



DATE: September 8, 2008

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/ Planning Division

SUBJECT: **CONSIDERATION OF A CONDITIONAL USE PERMIT (C-10-08) FOR THE CONTINUED USE OF A CHURCH AT 3985 MISSION AVENUE, WITHIN THE SAN LUIS REY NEIGHBORHOOD – NEW SONG COMMUNITY CHURCH – APPLICANT: NEW SONG COMMUNITY CHURCH**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Approve Conditional Use Permit (C-10-08) by adopting Planning Commission Resolution No. 2008-P52 with findings and conditions of approval attached herein.
- (2) Confirm issuance of a Class One (1), Categorical Exemption "Existing Facilities".

PROJECT DESCRIPTION AND BACKGROUND

Background: On August 28, 2000, the Planning Commission approved an historical permit and a conditional use permit to New Song Church for the operation of a religious facility within the entire building by constructing the project into four separate phases. Prior to the adoption of Resolution No. 2000-P59, the building was approved in 1988 and constructed and occupied by the Dixieline Lumber Company.

Site Review: The site is located at 3985 Mission Avenue, adjacent to Mission Douglas Plaza, in the Mission Historic District and the San Luis Rey Neighborhood. The site is approximately five acres and the building is more than 60,000 square feet in size.

The property is zoned Special Commercial-Limited within a Historic Overlay Zone (CS-L-H), and is designated Special Commercial (SC) on the General Plan Land Use Map. The use classification of religious assembly within a commercial zone is permitted subject to discretionary review and approval of a Conditional Use Permit.

Surrounding land uses adjacent to 3985 Mission Avenue include commercial to the west, medium density residential to the north and south, and public/semi-public and open space to the east.

Project Description: The project application is comprised of the following required entitlement:

Conditional Use Permit (C-10-08) represents a request for the following:

- (a) To permit the continued use of a religious assembly within a 60,792-square foot building within a CS-L-H (Special Commercial Limited within a Historic overlay) zoning district located at 3985 Mission Avenue.

There is a five year limitation within the zoning ordinance that restricts uses of existing building in this commercial zone for five years for locations if the location is not considered "prime" for immediate commercial development. At the end of the five-year period a new Conditional Use Permit would have to be obtained with a whole new hearing.

New Song Community Church has owned and been occupying 3985 Mission Avenue since their grand opening on April 1st, 2001. It has been improved and utilized for religious services from that point forward. For over six years the facility has hosted functions and meetings for a variety of groups. New Song Community Church sends out nearly 150 people each month to spend over a 1,000 voluntary hours serving the Oceanside community.

The church's regular office hours would be from 8:45 a.m. – 5:00 p.m., Monday through Friday. The church's regular services are held every Saturday at 5:00 p.m. and every Sunday at 9:00 a.m. and 10:45 a.m. The average attendance for the weekend services is 850 people, who use on average about 200 parking spaces. During these hours, all parking is done on-site in the facilities regular parking lot.

During the week the church offers numerous meeting held within various areas of the facility, some of which include Bible Studies that meet five nights per week, a realtors group that meets on Thursday mornings, Mothers of Preschoolers that meet on Thursday mornings, and a Narcotics Anonymous group that meets on Fridays. During all these meetings, all parking is done on-site in the church's parking lot.

Annually, several times during the year, the church holds larger meetings at the facility. These include the September anniversary celebration, in August a leadership summit, and in April a volunteer appreciation event. During all of these times, all parking is done on-site in the church's parking lot.

There are on-site security personnel that ensure the lock down and security of the building at night.

The project has been allocated 231 parking spaces, and has a reciprocal parking agreement with the adjacent shopping center to utilize up to 893 parking spaces. Based upon the trip generation analysis that estimated a peak demand of 200 parking spaces; an approximate 31 surplus parking spaces would be available during these peak demand periods.

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

1. General Plan
2. Zoning Ordinance
3. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation for the subject property is SC (Special Commercial). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element

Goal 1.11: Balanced Land Use

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

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

Establishment and operation of the religious assembly use has been determined by staff to provide an overall balance of goods and services in close proximity to the residential areas of the San Luis Rey neighborhood, and with an end result of providing a sense of community to the residents in close proximity to the area.

2. Zoning Compliance

This project site is located within the San Luis Rey Neighborhood on a Special Commercial Limited Zoning District with a Historic Overlay (CS-L-H) parcel, and subject to approval of a conditional use permit is consistent with the requirements of the zone district pertinent to a religious assembly use. The project has been allocated 231 with an additional 893 reciprocated parking spaces, and based upon the parking generation

analysis there would be an estimated peak demand of 210 parking spaces at 11:00 a.m. on Sunday leaving an approximate surplus of 914 parking spaces available during these peak demand periods.

3. Land Use Compatibility with surrounding developments

| LOCATION | GENERAL PLAN | ZONING | LAND USE |
|----------------------------|--|--|-------------|
| Subject Property: | Special Commercial (SC) | Special Commercial Limited with a Historic Overlay (CS-L-H) | Commercial |
| North of Subject Property | Medium Density – A Residential (MDA-R) | Medium Density Residential - A Senior Mobile Home Overlay (RM-A-SMH) | Residential |
| East of Subject Property: | Civic Institutional (CI) | Public/Semi-Public with a Historic Overlay (PS-H) | Vacant Land |
| South of Subject Property: | Medium Density – A Residential (MDA-R) | Medium Density – A Residential (RM-A) | Residential |
| West of Subject Property: | Special Commercial (SC) | Special Commercial Limited with a Historic Overlay (CS-L-H) | Commercial |

The proposed land use is consistent with the General Plan and Zoning Ordinance designations applicable to the site. Due to the nature and operational characteristics of the proposed religious facility, the project’s location - in proximity to residential uses - is not expected to adversely impact residences located within the San Luis Rey Neighborhood, to the contrary, the proposed land use will provide a needed service to residents in the immediate area.

DISCUSSION

The proposed use has been reviewed and analyzed to ensure that religious assembly in a commercial zone will not negatively impact the adjacent center and any parking deficiencies will not arise. The project is proposed within an established area of the City on a site that possesses adequate infrastructure and services to accommodate the proposed use and the continued operation of the church provides a needed service to the neighborhood.

Issue: Project compatibility with the existing commercial uses.

