AGENDA NO 5

PLANNING COMMISSION CITY OF OCEANSIDE

DATE: September 26, 2011

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A CONDITIONAL USE PERMIT (CUP11-00018 TO ALLOW THE ESTABLISHMENT OF A RELIGIOUS FACILITY WITHIN AN EXISTING OFFICE BUILDING LOCATED AT 2251 MESA DRIVE – NEW BIRTH BAPTIST CHURCH – APPLICANT: BISHOP JEFFREY A. MOORE**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

(1) Confirm issuance of a Class 1, Categorical Exemption "Existing Facilities"; and,

(2) Adopt Planning Commission Resolution No. 2011-P32 approving Conditional Use Permit (CUP11-00018) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: The applicant proposes to relocate an existing religious facility (New Birth Baptist Church) currently located in the City of Vista at 1855 East Vista Way. The New Birth Baptist Church has outgrown its current location in Vista and the safety issues of the existing facility in Vista have lead the church to seek a new facility.

On August 16, 2011 a Conditional Use Permit (CUP11-00018) was submitted to Planning Division to allow the New Birth Baptist Church to occupy and conduct a religious facility within an existing building located at 2251 Mesa Drive.

Site Review: The subject site is located at 2251 Mesa Drive, just south of Mission Avenue. The site contains one 3,154 square foot commercial office building that was constructed in 1964. The building has been vacant for at least one year. The property is comprised of an approximately 0.30 acres with 12 parking spaces on-site. The subject 3,154 square foot commercial office building has been used as a commercial dentist for several years, but the business has cease operations and the building has been vacant for at least one year.

The zoning designation for the property is Commercial Professional (CP) and the General Plan Land Use Category is Professional Commercial (PC). Religious assembly uses are permitted within the Commercial Professional District with approval of a Conditional Use Permit as per the Oceanside Zoning Ordinance requirement Article 1120 for religious facilities.

Surrounding land uses include the Scripps medical clinic and the 7-Eleven convenience market to the north, a commercial office use to the east, and residential homes to the west and directly to the south.

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

Conditional Use Permit (CUP11-00018) represents a request for the following:

(a) To permit the operation of religious facility known as the New Birth Baptist Church within a 3,154-square foot commercial building located at 2251 Mesa Drive. This religious use would consist of church services held every Sunday; with associated office operations during the week, incidental religious education, small group religious meetings on weekday evenings, and outreach programs. The worship ceremonies and outreach programs would provide spiritual guidance, and would be held within the sanctuary portion of the building on the weekends.

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

1. General Plan Land Use Element
2. Zoning Ordinance
3. CEQA

ANALYSIS – KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation on the subject property is CP (Professional Commercial). The proposed project 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.

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

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

The proposed Church use has been reviewed and analyzed by staff to ensure that religious assembly would not adversely impact the existing neighborhood and the surrounding uses. The religious assembly use will provide an overall balance of land uses in close proximity to the residential areas, and the use would foster a sense of community. The existing building has been un-used and vacant for over one year, which has limited activity in the area.

I.I. Balanced Land Uses

Goal: The City shall determine the amount, acreage and type of existing and potential land uses annually. This information shall be presented within the "General Plan Annual Report" and shall assist the City in defining and determining the proper balance of land use.

Objective: To minimize conflicts with adjacent or related land uses.

Policy B: The use of land shall not create a negative visual impact to surrounding land uses.

The proposed church facility occupying the existing 3,154-square foot commercial building would not significantly impact the site or surrounding land uses because of the limited traffic and hours-of-operation.

Zoning Compliance

This project is located in a Commercial Professional (CP) district. Pursuant to the land use regulations of the PC (Professional Commercial District), religious facilities are subject to the approval of a Conditional Use Permit pursuant to Article 11 of the Zoning Ordinance.

The following table depicts the parking requirements pursuant to Article 31 of the OZO:

PROPOSED USE	**BUILDING AREA**	**PARKING SPACES REQUIRED**	**PARKING SPACES PROPOSED**
Religious Assembly	3,154 sq. ft.	(1 per 4 seats or 1 per each 40 sq. ft. of non-fixed seating area.)	12 plus 100 space provided at the North County Health Services through a reciprocal agreement.
Total	3,154 sq. ft.	39	112 Reciprocal

As depicted in the table above the proposed Religious Facility will require 39 parking stalls. The proposed 112 parking spaces provided on site and at the North County Health Service lot located directly to the north would exceed the requirement as specified in the Oceanside Zoning Ordinance. The North County Health Service's hours-of-operation are from Monday-Friday (8:00 a.m. to 5:30 p.m.), so parking vehicles at the North County Health Services property on weekend hours should not be an issue. If complaints arise from adjoining property owners regarding parking issues, enforcement procedures would be conducted and this Conditional Use Permit would be subject for review by the Planning Commission.

2. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	Neighborhood Commercial (CN)	Commercial General (CG)	Vacant Commercial Building
North of Subject Property	Neighborhood Commercial (CN)	Commercial General (CG)	Vacant Commercial Building
East of Subject Property:	Neighborhood Commercial (CN)	Neighborhood Commercial (CN)	Commercial Center
South of Subject Property:	Medium Density Residential (MDC-R)	Medium Density Residential (RM-C)	Multi-family residential apartments
West of Subject Property:	Neighborhood Commercial (CN)	Neighborhood Commercial (CN)	Mira Costa Extension Campus

DISCUSSION

Issue: Will the addition of the Religious Facility negatively impact the surrounding neighborhood and be compatible with the neighboring uses?

The primary hours-of-operation would be Sundays 9:00 a.m. to 6:00 p.m. with affiliated office usage on the weekdays from 9 a.m. to 5 p.m. Additional religious meeting would be held in evening hours in the weekdays. The hours-of-operation would not conflict with the adjoining commercial uses and residential properties within the area.

ENVIRONMENTAL DETERMINATION

Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA), 1970. Based on that review staff finds the proposed project involves negligible or no expansion of the existing building, and the proposed project is categorically exempt pursuant to Class 1, Article 19, Section 15301 Existing Facilities, of the California Environmental Quality Act.

PUBLIC NOTIFICATION

Pursuant to Article 41 of the Oceanside Zoning Ordinance, a Legal notice was published in the North County Times and notices were sent to property owners of record within a 1,500-foot radius of the subject property, individuals and/or organizations requesting notification, applicant and other interested parties. Copies of this agenda item have been mailed to the applicant and their representatives.

SUMMARY

In summary, staff has analyzed the proposal for a Conditional Use Permit and has found it to be consistent with the requirements of the Zoning Ordinance and the policies outlined in the General Plan. Staff also finds that the use of a church facility within an existing commercial retail building would be compatible with the existing use and will not impact the surrounding neighborhood. As such, Staff recommends that the Planning Commission approve the project. The Commission's action should be:

-- Move to approve Conditional Use Permit Revision (CUP11-00018) and adopt Planning Commission Resolution No. 2011-P32 as attached.

PREPARED BY:

Scott Nightingale
Planner II

SUBMITTED BY:

Jerry Hittleman
City Planner

JH/SN/vm

Attachments:
1. Planning Commission Resolution No. 2011-P32
2. Site Plan/Architectural Plans

PLANNING COMMISSION
RESOLUTION NO. 2011-P32

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

APPLICATION NO:	CUP11-00018
APPLICANT:	Bishop Jeffrey A. Moore
LOCATION:	2251 Mesa 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 Conditional Use Permit under the provisions of Articles 11 and 41 of the Zoning Ordinance of the City of Oceanside to permit the following:

establishment of a religious assembly facility within an existing 3,154-square foot commercial office building;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 26th day of September, 2011 conduct a duly advertised public hearing as prescribed by law to consider said application;

WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines thereto; this project is categorically exempt from CEQA per Class 1 project, "Existing Facilities," per Section 15301 of CEQA Guidlines;

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

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

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 Conditional Use Permit:

1. That the proposed location of the religious facility is in accord with the objectives of the Zoning Ordinance and the purposes of the Professional Commercial district in which the site is located. As per the Oceanside Zoning Ordinance section 1100 Religious facilities are permitted within General Commercial District with an approval of a Conditional Use Permit. The proposed Church would utilize an existing 3,154-square foot commercial building and shall meet the required 39 parking stalls requirements as per the Oceanside Zoning Ordinance code section 3103 with the provided 112 parking spaces.
2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will be consistent with the General Plan; the religious facility will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City. Staff has analyzed the impact of the Church's hours-of-operation with the adjacent neighboring uses, and found that the Church's limited hours-of-operation would not conflict with the primary hours of the adjacent neighboring uses within the area, because the primary operation of the Church would be conducted Sunday mornings and early weeknight hours.
3. That the proposed conditional use will comply with the provisions of the Zoning Ordinance and General Commercial District in which the property is located, including any specific condition required for the proposed conditional use in the district in which it would be located.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Conditional Use Permit (CUP11-00018) subject to the following conditions:

Building:

1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building Division plan check.
2. The developer shall monitor, supervise and control all building construction and supportive activities so as to prevent these activities from causing a public nuisance, including, but not limited to, strict adherence to the following:
   a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not inherently noise-producing. Examples of work not permitted on Saturday are concrete and grout pours, roof nailing and activities of similar noise-producing nature. No work shall be permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).
   b) The construction site shall be kept reasonably free of construction debris as specified in Section 13.17 of the Oceanside City Code. Storage of debris in approved solid waste containers shall be considered compliance with this requirement. Small amounts of construction debris may be stored on-site in a neat, safe manner for short periods of time pending disposal.

