



DATE: January 9, 2012

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A CONDITIONAL USE PERMIT (CUP11-00023) TO ALLOW AN EXISTING RESTURANT LOCATED AT 2251 EL CAMINO REAL SUITE C TO RELOCATE TO A NEW BUILDING FOR THE OPERATIONS OF A RESTAURANT WITH FULL ALCOHOL SALES LOCATED AT 2250 EL CAMINO REAL –ANITA’S RESTAURANT – APPLICANT: ALAN E. CEJA**

### **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. 2012-P01 approving Conditional Use Permit (CUP11-00023) with findings and conditions of approval attached herein.

### **BACKGROUND AND PROJECT DESCRIPTION**

**Background:** The Anita’s restaurant has been a tradition in Oceanside and north county for the last 30 years. Since 1973 Anita’s has been operating and serving Mexican dishes and traditional seafood specialties.

The Anita’s Restaurant provides restaurant and bar services to the patrons in the area. The restaurant is currently located within the Town and Country Shopping center located at 2251 El Camino Real Suite C.

On October 13, 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 2250 El Camino Real, the former Fuddrucker’s Restaurant.

**Site Review:** The project site is located at 2250 El Camino Real within the Mira Costa Neighborhood. The project site consists of a 4,670 square foot commercial retail building that is currently vacant. The Building was occupied by the Fuddrucker's Restaurant from 2007-2010. The site is approximately 1.58-acres and is located northeast of the intersection of Vista Way and El Camino Real. The subject site has a General Plan Land Use Designation of Special Commercial (SC) and is zoned Special Commercial Highway Oriented (CS-HO) and the Surrounding land uses adjacent to the site include commercial retail offices to the east and south, commercial uses to the west and north west and the El Camino Country Club Golf Course exist the to the north.

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

Conditional Use Permit CUP11-00023 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 Anita's Restaurant 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 4,670-square foot sit down restaurant and bar. The interior occupancy allows approximately 170 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 (10:00 a.m. to 11:00 p.m.) Monday thru Thursday, (10:00 a.m. to 1 a.m.) on Fridays, (8:30 a.m. to 1 a.m.), and Saturdays and (8:30 a.m. to 10 p.m.) on Sundays.

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 Special Commercial (SC). 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.

No documented schools or public parks are located within at least 1,000 feet from the site and the other restaurant/bar uses similar to Anita's Restaurant are located an ample amount of feet away to not conflict with one another. In addition the Anita's Conditional Use Permit has been conditioned to ensure that all noise must comply with 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 an existing commercial building. 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. This project complies with Section 1120 requirements.

**DISCUSSION**

The following table identifies land uses on adjacent properties:

<b>LOCATION</b>	<b>GENERAL PLAN</b>	<b>ZONING</b>	<b>LAND USE</b>
Subject Property	SC	CS-HO	Commercial Retail (Restaurant)
North	OS	OS	Open Space El Camino County Club Golf Course
East	PC	CP	Commercial Offices
South	SC	CS-HO	Commercial Retail & Office
West	CC	CC	Commercial Retail

The project site exists with a commercial building that was used as a restaurant for several years since the development of the building in 1972. The site is surrounded by other commercial office, retail and restaurant uses. The existing building is situated within the north east corner of the major intersection of El Camino Real and Vista Way. The proposed restaurant with the sale of distilled sprits in conjunction with the

restaurant will provide the needed services for this under utilized corner. The neighboring Q Restaurant located to the south west of the project site has provided restaurant services with entertainment and hard alcohol sales for a few years. No complaints or alcohol-related issues have occurred at the site. All neighboring restaurants are located at least 500 feet from one another. The 76 parking spaces provided on-site will meet the (One space per 50 square feet of eating area) parking requirement of 53 required parking stalls as per the Oceanside Zoning Ordinance Section 3103.

