



DATE: April 7, 2008

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN (D-11-06) AND CONDITIONAL USE PERMIT (C-36-06) TO DEMOLISH AN EXISTING CHURCH BUILDING, COMMERCIAL FLOWER SHOP AND TWO SINGLE-FAMILY RESIDENTIAL HOMES TO CONSTRUCT A 14,300-SQUARE FOOT SANCTUARY, A 5,145-SQUARE FOOT MULTIPURPOSE BUILDING AND TWO ASSOCIATED SCHOOL BUILDINGS TOTALING 6,900 SQUARE FEET LOCATED AT 4507 MISSION AVENUE. – COMMUNITY LUTHERAN CHURCH – APPLICANT: COMMUNITY LUTHERAN CHURCH**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Adopt Planning Commission Resolution No. 2008-P23 approving the Development Plan (D-11-06) and Conditional Use Permit (C-36-06) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The Community Lutheran Church is a non-profit corporation under the Laws of the State of California and has been in existence for at least 25 years in the City of Oceanside. On March 10, 1997 the Community Lutheran Church previously known as Community Bible Church received approval for Development Plan (D-4-97) and Conditional Use Permit (C-10-95) for the construction and use of a 35,262-square foot church complex with a main sanctuary, administrative offices, a gymnasium, a school and daycare center. On October 13, 1997 the Community Lutheran Church lot was reconfigured as a part of Pepper Tree Tentative Parcel Map (T-4-97) approval. This approval allowed the original Church site of 5.37 acres to be subdivided into one 3.58-acre site for the existing Church, with the remaining 1.79 acres designated for a seven-lot residential subdivision. The subdivision is currently under construction due to the need

for up-to-date facilities, and additional space necessary to accommodate the Church's growing congregation, the applicant has submitted a revised Development Plan (D-11-06) and Conditional Use Permit (C-36-06) for review and approval.

Site Review: The subject site is zoned RS (Single-Family Residential) and has a General Plan Land Use designation of Single-Family Detached – Residential (SFD-R). Oceanside Zoning Ordinance allows religious facilities to exist in Single-Family residential zones with the approval of a Conditional Use Permit. Surrounding land uses include low density residential uses to the east, the Parkwood Apartments to the west, duplex homes to the north across Mission Avenue and a vacant residential zoned property to the south. The larger neighborhood area encompassing the project site is the San Luis Rey neighborhood.

Project Description: The project application is comprised of two components; Development Plan (D-11-06) and Conditional Use Permit (C-36-06) as follows:

Development Plan (D-11-06) represents a request for the following:

To develop a new Church Facility that would be sufficient in size and provide the required amenities that are needed for religious facilities today and in the future. This development plan allows the demolition of the existing structures and permits the development of a sanctuary, classrooms, associated offices and a multipurpose building. Development of the proposed structures will be constructed in phases as specified below:

Phase One would permit the demolition of one of the older single-family homes on the property and the flower stand at the street to allow for construction of a 5,145-square foot multipurpose building and a portion of the parking lot consisting of 55 parking stalls out of the total 190 for the entire project. This building will be used as a temporary church until the completion of the main church building in phase four, and for other related church activities.

Phase Two would consist of the construction of an approximate 3,300-square foot school and office building. The school building will consist of six classrooms, restrooms and associated offices for the school.

Phase Three would consist of a 3,600-square foot addition to the school and office buildings.

Phase Four would permit the demolition of the old church building and residential home that was used for a daycare, in order to construct a 14,300-square foot Sanctuary, remaining parking, and associated landscaping.

Conditional Use Permit (C-36-06) represents a request for the following:

To permit demolition of existing facilities and allow the phased construction of the new church facilities and continued operation of the religious facilities at 4507 Mission Avenue. Since the Community Lutheran Church was established before the Conditional Use Permit regulations, the new construction and additions to the site requires a Conditional Use Permit.

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

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

ANALYSIS – KEY PLANNING ISSUES

1. General Plan conformance

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

I. Community Enhancement

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

Section 1.2 Site Design

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

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

The proposed Community Lutheran Church improvements and additions fit within the existing topography and are consistent with development on surrounding properties. The undergrounding of utilities and landscape improvements would enhance the property and the neighborhood. All

improvements will provide utility and infrastructure developments that will compliment the property as well as the neighborhood. A portion of the project's frontage is conditioned to be completed by the original Pepper Tree Developer and this would enhance the Community Lutheran Church's visual appearance as well as provide roadway and public sidewalk improvements that are needed for this area.

Section 1.23 Architecture

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

Policy A: Architectural form, treatments, and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.

The Community Lutheran Church development has been designed to complement the property; as well as, the surrounding neighborhood. The implementation of Mediterranean and Spanish architectural design features will be consistent with the architecture and design of the neighboring properties. The new structures will incorporate tile and copper roofing materials, stone veneer wall coverings, tempered and treated glass windows, arched walkways, and a bell tower.

2. Zoning Compliance

This project is located in a Single-Family Residential District (RS). Pursuant to Oceanside Zoning Ordinance Sections 1050 and 3004, development regulations for a church in an RS District shall be specified by the use permit, provided that if the use permit fails to regulate an element regulated by an abutting base district, the regulation of the abutting base district shall apply to each portion of a RS District. The majority of the abutting properties are zoned Single-Family Residential (RS). Therefore, the development regulations of the RS District were applied to the proposed project.

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

	Zoning Requirements	Proposed
Minimum Lot Size	6,000 square feet	3.58 Acres
Front Yard	20 feet	27.6 feet
Side Yard	7.5 feet	25.1 feet
Corner Side Yard	10 feet	30.2 feet
Rear Yard	15 feet	23.4 feet

	Zoning Requirements	Proposed
Building Height	36 feet 46 feet for Non Habitable Structures Architecture features as per OZO Exemption to Height Limits (3018)	36 feet Main Structures 36' 4" Architecture feature
Landscaping	n/a	40%
Parking (Religious Assembly)	1 space per 4 seats 151 seats/4 = 37.75 spaces + 3 handicap accessible	190 spaces 4 handicap accessible

DISCUSSION

Issue: Project compatibility with surrounding neighborhood.

Recommendation: The Community of Lutheran Church has been in existence for 25 years and has been a positive use in the neighborhood. The proposed improvements and additions to the site incorporate designs that will be consistent with surrounding properties in terms of height, bulk, materials, colors, type and architecture styles. All proposed structures have incorporated certain elements into each building type that will compliment as well as mimic certain architectural types of neighboring properties. Phase one and four of the development plan proposal incorporates Mediterranean and Spanish architectural design features such as stucco wall finishing, stone veneer wall coverings, arched walkways and tile, and mansard and copper roofing materials, that will be similar to Old Grove Road Shopping Center and the single-family homes to the north and south. Phase two and three will incorporate different, but complimentary architectural features.

Issue: The applicant is proposing to demolish the existing buildings on the site in order to develop newer and up-to-date building structures to keep up with the growing Church congregation.

Recommendation: The underlying Zoning designation of Single-Family Residential (RS) district permits religious uses within residential neighborhoods with approval of CUP. The proposal to develop four structures in four construction phases will enhance the property. The existing structures are extremely outdated and not sufficient for the high demands that the Church requires today. All proposed designs will incorporate similar architectural features and materials that will enhance the property. Proposed landscaping improvements will include 15-gallon trees and many native species. Staff

believes that the implementation of the proposed improvements will allow the Community Lutheran Church to provide services that meet the current population growth of the congregation; as well as, the growth of the population in the City of Oceanside.

ENVIRONMENTAL DETERMINATION

The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and a Mitigated Negative Declaration was prepared for the subdivision of the land and the previous approved Development Plan (D-18-97) and Conditional Use Permit (C-26-97) for the construction of the Church and is attached to this staff report. The environmental analysis concluded that the project will mitigate all potential impacts to a level below significance. Since there has not been a significant change to the property or surrounding area, the previously prepared and approved Mitigated Negative Declaration is sufficient per CEQA Section 15162.

PUBLIC NOTIFICATION

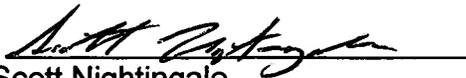
Legal notice was published in the North County Times and notices were sent to property owners of record within a 1500-foot radius of the subject property, individuals and or organizations requesting notification, applicant and other interested parties. As of March 28, 2008 no communication supporting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

SUMMARY

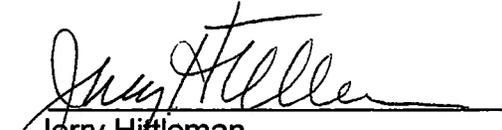
In summary, staff believes that the Development Plan and Conditional Use Permit are consistent with the requirements of the Zoning Ordinance and the policies outlined in the General Plan. The project meets or exceeds all development standards and is compatible with the surrounding development pattern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

- Move to approve Development Plan (D-11-06) and Conditional Use Permit (C-36-06) and adopt Planning Commission Resolution No. 2008-P23 as attached.

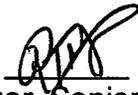
PREPARED BY:


Scott Nightingale
Planner II

SUBMITTED BY:


Jerry Hittleman
City Planner

REVIEWED BY:


Richard Greenbauer, Senior Planner

JH/SS/fil

Attachments:

1. Site Plan/Architectural Plans/Conceptual Landscape Plan/Conceptual Grading Plan
2. Planning Commission Resolution No. 2008-P23
3. Pepper Lane Subdivision Staff Report & PC Resolution No. 97-P60 dated October 13, 1997
4. Community Bible Church Staff Report & PC Resolution No. 97-P15 dated March 10, 1997
5. Historical Report
6. Biology Report

RECEIVED
 MAR 30 2007
 Planning Department

COMMUNITY LUTHERAN CHURCH - OCEANSIDE, CALIFORNIA

PROJECT DATA BUILDING DATA VICINITY MAP SPECIAL NOTES SHEET INDEX

Address: 4607 Mission Ave
 Oceanside, CA 92054
 Phone: 760.431.1810
 Fax: 760.431.1810
 Email: info@communitylutheran.org

Architect: The PFA Group
 1750 Redwood Avenue
 Suite 100
 San Diego, CA 92108
 Phone: 619.594.1100
 Fax: 619.594.1100
 Email: info@pfa.com

Engineer: The PFA Group
 1750 Redwood Avenue
 Suite 100
 San Diego, CA 92108
 Phone: 619.594.1100
 Fax: 619.594.1100
 Email: info@pfa.com

Contractor: The PFA Group
 1750 Redwood Avenue
 Suite 100
 San Diego, CA 92108
 Phone: 619.594.1100
 Fax: 619.594.1100
 Email: info@pfa.com

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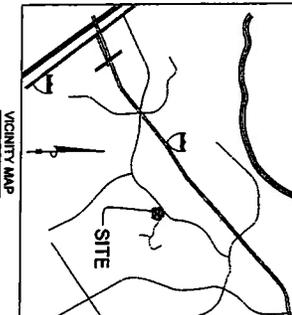
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 Oceanside, CA 92054
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 Fax: 760.431.1810
 Email: info@communitylutheran.org

PROFESSIONAL DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT
 ADDRESS: 4607 MISSION AVE
 OCEANSIDE, CA 92054
 OCCUPANCY: COMMERCIAL
 CONSTRUCTION TYPE: V-4 (FIRE SPRINKLED)
 LAND USE ZONE: ZONED M1 (RESIDENTIAL SINGLE FAMILY)
 PROJECT SITE: 3.28 acres ± (82,833 sqft)
 Main Sanctuary: 14,300 sqft
 Multi-purpose Bldg: 5,100 sqft
 Office: 1,500 sqft
 Landscaping Area: 4.95 acres
 Landscaping Area: 4.95 acres
 Building Height: 48ft

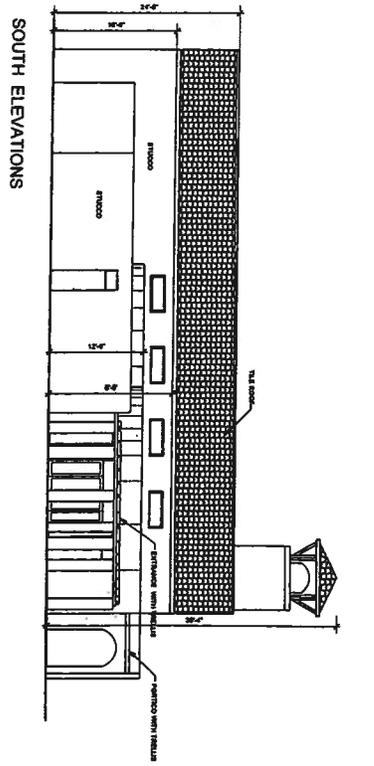
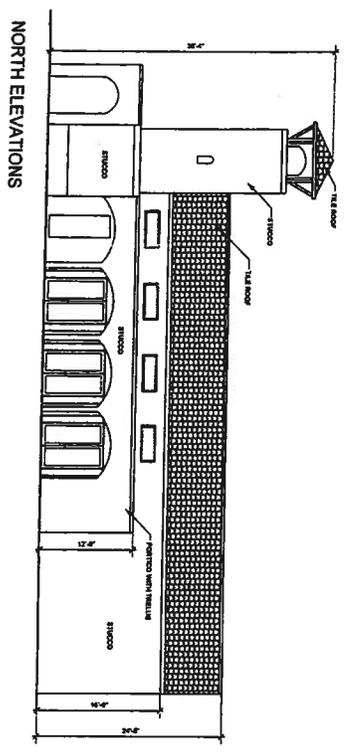
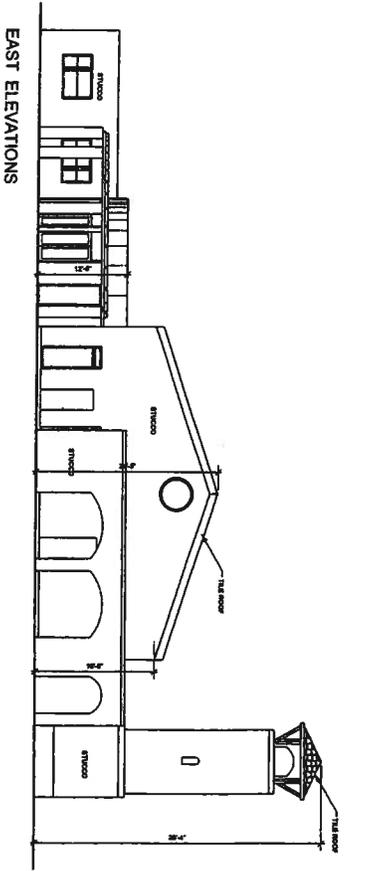
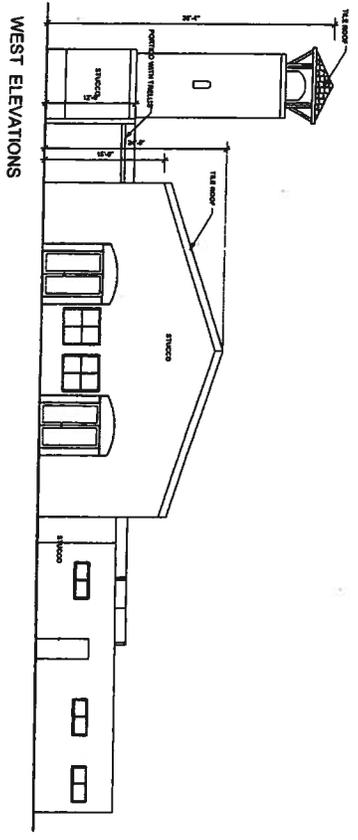
ASSESSOR'S PARCEL NUMBER:
 APN 1582017-21

VICINITY MAP

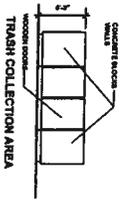


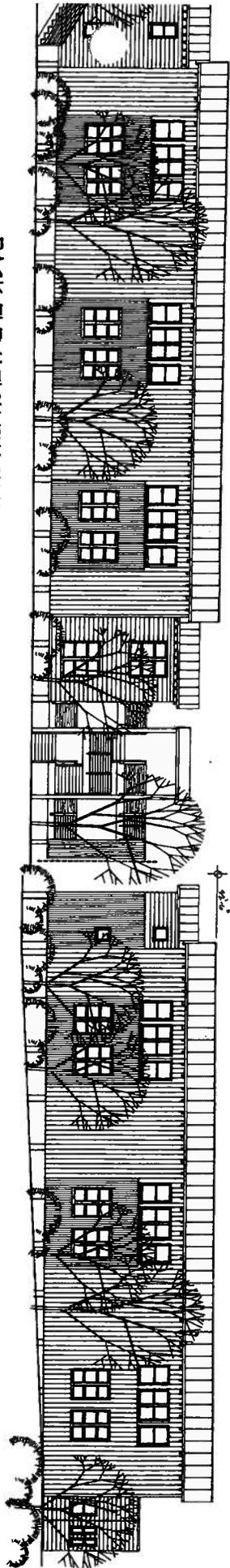
COVER SHEET
 A-0 SITE PLAN
 A-1 ELEVATIONS PHASE I (Multi-purpose Building)
 A-2 ELEVATIONS PHASE II (Multi-purpose Building)
 A-3 FLOOR PLANS PHASE I & II (School)
 A-4 ELEVATIONS PHASE III (School)
 A-5 ELEVATIONS PHASE IV (School)
 A-6 ELEVATIONS PHASE V (School)
 A-7 SITE PLAN
 A-8 LANDSCAPE PLAN
 CIVIL PLANS

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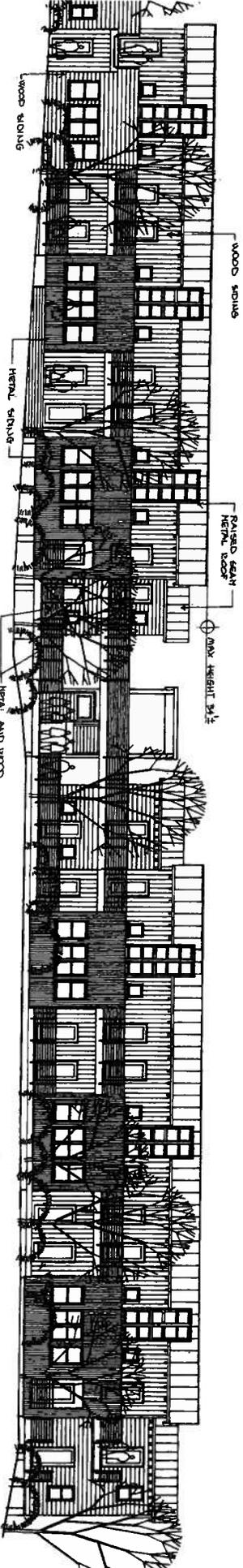
NOTE: REGARDING THE HEIGHT OF THE BELL TOWER - PER OUR DISCUSSION WITH SCOTT HIGHTSHALE ON 10-16-06, THE EXTENSION OF THE TOWER WAS ACCEPTED IN ITS ENTIRETY.





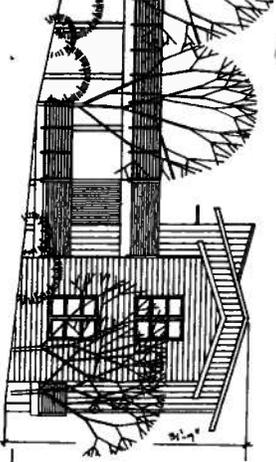
BACK ELEVATION PHASE N2

BACK ELEVATION (WEST)

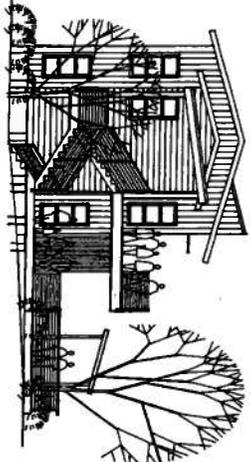


FRONT ELEVATION (EAST)

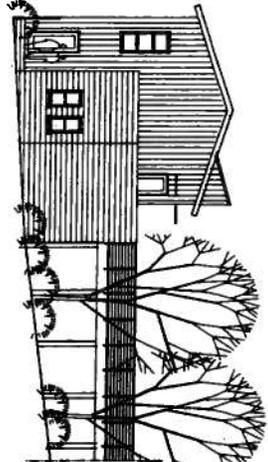
FRONT ELEVATION PHASE N2



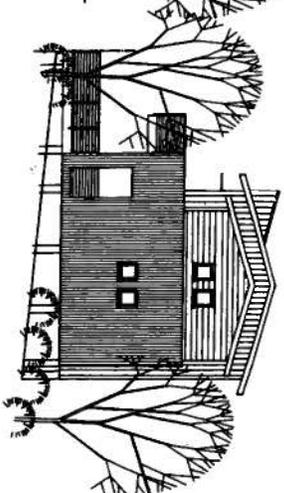
FRONT ELEVATION PHASE N2



SOUTH ELEVATION PHASE N2



SOUTH ELEVATION



NORTH ELEVATION

SCHOOL
ELEVATIONS

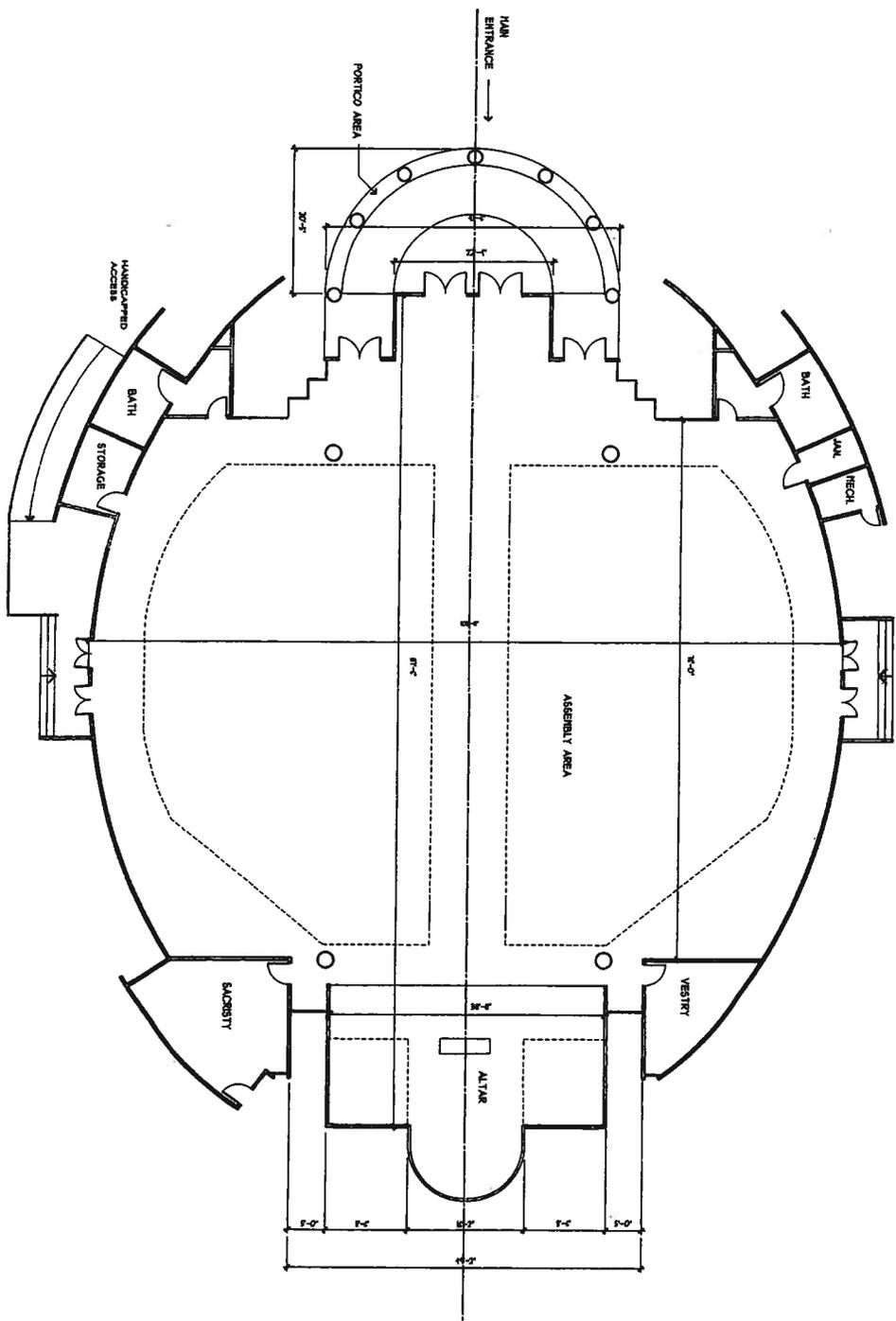
SCALE: 1/8" = 1'-0"

COMMUNITY LUTHERAN CHURCH
4557 HISSON AVE.
OCEANSIDE, CALIFORNIA

HELM & MELACINI ARCHITECTS
2417 E. CLAY ST. SUITE C-4
SOLANA BEACH, CALIFORNIA 92688

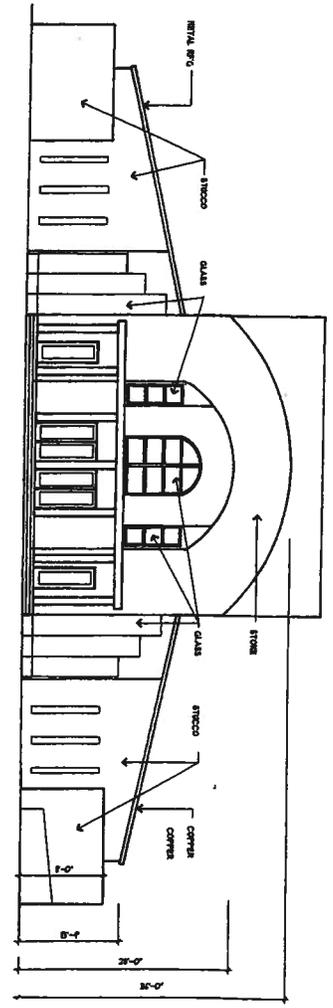


HELM &
MELACINI
ARCHITECTS
19412A CLAY ST. #3
SOLANA BEACH, CA 92688
TEL: 949.261.1212
FAX: 949.261.1212
WWW.HELMANDMELACINI.COM

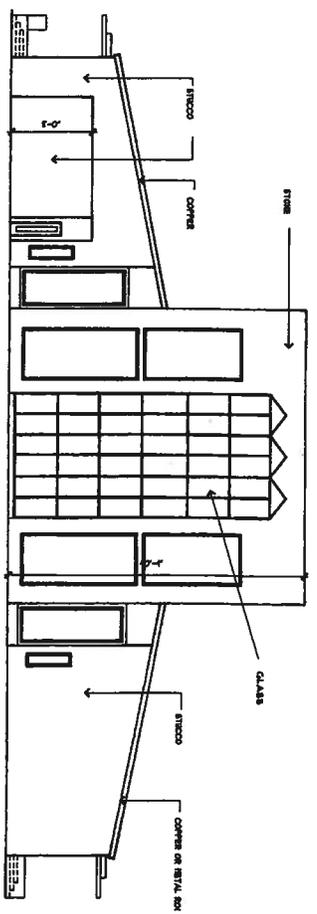


CHURCH FLOOR PLAN

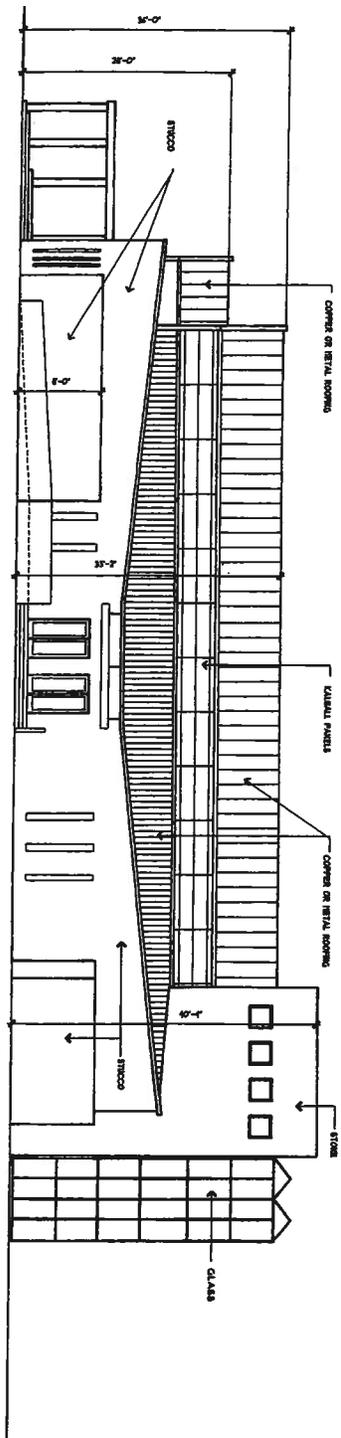
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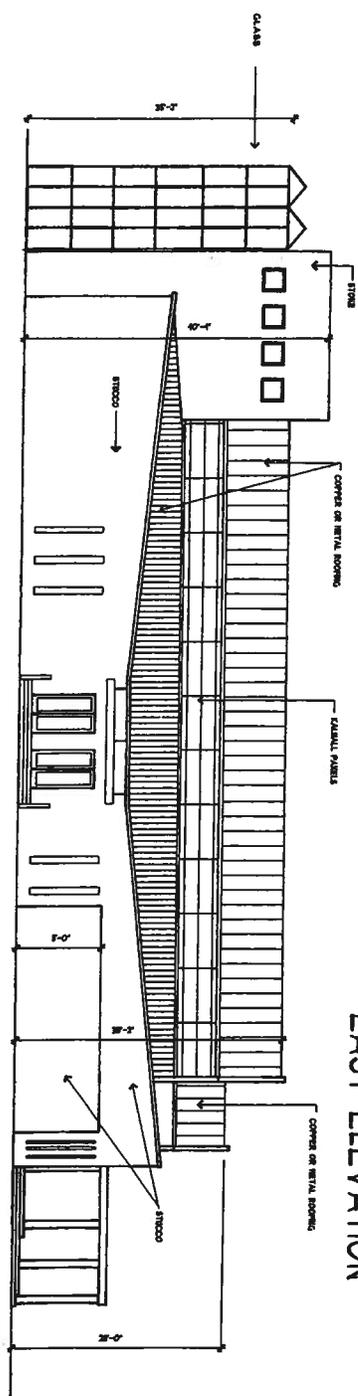
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

CHURCH
ELEVATIONS

1/8" = 1'-0"

1 PLANNING COMMISSION
2 RESOLUTION NO 2008-P23

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

7 APPLICATION NO: D-11-06, C-36-06
8 APPLICANT: Community Lutheran Church
9 LOCATION: 4507 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 Development Plan and Conditional Use Permit
14 under the provisions of Articles 11, 41 and 43 of the Zoning Ordinance of the City of Oceanside
to permit the following:

15 development of a religious facility with associated office, school and recreational buildings
16 on a 3.58-acre parcel located on the northwest corner of Mission Avenue and Valley
17 Heights Road.

18 on certain real property described in the project description.

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

22 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
23 Guidelines thereto; the previous Mitigated Negative Declaration for the project is still valid per
24 CEQA Section 15162 which states that if no circumstances have change on the project site or
25 surrounding area and no new information is available that would raise new environmental impacts,
26 the previous Mitigated Negative Declaration is still in effect. No new environmental impacts have
been identified, therefore the previous Mitigated Negative Declaration is valid for this project;

27 WHEREAS, the documents or other material which constitutes the record of
28 proceedings upon which the decision is based will be maintained by the City of Oceanside
29 Planning Division, 300 North Coast Highway, Oceanside, California 92054.

