



## STAFF REPORT

### OCEANSIDE HISTORIC PRESERVATION ADVISORY COMMISSION

DATE: June 2, 2009

TO: Chairman and Members of OHPAC

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN (D-13-08), CONDITIONAL USE PERMIT (C-38-08), AND HISTORIC PERMIT (H-4-08) FOR THE EXPANSION AND DEVELOPMENT OF NEW EQUESTRIAN FACILITIES, INCLUDING TWO SHED ROW STABLES TOTALING 10,176 SQ. FT. WITH PIPE CORRALS, TWO MODULAR CLASSROOMS TOTALING 1,053 SQ. FT., A 211.1 SQ. FT. RESTROOM BUILDING, TWO SAND BASED RIDING ARENAS, AN OPEN JUMPING AREA, AND A 12'-0" WIDE CANTERING TRACK AROUND THE PERIMETER OF THE EQUESTRIAN FACILITIES LOCATED AT THE SOUTHEAST CORNER OF MISSION AVENUE AND RANCHO DEL ORO DRIVE WITHIN THE MISSION SAN LUIS REY NEIGHBORHOOD-  
APPLICANT: IVEY RANCH PARK ASSOCIATION**

#### RECOMMENDATION

Staff recommends that the Oceanside Historic Preservation Advisory Commission adopt OHPAC Resolution No. 2009-H01 recommending approval of a Development Plan (D-13-08), Conditional Use Permit (C-38-08), and Historic Permit (H-4-08) to the Planning Commission for final action.

#### PROJECT DESCRIPTION AND BACKGROUND

##### **Background:**

On April 2, 1997 The City of Oceanside entered into a property use agreement with the Ivey Ranch Park Association for the purpose of utilizing portions of the park to provide recreational and educational programs and services for disabled and able bodied persons, including Oceanside Citizens. The subject agreement has been amended two times, on January 17, 2001 and again on April 14, 2004.

On January 9, 2008 The City of Oceanside executed an amended and restated property use agreement with the Ivey Ranch Park Association to allow the expansion and development of Equestrian Facilities on a 0.95 acre portion of the Ivey Ranch Park located north of the park's interior road and easterly of the Casa De Amparo use area and to establish timelines to complete certain development requirements.

## **Site Review:**

The proposed project site has a zoning designation of (OS-H), Open Space with a Historic Overlay, and a General Plan Land Use designation of (OS), Open Space. The proposed area identified for the equestrian facilities expansion is a disturbed, relatively flat area within the central portion of the overall park area. Development of the site for the expansion of the existing therapeutic riding and equestrian center programs would include the construction of two shed row stables totaling 10,176 sq. ft. with pipe corrals, two modular classrooms totaling 1,053 sq. ft., a 211.1 sq. ft., restroom building, two sand based riding arenas, an open jumping area, and a 12'-0" wide cantering track around the perimeter of the equestrian facilities. Beyond development of the site with equestrian oriented structures, the expansion of the use would increase the number of horses on site from 14 to a maximum of 30 in order to contend with the demand for the services.

Surrounding land uses within the park include similar community service providers such as Canine Companions for Independence to the south west, Casa de Amparo to the west, park area tot lot to the east, and the Ivey Ranch House to the north. Land uses outside of the park area, but adjacent to Ivey Ranch Park consist of the Mission San Luis Rey to the northwest, the San Luis Rey Parish to the north, undeveloped (PS) Public & Simi Public zoned land to the west and east, and State Highway SR76 to the south with residential south of SR76. The project site is located at the southeast corner of Mission Avenue and Rancho del Oro drive within the Mission San Luis Rey neighborhood.

## **Project Description:**

The project application is comprised of three components: a Development Plan (D), Conditional Use Permit (CUP), and Historic Permit (H) as follows:

Development Plan D-13-08 represents a request for the following:

- (a) A request to expand the existing equestrian facilities by constructing two shed row stables totaling 10,176 sq. ft. with pipe corrals, two modular classrooms totaling 1,053 sq. ft., a 211.1 sq. ft. restroom building, two sand based riding arenas, an open jumping area, and a 12'-0" wide cantering track around the perimeter of the equestrian facilities within the center of the Ivey Ranch Park.

