



DATE: January 14, 2008

TO: Chairman and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A CONDITIONAL USE PERMIT (C-29-07) TO ESTABLISH AN EXERCISE STUDIO LOCATED AT 3509 CANNON ROAD, SUITE E3 WITHIN THE PLAM TREE PLAZA COMMERCIAL CENTER. THE PROJECT SITE IS ZONED CG-PBD (GENERAL COMMERCIAL-PLANNED BLOCK DEVELOPMENT) AND IS SITUATED WITHIN THE OCEAN HILLS NEIGHBORHOOD – R&M EXERCISE STUDIO – APPLICANT: R&M EXERCISE STUDIO, INC DBA RAY WILSON FITNESS CENTERS**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Approve Conditional Use Permit (C-29-07) by adopting Planning Commission Resolution No. 2008-P01 with findings and conditions of approval attached herein.
- (2) Confirm issuance of a Class 1, Categorical Exemption for "Existing Facilities".

PROJECT DESCRIPTION AND BACKGROUND

Background: The project site is located at the northwest corner of Melrose Drive and Cannon Road within the Palm Tree Plaza commercial center. The overall development plan for the center was approved by the Planning Commission on December 10, 1990. Said plan included construction of a 120,732-square foot of gross floor area allocated to commercial retail businesses, office-space, restaurants, a service station and freestanding pad areas.

Site Review: The site is located at 3509 Cannon Road, Suite E3 at the terminus of Melrose Drive and Lake Boulevard within the Palm Tree Plaza Master Planned Shopping Center. The property is zoned Commercial General Planned Block Development (CG-PBD). Establishment of personal improvement uses within the Palm Tree Plaza CG-PBD zoning district is subject to approval of a Conditional Use Permit.

The Palm Tree Plaza Commercial Center encompasses approximately 11.27 acres; however the project's use is limited to 3,250 square feet in an existing 6,500-square foot building. The underlying General Plan land use and zoning designation for the site is General Commercial. A Planned Block Development (PBD) overlay district was approved by the City Council for the subject site on May 24, 1995.

Surrounding uses include commercial uses to the east, residential developments to the west and south and open-space to the north. Access to the site is provided via four driveways two of which are located on Melrose Drive, one on Lake Boulevard and one on Cannon Road. A total of 473 parking spaces are available throughout the site.

Project Description: The project application is comprised of Conditional Use Permit (C-29-07) which represents a request for the following:

To allow establishment and operation of OZO 450U Personal Improvement Services.

All exercise related activities would be conducted solely within an existing 3250-square foot commercial building suite. Typical operational activities of the exercise studio would include:

- The number of patrons utilizing the facility would be between 7-20 people at any one time.
- The average time a customer spends at the facility is 30 minutes.
- There is 1 full-time employee and 4 part-time employees.
- The hours of operation are Monday through Wednesday 6:00 a.m. to 9:00 p.m.; Thursday and Friday 6:00 a.m. to 8:00 p.m.; Saturday 8:00 a.m. to 5:00 p.m.; Sunday 8:00 a.m. to 12:00 p.m.

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

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

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

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

A. Land Use Element I. Community Enhancement

Goal 1.11: Balanced Land Use

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

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

The proposed use has been reviewed and analyzed by staff to ensure that the personal improvement service would not adversely impact the existing center and surrounding commercial and residential zones. The neighboring use within the commercial center includes a wide variety of commercial uses. Operation of the personal improvement service type use has been determined by staff to provide an overall balance of goods and services in close proximity to the residential areas of the Ocean Hills neighborhood, and to foster a sense of community to the residents in close proximity to the personal improvement service.

B. Land Use Element II. Community Development

Goal 2.23: General Commercial

Objective: To promote and preserve a balance of successful markets and services in aesthetic, people-oriented associations that are compatible and organized to surrounding land uses.

Policy A: General Commercial shall provide retail shops, restaurants and services which meet the “immediate” commercial needs of the community.

The proposed personal improvement service would provide the surrounding community with a desirable use to service the needs in close proximity to the Ocean Hills neighborhood.

