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DATE: April 15, 2009

TO: Chairman and Members of the Community Development Commission

FROM: Economic and Community Development Department

SUBJECT: **CONSIDERATION OF A RESOLUTION APPROVING CONDITIONAL USE PERMIT (C-201-08) AND REGULAR COASTAL PERMIT (RC-205-08) FOR THE CONVERSION OF THE EXISTING MOBILE STATION FORMER SERVICE BAYS INTO A MINI-MART LOCATED AT 477 HARBOR DRIVE - MOBILE SERVICE STATION - APPLICANT: A.J. PETROLEUM, INC.**

### **SYNOPSIS**

The item under consideration is a Conditional Use Permit and Regular Coastal Permit for the conversion of the existing Mobile station former service bays into a mini-mart located at 477 Harbor Drive. Staff is recommending that the Commission approve the project and adopt the resolution as attached.

### **BACKGROUND**

The subject site consists of a single parcel 15,625 square feet in size. The subject site currently maintains a 1,920-square-foot service station which was constructed in 1970.

The subject site is situated in the northern portion of the Redevelopment Project Area east of the Harbor, west of Interstate 5 and south of Camp Pendleton. The surrounding neighborhood has highway-oriented commercial uses such as service stations, restaurants and motels.

**Land Use and Zoning:** The subject site is located within Subdistrict 6A of the "D" Downtown District. Subdistrict 6A is primarily intended to provide sites for highway business and tourist/visitor uses related to the harbor and the Interstate 5 freeway primarily oriented to visitor-serving commercial establishments.

**Regular Coastal Permit:** This project is situated within the Coastal Zone and requires a Regular Coastal Permit. Under the provisions of the Local Coastal Plan the project site is designated as Coastal Dependent Recreational and Visitor Serving Commercial. Typical uses within this zone are convenience markets, hotels, motels and beach equipment rentals.

**Project Description:** The project application consists of two components, a Conditional Use Permit and Regular Coastal Permit. Each discretionary request is described as follows:

Conditional Use Permit: The project proposes the conversion of the existing Mobile station 1,920-square-foot service bays into a minimart. The project does not propose any expansion or addition to the existing building. The floor plan is typical of mini-marts floor plans with an office, utility room, restroom, and reach-in coolers. Vehicular access to the subject site is provided from both Harbor and Carmelo Drives.

Site improvements include removing one of the driveways located on Carmelo Drive just south of Harbor Drive, construction of a trash enclosure located south (rear) of the existing building and removal of the public telephone. The applicant is not proposing any changes to the existing signage.

Outlined below is a comparison chart summarizing the required development criteria with the proposed project:

	MINIMUM REQUIRED	PROPOSED
LOT SIZE	5,000 square feet	15,625 square feet
SETBACKS		
Front	10 feet	82 feet
Side	0 feet	3 feet
Corner Side	10 feet	65 feet
Rear	0	8 feet
LANDSCAPING	15%	*0 %
PARKING	11 spaces	13 spaces
BUILDING HEIGHT	45 feet (Maximum)	14 feet

\*There is existing landscaping on the perimeter of the site; however, this landscaping is not located on the subject site.

Regular Coastal Permit: This project requires a coastal permit because the subject site is situated within the Coastal Zone.

**Environmental Determination:** A Certificate of Exemption has been prepared for the project. Under the provisions of the California Environmental Quality Act, the Community Development Commission will consider the exemption during its hearing on the project.

## **ANALYSIS**

Staff's analysis focused on the compatibility of the project with existing development patterns of the area and the project's consistency with the underlying Redevelopment Plan, Zoning Ordinance, and the Local Coastal Program.

The applicant has stated that the proposed mini-mart is primarily due to the changes in the service station industry. The proposed mini-mart is necessary for the business to remain competitive with the existing and emerging marketplace. Due to consumer demands and the increase in the technical expertise needed to repair today's vehicles, the service station has evolved into more of a convenient retail operation.

Redevelopment Plan: Section 301 of the Redevelopment Plan states that the Agency proposes to eliminate and prevent the spread of blight and deterioration by redevelopment of land through private enterprises. The proposed project is consistent with the Redevelopment Plan in that it develops underutilized property by providing new commercial uses.

Conditional Use Permit: Staff has reviewed the operational characteristics for the service station and believes that the proposed project will not impact surrounding land uses. The service station is situated adjacent to a major roadway and Interstate 5 and is consistent with the surrounding area which consists of mainly highway-oriented businesses such as motels, service stations and restaurants. Staff believes that the proposed mini-mart is consistent with the surrounding neighborhood.

Local Coastal Plan: The proposed use, mini-mart, is consistent with the designated coastal-dependent recreational and visitor-serving commercial uses of the Local Coastal Plan. Staff also evaluated the proposed residence and its effect on public coastal views. The project does not propose any additions to the existing building, and the subject site is not adjacent to any public coastal access; therefore, the effect will be minimal.

In conclusion, staff believes that the project meets the intent of the Redevelopment Plan and goals, which encourage the redevelopment/reuse of older commercial buildings. The proposed use, and the conditions it is required to operate under, will not adversely affect the surrounding neighborhood.

## **COMMISSION OR COMMITTEE REPORT**

The Redevelopment Advisory Committee (RAC) reviewed the project at its March 25, 2009 meeting, and approved the project on a 5-1 vote (Elizabeth Rey; No).

