



DATE: May 18, 2009

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF TWO CONDITIONAL USE PERMITS (C-1-09, C-2-09) TO OPERATE A 24-HOUR CONVENIENCE STORE IN A NEW COMMERCIAL DEVELOPMENT LOCATED AT 3899 DOUGLAS DRIVE WITHIN THE MISSION AND DOUGLAS COMMERCIAL CENTER – 7-ELEVEN @ DOUGLAS & MISSION – APPLICANT: 7-ELEVEN, INC/ROGER SHADOWEN**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 1 categorical exemption for "Existing Facilities"; and, Adopt Planning Commission Resolution No. 2009-P26 approving Conditional Use Permits (C-1-09 and C-2-09) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: On September 25, 2006 the Planning Commission adopted Resolution No. 2006-P54 approving the construction of a three-commercial structure development with a combined total of 15,486 square feet. The center is currently under construction.

The underlying land use designation and zoning for the site required the developer to obtain approval from the Oceanside Historical Preservation Advisory Committee (OHPAC). The commercial site, signage and developments have been reviewed and approved by the Oceanside Historical Preservation Advisory Committee on March 7, and September 5, 2006. They found the center and signage to be substantially in conformance with the Mission San Luis Rey Historic District Guidelines.

Site Review: The site is situated directly between two pre-existing shopping centers Mission Plaza Real to the West and Mission Douglas Plaza to the East. Both pre-existing shopping centers were constructed in the late eighties.

The Mission and Douglas Shopping Center is currently under construction. When completed, the entire shopping center will provide three commercial structures comprising of a total of 15,486 square feet on two legal parcels. Building one is 4,066 square feet and building two is 5,190 square feet. Building three located at the northern portion of the commercial site consists of 6,230 square feet.

The development application identified retail businesses providing a wide range of goods and services to both the surrounding residential and commercial populations, as well as tourists traveling on Highway 76 and to the Mission Historical District. The individual pad buildings have been designed to appeal to national and regional retailers, as well as local entrepreneurs seeking high visibility locations in areas of solid population growth. Signage will be in compliance with the established comprehensive sign program for the center.

On January 8, 2009, 7-Eleven submitted an application for two conditional use permits to allow for the operation of a 24-hour convenience store within the approved Mission and Douglas Shopping Center. The convenience store consists of a 2,516-square foot suite within building two.

The project site is situated within the Special Commercial Limited and within the Historic Overlay (CS-L-H) District. The land use designation is Special Commercial (SC) which allows for convenience stores subject to a Conditional Use Permit.

The surrounding land uses include Medium Density residential land uses to the north with a Senior Mobile Home overlay, Special Commercial Limited with a Historic Overlay uses to the east and west, and CALTRANS property to the south.

Project Description: The project application is comprised of two components, two Conditional Use Permits, as follows:

Conditional Use Permits (C-1-09, C-2-09) represents a request for the following:

- (a) One conditional use permit is to allow the establishment for a convenience store and the second conditional use permit is for extended hours of the operation to twenty-four (24) hours per day seven days a week.

The proposed retail suite is approximately 2,516 square feet in size, and would be operated as a convenience store Sunday through Saturday, 12:00 a.m. to 12:00 p.m, 24 hours a day, and seven days a week.

The commercial center, which is currently under construction, has an architectural design intended to complement the adjacent shopping center's Spanish Mediterranean

architectural styles. When completed, the commercial center shall consist of smooth stucco surfaces, stone and wood columns, Spanish mansard roofing materials, and white to tan wall colors. Future identification signage will be in compliance with the established comprehensive sign program for the center. There are a total of 81 spaces, along with a reciprocal parking agreement with the adjacent shopping center.

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

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

ANALYSIS

KEY PLANNING ISSUES

1. General Plan Conformance

The General Plan Land Use Map designation for the subject property is Special Commercial (SC). The proposed land use is consistent with this land use designation and the goals and objectives of the City's General Plan as follows:

A. Land Use Element

Goal 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 conditions placed on the proposed use are consistent with the General Plan, will not effect neighborhood compatibility, and will not cause the operation of the use to be detrimental to the welfare of persons or properties working, residing, or otherwise existing in the adjacent neighborhood areas. The proposed convenience store would provide employment as well as convenience items to the surrounding business, drivers on Highway 76, and residences within the surrounding neighborhood.

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 Police Chief shall be in addition to the conditions of this approval and the most restrictive conditions shall apply.

Policy C: The City shall continuously monitor the impact and intensity of land use and land use distribution to ensure that the City's circulation system is not overburdened beyond design capacity.

The development has been reviewed and analyzed to ensure that traffic impacts and parking deficiencies would not arise. Trip generation for the commercial shopping center has been determined by staff to be consistent with the overall intensity of development of the site, and does not warrant further review.

2. Zoning Ordinance Compliance

The project site is situated within the Special Commercial Limited District with a Historic Overlay (CS-L-H), and within the Mission and Douglas shopping center. By ordinance, a conditional use permit is required for the operation of a 24-hour convenience store. The project site is meeting the parking regulation of one space per 200 square feet.

DISCUSSION

Issue: Compatibility with surrounding land uses.

Recommendation: The Oceanside Zoning Ordinance requires two conditional use permits for the 24-hour operation of a convenience store. It has been determined that 7-Eleven will not be detrimental to the Mission and Douglas Shopping Center and will be compatible with the surrounding neighborhoods. The proposed use is located within approximately 700 feet of the Police Department. The proposed use would provide a convenience to the drivers on highway 76 as well as the neighboring residences to the north, by providing quick retail of food, beverages and other items on a 24-hour basis. The proposed store would also provide convenience items to the employees of the shopping center and the adjacent shopping centers. The conditions placed on the use permit will further ensure the protection of general public health and well-being.

