

AGENDA NO 3

PLANNING COMMISSION
RESOLUTION NO. 2011-P37

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DENYING A REGULAR COASTAL PERMIT AND CONDITIONAL USE PERMIT ON CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

APPLICATION NO: RC11-00006, CUP11-00011
APPLICANT: Matt Sliwinski
LOCATION: 308 South Coast Highway

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

WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by the Commission requesting a Regular Coastal Permit (RC11-00006) and Conditional Use Permit (CUP11-00011) under the provisions of the City of Oceanside Local Coastal Program and Articles 11 and 15 of the Zoning Ordinance of the City of Oceanside to permit the following:

(a) Improvement of two parcels containing a 2,860-square foot structure as a convenience market and associated parking, landscaping and site infrastructure upgrades;

(b) establishment and operation of a convenience market with "off-site" sales of beer and wine;

on certain real property described in the project description.

WHEREAS, the Planning Commission, after giving the required notice, did on the 24th day of October, 2011 conduct a duly advertised public hearing as prescribed by law to consider said application;

WHEREAS, action on this resolution becomes final 10 days after its adoption, unless appealed to the City Council, and shall become effective after the 10 working-day appeal period to the Coastal Commission has expired; and

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

FINDINGS:

1. The location for the proposed use and conditions under which it would be operated are not consistent with the goals and objectives of the General Plan and Zoning ordinance, and could be detrimental to the public health, safety or welfare of persons residing or working

1 in or adjacent to the neighborhood, and to properties or improvements in the vicinity.
2 Specifically, the facility would add to the existing over-concentration of convenience
3 markets and alcohol sales facilities along Coast Highway, would not advance the Coast
4 Highway Vision and Strategic plan and could negatively impact existing businesses in the
5 immediate area. Further, the proposed 24-hour/day operation adjacent to residential uses
6 could negatively impact the neighborhood with increased noise, trash, crime and other
7 nuisances adversely affecting residents' quality of life.

8 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby denies
9 Regular Coastal Permit (RC11-00006) and Conditional Use Permit (CUP11-00011).

10 PASSED on October 24, 2011 by the following vote, to wit:

11 AYES: Rosales, Neal, Martinek, Troisi, Scrivener and Ross

12 NAYS: Balma

13 ABSENT: None

14 ABSTAIN: None

15 ADOPTED Resolution No. 2011-P37 on November 7, 2011.

16 AYES:

17 NAYS:

18 ABSENT:

19 ABSTAIN:

20 _____
21 Tom Rosales, Chairperson
22 Oceanside Planning Commission

23 ATTEST:

24 _____
25 Jerry Hittleman, Secretary

26 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
27 this is a true and correct copy of Resolution No. 2011-P37.

28 Dated: November 7, 2011
29