



DATE: May 13, 2022

File: MOD 22-01 to UP 19-01

TO: ZONING ADMINISTRATOR

FROM: Tina Wilson, Associate Planner 879-6807 tina.wilson@chicoca.gov

RE: Modification 22-01 to Use Permit 19-01 (Pad B-2 Drive-Through at Skypark Plaza)
2485 Notre Dame Boulevard, Suite 800, APN 002-210-041

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from further environmental review and approve Modification 22-01 to Use Permit 19-01 (Pad B-2 Drive-Through at Skypark Plaza) based on the findings and subject to the recommended conditions of approval.

BACKGROUND

This is a request to modify the configuration of the drive-through for one-tenant of a two-tenant building, previously authorized for drive-through sales by the approval of Use Permit 19-01. The site is located within the Skypark Plaza Shopping Center on the northeast corner of the intersection of Notre Dame Boulevard and Skyway (see **Attachment A**, Notification Map). The project site is located within an existing parking area between two points of ingress/egress from Notre Dame Boulevard to the Skypark Plaza Shopping Center.

The site is designated Commercial Mixed Use on the City's General Plan Land Use Diagram and is zoned CC (Community Commercial). 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.

At its February 26, 2019 meeting, the Zoning Administrator approved a use permit (UP 19-01) authorizing drive-through sales for the same project at the same location with a different configuration. The applicant has since decided not to move forward with the previous approval and is seeking approval of a modification of that approval for the proposed drive-through configuration (see **Attachment B**, Site Plan to Accompany Modification 22-01 to Use Permit 19-01, Sheets A1 and A2).

Similarly, at its June 26, 2018 meeting, the Zoning Administrator approved a use permit (UP 18-09) authorizing drive-through sales for the same project on a different parcel within the same shopping center. Like the subsequent approval, the applicant also decided not to move forward with that previous approval.

The proposed building would be approximately 4,400 sq. ft. in size and would include space for two tenants of which one would feature a drive-through facility. Site improvements and architecture associated with the proposed project have been reviewed and approved by Planning staff.

As depicted on the site plan, the new drive-through window would be located on the south side of the building. The drive-through lane provides sufficient room to accommodate seven

vehicles in advance of the service window, 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 within the new use would be internal to the existing shopping center and no new access points with the public right-of-way are proposed. Ample parking would be provided within the shopping center to serve the proposed project.

DISCUSSION

The drive-through complies with all City standards, including sufficient room to queue at least seven vehicles in the drive-through lane. As shown on the site plan, the drive-through lane has room for approximately 10 vehicles total. Proposed screening for the drive-through lane includes layers of trees and hedges between the shopping center entrance and the drive-through lane. New landscaping is proposed onsite, and additional shade trees and landscaping would be provided in the parking lot.

The proposed project would maintain compatibility with the surrounding commercial uses. Located in the same shopping center is Starbucks, which also includes a drive-through facility. 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 modification to the use permit.

ENVIRONMENTAL REVIEW

This project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15303(e) (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 operating characteristics are compatible with the 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. Modification 22-01 to Use Permit 19-01 authorizes drive-through sales for one suite of a new commercial building at the Skypark Plaza Shopping Center, in substantial accord with the "Site Plan to Accompany Modification 22-01 to Use Permit 19-01 (Pad B-2 Drive-Through at Skypark Plaza), Sheets A1 and A2" 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.

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 (3)

Mike Sawley, Zoning Administrator
Bruce Ambo, Principal Planner
Tina Wilson, Associate Planner

External (3)

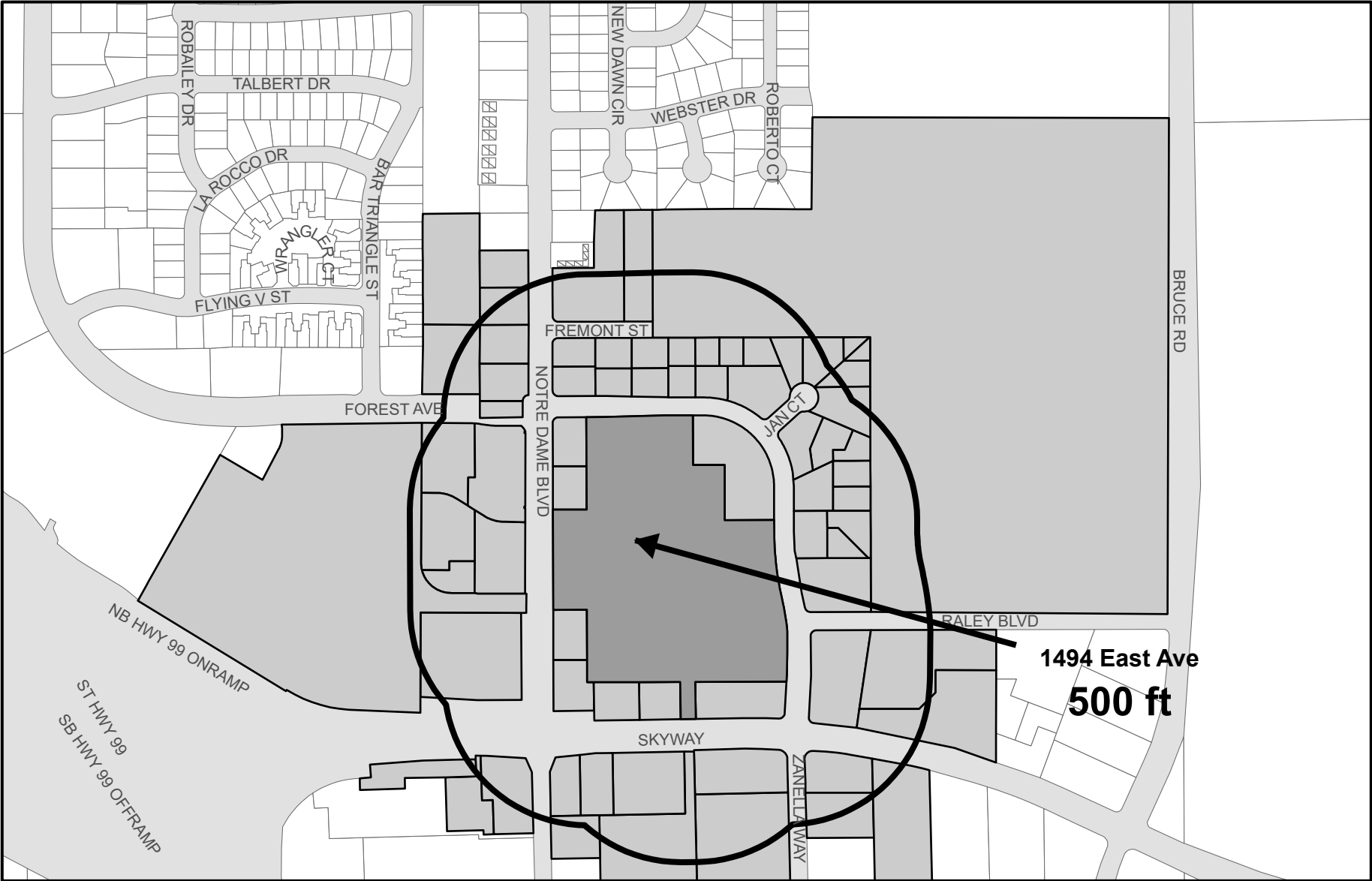
Scott Gibson, 9575 Red Rock Road, Reno, NV 89508; Email: scottg@sgarchitect.net