The Anita's 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**

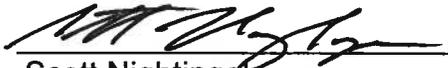
Legal notice was published in the North County Times and notices were sent to property owners of record within a 300-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant and other interested parties. As of January 9, 2012 no communication opposing 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. 2012-P01 approving Conditional Use Permit CUP11-00023 with findings and conditions of approval attached herein.

PREPARED BY:

  
Scott Nightingale  
Planner II

SUBMITTED BY:

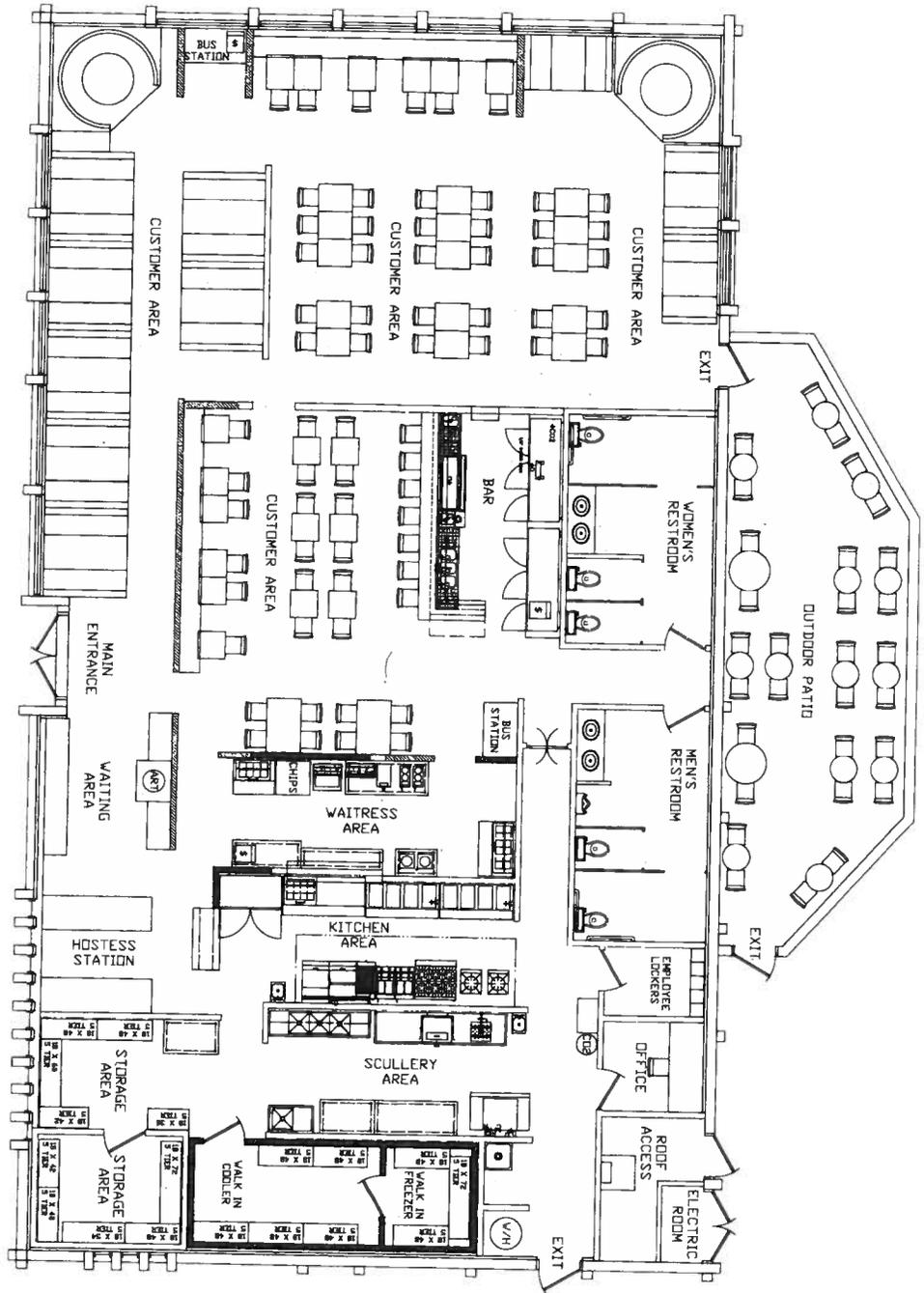
  
Jerry Hittlerman  
City Planner

JH/SN/fil

Attachments:

1. Floor/Site Plans
2. Planning Commission Resolution No. 2012-P01





FLOOR PLAN  
SCALE: 1/4" = 1'-0"

FLOOR PLAN		
DATE	REVISIONS	BY

ANITA'S MEXICAN RESTAURANT  
2250 SOUTH EL CAMINO REAL  
OCEANSIDE, CALIFORNIA 92056

TENANT: ALAN CEJA  
2250 S. EL CAMINO REAL  
OCEANSIDE, CA 92056  
CONTACT: TONY THOMAS  
(760) 717-8518

**D'ROYCE PETERSON  
DESIGN & INTERIORS**  
760.420.2364 P  
760.749.3409 F

AST  
9/28/11  
1/4" = 1'-0"  
**A1.2**

1 PLANNING COMMISSION  
2 RESOLUTION NO. 2012-P01

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

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6 APPLICATION NO: CUP11-00023  
7 APPLICANT: Alan E. Ceja  
8 LOCATION: 2250 El Camino Real

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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 2250 El Camino Real;

16 on certain real property described in the project description.

17 WHEREAS, the Planning Commission, after giving the required notice, did on the 9<sup>th</sup> day of  
18 January 2012, 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 //////////////

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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 operation, which will include full alcoholic beverage service, is  
4 consistent with the permitted land use regulations for the zoning district in which the  
5 property is located. The use of full alcohol at the subject location would be consistent  
6 with the intent of an existing sit-down restaurant that currently sells beer and wine at a  
7 neighboring location at 2251 El Camino Real Suite C. Full alcohol use at the subject  
8 site will be conditioned to ensure that if complaints arise this Conditional Use Permit  
9 will be subject to Planning Commission review.
- 10 2. The proposed alcohol beverage sales use, as conditioned, is consistent with the General  
11 Plan; will not be detrimental to the public health, safety or welfare of persons residing or  
12 working in the adjacent neighborhood areas; and will not be detrimental to properties or  
13 improvements in the vicinity or to the general welfare of the city.
- 14 3. The proposed use, as conditioned, will comply with the provisions of the Zoning Ordinance  
15 and with specific local conditions and additional regulations as deemed necessary by other  
16 regulatory or permit authorities.

17 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
18 approve Conditional Use Permit (CUP11-00023) subject to the following conditions:

18 Building:

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

21 Planning:

- 22 2. This Conditional Use Permit shall expire two years from its effective date (i.e., on January  
23 9, 2014 if not appealed), unless implemented as required by the Zoning Ordinance.
- 24 3. This Conditional Use Permit approves only the sales of full alcohol and distilled spirits in  
25 conjunction with a proposed eating and drinking establishment with bar as shown on the  
26 plans and exhibits presented to the Planning Commission for review and approval. No  
27 deviation from these approved plans and exhibits shall occur without Community Services  
28 Department/Planning Division approval. Substantial deviations shall require a revision to  
the Conditional Use Permit or a new Conditional Use Permit.

