



DATE: December 10, 2012

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN (D10-00005) AND CONDITIONAL USE PERMIT (CUP10-00021) FOR THE CONSTRUCTION AND OPERATION OF A RELIGIOUS ASSEMBLY FACILITY CAMPUS AND ASSOCIATED SITE IMPROVEMENTS AT 102 STALLION DRIVE WITHIN THE NORTH VALLEY NEIGHBORHOOD – VALLEY VIEW OCEANSIDE CONGREGATION OF JEHOVAH’S WITNESSES INC. – APPLICANT: PATRICK MURPHY/ JIM BOZER**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 32 Categorical Exemption per Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act; and,
- (2) Adopt Planning Commission Resolution No. 2012-P55 approving Development Plan (D10-00005) and Conditional Use Permit (CUP10-00021) with findings and conditions of approval attached herein.

BACKGROUND AND PROJECT DESCRIPTION

Background & Site review: The 2.75-acre project site occupies the northeast corner of the North River Road and Stallion Drive intersection within the North Valley Neighborhood. The subject unimproved parcel is situated approximately 22 feet (max) above street level and maintains a slight downward slope from north to south. The property’s has a General Plan Land Use Designation of EA-R (Estate-A Residential), and a corresponding zoning designation of RE-A (Residential Estate-A).

Land uses adjacent to the site include single-family residential development to the north, open-space/San Luis Rey River to the south across North River Road, farmland to the east and a church to the west across Stallion Drive.

Project Description: The application includes two entitlement components; a development plan and conditional use permit:

Development Plan D10-00005 represents a request to permit:

- (a) Development of religious assembly facilities, inclusive of two assembly hall buildings totaling 9,152 square feet (4,576 sq. ft. each), detached residential quarters for a minister/caretaker totaling 827 square feet and associated site improvements.

Construction of the proposed campus is proposed to occur in two phases. The first phase includes construction of a 4,576-square foot assembly hall, an 827-square foot caretaker/minister dwelling, parking for 78 vehicles, landscaping, fence/wall and infrastructure improvements. Phase 2 includes development of the second 4,576-square foot assembly hall and expansion of the parking area to accommodate 56 additional vehicles. The Phase 2 parking area will be hydroseeded and irrigated at the time of Phase 1 development. The owner/applicant has requested deferral of the existing overhead electrical lines undergrounding along North River Road and proposes to pay his share of in-lieu fees instead.

The project addresses aesthetics and land use compatibility issues through a low profile architectural building design – complimentary to existing and anticipated future residential development – minimal grading and by employing a combination of perimeter wall, landscape and building setback buffers to adjacent uses. In-keeping with a “residential style” theme, all building exteriors are proposed to be stuccoed, feature concrete “S” Spanish roof tile and are limited to single story.

Conditional Use Permit CUP10-00021 represents a request to permit:

- (a) Establishment and operation of a religious assembly facility.

The primary use for the proposed facilities will be religious meeting/assembly. The two assembly halls have a maximum capacity of 174 seats each; however typical services are not expected to exceed 125 attendees. The proposed daily hours-of-operation are 8:00 a.m. – 10:00 p.m. with mid-week meetings occurring between 7:00 p.m. – 9:30 p.m. Weekend meetings are anticipated to be held on Sundays.

Additional daytime activities would include: use of the residence by the minister, routine facility maintenance, limited deliveries, and brief meetings to organize ministry activities involving 10–20 attendees. There will be no employees on-site and no other ancillary uses or religious services are proposed.

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

1. General Plan
2. Zoning Ordinance
3. CEQA

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

The General Plan Land Use Map designation for the subject property is EA-R (Estate-A Residential). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element I

Goal 1.11 Balanced Land Use

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

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

Policy B: The City shall analyze proposed land uses for assurance that the land use will contribute to the proper balance of land uses within the community or provide a significant benefit to the community.

The proposed facility will be located at the periphery of a low density residential zone, as such; it will contribute to the proper balance of land uses within the community by offering a needed service without significant land use impacts to residential neighborhoods. Existing residential uses and religious assembly uses to the north and west of the site will be compatible with the proposed low-intensity facility operations. Agricultural and open-space zoned land to the east and south respectively will serve as land use buffers and further minimize potential impacts.

Goal 1.12 Land Use Compatibility

Objective: To minimize conflicts with adjacent or related uses.

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

Building setbacks in excess of minimum requirements, a "residential scale" architectural design and building massing and landscape buffers will result in a development that would complement the existing agricultural, institutional and low density residential neighborhood context and minimize conflicts with uses in the immediate area.

Goal 1.23 Architecture

Objective: The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

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

Policy B: Structures shall work in harmony with landscaping and adjacent urban and/or topographic form to create an attractive line, dimension, scale, and/or pattern.

The proposed religious assembly facility will enhance its surroundings through building siting, landscaping, architectural design and use of high quality materials. The project will significantly improve the visual image of the North River Road and Stallion Drive intersection and contribute toward enhancing North Valley Neighborhood values.

2. Zoning Ordinance Compliance

Article 10, Section 1040

Establishment and operation of a religious assembly use on the RE-A (Residential Estate-A) zoned project site is permitted, pursuant to Section 1040 of the Oceanside Zoning Ordinance, if the Planning Commission finds that it would be compatible with adjacent areas and would not cause significant traffic impacts. In addition, development on the project area is subject to compliance with the development standards set forth in Section 1050 of the zoning ordinance.

The proposed project will be consistent with applicable standards including building setbacks, height, landscaping, coverage and parking provisions and as designed will be compatible with existing and planned uses in the immediate area. The following table outlines applicable development standards and illustrates how the new facility would comply with these standards.

Table 1: Development Standards

	REQUIRED	PROPOSED
Front Yard setback	30 ft.	215 ft.
Side yard setback	15 ft.	15 ft.
Exterior side yard setback	25 ft.	155 ft.
Rear yard setback	30 ft.	30 ft.
Building height	36 ft.	23 ft.
Coverage	30 %	8.3%
Parking	129 p.s.	134

A traffic study was conducted for the subject proposal. Based on the traffic analysis contained within this study, no significant impacts were calculated at the nearby project area intersections. Therefore no mitigation is required as a result of this project.

ENVIRONMENTAL DETERMINATION

The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA) and has been found to be exempt under the provisions of the California Environmental Quality Act (CEQA) Class 32 15332(a), Categorical Exemption "In-Fill Development Projects".

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record and residents within a 300-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant and other interested parties.

SUMMARY

The proposed Development Plan and Conditional Use Permit, as conditioned, are consistent with the land use policies of the General Plan and provisions of the Zoning Ordinance. The project will meet or exceed all applicable development regulations, therefore, staff recommends that the Planning Commission:

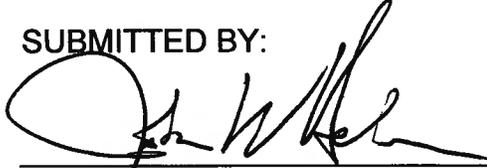
- (1) Confirm issuance of a Class 32 Categorical Exemption per Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act; and,
- (2) Adopt Planning Commission Resolution No. 2012-P55 approving Development Plan (D10-00005) and Conditional Use Permit (CUP10-00021) with findings and conditions of approval attached herein.

PREPARED BY:



Amy Fousekis
Principal Planner

SUBMITTED BY:

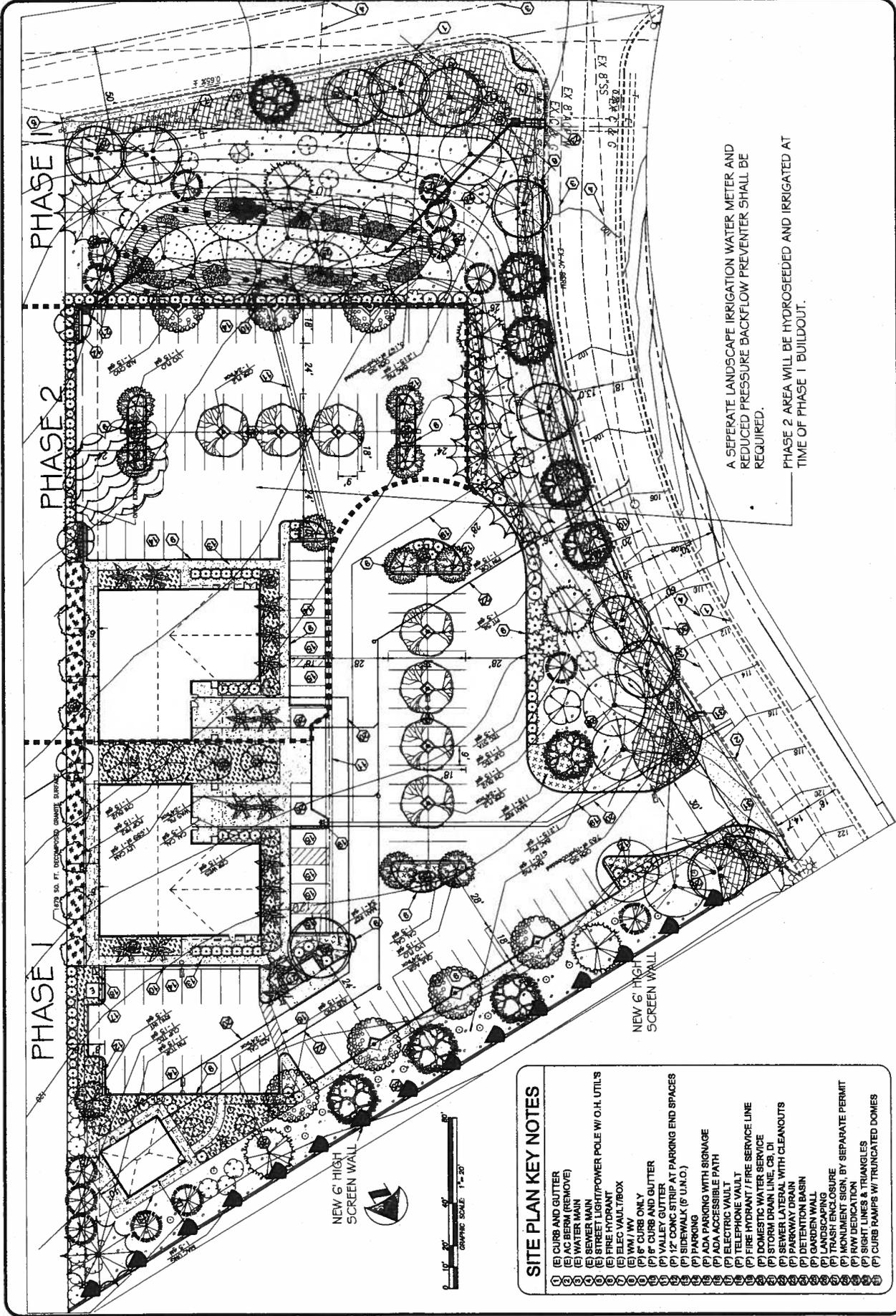


John Helmer
Interim City Planner

JH/AF/fil

Attachments:

1. Floor/Site Plans
2. Planning Commission Resolution No. 2012-P55



A SEPARATE LANDSCAPE IRRIGATION WATER METER AND REDUCED PRESSURE BACKFLOW PREVENTER SHALL BE REQUIRED.
 PHASE 2 AREA WILL BE HYDROSEEDDED AND IRRIGATED AT TIME OF PHASE 1 BUILDOUT.