2. Zoning Compliance

This project is located in the Palm Tree Plaza Master Plan Area (CG-PBD) and complies with the requirements of that zone. The following table depicts the parking data for the existing commercial center uses with the proposed exercise facility:

EXISTING USES	BUILDING AREA (Sq. Ft.)	PARKING RATIO REQUIRED	REQUIRED PARKING
Day Care (existing)	6,800	1 per 7 persons based on maximum occupancy load, Occupancy Load is 142	20

Taco Bell (existing)	1,000	1 per 50 sq. ft of seating area	20
McDonalds (existing)	1,270	1 per 50 sq. ft of seating area	26
Hollywood Video (existing)	7,000	1 per 250	28
Shops A (existing)	14,800	1 per 250	60
Shops B (existing)	6,500	1 per 250	26
Ralphs (existing)	45,000	1 per 250	180
Walgreens (existing)	14,379	1 per 250	58
Shops C (future First Bank)	4,500	1 per 250	18
TOTAL PARKING REQUIRED			436
TOTAL PARKING PROVIDED			473

The proposed Conditional Use Permit requires a total of 13 parking spaces. With the above parking study, there are a total of 473 spaces provided for the Palm Tree Plaza Master Development. The total required spaces, including R&M Exercise Studio, are 438. Therefore R&M Exercise Studio should not adversely affect the parking requirements within the center. The entire center is exceeding the required parking by 35 parking spaces.

1. Land Use Compatibility with surrounding developments

The proposed land use is consistent with the General Plan and Zoning Ordinance designations applicable to the site. Due to the nature and operational characteristics of the proposed exercise facility, the project's location - in proximity to residential uses - is not expected to adversely impact residences located across Melrose Drive and Cannon Road and would provide a desired service for residents in the immediate area.

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	CG (General Commercial)	CG-PBD (Commercial General Planned Block Development)	Commercial Palm Tree Plaza
North of Subject Property	OS (Open Space)	OS (Open Space)	OS (Open Space) Church
East of Subject Property:	CG (General Commercial)	CG-PBD (Commercial General Planned Block Development)	Commercial Broadmor Plaza

South of Subject Property:	MDB-R (Medium Density-B Residential)	RM-B (Residential Medium-B)	Multi-Family Residential
West of Subject Property:	MDA-R (Medium Density –A Residential)	RS (Single Family)	Residential

DISCUSSION

The project site is located within a shopping center in need of tenants that can generate activity. The proposed personal improvement service will enhance the area by providing a needed business to the area.

The proposed use has been reviewed and analyzed to ensure that traffic impacts and parking deficiencies would not arise. The project is proposed within an established area of the City on a site that possesses adequate infrastructure and services to accommodate the proposed use.

Issue: Project compatibility within an existing commercial center.

Recommendation: Personal Improvement Services are compatible with the surrounding land uses. Staff concluded the following:

- The personal improvement service (R&M Exercise Studio) activities would not interfere with the primary commercial uses in the area and would compliment the adjoining uses.
- Parking would be provided in accordance with applicable parking regulations for personal improvement services pursuant to Article 31, Off-Street Parking and Loading Regulations of the zoning ordinance. Parking would be shared with other commercial users in the vicinity because said uses would not operate simultaneously.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt pursuant to Class 1, Section 15301 (a) of the California Environmental Quality Act which states that the proposed project constitutes operation, repair, maintenance, permitting, leasing, licensing, or minor alterative of existing public or private structures, facilities, mechanical equipment, or topographic features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.

PUBLIC NOTIFICATION

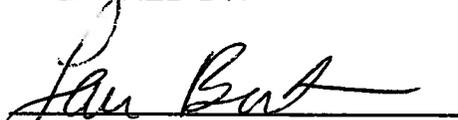
Legal notice was published in the North County Times and notices were sent to property owners of record within a 1500-foot of the subject property, individuals/organizations requesting notification, applicant and their representative, and interested parties. As of January 10, 2008, no communication supporting or opposing the request has been received.

SUMMARY

The Conditional Use Permit is consistent with the requirements of the Zoning Ordinance and the land use policies of the General Plan. The project meets all applicable development standards. As such, staff recommends that the Planning Commission approve the project based on the findings and subject to the conditions contained in the attached Resolution. Staff recommends that the Planning Commission:

- Move to approve Conditional Use Permit (C-29-07) and adopt Planning Commission resolution No. 2008-P01 as attached.

