



DATE: April 7, 2008

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REVISION TO DEVELOPMENT PLAN (D-3-93) AND CONDITIONAL USE PERMIT (C-4-93) TO REPLACE TWO EXISTING 1,750-SQUARE FOOT BUILDINGS WITH ONE NEW 6,200-SQUARE FOOT FELLOWSHIP HALL BUILDING AND TO ADD A 598-SQUARE FOOT ADDITION TO THE EXISTING NURSERY OF A CHURCH LOCATED AT 2993 MACDONALD STREET. PHASE TWO OF THE PROJECT WILL INCLUDE A 525-SQUARE FOOT EXPANSION TO THE ADMINISTRATIVE OFFICES AND A-600 SQUARE FOOT ADDITION TO THE EXISTING NARTHEX. THE PROJECT SITE IS ZONED PS (PUBLIC AND SEMIPUBLIC) AND IS SITUATED WITHIN THE LOMA ALTA NEIGHBORHOOD – KING OF KINGS CHURCH REVISION – APPLICANT: KING OF KINGS LUTHERAN CHURCH**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 2, Categorical Exemption “Replacement or Reconstruction”; and,
- (2) Adopt Planning Commission Resolution No. 2008-P21 approving the Revision to Development Plan (D-3-93) and Conditional Use Permit (C-4-93) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: King of Kings Lutheran Church is a member congregation of the evangelical Lutheran Church in America (ELCA) and is a nonprofit corporation under the Laws of the State of California. The church was originally approved for their location at 2993 MacDonald Street by a Conditional Use Permit in December 1960 (Planning

Commission Resolution 60-P90). In October of 1989, the Church filed for a three-lot parcel split on the 4.8 acres it owns. This lot split was approved by Planning Commission Resolution 89-P96. The most recent change to the buildings on-site was approved in 1993 (Planning Commission Resolution 93-P23). Conditional Use Permit (C-4-93) and Development Plan (D-3-93) allowed for the construction of a 5,993-square foot addition to the existing church facility. There are also three existing telecommunications facilities on the church's property, but they are not impacting or being impacted by, the proposed project. The proposed project is requesting a change to the plans approved in 1993.

With the growth of the Oceanside area and growth in church activities over the past 40 plus years, the original parish hall and Sunday school building have become inadequate to meet the program needs of the congregation. Neither building can individually house a full congregational dinner or assembly program. Mechanical systems are either inefficient or have failed completely. Structural systems, walls, beams, roof and windows have deteriorated beyond the point of practical repair or cost-effective replacement. Neither toilet facilities nor adjacent site approaches meet ADA requirements. The church believes these buildings must be replaced.

Site Review: The subject site zoning designation is PS (Public and Semipublic) District and the General Plan Land Use Category is Single-Family Detached – Residential (SFD-R). Surrounding land uses include single-family detached and multi-family residences to the north, east, and west. There is another religious facility to the north and there are industrial and commercial businesses to the south, across Oceanside Boulevard. The larger neighborhood area encompassing the project site is the Loma Alta Neighborhood.

Project Description: The project application is comprised of two components; Development Plan (D-3-93REV07) and Conditional Use Permit (C-4-93REV07) as follows:

Revision to Development Plan (D-3-93) represents a request for the following:

- (a) To conduct expansions to an existing church in two phases. Phase One will replace two existing 1,750-square foot buildings with one 6,200-square foot Fellowship Hall and add 598 square feet to an existing nursery. Phase Two will consist of a 525-square foot expansion to an administrative office and a 600-square foot addition to an existing narthex (lobby/entrance to sanctuary). Phase Two is proposed to be implemented within five years of project approval.

Revision to Conditional Use Permit (C-4-93) represents a request for the following:

- (a) To permit the expansion of existing church facilities and related uses.

The church site consists of a total of three parcels. The proposed project specifically deals with Parcel 1. Parcel 1 (2.96 acres) is currently the site of a 5,993-square foot sanctuary built in 1994, as well as the church's two original structures, which provide an addition 3,800 square feet of Sunday school rooms, meeting space, and storage.

Two phases of construction are proposed. Phase One is to build a 598-square foot addition to the existing 165-square foot nursery. This will create a nursery with its own toilet, a large play area and separate crib areas. It will also serve as an additional Sunday school room between church services and may function as a preschool or learning center during the week. Another immediate use of the addition will be to provide a temporary meeting and storage space between the time that the old buildings are demolished and the replacement structure is complete.

The second part of Phase One is the construction of the Fellowship Hall, which will immediately follow the completion of the nursery addition. The 6,200-square foot building will replace two original buildings (each 1,750 square feet) in almost the exact footprint location. It will have an assembly area of 40 feet by 45 feet and will be expandable into an adjacent 19-foot by 29-foot room in order to accommodate approximately 160 dining and 300 in assembly. The facility will include: rooms for Sunday school classes and meetings of various sizes; a platform stage for dramas, music programs, and contemporary worship; a large kitchen with pantry and extra storage space for emergency preparedness supplies; a large gathering room, with separate ADA compliant toilet, shower, and kitchenette, that can be used as a green room/dressing room for performances, a youth recreation room, a preschool or learning center during the week, or for emergency overnight accommodations; the building also provides ADA compliant toilet facilities; yard maintenance space; storage for drama, table and chairs, etc.

Phase Two is to follow Phase One within five (5) years from the project approval date. This phase will consist of a 525-square foot addition to the administrative wing of the church and a 600-square foot addition to the existing narthex (lobby/entrance to sanctuary). Phase Two will not result in any increase in impervious surfaces and will not increase traffic or parking requirements or needs.

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

1. General Plan Land Use Element
2. Zoning Ordinance

ANALYSIS – KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation on the subject property is Single-Family Detached Residential (SFD-R). The proposed project is not consistent with the existing land use designation, but is consistent with the goals and objectives of the City's General Plan as follows:

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.

Section 1.2 Site Design

Objective: To provide high-quality site design, all proposed land development projects shall take advantage of natural or manmade environments to maximize energy conservation, natural air circulation, public safety, visual aesthetics, private and common open spaces, privacy, and land use compatibility.

Policy C: New development or land uses shall provide coordinated site design wherever possible with existing or proposed adjacent land uses to provide complimentary site design, unified circulation access, and joint use of ancillary facilities.

Section 1.23 Architecture

Objective: The architecture quality of all proposed project shall enhance neighborhood and community values and the City image.

Policy B: Structures shall work in harmony with landscaping and adjacent urban and/or topographic form to create an attractive line, dimension, scale, and/or pattern.

The proposed design of the new Fellowship Hall is meant to complement both the existing sanctuary and the surrounding residential neighborhood buildings. The pitched-roof design is also in accord with today's emphasis on energy conservation, L.E.E.D. (Leadership in Energy and Environmental Design), and Green buildings. A gabled roof encloses the same functional space with less volume and building materials than a square shaped roof, thus saving energy and resources.

In addition, the composition roofing material will complement the composition roofing found on all the surrounding residential structures, the church up the street and the existing parsonage on the project site. The roofing will be a Class A fire resistive, heavy-duty composition shingle in a color to complement the two-color stucco finish on the existing sanctuary structure.

2. Zoning Compliance

This project is located in a PS (Public and Semi-Public) District. Pursuant to Oceanside Zoning Ordinance Sections 1630 and 3004, development regulations in a PS District shall be specified by the use permit, provided that if the use permit fails to regulate an element regulated by an abutting base district, the regulation of the abutting base

district shall apply to each portion of a PS District. The majority of the abutting properties are zoned Single-Family Residential (RS). Therefore, the development regulations of the RS District were applied to the proposed project.

The following table summarizes proposed and applicable development standards for the RS District and the project site:

	Zoning Requirements	Proposed (approximates)
Minimum Lot Size	6,000 square feet	~4.80 ac (total site) ~2.96 ac (subject portion)
Front Yard	20 feet	~90 feet
Side Yard	7.5 feet	~100+ feet
Corner Side Yard	10 feet	~77 feet
Rear Yard	15 feet	61 feet, 4 inches
Building Height	36 feet	25 feet maximum
Landscaping	n/a	54%
Parking (Religious Assembly)	1 space per 4 seats 269 seats/4 = 67 spaces + 3 handicap accessible	104 spaces 4 handicap accessible

DISCUSSION

Issue: Project compatibility with surrounding neighborhood.

Recommendation: The King of Kings Lutheran Church has been active at 2993 MacDonald Street, and therefore a part of the surrounding neighborhood, for close to 47 years. The architecture for the replacement and expansion to the church facilities has taken the characteristics of the surrounding neighborhood, as well as the existing sanctuary, into account. The proposed composition roofing material will complement the composition roofing found on all the surrounding residential structures, the church up the street and the existing parsonage on the project site. The pitched-roof design is also in accord with today's emphasis on energy conservation, L.E.E.D. (Leadership in Energy and Environmental Design), and Green buildings. A gabled roof encloses the same functional space with less volume and building materials than a square shaped roof, thus saving energy and resources. The roofing will be a Class A fire resistive, heavy-duty composition shingle in a color to complement the two-color stucco finish on the existing Sanctuary structure.

The replacement and expansion of the church facilities will not result in an increase in traffic or required parking. The church site is currently providing more parking than is required for the number of seats available in the sanctuary. In addition, the use of the existing sanctuary and the new Fellowship Hall will not occur simultaneously.

Issue: This application is proposing two phases of development, but offers no architectural plans for Phase Two.

Recommendation: The approval of Development Plan (D-3-93REV07) and Conditional Use Permit (C-4-93REV07) will allow for Phase One to proceed as described. Phase Two will follow when and if the need arises, pursuant to OZO Section 4308B. No architectural changes are shown on the drawings for Phase Two because the actual program is unknown at this time. The implementation of Phase Two will require building permits and Planning Division staff will have the opportunity to review the proposed plans for consistency and compatibility with the existing church facilities and those constructed under Phase One. The project has been conditioned as appropriate.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt pursuant to Class 2, Article 19, Section 15302 Replacement or Reconstruction, of the California Environmental Quality Act.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record within a 1500-foot radius of the subject property, individuals and or organizations requesting notification, applicant and other interested parties. As of March 28, 2008 no communication supporting or opposing the request has been received.

SUMMARY

In summary, staff believes that the proposed Revisions to the Development Plan and Conditional Use Permit are consistent with the requirements of the Zoning Ordinance and the policies outlined in the General Plan. The project meets or exceeds all development standards and is compatible with the surrounding development pattern and architectural styles found throughout the neighborhood. As such, staff recommends that the Planning Commission approve the project. The Commission's action should be:

- Move to approve Development Plan (D-3-93REV07) and Conditional Use Permit (C-4-93REV07) and adopt Planning Commission Resolution No. 2008-P21 as attached.

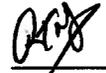
PREPARED BY:


Sally Schiffman
Planner II

SUBMITTED BY:


Jerry Hittleman
City Planner

REVIEWED BY:

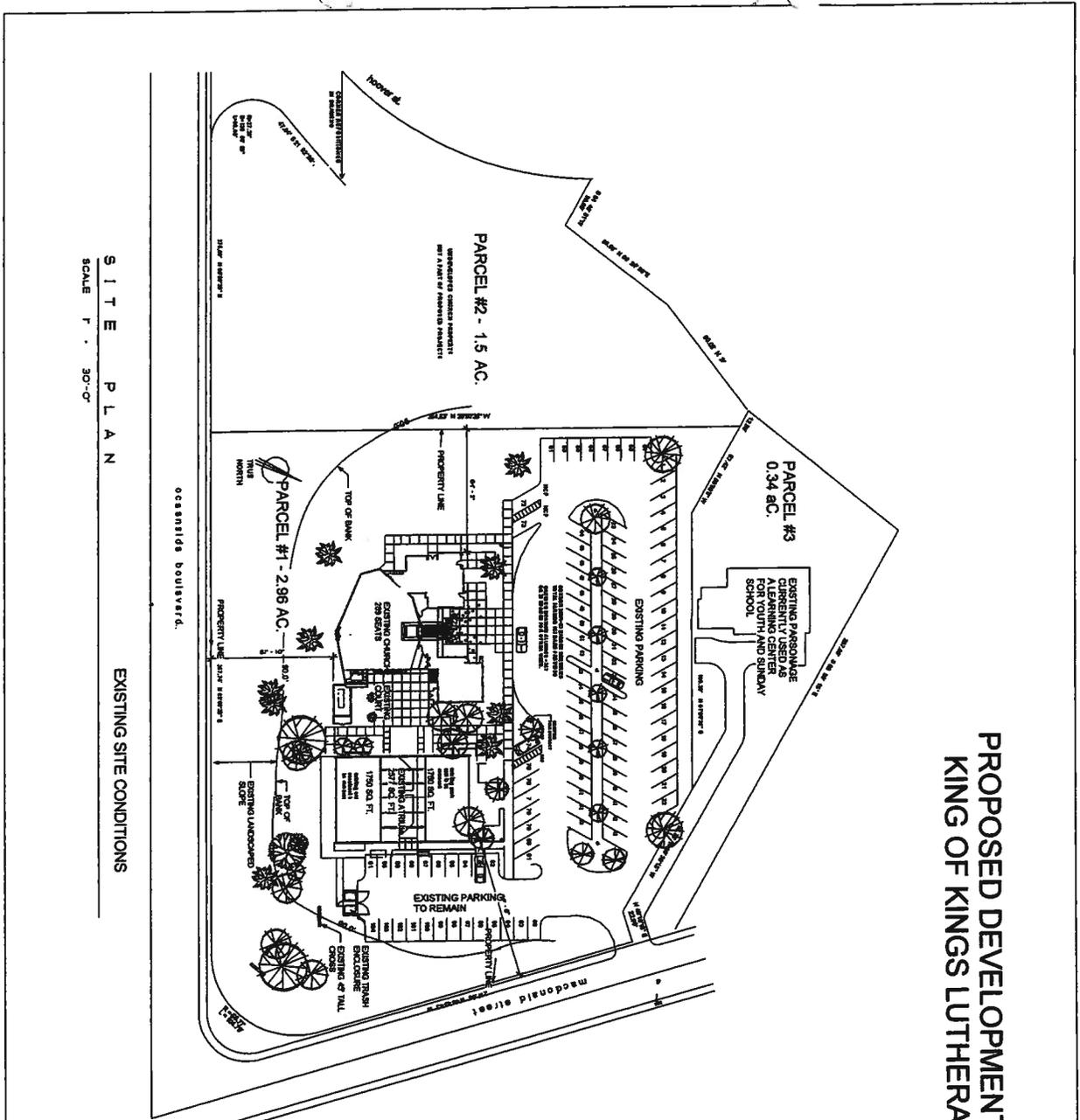

Richard Greenbauer, Senior Planner

JH/SS/fil

Attachments:

1. Site Plan/Architectural Plans/Conceptual Landscape Plan/Conceptual Grading Plan
2. Planning Commission Resolution No. 2008-P21
3. Planning Commission Resolution No. 93-P23

PROPOSED DEVELOPMENT PLAN FOR: KING OF KINGS LUTHERAN CHURCH



S I T E P L A N
SCALE 1" = 30'-0"

EXISTING SITE CONDITIONS

SHEET INDEX

- A101 EXISTING SITE CONDITIONS
- A102 EXISTING SITE CONDITIONS
- A103 PHASE ONE FLOOR PLAN
- A104 PHASE ONE BELOW-GRADE FLOOR PLAN
- A105 PHASE ONE EXTERIOR ELEVATIONS
- A106 PHASE ONE INTERIOR ELEVATIONS
- A107 PHASE ONE LANDSCAPE PLAN
- A108 PHASE ONE LUMBER PLAN
- A109 PHASE ONE LUMBER PLAN
- A110 PHASE ONE LUMBER PLAN

PROJECT DATA

OWNER: KING OF KINGS LUTHERAN CHURCH
 ADDRESS: 2993 MACDONALD STREET
 A.P.N.: 149-38-18 / 149-38-20
 ZONE: R1
 LAND USE: RELIGIOUS ASSEMBLY

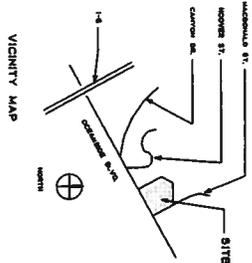
BUILDING SIZE EXISTING

PROPOSED: 1522 BUILDING 3744 SQ. FT.
 2208 PHASE II 400 250 SQ. FT.
 2008 PHASE II 200 250 SQ. FT.
 2008 PHASE II REMOVE 2000 SQ. FT.

TOTAL NEW: 3054 SQ. FT.

PARKING SPACES

EXISTING CHURCH SEATING: 283/4-47 SPACES
 EXISTING ST. PLAN 3 1/2-10 SPACES SEPT.
 PROPOSED 1/4 SPACES PROPOSED 1/4 SPACES
 LAND AREA: 2.7 ACRES
 1/4 BUILDING COVERAGE
 1/4 PAVING
 1/4 BER



A101

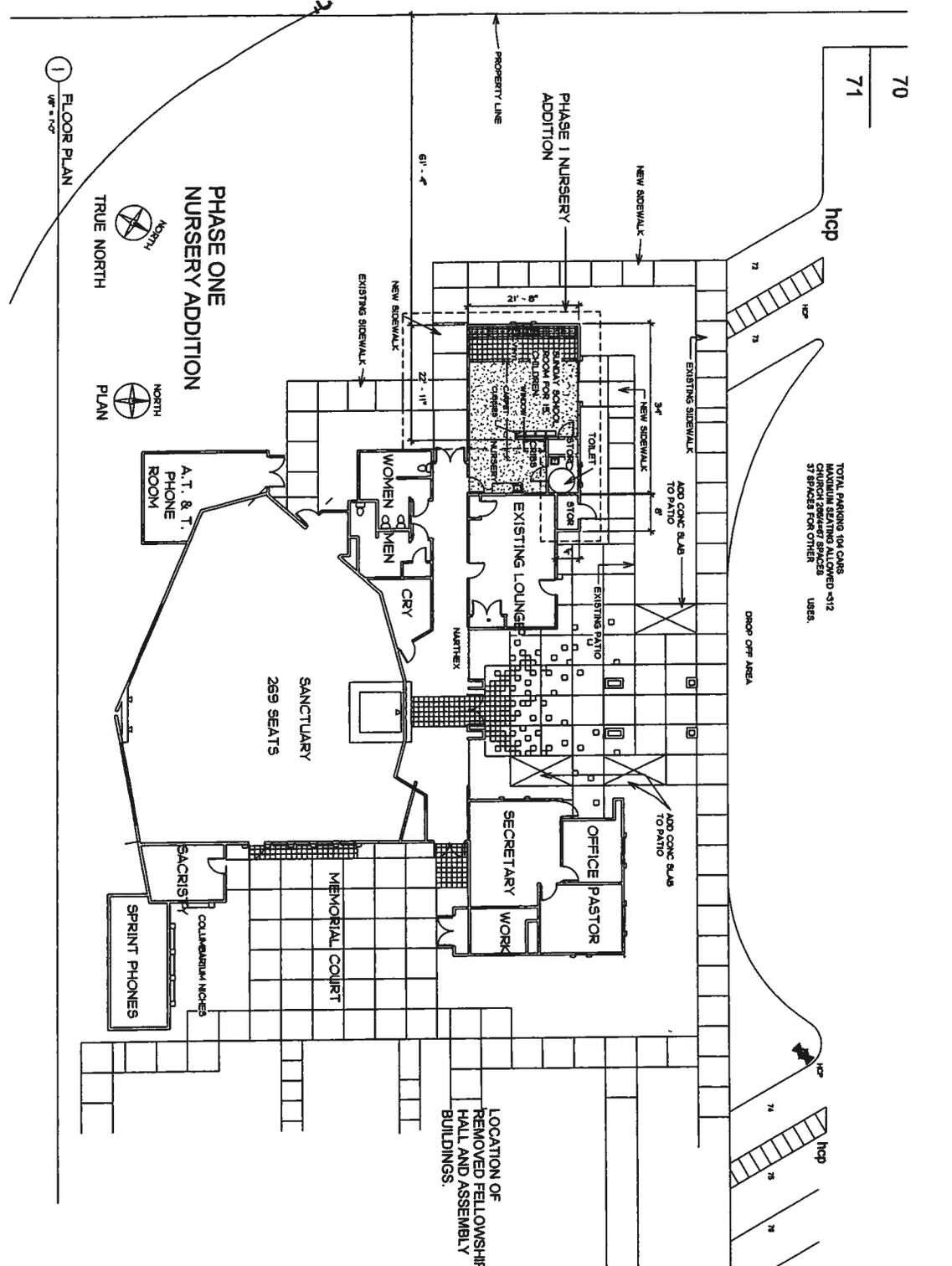
SHEET: EXISTING SITE
 PROJECT NO.:
 DATE: 05/2007

KING OF KINGS LUTHERAN CHURCH
 2993 MACDONALD STREET
 OVEANSIDE, CA 92054

GROTH ARCHITECTS INC. 3255 MISSION AVE. SUITE 224 OCEANSIDE, CALIFORNIA 92054 PHONE 760-754-8191 FAX 760-754-8291



DEC 19 2007



1 FLOOR PLAN
1/8" = 1'-0"



**PHASE ONE
NURSERY ADDITION**

70
71

TOTAL PARKING 104 CARS
MANUAL SEATING ALLOWED 412
CHURCH SEATING SPACES
57 SPACES FOR OTHER
USERS.

PHASE #1 NURSERY ADDITION

KING OF KINGS LUTHERAN CHURCH
2993 McDONALD STREET
OCEANSIDE, CA 92054

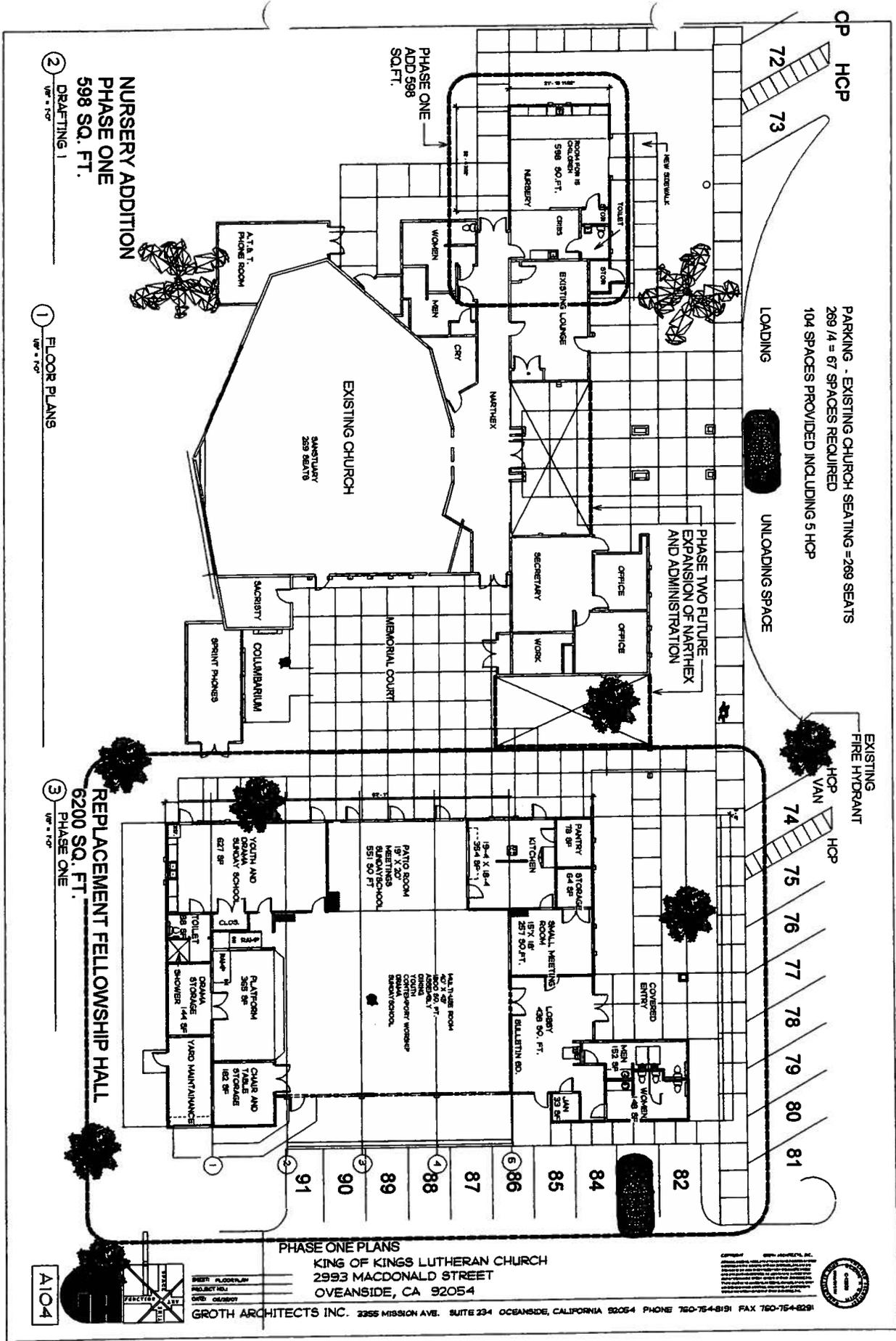
SHEET: PHASE ONE NURSERY ADDITION
PROJECT NO.:
DATE: 07/20/07

GROTH ARCHITECTS INC. 3355 MISSION AVE. SUITE 234 OCEANSIDE, CALIFORNIA 92054 PHONE 760-754-8191 FAX 760-754-8291

A103



DEC 19 2007



PARKING - EXISTING CHURCH SEATING = 269 SEATS
 269 / 4 = 67 SPACES REQUIRED
 104 SPACES PROVIDED INCLUDING 5 HCP

LOADING UNLOADING SPACE

EXISTING FIRE HYDRANT

NURSERY ADDITION
PHASE ONE
598 SQ. FT.

② DRAFTING 1
 1/8" = 1'-0"

① FLOOR PLANS
 1/8" = 1'-0"

REPLACEMENT FELLOWSHIP HALL
PHASE ONE
6200 SQ. FT.