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

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

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Parkland Dedication/Fee	Ordinance No. 91-10 Resolution No. 06-R0334-1	\$3,503 per unit
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$.713 per square foot or \$713 per thousand square feet for non-residential uses and \$2,072 per unit for residential
School Facilities Mitigation Fee	Ordinance No. 91-34	\$.42 per square foot non-residential for Oceanside (\$.42 for Vista and Fallbrook) \$2.63 per square foot residential (\$2.63 for Vista; \$2.63 for Fallbrook)
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 per vehicle trip
Thoroughfare Fee (For commercial and industrial please note the .75 per cent discount)	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation table available from staff and from SANDAG)
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 05-OR 0611-1	Fee based on water meter size. Residential is typically \$4,395 per unit; Non-residential is \$35,160 for a 2" meter.
Wastewater System Buy-in fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 05-OR 0610-1	Based on capacity or water meter size. Residential is typically \$6,035 per unit; Non-residential is \$48,280 for a 2" meter.

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Residential is typically \$4,326 per unit; Non-

WHEREAS, the current fees referenced above are merely fee amount estimates of the impact fees that would be required if due and payable under currently applicable ordinances and 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;

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

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

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

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

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

FINDINGS:

For the Development Plan:

1. The site plan and physical design of the project is consistent with the purpose of the Zoning Ordinance and the underlying Single-Family Residential District for Churches (RS) zone in regards to setbacks, required parking, height regulations and lot coverage.
2. The Development Plan as proposed conforms to the General Plan and is consistent with Section 2.42 of the Land Use Element of the General Plan because it provides a place for

1 worship, religious studies, instruction or retreats, traditional arts and crafts, and related
2 activities.

- 3 3. The area covered by the Development Plan can be adequately, reasonably and
4 conveniently served by existing and planned public services, utilities and public facilities.
- 5 4. The project, as proposed, is compatible with the existing and potential development on
6 adjoining properties and/or in the surrounding neighborhood and the religious facility
7 proposed landscaping and design elements would encourage improvements to adjacent
8 properties and shall compliment the adjoining properties.
- 9 5. The site plan and physical design of the project is consistent with the policies contained
10 within section 1.24 and 1.25 of the Land Use Element of the General Plan in that the
11 topography of the site shall be preserved and integrated into the project's designs and the
12 natural slopes of excess of 20 percent will be used as landscaped areas for the Community
13 Lutheran Church.

14 Conditional Use Permit:

- 15 1. The proposed location of the use is in accord with the objectives of the zoning ordinance
16 and the purposes of the residential single family district in terms of permitted uses and
17 consistency with through the surrounding neighborhood districts.
- 18 2. The proposed construction of the existing Church and associated uses, as conditioned,
19 will not result in a detrimental situation to the site, or to the surrounding land uses within
20 the vicinity of the site because all improvements and expansions have been evaluated in
21 terms of impacts to the surrounding area in the previously approved Mitigated Negative
22 Declaration.
- 23 3. The proposed construction of the existing Church is consistent with all applicable
24 provisions contained within the Zoning Ordinance. Conditions have been placed to
25 insure compliance with applicable building and safety codes.

26 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
27 approve Development Plan (D-11-06) and Conditional Use Permit (C-36-06) subject to the
28 following conditions:
29

1 **Building:**

- 2 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
3 Building Division plan check. (Currently the 2007 California Building Code, and 2004
4 California Electrical Code)
- 5 2. The granting of approval under this action shall in no way relieve the applicant/project
6 from compliance with all State and Local building codes.
- 7 3. Site development, parking, access into buildings and building interiors shall comply
8 with the State's Disabled Accessibility Regulations. (2007 California Building Code
9 (CBC), Chapter 11B)
- 10 4. The building plans for this project are required by State law to be prepared by a licensed
11 architect or engineer and must be in compliance with this requirement prior to submittal
12 for building plan review.
- 13 5. All electrical, communication, CATV, etc. service lines within the exterior lines of the
14 property shall be underground (City Code Sec. 6.30).
- 15 6. All outdoor lighting must comply with Chapter 39 of the City Code (Light Pollution
16 Ordinance). Where color rendition is important, high-pressure sodium, metal halide or
17 other such lights may be utilized and shall be shown on building and electrical plans.
- 18 7. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the
19 plans.
- 20 8. Separate/unique addresses will/may be required to facilitate utility releases. Verification
21 that the addresses have been properly assigned by the City's Planning Division must
22 accompany the Building Permit application.
- 23 9. A complete "Soils Report, Structural Calculations, & Energy
24 Calculations/documentation will be required at time of plan submittal to the Building
25 Division to show that the hillside soils conditions are suitable to support the Buildings.
26 Retaining walls etc. for the Project must be designed per the soils report
- 27 10. A Building (Demo) Permit will be required for the demolition of any existing structures.
28 Plans for the Demolition Permit must clearly show that all utilities (electric, gas, water,
29 & sewer) are properly terminated/capped in accordance with the requirements of the
utility service provider. All/any underground septic or water storage tanks must be

1 removed or filled in accordance with the Uniform Plumbing Code and/or the City's
2 Grading Ordinance.

3 11. A private sewer system design must be submitted to the Building Division and approved
4 prior to the installation of the sewer system.

5 12. The Buildings Occupancy, Type of construction, and Fire Resistive construction must
6 meet the UBC requirements for the type of use of each Building.

7 13. Construction plans submitted to the Building Division after January 1, 2007 must meet
8 all requirements of the recently adopted ICC codes.

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

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

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

25 **Engineering:**

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

- 1 16. With the exception of the approved access point, vehicular access rights to Mission
2 Avenue and Valley Heights Road shall be relinquished by the property owner to the
3 City.
- 4 17. No permit shall be issued for the development prior to the City Engineer's approval of the
5 exact alignment, geometrics, and widths of all right of way dedications and street
6 improvements.
- 7 18. Design and construction of all improvements shall be in accordance with standard plans,
8 specifications of the City of Oceanside and subject to approval by the City Engineer.
- 9 19. Prior to issuance of a building permit, all improvement requirements shall be covered by
10 a development agreement and secured with sufficient improvement securities or bonds
11 guaranteeing performance and payment for labor and materials, setting of monuments,
12 and warranty against defective materials and workmanship.
- 13 20. The approval of the development shall not mean that closure, vacation, or abandonment
14 of any public street, right-of-way, easement, or facility is granted or guaranteed to the
15 developer. The developer is responsible for applying for all closures, vacations, and
16 abandonments as necessary. The application(s) shall be reviewed and approved or
17 rejected by the City of Oceanside under separate process(es) per codes, ordinances, and
18 policies in effect at the time of the application.
- 19 21. A construction phasing plan for all public and private improvements shall be reviewed
20 and approved by the City Engineer prior to the issuance of any grading or improvement
21 permits. Prior to the issuance of any building permits all off-site or frontage
22 improvements including landscaping and any required streets or arterials shall be under
23 construction to the satisfaction of the City Engineer. All improvements shall be
24 completed prior to issuance of any certificates of occupancy.
- 25 22. Where off-site improvements, including but not limited to slopes, public utility facilities,
26 and public drainage facilities, are to be constructed, the applicant shall, at his own expense,
27 obtain all necessary easements or other interests in real property and shall dedicate the
28 same to the City of Oceanside as required. The applicant shall provide documentary proof
29 satisfactory to the City of Oceanside that such easements or other interest in real property
have been obtained prior to issuance of any grading, building or improvement permit for
the development. Additionally, the City of Oceanside, may at its sole discretion, require

1 that the applicant obtain at his sole expense a title policy insuring the necessary title for the
2 easement or other interest in real property to have vested with the City of Oceanside or the
3 applicant, as applicable.

4 23. Prior to the issuance of a grading permit, the developer shall notify and host a
5 neighborhood meeting with all of the area residents located within 300 feet of the project
6 site, and residents of property along any residential streets to be used as a "haul route",
7 to inform them of the grading and construction schedule, haul routes, and to answer
8 questions.

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

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

14 b) All grading and related site preparation and construction activities shall be
15 limited to the hours of 7:00 a.m. to 6:00 a.m., Monday through Friday. No
16 engineering related construction activities shall be conducted on Saturdays,
17 Sundays or legal holidays unless written permission is granted by the City Engineer
18 with specific limitations to the working hours and types of permitted operations.
19 All on-site construction staging areas shall be as far as possible (minimum 100
20 feet) from any existing residential development. Because construction noise may
21 still be intrusive in the evening or on holidays, the City of Oceanside Noise
22 Ordinance also prohibits "any disturbing excessive or offensive noise which
23 causes discomfort or annoyance to reasonable persons of normal sensitivity."

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

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

29 25. A traffic control plan shall be prepared according to the City traffic control guidelines
and be submitted to and approved by the City Engineer prior to the start of work within
open City rights-of-way. Traffic control during construction of streets that have been

1 opened to public traffic shall be in accordance with construction signing, marking and
2 other protection as required by the Caltrans Traffic Manual and City Traffic Control
3 Guidelines. Traffic control plans shall be in effect from 8:00 a.m. to 3:30 p.m. unless
4 approved otherwise.

5 26. Approval of this development project is conditioned upon payment of all applicable impact
6 fees and connection fees in the manner provided in chapter 32B of the Oceanside City
7 Code. All drainage fees, traffic signal fees and contributions, highway thoroughfare fees,
8 park fees, reimbursements, and other applicable charges, fees and deposits shall be paid
9 prior to the issuance of any building permits, in accordance with City Ordinances and
10 policies. The developer shall also be required to join into, contribute, or participate in any
11 improvement, lighting, or other special district affecting or affected by this project.
12 Approval of the development project shall constitute the developer's approval of such
13 payments, and his agreement to pay for any other similar assessments or charges in effect
14 when any increment is submitted for building permit approval, and to join, contribute,
and/or participate in such districts.

15 27. Mission Avenue and Valley Heights Road along the frontage of the development shall be
16 improved with portland cement concrete curb, gutter, and sidewalk, unless such
17 improvement is specifically exempted by current General Plan, City code, or ordinance.

18 28. A minimum of 10 feet parkway shall be provided by the owner of the subject property
19 between the face of curb and the right-of-way line along the development's frontage on
20 Mission Avenue and Valley Heights Road. Sidewalk improvements shall comply with
21 ADA requirements. A minimum four feet wide continuous strip of the parkway shall be
22 landscaped and maintained by the owner of the subject property in perpetuity to the
satisfaction of the City Engineer.

23 29. Sight distance and clear space easement requirements at the project driveways shall
24 conform to the corner sight distance criteria as provided by San Diego County Standards
25 DS-20A and/or DS-20B. The project's civil engineer shall submit an appropriate "Sight
26 Distance Letter" to the City Engineer certifying compliance with this requirement.

27 30. Streetlights shall be maintained and installed on all public streets within the project and
28 along the project's frontage per City Standards. The system shall provide uniform lighting,
29 and be secured prior to occupancy. The developer shall pay all applicable fees, energy

1 charges, and/or assessments associated with City-owned (LS-2 rate schedule) streetlights
2 and shall also agree to the formulation of, or the annexation to, any appropriate street
3 lighting district.

4 31. Pavement sections for all streets, alleys, driveways and parking areas within the project and
5 along the project's frontage shall be based upon approved soil tests and traffic indices.
6 The pavement design is to be prepared by the developer's soil engineer and must be
7 approved by the City Engineer, prior to paving.

8 32. Prior to approval of the grading plans, the developer shall contract with a geotechnical
9 engineering firm to perform a field investigation of the existing pavement on all streets
10 adjacent to the project boundary. The limits of the study shall be half-street (including
11 median, if any) plus 12 feet along the project's frontage. The field investigation shall be
12 performed according to a specific boring plan prepared by a licensed Geotechnical
13 Engineer and approved by the City Engineer. In the absence of such approved boring
14 plan, the field investigation shall include a minimum of one pavement boring per every
15 50 linear feet of street frontage. Should the existing AC thickness be determined to be
16 less than three inches or without underlying Class II base material, the developer shall
17 remove and reconstruct the pavement section as determined by the pavement analysis
18 submittal process detailed below.

19 33. Upon review of the pavement investigation, the City Engineer shall determine whether
20 the developer shall: 1) Repair all failed pavement sections, header cut and grind per the
21 direction of the City Engineer, and construct a two-inch thick rubberized AC overlay; or
22 2) Perform R-value testing and submit a study that determines if the existing pavement
23 meets current City standards/traffic indices. Should the study conclude that the
24 pavement does not meet current requirements, rehabilitation/mitigation
25 recommendations shall be provided in a pavement analysis report, and the developer
26 shall reconstruct the pavement per these recommendations, subject to approval by the
27 City Engineer.

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

30 35. The developer shall comply with all the provisions of the City's cable television ordinances
31 including those relating to notification as required by the City Engineer.

- 1 36. The developer shall install two-inch PVC conduit, together with 1/4-inch pull-rope and
2 appurtenant pull-box(es) for signal interconnect cable along the development's frontage in
3 Mission Avenue.
- 4 37. Grading and drainage facilities shall be designed and installed to adequately accommodate
5 the local stormwater runoff and shall be in accordance with the City's Engineers Manual
6 and as directed by the City Engineer.
- 7 38. The developer shall obtain any necessary permits and clearances from all public agencies
8 having jurisdiction over the project due to its type, size, or location, including but not
9 limited to the U. S. Army Corps of Engineers, California Department of Fish & Game, U.
10 S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board
11 (including NPDES), San Diego County Health Department, prior to the issuance of grading
12 permits.
- 13 39. The approval of the development project shall not mean that proposed grading or
14 improvements on adjacent properties (including any City properties/right-of-way or
15 easements) is granted or guaranteed to the developer. The developer is responsible for
16 obtaining permission to grade or to construct on adjacent properties. Should such
17 permission be denied, the resulting changes to the Development Plan shall be subject to a
18 Substantial Conformity review. Changes not meeting substantial conformity requirements
19 shall be submitted for appropriate public hearing action.
- 20 40. Prior to any grading of any part of the development/project, a comprehensive soils and
21 geologic investigation shall be conducted of the soils, slopes, and formations in the project.
22 All necessary measures shall be taken and implemented to assure slope stability, erosion
23 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
24 prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by
25 the City Engineer.
- 26 41. It is the responsibility of the owner/developer to evaluate and determine that all soil
27 imported as part of this development is free of hazardous and/or contaminated material
28 as defined by the City and the County of San Diego Department of Environmental
29 Health. Exported or imported soils shall be properly screened, tested, and documented
regarding hazardous contamination.

- 1 42. This project shall provide year-round erosion control including measures for the site
2 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
3 control plan, designed for all proposed stages of construction, shall be reviewed, secured by
4 the applicant with cash securities and approved by the City Engineer.
- 5 43. Precise grading and private improvement plans shall be prepared, reviewed, secured and
6 approved prior to the issuance of any building permits. The plan shall reflect all pavement,
7 flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, and signage,
8 footprints of all structures, walls, drainage devices and utility services. Parking lot striping
9 and any on-site traffic calming devices shall be shown on all Precise Grading and Private
10 Improvement Plans.
- 11 44. Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer
12 for review and approval.
- 13 45. Landscaping plans, including plans for the construction of walls, fences or other structures
14 at or near intersections or project entrances, must conform to intersection sight distance
15 requirements.
- 16 46. Landscape and irrigation plans must be submitted to the City Engineer prior to the issuance
17 of a preliminary/rough grading permit and approved by the City Engineer prior to the
18 issuance of occupancy permits. Frontage landscaping shall be installed prior to the
19 issuance of any certificates of occupancy. Any project fences, sound or privacy walls and
20 monument entry walls/signs shall be shown on, bonded for and built from the landscape
21 plans. These features shall also be shown on the precise grading plans for purposes of
22 location only. Plantable, segmental walls shall be designed, reviewed and constructed by
23 the grading plans and landscaped/irrigated through project landscape plans. All plans must
24 be approved by the City Engineer and a pre-construction meeting held, prior to the start of
25 any improvements.
- 26 47. The drainage design on the development plan is conceptual only. The final design shall be
27 based upon a hydrologic/hydraulic study to be approved by the City Engineer during final
28 engineering. All drainage picked up in an underground system shall remain underground
29 until it is discharged into an approved channel, or as otherwise approved by the City
Engineer. All public storm drains shall be shown on City standard plan and profile sheets.

- 1 All storm drain easements shall be dedicated where required. The applicant shall be
2 responsible for obtaining any off-site easements for storm drainage facilities.
- 3 48. All storm drains shall be designed and constructed per current editions of the City's
4 *Engineers Design and Processing Manual*, the *San Diego County Hydrology and Drainage*
5 *Design Manuals*, and *San Diego Area Regional Standard Drawings*.
- 6 49. For any increase of storm water flows from the development site to other properties the
7 developer shall secure appropriate easement(s) from and maintenance agreement(s) with
8 the owner(s) of the impacted properties to the satisfaction of the City Engineer. Upon
9 approval by City Engineer and the City Attorney, the appropriate documents shall be
10 recorded prior to issuance of any permits for the development. Should the developer be
11 unable to secure such easement(s) or agreement(s), the resulting changes to the
12 Development Plan shall be subject to a Substantial Conformity review. Changes not
13 meeting substantial conformity requirements shall be submitted for appropriate public
14 hearing action.
- 15 50. Storm drain facilities shall be designed and located such that the inside travel lanes on
16 streets with Collector or above design criteria shall be passable in both directions during
17 conditions of a 100-year frequency storm.
- 18 51. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and disposed
19 of in accordance with all state and federal requirements, prior to stormwater discharge
20 either off-site or into the City drainage system.
- 21 52. Unless an appropriate barrier is approved on a landscape plan, a minimum 42-inch high
22 barrier, approved by the City Engineer, shall be provided at the top of all slopes whose
23 height exceeds 20 feet or where the slope exceeds four feet and is adjacent to an arterial
24 street or state highway.
- 25 53. The development shall comply with all applicable regulations established by the United
26 States Environmental Protection Agency (USEPA) as set forth in the National Pollutant
27 Discharge Elimination System (NPDES) permit requirements for urban runoff and
28 stormwater discharge and any regulations adopted by the City pursuant to the NPDES.
29 regulations or requirements. Further, the applicant may be required to file a Notice of
Intent with the State Water Resources Control Board to obtain coverage under the
NPDES. General Permit for Storm Water Discharges Associated with Construction

1 Activity and may be required to implement a Storm Water Pollution Prevention Plan
2 (SWPPP) concurrent with the commencement of grading activities. SWPPPs include
3 both construction and post construction pollution prevention and pollution control
4 measures and identify funding mechanisms for post construction control measures. The
5 developer shall comply with all the provisions of the Clean Water Program during and
6 after all phases of the development process, including but not limited to: mass grading,
7 rough grading, construction of street and landscaping improvements, and construction of
8 dwelling units. The applicant shall design the Project's storm drains and other drainage
9 facilities to include Best Management Practices to minimize non-point source pollution,
10 satisfactory to the City Engineer.

11 54. Upon acceptance of any fee waiver or reduction by the developer, the entire project will
12 be subject to prevailing wage requirements as specified by Labor Code section
13 1720(b)(4). The developer shall agree to execute a form acknowledging the prevailing
14 wage requirements prior to the granting of any fee reductions or waivers.

15 55. All existing overhead utility lines within the development and within any full width street
16 or right-of-way abutting the new development, and all new extension services for the
17 development of the project, including but not limited to, electrical, cable and telephone,
18 shall be placed underground per Section 901.G. of the Subdivision Ordinance (R91-166)
19 and as required by the City Engineer and current City policy.

20 56. The developer shall prepare and submit an Operations & Maintenance (O&M) Plan to
21 the City Engineer with the first submittal of engineering plans. The O&M Plan shall be
22 prepared by the applicant's Civil Engineer. It shall be directly based on the project's
23 SWMP previously approved by the project's approving authority (Planning
24 Commission/City Council). At a minimum the O&M Plan shall include the designated
25 responsible parties to manage the stormwater BMP(s), employee's training program and
26 duties, operating schedule, maintenance frequency, routine service schedule, specific
27 maintenance activities, copies of resource agency permits, cost estimate for
28 implementation of the O&M Plan and any other necessary elements.

29 57. The developer shall enter into a City-Standard Stormwater Facilities Maintenance
Agreement with the City obliging the project proponent to maintain, repair and replace
the Storm Water Best Management Practices (BMPs) identified in the project's

1 approved SWMP, as detailed in the O&M Plan into perpetuity. The Agreement shall be
2 approved by the City Attorney prior to issuance of any precise grading permit and shall
3 be recorded at the County Recorder's Office prior to issuance of any building permit.
4 Security in the form of cash (or certificate of deposit payable to the City) or an
5 irrevocable, City-Standard Letter of Credit shall be required prior to issuance of a
6 precise grading permit. The amount of the security shall be equal to 10 years of
7 maintenance costs, as identified by the O&M Plan, but not to exceed a total of \$25,000.
8 The applicant's Civil Engineer shall prepare the O&M cost estimate.

9 58. At a minimum, maintenance agreements shall require the staff training, inspection and
10 maintenance of all BMPs on an annual basis. The project proponent shall complete and
11 maintain O&M forms to document all maintenance activities. Parties responsible for the
12 O&M plan shall retain records at the subject property for at least five years. These
13 documents shall be made available to the City for inspection upon request at any time.

14 59. The Agreement shall include a copy of executed on-site and off-site access easements
15 necessary for the operation and maintenance of BMPs that shall be binding on the land
16 throughout the life of the project to the benefit of the party responsible for the O&M of
17 BMPs, satisfactory to the City Engineer. The agreement shall also include a copy of the
18 O&M Plan approved by the City Engineer.

19 60. The BMPs described in the project's approved SWMP shall not be altered in any way,
20 shape or form without formal approval by either an Administrative Substantial
21 Conformance issued by the City Planner or the project's final approving authority
22 (Planning Commission/City Council) at a public hearing. The determination of
23 whatever action is required for changes to a project's approved SWMP shall be made by
24 the City Planner.

25 61. The developer shall provide a copy of the title/cover page of the approved SWMP with
26 the first engineering submittal package.

27 **Fire:**

28 62. The size of fire hydrant outlets shall be 2 ½ "X 2 ½" X 4".

29 63. Fire flow shall be determined at the time of building permit application.

64. All proposed and existing fire hydrants within 400 feet of the project shall be shown on
the site plan.

- 1 65. The fire hydrants shall be installed and tested prior to placing any combustible materials
2 on the job site.
- 3 66. An additional fire hydrant is required in phase 4 for the last side of the church building.
- 4 67. Detailed plans of underground fire service mains shall be submitted to the Oceanside
5 Fire Department for approval prior to installation.
- 6 68. All weather access roads shall be installed and made serviceable prior to and maintained
7 during time of construction.
- 8 69. Apparatus access roads shall have a minimum unobstructed width of 28 feet. A
9 minimum vertical clearance of 14 feet shall be provided for the apparatus access roads.
- 10 70. The Fire Department access roadway shall be provided with adequate turning radius for
11 Fire Department apparatus a 50-foot outside and 30-foot inside radius.
- 12 71. A "Knox" key storage box shall be provided for all new construction. For buildings,
13 other than high-rise, a minimum of three complete sets of keys shall be provided. Keys
14 shall be provided for all exterior entry doors, fire protection equipment control rooms,
15 mechanical and electrical rooms, elevator controls and equipment spaces, etc. For high-
16 rise buildings, six complete sets are required.
- 17 72. Fire extinguishers are required and shall be included on the plans submitted for plan
18 check.
- 19 73. All phases of construction will be required to meet the requirements for an A occupancy
20 (and any additional occupancies) from the C.B.C. and C.F.C.
- 21 74. Buildings shall meet Oceanside sprinkler ordinance in effect at the time of building
22 permit application.
- 23 75. In accordance with the California Fire Code Sec. 901.4.4, approved address for
24 commercial, industrial, and residential occupancies shall be placed on the structure in
25 such a position as to be plainly visible and legible from the street or roadway fronting
26 the property. Numbers shall be contrasting with their background.
- 27 76. Multi-building complexes require address directory boards that are visible from the main
28 entrance.
- 29 77. Commercial buildings and multi-family dwellings require six-inch address numbers.

1 78. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
2 approval prior to the issuance of building permits. A site plan indicating the fire access
3 and hydrant locations must also be submitted on CD Rom.

4 79. Buildings shall meet Oceanside Fire Department's current codes at the time of building
5 permit application.

6 80. Future development of the property will require compliance with all applicable Fire
7 Department Standards.

8 **Planning:**

9 81. Development Plan (D-11-06) and Conditional Use Permit (C-36-06) shall expire on April
10 7, 2010, unless implemented as required by the Zoning Ordinance.

11 82. Development Plan (D-11-06) and Conditional Use Permit (C-36-06) approves only the
12 development and use of a new 5,145-square foot multi-purpose/office building, a
13 14,300-square foot main sanctuary, two school and office buildings at a total square
14 footage of 6,900-square feet as shown on the plans and exhibits presented to the
15 Planning Commission, as modified by conditions of approval. No deviation from these
16 approved plans and exhibits shall occur without Planning Division approval. Substantial
17 deviations shall require a revision to the Development Plan and/or Conditional Use
18 Permit or a new Development Plan and/or Conditional Use Permit.

19 83. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
20 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
21 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
22 annul an approval of the City, concerning Revisions to Development Plan (D-11-06), and
23 Conditional Use Permit (C-36-06). The City will promptly notify the applicant of any
24 such claim, action or proceeding against the City and will cooperate fully in the defense.
25 If the City fails to promptly notify the applicant of any such claim action or proceeding
26 or fails to cooperate fully in the defense, the applicant shall not, thereafter, be
27 responsible to defend, indemnify or hold harmless the City.

28 84. All mechanical rooftop and ground equipment shall be screened from public view as
29 required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,
mechanical equipment, screen and vents shall be painted with non-reflective paint to match
the roof. This information shall be shown on the building plans.

1 85. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines
2 and Specifications for Landscape Development (latest revision), Water Conservation
3 Ordinance No. 91-15, Engineering criteria, City code and ordinances, including the
4 maintenance of such landscaping, shall be reviewed and approved by the City Engineer
5 prior to the issuance of building permits. Landscaping shall not be installed until bonds
6 have been posted, fees paid, and plans signed for final approval. The following special
7 landscaping requirements shall be required prior to plan approval:

- 8 a) Final landscape plans shall accurately show placement of all plant material such
9 as but not limited to trees, shrubs, and groundcovers.
- 10 b) Landscape Architect shall verify utility, sewer, storm drain easement and place
11 planting locations accordingly to meet City of Oceanside requirements.
- 12 c) The owner is solely responsible for the frontage improvements in the right-of-
13 way along Mission Avenue and Valley Heights Drive.
- 14 d) All required landscape areas shall be maintained by the owner. The landscape
15 areas shall be maintained per City of Oceanside requirements.
- 16 e) Proposed landscape species shall be native or naturalized to fit the site and meet
17 climate changes indicative to their planting location. The selection of plant
18 material shall also be based on cultural, aesthetic, and maintenance
19 considerations. In addition proposed landscape species shall be low water users
20 as well as meet all fire department requirements.
- 21 f) All planting areas shall be prepared with appropriate soil amendments, fertilizers,
22 and appropriate supplements based upon a soils report from an agricultural
23 suitability soil sample taken from the site.
- 24 g) Ground covers or bark mulch shall fill in between the shrubs to shield the soil
25 from the sun, evapo-transpiration and run-off. All the flower and shrub beds
26 shall be mulched to a 3" depth to help conserve water, lower the soil temperature
27 and reduce weed growth.
- 28 h) The shrubs shall be allowed to grow in their natural forms. All landscape
29 improvements shall follow the City of Oceanside Guidelines.
- i) Root barriers shall be installed adjacent to all paving surfaces, where a paving
surface is located within 6 feet of a trees trunk. Root barriers shall extend 5 feet

1 in each direction from the centerline of the trunk, for a total distance of 10 feet.
2 Root barriers shall be 24 inches in depth. Installing a root barrier around the
3 tree's root ball is unacceptable.

- 4 j) Plantable retaining walls are required for all visible retaining walls 4 feet high
5 and/ or greater. Details showing how the plantable walls are to be planted and
6 irrigated are required to be shown on the landscape plans.
- 7 k) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
8 obtain planning department approval for these items in the conditions or
9 application stage prior to 1st submittal of working drawings.
- 10 l) For the planting and placement of trees and their distances from hardscape and
11 other utilities/ structures the landscape plans shall follow the City of Oceanside's
12 (current) Tree Planting Distances and Spacing Standards.
- 13 m) An automatic irrigation system shall be installed to provide coverage for all
14 planting areas shown on the plan. Low precipitation equipment shall provide
15 sufficient water for plant growth with a minimum water loss due to water run-
16 off.
- 17 n) Irrigation systems shall use high quality, automatic control valves, controllers
18 and other necessary irrigation equipment. All components shall be of non-
19 corrosive material. All drip systems shall be adequately filtered and regulated
20 per the manufacturer's recommended design parameters.
- 21 o) All irrigation improvements shall follow the City of Oceanside Guidelines and
22 Water Conservation Ordinance.
- 23 p) The landscape plans shall match all plans affiliated with the project.
- 24 q) Landscape plans shall comply with Biological and/or Geotechnical reports, as
25 required, shall match the grading and improvement plans, comply with SWMP
26 Best Management Practices and meet the satisfaction of the City Engineer.
- 27 r) Existing landscaping on and adjacent to the site shall be protected in place and
28 supplemented or replaced to meet the satisfaction of the City Engineer.

29 86. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way
and within any adjoining public parkways shall be permanently maintained by the
owner, his assigns or any successors-in-interest in the property. The maintenance

1 program shall include: a) normal care and irrigation of the landscaping b) repair and
2 replacement of plant materials c) irrigation systems as necessary d) general cleanup of
3 the landscaped and open areas e) parking lots and walkways, walls, fences, etc. Failure
4 to maintain landscaping shall result in the City taking all appropriate enforcement
5 actions including but not limited to citations. This maintenance program condition shall
6 be recorded with a covenant as required by this resolution.

7 87. In the event that the conceptual landscape plan (CLP) does not match the conditions of
8 approval, the resolution of approval shall govern.

9 88. Trash enclosures must be provided as required by Chapter 13 of the City Code and shall
10 also include additional space for storage and collection of recyclable materials per City
11 standards and shown on the Landscape Plans. The enclosures must be built in a flat,
12 accessible location as determined by the City Engineer and/or Public Works Director. The
13 enclosure (or enclosures) shall meet City standards including being constructed of concrete
14 block, reinforced with rebar and filled with cement. A concrete slab must be poured with a
15 berm on the inside of the enclosure to prevent the bin(s) from striking the block walls. The
16 slab must extend out of the enclosure for the bin(s) to roll out onto. Steel posts must be set
17 in front of the enclosure with solid metal gates. All driveways and service access areas
18 must be designed to sustain the weight of a 50,000-pound service vehicle. Driveways and
19 service access areas shall be shown on both the improvement and landscape plans
20 submitted to the City Engineer and/or Public Works Director. The specifications shall be
21 reviewed and approved by the City Engineer and/or Public Works Director. The City's
22 waste disposal contractor is required to access private property to service the subject
23 development. A service agreement must be signed by the property owner and shall
24 remain in effect for the life of the project.