Conditional Use Permit C-38-08 represents a request for the following:

- (a) To permit the establishment of the equestrian center expansion, considered a Park and Recreation Facility within an Open Space (OS) district in accordance with Article 15 Section 1520 of the Oceanside Zoning Ordinance.

Historic Permit H-4-08 represents a request for the following:

- (a) A Historic Permit is required in order to permit the expansion and development of equestrian facilities within Ivey Ranch Park located within the boundaries of the Historic Overlay District pursuant to Article 21 Section 2111.

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

1. General Plan
2. Mission San Luis Rey Historic Area Development Program and Design Guidelines (Excluding Architectural Guidelines)
3. Zoning Ordinance
4. California Environmental Quality Act
5. Amended and Restated Property Use Agreement

## **ANALYSIS**

### **KEY PLANNING ISSUES**

#### **1. General Plan Conformance**

The project site is designated as Open Space (OS) on the Land Use Map. The proposed expansion and development of equestrian facilities within Ivey Ranch Park is consistent with the goals and objectives of the City's General Plan, as follows:

##### **A. Land Use Element I. Community Enhancement**

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

##### **1.33 Historic Areas and Sites**

**Policy A:** The City shall utilize adopted criteria, such as the "Mission San Luis Rey Historic Area Development Program and Design Guidelines," to preserve and further enhance designated historic or cultural resources.

Staff has reviewed the request to expand the existing therapeutic riding and equestrian center programs through the construction of two shed row stables totaling 10,176 sq. ft. with pipe corrals, two modular classrooms totaling 1,053 sq. ft., a 211.1 sq. ft., restroom building, two sand based riding arenas, an open jumping area, and a 12'-0" wide cantering track around the perimeter of the equestrian facilities and has determined that the expansion into the central portion of Ivey Ranch Park, is consistent with the original parks vision to establish community service providers/organizations within the overall park layout, while ensuring that the new development does not detract from the significance of the Historic Mission San Luis Rey as viewed from the Mission San Luis Rey grounds and/or the Mission itself. The proposed expansion will further increase the ability of the Ivey Ranch Park Association to provide additional desired and needed therapeutic riding services from 70 to 280 disabled and able bodied persons, including Oceanside Citizens, per week.

## 2. Zoning Compliance

This project is located within an Open Space with a Historic Overlay (OS-H) zone district which establishes and regulates development standards through a Use Permit. The following table summarizes the proposed site development standards to be established for the 0.95 acre portion of the Ivey Ranch Park being considered as part of Conditional Use Permit (C-38-08):

	EXISTING	PROPOSED
LOT SIZE	2.96 Acres	0.95 Acres
SETBACKS	Per Use Permit	Front (Street) Classroom 34'-0" (Adjacent to Casa de Amparo)  <u>Side Setbacks</u> Classroom 50'-0" Restroom 60'-0" Stables 55'-0" Corrals 31'-0"  <u>Setback of Corrals</u> Casa de Amparo 87'-0" Ivey Ranch House 80'-0"
PARKING	Total Existing Per Use Permit: <u>119 common shared spaces</u> <u>throughout Ivey Ranch Park</u>	2 New Spaces 1 Regular 1 Handicap
BUILDING HEIGHT	Per Use Permit	Stables – 15'-0" Classrooms - 15'-0" (Top of Parapet) Restroom – 11'-1"

Staff has reviewed the development regulations proposed as part of Conditional Use Permit (C-38-08) and has determined that the proposed standards to be implemented into the expansion area of Ivey Ranch Park are consistent with the intent of the original objectives to create a park like setting developed based on the original Ranch use of the property and for the purpose of providing community services for disabled and able-bodied persons, as well as the citizens of Oceanside.