Brian Pemberton; Email: brianp@sgarchitect.net

Carwood Skypark LLC, Attn: Jim Slaughter, 200 E. Carillo Street, Suite 200, Santa Barbara, Ca 93101; Email: jim@granitepeakrea.com

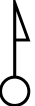
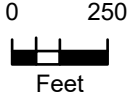
ATTACHMENTS:

- A. Location/Notification Map
- B. Site Plan to Accompany Modification 22-01 to Use Permit 19-01 (Pad B-2 Drive-Through at Skypark Plaza), Sheets A1 and A2
- C. Landscape Plan



ZA (Pad B-2 Drive-Through at Skypark Plaza)
 2485 Notre Dame
 APN: 002-210-041-000

- Noticed Parcels
- Noticed Addresses



SUMMARY:

SITE DATA

SITE AREA: 19 ACRES
 TOTAL LEASABLE AREA: 197,012 SF

BLDG AREA (SF):

EXISTING RALEYS BUILDING	61,046 SF
EXISTING BUILDING 1	17,000 SF
EXISTING BUILDING 2 & 3	18,632 SF
EXISTING BUILDING 4-5	20,664 SF
EXISTING BUILDING 6	4,746 SF
EXISTING BUILDING 7	8,054 SF
EXISTING BUILDING 8	29,240 SF
EXISTING PAD A	5,091 SF
EXISTING PAD B1	5,280 SF
FUTURE PAD B2	4,400 SF
EXISTING PAD C	4,300 SF
EXISTING PAD D	5,520 SF
EXISTING PAD E1	5,674 SF
EXISTING PAD E2	2,965 SF
EXISTING PAD F1	2,800 SF
EXISTING PAD F2	1,600 SF
FUTURE ATM	200 SF
TOTAL	197,212 SF

PARKING DATA

PARKING PROVIDED:	
- STANDARD	890
- ACCESSIBLE	
REGULAR ACCESSIBLE STALLS	21
VAN ACCESSIBLE STALLS	12
- CLEAN AIR / VANPOOL / EV SPACES:	0
TOTAL PARKING PROVIDED:	948 STALLS

KEYED NOTES

- ① EXISTING BICYCLE RACKS
- ② EXISTING RALEY'S DESIGNATED CUSTOMER PICK UP, DISPLAY AND GRILLING AREA
- ③ EXISTING RALEY'S RECYCLING CENTER AREA / OUTSIDE STORAGE
- ④ FUTURE ATM PAD (NOT A PART OF THIS PROJECT)
- ⑤ EXISTING PYLON SIGN TO BE REMOVED
- ⑥ FUTURE NEW MONUMENT SIGN TO REPLACE PYLON SIGN.
- ⑦ EXISTING PYLON SIGN TO REMAIN
- ⑧ FUTURE COVERED TRASH ENCLOSURE
- ⑨ FUTURE DEVELOPMENT AREA (NOT INCLUDED IN BUILDING AREA DATA)

Note: All exterior signage will be by a separate permit.