25 89. A covenant or other recordable document, approved by the City Attorney, shall be prepared
26 by the applicant and recorded prior to the issuance of building permit. The covenant shall
27 provide that the property is subject to this resolution, and shall generally list the conditions
28 of approval.

29 90. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
written copy of the applications, staff report and resolutions for the project to the new

1 owner and or operator. This notification provision shall run with the life of the project and
2 shall be recorded as a covenant on the property.

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

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

10 93. If any aspect of the project fencing and walls is not covered by an approved Development
11 Plan, the construction of fencing and walls shall conform to the development standards of
12 the City Zoning Ordinance. In no case, shall the construction of fences and walls
13 (including combinations thereof) exceed the limitations of the zoning code, unless
14 expressly granted by a Variance or other development approval.

15 94. Elevations, floor plans, building materials and colors, shall be substantially the same as
16 those approved by the Planning Commission and shall be shown on plans submitted to
17 the Building Division and Planning Division. All lighting showcasing building
18 architecture shall be shown on the building plans.

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

25 96. Conditional Use Permit (C-36-06) can be called for review by the Planning Commission if
26 complaints are filed and verified as valid by the Code Enforcement Office concerning
27 violation of any of the approved conditions or assumptions made by the application. The
28 Commission may add new conditions and/or delete and/or modify existing conditions, as it
29 deems necessary to protect the general health, safety ad welfare of residents in the area or
surrounding land uses.

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

6 98. The demolition of the existing structures is contingent upon photo documentation that
7 shall be placed in the project file according to the OHPC regulations.

8 99. The hours-of-operation and noise generated by the proposed use shall be reviewed and may
9 be limited by the Planning Commission when valid issues or complaints arise.

10 100. Development on phases two, three and four is contingent upon approval of an
11 Administrative Development Plan per phase. Each phase shall be substantially the same
12 in design, orientation, materials, and architecture as the approved plans as presented to the
13 Planning Commission.

14 101. The hours-of-operation of the Church shall be limited to 7:00 a.m. to 10:30 p.m. and the
15 school's hours-of-operation shall be weekdays from 7:00 a.m. to 7:00 p.m. and weekends
16 from 8:00 a.m. to 5:00 p.m.

17 **Water Utilities:**

18 102. The developer will be responsible for developing all water and sewer utilities necessary to
19 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
20 the developer and shall be done by an approved licensed contractor at the developer's
21 expense.

22 103. The property owner will maintain private water and wastewater utilities located on private
23 property.

24 104. Water services and sewer laterals constructed in existing right-of-way locations are to be
25 constructed by approved and licensed contractors at developer's expense.

26 105. All Water and Wastewater construction shall conform to the most recent edition of the
27 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by
28 the Water Utilities Director.

29 106. All public water and/or sewer facilities not located within the public right-of-way shall be
provided with easements sized according to the Water, Sewer, and Reclaimed Water
Design and Construction Manual. Easements shall be constructed for all weather access.

- 1 107. No trees, structures or building overhang shall be located within any water or wastewater
- 2 utility easement.
- 3 108. All lots with a finish pad elevation located below the elevation of the next upstream
- 4 manhole cover of the public sewer shall be protected from backflow of sewage by installing
- 5 and maintaining an approved type backwater valve, per the Uniform Plumbing Code
- 6 (U.P.C.).
- 7 109. The developer shall construct a public reclamation water system that will serve each lot and
- 8 or parcels that are located in the proposed project in accordance with the City of Oceanside
- 9 Ordinance No. 91-15. The proposed reclamation water system shall be located in the
- 10 public right-of-way or in a public utility easement.
- 11 110. A sewer study must be prepared by the developer at the developer's expense and approved
- 12 by the Water Utilities Department.
- 13 111. A separate irrigation meter and approved backflow prevention device is required and shall
- 14 be displayed on the plans.

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1 112. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are to
2 be paid to the City and collected by the Water Utilities Department at the time of Building
3 Permit issuance.

4 PASSED AND ADOPTED Resolution No. 2008-P23 on April 7, 2008 by the following
5 vote, to wit:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

10
11 _____
12 Dennis Martinek, Chairman
Oceanside Planning Commission

13 ATTEST:

14
15 _____
16 Jerry Hittleman, Secretary

17 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
18 this is a true and correct copy of Resolution No. 2008-P23

19
20 Dated: April 7, 2008

AGENDA NO. 6

PLANNING COMMISSION



STAFF REPORT

PEPPER TREE LANE SUBDIVISION
TENTATIVE MAP (T-4-97)
DEVELOPMENT PLAN (D-15-97)
CONDITIONAL USE PERMIT (C-26-97)
October 13, 1997

REQUEST: The application consists of a Tentative Map, Development Plan, and Conditional Use Permit for a 8 lot residential single family subdivision located at the southwest corner of Mission Avenue and Valley Heights. The project site is zoned RS (Residential Single Family) and is situated within the San Luis Rey Neighborhood.

APPLICANT: Neighborhood Free Lutheran Church

I. RECOMMENDATION

The Planning Commission approve the Tentative Map, Development Plan and Conditional Use Permit and adopt Planning Commission Resolution No. 97-P60 as attached.

II. PROJECT DESCRIPTION AND BACKGROUND

Background: The project is situated on 5.37 acre parcel that is located on the southeast corner of Mission Avenue and Valley Heights Drive. Currently existing on the western portion of the lot is the Neighborhood Free Lutheran Church. A Conditional Use Permit was approved in March of 1997 for an expanded church facility, however, the Church plans did not encroach into the area of the proposed subdivision.

Surrounding land uses include single-family residential land uses to the south, east and west. To the north, across Valley Heights Drive, is vacant residentially designated lands.

The underlying land use and zoning designation is Residential Single Family Detached which allows a density range of 3.6-5.9 dwelling units per acre with a minimum lot size of 6,000 square feet.

Site Review: As mentioned above, there exists a church with several out buildings. The area in which the subdivision is being proposed consists of non-grasslands and several large pepper trees, as well a variety of other shrubs and trees. The applicant intends to preserve as many of the existing trees as possible. As shown on the proposed tentative map and landscape plan, many of the existing trees and vegetation will be retained. Grading will be limited to access driveways and building pad areas. Overall, grading quantities are very limited at 2,170 cubic yards of cut and fill.

Project Description: The project application consists of several components; a Tentative Map, Development Plan and Conditional Use Permit. Each discretionary request is described as follows:

Tentative Map and Development Plan: The applicant is proposing to subdivide the entire 5.37 acre site into 8 lots. One lot will house the existing and future church facility, while the remaining seven lots will be developed with single family homes.

The individual lots range in size from 6,140 square foot to 28,919 square foot in size, with a majority of lots being around 6,500 square foot. The overall project density is 4.1 dwelling units per acre. Typical lot setbacks are a 20 foot minimum for the frontyards, 5 foot sideyards and a 15 ft. minimum for the rearyard.

At this time the applicant is not proposing specific floor plans and elevations. However, development criteria for the homes have been developed by the applicant. The homes will be a Spanish/Mediterranean design and will be between 1,700 to 1,900 square feet in size. To ensure compatibility with the surrounding neighborhood, staff has conditioned the project that future floor plans and elevations would be reviewed and approved by the Planning Commission.

Conditional Use Permit: A Conditional Use Permit is required for all residential projects that propose a density above the allowable base density. Section 2.3 of the Land Use Element states that the base density is considered the appropriate density for residential development. If a project proposes a density above the base density additional design review will be necessary. The project would be subject to the design policies within Section 2.33 (Potential Range of Residential Densities) of the Land Use Element of the General Plan. The project density is 4.1 dwelling units per acre.

A Conditional Use Permit (CUP) is also required when using a panhandle access design for vehicular access. The project is proposing a panhandle access for Lots 2, 3 and 6. Article 10 of the Zoning Ordinance outlines development criteria for panhandle access.

Outlined below is a table comparing the required development criteria of the RE-B zone and the proposed project.

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	6,000 SQ.FT.	6,140-28,919 SQ.FT
FRONT YARD SETBACK	20 FT.	20 FT.
SIDE YARD SETBACK	5 FT.	5 FT.
REAR YARD SETBACK	15 FT.	15 FT.
BUILDING HEIGHT	25 FT. (max)	25 FT. (max)

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

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

III. ANALYSIS

KEY PLANNING ISSUES

1. Is the proposed project compatible with surrounding land uses?
2. Does the project possess design features that warrant the increase in the base density?
3. Does the proposed pan-handle lots meet the development criteria for pan-handle access?

DISCUSSION

Since the proposed project would be considered an infill project, staff's initial concerns centered on the project's compatibility with the existing residential patterns.

Due to this concern staff has inventoried the surrounding neighborhood for a basis of comparison, specifically, the area just west of the project area commonly known as Mission Hermosa. The square footages in this area are 820 to 827 square foot in size. In comparison to the proposed units, staff believes that the project is comparable in size with that of the immediate neighborhood.

Furthermore, taking into consideration the minimum lot size and underlying land use designation, staff believes that the proposed project is compatible with the existing neighborhood.

In addition to the issue of unit size, staff was also concerned with the projects architectural compatibility with the surrounding neighborhood. The predominant architectural theme throughout the existing neighborhoods are a Early Californian or a similar style that share many of the same architectural features. In keeping with this theme the applicant is proposing an overall project architectural theme that will either match or compliment the existing developments and many of the architectural treatments and features found in the existing developments are used, such as stucco, tile roofs, accent bands, wood treatments, etc., wood be used. However, to ensure neighborhood compatibility staff has conditioned the project that future floor plans and elevations would be reviewed and approved by the Planning Commission. Staff is of the opinion that the architectural theme proposed by the applicant is compatible with the existing neighborhood.

Section 2.3 of the Land Use Element states that the base density is considered the appropriate density for residential development. If a project proposes a density above the base density additional design review will be necessary. The project would be subject to the design policies within Section 2.33 (Potential Range of Residential Densities) of the Land Use Element of the General Plan.

It is the opinion of staff that the project does include design features that exceed standards established by city policy and those established by existing or approved developments in the surrounding area. Specifically:

- Development Standards (i.e., parking, setbacks lot coverage, etc.) exceed the standards established by the Zoning Ordinance.
- Floor areas exceed the norm established by existing or approved development in the surrounding area.

Article 10 of the Zoning Ordinance outlines development standards for pan-handle access. The pan-handle lots as designed, meet or exceed of the required development criteria.

IV. ENVIRONMENTAL DETERMINATION

A Negative Declaration has been prepared stating that if the conditions of approval are implemented, there will not be a significant adverse impact upon the environment. Under the provisions of the California Environmental Quality Act, the Planning Commission will consider the Negative Declaration during its hearing on the project.

V. SUMMARY

Staff is of the opinion that the proposed Tentative Map, Development Plan, and Conditional Use Permit is consistent with the policies and objectives of the General Plan and Zoning Ordinance. The project as designed will not have an impact to the surrounding neighborhood. The project density of 4.1 dwelling units per acre and product type is consistent with residential uses that exist in the surrounding area. As such, staff recommends that the Planning Commission approve the project and adopt Resolution No. 97-P60 as attached. The Commission's action should be:

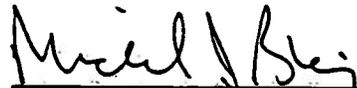
- Move approval of the Tentative Map, Development Plan and Conditional Use Permit, and adopt Planning Commission Resolution No. 97-P60 as attached.

PREPARED BY:



Gerald S. Gilbert
Senior Planner

SUBMITTED BY:



Michael J. Blessing
Planning Director

MJB/GSG/vnm

Attachment:

1. Draft Planning Commission Resolution No. 97-P60

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PLANNING COMMISSION
RESOLUTION NO. 97-P60

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA APPROVING A TENTATIVE MAP, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: T-4-97, D-15-97 and C-26-97
APPLICANT: Neighborhood Free Lutheran Church
LOCATION: Southeast corner of Mission Avenue and Valley Heights Drive.

THE PLANNING 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 Tentative Map, Development Plan, and Conditional Use Permit under the provisions of Article 10, 41 and 43 of the Zoning Ordinance of the City of Oceanside to permit the following:

a 8-lot residential single family subdivision of 5.37 acre site.

on certain real property legally described as shown on EXHIBIT "A" attached hereto and incorporated herein by reference thereto.

WHEREAS, the Planning Commission, after giving the required notice did on the 13th day of October, 1997, conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, the Planning Commission finds a Negative Declaration has been prepared stating that if the conditions of approval are implemented, there will not be a significant adverse impact upon the environment.

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

For the Tentative Map and Development Plan:

1. The site plan and design of the project is consistent with the purposes of the Zoning Ordinance.
2. The project conforms to the General Plan of the City.
3. The project can be adequately, reasonably and conveniently served by existing and planned public services, utilities and public facilities.

1 For the Conditional Use Permit:

2 Pan handle access:

- 3 1. The proposed use of a panhandle access design on three lots and the
4 proposed location of the lots is in accord with the objectives of the Zoning
5 Ordinance and the purposes of the districts in which it is located.
- 6 2. The use of panhandle access design, and the proposed conditions under
7 which they would be established or maintained will be consistent with the
8 General Plan; will not be detrimental to the public health, safety or welfare
9 of persons residing or working in or adjacent to the neighborhood of such
10 use; and will not be detrimental to properties or improvements in the vicinity
11 or to the general welfare of the City.

7 Increase in base density:

- 8 1. The development portion of the subject property is zoned RS with a
9 corresponding Land Use designation of Residential Single Family (3.6-5.9
10 dwelling units per acre). The project density of 4.1 dwelling units per acre
11 is consistent with the density range of 3.6 - 5.9 dwelling units per acre
12 established by the Residential Single Family designation.
- 13 2. The location and conditions under which the subject application must
14 comply insure that the project will not cause detriment to the public health
15 safety or welfare of persons residing or working in or adjacent to the
16 neighborhood of such use or to properties or improvements in the vicinity.
- 17 3. The project has been adequately conditioned or designed to comply with
18 applicable requirements of the Zoning Ordinance.

13 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does
14 hereby APPROVE Tentative Map (T-4-97), Development Plan (D-15-97), and
15 CONDITIONAL USE PERMIT (C-26-97) subject to the following conditions:

15 Building:

- 16 1. Applicable Building Codes and Ordinances shall be based on the date of
17 submittal for Building Department plan check.
- 18 2. The granting of approval under this action shall in no way relieve the
19 applicant/project from compliance with all State and local building codes.
- 20 3. All electrical, communication, CATV, etc. service lines, within the exterior
21 lines of the property shall be underground (City Code Sec. 6.30).

19 Fire:

- 20 4. Provide minimum fire flow of 2,000 gallons per minute.
- 21 5. Fire hydrants shall be 2 1/2" X 4".
- 22 6. The fire hydrants shall be installed and tested prior to placing any
23 combustible materials on the job site.
7. All-weather access roads shall be installed and made serviceable prior to and
during time of construction. Sec. 10.301(c) and (d) Uniform Fire Code.

- 1 8. Plans shall be submitted to the Fire Prevention Bureau for plan check review
and approval prior to the issuance of building permits.
- 2 9. Buildings shall meet Oceanside Sprinkler Ordinance in effect at the time of
building permit application.
- 3 10. All open areas shall be landscaped with approved fire retardant/anti-erosion
4 type plants with an approved permanent irrigation system and maintenance
program.
- 5 11. Lots 2 and 6 require to be sprinklered (13-D systems).

6 **Engineering:**

- 7 12. Vehicle access rights to Mission Avenue shall be relinquished for all abutting
lots.
- 8 13. Prior to approval of the final map or any increment, all improvement
9 requirements, within such increment or outside of it if required by the City
Engineer, shall be covered by a subdivision agreement and secured with
sufficient improvement securities or bonds guaranteeing performance and
10 payment for labor and materials, setting of monuments, and warranty
against defective materials and workmanship.
- 11 14. The tract shall be recorded as one. The tract may be developed in phases.
12 A Construction phasing plan for the construction of on-site public and
private improvements shall be reviewed and approved by the City Engineer
prior to the recordation of the final map. At a minimum, frontage
13 improvements along Valley Heights Drive shall be completed prior to
issuance of the first building Permit. City Engineer shall require the
dedication and construction of necessary utilities, streets and other
14 improvements outside the area of any particular final map, if such is needed
for circulation, parking, access or for the welfare or safety of future
occupants of the development.
- 15 15. Where proposed off-site improvements, including but not limited to slopes,
public utility facilities, and drainage facilities, are to be constructed, the
16 applicant shall, at his own expense, obtain all necessary easements or other
interests in real property and shall dedicate the same to the City as required.
The applicant shall provide documentary proof satisfactory to the City that
17 such easements or other interest in real property have been obtained prior to
the approval of the final map. Additionally, the City, may at its sole
discretion, require that the applicant obtain at his sole expense a title policy
18 insuring the necessary title for the easement or other interest in real
property to have vested with the City of Oceanside or the applicant, as
applicable.
- 19 16. Pursuant to the State Map Act, improvements shall be required at the time
20 of development. A covenant, reviewed and approved by the City Attorney,
shall be recorded attesting to these improvement conditions and a certificate
setting forth the recordation shall be placed on the map.
- 21 17. The developer shall provide public street dedication as required to serve the
property.
- 22 18. Open space areas and downsloped areas visible from a collector-level or
23 above roadway, shall either be maintained by the property owner, a
homeowners' association or other method that will insure installation and

1 maintenance of landscaping in perpetuity. These areas shall be indicated on
2 the final map and either reserved for an association or other means, as
3 applicable. If these areas are association-maintained, then the maintenance
4 responsibilities shall be set forth in the recorded CC&R's. In either case,
5 future buyers shall be made aware of any estimated monthly costs. The
6 disclosure, together with the CC&R's, shall be submitted to the City
7 Engineer for review prior to the recordation of final map.

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

12 (a). Removal of dirt, debris and other construction material deposited on
13 any public street no later than the end of each working day.

14 (b). Construction operations and deliveries shall be restricted to Monday
15 through Friday, from 7:00 A.M. to 6:00 P.M., unless otherwise
16 extended by the City.

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

19 Violation of any condition, restriction or prohibition set forth in this
20 resolution shall subject the development plan to further review by the
21 Planning Commission. This review may include revocation of the
22 development plan, imposition of additional conditions and any other remedial
23 action authorized by law.

24 20. All traffic signal contributions, highway thoroughfare fees, park fees,
25 reimbursements, and other applicable charges, fees and deposits shall be
26 paid prior to the issuing of any building permits, in accordance with City
27 Ordinances and policies. The subdivider or developer shall also be required
28 to join into, contribute, or participate in any improvement, lighting, or other
29 special district affecting or affected by this project. Approval of the
30 tentative map (project) shall constitute the developer's approval of such
31 payments, and his agreement to pay for any other similar assessments or
32 charges in effect when any increment is submitted for final map or building
33 permit approval, and to join, contribute, and/or participate in such districts.

21 21. The developer shall pay traffic signal fees as required by the City's Traffic
22 Signal Fee Ordinance.

23 22. The developer shall pay thoroughfare fees as required by the City's
24 Thoroughfare Fee Ordinance.

25 23. The developer shall pay drainage fees as required by the City's Drainage Fee
26 Ordinance.

27 24. Design and construction of all improvements shall be in accordance with
28 standard plans, specifications of the City of Oceanside and subject to
29 approval by the City Engineer.

30 25. Prior to City Council's approval of the first final map, a phasing plan for the
31 construction of public and private improvements shall be reviewed and
32 approved by the City Engineer.

- 1 26. All streets shall be improved with concrete curbs and gutters, street lights,
2 5 foot wide sidewalks and pavement, providing a parkway width of at least
3 10 feet, except where turnouts are provided and unless altered by the City
4 Engineer.
- 5 27. Curb return radii shall be 35 feet at the intersections of Mission Avenue and
6 Valley Heights Drive. All other curb return radii in the project shall be a
7 Minimum of 25 feet.
- 8 28. All street dedications, alignments, widths, and exact geometrics shall be as
9 approved by the City Engineer.
- 10 29. Valley Heights Drive shall be dedicated and improved 56 feet wide with a 36
11 foot wide curb-to-curb street section and a traffic index of 5. The
12 improvements are to be half-width plus 12 feet.
- 13 30. The following streets shall be dedicated and improved as noted:
14 Mission Avenue - Secondary arterial; 84 foot right-of-way improved with a
15 64 foot wide curb-to-curb street section with a traffic index of 8.0.
- 16 31. The exact alignment, width and design of all median islands, turning lanes,
17 travel lanes, driveways, striping, and all other traffic control devices and
18 measures, including turnouts, bike lanes, and width/length transitions, shall
19 be approved by the City Engineer at the time of final design.
- 20 32. Pavement sections for all streets, alleys, driveways and parking areas shall
21 be based upon approved soil tests and traffic indices. The pavement design
22 is to be prepared by the subdivider's soil engineer and must be approved by
23 the City Engineer, prior to paving.
33. Parking shall be prohibited on both sides of all interior streets less than 32
feet in curb-to-curb width, and on one side of all streets less than 36 feet in
width.
34. All streets shall be improved with street name signs and traffic control
devices, as directed by the City Engineer.
35. Sight distance requirements at all street intersections shall conform to the
intersection sight distance criteria as provided by the California Department
of Transportation Highway Design Manual.
36. Traffic control during the construction of streets which have been opened to
public travel shall be in accordance with construction signing, marking and
other protection as required by the CalTrans Traffic Manual. Traffic control
during construction adjacent to or within all public streets must also meet
CalTrans standards.
37. A traffic control plan shall be submitted to and approved by the City
Engineer prior to the start of work within open City rights-of-way.
38. Any broken pavement, concrete curb, gutter or sidewalk or any damaged
during construction of the project, shall be repaired or replaced as directed
by the City Engineer.
39. The entire project shall be served with a complete water system adequate
enough for fire protection (including hydrants), domestic supply and
landscaping. The main lines shall be City-owned and appropriate easements

1 shall be provided. The sewer system to serve the tract shall be designed
2 and constructed to City standards. All other utilities to serve the project,
including electrical, telephone, and cable T.V., shall be constructed
underground.

3 40. All connections to existing City water mains are to be made with new
4 materials. New materials include the replacement and/or upgrade of all
existing fittings with new tees or new crosses, as applicable, and the
installation of a new valve on each branch.

5 41. All existing overhead utility lines either transversing the project or
6 immediately adjacent thereto, and all new extension services for the
development of the project, including but not limited to, electrical, cable and
telephone, shall be constructed underground.

7 42. The developer shall comply with all the provisions of the City's cable
8 television ordinances including those relating to notification as required by
the City Engineer.

9 43. On-site grading design and construction shall be in accordance with the
City's current Grading Ordinance.

10 44. Grading and drainage facilities shall be designed to adequately accommodate
the local storm water runoff and shall be in accordance with the City's
Engineers Manual and as directed by the City Engineer.

11 45. The applicant shall obtain any necessary permits and clearances from the U.
12 S. Army Corps of Engineers, California Department of Fish & Game, U. S.
Fish and Wildlife Service and/or San Diego Regional Water Quality Control
Board (including NPDES), San Diego County Health Department, prior to the
issuance of grading permits.

13 46. Prior to any grading of any part of the tract or project, a comprehensive soils
14 and geologic investigation shall be conducted of the soils, slopes, and
formations in the project. All necessary measures shall be taken and
15 implemented to assure slope stability, erosion control, and soil integrity. No
grading shall occur until a detailed grading plan, to be prepared in
16 accordance with the Grading Ordinance and Zoning Ordinance, is approved
by the City Engineer.

17 47. The applicant shall implement adequate erosion control measures for the site
at the completion of each phase of grading. This shall include, at a
18 minimum, either jute matting, an organic soil binder with non-irrigable
hydroseed mix or final landscaping with irrigation on all disturbed areas, as
directed by the City Engineer.

19 48. This project shall provide year-round erosion control. Prior to the issuance
of grading permit, an erosion control plan, designed for all proposed stages
20 of construction, shall be reviewed, secured by the applicant with cash
securities and approved by the City Engineer.

21 49. A Precise Grading and Private Improvement Plan shall be prepared,
22 reviewed, secured and approved prior to the issuance of any building
permits. The plan shall reflect all pavement, flatwork, landscaped areas,
special surfaces, curbs, gutters, medians, striping, signage, footprints of all
structures, walls, drainage devices and utility services.

- 1 50. Landscaping plans, including plans for the construction of walls, fences or
2 other structures at or near intersections, must conform to intersection sight
3 distance requirements. Landscape and irrigation plans for disturbed areas
4 must be submitted to the City Engineer prior to the issuance of a preliminary
5 grading permit and approved by the City Engineer prior to the issuance of
6 building permits. Project fences, sound or privacy walls and monument
7 entry walls/signs shall be designed, reviewed and constructed by the
8 landscape plans and shown for location only on grading plans. Plantable,
9 segmental walls shall be designed, reviewed and constructed by the grading
10 plans and landscaped/irrigated through project landscape plans. All plans
11 must be approved by the City Engineer and a pre-construction meeting held,
12 prior to the start of any improvements.
- 13 51. Development shall be in accordance with City Stormwater Management and
14 Discharge Regulations.
- 15 52. All storm drain systems shall be designed and installed to the satisfaction of
16 the City Engineer. All public storm drains shall be shown on City standard
17 plan and profile sheets. All storm drain easements shall be dedicated where
18 required. The applicant shall be responsible for obtaining any off-site
19 easements for storm drainage facilities.
- 20 53. Storm drain facilities shall be designed and located such that the inside
21 travel lanes on Mission Avenue shall be passable during conditions of a 100-
22 year frequency storm.
- 23 54. All drainage picked up in an underground system shall remain underground
until it is discharged into an approved channel, or as otherwise approved by
the City Engineer.
55. The drainage design on the project tentative map is conceptual only. The
final design shall be based upon a hydrologic/hydraulic study to be approved
by the City Engineer during final engineering plan review.

Planning:

- 15 56. This Tentative Map, Development Plan, and Conditional Use Permit approves
16 only the following: a 8-lot subdivision on 5.37 acres. Any substantial
17 modification in the design or layout shall require a revision to the Tentative
18 Map, Development Plan, Conditional Use Permit and Variance or a new
19 Tentative Map, Development Plan, Conditional Use Permit and Variance.
- 20 57. This Tentative Map, Development Plan, and Conditional Use Permit and
21 Variance shall expire on October 13, 1999 unless implemented as required
22 by the Zoning Ordinance or a time extension is granted by the Planning
23 Commission.
58. Future floor plans and elevations are subject to the review and approval by
the Planning Commission. At a minimum the units shall be a minimum of
1,700 sq. ft. in size, two-car garage, a contemporary Californian
architectural style, exterior finishes shall include, but are not limited to,
stucco with wood, brick or stone accents.
59. A six-foot high privacy wood fence shall constructed around each lot used
for residential purposes. The fences shall be shown on the landscape and
improvement or grading plans.

1 60. All retaining and other freestanding walls, fences, and enclosures shall be
2 architecturally designed in a manner similar to and consistent with the
3 primary structures (stucco block, split-face block or slump stone). All
4 retaining walls in excess of 4 feet in height shall be constructed as a
5 plantable wall. These items shall be approved by the Planning Department
6 prior to the issuance of building permits.

7 (a) All landscaping, fences, walls, etc. on the site, in medians in the
8 public right-of-way and in any adjoining public parkways shall be
9 permanently maintained by the owner, his assigns or any successors
10 in interest in the property. The maintenance program shall include
11 normal care and irrigation of the landscaping; repair and replacement
12 of plant materials; irrigation systems as necessary; and general
13 cleanup of the landscaped and open areas, parking lots and
14 walkways, walls, fences, etc. Failure to maintain landscaping and the
15 site in general may result in the setting of a public hearing to revoke
16 the approval. This condition shall be recorded with the covenant
17 required by this Resolution; or

18 (b) All landscaping, fences, walls, etc. on the site, in medians, in public
19 right-of-way and in any adjoining public parkways shall be
20 permanently maintained by the homeowners association. The
21 maintenance program shall include normal care and irrigation of the
22 landscaping; repair and replacement of plant materials; irrigation
23 systems as necessary; and general cleanup of the landscaped and
open areas, parking areas and walkways, walls, fences, etc. This
condition shall be recorded with the covenant required by this
Resolution.

24 61. Park fees shall be paid as required by City policy at the time building permits
25 are issued.

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

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

31 64. Model Landscape plans designed in compliance with Water Conservation
32 Ordinance No. 91-15, shall be submitted as schematic drawings and shall be
33 approved and signed by the Engineering Department and the Planning
Department prior to the issuance of building permits. No bonding shall be
required. Precise Grading Plans for model homes shall be prepared by a Civil
Engineer and shall be approved by the City Engineer prior to the issuance of
building permits. Prior to the issuance of occupancy permits, the City's
Landscape Technician/Inspector shall review each unit requested for
occupancy to ensure that the installation of planting and irrigation has
occurred in conformance with the approved schematic drawings. The
irrigation system will also be tested to ensure adequate operation and
coverage.

34 65. Front yard landscaping with a complete irrigation system, in compliance with
35 Water Conservation Ordinance No. 91-15, shall be installed within 6-months
36 of Certificate of Occupancy of each unit. A covenant shall be recorded on
37 each lot to this effect.

1 66. Landscape plans, meeting the criteria of the City's Landscape Guidelines and
2 Water Conservation Ordinance No. 91-15, including the maintenance of
3 such landscaping, shall be reviewed and approved by the City Engineer and
4 Planning Director prior to the issuance of building permits. Landscaping
5 shall not be installed until bonds have been posted, fees paid, and plans
6 signed for final approval. The following special landscaping requirements
7 shall be met:

8 (a) The developer shall be responsible for landscaping all embankments 3
9 feet and over in height. All embankments 5 feet in height and over
10 (and for all slopes along major streets) shall be landscaped and
11 irrigated.

12 (b) Street/parkway trees (minimum 15 gallon) shall be planted at a
13 minimum of two trees per unit or lot and four trees per corner lot.
14 Approved root barriers shall be incorporated.

15 (c) Local street trees in parkways shall be planted at a minimum of 30
16 feet on center, each side of street, as a solitary planting. Approved
17 root barriers shall be incorporated.

18 (d) Wherever feasible, Crimson Lake Bougainvillea, the official City
19 Flower or its equivalent shall be used on this site.

20 67. All landscaping, fences, walls, etc. on the site, in medians, in public right-of-
21 way and in any adjoining public parkways shall be permanently maintained
22 by the homeowners association or the individual homeowners if an HOA is
23 not created. The maintenance program shall include normal care and
irrigation of the landscaping; repair and replacement of plant materials;
irrigation systems as necessary; and general cleanup of the landscaped and
open areas, parking areas and walkways, walls, fences, etc. This condition
shall be recorded with the covenant required by this Resolution.

68. Any project entrance signs shall be approved by the Planning Director.

69. The homeowners' Covenants, Conditions and Restrictions (C.C. & R's) shall
provide for the maintenance of all common open space, medians and
commonly owned fences and walls and adjacent parkways. The
maintenance shall include normal care and irrigation of landscaping, repair
and replacement of plant material and irrigation systems as necessary; and
general cleanup of the landscaped and open area, parking lots and
walkways. The C.C. & R's shall be subject to the review and approval of
the City Attorney prior to the approval of the final map. The C.C. & R's are
required to be recorded prior to or concurrently with the final map. Any
amendments to the C.C. & R's in which the homeowner relinquishes his
responsibility for the maintenance of any common open space shall not be
permitted without the specific approval of the City Council of the City of
Oceanside. Such a clause shall be a part of the C.C. & R's. The C.C. & R's
shall also contain provisions for the following:

(a) Prohibition of parking or storage of recreational vehicles, trailers or
boats.

