

AGENDA NO. 4

PLANNING COMMISSION



STAFF REPORT

DATE: March 28, 2011

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A CONDITIONAL USE PERMIT (CUP11-00004) TO ALLOW A PROPOSED RESTAURANT AND BAR TO OBTAIN A TYPE 47 LICENSE FOR THE SALE OF DISTILLED SPIRITS LOCATED AT 3613 OCEAN RANCH BOULEVARD – JUNKYARD GRILL – APPLICANT: JOSEPH JEFFREY**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

Confirm issuance of Class 1 Categorical Exemption for “Existing Facilities;” and adopt Planning Commission Resolution No. 2011-P11 approving Conditional Use Permit (CUP11-00004) with findings and conditions of approval attached herein.

BACKGROUND AND PROJECT DESCRIPTION

Background: The Junkyard Grill restaurant would be a new business in the Ocean Ranch Commercial Plaza shopping center. The Junkyard Grill would provide restaurant and bar services to the patrons in the area.

The Junkyard Grill restaurant would be located directly west of a similar restaurant known as Rosina’s Italian restaurant. Rosina’s restaurant is a fine dining sit down restaurant that serves distilled sprits in association with its food and beverage sales. Rosina’s was recently approved for a Conditional Use Permit by the Planning Commission on February 28, 2011 to permit the sales of distilled sprits in association with the restaurant food sales.

On February 8, 2011, the applicant submitted an application for a Conditional Use Permit to allow for the sale of distilled spirits in association with a proposed bona fide eating and drinking establishment located at 3613 Ocean Ranch Boulevard.

Site Review: The project site is located within the Ocean Ranch Business Park retail center within the Ivey Ranch Rancho Del Oro Neighborhood. The Ocean Ranch Commercial Center is approximately 13.62 acres and is located southeast of the intersection of Ocean Ranch Boulevard and Rancho Del Oro. The subject site has a General Plan Land Use Designation of Light Industrial (LI) and is zoned Limited Industrial (IL) and the Surrounding land uses adjacent to the site include commercial retail uses to the east and west, industrial offices with one tenant consisting of the Pacific View Charter School to the north and the Residence Inn Marriot hotel to the south.

Project Description: The application is comprised of one component; a Conditional Use Permit, as follows:

Conditional Use Permit CUP11-00004 represents a request for the following:

- (a) To allow the use of full alcohol in association with a proposed restaurant and bar known as the Junkyard Grill pursuant to the Use classification table specified the City of Oceanside's Zoning Ordinance Section 1120.

The proposed sales of alcohol in conjunction with the eating and drinking establishment is proposed within this existing 1,509-square foot sit down restaurant and bar. The interior occupancy allows approximately 100 patrons within the restaurant and bar, and the proposed sales of distilled sprits and alcohol would not require any interior revisions to the existing building. The hours-of-operation would be 11:00 a.m. to 1:45 a.m. daily, and would not be altered by this application.

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

1. General Plan
2. Zoning Ordinance
3. Land Use Compatibility
4. CEQA

ANALYSIS

KEY PLANNING ISSUES

1. General Plan conformance

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

I. Community Enhancement

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

Section 1.1 Community Values

Objective: To ensure the enhancement of long term community and neighborhood values through effective land use planning.

Policy B: Land uses shall not significantly distract from nor negatively impact surrounding conforming land uses.

Section 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 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 Conditional Use Permit for the sales of alcohol and distilled spirits in conjunction with a sit down restaurant and bar has been conditioned to ensure that the use would be consistent with the General Plan, and compatible with the surrounding land uses. The alcohol sales would not be detrimental to the welfare of persons working, residing, or otherwise existing in adjacent areas. The sale of alcohol would be consistent with the hours-of-operation when food is served, with the exception of the late hours after 11:00 p.m. The project has been conditioned to ensure that sales of alcohol cannot exceed the quarterly sale of food, in compliance with the State Department of Alcohol Beverage Control (ABC) license requires.

The Pacific View Charter School to the north would be separated from this use by Ocean Ranch Boulevard and intervening industrial buildings. The Rosina's Italian restaurant located directly to the east currently possess a type 47 license and Rosina's limited hours-of-operation from (10 a.m. to 11 p.m.) in comparison to the proposed Junkyard Grill hours of (11 a.m. to 1:45 a.m.) would not conflict with one another. In addition the Junkyard Grill's Conditional Use Permit has been conditioned to ensure that all noise and events must abide by the Municipal Code for noise levels.

