REQUEST FOR PLANNING COMMISSION ACTION

IV.A. PACIFIC AMERICAN DEVELOPMENT, LLC
(PROJECT PLANNER: PATRICIA BRENES)

1. Consideration of a Notice of Exemption pursuant to Section 15061(b)(3) of the CEQA Guidelines.

2. PUBLIC HEARING to consider Conditional Use Permit No. 341 (Revision No. 3) to modify the conditions of approval of a previously approved drive-thru coffee shop relating to the construction of a decorative masonry perimeter wall and wainscoting around a rear addition, located at 625 Redlands Boulevard in the C-4 (Highway Commercial) District.

PLANNING COMMISSION MEETING DATE: June 23, 2015

SYNOPSIS

1. General Plan Designation: The General Plan land use designation is Commercial.

2. Existing Land Use Designation: The project site is located within the C-4 (Highway Commercial) District.

3. Surrounding Land Use Designation: The project is surrounded by the C-4 (Highway Commercial) District to the north, south, and west, and abuts the R-2 (Multiple Family Residential) District to the east.

4. Existing Land Uses: The subject site is currently developed with a 1,344 square foot restaurant building with drive-through service.

5. Surrounding Land Uses: The surrounding land uses include: restaurants with drive-through service to the north, west, south, and a single family residence to the east.

6. Area/Topography: The project site is 16,091 square feet in size, flat, and contains an existing restaurant building with a drive-through lane and associated parking lot.
ENVIRONMENTAL ASSESSMENT:

The project has been deemed exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

SOCIO-ECONOMIC COST /BENEFIT STUDY:

The project is not subject to the requirements of Measure “U” (Socio-Economic Cost/Benefit Study).

PLANNING COMMISSION SUBMITTAL DATES:

(A) Date Submitted: June 8, 2015
(B) Date Accepted As Complete: June 8, 2015
(C) Planning Commission Meetings: June 23, 2015
(D) Permit Streamlining Act: August 8, 2015

ATTACHMENTS:

A. Conditions of Approval
B. Letter from Miller Architectural Corporation, dated June 8, 2015
C. Project Plans

BACKGROUND/PROPOSAL:

On February 3, 1981, the City Council approved Conditional Use Permit No. 341 to allow the expansion of an existing drive thru restaurant. On May 13, 2014, the Planning Commission approved Revision No. 1 to Conditional Use Permit No. 341 for the demolition of the existing restaurant and the drive thru facility to allow for the construction of a new 1,794 square foot drive through facility for Starbucks Coffee.

As the existing restaurant building and drive through facility were over fifty (50) years old, approval by the Historic and Scenic Preservation Commission (HSPC) was required. In July, 2014, Demolition No. 241 was considered by the HSPC for the demolition of the structure. However, the completion of a Cultural Resource Study was recommended to determine if the building had historical significance. The Study concluded that the building’s architectural style “remotely” resembled the Googie Architecture, prevalent in the 1950’s and 1960’s, and was not eligible based on style. However, the report acknowledged that as a building “type”, the drive-up food stand would be eligible for local and State criteria. At the August, 2014 HSPC meeting, the applicant decided to withdraw their request to demolish the building in order to seek an alternative proposal. Starbucks’ Corporation decided it was in the best interest of the community to restore the building. On February 10, 2015, the Planning Commission approved a second revision to
Conditional Use Permit No. 341 to modify their previous approval for the construction of a retail coffee shop with drive-through service, and instead allow the restoration and adaptive reuse of the existing 1,346 square foot building and construction of a 448 square foot addition attached to the rear of the building, for a total area of 1,794 square feet.

The applicant is now requesting a third modification of conditions for Conditional Use Permit No. 341 related to the perimeter walls and wainscot required around the rear of the building. The two specific conditions that are being requested to be modified currently read as follows:

1. **Condition 27** - “Solid masonry perimeter walls shall be constructed with decorative block and shall include a decorative cap. Any portion of masonry wall along the north property line, to remain, shall be rehabilitated, treated to match new masonry walls and the building, on both sides of the wall, and fit with a decorative cap”.

2. **Condition 31** - “The building shall include a wainscoting around the rear of the building to provide additional architectural articulation on the addition”.