(b) Maintenance of median landscaping by the Homeowners' Association.

70. A covenant or other recordable document approved by the City Attorney
shall be prepared by the applicant (developer, subdivider) and recorded prior
to the approval of the final map (or prior to issuance of building permits

1 where no final map is required). The covenant shall provide that the
2 property is subject to this Resolution, and shall generally list the conditions
3 of approval.

4 71. This project is subject to the provisions of Chapter 14C of the City Code
5 regarding the Inclusionary Housing.

6 72. This project shall comply with all provisions of the City's Affirmative Fair
7 Housing Marketing Agreement policy. Such agreement shall be submitted to
8 and approved by the Housing Director prior to the recordation of a final map
9 or the issuance of a building permit for the project, whichever comes first.

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

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

19 75. All street names shall be approved by the Planning Department prior to the
20 approval of the final map for each phase of development.

21 76. The developer is prohibited from entering into any agreement with a cable
22 television franchisee of the City which gives such franchisee exclusive rights
23 to install, operate, and/or maintain its cable television system in the
development.

77. Prior to the issuance of building permits, compliance with the applicable
provisions of the City's anti-graffiti ordinance (Ordinance No. 93-19/Section
20.25 of the City Code) shall be reviewed and approved by the Planning
Department. These requirements including the obligation to remove all
graffiti within 24 hours.

Water Utilities:

78. No trees or structures shall be located within any public utility easement.

79. The developer shall be responsible for developing all water and sewer
facilities necessary to this property. Any relocation of water or sewer lines
are the responsibility of the developer.

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

2 PASSED AND ADOPTED Resolution No. 97-P60 on October 13, 1997 by
3 the following vote, to wit:

4 AYES:

5 NAYS:

6 ABSENT:

7 ABSTAIN:

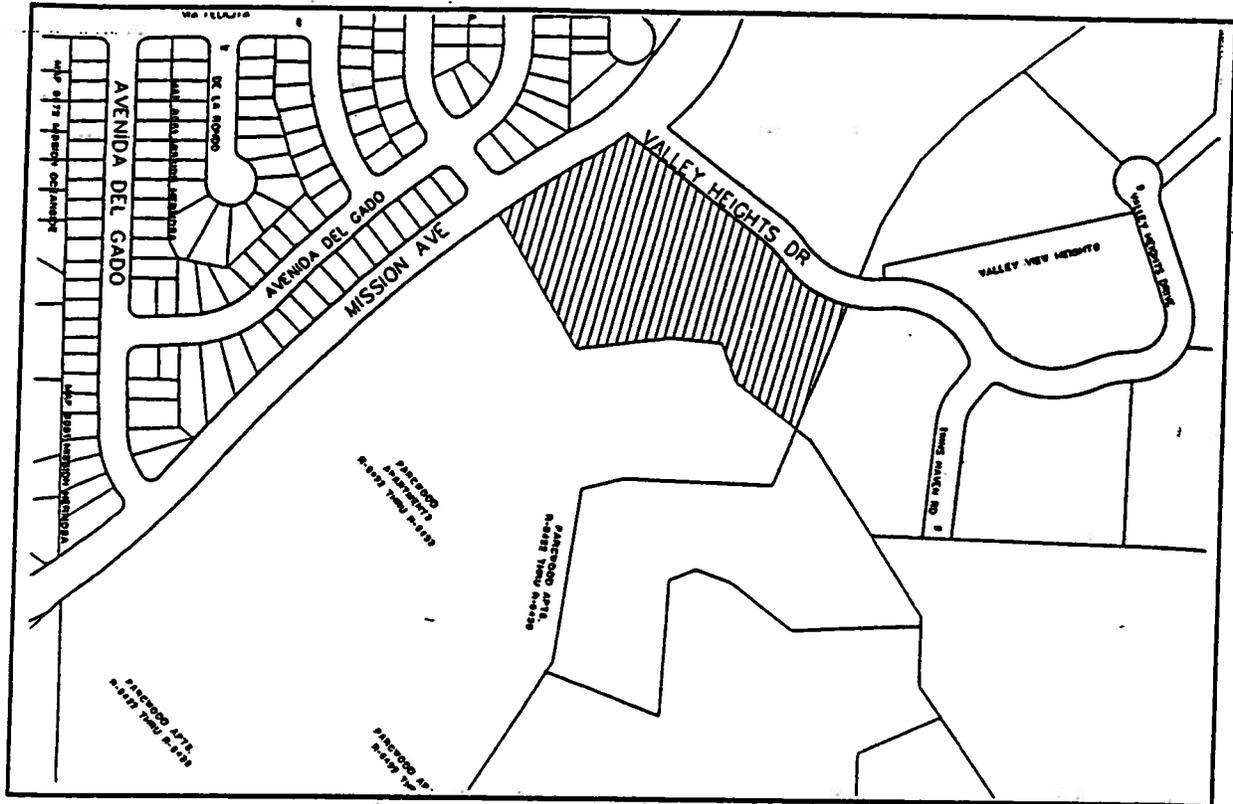
8 _____
Robert L. Schaffer Chairman
Oceanside Planning Commission

9 ATTEST:

10 _____
11
12 Michael J. Blessing, Secretary

13 I, MICHAEL J. BLESSING, Secretary of the Oceanside Planning Commission,
14 hereby certify that this is a true and correct copy of Resolution No. 97-P60.

15 Dated: _____
16
17
18
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20
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22
23



File Numbers: T-4-97

Applicant:
NEIGHBORHOOD FREE LUTHERAN CHURCH

Description:
TENTATIVE MAP (T-4-97) for a 7-lot residential single family subdivision of a 5.37 acre lot located at the southwest corner of Mission Avenue and Valley Heights. The project is zoned RS (Residential Single Family) and is situated in the San Luis Rey Neighborhood. (PEPPER TREE LANE SUBDIVISION)

Environmental Determination:
A Negative Declaration has been prepared stating that if the conditions of approval are implemented, there will not be a significant adverse impact upon the environment. Under the provisions of the California Environmental Quality Act, the Planning Commission will consider the Negative Declaration during its hearing on the project.

City of Oceanside, Planning Department
300 N. Coast Highway
Oceanside, CA 92054 (760) 966-4770

APPLICATION FOR PLANNING COMMISSION HEARING
 PLANNING DEPARTMENT (619)966-4770
 OCEANSIDE CIVIC CENTER
 300 N. COAST HIGHWAY, OCEANSIDE, CA 92054-2885

STAFF USE ONLY

ACCEPTED
 May 21, 1997 BY
 0

PLEASE PRINT OR TYPE ALL INFORMATION

PART I - APPLICANT INFORMATION

1. APPLICANT NEIGHBORHOOD FREE LUTHERAN CHURCH		2. STATUS OWNER	
3. ADDRESS 4507 MISSION AVENUE, OCEANSIDE, CA. 92057		4. PHONE (619) 722-3337	
5. APPLICANT'S REPRESENTATIVE (OR PERSON TO BE CONTACTED FOR INFORMATION DURING PROCESSING) E RICCI, CIVIL ENGINEERING, ATTN: ERICK L. RICCI			
6. ADDRESS 1014 W. WASHINGTON ST. SAN DIEGO, CA. 92103		7. PHONE (619) 296-3183 (619) 296-8180 FAX	

HEARING	
VAR.	
C.U.P.	
DEV.PL.	
SP.PL.	
ZONE CH.	
G.P.A.	
PAR.MAP	
TEMT.MAP	T-4-97
O.H.P.A.C	
COASTAL	

PART II - PROPERTY DESCRIPTION

8. LOCATION 4507 MISSION AVENUE AT SW. CORNER OF MISSION & VALLEY HTS.		9. SIZE 5.37 ACRES
10. GENERAL PLAN RS SINGLE FAM. DETACHED	11. ZONING RS	12. LAND USE CHURCH, CHILD CARE, AND NON-AGRICULTURAL VACANT
13. ASSESSOR'S PAR. NO. 158-122-07		KN. 8/19/97

PART III - PROJECT DESCRIPTION

1. GENERAL PROJECT DESCRIPTION
 CREATE 7 SINGLE RESIDENTIAL LOTS AND CHURCH WITH PRE-SCHOOL, K-8 SCHOOL, GYMNASIUM (SEE C-10-95)

1. PROPOSED GEN. PLAN SINGLE FAM. DET. (SAME)	16. PROPOSED ZONING RS (SAME)	17. PROPOSED LAND USE RESIDENTIAL-CHURCH	18. # UNITS 7	19. DENSITY 4.1
2. BUILDING SIZE 1,800 - 2,200 SQ. FT.	21. PARKING SPACES 28 (RESIDENTIAL ONLY)	22. % LANDSCAPING 19.1% (RES. ONLY)	23. % LOT COVERAGE 3.9 - 21.7% (RES. ON)	

PART IV - ATTACHMENTS

ALL APPLICATIONS		DEV. PLANS, CUP'S & TEMT. MAPS	
24. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/>	25. LEGAL DESCRIPTION	<input checked="" type="checkbox"/>
26. 300 FT. RADIUS MAP	<input checked="" type="checkbox"/>	27. PROPERTY OWNERS' LIST	<input checked="" type="checkbox"/>
28. ENVIRONMENTAL ASSESSMENT	<input checked="" type="checkbox"/>	29. PLOT PLANS	
		32. OTHER	

PART V - SIGNATURES

3. APPLICANT OR HIS REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION

4. APPLICANT OR REPRESENTATIVE
 Erick L. Ricci
 2/27/97

5. I DECLARE UNDER PENALTY OF PERJURY THAT ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

6. SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIP OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER OR AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY.)

7. OWNER
 [Signature]
 5/13/97

8. OTHER
 [Signature]
 Sec

9. APPLICANT
 Erick L. Ricci
 5/21/97

10. OWNER
 [Signature]
 5/21/97

DESCRIPTION AND JUSTIFICATION:

THE PURPOSE OF THIS PROJECT IS THE CREATION OF EIGHT LOTS. THE LARGEST LOT, LOT 1, BEING 3.657 ACRES NET, WILL CONTINUE BEING USED FOR A CHURCH AND DAY CARE CENTER. IMPROVEMENTS APPROVED UNDER CONDITIONAL USE PERMIT C-10-95 WILL CONSIST OF A LARGER CHURCH, GYMNASIUM, PRE-SCHOOL AND K-8 SCHOOL. LOTS 2 THROUGH 8 WILL BE 7 RESIDENTIAL LOTS RANGING IN AREA FROM 6,140 SQUARE FEET (0.141 ACRES) TO 28,919 SQUARE FEET (0.664 ACRES). IT IS OUR INTENT TO BUILD SEVEN QUALITY SPANISH STYLE HOMES IN A PARK LIKE ATMOSPHERE.

THIS PROPERTY WAS ORIGINALLY USED AS A CITRUS GROVE AND IT HAD A FARM HOUSE, AND OTHER STRUCTURES. THEREFORE MOST OF THE LAND HAS BEEN GRADED AND USED FOR AGRICULTURAL, RESIDENTIAL, A FLOWER SHOP, AND RECENTLY, CHURCH PURPOSES. APPROXIMATELY 32% OF THE PROPERTY TO THE SOUTH IS VACANT AND IT PROVIDES AN IDEAL SETTING FOR HOMES WHICH WILL ENJOY PLEASANT VIEWS OF THE VALLEY. THE LOTS WILL BE SERVED BY A FULLY IMPROVED STREET, VALLEY HEIGHTS DRIVE. SEWER BEING AVAILABLE. WATER WILL HAVE TO BE BROUGHT FROM MISSION AVENUE BUT THERE IS EXCELLENT PRESSURE AVAILABLE FOR FIRE PROTECTION.

THE TWO-STORY SPANISH STYLE HOMES WILL BE 1700 TO 1900 SQUARE FEET WITH 2 AND 1/2 BATHS, FAMILY ROOM, OVERSIZED GARAGE AND LARGE PORCH. GROUND COLORS AND ROUGH FINISHED WALLS WILL BE USED. THE HOMES ON LOTS 2, 3 AND 6 WILL BE FIRE SPRINKLED.

A CONDITIONAL USE PERMIT IS BEING REQUESTED WITH THIS APPLICATION FOR THE USE OF PAN-HANDLE ACCESS FOR LOTS 2,3, AND 6.

WE FEEL THAT THE HOMES WILL FIND HIGH ACCEPTABILITY IN THE REAL ESTATE MARKET AND THAT FUTURE BUYERS WILL BE PURCHASING A QUALITY PRODUCT IN A DESIRABLE PART OF TOWN. IT IS OUR GOAL TO BUILD SEVEN HOMES THAT WILL BE AN ASSET TO THE COMMUNITY .

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

ALL THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS SAME IS SHOWN ON LICENSED SURVEYOR'S MAP NO. 402 ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00°01'50" WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER 866.32 FEET TO A POINT IN THE CENTER LINE OF SAN LUIS REY HIGHWAY AS SAME IS SHOWN ON SAID MAP NO. 402; THENCE NORTHEASTERLY ALONG SAID CENTER LINE AS FOLLOWS:

NORTH 44°47'30" EAST, 910.42 FEET TO THE POINT OF INTERSECTION OF THAT CERTAIN CURVE SHOWN ON SAID MAP AS HAVING A CENTRAL ANGLE OF 07°59'00" AND A RADIUS OF 1000.00 FEET; THENCE NORTH 52°46'30" EAST, 224.57 FEET TO THE MOST WESTERLY CORNER OF THE LAND CONVEYED BY F.E. FARNSWORTH AND LUELLE M. FARNSWORTH, HUSBAND AND WIFE, AND W.S. THOMSON AND CELLA I. THOMSON, HUSBAND AND WIFE, TO WILLIAM F. SPEER AND AUGUST SPEER, HUSBAND AND WIFE, BY DEED DATED AUGUST 4, 1933 AND RECORDED AUGUST 22, 1933 IN BOOK 237, PAGE 71 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY; THENCE CONTINUING ALONG SAID CENTER LINE, NORTH 52°46'30" EAST, 74.37 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 750.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 22.69 FEET TO A POINT, A RADIAL LINE THROUGH POINT BEARING NORTH 35°29'30" WEST, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE WITHIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING NORTHEASTERLY ALONG SAID CENTER LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 129.81 FEET; THENCE TANGENT TO SAID CURVE, NORTH 64°25'30" EAST, 117.83 FEET; THENCE LEAVING SAID CENTER LINE SOUTH 72°19'00" EAST, 223.99 FEET; THENCE SOUTH 49°24'00" EAST, 449.68 FEET, MORE OR LESS, TO A POINT IN THE NORTHWESTERLY LINE OF THE LAND CONVEYED BY F.E. FARNSWORTH, ET AL, TO E.E. KNIGHT BY DEED DATED JUNE 20,

1930 AND RECORDED IN BOOK 1811, PAGE 155 OF DEEDS, RECORDS OF SAN DIEGO COUNTY; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF THE LAND SO CONVEYED TO KNIGHT AS FOLLOWS:

SOUTH 20°14'00" WEST, 177.81 FEET; THENCE SOUTH 19°54'00" WEST, 115.56 FEET; THENCE LEAVING SAID NORTHWESTERLY LINE OF THE LAND SO CONVEYED TO KNIGHT, AND ALONG THE SOUTHERLY LINE OF THE LAND SO CONVEYED TO SPEER, NORTH 53°58'30" WEST, 157.33 FEET; THENCE NORTH 22°19'00" WEST, 86.12 FEET; THENCE NORTH 86°16'30" WEST, 110.25 FEET; THENCE NORTH 73°01'00" WEST, 115.86 FEET; THENCE SOUTH 81°57'00" WEST, 193.42 FEET; THENCE NORTH 32°22'00" WEST, 144.75 FEET; THENCE NORTH 63°31'00" EAST, 35.00 FEET; THENCE NORTH 05°35'00" WEST, 76.00 FEET; THENCE NORTH 17°00'00" WEST, 109.58 FEET; THENCE NORTH 35°29'30" WEST, 25.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

AN UNDIVIDED 7/200THS INTEREST IN AND TO THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS BEGINNING AT A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER WHICH IS SOUTH 89°42'25" EAST, 501.73 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER AS SHOWN ON SAID MAP; THENCE SOUTH 00°17'35" WEST, 208.71 FEET; THENCE SOUTH 89°42'25" EAST, 208.71 FEET; THENCE NORTH 00°17'35" EAST, 208.71 FEET TO THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89°42'25" WEST, 208.71 FEET TO A POINT OF BEGINNING.



CITY OF OCEANSIDE
PLANNING DEPARTMENT

NEGATIVE DECLARATION

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

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

PROJECT TITLE AND FILE NUMBER:
PEPPER TREE LANE TENTATIVE MAP (T-4-97)

PROJECT LOCATION:
Southwest corner of Mission Avenue and Valley Heights Road.

PROJECT DESCRIPTION:

The proposed project is an 8-lot subdivision, consisting of one lot for church related uses and a 7-lot single family detached residence subdivision.

FINDING: Pursuant to the provisions of Ordinance No. 88-31, pertaining to procedures and guidelines to implement the California Environmental Quality Act (Public Resources Code Section 21000 et. al.), the proposed project has been reviewed by the Environmental Review Committee established by ordinance to be responsible for evaluating the information. The Environmental Review Committee, after study of the facts and findings, has on September 12, 1997 determined that the project will not have a significant effect on the environment.

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

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

See attached Initial Study

Initial Study prepared by:
Jerry Hittleman, Senior Planner

Contact Person:
Gerald S. Gilbert, Senior Planner

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

City of Oceanside
Planning Department
300 N. Coast Highway
Oceanside, CA 92054


SIGNATURE

For: Michael J. Blessing, Planning Director

September 15, 1997
DATE

CITY HALL, 300 N. COAST HIGHWAY, OCEANSIDE CA 92054, TELEPHONE (760) 966-4770, FAX (760) 966-4164

LEGAL NOTICE

**CITY OF OCEANSIDE
DRAFT NEGATIVE DECLARATION
AVAILABLE FOR PUBLIC REVIEW**

**PEPPER TREE LANE TENTATIVE MAP
(T-4-97)**

AVAILABLE FOR PUBLIC REVIEW AND COMMENT. The Draft Negative Declaration for: PEPPER TREE LANE TENTATIVE MAP (T-4-97).

PROJECT DESCRIPTION: The proposed project is an 8-lot subdivision. Lot 1 is 3.657 acres and will be used as a church and day care center in accordance with approved conditional use permit C-10-95. Lots 2 through 8 consists of 7 residential lots ranging from 6,140 square feet to 28,919 square feet in size.

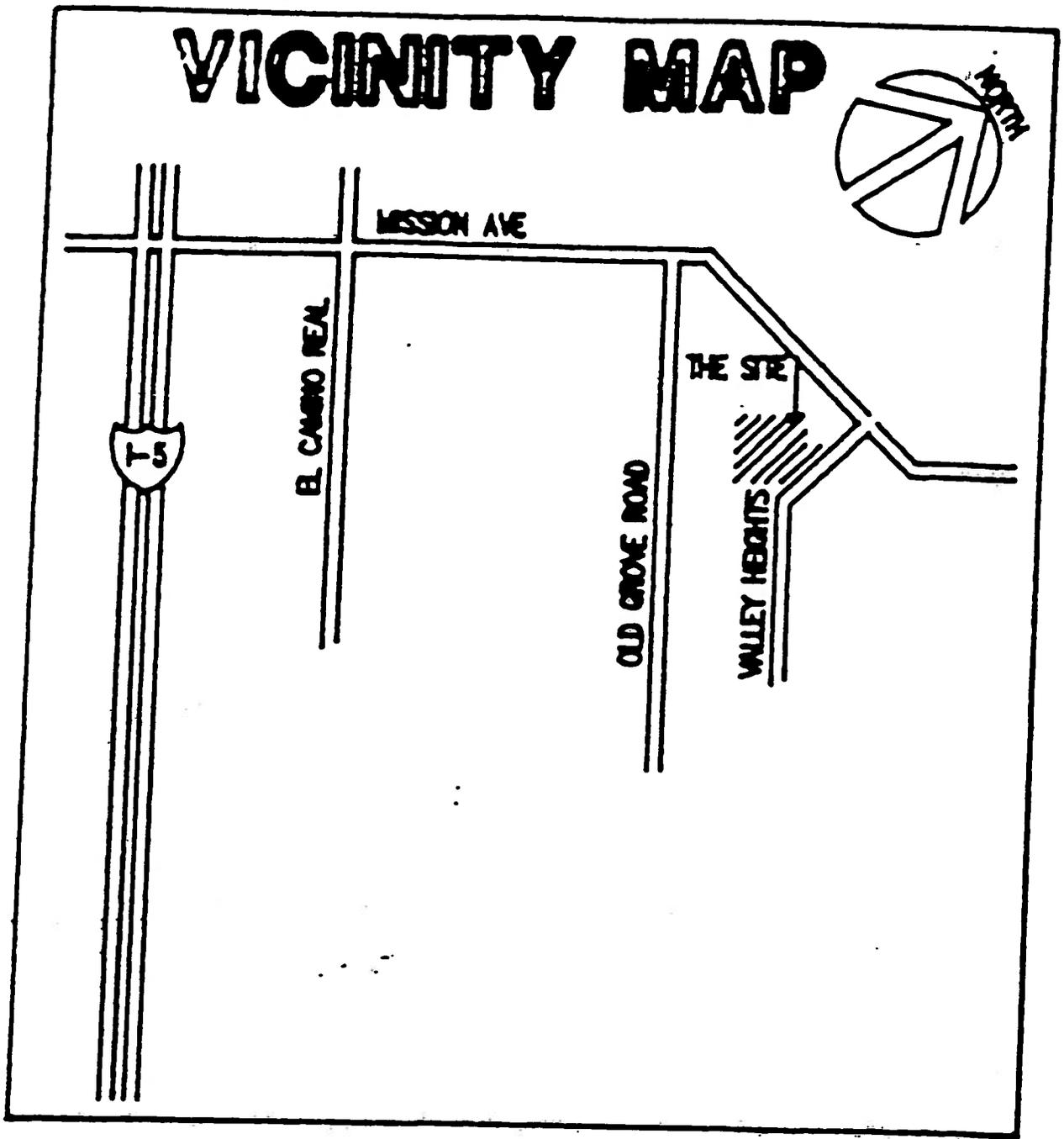
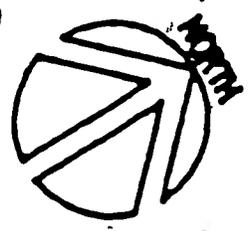
PROJECT LOCATION: Southwest corner of Mission Avenue and Valley Heights Road.

ENVIRONMENTAL DETERMINATION: Based on an Initial Study prepared for the proposed project it has been determined that there is no substantial evidence in light of the whole public record which indicates the potential for significant environmental impacts associated with the proposed project; therefore, a Draft Negative Declaration has been prepared.

The Negative Declaration and all documents referenced therein are available for review at the Planning Department, 300 North Coast Highway, Oceanside, California.

Written comments regarding the Draft Negative Declaration should be sent to Mr. Jerry Hittleman, City of Oceanside, Planning Department, 300 North Coast Highway, Oceanside, California 92054. Comments should be submitted within the next 21 days, by October 6, 1997.

VICINITY MAP



CITY OF OCEANSIDE
INITIAL STUDY CHECKLIST

1. Project Title: **PEPPER TREE LANE TENTATIVE MAP (T-4-97)**

2. Lead Agency Name and Address:

City of Oceanside
Planning Department
300 North Coast Highway
Oceanside, CA 92054

3. Contact Person and Phone Number:

Jerry Hittleman
(760) 966-4770
(760) 966-4164 - fax

4. Project Location:

Southwest corner of Mission Avenue and Valley Heights Road.

5. Project Sponsor's Name and Address:

Neighborhood Free Lutheran Church
4507 Mission Avenue
Oceanside, CA 92103

6. General Plan Designation:

Single Family Detached

7. Zoning:

RS

8. Description of Project:

The proposed project is an 8-lot subdivision. Lot 1 is 3.657 acres and will be used as a church and day care center in accordance with approved conditional use permit C-10-95. Lots 2 through 8 consists of 7 residential lots ranging from 6,140 square feet to 28,919 square feet in size. Approval will be required for the proposed panhandle lot configuration of Lots 2,3, and 6.

9. Surrounding Land Uses and Setting:

The proposed project site was used as a citrus grove and contains a farm house (now used as a church), flower shop and related structures. The site contains slopes that rise from Mission Avenue to the south property line. Surrounding property includes residential development and vacant land to the south, east, and west, and north.

10. Other agencies whose approval is required:

None

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | | | |
|------------------------|-------------------------------------|------------------------------------|-------------------------------------|------------------------|
| Land Use and Planning | <input type="checkbox"/> | Transportation/Circulation | <input type="checkbox"/> | Public Services |
| Population and Housing | <input type="checkbox"/> | Biological Resources | <input type="checkbox"/> | Utilities/Service Sys. |
| Geological Problems | <input checked="" type="checkbox"/> | Energy and Mineral Resources | <input type="checkbox"/> | Aesthetics |
| Water | <input checked="" type="checkbox"/> | Hazards | <input type="checkbox"/> | Cultural Resources |
| Air Quality | <input type="checkbox"/> | Noise | <input checked="" type="checkbox"/> | Recreation |
| | | Mandatory Findings of Significance | <input type="checkbox"/> | |

Determination:

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that EIR, including revisions or mitigation measures that are imposed upon the proposed project.



 Signature

 Jerry Hintleman
 Printed Name

 September 11, 1997
 Date of Draft

 Date of Final

Evaluation of Environmental Impacts:

This checklist is designed to identify the potential for significant environmental impacts, which could be associated with the proposed project. All "Yes" and "Yes, Unless Mitigated" responses are discussed for the corresponding issue. "No" responses are explained where it is based on project-specific factors.

	YES	YES, UNLESS MITIGATED	NO	NOT APPLICABLE
I. LAND USE AND PLANNING				
Would the proposal:				
a) Conflict with general plan designation or zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with general plan environmental plans or policies adopted by agencies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be incompatible with existing land use in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
II. POPULATION AND HOUSING				
Would the proposal:				
a) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace existing housing, especially affordable housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
III. GEOLOGIC PROBLEMS				
Would the proposal result in or expose people to potential impacts involving:				
a) Fault rupture?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Seismic ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	YES	YES, UNLESS MITIGATED	NO	NOT APPLICABLE
d) Seiche, tsunami, or volcanic hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Landslides or mudflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Subsidence of the land?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expansive soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

IV. WATER

Would the proposal result in:

a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of people or property to water related hazards such as flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations, or through substantial loss of groundwater recharge capability?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Altered direction or rate of flow of groundwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Impacts to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	YES	UNLESS MITIGATED	NO	NOT APPLICABLE
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Wildlife dispersal or migration corridors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:				
a) Conflict with adopted energy conservation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Use non-renewable resources in a wasteful and inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
IX. HAZARDS. Would the proposal involve:				
a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals, or radiation)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Possible interference with an emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) The creation of any health hazard or potential health hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Exposure of people to existing sources of potential health hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Increased fire hazard in areas with flammable brush, grass, or trees?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
X. NOISE. Would the proposal result in:				
a) Increase in existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of people to severe noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

YES UNLESS
MITIGATED NO NOT
APPLICABLE

- c) Affect historical resources? YES UNLESS MITIGATED NO NOT APPLICABLE
- d) Have the potential to cause a physical change which would affect unique ethnic cultural values? YES UNLESS MITIGATED NO NOT APPLICABLE
- e) Restrict existing religious or sacred uses within the potential impact area? YES UNLESS MITIGATED NO NOT APPLICABLE

XV. RECREATION. Would the proposal:

- a) Increase the demand for neighborhood or regional parks or other recreational facilities? YES UNLESS MITIGATED NO NOT APPLICABLE
- b) Affect existing recreational opportunities? YES UNLESS MITIGATED NO NOT APPLICABLE

XVI. MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? YES UNLESS MITIGATED NO NOT APPLICABLE
- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? YES UNLESS MITIGATED NO NOT APPLICABLE
- c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) YES UNLESS MITIGATED NO NOT APPLICABLE
- d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? YES UNLESS MITIGATED NO NOT APPLICABLE

XVII. EARLIER ANALYSES.

A Mitigated Negative Declaration (1997) was prepared by the City of Oceanside for the Community Bible Church (C-10-95).

XVIII. MITIGATION MEASURES

Geology:

Prior to issuance of any grading permits, a detailed erosion control plan shall be concurred with and approved by, the City Engineer, in accordance with the City of Oceanside Grading Ordinance.

Water:

A type "B" curb inlet with an appropriate wing shall be installed along with a properly sized storm drain pipe across Valley Heights Road prior to the issuance of any residential building permits.

Noise:

Construction Noise Impacts. The City of Oceanside's Noise Ordinance allows construction activities between the hours of 7 AM to 7 PM, Monday through Saturday. Because construction noise may still be intrusive in the evening or on holidays, the ordinance also prohibits "any disturbing, excessive, or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity."

All future grading and construction activities shall be limited to the hours of 7 AM to 7 PM, Monday through Saturday, and should utilize the latest technology for quiet equipment. All on-site construction staging areas shall be as far as possible (minimum 50 feet) from the surrounding residences.

XIX. REFERENCES USED IN COMPLETING THIS INITIAL STUDY

ASM Affiliates

Community Bible Church Cultural Resource Survey. 1997.

Oceanside, City of

Housing Element. 1991
Land Use Element (of the General Plan). 1989.
Noise Element (of the General Plan). 1974
Noise Ordinance.
Zoning Ordinance. 1995

E. Ricci Civil Engineering

Hydrology Report for Pepper Tree Lane T.M.

EXPLANATION OF THE
ENVIRONMENTAL CHECKLIST
FOR THE
PEPPER TREE LANE TENTATIVE MAP
(T-4-97)

I. LAND USE AND PLANNING - Questions a, b, c, d, and e:

The proposed residential portion of the project site is currently vacant. The site to the south which contains a church and ultimately a pre-school, K-8 school, and gymnasium in accordance with Conditional Use Permit (C-10-95). The proposed project is compatible with surrounding residential zoned property and residential land uses. No land use impacts will occur with project implementation.

II. POPULATION AND HOUSING - Questions a, b, and c:

The proposed project is in conformance with the General Plan and Zoning Ordinance. Development of the site with seven single family residences would not result in increases to the City's population or housing stock beyond that planned for the project site. Therefore, the proposed project would not result in any significant population or housing impacts to the area.

III. GEOLOGIC PROBLEMS - Questions a, b, c, d, e, f, g, h, and i:

The proposed project involves construction of cut and fill slopes at a maximum 2:1 ratio. Construction related sediments and pollutants have the potential impact properties to the south and west. Implementation of construction related erosion control measures outlined below would reduce these potential impacts to below a level of significance.

Mitigation

Prior to issuance of any grading permits, a detailed erosion control plan shall be concurred with and approved by, the City Engineer, in accordance with the City of Oceanside Grading Ordinance.

IV. WATER - Questions a, b, c, d, e, f, g, h, i:

A Hydrology Report was prepared for the site by E. Ricci Engineering (1997); the discussion in this section is a summary of this report. The approximately 1.7-acre residential project site contains no natural drainage courses. Runoff from the adjacent property to the south crosses the subject property by sheet flow. The water leaving the site proceeds across the site and concentrates, together with water coming from the southwest, at the northeast corner of the property. There it proceeds to a ditch that discharges onto a catch basin on Valley Heights Drive. A storm drain pipe carries the water east across Valley Heights Drive to an existing ditch. This system was found not to have proper capacity for a 100-year storm. The drainage improvements discussed below would allow the system to drain properly during storm events.

