use Designation to Private Institutional (PI).

The General Plan Should Not Be Amended Because the Private Institutional Designation at this location is inconsistent with the goals and objectives of the City's General Plan.

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.

1.11Balanced Land Use

Policy 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.

Staff has reviewed the request to change the Land Use and Zoning Designations from that of Single-Family Residential to a Private Institutional designation in order to allow for the development of a two-story, 16,591-square foot building with an , institutional use on a one-acre site. Staff has determined that the overall change in land use designation necessary to permit this size and scale of this facility is inconsistent with the overall character of the area which consists primarily of low intensity single-family residential land uses on the periphery of the Historic Core Area. Establishment of a facility of this intensity and size was never envisioned in the Historic Area Development Program and Design Guidelines land use patterns, and would conflict directly with the Land Use element general guidance for distribution of land uses within the Historic Area which are primarily residential along the periphery.

Staff in reviewing the overall balance of this type of proposed land use throughout the City of Oceanside, has determined that typical facilities of this nature are provided in predominately urbanized areas within close proximity to major transportation corridors and public transit facilities. As of July 24, 2007, there were approximately two residential and six outpatient facilities dispersed throughout the City of Oceanside. Allowing for spot changes to the General Plan for the sole purpose of establishing a given land use would significantly detract and negatively impact the surrounding conforming land uses that are predominately single-family residential housing stock. In reviewing the General Plan goal to provide for long term preservation of the character of

the area and image of Oceanside, staff has determined that allowing more intense type land uses where lands have been slated for low intensity residential uses would not provide any benefit to the City or the residences in close proximity to the site. Furthermore, it was noted that a strong neighborhood community has been established in this area, and allowing intensification of urbanized type land uses immediately adjacent to single-family residential land uses would significantly detract from the sense of community that exists throughout the San Luis Rey Planning Neighborhood.

3. Zoning Compliance

The Oceanside Zoning Ordinance is the primary implementing document for the General Plan and provides further guidance regarding types of structures and uses allowed within the various zoning designations. This project site is located in the Single-Family Residential Historic Overlay (RS-H) zone district, which is a low-density, single-family zone that does not allow for multi-family dwellings or institutional uses. The applicant is proposing a Zone Amendment (ZA) to change the zoning to Public & Semi-Public Historic Overlay (PS-H).

The primary zoning issue identified by staff is the intensity of development that occurs with a higher-density zoning designation. The intensity of development proposed for the subject one-acre site is inconsistent with the intent of the original objectives to maintain single-family residential around the periphery of the historic area and would interfere with the predominately single-family residential character of the immediate area.

To further analyze the request to rezone the parcel in order to allow a more intensified type land use, staff reviewed the cumulative impacts that could occur from the zoning designation change. Staff noted that changing the zoning of the one-acre parcel could potentially lead to a larger development proposal of all three contiguous parcels into one project should the applicant not construct the project as proposed. This potential would further degrade the character of the immediate area and would provide for intensification well over that envisioned within the City of Oceanside Designated Historic Area.

4. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Site:	Proposed: Private Institutional (PI)	Proposed: Public & Semi-Public Historic Overlay (PS-H)	Residential Care-General
	Current: Single Family Detached Residential (SFD-R)	Current: Single Family Residential Historic Overlay (RS-H)	Single Family Residence
North of Subject Site:	Medium Density Residential –A (MDA-R)	Medium Density Residential –A (RM-A)	Mobile Home Park
East of Subject Site	Private Institutional(PI)	Public & Semi-Public Historic Overlay (PS-	Vacant Parcel & Alano Club

		H)	Clubs And Lodges Land Use
South of Subject Site	Private Institutional(PI)	Public & Semi-Public Historic Overlay (PS-H)	Vacant Diocese of San Diego Property
West of Subject Site	Single Family Detached Residential (SFD-R)	Single Family Residential Historic Overlay (RS-H)	Single Family Residence

The proposed General Plan Amendment and Zone Change to allow the development of a two-story, 16,591-square foot, 59-bed 24-hour non-medical care drug and alcohol recovery center on a 1.00-acre site has been determined to be inconsistent with and incompatible to the surrounding built environment, and the original Historic Area Development Program vision for the area; as well as, with the zoning of the site.

It should be noted that the proposed use is one that would provide an overall benefit to the community, but not in the current proposed location. Staff conducted a detailed review of similar type facilities throughout Oceanside, and discovered that they typically exist in close proximity to more urbanized areas developed with mass public transit necessary to accommodate a majority of the citizens that would benefit from such a facility. Staff has identified the following zone districts that exist, and would allow for the establishment of this type of land use without having to modify the city's General Plan Land Use Map and Official Zoning Map in order to accommodate one given use: Commercial Professional (CP) and Public and Semi Public (PS). The two identified zone districts are noted as being located primarily along the Oceanside Boulevard, El Camino, and SR-78 Corridors, all of which provide a well established infrastructure of public transit and goods and services necessary to sustain individuals utilizing a residential care facility.

DISCUSSION

Issue: Allowing a General Plan Amendment and Zone Amendment to change the Zoning and General Plan Designations for the sole purpose of establishing a given land use.

In reviewing a request for a Zone Amendment to change the property zoning from a Single-Family Residential Historic Overlay (RS-H) zone district to Public & Semi-Public Historic Overlay (PS-H) district, staff has focused on the potential range of Land Uses that could occupy the site should a General Plan Amendment and Zone Amendment be approved. Staff has provided the following table to illustrate all permitted by right (P) and conditional use permit (U) type uses that could potentially be located on the subject site if a GPA and ZA are approved.

Public/Semi-Public Land Use

Single Family Residential

Residential Uses

Day Care, Limited P
 Group Residential U

Public/ Semi-Public Uses

Airports U
 Cemetery U
 Child Care L-9
 Clubs and Lodges U
 Convalescent Facilities U
 Cultural Institutions U
 Day Care, General U
 Detention Facilities U
 Emergency Shelter U
 Government Offices U
 Heliports L-1
 Hospitals U
 Maintenance & Service Facilities U
 Park & Recreation Facilities L-5
 Public Safety Facilities U
 Religious Assembly U
 Residential Care, General U
 Resource Centers L-7
 Schools, Public or Private U
 Utilities, Major L-4
 Utilities, Minor P/U

Commercial Uses

Commercial Filming U
 Commercial Recreation & Entertainment U
 Eating and Drinking Establishments L-2
 Vehicle Storage L-3
 Horticulture, Limited P

Residential Uses (A)(B)

Day Care, Ltd. P
 Residential Care, Limited P
 Single-family Residential P

Public/ Semi-Public Uses

Childcare L-11
 Day Care, General U
 Park & Recreation Facilities L-3
 Public Safety Facilities U
 Religious Assembly L-6
 Resource Centers L10
 Schools, Public or Private U
 Utilities, Major L-7
 Utilities, Minor

L-3 Use permit required. Public parks allowed without a use permit if already approved within a Master Plan. Use permit required for private noncommercial facilities, including swim clubs and tennis clubs.

L-6 Use permit required, and only schools operating in conjunction with religious services is permitted as an accessory use. A general day-care facility may be allowed as a secondary use, subject to a use permit, if the Planning Commission finds that it would be compatible with adjacent areas and not cause significant traffic impacts.

L-10 Allowed with an Administrative Use Permit.

Visitor Accommodations

Hotels, Motels
And Timeshares U

Agricultural and Extractive Uses L-6
Crop Production

L-1 Allowed with use permit and Heliport Permit from California Department of Transportation, Division of Aeronautics if located more than 1,000 feet from an R District and the site of a public or private school; see Section 3036 .

L-2 Permitted as an accessory use occupying no more than 5,000 square feet and having no separate entrance or sign, in a cultural, educational, hospital, medical institution project, or a civic or private institution.

L-4 A use permit is required for generating plants, electrical substations, lone switching buildings, refuse collection, transfer, recycling or disposal facilities, water reservoirs, water or wastewater treatment plants, transportation or communication utilities, and similar facilities of public agencies or public utilities. Aboveground electrical transmission lines are not permitted unless determined to be consistent with a utility corridor plan approved by the Planning Commission. Flood control or drainage facilities are permitted if they are consistent with approved master drainage and/or flood-control plans.

L-5 Public parks allowed without a use permit if included as part of an approved Master Plan. All other uses require a use permit.

L-6 Allowed on sites of more than 2.5 acres with the approval of an Administrative Use Permit issued by the Planning Director.

L-7 Allowed with an Administrative Use Permit issued by the Planning Director.

L-9 See Article 30: Section 3041, Child Care Facility. Allowed within the RE, RS, RM, RH, RT, CN, CC, CG, CL, CR, CV, CS,

CS-HO, CS-L, CP, IL, IG, IP, A, OS, PS and the D Districts subject to obtaining a Child Care Facility Permit issued by the Planning Director and subject to the City's adopted Child Care Guidelines. If new development (construction) is proposed for a child care facility, a Development Plan Review is required. A Development Plan Review may be conducted independently or concurrently with the Child Care Facility Permit review.

The primary issue of compatibility with the Historic Mission San Luis Rey is derived from the fact that the Mission San Luis Rey is a significant National Historic Landmark, with preservation and protection of the resource being the primary objective to be considered in all development within the Historic Area, and more specifically within the periphery of the Historic Core Area.

Staff has reviewed the proposed General Plan and Zone Amendment; as well as, potential land uses that could establish on-site and have determined that the change in land use and zoning would allow for an intensified urbanized type land use that would significantly alter the pattern of development along the periphery of the historic core area that is primarily single-family residential. More recent development along the north east portion of the property has been with low intensity single-family residential land uses and a new middle school to service the predominately residential land uses located along the exterior area of the Historic Core Area.

Recommendation

Staff recommends that the Planning Commission concur with staff's findings and conclusions that changing the Land Use and Zoning Designations for the sole purpose of allowing the development of a two-story, 16,591-square foot, 59-bed 24-hour non-medical care drug and alcohol rehabilitation center on a one-acre site would negatively impact surrounding land uses, would be inconsistent with the pattern of development in the immediate area, and would significantly alter the historical significance of the Mission San Luis Rey by allowing spot zoning to allow intensified urbanized type land uses within the Mission San Luis Rey Historic Area.

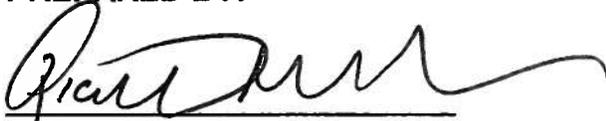
ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act of 1970 and State Guidelines thereto; the City of Oceanside acting as Lead Agency intends to disapprove the project and in accordance with CEQA Section 15270 "Projects Which are Disapproved" (b) allows for an initial screening of projects on the merits for quick disapprovals prior to initiation of the CEQA process where the agency can determine that the project cannot be approved. Should staff's recommendation to deny be overturned, the project would need to be returned to staff in order to conduct the required CEQA review prior to any discretionary action on the project application.

RECOMMENDATION

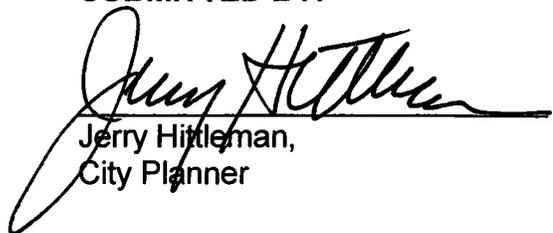
Staff recommends that the Planning Commission adopt PC Resolution No. 2010-P14 recommending denial of a General Plan Amendment (GPA-3-07), Zone Amendment (ZA-2-07). Staff further recommends that the Planning Commission deny the applications for the Development Plan (D-6-07), Conditional Use Permit (C-9-07), and Historic Permit (H-3-07) as incomplete and forward the recommendation to the City Council for final action.

PREPARED BY:



Richard Greenbauer,
Senior Planner

SUBMITTED BY: ~



Jerry Hittleman,
City Planner

Attachments:

1. Plans/ Maps
2. PC Resolution No. 2010-P14
3. Department of Parks and Recreation Primary Record (Prepared By: Ruth Alter)
4. Letters and E-mails of Support and Opposition (Received up to April 15, 2010)

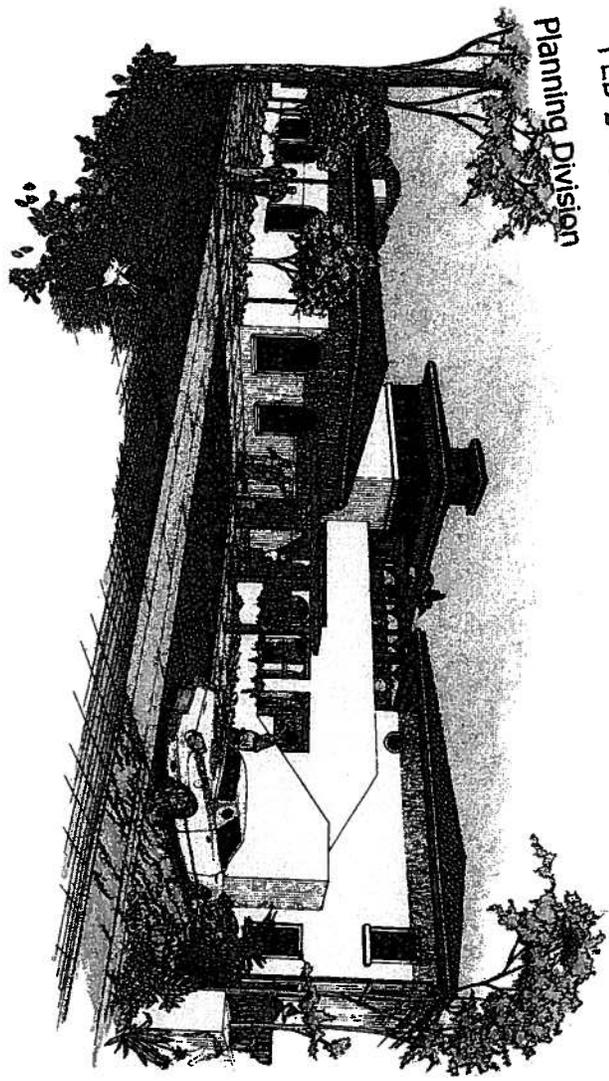
THE FELLOWSHIP CENTER

4152 MISSION AVE.
OCEANSIDE, CALIFORNIA

Received

FEB 27 2009

Planning Division



PROJECT INFORMATION

LAND STATISTICS: 43,940 SF / 1.0 ACRES
 TOTAL ACRES: 0.91
 BUILDING COVER: 10,214 SF / 244
 PARKING COVER: 16,925 SF / 388
 LANDSCAPE: 9,501 SF / 218
 FIRST FLOOR: 10,214 SF
 SECOND FLOOR: 5,322 SF
 TOTAL: 15,536 SF

OCCUPANCY TYPE: 4-4 A-2 B-3
 CONSTRUCTION TYPE: V-4
 BUILDING HEIGHT: 37'-2"
 ZONING INFORMATION: 37'-2"
 GENERAL PLAN: 2
 HISTORIC DISTRICT: NS-H

PARKING INFORMATION: 43
 OFF-STREET PARKING PROVIDED PER CONDITIONAL USE PERMIT

PROJECT ADDRESS:

431 MISSION AVE.
OCEANSIDE, CA 92051

AP.N.

05-07-08

LOCATION MAP:

OCEANSIDE, CALIFORNIA
 HIGHWAY ROUTE 163
 HIGHWAY ROUTE 163



SHEET SCHEDULE

- CS COVER SHEET
- A-01 SITE PLAN
- A-02 FIRST FLOOR PLAN
- A-03 SECOND FLOOR PLAN
- A-04 BALANCED SITE PLAN
- A-05 ROOF PLAN
- A-06 BUILDING ELEVATIONS
- A-07 BUILDING SECTIONS
- A-08 SITE SECTION

GENERAL NOTES:

1. ALL CONDITIONS APPROXIMATE ARE TO BE APPROVED DURING THE BUILDING PERMIT MAKE OF THE PROJECT
2. ALL FIRE CODE ITEMS WITH WPA AND UBC ARE TO BE APPROVED WITH THE BUILDING PERMIT MAKE OF THE PROJECT

DESCRIPTION OF WORK:

DESIGN AND CONSTRUCTION OF A FAMILY RESIDENCE AND THE USE OF THE EXISTING SINGLE FAMILY RESIDENCE FOR A COMMERCIAL USE PERMIT FOR A HIGH-PROFILE SOCIAL SERVICE AGENCY FOR NCA.