Please note that the conditions provided on the applicant’s written request, conditions 28 and 32, have been renumbered to conditions 27 and 31, as a condition of approval was deleted by the Planning Commission when the second revision to the CUP was approved.

The following section describes and analyzes the subject conditions proposed to be modified.

**ANALYSIS**

The following redlined/strikeout changes to the following conditions of approval are proposed by the applicant. Staff comments addressing each request are stated below the proposed change:

**Condition 27.** Solid masonry perimeter walls shall be constructed with decorative block and shall include a decorative cap. Any portion of masonry wall along the north property line, to remain, shall be rehabilitated, treated to match new masonry walls and the building, on both sides of the wall, and as necessary to restore structural integrity. All walls shall be finished with stucco along the interior side and be fit with a decorative cap.

**Staff Comments:** The applicant has indicated a large segment of the perimeter wall along the easterly property line will be restored and a segment,
approximately twenty-five (25) feet in length, closest to the front facing Clark Street, will be replaced. Thus, the modification to the condition of approval would allow the flexibility to restore and replace segments of the perimeter wall on the easterly property line and apply a stucco finish with a decorative cap on the interior side only. The masonry wall on the northerly side will be restored on its entirety. The row of patterned block along the top of the rearmost segment of the northerly wall is proposed to be removed. Staff supports the modification to allow the perimeter wall to be restored where feasible; however, recommends stuccoing both sides of the perimeter walls for uniformity, as both sides of the perimeter walls will be readily visible from the surrounding streets.

Condition 31: The building shall include three rectangular windows at the south side of the proposed addition a wainscoting around the rear of the building to provide additional architectural articulation on the addition.

Staff Comments: Revised building elevations show replacement of the wainscot required around the rear of the building with three vertical, triangular windows on the southerly side of the addition. The windows will consist of green spandrel glazing to match the trim and will be grouped together. No windows are proposed on the northerly and easterly sides of the addition. Staff supports the proposal to replace the wainscot with the three “Googie style" windows as the design will complement and be consistent with the Googie architectural style of the building. The addition of Googie style windows will comply with The Secretary of the Interior’s Standards for Rehabilitation.” Additionally, adding windows solely on the south side of the building elevation would be appropriate as they would enhance a side of the building that will be most visible from Clark Street and Redlands Boulevard.

The proposed modification of conditions will be consistent with all development standards for the underlying C-4 land use district and specific development standards included in Section 18.156.370 of the Redlands Municipal Code.

**CONDITIONAL USE PERMIT FINDINGS**

Before a Conditional Use Permit can be issued, four (4) specific findings are required to evaluate whether or not the conditional use permit should be approved. Chapter 18.192 of the Redlands Municipal Code governs the required findings, and are as follows:
1) That the proposed development will not adversely affect the applicable land use plans of the city;

Response: The proposed modification of conditions, as recommended by staff, will not result in any changes to applicable land use plans. The property is developed with an existing restaurant with drive-through service. The previously approved rehabilitation of the building, and the 448 square foot expansion will not change as a result of this request. No change of use is proposed in conjunction with this request.

2) That the proposed development will not be detrimental to the public health, safety and welfare;

Response: The proposed modification of conditions, as recommended by staff, will not be detrimental to the public health, safety and welfare. The proposed modification of conditions will allow the perimeter walls to be repaired where feasible and replaced where they cannot be salvaged. Additionally, the modifications will replace the required wainscot around the rear of the building with three “Googie style” windows on the southerly side of the building. As proposed, appropriate articulation will be provided so as to aesthetically enhance a side of the building that will be readily visible from the surrounding streets. This proposal will not change the previously approved drive-thru coffee shop; therefore, there will be no detrimental effects to the public health, safety and welfare.

3) That the proposed development will comply to the maximum extent feasible with the regulations of the city’s general plan, the applicable zoning district and the city's development standards;

Response: The proposed modification of conditions, as recommended by staff, will be consistent with the Commercial land use designation of the General Plan as well as meets or exceeds the development standards in the C-4 (Highway Commercial) zoning district. Except for the proposed modification of conditions related to the perimeter walls and replacement of the wainscot with “Googie style” windows, the design of the previously approved drive-thru coffee shop will not change as a result of this request. The project will comply with all applicable development standards, and will exceed minimum parking and landscaping requirements.

