



DATE: June 15, 2018

File: UP 18-09

TO: ZONING ADMINISTRATOR

FROM: Shannon Costa, Assistant Planner 879-6807 shannon.costa@chicoca.gov

RE: Use Permit 18-09 (Skypark Drive-through)
2485 Notre Dame Boulevard, APN 002-210-041

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 18-09 (Skypark Drive-Through) based on the findings and subject to the recommended conditions of approval.

BACKGROUND

This is a request to authorize drive-through sales for one tenant of a new multi-tenant commercial building proposed at the Skypark Shopping Center, located at 2485 Notre Dame Boulevard, on the northeast corner of Notre Dame Boulevard and Skyway. The site is currently developed with a commercial restaurant building (Country Waffles) that would be demolished (see **Attachment A**, Notification Map).

The site is zoned CC (Community Commercial), and is designated Commercial Mixed Use by the City's General Plan Land Use Diagram. A use permit is required to authorize a new drive-through sales use in the CC zoning district pursuant to Chico Municipal Code (CMC) Section 19.44.020, Table 4-6. New drive-through uses must comply with City standards set forth under Chico Municipal Code (CMC) Section 19.76.070

The proposed building would be approximately 4,500 sq. ft. in size and would include space for two tenants (see **Attachment B**, Site Plan to Accompany Use Permit 18-09). The proposed building would utilize existing parking at the shopping center, with landscaping improvements as necessary. Detailed site improvements and architecture associated with the new building will be reviewed by the Architectural Review and Historic Preservation Board (ARHPB) at a future meeting.

DISCUSSION

As depicted on the site plan, the new drive-through window would be located on the north side of the building, along the Notre Dame Boulevard frontage, and the drive-through lane has stacking and maneuvering areas consistent with the City's requirements. The proposed landscape plan depicts the screening proposed for the drive-through lane and is provided as **Attachment C**. All vehicle circulation associated with the new use would be internal to the existing shopping center; no new access points with the public right-of-way are proposed. A cross-access parking agreement has been provided by the applicant.

The drive-through complies with all City standards, including sufficient room to queue at least six vehicles in the drive-through lane. As shown on the site plan, the drive-through lane has room for approximately eleven vehicles. To avoid circulation conflicts with the existing Starbucks drive-through on the adjacent parcel, increased safety features have been

included in the drive-through proposal that include a speed bump and stop sign to warn patrons of oncoming vehicles.

Proposed screening for the drive-through lane includes a hedge of existing privet shrubs to be maintained at 42-inches high and lily plants. New landscaping is proposed onsite, and additional shade trees and landscaping would be provided in the shared parking lot. The final design of the landscaping will be determined through review of the project by the ARHPB.

The proposed project would maintain compatibility with the surrounding commercial uses; located in the same shopping center directly south from the proposed project is Starbucks, which also includes a drive-through facility. Directly north of the project site is McDonalds, which recently underwent a façade remodel. The proposed use is consistent with the site's General Plan land use designation and several goals found in the General Plan's Economic Development Element. The use is also consistent with the City's desire for intensification and revitalization of commercial uses. Staff recommends approval of the use permit.

ENVIRONMENTAL REVIEW

This project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures). Consistent with this exemption, the project consists of the construction of a new commercial pad building less than 10,000 square feet in size, including drive-through food sales, not involving the use of significant amounts of hazardous substances, where all necessary public services are available, and the surrounding area is not environmentally sensitive habitat.

FINDINGS

Following a public hearing, the Zoning Administrator may approve a use permit application, with or without conditions, only if all of 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 allows drive-through sales in the CC zoning district, subject to use permit approval. This use permit has been processed in accordance with the requirements of Chapter 19.24.

- 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.*

The proposed use consists of the addition of drive-through sales to a new multi-tenant commercial building in the Skypark Shopping Center. All drive-through improvements will be constructed to City standards, which are intended to promote the health, safety, and general welfare of the public. No new access points will be created, so there will be no new sight distance hazards, and there is adequate vehicle

stacking so that emergency access to the site remains unobstructed. No impacts to the health, safety, or welfare of neighborhood residents have been identified.

