



DATE: August 9, 2006

TO: Honorable Mayor and Members of the City Council

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A GENERAL PLAN AMENDMENT AND ZONE AMENDMENT TO CHANGE THE LAND USE DESIGNATION AND ZONING ON A 1.4-ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF MAXSON STREET AND COUNTRY CLUB LANE AND A ZONE TEXT AMENDMENT TO ALLOW RV PARKING IN THE PUBLIC/SEMI-PUBLIC ZONE**

SYNOPSIS

Staff recommends denial of the General Plan Amendment to change the land use designation from Single Family Detached to High Density Residential and change in Zoning from Public/Semi-Public to High Density Residential on the 1.4-acre northern portion of the Elks Club site and Zone Text Amendment to allow RV parking in the Public/Semi-public zone on a site southeast of Maxson Street and Country Club Lane.

The Planning Commission on a 5-to-1 vote recommended approval to change the land use designation on the subject property to Medium Density Residential, which would be compatible with the variety of dwellings that already exist in the neighborhood, and would provide a buffer between the Single Family Residential to the east and the multifamily apartments to the west. Staff continues to recommend denial of the applicant's request for high density residential zoning and does not support the Planning Commission recommendation for a change to Medium Density Residential.

BACKGROUND

The site is located within the Loma Alta neighborhood at the southeast corner of Maxson Street and Country Club Lane. The site is divided into two areas with the existing Elks Lodge located on three acres at the southern end of the parcel. No change in land use designation or zoning is requested for this portion of the site. The northern 1.4 acres where recreational vehicle (RV) and other parking for the Elks Lodge currently exists is the subject of the General Plan Amendment and Zone Change from PS and Single-Family Residential (RS) to Residential High Density. However, the Zone Text Amendment to allow RV parking would apply to this portion of the site. The Elks

Hall Association uses the north end of the site for temporary RV parking for guests and members of the club. To the north and east of the site are single-family homes zoned RS, to the west is an apartment building zoned RH (Residential High Density). Also to the west is a park/open-space area for the Boys and Girls Club zoned Open Space.

The applicant requests to change the land use designation and zoning on the northern 1.4-acre portion of the site from the current zoning of PS and land use designation of Single-Family Detached Residential to High Density Residential. As stated above, no change would occur in the southern 3 acres of the site; however, a proposed Zone Text Amendment allowing RV parking for clubs and lodges would apply to this portion of the site.

Staff does not support the proposed change to the land use designation and zoning change to high density residential. The requests to amend the General Plan and Zoning would allow a base density of 21 units per acre and maximum potential density of 28.9 units per acre which could result in the development of over 30 residential units on the 1.4-acre site.

ANALYSIS

Traffic and Parking: The portion of the Loma Alta neighborhood along Maxson Street east of Country Club Lane is currently experiencing parking and traffic issues. The parking issue is due to existing older developments in the surrounding area that were originally built with inadequate parking for residents and guests. Traffic issues are related to existing and cut-through traffic on Maxson Street from neighborhoods to the east. This issue has been recently addressed through the addition of stop signs along Maxson Street, but remains a concern of persons in the neighborhood.

Alternative Land Use: The proposed addition of 30 or more residential units on the proposed project site could exacerbate the traffic and parking issue. In addition, a high-density development would not provide a rational transition between the single-family detached residences on Maxson Street to the north and Cadillac Circle to the east and the multifamily units to the west. As an alternative to the high density zoning on the northern portion of the Elks Club site, a better transition would be single-family zoning or a split zoning of residential single-family on the east side of the site and medium or high density zoning on the western portion of the site. If the applicant chooses to explore this alternative, future coordination with the surrounding community may be warranted.

Zone Text Amendment: The applicant is requesting a Zone Text Amendment to allow RV parking in the PS zone when associated with a club or lodge. The RV parking area would be subject to maximum density, screening, and outdoor facilities development regulations per Section 3029 of the zoning ordinance. This request would not adversely affect the site or surrounding property owners; however, this action should be held in abeyance until such time that the land use designation for the site is resolved.

FISCAL IMPACT

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

COMMISSION OR COMMITTEE REPORT

On July 24, 2006, the Planning Commission considered the proposed amendments. After hearing public testimony, the Planning Commission on a 5-to-1 vote recommended approval to change the land use designation on the subject property to Medium Density Residential (15-20 units per acre) rather than High Density Residential (21-29 units per acre) as requested by the applicant. The Commission felt this designation would be compatible with the variety of dwellings that already exist in the neighborhood, and would provide a buffer between the Single Family Residential to the east and the Multifamily apartments to the west.