Recommendation: The site and the building are in good condition and the landscaping has been maintained. There is a five-year limitation within the zoning ordinance that restricts uses of existing building in this commercial zone for five years for locations if

the location is not considered “prime” for immediate commercial development. At the end of the five-year period a new Conditional Use Permit would have to be obtained with a whole new hearing. This note was designed to allow churches to have this use in areas that were not exhibiting a high demand for use as commercial building at the time. It was also designed to give some discretion over time to keeping them available for commercial uses as times change.

The church is aware of this requirement and has done their analysis and gauged their risk based on their belief that in a five-year time period they will be able to gain a new Conditional Use Permit and continue their use.

Given the history of the vacancies within the adjacent commercial center and the size and location of the building for commercial uses, staff does not have a problem with this approach and believes that although there may be a time when this is looked as commercial uses, it will probably not occur for some time.

Issue: Project compatibility with the surrounding neighborhood.

Recommendation: The New Song Community Church has been active at 3985 Mission Avenue, and therefore a part of the surrounding neighborhood, for close to seven years. The church has a variety of voluntary outreach programs for, not only for their church community, but for the City of Oceanside as well.

Issue: Potential parking deficiencies

Recommendation: Parking will be provided in accordance with applicable parking regulations for religious assembly pursuant to Article 31, Off-Street Parking and Loading Regulations of the zoning ordinance. Parking will be shared with other commercial users in the vicinity because said uses will not operate simultaneously at all times and there is a reciprocal parking agreement with the adjacent shopping center. The continuation 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.

ENVIRONMENTAL DETERMINATION

Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA), 1970. Based on that review, staff finds that the proposed project is categorically exempt pursuant to Class one, Section 15301 (a) “Existing Facilities” of the California Environmental Quality Act.

PUBLIC NOTIFICATION

Pursuant to Article 41 of the Oceanside Zoning Ordinance, Legal notice was published in the North County Times and notices were sent to property owners of record/and occupants within a 1500-foot radius of the subject property, to individuals/organizations requesting notification, and to the applicant. Copies of this agenda item have been mailed to the applicant and their representative.

SUMMARY

The request for approval of a Conditional Use Permit (C-10-08) to allow the continuing operation of a religious facility use is consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets all applicable development standards and will not impact existing land uses in the immediate area. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached resolution. Staff recommends that the Planning Commission:

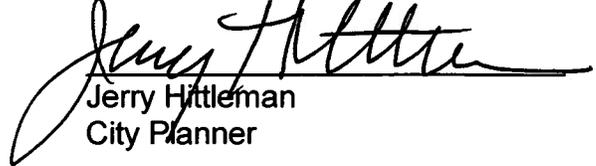
- Move to approve Conditional Use Permit (C-10-08) by adopting Planning Commission Resolution No. 2008-P52 as attached.

PREPARED BY:



Faith Burton
Planner I

SUBMITTED BY:



Jerry Hittleman
City Planner

REVIEWED BY:


Richard Greenbauer, Senior Planner

JH/FB/fil

Attachments:

1. Floor/Site Plans
2. Planning Commission Resolution No. 2008-P52
3. Existing Conditions Floor Plans
4. Management Plan/Parking Requirements

1 PLANNING COMMISSION
2 RESOLUTION NO. 2008- P52

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 CONDITIONAL USE PERMIT ON CERTAIN REAL
6 PROPERTY IN THE CITY OF OCEANSIDE

7 APPLICATION NO: C-10-08
8 APPLICANT: New Song Community Church
9 LOCATION: 3985 Mission Avenue

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

12 WHEREAS, there was filed with this Commission a verified petition on the forms
13 prescribed by the Commission requesting a Conditional Use Permit under the provisions of
14 Articles 11 and 41 of the Zoning Ordinance of the City of Oceanside to permit the following:

15 a church use in an existing 60,792-square foot building to include tenant improvements in
16 Special Commercial District Limited with a Historic Overlay
17 on certain real property described in the project description.

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 8th day
19 of September, 2008 conduct a duly advertised public hearing as prescribed by law to consider said
20 application;

21 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
22 Guidelines thereto; this project is exempt from environmental review;

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

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

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

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

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

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

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

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

15 FINDINGS:

16 For the Conditional Use Permit:

- 17 1. That the proposed location of the use is in accord with the objectives of the Zoning
18 Ordinance and the purposes of the CS-L-H district because the proposed location is not
19 in an area considered "prime" for immediate commercial development. The parking is
20 provided as required by the parking regulations for religious assembly.
- 21 2. That the proposed location of the conditional use and the proposed conditions under
22 which it would be operated or maintained will be consistent with the General Plan; will
23 not be detrimental to the public health, safety, welfare of persons residing or working in
24 or adjacent to the neighborhood of such use; and will not be detrimental to properties or
25 improvements in the vicinity or to the general welfare of the City. The religious
26 assembly activities do not interfere with the primary commercial uses in the vicinity of
27 the immediate existing users and there are no public health and safety issues from the
28 location of the religious use.

1 3. That the proposed conditional use will comply with the provisions of the Zoning
2 Ordinance, including any specific condition required for the proposed conditional use in
3 the district in which it would be located. The use is limited to five years with an
4 additional opportunity to request additional time.

5 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
6 approve Conditional Use Permit (C-10-08) subject to the following conditions:

7 **Building:**

- 8 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
9 Building Division plan check. (As of January 1, 2008 the 2007 California Building Code
10 (CBC). And 2007 California Electrical Code).
- 11 2. The granting of approval under this action shall in no way relieve the applicant/project
12 from compliance with all State and local building codes.
- 13 3. Site development, parking, access into buildings and building interiors shall comply with
14 C.C.R. Title 24, Part 2 (Disabled Access - Nonresidential buildings - D.S.A.).
- 15 4. Compliance of the Federal Clean Water Act (BMP's) must be demonstrated on the plans.
- 16 5. Application for Building Permit will not be accepted for this project until plans indicate
17 that they have been prepared by a licensed design professional (Architect or Engineer).
18 The design professional's name, address, phone number; State license number and
19 expiration date shall be printed in the title block of the plans.
- 20 6. Fire sprinklers are required for all A occupancies, [CBC 903.2.1].
- 21 7. Tenant Improvements or other construction to the existing building requires permits
22 (including all required inspections and approvals, and issuance of Certificate of
23 Occupancy) from the Building Division.
- 24 8. The new construction design must meet all requirements of the 2007 California Building
25 Code for Type of Construction and fire resistive construction.
- 26 9. The developer shall monitor, supervise and control all building construction and supportive
27 activities so as to prevent these activities from causing a public nuisance, including, but not
28 limited to, strict adherence to the following:
 - 29 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00
p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for

1 work that is not inherently noise-producing. Examples of work not permitted on
2 Saturday are concrete and grout pours, roof nailing and activities of similar noise-
3 producing nature. No work shall be permitted on Sundays and Federal Holidays
4 (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day,
5 Christmas Day) except as allowed for emergency work under the provisions of the
6 Oceanside City Code Chapter 38 (Noise Ordinance).

