

APPROVED

City of Citrus Heights Planning Commission Meeting Minutes

June 13, 2018

1. CALL MEETING TO ORDER

Chair Blair called the meeting to order at 7:02 PM.

2. ROLL CALL

Commission

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

Staff Present: Bermudez, McDuffee, Ramsay

3. FLAG SALUTE

Commissioner Weiland led the flag salute.

4. PUBLIC COMMENT

None

5. CONSENT CALENDAR

None

6. PUBLIC HEARING

A. RALLY'S HAMBURGERS – 7911 AUBURN BOULEVARD: Project Planner Bermudez presented a request for approval of a Use Permit and Design Review Permit to construct an 827 square foot restaurant with walk-up and drive-through service.

There was Planning Commission and staff discussion. Staff addressed the Commission's questions and concerns regarding the landscape plan, driveways, lighting after hours, security cameras, pedestrian safety, ADA requirements and caution signage for vehicles leaving drive through window.

Chair Blair opened the public hearing.

Applicant Ben Aibuedefe said that they plan to have a full security system and also recessed lights that will come on every 5 minutes.

Chair Blair closed the public hearing.

Chair Blair called for a motion.

Motion: Find that the project is Categorical Exempt from CEQA per Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act.

Motion: Approve a Use Permit and Design Review Permit to allow the construction of a restaurant with drive-through service located at 7911 Auburn Boulevard subject to the findings and conditions of approval contained in this report with amended condition of approval number 7 regarding signage.

M/S: Schaefer/Middleton

AYES: 7 (Blair, Cox, Duncan, Lagomarsino, Middleton, Schaefer, Weiland)

CONDITIONS OF APPROVAL FOR USE PERMIT (FILE # UP-18-02)

- 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 and the Auburn Boulevard Specific Plan. [Planning]
- 2) This approval will expire in two (2) years (6/13/2020) after the date of its initial approval, unless a building permit has been issued for the work. 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) If the applicant decides to extend the hours of operation beyond 10:00 am to 1:00 am Monday – Thursday, 10:00 am – 2:00 am Friday and Saturday and 10:00 am – 11:00 pm Sunday, the applicant shall meet with and receive approval from the Planning Division and the Police Department. [Police and Planning]
- 5) Should 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

APPROVED

Planning Commission Minutes

June 13, 2018

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

- 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. [Planning]
- 2) Any plans submitted to the Building Department for review and approval shall indicate all approved revisions/alterations as approved by the Planning Commission. [Planning]
- 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 site plan shall be revised to include the installation of a minimum of one bicycle rack conveniently placed to the satisfaction of the Planning Division. [Planning]
- 5) 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]
- 6) 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]
- 7) This Design Review Permit approval does not include any signs. All signs must comply with the sign requirements and receive a separate permit. Signage for the site shall include on-site directional signage to guide drivers to the drive-thru entrance. Site signage shall also include cautionary signs regarding cross traffic at the drive-through exit. [Planning and Engineering]
- 8) All applicable utility agencies will need to review the construction/utility plans, to determine whether there are any underground utility conflicts.[Planning]
- 9) Along the Auburn Boulevard frontage, the project is required to do the following:

APPROVED
Planning Commission Minutes
June 13, 2018

- a) Remove the existing two driveways along Auburn Boulevard and replace with the following:
 - Rolled curbs & gutters (Type 1A) and 6-ft wide ADA compliant sidewalks. New improvements shall tie into the existing curbs, gutters, and sidewalks.
- b) Landscaping is required behind the existing sidewalk along Auburn Boulevard. Any landscaping located within the public Right-of-Way (ROW) shall be irrigated using a separate zone so it can be easily disconnected from the site's irrigation system. It shall also be maintained by the property owner until the city's future Auburn Boulevard, Phase 2 project is constructed.
- c) Dedicate 12.5-ft wide Public Utilities Easement (PUE) along Auburn Boulevard. PUE shall be located along the west side of the ROW. [Engineering]

10) Along the Grand Oaks Boulevard frontage, the project is required to do the following:

- a) Remove existing two driveways, rolled curb, gutter, and sidewalk and replace with the following:
 - Vertical curb & gutter (Type 2) and new sidewalk are required along Grand Oaks Blvd and shall be located in the same alignment as the existing sidewalk, curb & gutter.
 - A transition is needed, west of the proposed new driveway on Grand Oaks Boulevard to transition from the new vertical curb to the existing rolled curb.
- b) New frontage improvements shall extend to the west of the proposed commercial driveway (Type A) shown within the shared access easement and terminate at the west end of the existing driveway that will be removed.
- c) Dedicate 12.5-ft wide Public Utilities Easement (PUE) along Grand Oaks Boulevard. PUE shall be located along the west side of the ROW. [Engineering]

11) The site's post development storm water runoff shall not exceed the pre-development runoff. [Engineering]

12) The site plan shows storm water runoff draining into a detention basin in order to delay the time of concentration for the peak flow exiting the site. The City encourages this design feature to also mitigate storm water quality and perhaps the use of storm water to irrigate the landscaping. Similar vegetative

APPROVED

Planning Commission Minutes

June 13, 2018

areas can be incorporated within the landscaping areas along the perimeter landscaping. Drain inlets can be located within the landscaped areas and have curb cut openings to drain into these areas. [Engineering]