③ 1/8" = 1'-0"

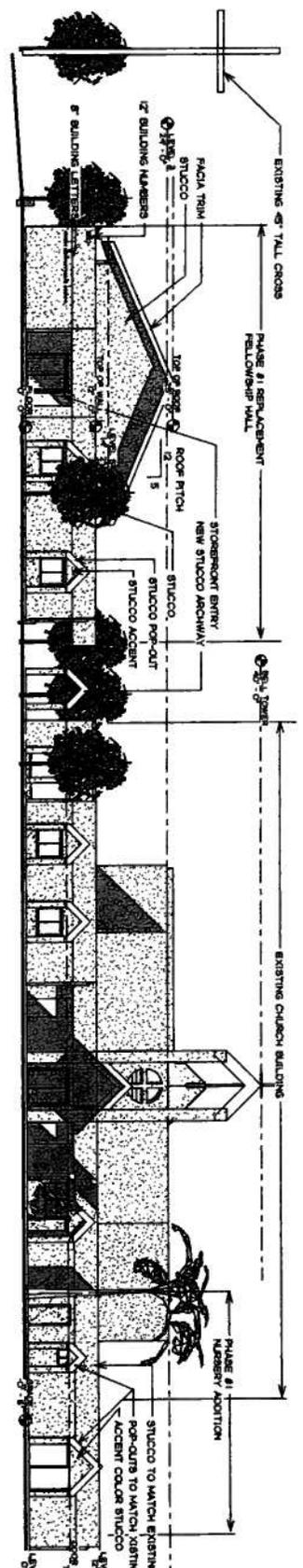
PHASE ONE PLANS
 KING OF KINGS LUTHERAN CHURCH
 2993 MACDONALD STREET
 OVEANSIDE, CA 92054

GROTH ARCHITECTS INC. 3255 MISSION AVE. SUITE 224 OCEANSIDE, CALIFORNIA 92054 PHONE 760-754-8191 FAX 760-754-8291

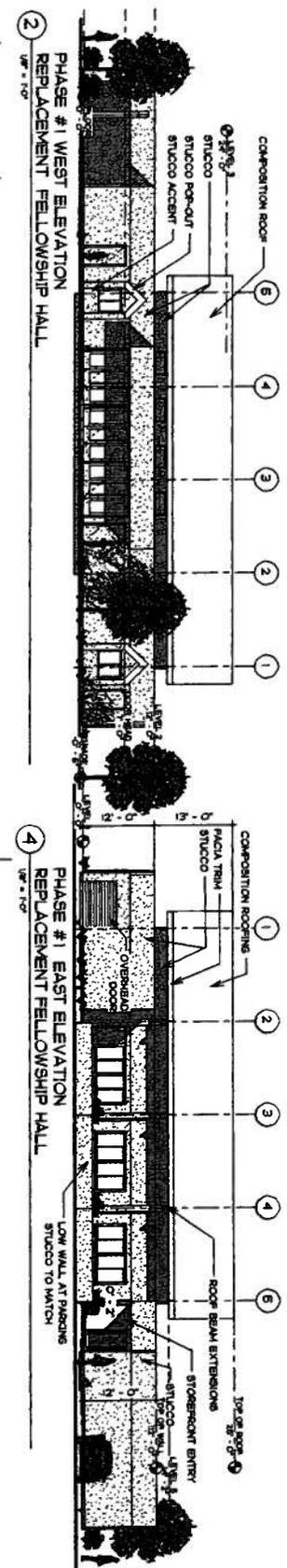
A104

DEC 19 2007

Architectural Record
 1. KING OF KINGS LUTHERAN CHURCH

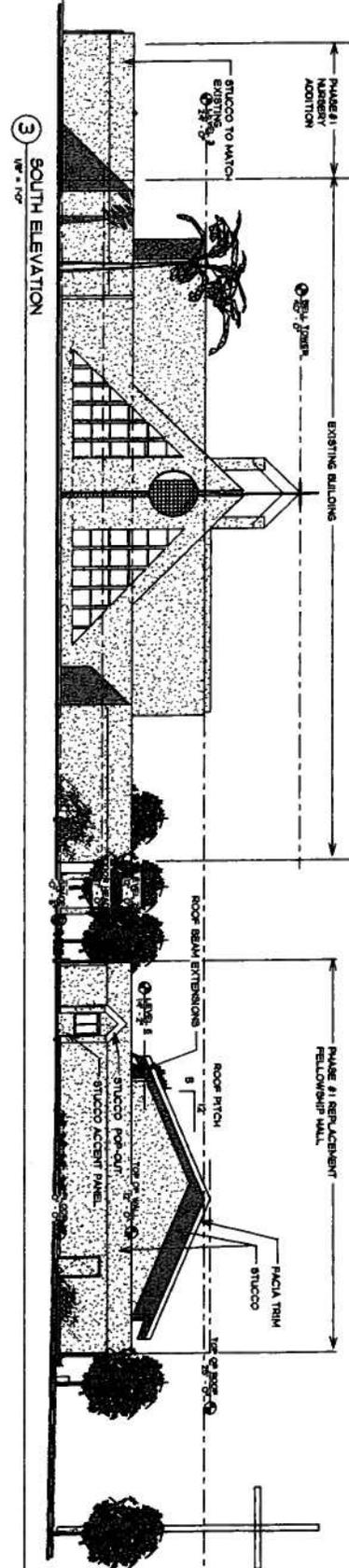


1 NORTH ELEVATION
1/8" = 1'-0"



2 PHASE #1 WEST ELEVATION
REPLACEMENT FELLOWSHIP HALL
1/8" = 1'-0"

4 PHASE #1 EAST ELEVATION
REPLACEMENT FELLOWSHIP HALL
1/8" = 1'-0"

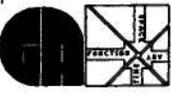


3 SOUTH ELEVATION
1/8" = 1'-0"

KING OF KINGS LUTHERAN CHURCH
2993 MACDONALD STREET
OVEANSIDE, CA 92054

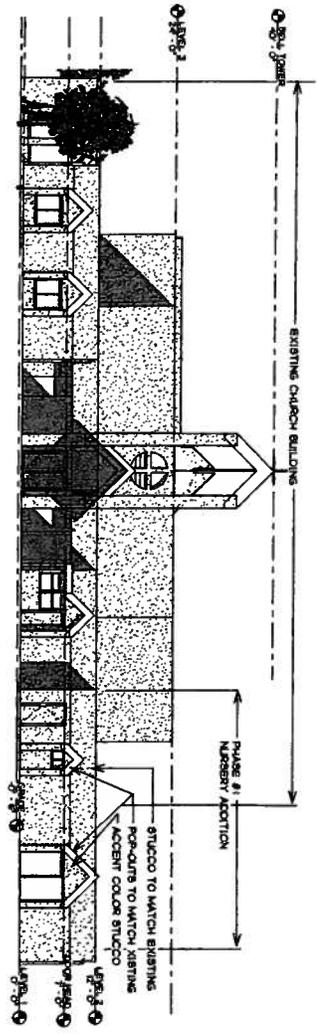
GROTH ARCHITECTS INC. 3355 MISSION AVE. SUITE 234 OCEANSIDE, CALIFORNIA 92054 PHONE 760-754-8191 FAX 760-754-8291

A105

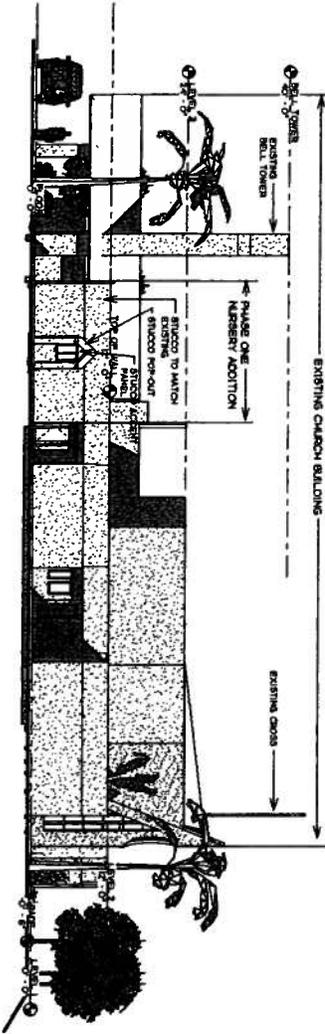


DEC 19 2007

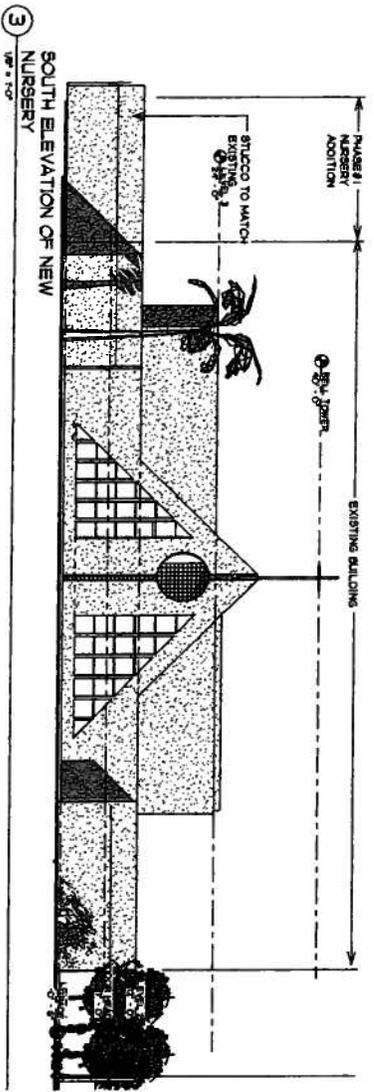
Architectural drawing showing a north arrow and scale information.



1 NORTH ELEVATION OF NEW NURSERY
1/8" = 1'-0"



2 WEST ELEVATION NEW NURSERY
1/8" = 1'-0"



3 SOUTH ELEVATION OF NEW NURSERY
1/8" = 1'-0"

4 PHASE ONE NEW NURSERY
1/8" = 1'-0"

KING OF KINGS LUTHERAN CHURCH
2993 MACDONALD STREET
OVEANSIDE, CA 92054

DATE: 08/20/07
PROJECT NO. 10
SHEET: 01/06

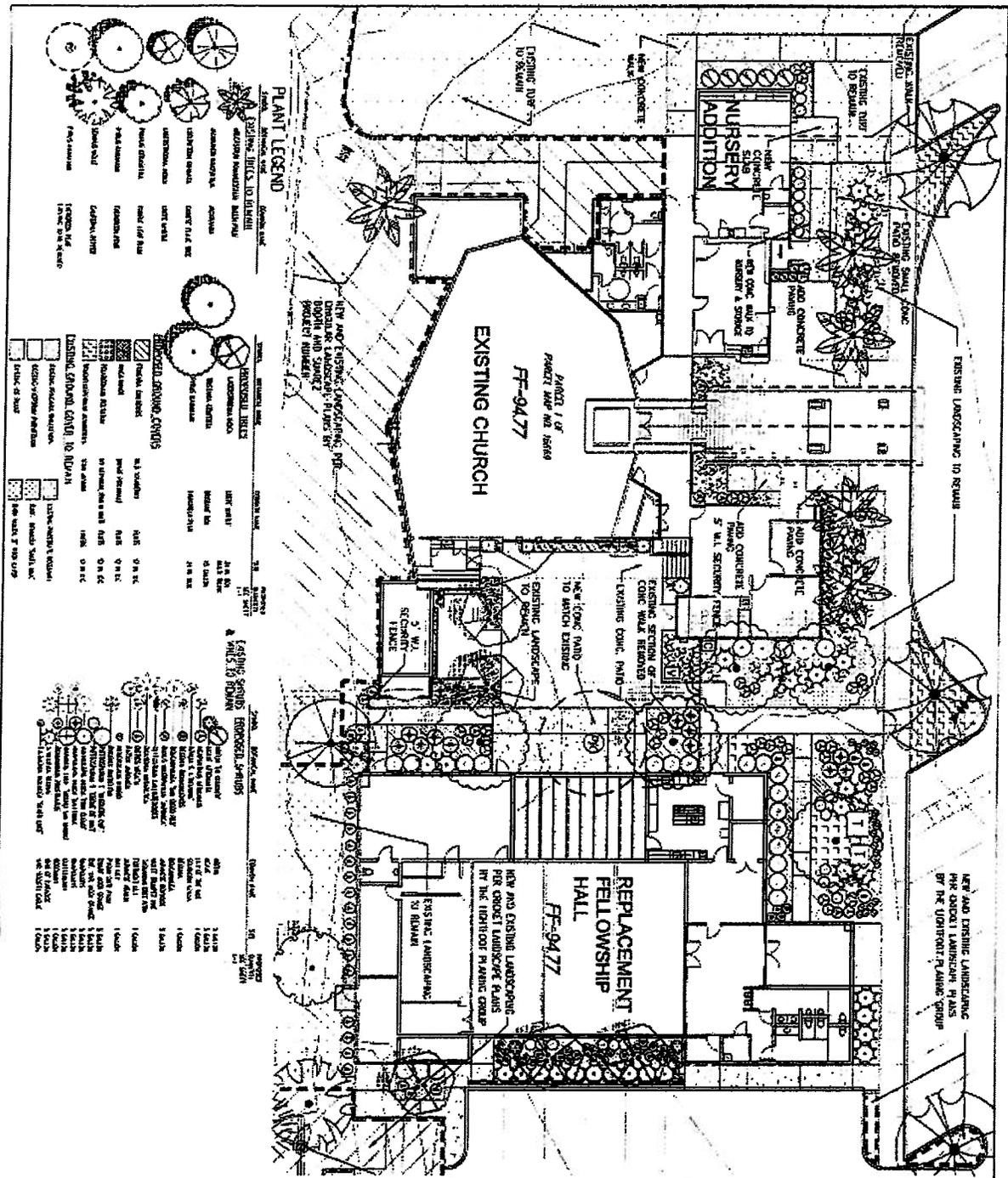
GROTH ARCHITECTS INC. 3365 MISSION AVE. SUITE 234 OCEANSIDE, CALIFORNIA 92054 PHONE 760-754-8151 FAX 760-754-8251

A106



DEC 19 2007

Printed on Recycled Paper



CITY OF OCEANSIDE REQUIREMENTS

1. LANDSCAPE TO REMAIN TO BE THE SAME AS EXISTING LANDSCAPE EXCEPT FOR:
2. NEW AND EXISTING LANDSCAPE TO BE INSTALLED BY THE INTERIOR PLANNING GROUP
3. NEW AND EXISTING LANDSCAPE TO BE INSTALLED BY THE INTERIOR PLANNING GROUP
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9. NEW AND EXISTING LANDSCAPE TO BE INSTALLED BY THE INTERIOR PLANNING GROUP
10. NEW AND EXISTING LANDSCAPE TO BE INSTALLED BY THE INTERIOR PLANNING GROUP

PLANTING NOTES

1. ALL LANDSCAPE PLANTS SHALL BE INSTALLED AND MAINTAINED BY THE INTERIOR PLANNING GROUP.
2. ALL LANDSCAPE PLANTS SHALL BE INSTALLED AND MAINTAINED BY THE INTERIOR PLANNING GROUP.
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10. ALL LANDSCAPE PLANTS SHALL BE INSTALLED AND MAINTAINED BY THE INTERIOR PLANNING GROUP.