- 1 4. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
2 harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
3 proceeding against the City, its agents, officers, or employees to attack, set aside, void or  
4 annul an approval of the City, concerning Conditional Use Permit CUP11-00023. The  
5 City will promptly notify the applicant of any such claim, action or proceeding against  
6 the City and will cooperate fully in the defense. If the City fails to promptly notify the  
7 applicant of any such claim action or proceeding or fails to cooperate fully in the  
8 defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold  
9 harmless the City.
- 10 5. A covenant or other recordable document approved by the City Attorney shall be prepared  
11 by the applicant and recorded prior to the issuance of a business license. The covenant  
12 shall provide that the property is subject to this resolution, and shall generally list the  
13 conditions of approval.
- 14 6. The off-sale privileges of the license shall not be exercised nor shall a patron be allowed to  
15 remove a partially consumed bottle of wine from the premises pursuant to Section 23396.5  
16 of the Business and Professions Code.
- 17 7. Prior to the transfer of ownership and/or operation of the site the owner shall provide a  
18 written copy of the applications, staff report and resolutions for the project to the new  
19 owner and/or operator. This notification's provision shall run with the life of the project  
20 and shall be recorded as a covenant on the property.
- 21 8. Failure to meet any conditions of approval for this development shall constitute a violation  
22 of the Conditional Use Permit.
- 23 9. Unless expressly waived, all current zoning standards and City ordinances and policies in  
24 effect at the time building permits are issued are required to be met by this project. The  
25 approval of this project constitutes the applicant's agreement with all statements in the  
26 Description and Justification and other materials and information submitted with this  
27 application, unless specifically waived by an adopted condition of approval.
- 28 10. This Conditional Use Permit shall be called for review by the Planning Commission if  
complaints are filed and verified as valid by the Code Enforcement Office concerning the  
violation of any of the approved conditions or assumptions made by the application.
11. Dancing is prohibited.

- 1 12. The approval does not relieve the applicant from an obligation to obtain an alcohol license  
2 from the State Department of Alcoholic Beverage Control (ABC). Any license and permit  
3 conditions imposed by the ABC and the City Police Chief shall be in addition to the  
4 conditions of this approval and the most restrictive conditions shall apply.
- 5 13. All signs shall meet the requirements of the approved Comprehensive Sign Package for  
6 the shopping center. Sign plans shall be reviewed and approved by the Planning  
7 Division prior to an application for a sign permit.
- 8 14. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
- 9 15. The subject alcoholic beverage license shall not be exchanged for a public premises type  
10 license nor operated as a public premise.
- 11 16. There shall be no live entertainment or dancing in outside patio area.
- 12 17. Sales, service and consumption of alcoholic beverages shall be permitted only between  
13 the hours of 11:00 a.m. and 1:00 a.m. Hours of consumption of alcoholic beverages  
14 may be increased to 1:45 a.m. after a six month review period and with the approval of  
15 the Oceanside Police Department and approval from the City Planner.
- 16 18. An electronic security system allowing for monitoring and recording shall be installed.  
17 The system must allow for retrieval of recordings which must be submitted to the Police  
18 Department upon request. The establishment shall provide on-line access to the current  
19 video system by the Police Department.
- 20 19. There shall be no amusement machines or video game devises in the premises at any  
21 time.
- 22 20. There shall be no exterior advertising or sign of any kind of type, including advertising  
23 directed to the exterior from within, promoting or indicating the availability of alcoholic  
24 beverages. Interior displays of alcoholic beverages or signs which are clearly visible to  
25 the exterior shall constitute a violation of this condition.
- 26 21. No pay phones which are capable of receiving incoming calls will be maintained on the  
27 interior or exterior of the premises.
- 28 22. The premises shall be maintained and operated primarily as a restaurant and the  
quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food  
during the same period. The licensee shall at all times maintain records which reflect  
separately the gross sales of food and the gross sales of alcoholic beverages of the

1 licensed business. Said records shall be kept no less frequently than on a quarterly basis  
2 and shall be made available to the Department on demand.