Section 1.15 Public Safety

Objective: To ensure an acceptable level of public safety for the prevention and reduction of loss of life and personal property of the citizens and visitors of Oceanside.

Policy A: The City shall continually evaluate the acceptable level of risk to the public health, safety, and general welfare, and adjust policies accordingly.

The proposed use is subject to and must comply with specific local conditions and additional regulations as deemed necessary by other regulatory or permit authorities. The approval does not relieve the applicant from an obligation to obtain an alcohol license from ABC. Any license and permit conditions imposed by the ABC and the City of Oceanside Police Chief shall be in addition to the conditions of approval for this Conditional Use Permit and the most restrictive conditions shall apply.

2. Zoning Ordinance Compliance

Article 11, Section 1120

The proposed sales of alcohol and distilled sprits in conjunction with a proposed restaurant and bar would be within the confines of an existing sit down restaurant within the Commercial Plaza. The project complies with all Zoning Ordinance requirements for set backs, building height, lot coverage, landscaping and parking.

Zoning Ordinance Section 1120 permits eating and drinking establishments with full alcoholic beverage services, with the approval of a Conditional Use Permit. The outdoor dining area has a low fence that will need to be raised to five feet in height and no alcoholic beverages are allowed outside of this fenced boundary. This project complies with Section 1120 requirements.

DISCUSSION

The following table identifies land uses on adjacent properties:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property	LI	IL	Commercial Retail (Restaurant)
North	LI	IL	Industrial Office & Pacific View Charter School
East	LI	IL	Commercial Retail (Retail Sales)
South	LI	IL	Commercial Retail (Marriott Residence Inn)
West	El Corazon	PD-1	Open Space

The Ocean Ranch Plaza commercial center currently has four restaurants that serve beer and wine and Rosina's restaurant serves Distilled spirits in conjunction with the entrees. The neighboring Marriot Residence Inn Hotel serves hard alcohol for their guests in conjunction with their meals, but no complaints or issues have occurred at the site. All neighboring restaurants are located at least 100 feet from one another, with exception of the Rosina's Italian restaurant. Rosina's Italian restaurant's hard alcohol use should not be a conflict with the Junkyard Grill restaurant and bar use, because Rosina's has limited hours-of-operation and Rosina's use is intended for sit down upscale dining. All the available parking provided on-site within the commercial center shall be sufficient because the site has been developed with an excess of parking stalls.

The Junkyard Grill restaurant and bar use with full alcoholic beverage sales within a commercial district would not generate additional traffic in comparison to a typical restaurant use with beer and wine sales. No additional parking would be necessary for the proposed alcoholic beverage sales. A majority of the customer activity occurs during the weekend, which would not create an impact during peak traffic hours.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt pursuant to Article 19, Section 15301. Existing Facilities, Class 1 (a), of the California Environmental Quality Act.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners of record within a 1,500-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant and other interested parties. As of March 28, 2011 no communication opposing the request had been received.

SUMMARY

The proposed Conditional Use Permit, as conditioned, is consistent with the requirements of the land use policies of the General Plan and provisions of the Zoning Ordinance. The project has been conditioned to meet or exceed all applicable regulations. 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:

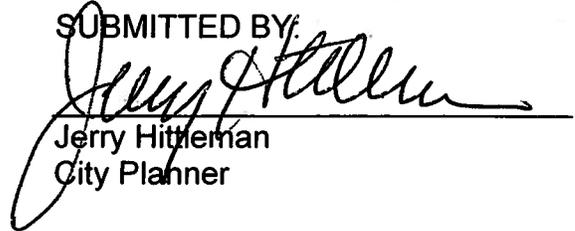
- Confirm issuance of Article 19, Section 15301.Existing Facilities, Class 1 (a), Categorical Exemption and adopt Planning Commission Resolution No. 2011-P11 approving Conditional Use Permit CUP11-00004 with findings and conditions of approval attached herein.