PREPARED BY:


Faith Burton
Planner I

SUBMITTED BY:


Jerry Hittleman
City Planner

REVIEWED BY:

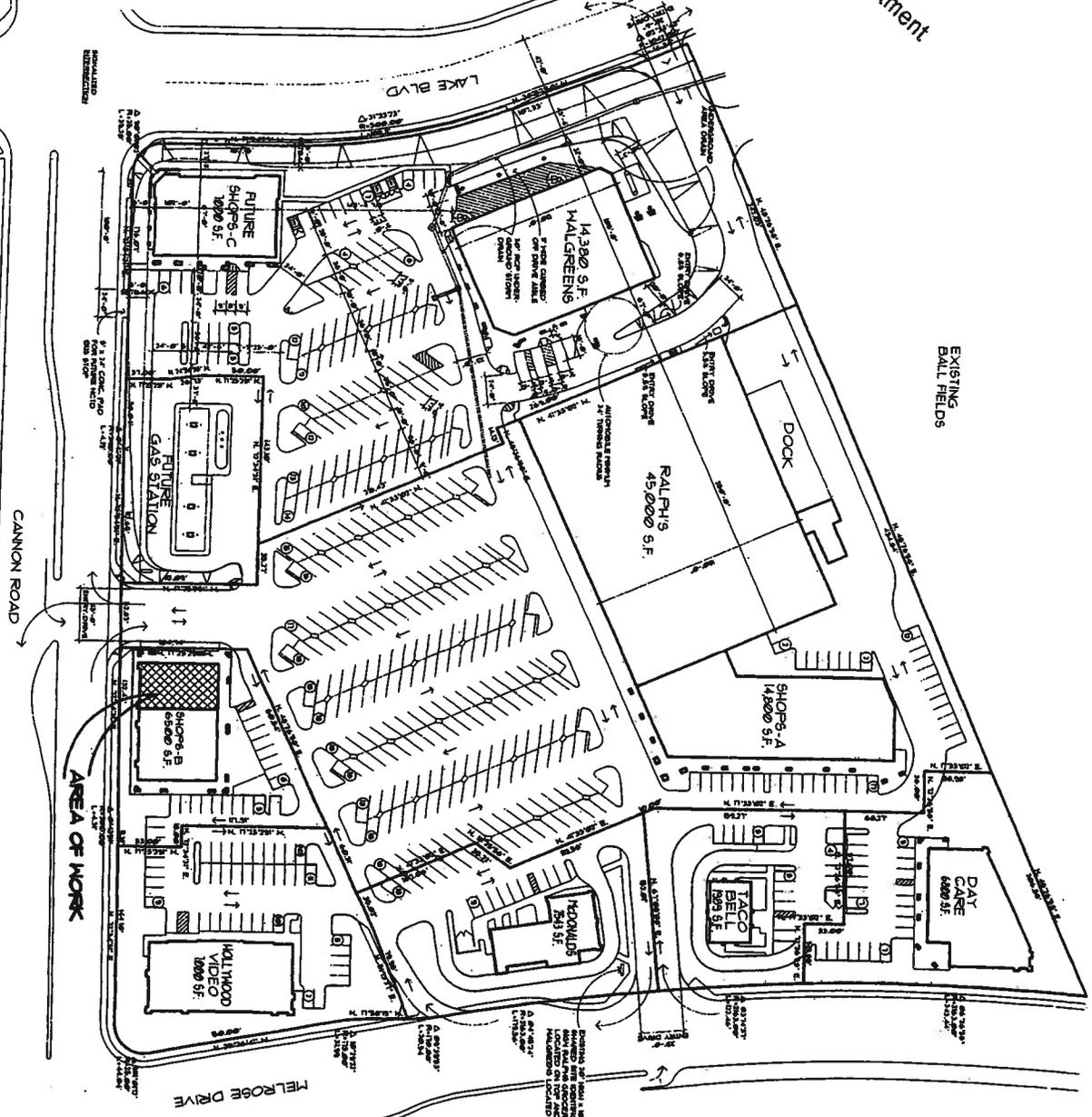
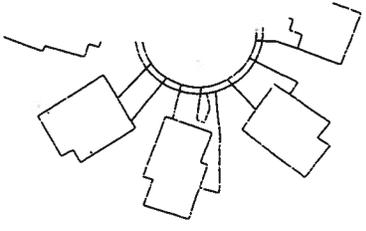
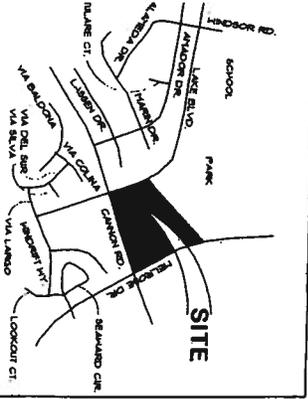