SERVICES PROVIDER:

CITY OF OCEANSIDE
 WATER: OCEANSIDE SCHOOL DISTRICT
 GAS: S&N DESIGN GAS AND ELECTRICITY
 TELEPHONE: PACIFIC BELL
 CABLE TELEVISION: COX COMMUNICATIONS

OWNER / APPLICANT:

THE FELLOWSHIP CENTER
 P.O. BOX 449
 140-748-6418
 171 E. GRAND AVE
 OCEANSIDE, CA 92053

LANDSCAPE:

GUYE SHERMAN, PRINCIPAL
 575 WOODLAKE DRIVE
 CARLETON, CA 95007
 PHONE: (760) 540-8330
 FAX: (760) 540-8331

CIVIL ENGINEER:

BRUCE YAT, CIVIL ENGINEER
 YAT CONSULTING
 1400 VENTURO AVENUE, SUITE 107
 OCEANSIDE, CA 92054
 PHONE: (760) 433-1664
 FAX: (760) 433-1871

SOILS:

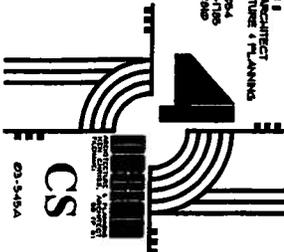
DENNIS HEDGECOCK
 HEDGECOCK ENGINEERING, INC.
 1400 VENTURO AVENUE, SUITE 107
 OCEANSIDE, CA 92054
 PHONE: (760) 433-1664
 FAX: (760) 433-1871

PLANNING CONSULTANT:

BENJAMIN VAN HALEN
 3714 GORTNER CANYON ROAD
 VISTA, CA 92084
 PHONE: (760) 541-7285

ARCHITECT:

BENJAMIN L. CARRE, ARCHITECT
 ARCHITECTURE + PLANNING
 P.O. BOX 449
 OCEANSIDE, CA 92054
 PHONE: (760) 433-1785
 FAX: (760) 433-1785



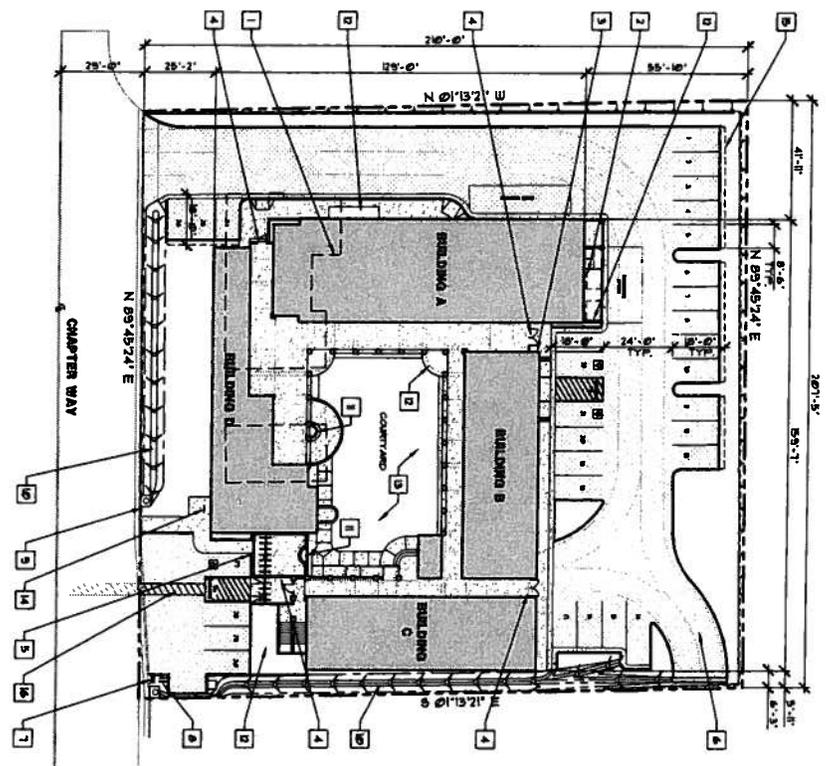
THE FELLOWSHIP CENTER, OCEANSIDE, CA

SITE PLAN NOTES.

- 1 EXISTING BUILDING TO BE REMOVED.
- 2 TRASH ENCLOSURE SEE DETAILS ON LANDSCAPE CONCEPT PLAN.
- 3 DASHED LINE INDICATES FLOOR ABOVE.
- 4 WOOD GATE.
- 5 DECORATIVE TILE PAVING.
- 6 TRAFFIC TURN ARROUND. SEE CIVIL DRAWINGS.
- 7 WATER METER.
- 8 BACKFLOW PREVENTER DEVICE FOR THE SPRINKLER SYSTEM.
- 9 WATER METER. SEE CIVIL DRAWINGS FOR INFORMATION.
- 10 GARAGE SHIELD. SEE CIVIL DRAWINGS FOR INFORMATION.
- 11 OUTDOOR FOUNTAIN. SEE LANDSCAPE DRAWINGS FOR INFORMATION.
- 12 LANDSCAPE PLANTERS. SEE LANDSCAPE DRAWINGS FOR INFORMATION.
- 13 COTTON SPACE RACK. SEE LANDSCAPE PLAN.
- 14 BINE RACK. SEE LANDSCAPE PLAN.
- 15 24" PARKING STALL OVERLAPS OVER LANDSCAPE AREA PER CITY ORDINANCE SECTION 208.
- 16 4'-0" WIDE CROSBOWALK.

GENERAL NOTES.

- 1 REFER TO THE CIVIL ENGINEERING DRAWINGS FOR ELEVATIONS, DETAILS, AND GRADING INFORMATION.
- 2 REFER TO LANDSCAPE DRAWINGS FOR PLANT SCHEDULE INFORMATION.



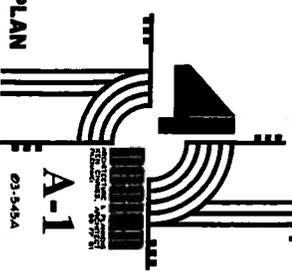
PRELIMINARY SITE PLAN

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

LEGEND.

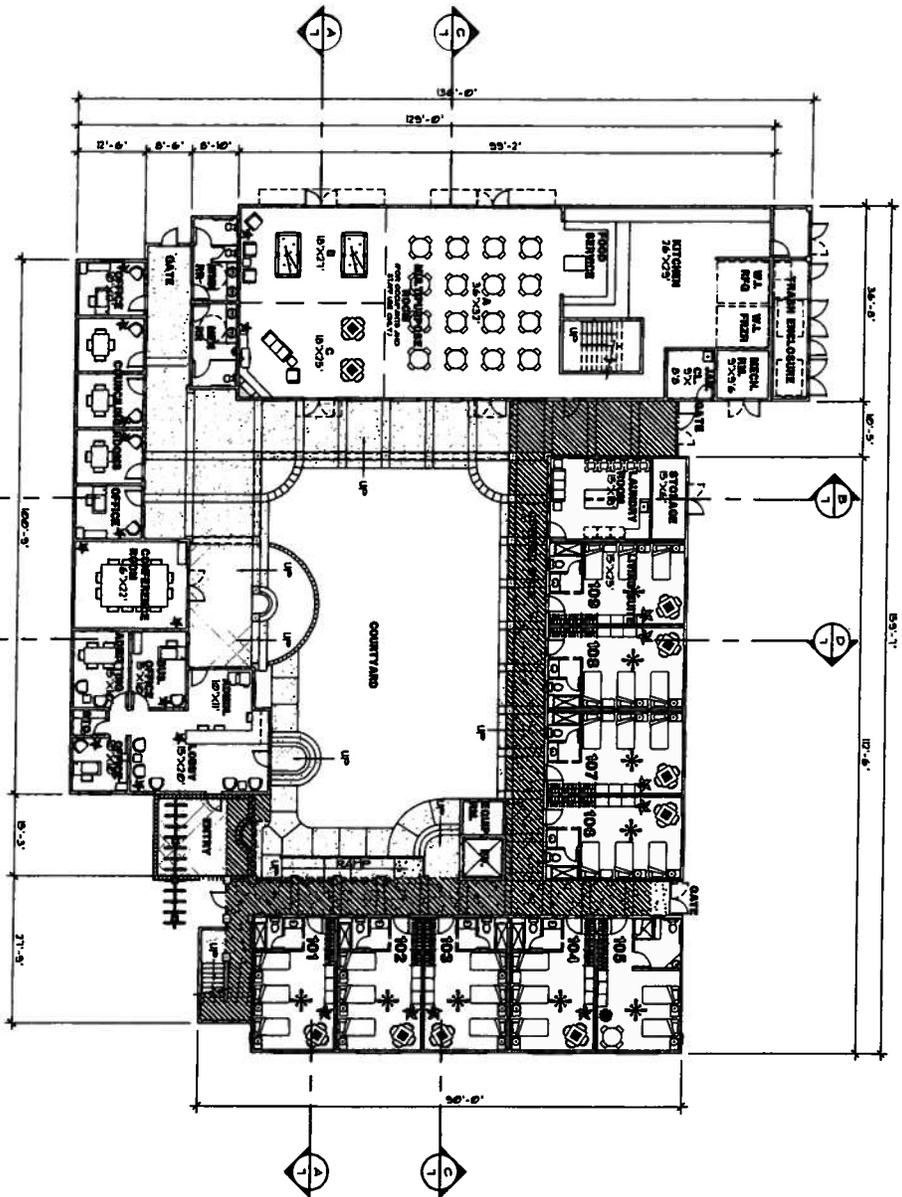
- GAS LINE
- GAS LINE
- CONCRETE
- EXISTING BUILDING TO BE DAMAGED
- FIRE HYDRANT
- BACKFLOW PREVENTER
- ASPHALT
- RETAINING WALL
- CONCRETE CURB

SITE PLAN



A-1

03-545A



PRELIMINARY FIRST FLOOR PLAN



LEGEND
 [Hatched Box] STRUCTURE ABOVE
 [Solid Box] CONCRETE AREA

BUILDING INFORMATION
 BUILDING AREA: 10,236 SQ. FT.
 FIRST FLOOR: 6,888 SQ. FT.
 SECOND FLOOR: 1,538 SQ. FT.
 TOTAL AREA: 8,426 SQ. FT.

CONSTRUCTION OUTLINE

CONSTRUCTION: CONSTRUCTION TO BE TYPE V NON PARTED CONSTRUCTION WITH FIBER REINFORCED.

FIRST FLOOR: THE FLOOR SHALL BE CONCRETE OF POURED IN PLACE CONCRETE OVER SAND WITH A VAPOR BARRIER.

SECOND FLOOR: THE FLOOR SHALL BE A 3/4" THICK CD-119 PLYWOOD OVER TRUSS JOIST SPACED AT 16" O.C.

EXTERIOR WALLS: THE EXTERIOR WALLS SHALL BE 2X6 WOOD FRAME WITH STUCCO FINISH OVER 1/2" GYPSUM BOARD OR 5/8" GYPSUM BOARD AT THE EXTERIOR AND 1/2" GYPSUM BOARD AT THE INTERIOR. THE INTERIOR SURFACE SHALL HAVE A SMOOTH FINISH.

INTERIOR NON-BEARING WALLS: THE INTERIOR WALLS SHALL BE 2X4 WOOD FRAMING AT 16" O.C. ON SANDING FORMWORK AND A SMOOTH FINISH AND OTHER SET AREAS SHALL HAVE WATER PROOF GYPSUM BOARD.

Ceilings: THE CEILING SHALL BE GYPSUM BOARD ATTACHED TO WOOD RAFTERS WITH A SMOOTH FINISH.

INSULATION: ALL EXTERIOR WALLS TO RECEIVE FIBERGLASS BATT INSULATION. ALL ATTIC SPACES TO RECEIVE FIBERGLASS BATT INSULATION. ALL INTERIOR WALLS TO RECEIVE FIBERGLASS BATT INSULATION.

DOORS: ALL EXTERIOR DOORS TO BE SOLID CORE WOOD WITH PAINTED FINISH.

GLASS AND GLAZING: ALL WINDOWS TO BE ALUMINUM FRAMES WITH DOUBLE GLAZED, ALL INTERIOR WINDOWS TO BE PAINTED AND COLORED TINTED.

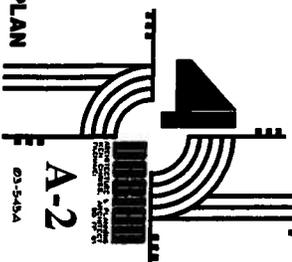
PAINTING: EXTERIOR EXPOSED WOOD TO BE PAINTED WITH AN EXTERIOR GRADE PAINT. INTERIOR SPACES TO RECEIVE ONE COAT OF INTERIOR GRADE PAINT. ALL INTERIOR SURFACES TO RECEIVE ONE COAT OF INTERIOR GRADE PAINT. ALL INTERIOR SURFACES TO RECEIVE ONE COAT OF INTERIOR GRADE PAINT.

PLUMBING: ALL FIXTURES TO BE KOHLER OR AN EQUIVALENT. ALL WATER CLOSETS TO BE WATER SAVING TYPE. WATER HEATER TO BE INSTALLED AS PER THE UPC. WATER TO THE UNIFORM PLUMBING CODE.

MECHANICAL: INSTALL A CENTRAL FORCED AIR SYSTEM TO BE GAS FUELED. ALL WORK SHALL BE PER THE INTERNATIONAL MECHANICAL CODE.

ELECTRICAL: ALL ELECTRICAL WORK TO BE PER THE NATIONAL ELECTRICAL CODE. PROVIDE FOR CABLE TV, SECURITY SYSTEM, INTERNET SYSTEM, AND COMPUTER WITH INTERNET SYSTEM.