LANDSCAPE PLANS FOR
KING OF KINGS
LUTHERAN CHURCH
 2801 East Bond Street
 Oceanside, CA 92054

NURSERY
ADDITION
AND
REPLACEMENT
FELLOWSHIP
HALL

PROJECT NO. 0710
 C&J 2103

SCALE
 1" = 10'-0"

DATE
 10/15/03

BY
 C&J 2103

FOR
 KING OF KINGS LUTHERAN CHURCH

PROJECT NO.
 0710

C&J 2103

SCALE
 1" = 10'-0"

DATE
 10/15/03

BY
 C&J 2103

FOR
 KING OF KINGS LUTHERAN CHURCH

1 PLANNING COMMISSION
2 RESOLUTION NO. 2008-P21

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 REVISION TO A DEVELOPMENT PLAN AND CONDITIONAL
6 USE PERMIT ON CERTAIN REAL PROPERTY IN THE CITY
7 OF OCEANSIDE

8 APPLICATION NO: D-3-93REV07, C-4-93REV07
9 APPLICANT: King of Kings Lutheran Church
10 LOCATION: 2993 MacDonald Street

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

13 WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by
14 the Commission requesting a Revision to a Development Plan and Conditional Use Permit under the
15 provisions of Articles 16, 30, 41, and 43 of the Zoning Ordinance of the City of Oceanside to permit the
16 following:

17 a Phase One replacement of two existing 1,750-square foot buildings with one 6,200-square foot
18 Fellowship Hall and an addition of 598 square feet to an existing nursery along with a Phase Two,
19 525-square foot expansion to an administrative office and a 600-square foot addition to an existing
20 narthex.

21 on certain real property described in the project description.

22 WHEREAS, the Planning Commission, after giving the required notice, did on the 7th day of April,
23 2008 conduct a duly advertised public hearing as prescribed by law to consider said application.

24 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines
25 thereto; this project been found to be exempt from CEQA per Article 19 Section 15302;

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

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

///////

///////

1	<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
2			
3	Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
4			
5	Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
6			
7	Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$.713 per square foot or \$713 per thousand square feet for non-residential uses
8			
9	School Facilities Mitigation Fee	Ordinance No. 91-34	\$.42 per square foot non-residential for Oceanside
10			
11	Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
12			
13	Thoroughfare Fee (For commercial and industrial please note the 75 percent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
14			
15			
16	Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Non-residential is \$35,160 for a 2" meter.
17			
18			
19	Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Non-residential is \$48,280 for a 2" meter.
20			
21			
22	San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Non-residential is \$21,599 for a 2" meter.
23			

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

28

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

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

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

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

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

14 FINDINGS:

15 For the Revision to the Development Plan:

- 16 1. The site and proposed improvements are consistent with the applicable development regulations
17 for the Public and Semipublic District and with the Single-Family Residential District, the
18 abutting base district. The new facility meets the setback requirements as indicated within Article
19 30, Section 3004 Site Regulations within the Zoning Ordinance.
- 20 2. The proposed expansion is consistent with the goals and policies of Sections 1.2 and 1.23 of the
21 General Plan. The General Plan land use designation is Single-Family Detached Residential.
22 Though the project is not consistent with the underlying General Plan land use designation, its
23 long time use as a religious facility has not and will not deter the adjacent single family residential
24 neighborhood.
- 25 3. The public facilities, services and utilities that serve the site and land use are existing and
26 adequate. The application has been conditioned to improve or provide for future public
27 improvements necessary to serve the site.

28 For the Revision to the Conditional Use Permit:

1. The site has been utilized as a religious facility for the past 40 years. This project represents a
replacement and expansion of the existing land use. The site is of adequate size and shape to

1 accommodate the expansion and existing use as a religious facility. The project is consistent
2 with the purposes of the Public and Semipublic District.

3 2. The new additions to the existing religious complex will not have a significant impact to
4 properties or improvements within the adjacent neighborhood. The site is located adjacent to
5 Oceanside Boulevard and MacDonald Street; this site buffers the adjacent residential
6 neighborhood from the commercial and industrial use located along Oceanside Boulevard.

7 3. The proposed project will comply with the provisions of the Zoning Ordinance and has been
8 conditioned to allow for the Planning Commission to reconsider the Conditional Use Permit
9 should the applicant fail to meet any of the conditions of approval.

10 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve
11 the Revision to Development Plan (D-3-93) and Conditional Use Permit (C-4-93) subject to the
12 following conditions:

12 **Building:**

13 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building
14 Division plan check. Construction Plans submitted to the Building Division after January 1st 2008
15 must comply with the State adopted CBC codes.

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

18 3. Site development, parking, access into buildings and building interiors shall comply with the
19 State's Disabled Accessibility Regulations.

20 4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the property
21 shall be underground.

22 5. The building plans for this project are required by State law to be prepared by a licensed
23 architect or engineer and must be in compliance with this requirement prior to submittal for
24 building plan review.

25 6. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the plans.

26 7. A complete Soils Report and Structural Calculations will be required at time of plans submittal
27 to the Building Division for plan check.

28 8. A Building (Demo) Permit will be required for the demolition of any existing structures. Plans
for the Demolition Permit must clearly show that all utilities (electric, gas, water, & sewer) are
properly terminated/capped in accordance with the requirements of the utility service provider.

1 All/any underground septic or water storage tanks must be removed or filled in accordance with
2 the Uniform Plumbing Code and/or the City's Grading Ordinance.

3 9. Tenant Improvements or other construction to the existing building requires permits (including
4 all required Inspections and approvals, and Issuance of Certificate of Occupancy) from the
5 Building Division.

6 10. All outdoor lighting shall meet Chapter 39 of the City Code (Light Pollution Ordinance) and shall
7 be shielded appropriately. Where color rendition is important high-pressure sodium, metal halide
8 or other such lights may be utilized and shall be shown on final building and electrical plans.

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

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

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

23 **Engineering:**

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

27 13. Design and construction of all improvements shall be in accordance with standard plans,
28 specifications of the City of Oceanside and subject to approval by the City Engineer. Sidewalk
improvements shall comply with ADA requirements.

14. Prior to the first of the issuance of a building permit or the approval of an engineering plan, a
phasing plan for the construction of public and private improvements, including streets and

1 landscaping, shall be approved by the City Engineer. All improvements shall be under
2 construction to the satisfaction of the City Engineer prior to the issuance of any building permits.
3 All improvements shall be completed prior to issuance of any certificates of occupancy.

4 15. Prior to the issuance of a building permit, public improvement or grading permit requirements, if
5 any, shall be covered by an appropriate development agreement and secured with sufficient
6 improvement securities or bonds guaranteeing performance and payment for labor and materials
7 and warranty against defective materials and workmanship.

8 16. Where off-site improvements are to be constructed, including but not limited to, slopes, public
9 utility facilities, and public drainage facilities, the applicant shall, at his own expense, obtain all
10 necessary easements or other interests in real property and, in case of public easements or rights of
11 way, shall dedicate the same to the City of Oceanside as required. The applicant shall provide
12 documentary proof satisfactory to the City of Oceanside that such easements or other interest in
13 real property have been obtained prior to issuance of any grading, building or improvement permit
14 for the development. Additionally, the City of Oceanside may, at its sole discretion, require that
15 the applicant obtain, at his sole expense, a title policy insuring the necessary title for the easement
16 or other interest in real property to have vested with the City of Oceanside or the applicant, as
17 applicable.

18 17. Prior to the issuance of a grading permit, if any, the developer shall notify and host a
19 neighborhood meeting with all of the area residents located within 300 feet of the project site,
20 and residents of property along any residential streets to be used as a "haul route", to inform
21 them of the grading and construction schedule, haul routes, and to answer questions.

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

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

27 b) All grading and related site preparation and construction activities shall be limited to the
28 hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. No engineering related
construction activities shall be conducted on Saturdays, Sundays or legal holidays unless
written permission is granted by the City Engineer with specific limitations to the working
hours and types of permitted operations. All on-site construction staging areas shall be as

1 far as possible (minimum 100 feet) from any existing residential development. Because
2 construction noise may still be intrusive in the evening or on holidays, the City of
3 Oceanside Noise Ordinance also prohibits “any disturbing excessive or offensive noise
4 which causes discomfort or annoyance to reasonable persons of normal sensitivity.”

5 c) The construction site shall accommodate the parking of all motor vehicles used by persons
6 working at or providing deliveries to the site.

7 d) A haul route shall be obtained at least 7 days prior the start of hauling operations and must
8 be approved by the City Engineer. Hauling operations shall be 8:00 a.m. to 3:30 p.m.
9 unless approved otherwise.

10 19. A traffic control plan shall be prepared according to the City traffic control guidelines and be
11 submitted to and approved by the City Engineer prior to the start of work within open City
12 rights-of-way. Traffic control during construction of streets open to public traffic shall be in
13 accordance with construction signing, marking and other protection as required by the Caltrans
14 Traffic Manual and City Traffic Control Guidelines. Traffic control plans shall be in effect
15 from 8:00 a.m. to 3:30 p.m. unless approved otherwise.

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

26 21. Sight distance requirements at the development’s access point shall conform to the corner sight
27 distance criteria as provided by SDRSD, DS-20A, and/or DS-20B for each direction of traffic.

28 22. Any existing broken pavement, concrete curb, gutter or sidewalk or any damaged during
construction of the project, shall be repaired or replaced as directed by the City Engineer.

- 1 23. Pavement sections shall be based upon approved soil tests and traffic indices. The pavement
2 design is to be prepared by the developer's soil engineer and must be approved by the City
3 Engineer, prior to paving.
- 4 24. The approval of the development shall not mean that proposed grading or improvements on
5 adjacent properties (including any City properties/right-of-way or easements) is granted or
6 guaranteed to the developer. The developer is responsible for obtaining permission to grade or
7 to construct on adjacent properties. Should such permission be denied, the resulting changes to
8 the Development Plan shall be subject to a Substantial Conformity review. Changes not meeting
9 substantial conformity requirements shall be submitted for appropriate public hearing.
- 10 25. The applicant shall obtain any necessary permits and clearances from all public agencies having
11 jurisdiction over the project due to its type, size, or location, including but not limited to the U. S.
12 Army Corps of Engineers, California Department of Fish & Game, U. S. Fish and Wildlife Service,
13 San Diego Regional Water Quality Control Board (including NPDES) and/or San Diego County
14 Health Department, prior to the issuance of grading permits.
- 15 26. Prior to any grading of any part of the project, a comprehensive soils and geologic investigation
16 shall be conducted of the soils, slopes, and formations in the project. All necessary measures shall
17 be taken and implemented to assure slope stability, erosion control, and soil integrity. No grading
18 shall occur until a detailed grading plan, to be prepared in accordance with the Grading Ordinance
19 and Zoning Ordinance, is approved by the City Engineer.
- 20 27. This project shall provide year-round erosion control including measures for the site required for
21 all phases of grading. Prior to the issuance of grading permit, an erosion control plan, designed for
22 all proposed stages of construction, shall be reviewed, secured by the developer with cash
23 securities and approved by the City Engineer.
- 24 28. Grading and drainage facilities shall be designed and installed to adequately accommodate the
25 local storm water runoff and shall be in accordance with the City's Engineers Manual and as
26 directed by the City Engineer.
- 27 29. The drainage design on the development plan is conceptual only. The final design shall be based
28 upon a hydrologic/hydraulic study to be approved by the City Engineer during final engineering.
All drainage picked up in an underground system shall remain underground until it is discharged
into an approved channel, or as otherwise approved by the City Engineer. All public storm drains
shall be shown on City standard plan and profile sheets. All storm drain easements shall be

1 dedicated where required. The developer shall be responsible for obtaining any off-site easements
2 for storm drainage facilities.

3 30. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed of in
4 accordance with all state and federal requirements, prior to stormwater discharge either off-site or
5 into the City drainage system.

6 31. The development shall comply with all applicable regulations established by the United States
7 Environmental Protection Agency (USEPA) as set forth in the National Pollutant Discharge
8 Elimination System (NPDES) permit requirements for urban runoff and stormwater discharge
9 and any regulations adopted by the City pursuant to the NPDES regulations or requirements.
10 Further, the developer may be required to file a Notice of Intent with the State Water Resources
11 Control Board to obtain coverage under the NPDES General Permit for Storm Water Discharges
12 Associated with Construction Activity and may be required to implement a Storm Water
13 Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities.
14 SWPPPs include both construction and post construction pollution prevention and pollution
15 control measures and identify funding mechanisms for post construction control measures. The
16 developer shall comply with all the provisions of the Clean Water Program during and after all
17 phases of the development process, including but not limited to, mass grading, rough grading,
18 construction of street and landscaping improvements, and construction of building structures.
19 The developer shall design the Project's storm drains and other drainage facilities to include
20 Best Management Practices to minimize non-point source pollution, satisfactory to the City
21 Engineer.

