



**CITY OF CITRUS HEIGHTS  
PLANNING DIVISION STAFF REPORT  
PLANNING COMMISSION MEETING**

**January 11, 2017**

Prepared by: Casey Kempenaar, Senior Planner

**REQUEST**

The applicant, Champion Contractors Inc., requests approval of a Use Permit and Design Review Permit to add a drive-through coffee kiosk facility located at 7601 Sunrise Boulevard on the northwest corner of Sunrise Boulevard and Old Auburn Road.

Applicant: Chuck Purinton  
Champion Contractors  
1755 Helena Ave Suite C  
Sacramento CA, 95815

Owner: Russ Kuhn  
Fit Development Co  
564 N. Sunrise  
Roseville CA, 95661

**SUMMARY RECOMMENDATION**

The Planning Division recommends that the Planning Commission:

- A. Find that the project is Categorically Exempt from CEQA as a Section 15303 "Class 3" categorical exemption for development of "new, small facilities or structures";
- B. Approve a Use Permit (UP-16-02) to allow operation of a drive-through coffee kiosk subject to the findings and conditions of approval in this report; and
- C. Approve a Design Review Permit (file no. DRP-16-03) to allow the construction of a new drive-through facility and associated site improvements such as landscaping, lighting, parking and drainage facilities subject to the findings and conditions of approval contained in this report.

**BACKGROUND**

The proposed coffee kiosk site is currently a vacant grassy pad surrounded by an existing retail center along the established commercial corridor at the Sunrise Boulevard and Old Auburn Road intersection (See Attachment 1, Vicinity Map).

The project includes the construction of a new 450 square foot coffee drive-through and patio area. Associated site improvements include landscaping, lighting, onsite parking and access improvements.

The 450-SF Coffee Kiosk will feature drive-through and walkup windows as well as outdoor seating. The proposed kiosk will include awning features and a decorative stone wainscot.

The project setting is summarized in tables below:

**Table 1**

<b>Location:</b>	7601 Sunrise Boulevard, located at the northwest corner of Sunrise Boulevard and Old Auburn Road (See Attachment 1).
<b>Parcel Size:</b>	4,792 SF
<b>REACH Neighborhood:</b>	The site is within the boundaries of the Sunrise Ranch Neighborhood Association. Staff has not received any comments from the Neighborhood Association.

## **ZONING AND LAND USES**

**Table 2**

LOCATION	ZONING	GENERAL PLAN LAND USE	ACTUAL USE
<b>On-Site</b>	Shopping Center (SC)	General Commercial	Vacant Retail Pad
<b>North</b>	General Commercial (GC)	General Commercial	Automotive Repair
<b>South</b>	Limited Commercial (LC)	General Commercial	Gas Station
<b>East</b>	General Commercial (GC)	General Commercial	McDonalds
<b>West</b>	Shopping Center (SC)	General Commercial	Storage area for Auto Repair

## **USE PERMIT AND DESIGN REVIEW PERMIT**

### **Project Description**

The proposal consists of a new 450 square foot Coffee Kiosk drive-through and associated site improvements (landscaping, lighting, walkways, and parking). The proposed project is located adjacent to the existing retail center comprised of various retail/food/service uses.

The project proposes a single story building that consists of a stone and stucco facade. The building is a contemporary design, including a flat roof and decorative architectural canopies. Refer to Attachment 2 of the staff report to see color elevations as proposed.

The drive-through is proposed to be open from 4:00 AM to 10:00PM. The restaurant employs an average crew of 3-5 people. The drive-through will include an outdoor seating area and walk up window.

### **Use Permit– Analysis**

Section 106.62.050.F of the Zoning Code consists of findings the Planning Commission must make to approve or disapprove an application for a Use Permit. The findings are written below in ***bold italics*** and are followed by a review of the proposal against the findings.

**1. *The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of the Zoning Code and Municipal Code.***

The land use designation for the subject property is General Commercial (GC). The GC zoning designation is applied to areas appropriate for general commercial and heavier types of commercial uses that would not be appropriate in more restrictive commercial zones. While a restaurant is a permitted use in the GC zone, drive-through retail is a conditional use.

The proposed use is allowed in the GC zone subject to approval of a Use Permit by the Planning Commission. The proposal also complies with other provisions of the Zoning Code and the Municipal Code related to parking, setbacks and other applicable development standards as discussed further in the staff report.

