



DATE: July 9, 2012

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A DEVELOPMENT PLAN (D12-00005),  
CONDITIONAL USE PERMIT (CUP12-00004), AND HISTORIC  
PERMIT (H12-00001) FOR THE DEVELOPMENT OF A  
FREESTANDING DRIVE THRU ATM WITHIN THE EXISTING  
PARKING LOT OF OLD GROVE MARKET PLACE LOCATED AT  
155 OLD GROVE ROAD WITHIN THE MISSION SAN LUIS REY  
NEIGHBORHOOD – APPLICANT: ONE SOURCE INC.**

**RECOMMENDATION**

Staff recommends that the Planning Commission by motion:

- (1) Confirm issuance of a Class 11 categorical exemption for Accessory Structures, pursuant to Section 15311 of the California Environmental Quality Act (CEQA); and,
- (2) Approve Development Plan (D12-00005), Conditional Use Permit (CUP12-00004), and Historic Permit (H12-00001) by adopting Planning Commission Resolution No. 2012-P33 with findings and conditions of approval attached herein.

**PROJECT DESCRIPTION AND BACKGROUND**

**Background:** On October 6, 1999, the City Council adopted City Council Resolution No. R-99-172, approving General Plan Amendment (GPA-2-99) and amending the text of the Land Use Element Section 2.244 of the Oceanside General Plan to allow a 25-acre parcel located between Highway 76, Mission Avenue and Old Grove Road to develop as a highway-oriented commercial project. In order to conform the property with the new Land Use text amendment, a Zone Amendment was adopted through City Council Ordinance O-99-26 and formally changing the City's official zoning map of the subject parcel from Special Commercial-Limited-Historic Overlay (CS-L-H) to Special Commercial Highway Oriented- Historic Overlay (CS-HO-H).

On December 4, 2000, the Planning Commission adopted Planning Commission Resolution No. 2000-P75 approving a Tentative Parcel Map (P-3-00), Development Plan (D-11-00), two Conditional Use Permits (C-32-00 and C-38-00), two Variances (V-9-00 and V10-00), and Historic Permit (H-4-00) to permit the construction of a 25-acre shopping center including 261,519 square feet of retail space in seven buildings; including a home improvement store, a childcare center, a fast food drive-through/service station, a drive-through restaurant and other in-line retail uses.

On June 7, 2012 the Oceanside Historic Preservation Advisory Commission adopted OHPAC Resolution 2012-H02 recommending approval of a Development Plan (D12-00005), Conditional Use Permit (CUP12-00004), and Historic Permit (H12-00001) for the construction of a freestanding ATM drive-through facility within the Old Grove Market Place shopping center to the Planning Commission for final action.

**Site Review:** The proposed project site has a zoning designation of Special Commercial Highway Oriented - Historic Overlay (CS-HO-H) and a General Plan Land Use designation of Special Commercial (SC). The proposed area identified for the freestanding ATM drive-through facility is an existing, fully developed parking lot with landscaped planter areas. The portion of the parking lot to be developed is located in the southeast corner of the main parking lot approximately 200 feet west of Old Grove Road. Development of the site for the freestanding ATM drive-through facility would require the removal of approximately 12 parking spaces in order to accommodate the freestanding structure, and would be designed so that the ATM is on a raised median that is 108 square feet in size. The drive aisle of the existing parking lot would maintain a 25'-0" wide dimension with the drive-through facility providing stacking for approximately four vehicles.

Surrounding land uses within Old Grove Market Place include the Lowes Home Improvement Center to the west, two commercial retail buildings, one with a Starbucks drive-through and one with a U.S. Bank to the east, a Shell Gas Station and a McDonalds with drive-through to the north east, and a Ralphs Grocery store and various in-line retail uses to the south. The Old Grove Market Place is south of State Highway SR76, west of Old Grove Road, and north of Mission Avenue within the Mission San Luis Rey neighborhood.

**Project Description:** The project application is comprised of three components: a Development Plan, Conditional Use Permit, and Historic Permit as described below:

DEVELOPMENT PLAN (D12-00005) represents a request for the following:

A site design revision that would include modifying a portion of the existing fully developed parking lot and establishment of a freestanding ATM drive-through facility within the Old Grove Market Place shopping center.

CONDITIONAL USE PERMIT (CUP12-00004) represents a request for the following:

The site is zoned Special Commercial Highway Oriented - Historic Overlay (CS-HO-H). In accordance with Article 11 Section 1120 of the Oceanside Zoning Ordinance, an Administrative Conditional Use Permit (ACUP) is required for ATM and Banking Drive-Thru Services. Due to the fact that the other entitlements are required to be processed to the Planning Commission for full discretionary review and approval, the subject ACUP is automatically upgraded to a Conditional Use Permit.

HISTORIC PERMIT (H12-00001) represents a request for the following:

A Historic Permit is required in order to permit the modification of the Old Grove Market Place parking lot and construct a freestanding Drive-Thru ATM facility within the boundaries of the Historic Overlay District pursuant to Article 21 Section 2111.

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

- 1. General Plan
- 2. Mission San Luis Rey Historic Area Development Program and Design Guidelines
- 3. Zoning Ordinance
- 4. California Environmental Quality Act

**ANALYSIS**

**KEY PLANNING ISSUES**

**1. General Plan Conformance**

The project site is designated as Special Commercial (SC) on the Land Use Map. The proposed freestanding drive-thru ATM facility is consistent with the goals and objectives of the City's General Plan, as follows:

**A. Land Use Element 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.

**1.33 Historic Areas and Sites**

Policy A: The City shall utilize adopted criteria, such as the "Mission San Luis Rey Historic Area Development Program and Design Guidelines", to preserve and further enhance designated historic or cultural resources.

The proposed parking lot modification and development of a freestanding drive-thru ATM has been analyzed and reviewed by Staff for consistency with the Mission San Luis Rey Planned Development Regulations, The Mission San Luis Rey Design Guidelines, and the Oceanside Zoning Ordinance Development guidelines. Staff has determined that the applicant's request meets all established guidelines and regulations placed on this property.

The proposed drive-thru ATM to be located within a commercial shopping center that is highway oriented, and originally designed and developed to be neighborhood and community serving retail is consistent with the General Plan Land Use Element Section 2.244 that allows for higher intensity type land uses such as drive-thru's. Furthermore, creation of a drive-thru ATM that has been designed to complement the surrounding historic area will allow the residents and visitors transiting the area to obtain goods and services associated with a well-balanced community. The freestanding structure would be visually consistent with the historic identity and major design goals of the Mission San Luis Rey Historic Area. The proposed design of the drive-thru ATM structure would provide a low elevation profile, designed with wood trellis elements and white washed smooth stucco columns consistent with the Mission Revival and Spanish Colonial Revival architecture styles.

## **2. Zoning Compliance**

This project is located in the Special Commercial Highway Oriented - Historic Overlay (CS-HO-H) zone district which establishes development regulations for the project site and is subject to the Mission San Luis Rey Development Program and Design Guidelines that provides guidelines and regulations for the development of land uses on-site, and establishes design guidelines to ensure that any development will complement the significant historical uses and resources within the Historic Area. Staff has analyzed the proposed site and architectural design of the freestanding drive-thru ATM, and has determined that the proposed structure is consistent with the established development regulations and design guidelines as described below.

Staff's review of the ATM drive-thru facility has revealed that while the Mission San Luis Rey Development Program and Design Guidelines has precise language that prohibits any new freestanding drive-thru commercial structures, the subject language was created prior to the construction of SR76 and prior to the commercial retail center being established. Due to this significant division of the Mission San Luis Rey Historic Area with the SR76 Highway, the City Council initiated a General Plan Amendment to modify the Land Use Element and provide revised text that establishes the 25-acre parcel referred to as Old Grove Market Place as a Highway Oriented commercial center that would allow for more community and neighborhood-serving retail type uses. Though the Mission San Luis Rey Development Program and Design Guidelines were never amended to reflect this change in land use intensity; it is the determination by City Staff that the General Plan ultimately directs what was envisioned for land uses to be established on-site. Amendment of the Mission San Luis Rey Development Program and Design Guidelines document for consistency purposes has been identified as a Planning Division work item which shall be initiated by staff at date and time to be determined.

Establishment of the proposed drive-thru ATM facility with queuing for four vehicles would require the net loss of approximately 12 parking spaces, and would not impact or modify any of the sites existing landscaping. A parking study completed by RBF Consulting revealed that during peak parking demand hours, a parking utilization rate of 36 percent occurred and remained the same with the addition of the ATM drive-thru. Furthermore, it was concluded that even during seasonal periods (November-December), only a 50 percent maximum parking utilization rate would occur.