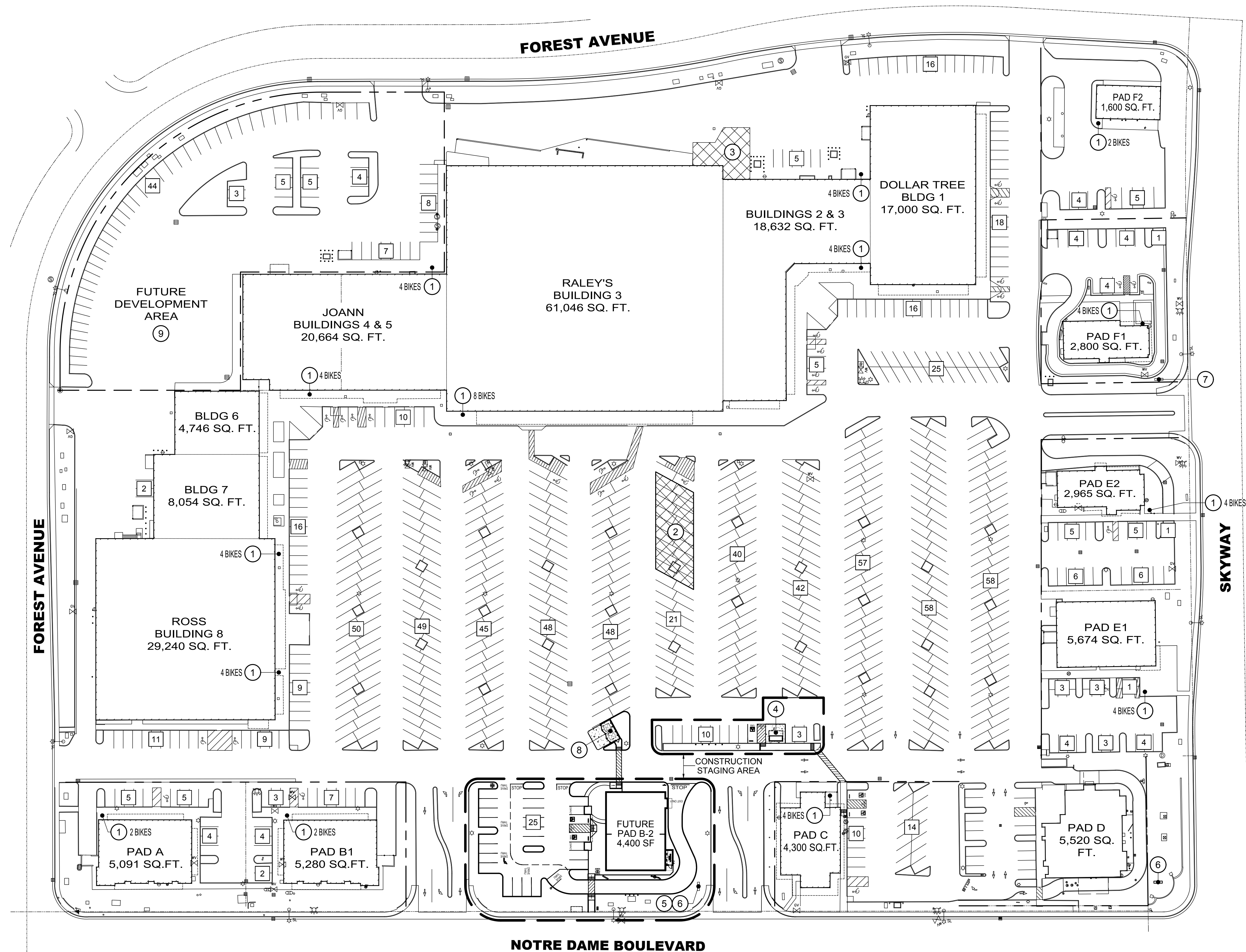
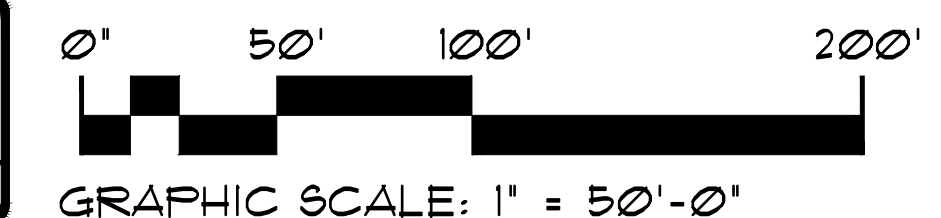
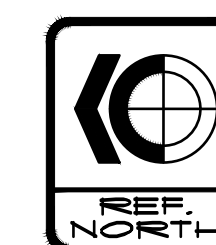


EXHIBIT A
 Site Plan



Reference Site Plan - Skypark Plaza

SCALE: 1" = 50'-0"

REVISIONS

REV DATE:	
REV DATE:	
REV DATE:	
REV DATE:	
REV DATE:	
REV DATE:	
REV DATE:	
REV DATE:	
REV DATE:	
REV DATE:	