### 3. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	Open Space OS	Open Space- Historic Overlay OS-H	Community Services Such As Casa de Amparo Canine Companion
North of Subject Property:	Public & Institutional PI	Planned Development- Historic Overlay PD-19-H & Public & Semi Public- Historic Overlay PS-H	Religious/ Visitor Serving/Institutional Such As Mission San Luis Rey Mission Parish Vacant Undeveloped Land
East of Subject Property:	Single Family Detached Residential SFD-R & Special Commercial	Single Family Residential-Historic Overlay RS-H & Special Commercial Highway Oriented Historic Overlay CS-HO-H	Residential & Commercial Retail
South of Subject Property:	Highway 76 & Medium Density Residential B MDB-R	Medium Density Residential B Historic Overlay RM-B-H & Planned Development PD-9	Single Family Residence & Multi-Family Residential
West of Subject Property:	Civic & Institutional CI & Open Space OS	Public & Semi Public- Historic Overlay PS-H and Open Space- Historic Overlay OS-H	Undeveloped Land serving as a Drainage Basin & Cemetery

The proposed expansion to the previously approved Ivey Ranch Park Equestrian Facilities and development within the center portion of the park has been determined to be compatible with and complimentary to the surrounding built environment and the original vision for Ivey Ranch Park; as well as, with their respective amended and restated use agreement executed on January 9, 2008. Staff has concluded that the expansion of the equestrian facilities and modifications to infrastructure improvements proposed will not result in any serious public safety or health issues due to the proximity of the site and the types of uses immediately adjacent to the site.

## **DISCUSSION**

### **Issue: Consistency and Compatibility with the Historic Mission San Luis Rey**

The primary issue of compatibility with the Historic Mission San Luis Rey is derived from the fact that the Mission San Luis Rey remains a National Historic Landmark with preservation and protection of the resource being the primary objective to be considered in all development within the Historic Core Area. Staff has determined that the use of low profile accessory structures and incorporation of ranch style design elements noted throughout the Ivey Ranch Park area, coupled with an appropriate landscape palette, are minor modifications that will not detract from the historic significance of the Mission San Luis Rey.

### **Recommendation**

Staff recommends that OHPAC concur with staffs findings and conclusions that the equestrian facility expansion within Ivey Ranch Park will not negatively impact surrounding land uses, or significantly alter the historical significance of the Mission San Luis Rey, and supports the applicant's request based upon the determination that the community service offered by the use is a significant benefit to the community of Oceanside and its residents and will assist in fulfilling the site development originally envisioned for Ivey Ranch Park.

## **ENVIRONMENTAL 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. Based on that review, staff finds that the proposed project constitutes accessory (appurtenant) structures, and the project is categorically exempt, Class 3, "New construction" (Section 15303(e)).

## **RECOMMENDATION**

Staff recommends that the Oceanside Historic Preservation Advisory Commission adopt OHPAC Resolution No. 2009-H01 recommending approval of a Development Plan (D-13-08), Conditional Use Permit (C-38-08), and Historic Permit (H-4-08) to the Planning Commission for final action.

**SUBMITTED BY:**



Richard Greenbauer  
Senior Planner

## **ATTACHMENTS:**

1. OHPAC Resolution No. 2009-H01
2. Summary of the Amended and Restated Property Use Agreement dated December 23, 2008

OCEANSIDE HISTORIC PRESERVATION  
ADVISORY COMMISSION  
RESOLUTION NO. 2009-H01

A RESOLUTION OF THE OCEANSIDE HISTORIC PRESERVATION  
ADVISORY COMMISSION OF THE CITY OF OCEANSIDE,  
CALIFORNIA RECOMMENDING APPROVAL OF A DEVELOPMENT  
PLAN, CONDITIONAL USE PERMIT, AND A HISTORIC PERMIT ON  
CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: D-13-08, C-38-08, & H-4-08  
APPLICANT: Ivey Ranch Park Association  
LOCATION: 110 Rancho Del Oro Drive (Ivey Ranch Park)