## **FISCAL IMPACT**

Not applicable.

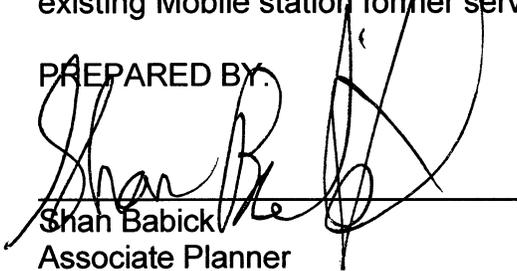
**CITY ATTORNEY'S ANALYSIS**

Pursuant to Oceanside Zoning Ordinance Article 41, Section 4104, the Community Development Commission is authorized to hold a public hearing on this project's applications. Consideration of the project should be based on the evidence presented at the public hearing. After conducting the public hearing, the Commission shall approve, conditionally approve, or disapprove the project. The resolution has been reviewed and approved as to form by the City Attorney.

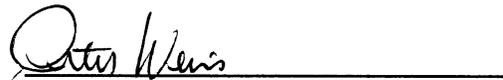
**RECOMMENDATION**

Staff recommends that the Commission adopt the resolution approving Conditional Use Permit (C-201-08) and Regular Coastal Permit (RC-205-08) for the conversion of the existing Mobile station former service bays into a minimart located at 477 Harbor Drive.

PREPARED BY:

  
Shan Babick  
Associate Planner

SUBMITTED BY:

  
Peter A. Weiss  
Executive Director

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager  
Jane McVey, Economic and Community Development Director  
Kathy Baker, Redevelopment Manager



**EXHIBITS/ATTACHMENTS**

- 1. Resolution
- 2. Site Plan / Floor Plans / Elevations
- 3. Notice of Exemption

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RESOLUTION NO. 09-

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE APPROVING A CONDITIONAL USE PERMIT AND REGULAR COASTAL PERMIT FOR THE CONVERSION OF THE EXISTING MOBILE STATION FORMER SERVICE BAYS INTO A MINI-MART LOCATED AT 477 HARBOR DRIVE – MOBILE SERVICE STATION -APPLICANT: A.J. PETROLEUM, INC.

WHEREAS, on April 15, 2009, the Community Development Commission held its duly noticed public hearing, considered an application for a Conditional Use Permit (C-201-08) and Regular Coastal Permit (RC-205-08) for the conversion of the existing Mobile station service bays into a mini-mart located at 477 Harbor Drive;

WHEREAS, the Redevelopment Advisory Committee (RAC) of the City of Oceanside did, on March 25, 2009 review and recommend approval of Conditional Use Permit (C-201-08) and Regular Coastal Permit (RC-205-08);

WHEREAS, the City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law;

WHEREAS, a Categorical Exemption was prepared by the Resource Officer of the City of Oceanside for this application pursuant to the California Environmental Quality Act of 1970 and the State Guidelines implementing the Act. The project is considered an infill development and will not have a detrimental effect on the environment;

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

WHEREAS, pursuant to Government Code §66020(d)(1), NOTICE IS HEREBY GIVEN that the Project is subject to certain fees, dedications, reservations and other exactions as provided below:

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Traffic Signal Fee	Ordinance No. 87-19 Resolution No. 06-R0334-1	\$15.71 Per vehicle trip
Thoroughfare Fee	Ordinance No. 83-01 Resolution No. 06-R0334-1	\$255 per vehicle trip (based on SANDAG trip generation)

1 WHEREAS, the current fees referenced above are merely fee amount estimates of the  
2 impact fees that would be required if due and payable under currently applicable ordinances and  
3 resolutions, presume the accuracy of relevant project information provided by the applicant, and  
4 are not necessarily the fee amounts that will be owing when such fees become due and payable;

5 WHEREAS, unless otherwise provided by this resolution, all impact fees shall be  
6 calculated and collected at the time and in the manner provided in Chapter 32B of the  
7 Oceanside City Code and the City expressly reserves the right to amend the fees and fee  
8 calculations consistent with applicable law;

9 WHEREAS, the City expressly reserves the right to establish, modify or adjust any fee,  
10 dedication, reservation or other exaction to the extent permitted and as authorized by law;

11 WHEREAS, pursuant to Government Code §66020(d)(1), NOTICE IS FURTHER  
12 GIVEN that the 90-day period to protest the imposition of any fee, dedication, reservation, or  
13 other exaction described in this resolution begins on the effective date of this resolution and any  
14 such protest must be in a manner that complies with Section 66020; and

15 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes  
16 effective upon its adoption.

17 NOW, THEREFORE, the Community Development Commission of the City of  
18 Oceanside does resolve as follows:

19 FINDINGS:

20 **For the Conditional Use Permit:**

21 1. The project is located within Subdistrict 6A of the Redevelopment Project Area as  
22 identified by Zoning Ordinance 095-006. The specific purpose for the Subdistrict is to provide  
23 sites for highway businesses and tourist/visitor uses related to the harbor and the Interstate 5  
24 freeway, primarily oriented to visitor-serving commercial establishments. The proposed mini-mart  
25 establishment is consistent with the Subdistrict purpose of the Zoning Ordinance and the purpose  
26 of the district in which the site is located.