Mitigation

A type "B" curb inlet with an appropriate wing shall be installed along with a properly sized storm drain pipe across Valley Heights Road prior to the issuance of any residential building permits.

V. AIR QUALITY - Questions a, b, c, and d:

No significant increase in traffic or activity in the project area is anticipated as a result of the proposed subdivision. Therefore, the proposed project would not result in significant air quality impacts to the area.

VI. TRANSPORTATION/CIRCULATION - Questions a, b, c, e, f, and g:

The proposed residential project would not generate significant levels of additional traffic within the immediate project area or on surrounding roadways. Circulation patterns would not be altered by the proposed project.

VII. BIOLOGICAL RESOURCES - Questions a, b, c, d, and e:

The project site was previously used as a citrus grove and residence and contains no sensitive biological resources.

VIII. ENERGY AND MINERAL RESOURCES - Questions a, b, and c:

The proposed project would not conflict with adopted energy conservation plans, use non-renewable resources in a wasteful manner, or result in the loss of a known mineral resource that would be of future value to the region.

IX. HAZARDS - Questions a, b, c, d, and e:

No hazardous uses or materials are proposed at the project site. No hazardous waste site is located in the project vicinity per review of San Diego County Environmental Assessment listing dated July 5, 1996.

X. NOISE - Questions a and b:

Noise is generally defined as unwanted sound. Units of sound pressure are measured in decibels (dB). Because community noise receptors are more sensitive to unwanted noise during evening and night-time hours, an artificial dB increment is added to noise levels during these hours in a 24-hour descriptor called the Community Noise Equivalent Level (CNEL). The City of Oceanside's Noise Element of the General Plan defines residential uses as the most noise sensitive, with a normally acceptable noise exposure level of up to 65 dB CNEL in outdoor areas; 45 decibels is the standard specified by the federal government for interior noise levels.

The proposed residential project has the potential to result in temporary noise increases at existing residential areas adjacent to the project site due to construction operations. Mitigation limiting hours of construction will reduce this potential impact to below a level of significance.

Mitigation

Construction Noise Impacts. The City of Oceanside's Noise Ordinance allows construction activities between the hours of 7 AM to 7 PM, Monday through Saturday. Because construction noise may still be intrusive in the evening or on holidays, the ordinance also prohibits "any disturbing, excessive, or offensive noise which causes discomfort or annoyance to reasonable persons of normal sensitivity."

All future grading and construction activities shall be limited to the hours of 7 AM to 7 PM, Monday through Saturday, and should utilize the latest technology for quiet equipment. All on-site construction staging areas shall be as far as possible (minimum 50 feet) from the surrounding residences.

XI. PUBLIC SERVICES - Questions a, b, d, and e:

The proposed residential subdivision would not require significant levels of additional public services as it is generally in conformance with the general plan and zoning ordinance, and would not be adding a significant amount of residential lots to the area. Therefore, no adverse impacts would occur in relation to fire protection, schools parks, or other governmental services.

XII. UTILITIES AND SERVICE SYSTEMS - Questions e, f, and g:

The proposed project would not substantially effect power and natural gas supplies or systems, communication systems, water or sewer systems, or solid waste disposal systems.

XIII. AESTHETICS - Questions a, b, and c:

The proposed project would not result in the obstruction of any scenic vista or view open to the public. The proposed residential development would be compatible in terms of appearance with the surrounding neighborhood. No adverse aesthetic impacts would result from construction of the proposed residential project.

XIV. CULTURAL RESOURCES - Questions a, b, c, d, and e:

ASM Affiliates conducted a cultural resource survey of the site as part of the Community Bible Church project (ASM Affiliates, 1997). The results of the survey were negative as no prehistoric or historic archaeological resources were identified within the project area. Therefore, implementation of the proposed project would not adversely affect cultural resources.

XV. RECREATION - Questions a and b:

The proposed project would not impact the quality or quantity of existing recreational activities in this area.

AGENDA NO. 2

PLANNING COMMISSION



STAFF REPORT

COMMUNITY BIBLE CHURCH
DEVELOPMENT PLAN D-4-97
CONDITIONAL USE PERMIT C-10-95
March 10, 1997

REQUEST: A Development Plan and Conditional Use Permit for a church located at 4507 Mission Avenue, which is at the southwest corner of Mission Avenue and Valley Heights. The project is also situated within the San Luis Rey Neighborhood.

APPLICANT: Community Bible Church

I. RECOMMENDATION

Staff recommends that the Planning Commission APPROVE the project and ADOPT Planning Commission Resolution No.97-P15 as attached.

II. PROJECT DESCRIPTION AND BACKGROUND

Background: The project site is approximately 5.37 acres in overall size. The site is zoned RS (Residential Single Family). The site is bounded by Mission Avenue to the northwest, and Valley Heights to the northeast. The site is gently sloped and maintains an elevation differential of 20 feet from the rear of the property to Mission Avenue.

Surrounding land uses include low density residential uses to the east. The Parcwood Apartments are located to the west. Duplex homes are situated to the north across Mission Avenue, as well as vacant residentially designated lands to the south and northeasterly across from Valley Heights.

Currently existing onsite are several structures and uses. The structures include the existing church, a single family residence that is being used as a daycare center, a flower shop, several miscellaneous out-buildings and a caretaker residence. All of these uses except for the caretaker residence and are considered "legal non-conforming uses" due to the lack of proper discretionary approvals. The existing church, daycare center and proposed school will be regulated by the proposed Development Plan and Conditional Use Permit.

Historically, the site has been used as a church, as well as a private school. The previous owner of the property, Chapel of the Redeemer, conducted a K-12 school from 1978 to 1992, at which time the applicant purchased the property. However, CUP has never been obtained for the site and its uses.

Subsequently, the current applicant acquired the property. Since a Conditional Use Permit was never obtained for the original uses, the current owner is required to secure the required Conditional Use Permit for the existing uses, as well as the proposed expansion.

Project Description: The proposed project consists of a Development Plan and Conditional Use Permit application for a 35,262 square foot church complex, which includes a main sanctuary, administrative office, a gymnasium, a school, and daycare center. As proposed, the project would be developed and constructed in multiple phases. Since there exists several buildings and uses, the construction phases will include the retention of some of the existing structures. The individual project phases are described below.

Phase I - Initial Development - The initial development would consist of the construction of 6 classrooms. In conjunction with the classroom construction the first phase of the parking lot will also be constructed as shown on the site plan as the new parking area. The existing daycare facility, church, and caretaker residence will remain. However, the existing flower shop will be required to conform to the underlying zoning.

The access off of Mission Avenue would also be closed at this time, which would make the Valley Heights entrance the main entrance. In addition, the project would be required to provide a secondary emergency access.

As designed, grading for the school buildings will be minimal. The architectural style as defined by the architect is "American Country" to capitalize on the rural character of the site.

Phase II - Construction for Phase II will include the remaining 6 classrooms and offices. In addition, this phase will also include the converting of the existing daycare center into storage area.

Phase III - Phase III consists of the construction of gymnasium. In addition the remaining parking area will be constructed for 145 vehicles. The gymnasium will be used as a multi-purpose facility and possibly be used for worship services.

Phase IV - Phase IV consists of the construction of the new sanctuary. The existing sanctuary, as well as the old daycare center building will be demolished during this phase. All of the site's landscaping will be completed as part of this phase.

The proposed project is subject to the following ordinances, standards and policies:

- A. The Land Use Element of the General Plan
- B. The Zoning Ordinance
- C. The California Environmental Quality Act (CEQA)

Section 3004 of the Zoning Ordinance specifies minimum yard requirements for Religious Assembly uses adjacent to residential zoning districts, while structural height and scale are regulated by the operative conditional use permit (CUP). The relationship between the proposed development and the Zoning Ordinance requirements are as follows:

	ZONING ORDINANCE REQMTS.	PROPOSED
PARKING SPACES	137 (min.)	145
LANDSCAPE AREA	15% of site area (min.)	25%
FRONT YARD SETBACK	20 feet (min.)	50. feet
CRNR. S.Y. SETBACK	15 feet (min.)	15 feet
SIDE YARD SETBACK	15 feet (min.)	15 feet
REAR YARD SETBACK	15 feet (min.)	25 feet
BUILDING HEIGHT	per CUP	46 feet
LOT COVERAGE	50% (max.)	15%

The proposed architecture exhibits traditional and thematic elements commonly associated with worship facilities. The site design for the project exhibits an open "campus" environment.

III. ANALYSIS

KEY PLANNING ISSUES

1. Is the proposed project consistent with the land use policies of the General Plan and in conformance with the development standards of the Zoning Ordinance?
2. Is the proposed conditional use, and the conditions under which it would be operated, compatible with the surrounding area?

DISCUSSION

Staff's review of the project focused on two issues, conformance with the underlying development standards and land use compatibility.

The project as proposed meets or exceeds all underlying development requirements. Staff's initial concern centered on the number of parking spaces needed for the proposed church, as well as the proposed phasing plan. However, after reviewing the operational characteristics of the church and phasing plan, staff believes that the proposed parking lot and phasing plan is adequate.

Staff believes that the church, daycare center, and school would not be a detriment to the existing neighborhood. There exists enough physical separation and distance from the existing residential neighborhood to reduce any potential impacts to the surrounding neighborhood.

IV. ENVIRONMENTAL DETERMINATION

Based upon an initial study prepared for the proposed project, it has been determined that there is no substantial evidence in the public record which indicates the potential for significant environmental impacts associated with the project upon implementation of conditions of approval; therefore, a draft Negative Declaration has been prepared.

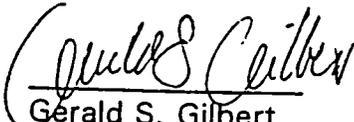
V. SUMMARY

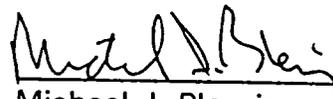
Staff believes that the Development Plan, and Conditional Use Permit is consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project is compatible with the surrounding residential areas, therefore, staff recommends that the Planning Commission approve the Development Plan, and Conditional Use Permit:

- The Commission's action should be to Approve the Development Plan, and Conditional Use Permit and Adopt Planning Commission Resolution No. 97-P15 as attached.

PREPARED BY:

SUBMITTED BY:


Gerald S. Gilbert
Senior Planner


Michael J. Blessing
Planning Director

MJB/GSG/vnm

Attachments:

1. Draft Planning Commission Resolution No. 97-P15

1 PLANNING COMMISSION
2 RESOLUTION NO. 97-P15

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

7
8

APPLICATION NO: D-4-97 and C-10-95
9 APPLICANT: Community Bible Church
10 LOCATION: 4507 Mission Avenue
11

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

15 WHEREAS, there was filed with this Commission a verified
16 petition on the forms prescribed by the Commission requesting a
17 Development Plan and Conditional Use Permit under the provisions
18 of Article 10, 41, and 43 of the Zoning Ordinance of the City of
19 Oceanside to permit the following:
20

21 a 35,262 square foot church complex, which includes a main
22 sanctuary, classrooms, daycare facility, and a gymnasium;
23

24 on certain real property legally described as shown on EXHIBIT
25 "A" attached hereto and incorporated herein by reference
26 thereto.
27

28 WHEREAS, the Planning Commission, after giving the required
notice, did on the 10th day of March, 1997 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:

For the Development Plan:

1. The project as proposed is consistent with the development standards and use restrictions of the Zoning Ordinance.
2. The project as proposed conforms to the General Plan of the City.
3. The proposed project can be adequately and reasonably served by existing and planned public services, utilities and public facilities.

1
2 For the Conditional Use Permit:

- 3 1. Article 10 of the Zoning Ordinance makes provisions for
4 religious assembly uses within residential zoning
5 districts. The provision is predicated upon a compatible
6 integration with the existing residential development
7 requirements to facilitate such an integration.
- 8 2. The proposed project is consistent with the General Plan
9 and will not be a detrimental to surrounding land uses, and
10 persons the neighborhood area.
- 11 3. The project as proposed complies with the requirements of
12 the Zoning Ordinance. In addition, specific conditions
13 have been applied to the project for the proposed location
14 to ensure compatibility with surrounding land uses.

15 WHEREAS, the Planning Commission finds a Negative
16 Declaration has been prepared stating that there will not be
17 significant adverse impact upon the environment resulting from
18 the proposed site modifications, additions, and additional
19 parking area.

20 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission
21 does hereby APPROVE DEVELOPMENT PLAN (D-4-97) and CONDITIONAL
22 USE PERMIT (C-10-95) subject to the following conditions:

23 Building:

- 24 1. Applicable Building Codes and Ordinances shall be based on
25 date of submittal for Building Department plan check.
- 26 2. The granting of approval under this action shall in no way
27 relieve the project from compliance with all State and
28 Local building codes.
- 29 3. Site development, parking, access into buildings and
30 building Interiors shall comply with Part 2, Title 24,
31 C.C.R. (Disabled Access - Nonresidential buildings -
32 D.S.A).
- 33 4. All electrical, communication, CATV, etc. service lines
34 within the exterior lines of the property shall be
35 underground (City Code Sec. 6.30).
- 36 5. All outdoor lighting shall conform to Oceanside City Code,
37 Chapter 39 - Light Pollution Ordinance.

38 Engineering:

- 39 6. Vehicular access rights to Mission Avenue shall be
40 relinquished to the City from all abutting lots.

1 7. All right-of-way alignments and widths shall be dedicated
2 and improved as required by the City Engineer.

3 8. Where proposed off-site improvements, including but not
4 limited to slopes, public utility facilities, and drainage
5 facilities, are to be constructed, the applicant shall, at
6 his own expense, obtain all necessary easements or other
7 interests in real property and shall dedicate the same to
8 the City as required. The applicant shall provide
9 documentary proof satisfactory to the City that such
10 easements or other interest in real property have been
11 obtained prior to the issuance of the building permit.

12 9. The developer shall provide public street dedication as
13 required to serve the property.

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

19 (a) Removal of dirt, debris and other construction
20 material deposited on any public street no later than
21 the end of each working day.

22 (b) Construction operations and deliveries shall be
23 restricted to Monday through Friday, from 7:00 A.M. to
24 6:00 P.M., unless otherwise extended by the City.

25 (c) The construction site shall accommodate the parking of
26 all motor vehicles used by persons working at or
27 providing deliveries to the site.

28 Violation of any condition, restriction or prohibition
set forth in this resolution shall subject the
development plan to further review by the Planning
Commission. This review may include revocation of the
development plan, imposition of additional conditions
and any other remedial action authorized by law.

11. All traffic signal contributions, highway thoroughfare
fees, park fees, reimbursements, and other applicable
charges, fees and deposits shall be paid prior to the
issuing of any building permits, in accordance with City
Ordinances and policies. The developer shall also be
required to join into, contribute, or participate in any
improvement, lighting, or other special district affecting
or affected by this project. Approval of the project shall
constitute the developer's approval of such payments, and
his agreement to pay for any other similar assessments or
charges in effect when any increment is submitted for final
map or building permit approval, and to join, contribute,
and/or participate in such districts.

- 1 12. The developer shall pay traffic signal fees as required by
2 the City's Traffic Signal Fee Ordinance.
- 3 13. The developer shall pay thoroughfare fees as required by
4 the City's Thoroughfare Fee Ordinance.
- 5 14. The developer shall pay drainage fees as required by the
6 City's Drainage Fee Ordinance.
- 7 15. Design and construction of all improvements shall be in
8 accordance with standard plans, specifications of the City
9 of Oceanside and subject to approval by the City Engineer.
- 10 16. All streets shall be improved with concrete curbs and
11 gutters, street lights, 5 foot wide sidewalks and pavement,
12 providing a parkway width of at least 10 feet, except where
13 turnouts are provided and unless altered by the City
14 Engineer.
- 15 17. Curb return radii shall be 35 feet at the intersections of
16 Valley Heights Drive and Mission Avenue.
- 17 18. All street dedications, alignments, widths, and exact
18 geometrics shall be as approved by the City Engineer.
- 19 19. The following streets shall be dedicated and improved as
20 noted:
 - 21 (a) Mission Avenue (Craven Road) Secondary Arterial; 84
22 foot right-of-way improved with a 64 foot wide curb-
23 to-curb section with a traffic index of 8.0. The
24 improvements are to be half-width plus 12 feet.
 - 25 (b) Valley Heights Drive - Cul-de-Sac Street; 56 foot
26 right-of-way with a 36 foot wide curb-to-curb section
27 with a traffic index of 5.0.
- 28 20. The exact alignment, width and design of all median
islands, turning lanes, travel lanes, driveways, striping,
and all other traffic control devices and measures,
including turnouts, bike lanes, and width/length
transitions, shall be approved by the City Engineer at the
time of final design.
- 21 21. Pavement sections for all streets, alleys, driveways and
22 parking areas shall be based upon approved soil tests and
23 traffic indices. The pavement design is to be prepared by
24 the subdivider's soil engineer and must be approved by the
25 City Engineer, prior to paving.
- 26 22. Sight distance requirements at all street intersections
27 shall conform to the intersection sight distance criteria
28 as provided by the California Department of Transportation
Highway Design Manual.

- 1 23. Traffic control during the construction of streets which
2 have been opened to public travel shall be in accordance
3 with construction signing, marking and other protection as
4 required by the CalTrans Traffic Manual. Traffic control
5 during construction adjacent to or within all public
6 streets must also meet CalTrans standards.
- 7 24. A traffic control plan shall be submitted to and approved
8 by the City Engineer prior to the start of work within open
9 City rights-of-way.
- 10 25. Any broken pavement, concrete curb, gutter or sidewalk or
11 any damaged during construction of the project, shall be
12 repaired or replaced as directed by the City Engineer.
- 13 26. The entire project shall be served with a complete water
14 system adequate enough for fire protection (including
15 hydrants), domestic supply and landscaping. The main lines
16 shall be City-owned and appropriate easements shall be
17 provided. The sewer system to serve the tract shall be
18 designed and constructed to City standards. All other
19 utilities to serve the project, including electrical,
20 telephone, and cable T.V., shall be constructed
21 underground.
- 22 27. All connections to existing City water mains are to be made
23 with new materials. New materials include the replacement
24 and/or upgrade of all existing fittings with new tees or
25 new crosses, as applicable, and the installation of a new
26 valve on each branch.
- 27 28. All existing overhead utility lines either transversing the
28 project or immediately adjacent thereto, and all new
extension services for the development of the project,
including but not limited to, electrical, cable and
telephone, shall be constructed underground.
- 29 29. Street lights shall be installed on Valley Heights Drive
30 from Mission Avenue to the projects main entrance. The
31 system shall be designed and secured prior to the building
permit issuance. The developer shall pay all applicable
fees, energy charges, and/or assessments associated with
City-owned (LS-2 rate schedule) street lights and shall
also agree to the formulation of, or the annexation to,
any appropriate street lighting district.
- 30 30. The developer shall comply with all the provisions of the
31 City's cable television ordinances including those relating
to notification as required by the City Engineer.
- 31 31. On-site grading design and construction shall be in
accordance with the City's current Grading Ordinance.

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32. Grading and drainage facilities shall be designed to adequately accommodate the local storm water runoff and shall be in accordance with the City's Engineers Manual and as directed by the City Engineer.

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33. The applicant shall obtain any necessary permits and clearances from the U. S. Army Corps of Engineers, California Department of Fish & Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality Control Board (including NPDES), San Diego County Health Department, prior to the issuance of grading permits.

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34. Prior to any grading of any part of the project, a comprehensive soils and geologic investigation shall be conducted of the soils, slopes, and formations in the project. All necessary measures shall be taken and implemented to assure slope stability, erosion control, and soil integrity. No grading shall occur until a detailed grading plan, to be prepared in accordance with the Grading Ordinance and Zoning Ordinance, is approved by the City Engineer.

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35. The applicant shall implement adequate erosion control measures for the site at the completion of each phase of grading. This shall include, at a minimum, either jute matting, an organic soil binder with non-irrigable hydroseed mix or final landscaping with irrigation on all disturbed areas, as directed by the City Engineer.

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36. Prior to the issuance of the grading permit, an erosion control plan, designed for all proposed stages of construction, shall be submitted, reviewed and approved by the City Engineer and secured by the applicant with cash securities.

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37. A Precise Grading and Private Improvement Plan shall be prepared, reviewed, secured and approved prior to the issuance of any building permits. The plan shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters, medians, striping, signage, footprints of all structures, walls, drainage devices and utility services.

23
24
38. Parking lot striping shall be shown on all Precise Grading and Private Improvement Plans.

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39. Landscaping plans, including plans for the construction of walls, fences or other structures at or near intersections, must conform to intersection sight distance requirements. Landscape and irrigation plans for disturbed areas must be submitted to the City Engineer prior to the issuance of a preliminary grading permit and approved by the City Engineer prior to the issuance of building permits. Project fences, sound or privacy walls and monument entry

1
2 walls/signs shall be designed, reviewed and constructed by
3 the landscape plans and shown for location only on grading
4 plans. Plantable, segmental walls shall be designed,
5 reviewed and constructed by the grading plans and
landscaped/irrigated through project landscape plans. All
plans must be approved by the City Engineer and a pre-
construction meeting held, prior to the start of any
improvements.

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

9 41. Development shall be in accordance with City Floodplain
10 Management Regulations.

11 42. Development shall be in accordance with City Stormwater
12 Management and Discharge Regulations.

13 43. All storm drain systems shall be designed and installed to
14 the satisfaction of the City Engineer. All public storm
15 drains shall be shown on City standard plan and profile
16 sheets. All storm drain easements shall be dedicated where
17 required. The applicant shall be responsible for obtaining
any off-site easements for storm drainage facilities.

18 44. All drainage picked up in an underground system shall
19 remain underground until it is discharged into an approved
20 channel, or as otherwise approved by the City Engineer.

21 Planning:

22 45. This Development Plan and Conditional Use Permit shall
23 expire on March 10, 1999 unless implemented as required by
24 the Zoning Ordinance.

25 45. Park fees shall be paid as required by City policy at the
26 time building permits are issued.

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

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

49. Landscape plans, meeting the criteria of the City's
Landscape Guidelines and the Water Conservation Ordinance
No. 91-15, including the maintenance of such landscaping,
shall be reviewed and approved by the City Engineer and
Planning Director prior to the issuance of grading permits.
Landscaping shall not be installed until bonds have been

1 posted, fees paid, and plans signed for final approval.
2 The following special landscaping requirements shall be
3 met:

4 (a) The Phase 1 landscaping shall minimally consist of
5 landscaping within the following areas: street
6 frontages, parking area medians and drive islands,
7 interior parking area frontages, and all open and
8 unpaved areas adjacent to permanent buildings.

9 (b) The developer shall be responsible for landscaping all
10 embankments 3 feet and over in height. All
11 embankments 5 feet in height and over (and for all
12 slopes along major streets) shall be landscaped and
13 irrigated.

14 (c) Arterial and Local street trees in parkways shall be
15 planted at a minimum of 30 feet on center as a
16 solitary planting, or at a separation and density as
17 is otherwise approved by the City Engineer. Approved
18 root barriers shall be incorporated.

19 (d) Wherever feasible, Crimson Lake Bougainvillea, the
20 official City Flower, shall be used on this site.

21 (e) The subsequent phase building pad areas shall be
22 seeded, automatically irrigated, and continuously
23 maintained in this manner until the area is developed.

24 50. A trash enclosure (or trash enclosures) must be provided as
25 required by Chapter 13 of the City Code and shall also
26 include additional space for storage and collection of
27 recyclable materials per City standards. The enclosure (or
28 enclosures) must be built in a flat, accessible location as
determined by the City Engineer. The enclosure (or
enclosures) shall meet City standards including being
constructed of concrete block, reinforced with rebar and
filled with cement grout. A concrete slab must be poured
with a berm on the inside of the enclosure to prevent the
bin(s) from striking the block walls. The slab must extend
out of the enclosure for the bin(s) to roll out onto.
Steel posts must be set in front of the enclosure with
solid metal gates. All driveways and service access areas
must be designed to sustain the weight of a 50,000 pound
service vehicle. Trash enclosures and driveways and
service access areas shall be shown on both the improvement
and landscape plans submitted to the City Engineer. The
specifications shall be reviewed and approved by the City
Engineer. If the City's waste disposal contractor is
required to access private property to service the trash
enclosures, a service agreement must be signed by the
property owner and shall remain in effect for the life of
the project. All trash enclosures shall be designed to
provide user access without the use and opening of the

1
2 service doors for the bins. This design shall be shown on
the landscape plans and shall be approved by the Planning
3 Director.

4 51. Trash enclosures shall have design features including
materials and trim similar to that of the rest of the
5 project.

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

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

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

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

18 56. The applicant shall be responsible for trash abatement on
the site, and shall keep the site free of litter, trash and
19 other nuisances.

20 57. All retaining walls less than 4 feet in height and other
free-standing walls, fences, and enclosures shall be
21 architecturally designed in a manner similar to and
consistent with the primary structures (stucco finished
22 block, split-face block or slump stone). These items shall
be approved by the Planning Department prior to the
23 issuance of building permits.

24 58. Elevations, siding materials, colors, roofing materials and
floor plans shall be substantially the same as those
25 approved by the Planning Commission. These shall be shown
on plans submitted to the Building Department and Planning
26 Department.

27 59. Side and rear elevations shall be trimmed to substantially
28 match the front elevations. A set of building plans shall
be reviewed and approved by the Planning Department prior

1 to the issuance of building permits.

2
3 60. A covenant or other recordable document approved by the
4 City Attorney shall be prepared by the applicant
5 (developer) and recorded prior to the issuance of building
6 permits. The covenant shall provide that the property is
7 subject to this Resolution, and shall generally list the
8 conditions of approval.

9
10 61. All on-site landscaping improvements, fences, walls, etc.,
11 and all off-site landscaping improvements in street medians
12 and in any adjoining public parkways, shall be permanently
13 maintained by the owner himself, or through a maintenance
14 district. This obligation shall be passed on to any
15 successive property owner(s). The maintenance program
16 shall include normal care and irrigation of the
17 landscaping; repair and replacement of plant materials;
18 irrigation systems as necessary; and general cleanup of the
19 landscaped and open areas, parking lots and walkways,
20 walls, fences, etc. Failure to maintain landscaping and
21 the site in general may result in the setting of a public
22 hearing to revoke the approval. This condition shall be
23 recorded with the covenant required by this Resolution.

24
25 62. A sign plan describing size, color, materials, design and
26 location(s) shall be submitted separately to the Planning
27 Director for review and approval prior the placement of any
28 signs for the project. Temporary promotional signs shall
be regulated as per the provisions of the City Zoning
Ordinance.

63. This Conditional Use Permit is granted for the following
uses only: Religious assembly and worship and incidental
administrative, K-8 school, day-care center, and social
activities as specified within the project application
materials. Any other change in the use or any change in
the structure will also require a revision to the
Conditional Use Permit or a new Conditional Use Permit.

64. The Conditional Use Permit is subject to review by the
Planning Commission from the date of commencement of
operations to determine the project's compatibility with
surrounding land uses. The Commission may add new
conditions and/or delete and/or modify existing conditions
as it deems necessary to protect the general health, safety
and welfare of residents in the area or the surrounding
land uses.

65. This Development Plan approves only the following: the
phased development of a 35,262 square-foot, multi-
structure, church, daycare and private school facility.
Any substantial modification in the design or layout shall
require a revision to the Development Plan or a new
Development Plan.

1
2 66. All mechanical roof-top and ground equipment shall be
3 screened from public view as required by the Zoning
4 Ordinance. That is, minimally, on all view sides. Roof
5 projections including, but not limited to, roof jacks,
6 mechanical equipment, screens and vents shall be painted
7 with non-reflective paint to match the roof. This
8 information shall be shown on the building plans.

9 67. The applicant shall comply with the applicable provisions
10 of the City's anti-graffiti ordinance (Ordinance No. 93-
11 19/Section 20.25 of the City Code), including the
12 obligation to remove all graffiti placed on the vehicle
13 repair premises within 24-hours of the occurrence.

14 68. The existing building located adjacent to Mission Avenue
15 (flower shop) shall be converted to a storage building as
16 identified on the site plan prior to the issuance of
17 building permits for the school, new church building,
18 offices, or gymnasium. In addition, the building permit,
19 for the existing expansion, with the required setback shall
20 be completed prior to the issuance of any further building
21 permits for the site.

22 Fire:

23 69. Provide minimum fire flow of 2,000 gallons per minute.

24 70. Fire hydrants shall be 2½" x 2½" x 4".

25 71. The fire hydrants shall be installed and tested prior to
26 placing any combustible materials on the job site.

27 72. All-weather access roads shall be installed and made
28 serviceable prior to and during time of construction. Sec
10.301 Uniform Code.

73. Plans shall be submitted to the Fire Prevention Bureau for
review and approval prior to the issuance of building
permits.

All streets less than 32-feet wide are to be posted "No
Parking Fire Lane" per City Vehicle Code Section 22500.1.

75. All fire lanes shall be 28 feet wide.

76. Fire alarm system shall be submitted for approval prior to
installation.

77. All open areas shall be landscaped with approved fire
retardant/anti-erosion type plants with an approved
permanent irrigation system and maintenance program.

78. Provide fire access (28 feet wide) to within 150 feet of
all portions of school buildings.

1
2 84. All lots with a finish pad elevation located below the
3 elevation of the next upstream manhole cover of the public
4 sewer shall be protected from back-flow of sewage by
installing an approved type backwater valve, per Section
409 of the Uniform Plumbing Code.

5 PASSED and ADOPTED on March 10, 1997 by the following vote,
to wit:

6 AYES:

7 NAYES:

8 ABSENT:

9 ABSTAIN:

10
11
12 Reinaldo J. Altamirano, Chairman

13 ATTEST:

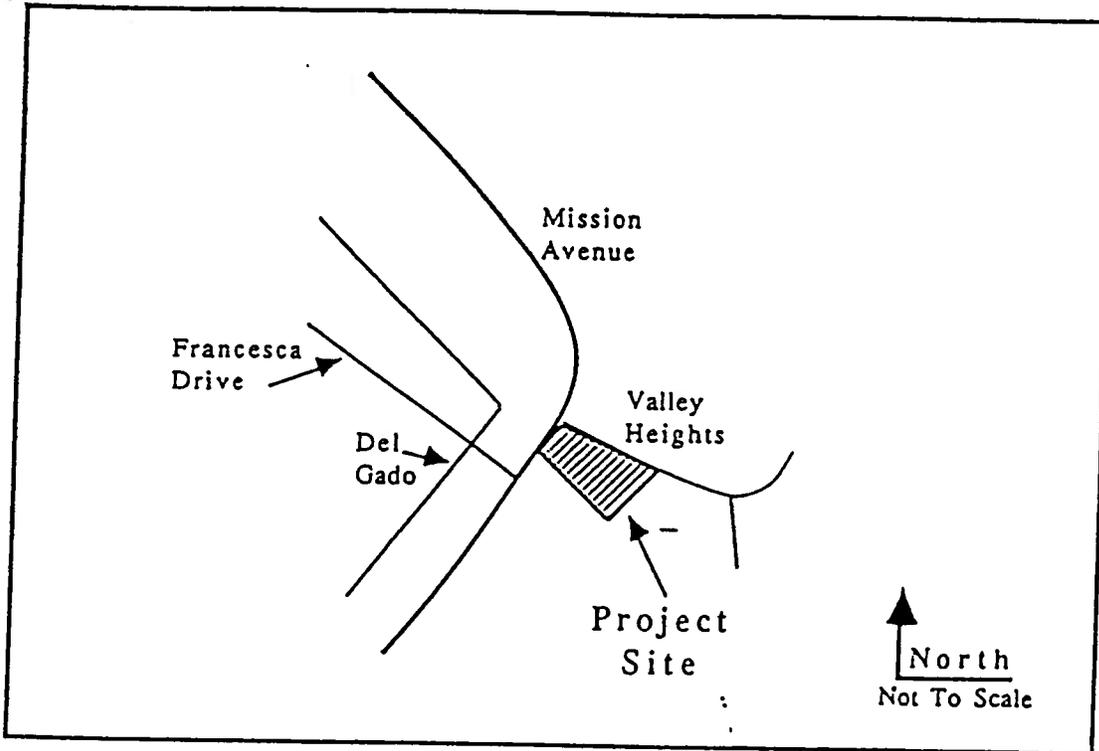
14 Michael J. Blessing, Secretary

15 I, MICHAEL J. BLESSING, Secretary of the Oceanside Planning
16 Commission, hereby certify that this is a true and correct copy
17 of Resolution No. 97-P15.