THE OCEANSIDE HISTORIC PRESERVATION ADVISORY COMMISSION OF THE  
CITY OF OCEANSIDE, CALIFORNIA DOES RESOLVE AS FOLLOWS:

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

Expansion and development of new equestrian facilities, including two shed row stables totaling 10,176 sq. ft. with pipe corrals, two modular classrooms totaling 1,053 sq. ft., a 211.1 sq. ft. restroom building, two sand based riding arenas, an open jumping area, and a 12'-0" wide cantering track around the perimeter of the equestrian facilities on a .95 acre portion of Ivey Ranch Park in accordance with the amended and restated Property Use Agreement executed on January 9, 2008;

On certain real property described in the project description.

WHEREAS, the Oceanside Historic Preservation Advisory Commission, after giving the required notice, did on the 2nd day of June, 2009, conduct a duly advertised public hearing as prescribed by law to consider said application.

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

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1 FINDINGS:

- 2 1. The proposed location of the use is in accord with the objectives of this ordinance and the  
3 purposes of the district in which the site is located because the development plan  
4 proposal for the expansion of the existing equestrian facilities is consistent with the intent  
5 of the General Plan Open Space (OS) Land Use Designation and Open Space-Historic  
6 Overlay (OS-H) zoning designation in that all proposed improvements and on site  
7 development will provide additional community oriented services for disabled and able  
8 bodied persons, including Oceanside Citizens.
- 9 2. The expansion of the therapeutic equestrian use proposed and the ancillary criteria are  
10 consistent with the Zoning Ordinance, the City Code, the Land Use Element, the  
11 Mission San Luis Rey Historic Area Development Program and Design Guidelines that  
12 consider deviations from the base zoning district offset by compensating benefits that  
13 will allow development that will both preserve, enhance, and promote the heritage of  
14 the City while providing community oriented services for disabled and able bodied  
15 persons, including Oceanside Citizens.
- 16 3. The project design and its physical aspects pertaining to height, building area, and location  
17 meets or exceeds the applicable zoning criteria and development standards as specified in  
18 the Mission San Luis Rey de Francia Planned Development Program and Design  
19 Guidelines where applicable, and have incorporated architectural elements that reflect the  
20 ranch style character of the site.
- 21 4. That the site plan and physical design of the project is consistent with the policies  
22 contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan, the  
23 Development Guidelines for Hillside, and Section 3039 of the Oceanside Zoning  
24 ordinance, because the site is relatively flat and Hillside guidelines are not applicable to  
25 this site, and the proposed development would be compatible with the surrounding  
26 development of community oriented services envisioned for Ivey Ranch Park.

26 NOW, THEREFORE, BE IT RESOLVED that the Oceanside Historic Preservation Advisory  
27 Commission does hereby recommend approval of a Development Plan (D-13-08), Conditional  
28 Use Permit (C-38-08), and Historic Permit (H-4-08) subject to the following conditions:

- 29 1. This Development Plan, Conditional Use Permit, and Historic Permit approves only the  
following: Expansion and development of new equestrian facilities, including two shed

1 row stables totaling 10,176 sq. ft. with pipe corrals, two modular classrooms totaling  
2 1,053 sq. ft., a 211.1 sq. ft. restroom building, two sand based riding arenas, an open  
3 jumping area, and a 12'-0" wide cantering track around the perimeter of the equestrian  
4 facilities on a .95 acre portion of Ivey Ranch Park in accordance with the amended and  
5 restated Property Use Agreement executed on January 9, 2008. Any substantial  
6 modification to the Development Plan in the design or layout shall require a revision to  
7 the Historic Permit and/or a new Historic Permit.