**2. *The proposed use is consistent with the General Plan and any applicable specific plan.***

The General Plan land use designation is General Commercial which provides for retail uses, services, restaurants, professional and administrative offices, and other similar and compatible uses. The proposed drive-through facility is consistent with the General Plan land use designation of General Commercial. In addition, the proposal is consistent with General Plan goals and policies that support viable and attractive development within major corridors and that encourage economic development. Some of the applicable General Plan goals and policies are as follows:

Goal 10: Achieve attractive, inviting and functional corridors.

Policy 10.1: Require superior architectural and functional site design features for new development projects along major corridors.

Policy 10.2: Design buildings to revitalize streets and public spaces and to enhance a sense of community and personal safety.

Policy 14.1: Retain and expand the City's base of retail jobs and sales tax revenue.

Goal 15: Diversify the local economy to meet the present and future employment, shopping, and service needs of Citrus Heights residents and sustain long-term fiscal health.

**3. *The design, location, size, and operating characteristics of the facility are compatible with the existing and future land uses in the vicinity.***

The project proposes the construction of a small 450 SF coffee kiosk and associated infrastructure. The project includes the construction of a new drive-through that circumvents the proposed kiosk. The proposed drive-through shares access with an existing drive aisle that serves the rear of the center. The project is conditioned to maintain clear access through the drive aisle and to ensure orderly circulation of the site. The proposed drive-through will provide adequate queuing length for the proposed operation of the facility. The project includes an outdoor seating and patio area for walk up patrons.

Additionally the site is surrounded by other commercially designated parcels and commercial uses to the north, south, east, and west. Lastly, the project has been designed to comply with the City's development standards including the City's commercial design guidelines. For these reasons the design, location, size and operating characteristics of the project is compatible with the existing and future land uses in the vicinity.

**4. *The site is physically suitable for the type, density and intensity of the use, including access, utilities, and the absence of physical constraints.***

The site is physically suitable for the proposed development, as the property is currently developed with complementary uses. Additionally, the property is currently serviced by sewer, water and public services, such as fire and police protection. The applicant is proposing to merge the parcel with the surrounding retail center to enable onsite connectivity. The site is physically suitable for the type, density and intensity of the proposed use, including access and utilities. There are no identifiable physical constraints for the proposed use.

**5. *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 proposed project is located.***

The site is surrounded by other commercial uses, and has been designed to comply with the City's development standards including the City's commercial design guidelines. For these reasons staff believes that granting a permit for the proposed use would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvement in the vicinity and zoning district in which the property is located.

**Use Permit - Conclusion**

Based upon the information above, staff believes that the required findings to approve a Use Permit can be made for development and operation of a Coffee Kiosk drive-through facility to the findings and conditions of approval contained in the staff report.

**DESIGN REVIEW PERMIT**

**Design Review Permit – Analysis**

Section 106.62.040 of the Zoning Code consists of required findings that the Planning Commission must make to approve or disapprove an application for Design Review approval. The required findings are written below in ***bold italics*** and are followed by a review of the proposal against the findings.

**1. *The proposal complies with this Section and all other applicable provisions of this Zoning Code.***

The proposal will construct a 450 SF Coffee Kiosk drive-through facility within an already existing retail center. The subject property is surrounded by other commercially designated parcels and commercial uses to the north, east and south. The proposal complies with this section and all other applicable provisions of the Zoning Code, including the development standards and commercial design guidelines.

**2. *The proposal provides architectural design, building massing and scale, and street and lot layout in the case of a subdivision, that are appropriate to and compatible with the site surroundings and the community.***

**3. *The proposal provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, and etcetera.***

### Architecture

The commercial design guidelines require basic architectural standards such as use of building materials and design features that create an impression of quality and visual interest. The proposed drive-through uses a contemporary design consisting of traditional building materials and detailing including stone wainscot, horizontal expansion joints, a flat roof and earthen colors. The proposed color elevations are shown in Attachment 2.

The combination of varying materials, subtle earthen tones and integrating architectural features for the design of the building help to create an interesting and attractive building that staff believes will enhance the appearance of the site.

### Height & Setbacks

The proposal consists of a single-story building approximately 15 feet from grade to the top of the parapet wall. The Zoning Code specifies a maximum building height of 24 feet within 50 feet of a residential zone and 50 feet elsewhere. The project complies with the City's height requirements.

The Zoning Code requires a 20-foot building setback from the front property line and does not require a setback to the rear or interior side property lines (only boundaries adjacent to residential or open space zones require a setback). The project applicant is proposing to merge the parcel with the surrounding shopping center resulting in setbacks well beyond the minimum setback requirements.