Richard Greenbauer, Senior Planner

JH/FB/fil

Attachments:

1. Floor/Elevation/Site Plans
2. Planning Commission Resolution No. 2008-P01

RECEIVED
 AUG 30 2007
 Planning Department



PER CITY HANDOUT

DAY CARE (EXISTING)	1,700 OCC.
6,600 SF • 147 OCC MAX	142/ 20
TACO BELL (EXISTING)	1150 DINING AREA
EST. 1000 SF • 1150	20
FEDONALDO'S (EXISTING)	1150 DINING AREA
EST. 1,000 VIDEO (EXIST.)	1,250
1000 SF • 1,250	28
SHOPS-A (EXISTING)	1,130
14,800 SF • 1,130	62
SHOPS-B (EXISTING)	2,750
3,000 SF • 2,750	1,200
RALPH'S (EXISTING)	1,200
45,000 SF • 1,250	180
MARGRENS (NEW)	1,250
14,380 SF (FUTURE)	1,250
6,340 SF • 1,250	21
SUBSTATION (FUTURE)	1,250
125 SF • 1,250	446
PARKING PROVIDED:	413

Site Plan

Site Plan 1" = 50'-0"

1 PLANNING COMMISSION
2 RESOLUTION NO. 2008-P01

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

7 APPLICATION NO: C-29-07
8 APPLICANT: R&M Exercise Studio Inc, DBA Ray Wilson Fitness Centers
9 LOCATION: Southwest corner of Cannon Road and Lake Boulevard

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

12 WHEREAS, there was filed with this Commission a verified petition on the forms
13 prescribed by the Commission requesting a Conditional Use Permit under the provisions of Palm
14 Tree Plaza Master Plan (CG-PBD) and Articles 11, 41, and 46 of the Zoning Ordinance of the
15 City of Oceanside to permit the following:

16 to establish and operate a personal improvement service;
17 on certain real property described in the project description.

18 WHEREAS, the Planning Commission, after giving the required notice, did on the 14th day
19 of January, 2008 conduct a duly advertised public hearing as prescribed by law to consider said
20 application.

21 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
22 Guidelines thereto; this project has been found to be exempt per section 15301 class existing
23 facilities;

24 WHEREAS, pursuant to Oceanside Zoning Ordinance §4107, this resolution becomes
25 effective on the date of adoption of the Planning Commission resolution, unless appealed, as
26 provided for in Article 46;

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

29 FINDINGS:

1 For the Conditional Use Permit:

- 2 1. The site plan and physical design of the project is consistent with the Zoning Ordinance
3 and the underlying General Commercial Planned Block Development (CG-PBD) zone.
- 4 2. That the proposed location of the conditional use and the proposed conditions under
5 which it would be operated or maintained will be consistent with the General Plan; will
6 not be detrimental to the public health, safety, welfare of persons residing or working in
7 or adjacent to the neighborhood of such use; and will not be detrimental to properties or
8 improvements in the vicinity or to the general welfare of the City.
- 9 3. That the proposed conditional use will comply with the provisions of the Zoning
10 Ordinance, including any specific condition required for the proposed conditional use in
11 the district in which it would be located.

12 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
13 approve Conditional Use Permit (C-29-07) subject to the following conditions:

14 **Building:**

- 15 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
16 Building Division plan check.
- 17 2. The granting of approval under this action shall in no way relieve the project from
18 compliance with all State and Local building codes.
- 19 3. Site development, parking, access into buildings and building interiors shall comply
20 with the State's Disabled Accessibility Regulations (2001 California Building Code
21 (CBC, Chapter 11B).
- 22 4. Tenant improvements or other construction to the existing building, requires permits
23 (including all required inspections and approvals, and issuance of a Certificate of
24 Occupancy) from the Building Division.
- 25 5. The granting of approval under this action shall in no way relieve the applicant/project
26 from compliance with all State and local building codes.
- 27 6. Construction plans submitted to the Building Division after January 1, 2008 must comply
28 with the State adopted International Code Council (ICC) codes.
29

1 **Fire:**

- 2 7. All proposed and existing fire hydrants within 400 feet of the project shall be shown on
3 the site plan.
- 4 8. Fire extinguishers are required and shall be included on the plans submitted for plan
5 check.
- 6 9. Plans shall be submitted to the Fire Prevention Bureau for plan check review and
7 approval prior to the issuance of building permits.
- 8 10. Buildings shall meet Oceanside Fire Department's current codes at the time of building
9 permit application.