27 2. The proposed mini-mart establishment is consistent with the General Plan and the  
28 Redevelopment Plan. In addition, the approved business operation is subject to certain conditions  
and limitations, whereby, the approved operations and activities will not constitute a public  
nuisance or be a detriment to neighboring persons, property, improvements or the general welfare  
of the City.

1           3.       The proposed mini-mart establishment complies with the provisions of the Zoning  
2 Ordinance including any specific condition required for the proposed use in the district in which it  
3 is located.

4       **For the Regular Coastal Permit:**

5           1.       The granting of the Regular Coastal Permit is consistent with the purposes of the  
6 California Coastal Act of 1976. The proposed use, mini-mart, is consistent with the designated  
7 Coastal-Dependent Recreational and Visitor-Serving commercial uses of the Local Coastal  
8 Plan. In addition, the project location does not impede public access to the beach or impact  
9 public coastal views.

10          2.       The proposed project is consistent with the policies of the Local Coastal Program  
11 as implemented through the City Zoning Ordinance. The proposed mini-mart is consistent with  
12 the Coastal-Dependent Recreation and Visitor-Serving commercial uses as depicted in the Local  
13 Coastal Program Land Use Map. The project will not substantially alter or impact the existing  
14 coastal views through the public rights-of-way view corridors because the project does not  
15 proposed to the increase the height or size of the existing 1,920 square foot building.

16          3.       The proposed project will not obstruct any existing or planned public beach  
17 access; therefore, the project is in conformance with the policies of Chapter 3 of the Coastal  
18 Act. The subject site is located substantially east of any public access/view corridor and,  
19 therefore, the proposed project will not obstruct and/or block any existing and/or proposed  
20 public beach access.

21               SECTION 1. That Conditional Use Permit (C-201-08) and Regular Coastal Permit (RC-  
22 205-08) are hereby approved subject to the following conditions:

23       **Building:**

24           1.       Applicable Building Codes and Ordinances shall be based on the date of  
25 submittal for Building Department plan check (Currently the 2007 California Building Code  
26 and 2007 California Electrical Code).

27           2.       The granting of approval under this action shall in no way relieve the  
28 applicant/project from compliance with all State and local building codes.

1           3.       All electrical, communication, CATV, etc. service lines, within the exterior lines  
2 of the property shall be underground. (City Code Sec. 6.30)

3           4.       All outdoor lighting must comply with Chapter 39 of the City Code. (Light  
4 Pollution Ordinance) Where color rendition is important, high-pressure sodium, metal halide or  
5 other such lights may be utilized and shall be shown on building and electrical plans.

6           5.       Compliance with the Federal Clean Water Act (BMP's) shall be demonstrated on  
7 the plans.

8           6.       The developer shall monitor, supervise and control all building construction and  
9 supportive activities so as to prevent these activities from causing a public nuisance, including, but  
10 not limited to, strict adherence to the following:

11           a)       Building construction work hours shall be limited to between 7 a.m. and  
12 6 p.m. Monday through Friday, and on Saturday from 7 a.m. to 6 p.m. for work that is not  
13 inherently noise-producing. Examples of work not permitted on Saturday are concrete and  
14 grout pours, roof nailing and activities of similar noise-producing nature. No work shall be  
15 permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4<sup>th</sup>, Labor  
16 Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work under the  
17 provisions of the Oceanside City Code Chapter 38. (Noise Ordinance)

18           b)       The construction site shall be kept reasonably free of construction debris  
19 as specified in Section 13.17 of the Oceanside City Code. Storage of debris in approved solid  
20 waste containers shall be considered compliance with this requirement. Small amounts of  
21 construction debris may be stored on-site in a neat, safe manner for short periods of time  
22 pending disposal.

23           7.       A building (demolition) permit shall be required for the demolition of any  
24 existing structures. Plans for the Demolition Permit shall clearly depict that all utilities  
25 (electric, gas, water & sewer) are properly terminated/capped in accordance with the  
26 requirements of the utility service provider. Any underground septic or water storage tanks  
27 must be removed or filled in accordance with the Uniform Plumbing Code and/or the City's  
28 Grading Ordinance.

          8.       Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on  
the plans.

1 9. Site development, parking, access into buildings and building interiors shall  
2 comply with the State's Disabled Accessibility Regulations (2007 CBC, Chapter 11B).

3 10. Complete energy calculations/documentation will be required at time of plans  
4 submittal to the Building Division for plan check.

5 11. Tenant improvements or other construction to th4e existing building requires  
6 permits (including all required inspections and approvals and issuance of Certificate of  
7 Occupancy) from the Building Department.

8 **Fire:**

9 12. A "Knox" key storage box shall be provided for all new construction.

10 13. Provide a 13D fire sprinkler system. The system shall be designed per N.F.P.A  
11 13D, protection against the fire hazards in four single family dwellings.

12 14. In accordance with the California Fire Code Sec. 505, City approved addresses  
13 for commercial occupancies shall be placed on the structure in such a position as to be plainly  
14 visible and legible from the street or roadway fronting the property. Numbers shall be  
15 contrasting with their background.

16 15. Commercial buildings require 6 inch address numbers.

17 16. Plans shall be submitted to the Fire Prevention Bureau for plan check review and  
18 approval prior to the issuance of building permits.