22 32. Upon acceptance of any fee waiver or reduction by the developer, the entire project will be
23 subject to prevailing wage requirements as specified by Labor Code Section 1720(b)(4). The
24 developer shall agree to execute a form acknowledging the prevailing wage requirements prior
25 to the granting of any fee reductions or waivers.

26 33. The approval of the development/project shall not mean that closure, vacation, or abandonment
27 of any public street, right-of-way, easement, or facility is granted or guaranteed to the
28 developer. The developer is responsible for applying for all closures, vacations, and
abandonments as necessary. The application(s) shall be reviewed and approved or rejected by
the City of Oceanside under separate process(es) per codes, ordinances, and policies in effect at

1 the time of the application. The City of Oceanside retains its full legislative discretion to
2 consider any application to vacate a public street or right of way.

3 34. The existing NCTD bus stop location along Oceanside Boulevard shall be demolished and a
4 new structure shall be constructed. The new 24-foot long ADA compliant bus stop pad shall be
5 located west of the end of the MacDonald Street intersection on the north side of Oceanside
6 Boulevard, as shown on the plans and exhibits presented to the Planning Commission for review
7 and approval.

8 35. To prevent soil runoff from the southerly property slope from impacting the NCTD bus stop, a
9 small concrete curb shall be added to the rear and side of the ADA compliant boarding pad, for
10 the portion behind the existing sidewalk. This curb shall measure at least 6 inches wide and 12
11 inches tall.

12 36. Landscaping plans, including plans for the construction of walls, fences or other structures at or
13 near intersections, must conform to intersection sight distance requirements. Landscape and
14 irrigation plans for disturbed areas must be submitted to the City Engineer prior to the issuance of
15 a preliminary grading permit or building permit and approved by the City Engineer prior to the
16 issuance of occupancy permits. Frontage and median landscaping shall be installed prior to the
17 issuance of any certificates of occupancy. Any project fences, sound or privacy walls and
18 monument entry walls/signs shall be shown on, bonded for and built from the landscape plans.
19 These features shall also be shown on the precise grading plans for purposes of location only.
20 Plantable, segmental walls shall be designed, reviewed and constructed by the grading plans and
21 landscaped/irrigated through project landscape plans. All plans must be approved by the City
22 Engineer and a pre-construction meeting held, prior to the start of any improvements.

23 37. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high barrier,
24 approved by the City Engineer, shall be provided at the top of all slopes whose height exceeds
25 20 feet or where the slope exceeds 4 feet and is adjacent to an arterial street or state highway.

26 38. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines and
27 Specifications for Landscape Development (latest revision), Water Conservation Ordinance No.
28 91-15, Engineering criteria, City code and ordinances, including the maintenance of such
landscaping, shall be reviewed and approved by the City Engineer prior to the issuance of
building permits. Landscaping shall not be installed until bonds have been posted, fees paid,

1 and plans signed for final approval. The following special landscaping requirements shall be
2 required prior to plan approval:

- 3 a) Final landscape plans shall accurately show placement of all plant material such as but
4 not limited to trees, shrubs, and groundcovers.
- 5 b) Landscape Architect shall verify utility, sewer, storm drain easement and place planting
6 locations accordingly to meet City of Oceanside requirements.
- 7 c) All required landscape areas shall be maintained by the owner. The landscape areas
8 shall be maintained per City of Oceanside requirements.
- 9 d) Existing barrier hedge at top of slope facing Oceanside Boulevard shall be maintained
10 by the owner as a continuous barrier to discourage pedestrian access to the slope from
11 the church side of the property.
- 12 e) Proposed landscape species shall be native or naturalized to fit the site and meet climate
13 changes indicative to their planting location. The selection of plant material shall also
14 be based on cultural, aesthetic, and maintenance considerations. In addition proposed
15 landscape species shall be low water users as well as meet all fire department
16 requirements.
- 17 f) All planting areas shall be prepared with appropriate soil amendments, fertilizers, and
18 appropriate supplements based upon a soils report from an agricultural suitability soil
19 sample taken from the site.
- 20 g) Ground covers or bark mulch shall fill in between the shrubs to shield the soil from the
21 sun, evapotranspiration and run-off. All the flower and shrub beds shall be mulched to
22 a 3" depth to help conserve water, lower the soil temperature and reduce weed growth.
- 23 h) The shrubs shall be allowed to grow in their natural forms. All landscape improvements
24 shall follow the City of Oceanside Guidelines.
- 25 i) Root barriers shall be installed adjacent to all paving surfaces, where a paving surface is
26 located within six feet of a trees trunk. Root barriers shall extend five feet in each
27 direction from the centerline of the trunk, for a total distance of 10 feet. Root barriers
28 shall be 24 inches in depth. Installing a root barrier around the tree's root ball is
unacceptable.

- 1 j) All fences, gates, walls, retaining walls, and plantable walls shall obtain planning
2 department approval for these items in the conditions or application stage prior to 1st
3 submittal of working drawings.
- 4 k) For the planting and placement of trees and their distances from hardscape and other
5 utilities/structures the landscape plans shall follow the City of Oceanside's (current)
6 Tree Planting Distances and Spacing Standards.
- 7 l) An automatic irrigation system shall be installed to provide coverage for all planting
8 areas shown on the plan. Low precipitation equipment shall provide sufficient water for
9 plant growth with a minimum water loss due to water run-off.
- 10 m) Irrigation systems shall use high quality, automatic control valves, controllers and other
11 necessary irrigation equipment. All components shall be of non-corrosive material. All
12 drip systems shall be adequately filtered and regulated per the manufacturer's
13 recommended design parameters.
- 14 n) All irrigation improvements shall follow the City of Oceanside Guidelines and Water
15 Conservation Ordinance.
- 16 o) The landscape plans shall match all plans affiliated with the project.
- 17 p) Landscape plans shall comply with Biological and/or Geotechnical reports, as required,
18 shall match the grading and improvement plans, comply with SWMP, Best Management
19 Practices and meet the satisfaction of the City Engineer.
- 20 q) Existing landscaping on and adjacent to the site shall be protected in place and
21 supplemented or replaced to meet the satisfaction of the City Engineer.
- 22 39. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way and
23 within any adjoining public parkways shall be permanently maintained by the owner, his
24 assigns or any successors-in-interest in the property. The maintenance program shall include: a)
25 normal care and irrigation of the landscaping b) repair and replacement of plant materials c)
26 irrigation systems as necessary d) general cleanup of the landscaped and open areas e) parking
27 lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result in the City
28 taking all appropriate enforcement actions including but not limited to citations. This
40. In the event that the conceptual landscape plan (CLP) does not match the conditions of
approval, the resolution of approval shall govern.

1 **Fire:**

- 2 41. A copy of as-built plans shall be submitted on a CD for all projects on the job site prior to final
3 occupancy.
- 4 42. Fire Department Requirements shall be placed on plans in the notes section.
- 5 43. A minimum fire flow of 2000 gallons per minute shall be provided.
- 6 44. The size of fire hydrant outlets shall be 2 ½ "X 2 ½" X 4".
- 7 45. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the site
8 plan.
- 9 46. Detailed plans of underground fire service mains shall be submitted to the Oceanside Fire
10 Department for approval prior to installation.
- 11 47. Blue hydrant identification markers shall be placed as per Oceanside's Engineers Design and
12 Processing Manual Standard Drawing No. M-13.
- 13 48. Apparatus access roads shall have a minimum unobstructed width of 28 feet. A minimum
14 vertical clearance of 14 feet shall be provided for the apparatus access roads.
- 15 49. The Fire Department access roadway shall be provided with adequate turning radius for Fire
16 Department apparatus. A 50-foot outside and 30-foot inside radius. (U.F.C. Sec. 902)
- 17 50. A "Knox" key storage box shall be provided for all new construction. For buildings, other than
18 high-rise, a minimum of three complete sets of keys shall be provided. Keys shall be provided
19 for all exterior entry doors, fire protection equipment control rooms, mechanical and electrical
20 rooms, elevator controls and equipment spaces, etc.
- 21 51. Buildings shall meet Oceanside sprinkler ordinance in effect at the time of building permit
22 application.
- 23 52. In accordance with the Uniform Fire Code Sec. 901.1.4.4, approved addresses for commercial
24 occupancies shall be placed on the structure in such a position as to be plainly visible and
25 legible from the street or roadway fronting the property. Numbers shall contrast with their
26 background.
- 27 53. Commercial buildings and multi-family dwellings require 6-inch address numbers.
- 28 54. Plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior
to the issuance of building permits.
55. Buildings shall meet Oceanside Fire Department's current codes at the time of building permit
application.

1 **Planning:**

- 2 56. This Revision to Development Plan and Conditional Use Permit shall expire two years from the
3 date of approval, unless implemented as required by the Zoning Ordinance.
- 4 57. This Revision to the Development Plan and Conditional Use Permit approves only a Phase One
5 replacement of two existing 1,750-square foot buildings with one 6,200-square foot Fellowship
6 Hall and an addition of 598 square feet to an existing nursery along with a Phase Two, 525-square
7 foot expansion to an administrative office and a 600-square foot addition to an existing narthex as
8 shown on the plans and exhibits presented to the Planning Commission for review and approval.
9 No deviation from these approved plans and exhibits shall occur without Planning Division
10 approval. Substantial deviations shall require a revision to the Development Plan and Conditional
11 Use Permit or a new Development Plan and Conditional Use Permit.
- 12 58. Phase Two shall be implemented within five years of the date of project approval. If Phase Two is
13 not implemented within this time, a revision to the Development Plan and Conditional Use Permit
14 or a new Development Plan and Conditional Use Permit shall be required.
- 15 59. Phase Two plans shall be reviewed and approved by the City Planner prior to the issuance of Phase
16 Two building permits. The architecture for Phase Two shall substantially match the existing
17 church facilities and the facilities constructed under Phase One.
- 18 60. In addition to conditions listed herein, all of the conditions listed in Planning Commission
19 Resolution No. 93-P23 for Development Plan D-3-93 and Conditional Use Permit C-4-93 shall
20 remain in effect for the subject property. If there is any inconsistency between the conditions in
21 Resolution No. 93-P28 and the instant conditions, this resolution's conditions shall prevail.
- 22 61. This Revision to the Development Plan and Conditional Use Permit shall be called for review by
23 the Planning Commission if complaints are filed and verified as valid by the Code Enforcement
24 Office concerning the violation of any of the approved conditions or assumptions made by the
25 application.
- 26 62. All mechanical rooftop and ground equipment shall be screened from public view as required by
27 the Zoning Ordinance. That is, on all four sides and top. The roof jacks, mechanical equipment,
28 screen and vents shall be painted with non-reflective paint to match the roof. This information
shall be shown on the building plans.

- 1 63. A covenant or other recordable document approved by the City Attorney shall be prepared by the
2 applicant and recorded prior to issuance of building permits. The covenant shall provide that the
3 property is subject to this resolution, and shall generally list the conditions of approval.
- 4 64. Prior to the issuance of building permits, compliance with the applicable provisions of the City's
5 anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed and approved
6 by the Planning Division. These requirements, including the obligation to remove or cover with
7 matching paint all graffiti within 24 hours, shall be noted on the Landscape Plan and shall be
8 recorded in the form of a covenant affecting the subject property.
- 9 65. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written
10 copy of the applications, staff report and resolutions for the project to the new owner and or
11 operator. This notification's provision shall run with the life of the project and shall be recorded as
12 a covenant on the property.
- 13 66. Failure to meet any conditions of approval for this development shall constitute a violation of the
14 Conditional Use Permit and Development Plan.
- 15 67. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at
16 the time building permits are issued are required to be met by this project. The approval of this
17 project constitutes the applicant's agreement with all statements in the Description and Justification
18 and other materials and information submitted with this application, unless specifically waived by
19 an adopted condition of approval.
- 20 68. Elevations, materials, colors, roofing materials and floor plans shall be substantially the same as
21 those approved by the Planning Commission. These shall be shown on plans submitted to the
22 Building Division and Planning Division.

23 **Water Utilities:**

- 24 69. The developer will be responsible for developing all water and sewer utilities necessary to develop
25 the property. Any relocation of water and/or sewer utilities is the responsibility of the developer
26 and shall be done by an approved licensed contractor at the developer's expense.
- 27 70. The property owner shall maintain private water and wastewater utilities located on private
28 property.
71. Water services and sewer laterals constructed in existing right-of-way locations are to be
constructed by approved and licensed contractors at developer's expense.

1 72. All Water and Wastewater construction shall conform to the most recent edition of the Water,
2 Sewer, and Reclaimed Water Design and Construction Manual or as approved by the Water
3 Utilities Director

4 PASSED AND ADOPTED Resolution No. 2008-P21 on April 7, 2008 by the following vote, to wit:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

9
10 _____
11 Dennis Martinek, Chairman
Oceanside Planning Commission

12 ATTEST:

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14 _____
15 Jerry Hittleman, Secretary

16 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a
17 true and correct copy of Resolution No. 2008-P21.

18 Dated: April 7, 2008
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Resolution No. 93-P23

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3. The application has been conditioned to allow for the Planning Commission to reconsider the Conditional Use Permit should the applicant fail to meet any of the conditions of approval.