FIRST FLOOR PLAN

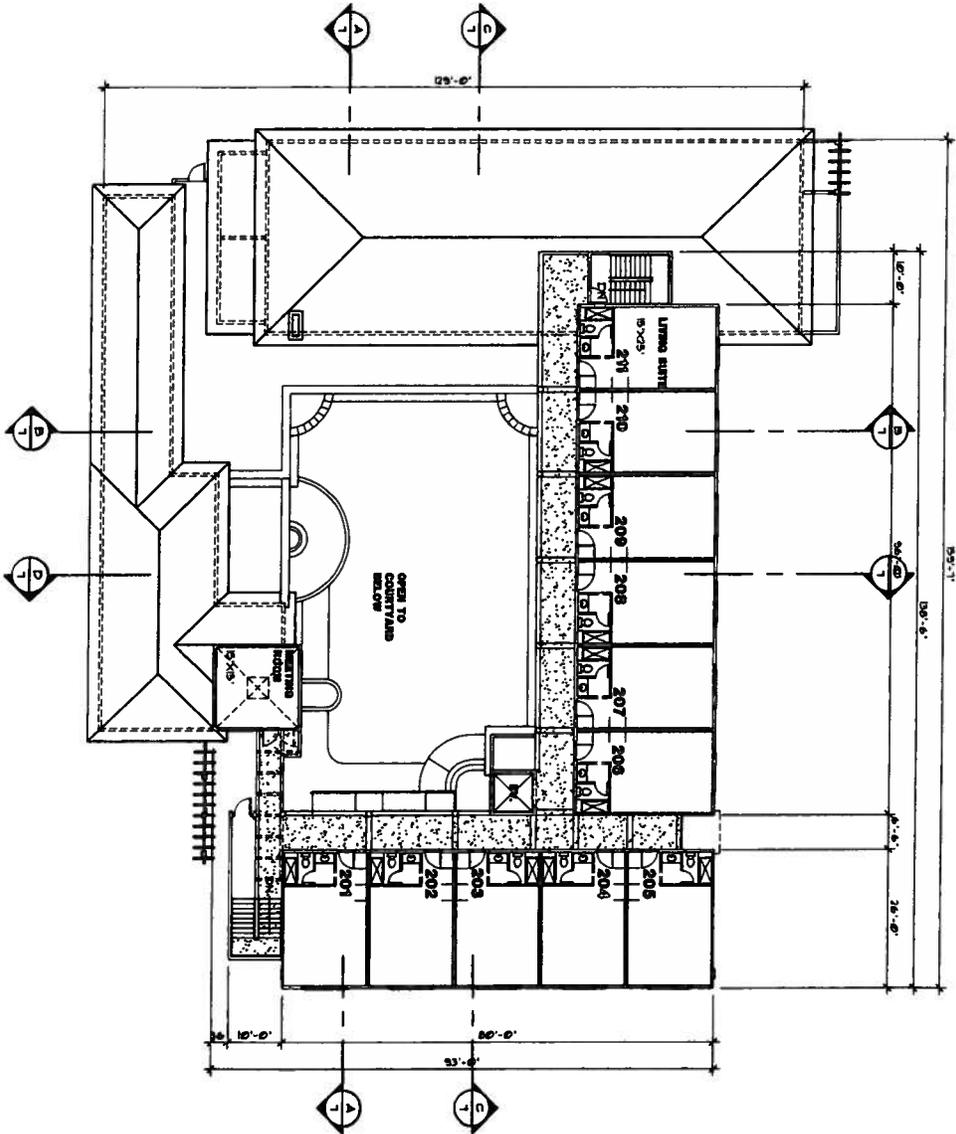


PRELIMINARY SECOND FLOOR PLAN

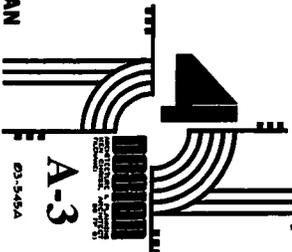


BUILDING INFORMATION.

SCALE: 1/8"=1'-0"
 BUILDING AREA:
 FIRST FLOOR: 6,328 SQ. FT.
 SECOND FLOOR: 5,328 SQ. FT.
 TOTAL AREA: 11,656 SQ. FT.



SECOND FLOOR PLAN



THE FELLOWSHIP CENTER, OCEANSIDE, CA

11/20/07
 3:44 PM

SUITE INTERIOR FINISHES

FLOORING:

VINYL TILE FLOORING TO BE INSTALLED AT ENTRY, LIVING ROOM, DINING ROOM AND BATH CLOSET. THE VINYL TILE SHALL BE INSTALLED OVER SOUNDBOARD AT THE SECOND FLOOR SUITE.

CARPET WITH PAD FLOORING TO BE INSTALLED AT THE SUITE LIVING AREA.

BASE:

1" TOPSET RUBBER BASE SHALL BE INSTALL IN ALL SUITE AREAS.

WALLS:

ALL WALL FINISHES SHALL BE 5/8" THICK TYPE 2" GYPSUM BOARD WITH 1/2" JOINT TAP AND THE GYPSUM BOARD SHALL BE UNFINISHED TYPE AT THE BATH AND DRESSING AREAS. ALL WALLS SHALL BE PAINTED WITH TWO COATS OF SEMI-GLOSS EMULSION PAINT.

CEILING:

ALL CEILING FINISHES SHALL BE 5/8" THICK TYPE 2" GYPSUM BOARD WITH 1/2" JOINT TAP AND THE GYPSUM BOARD SHALL BE UNFINISHED TYPE AT THE BATH AND DRESSING AREAS. ALL CEILING SHALL BE PAINTED WITH TWO COATS OF SEMI-GLOSS EMULSION PAINT.

DOORS:

FLOOR, WALLS, CEILING.

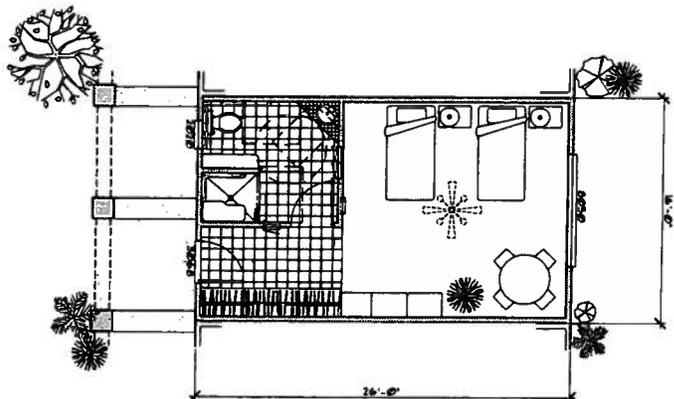
CABINETS:

BUILT IN LAVATORY CABINET IN THE DRESSING AREA TO BE FINISHED WITH LAMINATE FINISH ON A BASE WITH A CERAMIC TILE CONSTRUCTION. THREE RECEADED HINGED MEDICINE DRESSING AREAS.

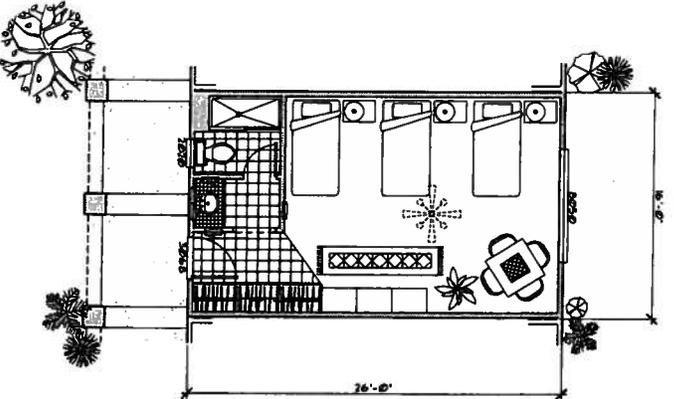
THREE WARDROBE CABINETS SHALL BE PROVIDED AND INSTALLED IN EACH SUITE. THESE CABINETS SHALL BE OF A PLASTIC LAMINATE FINISH.

FINISHES:

OWNER TO PROVIDE UNDER A SEPARATE CONTRACT THE FOLLOWING ITEMS, THREE BEER COOLERS, CHAIRS, THREE READING LAMP, FOUR CHAIRS, AND ONE TABLE WITH FOUR CHAIRS.

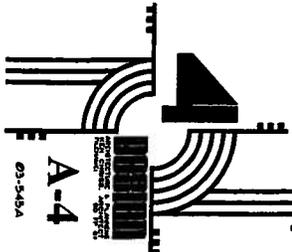


**PRELIMINARY
ACCESSIBLE
RESIDENTIAL
SUITE**
415 SQ.FT.
SCALE: 1/4" = 1'-0"



**PRELIMINARY
TYPICAL
RESIDENTIAL
SUITE**
415 SQ.FT.
SCALE: 1/4" = 1'-0"

**ENLARGED
SUITE PLAN**



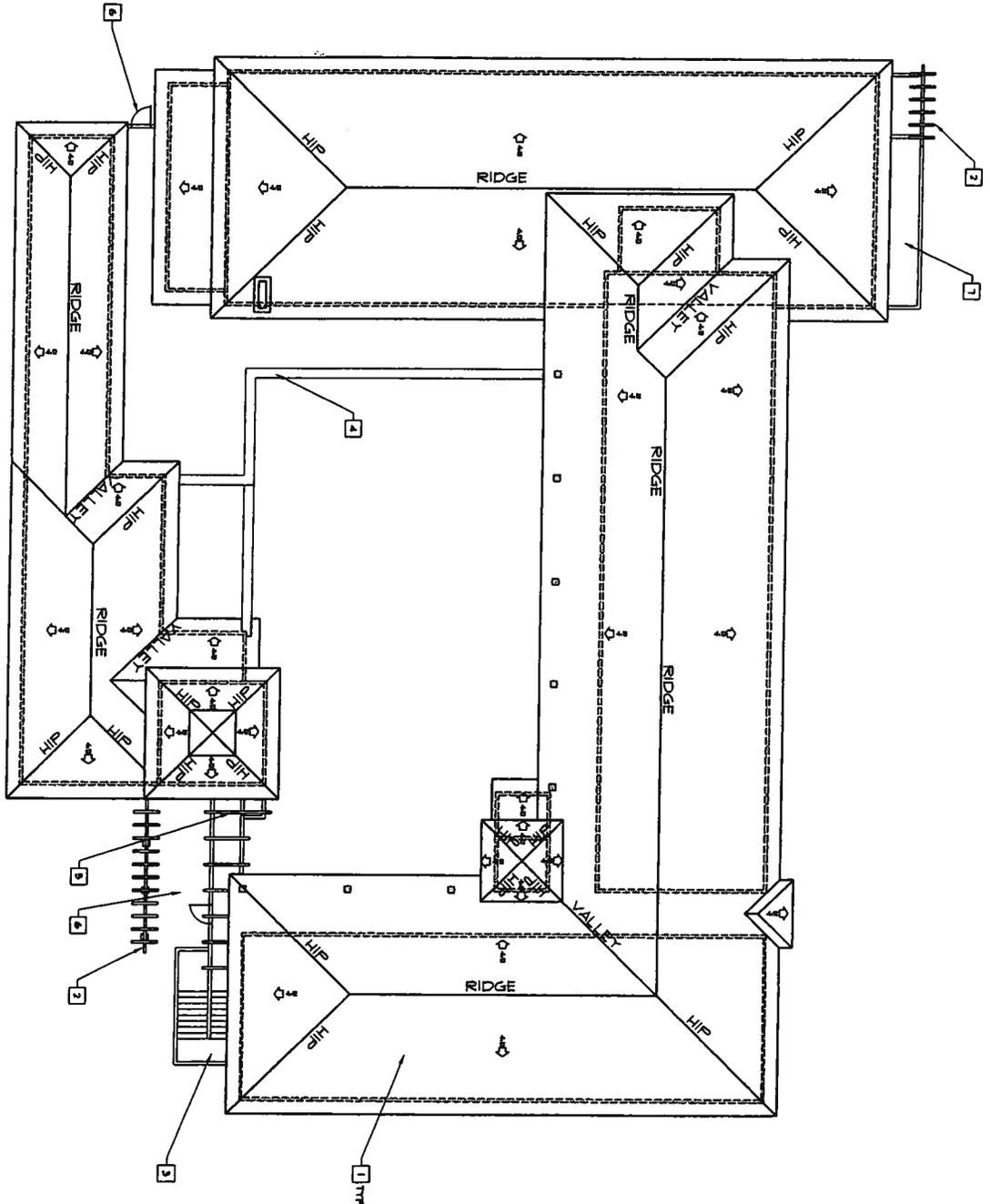
A-4

03-345A

PRELIMINARY ROOF PLAN

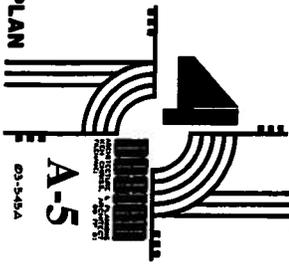


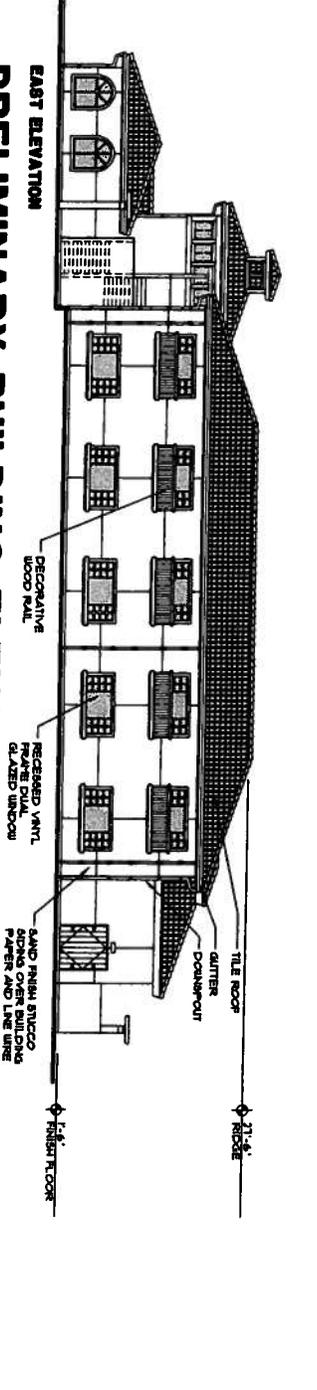
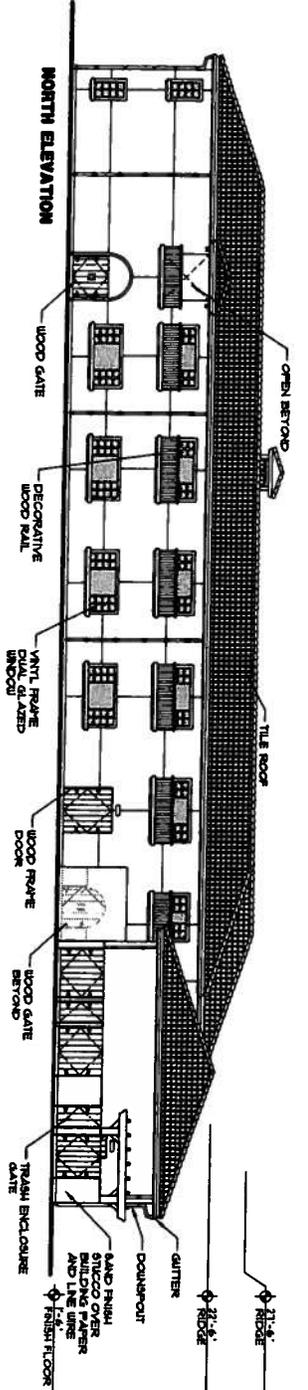
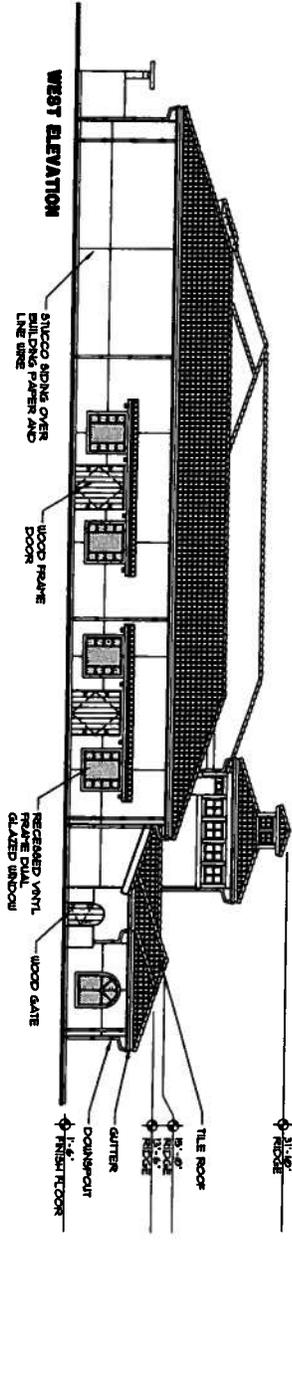
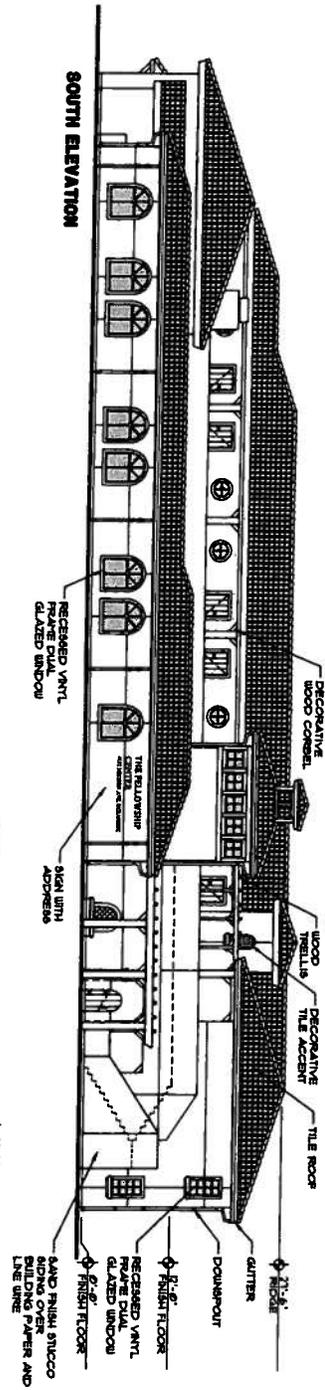
SCALE: 3/8" = 1'-0"



ROOF PLAN NOTES.