- SITE PLAN KEY NOTES**
- (E) CURB AND GUTTER
 - (E) AC BERM (REMOVE)
 - (E) WATER MAIN
 - (E) SEWER MAIN
 - (E) STREET LIGHT/POWER POLE W/ O.H. UTILS
 - (E) FIRE HYDRANT
 - (E) FIRE HYDRANT
 - (E) 12" CONC STRIP AT PARKING END SPACES
 - (E) ADA ACCESSIBLE PATH
 - (E) PARKING
 - (E) ADA PARKING WITH SIGNAGE
 - (E) TELEPHONE VAULT
 - (E) ELECTRIC VAULT
 - (E) FIRE HYDRANT / FIRE SERVICE LINE
 - (E) DOMESTIC WATER LINE, CB, DI
 - (E) STORM DRAIN LINE WITH CLEANOUTS
 - (E) PARKWAY DRAIN
 - (E) DETENTION BASIN
 - (E) LANDSCAPING
 - (E) TRASH ENCLOSURE
 - (E) MONUMENT SIGN, BY SEPARATE PERMIT
 - (E) RW DEDICATION
 - (E) SIGHT LINES & TRIANGLES
 - (E) CURB RAMPS W/ TRUNCATED DOMES

PLANT SCHEDULE



CODE	QTY	PHASE 1	PHASE 2	PHASE 3	SCALE	WUCOLS
AB CHD 7	15 GAL	7	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 5	24"PK	5	24"PK	24"PK	LOW	0.1-0.3
AD CA 6	15 GAL	6	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 7	15 GAL	7	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 8	15 GAL	8	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 9	15 GAL	9	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 10	15 GAL	10	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 11	15 GAL	11	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 12	15 GAL	12	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 13	15 GAL	13	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 14	15 GAL	14	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 15	15 GAL	15	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 16	15 GAL	16	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 17	15 GAL	17	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 18	15 GAL	18	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 19	15 GAL	19	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 20	15 GAL	20	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 21	15 GAL	21	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 22	15 GAL	22	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 23	15 GAL	23	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 24	15 GAL	24	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 25	15 GAL	25	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 26	15 GAL	26	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 27	15 GAL	27	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 28	15 GAL	28	15 GAL	15 GAL	LOW	0.1-0.3
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AD CA 31	15 GAL	31	15 GAL	15 GAL	LOW	0.1-0.3
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AD CA 34	15 GAL	34	15 GAL	15 GAL	LOW	0.1-0.3
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AD CA 55	15 GAL	55	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 56	15 GAL	56	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 57	15 GAL	57	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 58	15 GAL	58	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 59	15 GAL	59	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 60	15 GAL	60	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 61	15 GAL	61	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 62	15 GAL	62	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 63	15 GAL	63	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 64	15 GAL	64	15 GAL	15 GAL	LOW	0.1-0.3
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AD CA 66	15 GAL	66	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 67	15 GAL	67	15 GAL	15 GAL	LOW	0.1-0.3
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AD CA 73	15 GAL	73	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 74	15 GAL	74	15 GAL	15 GAL	LOW	0.1-0.3
AD CA 75	15 GAL	75	15 GAL	15 GAL	LOW	0.1-0.3

CONCEPTUAL LANDSCAPE PLAN NOTES:

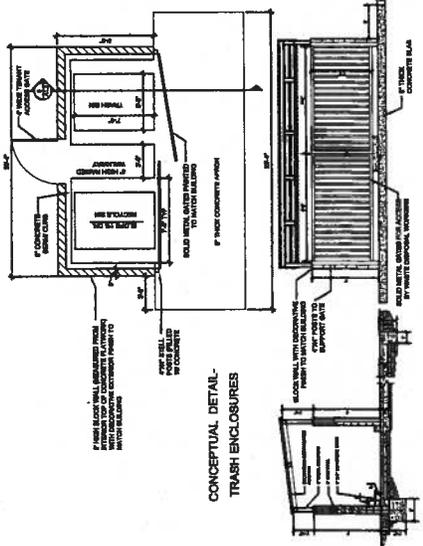
- The landscape and irrigation will be installed based on the standards found in the City of Oceanside Standard Detail No. 211A. Phase 2 will be implemented at time of build-out of Phase 1, including irrigation.
- All street trees are to be planted/installed to comply with the City of Oceanside Standard Detail No. 211A. Phase 2 will be implemented at time of build-out of Phase 1, including irrigation.
- Planting materials, concrete block, on north side of property, there are no other walls, gates, or retaining walls on property.
- Final landscape plans shall accurately show placement of trees, shrubs, and ground cover.
- Landscape Architect shall verify utility, sewer, storm drain assessment and place planting locations accordingly to meet City of Oceanside requirements.
- All required landscape areas shall be maintained by owner including public rights-of-way. The landscape areas shall be maintained per City of Oceanside requirements. Please call out maintenance responsibilities on the CIP.
- 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. 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 installed with a backflow preventer and a pressure regulator. All irrigation systems shall be installed in accordance with the City of Oceanside Guidelines and Water Conservation Ordinance.
- The selection of plant materials is based on cultural, aesthetic, and maintenance considerations. 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. Ground covers or bark mulch shall fill in between the plants to stabilize soil from the sun, weathering, erosion and run-off. All the plants shall be installed in accordance with the City of Oceanside Guidelines and Water Conservation Ordinance. The shrubs shall be allowed to grow in their natural forms. All landscape improvements shall follow the City of Oceanside Guidelines.
- Because of the size of the canopy of the street trees, all street trees are between 15-12 feet from concrete sidewalks and other utilities, and will not need root barriers.
- Other trees on the property that are less than 10' from landscape will have 24" high by 30' long root barriers installed adjacent to landscape.
- Soil amendments and fertilizers shall be applied to all planting areas.
- Native plants used shall be native to the area.
- 8 feet (approximately 3 feet) from transformers, cable, and pull boxes.
- 5 feet from the hydrants (all sides)
- 5 feet from manholes
- 10 feet from catch basins (approximately 7 feet of all utility lines (without easement) (sewer, water, storm drains, double check detectors, air roller valves and gas)
- 10 feet from overhead power lines (10 feet from streetlights, other utility poles, (determined by specifications)
- 15 feet from streetlights
- Street trees shall be planted 3' outside right-of-way (the right-of-way does not allow space, subject to the City Engineer's approval).
- Line of sight at entrance, collector and local streets shall be reviewed and determined by Traffic Engineer.
- A minimum of twenty-five feet (25') from street intersection or as approved by the Traffic Engineer.
- Minimum fifteen feet (15') straight and stop sign or clearance determined by specifications.
- Screen all utilities according to specific agency requirements. Installed to offset the tree line on the site.

PROJECT NAME
KINGDOM HALL
102 STALLION DR
OCEANSIDE, CA 92057

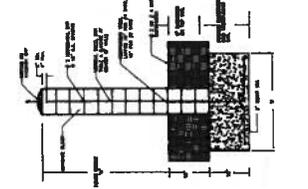
SHEET NAME
CONCEPTUAL LANDSCAPE
PLAN NOTES

DATE: 06-10-2012
DRAWN BY:
SCALE: AS NOTED
SHEET:

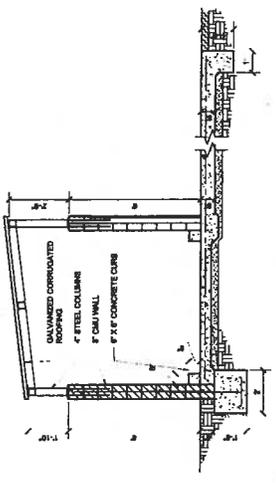
CLP2



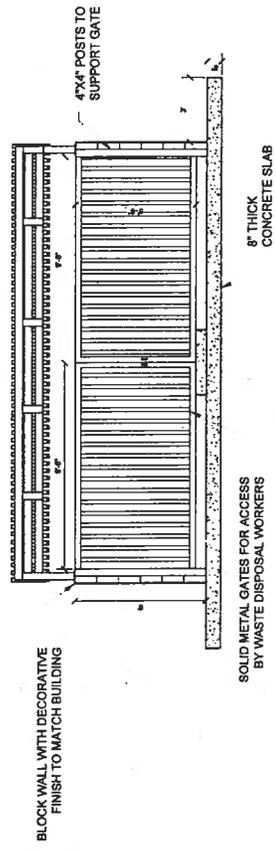
NO.	DESCRIPTION	QTY	UNIT
1	6" HIGH CONCEPTUAL SCREEN WALL	1	LINEAL FOOT
2	CONCRETE CURB	1	LINEAL FOOT
3	CONCRETE WALL	1	SQ. FT.
4	CONCRETE BASE	1	SQ. FT.



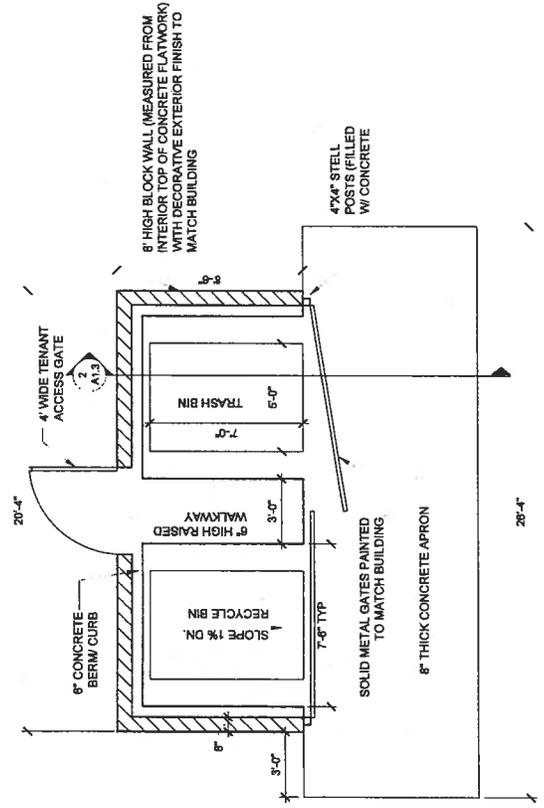
6" HIGH CONCEPTUAL SCREEN WALL
THERE ARE NO RETAINING WALLS OR CURBS ON THIS PROPERTY, ONLY THE PROPOSED 6" HIGH CONCRETE BLOCK WALL ALONG NORTH PROPERTY LINE.