PREPARED BY:



Scott Nightingale
Planner II

SUBMITTED BY:



Jerry Hittleman
City Planner

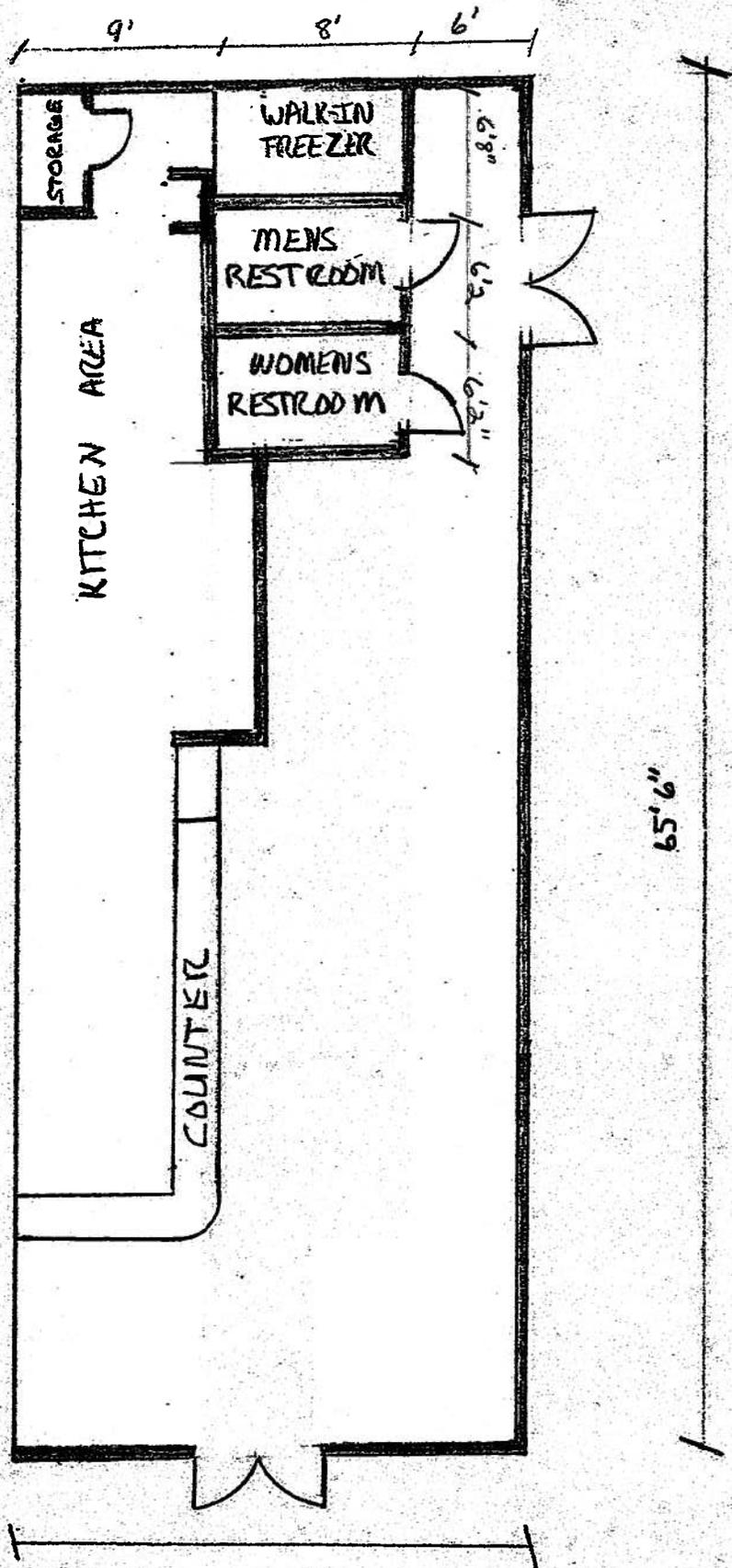
JH/SN/fil

Attachments:

1. Floor/Site Plans
2. Planning Commission Resolution No. 2011-P11

FLOOR PLAN

3613 OCEAN RANCA BLVD #108
OCEAN SIDE CA 92056



1509 SQ. FT.
1/8" = 1'

Junkyard Grill Elevations



Front Elevation (Suite 108)



Front Elevation (Building)



Side Elevation (Suite 108)



Rear Elevation (Suite 108)

3613 OCEAN RANCH #108

1 PLANNING COMMISSION
2 RESOLUTION NO. 2011-P11

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

6 APPLICATION NO: CUP11-00004
7 APPLICANT: Joseph Jeffrey
8 LOCATION: 3613 Ocean Ranch Boulevard.

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 Conditional Use Permit under the provisions of Articles
13 11 and 41 of the Zoning Ordinance of the City of Oceanside to permit the following:

14 to permit the sales of distilled spirits and full alcohol within a proposed restaurant and bar
15 located at 3613 Ocean Ranch Boulevard;
16 on certain real property described in the project description.