Staff has determined that the proposed development of a drive-thru ATM is consistent with the intent of the Mission San Luis Rey Historic Area and those amendments established in 1999 to create a well-designed commercial center that provides neighborhood and/or community serving businesses and services.

### 3. Land Use Compatibility with surrounding developments

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property: 155 Old Grove Road	Special Commercial (SC)	Special Commercial Highway Oriented-Historic Overlay (CS-HO-H)	Old Grove Marketplace Commercial Retail Center
North of Subject Property SR76	Single Family Detached Residential (SFD-R) Medium Density –A Residential (MDA-R)	Single Family Residential & Residential Historic Overlay (RS& RS-H) Medium Density Residential (RM-A)	Single Family Residential
East of Subject Property: Old Grove Road	Single Family Detached Residential (SFD-R)	Single Family Residential (RS)	Single Family Residential
South of Subject Property: Old Mission Ave.	Medium Density –A Residential (MDA-R)	Medium Density Residential (RM-A) Medium Density Residential-B (RM-B)-H	Single & Multi-Family Residential
West of Subject Property: Old Mission Ave.	Medium Density –B Residential (MDB-R)	Medium Density Residential-B (RM-B)	Multi-Family Residential

The proposed addition of a freestanding drive-thru ATM structure and removal of excess parking spaces to accommodate the facility has been determined to be consistent with the Mission San Luis Rey Development Program and Design Guidelines and the surrounding neighborhood area; as well as, with their respective General Plan and Zoning Ordinance designations. Staff has analyzed the proposed land use for

compatibility with the existing built environment, and has further determined that the drive-thru ATM facility would not result in any serious public safety or health issues due to the location of the facility and the types of uses immediately adjacent to the site where it would be constructed. The area identified for the location of the drive-thru ATM is within the central portion of the Old Grove Market Place, and at peak operational period has an over abundant of open parking spaces.

## **DISCUSSION**

*Issue: Is the establishment of a Drive-thru ATM within an existing commercial retail center compatible with the Goals of the Historic Overlay Area.*

- The primary issue of compatibility with the Historic Mission San Luis Rey Area is derived from the fact that the Mission San Luis Rey remains a National Historic Landmark with preservation and protection of the resource being the primary objective to be considered in all development within the designated Historic Area.

*Recommendation:* Staff concludes that the proposed location of the drive-thru ATM facility within a highway oriented commercial center that caters toward community and neighborhood-serving retail type uses, is a minor modification to the overall site design of the Old Grove Market Place and will not detract from the historic significance of the Mission San Luis Rey or the Historic Area. The fact that the retail center is separated from the main Historic Area via the development of SR76 and does not function as a pedestrian oriented commercial retail center, further establishes compatibility of the proposed ATM facility with the built environment.

## **ENVIRONMENTAL 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 upon that review, staff finds that the proposed project constitutes "construction of minor structures accessory to the commercial facilities", and the project is categorically exempt, Class 11, "Accessory Structures" (Section 15311).

## **PUBLIC NOTIFICATION**

Pursuant to Article 41 of the Oceanside Zoning Ordinance, a 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, applicant and other interested parties. Copies of this agenda item have been mailed to the applicant and their representatives.

## SUMMARY

The proposed Development Plan (D12-00005), Conditional Use Permit (CUP12-00004), and Historic Permit (H12-00001), as designed and conditioned, are consistent with the requirements of the Zoning Ordinance, the Mission San Luis Rey Historic Area Development Program and Design Guidelines, and the land use policies of the General Plan. The project has been designed and conditioned to meet or exceed all applicable development standards. 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 11 categorical exemption for "Accessory Structures"; and,
- Move to approve Development Plan (D12-00005), Conditional Use Permit (CUP12-00004), and Historic Permit (H12-00001) by adopting Planning Commission Resolution No. 2012-P33 with findings and conditions of approval attached herein.

PREPARED BY:



Richard Greenbauer  
Senior Planner

SUBMITTED BY:



Jerry Hittleman  
City Planner

JH/RG/fil

ATTACHMENTS:

1. Site Development Plans
2. Planning Commission Resolution 2012-P33
3. OHPAC Resolution No. 2012-H02
4. City Council Resolution No. R99-172 General Plan Land Use Element Text Amendment Section 2.244

# REVISED DEVELOPMENT PLAN (D-11-00) FOR CHASE DRIVE-THRU ATM AT OLD GROVE MARKETPLACE OCEANSIDE, CA

APPLICATIONS:  
D12-00005  
CUP-12-00004  
H12-00001

STATE HWY 76

- GENERAL NOTES**
- TOTAL AREA WITHIN THE SUBDIVISION AREA IS 24.85 ACRES. NET AREA IS 24.78 ACRES TOTAL. (TOTAL AREA MINUS THE ROW DEDICATIONS)
  - SHOPPING CENTER APNS: 158-101-42, 43, 47, 48, 49, 50 & 53.
  - SUBJECT APN: 158-101-43
  - EXISTING ZONING: CS-OH-4
  - PROPOSED ZONING: CS-OH-4
  - EXISTING LAND USE: COMMERCIAL
  - GENERAL PLAN DESIGNATION: SPECIAL COMMERCIAL RETAIL
  - PARKING IS RECONFIGURED, ADDRESS SHOPPING CENTER. PLEASE PARKING/CIRCULATION STUDY FOR DETAILED PARKING ANALYSIS.
  - EXISTING PARKING LOT AND DRIVEWAY LANDSCAPING FOR SHOPPING CENTER. NO CHANGE PROPOSED TO EXISTING LANDSCAPING.

**PUBLIC UTILITIES**

SEWER	CITY OF OCEANSIDE
WATER	CITY OF OCEANSIDE
DRAINAGE	CITY OF OCEANSIDE
GAS & ELECTRIC	CITY OF OCEANSIDE
FIRE PROTECTION	PACIFIC BELL
TELEPHONE	CORX CABLE
CABLE TELEVISION	

**VICINITY MAP**



**SHEET INDEX**

T1 - TITLE SHEET
A1 - SITE PLAN
A2 - PROPOSED PLAN
E1 - ELEVATION EXHIBIT

**PROJECT REPRESENTATIVE**

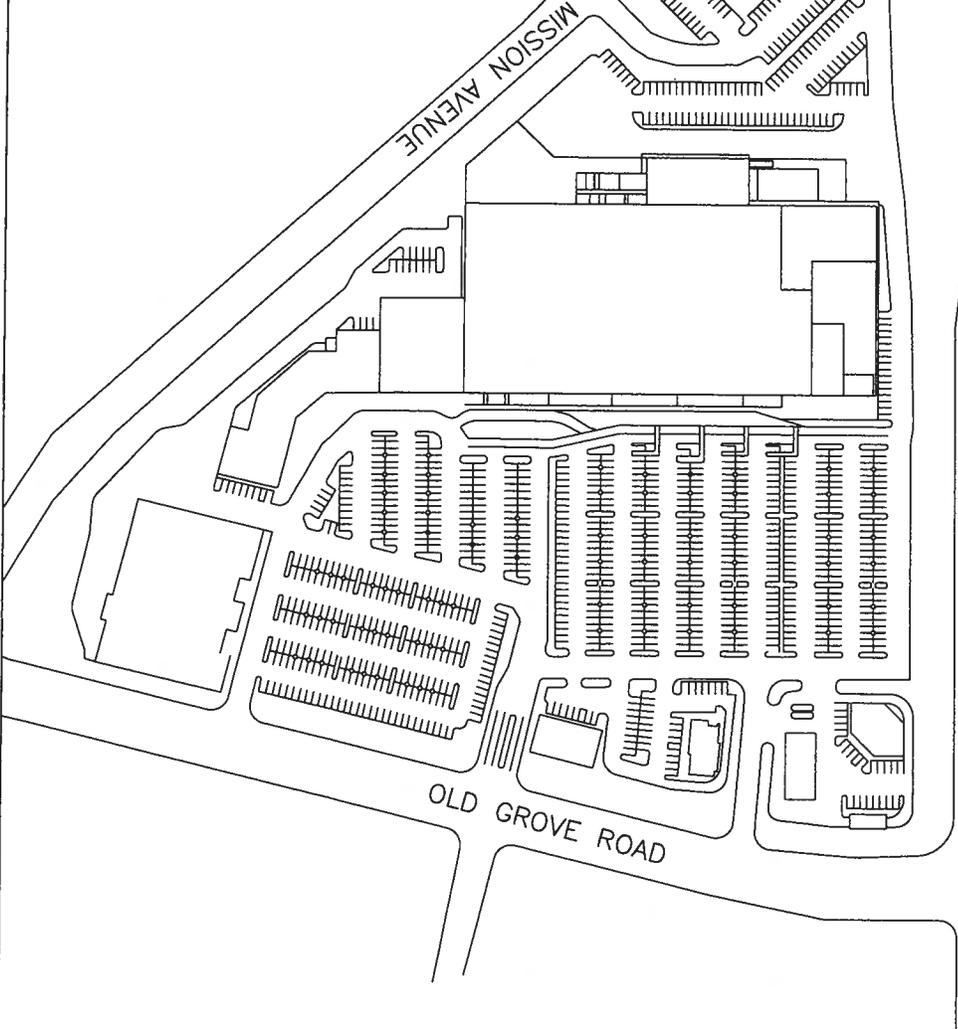
THE LIGHTFOOT PLANNING GROUP  
5800 PASTEUR CT, STE 110  
CORONA, CA 92708  
(760) 982-1924