2 TRASH ENCLOSURE SECTION
 SCALE: NTS

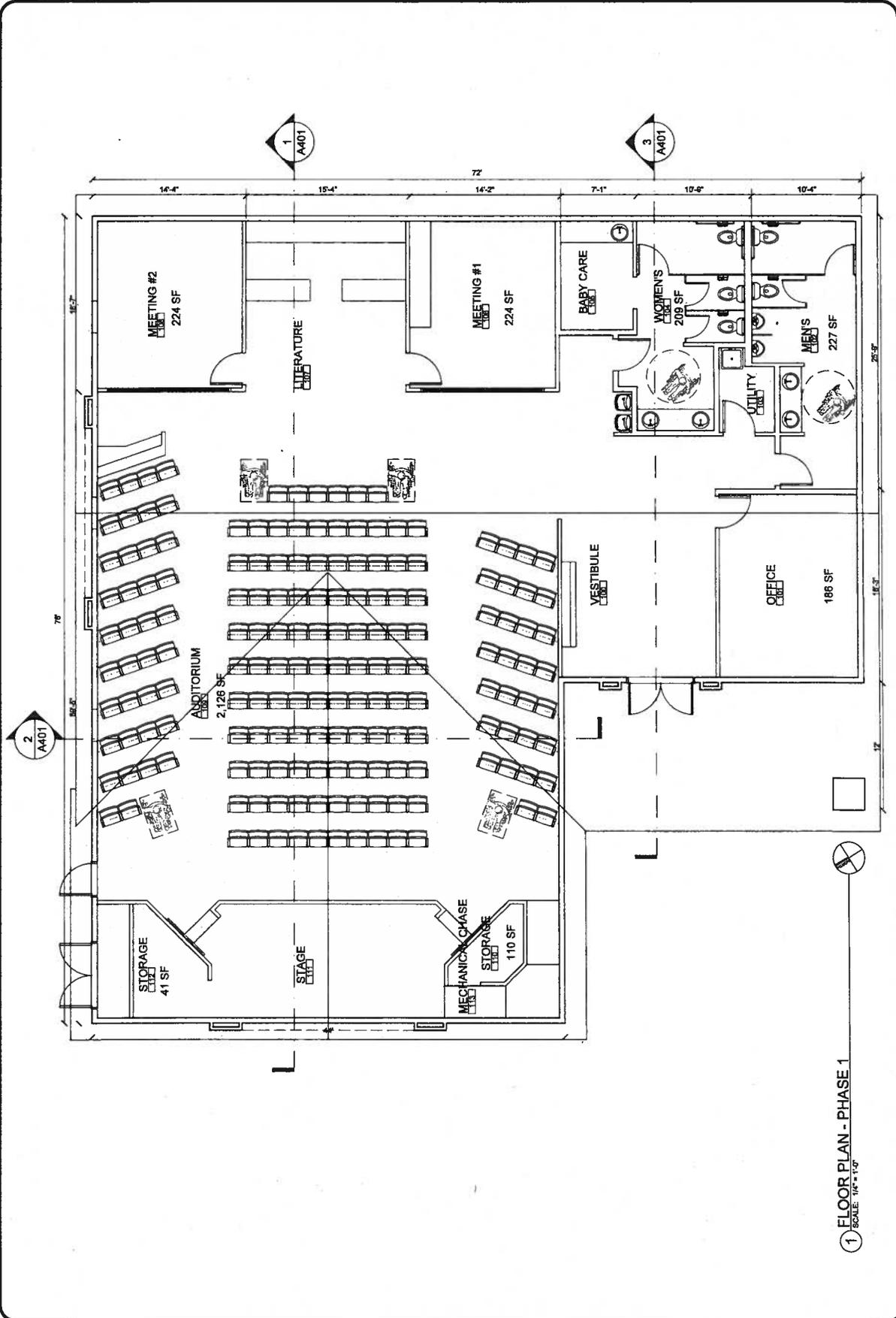


1 TRASH ENCLOSURE FRONT VIEW
 SCALE: NTS



3 TRASH ENCLOSURE PLAN VIEW
 SCALE: NTS

REVISIONS		PROJECT ENGINEER MARIO PEREZ 1574 CASA REAL LN SAN MARCOS, CA 92069	PROJECT NAME KINGDOM HALL 102 STALLION DR OCEANSIDE, CA 92057	SHEET NAME FLOOR PLAN - PHASE 1	DATE 08-10-2012	DRAWN BY:	SCALE	SHEETS NOTED	A211 SHEET:



1 FLOOR PLAN - PHASE 1
 SCALE: 1/4" = 1'-0"

REVISIONS

PROJECT ENGINEER
MARIO PEREZ
 1574 CASA REAL LN
 SAN MARCOS, CA 92069



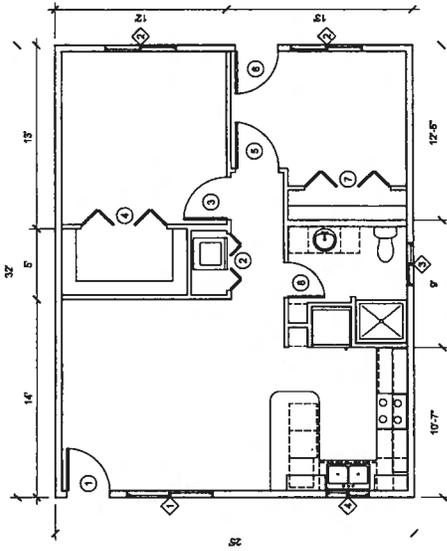
PROJECT NAME
KINGDOM HALL
 102 STALLION DR
 OCEANSIDE, CA 92057

SHEET NAME
APARTMENT FLOOR PLAN

DATE: 08-10-2012
 DRAWN BY:

SCALE: AS NOTED
 SHEET:

A219



① APARTMENT FLOOR PLAN
 SCALE: 1/4" = 1'-0"

REVISIONS	

MARIO PEREZ
PROJECT ENGINEER
1574 CASA REAL LN
SAN MARCOS, CA 92069



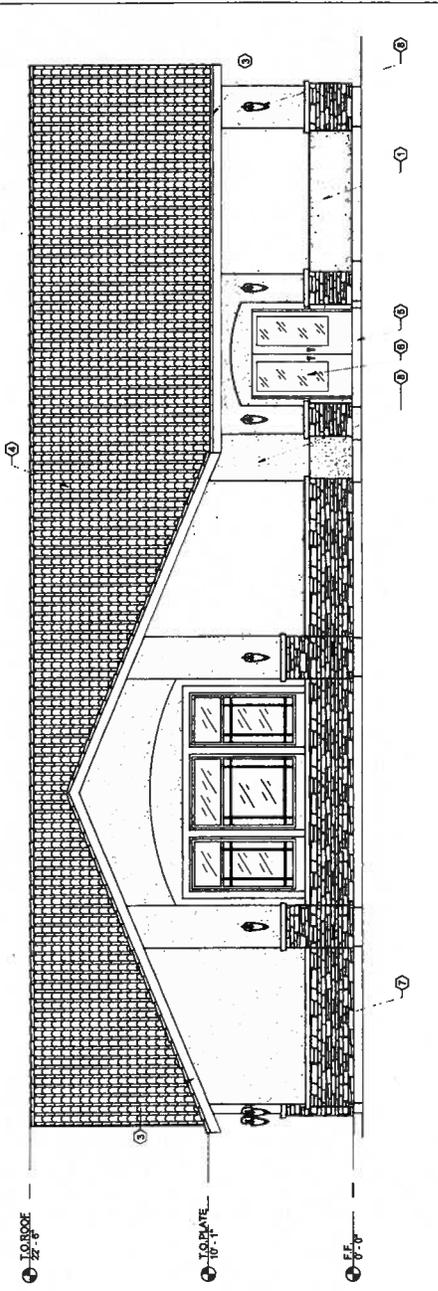
PROJECT NAME
KINGDOM HALL
102 STALLION DR
OCEANSIDE, CA 92057

SHEET NAME
EXTERIOR ELEVATIONS
PHASE 1

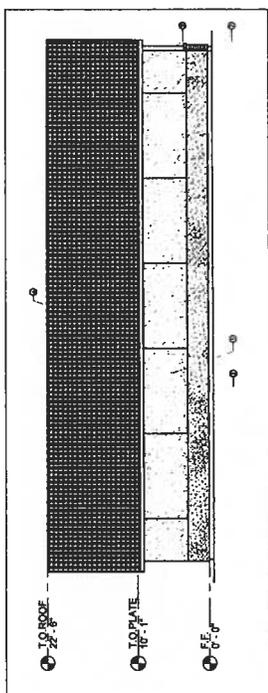
DATE 06-10-2012
DRAWN BY:
SCALE AS NOTED
SHEET

A301

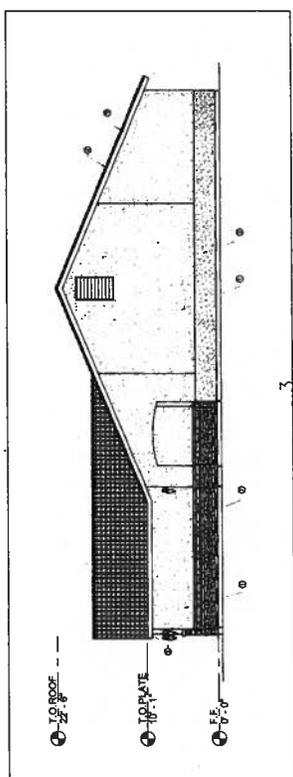
- ELEVATION REFERENCE NOTES:
- 1 STUCCO
SMOOTH TROWEL OR SMOOTH BAND FINISH
COLOR: EXPO 848 PACIFIC SAND
 - 2 STUCCO
SMOOTH TROWEL OR SMOOTH BAND FINISH
COLOR: EXPO 824 BEHAVIANTO
 - 3 WOOD FASCIA
DUNN EDWARDS PAINT #DECT19 HICKORY
 - 4 CONCRETE S ROOF TILE CARISTRANO
#3118 TERRA COTTA GOLD FLASHED
 - 5 THRESHOLDS AT ALL EXITS PER ADA STANDARDS.
DOOR PER DOOR SCHEDULE.
DOOR & TRIM COLOR
DUNN EDWARDS PAINT - #DECT19 HICKORY
 - 6 STONE WAINSCOT ACCENT WITH # STONE CAP
ELDRADO STONE "MESQUITE CLIFFSTONE"
 - 7 WALL MOUNTED LIGHTS
 - 8 WINDOW PER WINDOW SCHEDULE



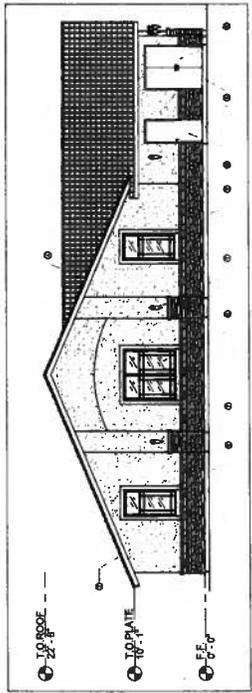
1 NORTHWEST ELEVATION
SCALE: 1/4" = 1'-0"