19 17. Buildings shall meet Oceanside Fire Departments current codes at the time of  
20 building permit application.

21 20. Fire extinguishers are required and shall be included on the plans submitted for  
22 plan check.

23 21. Fire Department requirements shall be placed on plans in the notes section.

24 22. Hazardous materials closure report required from the San Diego County Health  
25 Department.

26 **Economic/Redevelopment:**

27 23. This Conditional Use Permit (C-201-08) and Regular Coastal Permit (RC-205-  
28 08) shall expire on April 15, 2012, unless implemented as required by the Zoning Ordinance.

29 24. This Conditional Use Permit and Regular Coastal Permit approve only the  
30 conversion of the existing Mobile service station former service bays into a mini-mart as shown

1 on the plans and exhibits presented to the Community Development Commission for review and  
2 approval. No deviation from these approved plans and exhibits shall occur without Economic  
3 and Community Development Department approval. Substantial deviations shall require a  
4 revision to the Conditional Use Permit and Regular Coastal Permit or a new Conditional Use  
5 Permit and Regular Coastal Permit.

6 25. The applicant, permittee or any successor-in-interest shall defend, indemnify and  
7 hold harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
8 proceeding against the City, its agents, officers, or employees to attack, set aside, void or annul  
9 an approval of the City, concerning Conditional Use Permit (C-201-08) and Regular Coastal  
10 Permit (RC-205-08). The City will promptly notify the applicant of any such claim, action or  
11 proceeding against the City and will cooperate fully in the defense. If the City fails to promptly  
12 notify the applicant of any such claim action or proceeding or fails to cooperate fully in the  
13 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless  
14 the City.

15 26. All mechanical rooftop and ground equipment shall be screened from public  
16 view as required by the Zoning Ordinance. That is, on all four sides and top. The roof jacks,  
17 mechanical equipment, screen and vents shall be painted with non-reflective paint to match the  
18 roof. This information shall be shown on the building plans.

19 27. Landscape plans, meeting the criteria of the City's Landscape Guidelines and  
20 Water Conservation Ordinance No. 91-15, including the maintenance of such landscaping, shall  
21 be reviewed and approved by the City Engineer and City Planner prior to the issuance of  
22 building permits. Landscaping shall not be installed until bonds have been posted, fees paid,  
23 and plans signed for final approval.

24 28. All landscaping, fences, walls, etc. on the site, in medians in the public right-of-  
25 way and in any adjoining public parkways shall be permanently maintained by the owner, his  
26 assigns or any successors in interest in the property. The maintenance program shall include  
27 normal care and irrigation of the landscaping; repair and replacement of plant materials;  
28 irrigation systems as necessary; and general cleanup of the landscaped and open areas, parking  
lots and walkways, walls, fences, etc. Failure to maintain landscaping shall result in the City  
taking all appropriate enforcement actions by all acceptable means including but not limited to

1 citations and/or actual work with costs charged to or recorded against the owner. This condition  
2 shall be recorded with the covenant required by this resolution.

3 29. All commercial development projects shall dispose of or recycle solid waste in a  
4 manner provided in City Ordinance 13.3.

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

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

13 32. Failure to meet any conditions of approval for this development shall constitute a  
14 violation of the Conditional Use Permit (C-201-08) and Regular Coastal Permit (RC-205-08).

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

20 34. A trash enclosure must be provided as required by Chapter 13 of the City Code and  
21 shall also include additional space for storage and collection of recyclable materials per City  
22 standards. Recycling is required by City Ordinance. The enclosure must be built in a flat,  
23 accessible location as determined by the City Engineer. All driveways and service access areas  
24 must be designed to sustain the weight of a 50,000-pound service vehicle. Trash enclosures,  
25 driveways and service access areas shall be shown on both the improvement and landscape plans  
26 submitted to the City Engineer. The specifications shall be reviewed and approved by the City  
27 Engineer. The City's waste disposal contractor is required to access private property to service the  
28 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 access  
without the use and opening of the service doors for the bins. Trash enclosures shall have design

1 features such as materials and trim similar to that of the rest of the project. This design shall be  
2 shown on the landscape plans and shall be approved by the Economic and Community  
3 Development Director.

4 35. The project shall prepare a Management Plan. The Management Plan is subject  
5 to the review and approval of the Economic and Community Development Director and the  
6 Police Chief prior to the occupancy of the project, and shall be recorded as CC&R's against the  
7 property. The Management Plan shall cover the following:

- 8 a) Security - The Management Plan, at a minimum, shall address on-site management,  
9 hours-of-operation and measures for providing appropriate security for the project site.
- 10 b) Maintenance - The Management Plan shall cover, but not be limited to anti-graffiti  
11 and site and exterior building, landscaping, parking lots, sidewalks, walkways and  
12 overall site maintenance measures and shall ensure that a high standard of  
13 maintenance at this site exists at all times. The maintenance portion of the  
14 management plan shall include a commitment for the sweeping and cleaning of  
15 parking lots, sidewalks and other concrete surfaces at sufficient intervals to maintain  
16 a "like new" appearance. Wastewater, sediment, trash or other pollutants shall be  
17 collected on site and properly disposed of and shall not be discharged off the  
18 property or into the City's storm drain system.
- 19 c) Any graffiti within the center shall be removed by management or its designated  
20 representative within 24 hours of occurrence. Any new paint used to cover graffiti shall  
21 match the existing color scheme.

