

APPROVED

City of Citrus Heights Planning Commission Meeting Minutes

February 28, 2018

1. CALL MEETING TO ORDER

Chair Blair called the meeting to order at 7:00 PM.

2. ROLL CALL

Commission

Present: Blair, Duncan, Lagomarsino, Middleton, Schaefer, Weiland

Absent: Cox

Staff Present: Bermudez, Blomquist, Flores, McDuffee, Ramsay, Taniguchi

3. FLAG SALUTE

Commissioner Duncan led the flag salute.

4. PUBLIC COMMENT

None

5. CONSENT CALENDAR

Motion to approve the minutes for January 24, 2018 as submitted.

M/S: Lagomarsino/Duncan

AYES: 6 (Blair, Duncan, Lagomarsino, Middleton, Schaefer, Weiland)

ABSENT: 1 (Cox)

6. PUBLIC HEARING

A. CA QUICK SLICE – 7766 AUBURN BLVD: Project Planner Bermudez presented a request for approval of a Use Permit and Design Review Permit Modification for a new drive-thru restaurant and noted that condition of approval number 5 for the Use Permit has been revised. The project is categorically exempt under CEQA.

There was Planning Commission and staff discussion.

Chair Blair opened the public hearing.

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Applicant Michael Gates said that there will be 9 parking stalls on site and the landscape requirements are being met. Mr. Gates asked the Commission if they have any questions.

Chair Blair asked why a pizza business would open at 6:00 AM. Mr. Gates said that they will be serving a breakfast pizza.

Chair Blair closed the public hearing.

Commission Comments

Commissioner Schaefer spoke in opposition to the project and said that he would not want to eat at a former gas station.

Commissioner Duncan spoke in support of the project and said it would clean up that corner.

Commissioner Middleton spoke in support of the project and said it is exciting but she does have some concerns regarding parking.

Commissioner Weiland spoke in support of the project and said it is a good fit for Auburn Boulevard.

Vice Chair Lagomarsino spoke in support of the project and said that it will be a great improvement to that corner and it is a good fit.

Chair Blair spoke in support of the project and said it is a good fit and he doesn't think parking will be a concern.

Commissioner Schaefer voiced concern regarding the outdoor covered area in that it might attract homeless people.

Applicant Michael Gates said that they will have a fence and a gate and will work closely with the Police Department to keep the homeless problem down.

Chair Blair called for a motion.

- A.** Motion to find that the project is Categorical Exempt from CEQA per Section 15303(c) (Conversion of Small Structures) of the California Environmental Quality Act.
- B.** Motion to approve a Use Permit and Design Review Permit Modification to allow the reuse of a former gas station for a restaurant with drive-through service located at 7766 Auburn Boulevard subject to the findings and conditions of approval

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contained in this report with revised Use Permit Condition of approval number 5.

M/S: Lagomarsino/Weiland
AYES: 5 (Blair, Duncan, Lagomarsino, Middleton, Weiland)
NOES: 1 (Schaefer)
ABSENT: 1 (Cox)

FINDINGS FOR APPROVAL- Use Permit

- *The restaurant with drive-through service is consistent with the General Plan, Auburn Boulevard Specific Plan, Municipal Code, and the Zoning Ordinance and the project assists the City in reaching goals outlined in the General Plan including revitalization of corridors as economically viable and physically attractive;*
- *The design, location, size, and operating characteristics of the restaurant with drive-through service is compatible with the existing and future land uses in the vicinity appropriate to and compatible with the site surroundings and the community;*
- *The site is physically suitable for restaurant with drive-through service including access, utilities, and is absent of physical constraints;*
- *The restaurant with drive-through service provides safe and efficient public access and circulation;*
- *The proposed facility complies with all applicable design standards in Chapter 106.31 of the Zoning Code, and/or other applicable City design guidelines and policies; and*
- *Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the project is located.*

FINDINGS FOR APPROVAL- Design Review Permit Modification

- *The project is consistent with the General Plan, Auburn Boulevard Specific Plan;*
- *The project complies with the Zoning Code;*
- *The project's architectural design and building massing and scale are appropriate to and compatible with the site surroundings and the community;*

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- *The project provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.;*
- *The project complies with all applicable design standards in Chapter 106.31 and/or other applicable City design guidelines and policies;*
- *The project provides safe and efficient public access, circulation and parking, including bicycle and pedestrian accommodations where appropriate; and*
- *The project provides open space and landscaping, including the use of water efficient landscaping.*

CONDITIONS OF APPROVAL - USE PERMIT

- 1) The applicant shall comply with all City of Citrus Heights Codes and Regulations, including but not limited to the Citrus Heights Municipal Code and Zoning Code, California Building Standards Code and Fire Code (Cal. Code Regs., Title 24, and Sacramento County Environmental Health Department standards. [Planning]
- 2) This approval will expire in two (2) years (2/28/2020) after the date of its initial approval, unless a building permit has been issued for the work described in the Design Review Permit Modification. The Director may extend the term of approval for one additional year. [Planning]
- 3) The communication ordering system for the drive-through shall have an automatic volume control so the volume of the speaker fluctuates based upon the ambient noise levels. At no time shall the noise exceed the levels allowed by the City's Noise Regulations. [Police and Planning]
- 4) Shall the applicant decide to extend the hours of operation beyond 6:00 am to 11:00 pm, the applicant meet with and receive approval from the Planning Division and the Police Department. [Police and Planning]
- 5) Shall any nuisances arise at the site from the late night hours, loitering or other health and safety issues, the applicant shall provide security measure(s) onsite acceptable to the Community Services Director and Chief of Police. If after reasonable notice and an opportunity to correct those problems, any public nuisances remain onsite, including any health and safety issues, the City can impose reduced operational hours or require a security company to provide onsite security during hours of concern. [Police and Planning]
- 6) Any violations of the conditions of approval could result in the revocation or modification of the Use Permit and/or the imposition of fines and penalties as allowed under Code. [Planning]