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



4 SOUTHWEST ELEVATION
SCALE: 1/8" = 1'-0"



2 NORTHEAST ELEVATION
SCALE: 1/8" = 1'-0"

REVISIONS	

PROJECT ENGINEER
MARIO PEREZ
 1574 CASA REAL LN
 SAN MARCOS, CA 92069



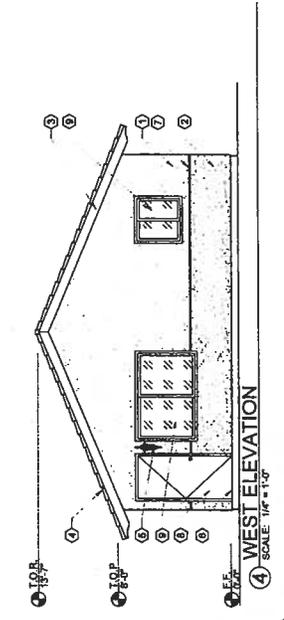
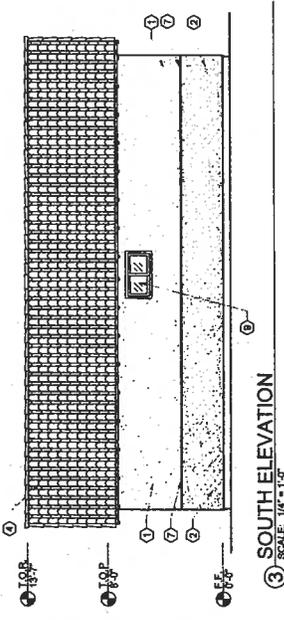
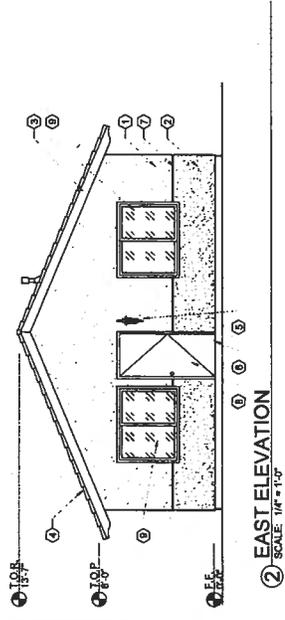
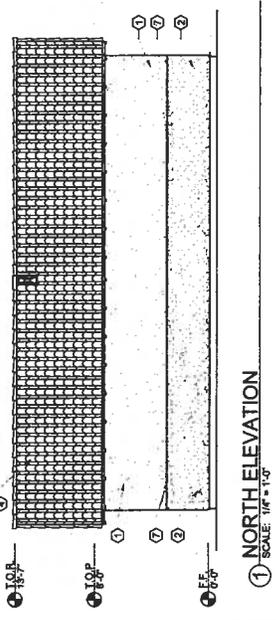
PROJECT NAME
KINGDOM HALL
 102 STALLION DR
 OCEANSIDE, CA 92057

SHEET NAME
APARTMENT ELEVATIONS

DATE: 06-10-2012
 DRAWN BY:
 SCALE: AS NOTED
 SHEET:

A329

- ELEVATION REFERENCE NOTES:**
- ① STUCCO:
SMOOTH TROWEL OR SMOOTH SAND FINISH.
COLOR: EXPO #449 PACIFIC SAND
 - ② STUCCO:
SMOOTH TROWEL OR SMOOTH SAND FINISH.
COLOR: EXPO #224 BENAVENTO
 - ③ WOOD FASCIA:
DUINN EDWARDS PAINT #DEC789 HICKORY
 - ④ CONCRETE S ROOF TILE: CAPSTRANO
#3118 TERRA COTTA GOLD FLASBED
 - ⑤ WALL MOUNTED LIGHTS
 - ⑥ THRESHOLD
 - ⑦ STUCCO EXPANSION JOINTS
 - ⑧ DOOR PER DOOR SCHEDULE.
DOOR SCHEDULE: DOOR
DUINN EDWARDS PAINT - #DEC789 HICKORY
 - ⑨ WINDOW PER SCHEDULE: DUINN EDWARDS
HICKORY #DEC789



1 PLANNING COMMISSION
2 RESOLUTION NO. 2012-P55

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

6 APPLICATION NO: D10-00005, CUP10-00021
7 APPLICANT: Valley View Oceanside Congregation of Jehovah's Witnesses, Inc.
8 Patrick Murphy/ Jim Bozer
9 LOCATION: 102 Stallion Drive

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

11 WHEREAS, there was filed with this Commission a verified petition on the forms
12 prescribed by the Commission requesting a Development Plan and Conditional Use Permit under
13 the provisions of Articles 10 and 41 and 43 of the Zoning Ordinance of the City of Oceanside to
14 permit the following:

- 15 (a) construction and operation of a religious assembly campus which will include two
16 assembly buildings totaling 9,152 square feet (4,576 sq. ft. each) and detached
17 quarters for minister/caretaker totaling approximately 827 square feet.

18 on certain real property described in the project description.

19 WHEREAS, the Planning Commission, after giving the required notice, did on the 10th day
20 of December 2012, 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; this project has been found to be categorically exempt per Article 19 from
24 environmental review;

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

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

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1 FINDINGS:

2 For the Development Plan to allow construction of a religious facility campus:

- 3 1. The site plan and physical design of the project is consistent with the purposes of the
4 Zoning Ordinance. The proposed building and site improvements, as conditioned, will
5 be consistent with development standards of the underlying Residential Estate-A (RE-A)
6 zoning district, including but not limited to setbacks, building height, lot coverage,
7 landscaping and parking.
- 8 2. The Development Plan conforms to the General Plan of the City. The project is
9 consistent with the underlying Estate A Residential (EA-R) General Plan designation.
10 The subject development and land use, as conditioned, will complement its context and
11 will comply with General Plan objectives and policies which promote high-quality site
12 design, architectural quality that enhance neighborhood and community values and City
13 image and private institutional uses that foster a sense of neighborhood and community.
- 14 3. The project site can be adequately served by existing public facilities, services and
15 utilities. The subject development involves infill development within an urbanized area.
- 16 4. The project will be compatible with existing and potential development on adjoining
17 properties and the surrounding neighborhood. The proposed religious assembly facility
18 will enhance its surroundings through building siting, landscaping, architectural design
19 and use of high quality materials. Adequate building setbacks and landscape buffering of
20 structures and parking areas will complement the existing neighborhood context.
- 21 5. The site plan and physical design of the project is consistent with applicable policies
22 contained within Section 1.24 and 1.25 of the land Use Element of the General Plan, the
23 Development Guidelines for Hillside, and Section 3039 of this ordinance. The project
24 design will not contribute to slope instability, flooding or erosion hazards to life or
25 property. The structural quality of the soil and geologic conditions will be incorporated
26 into the site design and determine the method of construction. Slope stability will be
27 ensured during and after construction.

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1 For the Conditional Use Permit to allow the operation of a religious assembly facility:

- 2 1. The proposed religious assembly facility is in accord with the objectives of the Zoning
3 Ordinance and the purposes of the underlying Residential Estate-A (RE-A) district.
4 Section 1040 of the Oceanside Zoning Ordinance permits the establishment and
5 operation of religious assembly facilities in the subject zoning district as a conditional
6 use. Development on the project area is subject to compliance with the development
7 standards set forth in Section 1050 of the zoning ordinance.
- 8 2. The location for the use and conditions under which it will be operated are consistent with
9 the General Plan, will not be detrimental to public health, safety or welfare of persons
10 residing or working in or adjacent to the neighborhood, and will not be detrimental to
11 properties or improvements in the vicinity or to the general welfare of the City. The
12 religious assembly facility has been designed to provide adequate parking and buffer to
13 residential uses and as conditioned, will be compatible with and will enhance its
14 surroundings through building siting, landscaping, architectural design and use of high
15 quality materials. The use will not cause significant traffic impacts.
- 16 3. The proposed conditional use is subject to compliance with Zoning Ordinance provisions,
17 specific conditions of project approval and additional regulations/licensing as deemed
18 necessary by other regulatory or permit authorities.

19 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
20 approve Development Plan (D10-00005) and Conditional Use Permit (CUP10-00021) subject to
21 the following conditions:

22 **Building:**

- 23 1. Construction shall comply with the 2010 edition of the California Codes.
24 2. Construction hours shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Saturday.
25 3. Exterior lighting shall comply with Chapter 39 of the Oceanside Code of Ordinances and
26 Section 5.106.8 of the 2010 California Green Building Code. A photometric plan of the
27 parking lot showing all lighting shall be provided for review and approval.
28 4. The project shall meet all California Accessibility requirements.

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1 **Planning:**

- 2 5. Development Plan (D10-00005) and Conditional Use Permit (CUP10-00021) shall expire
3 on December 10, 2014, unless implemented as required by the Zoning Ordinance.
- 4 6. Development Plan (D10-00005) and Conditional Use Permit (CUP10-00021) approves
5 construction and operation of a religious assembly campus which will include two
6 assembly buildings totaling 9,152 square feet (4,576 sq. ft. each), detached quarters for
7 minister/caretaker totaling approximately 827 square feet and associated improvements as
8 specifically shown on the approved plans. Unless amended by a condition of project
9 approval herein, no deviation from these approved plans and exhibits shall occur without
10 Development Services Department approval. Substantial deviations shall require a revision
11 to the Development Plan and Conditional Use Permit or a new Development Plan and
12 Conditional Use Permit.
- 13 7. All mechanical rooftop and ground equipment shall be screened from public view as
14 required by the Zoning Ordinance, on all four sides and top. The roof jacks, mechanical
15 equipment, screen and vents shall be painted with non-reflective paint to match the roof.
16 This information shall be shown on the building plans.
- 17 8. Trash enclosures must be provided as required by Chapter 13 of the City Code and shall
18 also include additional space for storage and collection of recyclable materials per City
19 standards. Recycling is required by City Ordinance. The enclosures must be built in a flat,
20 accessible location as determined by the City Engineer. The enclosures shall meet City
21 standards including being constructed of concrete block, reinforced with rebar and filled
22 with cement. A concrete slab must be poured with a berm on the inside of the enclosure to
23 prevent the bins from striking the block walls. The slab must extend out of the enclosure
24 for the bins to roll out onto. Steel posts must be set in front of the enclosure with solid
25 metal gates. All driveways and service access areas must be designed to sustain the weight
26 of a 50,000-pound service vehicle. Trash enclosures and driveways and service access
27 areas shall be shown on both the improvement and landscape plans submitted to the City
28 Engineer. The specifications shall be reviewed and approved by the City Engineer. 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

1 access without the use and opening of the service doors for the bins. Trash enclosures shall
2 have design features such as materials and trim similar to that of the main structure. This
3 design shall be shown on the landscape plans and shall be approved by the City Planner.

4 9. The northerly site perimeter wall shall be extended along the property's east property line
5 and shall be enhanced by incorporating, pilasters every 40 feet (max) and a decorative cap.
6 The wall shall be constructed of split face concrete block or stuccoed to match the
7 buildings on site.

8 10. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
9 harmless the City of Oceanside, its agents, officers or employees from any claim, action or
10 proceeding against the City, its agents, officers, or employees to attack, set aside, void or
11 annul an approval of the City, concerning Development Plan (D10-00005) and Conditional
12 Use Permit (CUP10-00021). The City will promptly notify the applicant of any such
13 claim, action or proceeding against the City and will cooperate fully in the defense. If
14 the City fails to promptly notify the applicant of any such claim action or proceeding or
15 fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible
16 to defend, indemnify or hold harmless the City.

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

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

27 13. Prior to the transfer of ownership and/or operation of the site the owner shall provide a
28 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.

- 1 14. Failure to meet any conditions of approval for this development shall constitute a violation
2 of the Development Plan and Conditional Use Permit.
- 3 15. Unless expressly waived, all current zoning standards and City ordinances and policies in
4 effect at the time building permits are issued are required to be met by this project. The
5 approval of this project constitutes the applicant's agreement with all statements in the
6 Description and Justification and other materials and information submitted with this
7 application, unless specifically waived by an adopted condition of approval.
- 8 16. This Development Plan and Conditional Use Permit shall be called for review by the
9 Planning Commission if complaints are filed and verified as valid by the Code
10 Enforcement Office concerning the violation of any of the approved conditions or
11 assumptions made by the application.
- 12 17. All signs shall meet the requirements of the Oceanside zoning ordinance. Sign plans
13 shall be reviewed and approved by the Planning Division prior to an application for a
14 sign permit.