17 WHEREAS, the Planning Commission, after giving the required notice, did on the 28th day
18 of March 2011, conduct a duly advertised public hearing as prescribed by law to consider said
19 application.

20 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
21 Guidelines thereto; this project is categorically exempt from CEQA per Article 19, Section 15301
22 Existing Facilities;

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

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

27 ///////////////
28 ///////////////
///////////////
///////////////

1 **FINDINGS:**

2 **For the Conditional Use Permit to allow for the sale of full alcohol at an existing restaurant:**

- 3 1. The restaurant and bar operations, which will include full alcoholic beverage service is
4 consistent with the permitted land use regulations for the Ocean Ranch Commercial
5 Master Planned area. The use of full alcohol would be consistent with the existing intent
6 of the existing sit down restaurant that currently sells beer and wine. The full alcohol
7 use would be conditioned to ensure that if complaints arise this Conditional Use Permit
8 would be subject to Planning Commission review.
- 9 2. The proposed alcohol beverage sales use as conditioned is consistent with the General Plan,
10 will not effect neighborhood compatibility; and will not be detrimental to the welfare of
11 persons or properties working, residing, or otherwise existing in the adjacent neighborhood
12 areas.
- 13 3. The conditional use is subject to and must comply with specific local conditions and
14 additional regulations as deemed necessary by other regulatory or permit authorities.

15 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
16 approve Conditional Use Permit (CUP10-00040) subject to the following conditions:

17 **Building:**

- 18 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
19 Building Division plan check.

20 **Planning:**

- 21 2. This Conditional Use Permit shall expire on March 28, 2013, unless implemented as
22 required by the Zoning Ordinance.
- 23 3. This Conditional Use Permit approves only the sales of full alcohol and distilled spirits in
24 conjunction with a proposed eating and drinking establishment with bar as shown on the
25 plans and exhibits presented to the Planning Commission for review and approval. No
26 deviation from these approved plans and exhibits shall occur without Community Services
27 Department/Planning Division approval. Substantial deviations shall require a revision to
28 the Conditional Use Permit or a new Conditional Use Permit.
4. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold
harmless the City of Oceanside, its agents, officers or employees from any claim, action or
proceeding against the City, its agents, officers, or employees to attack, set aside, void or

1 annul an approval of the City, concerning Conditional Use Permit CUP11-00004. The
2 City will promptly notify the applicant of any such claim, action or proceeding against
3 the City and will cooperate fully in the defense. If the City fails to promptly notify the
4 applicant of any such claim action or proceeding or fails to cooperate fully in the
5 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold
6 harmless the City.

7 5. A covenant or other recordable document approved by the City Attorney shall be prepared
8 by the applicant and recorded prior to the issuance of a business license. The covenant
9 shall provide that the property is subject to this resolution, and shall generally list the
10 conditions of approval.

11 6. The off-sale privileges of the license shall not be exercised nor shall a patron be allowed to
12 remove a partially consumed bottle of wine from the premises pursuant to Section 23396.5
13 of the Business and Professions Code.

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

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

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

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

28 11. Dancing is prohibited.

12. The approval does not relieve the applicant from an obligation to obtain an alcohol license
from the State Department of Alcoholic Beverage Control (ABC). Any license and permit

1 conditions imposed by the ABC and the City Police Chief shall be in addition to the
2 conditions of this approval and the most restrictive conditions shall apply.

3 13. All signs shall meet the requirements of the approved Comprehensive Sign Package for
4 the shopping center. Sign plans shall be reviewed and approved by the Planning
5 Division prior to an application for a sign permit.

6 14. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.

7 15. The subject alcoholic beverage license shall not be exchanged for a public premises type
8 license nor operated as a public premise.

9 16. There shall be no live entertainment or dancing in outside patio area.

10 17. Sales, service and consumption of alcoholic beverages shall be permitted only between
11 the hours of 10:00 am and 12:00 am.

12 18. An electronic security system allowing for monitoring and recording shall be installed.
13 The system must allow for retrieval of recordings which must be submitted to the Police
14 Department upon request. The establishment shall provide on-line access to the current
15 video system by the Police Department.

16 19. There shall be no amusement machines or video game devises in the premises at any
17 time.