18 Dated: _____

MICHAEL J. BLESSING, Secretary
OCEANSIDE PLANNING COMMISSION

Location Map



File Number: C-10-95

Applicant:

Community Bible Church

Description:

CONDITIONAL USE PERMIT (C-10-95) for a church, school, and daycare center located at 4507 Mission Avenue. The project site is zoned RS (Residential Single Family) and is situated within the San Luis Rey Neighborhood.

Environmental Determination:

A Negative Declaration has been prepared stating that if the conditions of approval are implemented, there will not be a significant adverse impact upon the environment. Under the provisions of the California Environmental Quality Act, the Planning Commission will consider the Negative Declaration during its hearing on the project.

ACCEPTED

BY


PLEASE PRINT OR TYPE ALL INFORMATION

OCT 11

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT COMMUNITY BIBLE CHURCH	2. STATUS
3. ADDRESS 4507 MISSION AVE	4. PHONE 721-0980 722-3337
5. APPLICANT'S REPRESENTATIVE (OR PERSON TO BE CONTACTED FOR INFORMATION DURING PROCESSING) JOHN HELM	7. PHONE 436 2402
6. ADDRESS 7525 D JEREZ CARLSBAD CA 92009	

VAR.	
C.U.P.	0-10-95R
DEV. PL.	
SP. PL.	
ZONE CH.	
G.P.A.	
PAR. MAP	
TENT. MAP	
O.H.P.A.C	
COASTAL	

PART II - PROPERTY DESCRIPTION

1. LOCATION S.W CORNER MISSION & VALLEY HEIGHTS	2. GENERAL PLAN RS	11. ZONING RS	12. LAND USE CHURCH
3. SIZE 0.37 ACRES		13. ASSESSOR'S PAR. NO. 158 122 07 00	

2nd REV 10-11-96
REVISED 12-12-96

PART III - PROJECT DESCRIPTION

4. GENERAL PROJECT DESCRIPTION
CHURCH WITH PRE SCHOOL; K-8 SCHOOL, GYMNASIUM
PHASE III/IV

5. PROPOSED GEN. PLAN NO CHANGE	16. PROPOSED ZONING NO CHANGE	17. PROPOSED LAND USE CHURCH & SCHOOL	18. # UNITS NA	19. DENSITY NA
6. BUILDING SIZE	21. PARKING SPACES	22. LANDSCAPING	23. LOT COVERAGE	

PART IV - ATTACHMENTS

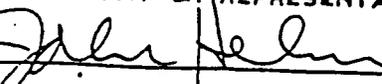
ALL APPLICATIONS

4. DESCRIPTION/JUSTIFICATION	25. LEGAL DESCRIPTION	DEV. PLANS, CUP'S & TENT. MAPS*
6. 300 FT. RADIUS MAP	27. PROPERTY OWNERS' LIST	30. FLOOR PLANS & ELEVATIONS
8. ENVIRONMENTAL ASSESSMENT	29. PLOT PLANS	31. CONSTRUCTION SCHEDULE
		32. OTHER

PART V - SIGNATURES

7. APPLICANT OR HIS REPRESENTATIVE MUST PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION

SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER OR AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY.)

APPLICANT OR REPRESENTATIVE 	34. DATE 4/23/96
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8. I DECLARE UNDER PENALTY OF PERJURY THAT ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

37. OWNER 	38. DATE 4/23/96
39. OWNER	40. DATE

APPLICANT	36. DATE	41. OWNER	42. DATE
-----------	----------	-----------	----------

* TENTATIVE MAPS FOR CONDOMINIUM DEVELOPMENT

RECEIVED

DEC 12 1996

Planning Department

HELM & MELACINI

John Helm - a r c h i t e c t / c o n t r a c t o r
NCARB (cont.lic. 623169)
7525 Jerez suite D Carlsbad, CA 92009
ph (619) 436-2402 - FAX (619) 436-3569
e-mail jhelm@electriciti.com
<http://www.electriciti.com/~jhelm>

December 10, 1996

Community Bible Church
Conditional Use Permit

Description and Justification

This project is a continuation and expansion of uses which have been in existence on this property for at least 15 years. These current uses consist of a church, one residence, an old home which is used as a day care facility and a portion of the church building which is used for a full time school. There is also a building which is currently used as a flower shop.

Phases I & II

The expansion consists of the addition of 12 classrooms with rest rooms and offices and the addition of required parking. As part of this project the owner will also convert the flower shop to some other use which is allowed in this zone without a conditional use permit and close the two driveways at the corner of Mission Ave. and Valley Heights.

The construction will be done in two phases the first consisting of six classrooms, with rest rooms and the new parking as shown on the site plan submitted. Construction on this phase will begin as soon as possible. The second phase will be the remaining classrooms and offices. This phase will probably be started within one to two years.

The church will operate during the typical hours which consist primarily of a Sunday morning service and various other church functions such as committee meetings involving small groups during the week. The current day care facility which uses an old house on

the property will be moved to the new school rooms. The existing day care building will be converted to auxiliary uses like storage. The hours of operation will be weekdays during normal working hours. The school will be a normal school with grades k-8 one class room for each grade. The hours of operation will be the normal school hours which range from 8 in the morning to 3 or 4 in the afternoon plus Sunday school religion classes.

The type of construction is typical wood frame, with wood type siding, on a raised wood foundation. The style is a modern interpretation of classic American country buildings, with a generous use of color. This design is well suited to the rural setting of the site and creates a warm yet playful atmosphere for the children who will be in attendance here.

The use of a raised wood over concrete foundation allows the project to be constructed with no grading. It also allows for the preservation of the existing terrain and landscaping. In fact the property already has a significant amount of natural and cultivated landscaping permitting the project to be built without the addition any new landscaping.

Phases III & IV

These two phases will consist first of the construction of a new gymnasium to be used by the school and by the church as a multipurpose facility. During this phase III the new parking lot will be constructed with the addition of new landscaping and other amenities as show on the submitted plans. The type of construction will follow the previous phases in many ways but will be with a conventional concrete floor, stuccoed walls and natural stone veneer. The existing church and day care building will remain. The church being used as it is now and the other building used as described above.

In the final phase IV the church will be constructed. The old church will be demolished as will the existing building which is now used as a day care. The landscaping will be completed and any remaining amenities shown on these plans will be completed. The type of construction will be similar to the gymnasium, using similar materials however the style of the building will be church like in appearance.

This project is in conformance with the intent of the zoning ordinance. It is consistent with other uses in the area because of its proximity to Mission Avenue and it is a well established use for this property, the property having already been used for this purpose for many years. Traffic generated will not be in excess of that which has been generated for years by the church and previous school.

Of course it will not be detrimental to the public health, safety or welfare. It will in fact be a significant addition to the community, through its providing of public religious, recreational and educational facilities. It will reduce the burden on public schools and provide savings in public expenses.

Regarding the landscape plans the church would like to avoid this requirement during phases I & II. We feel that the existing very lush landscape which has developed both naturally and man made over the years is more than sufficient and should be left intact as much as possible.

The existing church has been built slightly over the neighboring property. This construction took place during a fairly recent ad on. A currently active building permit has been issued for this ad on with the removal of the portion which is over the property line. This building permit has established a 10' setback as the permitted setback which we believe should be maintained. The property line may be moved. The owner currently has a letter of intent from the neighboring property owner to do this and is preparing a lot line adjustment.

Regarding parking a total of 145 parking spaces is provided on the current plan for the final phases III & IV. According to the zoning ordinance the parking requirements are as follows:

CHURCH	117
SCHOOL	10
DAY CARE	6
OFFICES	4
<u>GYM</u>	<u>89</u>
TOTAL	226

The church is willing to place a condition upon approval of this project that the church and the gymnasium will not be used at the same time. This would put the maximum parking requirement at 137 cars which is under the 145 provided.

Sincerely,

John Helm, Architect

DESCRIPTION
NO. 9306569-V

79
"Exhibit A"

The land referred to in this Report is situated in the State of California, County of San Diego, and is described as follows:

PARCEL 1:

ALL THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, AS SAME IS SHOWN ON LICENSED SURVEYOR'S MAP NO. 402 ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00°01'50" WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 866.32 FEET TO A POINT IN THE CENTER LINE OF SAN LUIS REY HIGHWAY AS SAME IS SHOWN ON SAID MAP NO. 402; THENCE NORTHEASTERLY ALONG SAID CENTER LINE AS FOLLOWS: NORTH 44°47'30" EAST, 910.42 FEET TO THE POINT OF INTERSECTION OF THAT CERTAIN CURVE SHOWN ON SAID MAP AS HAVING A CENTRAL ANGLE OF 07°59'00" AND A RADIUS OF 1000.00 FEET; THENCE NORTH 52°46'30" EAST, 224.57 FEET TO THE MOST WESTERLY CORNER OF THE LAND CONVEYED BY F.E. FARNSWORTH AND LUELLA M. FARNSWORTH, HUSBAND AND WIFE, AND W.S. THOMSON AND ZELLA I. THOMSON, HUSBAND AND WIFE, TO WILLIAM F. SPEER AND AUGUST SPEER, HUSBAND AND WIFE, BY DEED DATED AUGUST 4, 1933 AND RECORDED AUGUST 22, 1933 IN BOOK 237, PAGE 71 OF OFFICIAL RECORDS OF SAN DIEGO COUNTY; THENCE CONTINUING ALONG SAID CENTER LINE, NORTH 52°46'30" EAST, 74.37 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 750.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 22.69 FEET TO A POINT, A RADIAL LINE THROUGH POINT BEARING NORTH 35°29'30" WEST, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE WITHIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING NORTHEASTERLY ALONG SAID CENTER LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 129.81 FEET; THENCE TANGENT TO SAID CURVE, NORTH 64°25'30" EAST, 117.83 FEET; THENCE LEAVING SAID CENTER LINE SOUTH 72°19'00" EAST, 223.99 FEET; THENCE SOUTH 49°24'00" EAST, 449.68 FEET, MORE OR LESS, TO A POINT IN THE NORTHWESTERLY LINE OF THE LAND CONVEYED BY F.E. FARNSWORTH, ET AL, TO E.E. KNIGHT BY DEED DATED JUNE 20, 1930 AND RECORDED IN BOOK 1811, PAGE 155 OF DEEDS, RECORDS OF SAN DIEGO COUNTY; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF THE LAND SO CONVEYED TO KNIGHT AS FOLLOWS: SOUTH 20°14'00" WEST, 177.81 FEET; THENCE SOUTH 19°54'00" WEST, 115.56 FEET; THENCE LEAVING SAID NORTHWESTERLY LINE OF THE LAND SO CONVEYED TO KNIGHT, AND ALONG THE SOUTHERLY LINE OF THE LAND SO CONVEYED TO SPEER, NORTH 53°58'30" WEST, 157.33 FEET; THENCE NORTH 22°19'00" WEST, 86.12 FEET; THENCE NORTH 86°16'30" WEST, 110.25 FEET; THENCE NORTH 73°01'00" WEST, 115.86 FEET; THENCE SOUTH 81°57'00" WEST, 193.42 FEET; THENCE NORTH 32°22'00" WEST, 144.75 FEET; THENCE NORTH 63°31'00" EAST, 35.00 FEET; THENCE NORTH 05°35'00" WEST, 76.00 FEET; THENCE NORTH 17°00'00" WEST, 109.58 FEET; THENCE NORTH 35°29'30" WEST, 25.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

AN UNDIVIDED 7/200THS INTEREST IN AND TO THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS BEGINNING AT A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER WHICH IS SOUTH 89°42'25" EAST, 501.73 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER AS SHOWN ON SAID MAP; THENCE SOUTH 00°17'35" WEST, 208.71 FEET; THENCE SOUTH 89°42'25" EAST, 208.71 FEET; THENCE NORTH 00°17'35" EAST, 208.71 FEET TO THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89°42'25" WEST, 208.71 FEET TO A POINT OF BEGINNING.



CITY OF OCEANSIDE
PLANNING DEPARTMENT

NEGATIVE DECLARATION

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

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

PROJECT TITLE AND FILE NUMBER:

COMMUNITY BIBLE CHURCH EXPANSION (REVISION C-10-95)

PROJECT LOCATION:

4705 Mission Avenue; southwest corner of Mission and Valley Heights, City of Oceanside.

PROJECT DESCRIPTION:

Construction of additional facilities to include a new church with a pre-school, full time school and gymnasium.

FINDING: Pursuant to the provisions of Ordinance No. 88-31, pertaining to procedures and guidelines to implement the California Environmental Quality Act (Public Resources Code Section 21000 et. al.), the proposed project has been reviewed by the Environmental Review Committee established by ordinance to be responsible for evaluating the information. The Environmental Review Committee, after study of the facts and findings, has on February 4, 1997 determined that the project will not have a significant effect on the environment.

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

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

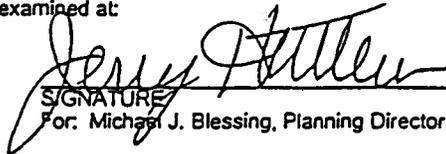
See attached Initial Study

Initial Study prepared by:
Jerry Hittleman, Senior Planner

Contact Person:
Gerald S. Gilbert, Senior Planner

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

City of Oceanside
Planning Department
300 N. Coast Highway
Oceanside, CA 92054


SIGNATURE For: Michael J. Blessing, Planning Director
February 4, 1997
DATE

CITY HALL, 300 N. COAST HIGHWAY, OCEANSIDE CA 92054, TELEPHONE (619)966-4770, FAX (619)966-4164

LEGAL NOTICE

CITY OF OCEANSIDE
DRAFT NEGATIVE DECLARATION
AVAILABLE FOR PUBLIC REVIEW

COMMUNITY BIBLE CHURCH EXPANSION
(REVISION - C-10-95)

AVAILABLE FOR PUBLIC REVIEW AND COMMENT. The Draft Negative Declaration for: COMMUNITY BIBLE CHURCH EXPANSION (REVISION - C-10-95).

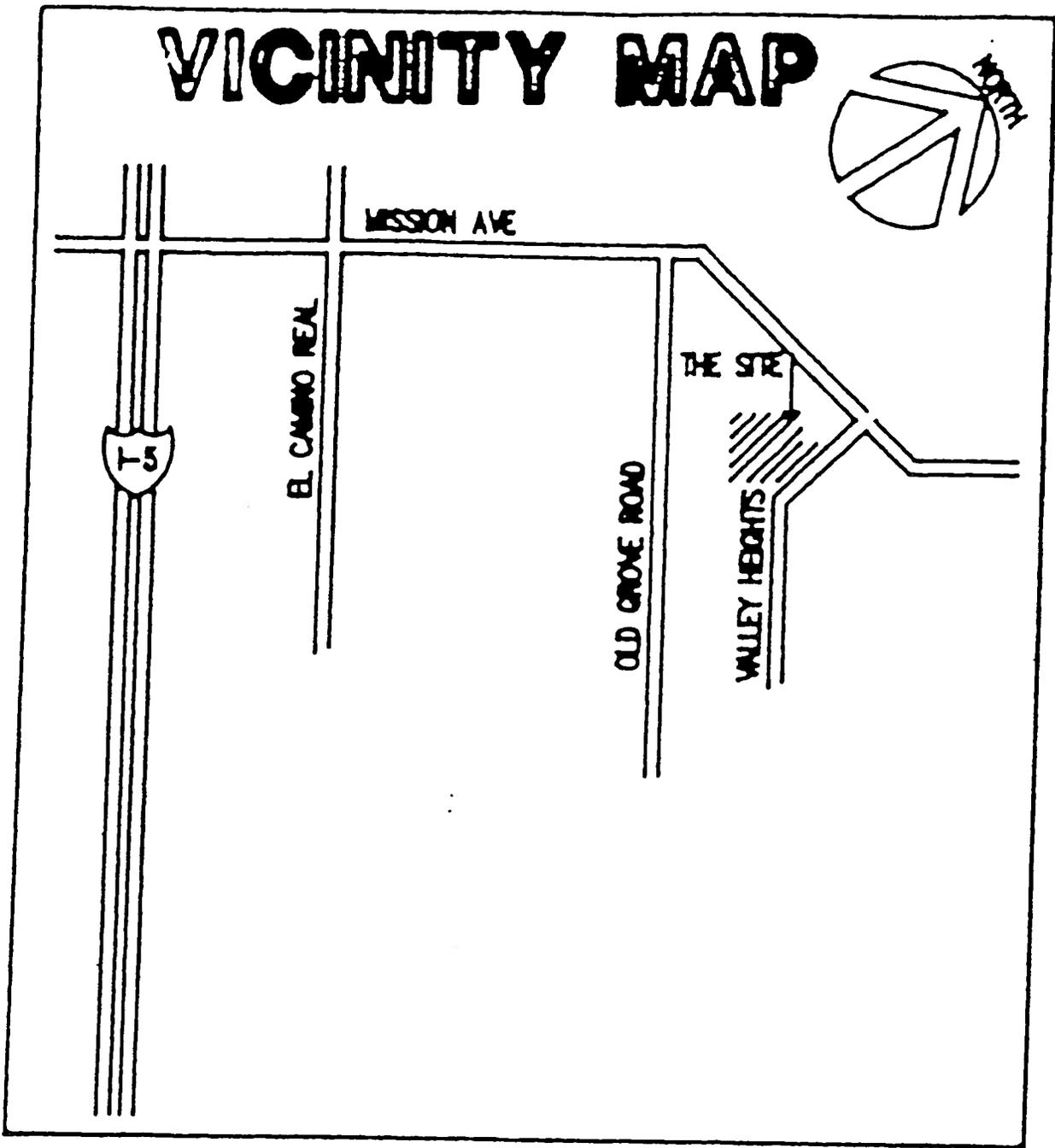
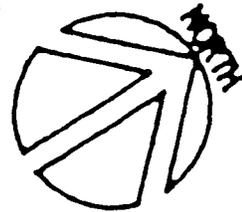
PROJECT DESCRIPTION: Proposed expansion of the Community Bible Church to include a new church, gymnasium, K-8 school and day care center.

PROJECT LOCATION: The project site is located at 4507 Mission Avenue on the southwest corner of Mission Avenue and Valley Heights.

ENVIRONMENTAL DETERMINATION: Based on an Initial Study prepared for the proposed project it has been determined that there is no substantial evidence in light of the whole public record which indicates the potential for significant environmental impacts associated with the proposed project; therefore, a Draft Negative Declaration has been prepared.

The Negative Declaration and all documents referenced therein are available for review at the Planning Department, 300 North Coast Hwy., Oceanside, California. Written comments regarding the Draft Negative Declaration should be sent to Mr. Jerry Hittleman, City of Oceanside, Planning Department, 300 North Coast Hwy., Oceanside, California 92054. Comments should be submitted within the next 21 days, by March 3, 1997.

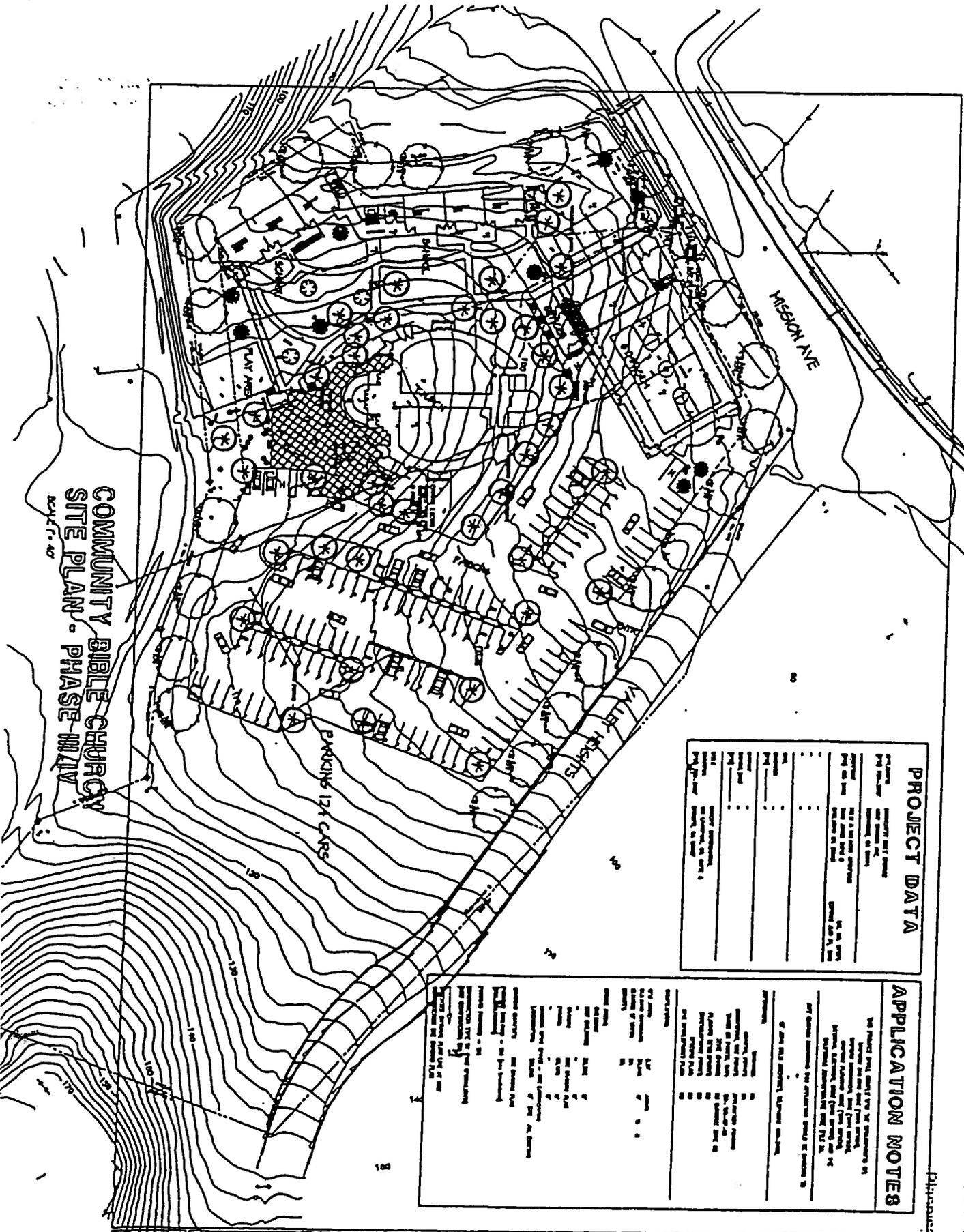
VICINITY MAP



RECEIVED

OCT 11 1996

Planning Department



PROJECT DATA	
Project Name	Community Bible Church
Project No.	
Site No.	
Phase	Phase III
Prepared By	
Checked By	
Date	

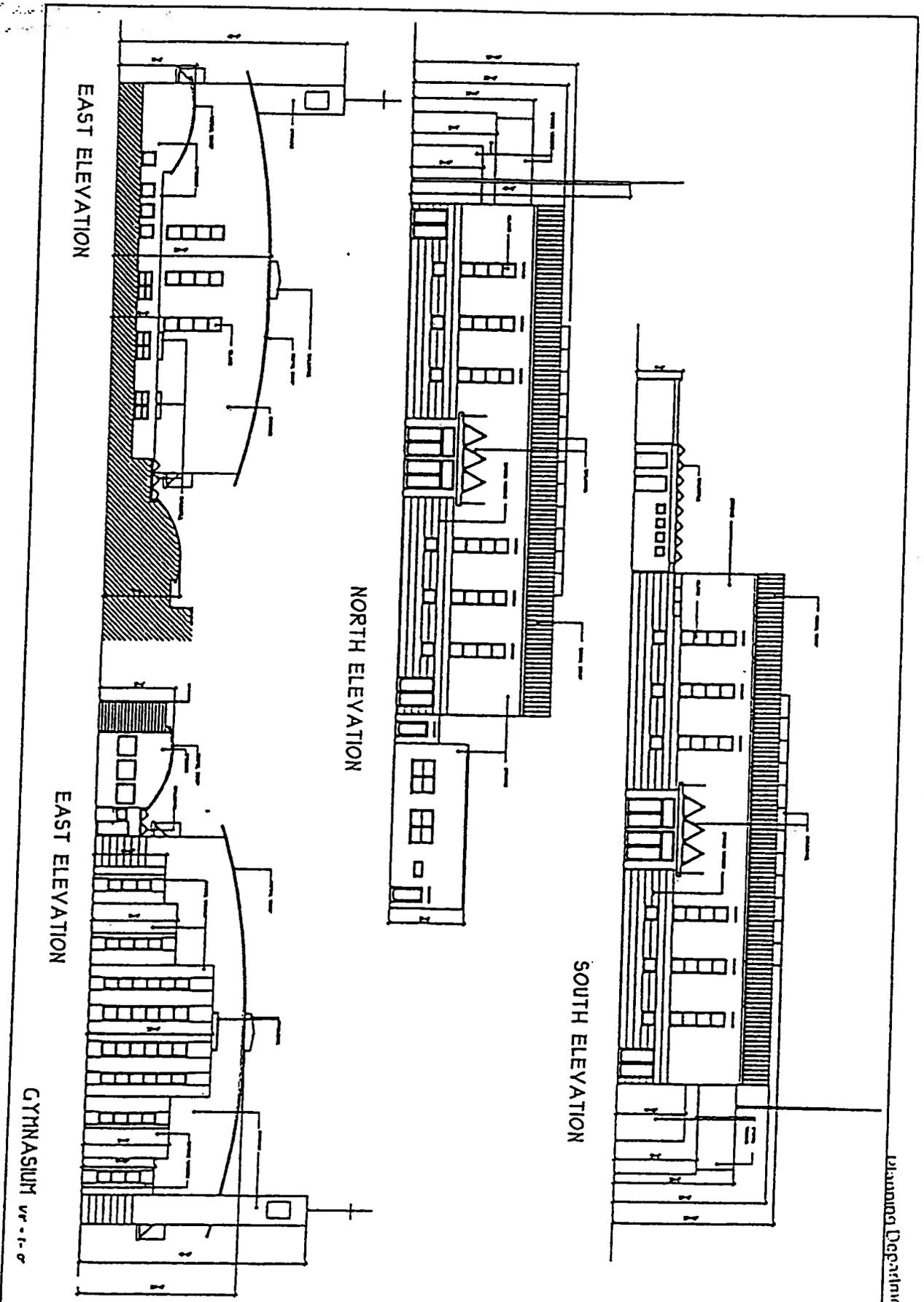
APPLICATION NOTES	
<p>The project shall comply with the provisions of the applicable codes and regulations of the City of Oceanside, California, and the County of San Diego, California, and shall conform to the applicable provisions of the applicable codes and regulations of the applicable agencies.</p>	
<p>It is the responsibility of the applicant to obtain all necessary permits and approvals from the applicable agencies.</p>	
<p>The applicant shall be responsible for obtaining all necessary permits and approvals from the applicable agencies.</p>	
<p>The applicant shall be responsible for obtaining all necessary permits and approvals from the applicable agencies.</p>	

<p>COMMUNITY BIBLE CHURCH OCEANSIDE, CA</p>	<p>HELM & MELACNY PLANNERS</p>
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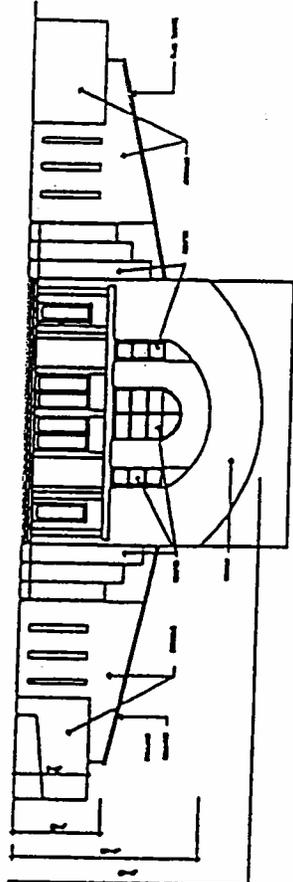
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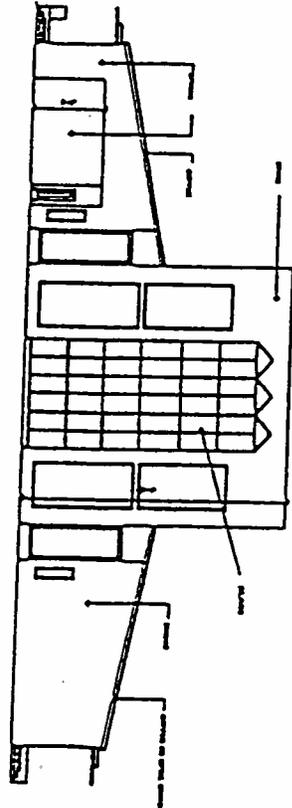
Planning Department



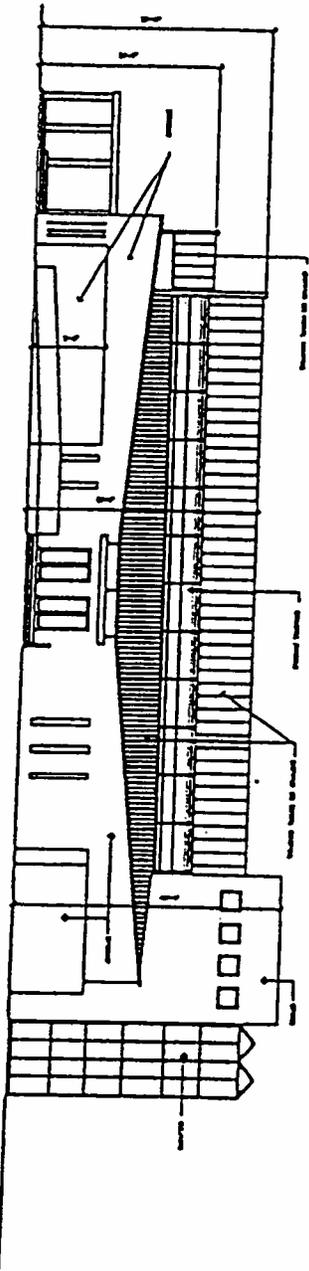
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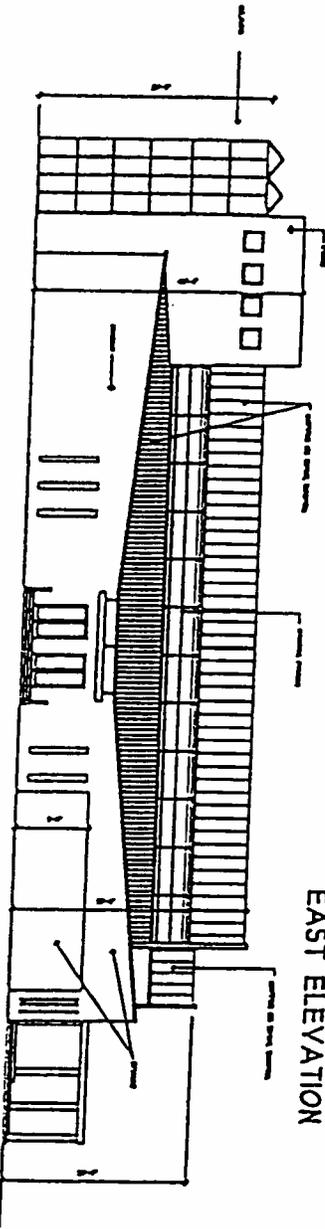
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

ELEVATIONS

Trimming Department

HELM & MELACINI
Architects
1000 ...
...
...