4) That the proposed development is appropriate at the proposed location.

Response: The subject site was previously developed with a drive-through restaurant. The proposed modification of conditions, as recommended by staff, will be appropriate and will have no aesthetic impacts. This proposal will not change
the previously approved restaurant with drive through facility. The proposed modification of conditions will continue to allow the previously approved development of the site with a restaurant and drive through facility to meet all applicable setback, lot coverage and building height requirements of the C-4 (Highway Commercial) District.

ENVIRONMENTAL REVIEW

The modification of conditions of approval would not result in any direct or indirect physical changes in the environment; therefore, Staff is recommending that the proposal is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines. This section is known as the general rule and exempts projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

RECOMMENDATION

Based on the above analysis and the following findings, staff recommends that the Planning Commission approve Conditional Use Permit No. 341 (Revision No. 3) subject to the attached conditions of approval.

Environmental Motion:

“I move to determine that Conditional Use Permit No. 341 (Revision No. 3) is categorically exempt from the California Environmental Quality Act, pursuant to Section 15061(b)(3) of the CEQA Guidelines.”

Conditional Use Permit

“I move that the Planning Commission approve Conditional Use Permit No. 341 (Revision No. 3) based on the following findings, and subject to the attached Conditions of Approval:

1. The proposed modification of conditions, as recommended by staff, will not result in any changes to applicable land use plans. The property is developed with an existing restaurant with drive-through service. The previously approved rehabilitation of the building, and the 448 square foot expansion will not change as a result of this request. No change of use is proposed in conjunction with this request;

2. The proposed modification of conditions, as recommended by staff, will not be detrimental to the public health, safety and welfare. The proposed modification of conditions will allow the perimeter walls to be repaired where feasible and replaced
where they cannot be salvaged. Additionally, the modifications will replace the required wainscot around the rear of the building with three “Googie style” windows on the southerly side of the building. As proposed, appropriate articulation will be provided so as to aesthetically enhance a side of the building that will be readily visible from the surrounding streets. This proposal will not change the previously approved drive-thru coffee shop; therefore, there will be no detrimental effects to the public health, safety and welfare;

3. The proposed modification of conditions, as recommended by staff, will be consistent with the Commercial land use designation of the General Plan as well as meets or exceeds the development standards in the C-4 (Highway Commercial) zoning district. Except for the proposed modification of conditions related to the perimeter walls and replacement of the wainscot with “Googie style” windows, the design of the previously approved drive-thru coffee shop will not change as a result of this request. The project will comply with all applicable development standards, and will exceed minimum parking and landscaping requirements; and

4. The proposed modification of conditions, as recommended by staff, will be appropriate and will have no aesthetic impacts. This proposal will not change the previously approved drive-thru coffee shop. The proposed modification of conditions will continue to allow the previously approved development of the site with a restaurant and drive through facility to meet all applicable setback, lot coverage and building height requirements of the C-4 (Highway Commercial) District.”
ATTACHMENT “A” – CONDITIONS OF APPROVAL
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
CONDITIONS OF APPROVAL AND DEVELOPMENT INFORMATION FOR

CONDITIONAL USE PERMIT NO. 341 (REVISION NO. 3)

Date of Preparation: June 16, 2015
Planning Commission Date: June 23, 2015
Applicant: PACIFIC AMERICAN DEVELOPMENT, LLC
Location: 625 E. Redlands Boulevard


2. Unless construction has commenced pursuant to a building permit, or a time extension is granted in accordance with Code, this application shall expire two (2) years from the date of Planning Commission approval, or June 23, 2017.

3. No Certificate of Occupancy shall be granted until all conditions of approval have been satisfied.

4. This approval is for a Conditional Use Permit to modify improvements related to the perimeter walls and architectural articulation on the rear of the building, located at 625 Redlands Boulevard in the C-4 (Highway Commercial) District.

5. The hours of operation of the lobby/store will not exceed 4:30 A.M. to 2:30 A.M. with twenty-four (24) hour drive-through service, subject to review and concurrence with the Police Chief.