14 **Engineering:**

- 15 18. For the demolition of any existing structure or surface improvements; grading plans
16 shall be submitted and erosion control plans be approved by the City Engineer prior to
17 the issuance of a demolition permit. No demolition shall be permitted without an
18 approved erosion control plan.
- 19 19. All right-of-way alignments, street dedications, exact geometrics and widths for Stallion
20 Drive and North River Road shall be dedicated and constructed or replaced as required
21 by the City Engineer.
- 22 20. Design and construction of all improvements shall be in accordance with the City of
23 Oceanside Engineers Design and Processing Manual, City Ordinances, and standard
24 engineering and specifications of the City of Oceanside and shall be subject to approval
25 by the City Engineer.
- 26 21. Prior to issuance of a building permit all improvement requirements shall be covered by
27 a development agreement and secured with sufficient improvement securities or bonds
28 guaranteeing performance and payment for labor and materials, setting of monuments,
and warranty against defective materials and workmanship.

- 1 22. A construction-phasing plan for the construction of on-site public and private
2 improvements shall be reviewed and approved by the City Engineer prior to the issuance
3 of any grading permits. Prior to the issuance of any building permits for first phase of
4 development, all offsite or frontage improvements including landscaping and any
5 required for North River Road and Stallion Drive shall be under construction to the
6 satisfaction of the City Engineer. All improvements on Stallion Drive, North River
7 Road and all on-site improvements shall be completed prior to issuance of any
8 certificates of occupancy.
- 9 23. The owner/developer shall provide public street dedication for Stallion Drive and North
10 River Road in accordance with the City of Oceanside General Plan and Circulation
11 Element.
- 12 24. Where proposed off-site improvements, including but not limited to slopes, public utility
13 facilities, and drainage facilities, are to be constructed, the owner/developer shall, at his
14 own expense, obtain all necessary easements or other interests in real property and shall
15 dedicate the same to the City of Oceanside as required. The owner/developer shall
16 provide documentary proof satisfactory to the City of Oceanside that such easements or
17 other interest in real property have been obtained prior to approval of grading, building
18 or improvement permit for this development. Additionally, the City of Oceanside, may
19 at its sole discretion, require that the owner/developer obtain at his sole expense a title
20 policy insuring the necessary title for the easement or other interest in real property to
21 have vested with the City of Oceanside or the owner/developer, as applicable.
- 22 25. A Declaration of Covenants, Conditions and Restrictions (DCC&R) is required prior to
23 approval of any grading plan and permit, and will be reviewed and approved by the City
24 Attorney. The Declaration of Covenants, Conditions and Restrictions (DCC&R) shall
25 be recorded attesting to these improvement conditions prior to issuance of any grading
26 permit.
- 27 26. Prior to the issuance of a grading permit, the owner/developer shall notify and host a
28 neighborhood meeting with all of the area residents located within 300 feet of the project
site, to inform them of the grading and construction schedule, and to answer questions.

1 27. The owner/developer shall monitor, supervise and control all construction and
2 construction-supportive activities, so as to prevent these activities from causing a public
3 nuisance, including but not limited to, insuring strict adherence to the following:

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

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

17 c) The construction site shall accommodate the parking of all motor vehicles used
18 by persons working at or providing deliveries to the site. An alternate parking
19 site can be considered by the City Engineer in the event that the lot size is too
20 small and cannot accommodate parking of all motor vehicles.

21 d) The owner/developer shall complete a haul route permit application (if required
22 for import/export of dirt) and submit to the City of Oceanside Engineering
23 Department 48 hours in advance of beginning of work. Hauling operations (if
24 required) shall be 8:00 a.m. to 3:30 p.m. unless approved otherwise.

25 28. It is the responsibility of the owner/developer to evaluate and determine that all soil
26 imported as part of this development is free of hazardous and/or contaminated material
27 as defined by the City and the County of San Diego Department of Environmental
28 Health. Exported or imported soils shall be properly screened, tested, and documented
regarding hazardous contamination.

- 1 29. A traffic control plan shall be prepared according to the City traffic control guidelines
2 and approved to the satisfaction of the City Engineer prior to the start of any work
3 within the public right-of-way (North River Road and Stallion Drive). Traffic control
4 during construction of streets that have been opened to public traffic shall be in
5 accordance with construction signing, marking and other protection as required by the
6 Caltrans Traffic Manual and City Traffic Control Guidelines. Traffic control plans shall
7 be in effect from 8:00 a.m. to 3:30 p.m. unless approved otherwise.
- 8 30. North River Road and Stallion Drive shall be constructed with curbs and gutters and
9 sidewalk. Minimum of 10 feet parkway between the face of curb and the right-of-way
10 line shall be required for North River Road and Stallion Drive. Sidewalk improvements
11 shall comply with ADA requirements. All existing utilities that have conflict with curb
12 and gutter and ADA sidewalks shall be relocated as required. Publicly maintained
13 pedestrian ramps (maintained by the City of Oceanside must be fully located within
14 public right-of-way). Minimum curb return radius shall comply with the City of
15 Oceanside Engineers Design and Processing Manual.
- 16 31. Sight distance requirements at the project driveway on Stallion Drive for each direction
17 of traffic shall conform to the corner sight distance criteria as provided by SDRSD DS-
18 20A and or DS-20B.
- 19 32. Streetlights shall be maintained and installed on Stallion Drive and North River Road
20 per City Standards. The system shall provide uniform lighting, and be secured prior to
21 occupancy. The owner/developer shall pay all applicable fees, energy charges, and/or
22 assessments associated with City-owned (LS-2 rate schedule) streetlights and shall also
23 agree to the formulation of, or the annexation to, any appropriate street lighting district.
- 24 33. The proposed project driveways shall remain private and shall be maintained by the
25 owner. The pavement sections, traffic indices for onsite driveways and parking areas
26 shall be based on approved geotechnical report and in compliance with the City of
27 Oceanside Engineers Design and Processing Manual. The private project driveway
28 alignments and geometric layouts shall meet the City of Oceanside Engineers Design
and Processing Manual. Pavement sections for North River Road and Stallion Drive
shall be based upon approved soil tests and traffic indices.

1 34. Prior to approval of the grading plans, the owner/developer shall contract with a
2 geotechnical engineering firm to perform a field investigation of the existing pavement
3 on Stallion Drive and North River Road adjacent to the project boundary. The limits of
4 the study shall be half-street plus 12 feet along the project's frontage. The field
5 investigation shall be performed according to a specific boring plan prepared by a
6 licensed Geotechnical Engineer and approved by the City Engineer. In the absence of
7 such approved boring plan, the field investigation shall include a minimum of one
8 pavement boring per every 100 linear feet of street frontage. Should the existing AC
9 thickness be determined to be less than the current minimum standard for AC and Class
10 II Base as set forth in the table for City of Oceanside Pavement Design Guidelines in the
11 City's Engineers Manual, the owner/developer shall remove and reconstruct the
12 pavement section as determined by the pavement analysis submittal process detailed
13 below:

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

23 35. North River Road and Stallion Drive shall be constructed with curb and gutter and
24 sidewalk in accordance with the City of Oceanside Engineers Design Manual in
25 accordance with the City of Oceanside Engineers Design and Processing Manual, the
26 City Standards plans and specifications as approved by the City Engineer.

27 36. Any existing public or private pavement, concrete curb, gutter, driveways, pedestrian
28 ramps and sidewalk within the project, or adjacent to the project boundary that are
damaged during construction of the project, shall be repaired or replaced as directed by
the City Engineer.

- 1 37. The undergrounding of the existing overhead utilities may be deferred. The
2 owner/developer shall pay an in-lieu payment, based upon the length of utilities to be
3 placed underground, and at the rate in effect at building permit issuance to the
4 satisfaction of the City Engineer. All new utilities within this property and all new
5 extension services for the development of this project shall be placed underground.
- 6 38. Prior to any grading of any part of this project, a comprehensive soils and geologic
7 investigation shall be conducted of the soils, slopes, and formations in the project. All
8 necessary measures shall be taken and implemented to assure slope stability, erosion
9 control, and soil integrity. No grading shall occur until a detailed grading plan, to be
10 prepared in accordance with the Grading Ordinance and Zoning Ordinance is approved
11 by the City Engineer.
- 12 39. This project shall provide year-round erosion control including measures for the site
13 required for the phasing of grading. Prior to the issuance of grading permit, an erosion
14 control plan, designed for all proposed stages of construction, shall be reviewed, secured
15 by the owner/developer with cash securities and approved by the City Engineer.
- 16 40. A precise grading plan, private and public improvement plan shall be prepared,
17 reviewed, secured and approved prior to the issuance of any building permits. The plan
18 shall reflect all pavement, flatwork, landscaped areas, special surfaces, curbs, gutters,
19 medians, striping, and signage, footprints of all structures, walls, drainage devices and
20 utility services. Parking lot striping and any on-site traffic calming devices shall be
21 shown on all precise grading and private improvement plans.
- 22 41. The drainage design shown on the site plan or conceptual grading plan, and the drainage
23 report for this project is conceptual only. The final drainage report and drainage design
24 shall be based upon a hydrologic/hydraulic study that is in compliance with the latest
25 San Diego County Hydrology and Drainage Manual to be approved by the City
26 Engineer during final engineering. All drainage picked up in an underground system
27 shall remain underground until it is discharged into an approved channel, or as otherwise
28 approved by the City Engineer. All public storm drains shall be shown on City standard
plan and profile sheets. All storm drain easements shall be dedicated where required.
The owner/developer shall be responsible for obtaining any off-site easements for storm
drainage facilities.

- 1 42. Drainage facilities shall be designed and installed to adequately accommodates the local
2 storm water runoff and shall be in accordance with the San Diego County Hydrology
3 and Design Manual and in compliance with the City of Oceanside Engineers Design and
4 Processing Manual to the satisfaction of the City Engineer.
- 5 43. The owner/developer shall place a covenant on the title sheet of the grading plan
6 agreeing to the following: "The present or future owner shall indemnify and save the
7 City of Oceanside, its officers, agents, and employees harmless from any and all
8 liabilities, claims arising from any flooding that occurs on this site."
- 9 44. Storm drain facilities shall be designed and located such that the inside travels lanes on
10 Stallion Drive and North River Road shall be passable during conditions of a 100-year
11 frequency storm.
- 12 45. Sediment, silt, grease, trash, debris, and/or pollutants shall be collected on-site and
13 disposed of in accordance with all state and federal requirements, prior to stormwater
14 discharge either off-site or into the City drainage system.
- 15 46. The owner/developer shall comply with the provisions of National Pollution Discharge
16 Elimination System (NPDES) General Permit for Storm Water Discharges Associated
17 with Construction Activity (General Permit) Water Quality Order 2009-0009-DWQ.
18 The General Permit continues in force and effect until a new General Permit is issued or
19 the SWRCB rescinds this General Permit. Only those owner/developers authorized to
20 discharge under the expiring General Permit are covered by the continued General
21 Permit. Construction activity subject to the General Permit includes clearing, grading,
22 and disturbances to the ground such as stockpiling, or excavation that results in land
23 disturbances of equal to or greater than one acre. The owner/developer shall obtain
24 coverage under the General Permit by submitting a Notice of Intent (NOI) and obtaining
25 a Waste Discharge Identification Number (WDID#) from the State Water Resources
26 Control Board (SWRCB). In addition, coverage under the General Permit shall not
27 occur until an adequate SWPPP is developed for the project as outlined in Section A of
28 the General Permit. The site specific SWPPP shall be maintained on the project site at
all times. The SWPPP shall be provided, upon request, to the United States
Environmental Protection Agency (USEPA), SWRCB, Regional Water Quality Control
Board (RWQCB), City of Oceanside, and other applicable governing regulatory

1 agencies. The SWPPP is considered a report that shall be available to the public by the
2 RWQCB under section 308(b) of the Clean Water Act. The provisions of the General
3 Permit and the site specific SWPPP shall be continuously implemented and enforced
4 until the owner/developer obtains a Notice of Termination (NOT) for the SWRCB. The
5 owner/developer is required to retain records of all monitoring information, copies of all
6 reports required by this General Permit, and records of all data used to complete the NOI
7 for all construction activities to be covered by the General Permit for a period of at least
8 three years from the date generated. This period may be extended by request of the
9 SWRCB and/or RWQCB.