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

4 PASSED AND ADOPTED Resolution No. 2012-P01 on January 9, 2012 by the  
5 following vote, to wit:

6 AYES:

7 NAYS:

8 ABSENT:

9 ABSTAIN:

10

11

\_\_\_\_\_  
Tom Rosales, Chairperson  
Oceanside Planning Commission

12

13 ATTEST:

14

15 \_\_\_\_\_  
Jerry Hittleman, Secretary

16

17

I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
this is a true and correct copy of Resolution No. 2012-P01.

18

19 Dated: January 9, 2012

20

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

23

24 \_\_\_\_\_  
Applicant/Representative

\_\_\_\_\_  
Date

25

26

27

28



				STAFF USE ONLY		
<b>Application for Discretionary Permit</b> Development Services Department / Planning Division (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885				ACCEPTED		BY
				10/18/11		SN. DW
Please Print or Type All Information				HEARING		
<b>PART I - APPLICANT INFORMATION</b>				GPA		
1. APPLICANT		2. STATUS		MASTER/SP/PLAN		
ALAN E. CEJA		General Partner		ZONE CL		
3. ADDRESS		4. PHONE/FAX/E-mail		TEXT MAP		
2251 S. EL CAMINO REAL C OCEANSIDE CA 92054		760/855-7154		PAR. MAP		
5. APPLICANT'S REPRESENTATIVE (for person to be contacted for information during processing)				DEV. PL		
TONY THOMAS				C.U.P. CUP11-00023		
6. ADDRESS		7. PHONE/FAX/E-mail		VARIANCE		
425 W. Vista Way Visalia CA. 92083		760/717-2514		COASTAL		
<b>PART II - PROPERTY DESCRIPTION</b>				D.H.P.A.C.		
8. LOCATION				9. SIZE		
2251 S. EL CAMINO REAL OCEANSIDE CA. 92054				69693 SF		
10. GENERAL PLAN		11. ZONING	12. LAND USE	13. ASSESSOR'S PARCEL NUMBER		
		CS40	Commercial	165-192-01		
14. LATITUDE			15. LONGITUDE			
<b>PART III - PROJECT DESCRIPTION</b>						
16. GENERAL PROJECT DESCRIPTION						
DRY SALE general eating place. MEXICAN. Family Restaurant serving traditional dishes beer, wine & cocktails.						
17. PROPOSED GENERAL PLAN	18. PROPOSED ZONING	19. PROPOSED LAND USE	20. NO. UNITS	21. DENSITY		
N/A	N/A	N/A	N/A	N/A		
22. BUILDING SIZE	23. PARKING SPACES	24. % LANDSCAPE	25. % LOT COVERAGE of FAR			
4500	76	87				
<b>PART IV - ATTACHMENTS</b>						
26. DESCRIPTION/JUSTIFICATION		27. LEGAL DESCRIPTION		28. TITLE REPORT		
29. NOTIFICATION MAP & LABELS		30. ENVIRONMENTAL INFO FORM		31. PLOT PLANS		
32. FLOOR PLANS AND ELEVATIONS		33. CERTIFICATION OF POSTING		34. OTHER (See attachment for required reports)		
<b>PART V - SIGNATURES</b>						
SIGNATURES FROM 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)						
35. APPLICANT OR REPRESENTATIVE (Print):		36. DATE	37. OWNER (Print)		38. DATE	
ALAN E. CEJA		10/18/11	IRWIN BECHER (MANAGER)		10/4/20	
Sign:		Sign:				
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS. I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.						



## Description and Justification

### Restaurant

### Conditional Use Permit Application

The application is for a Conditional Use Permit for alcoholic beverage service at 2320 S. El Camino Real.

The application intends to transfer the existing liquor license from our restaurant Anita's Fine Mexican Cuisine located at 2251 S. El Camino Real, Suite C to a new location located 300 feet from our restaurant.

The location was formerly occupied by Fuddruckers Restaurant and has been vacant for approximately one year, before that Love's Restaurant was a tenant for almost 23 years, both restaurants were eating and drinking establishments. The building is located on a CS-HO zoning area and the land use is designated as commercial, the location has adequate parking for the business size and use.