Issue: Parking Regulations

Recommendation: The designated parking required for this store is 12 parking spaces, based on one car per 200 square feet with a space of 2,516 square feet. There are a total of 81 spaces within the commercial center, as well as a reciprocal parking agreement with the adjacent center. There will be a loading truck that will load the merchandise from the 10'x12' loading space provided at the north end of the building by the trash enclosure. The merchandise is loaded from the front of the entrance of the store.

Issue: Security

Recommendation: The proposed convenience store will be franchised with approximately 8 to 12 employees. The Operator will have authority and responsibility for day-to-day operations. Store will be equipped with a 24-hour hotline to call in security issues as well as all maintenance and appearance issues. The store will have digital security system that records 24 hours a day. All employees will be trained on 7-Elevens Operation alert and come of age programs that provide guidelines and procedures in handling age restricted sales as well as coping with security issue. Please refer to attached document.

Issue: Maintenance

Recommendation: The proposed 7-Eleven has a franchise agreement with the franchisee to maintain the site, exterior building, landscaping, parking lots, sidewalks, walkways, median, and overall site maintenance measures and shall ensure that a high standard of maintenance at this site exists at all times. 7-Eleven maintains contracts with viable vendors to ensure effective management of all the above. 7-Eleven representatives are in the stores two times a week (at minimum) to monitor the overall appearance and confirm that the store maintains a "like new" condition. 7-Eleven has a program where store operators can immediately address graffiti by contacting our maintenance contractors and have graffiti removed at the expense of 7-Eleven Inc.

ENVIRONMENTAL DETERMINATION

The project is subject to a Class 1 categorical exemption for "Existing facilities" pursuant to Section 15301(a) of the California Environmental Quality Act.

PUBLIC NOTIFICATION

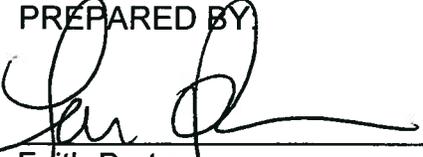
Legal notice was published in the North County Times and notices were sent to property owners of record and occupants within a 1,500-foot radius of the subject property, to individuals and organizations requesting notification, and to the applicant. As of May 11, 2009, staff has not received comments on the proposed land use.

SUMMARY

The proposed Conditional Use Permits (C-1-09 and C-2-09), as conditioned, is consistent with the land use policies of the General Plan and the requirements of the Zoning Ordinance. The approval of the 7-Eleven will provide convenience to serve the San Luis Rey neighborhood. 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 a Class 1 categorical exemption for "Existing Facilities" and adopt Planning Commission Resolution No. 2009-P26 approving Conditional Use Permits (C-1-09 and C-2-09) with findings and conditions of approval attached herein.

PREPARED BY:


Faith Burton
Planner I

SUBMITTED BY:


Jerry Hittleman
City Planner

REVIEWED BY:

