

# Zoning Administrator Agenda Report

Meeting Date10/24/2017

**DATE:** October 17, 2017

File: UP 17-19

**TO:** ZONING ADMINISTRATOR

**FROM:** Kimber Gutierrez, Associate Planner, 530-879-6810,

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**RE:** Use Permit 17-19 (Surf Thru Esplanade)

2573 Esplanade, APN 006-530-013

### RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 17-19 (Surf Thru Esplanade), based on the findings and subject to the recommended conditions of approval.

# **BACKGROUND AND ANALYSIS**

The one-acre site is located at 2573 Esplanade between East Avenue and Panama Avenue (APN 006-530-013) (see **Attachment A**, Location/Notification Map, and **Attachment B**, Plat to Accompany Use Permit 17-19). The site is zoned CC-AOD-COS (Community Commercial with Aircraft Operations Zone D and Corridor Opportunity Site overlay) and is designated Commercial Mixed Use on the City of Chico General Plan Land Use Diagram.

The site currently contains a dilapidated, vacant motel with established parking, landscaping and lighting.

### Proposed Project

The project involves demolition of the existing motel and construction of a new approximately 5,000 square-foot drive-through car wash facility. The new development would also include two vacuum canopies with solar panels, a trash enclosure, landscaping, and lighting.

#### Discussion

Pursuant to Chico Municipal Code (CMC) section 19.44.020, Table 4-6 (*Allowed Uses and Permit Requirements for Commercial Zoning Districts*), use permit authorization is required for car wash facilities in the CC (Community Commercial) zoning district.

Pursuant to CMC section 19.70.040 (*Number of parking spaces required*), full-service vehicle washing facilities must provide 10 on-site parking spaces, plus an adequate queuing and drying area and one bicycle space. The site plan (**Attachment B**) shows a total of 30 on-site parking spaces, which meets this requirement. Additionally, a bike rack is proposed near the front entry, which can hold three bicycles, exceeding the CMC requirement of one space.

Items requiring further discussion and analysis include lighting, noise, and neighborhood compatibility.

Parking lot lighting and headlight glare from the proposed project has the potential to result in lighting issues to neighboring properties. Per the site plan (**Attachment B**), all lighting is directed away from adjacent properties and public rights-of-way. Review of a light

photometric plan and site design would ensure that the proposed lighting is consistent with the surrounding area and that no light spillage would occur from the proposed project. All proposed lighting would be consistent with CMC section 19.60.050 (*Exterior lighting*).

Noise associated with a car wash facility involves the sound of the car wash tunnel, vacuums, and vehicle movements. The closest residential development, or sensitive receptors is the mobile home park located approximately 100 feet northwest of the project site (see **Attachment A**). The Kentwood mobile home park is separated from adjacent commercial uses by an approximately six-foot masonry screen wall, which reduces the amount of noise pollution from surrounding properties. Vehicles utilizing the car wash tunnel would enter and exit to the east towards Esplanade. This orientation would use the proposed building as a noise barrier from the vacuum canopy area. The vacuum canopies are proposed to be located on the south side of the car wash tunnel furthest away from the mobile home park. Noise produced by the proposed use is considered compatible with the surrounding commercial land uses.

The applicant is proposing hours of operation from 7:00 a.m. to 9:00 p.m. seven days a week. The proposed hours of operation are compatible with the surrounding businesses, which include various retail and service commercial uses. There are several automotive uses in the area including an AutoZone, Chuck Patterson Dealership, Mike's Automotive Repair Shop, Arco, and Budget Car Rental.

All proposed improvements, including the building design, parking configuration, landscaping, and other improvements will be subject to site design and architectural review pursuant to CMC 19.18 (*Site Design and Architectural Review*), as well as review and approval by other City departments. Staff recommends approval of the proposed use permit, subject to conditions.

#### **ENVIRONMENTAL REVIEW**

The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development Projects). Consistent with this exemption, the project is: consistent with the applicable general plan designation, zoning regulations, and general plan policies; is less than five acres in size, substantially surrounded by urban uses; has no habitat value for special status species; will not result in any significant impacts regarding traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services.

#### **FINDINGS**

Following a public hearing, the Zoning Administrator may approve a use permit application, with or without conditions, only if all the following findings can be made:

# **Use Permit Findings**

A. The proposed use is allowed within the subject zoning district and complies with all of the applicable provisions of Chapter 19.24 (Use Permits).

Chico Municipal Code Section 19.44.020 (*Commercial/office zone land uses and permit requirements*), provides for car wash facilities in the CC (Community Commercial) zoning district, subject to use permit approval. This use permit has been processed in accordance with the requirements of Chapter 19.24 (*Use Permits*).

B. The proposed use would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the proposed use.

No impacts to the health, safety, and general welfare of persons residing or working in the neighborhood of the proposed use have been identified. The design of the car wash facility will be constructed to Chico Municipal Code Standards (e.g., lighting and landscaping requirements), which are intended to promote the health, safety, and general welfare of the public.

C. The proposed use will not be detrimental and/or injurious to property and improvements in the neighborhood of the proposed use, as well as the general welfare of the City.

The proposed use consists of replacing a dilapidated motel with a newly constructed car wash facility. Existing regulations require that any public improvements damaged during the course of construction be repaired or reconstructed by the applicant. No other impacts to property or improvements outside of the project site have been identified.

D. The proposed use will be consistent with the policies, standards, and land use designations established by the General Plan.

The proposed project is consistent with the Commercial Mixed Use designation for the site and several General Plan goals. The project encourages redevelopment of the designated North Esplanade Opportunity Site (LU-5.1), promotes compatible infill development (LU-4), and endorses the rehabilitation and revitalization of existing neighborhoods (H.5).

E. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.

The proposed car wash facility is consistent with other uses in the vicinity, which include adjacent retail, service and other commercial uses. The development proposed, combined with the listed conditions, will ensure compatibility with existing and future land uses in the vicinity.

### **CONDITIONS OF PROJECT APPROVAL**

- 1. Use Permit 17-19 authorizes a car wash facility in the CC zoning district, in substantial accord with the "Plat to Accompany Use Permit 17-19 (Surf Thru Esplanade)" and in compliance with all other conditions of approval.
- 2. The permittee shall comply with all other State and local Code provisions, including those of the Building Division, Public Works Department, Fire Department, and Butte County Environmental Health. The permittee is responsible for contacting these offices to verify the need for permits.

- 3. All new construction, site improvements and landscaping shall be subject to site design and architectural review by the Architectural Review and Historic Preservation Board, prior to issuance of building permits. The Board may modify and condition the site as deemed necessary.
- 4. Prior to occupancy, the applicant shall coordinate with Planning staff to conduct a site visit to ensure all elements of the site plan have been executed, including, but not limited to shielded exterior lighting consistent with CMC 19.60.050 (*Exterior lighting*).

# **PUBLIC CONTACT**

A notice was published in the Chico Enterprise Record 10 days prior to the meeting date and notices were mailed out to all property owners and tenants within 500 feet of the project site.

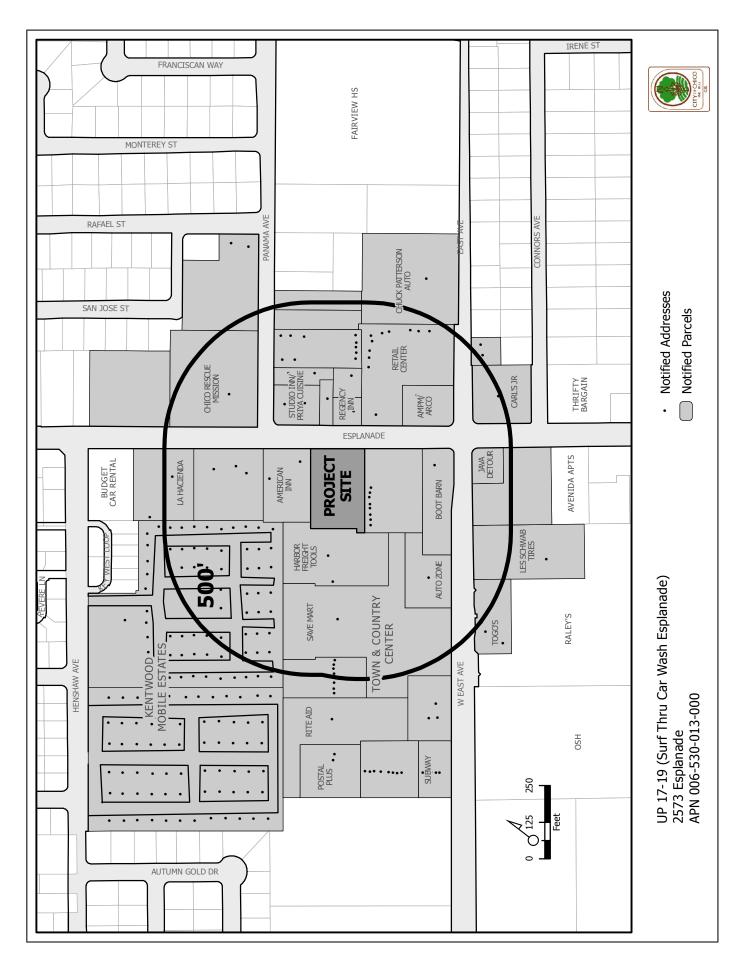
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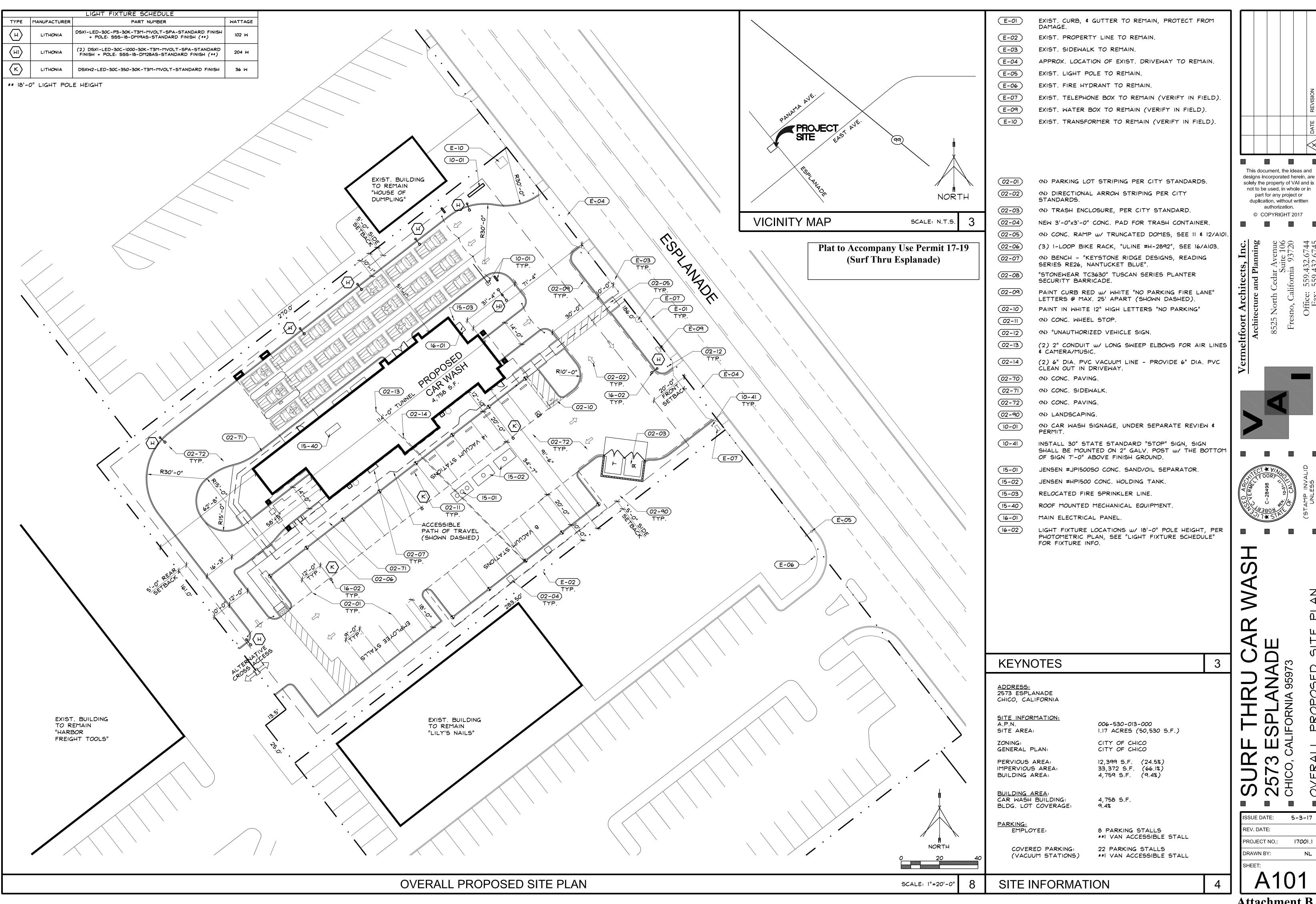
Brendan Vieg, Zoning Administrator Kimber Gutierrez, Associate Planner V.A.I. Attn: Robert Vermeltfoort, 8525 North Cedar Avenue #106, Fresno, CA 93720 Scott Howry 2701 Brighton Park Drive, Bakersfield, CA 93311

# **ATTACHMENTS:**

- A. Location/Notification Map
- B. Plat to Accompany Use Permit 17-19 (Surf Thru Esplanade)

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**Attachment B**