22 36. Less than 25 percent of shelf space shall be devoted to off-sale alcoholic  
23 beverages.

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**Water Utilities:**

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

PASSED AND ADOPTED by the Oceanside Community Development Commission of the City of Oceanside this \_\_\_ day of \_\_\_\_\_ 2009 by the following vote:

AYES:

NAYS:

ABSENT:

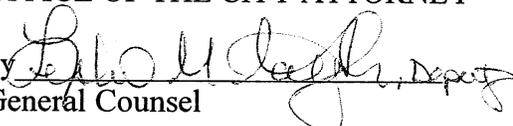
ABSTAIN:

\_\_\_\_\_  
Chairman

ATTEST:

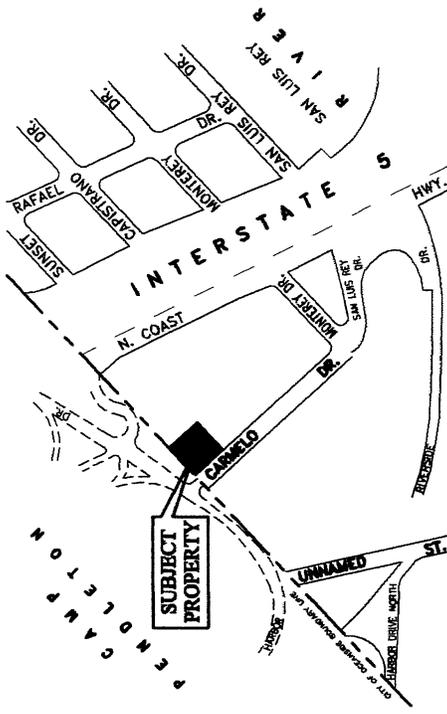
\_\_\_\_\_  
Secretary

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

by  Deputy  
General Counsel

# VICINITY MAP

SCALE: N.T.S.



# AERIAL PHOTO

CADFILE No: OCEANSIDE-PP

# SITE PLAN

SCALE: 1" = 20'

**PROJECT TITLE:**

CONDITIONAL USE PERMIT FOR CONVERSION FROM AUTO REPAIR FACILITY TO A MINI MARKET WITH A TYPE 21 OFF-SALE ALCOHOLIC BEVERAGE LICENSE

**SITUS:**

477 HARBOR DRIVE  
OCEANSIDE, CA 92054

**APPLICANT AND REPRESENTATIVE:**

ROBERT ZAKAR  
477 HARBOR DRIVE  
OCEANSIDE, CA 92054  
619-654-7532

PREPARATION DATE: FEBRUARY 28, 2009

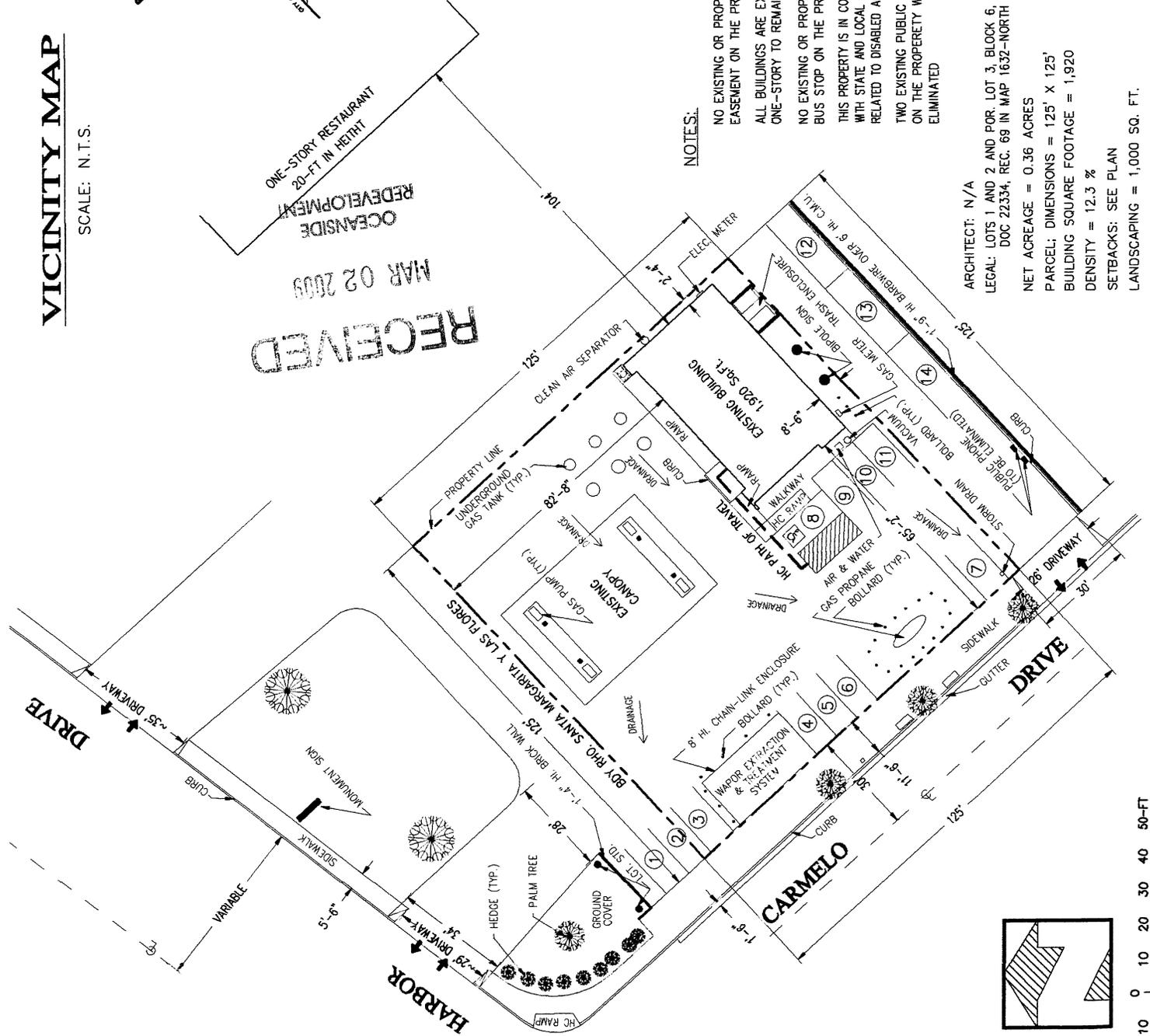
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MAR 02 2009