In staff opinion changing of the land use and zoning designation on this property to Residential Medium Density C would result in a similar density as high density residential and exacerbate existing parking or other issues related to the existing residential development adjacent to the project site, and would not be compatible with existing single family residences to the east and north of the project site.

CITY ATTORNEY'S ANALYSIS

The City Council, under the provisions of Section 65356 of the Government Code, has the ability to amend the General Plan by resolution. The Planning Commission's public hearing on July 24, 2006, and its recommendation of modified approval were in accord with the provisions of Section 65353 of the Government Code.

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

RECOMMENDATION

Staff recommends denial of the General Plan Amendment and Zone Amendment to change the land use designation from Single Family Detached Residential to High Density Residential and zoning from Public/Semi-Public to High Density Residential and the Zone Text Amendment to allow RV parking on a 1.4-acre site located at the southeast corner of Maxson Street and Country Club Lane. Staff recommends that the City Council deny the request for high density development and adopt the resolution denying the requested land use change.

PREPARED BY



Jerry Hittleman
Acting City Planner

JH/vnm

SUBMITTED BY



Barry E. Martin
Interim City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Assistant to the City Manager
Mike Blessing, Deputy City Manager



MS

ATTACHMENTS:

1. City Council Resolution
2. Map
3. Planning Commission Resolution No. 2006-P42
4. Planning Commission Staff Report dated July 24, 2006

1 because it would change the character of the single family neighborhood.

- 2 3. Changing the Land Use designation on this property to High Density Residential or
3 Medium Density C development would exacerbate existing parking or other issues
4 related to existing residential development adjacent to project site, because the proposed
5 project or any project associated with the Zone Amendment request may not contain
6 adequate off-street parking, would exacerbate the already-existing parking problem, and
7 would create an incompatible density with existing single family homes.

8 WHEREAS, a Negative Declaration was prepared by the Resource Officer of the City of
9 Oceanside for the General Plan Amendment pursuant to the California Environmental Quality
10 Act of 1970 and the State Guidelines; and

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

- 12 1. General Plan Amendment (GPA-3-05) and Zone Amendment (ZA-4-05) to rezone the
13 subject property from Single Family Residential to High Density Residential are hereby
14 denied.
15 2. Notice is hereby given that the time within which judicial review must be sought on this
16 decision is governed by Govt.C. Section 65009.

17 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,
18 this 9th day of August, 2006, by the following vote:

19 AYES:

20 NAYS:

21 ABSENT:

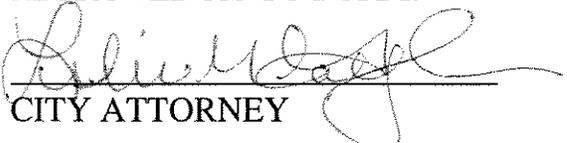
22 ABSTAIN:

23
24 MAYOR OF THE CITY OF OCEANSIDE

25
26 ATTEST:

27 APPROVED AS TO FORM:

28 _____
CITY CLERK



CITY ATTORNEY

General Plan Amendment & Zone Amendment Exhibit

Maxson Street & Country Club Lane

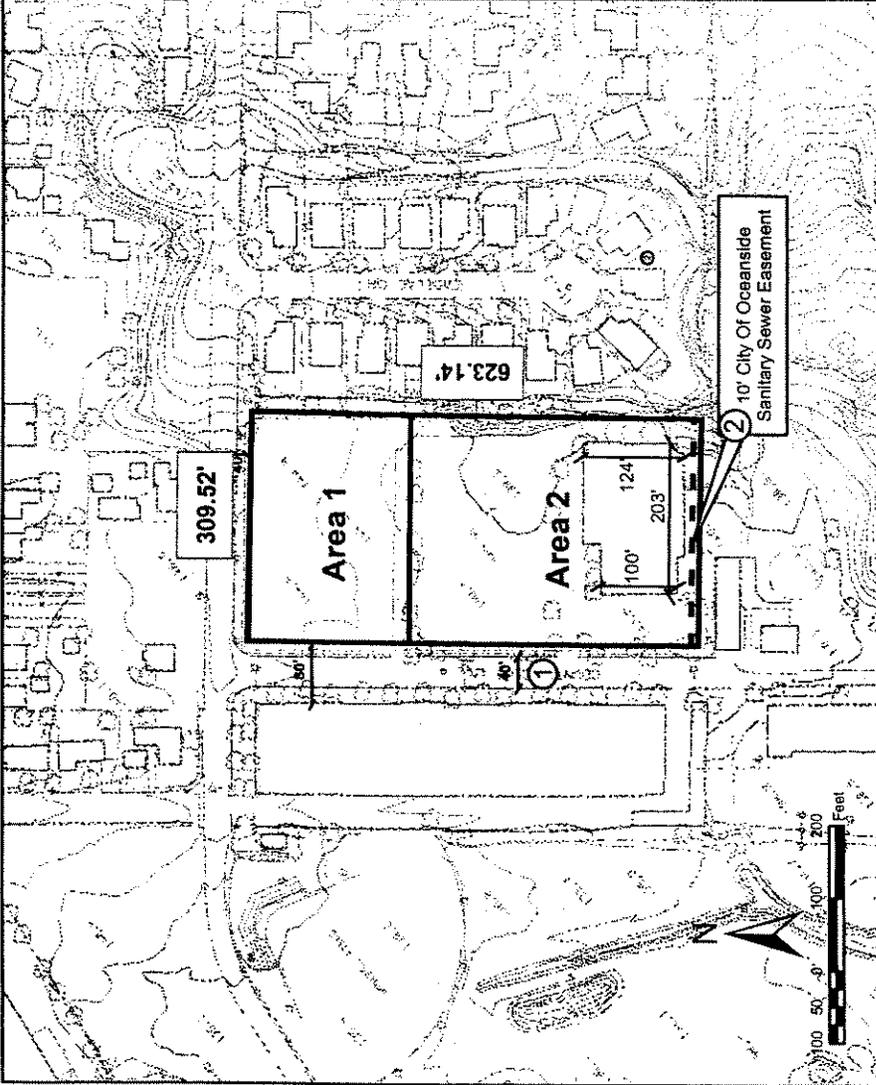
APN: 148-292-41

Applicant
 The Olson Company
 9171 Towne Centre Dr. Suite 450
 San Diego, CA 92122
 858-784-6527

Representative
 The Lightfoot Planning Group
 5750 Fleet Street Suite 250
 Carlsbad, CA 92008
 760-692-1924

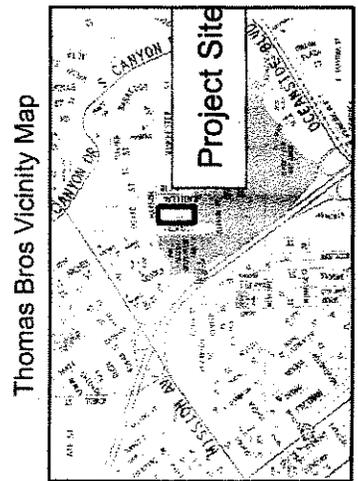
City of Oceanside
General Notes :

1. Total Site Area : 4.4 Acres
 Area 1 : 1.6 Acres
 Area 2 : 2.8 Acres
2. General Plan Designation:
 Existing: SFD-R
 Proposed: Area 1 - HD-R, Area 2 - No Change
3. Zoning Designation
 Existing: PS
 Proposed: Area 1 - RH, Area 2 - No Change
4. Contour Interval : 2 Feet
5. Property is not located in any floodplains.