**DESIGNER**

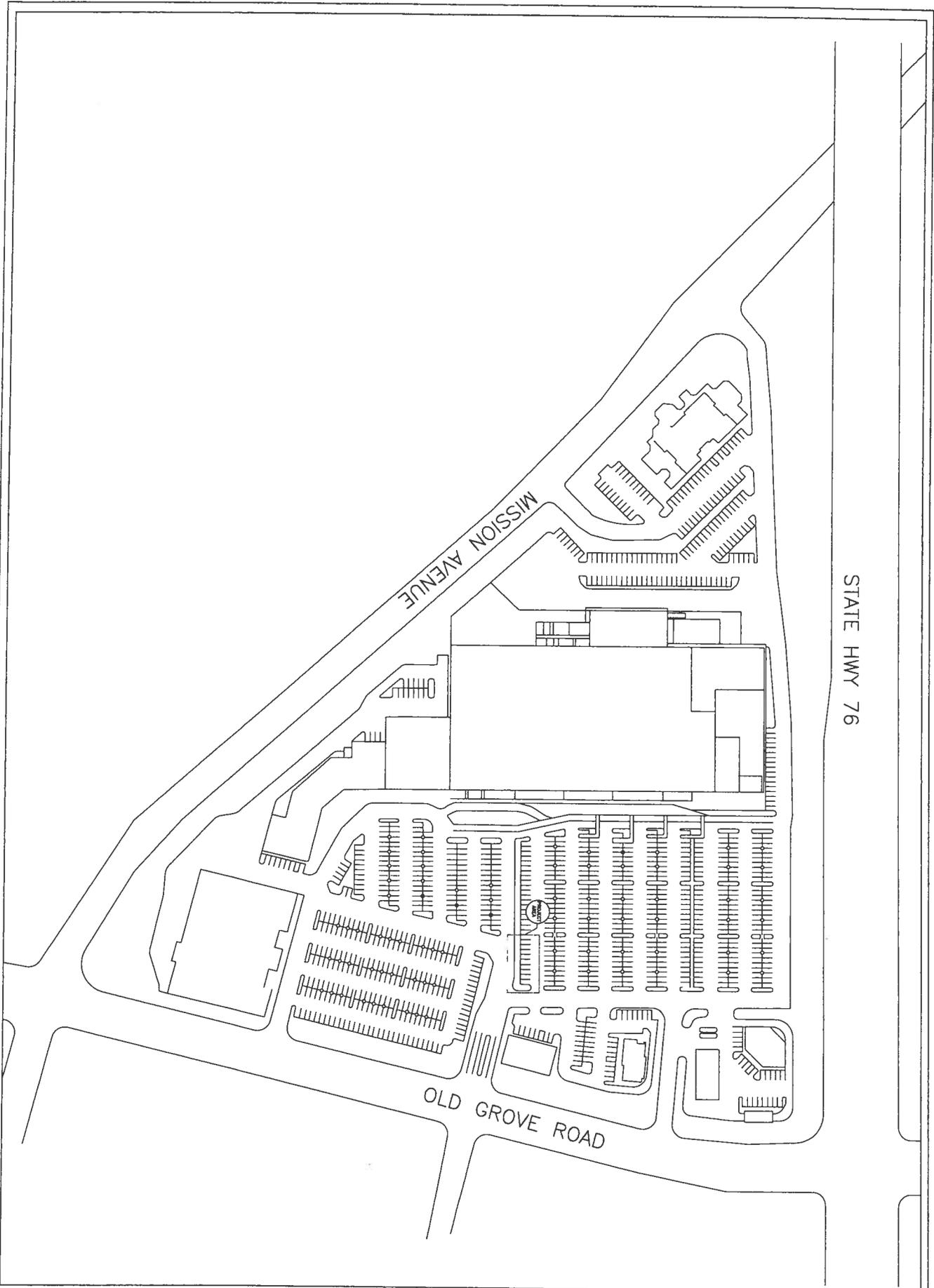
ONE SOURCE SECURITY (0525)  
2040 CECILIA CIRCLE  
CORONA, CA 92881

**OWNER**

LOWES HWY INC.



<p><b>LOWE'S OF OCEANSIDE</b></p> <p>OLD GROVE MARKET PLACE 155 OLD GROVE RD. OCEANSIDE, CA 92057</p>	 <p>ONE SOURCE 2040 CECILIA CIRCLE CORONA, CA 92881 PHONE: (951) 948-8870 LICENSE# 6900184</p>			<p><b>REVISIONS</b></p> <table border="1"> <tr> <th>NO.</th> <th>DATE:</th> <th>REVISIONS</th> </tr> <tr> <td>1</td> <td>02/08/2012</td> <td>NTS</td> </tr> <tr> <td>2</td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> </tr> </table>	NO.	DATE:	REVISIONS	1	02/08/2012	NTS	2			3			4		
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1	02/08/2012	NTS																	
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<p>ORDERED BY: AHC</p> <p>DESIGNED BY: AHC</p> <p>DATE: 02/08/2012</p> <p>SCALE: NTS</p> <p>CON. NUMBER:</p>				<p>SHEET TITLE:</p> <p>TITLE SHEET</p> <p>SHEET NO. T1</p>															



SHEET TITLE:  
**SITE PLAN**  
 SHEET NO.:  
**A1**

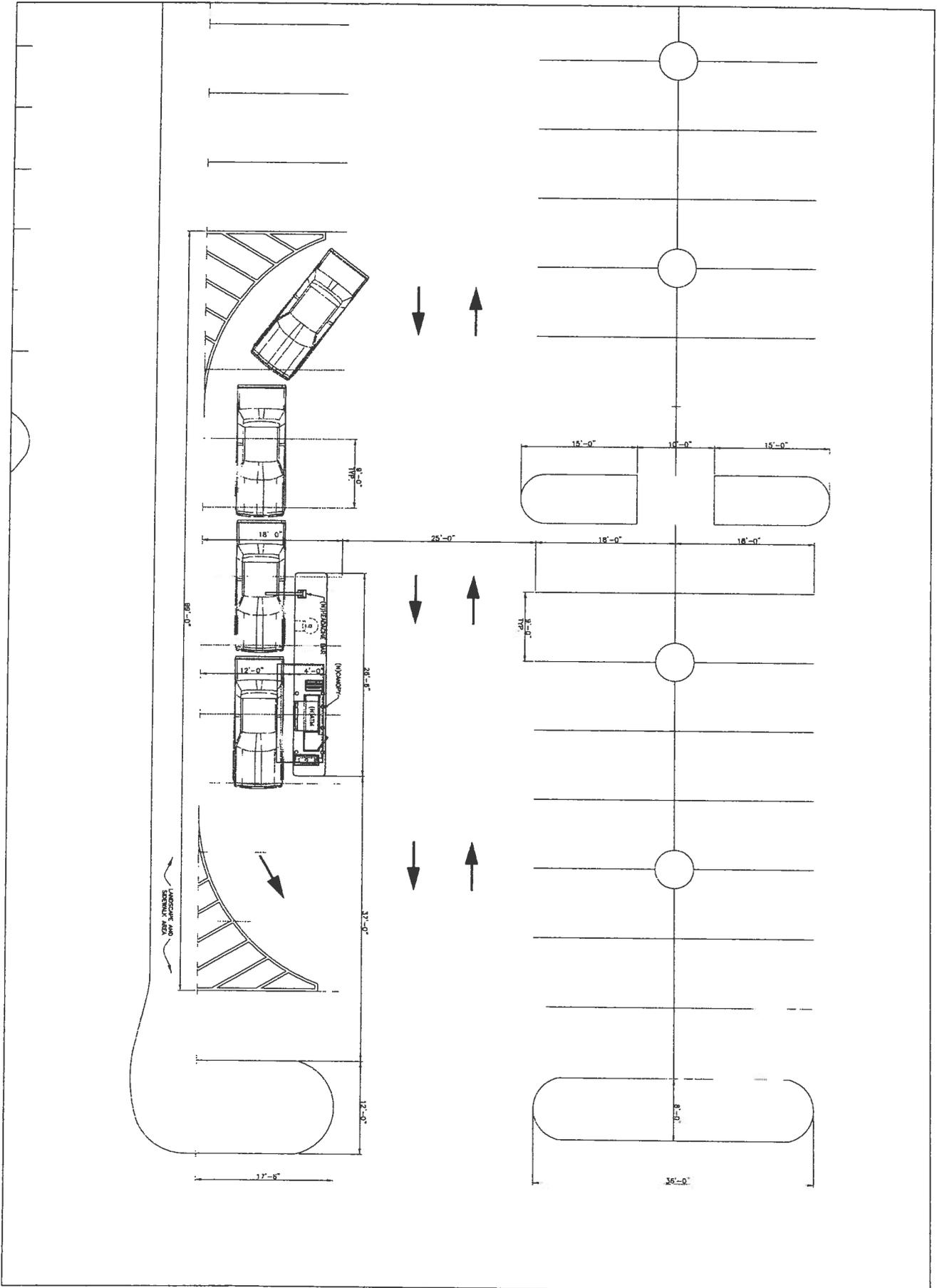
DATE:  
 02/09/2012  
 SCALE:  
 1/8" = 1'-0"  
 JOB NUMBER:  
 1208