10 **Planning:**

- 11 11. This Conditional Use Permit (C-29-07) shall lapse two years after the effective date of
12 approval unless criteria set forth in Section 4108A 1-4 has been satisfied. As per Section
13 4108 of the Zoning Ordinance the validity of C-29-07 shall not be affected by changes in
14 ownership; and this Conditional Use Permit shall lapse if the exercise of rights granted by
15 it is discontinued for six consecutive months.
- 16 12. This Conditional Use Permit approves only the following: an exercise studio within an
17 existing 6,500-square foot commercial space. Substantial deviations shall require a
18 revision to the Conditional Use Permit or a new Conditional Use Permit as per the
19 Zoning Ordinance Section 4109A.
- 20 13. Any signs on the building shall meet the criteria in the Palm Tree Plaza Master Plan.
- 21 14. No operations related to the use shall be permitted outside the building unless the standards
22 set forth in Article 30 Section 20 are maintained along with the approval of an outdoor
23 facilities permit by the City Planner.
- 24 15. All mechanical rooftop and ground equipment shall be screened from public view as
25 required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,
26 mechanical equipment, screen and vents shall be painted with non-reflective paint to match
27 the roof. This information shall be shown on the building plans.
- 28 16. A covenant or other recordable document approved by the City Attorney shall be prepared
29 by the applicant and recorded prior to the issuance of a business license. The covenant

1 shall provide that the property is subject to this resolution, and shall generally list the
2 conditions of approval.

3 17. Prior to the issuance of building permits, compliance with the applicable provisions of the
4 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be reviewed
5 and approved by the Planning Division. These requirements, placed upon the property
6 owner, including the obligation to remove or cover with matching paint all graffiti within
7 24 hours shall be recorded in the form of a covenant affecting the subject property .

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

12 19. Failure to meet any conditions of approval for this project shall constitute a violation of the
13 Conditional Use Permit (Oceanside Zoning Ordinance Article 41 Section 4108E).

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

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

23 22. The hours-of-operation are limited to 6:00 a.m. to 9:00 p.m. Monday thru Wednesday,
24 Thursday and Friday 6:00 a.m. to 8:00 p.m., and Sundays 8:00 a.m. to 5:00 p.m., but shall
25 be reviewed and subject to change by the City Planner when valid issues or complaints
26 pertaining to the hours-of-operation arise.

26 **Water Utilities:**

27 23. The property owner will maintain private water and wastewater utilities located on
28 private property.
29

1 24. No trees, structures or building overhead shall be located within any water or wastewater
2 utility easement.