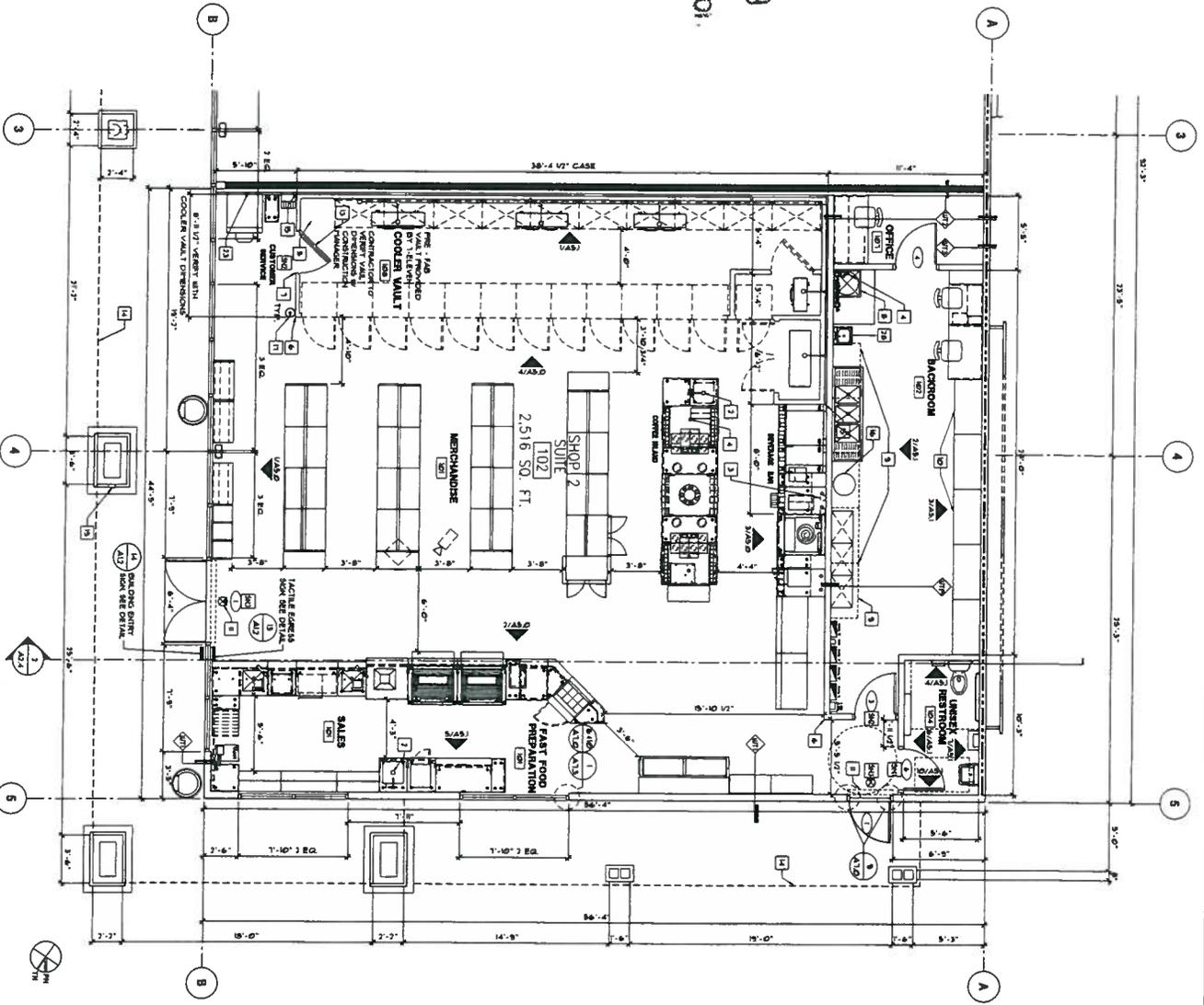

Richard Greenbauer, Senior Planner

JH/SS/fil

Attachments:

1. Site plans, elevations
2. Planning Commission Resolution No. 2009-P26
3. Management Plan

Received
 JAN - 8 2009
 Planning Division



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

KEY NOTES

1. RECOMMENDED: USE 1/2\"/>
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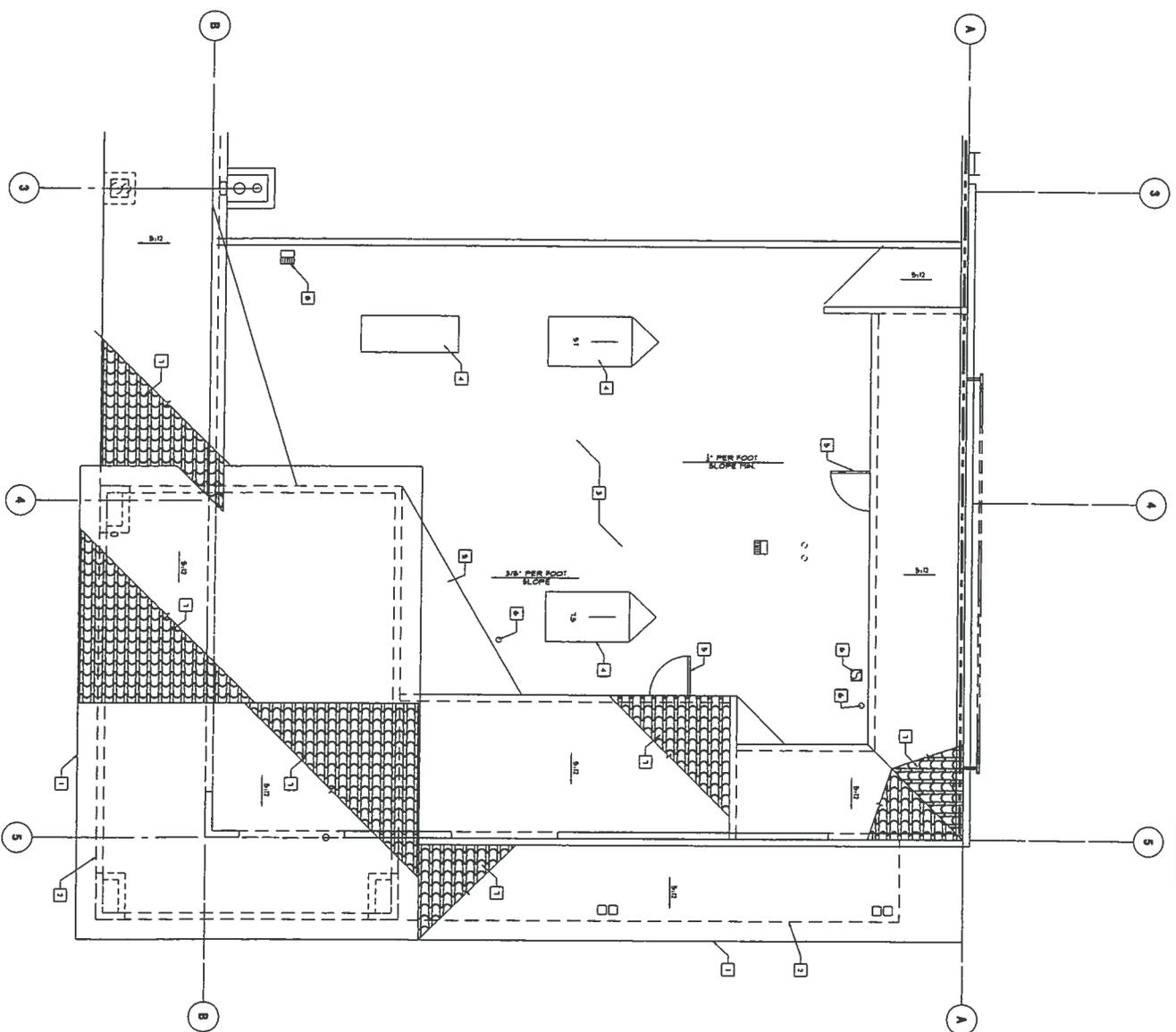
BERGMAN
 ARCHITECTURE
 WILLIAM A. HASKELL, ARCHITECT
 2711 N. HASKELL
 CITYPLACE CENTER EAST
 DALLAS, TX 75204
 214.841.6761