10 47. Following deeming the Storm Water Mitigation Plan (SWMP) complete by the City
11 Engineer and prior to issuance of grading permits, the owner/developer shall submit and
12 obtain approval of an Operation & Maintenance (O&M) Plan, prepared to the
13 satisfaction of the City Engineer. The O&M Plan shall include an approved and
14 executed Maintenance Mechanism pursuant to Section 5 of the Standard Urban Storm
15 Water Mitigation Plan (SUSMP). The O&M shall satisfy the minimum Maintenance
16 Requirements pursuant to Section 5 of the SUSMP. At a minimum the O&M Plan shall
17 include the designated responsible party to manage the stormwater BMP(s), employee
18 training program and duties, operating schedule, maintenance frequency, routine service
19 schedule, specific maintenance activities, copies of resource agency permits, cost
20 estimate for implementation of the O&M Plan, a non-refundable cash security to provide
21 maintenance funding in the event of noncompliance to the O&M Plan, and any other
22 necessary elements. The owner/developer shall provide the City with access to site for
23 the purpose of BMP inspection and maintenance by entering into an Access Rights
24 Agreement with the City. The owner/developer shall complete and maintain O&M
25 forms to document all operation, inspection, and maintenance activities. The
26 owner/developer shall retain records for a minimum of 5 years. The records shall be
27 made available to the City upon request.

28 48. The owner/developer shall enter into a City-Standard Stormwater Facilities Maintenance
Agreement (SWFMA) with the City obliging the owner/developer to maintain, repair
and replace the Storm Water Best Management Practices (BMPs) identified in the
project's deemed complete SWMP, as detailed in the O&M Plan into perpetuity. The

1 Agreement shall be approved by the City Attorney prior to issuance of any precise
2 grading permit and shall be recorded at the County Recorder's Office prior to issuance
3 of any building permit. A non-refundable Security in the form of cash shall be required
4 prior to issuance of a precise grading permit. The amount of the non-refundable security
5 shall be equal to 10 years of maintenance costs, as identified by the O&M Plan, but not
6 to exceed a total of \$25,000. The owner/developer's civil engineer shall prepare the
7 O&M cost estimate.

8 49. At a minimum, maintenance agreements shall require the staff training, inspection and
9 maintenance of all BMPs on an annual basis. The owner/developer shall complete and
10 maintain O&M forms to document all maintenance activities. Parties responsible for the
11 O&M plan shall retain records at the subject property for at least 5 years. These
12 documents shall be made available to the City for inspection upon request at any time.

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

18 51. The BMPs described in the project's deemed complete SWMP shall not be altered in
19 any way, unless reviewed to the satisfaction of the City Engineer. The determination of
20 whatever action is required for changes to a project's deemed complete SWMP shall be
21 made by the City Engineer.

22 52. The owner/developer shall provide a copy of the title/cover page of a deemed complete
23 SWMP with the first engineering submittal package. If the project triggers the City's
24 Stormwater requirements but no deemed complete Stormwater document (SWMP)
25 exists, the appropriate document shall be submitted for review to the City Engineer. The
26 SWMP shall be prepared by the owner/developer's Civil Engineer. All Stormwater
27 documents shall be in compliance with the latest edition of submission requirements.

28 53. If an owner/developer is required under this division or any other provision of law to
make a dedication for Stallion Drive and North River Road for specified public
purposes, the local agency shall specify whether the dedication is to be in fee for public
purposes or an easement for public purposes.

- 1 54. The owner/developer shall comply with all the provisions of the City's cable television
2 ordinances including those relating to notification as required by the City Engineer.
- 3 55. Approval of this development project is conditioned upon payment of all applicable
4 impact fees and connection fees in the manner provided in chapter 32B of the Oceanside
5 City Code. All traffic signal fees and contributions, highway thoroughfare fees, park
6 fees, reimbursements, and other applicable charges, fees and deposits shall be paid prior
7 to the issuance of any building permits, in accordance with City Ordinances and
8 policies. The owner/developer shall also be required to join into, contribute, or
9 participate in any improvement, lighting, or other special district affecting or affected by
10 this project. Approval of this project shall constitute the owner/developer's approval of
11 such payments, and his agreement to pay for any other similar assessments or charges in
12 effect when any increment is submitted for final map or building permit approval, and to
13 join, contribute, and/or participate in such districts.
- 14 56. The owner/developer shall obtain any necessary permits and clearances from all public
15 agencies having jurisdiction over the project due to its type, size, or location, including
16 but not limited to the U. S. Army Corps of Engineers, California Department of Fish &
17 Game, U. S. Fish and Wildlife Service and/or San Diego Regional Water Quality
18 Control Board (including NPDES), San Diego County Health Department, prior to the
19 issuance of grading permits.
- 20 57. A digital file of the as-built grading plan, and as-built improvement plan in a format
21 consistent with the City's requirements for digital submittals, detailed in the Engineers
22 Design and Processing Manual shall be submitted to the City of Oceanside prior to
23 occupancy permit.
- 24 58. In the event that the conceptual plan does not match the conditions of approval, the
25 resolution of approval shall govern.

24 **Traffic/Transportation:**

- 25 59. The project shall dedicate 20 feet of right-of-way adjacent the project site's
26 south/easterly boundary along North River Road.
- 27 60. The project shall construct new PCC sidewalk along the project frontage that extends
28 from North River Road to just north of the project driveway along Stallion Drive. ADA
compliant ramps shall also be installed on the easterly curt return on North River Road

1 at Stallion Drive and both sides of the project driveway as depicted in Standard Drawing
2 M-10 in the City Engineering Design Manual. These improvements shall be completed
3 prior to certificate of occupancy.

4 **Landscaping:**

5 61. Landscape plans, shall meet the criteria of the City of Oceanside Landscape Guidelines
6 and Specifications for Landscape Development (latest revision), Water Conservation
7 Ordinance No. 91-15, Landscape Water Ordinance No. 10-OR0412-1, Engineering
8 criteria, City code and ordinances, including the maintenance of such landscaping, shall
9 be reviewed and approved by the City Engineer prior to the issuance of building permits.
10 Landscaping shall not be installed until bonds have been posted, fees paid, plans signed
11 for final approval and a pre-construction meeting has been completed with city
12 inspection staff. The following landscaping requirements shall be required prior to plan
13 approval and certificate of occupancy.

- 14 a) Final landscape plans shall accurately show placement of all plant material such
15 as but not limited to trees, shrubs, and groundcovers.
- 16 b) Landscape Architect shall be aware of all utility, sewer, storm drain easement
17 and place planting locations accordingly to meet City of Oceanside requirements.
- 18 c) All required landscape areas shall be maintained by owner (including public
19 rights-of-way). The landscape areas shall be maintained per City of Oceanside
20 requirements.
- 21 d) Proposed landscape species shall be native or naturalized to fit the site and meet
22 climate changes indicative to their planting location. The selection of plant
23 material shall also be based on cultural, aesthetic, and maintenance
24 considerations. In addition proposed landscape species shall be low water users
25 as well as meet all Fire Department requirements.
- 26 e) All planting areas shall be prepared with appropriate soil amendments, fertilizers,
27 and supplements based upon required recommendations found in an agricultural
28 suitability soils report referenced from a soil sample taken from the site.
- f) Ground covers or bark mulch shall fill in between the shrubs to shield the soil
from the sun, evapotranspiration and run-off. All the flower and shrub beds

1 shall be mulched to a 3" depth to help conserve water, lower the soil temperature
2 and reduce weed growth.

- 3 g) Shrubs shall be allowed to grow in their natural forms. All landscape
4 improvements shall follow the City of Oceanside Guidelines.
- 5 h) Root barriers shall be installed adjacent to all paving surfaces, where a paving
6 surface is located within six feet of a tree's trunk on-site (private) and within 10
7 feet of a tree's trunk in the right-of-way (public). Root barriers shall extend five
8 feet in each direction from the centerline of the trunk, for a total distance of 10
9 feet. Root barriers shall be 24 inches in depth. Installing a root barrier around
10 the tree's root ball is unacceptable.
- 11 i) All fences, gates, walls, stone walls, retaining walls, and plantable walls shall
12 obtain planning department approval for these items in the conditions or
13 application stage prior to 1st submittal of working drawings.
- 14 j) For the planting and placement of trees and their distances from hardscape and
15 other utilities/structures the landscape plans shall follow the City of Oceanside's
16 (current) Tree Planting Distances and Spacing Standards.
- 17 k) An automatic irrigation system shall be installed to provide coverage for all
18 planting areas shown on the plan. Low volume equipment shall provide
19 sufficient water for plant growth with a minimum water loss due to water run-
20 off.
- 21 l) Irrigation systems shall use high quality, automatic control valves, controllers
22 and other necessary irrigation equipment. All components shall be of non-
23 corrosive material. All drip systems shall be adequately filtered and regulated
24 per the manufacturer's recommended design parameters.
- 25 m) All irrigation improvements shall follow the City of Oceanside Guidelines and
26 Water Ordinances.
- 27 n) The landscape plans shall match all plans affiliated with the project.
- 28 o) 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 to the satisfaction of the City Engineer.

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

3 62. All landscaping, fences, walls, etc. on the site, in medians within the public right-of-way
4 and within any adjoining public parkways shall be permanently maintained by the
5 owner, his assigns or any successors-in-interest in the property. The maintenance
6 program shall include: a) normal care and irrigation of the landscaping b) repair and
7 replacement of plant materials(including interior trees and street trees) c) irrigation
8 systems as necessary d) general cleanup of the landscaped and open areas e) parking lots
9 and walkways, walls, fences, etc. f) pruning standards for street trees shall comply with
10 the International Society of Arboriculture (ISA) Standard Practices for Tree Care
11 Operations – ANSI A300, Appendix G: Safety Standards, ANSI Z133; Appendix H; and
12 Tree Pruning Guidelines, Appendix F (most current edition). Failure to maintain
13 landscaping shall result in the City taking all appropriate enforcement actions including
14 but not limited to citations. This maintenance program condition shall be recorded with
15 a covenant as required by this resolution.

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

18 **Water:**

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

23 65. The property owner shall maintain private water and wastewater utilities located on private
24 property.