Fire:

3. Fire Department requirements shall be placed on plans in the notes section.
4. All proposed and existing fire hydrants within 400 feet of the project shall be shown on the site plan.
5. Fire extinguishers are required and shall be included on the plans submitted for plan check.
6. An automatic fire extinguisher system complying with UL300 shall be provided to protect commercial-type cooking or heating equipment that produces grease-laden vapors
7. Provide a class "K" type portable fire extinguisher within 30 feet of the kitchen appliances emitting grease-laden vapors.
8. A fire sprinkler system based on area and occupancy classification may be required.

9. Fire alarm system may be required in the A-3 occupancy if the occupant load is 300 or more.

10. Approved addresses for commercial occupancies shall be placed on the structure in such a position as to be plainly visible and legible from the street or roadway fronting the property. Numbers shall be contrasting with their background and meet the current City of Oceanside size and design standard.

11. Due to change in occupancy proposed, plans shall be submitted to the Fire Prevention Bureau for plan check review and approval prior to the issuance of building permits.

Planning:

12. This Conditional Use Permit shall expire on September 26, 2014 unless implemented as required by the Zoning Ordinance.

13. This Conditional Use Permit approves only the religious assembly facility and associated tenant improvements as shown on the plans and exhibits presented to the Planning Commission for review and approval. No deviation from these approved plans and exhibits shall occur without Planning Division approval. Substantial deviations shall require a revision to the Conditional Use Permit or a new Conditional Use Permit.

14. The permitted uses and hours-of-operation for the church will be as follows on the attached description and justification.

15. Any existing and proposed new signs shall be in conformance with the Oceanside Sign Ordinance Guidelines and shall be submitted to the Planning Division.

16. All proposed landscaping shown on the plans shall be reviewed and approved by the City Planner prior to final occupancy approval.

17. The property shall be maintained in a well up keep nature.

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

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

remove or cover with matching paint all graffiti within 24 hours shall recorded in the form of a covenant affecting the subject property.

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

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

22. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul an approval of the City. The City will promptly notify the applicant of any such claim, action or proceeding against the city and will cooperate fully in the defense. If the City fails to promptly notify the applicant of any such claim action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

23. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines and Specifications for Landscape Development (latest revision), Water Conservation Ordinance No. 91-15, Engineering criteria, City code and ordinances, including the maintenance of such landscaping, shall be reviewed and approved by the City Engineer prior to the issuance of building permits. Landscaping shall not be installed until bonds have been posted, fees paid, and plans signed for final approval. A landscape pre-construction meeting with a Public Works Inspector shall be conducted prior to the installation of landscape improvements. The following landscaping requirements shall be required prior to plan approval and certificate of occupancy:

a) Final landscape plans shall accurately show placement of all plant material such as but not limited to trees, shrubs, and groundcovers.

b) Show all existing trees (including public rights-of-way) to be relocated, removed or protected in place (where applicable), clearly labeled with tree type (botanical and common names), quantities, and diameter at breast height (DBH) size for

canopy-type trees or brown trunk height (BTH) for palms. Diameter at breast height is measured 54-inches above finished grade. This may require a tree survey, schedule of tree replacement, or other mitigation requirements.

c) Provide a *Syagrus romanzoffianum*/Queen palm parallel to Mesa Drive, within the public right-of-way sidewalk, in the cut-out (tree well). The palm shall be planted from a 24-inch box size container. Show location and call out on the landscape construction working drawings.

d) If specifying the "Easy Turf" synthetic lawn product, construct on 5-inch of decomposed granite. Given the permeability of the product it will be considered for this application "landscape". The product manufacturer shall offer a warranty of 8 years; the project is conditioned to have the synthetic lawn replaced at the owner's expense if fading, discoloration, and problems occur with materials and workmanship. The above-mentioned information shall be noted on the landscape construction drawings.

e) East of the proposed trash enclosure and within the adjacent landscape planter, include shrubs and ground cover. The shrubs shall be 5-gallon size containers.

f) Landscape Architect shall be aware of all utility, sewer, storm drain easement and place planting locations accordingly to meet City of Oceanside requirements.

g) All required landscape areas (including public rights-of-way) shall be maintained by owner. The landscape areas shall be maintained per City of Oceanside requirements.

h) Proposed landscape species shall be native or naturalized to fit the site and meet climate changes indicative to their planting location. The selection of plant material shall also be based on cultural, aesthetic, and maintenance considerations. In addition proposed landscape species shall be low water users as well as meet all fire department requirements.

i) All planting areas shall be prepared with appropriate soil amendments, fertilizers, and appropriate supplements based upon a soils report from an agricultural suitability soil sample taken from the site.

j) Ground covers or bark mulch shall fill in between the shrubs to shield the soil from the sun, evapotransporation and run-off. All the flower and shrub beds shall be mulched to a 3" depth to help conserve water, lower the soil temperature and reduce weed growth.

k) The shrubs shall be allowed to grow in their natural forms. All landscape improvements shall follow the City of Oceanside Guidelines.

l) Root barriers shall be installed adjacent to all paving surfaces, where a paving surface is located within 6 feet of a trees trunk on site (private) and within 10 feet of a trees trunk in the right-of-way (public). Root barriers shall extend 5 feet in each direction from the centerline of the trunk, for a total distance of 10 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around the tree's root ball is unacceptable.

m) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall obtain planning department approval for these items in the conditions or application stage prior to 1st submittal of working drawings.

n) For the planting and placement of trees and their distances from hardscape and other utilities/ structures the landscape plans shall follow the City of Oceanside's (current) Tree Planting Distances and Spacing Standards.

o) An automatic irrigation system shall be installed to provide coverage for all planting areas shown on the plan. Low volume equipment shall provide sufficient water for plant growth with a minimum water loss due to water run-off.

p) Irrigation systems shall use high quality, automatic control valves, controllers and other necessary irrigation equipment. All components shall be of non-corrosive material. All drip systems shall be adequately filtered and regulated per the manufacturer's recommended design parameters.

q) Include lateral irrigation lines to the public rights-of-way cut-outs (tree wells) parallel to Mesa Drive and Edgewood Drive.

r) Include irrigation to the landscape planter areas east of the trash enclosure parallel to Edgewood.

s) All irrigation improvements shall follow the City of Oceanside Guidelines and Water Conservation Ordinance.

t) The landscape plans shall match all plans affiliated with the project.

u) Landscape plans shall comply with Biological and/or Geotechnical reports, as required, shall match the grading and improvement plans, comply with SWMP Best Management Practices and meet the satisfaction of the City Engineer.

v) Existing landscaping on and adjacent to the site shall be protected in place and supplemented or replaced to meet the satisfaction of the City Engineer.

24. 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 program shall include: a) normal care and irrigation of the landscaping b) repair and replacement of plant materials (including trees and palms) c) repair and replacement of irrigation systems as deemed necessary d) general cleanup of the landscaped and open areas e) parking lots and walkways, walls, fences, and site furnishings etc. Pruning standards for street trees and palms shall comply with the International Society of Arboriculture (ISA) *Standard Practices for Tree Care Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix H; and Tree Pruning Guidelines, Appendix F* (most current edition). Failure to maintain landscaping shall result in the City taking all appropriate enforcement actions including but not limited to citations. This maintenance program condition shall be recorded with a covenant as required by this resolution.