MISSION & DOUGLAS CENTER
 SWC OF MISSION AVE. & DOUGLAS DR.
 OCEAN SIDE, CALIFORNIA

SHEET TITLE
A2.0

FLOOR PLAN

SHEET NUMBER



ROOF PLAN
SCALE: 1/8" = 1'-0"
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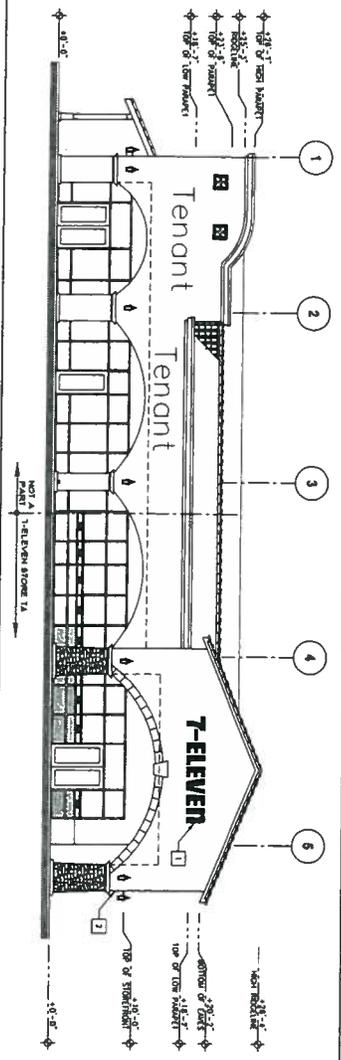
KEYNOTES

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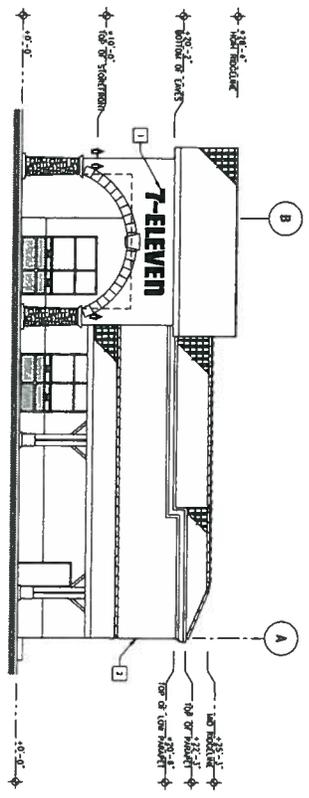
GENERAL NOTES

- A. VERIFY LIMITS AND LOCATIONS OF ALL ROOF OPENINGS, PLATFORMS, ETC. WITH RESPECTIVE CONTRACTORS.
- B. REVISIONS OF THIS DRAWING SHALL BE ROOM CHANGES AND SECTION 9011.00. SEE SCHEDULE 9011.00.
- C. ALL FINISH HATCHES SHALL BE ACCORDANT WITH THE ROOF STRUCTURE.

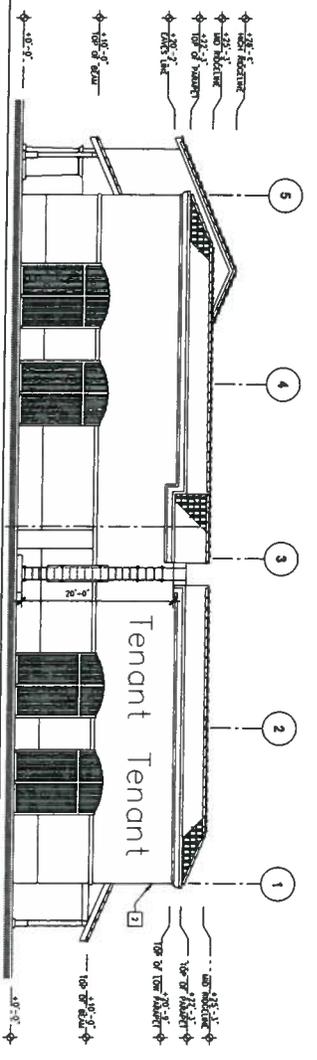
	<p>BERGMAN ARCHITECTURE WILLIAM A. ASHBERY REGISTERED ARCHITECT DALLAS, TEXAS 75204 PHONE: 214.841.6761 WWW.BERGMANARCHITECTURE.COM</p>	<p>7-ELEVEN, INC. 2711 N. HASKELL CITYPLACE CENTER EAST DALLAS, TX 75204 214.841.6761</p>	<p>MISSION & DOUGLAS CENTER SWC OF MISSION AVE. & DOUGLAS DR. OCEAN SIDE, CALIFORNIA</p>
<p>ROOF PLAN</p>	<p>A2.2</p>	<p>ROOF PLAN</p>	<p>ROOF PLAN</p>



EAST ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"

REFERENCE ONLY

EXISTING ELEVATIONS - FOR REFERENCE ONLY

SCALE: 1/8" = 1'-0"

KEY NOTES

- 1. ELEVATION SHOULD BEE SHOWN PACKAGE
- 2. PENDING DEVELOPER/OWNER SELLER AGREEMENT

GENERAL NOTES

1. ELEVATIONS ARE FOR REFERENCE ONLY. REFER TO DEVELOPER/OWNER CONTRACT & ALL APPLICABLE PERMITS FOR ALL INFORMATION REQUIRED.



BERGMAN
ARCHITECTURE
MULLEN P. ANDER ARCHITECT
4300 EUBANK AVE.
DALLAS, TX 75244
214.441.8761
WWW.BERGMANARCHITECTURE.COM



7-ELEVEN, INC.
2711 N. HASKELL
CITYPLACE CENTER EAST
DALLAS, TX 75204
214.841.8761

PROJECT LOCATION: MISSION & DOUGLAS CENTER
SWC OF MISSION AVE. & DOUGLAS DR.
OCEAN SIDE, CALIFORNIA



ELEVATIONS FOR REFERENCE ONLY

A4.0
SHEET NUMBER

1 PLANNING COMMISSION
2 RESOLUTION NO. 2009-P26

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

6 APPLICATION NO: C-1-09, C-2-09
7 APPLICANT: Roger Shadowen, 7-Eleven Inc.
8 LOCATION: 3899 Douglas Drive

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

14 operate a 24-hour convenience store;
15 on certain real property described in the project description.