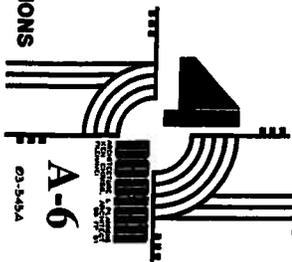
- 1 LIGHT-WEIGHT CONCRETE BARRELL TILE
- 2 TRIBBLE BELOW
- 3 STAIRS BELOW
- 4 SCREEN WALL
- 5 TRIBBLE
- 6 GATE BELOW
- 7 TRAM ENCLASURE





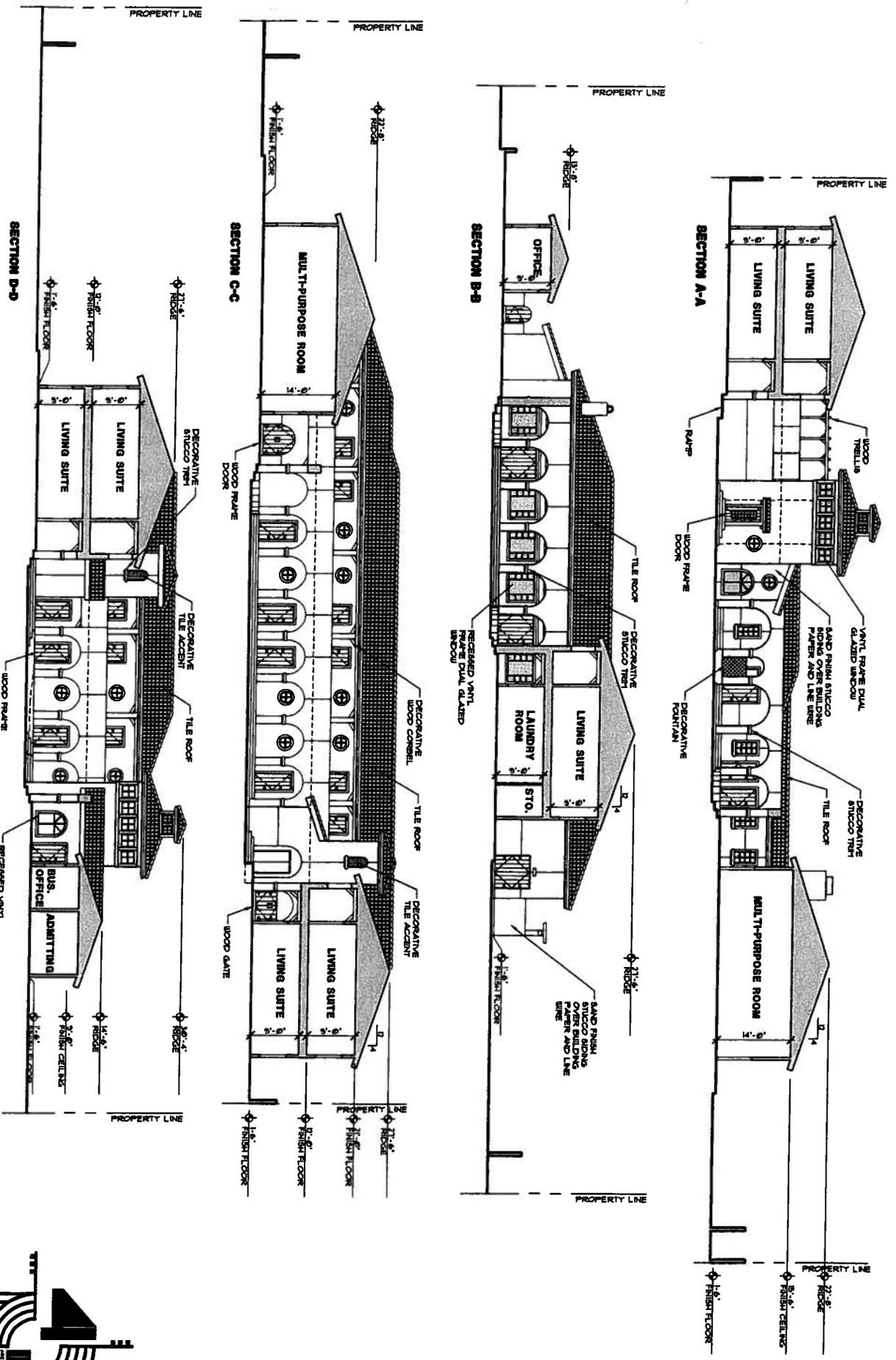
PRELIMINARY BUILDING ELEVATIONS

BUILDING ELEVATIONS

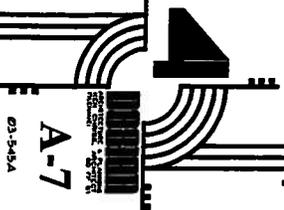


PRELIMINARY BUILDING SECTIONS

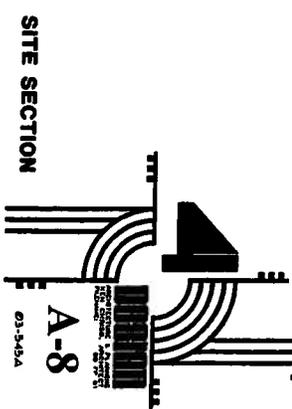
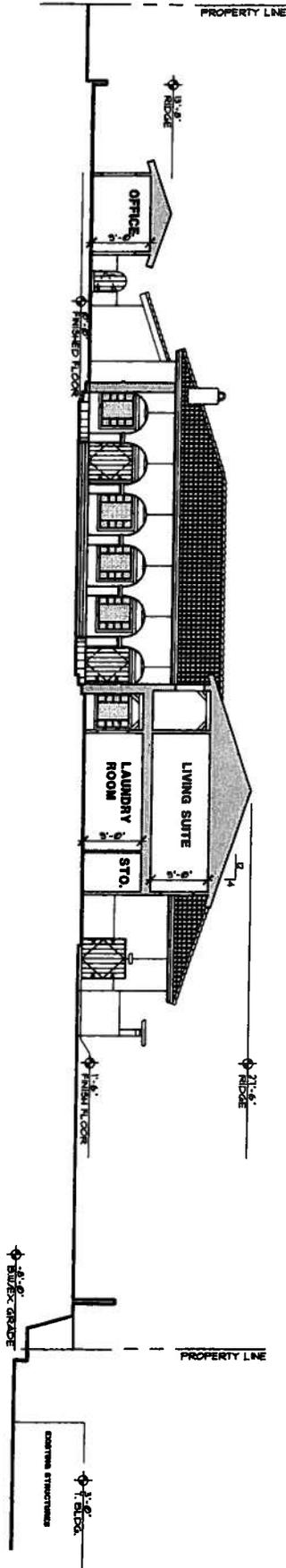
SCALE: 1/8"=1'-0"



BUILDING SECTIONS



SITE SECTION



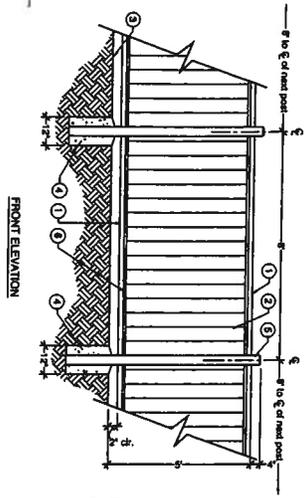
THE FELLOWSHIP CENTER, OCEANSIDE, CA

SITE SECTION

A-8

03-345A

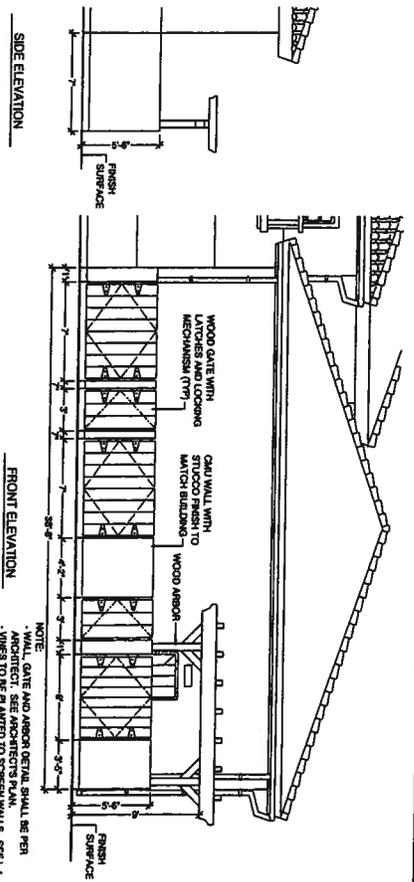
11/20/03



- 1 2 x 4 TOP AND BOTTOM RAILS.
- 2 1 x 6 SLATS.
- 3 FINISHED GRADE.
- 4 CONCRETE FOOTING FROM GRADE.
- 5 1/2" x 1/2" DEEP FOR THE POSTS.
- 6 4" x 4" WOOD POSTS WITH 1/2" CHAMFER TOP.
- 7 1 x 3 WALKER, ON BOTH SIDES.



A 5' HIGH PERIMETER WOOD FENCE SCALE: 1/2" = 1'-0"



B TRASH ENCLOSURE ELEVATIONS PER ARCHITECT SCALE: 1/4" = 1'-0"



CONCEPTUAL LANDSCAPE PLAN

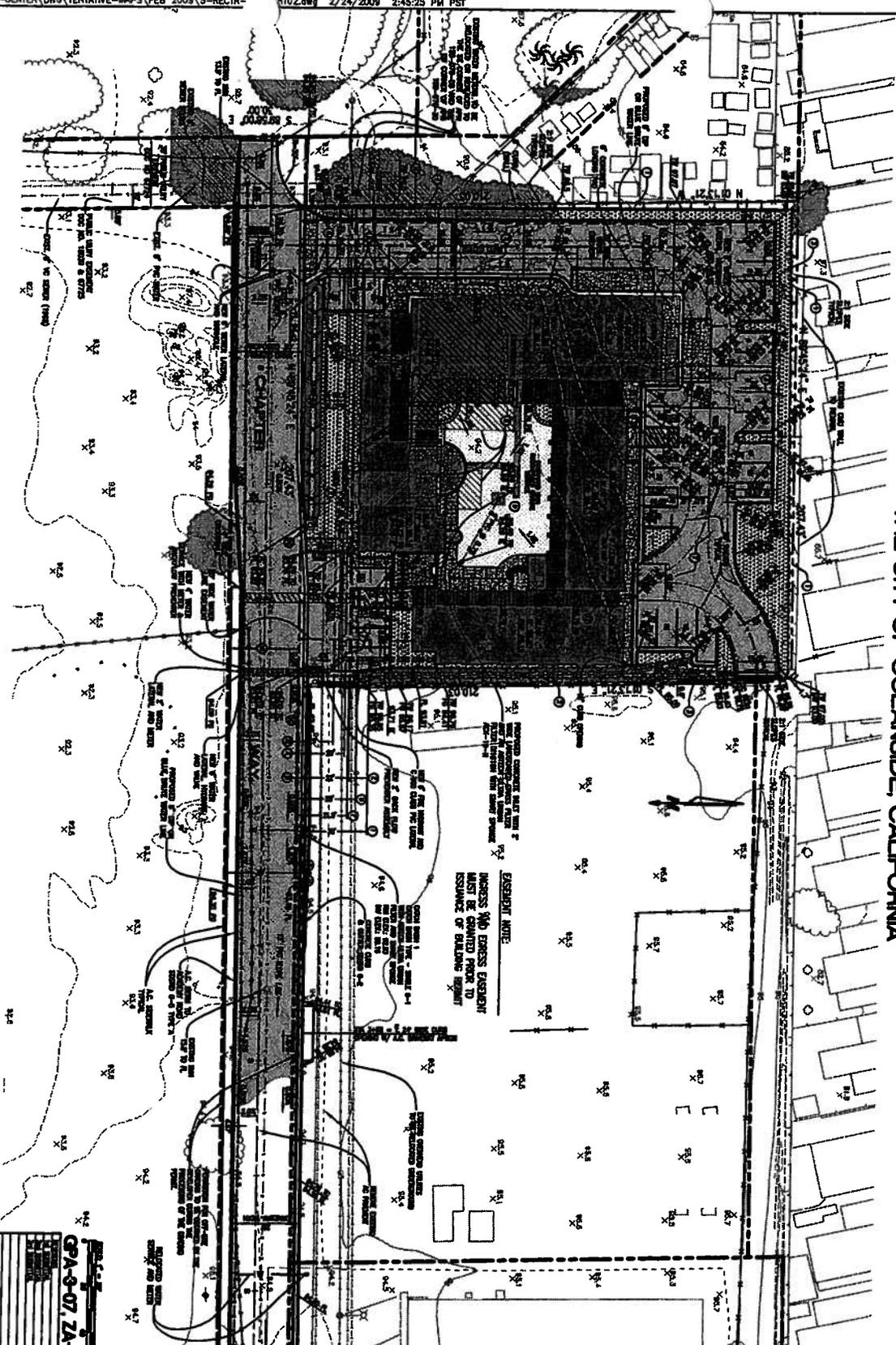
THE FELLOWSHIP CENTER
4125 MISSION AVE. • OCEANSIDE, CALIFORNIA



NO.	REVISIONS	BY

NO.	DATE	DESCRIPTION

PRELIMINARY GRADING AND DRAINAGE PLAN FOR OCEANSIDE RECOVERY CENTER THE CITY OF OCEANSIDE, CALIFORNIA



EXEMPTION NOTE
 ANY PERSON WHO EXEMPT FROM THE PROVISIONS OF THE SUBDIVISION MAP ACT MUST BE GRANTED PRIOR TO ISSUANCE OF BUILDING PERMIT

SHEET 3 OF 4

EXEMPTION NOTES

1. THE EXEMPTION FROM THE PROVISIONS OF THE SUBDIVISION MAP ACT IS GRANTED TO THE CITY OF OCEANSIDE.
2. THE EXEMPTION FROM THE PROVISIONS OF THE SUBDIVISION MAP ACT IS GRANTED TO THE CITY OF OCEANSIDE.
3. THE EXEMPTION FROM THE PROVISIONS OF THE SUBDIVISION MAP ACT IS GRANTED TO THE CITY OF OCEANSIDE.
4. THE EXEMPTION FROM THE PROVISIONS OF THE SUBDIVISION MAP ACT IS GRANTED TO THE CITY OF OCEANSIDE.
5. THE EXEMPTION FROM THE PROVISIONS OF THE SUBDIVISION MAP ACT IS GRANTED TO THE CITY OF OCEANSIDE.
6. THE EXEMPTION FROM THE PROVISIONS OF THE SUBDIVISION MAP ACT IS GRANTED TO THE CITY OF OCEANSIDE.
7. THE EXEMPTION FROM THE PROVISIONS OF THE SUBDIVISION MAP ACT IS GRANTED TO THE CITY OF OCEANSIDE.
8. THE EXEMPTION FROM THE PROVISIONS OF THE SUBDIVISION MAP ACT IS GRANTED TO THE CITY OF OCEANSIDE.
9. THE EXEMPTION FROM THE PROVISIONS OF THE SUBDIVISION MAP ACT IS GRANTED TO THE CITY OF OCEANSIDE.
10. THE EXEMPTION FROM THE PROVISIONS OF THE SUBDIVISION MAP ACT IS GRANTED TO THE CITY OF OCEANSIDE.