- 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 the addition of drive-through sales for one tenant of a new multi-tenant commercial building in the Skypark Shopping Center. No new heavy truck traffic which could damage existing public roads is proposed, and 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 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 drive-through sales use is consistent with the Commercial Mixed-Use designation for the site, which accommodates a wide variety of retail uses, including those which are auto-oriented (such as drive-through uses). Approval of the project is also consistent with General Plan goals and policies to enhance Chico's long-term prosperity (ED-1), ensure that regulations and permitting processes for the conduct of commerce do not unreasonably inhibit local business activity (ED-1.3), and promote land use compatibility through use restrictions and development standards (LU-2.4). No specific, area, or neighborhood plans apply to the project.

- 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 use consists of the addition of drive-through sales for one tenant of a new multi-tenant commercial building in the Skypark Shopping Center. The use is located at the general intersection of two arterial roadways (Skyway and Notre Dame Boulevard) and is compatible with existing retail development within the shopping center and on nearby properties. Compliance with the City's drive-through regulations will ensure compatibility with surrounding land uses. The new structure, landscaping, and site improvements are subject to architectural review, and must be found consistent with the City's adopted Design Guidelines Manual.

CONDITIONS OF PROJECT APPROVAL

1. Use Permit 18-09 authorizes drive-through sales for one suite of a new commercial building at the Skypark Shopping Center, in substantial accord with the "Site Plan to Accompany Use Permit 18-09 (Skypark Drive-through)" 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, as established in CMC 19.18. Staff is authorized to administratively approve modifications to the site plan to effect direction or conditions of approval imposed through the architectural review process.

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. At the time of the staff report being published, no comments have been received from the public.

DISTRIBUTION:

Internal (2)

Bruce Ambo, Principle Planner

Shannon Costa, Assistant Planner

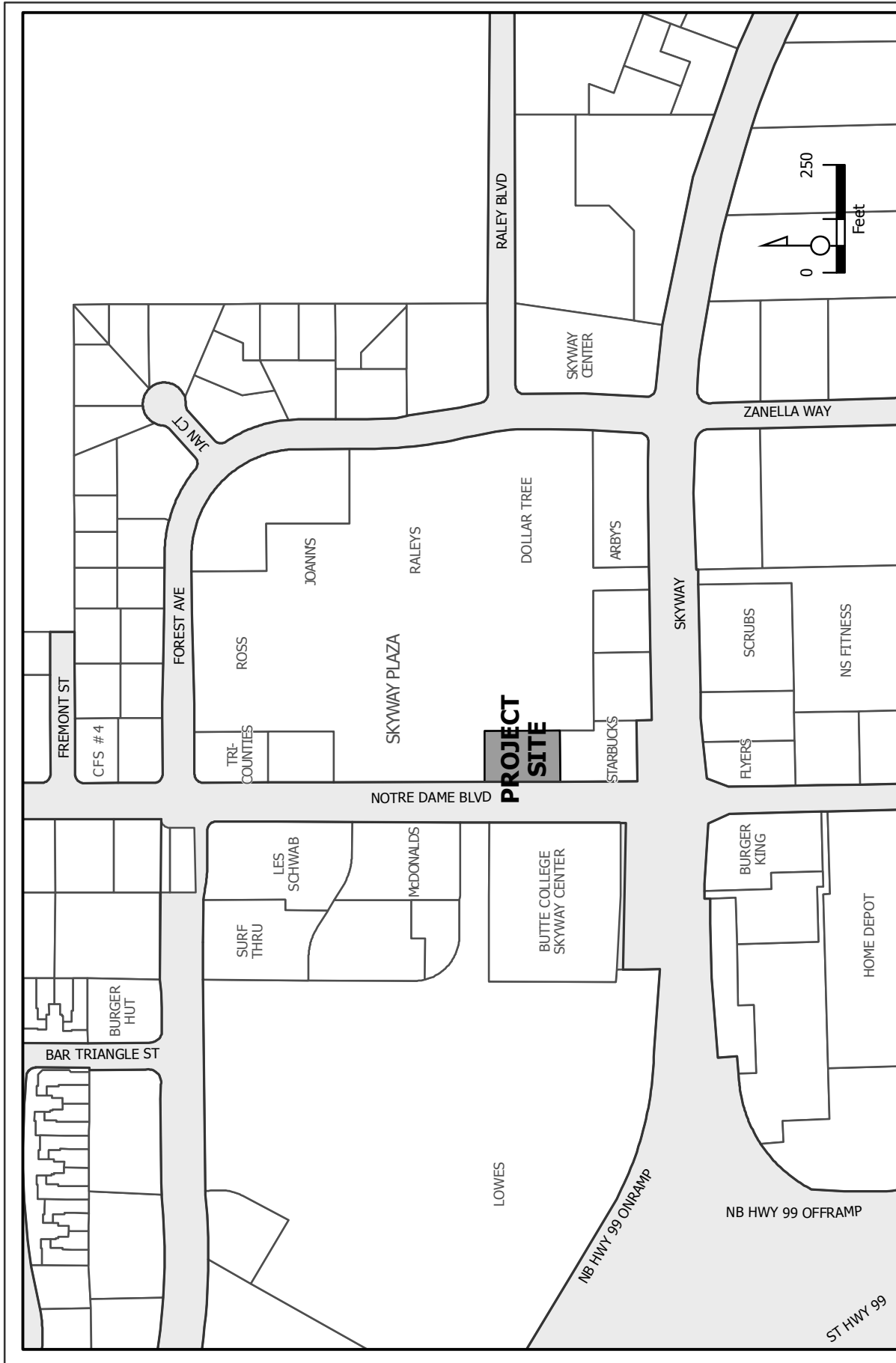
External (2)