EASEMENTS

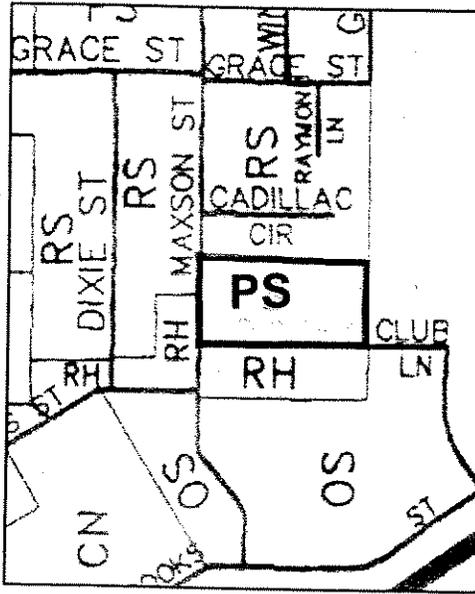
- | | |
|---|--|
| <p>1 EASEMENT(S) FOR THE PURPOSE(S) SHOWN AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT:</p> | <p>GRANTED TO: CITY OF OCEANSIDE
 PURPOSE: PUBLIC HIGHWAY
 RECORDED: MAY 19, 1953
 BOOK 4880, PAGE 402, OF OFFICIAL RECORDS
 AFFECTS: A PORTION OF SAID LAND</p> |
| <p>2 EASEMENT(S) FOR THE PURPOSE(S) SHOWN AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT:</p> | <p>GRANTED TO: CITY OF OCEANSIDE
 PURPOSE: SANITARY SEWER
 RECORDED: MAY 18, 1986
 INSTRUMENT NO. 83042, OF OFFICIAL RECORDS
 AFFECTS: A PORTION OF SAID LAND</p> |
| <p>3. EASEMENT(S) FOR THE PURPOSE(S) SHOWN AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT:</p> | <p>GRANTED TO: SAN DIEGO GAS AND ELECTRIC COMPANY, A CORPORATION
 PURPOSE: PUBLIC UTILITIES, INGRESS AND EGRESS
 RECORDED: SEPTEMBER 22, 1968,
 INSTRUMENT NO. 153570, OF OFFICIAL RECORDS
 THE EXACT LOCATION AND EXTENT OF SAID EASEMENT IS NOT DISCLOSED OF RECORD</p> |



Thomas Bros Vicinity Map

**General Plan Amendment & Zone Amendment Exhibit
 Maxson Street & Country Club Lane
 APN: 148-292-41**

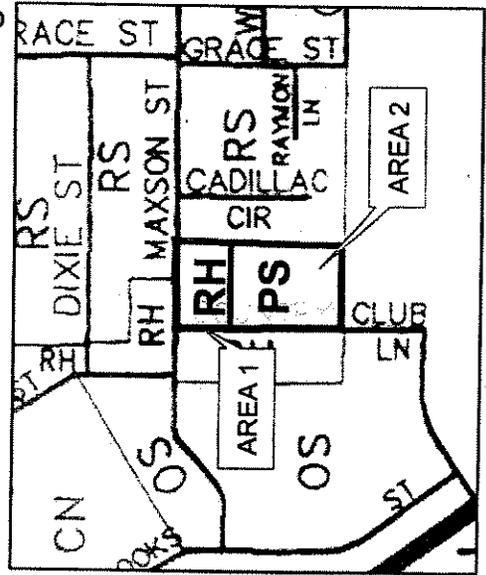
Existing Zoning : PS



NTS

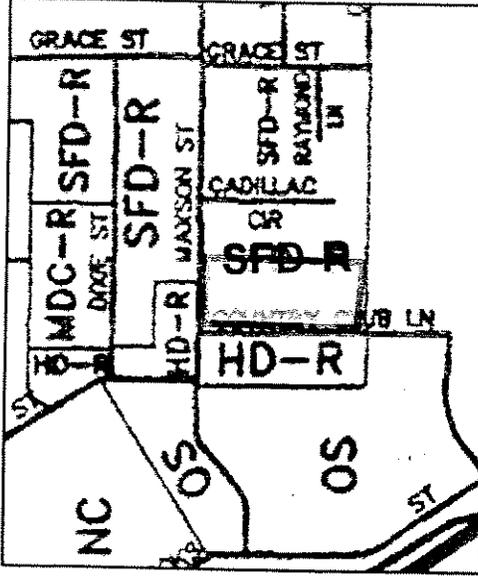
Proposed Zoning :

Area 1 - RH, Area 2 - No Change



NTS

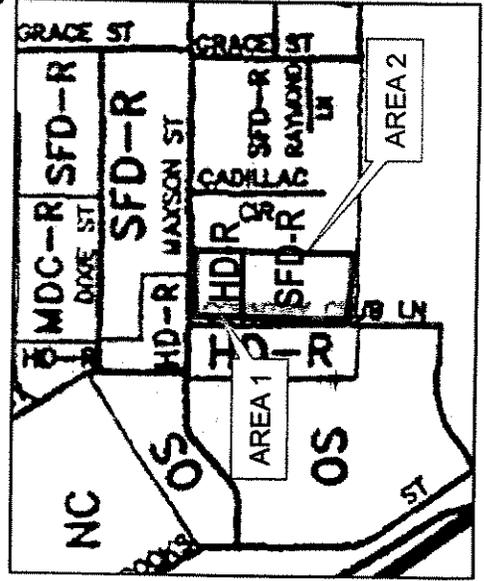
Existing Land Use : SFD-R



NTS

Proposed Land Use :