4 For the Development Plan:

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1. The site and proposed improvements, as described within the Development Plan, are consistent with the applicable development regulations for the Public/Semi-public District and with the Residential Single Family District, the abutting base district. The new facility meets the setback requirements as indicated within Section 3004, Article 30, Site Regulations within the Zoning Ordinance.
 2. The proposed expansion is consistent with the goals and policies of the General Plan. The General Plan land use designation is Residential Single Family. The location of the site adjacent to Oceanside Boulevard and its long time use as a religious facility will not deter from the adjacent single family residential neighborhood.
 3. The public facilities, services and utilities that serve the site and land use are existing and adequate. The application has been conditioned to improve or provide for future public improvements necessary to serve the site.

15 WHEREAS, the Planning Commission finds that this project is
16 considered to be a minor alteration to an existing facility and
17 in accordance to the provisions of the California Environmental
Quality Act, per Article 19, Section 15301(e)(2)(A & B), is
exempt from the requirements of environmental review.

18 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission
19 does hereby APPROVE CONDITIONAL USE PERMIT C-4-93 and
DEVELOPMENT PLAN D-3-93, subject to the following conditions:

20 Building:

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1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Department plan check.
 2. The granting of approval under this action shall in no way relieve the applicant/project from compliance with all State and local building codes.
 3. Site development, parking, access into buildings and building interiors shall comply with C.A.C. Title 24, Part 2 (Handicapped Access - Nonresidential buildings - O.S.A.)
 4. All electrical, communication, CATV, etc. service lines, within the exterior lines of the property shall be underground (City Code Sec. 6.30).

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1 5. Application for Building Permit will not be accepted for
2 this project until plans indicate that they have been
3 prepared by a licensed design professional (Architect or
4 Engineer). The design professional's name, address, phone
number, State license number and expiration date shall be
printed in the title block of the plans.

5 6. All exiting shall comply with Uniform Building Code,
Chapter 33.

6 7. All outdoor lighting shall conform to Oceanside City Code,
7 Chapter 39 - Light Pollution Ordinance.

8 **Engineering:**

9 8. All conditions as listed under the "Engineering" section
10 within Planning Commission Resolution 89-P96 and as
11 modified under City Council Resolution R90-02, shall also
be applicable on this Conditional Use Permit and
Development Plan.

12 **Fire:**

13 9. Plans shall be submitted to the Fire Prevention Bureau for
14 plan check.

15 10. Fire extinguishers are required and shall be included on
16 the plans submitted for plan check review and approval
prior to the issuance of building permits.

17 **Planning:**

18 11. This Development Plan and Conditional Use Permit shall
19 expire on April 26, 1995 unless implemented as required by
the Zoning Ordinance.

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

22 13. A public facilities fee shall be paid as required by City
policy at the time building permits are issued.

23 14. Landscape plans, meeting the criteria of the City's
24 Landscape Guidelines and Water Conservation Ordinance No.
25 91-15, including the maintenance of such landscaping, shall
26 be reviewed and approved by the City Engineer and Planning
Director prior to the issuance of building permits.
Landscaping shall not be installed until bonds have been
posted, fees paid, and plans signed for final approval.

27 15. A trash enclosure must be provided as required by Chapter
28 13 of the City Code and shall also include additional space
for storage and collection of recyclable materials per City

Planning Commission
Resolution No. 93-P23

May 10, 1993
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standards. The enclosure must be built in a flat, accessible location as determined by the City Engineer. The enclosure shall meet City standards including being constructed of concrete block, reinforced with Rebar and filled with cement. A concrete slab must be poured with a berm on the inside of the enclosure to prevent the bin(s) from striking the block walls. The slab must extend out of the enclosure for the bin(s) to roll out onto. Steel posts must be set in front of the enclosure with solid metal gates. All driveways and service access areas must be designed to sustain the weight of a 50,000 pound service vehicle. Trash enclosures and driveways and service access areas shall be shown on both the improvement and landscape plans submitted to the City Engineer. The specifications shall be reviewed and approved by the City Engineer. If the City's waste disposal contractor is required to access private property to service the trash enclosures, a service agreement must be signed by the property owner and shall remain in effect for the life of the project. All trash enclosures shall be designed to provide user access without the use and opening of the service doors for the bins. This design shall be shown on the landscape plans and shall be approved by the Planning Director.

16. Trash enclosures shall have design features such as materials and trim similar to that of the rest of the project.

17. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written copy of the applications, staff report and resolutions for the project to the new owner and or operator. This notification's provision shall run with the life of the project.

18. Failure to meet any conditions of approval for this development shall constitute a violation of the Conditional Use Permit and Development Plan.

19. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at the time building permits are issued are required to be met by this project. The approval of this project constitutes the applicant's agreement with all statements in the Description and Justification, Management Plan and other materials and information submitted with this application, unless specifically waived by an adopted condition of approval.

20. This Conditional Use Permit shall be called for review by the Planning Commission if complaints are filed and verified as valid by the Code Enforcement Office concerning the violation of any of the approved conditions or assumptions made by the application.

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Planning Commission
Resolution No. 93-P23

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- 1 21. The applicant shall be responsible for trash abatement on
2 the site, and shall keep the site free of litter, trash and
3 other nuisances.
 - 4 22. Elevations, siding materials, colors, and floor plans shall
5 be substantially the same as those approved by the Planning
6 Commission. These shall be shown on plans submitted to the
7 Building Department and Planning Department.
 - 8 23. A covenant or other recordable document approved by the
9 City Attorney shall be prepared by the applicant and
10 recorded prior to issuance of building permits. The
11 covenant shall provide that the property is subject to this
12 Resolution, and shall generally list the conditions of
13 approval.
 - 14 24. Any project entrance signs shall be approved by the
15 Planning Director.
 - 16 25. This Conditional Use Permit is granted for the following
17 use only: a new 5,993 square foot worship facility, Sunday
18 school classrooms, parish hall and a 105 space parking lot.
19 Any change in the use or any change in the structure will
20 require a revision to the Conditional Use Permit or a new
21 Conditional Use Permit.
 - 22 26. This Development Plan approves only the following: the
23 construction of a 5,993 square foot worship facility and
24 landscaping. Any substantial modification in the design or
25 layout shall require a revision to the Development Plan or
26 a new Development Plan.
 - 27 27. All mechanical roof-top and ground equipment shall be
28 screened from public view as required by the Zoning
Ordinance. That is, on all four sides and top. The roof
jacks, mechanical equipment, screen and vents shall be
painted with non-reflective paint to match the roof. This
information shall be shown on the building plans.
 - 28 28. All conditions of approval as specified under Planning
Commission Resolution 89-P96 and as modified under City
Council Resolution R90-02, shall also be applicable on this
Conditional Use Permit and Development Plan.
- Water Utilities:**
- 29 29. No trees or structures shall be located within any public
utility easement.
 - 30 30. The developer shall be responsible for developing all water
and sewer facilities necessary to this property. Any
relocation of water or sewer lines are the responsibility
of the developer.

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31. This project is subject to the development restrictions identified in the City's Water Conservation Ordinance No. 91-15.

32. This project is subject to the requirements of the City's Water Conservation Ordinance No. 91-15, specifically, dual water lines shall be provided on-site in order to facilitate the present and future use of reclaimed water.

33. A separate water meter for irrigation purposes shall be installed.

PASSED on April 26, 1993 by the following vote, to wit:

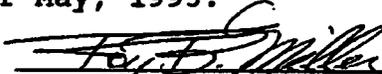
AYES: Martinek, Caballero, Skinner, Messinger, Miller

NAYES: None

ABSENT Altamirano

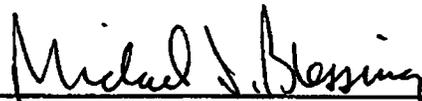
ABSTAIN: Bockman

ADOPTED on this 10 day of May, 1993.



Roy B. Miller, Chairperson

ATTEST:



Michael J. Blessing, Secretary

I, MICHAEL J. BLESSING, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 93-P23.

Dated: 10 May '93

MICHAEL J. BLESSING, Secretary
OCEANSIDE PLANNING COMMISSION

KING OF KING'S TENTATIVE PARCEL MAP
LEGAL DESCRIPTION

ALL THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 11 SOUTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEYS THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24; THENCE ALONG THE NORTH LINE THEREOF NORTH 89° 59' 20" WEST, 100.00 FEET; THENCE SOUTH 03° 04' 00" EAST, 350.50 FEET; THENCE SOUTH 25° 51' 20" WEST, 144.50 FEET; THENCE SOUTH 10° 28' 00" WEST, 78.82 FEET; TO THE TRUE POINT OF BEGINNING THENCE NORTH 89° 59' 20" WEST, 23.00 FEET; THENCE SOUTH 10° 28' 00" WEST, 131.18 FEET; THENCE SOUTH 24° 38' 00" WEST, 90.00 FEET; THENCE SOUTH 09° 15' 00" WEST, 88.00 FEET; THENCE SOUTH 64° 44' 25" WEST, 36.00 FEET TO A POINT IN THE EASTERLY LINE OF HOOVER STREET, AS CONVEYED TO THE CITY OF OCEANSIDE FOR STREET PURPOSES AND RECORDED IN BOOK 1721, PAGE 413 OF DEEDS, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 230.54 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46° 18' 00" FOR AN ARC LENGTH OF 186.30 FEET; THENCE SOUTH 21° 02' 25" WEST, 47.03 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 27.46 FEET, SAID CURVE BEING THAT DESCRIBED IN GRANT OF RIGHT OF WAY FOR PUBLIC HIGHWAY CONVEYED TO THE CITY OF OCEANSIDE AND NAMED LOMA ALTA CANYON DRIVE, RECORDED IN BOOK 301, PAGE 99 OF OFFICIAL RECORDS; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 140° 02' 55" FOR AN ARC LENGTH OF 67.12 FEET; THENCE NORTH 60° 59' 30" EAST, 632.29 FEET ALONG THE NORTHERLY LINE OF SAID LOMA ALTA CANYON DRIVE TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 56.77 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 105° 45' 25" FOR AN ARC LENGTH OF 104.79 FEET TO THE SOUTHWESTERLY LINE OF MACDONALD STREET AS CONVEYED TO THE CITY OF OCEANSIDE FOR STREET PURPOSES AND RECORDED IN BOOK 1723, PAGE 363 OF DEEDS OF SAN DIEGO COUNTY; THENCE NORTH 44° 55' 45" WEST, 238.49 FEET ALONG SAID SOUTHWESTERLY LINE OF MACDONALD STREET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT CONCAVE TO THE EAST HAVING A RADIUS OF 320.13 FEET; THENCE NORTHERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 8.81 FEET; THENCE NORTH 89° 59' 20" WEST, 288.46 FEET TO THE TRUE POINT OF BEGINNING.



**CITY OF OCEANSIDE
PLANNING DEPARTMENT**

Revised April 1992

NOTICE OF EXEMPTION

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

PROJECT TITLE AND FILE NUMBER:
KING OF KINGS CHURCH (C-4-93)

PROJECT LOCATION - SPECIFIC:
2993 MacDonald Street

PROJECT LOCATION - GENERAL:
City of Oceanside

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
Addition of a 5,993 square feet church building to an existing church site.

NAME OF PUBLIC AGENCY APPROVING PROJECT:
City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:
King of Kings Lutheran Church

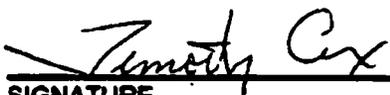
Exempt Status per the Guidelines to Implement the California Environmental Quality Act (CEQA)
(Public Resources Code Section 21000 et. al.):

- NOT SUBJECT TO CEQA PER THE GENERAL RULE, SECTION 15061(B)(3)
- STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S) _____
- CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION(S) 15301(e)(2)(A & B)

REASONS WHY PROJECT IS EXEMPT:

Minor alteration of existing facilities including addition to existing structures that will not result in an increase of more than 10,000 square feet in an area where all public services are available to allow development consistent with the General Plan. The site is not considered environmentally sensitive.

Contact Person:
Tim Cox, Environmental Planner

 March 29, 1993

 SIGNATURE DATE
 For: Michael Blessing, Planning Director



**CITY OF OCEANSIDE
PLANNING DEPARTMENT**

NEGATIVE DECLARATION

TO: OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET, ROOM 121
SACRAMENTO, CA 95814

 X COUNTY CLERK
COUNTY OF SAN DIEGO
220 WEST BROADWAY
SAN DIEGO, CA 92101

PROJECT TITLE AND FILE NUMBER:

KING OF KINGS LUTHERAN CHURCH (P-2-89)

PROJECT LOCATION:

2993 MacDonald Street

PROJECT DESCRIPTION:

Tentative Parcel Map for the subdivision of a 4.80 acre lot into three (3) parcels.

FINDING: Pursuant to the provisions of Ordinance No. 88-31 pertaining to procedures and guidelines to implement the California Environmental Quality Act (Public Resources Code Section 21000 et. al.), the proposed project has been reviewed by the Environmental Review Committee established by ordinance to be responsible for evaluating the information. The Environmental Review Committee, after study of the facts and findings, has on July 12, 1989 determined that the project will not have a significant effect on the environment.

THE PROJECT WAS DETERMINED TO HAVE NO MAJOR SIGNIFICANT ADVERSE EFFECTS UPON THE ENVIRONMENT.