NO.	REVISIONS	DATE
1		
2		
3		
4		

**LOWE'S OF OCEANSIDE**  
 OLD GROVE MARKET PLACE  
 155 OLD GROVE RD.  
 OCEANSIDE, CA 92057

  
 ONE SOURCE  
 2040 CECILIA CIRCLE  
 CORONA, CA 92881  
 PHONE: (951) 548-8870  
 LICENSE# 9500154



SHEET NO. A2  
 SITE PROPOSED

DATE: 02/09/2012  
 SCALE: 3/16" = 1'-0"  
 DRAWN BY: [Name]  
 CHECKED BY: AHC

NO.	DATE	REVISIONS
1	02/27/2012	
2		
3		
4		

**LOWE'S OF OCEANSIDE**  
 O.D GROVE MARKET PLACE  
 155 O.D GROVE RD.  
 OCEANSIDE, CA 92057

**OS2S**  
 ONE SOURCE  
 2040 CECILIA CIRCLE  
 CORONA, CA 92531  
 PHONE: (951) 548-8870  
 LICENSE# B800164





1 PLANNING COMMISSION  
2 RESOLUTION NO. 2012-P33

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE  
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A  
5 DEVELOPMENT PLAN, CONDITIONAL USE PERMIT, AND  
6 HISTORIC PERMIT ON CERTAIN REAL PROPERTY IN THE  
7 CITY OF OCEANSIDE

8 APPLICATION NO: D12-00005, CUP12-00004, and H12-00001  
9 APPLICANT: One Source Inc.  
10 LOCATION: 155 Old Grove Road

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

13 WHEREAS, there was filed with this Commission a verified petition on the forms  
14 prescribed by the Commission requesting a Development Plan, Conditional Use Permit, and  
15 Historic Permit under the provisions of Historic Preservation Ordinance (82-41) and Articles  
16 11, 21, 30, 31, 40, 41, and 43 of the Zoning Ordinance of the City of Oceanside to permit the  
17 following:

18 construction of a 106-square foot freestanding drive-thru ATM within the existing  
19 parking lot of the Old Grove Market Place;  
20 on certain real property described in the project description.

21 WHEREAS, the Planning Commission, after giving the required notice, did on the 9<sup>th</sup> day  
22 of July, 2012 conduct a duly advertised public hearing as prescribed by law to consider said  
23 application.

24 WHEREAS, the Oceanside Historic Preservation Advisory Commission, after giving the  
25 required notice, did on the 5<sup>th</sup> day of June, 2012, conduct a duly advertised public hearing as  
26 prescribed by law to consider said application.

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

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

1 WHEREAS, pursuant to Gov't Code §66020(d)(1), NOTICE IS HEREBY GIVEN that  
 2 the project is subject to certain fees, dedications, reservations and other exactions as provided  
 3 below:

<u>Description</u>	<u>Authority for Imposition</u>	<u>Current Estimate Fee or Calculation Formula</u>
Drainage Fee	Ordinance No. 85-23 Resolution No. 06-R0334-1	Depends on area (range is \$2,843-\$15,964 per acre)
Public Facility Fee	Ordinance No. 91-09 Resolution No. 06-R0334-1	\$0.713 per square foot or \$713 per thousand square feet for non- residential uses
School Facilities	Ordinance No. 91-34	\$.42 per square foot non- residential for Oceanside
Mitigation Fee		
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 table available from staff and from SANDAG)
(For commercial and industrial please note the 75 percent discount)		
Water System Buy-in Fees	Oceanside City Code §37.56.1 Resolution No. 87-96 Ordinance No. 09-OR 0092-1	Fee based on water meter size. Non-residential is \$36,775 for a 2" meter. + \$430
Wastewater System Buy-in Fees	Oceanside City Code § 29.11.1 Resolution No. 87-97 Ordinance No. 09-OR 0092-1	Based on capacity or water meter size. Non-residential is \$50,501 for a 2" meter.
San Diego County Water Authority Capacity Fees	SDCWA Ordinance No. 2005-03	Based on meter size. Non-residential is \$22,495 for a 2" meter. + \$863

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 amount that will be owing when such fee becomes 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 Oceanside  
7 City Code and the City expressly reserves the right to amend the fees and fee calculations  
8 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 Gov't Code §66020(d)(1), NOTICE IS FURTHER GIVEN that  
12 the 90-day period to protest the imposition of any fee, dedication, reservation, or other exaction  
13 described in this resolution begins on the effective date of this resolution and any such protest  
14 must be in a manner that complies with Section 66020;

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

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

19 FINDINGS:

20 For the Development Plan:

- 21 1. The proposed location of the use is in accord with the objectives of this ordinance and the  
22 purposes of the district in which the site is located because the development plan proposal  
23 for the development of a 106-square foot drive-thru ATM facility is consistent with the  
24 intent of the General Plan Special Commercial (SC) Land Use Designation and Special  
25 Commercial Highway Oriented- Historic Overlay (CS-HO-H) zoning designation in that  
26 all proposed improvements and on site development will provide additional community  
27 and neighborhood convenience facilities to serve the residents and visitors frequenting the  
28 Old Grove Market Place commercial retail center.
- 29 2. The removal of 12 parking spaces and establishment of a drive-thru ATM within the  
parking lot of Old Grove Market Place is consistent with the Zoning Ordinance, the  
City Code, the General Plan Land Use Element, and the Mission San Luis Rey Historic

1 Area Development Program and Design Guidelines in that the facility will be of a high  
2 quality design that draws attributes from the Mission San Luis Rey architectural  
3 elements and that will allow additional convenient financial facilities that will serve the  
4 citizens and visitors of Oceanside.

5 3. The project design and its physical aspects pertaining to site design, landscaped areas, and  
6 location meets or exceeds the applicable zoning criteria and development standards as  
7 specified in the Mission San Luis Rey de Francia Planned Development Program and  
8 Design Guidelines where applicable. The project will provide a vehicle oriented financial  
9 facility that does not remove or modify the existing site plan beyond what exist with the  
10 exception of removal of asphalt and construction of a 106-square foot ATM facility.

11 4. That the site plan and physical design of the project is consistent with the policies  
12 contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan, the  
13 Development Guidelines for Hillside, and Section 3039 of the Oceanside Zoning  
14 ordinance, because the site is relatively flat and Hillside guidelines are not applicable to  
15 this site, and the proposed development would be compatible with the surrounding  
16 commercial retail center and will not detract from the Mission San Luis Rey Historic  
17 Area.

18 For the Conditional Use Permit:

19 1. That the proposed location of the conditional use and the proposed conditions under  
20 which it would be operated or maintained will be consistent with the General Plan; will  
21 not be detrimental to the public health, safety or welfare of persons residing or working  
22 in or adjacent to the neighborhood of such use; and will not be detrimental to properties  
23 or improvements in the vicinity or to the general welfare of the City. Subject to  
24 approval of a Conditional Use Permit, ATM facilities to support commercial activities  
25 are allowed. The request to create a drive-thru ATM facility would not physically  
26 change or alter the Old Grove Market Place beyond what was originally envisioned for  
27 the site and the site would be designed in a manner that separates vehicular traffic from  
28 the main pedestrian areas of the commercial center further ensuring that no public  
29 health, safety or welfare issues occur.

2. That the proposed Conditional Use will comply with the provisions of the Oceanside  
Zoning Ordinance and Mission San Luis Rey Development Regulations and Design

1 Guidelines, including any specific condition required for the proposed conditional use  
2 in the district in which it would be located.