Area 1 - HD-R, Area 2 - No Change



NTS

- CL - Limited Commercial
- CN - Neighborhood Commercial
- NC - Neighborhood Commercial
- PD-3 - Sterling
- PS - Public and Semipublic
- RE-B - Residential Estate B
- RM-B - Medium Density Residential B
- RM-C - Medium Density Residential C
- RS - Single Family Residential
- HD-R - High Density Residential
- MDB-R - Medium Density B Residential
- MDC-R - Medium Density C Residential
- SFD-R - Single Family Detached Residential
- OS - Open Space

1 PLANNING COMMISSION
2 RESOLUTION NO. 2006-P42

3 A RESOLUTION OF THE PLANNING COMMISSION OF
4 THE CITY OF OCEANSIDE RECOMMENDING
5 APPROVAL OF A GENERAL PLAN AND ZONING
6 AMENDMENT ON CERTAIN REAL PROPERTY IN
7 THE CITY OF OCEANSIDE

8 APPLICATION NO: GPA-3-05, ZA-4-05
9 APPLICANT: The Olson Company
10 LOCATION: Southeast corner of Maxson Street and Country Club Lane

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

13 WHEREAS, there was filed with this Commission a verified petition on the forms
14 prescribed by the Commission requesting a General Plan Amendment for the following:

15 a land use change of a 1.6-acre site from a land use designation of SFD-R to HD-R and
16 zoning from PS to RH. The Planning Commission reviewed this request and
17 recommends that the City Council instead change the land use designation from SFD-R
18 to MDR-C and Zoning from PS to RM-C

19 on certain real property described in the project description.

20 WHEREAS, the Planning Commission, after giving the required notice, did on the 24th
21 day of July, 2006 conduct a duly advertised public hearing as prescribed by law to consider said
22 application;

23 WHEREAS, pursuant to the California Environmental Act of 1970, the Planning
24 Commission finds that a Negative Declaration has been prepared stating that there will be no
25 adverse impacts to the environment;

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

28 For the Approval of the General Plan Amendment and Zone Amendment:

- 29 1. That the subject site is more suitable for medium density development that provides a
transition between the single-family residences to the north and south of the project site
and high density residential uses to the west.

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

1 2. Changing the Land Use designation on this property to medium density development
2 would not exacerbate existing parking and other issues related to development of the
3 project site.

4 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
5 recommend approval to the City Council of General Plan Amendment (GPA-3-05) and Zoning
6 Amendment (ZA-4-05).

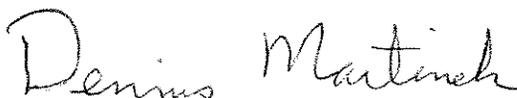
7 PASSED AND ADOPTED Resolution No. 2006-P42 on July 24, 2006 by the following
8 vote, to wit:

9 AYES: Martinek, Beach, Balma, Horton and Blom

10 NAYES: Parker

11 ABSENT: None

12 ABSTAIN: None

13 

14 Dennis Martinek, Chairman
Oceanside Planning Commission

15 ATTEST:

16 
17 Jerry Hittleman, Secretary

18 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
19 this is a true and correct copy of Resolution No. 2006-P42.

20
21 Date: July 24, 2006



DATE: July 24, 2006

TO: Chairman and Members of the Planning Commission

FROM: Community Development Department/Planning Division

SUBJECT: **CONSIDERATION OF A GENERAL PLAN AMENDMENT (GPA-3-05) AND ZONE AMENDMENT (ZA-4-05) TO CHANGE THE LAND USE DESIGNATION AND ZONING FROM SINGLE-FAMILY DETACHED RESIDENTIAL TO HIGH DENSITY RESIDENTIAL AND ZONING FROM PUBLIC/SEMI-PUBLIC TO HIGH DENSITY RESIDENTIAL ON A 1.4-ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF MAXSON STREET AND COUNTRY CLUB LANE. A ZONE TEXT AMENDMENT IS ALSO REQUESTED TO ALLOW RV PARKING IN THE PUBLIC/SEMI-PUBLIC ZONE. THE PROJECT SITE IS SITUATED WITHIN THE LOMA ALTA NEIGHBORHOOD – MAXSON STREET AND COUNTRY CLUB LANE – APPLICANT: THE OLSON COMPANY**

RECOMMENDATION

Staff recommends that the Planning Commission deny the requested General Plan Amendment and adopt Planning Commission Resolution No. 2006-P42 recommending denial of General Plan Amendment (GPA-3-05) and Zone Amendment (ZA-4-05).