CONSTRUCTION NOTES

1. EXISTING GRADE TO BE MAINTAINED.
2. EXISTING GRADE TO BE MAINTAINED.
3. EXISTING GRADE TO BE MAINTAINED.
4. EXISTING GRADE TO BE MAINTAINED.
5. EXISTING GRADE TO BE MAINTAINED.
6. EXISTING GRADE TO BE MAINTAINED.
7. EXISTING GRADE TO BE MAINTAINED.
8. EXISTING GRADE TO BE MAINTAINED.
9. EXISTING GRADE TO BE MAINTAINED.
10. EXISTING GRADE TO BE MAINTAINED.

DATE: 02-24-09
 PROJECT: OCEANSIDE RECOVERY CENTER
 SHEET: 3 OF 4

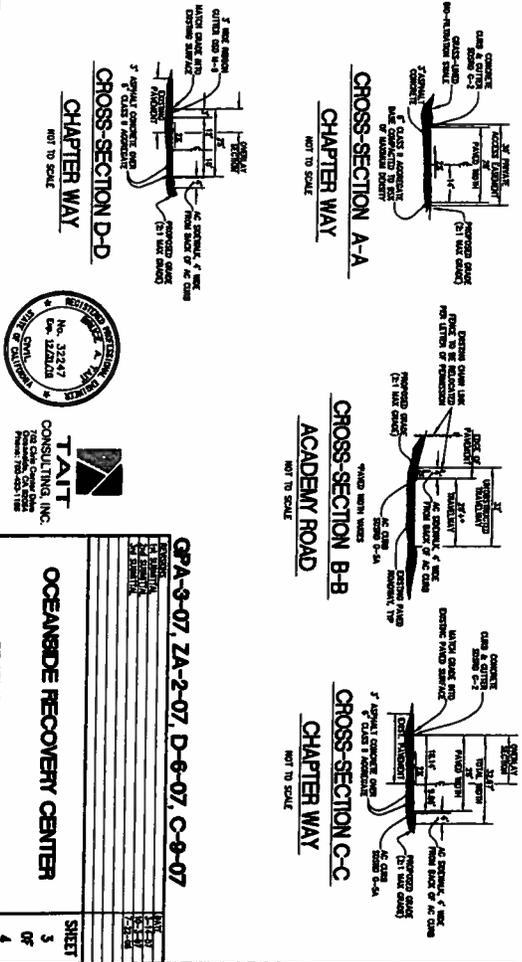
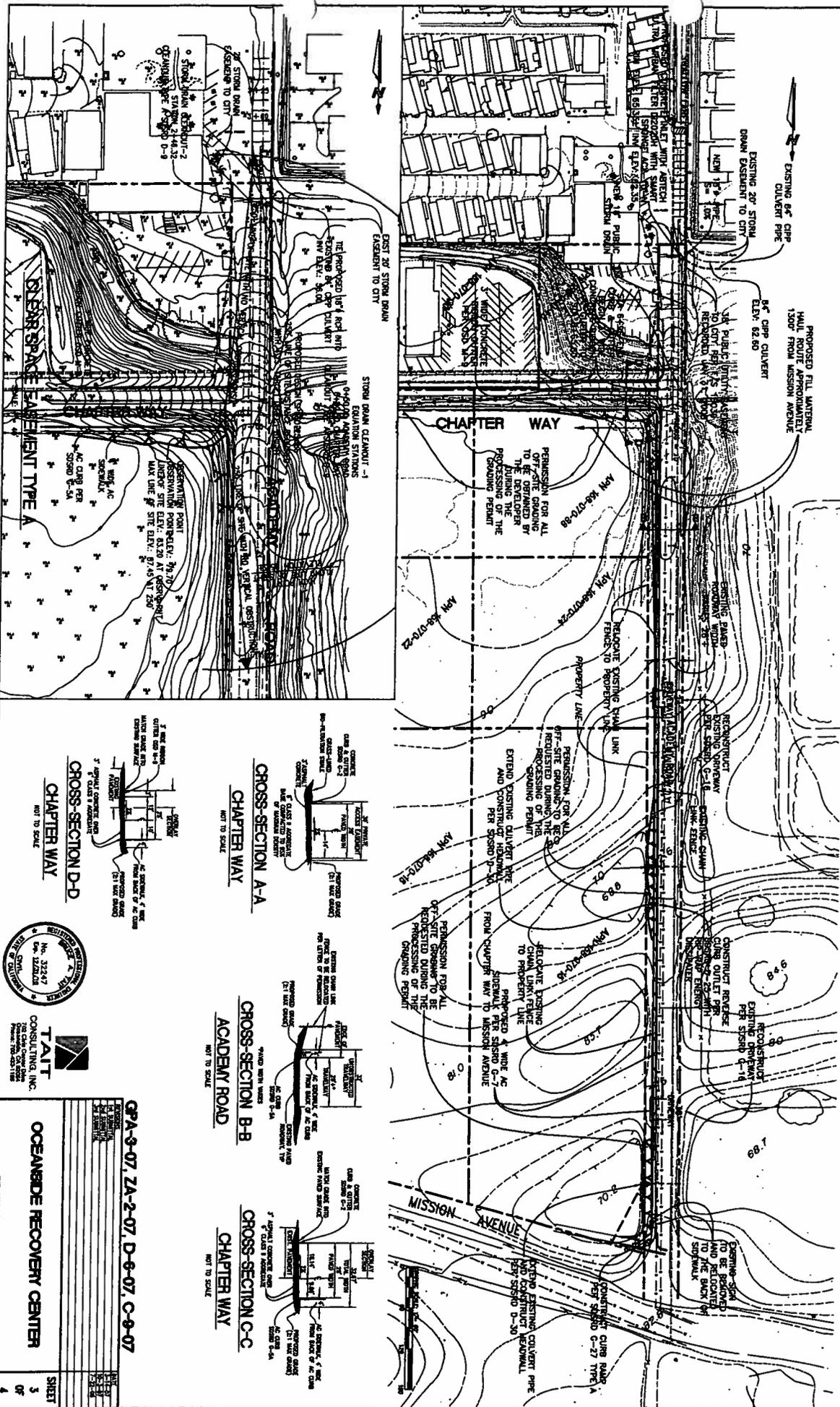


TAIT
 CONSULTING INC.
 1000 W. BROADWAY
 OCEANSIDE, CA 92054
 TEL: 760.434.1100
 FAX: 760.434.1101
 WWW.TAITCONSULTING.COM

PROJECT	OCEANSIDE RECOVERY CENTER
DATE	02-24-09
SHEET	3 OF 4
SCALE	AS SHOWN
DESIGNED BY	
CHECKED BY	
APPROVED BY	

THE CITY OF OCEANSIDE, CALIFORNIA

PRELIMINARY GRADING AND DRAINAGE PLAN FOR OCEANSIDE RECOVERY CENTER THE CITY OF OCEANSIDE, CALIFORNIA



TAIT
CONSULTING, INC.
1000 EAST AVENUE
OCEANSIDE, CALIFORNIA 92054
PHONE: (760) 431-1188

GRA-9-07, ZA-2-07, D-9-07, C-9-07

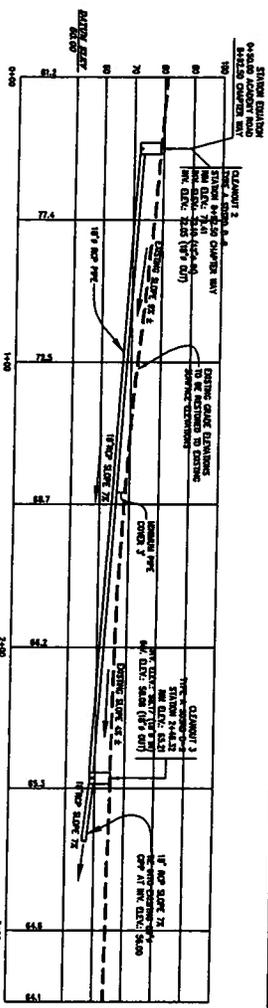
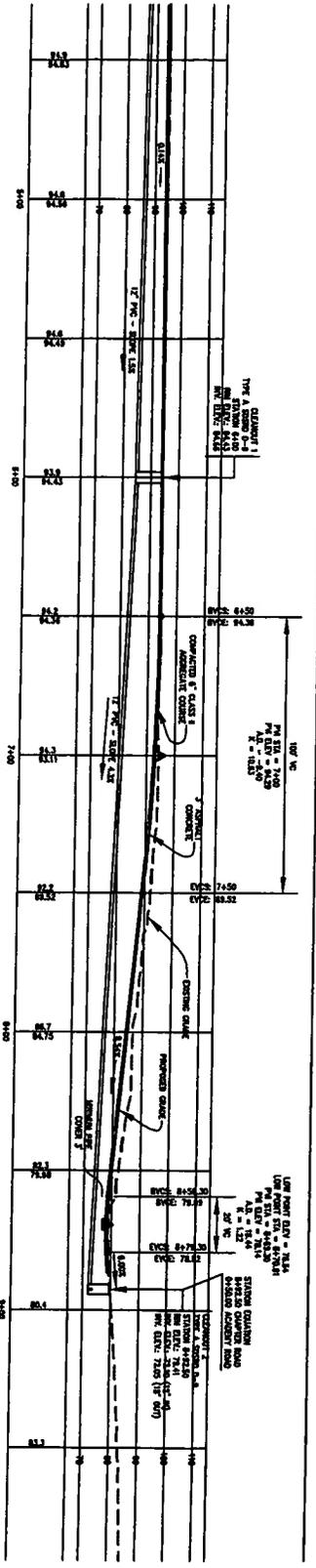
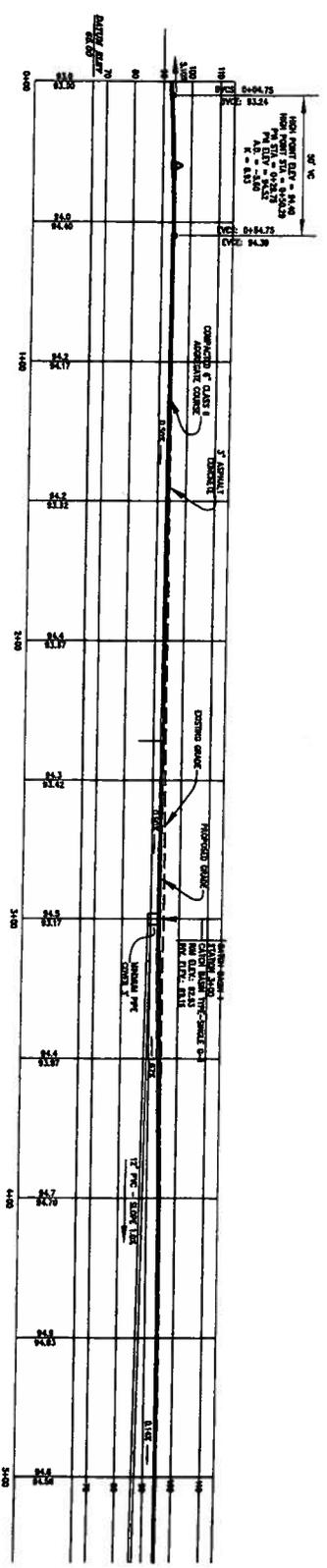
OCEANSIDE RECOVERY CENTER

SHEET	NO.
1	1
2	2
3	3
4	4

THE CITY OF OCEANSIDE, CALIFORNIA

PRELIMINARY GRADING AND DRAINAGE PLAN FOR OCEANSIDE RECOVERY CENTER

THE CITY OF OCEANSIDE, CALIFORNIA



OCEANSIDE RECOVERY CENTER

TAIT
 CONSULTING, INC.
 1000 S. GARDEN AVENUE
 OCEANSIDE, CALIFORNIA 92054
 PHONE: (760) 431-1111
 FAX: (760) 431-1112
 WWW: WWW.TAITCONS.COM



GPA-03-07, ZA-2-07, D-0-07, C-0-07

1 PLANNING COMMISSION
2 RESOLUTION NO. 2010-P14

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
4 OF OCEANSIDE, CALIFORNIA RECOMMENDING DENIAL OF A
5 GENERAL PLAN AMENDMENT, ZONE AMENDMENT,
6 DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, AND
7 HISTORIC PERMIT

8 APPLICATION NO: GPA-3-07, ZA-2-07, D-6-07, C-9-07, H-3-07

9 APPLICANT: The Fellowship Center

10 LOCATION: North of Chapter Way, South of San Luis Rey Mobile Home Park, and
11 East of the San Luis Rey Parish Church within the Mission San Luis Rey
12 Neighborhood

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

15 WHEREAS, there was filed with this Commission a verified petition on the forms
16 prescribed by the Commission requesting a General Plan Amendment, Zone Amendment,
17 Development Plan, Conditional Use Permit, and Historic Permit under the provisions of
18 Historic Preservation Ordinance (82-41) and Articles 17, 21, 30, 31, 40, and 43 of the Zoning
19 Ordinance of the City of Oceanside to permit the following:

20 a change in the land use designation from Single-Family Dwelling Residential (SFD-R)
21 to Private Institutional (PI) and change the zoning designation from Single-Family
22 Residential (RS) to Public & Semi-Public (PS) all with an Historic overlay (H) in order
23 to allow the construction of a two-story, 16,591-square foot, 59-bed 24-hour non-
24 medical care drug and alcohol recovery center on a 1.00-acre site;

25 on certain real property described in the project description.

26 WHEREAS, the Planning Commission, after giving the required notice, did on the 26th
27 day of April, 2010 conduct a duly advertised public hearing as prescribed by law to consider
28 said application;

WHEREAS, the City CEQA Resource Officer has determined that the project is subject to
CEQA, but the project is exempt from CEQA review pursuant to CEQA Guidelines section
15061(b)(4): exemption for projects that will be rejected or disapproved by a public agency. Staff
is recommending denial, therefore, CEQA review has not been conducted on the proposed project.

1 WHEREAS, the Oceanside Historic Preservation Advisory Commission, conducted a
2 hearing on December 1, 2009, that resulted in a recommendation for approval of a Historic Permit
3 and was later nullified by a conflict of interest by one of the Commissioners, did on the 9th day of
4 February, 2010, conduct a second public hearing as prescribed by law to consider said application.
5 A motion for denial failed by a 2-2 vote, and no new motion was made, therefore the application is
6 forwarded without an OHPAC recommendation;

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

9 FINDINGS:

- 10 1. A change in land use designation to Private Institutional (PI) would allow for more
11 intensified land uses on the subject site. Such intensified uses are inconsistent with the
12 Mission San Luis Rey Historic Area goals and objectives as identified within the "Mission
13 San Luis Rey Historic Area Development Program and Design Guidelines", specifically
14 the goal that provides for low intensity residential land uses along the periphery of the
15 Historic Core Area.
- 16 2. A Private Institutional (PI) Land Use designation change from Single-Family Dwelling
17 Residential (SFD-R) is inconsistent with the General Plan Land Use Element general
18 guidance for distribution of land uses within the Historic Area and would negatively
19 impact the historic significance of the Mission San Luis Rey de Francia and the
20 surrounding properties within the Historic Area. Allowance of a General Plan Land Use
21 designation change for the purpose of intensifying the development potential of a one-
22 acre site would directly conflict with the predominately single-family residential
23 character of the area originally envisioned within the General Plan.

24 //////////////

25 //////////////

26 //////////////

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

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

 ////////////////

 ////////////////

1 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
2 recommend denial of General Plan Amendment (GPA-3-07), Zone Amendment (ZA-2-07),
3 Development Plan (D-6-07), Conditional Use Permit (C-9-07), and Historic Permit (H-3-07) to
4 the City Council for final action.