18 20. There shall be no exterior advertising or sign of any kind of type, including advertising
19 directed to the exterior from within, promoting or indicating the availability of alcoholic
20 beverages. Interior displays of alcoholic beverages or signs which are clearly visible to
21 the exterior shall constitute a violation of this condition.

22 21. No pay phones which are capable of receiving incoming calls will be maintained on the
23 interior or exterior of the premises.

24 22. The premises shall be maintained and operated primarily as a restaurant and the
25 quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food
26 during the same period. The licensee shall at all times maintain records which reflect
27 separately the gross sales of food and the gross sales of alcoholic beverages of the
28 licensed business. Said records shall be kept no less frequently than on a quarterly basis
and shall be made available to the Department on demand.

1 23. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.

2 PASSED AND ADOPTED Resolution No. 2011-P11 on March 28, 2011 by the
3 following vote, to wit:

4 AYES:

5 NAYS:

6 ABSENT:

7 ABSTAIN:

8
9 _____
10 Robert Neal, Chairperson
11 Oceanside Planning Commission

11 ATTEST:

12
13 _____
14 Jerry Hittleman, Secretary

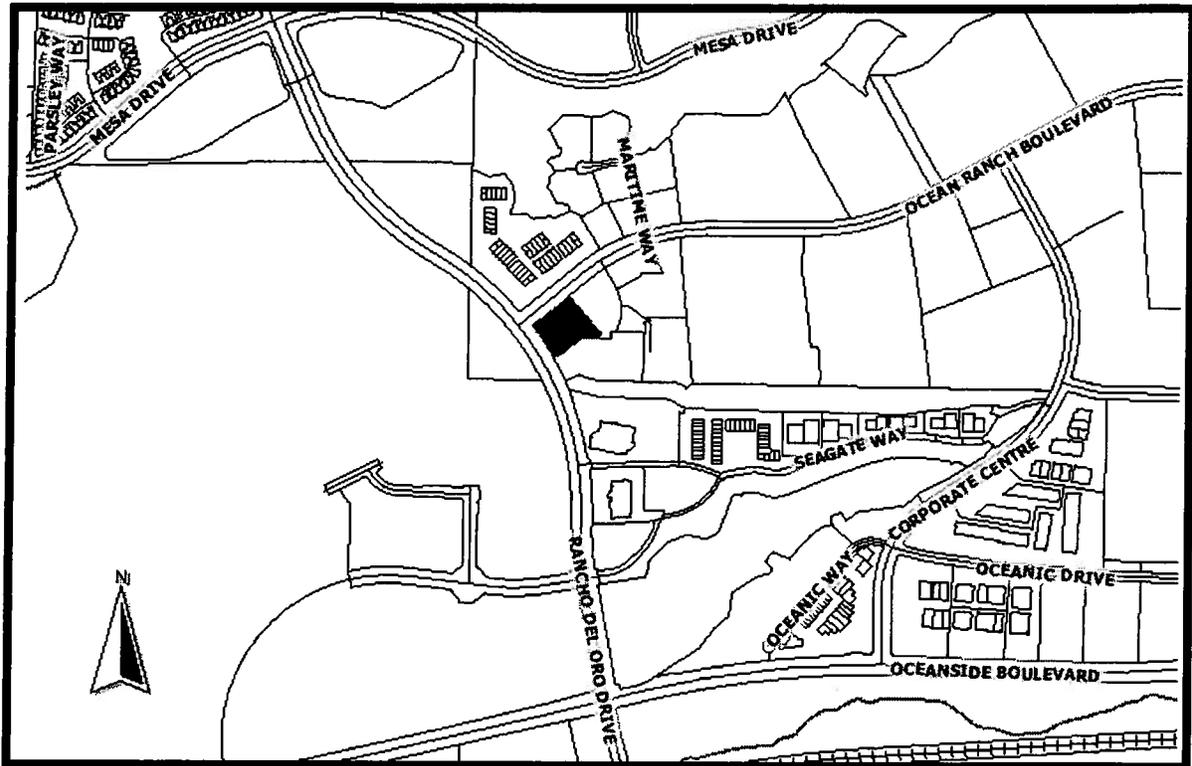
15 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
16 this is a true and correct copy of Resolution No. 2011-P11.