#### ***4. The proposal provides safe and efficient public access, circulation and parking, including bicycle and pedestrian accommodations where appropriate.***

### Access

The site is currently accessible from two driveways on Sunrise Boulevard and two driveways on Old Auburn Road. The project includes the construction of an ADA ramp from Sunrise Boulevard to serve both the drive-through and the existing center.

### Traffic Parking and Circulation

The General Services Department has reviewed potential traffic impacts associated with the proposal. The General Services Department has included conditions of approval (Use Permit Condition #3) to include "Keep Clear" striping to ensure the project maintains clear access to both the drive-through and the existing center.

The site plan utilizes 119 existing parking stalls to serve the center, including the proposed drive-through. Table 3 provides a parking distribution of the proposed use, and shows how the proposal is meeting the City's parking requirement.

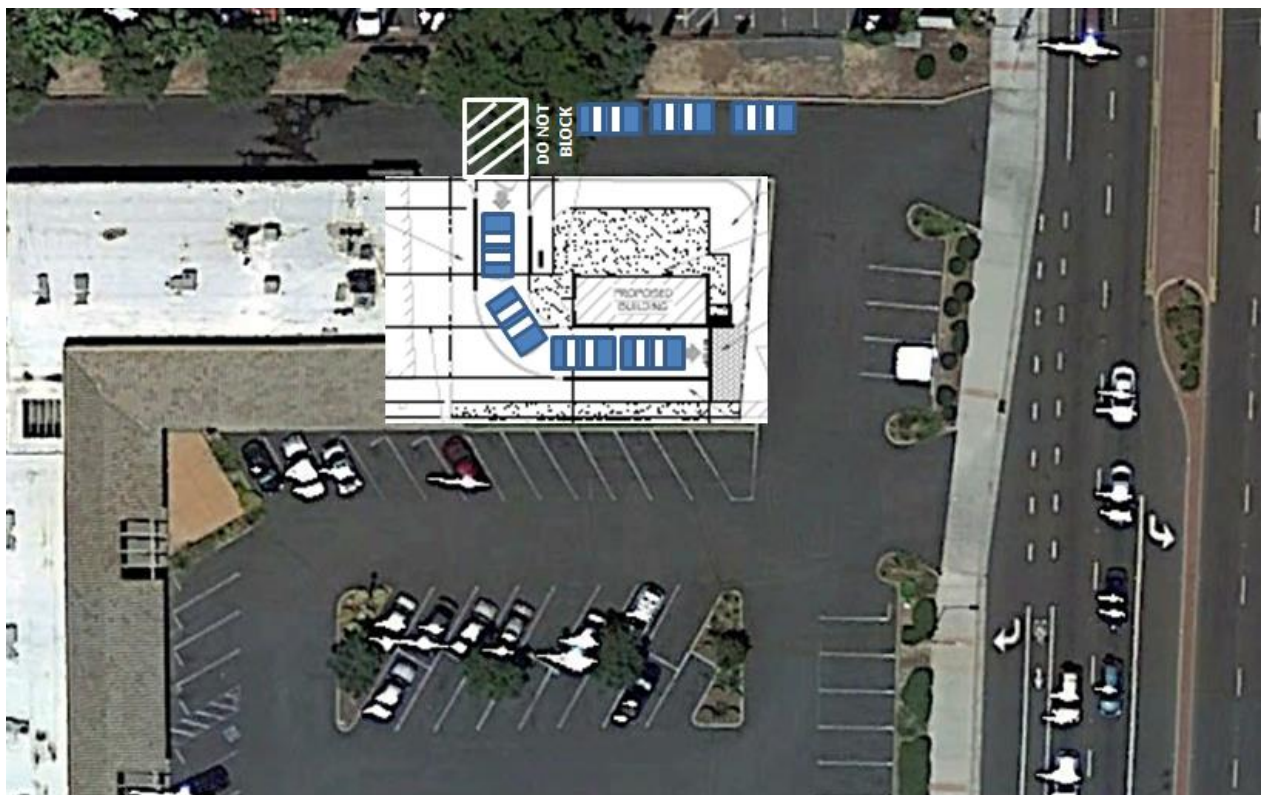
Table 3

Use	SF	Requirement	Number
Retail Center	21,336	1:250	85
Bank (SAFE Credit)	3,680	1:250	15
Coffee Kiosk	450	1:50	9
<b>Total Required</b>	25,466	-	<b>109</b>
<b>Total Provided</b>	-	-	<b>119</b>

Primary access to the drive-through will be via the northern driveway on Sunrise Boulevard. The project proposes utilizing the existing northern drive aisle to access a small drive-through loop accessing the west and south side of the proposed coffee kiosk.