3 For the Historic Permit:

- 4 1. The development of a 106-square foot drive-thru ATM facility is consistent with the  
5 policies of the Mission San Luis Rey Historic Area Development Program and Design  
6 Guidelines, and Article 21 of the Zoning Ordinance (Historic Overlay), because the  
7 overall construction and site design will not detract from the Historic Significance of  
8 the Mission San Luis Rey as viewed from on and off-site. Furthermore, the General  
9 Plan Amendment that modified the center into a highway-oriented commercial center is  
10 in keeping with the intent to provide all types of community and neighborhood serving  
11 retail facilities.

12 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby  
13 approve Development Plan (D12-00005), Conditional Use Permit (CUP12-00004), and Historic  
14 Permit (H12-00001) subject to the following conditions:

15 Planning:

- 16 1. The Development Plan, Conditional Use Permit, Variance, and Historic Permit shall  
17 expire on July 9, 2014, unless implemented in accordance with the City of Oceanside  
18 Zoning Ordinance or unless a time extension is granted by the Planning Commission.
- 19 2. This Development Plan (D12-00005), Conditional Use Permit (CUP12-00004), and  
20 Historic Permit (H12-00001) permits the construction of a 106-square foot drive-thru  
21 ATM facility with vehicle stacking for four vehicles. Any substantial modification to  
22 the Development Plan in the design or layout shall require a revision to the  
23 Development Plan, Conditional Use Permit, and Historic Permit and/or a new  
24 Development Plan, Conditional Use Permit, and Historic Permit.
- 25 3. The applicant, permittee or any successor-in-interest shall defend, indemnify and hold  
26 harmless the City of Oceanside, its agents, officers or employees from any claim, action or  
27 proceeding against the City, its agents, officers, or employees to attack, set aside, void or  
28 annul an approval of the City, concerning Development Plan (D12-00005), Conditional  
29 Use Permit (CUP12-00004), and Historic Permit (H12-00001). The City will promptly  
notify the applicant of any such claim, action or proceeding against the City and will  
cooperate fully in the defense. If the City fails to promptly notify the applicant of any

1 such claim action or proceeding or fails to cooperate fully in the defense, the applicant  
2 shall not, thereafter, be responsible to defend, indemnify or hold harmless the City.

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

7 5. Prior to the issuance of building permits, compliance with the applicable provisions of the  
8 City's anti-graffiti (Ordinance No. 93-19/Section 20.25 of the City Code) shall be  
9 reviewed and approved by the Planning Division. These requirements, including the  
10 obligation to remove or cover with matching paint all graffiti within 24 hours, shall be  
11 noted on the Landscape Plan and shall be recorded in the form of a covenant affecting the  
12 subject property.

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

17 7. Failure to meet any conditions of approval for this development shall constitute a  
18 violation of Development Plan (D12-00005), Conditional Use Permit (CUP12-00004),  
19 and Historic Permit (H12-00001).

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

26 9. The applicant, tenants, or successors in interest shall comply with the City's business  
27 license requirements as necessary.

28 **Landscaping:**

29 10. The location of the existing archway overhead structure(s) adjacent to the proposed  
drive thru on site shall be protected in place. In the case that the existing structure(s)

1 are damaged or removed due to the construction of the drive thru, a new structure(s) to  
2 match in kind shall be required.

3 **Building:**

- 4 11. Comply with the current requirements of the California Building Codes.  
5 12. Exterior lighting shall comply with the Palomar Dark Sky Ordinance, All exterior  
6 lighting must be shielded.  
7 13. Construction hours are limited to Monday through Friday 7:00 a.m. to 6:00 p.m.

8 PASSED AND ADOPTED Resolution No. 2012-P33 on July 9, 2012 by the following vote,  
9 to wit:

10 AYES:

11 NAYS:

12 ABSENT:

13 ABSTAIN:

14 \_\_\_\_\_  
15 Tom Rosales, Chairperson  
16 Oceanside Planning Commission

17 ATTEST:

18 \_\_\_\_\_  
19 Jerry Hittleman, Secretary

20 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that  
21 this is a true and correct copy of Resolution No. 2012-P33.

22 Dated: July 9, 2012

23  
24 Applicant accepts and agrees with all conditions of approval and acknowledges impact fees  
25 may be required as stated herein:  
26

27 \_\_\_\_\_  
28 Applicant/Representative

27 \_\_\_\_\_  
28 Date

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OCEANSIDE HISTORIC PRESERVATION  
ADVISORY COMMISSION  
RESOLUTION NO. 2012-H02

A RESOLUTION OF THE OCEANSIDE HISTORIC PRESERVATION  
ADVISORY COMMISSION OF THE CITY OF OCEANSIDE,  
CALIFORNIA RECOMMENDING APPROVAL OF A DEVELOPMENT  
PLAN, CONDITIONAL USE PERMIT, AND A HISTORIC PERMIT ON  
CERTAIN REAL PROPERTY IN THE CITY OF OCEANSIDE

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APPLICATION NO: D12-00005, CUP12-00004, and H12-00001  
APPLICANT: One Source Inc.  
LOCATION: 155 Old Grove Road

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THE OCEANSIDE HISTORIC PRESERVATION ADVISORY 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 Development Plan, Conditional Use Permit, and  
Historic Permit under the provisions of Historic Preservation Ordinance (82-41) and Articles  
11, 21, 30, 31, 40, 41, and 43 of the Zoning Ordinance of the City of Oceanside to permit the  
following:

construction of a 106-square foot freestanding drive-thru ATM within the existing  
parking lot of the Old Grove Market Place;  
on certain real property described in the project description.

WHEREAS, the Oceanside Historic Preservation Advisory Commission, after giving the  
required notice, did on the 5<sup>th</sup> day of June, 2012, conduct a duly advertised public hearing as  
prescribed by law to consider said application.

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

FINDINGS:

1. The proposed location of the use is in accord with the objectives of this ordinance and the  
purposes of the district in which the site is located because the development plan proposal  
for the development of a 106-square foot drive-thru ATM facility is consistent with the  
intent of the General Plan Special Commercial (SC) Land Use Designation and Special  
Commercial Highway Oriented- Historic Overlay (CS-HO-H) zoning designation in that

1 all proposed improvements and on site development will provide additional community  
2 and neighborhood convenience facilities to serve the residents and visitors frequenting the  
3 Old Grove Market Place commercial retail center.

4 2. The removal of 12 parking spaces and establishment of a drive-thru ATM within the  
5 parking lot of Old Grove Market Place is consistent with the Zoning Ordinance, the  
6 City Code, the General Plan Land Use Element, and the Mission San Luis Rey Historic  
7 Area Development Program and Design Guidelines in that the facility will be of a high  
8 quality design that draws attributes from the Mission San Luis Rey architectural  
9 elements and that will allow additional convenient financial facilities that will serve the  
10 citizens and visitors of Oceanside.

11 3. The project design and its physical aspects pertaining to site design, landscaped areas, and  
12 location meets or exceeds the applicable zoning criteria and development standards as  
13 specified in the Mission San Luis Rey de Francia Planned Development Program and  
14 Design Guidelines where applicable. The project will provide a vehicle oriented financial  
15 facility that does not remove or modify the existing site plan beyond what exist with the  
16 exception of removal of asphalt and construction of a 106-square foot ATM facility.

17 4. That the site plan and physical design of the project is consistent with the policies  
18 contained within Section 1.24 and 1.25 of the Land Use Element of the General Plan, the  
19 Development Guidelines for Hillside, and Section 3039 of the Oceanside Zoning  
20 ordinance, because the site is relatively flat and Hillside guidelines are not applicable to  
21 this site, and the proposed development would be compatible with the surrounding  
22 commercial retail center and will not detract from the Mission San Luis Rey Historic  
23 Area.

24 NOW, THEREFORE, BE IT RESOLVED that the Oceanside Historic Preservation  
25 Advisory Commission does hereby recommend approval of a Development Plan (D12-00005),  
26 Conditional Use Permit (CUP12-00004), and Historic Permit (H12-00001) subject to the  
27 following conditions:

28 1. This Development Plan, Conditional Use Permit, and Historic Permit approve only the  
29 following: Construction of a 106-square foot freestanding drive-thru ATM within the  
existing parking lot of the Old Grove Market Place. Any substantial modification to the

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Development Plan in the design or layout shall require a revision to the Historic Permit and/or a new Historic Permit.

2. The following conditions of approval shall be implemented on the proposed project and added on the Planning Commission Resolution of approval if construction of the drive-thru ATM requires trenching or grading of previously undisturbed soils:

- a) An archaeological monitor shall be on-site during ground-disturbing activities, such as brushing, scarification, grading, and trenching within the boundaries of the cemetery addition and disposal area due to the potential for encountering cultural features, such as human burials.
- b) A pre-excavation agreement shall be executed between the applicant and the San Luis Rey Band of Mission Indians, specifying the treatment of human remains and any cultural resources uncovered and requiring Native American monitoring for all ground-disturbing activities.
- c) Native American monitors shall be present throughout all ground-disturbing activities, such as brushing, scarification, grading, and trenching for the entire project area. The powers of the monitors and the details of their work shall be laid out in the pre-excavation agreement.

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1 d) The archaeological monitors and Native American monitors shall have the  
2 authority to temporarily halt or redirect grading, in order to examine any finds  
3 made during the course of monitoring. The monitors shall determine the need  
4 for further studies to assess unexpected cultural material encountered during  
5 monitoring.

6 PASSED AND ADOPTED Resolution No. 2012-H02 on June 5, 2012 by the following  
7 vote, to wit:

8 AYES: Root, Guatelli, Daley, Buccola and Hansen

9 NAYS: None

10 ABSENT: None

11 ABSTAIN: None

12  
13 

14 \_\_\_\_\_  
15 Greg Root, Chairman  
16 Oceanside Historic Preservation  
17 Advisory Commission

16 ATTEST:

17   
18 \_\_\_\_\_  
19 Richard Greenbauer, Secretary

20 I, RICHARD T. GREENBAUER, Secretary of the Oceanside Historic Preservation Advisory  
21 Commission, hereby certify that this is a true and correct copy of Resolution No. 2012-H02.

22 Dated: June 5, 2012  
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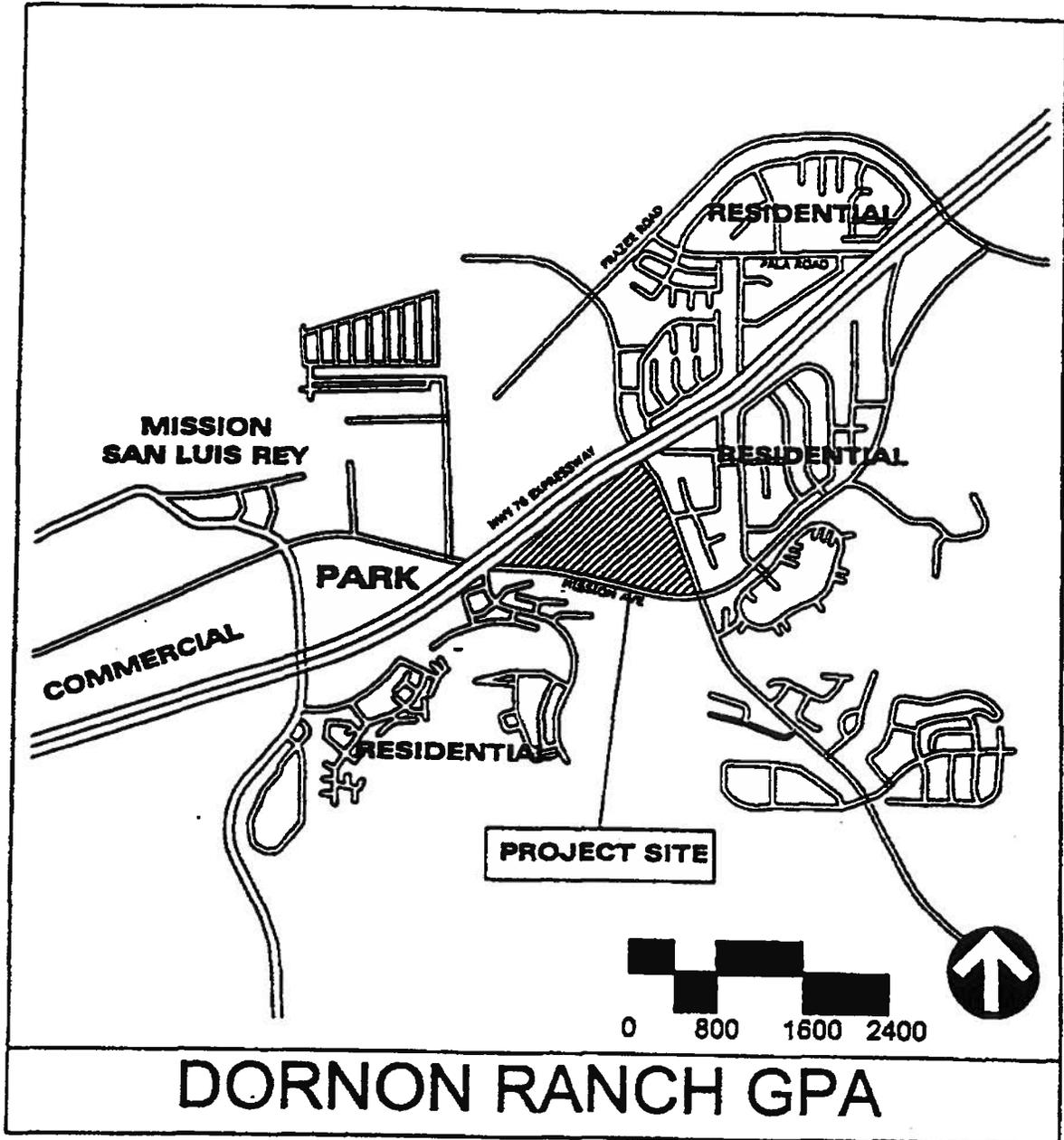
**EXHIBIT "B"**  
**City of Oceanside**  
**General Plan Land Use Element Text Page 40**  
**Proposed Text Revisions**  
**Section 2.244**

Mission Avenue/Old Grove

- E. Commercial properties at the intersection of Mission Avenue and Old Grove Road shall be developed as a commercial center or group of commercial centers providing neighborhood and/or community serving businesses and services. Specialty and visitor-serving commercial uses and professional office development shall also be encouraged. ~~The design and placement of structures shall provide an inward focus emphasizing pedestrian activities.~~ The development of ~~strip centers,~~ all type of highway-oriented and community and neighborhood-serving retail and other high intensity development including but not limited to drive through restaurants, freestanding convenience markets, gas stations, car washes, auto parts or repair stores and other such similar uses facilities shall not be permitted provided that they are designed with appropriate buffers and restrictions which preserve the integrity of the surrounding neighborhoods. Any project-related application shall be required to file a Master Development Plan and shall also comply with the "Mission San Luis Rey Development Program and Design Guidelines as adopted by the City Council and shall be required to file Conditional Use Permits for all subsequent buildings and uses so as to ensure that a high quality of design can be achieved and appropriate and compatible uses are developed at this significant gateway to the Mission San Luis Rey.

The following site design practices will be required for development of this property.

1. Landscaping along Old Grove Road will be significantly enhanced to screen the surrounding neighborhood from commercial activity within the project.
2. Primary access will be permitted from old Grove Road however secondary access points will be limited to the Mission Avenue frontage.



- |                 |   |   |
|-----------------|---|---|
| Existing GP     | - | Special Commercial (25 acres)   |
| Existing Zoning | - | Special Commercial Limited -<br>Historic Overlay (25 acres)               |
| Proposed Zoning | - | Special Commercial Highway -<br>Oriented - Historic Overlay<br>(25 acres) |



### Application for Discretionary Permit

Development Services Department / Planning Division  
(760) 435-3520  
Oceanside Civic Center 300 North Coast Highway  
Oceanside, California 92054-2885

STAFF USE ONLY

RECEIVED

MAR 01 2012

CITY OF OCEANSIDE  
DEVELOPMENT SERVICES

BY

*[Signature]*

Please Print Or Type All Information

HEARING

#### PART I - APPLICANT INFORMATION

1 APPLICANT One Source, Inc. attn: Ryan McDonald	2 STATUS Applicant	GPA MASTER/SP.PLAN ZONE CH TENT MAP PAR MAP
3 ADDRESS 505 Watt Drive, Suite 6 Fairfield, California 94534	4 PHONE / FAX / E-mail 951-265-4832 rmcdonald@us2s.com	5 APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) The Lightfoot Planning Group attn: Dan Niebaum
6 ADDRESS 5750 Fleet Street, Suite 250 Carlsbad, CA 92008	7 PHONE / FAX / E-mail (760) 692-1924 phone DanN@lightfootpg.com	DEV PL <i>D12-00005</i> C.U.P. <i>CUPI2-0004</i> VARIANCE COASTAL

#### PART II - PROPERTY DESCRIPTION

8 LOCATION 155 Old Grove Road. Within Old Grove Marketplace at the southwest corner of Highway 76 and Old Grove Road.	9 SIZE ATM site is less than 1,000 sq. ft.; Shopping center area is 24.85 acres		
10 GENERAL PLAN Special Commercial	11 ZONING Special Commercial, Highway Oriented.	12 LAND USE Commercial	13 ASSESSOR'S PARCEL NUMBER 158-101-42, 43, 47, 48, 49, 50, 53 Subject parcel: 158-101-43
14 LATITUDE 33.23	Historic Overlay CS-HO-II	15 LONGITUDE -117.308	OHPAC <i>H12-0004</i>

#### PART III - PROJECT DESCRIPTION

16 GENERAL PROJECT DESCRIPTION A Conditional Use Permit, Revised Development Plan (revision to existing development plan D-11-00), & Historic Permit for the installation of a drive-thru automated teller machine (ATM) to be located within a portion of the existing parking area (Lowe's parcel) of the overall commercial center.				
17 PROPOSED GENERAL PLAN No Change	18 PROPOSED ZONING No Change	19 PROPOSED LAND USE No Change	20 NO UNITS N/A	21 DENSITY N/A
22 BUILDING SIZE ATM / canopy is approx. 30 square feet	23 PARKING SPACES Existing parking for shopping center	24 % LANDSCAPE Existing landscaping for shopping center	25 % LOT COVERAGE or FAR ATM structure is 0.01% (30 sq. ft.) of additional lot coverage of overall commercial center	

#### PART IV - ATTACHMENTS

<input checked="" type="checkbox"/> 26. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 27. LEGAL DESCRIPTION	<input checked="" type="checkbox"/> 28. TITLE REPORT
<input checked="" type="checkbox"/> 29. NOTIFICATION MAP & LABELS	<input checked="" type="checkbox"/> 30. ENVIRONMENTAL INFO FORM	<input checked="" type="checkbox"/> 31. PLOT PLANS
<input checked="" type="checkbox"/> 32. FLOOR PLANS AND ELEVATIONS	<input checked="" type="checkbox"/> 33. CERTIFICATION OF POSTING	<input checked="" type="checkbox"/> 34. OTHER (See attachment for required reports)

#### PART V - SIGNATURES

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) Ryan McDonald	36 DATE 1-24-12	37 OWNER (Print) Joseph W. Hillton	38 DATE 1-24-12
Sign <i>[Signature]</i>	Sign <i>[Signature]</i> Real Estate Mgr. Lowe's Home Centers		

- I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTAND 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 COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION.

**CHASE BANK  
DRIVE-THRU AUTOMATED TELLER MACHINE  
AT  
OLD GROVE MARKETPLACE**

**Revised Development Plan (D-11-00), Conditional Use Permit  
& Historic Permit**

**Description and Justification  
February 2012**

RECEIVED  
MAR 01 2012  
CITY OF OCEANSIDE  
DEVELOPMENT SERVICES

This application presents a Revised Development Plan, Conditional Use Permit, & Historic Permit for a proposed drive-thru automated teller machine (ATM) to be located within a portion of the existing parking lot of the Old Grove Marketplace shopping center located at 155 Old Grove Road (APN: 158-101-43). The application will address the location of the ATM within the shopping center and the site location within the Mission San Luis Rey Historic District. The original Development Plan (D-11-00) and related Conditional Use Permits for Old Grove Marketplace were approved in December 2000; with several development plan revisions having been approved for the shopping center property in subsequent years.

The Old Grove Marketplace is a 25-acre shopping center bounded by the intersections of Highway 76, Mission Avenue and Old Grove Road. The property has a General Plan land use designation of Special Commercial and corresponding zoning of Special Commercial, Highway Oriented (CS-HO). The property forms the eastern-most boundary of the Mission San Luis Rey Historic Area, and also carries the "H" zoning designation (CS-HO-H).

The Old Grove Marketplace property is surrounded by residential development to the south, east and west, and is separated from additional residential development on the north by Highway 76. Mission San Luis Rey is located approximately one-half mile to the west on Mission Avenue. Other Special Commercial development is located along Highway 76, east and west of the site.

**REVISED DEVELOPMENT PLAN**

**ATM Location**

The drive-thru ATM is proposed to be located in the southeast corner of the main parking area that serves the Lowe's Home Improvement Warehouse retail store (APN: 158-101-43). This location is near the shopping center's main entry drive on Old Grove Road and is situated approximately 200 feet to the interior of the shopping center property opposite an existing commercial pad area for U.S. Bank. The ATM would be located approximately 320 feet away from the main entry to the Lowe's store. The ATM and related structures (canopy, signage, lighting, etc.) will be installed on a

raised median approximately 4 feet wide by 27 feet long. A dedicated vehicle stacking lane will be located adjacent to the ATM median providing queuing space for up to four vehicles. The ATM area will be offset from an interior parking drive aisle and will displace 12 existing parking spaces.

### **Project Design**

The architecture and site design for the Old Grove Marketplace have been established with sensitivity to the site's location within an historic area and in accordance with the *Mission San Luis Rey Historic Area Development Program and Design Guidelines*. The Mission architectural style is featured predominantly by the shopping center through use of horizontal building forms, recessed window and door openings, and arcaded walkways. The site design includes pleasant, safe and convenient pedestrian paths for access and circulation, shaded plazas for sitting, decorative hardscapes such as trellis work and pavement treatments, and generously landscaped parking areas. Walkways are sheltered by alternating arcades and planted trellises creating an integrated system of pedestrian-scale spaces.

The ATM facility has been designed to complement the architecture and site design of the shopping center. A prominent canopy structure will surround the ATM unit. It is designed to emulate the Mission architectural style of existing canopy and trellis structures installed at various sidewalk locations throughout the center. One such structure is located adjacent to the proposed ATM area. The canopy structure will feature squared column supports (2'-7" wide) that are connected by an elongated arch element and topped by a wood framed trellis (8' by 16'). The canopy/trellis structure will be finished in appropriate shades of white and brown to complement the existing Lowe's building and the similar on-site canopy features. The overall height of the structure will be approximately 11 feet and will allow for a maximum 10-foot high vehicle clearance. The ATM unit itself will be approximately 2' wide by 7'-6" long by 6' high. The unit will display standard 'Chase' lettering and corporate logos approximately 7 inches in height.

## **CIRCULATION and PARKING**

### **ATM Access**

The drive-thru entrance for the ATM will be located along the first parking aisle to the north of the main entrance drive and will provide a stacking area for four (4) vehicles (three queued vehicles plus one vehicle in front of the ATM platform). A 10-foot wide raised median pedestrian walkway and landscape area separates the main shopping center entry drive and the ATM area. The drive-thru entrance will be accessed from a two-way drive aisle in the Lowe's main parking area. Vehicles would be able to approach the entrance from both directions. The most direct route to the proposed ATM drive-thru from the main Old Grove Marketplace entry off of Old Grove Road would be to make an immediate right-turn and then an immediate left turn into the drive aisle where the ATM will be located. An alternate route for vehicles entering the

shopping center from Old Grove Road would be to proceed toward the Lowe's building along the main entry drive, then make a right turn at the end of the drive aisle and another immediate right turn to proceed up the ATM drive aisle to the drive-thru entrance. The internal shopping center parking lot configuration would also allow vehicles to approach the ATM area from various routes. These routes are shown on Exhibit 2 of the *ATM Circulation and Parking Study* prepared by RBF Consulting and submitted with this application.

The Study estimates the proposed drive-thru ATM would generate a total of 250 vehicle trips per day (based on SANDAG rates), increasing traffic within the shopping center by up to 125 vehicles per day. If all ATM customers originated from outside the shopping center this could increase peak vehicle traffic within the center by four (4) vehicles during the a.m. peak hour and 16 vehicles during the p.m. peak hour. This is considered a minor increase and the Study indicates it would not have a noticeable impact on traffic circulation within the Old Grove Marketplace.

### **Parking**

Parking occupancy surveys were conducted as part of the RBF Study by to determine the existing parking in the shopping center relevant to the location of the proposed drive-thru ATM. The survey included the Lowe's parking area and nearby commercial pad areas (U.S. Bank, AT&T Store, and Starbuck's Coffee) that could potentially be most affected by the displacement of 12 parking spaces for the ATM. The parking areas for other tenants of the shopping center farther away from the ATM location were not included as they are not likely to be affected by the proposed parking displacement. The Study indicates 517 parking spaces are located in the survey area.