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

26. Landscape plans, including the construction of planter walls, site furnishing or other structures at or near the intersections, shall conform to intersection sight distance requirements per the City Traffic Engineer.

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

submitted with this application, unless specifically waived by an adopted condition of approval.

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

PASSED AND ADOPTED Resolution No. 2011-P32 on September 26, 2011 by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

_____

Tom Rosales, Chairperson
Oceanside Planning Commission

ATTEST:

_____

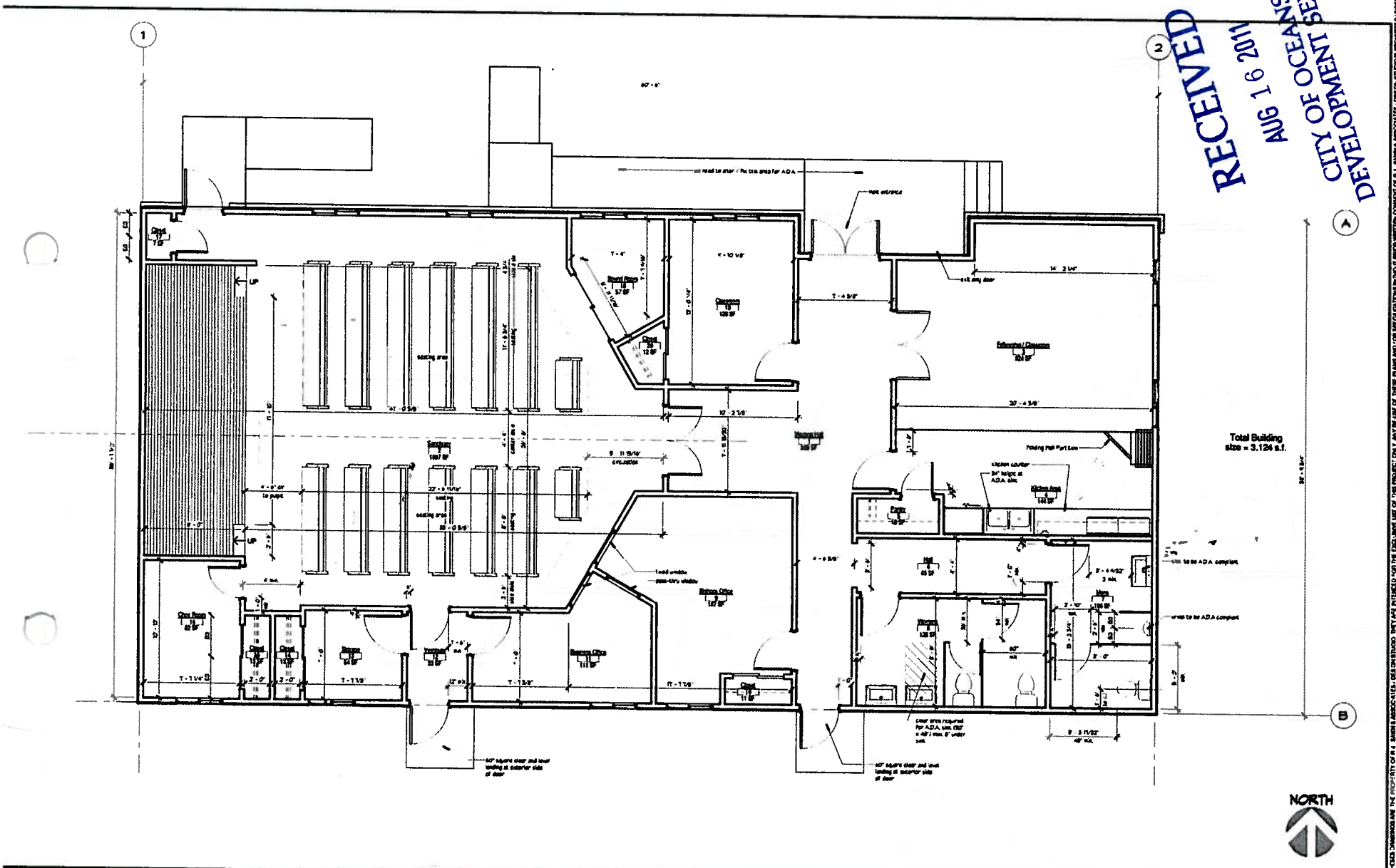
Jerry Hittleman, Secretary

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a true and correct copy of Resolution No. 2011-P32.

Dated: September 26, 2011

Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may be required as stated herein:

_____ Date: _____



FLOOR PLAN

1

RECEIVED
AUG 19 2011
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

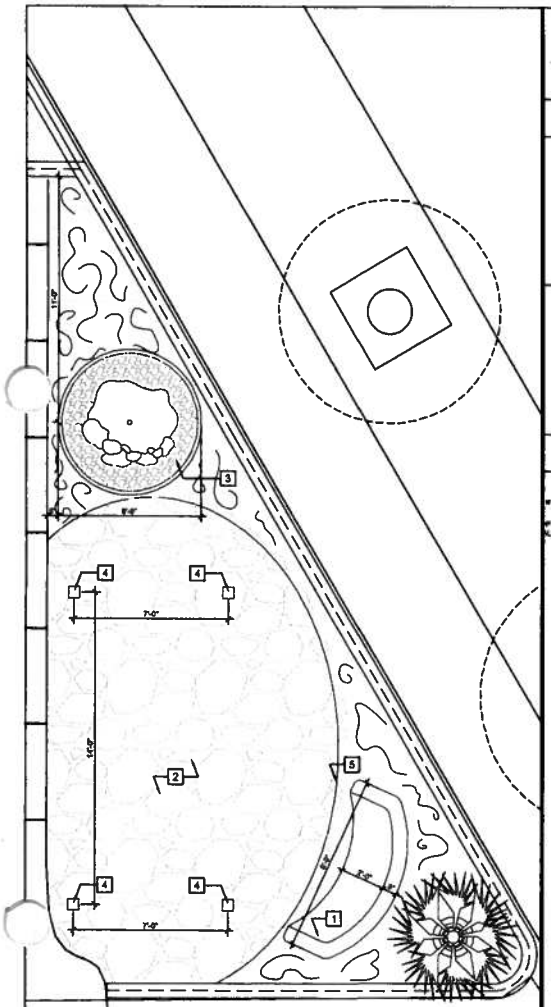
CONSULTANT

FLOOR PLAN - PROPOSED

Tom Hamilton / Bishop Moore, ThD.

PRELIMINA
REVIE

THESE DRAWINGS ARE THE PROPERTY OF R.I. SMITH & ASSOCIATES, DESIGN STUDIO. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY REUSE OF THESE PLANS AND/OR REPRODUCTIONS WITHOUT PRIOR WRITTEN CONSENT OF R.I. SMITH & ASSOCIATES, DESIGN STUDIO IS PROHIBITED UNDER PENALTY OF THE LAW