17 Dated: March 28, 2011

18
19 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees may
20 be required as stated herein:

21
22 _____
23 Applicant/Representative

24 _____
25 Date



File Number: CUP11-00004

Applicant: Joe Jeffrey

Description:

CONDITIONAL USE PERMIT (CUP11-00004) to permit full alcohol beverage service within a proposed restaurant known as Junkyard Grill within an existing commercial center located at 3613 Ocean Ranch Boulevard. The project site has a General Plan Land Use Designation of Light Industrial (LI), is zoned Limited Industrial (IL), and is situated within the Ivey Ranch Rancho Del Oro Neighborhood Planning Area. – **JUNKYARD GRILL**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

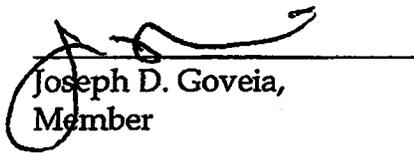
City of Oceanside, Planning Division
300 N. Coast Highway
Oceanside, CA 92054 - (760) 435-3520

 Application for Public Hearing Community Development Department / Planning Division (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885			STAFF USE ONLY ACCEPTED		BY 
			FEB 08 2011 Planning Department		
Please Print or Type All Information			HEARING		
PART I - APPLICANT INFORMATION			GPA		
1. APPLICANT JOE JEFFREY		2. STATUS	MASTER/SP.PLAN		
3. ADDRESS 621 DURIAN ST, VISTA CA 92083		4. PHONE/FAX/E-mail 760 438 7282	ZONE CH.		
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) NONE		6. ADDRESS -	7. PHONE/FAX/E-mail -	TENT. MAP	
			PAR. MAP		
			DEV. PL.		
			C.U.P. CUP11-00004		
			VARIANCE		
			COASTAL		
			O.H.P.A.C.		
PART II - PROPERTY DESCRIPTION			9. SIZE		
8. LOCATION 3613 OCEAN RANCH BLVD #108, OCEANSIDE 92056			1509 SQ. FT.		
10. GENERAL PLAN LI	11. ZONING LI	12. LAND USE RESTAURANT	13. ASSESSOR'S PARCEL NUMBER 160-572-12-00		
PART III - PROJECT DESCRIPTION					
14. GENERAL PROJECT DESCRIPTION RESTAURANT WITH A TYPE 47 LIQUOR LICENSE					
15. PROPOSED GENERAL PLAN NO CHANGE	16. PROPOSED ZONING NO CHANGE	17. PROPOSED LAND USE NO CHANGE	18. NO. UNITS	19. DENSITY	
20. BUILDING SIZE	21. PARKING SPACES	22. % LANDSCAPE	23. % LOT COVERAGE or FAR		
PART IV - ATTACHMENTS					
<input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION	<input checked="" type="checkbox"/> 26. TITLE REPORT			
<input checked="" type="checkbox"/> 27. NOTIFICATION MAP & LABELS	<input checked="" type="checkbox"/> 28. ENVIRONMENTAL INFO FORM	<input checked="" type="checkbox"/> 29. PLOT PLANS			
<input checked="" type="checkbox"/> 30. FLOOR PLANS AND ELEVATIONS	<input type="checkbox"/> 31. CERTIFICATION OF POSTING	32. OTHER (See attachment for required reports)			
PART V - SIGNATURES					
33. APPLICANT OR REPRESENTATIVE (Print): JOE JEFFREY		34. DATE	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).		
Sign: 		35. OWNER (Print) see attached	36. DATE 1/25/11		
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		Sign: see attached			

K & G/BANDERAS I, LLC,
a California limited liability company

By: K&G/BANDERAS, LLC,
a California limited liability company,
its sole Member

By:



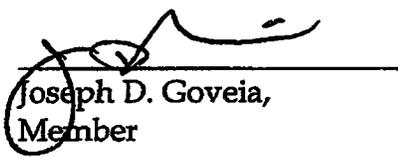
Joseph D. Goveia,
Member

and

K & G/OCEAN RANCH, LLC,
a California limited liability company

By: K&G/BANDERAS, LLC,
a California limited liability company,
its Manager

By:



Joseph D. Goveia,
Member

Junkyard Grill
3613 Ocean Ranch Blvd., Suite 108
Oceanside, Ca. 92056

Joseph Jeffrey/Owner
621 Durian St.
Vista, Ca. 92083
(760) 458-7282
jjrealestate@cox.net

RECEIVED
FEB 08 2011
CITY OF OCEANSIDE
DEVELOPMENT SERVICES

January 26, 2011

Enclosed are the forms for a Conditional Use Permit located at 3613 Ocean Ranch Blvd., Suite 108, Oceanside, Ca. The permit is for a Restaurant with a Type 47 Liquor License (beer, wine, and distilled spirits for on-premise consumption.)The existing suite was a restaurant which was vacated approximately 30 days ago. All of the tenant improvements including the security system and kitchen equipment are is still in place. The security system will be upgraded to include camera surveillance. Junkyard Grill will maintain these cameras with a recorder to monitor all restaurant areas at all times. All recorded activities will be maintained for a minimum of thirty (30) days and will be available for review by any law enforcement agency in the event is needed.