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

12 **Fire:**

- 13 10. Fire extinguishers are required and shall be included on the plans submitted for plan check.
14 11. Buildings shall meet Oceanside Fire Department current codes at the time of building
15 permit application.

16 **Planning:**

- 17 12. The Conditional Use Permit for this location is good only for five years from the
18 occupancy of the use as set forth in the Special Commercial District Limited with a
19 Historic Overlay requirement. A new Conditional Use Process may be undertaken at the
20 close of this five-year period.
21 13. This Conditional Use Permit shall expire on September 8, 2010 unless implemented as
22 required by the Zoning Ordinance.
23 14. This Conditional Use Permit approves only a tenant improvement to an existing building
24 for church uses as shown on the plans and exhibits presented to the Planning Commission
25 for review and approval. No deviation from these approved plans and exhibits shall occur
26 without Planning Division approval. Substantial deviations shall require a revision to the
27 Conditional Use Permit or a new Conditional Use Permit.
28 15. Any proposed new signs shall be in conformance with the shopping center's
29 Comprehensive Sign Package and the Mission Historic Guidelines and shall be submitted

1 to the Planning Division and Oceanside Historic Preservation Advisory Commission
2 Substantial Conformity Committee and approved prior to the issuance of sign permits.

3 16. All landscaping on the site must be maintained and kept in good condition at all times.

4 17. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-way and in
5 any adjoining public parkways shall be permanently maintained by the owner, his assigns
6 or any successors-in-interest in the property. The maintenance program shall include
7 normal care and irrigation of the landscaping; repair and replacement of plant materials;
8 irrigation systems as necessary; and general cleanup of the landscaped and open areas,
9 parking lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result
10 in the City taking all appropriate enforcement actions by all acceptable means including but
11 not limited to citations and/or actual work with costs charged to or recorded against the
12 owner. This condition shall be recorded with the covenant required by this resolution.

13 18. A covenant or other recordable document approved by the City Attorney shall be prepared
14 by the applicant and recorded prior to the issuance of building permits. The covenant shall
15 provide that the property is subject to this resolution, and shall generally list the conditions
16 of approval.

17 19. Prior to the issuance of building permits, compliance with the applicable provisions of the
18 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
19 and approved by the Planning Division. These requirements, including the obligation to
20 remove or cover with matching paint all graffiti within 24 hours shall be recorded in the form
21 of a covenant affecting the subject property.

22 20. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
23 written copy of the applications, staff report and resolutions for the project to the new
24 owner and or operator. This notification's provision shall run with the life of the project
25 and shall be recorded as a covenant on the property.

26 21. Failure to meet any conditions of approval for this development shall constitute a violation
27 of the Conditional Use Permit.

28 22. Unless expressly waived, all current zoning standards and City ordinances and policies in
29 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

1 Description and Justification, Management Plan and other materials and information
2 submitted with this application, unless specifically waived by an adopted condition of
3 approval.

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

7 24. Any alteration to the architectural design of the project shall be reviewed and approved by
8 the Oceanside Historic Preservation Advisory Commission Substantial Conformity
9 Committee. No staff substantial conformity shall be allowed for any design modifications
10 without the approval of the Substantial Conformity Committee.

11 PASSED AND ADOPTED Resolution No. 2008-P52 on September 8, 2008 by the

12 following vote, to wit:

13 AYES:

14 NAYS:

15 ABSENT:

16 ABSTAIN:

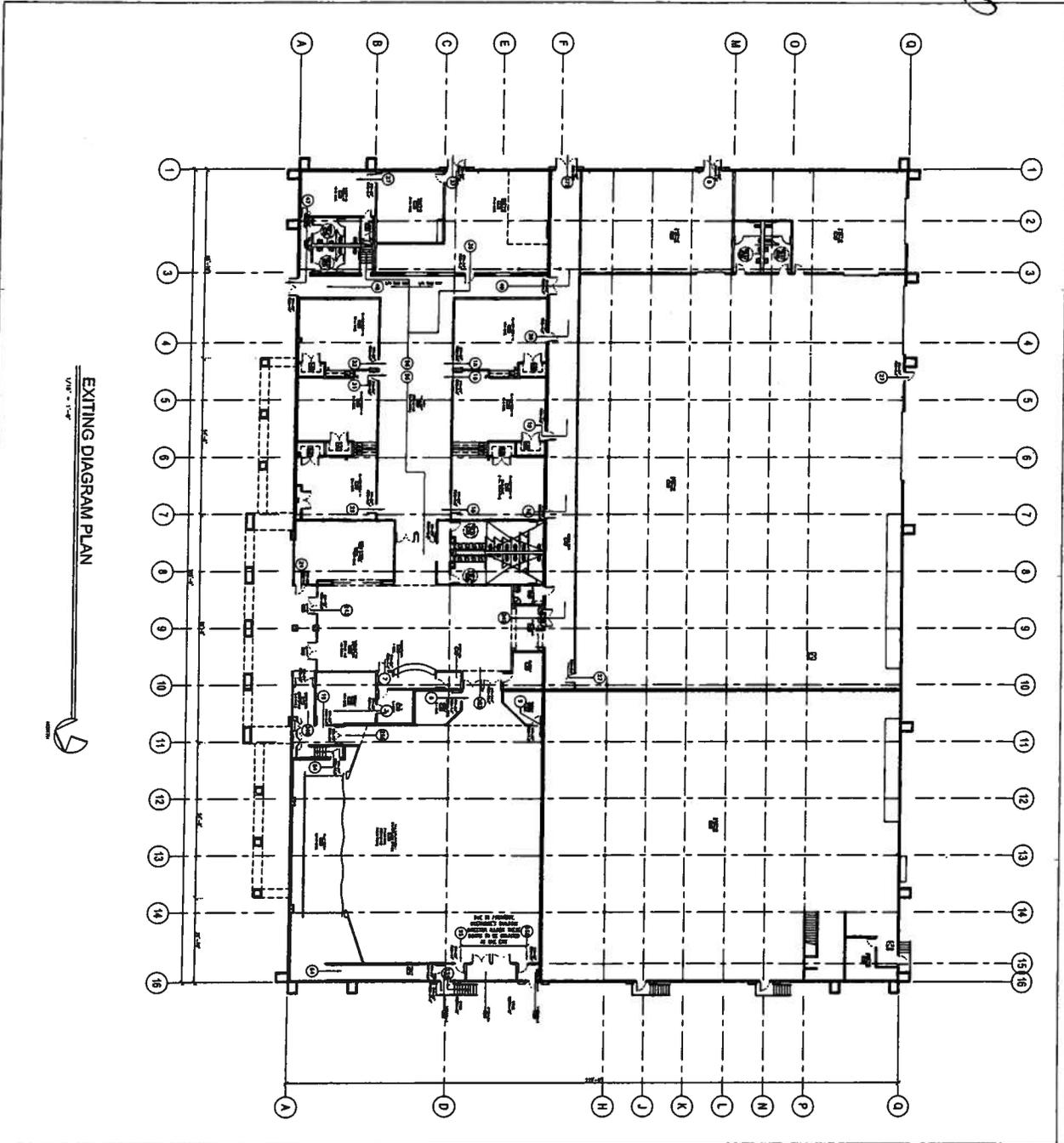
17
18 _____
19 Claudia Troisi, Chairperson
20 Oceanside Planning Commission