6. All plans submitted to the City shall reflect all Planning Commission approvals and any other changes required by the Commission and/or staff. This condition applies to site plans, landscape plans, elevations, grading, and all other illustrations, text, or plans submitted to the City in connection with the project.

7. The applicant shall not make any modifications or changes during construction that are in conflict or contrary to the project’s approved site design, grading plan, landscape plan, or building elevations without first consulting with the Development Services Director or his designee.
8. All on-site utilities shall be placed underground. Plans shall be submitted that detail the undergrounding of all on-site utilities, subject to review and approval by the Development Services Director, prior to the issuance of building permits.

9. Prior to the issuance of building permits, the applicant shall submit plans detailing that roof screening shall be of adequate height to screen any rooftop equipment from public view on all sides subject to review and approval of the Development Services Director. Screening of air conditioning and other equipment on the building shall be incorporated into or be compatible with the architectural design of the buildings. All equipment shall be screened from view of Redlands Boulevard and Clark Street.

10. Ground mounted equipment shall be screened from public view on all sides, subject to review and approval by the Development Services Director, prior to the issuance of building permits.

11. Transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping. Multiple electrical meters and panels shall be fully enclosed and incorporated into the overall architectural design of the building(s). Backflow preventers shall be enclosed with landscaping that will provide complete screening upon maturity. The location and method of enclosure or screening of this equipment shall be shown on the construction plans and landscape plans prior to building permit issuance. Location of said equipment shall be coordinated with appropriate utility company (i.e., Southern California Gas Company or Southern California Edison Company). The applicant shall submit plans showing details of screening subject to review and approval by the Development Services Director, prior to issuance of building permits.

12. The project site shall be kept in a weed and dust free condition throughout all periods of development.

13. The applicant shall prepare plans that include a trash enclosure and/or trash compactor(s) on-site as specified by the Municipal Utilities & Engineering Department. Trash enclosure design and location shall be subject to review and approval by the Municipal Utilities & Engineering Director and Development Services Director prior to issuance of building permits. Trash storage areas shall be completely enclosed with solid masonry walls that have a decorative block and cap and solid metal gate. The exterior design
and finish of the trash enclosure shall be designed to match or be compatible with the structures on site.

14. The Final Landscape Plans shall incorporate the following:

a. The landscape plan shall comply with all requirements for landscaping in parking lots pursuant to Chapter 18.168 of the Redlands Municipal Code;

b. The landscape plans shall be detailed and show the specific distribution, size, and amount of each species of trees, shrubs, and groundcover;

c. No more than fifty percent (50%) of the trees shall be 15 gallon in size, twenty-five percent (25%) shall be 24-inch box in size, and twenty-five percent (25%) shall be 36-inch box in size. All trees shall meet the following minimum caliper sizes. If the caliper size cannot be met at the container size then the developer shall increase the container size to meet the required caliper.

   15-gallon: 3/4" to 1"
   24-inch box: 1-1/4" to 1-3/4"
   36-inch box: 2-1/2" to 2-3/4"

d. The Landscape Plan shall show concrete mow strips to separate turf from other ground surfaces;

e. All trees shall be a minimum of 15-gallon size and be double staked. Arbor guards shall be provided on all trees planted in turf areas;

f. The landscape plans shall identify measures such as root barriers and deep watering to be utilized to minimize heaving of parking lot pavement by tree roots;

g. An automatic irrigation system shall be utilized to irrigate the site’s approved landscape design.

h. Trees with a trunk height of not less than six feet (6’) shall be installed in the planters at each end of an aisle, at three (3) space intervals throughout the parking area, and at twenty foot (20’) intervals along the periphery of the parking area. Within parking areas, trees may be clustered in groups to achieve a more natural setting provided the total number of trees meets the previous planting requirements.
i. A continuous row of shrubs along the parking lot, adjacent to Redlands Boulevard and Clark Street, shall be grown to and maintained at a minimum height of three feet to ensure screening of the parking lot from the public right-of-way.

j. Every effort shall be made to retain and incorporate the existing eucalyptus trees into the landscaping on-site. Only if the trees cannot be left in place, under assessment of an arborist, shall they be replaced by trees species within the approved tree pallate, in the conceptual landscaping plans.