PROJECT DESCRIPTION AND BACKGROUND

Background: The site is located within the Loma Alta neighborhood at the southeast corner of Maxson Street and Country Club Lane. The site is divided into two areas with the existing Elks Lodge is located on 3 acres at the southern end of the parcel. No change in land use designation or zoning is requested for this portion of the site. The northern 1.4 acres where Recreational Vehicle (RV) and other parking for the Elks Lodge currently exists is the subject of the General Plan Amendment and Zone Change from PS and Single-Family Residential (RS) to Residential High Density. However, the Zone Text Amendment to allow RV parking would apply to this portion of the site. The Elks Hall Association uses the north end of the site for temporary RV parking for guests and members of the club. To the north and east of the site are single-family homes zoned RS, to the west is an apartment building zoned RH (Residential High Density).

Also to the west is a park/open-space area for the Boys and Girls Club zoned Open Space.

Amendment Description: The applicant requests to change the land use designation and zoning on the northern 1.4-acre portion of the site from the current zoning of PS and land use designation of Single-Family Detached Residential to High Density Residential. As stated above, no change would occur in the southern 3 acres of the site, however, a proposed Zone Text Amendment allowing RV parking for clubs and lodges would apply to this portion of the site.

Staff does not support the proposed change to the land use designation and zoning change to high density residential. The requests to amend the General Plan and Zoning would allow a base density of 21 units per acre and maximum potential density of 28.9 units per acre which could result in the development of over 30 residential units on the 1.4-acre site.

ANALYSIS

Traffic and Parking: The portion of the Loma Alta neighborhood along Maxson Street east of Country Club Lane is currently experiencing parking and traffic issues. The parking issue is due to existing older developments in the surrounding area that were originally built with inadequate parking for residents and guests. Traffic issues are related to existing and cut-through traffic on Maxson Street from neighborhoods to the east. This issue has been recently addressed through the addition of stop signs along Maxson Street, but remains a concern of persons in the neighborhood.

Alternative Land Use: The proposed addition of 30 or more residential units on the proposed project site could exacerbate the traffic and parking issue. In addition, a high-density development would not provide a rational transition between the single-family detached residences on Maxson Street to the north and Cadillac Circle to the east and the multi-family units to the west. As an alternative to the high density zoning on the northern portion of the Elks Club site, a better transition would be single-family zoning or a split zoning of residential single-family on the east side of the site and medium or high density zoning on the western portion of the site. If the applicant chooses to explore this alternative, future coordination with the surrounding community may be warranted.

Zone Text Amendment: The applicant is requesting a Zone Text Amendment to allow RV Parking in the PS zone when associated with a club or lodge. The RV parking area would be subject to maximum density, screening, and outdoor facilities development regulations per Section 3029 of the zoning ordinance. This request would not adversely affect the site or surrounding property owners, however, this action should be held in abeyance until such time that the land use designation for the site is resolved.

ENVIRONMENTAL DETERMINATION

The proposed amendments were reviewed under the provisions of the California Environmental Quality Act and a Mitigated Negative Declaration was prepared stating that if the mitigation measures identified in the document are met, there will not be a significant adverse impact upon the environment. The Negative Declaration will be considered as part of the Commission's action on the proposed amendments.

SUMMARY

Staff believes that the proposed high density residential designation would not be compatible with single-family residences to the north and south and could exacerbate existing parking and traffic issues in the neighborhood. Therefore, staff recommends the Planning Commission action should be as follows:

- Move to deny General Plan Amendment (GPA-3-05) and Zone Amendment (ZA-4-05) and adopt Planning Commission Resolution No. 2006-P42 recommending denial of the General Plan Amendment and Zone Amendment.

SUBMITTED BY:


Jerry Hittleman
Acting City Planner

JH/fil

Attachments:

1. Map
2. Planning Commission Resolution No. 2006-P42
3. Neighborhood letters