8 2. The following conditions of approval shall be implemented on the proposed  
9 development on the Planning Commission Resolution of approval:

- 10 a) An archaeological monitor shall be on-site during ground-disturbing activities,  
11 such as brushing, scarification, grading, and trenching within the boundaries of  
12 the cemetery addition and disposal area due to the potential for encountering  
13 cultural features, such as human burials.
- 14 b) A pre-excavation agreement shall be executed between the applicant and the  
15 San Luis Rey Band of Mission Indians, specifying the treatment of human  
16 remains and any cultural resources uncovered and requiring Native American  
17 monitoring for all ground-disturbing activities.
- 18 c) Native American monitors shall be present throughout all ground-disturbing  
19 activities, such as brushing, scarification, grading, and trenching for the entire  
20 project area. The powers of the monitors and the details of their work shall be  
21 laid out in the pre-excavation agreement.

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1 d) The archaeological monitors and Native American monitors shall have the  
2 authority to temporarily halt or redirect grading, in order to examine any finds  
3 made during the course of monitoring. The monitors shall determine the need  
4 for further studies to assess unexpected cultural material encountered during  
5 monitoring.

6  
7 PASSED AND ADOPTED Resolution No. 2009-H01 on June 2, 2009 by the following  
8 vote, to wit:

9 AYES:

10 NAYS:

11 ABSENT:

12 ABSTAIN:

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Lynn Paul Shoger, Chairman  
Oceanside Historic Preservation  
Advisory Commission

15 ATTEST:

16  
17 \_\_\_\_\_  
Richard Greenbauer, Secretary

18  
19 I, RICHARD T. GREENBAUER, Secretary of the Oceanside Historic Preservation Advisory  
Commission, hereby certify that this is a true and correct copy of Resolution No. 2009-H01.

20 Dated: June 2, 2009  
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# Ivey Ranch Park Association, Inc.

110 Rancho Del Oro Road • Oceanside, CA 92057 • (760) 722-IVEY (4839) • (760) 722-6598 Fax

www.iveyranch.com

December 23, 2008

Mr. William F. Marquis  
Senior Property Agent  
City of Oceanside  
Property Management Division  
300 N. Coast Highway  
Oceanside, CA 02-54

Received

JAN 12 2009

Planning Division

RE: Ivey Ranch Park Association Property Use Agreement

Dear Bill:

The purpose of this letter is to update you on the status of the Ivey Ranch Park Association work on the equestrian center in the center portion of the park, and to clarify certain provisions in our current Agreement related to this use. Based on recent meetings and discussions with staff regarding the process being required for the facility improvements, I believe that the clarification is both necessary and appropriate regarding the condition for obtaining a building and grading permit for construction, and would like to know if the conditions we have met to date are sufficient evidence of performance, or if formal modifications in the agreement are necessary.

Within the Agreement, and as summarized in your letter dated February 12, 2008, there are 5 performance time lines related to the equestrian facility. These are indicated below in their required sequence:

1. Within 60 days - provide proof of cooperation with Casa de Amparo for a new entry monument sign.  
**Completed.** Letter filed on March 6, 2008 with attached e-mail from Sharon Delphenich.
2. Within 90 days - submit a business plan for the equestrian facility.  
**Completed.** Submitted on April 9 and electronically April 17. This submittal included a business plan with a conceptual development plan, showing the nature and location of all improvements to be made to the equestrian facility, a strategy and schedule for development of the facility and financing plans for the project. I was not given any corrections, changes or

*Programs for Disabled and Able Bodied Alike*

Daycare/Respite Center • In Home Respite • Equestrian Center • Community Gardening • Camp Ivey

further requirements based on that submittal, and proceeded with our fund-raising and plans for construction of the equestrian facility.