Scott Gibson, 2540 Zanella Way, suite 60, Chico, CA 95928 scottg@sgarchitect.net

Carwood Skypark LLC, Attn. Jim Slaughter, 200 E. Carillo Street, Suite 200, Santa Barbara, Ca 93101

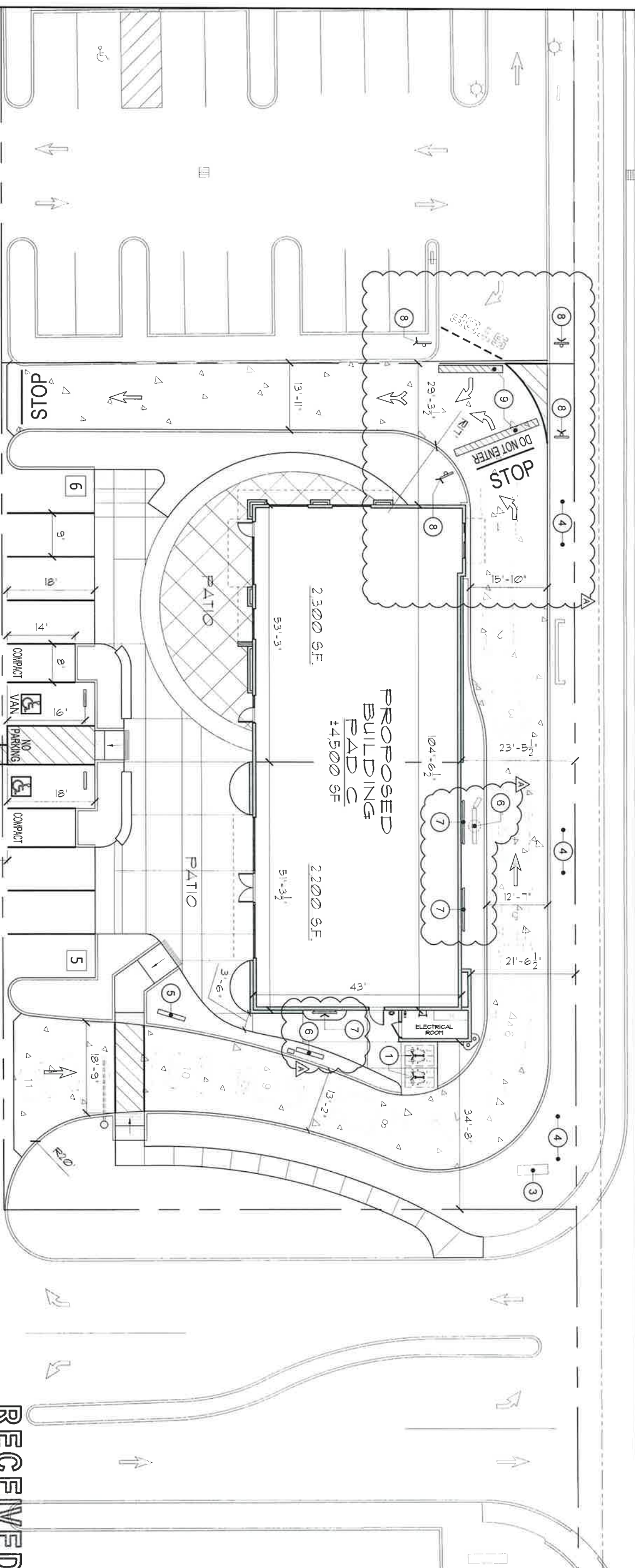
ATTACHMENTS:

- A. Location/Notification Map
- B. Site Plan to Accompany Use Permit 18-09 (Skypark Plaza Drive Through)
- C. Landscape Plans



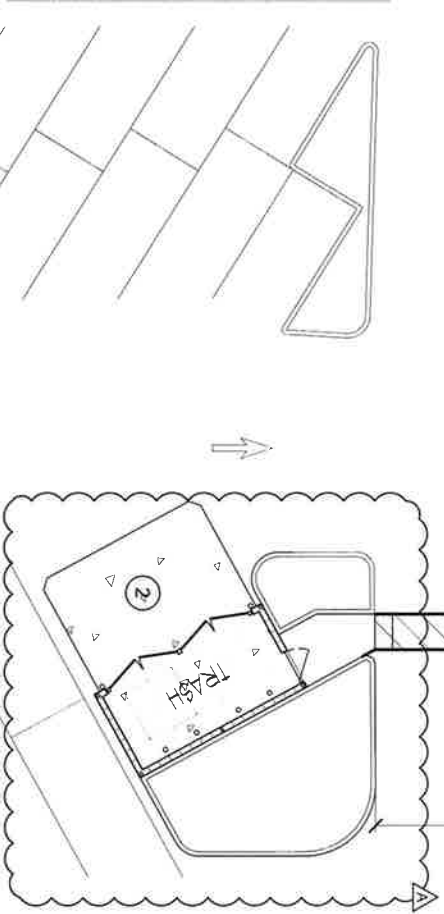
UP 18-09 (Gibson Architect, Inc)
 2485 Notre Dame Boulevard #800
 APN 002-210-041-000

NOTRE DAME BLVD.



KEYED NOTES

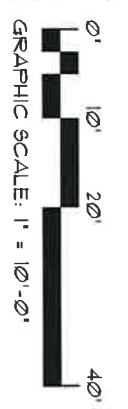
- 1 BICYCLE RACKS
REFER TO M1 FOR RACK DETAILS
- 2 TRASH ENCLOSURE W/ROOF
- REFER TO 1/A3 FOR DETAILS
- 3 EXISTING MONUMENT SIGN
- REFER TO 2/A3
- 4 REFER TO LANDSCAPING PLAN FOR (E) HEDGE SCREENING
- 5 DRIVE THRU PRE-ORDER BOARD
- 6 MENU BOARD WITH ORDER SCREEN
- 7 WALL MOUNTED GREEN SCREEN METAL TRELLIS
- 8 STOP SIGNAGE
- 9 SPEED BUMP



RECEIVED

MAY 29 2018

CITY OF CHICO
 PLANNING SERVICES



Proposed Site Plan - Pad C
 SCALE: 1" = 10'-0"

SCA ARCHITECT
 SCOTT GIBSON ARCHITECT, INC.
 2540 ZANELLA WAY, SUITE #80
 CHICO, CA 95928
 P: 530 / 343-7537 F: 530 / 343-2447

REVISIONS

REV DATE	REV DATE
05/22/2018	

SKYPARK PLAZA
 FUTURE PAD C
 2485 NOTRE DAME BLVD.
 CHICO CALIFORNIA 95928

PROPOSED
 SITE PLAN
 PAD C

DATE: 04/25/2018
 JOB NO. 17-074

A2