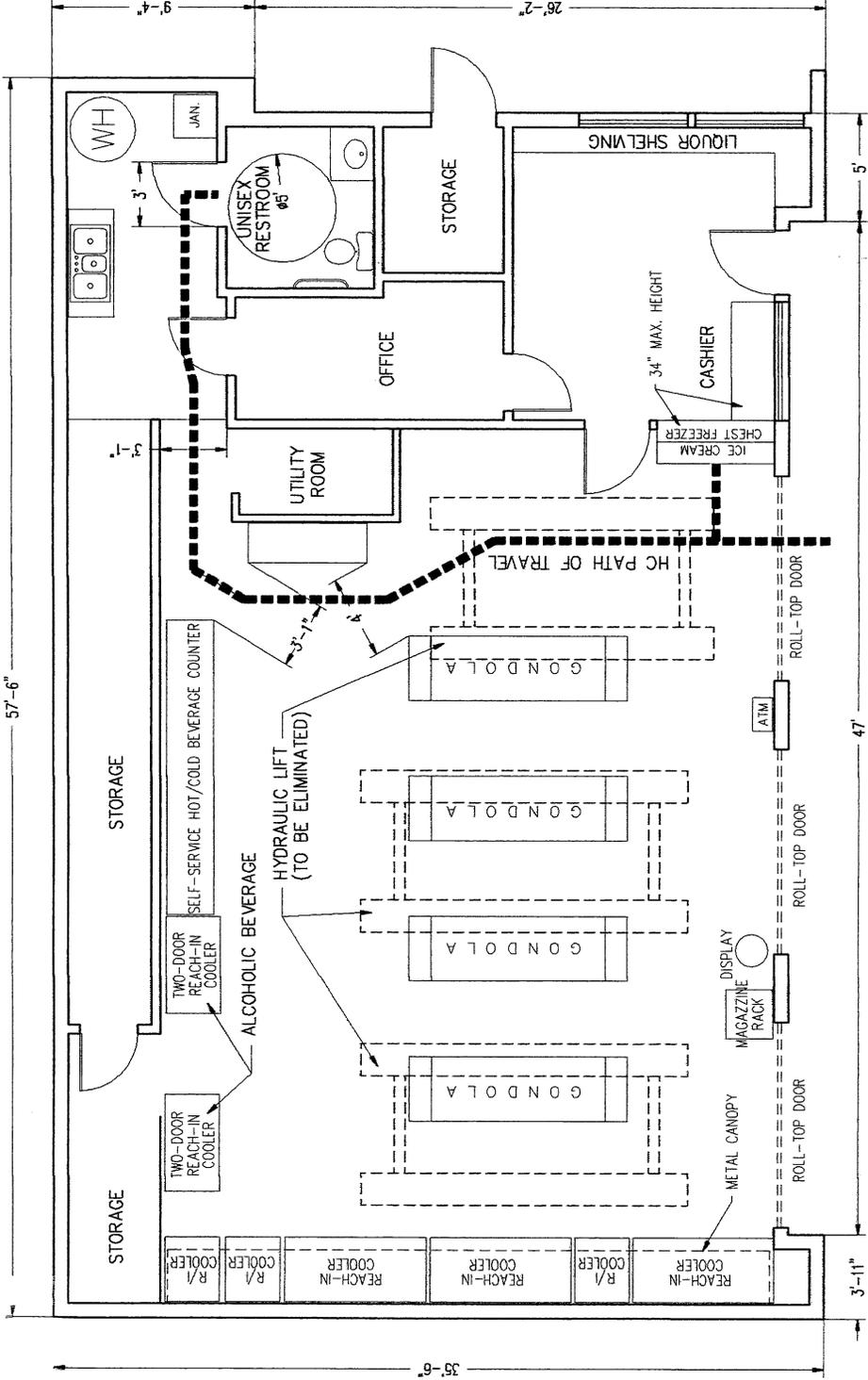
OCEANSIDE REDEVELOPMENT  
ONE-STORY RESTAURANT  
20-FT IN HEIGHT

**NOTES:**

- NO EXISTING OR PROPOSED EASEMENT ON THE PROPERTY
- ALL BUILDINGS ARE EXISTING ONE-STORY TO REMAIN
- NO EXISTING OR PROPOSED BUS STOP ON THE PROPERTY
- THIS PROPERTY IS IN COMPLIANCE WITH STATE AND LOCAL REGULATIONS RELATED TO DISABLED ACCESSIBILITY
- TWO EXISTING PUBLIC PHONES ON THE PROPERTY WILL BE ELIMINATED