The require findings for approving a Use Permit and the justification for each are:

- 1 This application is for a transfer of a liquor license to a new location from our existing one, located approximately 300 feet from Anita's Restaurant . We will be catering to the same demographic not affecting or increasing the number of liquor licenses in the area .
- 2 The proposed transfer of the license location will be in accordance and consistent with the General Building Plan; will not be detrimental to the public health, safety, welfare of persons, residing or working in or adjacent to the neighborhood of such uses; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.
- 3 The proposed conditional use will comply with the provisions of the Zoning Ordinance and we will maintain our existing ABC conditions .

# Anita's Mexican Restaurant

November 2011  
Draft Management Plan

## **Intent and Scope**

This management plan is intended to provide a description of the use and operation of the proposed restaurant located at 2250 EL Camino Real.

## **General Information**

Anita's Mexican Restaurant will be serving traditional Mexican dishes and cocktails to guests seated in dining room area, bar area and the beautiful patio area. The seating capacity will be 145 inside the restaurant with an additional 30 seats in the patio area. The restaurant will employ approximately 16 employees, 10 full-time and 6 part-time.

The restaurant is broken down in 6 zones shown on the floor plan

Zone 1 (175 Sq. Ft.): Reception Area, which includes main entrance and waiting area for guests.

Zone 2 (1462 Sq. Ft.): Dining area, where food, drinks and cocktails are served.

Zone 3 (685 Sq. Ft.): Bar area, where food, drinks and cocktails are served. More detailed description of this area is provided.

Zone 4 (501 Sq. Ft.): Patio Area, where food, drinks and cocktails are served.

Zone 5 (1439 Sq. Ft.): Kitchen Area, which includes the cookline, waitress area, office, employee lockers, scullery area, walk-in cooler and storage areas for food, supplies, beer, wine and spirits.

Zone 6 (408 Sq. Ft.): Bathrooms Area

## **Use**

The restaurant sells Mexican food, beer, wine and cocktails to the guests.

## **Operations for Serving Alcoholic Beverages**

The restaurant will be serving cocktails (spirits) in three areas of the restaurant: patio area, dining area and bar area. Storage of spirits will be located on the kitchen's dry storage room next to the walking cooler, storage of spirits will follow loss prevention procedures. All bottles and cases of alcoholic beverages will be located in a separated location within the dry storage room and protected within a locked caged compartment. Access to this compartment is restricted to managers and trained bar employees only. Managers and servers are trained on all aspects of serving alcoholic beverages. This includes the verification of age proof documents according to ABC procedures and the responsible way for serving alcohol beverages. The management will also participate in the training program. Any future local police (LEADS training) and state agencies seminars or training courses will be implemented to keep our internal controls and procedures up to date.

The policies that will be implemented for this location are:

- Requirement of valid ID for the purchase or consumption of any alcoholic beverage.
- The supervision of servers and bartenders to ensure the responsible way of serving alcoholic beverages and spirits.
- The observance of all the conditions.
- All employees engaged in the sale of or service of alcoholic beverages and all on site managers shall be trained and required to attend training in the safe serving of alcohol by the local police department.
- A control of bar inventory and portions using a strict record keeping and bottle audits.

## **Hours of Operation**

- Monday: 10am - 11pm - with the option to close earlier if warranted
- Tuesday: 10am - 11pm - with the option to close earlier if warranted
- Wednesday: 10am - 11pm- with the option to close earlier if warranted
- Thursday: 10am - 11pm- with the option to close earlier if warranted
- Friday: 10am - 01am- with the option to close earlier if warranted
- Saturday: 8:30am - 01am- with the option to close earlier if warranted
- Sunday: 8:30am-10pm- with the option to close earlier if warranted

## **Parking**

There are 76 parking spaces provided for the proposed restaurant.

