

AGENDA NO.

3

PLANNING COMMISSION RESOLUTION NO. 2018-P40

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA RECOMMENDING CITY COUNCIL DENIAL OF A ZONE AMENDMENT, AND DENYING WITHOUT PREJUDICE A DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: ZA16-00009//D16-00017/CUP16-00015
APPLICANT: Riverview Springs Ltd.
LOCATION: 4398 Rainier Way (APNs 158-030-40, 41 & 42)

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Zone Amendment, Development Plan and Conditional Use Permit request under the provisions of Articles 10, 40, 41, 43, and 45 of the Zoning Ordinance of the City of Oceanside to permit the following:

the addition of 47 apartment dwelling units in six buildings to an existing 358 dwelling unit apartment complex;
on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 13th day of August, 2018 conduct a duly advertised public hearing as prescribed by law to consider said application;

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

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

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

1 FINDINGS:

2 For the Zone Amendment (ZA16-00009):

3 To recommend denial, without prejudice, of the proposed zone amendment of the project site from
4 Medium Density Residential B (RM-B) to Medium Density Residential C (RM-C):

5 1. *Is the proposed Zoning Map Amendment consistent with the policies of the General Plan?*

6 The Planning Commission finds that, although the proposed Zoning Map Amendment
7 would bring the zoning designation on the project into conformance with its General Plan
8 designation, it would conflict with other policies of the General Plan. Specifically, the Zone
9 Amendment would conflict with policies of the Land Use Element of the General Plan
10 related to the preservation of the public health, safety and general welfare (Policy 1.15), the
11 provision of adequate public services and facilities (Policy 1.17) and the need for safe and
12 efficient transportation (Policy 2.71).

13 2. *Is the proposed Zoning Map Amendment consistent with purposes of the Zoning
14 Ordinance?*

15 The Planning Commission finds that the proposed amendment to the site's zoning is
16 inconsistent with the stated purposes of the Zoning Ordinance in that it would allow
17 increased residential density that would negatively affect parking and traffic circulation
18 in the project vicinity as well as the ability to safely evacuate the area in the event of an
19 emergency.

20 For the Development Plan (D16-00017):

21 Denying the site development plan for the proposed addition of 47 apartment dwelling units without
22 prejudice:

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

25 The Planning Commission finds that the site plan and physical design of the project as
26 proposed is inconsistent with the Zoning Ordinance. Specifically, the Planning Commission
27 finds that the proposed 47 additional residential dwelling units would negatively impact
28 local parking, traffic circulation, and emergency access and egress.

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

The Planning Commission finds that the proposed Development Plan would not conform
to the General Plan of the City, in that the project would add 47 additional apartment units

1 which would conflict with General Plan policies that call for the provision of adequate
2 public services and facilities and safe and efficient transportation.

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

6 The Planning Commission finds that the proposed project cannot be adequately,
7 reasonably, and conveniently served by existing and planned public services, utilities,
8 and public facilities, as the additional dwelling units would exacerbate existing parking
9 and traffic issues in the area as well as the ability to safely evacuate the area in the event
10 of an emergency.

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

13 The Planning Commission finds that the proposed project is not compatible with existing
14 surrounding development, which includes single and multi-family residential development.
15 The physical siting of the new apartment units would add additional density to the project
16 area and cause negative parking, traffic and egress impacts on surrounding properties.

- 17 5. *That the project site plan and physical design of the project is consistent with the policies*
18 *contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan, the*
19 *Development Guidelines for Hillsides, and Section 3039 of this ordinance.*

20 The Planning Commission finds that the project would not alter existing topographic or
21 hillside features.

22 For the Conditional Use Permit (CUP16-00015):

23 Denying a residential project that would be above the base density of the General Plan without
24 prejudice:

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

27 The Planning Commission finds that proposed location of the project is not in accord with
28 the objectives of the Zoning Ordinance and the purposes of RM-B district. The project
29 proposes residential density at 17.3 dwelling units per acre, which is above the 10.0 to 15.0
du/ac density allowance of the existing RM-B zone. In addition, the project would be above
the 15.1 du/ac base density of the proposed RM-C zone and would negatively impact

1 parking, traffic and egress in the surrounding area.

- 2 2. *That the proposed location of the conditional use and the proposed conditions under which*
3 *it would be operated or maintained will be consistent with the General Plan; will not be*
4 *detrimental to the public health, safety or welfare of persons residing or working in or*
5 *adjacent to the neighborhood of such use and will not be detrimental to properties or*
6 *improvements in the vicinity or to the general welfare of the City.*

7 The Planning Commission finds that the project would not be operated and maintained
8 consistent with the General Plan and would be detrimental to the public health, safety and
9 welfare of persons residing in the neighborhood, in that it would exacerbate local traffic and
10 parking issues and interfere with evacuation in the event of an emergency.

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

14 The Planning Commission finds that proposed project would not comply with the relevant
15 provisions of the Zoning Ordinance as it would negatively affect parking, traffic and egress
16 in the surrounding community.

17 //////////////

18 //////////////

19 //////////////

20 //////////////

21 //////////////

22 //////////////

23 //////////////

24 //////////////

25 //////////////

26 //////////////

27 //////////////

28 //////////////

29 //////////////

1 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of
2 Oceanside does hereby recommend City Council denial of the proposed Zone Amendment
3 (ZA16-00009) and denies without prejudice Development Plan (D16-00017) and Conditional
4 Use Permit (CUP16-00015);

5 PASSED on August 13, 2018 by the following vote, to wit:

6 AYES: Scrviener, Krahel, Balch, Rosales and Goodkind

7 NAYS: Balma, Busk

8 ABSENT: None

9 ABSTAIN: None

10 ADOPTED Resolution No. 2018-P40 on August 27, 2018.

11 AYES:

12 NAYS:

13 ABSENT:

14 ABSTAIN:

15 _____
Jay Scrivener, Chairperson
Oceanside Planning Commission

16
17 ATTEST:

18 _____
Jeff Hunt, Secretary

19
20 I, JEFF HUNT, Secretary of the Oceanside Planning Commission, hereby certify that this is a
21 true and correct copy of Resolution No. 2018-P40.

22 Dated: August 27, 2018
23 _____

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

26
27 _____
Applicant Signature

Date: _____