The project is conditioned to provide “Do Not Block” markings to ensure the existing center drive aisle continues to allow circulation around the site (See Figure 1, below). The project applicant indicates that a typical drive-through queue is limited to 3-4 cars which can be easily accommodated within the new drive-drive through. In the event that additional cars are queuing, they would queue within the northern drive aisle serving the center.

Figure 1- Striping and Queuing Plan



Drive-through users will enter the drive-through loop from the north, pick up coffee, and then exit the drive through to the east. The exit will provide access to the existing north/south drive aisle which parallels Sunrise Boulevard.

Pedestrian circulation pathways are proposed from the recently reconstructed sidewalks on Sunrise Boulevard. The project includes the construction of an ADA ramp connecting Sunrise Boulevard to the coffee kiosk and the remainder of the center.

#### Bicycle Facilities

Bike lanes currently exist on Sunrise Boulevard. The project is conditioned to provide a bicycle rack adjacent to the patio/outdoor seating area.

**5. *The proposal provides appropriate open space and landscaping, including the use of water efficient landscaping.***

#### Landscaping and Water Conservation

New development projects must comply with the State water efficient landscaping standards. The conceptual landscaping plan shows the installation of new landscaping along the drive aisle and patio area. A condition of approval is included in the staff report requiring that the applicant provide documentation showing the final landscaping plan complies with both State and City requirements

**6. *The proposal is consistent with the General Plan, any applicable specific plan, development agreement, and/or any previously approved planning permit.***

The General Plan land use designation on the subject property is General Commercial which provides for retail uses, services, restaurants, professional and administrative offices, and other similar and compatible uses. The proposed drive-through facility is consistent with the General Plan land use designation of General Commercial. Additionally the proposal is consistent with the City's goals and policies that support viable and attractive commercial development within major corridors and goals and policies that encourages economic development in the community.

**7. *Complies with all applicable design standards in Chapter 106.31 (Design Standards), and/or other applicable City design guidelines and policies.***

#### Noise

Staff does not believe the proposal will produce any significant noise impacts to the environment. The site is surrounded by existing commercial development and the ambient noise associated with Sunrise Boulevard is likely to muffle any sound generated by the proposed drive through.

#### **Design Review Permit – Conclusion**

Based on the analysis above, staff believes that findings can be made to approve a Design Review Permit for the proposed restaurant and drive-through facility plus associated site improvements. Staff recommends approval of the requested Design Review Permit subject to the findings and conditions of approval contained in the staff report.

#### **ENVIRONMENTAL DETERMINATION**

The project is categorically exempt from further environmental review under the provisions of Section 15303 of the California Environmental Quality Act, relating to construction of a new, small facility or structure. The proposed project meets the criteria and, therefore, is exempt from CEQA review.

## **PUBLIC OUTREACH**

Public hearing notices were mailed to property owners within 500 feet of the site. A notice was also sent to a general circulating newspaper, the Sacramento Bee, for posting. A development review sign has been displayed on-site since the City received the application for the requested development entitlements.

## **RECOMMENDATION**

Staff recommends that the Planning Commission take the following actions:

- A. Find that the project is Categorically Exempt from CEQA as a Section 15303 “Class 3” categorical exemption for development of “new, small facilities or structures”;
- B. Approve a Use Permit (UP-16-02) to allow operation of a drive-through coffee kiosk subject to the findings and conditions of approval in this report; and
- C. Approve a Design Review Permit (file no. DRP-16-03) to allow the construction of a new drive-through facility and associated site improvements such as landscaping, lighting, parking and drainage facilities subject to the findings and conditions of approval contained in this report.

## **FINDINGS FOR USE PERMIT (UP-16-02)**

- *The proposed project is allowed in the General Commercial zoning district and complies with all other applicable provisions of the Zoning Code and the Municipal Code;*
- *The proposed project is consistent with the General Plan land use designation of General Commercial in that this designation allows a variety of commercial uses, and other compatible uses;*
- *The design, location, size, and operating characteristics of the project are compatible with the existing and future land uses in the vicinity in that commercial developments exists on all sides of the project;*
- *The site is physically suitable for the type, density and intensity of the use, including access, utilities, and the absence of physical constraints as the project has been designed and mitigated to avoid impacts to existing protected trees on the site; 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 proposed project is located for the reasons stated above.*

## **CONDITIONS OF APPROVAL FOR USE PERMIT (UP-16-03)**

- 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, Uniform Building Code; Uniform Fire Code and Sacramento County Environmental Health Department standards.
- 2) This approval will expire in two (2) years (1-11-19) after the date of its initial approval,



unless a grading or building permit has been issued for the work described in the Development Plan.