THE PROJECT WAS DETERMINED TO HAVE NO MAJOR SIGNIFICANT ADVERSE EFFECTS UPON THE ENVIRONMENT PER COMPLIANCE WITH THE FOLLOWING CONDITIONS:

Initial Study prepared by:
Rose Griscom/Tim Cox

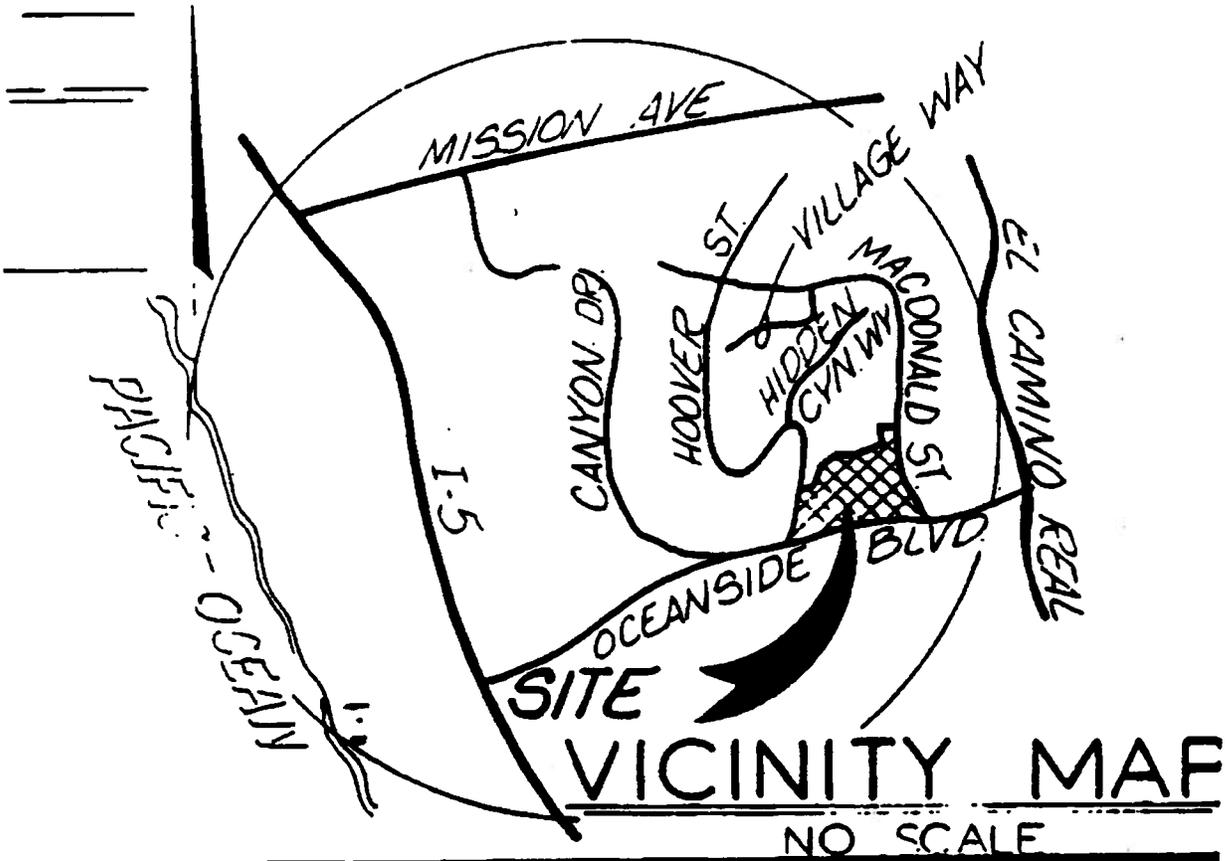
Contact Person:
Tim Cox, Environmental Planner

The Initial Study is available for public review and may be examined at:

City of Oceanside
Planning Department
320 North Horne Street
Oceanside, CA 92054

Michael Blessing
SIGNATURE
For: Michael Blessing, Planning Director

7/12/89
DATE



King of Kings (P-2-89)

INITIAL STUDY

1. PROJECT DESCRIPTION AND SETTING

- 1. Name of Proponent King of Kings Lutheran Church
- 2. Address and Phone Number of Proponent:
2993 Macdonald Street
Oceanside CA 92054 619-757-2525
- 3. Name of Proposal, if applicable King of Kings Lutheran Church
- 4. APN(s) 149-380-15 + 16 5. Application(s) # P-2-89
- 6. Have previous EIR's been prepared in area? Proximity:
 For which project?
- 7. Project Description: Tentative Parcel Map to subdivide a 4.80 acre lot into 3 lots. Site is zoned public/semi-public and contains a church and parish. Two proposed lots will contain the existing facilities; the third lot will remain undeveloped at this time. No grading proposed.
- 8. Environmental Setting: Site presently contains a church and associated facilities (parking, parsonage, office/storage building) on the level pad above Oceanside Blvd. Pad has been recently graded and is unvegetated. Site slopes steeply to the south to Oceanside Blvd and west to Hoover St. Slopes are sparsely vegetated with trees, shrubs and grasses. Drainage adjacent to Hoover St. contains mature trees and grasses and a concrete-lined ditch. Drainage facilities exist on the pad and slope and tie into City storm drain system. Surrounding uses include commercial to the south across the street; residential to the north, east, and west.

ENVIRONMENTAL IMPACTS

- 1. EARTH. Will the proposal result in: YES MAYBE NO
- a. Unstable earth conditions or in changes in geologic sub-structures? no grading proposed X
- Geologic site survey for subsurface conditions is recommended.
- Effect of Excavation needs verification.
- Slope stability is questioned.
- Soil sample tests and special foundation design are recommended.
- Other.
- b. Disruptions, displacements, compaction or over-covering of the soil? X
- c. Changes in topography or ground surface relief features? X

5c. or other special features? _____ X

- Geologic site survey or subsurface conditions is recommended.
- Effect of excavation needs verification.
- Other.

e. Any increase in wind or water erosion of soils, either on or off the site? *erosion control per City Building Ordinance* _____ X

- Erosion hazard is expected, and siltation control is needed.
- Other.

f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake? _____ X

- Tsunami hazard is expected, storm conditions, sand supply and movement needs verification.

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? _____ X

- Seismic shaking is expected.
- Slope stability is questioned.
- Soil sample tests and special foundation design are recommended.
- Geologic site survey for subsurface conditions is recommended.
- Effect of excavation is questioned.

2. AIR. Will the proposal result in:

a. Substantial air emissions or deterioration of ambient air quality? *no additional traffic* _____ X

b. The creation of objectionable odors? _____ X

c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? _____ X

3. WATER. Will the proposal result in:

a. Changes in currents or the course or direction of water movements, in either marine or fresh waters? _____

b. Changes in absorption rates, drainage patterns or the rate and amount of surface water runoff? _____

c. Alterations to the course or flow of flood waters? _____ X

d. Change in the amount of surface water in any water body? _____ X

e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? _____ X

f. Alteration of the direction or rate of flow of ground waters? _____ X

g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? _____ X

h. Substantial reduction in the amount of water otherwise available for public water supplies? _____ X

i. Exposure of people or property to water related hazards such as flooding or tidal waves? _____ X

4. PLANTS. Will the proposal result in:			
a. Change in the diversity of species, or number of species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	—	—	X
b. Reduction of the numbers of any unique, rare or endangered species of plants?	—	—	X
c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	—	—	X
d. Reduction in acreage of any agricultural crop?	—	—	X
5. ANIMAL LIFE. Will the proposal result in:			
a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms or insects)?	—	—	X
b. Reduction of the numbers of any unique, rare or endangered species of animals?	—	—	X
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	—	—	X
d. Deterioration to existing fish or wildlife habitat?	—	—	X
6. NOISE. Will the proposal result in:			
a. Increases in existing noise levels?	—	—	X
b. Exposure of people to severe noise levels?	—	—	X
7. LIGHT AND GLARE. Will the proposal produce new light or glare? <i>Future development lighting per City Land Use Element to reduce glare off-site</i>	—	—	X
8. LAND USE. Will the proposal result in a substantial alteration of the present or planned land use of an area?	—	—	X
9. NATURAL RESOURCES. Will the proposal result in:			
a. Increase in the rate of use of any natural resources?	—	—	X
b. Depletion of any nonrenewable resource such as fuel for energy generation or mineral extractions?	—	—	X
10. RISK OF UPSET. Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	—	—	X
11. POPULATION. Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?	—	—	X
12. HOUSING. Will the proposal affect existing housing, or create a demand for additional housing?	—	—	X
13. TRANSPORTATION/CIRCULATION. Will the proposal result in:			
a. Generation of substantial additional vehicular movement?	—	—	X
b. Effects on existing parking facilities, or demand for new parking?	—	—	X
c. Substantial impact upon existing transportation systems?	—	—	X
d. Alterations to present patterns of circulation or movement of people and/or goods?	—	—	X
e. Alterations to waterborne, rail or air traffic?	—	—	X
f. Increase in traffic hazard, to motor vehicles, bicyclists or pedestrians?	—	—	X

	YES	MAYBE	NO
14. PUBLIC SERVICES. Will the proposal have an effect upon or result in a need for new or additional governmental services in any of the following areas:			
a. Fire protection?	---	---	X
b. Police protection?	---	---	X
c. Schools?	---	---	X
d. Parks or other recreational facilities?	---	---	X
e. Maintenance of public facilities, including roads?	---	---	X
f. Other governmental services?	---	---	X
15. ENERGY. Will the proposal result in:			
a. Use of substantial amounts of fuel or energy?	---	---	X
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	---	---	X
16. UTILITIES. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:			
a. Power or natural gas?	---	---	X
b. Communications systems?	---	---	X
c. Water?	---	---	X
d. Sewer or septic tanks?	---	---	X
e. Storm water drainage?	---	---	X
f. Solid waste and disposal?	---	---	X
17. HUMAN HEALTH. Will the proposal result in:			
a. Creation of any health hazard or potential health hazard (excluding mental health)?	---	---	X
18. AESTHETICS. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?	---	---	X
19. RECREATION. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?	---	---	X
20. ARCHAEOLOGICAL/HISTORICAL. Will the proposal result in an alteration of a significant archaeological or historical site, structure, object or building? <i>NO KNOWN RESOURCES ON-SITE</i>	---	---	X
21. PUBLIC INTEREST. Is there known public controversy concerning the environmental effects of the project?	---	---	X

a. Does the project have potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or, eliminate important examples of the major periods of California history or prehistory?

YES NO

— — X

b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)

— — X

c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)

— — X

d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

— — X

V. MITIGATION MEASURES

None needed

V. DISCUSSION OF ENVIRONMENTAL EVALUATION

Initial Study Prepared By: Rene Garrison from Cox and accepted as to content by the City Environmental Review Committee.

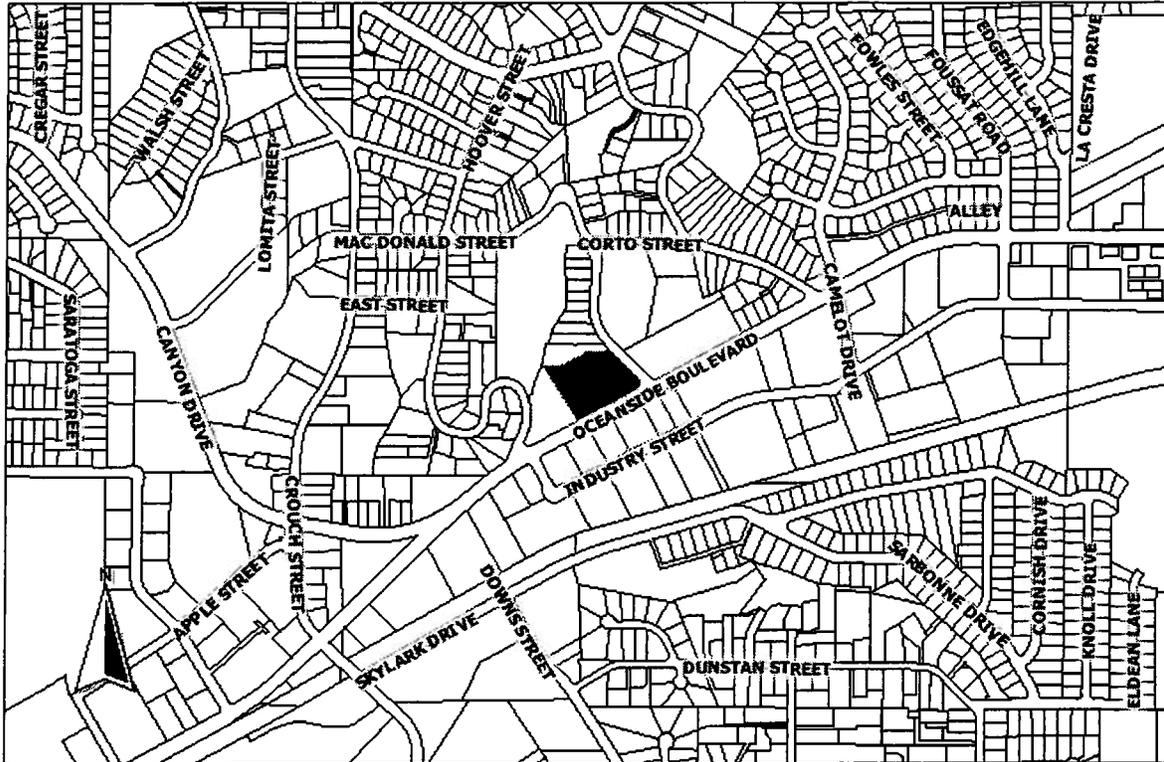
I. DETERMINATION

On the basis of this initial evaluation, the City Environmental Review Committee finds:

- the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- the proposed project could have a significant effect on the environment, but there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **NEGATIVE DECLARATION** will be prepared.
- the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

Date: 7/11/89

Rene Garrison
Responsible Officer



File Number: D-3-93REV07, C-4-93REV07

Applicant: King of Kings Lutheran Church

Description:

REVISION to DEVELOPMENT PLAN (D-3-93) and CONDITIONAL USE PERMIT (C-4-93) to replace two existing 1,750-square foot buildings with one new 6,200-square foot Fellowship Hall building and to add a 598-square foot addition to the existing Nursery of a church located at 2993 MacDonalD Street. Phase Two of the project will include a 525-square foot expansion to the Administrative Offices and a 600-square foot addition to the existing Narthex. The project site is zoned PS (Public and Semipublic) and is situated within the Loma Alta Neighborhood. – **KING OF KINGS CHURCH REVISION**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

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

Application For Planning Commission Hearing				STAFF USE ONLY	
Planning Department (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885 Please Print or Type All Information				RECEIVED AUG 02 2007 ACCEPTED BY 8/2/07 SN.	
PART I - APPLICANT INFORMATION				HEARING	
1. APPLICANT		2. STATUS		GPA	
KING OF KINGS LUTHERAN CHURCH		OWNER		MASTER/SP.PLAN	
3. ADDRESS		4. PHONE/FAX		ZONE CH.	
2993 MAC DONALD STREET		760/757-2525		TENT. MAP	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)				PAR. MAP	
GROTH ARCHITECTS INC. (GLENN GROTH)				DEV. PL. D-3-93 REV 07	
6. ADDRESS		7. PHONE/FAX		C.U.P. C-4-93 REV 07	
3355 MISSION AVE. # 234 (92058) OCEANSIDE		760/754-8191		VARIANCE	
PART II - PROPERTY DESCRIPTION				COASTAL	
8. LOCATION				O.H.P.A.C.	
2993 MAC DONALD ST. OCEANSIDE				9. SIZE	
				3.38 ACRES	
10. GENERAL PLAN	11. ZONING	12. LAND USE	13. ASSESSOR'S PARCEL NUMBER		
SING. FAM. DET.	PS	RELIGIOUS ASSEMBLY	149-380-18,20		
PART III - PROJECT DESCRIPTION					
14. GENERAL PROJECT DESCRIPTION REPLACE AN EXISTING 3800 SQ. FT. FELLOWSHIP HALL BUILDING WITH A NEW 6200 SQ. FT. BUILDING AND ADD A 598 SQ. FT. ADDITION TO THE EXISTING NURSERY. ALSO SHOW LOCATIONS OF POSSIBLE FUTURE BUILDING(S) AND ADDITIONS - AMENDMENT TO CUP-C-4-93 Rev-10/10/07, 12/19/07					
15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING	17. PROPOSED LAND USE	18. NO. UNITS	19. DENSITY	
SAME	SAME	SAME	NA	NA	
20. BUILDING SIZE	21. PARKING SPACES	22. % LANDSCAPE	23. % LOT COVERAGE		
5993 EXISTING 6798 NEW	104 EXISTING	54%	8% EXIST. AND NEW		
PART IV - ATTACHMENTS					
ALL APPLICATIONS			DEV. PLANS, C.U.P.s & TENT. MAPS		
<input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION		<input checked="" type="checkbox"/> 30. FLOOR PLANS AND ELEVATIONS		
<input checked="" type="checkbox"/> 26. 300-FT. RADIUS MAP	<input checked="" type="checkbox"/> 27. PROPERTY OWNERS' LIST		<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					
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):		34. DATE	37. OWNER (Print)		38. DATE
GLENN F. GROTH		7/25/07	Donald R. Miller President		7-25-07
Sign: <i>Glenn F. Groth</i>			Sign: <i>Donald R. Miller</i>		
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.					
35. APPLICANT (Print):		36. DATE	39. OWNER (Print):		40. DATE
GROTH ARCHITECTS INC.		7/25/07			
Sign: <i>Glenn F. Groth</i>			Sign:		

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DESCRIPTION AND JUSTIFICATION

Revision #1

RESPONSE TO CITY OF OCEANSIDE PLANNING COMMENT #2 OF NOVEMBER 09,2007
AND MEETING WITH PLANNER SALLY SCHIFMAN NOVEMBER 15,2007

King of kings Lutheran Church is a member congregation of the Evangelical Lutheran Church in America (ELCA) and is a nonprofit corporation under the Laws of the State of California. The congregation, founded in 1961, is dedicated to serving the needs of its growing congregation and community.

Parcel 1 (2.79 acres) is currently the site of a 5,993 sq ft Sanctuary built in 1994, as well as the church's two original structures, which provide an additional 3,800 sq ft of Sunday school rooms, meeting space and storage. Parcel 3 (.61 acres) houses the 1,550 sq ft original parsonage structure and is currently used for youth activities, Sunday School and storage. Parcels 1 and 3 will be combined, via a Lot Line Vacation, to create a total lot area of 3.4 acres. (Parcel 2 is not a part of this C.U.P. application.)

The current 401-member congregation provides a full range of activities and programs for worship and learning, along with opportunities for service to the community, the nation and the world. Programs include religious worship, Sunday school, adult and youth classes, music and drama programs, study and fellowship activities. The congregation is also involved with community service projects through the Ecumenical Service Center in Oceanside, Transient Lodging Program, Tri-City Medical Center Hospital Chaplaincy and others. Members of the congregation are encouraged to do volunteer work in the community through such agencies as Meals on Wheels, hospital volunteer programs, community youth activities, summer vacation Bible school and support of military families and personnel.

The present Fellowship Hall is used by community service groups such as Alcoholics Anonymous, Disabled American Veterans and several other fledgling religious groups for worship. The congregation provides emergency awareness programs and also supports efforts for long-term solutions to such problems as homelessness and drug/alcohol abuse in the community.

With significant growth of the Oceanside area and in church activities over the past 50 years, the original parish hall and Sunday school building have become inadequate to meet the program needs of the congregation. Neither 1,800 sq ft building can individually house a full congregational dinner or assembly program. Mechanical systems are either inefficient or have failed completely. Structural systems, walls, beams, roof and windows have deteriorated beyond the point of practical repair or cost-effective replacement. Neither toilet facilities nor adjacent site approaches meet ADA requirements. The existing buildings must be replaced.

The existing nursery, a 15' x 11' room in the new Sanctuary building, is used primarily during church services and can comfortably accommodate only 3 to 4 children plus an attendant. It has a counter with sink and a diaper-changing area, but does not have its own bathroom.

Two (2) phases of construction are proposed. Phase One (1) is to build a 598 sq ft addition to the nursery with its own toilet, a large play area and separate crib area to accommodate the young families of the congregation. It will also serve as an additional Sunday school room between church services and may function as a preschool or learning center during the week.

Another immediate use of the addition will be to provide a temporary meeting and storage space between the time that the old buildings are demolished and the replacement structure is completed.

The second part of Phase One (1) is the Construction of the Fellowship Hall which will immediately follow the completion of the nursery addition. The 6,200 sq ft building will replace the two original 3800 sq. ft. buildings in almost the exact footprint location. It will have an assembly area of 40' x 45' and be expandable into an adjacent 19' x 29' room in order to accommodate approximately 160 dining and 300 in assembly. The existing sanctuary and new assembly area will not be used simultaneously. The facility will include: rooms for Sunday school classes and meetings of various sizes; a platform stage for dramas, music programs and contemporary worship; a large kitchen with pantry and extra storage space for emergency preparedness supplies; a large gathering room, with separate ADA compliant toilet and shower and kitchenette, that can be used as a green room/dressing room for performances, a youth rec room,, function as a pre-school or learning center during the week or for emergency overnight accommodations; the building also provides ADA compliant toilet facilities; yard maintenance space; storage for drama, tables and chairs, etc.

Phase Two (2) is to follow Phase One within five (5) years from the C.U.P. approval date. This phase will consist of a an approximate 525 sq. ft. addition to the Administrative wing of the church and a 600 sq. ft addition to the existing Narthex.

This request is for an amendment to our current Conditional Use Permit C-4-93 to permit us to proceed with Phase One immediately as described above because the proposed construction is needed to accommodate the current program needs. Phase Two will follow when and if the need arises. No architectural changes are shown on the drawings for Phase Two because the actual program is unknown at this time.

All future additions and buildings requiring amendments to the C.U.P. will be made when the need for their implementation arises. The congregation intends to continue to use the existing parsonage building for youth, Sunday school and storage with the possibility of remodeling it back into a parsonage for an associate pastor if the need arises.

The replacement building and nursery addition are consistent with the present activities and programs of the church as covered in the Conditional Use Permit C-4-93 granted in 1993:

"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 the general welfare of the City."

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

RESPONSE TO ITEM #5
CITY OF OCEANSIDE PLANNING COMMENTS OF NOVEMBER 9, 2007

As the architect for the original Sanctuary building and the proposed Fellowship Hall replacement building, I find the design of the Fellowship structure complementary to both the original Sanctuary and the surrounding residential neighborhood buildings. Other shapes were investigated during design. The "box" or square shape was found to be least complimentary due to the proportions required to accommodate the program needs including drama, recreation and assembly and did not fit that well with the neighborhood residential look.

The second reason for the pitched roof was to be in accord with today's emphasis on energy conservation, L.E.E.D. design (Leadership in Energy and Environmental Design) and Green buildings. A gabled roof encloses the same functional space with less volume and building materials than a square shape thus saving energy and resources.

Gable roofs are found on the existing church at all the "pop-outs", the bell tower and the roof over the entry narthex and the exterior protection canopy. The gable roof is complementary.

The composition roofing material is also appropriate in complementing the composition roofing found on all the surrounding residential structures, the church up the street and the existing parsonage on the site. The roofing will be a Class A fire resistive, heavy duty composition shingle in a color to complement the two color stucco finish on the proposed and existing Sanctuary structure.

In conclusion, we do not see a need to change the architecture or the roofing material.

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KING OF KING'S TENTATIVE PARCEL MAP
LEGAL DESCRIPTION

ALL THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 11 SOUTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEYS THEREOF, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24; THENCE ALONG THE NORTH LINE THEREOF NORTH 89° 59' 20" WEST, 100.00 FEET; THENCE SOUTH 03° 04' 00" EAST, 350.50 FEET; THENCE SOUTH 25° 51' 20" WEST, 144.50 FEET; THENCE SOUTH 10° 28' 00" WEST, 78.82 FEET; TO THE TRUE POINT OF BEGINNING THENCE NORTH 89° 59' 20" WEST, 23.00 FEET; THENCE SOUTH 10° 28' 00" WEST, 131.18 FEET; THENCE SOUTH 24° 38' 00" WEST, 90.00 FEET; THENCE SOUTH 09° 15' 00" WEST, 88.00 FEET; THENCE SOUTH 64° 44' 25" WEST, 36.00 FEET TO A POINT IN THE EASTERLY LINE OF HOOVER STREET, AS CONVEYED TO THE CITY OF OCEANSIDE FOR STREET PURPOSES AND RECORDED IN BOOK 1721, PAGE 113 OF DEEDS, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 230.54 FEET; THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 46° 18' 00" FOR AN ARC LENGTH OF 186.30 FEET; THENCE SOUTH 21° 02' 35" WEST, 47.03 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 27.46 FEET, SAID CURVE BEING THAT DESCRIBED IN GRANT OF RIGHT OF WAY FOR PUBLIC HIGHWAY CONVEYED TO THE CITY OF OCEANSIDE AND NAMED LOMA ALTA CANYON DRIVE, RECORDED IN BOOK 301, PAGE 99 OF OFFICIAL RECORDS; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 140° 02' 55" FOR AN ARC LENGTH OF 67.12 FEET; THENCE NORTH 60° 59' 30" EAST, 632.29 FEET ALONG THE NORTHERLY LINE OF SAID LOMA ALTA CANYON DRIVE TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 56.77 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 105° 45' 25" FOR AN ARC LENGTH OF 104.79 FEET TO THE SOUTHWESTERLY LINE OF MACDONALD STREET AS CONVEYED TO THE CITY OF OCEANSIDE FOR STREET PURPOSES AND RECORDED IN BOOK 1723, PAGE 363 OF DEEDS OF SAN DIEGO COUNTY; THENCE NORTH 44° 55' 45" WEST, 238.49 FEET ALONG SAID SOUTHWESTERLY LINE OF MACDONALD STREET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT CONCAVE TO THE EAST HAVING A RADIUS OF 320.13 FEET; THENCE NORTHERLY ALONG SAID CURVE FOR AN ARC LENGTH OF 8.81 FEET; THENCE NORTH 89° 59' 20" WEST, 288.46 FEET TO THE TRUE POINT OF BEGINNING.



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:	04/08/2008
Removal:	10/08/2008
(180 days)	

1. **APPLICANT:** King of Kings Lutheran Church
2. **ADDRESS:** 2993 MacDonald Street, Oceanside, CA 92054
3. **PHONE NUMBER:** (760) 757-252545
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Sally Schiffman
6. **PROJECT TITLE:** King of Kings Church Revision (D-3-93REV07, C-4-93REV07)
7. **DESCRIPTION:** A Revision to Development Plan (D-3-93) and Conditional Use Permit (C-4-93) to replace two existing 1,750-square foot buildings with one new 6,200-square foot Fellowship Hall building and to add a 598-square foot addition to the existing Nursery of a church located at 2993 MacDonald Street. Phase Two of the project will include a 525-square foot expansion to the Administrative Offices and a 600-square foot addition to the existing Narthex.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- [x] The project is categorically exempt, Class 2, Replacement or Reconstruction (Section 15302); or,
- [] "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- [] The project is statutorily exempt, Section , <name> (Sections 15260-15277); or,
- [] The project does not constitute a "project" as defined by CEQA (Section 15378).

Date: April 8, 2008

Sally Schiffman, Planner II

cc: [x] Project file [x] Counter file [x] Library