21 ATTEST:

22 _____
23 Jerry Hittleman, Secretary

24 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
25 this is a true and correct copy of Resolution No. 2008-P52.

26 Dated: September 8, 2008
27
28
29



EXITING DIAGRAM PLAN
1/8" = 1'-0"

EXITING PLAN KEYED NOTES

- D -
- B -
- B -

EXITING PLAN NOTES

1. SEE SHEET A.1.1 FOR SANITARY AND CEILING HOOD LAYOUT.
2. SEE SHEET A.1.1 FOR ROOM SCHEDULE AND ROOM SCHEDULE CALCULATIONS.

LEGEND

- ① NUMBER OF EXISTING EXITS SHOWN IN ROOM
- ② EXISTING EXITS
- ③ NEW EXITS

A1.4A

EXITING DIAGRAM PLAN
NEW SONG COMMUNITY CHURCH
Oceanside, CA

Management Plan

Our Facility, Parking, and Security

Our regular office hours are 8:45am – 5:00pm, Monday –Friday. Our regular services are held every Saturday at 5:00pm and every Sunday at 9:00am and 10:45am. Our average attendance for the weekend services is 850 people, who use an average of about 200 parking spaces. During these hours, all parking is done on-site in our regular parking facility.

During the week we have numerous meetings held in various areas of our facility, some of which include Bible Studies that meet 5 nights a week, a realtors group that meets on Thursday mornings, Mothers of Preschoolers that meets on Thursday mornings, and a Narcotics Anonymous group that meets on Fridays. During all these meetings, all parking is done on-site in our regular parking facility.

Annually, several times during the year we hold larger meetings at our facility. These include: at the end of September, we hold an anniversary celebration at our facility. At the beginning of August, we hold a leadership summit at our facility. At the beginning of April, we hold a volunteer appreciation event at our facility. During all of these times, all parking is done on-site in our regular parking facility.

Our anticipated growth will be replacing space that is currently in use. Therefore, we expect it will not immediately effect our parking situation at all, as we have our own large parking facility as well as the reciprocated 800 spaces we can use next door.

We also have onsite security personnel that ensure the lock down and security of the building at night.

Addendum to Description and Justification

Why our permitted plans differ from our approved planning commission plans?

When we purchased our facility from Dixieline Lumber Company (in 2000), we began to work on obtaining our CUP. At the same time our architect began to create a plan of what our facility might become once completed. At submittal of our CUP we gave our best guess at the moment, based on our architectural drawings. Subsequent to our CUP submittal, we changed our plans a number of times based on the typical process to building out a church. (Committees and staff meetings galore!) Finally we landed on a “master plan” for the facility. Based on the dollars we had at the time, we submitted that portion of our master plan to the permitting department. The gap between those two submittals was probably a few months.

All that said, nothing we originally submitted, what we built, or what we will eventually propose to the building department will change our permitted purposes in the original CUP.

Since we have been involved in this process, our present architect has informed us that it’s professionally courteous to drop off a set of the approved plans in the planning department after the fact.

We apologize for the confusion this has caused.

Economic impact of New Song

Even though New Song owns a building that is no longer on the tax record our community support and desire to continually work with our community partners to create a better Oceanside FAR outweigh any loss on the tax record. We have a phrase we use frequently, it's "the church next door." Which means that we desire to be an integral part of our community...to be "next door" no matter where you are and impact our community with the love of Christ. Those are not just idle words to us, they are action oriented. For example here are some of the things the members of New Song have participated in our city during the past year alone:

- We serve to help eliminate homelessness in our city.
 - Volunteer at Brother Benno's approximately 180 hours each month
 - Served 600 meals at Bread of Life this past year
 - 4 days each week we serve small hand out meals to create conversation with our hurting and homeless in Oceanside. We have served close to 10,000 hand out meals this past year alone.
 - Each major holiday we offer meal support to the working poor of our city, serving approximately 300 meals during Christmas, Thanksgiving, and Independence Day.
 - We operate a food pantry where---conservatively---10,000 pounds of food has been turned around to the working poor of our community.

The goal of all this is simply a changed life. It's not to do the things above but it's to create relationships so that we can speak into the lives of the homeless or working poor and help those who truly want to get out of their present circumstances. This past year I'm aware of 2 young men who have beaten the street. Two men who took our help and are off the streets today as contributing members of society. Further, we've helped many more get out the street temporarily and get into a social action program that equips them to break the systemic cycle of abuses which landed them on the street.

- We are involved in eliminating the slave trade and human trafficking that is around our community.
 - Presently we are mobilizing a small group of New Songers to assist Breaking the Chains organization. We volunteer approximately 50 hours a month to eliminate human trafficking in our community.