16 WHEREAS, the Planning Commission, after giving the required notice, did on the 18th day
17 of May, 2009 conduct a duly advertised public hearing as prescribed by law to consider said
18 application.

19 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State
20 Guidelines thereto; this project is not subject to CEQA per Article 19 Section 15332 and therefore,
21 the project is exempt from CEQA;

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

24 WHEREAS, the current fees referenced above are merely fee amount estimates of the
25 impact fees that would be required if due and payable under currently applicable ordinances and
26 resolutions, presume the accuracy of relevant project information provided by the applicant, and are
27 not necessarily the fee amount that will be owing when such fee becomes due and payable;

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

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;

1 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that
2 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction
3 described in this resolution begins on the effective date of this resolution and any such protest must
4 be in a manner that complies with Section 66020;

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

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

9 For the Conditional Use Permit for the Mini-Mart:

- 10 1. The location of the mini-mart, within the CS-L-H commercial zone is in accord with the
11 objectives of the Zoning Ordinance and the purposes of the district in which the site is
12 located.
- 13 2. The proposed use will not be detrimental to properties or improvements in the vicinity or
14 to the general welfare of the City.
- 15 3. The mini-mart is conditioned and is required to comply with all provisions of the Zoning
16 Ordinance. The proposed use is subject to specific operational conditions that will cause
17 the use to operate compatibly with the surrounding land uses.

18 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby
19 approve Conditional Use Permits (C-1-09 and C-2-09) subject to the following conditions:

20 Building:

- 21 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for
22 Building Division plan check. (As of January 1, 2008 the 2007 California Building
23 Code, and 2007 California Electrical Code)
- 24 2. The granting of approval under this action shall in no way relieve the applicant/project
25 from compliance with all State and Local building codes.
- 26 3. Site development, parking, access into buildings and building interiors shall comply with
27 the State's Disabled Accessibility Regulations. (2007 California Building Code (CBC),
28 Chapter 11B)
4. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the plans.
5. The developer shall monitor, supervise and control all building construction and supporting
activities so as to prevent these activities from causing a public nuisance, including, but not
limited to, strict adherence to the following:

1 a) Building construction work hours shall be limited to between 7:00 a.m. –and 6:00
2 p.m. Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work
3 that is not inherently noise-producing. Examples of work not permitted on Saturday
4 are concrete and grout pours, roof nailing and activities of similar noise-producing
5 nature. No work shall be permitted on Sundays and Federal Holidays (New Year’s
6 Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Christmas Day) except
7 as allowed for emergency work under the provisions of the Oceanside City Code
8 Chapter 38 (Noise Ordinance).

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

14 6. Separate/unique addresses will/may be required to facilitate utility releases. Verification
15 that the addresses have been properly assigned by the City’s Planning Division must
16 accompany the Building Permit application.

17 7. Complete Energy Calculations/documentation will be required at time of plan submittal to
18 the Building Division for plan check.

19 8. Tenant Improvements or other construction to the existing building requires permits
20 (including all required Inspections and approvals, and Issuance of Certificate of Occupancy)
21 from the Building Division.

22 **Planning:**

23 9. These Conditional Use Permits (C-1-09 and C-2-09) shall expire on May 18, 2012 unless
24 the use is established, the use permits are extended, or a certificate of occupancy has been
25 issued.

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

11. The project shall prepare a Management Plan. The Management Plan is subject to the
review and approval of the City Planner and the Police Chief prior to the occupancy of the
project, and shall be recorded as CC&R's against the property. The Management Plan shall
cover the following:

- 1 a) Security - The Management Plan, at a minimum, shall address on-site management,
2 hours-of-operation and measures for providing appropriate security for the project
3 site.
- 4 b) Maintenance - The Management Plan shall cover, but not be limited to anti-
5 graffiti and site and exterior building, landscaping, parking lots, sidewalks,
6 walkways, and overall site maintenance measures and shall ensure that a high
7 standard of maintenance at this site exists at all times. The maintenance portion
8 of the management plan shall include a commitment for the sweeping and
9 cleaning of parking lots, sidewalks and other concrete surfaces at sufficient
10 intervals to maintain a "like new" appearance. Wastewater, sediment, trash or
11 other pollutants shall be collected on-site and properly disposed of and shall not
12 be discharged off the property or into the City's storm drain system.
- 13 c) Any graffiti within the center shall be removed by the center management or its
14 designated representative within 24 hours of occurrence. Any new paint used to
15 cover graffiti shall match the existing color scheme.
- 16 d) Failure to meet any conditions of approval for this development shall constitute a
17 violation for the Conditional Use Permits.
- 18 12. No coin operated amusement devices shall be maintained on license premises.
- 19 13. At any time the premise causes policing problems, the Police Department may recommend
20 the licensee to furnish security personnel during the times identified by the Police
21 Department. If after such recommendation the licensee does not take steps to control
22 policing problems, the Police Department may require the licensee to furnish security
23 personnel during times identified by the Police Department.
- 24 14. The premises shall be maintained primarily as a convenience store and the annual sales of
25 alcoholic beverages shall not exceed 25 percent of the quarterly annual sale of all other
26 products (beer and wine only).
- 27 15. No more than 25 percent of total shelf space may be devoted to the display and sale of
28 alcoholic beverages (beer and wine only).
16. No exterior vending machines shall be permitted.
17. Prior to the transfer of ownership and or operation of the site the owner shall provide a
written copy of the applications, staff report and resolutions for the project to the new
owner and or operator. This notification's provision shall run with the life of the project
and shall be recorded as a covenant on the property.