SKYPARK PLAZA
 FUTURE PAD B2
 2485 NOTRE DAME BLVD.
 CHICO CALIFORNIA 95928

REFERENCE
 SITE PLAN

DATE: 01/05/2022

JOB NO. 19.074

A1

KEYED NOTES

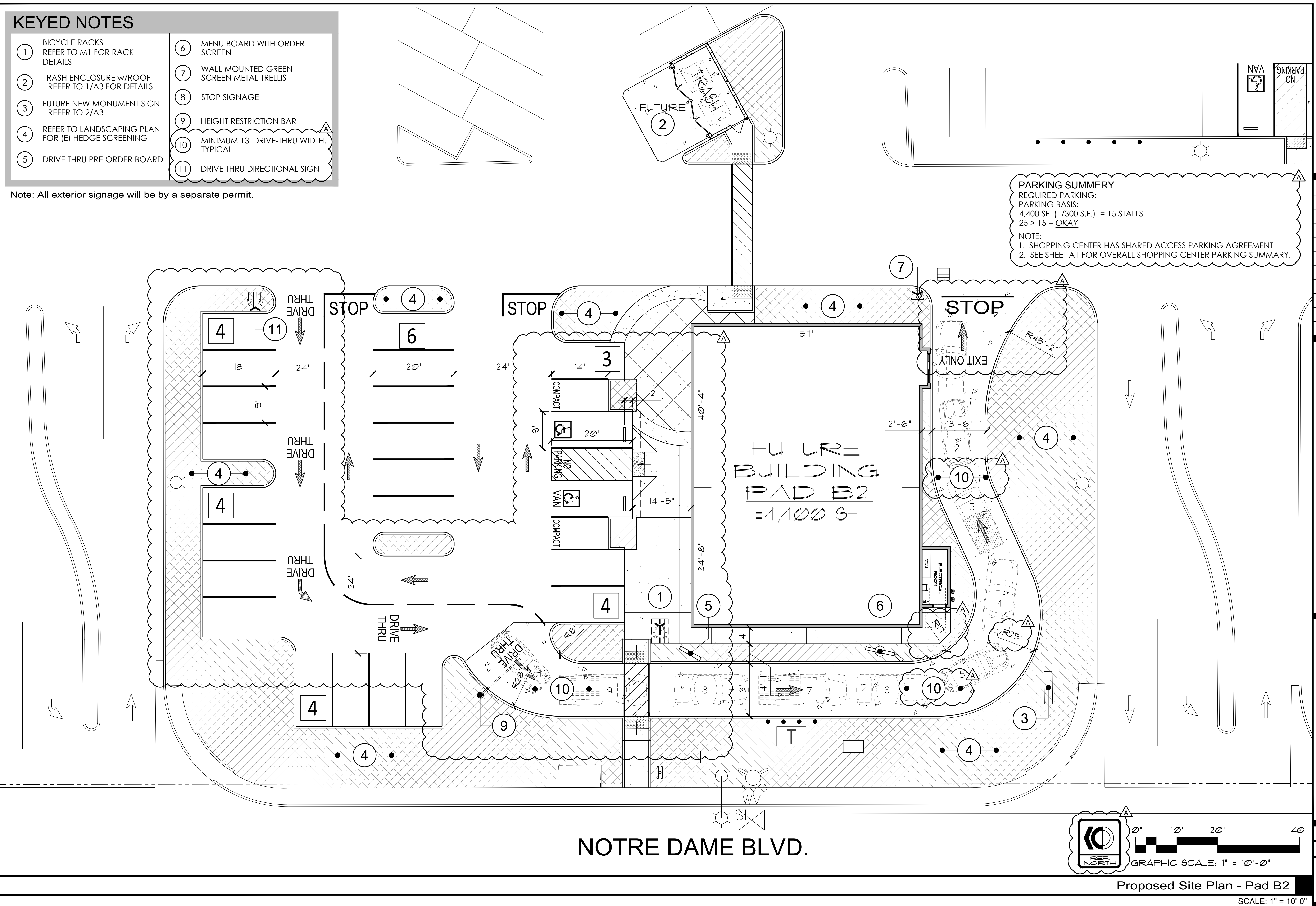
- 1 BICYCLE RACKS
REFER TO M1 FOR RACK DETAILS
- 2 TRASH ENCLOSURE w/ROOF
- REFER TO 1/A3 FOR DETAILS
- 3 FUTURE NEW MONUMENT SIGN
- REFER TO 2/A3
- 4 REFER TO LANDSCAPING PLAN FOR (E) HEDGE SCREENING
- 5 DRIVE THRU PRE-ORDER BOARD
- 6 MENU BOARD WITH ORDER SCREEN
- 7 WALL MOUNTED GREEN SCREEN METAL TRELLIS
- 8 STOP SIGNAGE
- 9 HEIGHT RESTRICTION BAR
- 10 MINIMUM 13' DRIVE-THRU WIDTH, TYPICAL
- 11 DRIVE THRU DIRECTIONAL SIGN

Note: All exterior signage will be by a separate permit.

REVISIONS

REV DATE:	REV DATE:
A 03/14/2022	

PARKING SUMMARY
REQUIRED PARKING:
PARKING BASIS:
4,400 SF (1/300 S.F.) = 15 STALLS
25 > 15 = OKAY
NOTE:
1. SHOPPING CENTER HAS SHARED ACCESS PARKING AGREEMENT
2. SEE SHEET A1 FOR OVERALL SHOPPING CENTER PARKING SUMMARY.



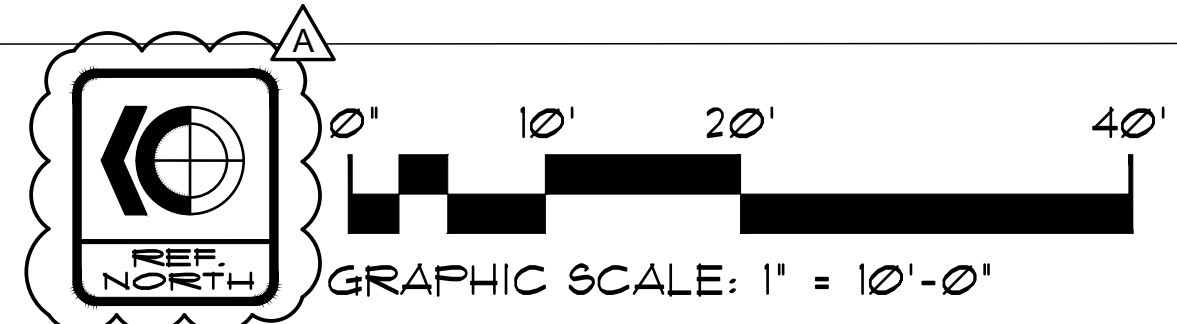
SKYPARK PLAZA
FUTURE PAD B2
2485 NOTRE DAME BLVD.
CHICO CALIFORNIA 95928

PROPOSED
ENLARGED SITE
PLAN

DATE: 01/05/2022
JOB NO. 19.074

A2

NOTRE DAME BLVD.

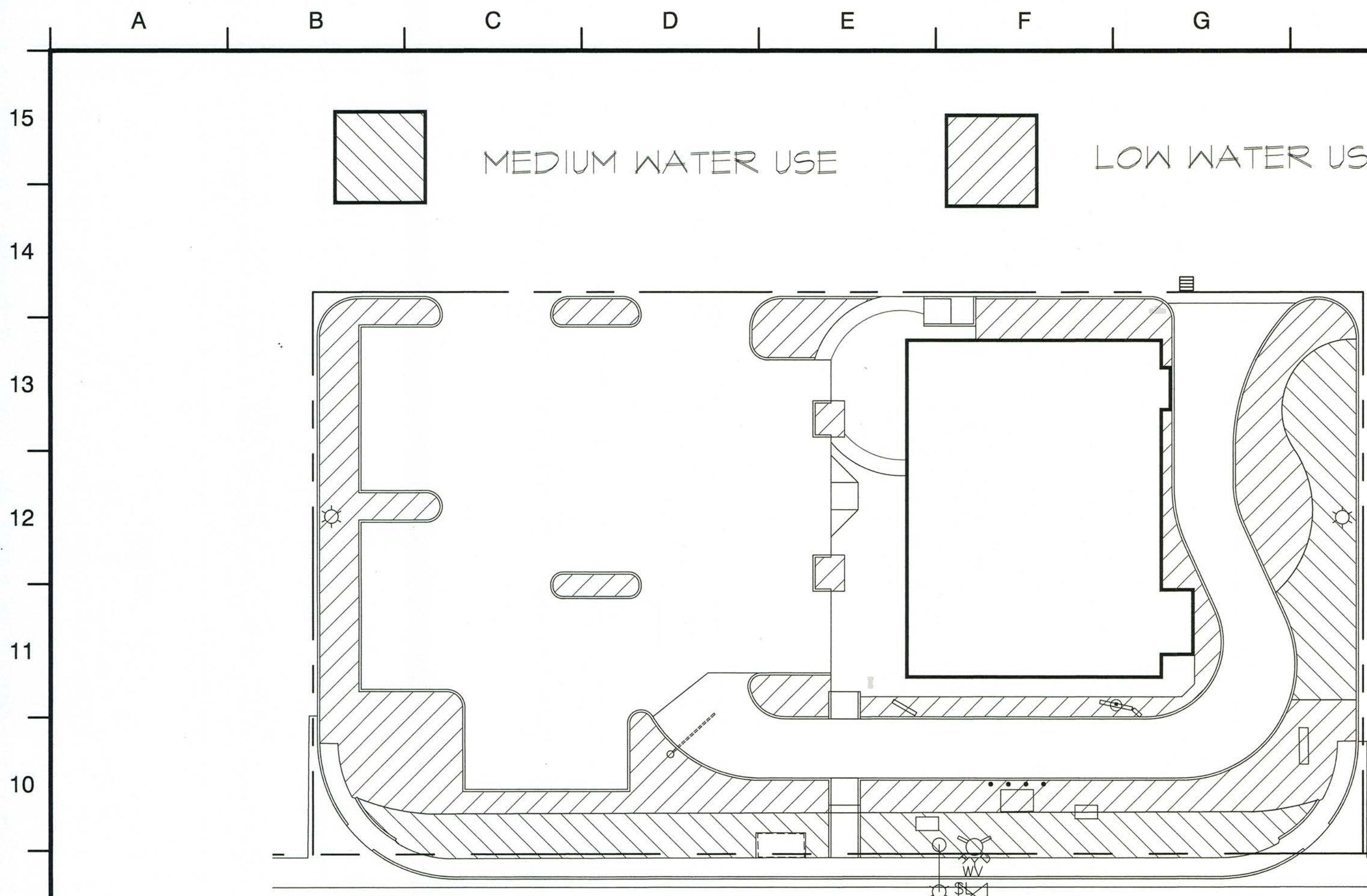


Proposed Site Plan - Pad B2

SCALE: 1" = 10'-0"

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A/9 HYDROZONE MAP
SCALE 1" = 20'0"

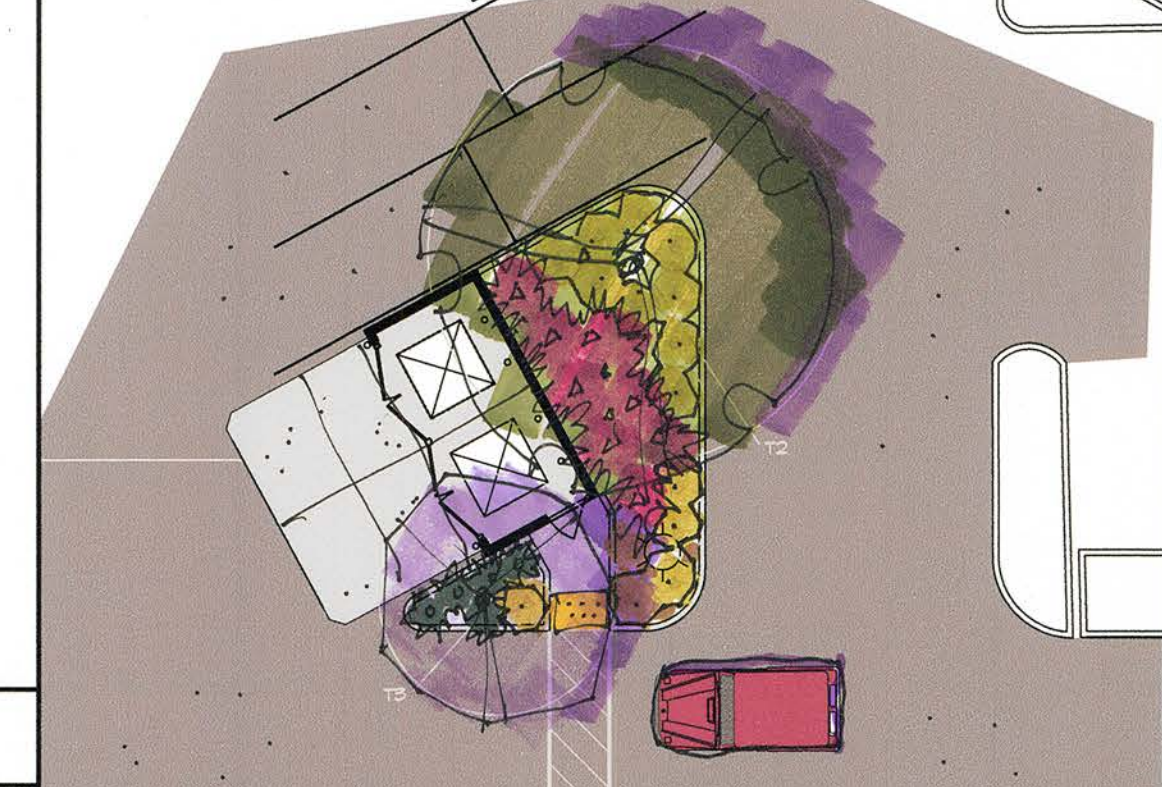
LANDSCAPE AREA $\frac{8646}{27,853 \text{ SF}}$ = 31% LANDSCAPING

K/14 LANDSCAPE RATIO

SPECIES	% SHADE	QTY.	SHADE AREA	TOTALS
CREPE MYRTLE	50%	2	187 SF	314 SF
BRADFORD PEAR	50%	5	480 SF	2400 SF
BRADFORD PEAR	25%	3	240 SF	120 SF
CHINESE PISTACHE	100%	2	462 SF	1824 SF
CHINESE PISTACHE	75%	3	722 SF	2166 SF
CHINESE PISTACHE	50%	2	481 SF	962 SF
TOTAL SHADE AREA				8486 SF
PARKING LOT SHADE				8486 SF
TOTAL ON SITE PARKING LOT AREA				12178 SF = 70% PARKING LOT SHADE

K/12 SHADING CALCS.

SCALE N/A



MAXIMUM APPLIED WATER ALLOWANCE
 $MAWA = (Eto - Eppt)(0.62) [(0.45 \times LA) + (1.0 - 0.45) \times SLA]$
 where:
 MAWA = MAXIMUM APPLIED WATER ALLOWANCE
 Eto = REFERENCE EVAPOTRANSPIRATION 51.70
 Eppt = EFFECTIVE PRECIPITATION 25% OF ANNUAL RAINFALL 12.93
 0.62 = CONVERSION FACTOR TO GALLONS PER SQUARE FOOT 0.62
 0.1 = ET ADJUSTMENT FACTOR 0.45
 LA = LANDSCAPE AREA INCLUDES SPECIAL LANDSCAPE AREA 8641
 0.3 = ADDITIONAL ADJUSTMENT FACTOR FOR SLA 0.3
 SLA = SPECIAL LANDSCAPE AREA 0

ESTIMATED TOTAL WATER USE
 $ETNU = (Eto - Eppt)(0.62) [(PF \times HA) / (IE) + SLA]$
 where:
 ETNU = ESTIMATED TOTAL WATER USE
 Eto = REFERENCE EVAPOTRANSPIRATION 51.70
 Eppt = PLANT FACTOR LOW 2
 PF = PLANT FACTOR MEDIUM 5
 HA = HYDROZONE AREA MEDIUM SPRAY 2,085
 HA = HYDROZONE AREA MEDIUM DRIP 1,025
 HA = HYDROZONE AREA LOW DRIP 5,534
 SLA = SPECIAL LANDSCAPE AREA 0
 0.62 = CONVERSION FACTOR TO GALLONS PER SQUARE FOOT 0.62
 IE = IRRIGATION EFFICIENCY OVERHEAD SPRAY 0.15
 IE = IRRIGATION EFFICIENCY UNDERGROUND DRIP 0.81