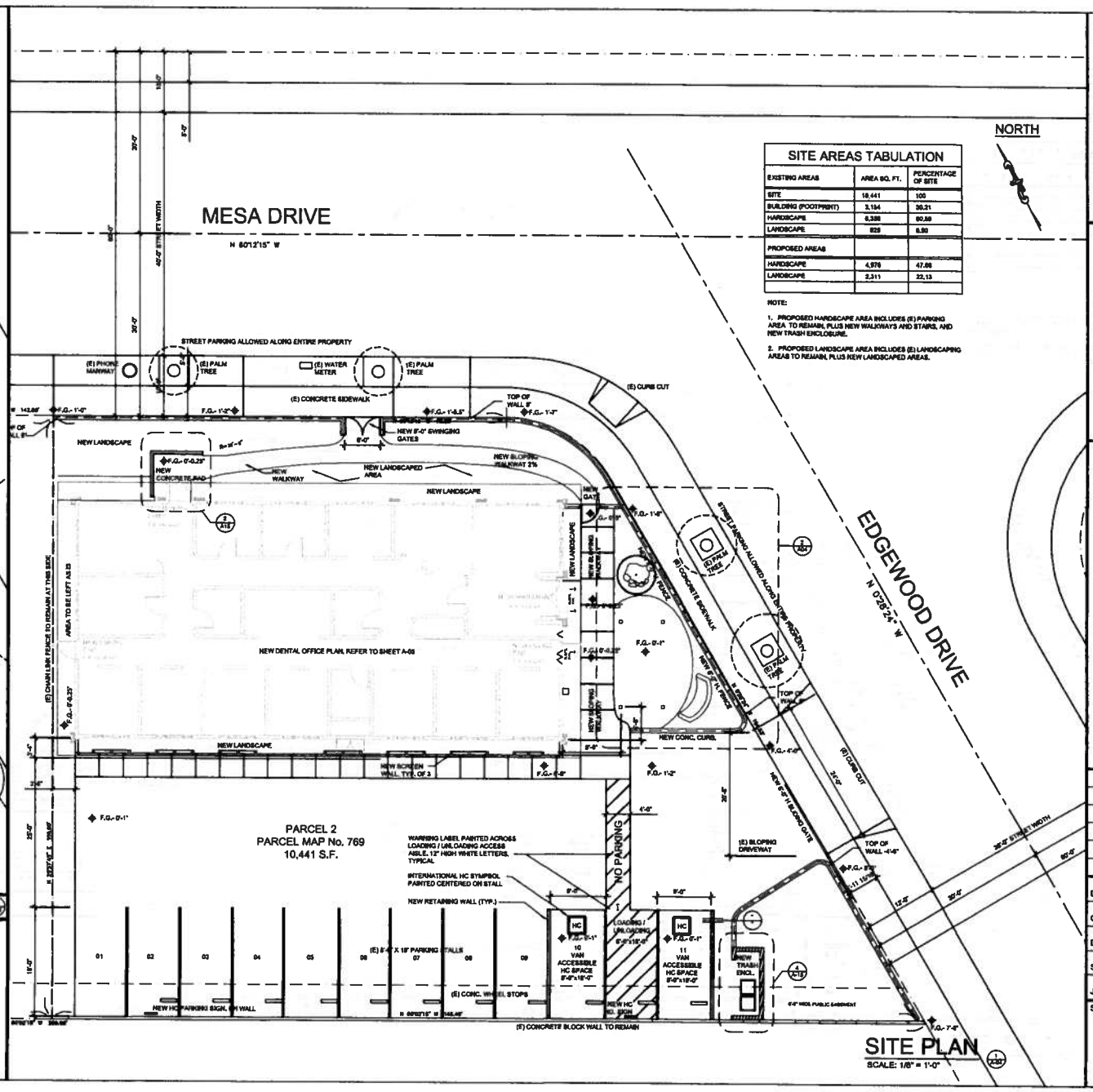


ENLARGED LANDSCAPE PLAN

SCALE: 3/8" = 1'-0"

LEGEND

1. CONCRETE BENCH
2. FLAGSTONE PAVERS WITH SAND
3. FEATURE BOULDER FOUNTAIN. MAX WATER DEPTH = 1" WITH PEBBLES
4. POSTS FOR FUTURE TRELLIS
5. FUTURE TRELLIS - NOT IN THIS PERMIT



SITE PLAN

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

SITE AREAS TABULATION

EXISTING AREAS	AREA SQ. FT.	PERCENTAGE OF SITE
SITE	10,441	100
BUILDING (FOOTPRINT)	3,154	30.21
HARDSCAPE	6,388	60.88
LANDSCAPE	899	8.90
PROPOSED AREAS		
HARDSCAPE	4,976	47.66
LANDSCAPE	2,311	22.13

NOTE:

1. PROPOSED HARDSCAPE AREA INCLUDES (E) PARKING AREA TO REMAIN, PLUS NEW WALKWAYS AND STAIRS, AND NEW TRASH ENCLOSURE.
2. PROPOSED LANDSCAPE AREA INCLUDES (E) LANDSCAPING AREAS TO REMAIN, PLUS NEW LANDSCAPED AREAS.

Cad Drafting
WHITLATCH CONSULTINGGroup
Consultants: Civil Engineers, Surveyors
2924 Garnet Street San Diego, CA 92110
T 619.299.5100
F 619.299.5101
W www.whitlatchgroup.com
E info@whitlatchgroup.com

Consultants:

DR. MOHRLOCK DENTAL OFFICE

Tenant Improvement

2251 Mesa Drive, Oceanside, CA 92054

ARCHITECTURAL SITE PLAN

REVISIONS
PLAN CHECK 030105
PLAN CHECK 052405

DRAWN: SW/MG

CHECK: MB

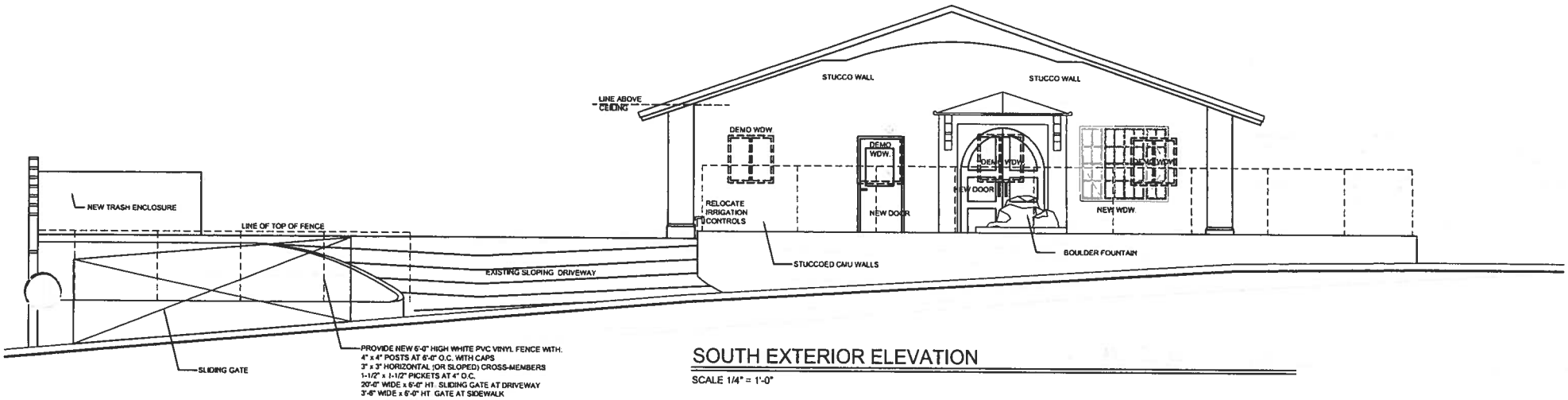
DATE: 09/25/2006

SCALE: AS NOTED

JOB NO: 0560

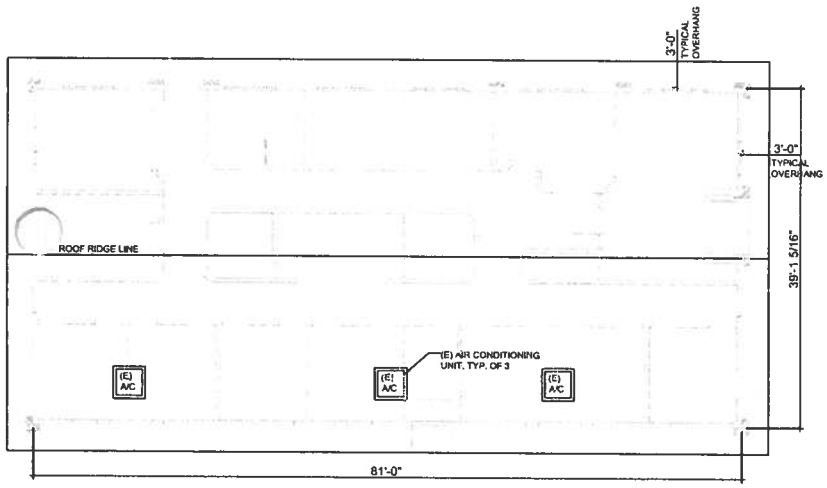
SHEET

A-04



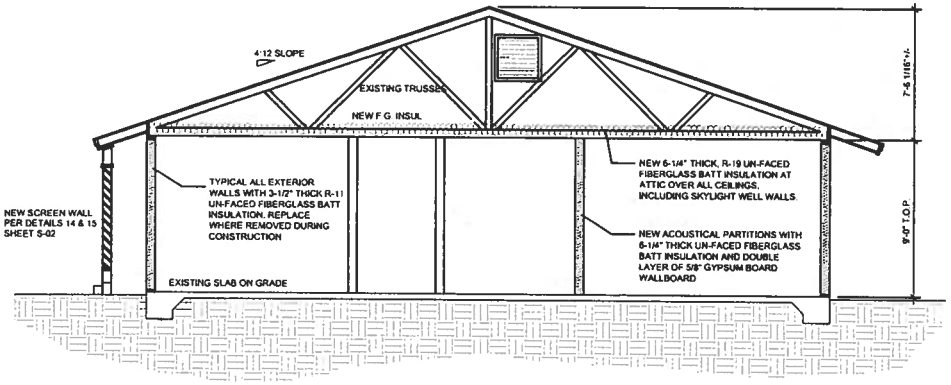
SOUTH EXTERIOR ELEVATION

SCALE 1/4" = 1'-0"