3. Within one year - construct arena if building or grading permits are not required. (18 mos. if permits are required).  
**Completed.** By July of 2008, the Ivey Ranch Park Association obtained sufficient funding to purchase and install the arena fencing, and began the process to assure that the arena construction would be complete within the one-year period (January 9, 2009). I was informed that the installation of the fencing did not require either a grading permit or a building permit, and the main arena was installed in October 2008.
4. Within one year - prepare plans and specifications, obtain a building and grading permit, if required, for construction of the equestrian center in the center portion of the park.  
**Underway.** See further discussion below.
5. Within two years (no later than January 9, 2011) - complete construction of the Shedrow Barn.  
**Anticipate completion in required time frame, following approval of DP/CUP and issuance of permits.**

During discussions regarding the arena installation and in working with our consultants to prepare construction drawings (plans and specifications), they questioned whether there might be a need for discretionary review and approvals for the overall equestrian facility, and we initiated a meeting with staff to clarify. Jerry Hittleman and Richard Greenbauer met with us on August 21, and indicated that we would need to process a Development Plan, Conditional Use Permit and Historic Permit for the facility, to be approved at a public hearing at the Planning Commission. The level of information and plans needed for this formal application included much more extensive engineering, architectural and landscape plans than the concept plan provided to you in April. Since that time I have been working with our consultants to prepare the necessary plans and documents for city review, and they have submitted those to the Planning Department. Unfortunately even this plan preparation took longer than expected, as there were issues in obtaining as-built plans for work previously done on the property, we needed to meet the most recent storm water requirements, and the level of detail was more than anticipated.

I thought that the business plan and attachments I submitted were sufficient to meet the terms of the Agreement for the conceptual plan. Had I been told that we needed to file a formal application for discretionary review at that time, I could have engaged the necessary consultants in a more timely manner to provide the required information for staff review. I now understand that we cannot obtain a building permit or grading permit, if required, until the DP and CUP are approved. The Planning Staff has indicated that they will work with us to minimize the necessary review time, which is appreciated, but clearly we would not be able to obtain discretionary approvals in a time frame that would allow us to obtain a building or, if necessary a grading permit, by January 9, 2009.

Now that I better understand the City approval process and permit sequence, I don't believe the provisions in the Agreement for obtaining a building and grading permit within one year are realistic

Now that I better understand the City approval process and permit sequence, I don't believe the provisions in the Agreement for obtaining a building and grading permit within one year are realistic or reasonable. We are hopeful that the onsite work can be done without need for a grading permit (given that the City has previously graded the site). However, should one be required, it is not possible to obtain a building permit until any grading work is done and the pad certified. I believe we all operated in good faith regarding the schedule provisions, but without a more accurate description of the process actually required by the City, it appears the criteria may have been inappropriate. Given the level of detail needed in the drawings and reports, the process and time frames typical for processing entitlements and permits in the City, the time allocated to this process in our agreement probably should have been more in the range of 18-24 months.

I believe the schedule conditions in the Agreement were intended to insure that this project would proceed to completion, and we remain committed to doing so. We are not asking to change any of the dates for completion of facility construction; we assume that our approvals can be obtained in plenty of time, so there is no reason to change overall completion dates for the Shedrow Barn. The buildings being proposed are modular or pre-fabricated structures that will have customized finishes, and can be installed quite quickly. However, understanding the need for DP/CUP review and approval, we would like to assure that our processing and approvals can extend beyond the January 9, 2009 date without creating conflicts with our Agreement.

The Ivey Ranch Park Association is committed to completing this equestrian facility, and has worked diligently to obtain our funding, complete the necessary design, drawings and technical reports. We have prepared extensive and detailed plans for the site, including drainage design, landscape plans and architectural plans and elevations for the proposed buildings. I need to know if having the application for the DP/CUP on file prior to the deadline date of January 9, 2009 can be accepted as adequate performance on our part to avoid having to formally amend the Agreement. If any modification in the Agreement is needed, please let me know immediately what that would involve in terms of process and schedule.

The Ivey Ranch Park Association values our ongoing relationship with the City in being able to provide important services to disabled persons within our community. If there is any additional information you need in regard to this matter, please contact me at 760-722-4839 or by email at [Tonya@iveyranch.com](mailto:Tonya@iveyranch.com) Thank you in advance for your attention.

Sincerely,



Tonya Danielly  
Executive Director

cc: Jerry Hittleman, City Planner  
Richard Greenbauer, Senior Planner  
Ann Gunter, The Lightfoot Planning Group