This is an extreme example of our efforts to help those on the underside of the power curve get back their lives and futures. The details are too sick and twisted to share, but we hope to be a part of the solution to this horrific problem in our community. It may not be a huge issue on a grand scale but if there are 15 or 20 young girls and children in our community held as sex slaves, that's 15 or 20 too many.

- We are involved in Oceanside's efforts to reduce gang activity.
 - In the past year, dozens of New Songers have helped stage 20 events to reach out to gang members.

- Many of our youthful have been involved in regularly scheduled football games. Our goal is to meet and build relationships so that we can share the love of Christ and help them understand there are other ways of surviving.
- We have partnered with other civic organizations and participated in many city events staged to help gang members choose to live differently.
- We spend 100's of volunteer hours each month working with gangs and those who are showing signs of change.

Within the past year alone, I'm aware of 2 young men who we have helped make a decision to "retire" from gang life. One has actually been admitted into Palomar Community College on a scholarship.

- We are willing community service members.
 - This past September (2007) we sent 50 to 60 New Singers to serve our city during the SUN project.
 - Two years ago (September 2006) we sent 150 New Singers to serve our city during the SUN project.
 - This year we anticipate sending 150 to 200 New Singers to serve our city during the SUN project.
 - This past April 26 we mobilized approximately 400 New Singers to serve our community. That's approximately 3000 volunteer hours on one day. We cleaned neighborhoods, picked up trash, scraped gum off of the sidewalks, cleaned up a school, cleared graffiti, painted buildings, served the Marines on Camp Pendleton, and cleaned up a couple of homes that had grown into eyesores.

We are a church full of people who believe that the love of Christ is best reflected by being the church next door. We just serve our community.

- This past year our church became an evacuation center during the Firestorms of 2007.
 - Monday of that week, we saw a simple need and before we knew it 150 fire refugees spent the first night in our building.
 - During that week, we housed approximately 600 unique folks, served 1000's of meals, gave away 1000's of pounds of gear and supplies and gave those displaced a moment of peace---or as much as one can have sleeping with 300 other people!
 - Each day New Song organized approximately 200 community volunteers to serve the needs of our fire victims.

Articles were written about how we allowed those who struggled through that time to feel like they were as close to home as possible. If we are aware of a significant community need, we will continue to step forward and be a part of the solution.

- We are committed to helping our local Marines and Sailors.
 - This past July we hired a pastor whose sole focus is to serve the Marines and Sailors.

- The divorce rate for Marines in their first duty station is 71%. That is completely out of control. We have provided marriage seminars and will be sponsoring a HUGE marriage program this fall. Doing our best to make a difference.
- Our Marines and Sailors coming home from Afghanistan and Iraq with Post Traumatic Stress Disorder (PTSD). Presently we host a group focused on helping those with PTSD.
- We routinely throw “Welcome Back” parties, BBQ’s, and large give aways.
 - This past year we gave away about 25,000 pounds of \$8 per pound fish. That’s approximately \$200,000 in fish!
 - We’ve organized toy give aways at Christmas.

We look north to Camp Pendleton and see a large group of people dedicated to serving our country. We are compelled by the love of Christ to do what we can to help them with their real needs.

- We routinely and regularly offer our building to our community at large---for free---to any community organization or non-profit.
 - New Song has held or played host to:
 - Every election in the past 5 years
 - Dozens of events to designed serve our community
 - Public graduation ceremonies
 - 4 battalion “Going away” or “Welcome home” parties
 - Numerous CERT and Coast Guard Auxiliary Group meetings
 - Fundraising events that raised \$10s of thousands to help world causes like orphans in Ethiopia, buying a water well for villages in South Africa, and an adoption agency in China
 - Police ceremonies
 - Home owners association meetings
 - And so much more

We have a great building. It’s our desire to give the building away to as many people as we can. It’s just another way we give back to our community.

After all the above, it still comes nowhere close to encapsulating our overall community impact. New Songers support approximately 100 orphans around the world (through WorldVision, Compassion Intl, etc.) We have hundreds of folks who volunteer all around our community in retirement communities, hospitals, and civic organizations spending 100’s of hours each and every week trying to be the church next door. This is all in addition to what some might consider a churches “ordinary” impact on a community. Stuff like 100’s of marriages being saved, people being taught to love and respect those around them, respecting the authorities placed over them like city governments and their immediate boss. All those are only tip of the iceberg issues that should make a church one of the city’s most prized organizations.

So while about \$40,000 of tax revenue from our facility is unavailable, one could make an argument that New Song provides over \$500,000 per year of goods and services to bless, support, help, and grow our community.

Oh by the way, our staff payroll is approximately \$700,000 per year. Those 35 folks live in Oceanside, spend time in our community, and support our local economy as well.

Proposed 1st Floor

| Room | Classification | Description of Use | Plan Label (if labeled) | Area (Sq. Ft.) | Occupant Load Factor | Occupant Load | Summary of Needed Parking |
|------|-------------------|-------------------------|-------------------------|----------------|----------------------|---------------|---------------------------|
| 104 | Day Care, General | Sunday School Classroom | Classroom #4 | 582 | 20 | 29.5 | 4.2 |
| 107 | Day Care, General | Sunday School Classroom | Classroom | 628 | 20 | 31.4 | 4.5 |
| 110 | Day Care, General | Sunday School Classroom | Classroom #5 | 651 | 20 | 32.6 | 4.7 |
| 115 | Day Care, General | Sunday School Classroom | Existing Room #8 | 547 | 20 | 27.4 | 3.9 |
| 116 | Day Care, General | Sunday School Classroom | Existing Room #9 | 1473 | 20 | 73.7 | 10.5 |
| 117 | Day Care, General | Sunday School Classroom | Classroom | 1366 | 20 | 68.3 | 9.8 |
| 120 | Day Care, General | Sunday School Classroom | Classroom | 1678 | 20 | 83.9 | 12.0 |
| 121 | Day Care, General | Sunday School Classroom | Classroom #1 | 790 | 20 | 39.5 | 5.6 |
| 123 | Day Care, General | Sunday School Classroom | Classroom #2 | 766 | 20 | 38.3 | 5.5 |
| 128 | Day Care, General | Sunday School Classroom | Classroom #3 | 733 | 20 | 36.7 | 5.2 |
| 151 | Day Care, General | Sunday School Classroom | Classroom | 2512 | 20 | 125.6 | 17.9 |
| 154 | Day Care, General | Sunday School Classroom | Lounge | 1776 | 20 | 88.8 | 12.7 |