The parking occupancy surveys were conducted during peak shopping hours on a typical Friday and Saturday. These hours (11:00 a.m. to 3:00 p.m.) coincide with the peak parking demand for a home improvement store and with the general peak parking demand for the shopping center. With the removal of 12 parking spaces, 505 spaces would remain to serve the surrounding commercial uses. The survey found that only 180 spaces (36%) were utilized during the highest peak period (Saturday from 11:00 a.m. to 12:00 p.m.), leaving 325 vacant spaces in the area. The results of the Study conclude that installation of the proposed drive-thru ATM, and resulting loss of 12 parking spaces, would have minimal effect on the existing parking conditions and that sufficient parking will be available to accommodate the peak parking demand for the shopping center.

### **Vehicle Stacking**

The City of Oceanside zoning ordinance states that 'drive-up' service for banks and savings and loans are required to provide queuing space for five (5) cars per teller. While the ordinance does not distinguish between full service human tellers and ATM's, the wording of the ordinance would suggest full service human tellers. At the

time the zoning ordinance was written, drive-thru teller service was more typically handled by human tellers than by ATM's.

In previous meetings with Staff to discuss this project, the City Planner and Transportation Planner agreed that a reduced queue might be appropriate for this use. At the request of Staff, RBF Consulting completed a detailed study on industry and jurisdictional standards addressing differences in vehicle stacking requirements between human tellers and ATM's. The *Vehicle Stacking Study* prepared by RBF has been submitted with this application.

The Study indicates that many jurisdictions now distinguish between the two types of teller service and require lesser queuing standards for ATM service. The rationale is that human tellers offer a wider range of customer services that are more time consuming than typical ATM transactions. The Study presents examples of several jurisdictions throughout the United States that have adopted standards for ATM queuing of four (4) vehicles or less. The Study includes documentation of a recent San Jacinto, California Planning Commission recommendation to accept a 4-vehicle stacking design for a Chase Bank Drive-thru ATM in lieu of the City's standard 7-vehicle stacking requirement. This decision was based on a queuing study that had been prepared by Chase Bank which found a typical maximum stacking of 3 - 4 vehicles at their drive-thru ATMs. The Study presents research conducted by the Institute of Traffic Engineers (ITE) in 2009 that recommends a minimum three (3) vehicle stacking provision be used for drive-thru ATMs. The RBF Study concludes that the provision of a four (4) vehicle stacking space with the proposed ATM would allow sufficient queuing even during peak operating periods.

### **CONDITIONAL USE PERMIT**

An Administrative Use Permit is generally required for this type of drive-thru ATM facility. A Conditional Use Permit is requested in this case due to a special policy requirement established with the original General Plan Amendment and Zone Change approvals granted for the Old Grove Marketplace property. The policy requires that any project filed on this property must apply for a Conditional Use Permit for each proposed building.

### **HISTORICAL PERMIT**

A Historical Permit has been requested as required by the Historic District Overlay. The design of the ATM facility meets the intent of the Historic District by incorporating Mission style architectural features that complement the established surroundings of the shopping center.

## **SUMMARY**

The proposed Revised Development Plan, Conditional Use Permit, and Historic Permit are consistent with the requirements of the Zoning Ordinance, and the land use policies of the General Plan. The ATM facility has been designed with sensitivity to its unique cultural location while at the same time providing services to both highway-oriented traffic and the immediate surrounding community. The ATM facility has been designed to complement the Mission style architecture and site design of the shopping center. This project will provide valuable services while adding to the quality of commercial development in the City.

# Chase Old Grove Marketplace

## Legal Description

ALTA Owner's Policy - (10-17-70) Form B

EXHIBIT "ONE"

RECEIVED  
MAR 01 2012  
CITY OF OCEANSIDE  
DEVELOPMENT SERVICES

Order No. 00-249892  
Policy No. 30-115381

### Parcel A:

That portion of the Southwest Quarter of Section 9, Township 11 South, Range 4 West, San Bernardino Meridian, in the City of Oceanside, County of San Diego, State of California, and a portion of Parcel 2 of Parcel Map No. 6372, filed September 19, 1977 as File/Page No. 77-382766 of Official Records in the Office of the County Recorder of San Diego County, being more particularly described as follows:

Commencing at the West Quarter corner of said Section 9, said point also being the Southwest corner of Parcel Map No. 12918, filed in the Office of the County Recorder of San Diego County, September 23, 1983 as File/Page No. 83-341296 of Official Records; thence along the South line thereof being also the North line of said Southwest Quarter, South 89°19'25" East 510.01 feet to the Northwest corner of that land conveyed to the Goldman Living Trust by Deed recorded June 30, 1995 as File/Page No. 1995-0277801 of Official Records; thence along said Goldman Trust Property South 0°23'48" West, 1598.89 feet to the Southwest corner of land described in Deed to the City of Oceanside recorded March 13, 1996 as File/Page No. 1996-0123960 of Official Records; and the True Point of Beginning; thence along the Southerly line of said land, South 89°36'12" East 50.30 feet; thence North 0°23'45" East, 92.44 feet to a point on the Southerly line of land described in that certain Final Order of Condemnation, recorded June 25, 1998 as File/Page No. 1998-0392187 of Official Records amended by Document recorded October 23, 1998 as File/Page No. 1998-687271 both of Official Records; thence along said Southerly line of the following courses, North 50°46'27" East 97.06 feet to A 1" Iron pipe with Disk Marked "Cal-Dot" set to mark the Southeasterly sideline of State Highway 76 as shown on Caltrans Monumentation Map, Co-SD-RTE-76-PM-2.4-8.1; thence North 55°40'35" East 240.25 feet to another said 1" iron pipe with disk marked "Cal-Dot"; thence North 54°49'33" East, 100.20 feet to another said 1" iron pipe with disk marked "Cal-Dot"; thence North 53°42'22" East, 451.27 to another said 1" iron pipe with disk marked "Cal-Dot"; thence North 58°03'31" East, 353.38 feet; thence leaving said line South 31°52'05" East, 523.72 feet; thence North 72°11'37" East, 155.42 feet to the Westerly sideline of Old Grove Road, thence South 17°48'03" East 56.00 feet along said sideline; thence leaving said line South 72°11'37" West 242.06 feet; thence South 17°48'24" East 98.52 feet; thence South 58°03'53" West 182.65 feet; thence South 73°41'29" West 65.59 feet; thence South 58°03'53" West 424.93 feet to the centerline of San Luis Rey Road No. 2 dedicated by document recorded November 3, 1920 in Book 751, Page 135 of Official Records; thence along said centerline North 73°30'29" West 11.51 feet to a tangent 3013.77 foot radius curve concave Southerly; thence Westerly along said curve through a central angle of 3°03'44" an arc distance of 161.07 feet; thence North 12° 51'11" East 175.25 feet; thence North 31°56'07" West 297.95 feet; thence South 55°39'50" West 352.57 feet; thence South 50°54'23" West 23.14 feet; thence South 11°29'48" West 139.92 feet to the centerline of San Luis Rey Road No. 2, dedicated by document recorded November 3, 1920 in Book 751, Page 135 of Official Records; thence along the centerline North 84°09'59" West 111.26 feet to a line parallel with and 510.00 feet Easterly, measured at right angles of the West line of said Southwest Quarter of Section 9, thence along said parallel line North 0°23'45" East 28.17 feet to the True Point of Beginning.

### Parcel B:

Easements for use of the common area, access roads, utility facilities, construction, exterior lights and

**ALTA Owner's Policy - (10-17-70) Form B**

**Order No. 00-249892  
Policy No. 30-115381**

**other matters as set forth in the Declaration of Easements, Covenants, Conditions and Restrictions between Lowe's and Lone Tree Canyon LLC recorded April 16, 2001 as Document No. 2001-0232990 of Official Records of San Diego County.**



# NOTICE OF EXEMPTION

City of Oceanside, California

Post Date:  
(180 days)

1. **APPLICANT:** One Source Inc, Ryan McDonald
2. **ADDRESS:** 505 Watt Dr. Suite 6, Fairfield CA, 94534
3. **PHONE NUMBER:** (951) 265-4832
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT PLANNER:** Richard Greenbauer, Senior Planner
6. **PROJECT TITLE:** Chase ATM Drive-Thru, Development Plan, Conditional Use Permit, and Historic Permit (D12-00005, CUP12-00004, H12-00001)
7. **DESCRIPTION:** The applicant request approval to establish a freestanding Drive-Thru ATM within the existing parking lot of Old Grove Market Place located at 155 Old Grove Road. The site is zoned Special Commercial Highway Oriented-Historic Overlay (CS-HO-H), has a General Plan Land Use Designation of Special Commercial (SC), and is located within the Mission San Luis Rey Neighborhood.

**ADMINISTRATIVE DETERMINATION:** Planning Department 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 this review, 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 11, "Accessory Structures" (Section 15311); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).

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Richard Greenbauer, Senior Planner

Date: July 9, 2012

cc:  Project file  Counter file  Library

Posting:  County Clerk \$50.00 Admin. Fee