The center is currently zoned for restaurants and there are several restaurants operating in the center now. The restaurant hours of operation

will be from 11:00 A.M. until 1:45 A.M., Sunday through Saturday. We will serve lunch and dinner. The restaurant has a full kitchen with capacity of 58. Managers, bartenders and trainers will be required to complete all courses required by the Department of Alcohol Beverage Control and State of California. The restaurant building will be kept free of graffiti and litter by having business employees pick up and properly dispose of all litter on a daily basis. The center is maintained by the landlord.

Junkyard Grill will comply with all applicable standards requested by the Dept. of Alcoholic Beverage Control, Police Department, City of Oceanside Planning Division and all other applicable City Departments. The restaurant will implement an ID scanner. Quarterly gross sales of alcoholic beverages will not exceed the gross sales of food. All emergency exit doors must operable and remain closed unless there is an emergency. Exit doors are to be free of obstruction at all times. There are no residences within 100 feet and no schools, churches, hospitals, public playgrounds, or parks within 600 feet of the premises.

Upon approval, I will be bringing in an upscale restaurant and grill to a similar caliber as the 333 Restaurant located by the Oceanside Pier. I have looked at over 150 suites in the past 90 days and have decided on this space because of the quality and look of the center and the suite. I chose approximately 1,500 sq. ft. as part of my business model so that it could be owner and family operated along with a couple of hand selected employees which will allow the staff to deliver quality food and high end customer service which I feel has eluded much of the industry. It will be sports orientated with the normal abundance of TV's, but will carry a

vintage decor of classy retro items and memorabilia from the 50's, 60's, and 70's, which is why I chose "Junkyard Grill" as the name. I feel this will bring in a mature manageable crowd that will enjoy a sports event while reminiscing into those impressible years. Based on the surrounding areas which include Genentech, Coca Cola and several other companies, I am looking to service the many business executives along with the clients staying at the Residence Inn Marriott which is located in the same parking lot, but does not offer a restaurant or lounge. I feel my concept for this suite will be an asset to this Center and the area. I appreciate your help in achieving this goal with your approval of this permit. Feel free to contact me at (760) 458-7282.

Sincerely,


Joe Jeffrey

EXHIBIT A

LEGAL DESCRIPTION

Parcels 1, 2, 4, 5 and 6 of Parcel Map No. 19918, in the City of Oceanside, County of San Diego, State of California, recorded in the office of the County Recorder of San Diego County on January 6, 2006, as Instrumental No. 2006-0013201 of Official Records.

Assessor's Parcel No's: 160-572-12, 160-572-13, 160-572-15, 160-572-16, 160-572-17

RECEIVED
FEB 08 2011
CITY OF OCEANSIDE
DEVELOPMENT SERVICES



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:
Removal:
(180 days)

1. **APPLICANT:** Joe Jeffrey (Junkyard Grill)
2. **ADDRESS:** 3613 Ocean Ranch Blvd. Oceanside, CA. 92056
3. **PHONE NUMBER:** (760) 458-7282
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale, Planner
6. **PROJECT TITLE:** CUP11-00004 Junkyard Grill
7. **DESCRIPTION:** A Conditional Use Permit (CUP11-0000) to allow a proposed restaurant with bar to serve hard alcohol located at 3613 Ocean Ranch Blvd. The project site is within an existing shopping center, has a General Plan Land Use Designation of Light Industrial (LI) with a zoning designation of Limited Industrial (IL) with a Master Plan Overlay to permit a commercial shopping center, and is situated within the Ivey Ranch Rancho Del Oro Neighborhood Planning Area.

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

- Per Article 19, the project is categorically exempt, in accordance with Section 15301, Existing Facilities, Class 1 (a), interior or exterior alterations involving such things as interior partitions, plumbing and electrical conveyances.
- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section ____, [name of section] (Section xxxxx); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).



Scott Nightingale, Planner

Date: 3/28/11