COMMUNITY BIBLE CHURCH
OCEANSIDE, CA

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10	NO. 11	NO. 12	NO. 13	NO. 14	NO. 15	NO. 16	NO. 17	NO. 18	NO. 19	NO. 20	NO. 21	NO. 22	NO. 23	NO. 24	NO. 25	NO. 26	NO. 27	NO. 28	NO. 29	NO. 30	NO. 31	NO. 32	NO. 33	NO. 34	NO. 35	NO. 36	NO. 37	NO. 38	NO. 39	NO. 40	NO. 41	NO. 42	NO. 43	NO. 44	NO. 45	NO. 46	NO. 47	NO. 48	NO. 49	NO. 50	NO. 51	NO. 52	NO. 53	NO. 54	NO. 55	NO. 56	NO. 57	NO. 58	NO. 59	NO. 60	NO. 61	NO. 62	NO. 63	NO. 64	NO. 65	NO. 66	NO. 67	NO. 68	NO. 69	NO. 70	NO. 71	NO. 72	NO. 73	NO. 74	NO. 75	NO. 76	NO. 77	NO. 78	NO. 79	NO. 80	NO. 81	NO. 82	NO. 83	NO. 84	NO. 85	NO. 86	NO. 87	NO. 88	NO. 89	NO. 90	NO. 91	NO. 92	NO. 93	NO. 94	NO. 95	NO. 96	NO. 97	NO. 98	NO. 99	NO. 100
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CITY OF OCEANSIDE
INITIAL STUDY CHECKLIST

1. Project Title: COMMUNITY BIBLE CHURCH (REVISION C-10-95)

2. Lead Agency Name and Address:

City of Oceanside
Planning Department
300 North Coast Highway
Oceanside, CA 92054

3. Contact Person and Phone Number:

Jerry Hittleman
(619) 966-4770
(619) 966-4164 - FAX

4. Project Location:

City of Oceanside, California; 4507 Mission Avenue, southwest corner of Mission Avenue and Valley Heights.

5. Project Sponsor's Name and Address:

Community Bible Church
4507 Mission Avenue
Oceanside, California 92054

6. General Plan Designation:

RS - Residential

7. Zoning:

RS - Residential

8. Description of Project:

The proposed project consists of a phased expansion plan for the Community Bible Church. The proposed improvements for the 5.37 acre site are divided into the following four phases:

- Phase I and II - These phases consist of the addition of 12 classrooms with rest rooms and offices and the addition of required parking. The existing flower shop southeast corner of the property will be closed and converted to a use consistent with the underlying residential zone. Two driveways at the corner of Mission Avenue and Valley Heights will be closed.

Phase I will include construction of six classrooms with rest rooms and related parking. The second phase will be the remaining classrooms and offices. The current day care facility which uses an older house on the property will be moved to the new school rooms. The existing day care building will be converted to accessory uses such as storage.

- Phases III and IV - These phases consist of construction of a new multipurpose facility to be used as a gymnasium and other related uses, and a new church, and related parking. The old church will be demolished as will the existing day care building. Landscaping will be installed in conformance with the conceptual landscape plan. Upon project completion, a total 35,262 square feet of new building space will be constructed.

9. Surrounding Land Uses and Setting:

The project site is currently developed and contains a church, one residence, and an old home used as a day care facility. A portion of the church building is used as a full time school. There is also a building on the corner of Mission Avenue and Valley Heights which is currently used as a flower shop. The site contains no native plant habitats due to current development and past agricultural uses. The site slopes up from Mission Avenue where the elevation is 80 feet above mean sea level (MSL) to approximately 110 feet above MSL in the southern portion of the site. Surrounding uses are an apartment complex to the west, residential uses to the north, and vacant property to the east and south.

10. Other agencies whose approval is required:

None.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities/Service Sys. |
| <input checked="" type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| | <input type="checkbox"/> Mandatory Findings of Significance | |

Determination:

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and NEGATIVE DECLARATION will be prepared. _____

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared. X

I find that the propose project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. _____

I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. _____

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that EIR, including revisions or mitigation measures that are imposed upon the proposed project. _____



Signature

February 4, 1997

Date of Draft

Jerry Littleman

Printed Name

Date of Final

Evaluation of Environmental Impacts:

This checklist is designed to identify the potential for significant environmental impacts which could be associated with the proposed project. All "Yes" and "Yes, Unless Mitigated" responses are discussed for the corresponding issue. "No" responses are explained where it is based on project-specific factors.

	YES	YES, UNLESS MITIGATED	NO	NOT APPLICABLE
I. LAND USE AND PLANNING. Would the proposal:				
a) Conflict with general plan designation or zoning?	---	---	<u>X</u>	---
b) Conflict with general plan environmental plans or policies adopted by agencies with jurisdiction over the project?	---	---	<u>X</u>	---
c) Be incompatible with existing land use in the vicinity?	---	---	<u>X</u>	---
d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?	---	---	<u>X</u>	---
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	---	---	<u>X</u>	---
II. POPULATION AND HOUSING. Would the proposal:				
a) Cumulatively exceed official regional or local population projections?	---	---	---	<u>X</u>
b) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?	---	---	<u>X</u>	---
c) Displace existing housing, especially affordable housing?	---	---	---	<u>X</u>
III. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:				
a) Fault rupture?	---	---	<u>X</u>	---
b) Seismic ground shaking?	---	---	<u>X</u>	---
c) Seismic ground failure, including liquefaction?	---	---	<u>X</u>	---
d) Seiche, tsunami, or volcanic hazard?	---	---	<u>X</u>	---
e) Landslides or mudflows?	---	---	<u>X</u>	---

	YES	YES, UNLESS MITIGATED	NO	NOT APPLICABLE
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?	___	<u>X</u>	___	___
g) Subsidence of the land?	___	___	<u>X</u>	___
h) Expansive soils?	___	___	<u>X</u>	___
i) Unique geologic or physical features?	___	___	<u>X</u>	___
IV. WATER. Would the proposal result in:				
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	___	___	<u>X</u>	___
b) Exposure of people or property to water related hazards such as flooding?	___	___	<u>X</u>	___
c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	___	___	<u>X</u>	___
d) Changes in the amount of surface water in any water body?	___	___	<u>X</u>	___
e) Changes in currents, or the course or direction of water movements?	___	___	<u>X</u>	___
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations, or through substantial loss of groundwater recharge capability?	___	___	<u>X</u>	___
g) Altered direction or rate of flow of groundwater?	___	___	<u>X</u>	___
h) Impacts to groundwater quality?	___	___	<u>X</u>	___
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	___	___	<u>X</u>	___
V. AIR QUALITY. Would the proposal:				
a) Violate any air quality standard or contribute to an existing or projected air quality violation?	___	___	<u>X</u>	___
b) Expose sensitive receptors to pollutants?	___	___	<u>X</u>	___
c) Alter air movement, moisture, or temperature, or cause any change in climate?	___	___	<u>X</u>	___
d) Create objectionable odors?	___	___	<u>X</u>	___

	YES	YES, UNLESS MITIGATED	NO	NOT APPLICABLE
VI. TRANSPORTATION/CIRCULATION. Would the project result in:				
a) Increased vehicle trips or traffic congestion?	---	---	<u>X</u>	---
b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	---	---	<u>X</u>	---
c) Inadequate emergency access or access to nearby uses?	---	---	<u>X</u>	---
d) Insufficient parking capacity on-site or off-site?	---	---	<u>X</u>	---
e) Hazards or barriers for pedestrians or bicyclists?	---	---	<u>X</u>	---
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	---	---	<u>X</u>	---
g) Rail, waterborne or air traffic impacts?	---	---	<u>X</u>	---
VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:				
a) Endangered, threatened, or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	---	---	<u>X</u>	---
b) Locally designated species (e.g., heritage trees)?	---	---	<u>X</u>	---
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	---	---	<u>X</u>	---
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?	---	---	<u>X</u>	---
e) Wildlife dispersal or migration corridors?	---	---	<u>X</u>	---
VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:				
a) Conflict with adopted energy conservation plans?	---	---	<u>X</u>	---
b) Use non-renewable resources in a wasteful and inefficient manner?	---	---	<u>X</u>	---

	YES	YES, UNLESS MITIGATED	NO	NOT APPLICABLE
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	---	---	<u>X</u>	---
IX. HAZARDS. Would the proposal involve:				
a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals, or radiation)?	---	---	<u>X</u>	---
b) Possible interference with an emergency response plan or emergency evacuation plan?	---	---	<u>X</u>	---
c) The creation of any health hazard or potential health hazard?	---	---	<u>X</u>	---
d) Exposure of people to existing sources of potential health hazards?	---	---	<u>X</u>	---
e) Increased fire hazard in areas with flammable brush, grass, or trees?	---	---	<u>X</u>	---
X. NOISE. Would the proposal result in:				
a) Increases in existing noise levels?	---	---	<u>X</u>	---
b) Exposure of people to severe noise levels?	---	---	<u>X</u>	---
XI. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:				
a) Fire protection?	---	---	<u>X</u>	---
b) Police protection?	---	---	<u>X</u>	---
c) Schools?	---	---	<u>X</u>	---
d) Maintenance of public facilities, including roads?	---	---	<u>X</u>	---
e) Other governmental services?	---	---	<u>X</u>	---
XII. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:				
a) Power or natural gas?	---	---	<u>X</u>	---
b) Communications systems?	---	---	<u>X</u>	---
c) Local or regional water treatment or distribution facilities?	---	---	<u>X</u>	---

	YES	YES, UNLESS MITIGATED	NO	NOT APPLICABLE
d) Sewer or septic tanks?	---	---	<u>X</u>	---
e) Storm water drainage?	---	---	<u>X</u>	---
f) Solid waste disposal?	---	---	<u>X</u>	---
g) Local or regional water supplies?	---	---	<u>X</u>	---
XIII. AESTHETICS. Would the proposal:				
a) Affect a scenic vista or scenic highway?	---	---	<u>X</u>	---
b) Have a demonstrable negative aesthetic effect?	---	---	<u>X</u>	---
c) Create light or glare?	---	---	<u>X</u>	---
XIV. CULTURAL RESOURCES. Would the proposal:				
a) Disturb paleontological resources?	---	---	<u>X</u>	---
b) Disturb archaeological resources?	---	---	<u>X</u>	---
c) Affect historical resources?	---	---	<u>X</u>	---
d) Have the potential to cause a physical change which would affect unique ethnic cultural values?	---	---	<u>X</u>	---
e) Restrict existing religious or sacred uses within the potential impact area?	---	---	<u>X</u>	---
XV. RECREATION. Would the proposal:				
a) Increase the demand for neighborhood or regional parks or other recreational facilities?	---	---	<u>X</u>	---
b) Affect existing recreational opportunities?	---	---	<u>X</u>	---
XVI. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	---	---	<u>X</u>	---
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	---	---	<u>X</u>	---

	YES	YES, UNLESS MITIGATED	NO	NOT APPLICABLE
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	_____	_____	<u> X </u>	_____
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	_____	_____	<u> X </u>	_____

XVII. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). The following is a discussion of earlier analyses:

None.

XVIII. MITIGATION MEASURES

GEOLOGY:

Prior to the issuance of any grading permits, an erosion and sediment control plan shall be implemented for each phase of the project consisting of stabilization and structural measures, timing for stabilization, measures to prevent tracking of soil from the construction site, hydroseeding and landscaping, and inspection and maintenance procedures.

XIX. REFERENCES USED IN COMPLETING THIS INITIAL STUDY

ASM Affiliates

Community Bible Church Cultural Resource Survey. 1997.

Oceanside, City of

Land Use Element (of the General Plan). 1989.

Zoning Ordinance. 1995

EXPLANATION OF THE
ENVIRONMENTAL CHECKLIST
FOR THE
COMMUNITY BIBLE CHURCH PROJECT
REVISION - C-10-95

I. LAND USE AND PLANNING - Questions a, b, c, d, and e:

The proposed project conforms to the City of Oceanside General Plan and Zoning Ordinance. The proposed church expansion and related uses (day care, school, and recreational activities) requires approval of a conditional use permit revision prior to construction. These uses are compatible with the surrounding residential uses and zoning.

II. POPULATION AND HOUSING - Questions a, b, and c:

No additional housing is proposed as part of the proposed project. The project will not adversely impact existing or proposed housing in the project vicinity.

III. GEOLOGIC PROBLEMS - Questions a, b, c, d, e, f, g, h, and i:

The proposed project indicates grading of the majority of the site to accommodate the expansion of the church facilities. Grading operations required for ultimate site development may result in erosion and an increase in sediments to the surrounding drainage system. Implementation of an erosion control plan for each phase of development would reduce potential erosion impacts to a level of significance.

Mitigation

Prior to the issuance of any grading permits, an erosion and sediment control plan shall be implemented for each phase of the project consisting of stabilization and structural measures, timing for stabilization, measures to prevent tracking of soil from the construction site, hydroseeding and landscaping, and inspection and maintenance procedures.

IV. WATER - Questions a, b, c, d, e, f, g, h, i:

No major watercourses are in proximity to the project site. The proposed expansion of the church facilities would not adversely affect the hydrology of the project site or surrounding area. Drainage from the additional paved parking area and site improvements will be accommodated by the existing drainage facilities in the project vicinity.

V. AIR QUALITY - Questions a, b, c, and d:

Development of the site, which would occur in phases, would not result in significant air quality impacts to the area.

VI. TRANSPORTATION/CIRCULATION - Questions a, b, c, e, f, and g:

The proposed project is consistent with planned and future land uses in the area. The existing roadway system is designed to accommodate the project vehicular traffic and would not be adversely impacted.

VII. BIOLOGICAL RESOURCES - Questions a, b, c, d, and e:

The site developed and disturbed and contains no sensitive biological resources.

VIII. ENERGY AND MINERAL RESOURCES - Questions a, b, and c:

The proposed project would not conflict with adopted energy conservation plans, use non-renewable resources in a wasteful manner, or result in the loss of a known mineral resource that would be of future value to the region.

IX. HAZARDS - Questions a, b, c, d, and e:

No impacts to human health are anticipated from the proposed improvements to the Community Bible Church site.

X. NOISE - Questions a and b:

No noise impacts would occur from continued and expanded operation of the church and related uses at this site.

XI. PUBLIC SERVICES - Questions a, b, d, and e:

The proposed project is in conformance with the city of Oceanside General Plan. Therefore, no adverse impacts would occur in relation to fire protection, police protection, schools, parks, or other governmental services.

XII. UTILITIES AND SERVICE SYSTEMS - Questions e, f, and g:

The proposed development would not substantially effect power and natural gas supplies or systems, communication systems, water or sewer systems, or solid waste disposal systems.

XIII. AESTHETICS - Questions a, b, and c:

The proposed project would not result in the obstruction of any scenic vista or view open to the public. Implementation of the conceptual landscape plan would adequately screen parking areas from public view.

XIV. CULTURAL RESOURCES - Questions a, b, c, d, and e:

ASM Affiliates conducted a cultural resource survey of the proposed Community Bible Church project site (ASM Affiliates, 1997). The results of the survey were negative as no prehistoric or historic archaeological resources were identified within the project property. Therefore, implementation of the proposed project would not adversely affect cultural resources in the area

XV. RECREATION - Questions a and b:

The proposed project would not impact the quality or quantity of existing recreational activities in the City.

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

Primary #
HRI #
Trinomial
NRHP Status Code

RECEIVED
MAR 30 2007
Planning Department
Date

Other Listings
Review Code
Reviewer

Page 1 of 7

*Resource Name or #- 4507 Mission Ave.

P1. Other Identifier: none

*P2. Location: Not for Publication Unrestricted
and (132b and 132c or P2d. Attach a Location Map as necessary.)

*a. County: San Diego

*b. USGS 7.5'Quad:

Date: 1975 T11s R 4w, 1/4 of 1/4 of Sec ; M.D. B.M.S.B.
City: Oceanside, CA Zip: 92057

c. Address: 4507 Mission Ave.

d. UTM: Zone: 10, mE/ mN (G.P.S.)

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) Elevation:
APN# 158-701-21

*133a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

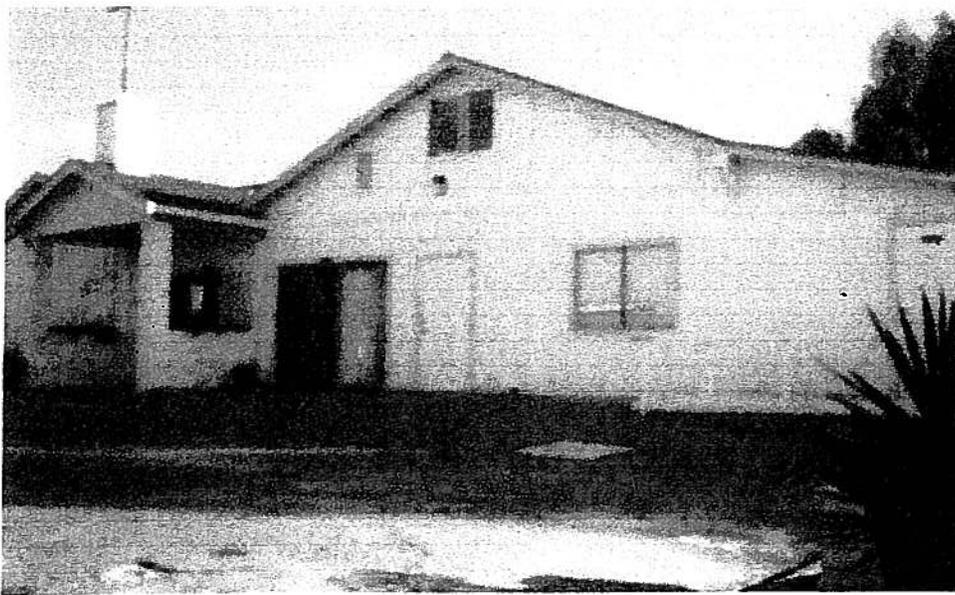
The resource consists of four historic buildings: a church, two houses and a flower stand. The buildings are situated on a hilly 3.65 acre parcel at the corner of Mission Ave. and Valley Heights Dr. The church and one of the houses are located at the top of the hill with beautiful views of the surrounding valley. The other smaller house is located below the church. The flower stand is located on level ground at the northern corner of the property at the intersection of Mission and Valley Heights. The setting retains many fruit trees which were part of the original farm located there. Asphalt driveways have been added as well as patios and playgrounds to accommodate the needs of a church and play school. No original assessor's records exist for this property. According to the County Assessor's office, the buildings were never assessed until 2005. Therefore, only approximate ages can be determined for the buildings.

The church building was converted from the barn. As originally built, it was

*P3b. Resource Attributes: (List attributes and codes) HP 16 Religious Bldg.

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

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo: (View, date, accession #)

Southeasterly view
12/04/06

*P6. Date Constructed/Age and

Sources: Historic

Prehistoric Both

c. 1930s, Chain of Title

*P7. Owner and Address:

Neighborhood Free Lutheran
Church, 4507 Mission Ave.
Oceanside, CA 92057

*P8. Recorded by: (Name,
affiliation, and address)

Mary Taschner
322 N. Nevada St.
Oceanside, CA 92054

*P9. Date Recorded: 12/20/06

*P10. Survey Type: (Describe)

Intensive

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") none

*Attachments: NONE Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List):

DPR 523A (1/95)

*Required information

• Recorded by: Mary Taschner

*Date: 12/20/06

Continuation

Update

Type in here!

P3b. Resource Attributes: (List attributes and codes) HP 15 Educational Bldg.

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

P5a Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo view, date, accession #)

Southeasterly view

12/04/06

• P6. Date Constructed/Age and Sources: Historic

Prehistoric Both

c. 1930s

Chain of title

*P7. Owner and Address,

Neighborhood Free

Lutheran Church

4507 Mission, Oceanside

• P8. Recorded by (Name, affiliation, and address)

Mary Taschner

322 N. Nevada St.

Oceanside, CA 92054

*P9. Date Recorded: 12/20/06

*P10. Survey Type: (Describe

Intensive

• P3b. Resource Attributes: (List attributes and codes) HP 4 Ancillary Bldg.

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

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo. (view, date, accession #)

Northerly view

12/04/06

• P6. Date Constructed/Age and Sources: Historic

Prehistoric Both

c. 1930s

Chain of title

*P7. Owner and Address:

Neighborhood Free

Lutheran Church

4507 Mission, Oceanside

*P8. Recorded by: (Name affiliation, and address)

Mary Taschner

322 N. Nevada St.

Oceanside, CA 92054

*P9. Date Recorded: 12/20/06

*P10. Survey Type: describe)

Intensive

*Recorded by: Mary Taschner

*Date: 12/20/06

Continuation

Update

Type in here!

*P3b Resource Attributes: (List attributes and codes) HP 2 Residential

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

• P5a Photo or Drawing (Photo required for buildings, structures, and objects.)



P5a Photo. Description of Photo= view date, accession #)

Northerly view

12/04/06

• P6. Date Constructed/Age and Sources: Historic

Prehistoric Both

1959 Recorded Notice of Completion

*P7. Owner and Address Neighborhood Free

Lutheran Church

4507 Mission, Oceanside

• P8. Recorded by: (Name affiliation, and address)

Mary Taschner

322 N. Nevada St.

Oceanside, CA 92054

*P9. Date Recorded 12/20/06

• P10. Survey Type: (Describe)

Intensive

CONTINUATION SHEET

*Recorded by: Mary Taschner

*Date: 12/20/06

Continuation

Update

Type in here!

approximately a 750 sq. ft. 2-story rectangle with a gable roof and board and batten siding. From the rear of the building, it can be seen where an addition was added which doubled the size of the building to its current 1500 sq. ft. size. The addition echoes the original barn's shape with gable roof and board and batten siding. A one-story area with a shed roof has been added, along with a gable roofed entrance portico. Modern aluminum windows and doors have been added. The roof is covered with composition shingles. A small steeple with a cross is placed on top of the entrance portico. The interior of the building shows no evidences of the original barn.

The building which was once the farmhouse is now being used as a pre-school/daycare center. As built, the house was a simple one-story structure with gable roof and horizontal clapboard siding. It had double hung windows with wooden moldings. The front of the house, which overlooks the San Luis Rey valley, had a covered open porch which is still existent. The house had 3 bedrooms and 1 bathroom. Walls were plaster and the living room featured a fireplace. At some time in the past, probably in the 1950s, a large flat roofed addition was added to the house making the building about 1500 sq. ft. in size. The addition included a kitchen with beamed ceiling and several other rooms. A large covered patio with low brick walls was placed at the side of the house.

In its current state, some of the plaster walls are still visible in the house, while others have been paneled over. The fireplace has been covered up. Original doors and windows are still in existence in much of the building. The house has been greatly remodeled, but it is still possible to see traces of the original farmhouse.

The small house located below the church is used as a rental house. The ranch style house has wide horizontal clapboard siding with vertical siding under the gable ends. The gable roof has composition shingles. The house has a stone foundation and a large stone fireplace. The original windows are still in place. The front of the house has an open porch covered by the roof overhang. The rear of the house has a large patio covered with a lattice roof. The house has one bedroom, one bath and a living room and kitchen. Minimal alterations have been made to the structure, although it appears that the house once had a garage which was razed.

The last building on the subject property is a flower shop which faces Mission Avenue. Like the church, the flower shop has board and batten siding. The building has a mansard roof covered with cedar shakes. The building has garage doors on three sides and a covered portico on the front partially walled with lattice. The interior has plywood walls and an open beamed ceiling. The building is basically only a shed and probably of substandard construction. It was originally used to sell fruit.

CONTINUATION SHEET

*Recorded by: Mary Taschner

*Date: 12/20/06

Continuation

Update

Type in here!

In 1834, the rich California mission holdings were secularized and the surrounding lands were divided into huge land grants. Over the next half century, the ranchos were subdivided and sold off. A small town established in the 1870s grew up around Mission San Luis Rey in the valley and surrounding hills. The early settlers were mostly English. The subject property was part of the San Luis Rey Township.

One of the early owners of the subject property was J. Stanley Boyd. He was born in California, but his father was an English settler. Stanley and his wife Amelia lived in Oceanside and were farmers.

Boyd sold the land on December 24, 1917 to Chris and Cora Nelson. Chris Nelson was also a farmer, who was born in Denmark. The Nelson's owned the property for less than two years before they signed an agreement to sell it. By 1930, they were residents of Huntington Beach. It is doubtful that they ever lived on the farm.

Victor and Ora Magee were the next purchasers of the subject property. They signed an agreement to purchase in 1919 and received a deed in 1922. Victor Magee was a descendant of one of the earliest settlers of Southern California, Miguel Pederino, who at one time owned over 400,000 acres. Victor Magee was considered one of the leading men who transformed Southern California into a major agricultural and horticultural region. He was extensively engaged in ranching and dairying, either renting or owning huge parcels of land. He moved to Oceanside from Fallbrook, where he was the manager of a ranch. He served on the Oceanside City Council for several years. Later he moved to San Luis Rey, where he was a rancher. He died in 1925, and his wife, Ora, began a new career when as a widow, she needed a means to earn a living. At the age of 55, she became a reporter for the Oceanside Blade and continued this work into her 80s.

Victor and Ora Magee deeded the property to the First National Bank of Santa Ana in January 1925, almost eleven months before Victor died. William and Zella Thomson bought the property from the bank on February 28, 1925. On the same day, they deeded an interest in the property to Francis and Luella Farnsworth. Both couples were farmers or ranchers. They probably did not live on the farm. The 1930 Census lists the Thomson's as farmers in Tustin and the Farnsworth's as farmers in Santa Ana.

The two couples sold the property to William and Augusta Speer on August 22, 1933. The Speer's may have built the farm buildings which make up the church campus today, as they kept the farm until 1946, when they sold it to Russell C. Westcott. Westcott was a nursery salesman and apparently lost the farm, as William Speer bought it back from Bank of America in 1954. The Speer's were listed in the Oceanside telephone book as living on the farm in 1954. Before coming to Oceanside, they had a citrus ranch in Placentia and later a citrus ranch in Fullerton. The subject property was also a citrus ranch.

CONTINUATION SHEET

*Recorded by: Mary Taschner

*Date: 12/20/06

Continuation

Update

Type in here!

In 1957, Frank and Frances Onstott purchased the farm. They were the builders of the existing rental house which was completed in February 1959. Frank Onstott probably did not personally run the farm although he did live there. He worked for Bank of America and retired as a branch manager in 1975. He was very involved in community and social service organizations, receiving recognition for distinguished service to USO, Chamber of Commerce and the Oceanside Boys' Club.

In 1973, the Onstott's sold the property to Daniel and Delores Vaughn. The Vaughn's lived on the property until 1978, when they sold it to Chapel of the Redeemer, Inc. Chapel of the Redeemer was formed by a pastor named Blessing. He had been a band member who was converted to Christianity. Blessing and other members of his family pooled their resources in order to buy the farm. He ran the organization as a commune, converting and bringing in young people to live on the farm. At one time, four families and about twenty young people were living there. Blessing also had a school for up to fifty students, which was housed in the former barn. After Blessings' death in 1990, the commune fell apart and some of the young converts reverted to their former ways.

Pastor Orville and Florence Hiepler bought the property from the Chapel in 1993. Pastor Hiepler had begun organizing a new congregation in 1991. This group met for services at Roosevelt Middle School in Oceanside and later at Alamosa Park Elementary School. After the Hiepler's purchase, the Neighborhood Free Lutheran Church rented the property from them until 1995, when the property was deeded to the congregation.

The property was subdivided in September 2000 and Markwest Development took ownership until November 3, 2005. At that time, the Neighborhood Free Lutheran Church once again became the owner.

BUILDING, STRUCTURE, AND OBJECT RECORD

Page of 7 of 7

*NRHP Status Code

*Resource Name or # (Assigned by recorder) 4507 Mission Ave.

B1. Historic Name: none

B2. Common Name: none

B3. Original Use: farm

B4. Present Use: church, school, shop, residence

*B5. Architectural Style: Bungalow, residence-ranch

*1916. Construction History: (Construction date, alterations, and date of alterations)

farm bldgs. built circa 1930s, enlarged at unknown dates
rental house-1959

*137. Moved? No Yes Unknown Date:

Original Location:

*138. Related Features: none

139a. Architect: none

b. Builder: farm bldgs.-unknown, house: C.J.He

*1310. Significance: Theme: religious/educational

Area: Oceanside, CA

Period of Significance: 1930-present

Property Type: Institutional

Applicable Criteria: n/a

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

The subject resource was a citrus ranch for many years. It changed owners often, but always remained a farm. Not until the 1990's did the property become a church and school. At the present time, the neighborhood has a variety of uses. There is still vacant land, a remnant of the earlier farm days, but this is rapidly being filled in with new houses. Across Mission Ave., there is an older tract of houses. The subject resource has the only remaining farm buildings in the neighborhood, although they have been converted to another use. The resource buildings were not designed by a master architect with a national reputation. They were not constructed of rare or unique materials. The buildings are not directly associated with any known historic events. Persons of historic standing are not directly associated with them. The buildings are unlikely to offer any information which would be of local, state or national importance. This study has effectively exhausted all research potential which may have existed for these buildings. The buildings are not eligible for nomination to national, California or local historic registers.

131 1. Additional Resource Attributes: (List attributes and codes) HP16-religious bldg; HP15-educational bldg; HP4-Ancillary bldg; HP2-residential

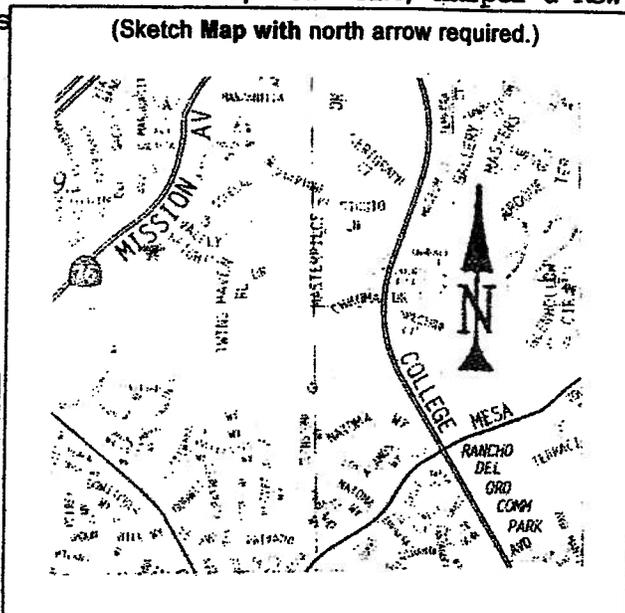
*1312. References: County Assessor's records; US Census 1920,1930; Oceanside Blade-1925,1954,1995; Oceanside Phone Directories; Foley, Mary Mix, The American Home, New York, Harper & Row, 19 Guinn, J.M., A History of California, Los Angeles Historic Record Co, 1967; Interview:O. Hiepler

B13. Remarks: 12/11/06

*1314. Evaluator: Mary Taschner *Mary Taschner*

*Date of Evaluation: 12/20/06

(this space reserved for official comments.)