Parking required for Classroom spaces

96.5

| Room | Classification | Description of Use | Plan Label (if labeled) | Area (Sq. Ft.) | Parking Factor | Summary of Needed Parking |
|------|--------------------|-------------------------------|-------------------------|----------------|----------------|---------------------------|
| 103 | Retail not listed | Coffee bar/bookstore | Book Store/Post | 712 | 200 | 3.6 |
| 105 | Whse & Storage | Classroom closet for supplies | Storage | 41 | 2000 | 0.0 |
| 106 | Whse & Storage | Classroom closet for supplies | Storage | 41 | 2000 | 0.0 |
| 109 | Whse & Storage | Classroom closet for supplies | Storage | 40 | 2000 | 0.0 |
| 113B | Whse & Storage | Sunday School Storage | Existing Room #7 | 397 | 2000 | 0.2 |
| 122 | Whse & Storage | Classroom closet for supplies | Storage | 41 | 2000 | 0.0 |
| 124 | Whse & Storage | Classroom closet for supplies | Storage | 42 | 2000 | 0.0 |
| 125 | Whse & Storage | Classroom closet for supplies | Storage | 42 | 2000 | 0.0 |
| 126 | Whse & Storage | Long term storage | Storage | 8843 | 2000 | 4.4 |
| 134 | Religious Assembly | "Cry room" for 140 | Family Room | 135 | 40 | 3.4 |
| 135 | Whse & Storage | Short term storage | Warehouse | 9043 | 2000 | 4.5 |
| 136 | Whse & Storage | Tele, comp, elec MPOE | Storage | 91 | 2000 | 0.0 |
| 138 | Whse & Storage | Storage for 140 | Storage | 102 | 2000 | 0.1 |

| Room | Classification | Description of Use | Plan Label (if labeled) | Area (Sq. Ft.) | Parking Factor | Summary of Needed Parking |
|---|--------------------|---------------------------|-------------------------|----------------|----------------|---------------------------|
| 140 | Religious Assembly | Auditorium | Multipurpose Rm. | 5221 | 40 | 130.5 |
| 141A | Religious Assembly | Auditorium Stage | Platform | 1916 | 40 | 47.9 |
| 142 | Religious Assembly | "Cry room" for 140 | Newcomer's Room | 158 | 40 | 4.0 |
| 143 | Whse & Storage | Office supply closet | Storage | 48 | 2000 | 0.0 |
| 144 | Office, Bus & Pro. | Copier room | A/V | 140 | 300 | 0.5 |
| 145 | Office, Bus & Pro. | Information Booth | Reception | 105 | 300 | 0.4 |
| 146 | Office, Bus & Pro. | Office for 140 | Green Room | 378 | 300 | 1.3 |
| 150 | Whse & Storage | Storage for classroom | Storage | 274 | 2000 | 0.1 |
| 153 | Religious Assembly | Youth atrium | Lounge | 1677 | 40 | 41.9 |
| 160 | Religious Assembly | Prayer room | Chapel | 475 | 40 | 11.9 |
| 161 | Religious Assembly | Prayer room | Chapel | 123 | 40 | 3.1 |
| 170 | Religious Assembly | Auditorium / Meeting room | Overdrive | 3436 | 40 | 85.9 |
| 172 | Whse & Storage | Open storage area | Existing Storage | 1755 | 2000 | 0.9 |
| Parking required of all other spaces | | | | | | |
| 344.6 | | | | | | |

Existing Mezzanine

| Room | Classification | Description of Use | Plan Label (if labeled) | Area (Sq. Ft.) | Parking Factor | Summary of Needed Parking |
|---------------------------------------|--------------------|--------------------|-------------------------|----------------|----------------|---------------------------|
| 201 | Office, Bus & Pro. | Office and storage | Existing Hall | 183 | 300 | 0.6 |
| 202 | Office, Bus & Pro. | Office and storage | Existing Storage | 1728 | 300 | 5.8 |
| 203 | Office, Bus & Pro. | Office and storage | Existing Storage | 114 | 300 | 0.4 |
| 204 | Office, Bus & Pro. | Office and storage | Existing Office | 287 | 300 | 1.0 |
| 205 | Office, Bus & Pro. | Office and storage | Existing Office | 204 | 300 | 0.7 |
| Parking required for mezzanine | | | | | | |
| 8.4 | | | | | | |