MAWA = 119,544 GALLONS PER YEAR
 ETNU = 98,842 GALLONS PER YEAR

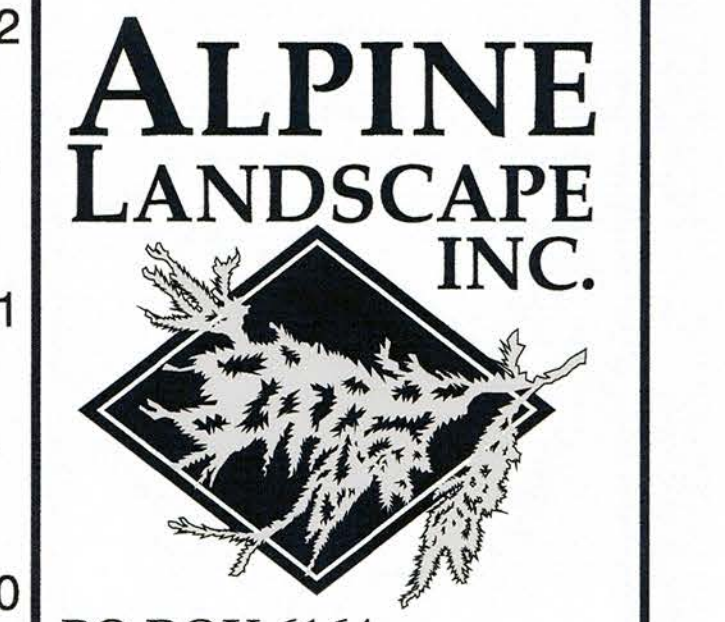
PLANT FACTOR	WATER USE TYPE	PLANT FACTOR	AREA	PF X AREA
HYDROZONE	MEDIUM	5	2,085	13,504
TURF DRIP	MEDIUM	5	1,025	633
PLANTS DRIP	LOW	2	5,534	1,368
TOTALS			8,641	5,384