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

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

1 **The following conditions shall be met prior to the approval of engineering design plans:**

- 2 68. All public water and/or sewer facilities not located within the public right-of-way shall be
3 provided with easements sized according to the Water, Sewer, and Reclaimed Water
4 Design and Construction Manual. Easements shall be constructed for all weather access.
- 5 69. No trees, structures or building overhang shall be located within any water or wastewater
6 utility easement.
- 7 70. All lots with a finish pad elevation located below the elevation of the next upstream
8 manhole cover of the public sewer shall be protected from backflow of sewage by
9 installing and maintaining an approved type backwater valve, per the Uniform Plumbing
10 Code (U.P.C.).
- 11 71. The developer shall construct a public reclamation water system that will serve each lot
12 and or parcels that are located in the proposed project in accordance with the City of
13 Oceanside Ordinance No. 91-15. The proposed reclamation water system shall be
14 located in the public right-of-way or in a public utility easement.
- 15 72. A separate irrigation meter and approved backflow prevention device is required and
16 shall be displayed on the plans.
- 17 73. An Inspection Manhole, described by the Water, Sewer, and Reclaimed Water Design
18 and Construction Manual, shall be installed in each building sewer lateral and the
19 location shall be called out on the approved Improvement Plans.

20 **The following conditions of approval shall be met prior to building permit issuance:**

- 21 74. Water and Wastewater Buy-in fees and the San Diego County Water Authority Fees are
22 to be paid to the City and collected by the Water Utilities Department at the time of
23 Building Permit issuance.
- 24 75. All Water Utilities Fees are due at the time of building permit issuance per City Code
25 Section 32B.7, unless the developer/applicant applies and is approved for a deferral of
26 all fees per City of Oceanside Ordinance No. 09-OR0676-1.

27 **The following conditions of approval shall be met prior to occupancy:**

- 28 76. All new development of single-family and multi-family residential units shall include
hot water pipe insulation and installation of a hot water recirculation device or design to
provide hot water to the tap within 15 seconds in accordance with the City of Oceanside
Ordinance No.02-OR126-1.

1 **Fire:**

2 77. The Fire Department access roadway shall be provided with adequate turning radius for
3 Fire Department apparatus: a 50-foot outside and 30-foot inside turning radius. Fire
4 access roadway turning radius must be marked on the building permit application
5 submittal. Fire access roadway width may not be obstructed by landscape.

6 PASSED AND ADOPTED Resolution No. 2012-P55 on December 10, 2012 by the
7 following vote, to wit:

8 AYES:

9 NAYS:

10 ABSENT:

11 ABSTAIN:

12
13 _____
14 Tom Rosales, Chairperson
15 Oceanside Planning Commission

16 ATTEST:

17 _____
18 Amy Fousekis, Secretary

19 I, AMY FOUSEKIS, Secretary of the Oceanside Planning Commission, hereby certify that this is
20 a true and correct copy of Resolution No. 2012-P55.

21 Dated: December 30, 2012
22
23
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28



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

7-7-10
9-13-12

BY

SN
E
DW

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

1. APPLICANT Valley View O'side Cong. of Jehovah's Witnesses, Inc. 2. STATUS Owner

GPA

MASTER/SP.PLAN

ZONE CH.

3. ADDRESS 5144 Loma Verde Oceanside, CA 92056 4. PHONE/FAX/E-mail 760/631-4908

TENT. MAP

PAR. MAP

5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Patrick Murphy and Jim Bozer

DEV. PL.

C.U.P.

D10-00005

WP 10-00021

6. ADDRESS 1706 Hill Top Ln Encinitas, CA 92024 7. PHONE/FAX/E-mail 760/753-8444

VARIANCE

COASTAL

PART II - PROPERTY DESCRIPTION

8. LOCATION 102 Stallion Drive N/E corner of Stallion Dr. & N. River Rd.

9. SIZE

2.75 acres

10. GENERAL PLAN Estate Dist A (EA-B) 11. ZONING RE-A 12. LAND USE Vacant

13. ASSESSOR'S PARCEL NUMBER

122-220-12-00

14. LATITUDE 33°15'22.31" N

15. LONGITUDE 117°17'15.00" W

PART III - PROJECT DESCRIPTION

16. GENERAL PROJECT DESCRIPTION

Conditional Use Permit for religious assembly. Project includes 3 buildings (2 religious assembly and 1 minister/caretaker apartment).

17. PROPOSED GENERAL PLAN 18. PROPOSED ZONING 19. PROPOSED LAND USE Religious 20. NO. UNITS 1 21. DENSITY

22. BUILDING SIZE 9,152 SF. 827 SF APT 23. PARKING SPACES 134 24. % LANDSCAPE 34% 25. % LOT COVERAGE or FAR 99%

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 33. CERTIFICATION OF POSTING X 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 PAGES AS NECESSARY).

35. APPLICANT OR REPRESENTATIVE (Print): Patrick Murphy/Jim Bozer 36. DATE 8/27/12 37. OWNER (Print): Valley View O'side Cong. of Jehovah's Witnesses 38. DATE 8/27/12

Sign: Patrick Murphy PATRICK MURPHY Sign: Ken Binion Ken Binion

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.

Received

SEP 13 2012

Planning Division

DESCRIPTION AND JUSTIFICATION
CITY OF OCEANSIDE DISCRETIONARY APPLICATION

Stallion Kingdom Hall of Jehovah's Witnesses project
102 Stallion Road
Oceanside, CA

BACKGROUND: In the early 1990's, the Ebenezer Apostolic Tabernacle Church filed a use permit (C-12-90). The City of Oceanside reviewed and approved a religious assembly (1994) for the subject site. A Planning Commission staff report and an initial study were prepared along with an archaeological report and traffic study.

PROJECT DESCRIPTION AND PURPOSE/OBJECTIVES: The overall purpose and objective is to construct two Kingdom Halls and one apartment for Jehovah's Witnesses with associated parking and landscaping. The site is well suited for this project due to size, level topography, minimal intrusion into residential neighborhood, available utilities and easy access to the existing road system.

The primary purpose of the Kingdom Halls is for religious meetings. Each Kingdom Hall has 174 seats; however, the typical attendance for a meeting is 125. Hours of operation are 8am to 10pm; however, the religious meetings mid week (Monday through Friday) are typically in the evenings, 7pm to 9:30pm. Weekend meetings typically fall on Sunday but in some cases a congregation may prefer a Saturday meeting. Weekend meetings are typically held during the day.

Outside of the religious meetings, the parking lot is typically empty most of the day with the Kingdom Hall secured. However, some activity occurs during the day: 1) apartment for minister; 2) routine maintenance; 3) limited deliveries; 4) brief meetings to organize our ministry, having typically 10 – 20 in attendance. There are no employees on the site, and no other ancillary religious services or uses are proposed.

The site is 2.75 acres located on the northeast corner of Stallion Road and North River Road in Oceanside. The site is relatively level with a slight downward slope from north to south. No significant vegetation is located on the property. The site is elevated above North River Road and most of Stallion Road. Access is off of Stallion Road on the east side toward the north end of the subject site where level access is provided. The proposed driveway is located across from the driveway of an existing religious assembly use located on the west side of Stallion Road. Stallion Road is a two lane road currently improved with paving, curb and gutter. North River Road is currently improved as a 2 lane road with left turning movement for access onto Stallion Road.

The project contains 3 buildings, parking and associated landscaping built in two phases. The first phase will include 2 buildings – one congregation for religious assembly of 4,576 square feet and one apartment for on-site caretaker/minister of 827 square feet – along with parking for the first phase. The entire site will be landscaped with the first phase. Phase 2 parking area will be hydroseeded and irrigated at the time of Phase 1 development. The 6' wall will be installed on the north property line in first phase. Phase 2 will include one building that will contain a congregation and the remaining parking. All buildings are single story, 23 feet in height.

Minimal grading will occur. The grading will be balanced with cut and fill at 2,150 cubic yards. The only slopes being created are for the bio-retention basin, which results in a maximum 4-5 foot slope.

Overhead electrical lines exist along the North River Road frontage. The owner/applicant proposes to pay an in-lieu fee based on documentation prepared by an SDG&E-approved design firm and at a rate in effect at building permit issuance. This will allow for the deferral of the undergrounding of the overhead utilities at this time.

NEIGHBORHOOD: The area is zoned RE-A with a General Plan designation of Estate District A. Fifteen lots are located within the immediate neighborhood along Stallion Road and Mare Road and have a mix of single family homes, vacant land and three churches. Access to this neighborhood is off of North River Road. The subject site is located on 2.75 acres located at the northeast corner of Stallion Road and North River Road. Immediately north of the subject site is a single family home, located 40 to 50 feet from our northerly property line. The proposed parking and building are proposed to be 30 feet from the north property line. This 30' separation will be landscaped and a 6' block wall will be located on the north property line. In total, the separation between the existing single-family home and the nearest proposed building/parking is 70 – 80 foot.

An existing religious assembly use is located on the west side of Stallion Road. Two other churches are located further up Stallion Road, one with access on Mare Road. Farming is located immediately to the east. A 15' setback is provided along the east property line.

North River Road is located on the south side of the subject site. San Luis Rey River is located south of North River Road. All drainage from the project is surface flow to existing drainage facilities.

PROJECT BENEFITS: The buildings are single-story, 23 feet in height, consistent and similar to single-family homes. One caretaker/minister apartment would be provided which will provide on-site security/presence and will further enhance the residential feel of the community. The subject site is well suited for this project due to size, level topography, minimal intrusion into residential neighborhood, and easy access to the existing road system. The site is also elevated above North River Road and most of Stallion Road. This provides a visual barrier of the proposed project from North River Road and most of Stallion Road. In addition, trees are provided throughout the parking area further enhancing the site.

The archeological¹, geotechnical and traffic reports did not identify any impacts. No impacts are identified to the community.

SUMMARY OF COMPLIANCE WITH DEVELOPMENT STANDARDS: The property has a General Plan Land Use designation of Estate District A with Zoning of RE-A. Religious assembly uses are allowed within this land use designation and zoning with approval of a conditional use permit.

The project meets or exceeds all development standards. See Attachment A for Development Standard Compliance Table. The existing 2.75 acre lot exceeds the minimum 1 acre lot size.

¹ Archeological report used is the original report conducted by a church for this site in the early 1990's.

The maximum building height for the zone is 36 feet; the proposed buildings maintain a low, single story profile at 23'.

Although no minimum site landscape standard is required, the project maintains approximately 34% of the site in landscape. The proposed landscaping and low building profile help to provide a separation of uses and softens the parking lot and buildings. A 30' landscape buffer is provided between the north property line and the parking/building. When combined with the required 6' block wall, a good separation is provided between the proposed use and existing single family home to the north. All other required setbacks are met or exceeded. For both phases, the total building lot coverage is under 9%; the code allows a maximum of 30%. When considering just the first phase of development, the lot coverage is under 5%. The landscape standards are met with trees provided throughout the parking area. The Code requires 65 parking stalls for the first phase; 70 stalls are provided. At build out, 129 stalls are required; 134 stalls are provided.

DEVELOPMENT PLAN REVIEW:

- 1. That the site plan and physical design of the project as proposed is consistent with the purposes of the Zoning Ordinance.**

The property has a General Plan Land Use designation of Estate District A with Zoning of RE-A. Religious assembly uses are allowed within this land use designation and zoning with the approval of a conditional use permit. The project meets or exceeds all development standards. The existing 2.75 acre lot exceeds the minimum 1 acre lot size. The maximum building height for the zone is 36 feet; the proposed buildings maintain a low single-story profile at 23 feet.