- 7) This Use Permit shall run with the land through any change of ownership of the subject site and all conditions of approval shall continue to apply after a change in ownership. [Planning]

CONDITIONS OF APPROVAL – DESIGN REVIEW PERMIT MODIFICATION

- 1) To remain in compliance with the parking requirements, the interior floor plan shall include a waiting area not exceed 400 square feet. [Planning]
- 2) The Design Review Permit Modification Permit allows for the installation of a 200 square foot mural on the west exterior side of the building. The mural may contain images of food and like items but may not contain any verbiage or business logos.
- 3) Mechanical equipment shall be screened by the building parapet. No rooftop equipment may be visible from the surrounding right of way. [Planning]
- 4) The applicant shall submit final landscaping and irrigation plans for the project site prior to issuance of any building permits. [Planning]
- 5) The site plan shall be revised to include the installation of a minimum of one bicycle rack conveniently placed as close to the front entrance as feasibly possible. [Planning]
- 6) The outdoor dining area shall be outfitted with weather resistant commercial grade furniture (tables, chairs, trash receptacles) that is complementary to the streetscape of Auburn Boulevard. The Planning Division shall provide final approval of the type and design of the furniture. [Planning]
- 7) The new outdoor lighting fixtures shall be complementary to the streetscape of Auburn Boulevard and in compliance with Section 106.30.070 of the Zoning Code. The Planning Division shall provide final approval of the type and design of the fixtures. [Planning]
- 8) This Design Review Permit approval does not include any signs. All signs must comply with the sign requirements and receive a separate permit. [Planning]
- 9) All applicable utility agencies will need to review the construction/utility plans, to determine whether there are any underground utility conflicts.[Planning]
- 10)The existing building is currently connected to public sewer. Sewer service shall continue to be provided by Sacramento Area Sewer District (SASD) infrastructure to the existing sewer service lateral. Any construction and/or modification to the public sewer system shall be required to the satisfaction of

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SASD prior to the approval of improvement plans. SASD Design Standards apply to any onsite and offsite sewer construction. [SASD]

- 11) SASD Design Standards require 6-inch service laterals for commercial services. Demolishing of the building or any future change in use or may require replacing the existing 4-inch service lateral to a 6-inch sewer lateral. [SASD]
- 12) The applicant shall comply with all fire and life safety requirements of the Sacramento Metropolitan Fire District. [Fire]
- 13) The applicant shall place all new utility connections underground. [Planning]
- 14) Required development fees shall be paid prior to building permit issuance. Fee rates assessed shall be calculated during the building permitting process. [GSD]
- 15) Roof drains for the buildings shall not directly connect into the storm drain system. Downspouts shall flow to rain garden, landscaped areas, bio-swale, and/or other approved filtering methods before entering the City's storm drain system. [GSD]

Prior to Issuance of Building Permits

- 16) Any plans submitted to the Building Department for review and approval shall indicate all approved revisions/alterations as approved by the Planning Commission. [Planning]
- 17) SASD and Regional San may require additional sewer impact fee payments in accordance with each District's Ordinances. Fees are to be paid prior to the issuance of building permits. The applicant should contact Permit Services Unit at 916-876-6100 for sewer impact fee information. [SASD]
- 18) A complete set of plans is required to be submitted and approved by the Citrus Heights Water District prior to the issuance of a building permit. [CHWD]
- 19) A complete set of plans is required to be submitted and approved by Sacramento Metropolitan Fire District prior to the issuance of a building permit. [SMFD]

Other Conditions of Approval

- 20) Prior to Final of Building Permit, the project Landscape Architect shall:
 - Certify in writing that the landscaping has been installed in compliance with the Zoning Code and approved landscape plan.

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- Demonstrate and certify in writing that the irrigation has been installed and is in compliance with the Zoning Code and landscape irrigation plans. The City may require an irrigation audit performed by a certified irrigation auditor. [Planning]

21) Minor modifications to the design of the project, including site layout, colors and materials, may be approved by the Community Services Director provided such changes are consistent with the overall design as approved herein. Major modifications will require Planning Commission approval. [Planning]

22) Prior to the Final of Building Permits, the applicant shall call for inspection by the Planning Division to verify compliance with the approved plans. [Planning]

23) Developer agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person not a party to this permit challenging the validity of the Agreement or any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Agreement. Developer may select its own legal counsel to represent Developer's interests at Developer's sole cost and expense. The parties shall cooperate in defending such action or proceeding. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and Developer agrees to pay directly or timely reimburse on a monthly basis City for all such court costs, attorney fees, and time referenced herein. [Planning]

7. REGULAR CALENDAR

A. SACOG PRESENTATION – GREG CHEW

Greg Chew from Sacramento Area Council of Governments provided an overview of SACOG's role, including Blueprint Principles, Transportation Funding, and Regional Housing Needs Allocation.

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:14 PM to the next meeting of March 14, 2018.

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Respectfully Submitted,

Karen Ramsay
Planning Commission Secretary