3 PASSED AND ADOPTED Resolution No. 2008-P01 on January 14, 2008 by the
4 following vote, to wit:

5 AYES:

6 NAYS:

7 ABSENT:

8 ABSTAIN:

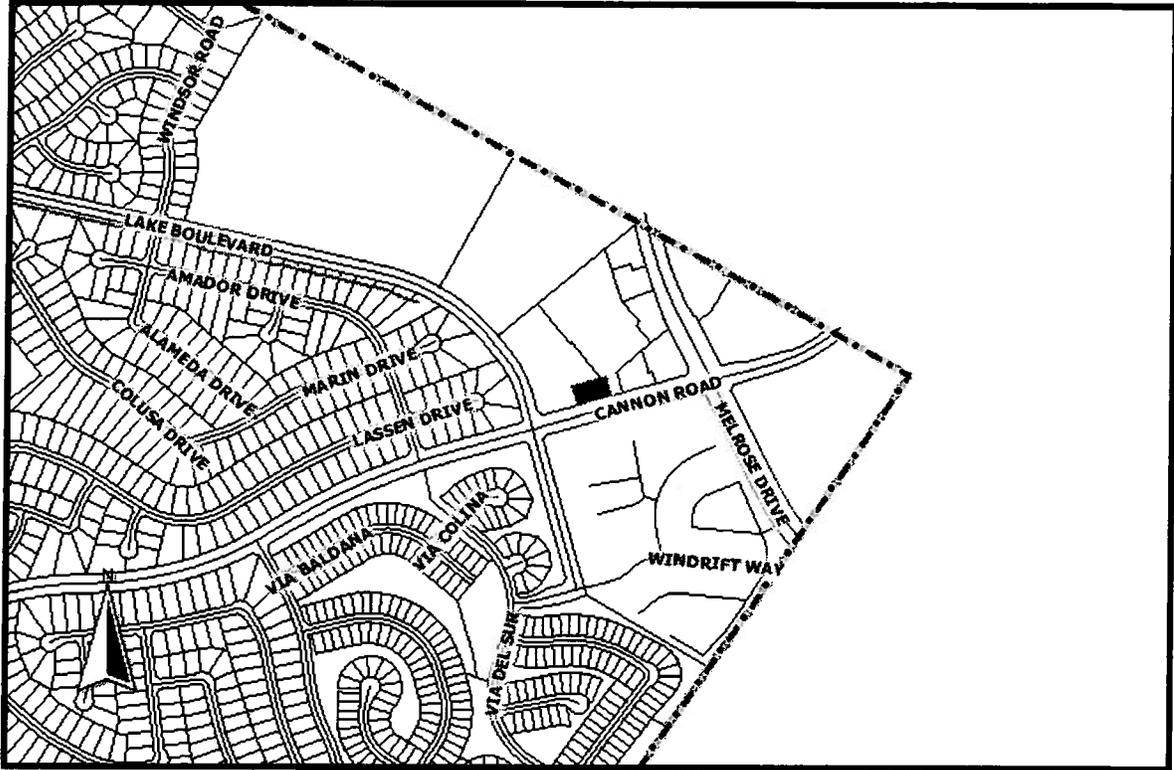
9
10 _____
11 Dennis Martinek, Chairman
12 Oceanside Planning Commission

13 ATTEST:

14
15 _____
16 Jerry Hittleman, Secretary

17 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
18 this is a true and correct copy of Resolution No. 2007-P01.

19 Dated: January 14, 2008
20
21
22
23
24
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27
28
29



File Number: C-29-07

Applicant: R&M Exercise Studio, Inc. DBA Ray Wilson Fitness Centers

Description:

CONDITIONAL USE PERMIT (C-29-07) to allow the use of an exercise facility within an existing shopping center located at the southwest corner of Lake Boulevard and Cannon Road. The project site is zoned CG-PBD (General Commercial Planned Block Development) and is situated within the Lake Neighborhood. – **R&M EXERCISE STUDIO AT PALM TREE PLAZA**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

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

Application For Planning Commission Hearing				STAFF USE ONLY	
Planning Department (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885 Please Print or Type All Information				ACCEPTED	BY
				8/30/07	SS
PART I - APPLICANT INFORMATION				HEARING	
1. APPLICANT		2. STATUS		GPA	
R & M Exercise Studio, Inc dba Ray Wilson Fitness Centers				MASTER/SP. PLAN	
3. ADDRESS		4. PHONE/FAX		ZONE CH.	
3509 Cannon Rd. # E3 Oceanside, CA 92056		760 726 1600		TENT. MAP	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing)				PAR. MAP	
Robert Dennis				DEV. PL.	
6. ADDRESS		7. PHONE/FAX		C.U.P.	
7521 Esfera St. Carlsbad, CA 92009		760 419 8263		C-29-07	
PART II - PROPERTY DESCRIPTION				VARIANCE	
8. LOCATION				COASTAL	
Melrose & Lake Blvd (Palm Tree Plaza Shopping Center)				O.H.P.A.C.	
9. SIZE				108, 188 S.F.	
10. GENERAL PLAN		11. ZONING		13. ASSESSOR'S PARCEL NUMBER	
		CG-PBD		169-011-42	
12. LAND USE					
Commercial shopping					
PART III - PROJECT DESCRIPTION					
14. GENERAL PROJECT DESCRIPTION					
Application for Conditional Use Permit					
15. PROPOSED GENERAL PLAN		16. PROPOSED ZONING		17. PROPOSED LAND USE	
NA		NA		NA	
20. BUILDING SIZE		21. PARKING SPACES		22. % LANDSCAPE	
67,500 S.F.		473		23. % LOT COVERAGE	
31,250 S.F.					
PART IV - ATTACHMENTS					
ALL APPLICATIONS				DEV. PLANS, C.U.P.s & TENT. MAPS	
24. DESCRIPTION/JUSTIFICATION		25. LEGAL DESCRIPTION		30. FLOOR PLANS AND ELEVATIONS	
26. 300-FT. RADIUS MAP		27. PROPERTY OWNERS' LIST		31. CONSTRUCTION SCHEDULE	
28. ENVIRONMENTAL ASSESSMENT		29. PLOT PLANS		32. OTHER	
PART V - SIGNATURES					
THE APPLICANT OR HIS/HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION.			SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).		
33. APPLICANT OR REPRESENTATIVE (Print):		34. DATE		37. OWNER (Print)	
Robert D. Dennis		8/29/07		MARRON A. GLICK, CFO	
Sign: <i>Robert D. Dennis</i>				38. DATE	
				8/28/07	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.			Sign: <i>Marron A. Glick</i>		
35. APPLICANT (Print):		36. DATE		39. OWNER Print):	
R & M Exercise Studio, Inc. dba Ray Wilson Fitness Centers		8/29/07		40. DATE	
Sign: <i>Robert D. Dennis</i>					