- 1 18. Unless expressly waived, all current zoning standards and City ordinances and policies in
2 effect at the time building permits are issued are required to be met by this project. The
3 approval of this project constitutes the property owner's and developer's agreement with
4 all statements in the Description and Justification, and other materials and information
5 submitted with this application, unless specifically waived by an adopted condition of
6 approval.
- 7 19. The hours-of-operation for retail sales within the mini-mart will be 24 hours and will be
8 subject to review by the Planning Commission if complaints are evident.

9 **Water Utilities:**

- 10 20. The developer will be responsible for developing all water and sewer utilities necessary to
11 develop the property. Any relocation of water and/or sewer utilities is the responsibility of
12 the developer and shall be done by an approved licensed contractor at the developer's
13 expense.
- 14 21. The property owner shall maintain private water and wastewater utilities located on private
15 property.
- 16 22. Water services and sewer laterals constructed in existing right-of-way locations are to be
17 constructed by approved and licensed contractors at developer's expense.
- 18 23. All Water and Wastewater construction shall conform to the most recent edition of the
19 Water, Sewer, and Reclaimed Water Design and Construction Manual or as approved by the
20 Water Utilities Director.
- 21 24. No trees, structures or building overhang shall be located within any water or wastewater
22 utility easement.
- 23 25. All lots with a finish pad elevation located below the elevation of the next upstream
24 manhole cover of the public sewer shall be protected from backflow of sewage by installing
25 and maintaining an approved type backwater valve, per the Uniform Plumbing Code
26 (U.P.C.).

25 ///////////////
26 ///////////////
27 ///////////////
28 ///////////////

1 26. If a restaurant or food service tenant occupies the property; a Grease, Oil, and Sand
2 Interceptor shall be installed in each building sewer in an appropriate location and shall be
3 maintained by the property owner, in accordance with City of Oceanside Ordinance 07-
4 0R0021-1. The location shall be called out on the approved Building Plans.

5 PASSED AND ADOPTED Resolution No. 2009-P26 on May 18, 2009 by the following vote, to
6 wit:

7 AYES:

8 NAYS:

9 ABSENT:

10 ABSTAIN:

11
12
13 _____
14 Claudia Troisi, Chairperson
15 Oceanside Planning Commission

16 ATTEST:

17 _____
18 Jerry Hittleman, Secretary

19 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that
20 this is a true and correct copy of Resolution No. 2009-P26.

21 Dated: May 18, 2009

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

24
25 _____ Date: _____
26
27
28



**San Diego Division Office
9771 Clairemount Mesa Blvd.
San Diego, CA. 92124**

May 8th, 2009

**City of Oceanside
300 N. Coast Highway
Oceanside, CA 92054**

Attn: Faith Newkirk – Planner 1

**Re: 7-Eleven Inc.
3899 Douglas Dr.
Oceanside, CA 92054
CUP number-C-1-09, C-2-09**

7-Elevens management plan will consist of the following procures:

Security - Store will be franchised with approximately 8 to 12 employees. The Operator will have authority and responsibility for day to day operations. Store will be equipped with a 24 hour hotline to call in security issues as well as all maintenance and appearance issues. The store will have digital security system that records 24 hours a day. All employees will be trained on 7-Elevens Operation alert and come of age programs that provide guidelines and procedures in handling age restricted sales as well as coping with security issue. Please refer to attached document.

Maintenance – 7-Eleven has a franchise agreement with the franchisee to maintain the site, exterior building, landscaping, parking lots, sidewalks, walkways, median, and overall site maintenance measures and shall ensure that a high standard of maintenance at this site exists at all times.

7-Eleven maintains contracts with viable vendors to ensure effective management of all the above. 7-Eleven representatives are in the stores 2 times a week (at minimum) to monitor the overall appearance and confirm that the store maintains a "like new" condition.

Graffiti –7-Eleven has a program where store operators can immediately address graffiti by contacting our maintenance contractors and have graffiti removed at the expense of 7-Eleven Inc.

Sincerely,
Roger Shadowen
Roger Shadowen

Roger Shadowen -7- Eleven Construction Manager
9771 Clairemount Mesa Blvd. Suite G San Diego, CA. 92124
Office 858-715-2746 Cell – 858-353-5277 fax 858-694-0433



How Does It Work?

To activate the system perform one of the following actions:



PANIC BUTTONS

Pushing the under counter panic button activates an alarm, notifying a Siemens Monitoring Specialist to perform the actions below.



WIRELESS PANICS

Pushing BOTH buttons on one of the wireless panic devices will activate an alarm, notifying a Siemens Monitoring Specialist to perform the actions below.



RED PHONE

Picking up the receiver for the Red Phone automatically dials the Siemens Monitoring Center, connecting to a Siemens Monitoring Specialist.



OTHER

Siemens will perform a visual and audio check 3 times a day on a random basis.

What Happens When I Use It?

When activated a Siemens Monitoring Specialist will do the following:



LOOK

Using the cameras in your location, Siemens Monitoring Center can view what is happening within your Store 24 hours a day 7 days a week.



LISTEN

Microphones positioned inside and outside the Store can hear what is taking place 24 hours a day 7 days a week. A Siemens Monitoring Specialist will listen to the Microphones while viewing the cameras.



ASSESS

After Siemens Monitoring Specialists have viewed the live video and listened to the situation, they will determine the appropriate action, based upon pre-determined criteria.