SCALE N/A

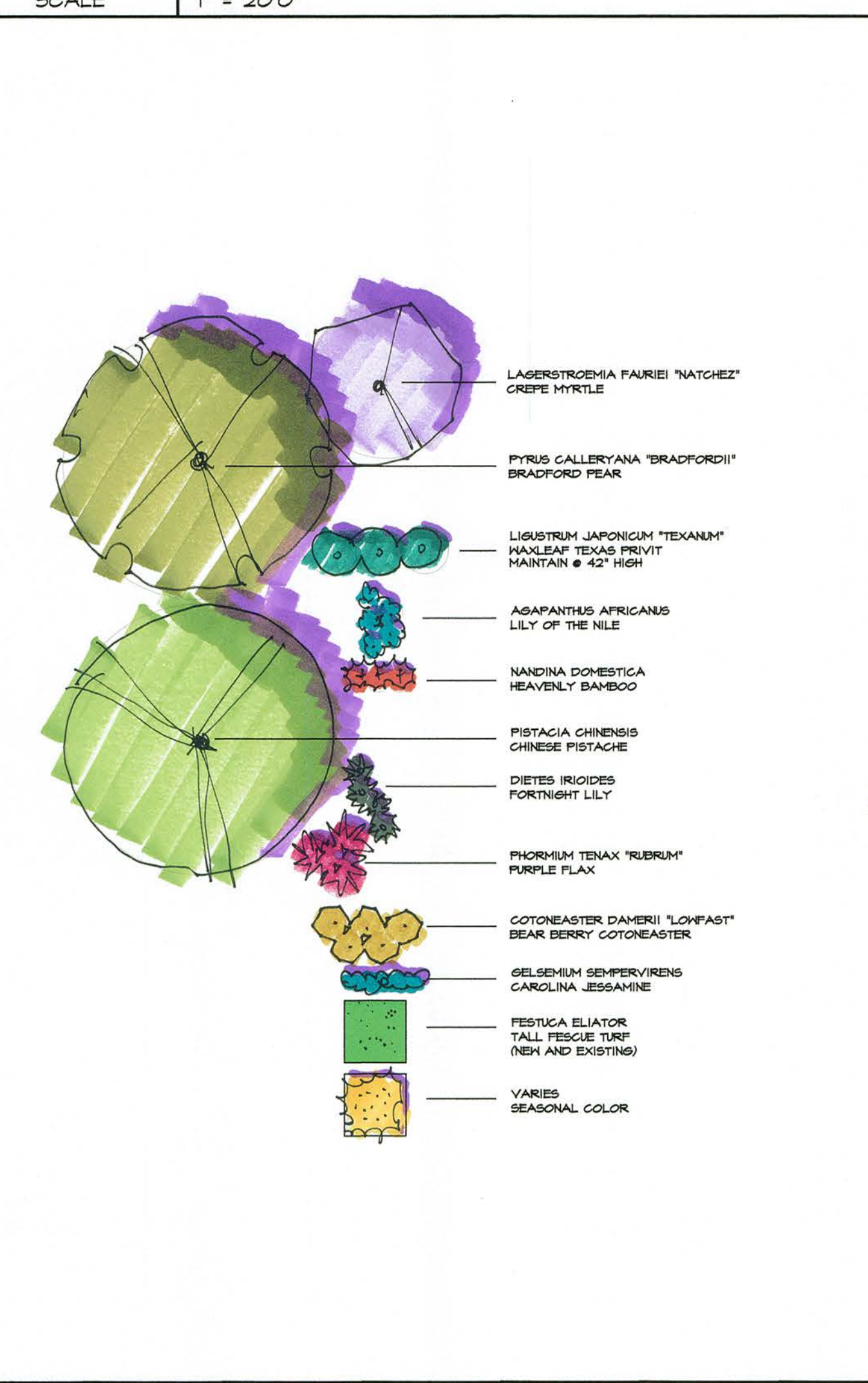
N/9 WATER USE CALCS
SCALE N/A

REVISIONS	DATE
1 (E) TREES	1/13/21

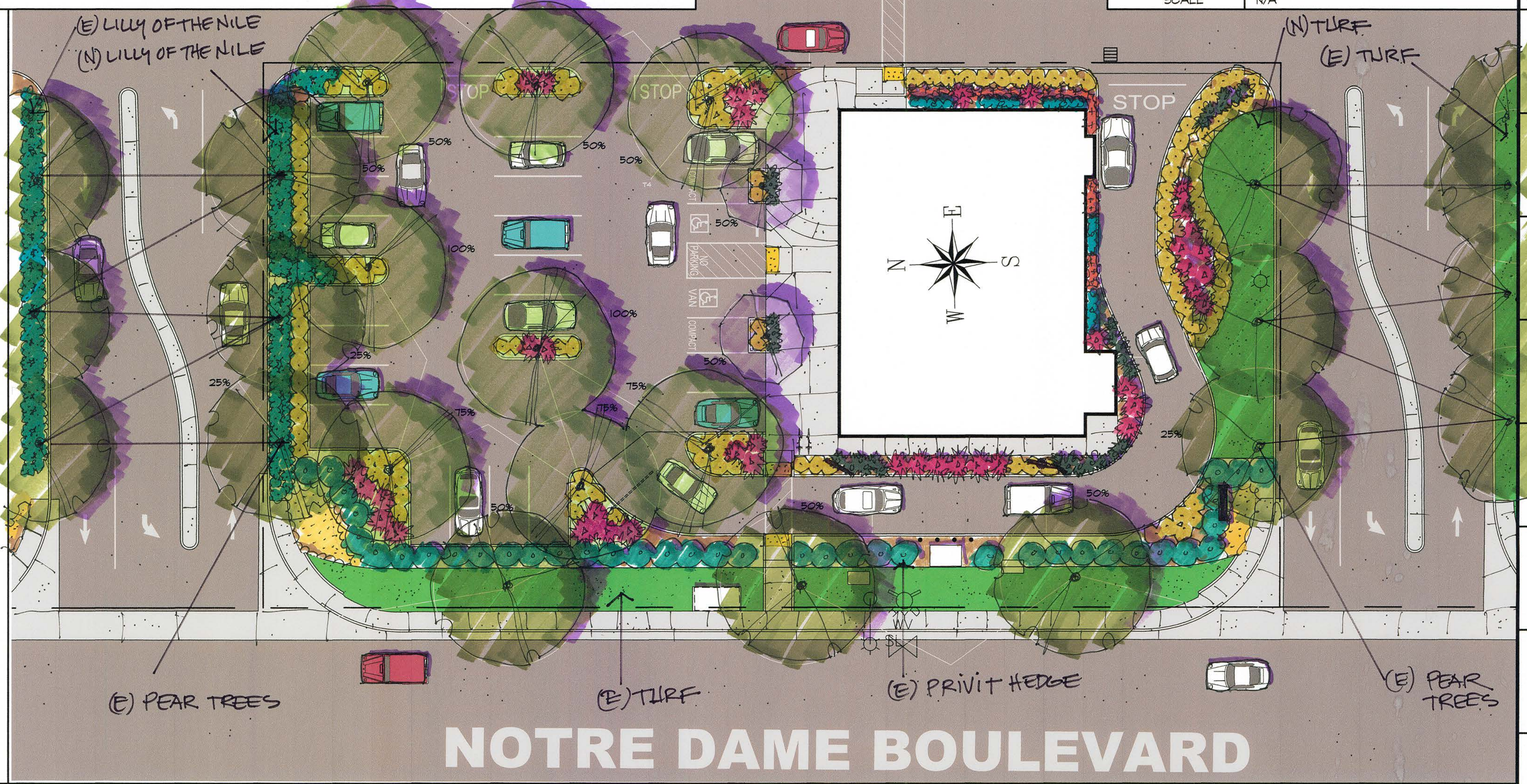
All drawings and written material appearing herein constitute the original and unpublished work of the Landscape Architect and the same may not be duplicated, used, or disclosed without the written consent of the Landscape Architect.



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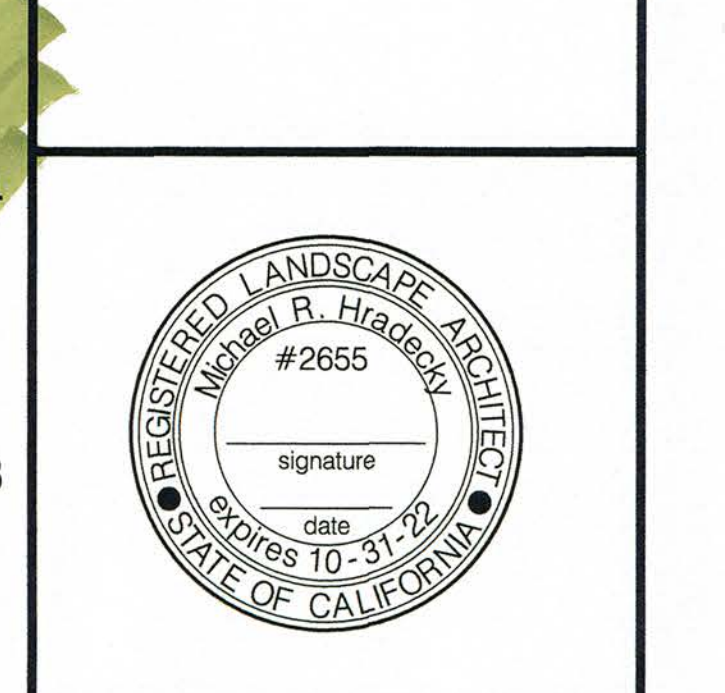
A/1 PLANTING LEGEND
SCALE 1" = 16'0"



E/1 CONCEPTUAL LANDSCAPE PLAN
SCALE 1" = 16'0"

PROJECT NAME
SKYPARK PLAZA
FUTURE PAD "D"
 2485 NOTRE DAME BLVD.
 CHICO, CA 95928

SHEET TITLE
CONCEPTUAL LANDSCAPE PLAN



DRAWN BY MRH	SCALE NOTED
CHECKED BY MRH	DATE 12/13/21
SHEET NO. L 1 of 1	