1500 FT radius map

RECEIVED
AUG 30 2007
Planning Department

Robert D. Dennis
7521 Esfera Street
Carlsbad, CA 92009
760-419-8263
760-436-0324 fax
Robertddennis@sbcglobal.net

August 30, 2007

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

RECEIVED
AUG 30 2007
Planning Department

**RE: C.U.P. Application for R&M Exercise Studios, Inc.,
Db: "Ray Wilson Fitness Centers"
3509 Cannon Road, # E3
Oceanside, CA 92056**

To Whom It May Concern:

Please find attached an application for a Conditional Use Permit with the required exhibits and fees for the above named entity.

When we originally opened our 3,250 square foot exercise facility in 2003 we were told that a Conditional Use Permit was not required and a valid business license was issued, which permit we have continued to maintain since then (see the attached City of Oceanside Business License). However, several years after opening it was necessary for us to re-organize the corporate entity since several of the shareholders had moved. This apparently triggered a review of our business license and we were informed in March of this year (see the attached letter) that notwithstanding that we have been opened for three years with over 1,000 members we must now comply with a C.U.P. request. Our current premises lease runs for another 2 ½ years, with options to extend.

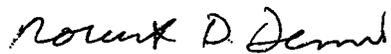
We believe our small exercise facility is consistent with the City's General Plan in that it is a general retail use with minimal impact on ingress and egress traffic and parking. The business has been opened for over three years in this shopping center and local residents have had ample opportunity to express any concerns regarding our use, if there were any. Since none have been expressed we assume that our operation is compatible with local expectations. We also are an amenity to the community in

providing an affordable fitness program, particularly to the senior population who frequent our facility. The other shopping center businesses appreciate our use because we generate regular traffic/customers for their establishments. Our members tend to be well behaved, do not litter or loiter and are generally finished with their work-outs within 30 minutes.

If have any questions or we can provide you further information please let me know.

Thank you for your consideration.

Sincerely,



Robert D. Dennis, for
R&M Exercise Studios, Inc.

Cc: Ray Wilson

ORDER NO. : 2476004269-44

EXHIBIT A

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

Parcel A:

Parcel 7 of Parcel Map No. 17346, in the City of Oceanside, County of San Diego, State of California, filed in the office of the County Recorder of San Diego County, March 30, 1994, as File No. 1994-0209262 of Official Records.

Parcel B:

An easement for vehicular parking, pedestrian and vehicular ingress, egress, passage, travel and deliveries and incidental purposes over the common area of Parcel 1 of Parcel Map No. 17346, as set forth in the Covenants, Conditions and Restrictions, recorded September 2, 1993, as File No. 1993-0582860 of Official Records.

RECEIVED
AUG 30 2007
Department



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(30 days)

1. **APPLICANT:** R&M Exercise Studio, Inc. dba Ray Wilson Fitness Centers
2. **ADDRESS:** 3509 Cannon Road, Suite E#
3. **PHONE NUMBER:** (760) 726-1600
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Faith Burton, Planner I
6. **PROJECT TITLE:** R&M Exercise Studios
7. **DESCRIPTION:** Proposal to occupy an existing commercial building to operate an exercise facility.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Based on that review, the Environmental Coordinator finds that the proposed project constitutes interior alterations involving such things as interior partitions, plumbing and electrical conveyances, and the project is categorically exempt. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section_____, <name> (Sections 15260-15277); or,
- The project is categorically exempt, Class One, "Existing Facilities" (Section 15301); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

Jerry Hittleman, Acting City Planner

Date:

cc: Project file Counter file Library

Posting: County Clerk \$50.00 Admin. Fee