RESPOND

When necessary a voice response will be heard over the speakers. When determined by the Siemens Monitoring Specialist local Law Enforcement will be contacted to respond.

Examples Of System Use

After system activation a Siemens Monitoring Specialist will respond, as indicated below:



ANGRY CUSTOMERS

A Siemens Monitoring Specialist will assess the situation and if needed will perform a voice warning or will contact Local Law Enforcement.



SHOPLIFTER

A Siemens Monitoring Specialist will assess the situation and if needed will perform a voice warning or will contact Local Law Enforcement.



LOITERERS

People loitering on Store property will be given a voice warning, explaining their actions are being monitored and asked to leave. If necessary, the Siemens Monitoring Specialist will contact Local Law Enforcement.



ROBBERY

Robbery cases are handled differently to maximize employee safety. During a Robbery the Siemens Monitoring Specialist will contact Law Enforcement, staying in continuous communication while monitoring the location until the situation has been resolved. In most cases there will be no voice warning.

Training Principles

- **7-Eleven Stores are monitored regularly by certified mystery shoppers to verify compliance in the sales of Age Restricted Products.
(ie. Clerk Shoppers Inc.)**

Responsible Retailer

Come of Age

(Training on sales of Age Restricted Products)

Operation Alert

(Training on Providing a safe work for customers and employees)



Store Security

- **This 7-Eleven store will be monitored by an interactive security system.**
- **The system includes interior and exterior digital video cameras.**
- **Regularly monitoring by a Security Company (Siemens or Westec)**

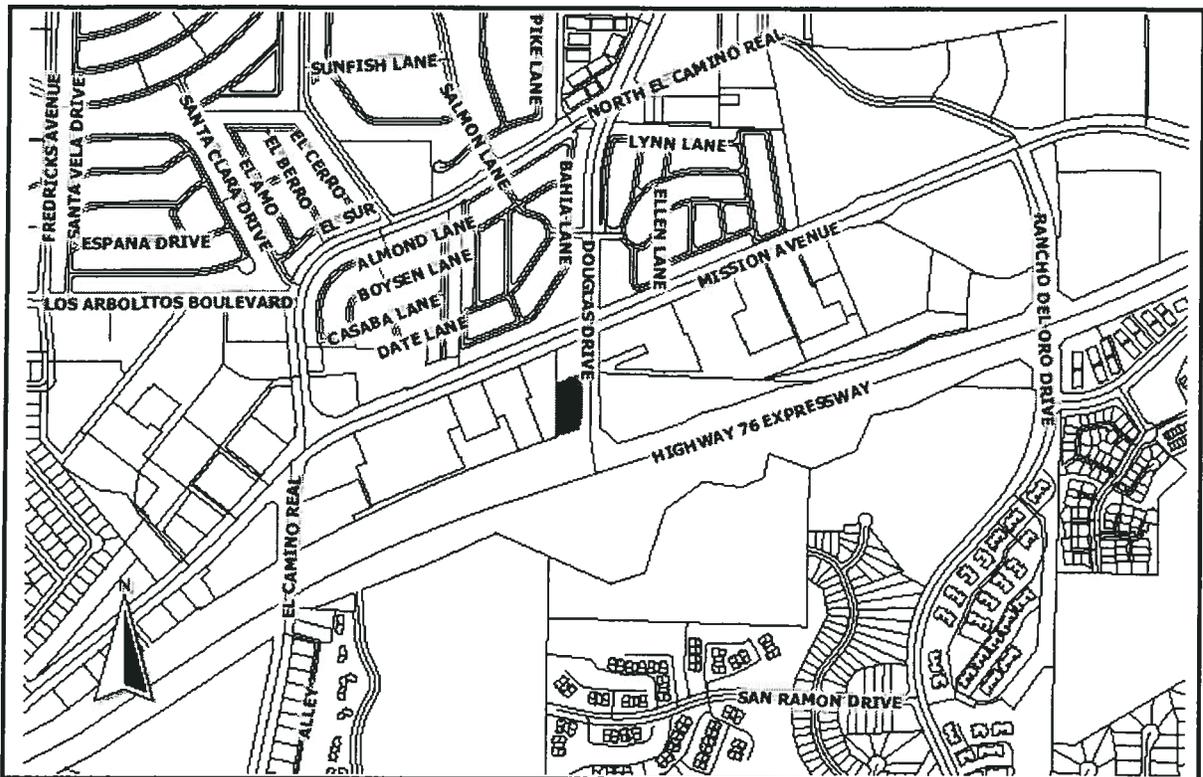
Interactive Security

Interactive Monitoring

(Trained security dispatchers monitor store activity and dispatch emergency personnel as needed)

Interactive Alarm

(Store employees have ability to dispatch emergency assistance via in-store alarm buttons and remotes)



File Number: C-1-09, C-2-09

Applicant: 7-Eleven, Inc/Roger Shadowen

Description:

CONDITIONAL USE PERMITS (C-1-09 and C-2-09) to allow for the 24-hour operation of a convenience store located at 3899 Douglas Drive. The project site is zoned CS-L-H (Special Commercial Limited with a Historic Overlay) and within the San Luis Rey Neighborhood – **7-ELEVEN @ DOUGLAS & MISSION**

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 **1/8/09**
Received
JAN - 8 2009
Planning Division
BY **S.N.I.**

Please Print or Type All Information

HEARING

PART I - APPLICANT INFORMATION

GPA

MASTER/SP. PLAN

ZONE CH.

TENT. MAP

PAR. MAP

DEV. PL.

C.U.P.

VARIANCE

COASTAL

O.H.P.A.C.

C-1-09, C-2-09

9. SIZE

2,516 SQ. FT.