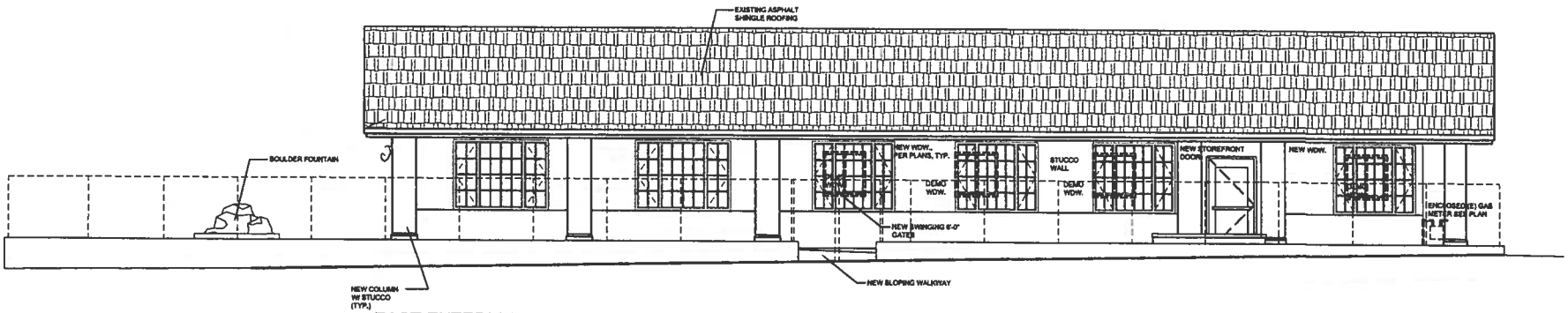
ROOF PLAN

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



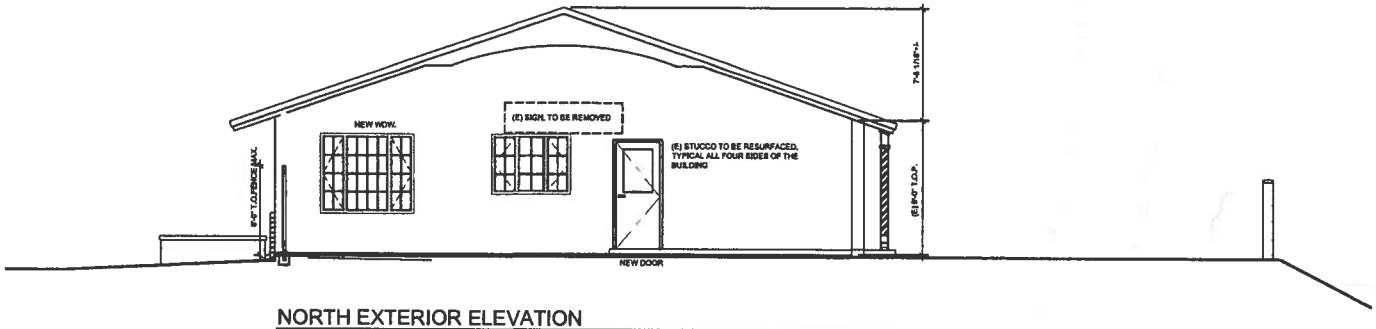
BUILDING SECTION

SCALE: 1/4" = 1'-0"



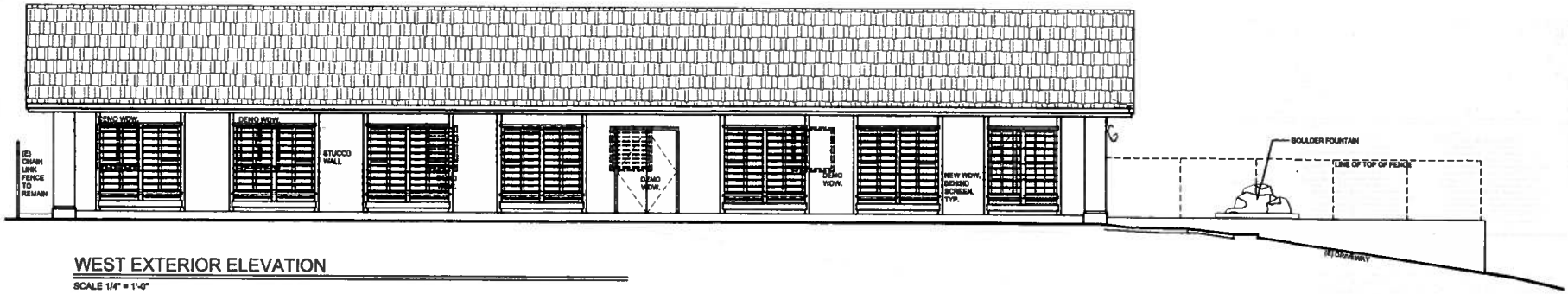
EAST EXTERIOR ELEVATION

SCALE 1/4" = 1'-0"



NORTH EXTERIOR ELEVATION

SCALE 1/4" = 1'-0"



WEST EXTERIOR ELEVATION

SCALE 1/4" = 1'-0"

Cad Drafting
WHITMYRE CONSULTING Group
Construction Management
2994 Grace Street San Diego, CA 92110
T: (619) 299-5000
F: (619) 299-5000
M: info@whitmyregroup.com
www.WHITMYREGROUP.com

Consultant:

DR. MOHRLOCK DENTAL OFFICE

Tenant Improvement

2251 Mesa Drive, Oceanside, CA 92054

EXTERIOR ELEVATIONS

REVISIONS
PLAN CHECK 030105
PLAN CHECK 052405

DRAWN: SW/MG

CHECK: MB

DATE: 09/25/2006

SCALE: AS NOTED

JOB NO: 0560

SHEET

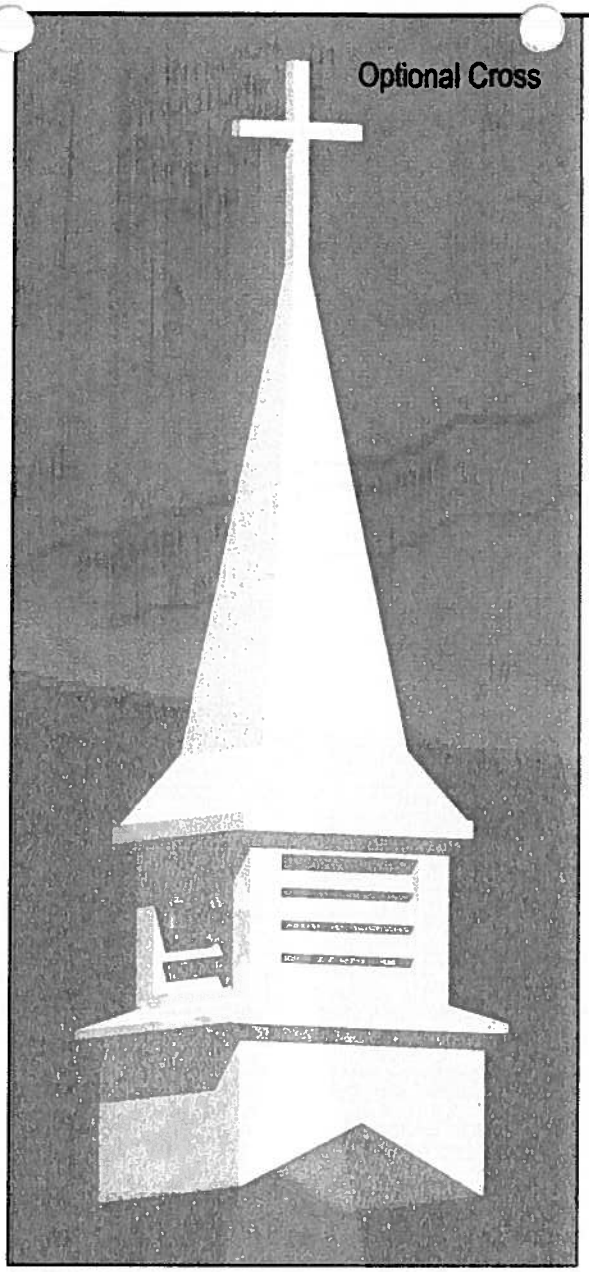
A-11

Steeple Data

Base Width: 2'-8"
Steeple Height: 9'-5"
Weight: 150 lb.
One Piece Steeple unit

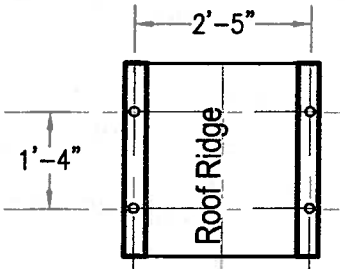
Available Options:

- 2' or 3' Aluminum Cross
- Lightning Protection

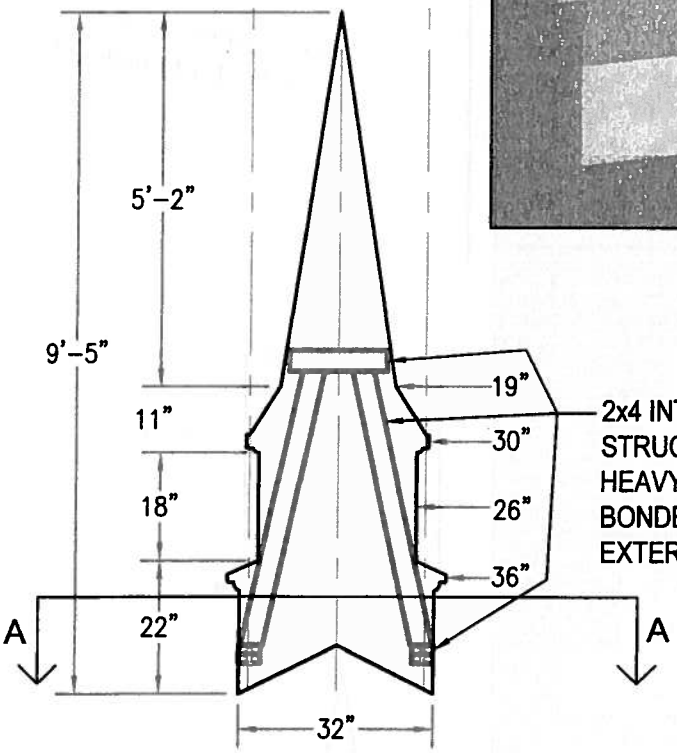


3-D VIEW

ALL STEEPLES MUST BE MOUNTED ON A COMPLETED WATERPROOF ROOF SYSTEM AS LONG-TERM INSURANCE AGAINST LEAKAGE .



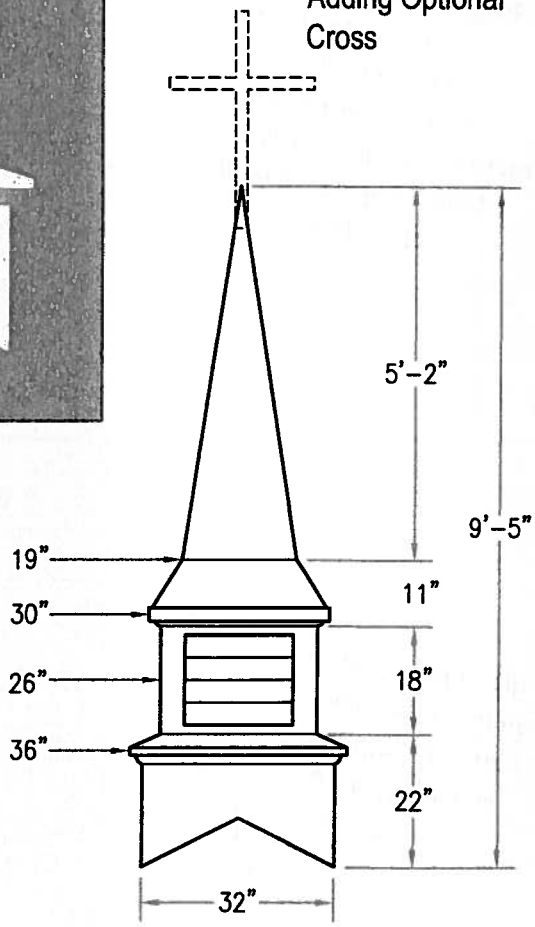
PLAN VIEW A-A



INTERIOR SUPPORT DETAIL

Scale: ⅜" = 1'-0"

Note: Steeple Tip will be reduced by approx. 14" when Adding Optional Cross



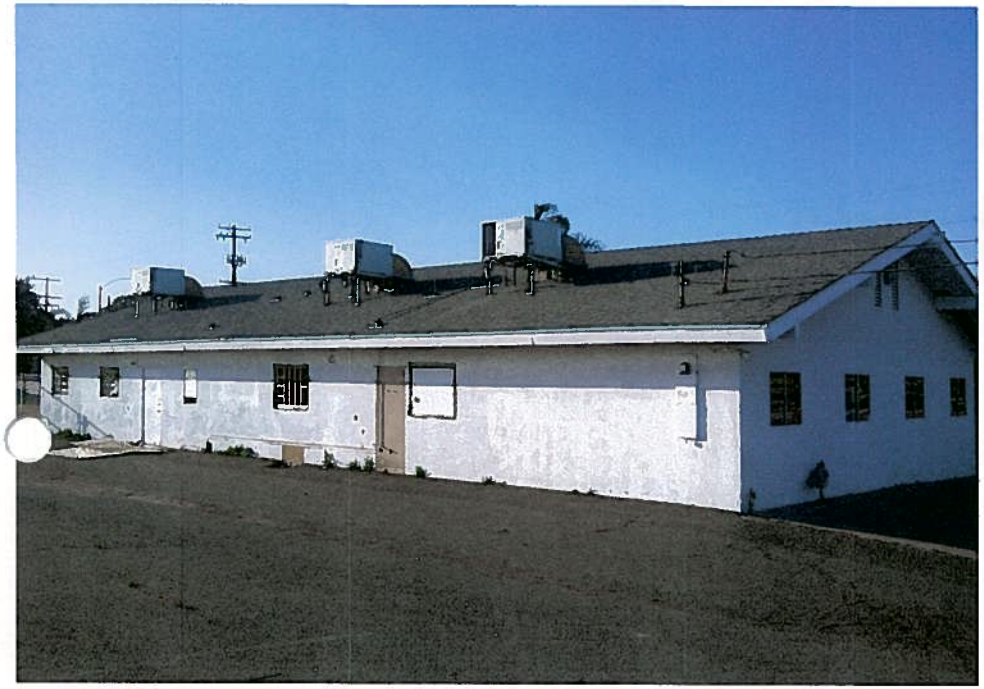
ELEVATION

Scale: ⅜" = 1'-0"

Drawings are property of Fiberglass Unlimited, Inc.; Dimensions may change slightly to accommodate manufacturing.