VINCENT N. SCHEIDT

Biological Consultant

3158 Occidental Street • San Diego, CA • 92122-3205 • 858-457-3873 • 858-457-1650 fax • email: vince@san.rr.com

Pastor Orville G. Hiepler, Ph.D.
Community Lutheran Church
4507 Mission Avenue
Oceanside, CA 92054

RECEIVED
AUG 14 2006
Planning Department

April 13, 2006

RE: Results of a Biological Survey - the Community Lutheran Church Expansion Project, Oceanside

Dear Reverend Hiepler:

This letter presents the results of a baseline biological resources field survey of the Community Lutheran Church Expansion Project in Oceanside. The proposed expansion project is subject to evaluation under provisions of California Environmental Quality Act (CEQA), which requires that "significant" impacts, including impacts to biological resources, be reduced to "less than significant". This study, therefore, is intended to address potential adverse impacts to sensitive biological resources, including sensitive species and habitats. It further is intended to ensure that any required mitigation is consistent with the goals and objectives of the Multiple Habitat Conservation Program (MHCP) and the City's draft Subarea MHCP Plan.

PROJECT DESCRIPTION

Development of the Community Lutheran Church property (APN 158-701-21; Figure 1)) will require grading to establish pads, parking areas, and associated improvements. This constitutes your "project", as defined by CEQA. Site development will result in the removal of vegetation and the construction of structures with associated landscaping amenities, etc. For analysis purposes, it is assumed that the entirety of this small property will be affected by site development.

GOALS OF STUDY

The purpose of this study is to provide a baseline biological inventory of the site, delineate the onsite habitats, and search for signs of rare, endangered, threatened, or otherwise sensitive plants, animals, or habitats which have a potential to occur here. A plant and animal inventory was compiled during the fieldwork (Table 1). The survey data were then used to assess the biological "resource values" of the site insofar as they could be affected by project approval and implementation.

METHODS

Shannon M. Allen, Biological Consultant, conducted a baseline field survey of the Community Lutheran Church property on 30 March 2006. Weather conditions were conducive to field surveying, with clear skies, temperatures in the high 60's to low 70's, and no significant wind.

The property was slowly walked, and all areas of the property were examined during the survey. Naturalized plants and animals identified in association with the site were recorded and are listed in Table 1.

Plants were identified *in situ* or based on samples collected in the field and later keyed to the most reasonably definitive taxonomic level. A number of additional species would probably have been detected in the summer months, although at least 70% of the plants occurring on this site were recorded. Horticultural species associated with onsite improvements were generally not inventoried. Floral nomenclature used in this report follows Hickman (1993) and others. Plant communities follow Holland (1996, as amended).

Wildlife observations were made opportunistically. Binoculars were used to aid in observations and all wildlife species detected were recorded. Animal nomenclature used in this report is taken from American Ornithologist's Union (1983, as updated) for birds, and Jones, *et. al* (1992) (mammals).

RESULTS

Plant Communities

The Community Lutheran Church property supports only existing development and low-value disturbance-responsive vegetation (Figure 2). The site is entirely surrounded by development, and clearly qualifies as an "infill" property. The onsite habitats include the following:

Urban/Developed (Holland Code 12000)

Urban/Developed habitat covers the central portions of the site and most areas surrounding the property. This consists of existing church facilities, a playground, house, fruit stand, several out buildings, and related improvements (paths, walls, etc). Associated with the developed areas are ornamental trees, shrubs and groundcovers, most of which are being irrigated. The Urban/Developed habitat found onsite is of no significant biological resource value.

Disturbed Habitat (Holland Code 11300)

Areas surrounding the existing developed portions of the site support Disturbed Habitat. Indicators include ruderal species, such as Black Mustard (*Brassica nigra*), Australian Saltbush (*Atriplex semibaccata*), Bermuda Buttercup (*Oxalis pes-caprae*), Red-stem Stork's-bill (*Erodium cicutarium*), Castor Bean (*Ricinus communis*), Ripgut Brome (*Bromus diandrus*), and numerous other non-native weeds. The biological resource value of this habitat-type is low.

Plants

Thirty-three species of naturalized plants were detected during the survey. Most of these (87%) are urban weeds or naturalized non-natives. A complete list of the plants observed is presented in Table 1. These species are typical of disturbed habitats, including ruderal areas and older developed areas.

Animals

Eight species of animals were detected onsite or in the immediate vicinity during the field survey. The animals detected are all common forms, abundant in the site's vicinity, and tolerant of urban settings. All animals detected during the field survey are listed in Table 1, attached.

SENSITIVE RESOURCES

Sensitive Vegetation Communities

Vegetation communities (habitats) are generally considered "sensitive" if; (a) they are recognized by the City as being generally depleted; (b) they are considered rare within the region by local experts; (c) if they are known to support sensitive plant or animal species, and/or; (d) they are known to serve as important wildlife corridors or habitat linkages. These sensitive habitats are typically depleted throughout their known ranges, or are highly localized and/or fragmented.

Neither of the two onsite habitat-types (Urban/Developed or Disturbed) are considered sensitive in the City of Oceanside or in the MHCP Subregional Planning area.

Sensitive Plants

No sensitive plants were detected on the subject property during the field survey. Sensitive plants are those listed as "Rare", "Endangered", "Threatened", "of Special Concern", or otherwise noteworthy by the California Department of Fish and Game, the U.S. Fish and Wildlife Service, the California Native Plant Society (CNPS), or other conservation agencies, organizations, or local botanists.

Numerous sensitive plants are known to occur in Oceanside, some in the vicinity of this site. These include San Diego Thorn Mint (*Acanthomintha ilicifolia*), Thread-leaf Brodiaea and Orcutt's Brodiaea (*Brodiaea filifolia*, *B. orcuttii*), Summer Holly (*Comarostaphylis diversifolia* ssp. *diversifolia*), Palmer's Grapplinghook (*Harpagonella palmeri*), Ashy Spike-moss (*Selaginella cinerascens*), and others. Most of these are either associated with habitats not found here (such as mixed chaparral, coastal sage scrub or vernal pools) or are large and distinctive perennials that would not have been missed if encountered onsite. Given the disturbed/developed nature of the site, no sensitive plants are expected.

Sensitive Animals

No sensitive animals were detected onsite during the field survey. Sensitive animals are those listed as "Rare", "Endangered", "Threatened", "of Special Concern" or otherwise noteworthy by the California Department of Fish and Game, the U.S. Fish and Wildlife Service, the National Audubon Society, or other conservation agencies, organizations, or local zoologists.

It is anticipated certain sensitive animals may occur on this property, at least on an occasional basis. These might include various wide-ranging sensitive raptors known from the area, such as Red-shouldered Hawk (*Buteo lineatus*) and Cooper's Hawk (*Accipiter cooperii*), any number of rare bat species, other rare reptiles, and possibly others. Because of the nature of the onsite habitat, no critical populations of sensitive animal species would be anticipated to depend on this site in any case.

WETLANDS AND WATERS

Wetlands and jurisdictional "waters" are not present on the project site. The site does not support hydrophytes, hydric soils, or wetlands hydrology. Furthermore, we saw no drainages that support a discrete "bed-and-bank", an ordinary high water mark (OHWM), or other signs of wetlands or "waters".

PROJECT-RELATED IMPACTS

Development as proposed could result in the following direct and indirect impacts:

1. The loss of Disturbed Habitat is considered less than significant, as defined by CEQA. No specific mitigation is recommended in conjunction with this loss.
2. The loss of Urban/Developed habitat is considered less than significant, as defined by CEQA. No specific mitigation is recommended in conjunction with this loss
3. Potential displacement impacts to nesting raptors or migratory songbirds are considered potentially significant, as defined by CEQA. The federal Migratory Bird Treaty Act (MBTA) and Sections 3503, 3503.5 and 3513 of the California Fish and Game Code protect the nests of essentially all native birds. Although no active bird nests or nesting behaviors were detected during the site survey, nesting in some of the trees or larger shrubs on or adjacent to the site is possible. Any disturbance, either direct or indirect, that would cause abandonment of active nests containing eggs or young would be a violation of the MBTA and/or the California Fish and Game Code.

RECOMMENDATIONS

In order to reduce all potentially significant project-related impacts to less than significant, as defined by CEQA, the following measures are recommended:

Site brushing, grading, and/or the removal of vegetation (including landscaping and trees) within 300 feet of any potential migratory songbird nesting location is not normally permitted during the spring/summer songbird breeding season, defined as from 1 February to 31 August of each year. This is required in order to ensure compliance with the California Fish and Game Code and the MBTA. Limiting activities to the non-breeding season will minimize chances for the incidental take of migratory songbirds or raptors.

Should it be necessary to conduct brushing, grading, or other habitat-removal activities during the bird breeding season, a preconstruction nesting survey of all areas within 300 feet of the proposed activity will be required. This survey must be conducted by a qualified biologist who must submit a summary report with findings and recommendations (such as noise abatement, seasonal restrictions on vegetation removal, etc) to be approved by the City of Oceanside and the wildlife agencies the prior to project implementation.

No other mitigation is recommended.

Thank you for the opportunity to provide this biological survey and report. Please contact me if you have any questions or concerns.

Very truly yours,



Vincent N. Scheidt
Certified Biological Consultant

Bibliography

- American Ornithologists' Union, committee on classification and nomenclature. 1983. A.O.U. *Checklist of North American Birds*. Updated every 3 years.
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Figure 1. Site Location - Portion of U.S.G.S. "San Luis Rey, California" Quadrangle

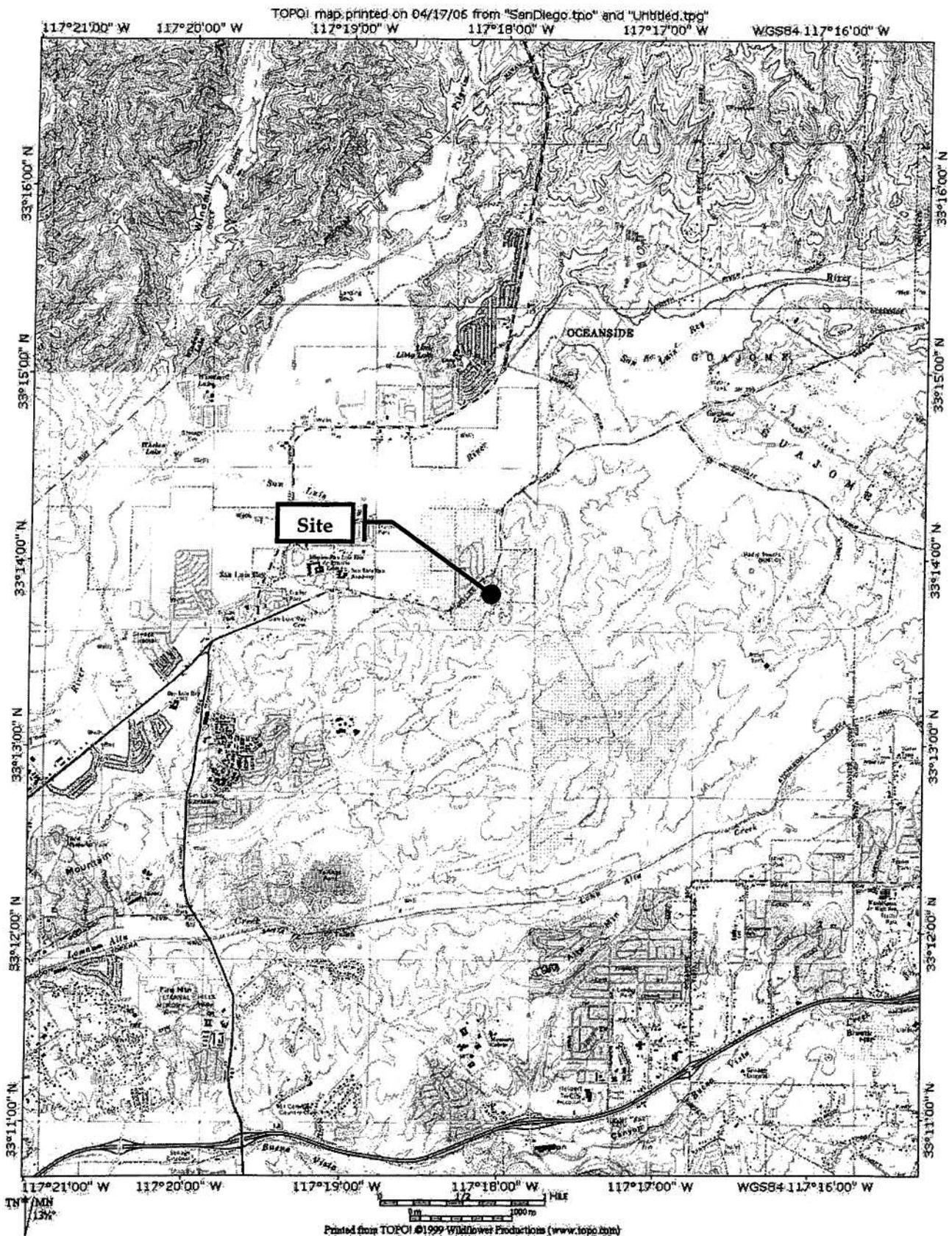


Figure 2. Plant Communities/Habitats - Community Lutheran Church Project Site



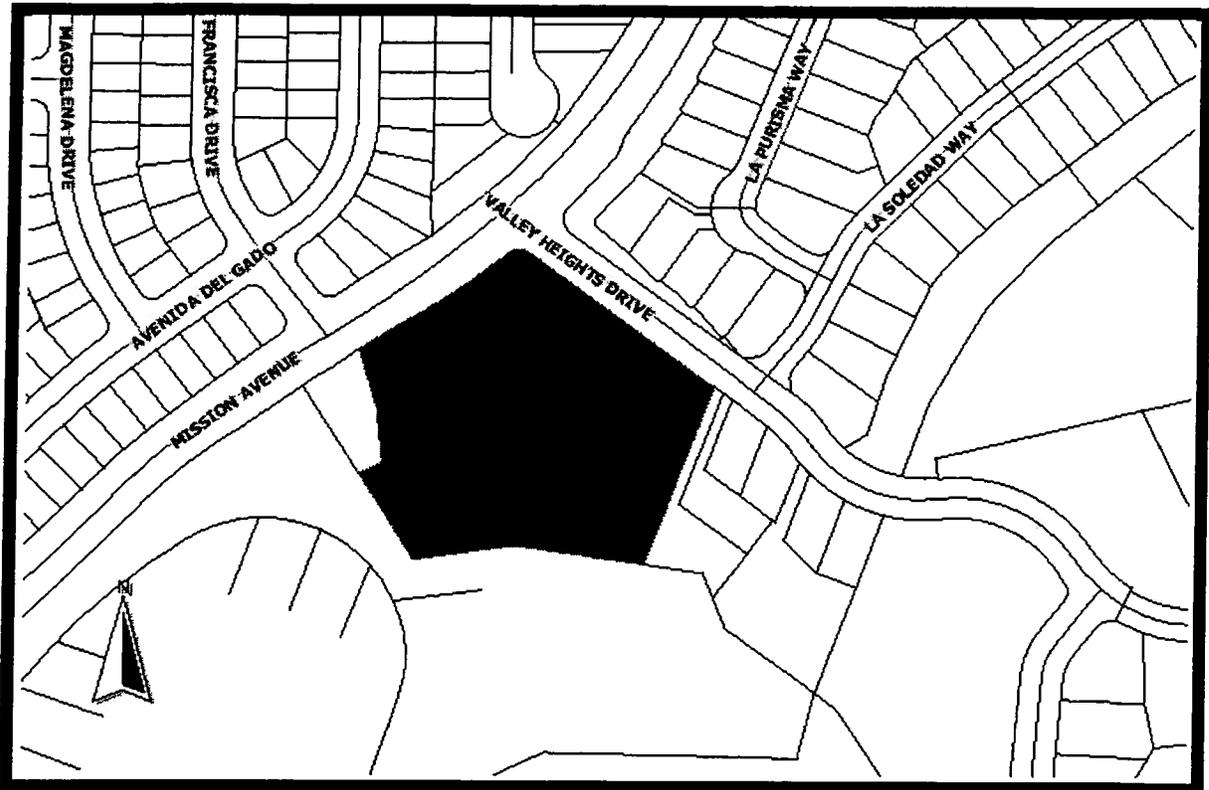
Legend:

	= Disturbed Habitat (Holland Code 11300)
	= Urban/Developed Habitat (Holland Code 12000)

Table 1. Plants and Animals Detected - Community Lutheran Church, Oceanside

<u>Scientific Name</u>	<u>Common Name</u>
<u>Plants</u>	
<i>Acacia</i> sp *	Acacia
<i>Anagallis arvensis</i> *	Scarlet Pimpernel
<i>Atriplex semibaccata</i> *	Australian Saltbush
<i>Avena fatua</i> *	Wild Oat
<i>Brassica nigra</i> *	Black Mustard
<i>Brassica geniculata</i> *	Perennial Mustard
<i>Bromus diandrus</i> *	Ripgut Brome
<i>Chamaesyce maculata</i> *	Spotted Spurge
<i>Citrus</i> sp. *	Citrus
<i>Coronopus didymus</i> *	Swine Cress
<i>Cryptantha</i> sp.	Cryptantha
<i>Cynodon dactylon</i> *	Bermuda Grass
<i>Descurainia pinnata</i>	Tansy Mustard
<i>Eremocarpus setigerus</i>	Dove Weed
<i>Erodium cicutarium</i> *	Red-stem Stork's-bill
<i>Foeniculum vulgare</i> *	Wild Anise
<i>Grevillea robusta</i> *	Silk Oak
<i>Hedypnois cretica</i> *	Hedypnois
<i>Lactuca serriola</i> *	Wild Lettuce
<i>Melilotus indicus</i> *	Indian Sweet Clover
<i>Olea europa</i> *	European Olive
<i>Oxalis pes-caprae</i> *	Sorrel
<i>Picris echioides</i> *	Bristly Ox-tongue
<i>Poa annua</i> *	Annual Bluegrass
<i>Ricinus communis</i> *	Castor Bean
<i>Salix lasiolepis</i>	Arroyo Willow
<i>Salsola pestifer</i> *	Russian Thistle
<i>Schinus molle</i> *	Peruvian Peppertree
<i>Schinus terebinthifolius</i> *	Brazilian Peppertree
<i>Silybum marianum</i> *	Milk Thistle
<i>Sonchus asper</i> *	Sow Thistle
<i>Urtica urens</i> *	Dwarf Nettle
<i>Washingtonia robusta</i> *	Mexican Fan Palm
<u>Birds</u>	
<i>Carpodacus mexicanus</i>	Housefinch
<i>Corvus brachyrhynchos</i>	Common Crow
<i>Pipilo crissalis</i>	California Towhee
<i>Sayornis nigricans</i>	Black Phoebe
<i>Sturnus vulgaris</i> *	Starling
<i>Tyrannus verticalis</i>	Western Kingbird
<i>Zenaida macroura</i>	Mourning Dove
<u>Mammals</u>	
<i>Thomomys bottae</i>	Valley Pocket Gopher

* = non-native taxon



File Number: D-11-06, C-36-06 – Community Lutheran Church

Applicant: Community Lutheran Church – Orville G. Hiepler

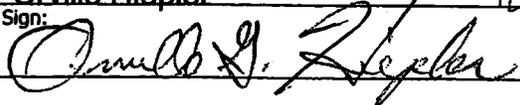
Description:

DEVELOPMENT PLAN (D-11-06) and CONDITIONAL USE PERMIT (C-36-06) for the development of a 26,345-square foot religious facility with associated offices and school buildings located at 4507 Mission Avenue, on the south west corner of Mission Avenue and Valley Heights Drive. The project site is zoned RS (Single-Family Residential) and is situated within the San Luis Rey Neighborhood – **Community Lutheran Church**

Environmental Determination:

A Mitigated Negative Declaration has been prepared stating that if the conditions of approval are implemented, there will not be a significant adverse impact upon the environment. Under the provisions of the California Environmental Quality Act, the Planning Commission will consider the Mitigated Negative Declaration during its hearing on the project.

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

Application For Planning Commission Hearing				STAFF USE ONLY	
Planning Department (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885 Please Print or Type All Information				ACCEPTED	BY
				8/14/06	S.S.
PART I - APPLICANT INFORMATION				HEARING	
1. APPLICANT		2. STATUS		GPA	
Community Lutheran Church		Planning Department		MASTER/SP.PLAN	
3. ADDRESS		4. PHONE/FAX		ZONE CH.	
4507 Mission Ave. Oceanside, CA 92054		760 731 0980		TENT. MAP	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)				PAR. MAP	
Helm & Melacini Architects				DEV. PL. D-11-06	
6. ADDRESS		7. PHONE/FAX		C.U.P. C-36-06	
124 172 E. Cliff suite C-4 Solana Beach, Ca		858 345 1068		VARIANCE	
PART II - PROPERTY DESCRIPTION				COASTAL	
8. LOCATION				O.H.P.A.C.	
4507 Mission Ave.				9. SIZE	
				3.58 ac.	
10. GENERAL PLAN	11. ZONING	12. LAND USE	13. ASSESSOR'S PARCEL NUMBER		
R - SF	R - SF	R - SF	158 122 07 00		
PART III - PROJECT DESCRIPTION					
14. GENERAL PROJECT DESCRIPTION					
Conditional use permit for church and private school					
REC - 3/30/07, 8/22/07, 11/28/07					
15. PROPOSED GENERAL PLAN	16. PROPOSED ZONING	17. PROPOSED LAND USE	18. NO. UNITS	19. DENSITY	
no change	no change	no change	na	na	
20. BUILDING SIZE	21. PARKING SPACES	22. % LANDSCAPE	23. % LOT COVERAGE		
26,345	144	40	17		
PART IV - ATTACHMENTS					
ALL APPLICATIONS			DEV. PLANS, C.U.P.s & TENT. MAPS		
24. DESCRIPTION/JUSTIFICATION		25. LEGAL DESCRIPTION		30. FLOOR PLANS AND ELEVATIONS	
26. 300-FT. RADIUS MAP		27. PROPERTY OWNERS' LIST		31. CONSTRUCTION SCHEDULE	
28. ENVIRONMENTAL ASSESSMENT		29. PLOT PLANS		32. OTHER	
PART V - SIGNATURES					
THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.			SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).		
33. APPLICANT OR REPRESENTATIVE (Print):		34. DATE			
Orville Hiepler		8/14/06			
Sign: 		37. OWNER (Print):		38. DATE	
		acting Pres, Robert Ormer		8/19/06	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.					
35. APPLICANT (Print):		36. DATE		39. OWNER (Print):	
Orville Hiepler		8/14/06		Community Lutheran Church	
Sign: 				40. DATE	
				8/14/06	

RECEIVED
AUG 14 2006
Planning Department

Office Secretary
Della Yefremova

HELM & MELACINI

ARCHITECTS

124 ¼ E. Cliff suite C-4
Solana Beach, Ca 92075 USA
Ph 858 345 1068 fax 619 377 4145
Giampiccoli 101 #4
Belluno 32100 Italy
Ph 0437 930 642
Email john@hm-architects.com
www.hm-architects.com

July 23, 2006

Community Lutheran Church
Oceanside, California

Conditional Use Permit

RECEIVED
AUG 14 2006
Planning Department

Description and Justification

This project is a continuation, revision and expansion of uses which have been in existence on this property for at least 25 years. These current uses consist of a church, one residence, and an old home which is used as a day care facility. There is also a building which is currently used as a flower shop.

Phase 1

Phase one will consist of the construction of the multipurpose building and a portion of the parking lot. This building will be used as a temporary church until the completion of the main church building in phase 4. Once the main church is complete this building will be used for meetings, potlucks, and other church activities. The existing flower shop building will be removed.

The church will operate during the typical hours which consist primarily of a Sunday morning service and various other church functions such as committee meetings involving small groups during the week.

Phases 2 and 3

These two phases will consist of the construction of 12 classrooms with rest rooms and offices.

The construction will be done in two phases the first consisting of six classrooms, with rest rooms as shown on the site plan submitted. Construction on this phase will begin as soon as possible after the completion of phase 1, dependent upon available financial resources. The second phase will be the remaining classrooms and offices. This phase will probably be started within one to two years after the completion of the first 6 classrooms.

The current day care facility which uses an old house on the property will be moved to the new school rooms. The existing day care building will be converted to auxiliary uses like storage. Hours of operation will be weekdays during normal working hours. The school will be a normal school with grades k-8 one class room for each grade. The hours of operation will be the normal school hours which range from 8 in the morning to 3 or 4 in the afternoon plus Sunday school religion classes. The use of a raised wood over concrete foundation for these phases allow them to be constructed with no grading. It also allows for the preservation of the existing terrain and landscaping. In fact the property already has a significant amount of natural and cultivated landscaping in this area which will as much as possible be preserved.

Phase 4

In the final phase 4 the church will be constructed. The old church will be demolished as will the existing building which is now used as a day care. The landscaping and parking lot will be completed and any remaining amenities shown on these plans will be completed. The type of construction will be similar to the gymnasium, using similar materials however the style of the building will be church like in appearance.

Design Style

The overall design of all the buildings takes it's reference from the early California missions. The phase one building is a relatively close yet somewhat modern interpretation. The school in that it must appeal in some ways to the children that will attend it is more modern and somewhat more free in it's interpretation. And the final phase 4 and ultimate goal is a further interpretation of the mission style.

All the buildings will be constructed using typical frame construction with stucco finishes consistent with the mission style and the roofs will be of a clay type flat tile in an earth tone color tending to be reminiscent of the early Spanish tiles.

Conclusion

This project was previously approved in March of 1997 (copy enclosed). However for financial reasons construction was never started. The only change on this revised plan is the substitution of the gymnasium for a multipurpose building. This building will be used as a temporary church until such time as the congregation has the funds to finalize the project and build the planned church. It is in conformance with the intent of the zoning ordinance. It is consistent with other uses in the area because of its proximity to Mission Avenue and it is a well established use for this property, the property having already been used for this purpose for many years. Traffic generated will not increase dramatically from that which has been generated for years by the church and current school.

Of course it will not be detrimental to the public health, safety or welfare. It will in fact be a significant addition to the community, through providing of public, religious, recreational and educational facilities. It will reduce the burden on public schools and provide savings in public expenses.

Landscaping per the plan submitted will be phased along with the phases above.

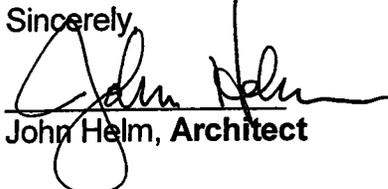
It is requested that the under grounding of existing utilities on the site be delayed until the construction of phase 4. A relatively high voltage electrical service line that serves properties beyond this property crosses this property. Because of the complexity of putting this line underground the cost would effectively double the cost of construction of phase 1. The church having limited financial resources could not support the construction should this burden be placed upon them early in the development of the property.

Regarding parking a total of 143 parking spaces is provided on the current plan for the final phase 4. According to the zoning ordinance the parking requirements are as follows:

CHURCH	117
SCHOOL	10
DAY CARE	6
OFFICES	4
<u>MULTI PUR.</u>	<u>54</u>
TOTAL	191

The church is willing to place a condition upon approval of this project that the church and the multipurpose building will not be used at the same time. This would put the maximum parking requirement at 137 cars which is under the 144 provided.

Sincerely,


John Helm, Architect

**HELM & MELACINI
ARCHITECTS**

124 1/2 E. Cliff suite C-4
Solana Beach, Ca 92075 USA
Ph 858 345 1068 fax 619 377 4145
Giampiccoli 101 #4
Belluno 32100 Italy
Ph 0437 930 642
Email john@hm-architects.com
www.hm-architects.com

November 22, 2006

City of Oceanside
Scott Nightingale

RECEIVED
MAR 30 2007
Planning Department

RE:
Community Lutheran Church
Oceanside, California

Conditional Use Permit (D-11-06 & C-36-06)

Management Plan

Phase 1

Multipurpose building/Temporary Church

Normal hours of full use Sunday 9am to 12 pm

 Full time employees 0

 Part time employees 2

Occasional (1 or 2 per week) even meetings and classes

Existing pre school, Monday through Friday 7:30 to 5:30

 Number of students maximum of 12

 Number of employees 2

Phase 2

Above from phase 1 plus first school building

 Normal school hours approximately 8am to 3pm

 Full time employees:

 Teachers 6

 Staff 2

 Volunteers 4

Phase 3

Above from phase 1 and 2 plus second school building

 Normal school hours approximately 8am to 3pm

 Full time employees added:

 Teachers 6

Staff	0
Volunteers	4

Final Phase 4

All of the above employees and activities with the addition of perhaps 1 or 2 full time office employees and full time pastor. The pastor for the phase 1 church will probably remain part time.

Note:

The school will be a normal elementary school and jr. high school with added classes in religion. We don't anticipate any events requiring special planning or parking that would exceed that already provided.

HELM & MELACINI
ARCHITECTS

124 1/2 E. Cliff suite C-4
Solana Beach, Ca 92075 USA
Ph 858 345 1068 fax 619 377 4145
Giampiccoli 101 #4
Belluno 32100 Italy
Ph 0437 930 642
Email john@hm-architects.com
www.hm-architects.com

November 21, 2006

Community Lutheran Church
Oceanside, California

RECEIVED
MAR 30 2007
Planning Department

Conditional Use Permit

PARKING MANAGEMENT PLAN

A total of 144 parking spaces are provided on the current plan for the final phase 4.

Parking by Phases:

Phase 1 (multipurpose room temporary church)

Church/multipurpose room	Assembly area	38 (140 seats/4 + 3 load'g)
	Nursery	2
	Office	1 (130 sq. ft.)
	Kitchen	4 (140 sq. ft.)
	Pastor & misc.	4

TOTAL REQUIRED 49

TOTAL PROVIDED 55

Note: There will be more than adequate overflow parking available around the existing buildings and graded areas.

Phases 2 & 3 (two classroom buildings)

There will be 12 classrooms (k-8, no student cars) school hours 8am to 3pm (approximately – normal school hours) Monday through Friday.

Teacher cars	12
Assistants max.	8
Admin estimate	2

TOTAL REQUIRED 22

TOTAL PROVIDED 50 (spaces provided in phase 1 which are not used during the week)

Note: no additional spaces will be required for phases I & II

Phase 4 (final phase)

CHURCH	117
SCHOOL	22
OFFICES	2
MULTI PUR.	49
TOTAL	190

The church is willing to place a condition upon approval of this project that the church and the multipurpose building will not be used at the same time. This would put the maximum parking requirement at 141 cars which is under the 144 provided. Also note that this would only occur on the rare occasion that the church was in full use during school hours.

Order Number: DSM-2392362 (08)

Page Number: 7

LEGAL DESCRIPTION

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

LOT 1 OF PEPPER TREE LANE, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 14128, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 5, 2001.

APN: 158-701-21-00