13. ASSESSOR'S PARCEL NUMBER

160-020-56,53

PART II - PROPERTY DESCRIPTION

8. LOCATION **MISSION AVE. & DOUGLAS DR., OCEANSIDE, CA.
(3899 DOUGLAS DRIVE)**

10. GENERAL PLAN

11. ZONING

12. LAND USE

CG

COMMERCIAL/RETAIL

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION **A 7-ELEVEN CONVENIENCE STORE TENANT IMPROVEMENT TO GO IN A NEW SHELL BUILDING BY OTHERS. SHELL WAS APPROVED - SEE #, AND WILL NOT BE ALTERED. 7-ELEVEN INCLUDES THE SALE OF FOODS, PACKAGED FOODS, AND BEER AND WINE, AND WILL BE A 24 HOURS, SEVEN DAYS A WEEK OPERATION. FOODS ARE QUICK SERVE NO DRINKS, NOR SEATING.**

15. PROPOSED GENERAL PLAN

16. PROPOSED ZONING

17. PROPOSED LAND USE

18. NO. UNITS

19. DENSITY

NO CHANGE

NO CHANGE

NO CHANGE

N/A

N/A

20. BUILDING SIZE

21. PARKING SPACES

22. % LANDSCAPE

23. % LOT COVERAGE or FAR

T.I.C. 2,516 SQ. FT.

12

N/A

N/A

PART IV - ATTACHMENTS

24. DESCRIPTION/JUSTIFICATION

25. LEGAL DESCRIPTION

26. TITLE REPORT

27. NOTIFICATION MAP & LABELS

28. ENVIRONMENTAL INFO FORM

29. PLOT PLANS

30. FLOOR PLANS AND ELEVATIONS

31. CERTIFICATION OF POSTING

32. OTHER (See attachment for required reports)

PART V - SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print):

34. DATE

KEVIN LEACH

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:

Kevin Leach

35. OWNER (Print)

36. DATE

CHARLES J. YABLON

12.29.08

I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Sign:

Charles J. Yablou **FABUS OF CO. INC. PTR.**
FAITH

12-30-08

Project Description

Project: 7-Eleven Mission & Douglas Center, Oceanside

Location: Mission Ave. & Douglas Drive

APN: 160-020-56, 53

Description: A 7-Eleven convenience store, tenant improvement within the Mission & Douglas Shopping Center, a new shell building by others. The shell has been approved and will not be altered.

The Conditional Use that is sought after for an operations time of twenty-four hours, seven days a week and, additionally for, the sale of beer and wine. The type of use of this store is for food and beverage sales.

The designated parking required for this store is 12 parking spaces, based on 1 car per 200 sq. ft with a space of 2,516 sq. ft, of the available reciprocal parking.

There will be a loading small truck that will load the merchandise from the 10'x20' loading space provided at the north end of the building by the trash enclosure. The merchandise is loaded from the front of the entrance of the store.

The square footage of this site is 65,024 sq. ft.

Received

JAN - 8 2009

Planning Division

LEGAL DESCRIPTION

Real property in the City of Oceanside, County of San Diego, State of California, described as follows:

Parcel A:

Parcel 1 of Parcel Map No. 18668, in the City of Oceanside, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, April 2, 2001 as instrument no. 2001-0195187 of Official Records.

Reserving therefrom an easement and right of way for ingress and egress, road and utility purposes, including but not limited to electric power, telephone, gas, water, sewer and cable television lines and appurtenances thereto and incidental purposes over, under, along and across that portion of Parcel 1 of Parcel Map 18668 in the City of Oceanside, County of San Diego, State of California, filed in the Office of the County Recorder April 2, 2001 as instrument no. 2001-0195187 of Official Records, designated and delineated as "Proposed Private Road in favor of Parcel 4".

Parcel B:

Parcel 4 of Parcel Map No. 18668, in the City of Oceanside, County of San Diego, State of California, filed in the Office of the County Recorder of San Diego County, April 2, 2001 as Instrument no. 2001-0195187 of Official Records.

Parcel B1:

An easement and right of way for ingress and egress, road and utility purposes, including but not limited to electric power, telephone, gas, water, sewer and cable television lines and appurtenances thereto and incidental purposes, over, under, along and across that portion of Parcel 1 of Parcel Map 18668 in the City of Oceanside, County of San Diego, State of California, filed in the Office of the County Recorder April 2, 2001 as instrument no. 2001-0195187 of Official Records, designated and delineated as "Proposed Private Road in favor of Parcel 4".

APN: 160-020-56-00 and 160-020-53-00



NOTICE OF EXEMPTION

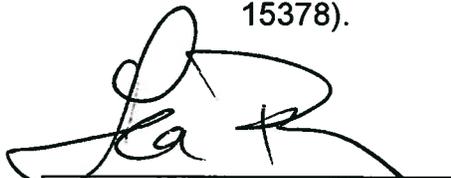
City of Oceanside, California

Post Date: 5/19/09
Removal: 11/19/09
(180 days)

1. **APPLICANT:** 7-Eleven, Inc./Roger Shadowen
2. **ADDRESS:** 9771 Clairemont Mesa Blvd, Suite G, San Diego, CA 92124
3. **PHONE NUMBER:** (760) 433-2150
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Faith Burton
6. **PROJECT TITLE:** 7-Eleven (C-1-09, C-2-09)
7. **DESCRIPTION:** TWO CONDITIONAL USE PERMITS (C-1-09, C-2-09) FOR THE TWENTY FOUR (24) HOUR OPERATION OF A CONVENIENCE STORE WITHIN A 2,516 SQ. FT. COMMERCIAL SUITE LOCATED AT 3899 DOUGLAS DRIVE.

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

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



Faith Burton, Planner I

Date: May 19, 2009

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