STEEPLES	Superior Church Furnishings	
Model # C110	1-800-975-2129	

LoopNet

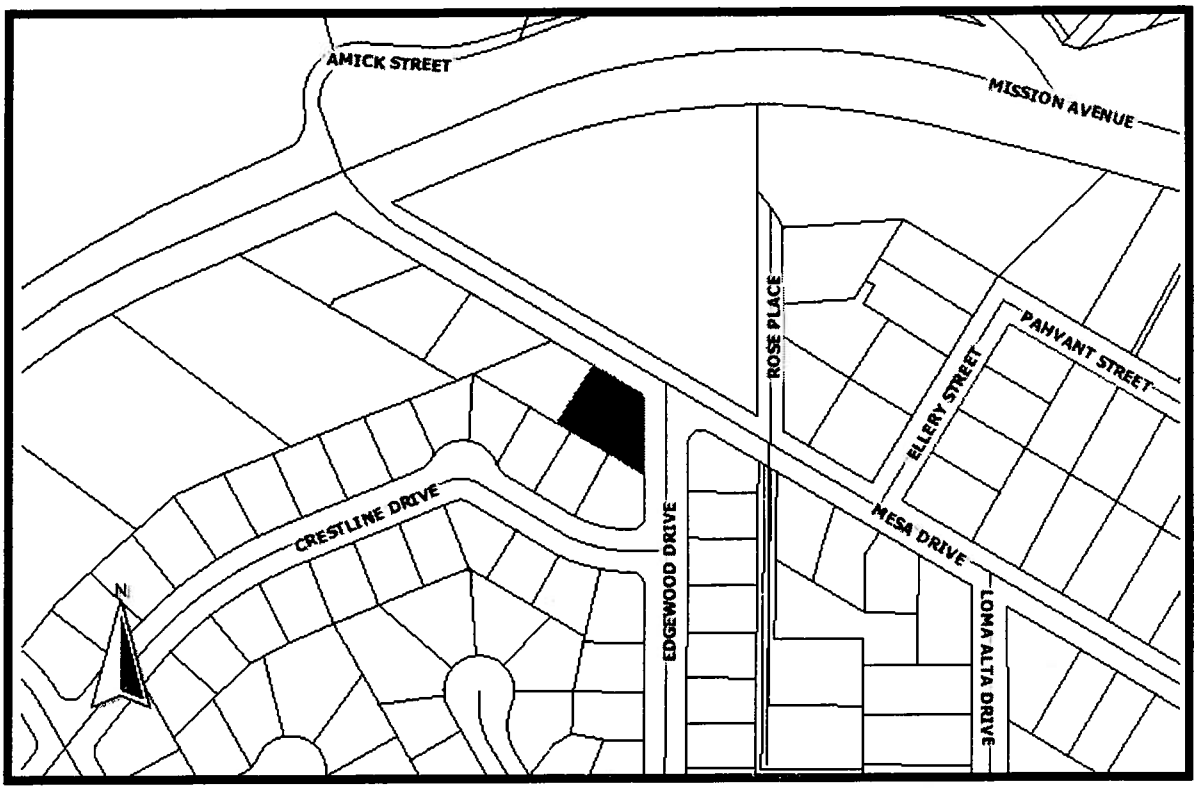


LoopNet

LoopNet

LoopNet

LoopNet



File Number: CUP11-00018

Applicant: Bishop Jeffrey Moore

Description:

CONDITIONAL USE PERMIT (CUP11-00018) to permit a religious facility within an existing office building located at 2251 Mesa Drive. The project site has a General Plan Land Use Designation of Professional Commercial (PC) is zoned Commercial Professional (CP), and is situated within the Loma Alta Neighborhood Planning Area. – **NEW BIRTH BAPTIST CHURCH**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

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

Application for Discretionary Permit

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

STAFF USE ONLY	
ACCEPTED 8-16-11	BY SN & DW

Please Print or Type All Information

HEARING	
GPA	
MASTER/SP.PLAN	
ZONE CH.	
TENT. MAP	
PAR. MAP	
DEV. PL.	
C.U.P. 11-00018	
VARIANCE	
COASTAL	
O.H.P.A.C.	

PART I – APPLICANT INFORMATION

1. APPLICANT: Bishop Jeffrey A. Moore	2. STATUS: Lessee
3. ADDRESS: 576 Edgewater Ave, Oceanside	4. PHONE/FAX/E-mail: (760) 473-6091
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing): N/A	
6. ADDRESS: N/A	7. PHONE/FAX/E-mail: N/A

PART II – PROPERTY DESCRIPTION

8. LOCATION: 2251 Mesa Drive, Oceanside, CA 92054			9. SIZE: 3,154 sf.
10. GENERAL PLAN	11. ZONING: CP	12. LAND USE: CP	13. ASSESSOR'S PARCEL NUMBER: 148-201-20-00
14. LATITUDE: N 60°12'15" W		15. LONGITUDE: N 0°28'24" W	

PART III – PROJECT DESCRIPTION

16. GENERAL PROJECT DESCRIPTION
Tenant improvement of space for use for religious Assembly on nights, weekends and light office duties during the week.

17. PROPOSED GENERAL PLAN: Same	18. PROPOSED ZONING	19. PROPOSED LAND USE	20. NO. UNITS	21. DENSITY
22. BUILDING SIZE	23. PARKING SPACES: 12 (+100)	24. % LANDSCAPE	25. % LOT COVERAGE or FAR	

PART IV – ATTACHMENTS

X	26. DESCRIPTION/JUSTIFICATION	X	27. LEGAL DESCRIPTION	X	28. TITLE REPORT
X	29. NOTIFICATION MAP & LABELS	X	30. ENVIRONMENTAL INFO FORM	X	31. PLOT PLANS
X	32. FLOOR PLANS AND ELEVATIONS	X	33. CERTIFICATION OF POSTING		34. OTHER (See attachment for required reports)

PART V – SIGNATURES

SIGNATURES FROM 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 PAGAES AS NECESSARY).

35. APPLICANT OR REPRESENTATIVE (Print):	36. DATE	37. OWNER (Print)	38. DATE
Jeffrey A. Moore	8/10/11	Thomas Hamilton	8-10-11
Sign:		Sign:	

- **I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS.**
- **I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.**

CUP11-00018

Application for Conditional Use Permit – New Birth Baptist Church

Project Description And Background

Background:

The applicant proposes to relocate a religious assembly facility (New Birth Baptist Church) from 1855 East Vista Way, Vista, CA. to within an existing restricted commercial professional building at 2251 Mesa Drive, Oceanside, CA. Our current location has several limitations to growth and safety of youth promoting our relocation. The new site located at 2251 Mesa Drive was originally subdivided in 1964 and developed under development usage for retail stores.

Project Description:

The property is located within the Mission Park subdivision area and is zoned Mission Park Commercial Professional (CP). Establishment of religious assembly facilities within the CP zoning district is subject to review and approval of a Conditional Use Permit.

The subject use will occupy 3,154 square feet of an existing dental shell building. The applicant proposes to conduct religious services every Sunday, operate an office during the week, incidental religious education, and hold small group religious meetings on weekday evenings. The proposed schedule and types of use is as follows:

USE TYPE	DAYS OF WEEK	# OF PEOPLE	HOURS
Offices:	Monday - Friday	2 - 5	9 am – 5 pm
Services:	Sunday morning	42 - 60	9 am – 12:30 pm
	Sunday evening	30 - 45	3:30 – 6:00 pm
Meetings:	Tuesday evening	5 - 10	7 – 9 pm
	Wednesday evening	10 - 25	7 – 9 pm
	Thursday evening	12 - 25	7 – 9 pm
	4th Saturday morning	15 - 25	10 am – 12 pm

Description/Justification of Proposal for a Conditional Use Permit

This application is a request for a Conditional Use Permit (CUP) for the conversion of an existing former dental structure in the Oceanside city limits. We are seeking to use this facility as a church assembly for church activities and services as described in the table below. The property is located at: **2251 Mesa Drive, Oceanside, CA.**

Tenant improvements to meet our requirements will consist of adding bathrooms, classrooms, office and storage rooms, fellowship area, kitchenette and worship assembly area (see attached). The project includes landscaping and other improvements to meet the Uniform Building Code requirements for church occupancy. The site currently provides 12 parking spaces with access to additional parking spaces across the street at 2210 Mesa Drive at the Medical Center based on a reciprocal agreement with North County Health Services (NCHS).

Application for Conditional Use Permit – New Birth Baptist Church

The facility will be used primarily for Sunday religious services and during the weekdays for normal office use, as well as, some small group meetings on scheduled days as noted below. Planned activities usage of the space at various times for wedding receptions, group fellowships, youth activities, limited college-level Christian education courses and sponsored community/ family-oriented workshops. There are no plans to operate a daycare during the week.