Summary

Parking required for Classroom spaces

96.5

Parking required of all other spaces

344.6

Parking required for mezzanine

8.4

Total parking required

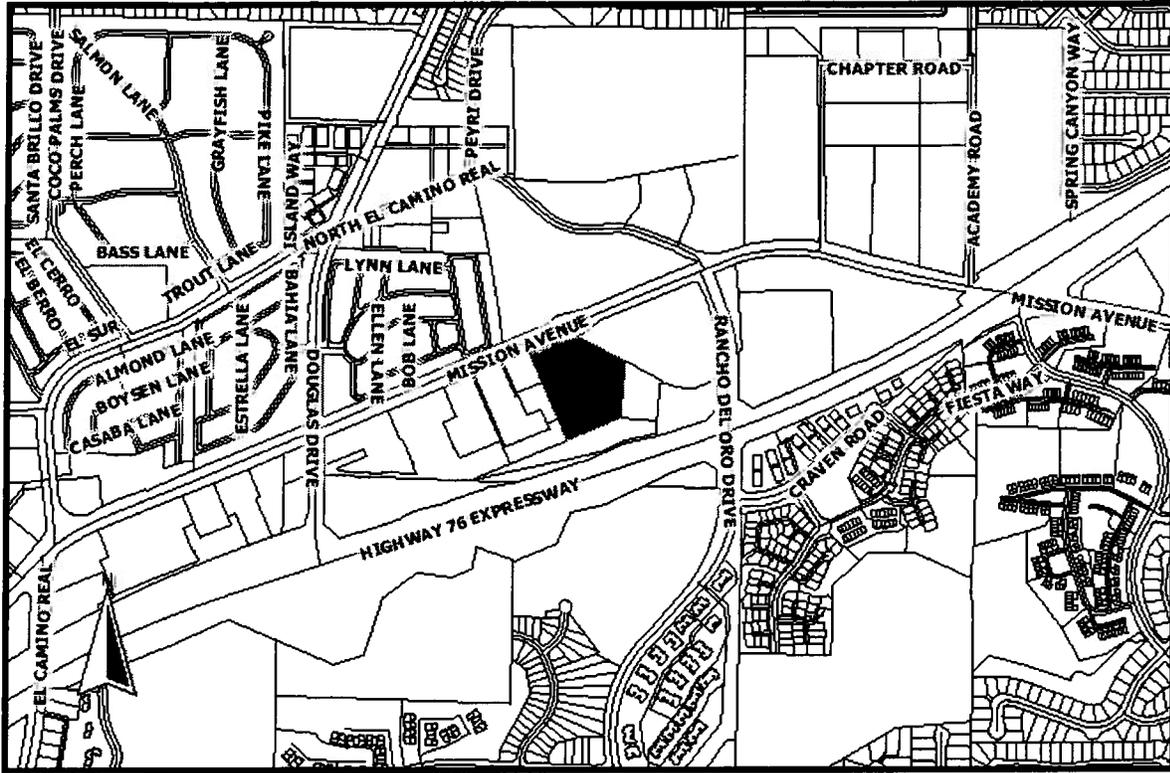
449.4

Total parking available

1124.0

Transition spaces - do not count toward parking requirements

| | | | | | |
|------|--|---------------------|---------------------|---|---|
| 102 | | | Main Entry/Corridor | * | * |
| 108 | | | Main Hallway | * | * |
| 111 | | | Existing Toilet | * | * |
| 112 | | | Existing Toilet | * | * |
| 113A | | | Hallway | * | * |
| 114 | | Storage Room Closet | Closet | * | * |
| 118 | | | Existing Toilet | * | * |
| 119 | | | Existing Toilet | * | * |
| 127 | | | Corridor | * | * |
| 129 | | | Women's Toilet | * | * |
| 130 | | | Men's Toilet | * | * |
| 131 | | Janitor's Closet | Janitor's | * | * |
| 132 | | | Vestibule | * | * |
| 133 | | Equipment Room | Closet | | |
| 137 | | | Vestibule | * | * |
| 139 | | | Vestibule | * | * |
| 141B | | | Ramp | * | * |
| 147 | | | Corridor | * | * |
| 152 | | | 1 hour exit cor. | * | * |
| 162 | | | 1 hour corridor | * | * |
| 171 | | | 1 hour exit cor. | * | * |



File Number: C-10-08

Applicant: New Song Community Church

Description:

CONDITIONAL USE PERMIT (C-10-08) for the continued use of a church with interior tenant improvements at 3985 Mission Avenue. The project is zoned CS-L-H (Special Commercial Limited Historic Overlay) and is situated within the San Luis Rey Neighborhood. – **NEW SONG CHURCH**

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 Public Hearing

Community Development Department / Planning Division
(760) 435-3520
Oceanside Civic Center 300 North Coast Highway
Oceanside, California 92054-2885

STAFF USE ONLY

ACCEPTED **2/16/07**
RECEIVED
FEB 18 2008
Planning Department
BY **SN.**

Please Print or Type All Information

PART I - APPLICANT INFORMATION

| | |
|--|--|
| 1. APPLICANT NEW SONG COMMUNITY CHURCH | 2. STATUS OWNER |
| 3. ADDRESS 3985 MISSION AVE. | 4. PHONE/FAX/E-mail 560-5000 STEVE@NEWSONG |
| 5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) STEVE FOSTER | |
| 6. ADDRESS ABOVE | 7. PHONE/FAX/E-mail ABOVE |

| |
|-----------------------|
| HEARING |
| GPA |
| MASTER/SP.PLAN |
| ZONE CH. |
| TENT. MAP |
| PAR. MAP |
| DEV. PL. |
| C.U.P. C-10-08 |
| VARIANCE |
| COASTAL |
| O.H.P.A.C. |

PART II - PROPERTY DESCRIPTION

| | |
|--|--|
| 8. LOCATION 3985 MISSION AVE | 9. SIZE 5.09 ACRES |
| 10. GENERAL PLAN | 11. ZONING 6-COMMERCIAL |
| 12. LAND USE 621 | 13. ASSESSOR'S PARCEL NUMBER 158 080 14 00 |

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
**RENEW CUP (C-25-00) + HISTORICAL PERMIT
(H-3-00). INTERIOR TENANT IMPROVEMENTS**

REV - 4/9/08

| | | | | |
|---|--|---|---|---------------------------|
| 15. PROPOSED GENERAL PLAN NO CHANGE | 16. PROPOSED ZONING NO CHANGE | 17. PROPOSED LAND USE NO CHANGE | 18. NO. UNITS N/A | 19. DENSITY N/A |
| 20. BUILDING SIZE 60,792 | 21. PARKING SPACES 231 + 893 RESIP | 22. % LANDSCAPE 24.2 | 23. % LOT COVERAGE or FAR 26.97 | |

PART IV - ATTACHMENTS

| | | |
|--------------------------------|------------------------------|---|
| 24. DESCRIPTION/JUSTIFICATION | 25. LEGAL DESCRIPTION | 26. TITLE REPORT |
| 27. NOTIFICATION MAP & LABELS | 28. ENVIRONMENTAL INFO FORM | 29. PLOT PLANS |
| 30. FLOOR PLANS AND ELEVATIONS | 31. CERTIFICATION OF POSTING | 32. OTHER (See attachment for required reports) |

PART V - SIGNATURES

| | | |
|---|--|--|
| 33. APPLICANT OR REPRESENTATIVE (Print): STEVE FOSTER | 34. DATE 1/16/08 | 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). |
| Sign: <i>[Signature]</i> | 35. OWNER (Print) NEW SONG C. CHURCH | |

| | |
|--|-----------------------------|
| I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. | 36. DATE 3/26/08 |
| | Sign: <i>[Signature]</i> |

FAITH

Request for a Renewed Conditional Use Permit in Special Commercial District for Religious Assembly Code: CS-L:33

Applicant:

New Song Community Church
3985 Mission Ave.
Oceanside, CA 92058
760 560-5000

Property Information:

Assessor's Parcel Number: 158-080-14-00 (see attachment)

Proposal: New Song Community Church petitions the Planning Commission to grant a renewal to our now expired CUP C-25-00 for an additional term of 5 years. Further we ask the City Council and Planning Commission to grant New Song an automatic 5 year renewal for our continued operation.