15. The Landscape and Irrigation Plans shall be approved by the following City departments, prior to the issuance of building permits:

- Submit Landscape and Irrigation Plans with each copy of the construction plans for plan check to the Development Services Department, Building & Safety Division, for distribution to other departments and for review and approval by the Development Services Director.

- The Landscape and Irrigation Plans shall be subject to review and approval by the Municipal Utilities & Engineering Director and the Development Services Director for compliance with the Water Efficient Landscape Ordinance No. 2724 (Also known as Chapter 15.54 of the RMC).

16. The landscape architect responsible for the design of the project’s landscape plan shall review and certify, prior to a request by the applicant for a final occupancy inspection, that the installed landscaping meets the specifications of the approved landscape plan, except as modified in the conditions of approval.

17. The evergreen trees, as identified on the landscape plan, are to be maintained and the trimming or maintenance of them shall serve the purpose to bring them into a full canopy-type configuration which is the intent of this approval.

18. All lighting within the parking lot areas shall be of a design that directs the light beam downward and not outward. In addition, any lighting attached to the building shall be shielded to prevent light and glare from projecting horizontally or outward.
19. A photometric analysis shall be submitted and approved by the Development Services Department prior to the issuance of building permits, to ensure sufficient light coverage in the parking lot for safety. The illumination within the parking lot shall be a minimum of 0.5 foot candle and illumination along property lines of the project site shall not exceed 0.5 foot candle, except that the illumination along the eastern property line of the project site shall not exceed 0 foot candle. Walkway lighting shall have a maximum height of 12 feet and all parking lot lighting shall have a maximum height of 30 feet.

20. The business shall operate in full compliance with Chapter 8.06 of the Redlands Municipal Code, relative to the Community Noise Control ordinance, including applicable interior and exterior noise limits, to ensure that the use does not create a noise disturbance across a residential property line. Noise producing equipment shall be acoustically insulated to prevent impacts on adjacent residential uses and/or sensitive receptors. The location of such equipment shall be shown on the site plan and shall be subject to review and approval by the Development Services Director, prior to issuance of building permits. The plans shall also detail any noise reduction measures taken.

21. Pursuant to Government Code Section 66020(d), certain fees, dedications, reservations or exactions imposed by the City as a condition of approval of this project are subject to a statutory ninety (90) day protest period. Please be advised that the ninety (90) day protest period for those fees, dedications, reservations and exactions which are subject to Government Code Section 66020(a) has commenced to run on the date this project was approved by the City.

22. The property owner and applicant and their successors and assigns, shall defend, by paying for the defense costs of the City of Redlands (for counsel retained by the City), indemnify and hold harmless the City of Redlands, and its elected officials, officers, employees, and agents, from and against any and all claims, actions, and proceedings (collectively “Claims”) to attack, set aside, void or annul the approval of this Conditional Use Permit by the City, or Claims brought against the City due to acts or omissions in any way connected to the applicant’s project that is the subject of this permit. This indemnification shall include, but not be limited to, damages, fees, costs, liabilities, and expenses incurred in such actions or proceedings, including damages for the injury to property or persons, including death of a person, and any award of costs or attorneys’ fees. In the event any such action is commenced to attack, set aside, void or annul all, or any, provisions of this
permit, or is commenced for any other reason against the City for acts or omissions relating to the applicant’s project, within fourteen (14) City business days following notice of such action from the City, the applicant shall file with the City a performance bond or irrevocable letter of credit, or other form of security satisfactory to the City (the “Security”) in a form satisfactory to the City, and in the amount of $100,000, to ensure applicant’s performance of its defense and indemnity obligations under this condition. The Security amount shall not limit the total indemnity obligation of the applicant pursuant to this condition. The failure of the applicant to provide the Security shall be deemed an express acknowledgement and agreement by the applicant that the City shall have the authority and right, without objection by the applicant, to revoke all entitlements granted for the project pursuant to this permit. The City shall have no liability to the applicant for the exercise of City’s right to revoke this permit.

23. Bicycle racks or secured lockers at a rate of one per thirty (30) parking spaces with a minimum of a three (3) space bicycle rack shall be provided on-site.