5 PASSED AND ADOPTED Resolution No. 2010-P14 on April 26, 2010 by the
6 following vote, to wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11
12 _____
13 Claudia Troisi, Chairperson
14 Oceanside Planning Commission

15 ATTEST:

16 _____
17 Jerry Hittleman, Secretary

18 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
19 this is a true and correct copy of Resolution No. 2010-P14.

20 Dated: April 26, 2010

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

RECEIVED
MAR 26 7007
Planning Department

County # _____
HRI # _____
Trinomial _____
NRHP Status Code 6Z
Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 3

*Resource Name or #: (Assigned by recorder) 4152 Mission Avenue

*P1. Other Identifier: John P. and Josephine E. Lienert House

*P2. Location: Not for Publication Unrestricted *

*a. County San Diego and (P2b and P2c or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad San Luis Rey Date 1996 T 11S; R 4W; 1/4 of 1/4 of Sec 8; SB B.M.

*c. Address 4152 Mission Avenue City Oceanside Zip 92057

d. UTM: (Give more than one for large or linear resources) Zone 11; _____ Me/ _____ Mn

e. Other Locational Data (e.g., parcel #, directions to resource, elevation, etc., as appropriate): The Assessors Parcel Number is 158-070-08. The legal description of the subject property is a portion of Section 8, Township 11 South, Range 4 West, San Bernardino Meridian, Oceanside, California.

*P3a. Description (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries): The resource consists of a one story, U-shaped, frame, Ranch style house with a symmetrical facade. Constructed in 1945 per the Residential Building Record, the house rests on a concrete foundation. The exterior is clad with wood shiplap siding. The medium pitched double front gabled roof has narrow, boxed eaves and is covered with composition shingles. Horizontal louvered vents are present in the gable ends. An interior lipped brick chimney pierces the ridge crest. The fenestration consists of paired and single 1-over-1 wood framed double hung sash windows, with wide wood trim. The windows in the gable ends are flanked by wood shutters. The house is accessed from the street, through a low wood picket fence, to a concrete walkway, up one low step to the tiled porch. A shed roof supported by four truncated wood posts covers the porch, which is situated between the front gable ends. A solar panel rests atop the porch roof. Three single wood doors with recessed panels open onto the porch from the house. A shed addition is present on the rear (north-facing) facade. The addition has two sets of triple 1-over-1 double hungs set in a single surround. A one-car, composition shingle roofed, shiplap-clad detached garage, accessed from the street by a concrete driveway, is located east of the house. The garage has double hinged doors. The yard is minimally landscaped. Overall, the house appears to be in fair-to-good condition.



*P3b. Resource Attributes: (List)
HP-2 - Single-family
property

*P4. Resources Present: Building
 Structure Object Site
 District Element of District
Other (Isolates, etc.)

P5b. Description of Photo: (View, date, accession #) Front facade,
1/16/06, 995:1

*P6. Date Constructed/ Age and Sources: Historic Prehistoric
Built circa 1945 per
Residential Building Record

*P7. Owner and Address:
Fellowship Center Inc.
737 E. Grand Avenue
Escondido, CA 92025

*P8. Recorded by (Name, affiliation, and address): Ruth Alter,
Archaeos, 11209 Golden
Birch Way, San Diego, CA
92131

*P9. Date Recorded: 2/08/06

*P10. Type of Survey: (Describe) Field check *P11. Report Citation (Cite survey report and other sources, or enter "none"). None *Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record Archaeological Record District Record Linear Resource Record Milling Station Record Rock Art Record Artifact Record Photograph Record Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 2 of 3

*Resource Name or # (Assigned by recorder) 4152 Mission Avenue

*Recorded by Ruth Alter

Date 2/08/06

Continuation Update

The subject property passed through a number of owners prior to its development. According to the chain of title, in January, 1907, Sarah Griffin, the wife of Oceanside Supervisor John Griffin, sold the lot to John Van Kilsdonk, a native of The Netherlands. Van Kilsdonk, who operated a dairy in the San Luis Rey Valley, deeded the property to his wife Mary in September, 1917, and she, in turn, conveyed title to the couple's daughters Regina and Virginia in February, 1927.

In September, 1936, the property was acquired by The Franciscan Fathers of California, who were responsible for the operation of the neighboring Mission San Luis Rey. After retaining title for over six years, the Franciscans sold the land to Louis and Ruth Magee, in July, 1943. Mr. Magee was a member of a pioneering San Luis Rey family. The couple sold the property the same day to John P. Lienert, a native of Nebraska, and his wife Josephine. The Lienerts were responsible for the construction of the subject resource, which was built about 1945. Following her husband's death in 1971, Mrs. Lienert sold the house to Eldon and Alice Miller. The Miller's kept the house for about a year, selling it to Clyde and Laraine Detrick in December, 1972.

In December, 1983, the property was acquired by Harold L. Childs. It was purchased from Childs by Michael and Mary Beth Vesper in March, 1985. David W. Figg took title in March 1992, and deeded the property to SCJ, Inc. in October, 1998. Title was transferred to the 1997 Jordan Family Limited Partnership shortly after. The current owner, The Fellowship Center, Inc., acquired the subject resource in January, 1999.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD
Page 3 of 3

Primary # _____
HRI# _____

*NRHP Status Code 6Z

*Resource Name or # (Assigned by recorder) 4152 Mission Avenue

B1. Historic Name: John P. and Josephine E. Lienert House

B2. Common Name: None

B3. Original Use: Single-family residence B4. Present Use Single-family residence

*B5. Architectural Style: Ranch

*B6. Construction History: (Construction date, alternations, and date of alterations)
The house was constructed circa 1945 per the Residential Building Record. A shed roofed room addition was constructed at the rear of the house at an unknown time.

*B7. Moved? No Yes Unknown Date: _____ Original Location: _____

*B8. Related Features: Detached one-car garage

B9a. Architect: None b. Builder: Unknown

*B10. Significance: San Luis Rey Valley Development Area Oceanside, California

Period of Significance 1880 to 1960 Property Type Residential Applicable Criteria N/A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.) The subject property is located in the San Luis Rey Valley, which was annexed to the City of Oceanside in December of 1958. The land was under the influence of the Mission San Luis Rey during the Spanish Period, and had been occupied for a thousand years prior by the Luiseno Indians. After the mission lands were secularized under the Mexican regime, in the 1830s and particularly following the American victory over the Mexican government in 1848, the Mesa Margarita lands began to be opened up to settlers. Lee Utt, a sheep rancher, was among the first Americans to stake a claim; other early settlers included Herbert Crouch, Simon Goldbaum, and the Kitching, Adams, Libby, Fletcher, Griffin, Graham, and Wild families. Many of these families originated in England and New England. They established a pattern of farming, dairying, and ranching that persisted into the 1970s. The community of San Luis Rey had its origins in the 1860 official survey of the former Mission lands conducted by Henry Hancock, prior to opening the land for settlement. The area proved so attractive that within 10 years, enough people had settled to organize a small town, now called San Luis Rey, formerly named Locksville after the initial purchaser of the land, E.G. Locke. A vestige of the early commercial center of the town lies southwest of the subject property adjacent to the Mission San Luis Rey, on San Luis Rey Avenue.

Although the property was owned by the Franciscan Fathers of California from 1936 until 1943, the resource itself is not directly associated with the Mission San Luis Rey. No known significant historic event or events occurred on this property and no historically important persons are directly associated with it. An architect was not involved in the design of the house, and it was probably carpenter-built. It is unlikely the building would yield important information relevant to local, state or national history, and its research potential has been exhausted with this study. The building was constructed on its present site and therefore retains its locational integrity. The design integrity, workmanship, materials, and feeling of the house have not been significantly compromised. The resource is not eligible for nomination for listing in the California Register of Historical Resources, and also is not eligible for listing in the local register.

B11. Additional Resource Attributes: (List attributes and codes) None

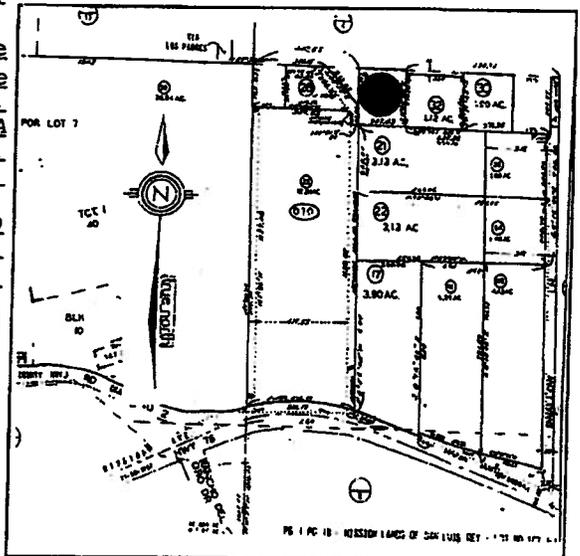
*B12. References: Hawthorne, K., Oceanside, Where Life is Worth Living, 2001, Donning Company Publishers, Virginia Beach, Virginia; McAlester, V. and L., A Field Guide to American Houses, 2000. Alfred A. Knopf, New York.

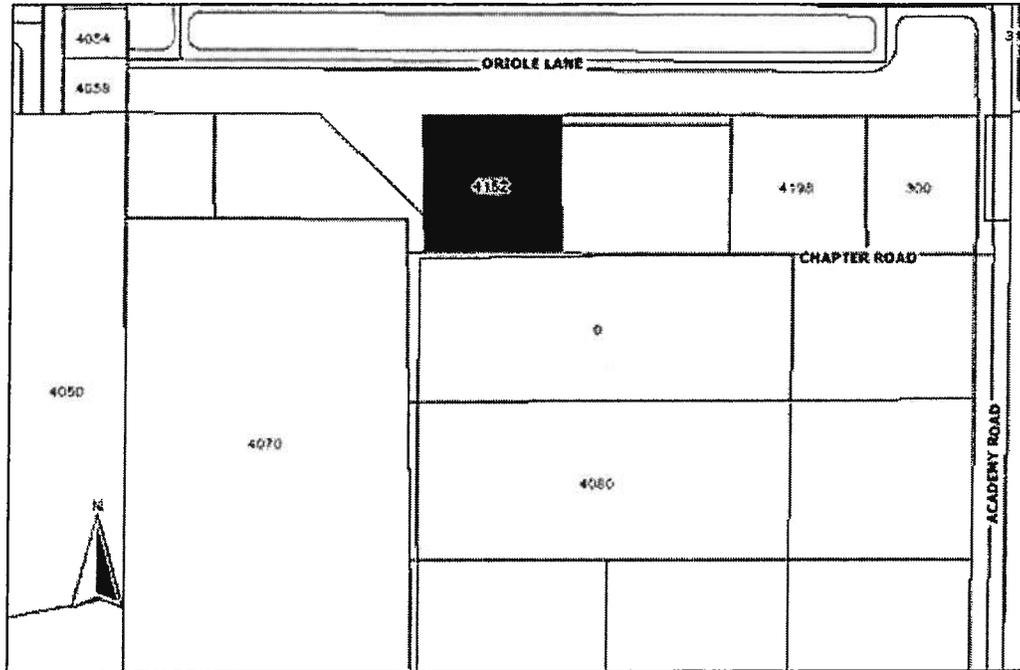
B13. Remarks:

*B14. Evaluator: Ruth C. Alter, Archaeos, 11209 Golden Birch Way, San Diego, CA 92131

*Date of Evaluation: 2/08/06

(This space reserved for official comments.)





File Number: GPA-3-07, ZA-2-07, D-6-07, C-9-07, H-3-07

Applicant: Paul Savo - The Fellowship Center

Description:

GENERAL PLAN AMENDMENT (GPA-3-07), ZONE AMENDMENT (ZA-2-07), DEVELOPMENT (D-6-07), CONDITIONAL USE PERMIT (C-9-07), and HISTORIC PERMIT (H-3-07) to change the land use designation from Single-Family Dwelling Residential (SFD-R) to Private Institutional (PI) and change the zoning designation from Single-Family Residential (RS) to Public & Semi-Public (PS) all with an Historic overlay (H) in order to allow the construction of a two-story, 16,591-square foot, 59-bed 24-hour Non-Medical Care Drug and Alcohol Recovery Center on a 1.00-acre site. The project site is located north of Chapter Road, south of San Luis Rey Mobile Home Park, and east of the San Luis Rey Parish Church within the Mission San Luis Rey Neighborhood – **THE FELLOWSHIP CENTER**

Environmental Determination:

Pursuant to the California Environmental Quality Act of 1970 and State Guidelines thereto; the City of Oceanside acting as Lead Agency intends to disapprove the project and in accordance with CEQA Section 15270 "Projects Which are Disapproved" (b) allows for an initial screening of projects on the merits for quick disapprovals prior to initiation of the CEQA process where the agency can determine that the project cannot be approved. Should staff's recommendation to deny be overturned, the project would need to be returned to staff in order to conduct the required CEQA review prior to any discretionary action occurring.

City of Oceanside, Planning Division
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 Please Print or Type All Information				STAFF USE ONLY	
				ACCEPTED	BY
				3/26/07	SS
PART I - APPLICANT INFORMATION				HEARING	
1. APPLICANT THE FELLOWSHIP CENTER		2. STATUS OWNER		GPA	GPA -3-07
3. ADDRESS 737 EAST GRAND AVENUE, ESCONDID, CA 92025		4. PHONE/FAX 760.745.9485/PH 760.745.6852/FX		MASTER/SP.PLAN	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) PAUL SAVO, EXEC DIR. WERNER VON GUNDELL, CONSULTANT 760.745.9485/PH 760.941.2298		7. PHONE/FAX 760.941.2298		ZONE CH.	ZA-2-07
6. ADDRESS SAME AS ITEMS 3&4		7. PHONE/FAX 760.941.2298		TENT. MAP	
PART II - PROPERTY DESCRIPTION				PAR. MAP	
8. LOCATION 4152 MISSION AVENUE, OCEANSIDE, CA 92056				DEV. PL.	D-6-07
9. SIZE 43,560 SQ. FT. - 1 ACRE				C.U.P.	C-9-07
10. GENERAL PLAN SFD-H	11. ZONING RS-H	12. LAND USE SINGLE FAMILY	13. ASSESSOR'S PARCEL NUMBER 158-070-08	VARIANCE	
PART III - PROJECT DESCRIPTION				COASTAL	
14. GENERAL PROJECT DESCRIPTION Substance abuse is a major health problem negatively impacting children, youth, families, and communities. State licensed residential recovery services are non-institutional and non-medical programs. The Fellowship Center proposes to construct a 16,591 square foot building with an interior courtyard to provide state licensed residential care for citizens recovering from alcoholism and drug addiction.				O.H.P.A.C.	H-3-07
15. PROPOSED GENERAL PLAN PI	16. PROPOSED ZONING PS-H	17. PROPOSED LAND USE GROUP RESIDENTIAL	18. NO. UNITS N/A	19. DENSITY N/A	
20. BUILDING SIZE 16,591 SF	21. PARKING SPACES 43	22. % LANDSCAPE 43%	23. % LOT COVERAGE 23%		
PART IV - ATTACHMENTS <i>REV-5/10/07, 10/3/07, 7/22/07</i>					
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	<input checked="" type="checkbox"/> 31. CONSTRUCTION SCHEDULE			
<input checked="" type="checkbox"/> 28. ENVIRONMENTAL ASSESSMENT	<input checked="" type="checkbox"/> 29. PLOT PLANS	<input checked="" type="checkbox"/> 32. OTHER			
PART V - SIGNATURES <i>REV-2/27/09</i>					
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): PAUL J SAVO/WERNER VON GUNDELL 760.745.9485 / 760.941.2298		34. DATE 3-22-07		37. OWNER (Print) PAUL J. SAVO, EXECUTIVE DIRECTOR THE FELLOWSHIP CENTER	
Sign: <i>Paul Savo</i>				38. DATE 3-22-07	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.			Sign: <i>Paul Savo</i>		
35. APPLICANT (Print): PAUL J. SAVO, EXECUTIVE DIRECTOR		36. DATE 3-22-07		39. OWNER (Print):	
Sign: <i>Paul Savo</i>				40. DATE	

RICHARD
RECEIVED

MAR 26 2007

Planning Department



*Alcohol & Other Drug
Recovery Services*

**THE FELLOWSHIP CENTER
GENERAL PLAN AMENDMENT, ZONE CHANGE AND
CONDITIONAL USE PERMIT**

PROJECT DESCRIPTION

Address: 4152 Mission Avenue, Oceanside, CA 92056

Contact: Paul J. Savo, Executive Director, 760-745-9485

RECEIVED

JUL 22 2008

Planning Department

The Fellowship Center

The Fellowship Center (TFC) is a private non-profit organization licensed and certified by the California State Department of Alcohol and Drug Programs to operate residential alcohol and other drug treatment and recovery services for adults 18 years of age and older. The purpose of TFC is to provide to the Oceanside community a much needed alcohol and drug free environment with a structured rehabilitation program where participants learn to live alcohol and other drug (AOD) free. TFC is an abstinence-based program adhering to strict guidelines insuring sound management and good neighbor policies. TFC has over 45 years experience of successfully operating residential alcohol and other drug recovery facilities in residential neighborhoods.