The schedule of normal usage will be as follows:

USAGE	DAYS OF WEEK	# OF PEOPLE	TIMES OF DAY
Offices:	Monday - Friday	2 - 5	9 am – 5 pm
Services:	Sunday morning	42 - 60	9 am – 12:30 pm
	Sunday evening	30 - 45	3:30 – 6:00 pm
Meetings:	Tuesday evening	5 - 10	7 – 9 pm
	Wednesday evening	10 - 25	7 – 9 pm
	Thursday evening	12 - 25	7 – 9 pm
	4th Saturday morning	15 - 25	10 am – 12 pm

Project Information

Project Name	New Birth Baptist Church
Project Address	2251 Mesa Drive, Oceanside, CA. 92054
Owner	Thomas E. Hamilton, 2333 California St., Oceanside, CA. 92054
Applicant	Bishop Jeffrey Moore 576 Edgewater Avenue, Oceanside, CA 92057
Building area	3,154 S.F.
Lease area subject to CUP	3,154 S.F.
Construction Type	V-N
Building Height	16'-8"
Parking	Parking requirement of **39** spaces according to Oceanside code Article 32, Section 3103 (Religious Assembly) will be met through a combination of allocated parking spaces and spaces granted for use through letters of permission for use (see attached) by neighboring building owners.

Application for Conditional Use Permit – New Birth Baptist Church

Parking Management

Since the church's hours of use of the facility for congregational worship services and assembly are during the non-business hours for neighboring tenants (North County Health Services) evenings and weekends, there is ample parking available based on a reciprocal agreement. In addition, the North County Health Services has given written approval for use of their spaces on Sunday by the church (see attached). With their additional spaces, the weekend required parking availability totals **112** spaces. There is also accessibility to an unpaved lot for ample additional parking and other non-business spaces open at 2215 Mesa for attendees to park safely off of roadways and traffic areas.

PARKING ANALYSIS OF SITE PLAN	AREA	NO. OF REQ'D STALLS
Religious Assembly – 1:40 sf	1097	27
Professional Office / Business – 1:300 sf	381	1
Multi-Purpose / Storage – 1:100 sf	244	2
Fellowship Hall - Eating / Dining – 1:50 sf	324	6
Sunday School Classrooms – 1:40 sf	128	3
Kitchen / Pantry – 1:400 sf	162	0
TOTAL Stalls Required		**39**
TOTAL Stalls Provided		**112**

MEMORANDUM OF UNDERSTANDING

WITH

New Birth Baptist Church

THIS AGREEMENT, Entered into this 14th day of August, 2011

North County Health Services
150 Valpreda Road
San Marcos, CA 92069

And

New Birth Baptist Church
576 Edgewater Avenue
Oceanside, CA 92057

101. DESCRIPTION OF SERVICES
This Memorandum of Understanding (MOU) is between North County Health Services (NCHS) and New Birth Baptist Church

For New Birth Baptist Church
By this MOU, NCHS agrees to

- Reimburse NCHS $50 per month for use of the parking lot located at 2210 Mesa Drive, Oceanside, CA. The monthly fee shall be payable in advance on the first day of the month, for the following months. The NBBC agrees to pay the fee without invoice to NCHS at the address listed in this agreement.
- NBBC shall use the parking lot for the purposes of parking non-commercial vehicles during morning and afternoon hours on Sundays, and for no other purposes. NBBC may only use the parking spaces for their own and their parishioners use, and may not sublease or allows other persons' to use the parking spaces.

For NCHS
NCHS will

- Make the parking lot located at 2210 Mesa Drive, Oceanside, CA available for NBBC on Sundays.

102. NOTICES and/or CHANGES
Notices to the parties shall, unless otherwise requested in writing, be sent to *NBBC* and NCHS at the addresses given above. All notices shall be addressed to the attention of the CEO/ED. Changes or modification to this agreement must be made in writing and signed by authorized representatives of both parties.

103. LIABILITY
NBBC shall indemnify and hold NCHS harmless against and from any and all claims, arising out of the performance of these services. This includes NCHS'officers, directors, employees and agents.

104. INSURANCE
NBBC shall arrange for NCHS to be named as an additional insured on the Landlord's premises liability insurance for 2251 Mesa Drive. NBBC's liability insurance will be extended to NCHS if NBBC purchases 2251 Mesa Drive. A copy of the COI shall be provided with this agreement.

105. TERM OF AGREEMENT

This Agreement shall be effective on the date of signature by both parties to the Agreement and shall continue in force until terminated in writing by either party.

For North County Health Services

Irma Cota, Chief Executive Officer

Date 8/12/11

For *New Birth Baptist Church*

(Name & Title) Bishop Jeffrey Moore, CEO

Date 8/16/11

New Birth Baptist Church
1855 E. Vista Way,
Vista, California 92084
(760) 842-5253
www.newbirthvista.com
Rev. Dr. Jeffrey A. Moore, Senior Pastor

July 5, 2011

To: Ms. Kitty Bailey, MSW, Vice President of Strategic Initiatives and Planning
Via: Mr. Tom Hamilton, Property Owner, 2251 Mesa Drive, Oceanside, CA. 92054

Subject: **PROPOSAL FOR USAGE OF NORTH COUNTY HEALTH SERVICES PARKING LOT DURING SUNDAY WORSHIP SERVICES**

New Birth Church is to be located at: 2251 Mesa Drive, Oceanside, CA. 92054 across from your 2210 Mesa Drive, Oceanside, CA complex. We are seeking management authorization from North County Health Services to allow use of their lot by our Church for overflow parking on Sundays only.

The New Birth Church, currently residing at: 1855 East Vista Way, Vista, CA 92084 has formally entered into a leasing/possible purchase agreement with Mr. Tom Hamilton, owner of the vacated building located at: 2251 Mesa Drive, Oceanside, CA. 92054. We have been in Vista at our current location now for 4 years and have been led to relocate to Oceanside due to the majority of our congregants residing in this city. Our survey and knowledge of the area shows this location to be the best for our continued growth and services to the community at large. Our desire based on this plan is intended to create a harmonious relationship within the community and service as a vital resource partnered with other instrumental community resources such as your Medical Center provides. We want to alleviate street congestion in the residential areas and unfortunately, the parking lot on our grounds will not adequately support zoning ordinance requirements for a religious facility. If agreed upon, we will enter into a formal agreement between both management entities and provide a copy to the City of Oceanside, Planning Commission.

Parking Lot Requirements

New Birth Church is seeking the use of your parking lot located at 2210 Mesa Drive, Oceanside to meet the specified City of Oceanside Zoning Ordinance requirements for a religious facility of our size. The Church will conduct its primary uses during 9:00 AM until 7:00 PM, Sundays only commencing 4 September. Length of term can be negotiated prior to finalization.

- **Option 1:** In exchange, we will avail our lot for your overflow purposes on Monday – Friday until 6:00 PM daily; or
- **Option 2:** If our lot is not needed, we agree to lease the required parking spaces for $50/mo;
- **Option 3:** Negotiable based on requirements of both entities.

We thank you in advance and look forward to our shared partnership and services to the community.

Sincerely,

Bishop Jeffrey A. Moore, Senior Pastor/CEO

LEGAL DESCRIPTION

PARCEL 2 OF PARCEL MAP NO. 4536, FILED MARCH 11, 1976, BEING A PORTION OF LOTS 21 AND 22 OF MISSION PARK TRACT NO. 1, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 3936, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 30, 1958.

END OF SCHEDULE A

NOTICE OF EXEMPTION
City of Oceanside, California

Post Date: Removal: (180 days)

1. **APPLICANT:** Bishop Jeffrey A. Moore
2. **ADDRESS:** 576 Edgewater Ave., Oceanside, CA. 92056
3. **PHONE NUMBER:** (760) 473-6091
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale, Planner II
6. **PROJECT TITLE:** CUP11-00018, New Birth Baptist Church
7. **DESCRIPTION:** A Conditional Use Permit to allow a religious facility with an existing 3,154 square foot commercial office building located at 2251 Mesa Drive.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Environmental Coordinator finds that the proposed project is generally for an internal, ancillary use within an existing restaurant building. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

[X] Per Article 19, the project is categorically exempt, in accordance with Section 15301, Class 1 (a) Existing Facilities, interior or exterior alterations involving such things as interior partitions, plumbing and electrical conveyances.

[ ] "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,

[ ] The project is statutorily exempt, Section ____, [name of section] (Section xxxxx); or,

[ ] The project does not constitute a "project" as defined by CEQA (Section 15378).

_____ Date:
Scott Nightingale, Planner II

cc: [x] Project file [x] Counter file [x] Library Posting: [X]
County Clerk $50.00 Admin. Fee