- ARCHITECT: N/A
- LEGAL: LOTS 1 AND 2 AND POR. LOT 3, BLOCK 6, DOC 22334, REC. 69 IN MAP 1632-NORTH OCEANSIDE
- NET ACREAGE = 0.36 ACRES
- PARCEL DIMENSIONS = 125' X 125'
- BUILDING SQUARE FOOTAGE = 1,920
- DENSITY = 12.3 %
- SETBACKS: SEE PLAN
- LANDSCAPING = 1,000 SQ. FT.
- PARKING = 14 SPACES
- EXISTING / PROPOSED ZONE - n (UNLIMITED)





RECEIVED  
 FEB 22 2009  
 OCEANSIDE  
 DEVELOPMENT

CADFILE No: OCEANSIDE-PP3

# FLOOR PLAN

SCALE 1/4" = 1'-0"

**PROJECT TITLE:**

CONDITIONAL USE PERMIT FOR CONVERSION FROM AUTO  
 REPAIR FACILITY TO A MINI MARKET WITH A TYPE 21  
 OFF-SALE ALCOHOLIC BEVERAGE LICENSE

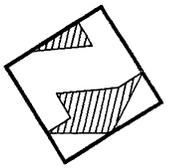
**SITUS:**

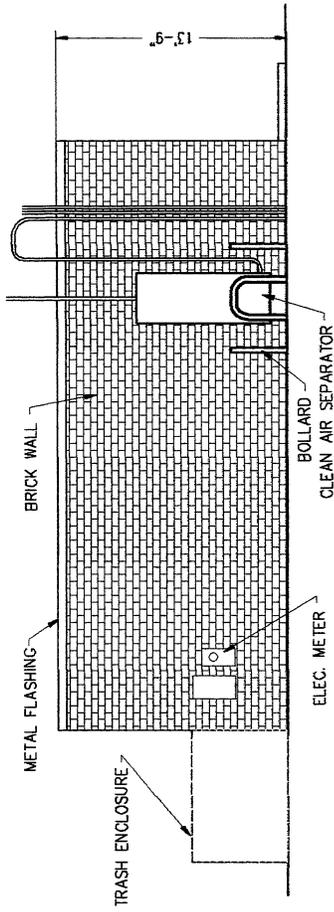
477 HARBOR DRIVE  
 OCEANSIDE, CA 92054

**APPLICANT:**

ROBERT ZAKAR  
 477 HARBOR DRIVE  
 OCEANSIDE, CA 92054  
 619-654-7532

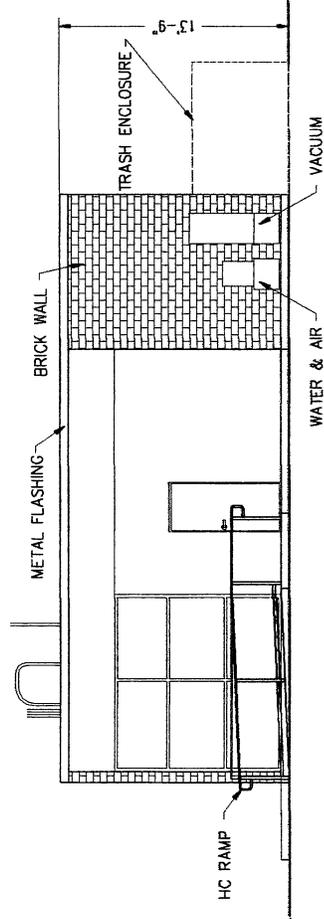
PREPARATION DATE: FEBRUARY 28, 2009



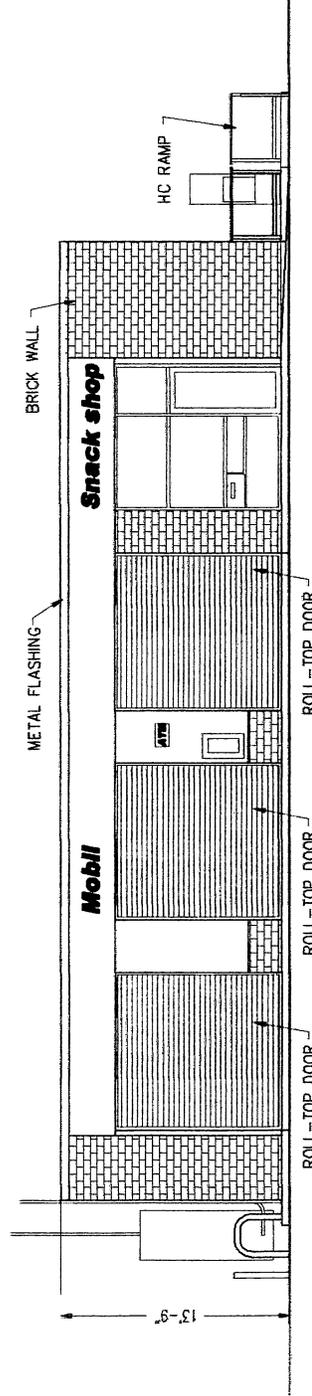


**NORTHEAST ELEVATION**

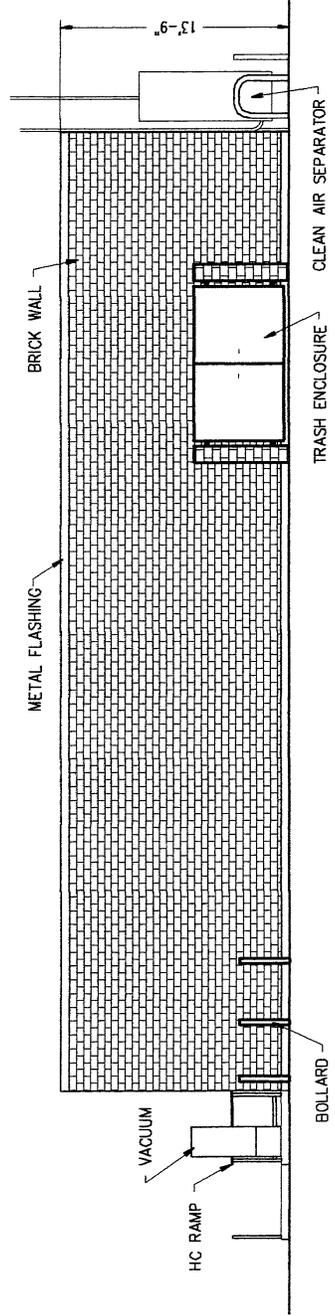
RECEIVED  
 JAN 22 2009  
 DEVELOPMENT  
 OCEANSIDE



**SOUTHWEST ELEVATION**



**NORTHWEST ELEVATION**



**SOUTHEAST ELEVATION**

CADFILE No: OCEANSIDE-PP

**ELEVATIONS**

SCALE 3/16" = 1'-0"

PROJECT TITLE:

CONDITIONAL USE PERMIT FOR CONVERSION FROM AUTO REPAIR FACILITY TO A MINI MARKET WITH A TYPE 21 OFF-SALE ALCOHOLIC BEVERAGE LICENSE

SITUS:

477 HARBOR DRIVE  
 OCEANSIDE, CA 92054

APPLICANT:

ROBERT ZAKAR  
 477 HARBOR DRIVE  
 OCEANSIDE, CA 92054  
 619-654-7532

PREPARATION DATE: JANUARY 27, 2009

**CITY OF OCEANSIDE  
PLANNING DEPARTMENT**

# NOTICE OF EXEMPTION

TO: X RECORDER/COUNTY CLERK  
COUNTY OF SAN DIEGO  
P.O. BOX 1750  
SAN DIEGO, CA 92112-4147

PROJECT TITLE AND FILE NUMBER:  
CONDITIONAL USE PERMIT (C-201-08) AND REGULAR COASTAL PERMIT (RC-205-08) FOR  
THE CONVERSION OF THE EXISTING MOBILE STATION FORMER SERVICE BAYS INTO A  
MINI-MART LOCATED AT 477 HARBOR DRIVE

PROJECT LOCATION - SPECIFIC:  
477 Harbor Drive

PROJECT LOCATION - GENERAL:  
Harbor and Carmelo Drives

CONDITIONAL USE PERMIT (C-201-08)  
REGULAR COASTAL PERMIT (RC-205-08)

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF PROJECT:  
Conversion of the former service bays into a mini-mart located at 477 Harbor Drive.

NAME OF PUBLIC AGENCY APPROVING PROJECT:

City of Oceanside

NAME OF PERSON(S) OR AGENCY CARRYING OUT PROJECT:

Mr. Zakar  
477 Harbor Drive  
Oceanside, CA 92054  
(760) 722-0555

Exempt Status per the Guidelines to Implement the California Environmental Quality Act (CEQA)  
(Public Resources Code Section 21000 et. al.):

   NOT SUBJECT TO CEQA PER THE GENERAL RULE, SECTION 15061(B)(3)

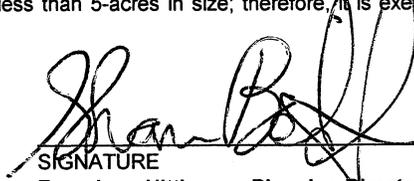
   STATUTORY EXEMPTION PER ARTICLE 18, SECTION(S)

X CATEGORICAL EXEMPTION PER ARTICLE 19, SECTION 15301(b)

**REASONS WHY PROJECT IS EXEMPT:**

The proposed project is a Conditional Use Permit and Regular Coastal Permit for the conversion of the former service bays into a mini-mart located at 477 Harbor Drive. The subject site is less than 5-acres in size; therefore, it is exempt from environmental review.

Contact Person: Shan Babick, Associate Planner

  
SIGNATURE \_\_\_\_\_ DATE March 4, 2009  
For: **Jerry Hittleman, Planning Director**

CITY HALL, 300 NORTH COAST HIGHWAY, OCEANSIDE CA 92054, TELEPHONE (760) 435-3354, FAX (760) 722-1057