13)The City is a member of the Sacramento Storm water Quality Partnership and uses their guidelines and requirements. The following is their website link: <http://www.beriverfriendly.net> [Engineering]

14)Roof drains for the buildings shall not directly connect into the storm drain system. Downspouts shall flow to rain garden and/or landscaped areas. [Engineering]

15)All new sidewalks and driveways along the public streets shall comply with all state and federal accessibility (ADA) requirements. [Engineering]

16)Any signs and/or landscaping located at the northeast corner of the parcel requires approval from the Engineering Division. Staff to evaluate this area for pedestrian & vehicle site distance safety. [Engineering]

17)In order to assure adequate vehicle circulation for the project, city staff will evaluate the traffic pattern and circulation of the site when the kiosk is open for business. Adjustments may be required to improve safety and/or circulation, such as converting the access along the south property line (onto Auburn Blvd) to be ingress only and requiring all vehicles to exit the site from the access point along the west property line onto Grand Oaks Blvd. [Engineering]

18)All work within the public Right-of-Way (ROW) requires an Encroachment Permit from the General Services Department (916) 727-4770. [Engineering]

19)A complete set of plans is required to be submitted and approved by California American Water prior to the issuance of a building permit. [CalAM]

20)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]

21)SMUD has existing 12kV facilities at the south-eastern corner of the Property which will need to remain. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 95 safety clearances during construction and upon building completion. If the required clearances cannot be maintained, the Applicant shall be responsible for the cost of relocation. [SMUD]

22)Structural setbacks less than 14-feet shall require the Applicant to conduct a pre-engineering meeting with all utilities to ensure proper clearances are

- 23) In the event the Applicant requires the relocation or removal of existing SMUD facilities on or adjacent to the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal. [SMUD]
- 24) SMUD reserves the right to use any portion of its easements on or adjacent to the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs. [SMUD]
- 25) The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.). [SMUD]
- 26) The Applicant shall dedicate a 12.5-foot public utility easement for overhead and/or underground facilities and appurtenances adjacent to all public street rights-of-ways. [SMUD]
- 27) The Applicant shall dedicate any private drive, ingress and egress easement, or Irrevocable Offer of Dedication (and 10-foot adjacent thereto) as a public utility easement for (overhead and) underground facilities and appurtenances. All access roads shall meet minimum SMUD requirements for access roads. [SMUD]
- 28) The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: <https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services>. [SMUD]
- 29) Any necessary future SMUD facilities located on the Applicant's property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the Applicant's property. [SMUD]
- 30) The applicant shall place all new utility connections underground. [Planning]

Prior to Approval of Improvement Plans

- 31) Each building shall have a separate connection to the SASD's sewer system. [SASD]
- 32) To obtain sewer service for this proposed project, construction of onsite and offsite sewer infrastructure shall be required to the satisfaction of Sacramento

APPROVED

Planning Commission Minutes

June 13, 2018

Area Sewer District (SASD). Field modifications to new or existing precast manhole bases are not allowed. [SASD]

33) SASD Design Standards require 6-inch service laterals for commercial services. [SASD]

Prior to Issuance of Building Permit

34) The applicant shall submit a lighting plan that depicts the proposed on-site lighting will not exceed .50 foot-candles within 2 feet of the property line of the light source. [Planning]

35) The applicant shall submit final landscaping and irrigation plans for the project site prior to issuance of any building permits. The landscaping plan shall be revised to include any proposed detention basins. Landscaping within the basin shall use plantings for water filtration, along with amended soils. [Planning and Engineering]

36) Developing this property will require the payment of sewer impact fees. Impact fees shall be paid prior to filing and recording the Final Map or issuance of Building Permits, whichever is first. The applicant should contact the Permit Services Unit at 916-876-6100 for sewer impact fee information. [SASD]

37) Development Impact Fees shall be calculated using current fees at time of development and shall be paid prior to issuance of the building permit. The current fee rates are as follows:

- Roadway Impact Fees: \$3.59/sf
- Transit Impact Fees: \$0.77/sf
- Administration Impact Fees: \$0.09/sf
- Drainage Impact Fees: TBD and collected by the County of Sacramento [Engineering]

Prior to Final of Building Permit

38) Approved numbers or addresses shall be placed on the building in such a position as to be easily read from the street or road fronting the property. The minimum size of the numbers shall not be less than ten (10) inches and shall be mounted immediately adjacent to a light source and shall also contrast with their background. [SMFD]

39) The project Landscape Architect shall:

- Certify in writing that the landscaping has been installed in compliance with the Zoning Code and approved landscape plan.
- Demonstrate and certify in writing that the irrigation has been installed and is in compliance with the Zoning Code and landscape irrigation

APPROVED
Planning Commission Minutes
June 13, 2018

plans. The City may require an irrigation audit performed by a certified irrigation auditor. [Planning]

40)The applicant shall call for inspection by the Planning Division to verify compliance with the approved plans. [Planning]

Other Conditions of Approval

41)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]

42)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. PROJECT VIEWER PRESENTATION – Alison Bermudez

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:45 PM to the next meeting of June 18, 2018.

Respectfully Submitted,

Karen Ramsay
Planning Commission Secretary