The following actions are necessary to approve the project:

1. General Plan amendment from SFD-R Single Family Residential to PI, Private Institutional;
2. Zone change from RS, Single Family Residential to PS-H Public and Semipublic District with Historic District Overlay
3. Conditional Use Permit
4. Development Plan

The General Plan Amendment and Zone Change will bring the property into compliance with the undeveloped surrounding area. The Conditional Use Permit and the Development Plan are discretionary actions required of many single family, and virtually all multifamily, commercial and institutional uses.

Existing Site Conditions: The TFC one-acre site is located east of the San Luis Rey Parish Church, south of the San Luis Rey Homes Mobile Home Park and west of the Alano Club, a membership AOD free social club. The predominant zoning is Public/Semi-Public on three sides of the planned development site with General Plan land use designation of Private Institutional (see below). Access is from Mission Avenue via a private easement belonging to the Mission Parish Church and from a private easement along the south side of the land of the Alano Club connecting to Mission Avenue via Academy Road. The site is generally flat, sloping downward gently towards the northwest corner. The existing single-family home on the site is owned by The Fellowship Center, providing AOD free housing for six residents on a rental basis.

The adjacent **Zoning Districts** are:

East and South

The Alano Club and vacant lots owned by the Alano Club, San Diego Roman Catholic Diocese and the Parish Church: *"Public and Semi-Public with Historic Overlay"*

North

The mobile home park: *"Medium Density Residential with H/Overlay."*

Immediately West and Northwest

A small number of rental units: *"RS, Single Family Residential" as well as additional "Medium Density Residential with H/Overlay."*

West

The Mission San Luis Rey and Serra Center in a PD-19-H Zone.

The adjacent **General Plan Land Use Designations** are:

East, South and West

"Private Institutional"

North The mobile home park: *"Medium Density B, 10 – 15"*

Immediately West and Northwest

"SFD-R Single Family Residential" and "Medium Density B, 10 – 15"

The Proposed Project

The Fellowship Center proposes a 24 hour non-medical care facility for persons in need of personal services, supervision, and assistance essential for sustaining abstinence from alcohol and other drugs. The Fellowship Center's Oceanside Recovery Center on the one acre parcel will be constructed as a 16,591 square foot building with an interior courtyard. The south wing, facing the street, will house the lobby, eight counseling rooms/offices and a conference room. The west wing contains a large multi-purpose/dining room to be used by agency staff and residents, the kitchen and restrooms. The two-story north and east wings provide 20 bedrooms for 59 residents and a laundry room. The residents will live in bedrooms for three persons, sharing common bathrooms, laundry and dining room. The existing residence and garage on the site will be demolished.

Section 1630 of the Oceanside Zoning Ordinance specifies that the development regulations in the PS District shall be as specified by the Conditional Use Permit. The development regulations for this application are listed below:

Yards

Front Yard:	24.7 feet
Rear Yard:	56.5 feet
West side yards:	36.6 feet
East side yard:	06.3 feet

Building Lot Coverage
23.5 %

Building Floor Area

1 st floor:	10,236 square feet
2 nd floor:	6,355 square feet
Total:	16,591 square feet

Building Height

Single story wings:	22.6 ft.
Two-story wings:	27.6 ft.
Tower height:	31.10 ft.

A total of 30 parking spaces will be provided as follows: parking lot with 23 spaces for the residents will be provided at the rear of the building. Four additional spaces will be at the southeast corner of the site. Three more spaces will be at the southwest corner.

Three of the spaces are designated as handicapped only. The traffic study prepared by Federhart and Associates, which discusses traffic and parking in more detail, has been reviewed without objection by the City Traffic Division. Experience at The Fellowship Center in Escondido, which accommodates 117 persons demonstrates that approximately only 25% of residents bring their own vehicles with them while living at the facility. Based on both the traffic study and the experience of TFC operating the same type of residential program, more than sufficient parking is provided at the project.

TFC guidelines require that a maximum of one vehicle per resident is allowed and that all vehicles have current registration, proper insurance and residents have valid driver licenses. Motor homes, campers or "5th wheels" are not allowed. The Escondido site has also shown that one 12' x 20' loading space is adequate for a facility of that size. Delivery trucks visit The Fellowship Center in Escondido about twice each week. Therefore, this project provides one 10' x 35' loading space located on the west side of the kitchen wing and one 12' x 27' space at the trash enclosure in the rear of the building.

The architecture of the proposed building conforms to the Guidelines for the Oceanside Historic District Core Area. The building is in an attractive Mission style design. The exterior walls will be finished with off-white smooth stucco. The roofs will be of mission style red tiles. Windows and exterior doors will be made of wood and recessed 4" to 6". The top of the windows facing the front will form a full half circle. Wooden trellises will emphasize the major entrances and screen the trash enclosures. The trim on the facade will be of wood fiber with concrete for greater durability. Decorative floor tiles will be applied in key areas. The tiles surrounding the fireplace in the existing building are of great historical value and will be saved and installed in a prominent place in the new building.

TFC Management and Operation:

The State of California requires that all adult residential alcohol and drug treatment facilities be licensed by the State Department of Alcohol and Drug Programs (ADP)*. The Fellowship Center in Escondido, in operation for over 45 years, is not only licensed but its program is certified by ADP. The proposed facility in Oceanside will likewise be both licensed and certified for a total of 59 residents. Licensure ensures that standards of health and safety for residents and the community are met with regard to living, dining, educational and recreational space including but not limited to fire and safety standards, space and comfort protocols, food service handling, preparation and storage requirements, reporting requirements, emergency preparedness, upkeep of buildings and grounds etc. Certification sets high standards that the Oceanside Recovery Center must maintain with regard to program operation including but not limited to personnel requirements, qualifications and screening; personnel and client record keeping; recovery and treatment services standards; fiduciary accountability and record keeping; assurance that the personal rights of those served are never undermined, etc.

**California Code of Regulations (CCR), Title 9, Division 4, Chapter 5*

TFC specializes in recovery from alcohol and other drug addiction through long-term residential rehabilitation. Hours of the business operation will be Monday through Friday from 6:30 am to 9:30 pm and Saturday and Sunday from 10 am to 4 pm. The residential operation of the center will, of course, be open 24 hours each day with on-site staff. The

Oceanside Fellowship Center will employ a team of state credentialed, dedicated, experienced and knowledgeable professionals to serve 59 residents; a total of twelve staff will operate the program. Daily personnel on site will be: a facilities manager who lives on the property; four, full time, state-credentialed addiction rehabilitation specialists who will manage all phases of recovery services for the program residents. Two, full time food service specialists, plus a relief cook will tend to proper nutrition and healthy preparation of meals. A Program Director will have daily program oversight. An administrative assistant to the director, an office receptionist and a maintenance coordinator complete the team. TFC's professional staff is trained in the recovery from all drugs of abuse including alcohol. Staffing and management of the proposed facility will exhibit the same high standards of health, safety and program integrity as our Escondido facility has demonstrated for over 45 years.

All participation is voluntary, and all those seeking help are screened to ensure they are appropriate for the services. Those receiving services will enter into an alcohol and drug free environment and begin daily participation in proven substance abuse recovery and treatment methods. TFC uses group and individual counseling, learning skills related to living without dependence upon alcohol and other drugs and access to employment, education and other community services. The Center has strict guidelines with zero tolerance for criminal, threatening or violent behavior. As a result, the Escondido Center now has fewer incidents than the surrounding neighborhood. Such policies have been key to our successful provision of services since 1963. The Fellowship Center has experienced the value of working with other agencies - private, municipal, county and state- and builds working relationships with all services where benefit is mutual.

USE DESIGNATION – Residential Care General

This application has been modified to reflect a use designation that is much more consistent with the purpose of the proposed Oceanside Recovery Center. The application was initially submitted with a Group Residential designation. This has been changed to “Residential Care, General”.

The Fellowship Center will operate a state licensed “alcoholism and drug abuse recovery or treatment facility” that provides 24-hour nonmedical services to adults who are recovering from problems related to alcohol and/or drug abuse or misuse and who need recovery treatment. Health & Safety Code § 11834.02. The nonmedical services to be provided include counseling sessions, recovery or treatment planning. The Fellowship Center may also offer individualized services such as vocational and employment search training, volunteer opportunities, skills training, peer support and referrals for needed community services. Residential Care, General, describes a use that offers varying degrees of care, personal services and/or supervision. The Residential Care, General, use classification captures the programmatic element of care that is an essential part of The Fellowship Center’s proposed project.

The City of Oceanside has incorporated the state’s statutory language in developing its Residential Care, General, Classification. The state regulations that apply to both alcohol and drug programs and community care facilities (licensed residential care facilities) emphasize care of the residents at the dwelling. The City of Oceanside uses “. . . 24-hour non-medical care . . .” and “. . . assistance essential for sustaining the activities of daily living” both of which derive from the state licensing provisions.

In contrast, Group Residential only describes physical layout and lists the types of group living arrangements that come within this classification. The uses enumerated do not include the provision of programs or services that are part of the Fellowship Center mission.

In addition to Residential Care, General, accurately reflecting the proposed use for The Fellowship Center project, the designation also makes sense because the subject property is bordered on three sides by public and semi-public uses and residential care, general, is within the public and semi-public classification. Therefore, the use designation, land use and zoning would be compatible with the surrounding area.

PROJECT JUSTIFICATION

Facilities for the rehabilitation of alcohol addiction are a necessary service in our society. Conservative estimates state approximately 14 million Americans (over 7% of the population) meet the diagnostic criteria for alcohol abuse or alcoholism. More than one-half of American adults have a close family member who has or has had a substance problem. However, since California has a higher percentage of adults who drink than the rest of the nation, the percentage of adults with alcohol abuse and alcoholism will be higher in this state. Additionally, in July of 2007, the National Institute on Alcohol Abuse and Alcoholism (NIAAA) reported a new study which presented two significant findings relating to this proposal. (1) That only 25% of those in this nation who need treatment for alcoholism receive it, and (2) that the incidence of those who drink who suffer from alcoholism or alcohol abuse is higher than was previous thought—as much as 30% of drinkers. These figures do not include the additional problems with legal and illegal drugs. However, alcohol always has been and remains today as the number one drug problem in the United States. There is a dramatic toll on our emergency rooms, police departments, social service agencies and workforce. The following are percentages of alcohol involved incidents: 25% of all emergency room visits, 33% of all suicides, 50% of domestic violence incidents, 50% of all homicides, 50% of all traffic fatalities. Alcohol and other drug abuse costs the American economy an estimated \$276 billion annually in lost productivity, health care, crime, motor vehicle crashes and other conditions.

(source: <http://www.niaaa.nih.gov>)

There is an increasing need for housing and treatment for people with disabilities including those in recovery for substance abuse. One in five Californians has a disability (including alcohol and other drug addiction) and this number is increasing¹.

Statewide, there is a significant unmet need for treatment. Almost 24% of those needing rehabilitation services for alcohol abuse are not receiving it and almost 10% of those adults needing treatment for illicit drug use are not receiving it². County-wide there were 352 deaths reported in 2003 due to substance abuse, 94 of those involved alcohol³.

In the City of Oceanside from April 1, 2007 through March 31, 2008, police recorded 961 driving under the influence arrests, 1,369 drunk in public/drunken and disorderly and 311 drug possession arrests⁴.

¹ Tootenlian & Gaedekc, *The Impact of Housing Availability Accessibility, and Affordability on People With Disabilities* (April 1999).

² U.S. Dept. of Health Services, Substance Abuse and Mental Health Services Administration (SAMHSA)

³ Drug Abuse Warning Network (DAWN) 2003 Area Profiles of Drug-related Morality.

⁴ City of Oceanside Police Department.

Locally, the availability of a state licensed residential alcohol and drug recovery programs for men is not met. While there are seven other state licensed rehabilitation programs within the area, only two are residential: a woman with children facility with a capacity for 55 women and up to 35 children and a six bed alcohol and drug detoxification facility for men and women with a maximum stay of 14 days⁵.

Without residential recovery services, the facts above will not get addressed in any permanent manner. A significant percentage of crime, homelessness and unemployment will continue to rise and family systems will continue to deteriorate. The Fellowship Center is requesting the City of Oceanside assist in addressing this formidable problem by accommodating The Fellowship Center to develop a time-tested, result oriented and economically feasible treatment program for people addicted to alcohol and other drugs. The location of this type of program is integral to successful treatment outcomes. The Fellowship Center's residential recovery and treatment programs create an environment where alcohol and drug use are not perceived as the norm. This is accomplished, in part, by providing a sense of community offering residents a familylike atmosphere where abstinent-based norms are an on-going part of the treatment and recovery process. Therefore, the project site was specifically chosen to help create the above described environment because of its proximity to community, religious and other nearby support services which have proven to enhance the rehabilitative process.

For the General Plan Amendment

From Single Family Residential to Private Institutional

Land Use Element

The proposed project is also consistent with the City's land use element, with respect to community values, balanced land use and land use compatibility. The Land Use Element calls for new projects to enhance the long-term community and neighborhood values through effective land use planning. One of the core values of the Fellowship Center is to enhance community values by provide a program where participants learn to once again flourish in the community and society. Furthermore, this project:

- A. Is attractively planned and will benefit the community in the ways discussed in other portions of this document.
- B. Will not significantly distract from nor negatively impact surrounding conforming land uses. Further details of how the Fellowship Center has benefited existing neighborhoods and will benefit this one are included in other sections of this Description and Justification.
- C. Provides social, economic and physical enhancements to the community which are also discussed above and below.

⁵ Information regarding current providers of state licensed alcohol and drug recovery programs at www.adp.ca.gov

- D. Is definitely consistent with widespread community values. In addition to providing an important service to the community, the Fellowship Center has a history of volunteering for assistance in community events. Please see letters which have been provided, from the Mayor of Oceanside thanking the Fellowship Center for their participation in community events and from the Escondido Chief of Police discussing the much needed service provided by the Fellowship Center.

The Land Use Element also calls for long-term provision of a balanced, self-sufficient and efficient community. One of the needs of such a community is a service that provides an alcohol and drug free environment with a structured rehabilitation program where participants learn to live alcohol and other drug (AOD) free. The proposed Oceanside Recovery Center will not only provide such a service, but will

- A. Continue to foster a sense of community as is does at the Fellowship Center in Escondido and Oceanside through its involvement with community service and events.
- B. Provide a significant service to the community.
- C. Will not have a significant impact on the City's circulation system.