Description and Justification (24):

New Song Community Church (New Song) has owned and been occupying 3985 Mission Ave. since our grand opening on April 1st, 2001. It has been improved and utilized for religious services from that point forward. Our goal has been to be the sort of church that our community would miss if we should no longer exist. All because we desire to serve our community and share the love of Jesus Christ. Many institutions may intend these things; however over the past 6 ½ years we have increased our efforts to actually DO them. As such we have hosted functions for the following groups, meetings or functions over the past few years: Oceanside Police Department, Coast Guard Auxiliary, Boy Scout troops, community concerts, Oceanside Unified School District graduation ceremonies, numerous charter school ceremonies, Narcotics Anonymous USMC events (e.g. pre-deployment functions, post-deployment events, parenting classes, marital classes, Christmas parties, graduation events, etc.), small community theater projects, home owners association meetings, and far too many community service organization events to list. All as a free service to our community. Recently during Firestorm 2007 we opened our doors to fire evacuees from our community. We hosted over 600 unique evacuees throughout the week and almost 400 on our "busiest" night. This is what we do and who we are. We desire to serve our community and add value to the city of Oceanside, each and every week.

In addition to the times we invite others to use our facility; we are not content to rest there. We send out almost 150 different people each month to spend over a 1000 man hours serving our community attempting to make it a better place to live. These activities include: educational support, eradicating gang activities, eliminating homelessness, abstinence training, serving the poor, guidance counseling, marital

training, financial training, serving our Camp Pendleton service personnel and so much more.

In June of 2006 we hired our first staff member dedicated to serving our community. In July of 2008 we will hire our first staff member dedicated solely to serving the needs of Camp Pendleton marines, soldiers, and sailors. And we have begun to plan how we might be able to hire our first staff member dedicated to raising the educational support in our city.

We are confident that New Song can be an effective partner to the city of Oceanside in our mutual effort to make our city a better place to live.

The above was written to provide the back story of our description and justification for the CUP we need renewed. We need our CUP to continue to serve our community as the church God intends us to be. Our future plans include continuing to build out the interior of our facility in order to continue to serve the needs of our church and our community. We look forward to the day when thousands of people (not associated with our church) visit 3985 Mission Ave to join in a public meeting, ceremony, or event because a service organization, government entity, city, or school is choosing to use our facility as their meeting place. All for the purpose of being "the church next door" (one of our phrases we use to quickly describe our attempts to being a valuable civic partner.)

- 24 (a) Our location is within the objectives of this ordinance and the purposes of the district in which our facility is located.
- 24 (b) The church's operation are consistent with the General Plan. Not only will we "not be detrimental to public health, safety or welfare of persons residing or working in or adjacent to the neighborhood" but our purpose is to be BENEFICIAL to all the above, and then some.
- 24 (c) We will be in compliance with the renewed conditional use permit.

Legal Description (25): Enclosed

Title Report (26): Enclosed

Environmental Info Form (27): Enclosed

Plot Plans (29): 20 folded copies + 1 8 ½ x 11 copy enclosed

Floor Plans and Elevations: 20 folded copies + 1 8 ½ x 11 copy enclosed

Certification of Posting (31): Pending

Other (32):

Sign usage We are proposing no changes to our existing and already approved signage.

Legal Status and Agent of Process Enclosed

Corporate Officers Enclosed

Signing empowerment Enclosed

Description of plans in possession of the planning department file

Our previous site plan, phasing, and timelines are out of date. This section addresses any changes made. Our previous master plan (or site plan) in the file is unfortunately irrelevant and unusable. We discovered this about a year and a half after we moved in to our facility. Our previous architect never accounted for 2 critical issues that render his plans useless. Number one, the ceiling height over most of the building doesn't allow for a second story. (practically if not according to building code) Number two, the floor plan doesn't take into proper accounting our present demographics and practical concerns. Thusly we would never have been able to build out enough children's space for all of the adult space planned.

Of course we never built out according to this plan. We now have plans ready to submit to the building department and are ready to move forward with our presently planned development.

None of these changes affect our proposed uses.

Previous Conditional Use Permit Enclosed

Previous Historic Pres. Permit Enclosed

0469

LEGAL DESCRIPTION
for
NATIONAL LUMBER SITE
MISSION DOUGLAS PLAZA
(Ref: CPDS-2302)

04/04/88

That portion of Parcel 5 of Parcel Map No. 15175, recorded March 9, 1988, being in the City of Oceanside, County of San Diego, State of California, described as follows:

Beginning at the Northwest corner of said Parcel 5, thence along the boundary of said Parcel 5, North 66° 58' 30" East 136.23 feet; thence North 80° 08' 30" East 110.02 feet; thence North 66° 58' 30" East 33.31 feet, thence South 79° 39' 45" East 36.10 feet; thence South 62° 14' 50" East 293.12 feet; thence South 05° 11' 00" West 330.88 feet; thence leaving the boundary of said Parcel 5, South 67° 02' 51" West 335.78 feet to the angle point in the westerly boundary of said Parcel 5; thence along said westerly boundary North 23° 01' 30" West 563.09 feet to the TRUE POINT OF BEGINNING.

Handwritten initials
TE

OFFICIAL RECORDS, SAN DIEGO COUNTY, VERA L. LYLE, RECORDER



NOTICE OF EXEMPTION

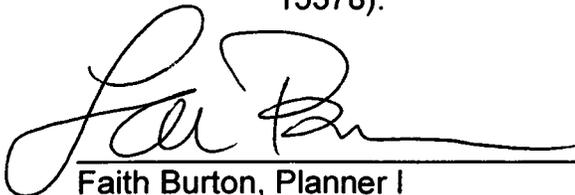
City of Oceanside, California

Post Date:
Removal:
(30 days)

1. **APPLICANT:** New Song Community Church
2. **ADDRESS:** 3985 Mission Avenue
Oceanside CA. 92058
3. **PHONE NUMBER:** (760) 560-5000
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Faith Burton, Planner I
6. **PROJECT TITLE:** New Song Church
7. **DESCRIPTION:** A request to allow the use of a religious facility involving interior tenant improvements to an existing structure.

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. Based on that review, the Environmental Coordinator finds that the proposed project constitutes interior alterations involving such things as interior partitions, plumbing and electrical conveyances, and the project is categorically exempt. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- "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 is categorically exempt, Class One, "Existing Facilities" (Section 15301); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).



Faith Burton, Planner I

Date: September 8, 2008

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee