



# REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

**PUBLIC HEARING**  
**May 10, 2012**

**To:** Members of the Planning Commission

**Subject: Valley Shopping Center Chase Bank Drive-Up ATM:** A request to operate a new drive-up ATM in the parking lot of an existing shopping center in the General Commercial (C-2) zone located at 4500 Mack Road (**P11-055**).

- A. Environmental Determination:** Categorical Exemption (CEQA Guidelines Section 15301, Existing Facilities);
- B. Special Permit** to construct a new drive-up Automated Teller Machine (ATM) in the General Commercial (C-2) zone.
- C. Variance** to reduce the required stacking depth for a new drive through ATM.

**Location/Council District:**

4551 Mack Road, Sacramento, CA 95823

Assessor's Parcel Number: 118-0062-026

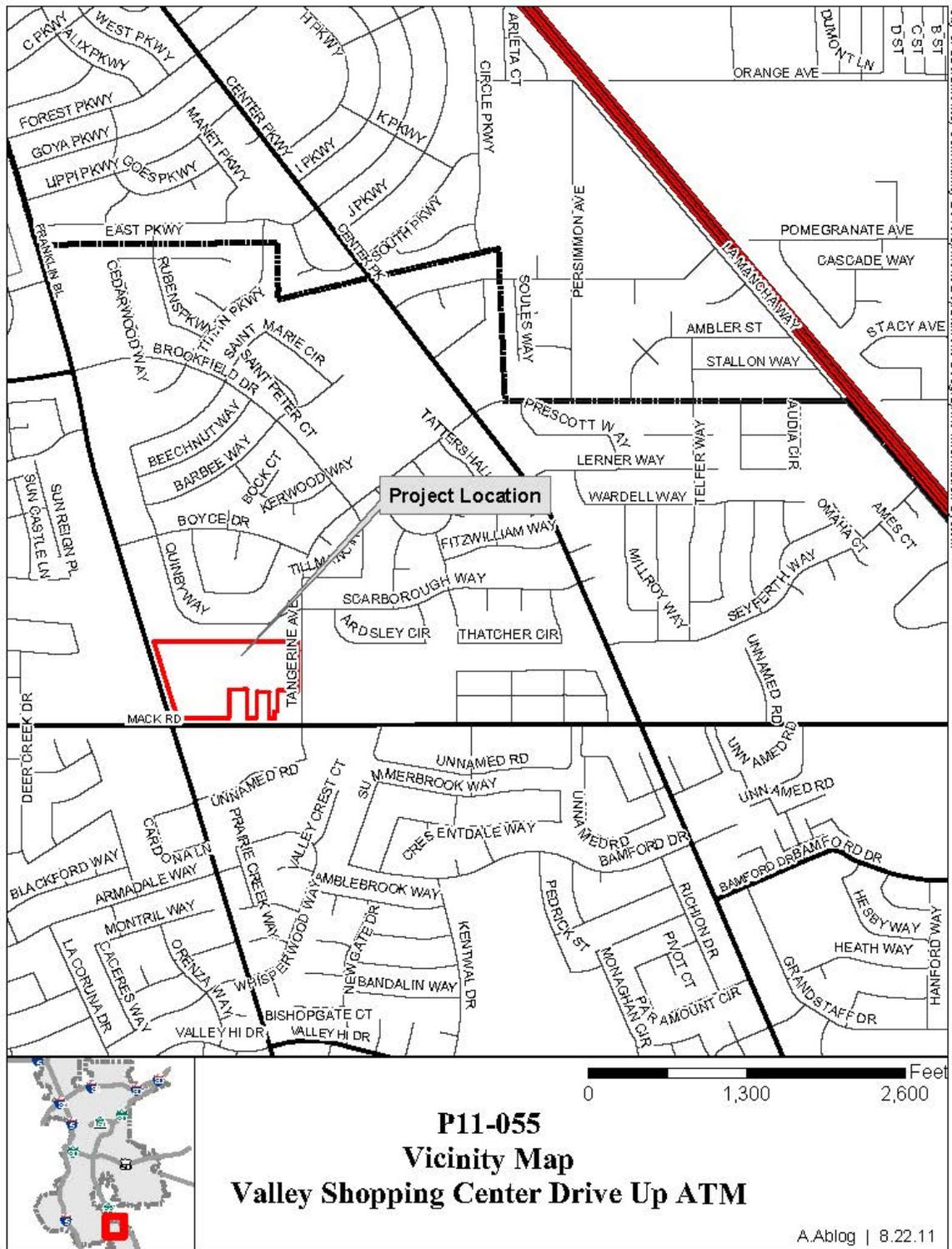
Council District 8

**Recommendation:** Staff recommends that the Commission approve the request based on the findings and subject to the conditions listed in Attachment 1. The Commission has final approval authority over items A through C above, and its decision may be appealed to City Council. **At the time of this report, staff is not aware of any opposition to this request and has deemed this project non-controversial.**

**Contact:** Antonio Ablog, Associate Planner, 808-7702; Lindsey Alagozian, Senior Planner, 808-2659

**Applicant:** Arnie Wenyon, Implementation Solution Services, Inc, 1101 S Acacia Ave, Fullerton, CA 92831

**Owner:** Weingarten Realty Investors, 7825 Lichen Drive, Citrus Heights, CA 95621



**Summary:** The applicant is requesting a Special Permit to construct a drive-up ATM in the parking lot of an existing 15.8± acre shopping center at the northeast corner of Mack Road and Franklin Boulevard. There are currently four buildings in the shopping center with one strip building that houses a grocery store and a number of in-line tenants. The applicant is proposing to construct a stand-alone drive-up ATM machine at the western end of the parking lot, adjacent to the anchor grocery store. The drive through for the ATM has been designed with 74 feet of stacking room which will require a variance from the 180 foot standard requirement.

<b>Project Information</b>
<b>General Plan designation:</b> Suburban Corridor: 0.25 – 2.0
<b>Existing zoning of site:</b> C-2
<b>Existing use of site:</b> Shopping Center
<b>Property area:</b> 15.8± acres

**Background Information:** The drive-up ATM project was formally submitted on July 25, 2011. The project is proposed to be located in the parking lot of an existing 15.8± acre shopping center. There are existing commercial uses to the west and south. To the north are single-family homes. To the east is a residential apartment complex.

The shopping center consists of 4 buildings on four separate parcels. There are three smaller buildings on separate parcels at the south end of the center. The subject parcel encompasses a majority of the shopping center and contains the approximately 86,000 square-foot main commercial building, including a 28,000 square foot grocery store. Development of more than 40,000 square feet in the General Commercial (C-2) zone requires the approval of a Special Permit. Since the main commercial center was constructed before this requirement, it is considered to have a deemed Special Permit for development. There have been several minor modifications to the deemed Special Permit. These modifications have been for façade improvements.

The operator of the proposed ATM, Chase Bank, maintains an in-store bank branch location within the shopping center's anchor grocery store. Chase Bank is requesting the approval of a drive-up ATM to augment the in-store operations and to provide an additional convenience to its customers.

**Public/Neighborhood Outreach and Comments:** City staff sent project notifications to the Deerfield Mesa Grande Neighborhood Association, the Southgate Meadows Neighborhood Association, and to all property owners within 500 feet of the subject site. In addition, the site was posted with a public hearing notice. As of the date of this report, no public comments have been received.

**Environmental Considerations:** The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that this is exempt from the provisions of the California Environmental Quality Act (CEQA)

Section 15301, Existing Facilities. The project consists of a minor addition to an existing private structure that will not be more than 2,500 square feet.

### **Policy Considerations:**

**2030 General Plan:** The subject site is designated Suburban Corridor Low on the General Plan Land Use and Urban Form Diagram. The proposal is consistent with the following General Plan policies:

- *Shared Parking, Driveways, and Alley Access. The City shall encourage the creation of shared parking and driveways as alleys along arterial corridors in order to minimize driveways and curb cuts. (LU 6.1.9)* Staff finds that the project site currently shares two driveways along Mack Road and one driveway along Franklin Boulevard and that the proposed project will not add any additional driveways or curb cuts.
- *Development Review. The City shall continue to include the Police Department in the review of development projects to adequately address crime and safety, and promote the implementation of "Crime Prevention through Environmental Design" principles. (PHS 1.1.7)* Staff finds that the Police Department reviewed the proposal and has placed conditions of approval on the project to address safety issues.

**Suburban Corridor Designation:** Suburban corridors are envisioned as auto-oriented, moderate-density retail, office, and residential corridors that support surrounding suburban neighborhoods. Low-rise buildings line auto-oriented corridors with new development along the corridor contributing to a more compact and consistent pattern, with parking relocated to the side and rear of buildings. Residential uses are integrated along the corridor, with limited street level frontages that are mixed with retail, neighborhood services, and restaurants. The streetscape is appointed with landscaping, lighting, public art, and other amenities that support and enhance shopping and retail activities.

Staff finds the proposed drive through is consistent with the General Plan designation because the drive through lane has been relocated from the edge of the parking lot to the interior of the parking lot, the pedestrian crossing from the building to the public sidewalk on Franklin Boulevard has been maintained with the current drive through design, and the site continues to share common driveways and parking with other uses in the shopping center.

### **Project Design:**

**Land Use:** The applicant is proposing to construct a drive-up ATM to provide additional convenience to its adjacent in-store Chase Bank branch. The original submittal placed the ATM and drive-through lane in an east-west orientation along the planter strip directly adjacent to Mack Road. Staff had several concerns with this configuration including:

- The location interfered with existing ingress/egress at one of the driveways along Mack Road;
- The location was counter to planning practice of discouraging drive-through lanes adjacent to major streets; and
- The location interfered with a 30" utilities transmission main.

Staff worked with the applicant to find another location on the site that would meet Chase's operational needs while addressing the initial concerns with the project. Plan revisions were re-submitted that addressed staff's concerns.

The revised plans move the ATM and drive-through lane to an interior location on the western end of the site that:

- Works in harmony with the existing circulation pattern;
- Moves vehicle queuing away from the public street;
- Moves the facilities away from any existing utilities; and
- Maintains visibility from the street, the parking lot, and the store entrance allowing for natural surveillance of the facility by shopping center patrons, pedestrians, and vehicular traffic.

**Access, Circulation and Parking:** Vehicle Parking: Retail uses in the General Commercial (C-2) zone require 1 parking space for every 250 square feet of floor area. The existing center maintains over 450 parking spaces for 86,000 square feet of commercial space. This is more than 100 spaces over the minimum requirement. Since it was apparent to staff that the existing parking is more than adequate, a detailed parking study was not requested. The drive-up ATM will not require additional parking and will only eliminate 11 parking spaces leaving ample parking for the existing uses.

Circulation: The revised location of the ATM and drive through lane will not alter any of the existing vehicular circulation. The final location was arrived at in coordination with the Department of Transportation (DOT), whose initial concern was potential interference with existing driveways. The current configuration reduces those concerns. With the new location, the maximum stacking distance that can be provided is 74' feet. This distance requires a variance to the standard 180 foot stacking depth for drive-through lanes. Both Planning and DOT believe that the variance is justified for the proposed use. It is DOT's experience that drive through stacking for uses such as banks and pharmacies is not as impacted as drive through lanes for restaurants. Staff has processed, and supported, variances for similar uses in the recent past.

**Building design:** The applicant is proposing to construct a single ATM kiosk for the requested project, this kiosk will be 6 feet wide by 12 feet tall and will house a single ATM. In working with the Police Department, the applicant has provided the appropriate security measures for the ATM kiosk. Two security cameras will be provided, one in the overhead canopy of the kiosk, and one internal to the ATM. Two recessed downlights will be provided within the canopy to further enhance security.

### **Special Permit**

As required by Zoning Ordinance Section 17.24.030, the proposed use requires a Special Permit to establish a Drive Through facility in the General Commercial (C-2) zone. In considering the Special Permit, the following findings are observed:

**A. Sound Principles of Land Use. A Special Permit shall be granted upon sound principles of land use.**

Staff finds that approval of the Special Permit is appropriate as the proposed use and its design are compatible with the existing shopping center. The ATM and its associated drive through lane have been designed to work with the existing vehicular circulation pattern.

**B. Not Injurious. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.**

The approval of the Special Permit will not be detrimental to the public welfare and will not result in the creation of a public nuisance in that the proposed ATM and associated drive through lane will not generate traffic, noise, or glare that will adversely affect any adjacent properties.

**C. Must Relate to a Plan. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located.**

The proposed project is consistent with the Suburban Corridor Low General Plan designation and the General Commercial (C-2) zone, and is compatible with the existing commercial development on the site.

**D. The design and location of the facility will not contribute to increased congestion on public or private streets or alleys adjacent to the subject property**

In response to initial concerns related to vehicle stacking and interference with driveways, the applicant has revised the project design to move the proposed facility to a location on the site where it will not impact circulation on the adjacent public streets.

- E. The design and location of the facility will not impede access to or exit from the parking lot serving the business, impair normal circulation within the parking lot or impede pedestrian movement.**

The applicant has redesigned the facility such that its operation will be complimentary to the existing circulation pattern. It has been moved away from the access driveways for the center and it will not interfere with any existing pedestrian access.

- F. The design and location of the facility will not create a nuisance for adjacent properties.**

The proposed ATM and associated drive through lane will not generate noise or glare that will adversely affect any adjacent properties.

### **Variance**

Footnote 44 in section 17.24.050 of the Zoning Ordinance requires that a minimum stacking distance of 180 feet be provided for the drive through lane of any automated machine. As the applicant is proposing a 74 foot drive through lane, a Variance is required. Staff believes that the variance is justified for the proposed use. In considering the Variance, the following findings are observed:

- A. No Special Privilege. A variance cannot be a special privilege extended to one individual property owner. The circumstances must be such that the same variance would be appropriate for any property owner facing similar circumstances.**

The proposed variance does not constitute a special privilege extended to one individual property owner. Stacking distance variances have recently been approved for similar uses such as bank and pharmacy drive through lanes.

- B. Use Variance Prohibited. The consideration of "use variances" is specifically prohibited. These are variances which request approval to locate a use in a zone from which it is prohibited by ordinance.**

The Variance does not constitute a use Variance as drive through uses are allowed in the General Commercial (C-2) zone with the issuance of a Special Permit.

- C. Disservice Not Permitted. A variance must not be injurious to public welfare, nor to property in the vicinity of the applicant.**

The variance will not be injurious to public welfare, nor to the surrounding property as the ATM is not anticipated to generate a high volume of traffic. Additionally, the appropriate security measures have been built into the ATM in the form of cameras and lighting.

**D. Not adverse to General Plan. A variance must be in harmony with the general purpose and intent of this title. It must not adversely affect the general plan or specific plans of the city, or the open space zoning regulations.**

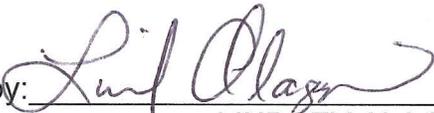
The Variance is in harmony with the general purpose and intent of the zoning code and will not adversely affect the General Plan in that the proposed facility will provide a drive through service in the Suburban Corridor Designation which is meant to provide for auto oriented commercial uses.

**Conclusion**

Staff recommends approval of the project as the proposal is consistent with the 2030 General Plan designation of Suburban Corridor and the General Commercial (C-2) zoning and has been designed to work in harmony with the existing vehicular and pedestrian circulation pattern. The proposed facility will not adversely impact the amount of available parking for patrons of the shopping center and has been sited to minimize its visual impact on the public street.

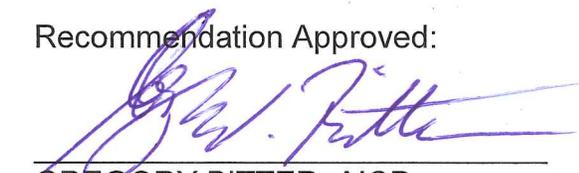
Respectfully submitted by: 

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Principal Planner

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## Attachment 1 – Recommended Findings and Conditions

### Findings of Fact

**A. Environmental Determination:** Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Planning Commission finds that the Project is exempt from review under **Section 15301 Existing Facilities** of the California Environmental Quality Act because it involves negligible or no expansion of an existing use.

**B. The Special Permit** to construct a new drive-up Automated Teller Machine (ATM) in the General Commercial (C-2) zone is approved based on following Findings of Fact:

1. Sound Principles of Land Use. Staff finds that the Special Permit is granted upon sound principles in that the proposed use and its design is compatible with the existing shopping center. The ATM and its associated drive through lane has been designed to work with the existing vehicular circulation pattern.
2. Not Injurious. Staff finds that the Special Permit will not be detrimental to the public welfare and will not result in the proposed ATM and associated drive through lane will not generate traffic, noise or glare that will adversely affect any adjacent properties.
3. Must Relate to a Plan. Staff finds that proposed use complies with the objectives of the general or specific plan for the area in which it is to be located in that the proposed project is consistent with the Suburban Corridor Low General Plan designation and the General Commercial (C-2) zone, and is compatible with the existing commercial development on the site.
4. The design and location of the facility will not contribute to increased congestion on public or private streets or alleys adjacent to the subject property as the applicant has revised the location of the proposed facility on the site where it will not impact circulation on the adjacent public streets.
5. The design and location of the facility will not impede access to or exit from the parking lot serving the business, impair normal circulation within the parking lot or impede pedestrian movement as the applicant has redesigned the facility such that its operation will be complimentary to the existing circulation pattern. It has been moved away from the access driveways for the center and it will not interfere with any existing pedestrian access.
6. The design and location of the facility will not create a nuisance for adjacent properties as the proposed ATM and associated drive through lane will not generate noise, glare, or traffic that will adversely affect any adjacent properties.

- C.** The **Variance** to reduce the required stacking depth for a new drive through ATM is approved based on the following findings of fact.
1. No Special Privilege. The proposed variance does not constitute a special privilege extended to one individual property owner in that stacking distance variances have recently been approved for similar uses such as bank and pharmacy drive through lanes.
  2. Use Variance Prohibited. The Variance does not constitute a use Variance as drive through uses are allowed in the General Commercial (C-2) zone with the issuance of a Special Permit.
  3. Disservice Not Permitted. The variance will not be injurious to public welfare, nor to the surrounding property as the ATM is not anticipated to generate a high volume of traffic. Additionally, the appropriate security measures have been built into the ATM in the form of cameras and lighting.
  4. Not adverse to General Plan. The variance is in harmony with the general purpose and intent of the zoning code and will not adversely affect the General Plan as the proposed facility will provide a drive through service in the Suburban Corridor Designation which is meant to provide for auto oriented commercial uses.

**Conditions of Approval:**

**B.** The **Special Permit** to construct a new drive-up Automated Teller Machine (ATM) in the General Commercial (C-2) zone is approved subject to the following conditions:

- B1. If the ATM use should be discontinued in the future, any new land use on the site requesting to utilize the drive-through operations shall be subject to additional staff review and approval. Additional planning entitlements may be required.
- B2. The project shall substantially conform to the plans as shown on the attached exhibits as conditioned. Any substantial modifications shall be subject to review and approval by Planning Staff (and may require additional entitlements) prior to the issuance of building permits.

**Police Department**

- B3. Video Cameras shall be installed to monitor the site and the ATM to the satisfaction of the Police Department.
- B4. Adequate lighting shall be provided overhead, and in the kiosk canopy as shown on the plans.

**Department of Utilities**

- B5. There is an existing 30" water transmission main near the proposed ATM. Per City code section 13.04.230, no permanent structure (including without limitation garages, patios, concrete slabs, tool shed and similar structures) shall be constructed on top of water, sewer or drainage pipelines or anywhere within the associated utility easements, unless approved by the director upon execution of a hold harmless agreement approved by the city attorney.
- B6. The applicant is responsible for the protection and the repair of the City water mains during construction of the proposed structure. Prior to design the applicant shall field verify the exact location of City water mains and plot the as-built location of the water mains, appurtenances (valves, manholes, etc.) and the associated easements on the site plan. The Department of Utilities Field Services can assist the applicant in field verifying the location of City Utilities. The applicant should call the following for assistance: Customer Service at (916) 808-5454.

**C. Variance:** The Variance to reduce the required stacking depth for a new drive through ATM **approved** subject to the following conditions of approval:

- C1. Any changes to the configuration, depth, or width of the drive-through lanes shall require additional staff review and approval.
- C2. If the ATM use should be discontinued in the future, any new land use on the site requesting to utilize the drive-through operations shall be subject to additional staff review and approval. Additional planning entitlements may be required.

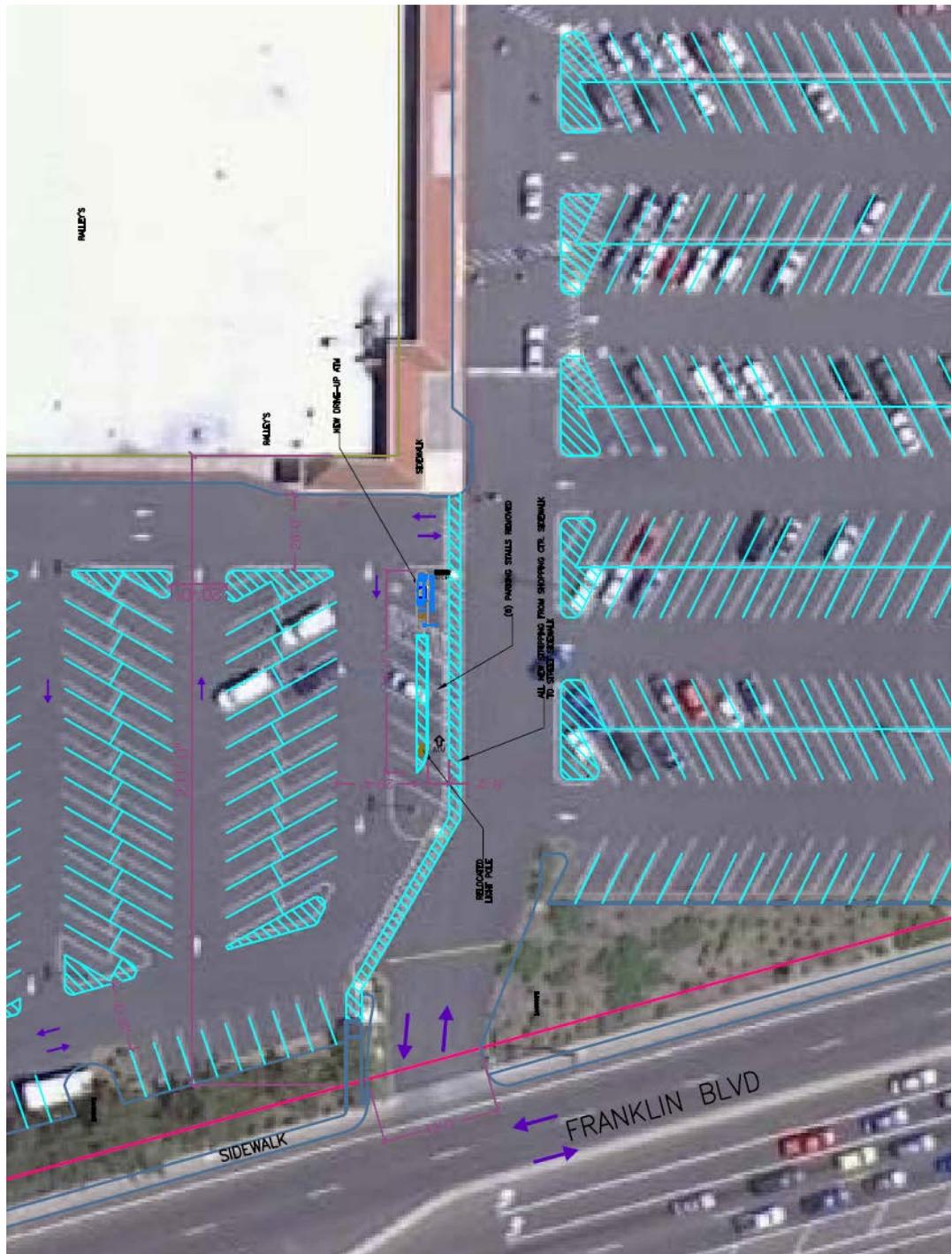
**ADVISORY NOTES:**

*Planning*

- ADV1. The Special Permit for the drive-through is revocable if congestion attributable to inadequate vehicle stacking space for the drive-through service regularly occurs on public or private streets or alleys, or the design of the facility creates a nuisance to adjacent properties and the management of the facility cannot alleviate the situation.
- ADV2. All signage shall be required to meet the City Code requirements in 15.148.



Exhibit 1B – Site Plan Detail





Attachment 2 – Land Use Map