**Exhibit "A"**

All that certain real property situated in the County of San Diego, State of California, described as follows:

That portion of the Northeast Quarter of the Northwest Quarter of Section 32, and that portion of the Southeast Quarter of the Southwest Quarter of Section 29, Township 11 South, Range 4 West, San Bernardino Meridian, in the City of Oceanside, County of San Diego, State of California, according to the Official Plat thereof, lying within the following described boundary:

Commencing at the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 29; thence along the Easterly line of said Southwest Quarter of the Southwest Quarter, North 00° 11' 38" East, 45.07 feet to the Easterly line of County Road Survey No. 626 (El Camino Real) according to the Official Plat thereof on file in the Office of the County Surveyor of San Diego County, being also the most Northerly corner of land described in Deed to the State of California (11-SD-8-P.M.2.1) recorded January 31, 1966 as File No. 16930 of Official Records and being also the True Point of Beginning; thence South 20° 46' 35" East, 48.34 feet; thence South 12° 43' 59" East 163.32 feet to the most Southeasterly line of land described in Deed to J. Richard Shelley, et al, recorded April 30, 1962 as File No. 73545 of Official Records; thence along the boundary of said land of Shelley, et al as follows: North 68° 18' 28" East, 290.00 feet, more or less, to the most Southeasterly corner of said land; and North 05° 05' 29" West, 96.11 feet to an angle point in said boundary; thence along the Northeasterly line of said land and the Northwesterly prolongation thereof North 47° 38' 47" West, to the Easterly line of said Southwest Quarter of the Southwest Quarter of Section 29; thence along said Easterly line South 00° 11' 38" West to the Point of Beginning.

EXCEPTING THEREFROM those portions of said land lying Southerly and Southwesterly of the following described line:

Commencing at the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 29; thence along the Easterly line of said Southwest Quarter of the Southwest Quarter, North 00° 11' 38" East, 45.07 feet to the Easterly line of County Road Survey No. 626 - El Camino Real - according to the Official Plat thereof on file in the Office of the County Surveyor of San Diego County, being also the most Northerly corner of land described in Deed to the State of California - 11-SD-78-P.M.2.1 - recorded January 31, 1966 as File No. 16930 of Official Records; thence South 20° 46' 35" East, 48.34 feet; thence South 12° 43' 59" East 163.44 feet - Record 163.32 feet - to the Southeasterly line of land described in Deed to J. Richard Shelley, et al, recorded April 30, 1962 as File No. 73545 of Official Records; thence along the boundary of said land of Shelley, et al, North 68° 18' 28" East 178.50 feet, to the Southwesterly line of that 150.00 foot easement to San Diego Gas and Electric Company, as described in Deed recorded December 16, 1966 as File No. 195784 of Official Records, being the True Point of Beginning of the herein described line; thence along said Southwesterly line, North 42° 15' 18" West (Record North 42° 54' 01" West) 111.30 feet; thence North 85° 01' 23" West 127.52 feet.

Assessor's Parcel Number: **165-192-01**

CLTA Preliminary Report Form (Rev 1/1/95)



# NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:  
Removal:  
(180 days)

1. **APPLICANT:** Alan E. Ceja
2. **ADDRESS:** 2250 El Camino Real Oceanside, CA. 92056
3. **PHONE NUMBER:** (760) 855-7754
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Scott Nightingale, Planner
6. **PROJECT TITLE:** CUP11-00023 Anita's Restaurant
7. **DESCRIPTION:** A Conditional Use Permit (CUP11-00023) to allow a proposed restaurant with bar to serve hard alcohol located at 2250 El Camino Real. The project site is within an building, has a General Plan Land Use Designation of Special Commercial (SC) with a zoning designation of Special commercial Highway Orientated (CS-HO).

**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: 1/9/2012

cc:  Project file  Counter file  Library Posting:  County Clerk \$50.00 Admin. Fee