In addition, the Land Use Element, in order to minimize conflicts with adjacent or related land uses, requires:

- A. Adequate setbacks, buffering and/or innovative site design for land uses that are incompatible with existing land uses. This Residential Care project is compatible with surrounding land uses. However, we have been careful to provide vertical separation, landscape buffers and large setbacks between the proposed building and the existing residential uses. The largest setback to the proposed building is on the north side and averages approximately 65 feet.
- B. Avoidance of negative visual impacts to surrounding land uses. A massing study has been provided which shows that, in addition to attractive architecture, compatible with the Mission Overlay, this project is well within the range of existing structure sizes in the community. Existing buildings within the San Luis Rey Mobile Home Park preclude most of the view of the project from the north. The site will present attractive, but unobtrusive views from more distant points such as Highway 76 and is perhaps less visible than other existing buildings in the area.
- C. Furthermore, the project will not subject the neighborhood to objectionable noise, odors, emissions or dangerous materials. The updated lighting study shows that no objectionable level of light will leave the perimeter of the site.

Private Institutional, as defined by the Land Use Element, includes private uses and facilities such as medical and hospice institutions. The Element permits various types of housing that supports the population of the development. Such housing would include Residential Care, General, with an approved Conditional Use Permit. The proposed General Plan Amendment would bring the TFC property into conformance with the majority of the surrounding land uses or land use designations, which are private or semi-public. Furthermore, this proposed use is compatible with the remaining surrounding uses, since it is comparable in intensity. It is also separated by elevation by a perimeter fence and by landscaping, from the areas to the north and west.

The Land Use Element of the City of Oceanside General Plan calls for institutional type projects to have landscaping that exceeds the typical development. This project has 8 trees in the perimeter areas, as well as approximately 95 shrubs. It will be surrounded by a plantable perimeter wall. Exterior lighting has been designed to be directed inward. The retaining wall on the north and west sides is to be a plantable wall covered with jasmine.

The Land Use Element further states that developments within this designation are also distinguished by a general inward orientation. This proposal includes a central courtyard, with a large percentage of the site activity occurring in this area. All of the residential rooms open onto this courtyard. The multi-purpose room and the offices also have entrances on the courtyard side.

This project meets these Land Use Element objectives and policies by proposing a residential alcohol and other drug treatment and recovery service.

Housing Element

The proposed project furthers the unmet needs of people with disabilities, a mandate under California Housing Element Law. Additionally, the project assists the City of Oceanside in meeting its special needs housing goals.

The City of Oceanside Housing Element has several goals regarding providing housing for all segments of the population. The City wishes to encourage the development of a variety of housing opportunities, with special emphasis on providing (among other things): "Housing that meets the special needs of the elderly and persons with disabilities". In accordance with this goal, the City has established a policy to "Encourage both the private and public sectors to produce or assist in the production of housing with particular emphasis on housing affordable and accessible to lower-income households, **persons with disabilities**, elderly, large families, female-headed households, and homeless persons.

The Housing Element further states that two of the factors that significantly limit the supply of housing available to persons with disabilities are location and discrimination. An analysis of governmental constraints to the development and siting of housing for people with disabilities as required by Housing Element law would also potentially identify zoning restrictions as contributing to the lack of special needs housing.

The City of Oceanside Housing and Code Enforcement Divisions Consolidated Plan for 2005 – 2010 has Specific Special Needs Objectives that include:

1. Assisting housing developers to develop independent living and supportive housing opportunities for low-income persons with disabilities, which includes the support of the siting of group homes for persons with disabilities and/or special needs in residential areas throughout the City.
2. Assist organizations that provide programs and services to persons with disabilities that enable them to live independent lives, which includes providing supportive services that would assist them in obtaining employment.

3. **Addressing Housing Element Constraints to housing development and addressing housing needs of special needs populations (including persons with disabilities).**

Historical Overlay

This proposal is consistent with the specific purposes of the overlay, since it would

1. **Enhance the visual character of the city by allowing for the continued compatibility of architectural styles within the San Luis Rey historical area.**
2. **Stabilize and improve property values and increase economic and financial benefits to the city and its inhabitants;**
3. **Promote the private and public use of historical areas and sites for the education, prosperity and general welfare of the people.**
4. **Encourage development tailored to the character and significance of the areas Conservation Plan (Historic District Guidelines).**

The proposed General Plan designation is more consistent with the history of the San Luis Rey Mission as a public and semi-public institution.

For the Zoning Amendment – Public and Semi-Public

Among the specific purposes of a Public and Semi-Public Zone (PS) are: to allow consideration of such uses separately from an underlying base zoning that may or may not be appropriate in a combination with the PS use, to allow consideration of the establishment of a PS use at rezoning hearings rather than at use permit hearings only. The requested rezone would allow the Planning Commission to consider the use of this site for a PS project.

The proposed zone (PS) would be consistent with the purposes of the Zoning Ordinance in that it would:

1. **Enhance the compatibility with the majority of the surrounding land uses.**
2. **Be compatible with the land use designations for the surrounding areas shown in the Land Use and Housing Elements of the General Plan. It would convert one of the two remaining, relatively low density residential sites to a use that is consistent with surrounding areas, which are institutional or relatively high density residential.**
3. **Promote the economic stability of existing land uses. Please see the project justification for a further discussion of the projects promotion of economic stability.**
4. **Allow for an occupancy density compatible with the surrounding area (20 to 45 bedrooms per acre).**
5. **Allow for a use that would continue to preserve the integrity and stability of the City.**
6. **Be consistent with the Mission San Luis Rey historic area and allow for development that is consistent in mass with surrounding land uses.**
7. **Allow for safe and convenient vehicular and pedestrian movements and sufficient parking.**

8. Be consistent with infrastructure capacities and not be a burden on existing public facilities and infrastructure.
9. Promote housing of such types, sizes and cost as will allow city residents of whatever economic condition to reside in safe, sanitary dwelling units.

For the Conditional Use Permit

The Planning Commission must make the following three findings to approve the Condition Use Permit:

- 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.**

The Zoning Ordinance defines The Fellowship Center as "Residential Care, General" which is a permitted use in the PS-H District upon the approval of a Conditional Use Permit. As the subject site is adjacent on two sides to the PS-H District, the zone change is merely a small addition to a large group of semi-public uses, which includes the Alano Club, the Mission San Luis Rey, the Mission San Luis Rey Parish, a Montessori School and the Casa de Amparo. The Zoning Ordinance defines "Residential Care, General" as "Twenty-four hour non-medical care for seven or more persons ... in need of personal services, supervision, protection or assistance essential for sustaining the activities of daily living. The proposed project closely follows this definition and therefore complies with the purposes of the district.

- 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.**

With the approval of the General Plan amendment and the zone change, the proposed project will be consistent with the General Plan.

As discussed in the above section regarding the General Plan Amendment, this project would be consistent with the General Plan, more specifically, the Land Use Element, the Housing Element and the Historic Element.

There are numerous sources of data locally and nationally that demonstrate that licensed residential alcohol and drug treatment programs are not a detriment to the communities in which they reside, but in fact actually contribute to community health and safety. These facilities are known to be well maintained, help some of their elderly neighbors maintain their properties, do not lower property values, serve as neighborhood watch, are alcohol and drug free, and in many communities actually act as crime deterrents. Study after study supports these claims. Many accusations to the contrary are often hurled at these programs by neighbors but no data is offered to support these negative projections.

On the contrary, this proposed project will provide for improvements to the area, such as improved access to the site and adjacent parcels, a sidewalk addition to Academy Road, improvements to the nearest bus stop, an improved public water supply system (looped), and a storm drain system for the neighborhood. The

center will provide a treatment program that will be beneficial to the general welfare of the city.

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

Careful conditioning of the proposed project combined with active enforcement of the conditions by the management of The Fellowship Center and by the city will assure that the conditional use will be conducted in compliance with the provisions of this ordinance. The applicant is aware that non-compliance with any of the applicable provisions of this ordinance or with the conditions of the approval of the conditional use, and failure to correct such non-compliance, may become a cause for the revocation of the conditional use permit. The exemplary record of the residential care facility operated by The Fellowship Center in Escondido is illustrated by the attached letter from the Escondido Police Chief and by opinions in and letters to the North County Times (also attached).

Under both the Federal Fair Housing Amendments Act of 1988 and California's Fair Employment and Housing Act, The Fellowship Center may seek from the City of Oceanside reasonable accommodations in land use and zoning regulations that may be necessary to provide housing for people with disabilities. While the City does not have a written reasonable accommodation procedure as required by California Housing Element law since 2001, The Fellowship Center may still make a request which the City must consider. At this time The Fellowship Center reserves the right to make a request for reasonable accommodations in the approval process and, may, choose to substitute a current application for approval within this submittal with a request for reasonable accommodation. A request for reasonable accommodation must be reviewed and determined pursuant to federal and state fair housing laws.

For the Development Plan

The purposes of a Development Plan are:

1. To show that the architectural design of the structures and landscaping conform to the requirements of the Zoning Ordinance.

The architectural design and landscaping presented in this proposal is upscale, while preserving the intent of the historical district by remaining in conformance with the Historic District Guidelines.

2. To ensure that the new development will not create public service and facility demands exceeding the capacity of existing and planned infrastructure.

The proposed development does not place demands on public service and facilities that exceed the capacity of existing and planned infrastructure. On the contrary, this proposed project will provide for improvements to the area, such as improved access to the site and adjacent parcels, a sidewalk addition to Academy Road, improvements to the nearest bus stop, an improved public water supply system (looped),

and a storm drain system for the neighborhood. The center will provide a treatment program that will be beneficial to the general welfare of the city, which would ultimately reduce the demands on public services.

The Planning Commission must make the following three findings to approve the Development Plan:

1. The site plan and physical design of the project as proposed is consistent with the purposes of the Zoning Ordinance.

This project complies with the requirements of the zoning ordinance by providing setbacks that meet or exceed standards, lot coverage of only 23%, landscaping coverage of over 40%, exceptional architecture that is consistent with the goals of the Historic District, parking that exceeds requirements, and improvements to access and infrastructure.

2. The Development Plan as proposed conforms to the General Plan of the City.

This Development Plan conforms to the General Plan, more specifically, the Land Use Ordinance, the Housing Ordinance and the Historic Overlay, as discussed above.

3. The area covered by the Development Plan can be adequately, reasonably and conveniently served by existing and planned public services, utilities and public facilities.

The proposed project will provide for improvements to the area, such as improved access to the site and adjacent parcels, a sidewalk addition to Academy Road, improvements to the nearest bus stop, an improved public water supply system (looped), and a storm drain system for the neighborhood. The center will provide a treatment program that will be beneficial to the general welfare of the city, which would ultimately reduce the demands on public services.

With proposed improvements, this project is reasonably and conveniently served by existing services and facilities.

4. The project as proposed is compatible with existing and potential development on the adjoining properties or in the surrounding neighborhood.

The adjoining properties and surrounding neighborhood consists of four general uses:

a. vacant land zoned public and semi-public

This project is compatible with the acknowledged future development intent of this area.

b. existing public and semi-public uses (an addition to a large group of semi-public uses, which includes the Alano Club, the Mission San Luis Rey, the Mission San Luis Rey Parish, a Montessori School and Casa de Amparo)

Experience with The Fellowship Center in Escondido, many other similar facilities and several studies verify that in spite of many

misperceptions the proposed project is compatible with these existing uses.

c. The Mission San Luis Rey and Serra Center in a PD-19-H Zone.

In keeping with its fine, historic tradition of providing help, services and assistance to the surrounding community, the Mission San Luis Rey has implemented a Planned Development Plan. The Fellowship Center's mission of providing assistance to people who have made a commitment to overcoming addiction and rehabilitating their lives to become productive members of the community runs parallel with the central purpose of any Mission.

This Mission San Luis Rey Planned Development Plan outlines the types of existing and proposed services at the site. These include:

- i. The friary with existing lodging for up to 20 people and common kitchen and dining facilities.
- ii. A cemetery – to be expanded
- iii. Community, / educational / institutional Use
- iv. A future retirement center
- v. Visitor serving commercial or lodging
- vi. Parking – to be expanded
- vii. An event area

The event areas currently host events with performers and attendees numbering as many as 7500 people per day. Small, medium and large events are a normal activity in many public and semi-public sites and are considered acceptable by the community.

- viii. A retreat center with conference rooms with a total capacity of approximately 500, lodging for over 100 people and common kitchen and dining facilities.

The applicant for the Oceanside Recovery Center applauds and admires the public service provided by the Mission. The Planned Development Plan for the Mission illustrates and exemplifies the historic tradition of this group of public and semi-public zoned parcels. The proposed Recovery Center is consistent with this tradition and will provide housing, education and support for men in transition to recovery. The activities and services proposed for the Recovery Center, although on a smaller scale, are very similar to many of the laudable services provided by the Mission.

d. The mobile home park: "Medium Density B, 10 – 15"

Experience and studies have shown that recovery is more successful when the facility is located adjacent to a residential area. It is a part of the mission of The Fellowship Center to provide recovery services and transition in the vicinity of an existing residential area.

5. The site plan and physical design of the project is:

- a. consistent with the policies contained in Section 1.24 and 1.25 of the Land Use Element of the General Plan**

Section 1.24: To ensure that development preserves and enhances the unique beauty and character of the City's natural topographic features and does not contribute to slope instability, flooding or erosion hazards to life and property.

This project is to be on a site that has a mild slope. It proposes the least amount of grading possible to provide a useable site, while being

sensitive to existing drainage in the area. The project will implement the City of Oceanside Standard Urban Stormwater Mitigation Plan and Erosion Control Ordinance requirements to maximize storm water quality and minimize erosion. The development will comply with the City of Oceanside Grading Ordinance.

Section 1.24: Undevelopable Lands

There are no undevelopable lands at this site.

- b. the Development Guidelines for Hillsides and Section 3039 of the Zoning Ordinance

There are no "hillsides" on this site.

Since this project will provide a much needed service for the neighborhood, community and City, will provide access and infrastructure improvements to the area, and is consistent with the General Plan, the Zoning Ordinance and other regulations of the City of Oceanside as mentioned above, improves drainage in the area, and continues the fine tradition of community service established by other development in the immediate area, we respectfully request your favorable consideration of this application.

LEGAL DESCRIPTION

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

Parcel 1:

That portion of the Northeast quarter of the Southeast quarter of Section 8, Township 11 South, Range 4 West, San Bernardino Meridian, in the City of Oceanside, County of San Diego, State of California, according to the official plat thereof, described as follows:

Commencing at the Northeast corner of the Southeast quarter of said Section 8; thence along the North line of said Southeast quarter, North 89 degrees 58'00" West 38.00 feet; thence along a line parallel with the 38.00 feet Westerly of the East line of said Section 8, South 00 degrees 16'40" East, 209.97 feet to the Northeast corner of land described in deed to Odelia Ellis recorded August 21, 1936 in Book 540, page 428 of Official Records; thence along the North line of said Ellis's land, North 89 degrees 58'00" West 627.28 feet to the true point of beginning; thence continuing North 89 degrees 58'00" West, 207.43 feet to the Easterly line of land described in deed to the Sisters of the Precious Blood recorded May 23, 1923 in book 1451, page 332 of Deeds, thence along the Westerly line of said land, North 00 degrees 56'45" West, 210.00 feet, more or less, (Deed record 200.00 feet) to the North line of the Southwest quarter of said Section 8; thence along said North line, South 89 degrees 58'00" East, 207.43 feet; thence South 00 degrees 56'45" East, 210.00 feet more or less to the true point of beginning.

Parcel 2:

An easement for road purposes over and across that portion of the Northeast quarter of the Southeast quarter of Section 8, Township 11 South, Range 4 West, San Bernardino Meridian, in the City of Oceanside, County of San Diego, State of California, according to United States Government Survey approved December 27, 1870, described as follows:

Commencing at the point on the North line of the Southeast Quarter of said Section 8, distant thereon North 89 degrees 58'00" West 38 feet from the East line of said Section; thence South 0 degrees 16'40" East parallel with said East line 209.97 feet to the true point of beginning; thence North 89 degrees 58' West 864.71 feet, thence South 1 degrees 04' East 30 feet, thence South 89 degrees 58' East 864.71 feet to a point which bears North 89 degrees 58' West 38 feet from the Easterly boundary of said Northeast Quarter; thence North 0 degrees 16'40" West 30 feet to the true point of beginning.

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