24. Exterior fire and/or mechanical equipment shall be appropriately screened or painted to match the building color, except for equipment designed by the Fire Chief as being exempt from this requirement.

25. An “Automatic Volume Control” device shall be installed on the speaker box in the drive-through to automatically adjust the speaker volume based on ambient noise levels, to reduce any noise impact to sensitive receptors.

26. There shall be a maximum seating capacity of thirty six (36) seats for the business establishment based on a calculation of three (3) seats for each twelve (12) non-employee parking stalls, or the applicant shall provide an alternative parking area subject to the requirements of Chapter 18.164 of the RMC.

27. Solid masonry perimeter walls shall be constructed with decorative block and shall include a decorative cap. Any portion of masonry wall along the north property line, to remain, shall be or rehabilitated, treated to match new masonry walls and the building, on both sides of the wall, and as necessary to restore structural integrity. The interior and exterior sides of the walls shall be finished with stucco and painted to match the building and be fit with a decorative cap.
28. Drought tolerant plants, in pots or planters, shall be provided throughout the outdoor seating area.

29. Deteriorated historic features and materials shall be repaired rather than replaced, when possible. Where the severity of deterioration requires replacement of a distinctive feature or material, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Consultation with a preservation architect is recommended in the case of replacement of any deteriorated materials.

30. The surface cleaning of structure, if appropriate, shall be undertaken using the gentlest means possible. Consultation with an architectural conservator for recommendations of appropriate cleaning methods is recommended, if needed.

31. The building shall include three rectangular windows at the south side of the proposed addition—a wainscotting around the rear of the building to provide additional architectural articulation on the addition.

32. The applicant shall work with staff to ensure that the addition to the building has the lowest profile possible to screen equipment based on a sight line analysis provided by the applicant.

Approved by:

[Signature]

Oscar W. Orci
Development Services Director
MUNICIPAL UTILITIES AND ENGINEERING DEPARTMENT
DEVELOPMENT REQUIREMENTS
CONDITIONAL USE PERMIT NO. 341, REVISION NO. 3

Date of P.C. Meeting: June 23, 2015
Applicant: Pacific American Development, LLC
Location: 625 East Redlands Boulevard
Project Description: Construction of a Decorative Masonry Perimeter Wall and Wainscoting of a Previously Approved Restaurant and Drive-Thru

The applicant shall comply with the following engineering requirements as necessary because the required construction is a necessary prerequisite to the orderly development of the surrounding area and for public health and safety.


All Municipal Utilities and Engineering Department Requirements modified by Planning Commission on February 10, 2015 for Conditional Use Permit No. 341, Revision No. 2 apply to this project.

No further requirements at this time.

CHRISS DIGGS
Interim Director of Municipal Utilities and Public Works Engineering

MICHAEL POOL
Interim City Engineer

FILE: CUP 341 R3
ATTACHMENT “B”–
LETTER DATED JUNE 8, 2015
June 8, 2015

The City of Redlands, Planning department
Attn: Patricia Brenes

Re: Proposed Starbucks at 625 E Redlands Blvd, Redlands, CA 92373

Dear Patricia:

Please reference the submitted drawings and the planning commission "Conditions of Approval and Development Information for the Conditional Use Permit No. 341 (Revision No. 2)." We request a change in text and intent on the following items listed herein.

**Comment # 28**
"Solid masonry perimeter walls shall be constructed with decorative block and shall include a decorative cap. Any portion of masonry wall along the north property line, to remain, shall be rehabilitated, treated to match new masonry walls and the building, on both sides, and fit with a decorative cap."

Suggested to read:

"Solid masonry perimeter walls shall be constructed or rehabilitated as necessary to restore structural integrity. All walls to be finished with stucco along the interior side and be fit with a decorative cap."

**Comment # 32**
"The building shall include a wainscoting around the rear of the building to provide additional architectural articulation on the addition."

Suggested to read:

"The building shall include three triangular windows at the south side of the proposed addition to provide architectural articulation."

Sincerely,

Christos Hardt,
(909) 335-7400 – extension 120
Miller Architectural Corporation,
1177 Idaho St, Redlands CA, 92373
ATTACHMENT “C”—
PROJECT PLANS