Although no minimum site landscape standard is required, the project maintains approximately 34% of the site in landscape. The proposed landscaping and low building profile help to provide a separation of uses and softens the view of the parking/buildings. A 30' landscape buffer is provided between the north property line and the parking/building. When combined with the required 6' block wall, a good separation is provided between the proposed use and existing single family home to the north. All other required setbacks are met or exceeded. For both phases, the total building lot coverage is 9%; the code allows a maximum of 30%. When considering just the first phase of development, the lot coverage is under 5%. The landscape standards are met with trees provided throughout the parking area. The Code requires 65 parking stalls for the first phase; 70 stalls are provided. At build out, 129 stalls are required; 134 stalls are provided.

- 2. That the Development Plan as proposed conforms to the General Plan of the City.**

The General Plan land use designation for the property is Estate District A allowing for residential development. Religious assemblies are allowed when they are compatible to existing residential uses. The subject side is at the northeast corner of North River Road and Stallion Road, which minimizes any intrusion into the existing residential neighborhood.

Policy 1.12, Land Use Compatibility, of the General Plan Land Use Element, expresses the need to minimize conflicts with adjacent land uses through adequate setbacks, buffers and other site design measures. These measures would result in no negative visual impacts or objectionable noise, light or other impacts to surrounding land uses. The proposed use and site design eliminate or minimize any noise or light impacts and creates a compatible land use for the single-family home to the north and the agricultural use to the east. A 15 foot landscaped setback separates the proposed use from the agricultural use to the east. A 30' landscape setback and 6' block wall provides a separation for the residential use to the north. Lights from the vehicles would be blocked by the 6' wall eliminating any potential light/glare impact to the resident north of the project. Parking lot lights will be directed onto the parking lot minimizing any spill over. (See Photometric Study) In addition, the existing residential home to the north is about 40'-50' from the with northerly property line. The proposed buildings are low profile, single story compatible with residential buildings.

- 3. That the area covered by the Development Plan can be adequately, reasonably and conveniently served by existing and planned public services, utilities and public facilities.**

Based on a traffic study completed for the proposed project, no traffic impacts are anticipated. The site is 2.75 acres and is of adequate size for the use and development plan, utilizing existing roads and utilities. Access is immediately off of Stallion Road minimizing any intrusion into the existing residential neighborhood.

The site is also elevated above North River Road and most of Stallion Road. This provides a visual barrier of the proposed project from North River Road and most of Stallion Road. In addition, trees are provided throughout the parking, as required by the code, further enhancing the overall appearance of the site.

- 4. That the project as proposed is compatible with existing and potential development on adjoining properties or in the surrounding neighborhood.**

Fifteen lots are located within the immediate neighborhood along Stallion Road and Mare Road. A mix of uses are located within this area, including single family homes, vacant land and three religious assembly uses. Access to this neighborhood is off of North River Road. The subject site is located on 2.75 acres of vacant property located at the northeast corner of Stallion Road and North River Road. With access off of Stallion Road via North River Road, intrusion into the existing neighborhood is minimal.

Immediately north of the subject site is a single family home located 40 to 50 feet from the site's northerly property line. The proposed parking and building is proposed to be setback 30 feet from the north property line. This 30' separation will be landscaped and a 6' block wall will be located on the north property line. In total, the separation between the existing single-family home and the nearest proposed building/parking is 70 – 80 feet, eliminating any conflict.

An existing religious assembly is located on the west side of Stallion Road. Two other churches are located further up Stallion Road, one with access on Mare Road. Farming is located immediately to the east. A 15' setback is provided along the east property line.

North River Road is located on the south side of the subject site. San Luis Rey River is located south of North River Road. All drainage from the project is surface flow to existing drainage facilities.

The greater neighborhood is generally comprised of agriculture to the east; residential/park and commercial to the west; San Luis Rey River, open space with residential beyond to the south; and vacant, residential and agriculture to the north.

- 5. That the site plan and physical design of the project is consistent with the policies contained in Section 1.24 and 1.25 of the Land Use Element of the General Plan, the Development Guidelines for Hillside, and Section 3029 of this ordinance.**

Policy 1.24 of the General Plan Land Use Element ensures that development preserves and enhances the unique beauty and character of natural topographic features and does not contribute to slope instability. This is generally applied to natural slopes of 20% or more, canyons, watercourses, and significant rock outcroppings, trees and native vegetation.

The subject site is relatively level with a north to south slight downward slope. Natural steep slopes of 20% or more are not present on the property. The existing slopes are manufactured cut slopes to accommodate existing roads (North River Road and Stallion Drive). There are no natural features on the site. A few small shrubs/trees exist and are not considered significant natural trees or vegetation.

Policy 1.25 relates to undeveloped lands with significant natural resources, steep slopes (over 40%), riparian corridors, and the like.

The subject site does not have natural steep slopes. The site is relatively flat with existing manufactured cut slopes adjacent to the existing roads. No riparian corridors are present on-site or immediately adjacent to the site.

CONDITIONAL USE PERMIT:

- 1. That the proposed location of the use is in accord with the objectives of this ordinance and the purposes of the district in which the site is located.**

The property has a General Plan Land Use designation of Estate District A with Zoning of RE-A. Religious assembly uses are allowed within this land use designation and zoning with the approval of a conditional use permit. The project meets or exceeds all development standards. The existing 2.75 acre lot exceeds the minimum 1 acre lot size. The maximum building height for the zone is 36 feet; the proposed buildings maintain a low profile at 23 feet.

Although no minimum site landscape standard is required, the project maintains approximately 34% of the site in landscape. This provides a separation of uses and softens the view of the parking/buildings. A 30' landscape buffer is provided between the north property line and the parking/building. When combined with the required 6' block wall, a good separation is provided between the proposed use and existing single family home to the north. All other required setbacks are met or exceeded. For both phases, the building lot coverage is under 9%; the code allows a maximum of 30%.

When considering just the first phase of development, the lot coverage is under 5%. The code requires 129 parking stalls for both phases of development; the project provides 134 parking stalls. The landscape standards are met with trees provided throughout the parking area.

- 2. That the proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; 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.**

The General Plan land use designation for the property is Estate District A allowing for residential development. Religious assemblies are allowed when they are compatible to existing residential uses. The subject site is at the northeast corner of North River Road and Stallion Road, which minimizes any intrusion into the existing residential neighborhood.

Policy 1.12, Land Use Compatibility, of the General Plan Land Use Element, expresses the need to minimize conflicts with adjacent land uses through adequate setbacks, buffers and other site design measures. These measures would result in no negative visual impacts or objectionable noise, light or other impacts to surrounding land uses. The proposed use and site design eliminate or minimize any noise or light impacts and creates a compatible land use for the single-family home to the north and the agricultural use to the east. A 15 foot landscaped setback separates the proposed use from the agricultural use to the east. A 30' landscape setback and 6' block wall provides a separation for the residential use to the north. Lights from the vehicles would be blocked by the 6' wall eliminating any potential light/glare impact to the resident located north of the project. The proposed buildings are low single story profile, compatible with residential buildings. Parking lot lights will be directed onto the parking lot minimizing any spill over. (See Photometric Study) In addition, the existing residential home to the north is about 40'-50' from the with northerly property line.

Fifteen lots are located within the immediate neighborhood along Stallion Road and Mare Road and have a mix of uses, including single family homes, vacant land and three religious assembly uses. Access to this neighborhood is off of North River Road. The subject site is located on the 2.75 acre vacant property located at the northeast corner of Stallion Road and North River Road. With access off of Stallion Road via North River Road, intrusion into the existing neighborhood is minimal.

An existing religious assembly is located on the west side of Stallion Road. Two other churches are located further up Stallion Road, one with access also on Mare Road. Farming is located immediately to the east. A 15' setback is provided along the east property line.

North River Road is located on the south side of the subject site. San Luis Rey River is located south of North River Road. All drainage from the project is surface flow to existing drainage facilities.

The greater neighborhood is generally comprised of agriculture to the east; residential/park and commercial to the west; San Luis Rey River, open space with residential beyond to the south; and vacant, residential and agriculture to the north.

The proposed project is consistent with the surrounding uses and will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such uses. The proposed project will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.

- 3. That the proposed conditional use will comply with the provisions of this ordinance, including any specific condition required for the proposed conditional use in the district in which it would be located.**

The proposed project will comply with the provisions of the zoning district regulations by meeting or exceeding the development standards of the district. The site is ample size to accommodate the proposed religious assembly use. The proposed buildings are relatively low profile (23 feet high, single-story) consistent and compatible for the neighborhood. The project will install a 6' block wall on the north property line. In addition, the setback area adjacent to the wall will help to provide an adequate separation.

**ATTACHMENT A
DEVELOPMENT STANDARD COMPLIANCE TABLE**

OCEANSIDE KINGDOM HALL DEVELOPMENT COMPLIANCE TABLE			
	STANDARD	PHASE I	PHASE 2 (TOTAL DEVELOPMENT)
Zone	RE-A	827 sf apt.	827 sf apt.
General Plan designation	Res. Estate District EA-R	4,576 sf bldg for assembly	9,152 sf of 2 bldgs for assembly
Religious Assembly	MUP & Development Plan Permit		
Lot Area	1 acre		2.75 acre
Lot Width	125'		140'
Building Height	36'	Main Bldg 23' Apt 13'-6"	Main Bldg 23' Apt 13'-6"
Lot coverage	30%		9.0%
Site landscape	N/A		34%
SETBACKS			
Front Setback (off of N. River Road)	30'	30'	30'
Interior Side Setback	15'	15'	15'
Street side Setback	25'	44'	44'
Rear Setback	30'	30'	30'
PARKING			
		PHASE 1	PHASE 2
Fixed Seats	1 sp/4seats 174 seats = 43 stalls		
Nonfixed Seats Main Auditorium	1 sp/40 sf 2,087 sf = 52 stalls	52 stalls	52 stalls
Nonfixed Seating side meeting rooms	1 sp/40 sf 448 sf = 11 stalls	11 stalls	11 stalls
Office	A sp/300 sf 186 sf = 1 stall	1 stall	1 stall
Apartment	1 stall	1 stall	
Total Required		65	64 stalls (129 total)
Total Provided		70 stalls	134 stalls

LEGAL DESCRIPTION

EXHIBIT "A"

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

LOT 12 OF J.D.M. SUBDIVISION, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 6742, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY SEPTEMBER 24, 1970.

Assessor's Parcel Number: **122-220-12**



NOTICE OF EXEMPTION
City of Oceanside, California

Post Date:
Removal:
(180 days)

1. **APPLICANT:** Valley View Oceanside Congregation of Jehovah's Witnesses Inc.
Patrick Murphy/ Jim Bozer
2. **ADDRESS:** 102 Stallion Drive
3. **PHONE NUMBER:** (760) 631-4908
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Amy Fousekis
6. **PROJECT TITLE:** D10-00005, CUP10-00021 (Valley View Oceanside Congregation of Jehovah's Witnesses)
7. **DESCRIPTION:** The project involves construction and operation of a religious assembly campus which will include two assembly hall buildings totaling 9,152 square feet (4,576 sq. ft. each) and detached quarters for minister/caretaker totaling 827 square feet on a 2.75-acre parcel. The subject site is zoned RE-A (Residential Estate-A), has a General Plan Land Use Designation of EA-R (Estate-A Residential), and is situated within the North Valley Neighborhood.

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 this review, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- The project is categorically exempt as a Class 32, 15332 for In-Fill Development Projects;
- "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 , ____ (Sections 15260-15277); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Date: December 10, 2012

Amy Fousekis, Principal Planner

cc: Project file Counter file Library Posting: County Clerk \$50.00 Admin. Fee