- 3) The business shall be operated in a manner, which does not create any unacceptable noise levels as indicated in the Citrus Heights Noise Ordinance.
- 4) Development Impact Fees shall be calculated using current fees at time of development and shall be paid prior to issuance of the building permit. (GSD)
- 5) City staff will evaluate the traffic pattern & circulation of the site when the kiosk is open for business. Minor adjustments may be required to improve safety and/or circulation. Adjustments will be the responsibility of the applicant. (GSD)
- 6) Minor changes to the use and design of the project may be approved by the Community and Economic Development Director provided such changes are consistent with the overall design as approved herein. (Planning)
- 7) 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 Permit or any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Permit. 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]

#### **FINDINGS FOR DESIGN REVIEW PERMIT (DRP-16-03)**

- *The proposed project complies with the applicable provisions of the Zoning Code;*
- *The proposed project provides architectural design, building massing and scale that are appropriate to and compatible with the site surroundings and the community; and*
- *The proposed project provides an attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, grading, landscaping, lighting, signage and etc.;*
- *The proposed project provides a safe and efficient public access, circulation, including bicycle and pedestrian accommodations where appropriate; and*
- *The proposed project provides appropriate open space and landscaping, including the use of water efficient landscaping.*

**CONDITIONS OF APPROVAL FOR DESIGN REVIEW PERMIT (DRP-16-03):**

- 1) This approval will expire in two (2) years (1-1-19) after the date of its initial approval, unless a grading or building permit has been issued for the work described in Exhibits A-E.
- 2) The development approved by this action is described herein as shown in Exhibits A through E and as conditioned below. [Planning]

**Prior to Issuance of Building Permits**

- 3) All outdoor lighting including parking lot lighting shall be designed with full shields and cut-off flat lenses to ensure that all light from any fixture will not direct light skyward, and will minimize light pollution – flood lights are strictly prohibited. [Planning]
- 4) The applicant shall screen all roof mounted equipment. Rooftop screening of mechanical equipment shall be provided through architectural design of the building elevations. [Planning]
- 5) The applicant shall submit a Final Landscaping Plan prior to issuance of a building permit. The Final Landscape Plan shall demonstrate consistency with the City's landscape standards including water efficiency standards.[Planning]
- 6) The applicant shall submit final plans for the design and layout of the patio prior to issuance of a building permit. [Planning]
- 7) The Building Permit submittal shall include a bicycle rack and outdoor seating to serve the proposed drive-through. [Planning]
- 8) The applicant shall be responsible for paying required City and special district fees. [Planning/Building]
- 9) The applicant shall obtain a Building Pad/Site Certification from the Building Department prior to any foundation excavation or construction.[Building]
- 10) The applicant shall submit documentation showing that a lot merger has been recorded resulting in a single lot onsite prior to issuance of a building permit. [Planning]
- 11) The applicant shall comply with the requirements of the Citrus Heights Water District. [CHWD]
- 12) The applicant shall comply with all fire and life safety requirements of the Sacramento Metropolitan Fire District. [Fire]
- 13) The applicant shall pay all development fees prior to issuance of a Building Permit. [GSD]
- 14) Traffic flow for stacking within the shopping center's north drive aisle shall be clearly marked. Also, at the entrance to the drive-thru (northwest corner of the parcel), the shopping center's drive aisle shall be clearly marked to keep the intersection clear for through traffic. Markings and striping shall be approved by the Engineering Division. (GSD)

### **Other Conditions of Approval**

- 15) Minor modifications to the design of the project, including site layout, colors and materials, may be approved by the Community and Economic Development Director provided such changes are consistent with the overall design as approved herein. Major modifications will require Planning Commission approval. [Planning]
- 16) 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 Permit or any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Permit. 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]

#### Attachments:

- 1) Vicinity Map
- 2) Reduced Color Elevations

#### Exhibits:

- A. Site Plan (A1)
- B. Building Elevations(A2)
- C. Building Cross Section (A3)
- D. Landscape Plan (LA)
- E. Color Elevations (Available at Meeting)