

CITY OF BUELLTON

Planning Commission Agenda Staff Report

Planning Director Review: AK
Planning Commission Agenda Item No.: 2

To: The Honorable Chair and Commission Members
From: Irma Tucker, Contract City Planner
Date: September 5, 2024
Subject: Preliminary Review of “Highway 246 Commercial Center”;
20 East Highway 246 and 220 Avenue of Flags
(24-FDP-01, 24-CUP-01, 24-SP-01, TPM 31065)

BACKGROUND / DISCUSSION

Owner: Central Holding Group, LLC
Applicant: Lonnie Roy, ON Design, Architecture & Planning
Zoning: CR-SP (General Commercial - Specific Plan)
APNs: 137-190-007, -013, -015,- 022,-024,-030, & -033

On behalf of the current property owner Central Holding Group, LLC, Lonnie Roy, ON Design (Applicant) has submitted permit applications and project plans for a new commercial development, Highway 246 Commercial Center (“Project”), located at 20, 26 & 60 E. Highway 246 and 220 Avenue of Flags, as depicted in **Attachment 1 – Vicinity Map**. The proposed Project plans are being reviewed for compliance with the Avenue of Flags (AOF) Specific Plan, applicable development standards and Municipal Code requirements, the Community Design Guidelines, and any improvement plans being considered for the Avenue of Flags and Highway 246 (a California State highway under Caltrans jurisdiction).

Project Site

The irregularly shaped property encompasses a collection of 7 parcels, with a combined area of 2.4 acres (105,516 SF). The site is located within the Avenue of Flags Specific Plan area, District #6 – Zaca Corridor, Opportunity Site # O-10, and has underlying zoning and land use designations of CR (General Commercial), which generally allows for the proposed uses. The site is currently developed with three structures and minor hardscape improvements, with the remainder of the site being largely undeveloped. The property is bisected by Zaca Creek, which located in a culvert for the first 100' south from Highway 246, and becomes an open beyond that point; a 50-foot creek corridor setback area for building structures is required. A portion of the site is in the 100-year flood zone; grading may be required to bring the building pad into compliance with the City’s Floodplain ordinance. (**Attachment 2 – 100-Year Flood Map**). A portion of the property is also within an Affordable Housing Overlay Zone; it is listed as AHOZ Site No. VII, on which priority is expressly given for commercial uses over residential.

Project Description

The Applicant’s detailed project description narrative is attached hereto as **Attachment 3**, and the proposed project plans are included as **Attachment 4**. In summary, the existing improvements on the property would be removed and the site is proposed to be redeveloped with the following uses and a total of 35,260 SF of gross building area:

- Two-story motel (24,490 SF), 24 guest units, located on the property's northern frontage on Hwy 246
- Coffee shop with drive through (1770 SF),
- Market/deli (9,000 SF), situated at the southeast corner of the property, includes an adjacent patio space between the building and Zaca Creek.
- 65 parking spaces.

- Remainder of the site: two trash enclosures, parking, pedestrian walkways, Zaca Creek trail and landscape.

In order to accommodate the proposed uses, it appears that 3 existing structures with a combined total 4,141 SF, including the former Tres Rosas Restaurant, would be demolished.

Removal of two native oak trees and potential encroachment into the dripline of other protected trees is proposed. Compliance with the Native Tree Protection Ordinance will be required.

Prior Conceptual Reviews

Two Planning Commission concept reviews were conducted. The 1st Conceptual Review held on August 3, 2023, resulted primarily with concerns about the overall design style of the building. At the 2nd Conceptual Review meeting on March 21, 2024, the Applicant presented a revised site plan along with a creative art deco/streamline moderne architectural design style that addressed some of the Commission's main concerns from the 1st Conceptual Review. The Project was favorably received by the Commission; their comments from the 2nd Conceptual Review are summarized in **Attachment 5**. City Council concept review was conducted April 11, 2024. Overall, the Project was favorably received, and Council provided suggestions to the Applicant regarding the design concept, their comments are also summarized in **Attachment 5**.

The following revisions to the projects plans submitted for the subject application have addressed some of the comments received from PC and CC conceptual reviews:

- The revised design style is a creative and unique expression of art deco and streamline modern architecture
- The existing/demolition plan (Sheet A-1.0) and tentative parcel map show how existing easements would potentially be resolved
- Zaca Creek top-of-bank is shown on the formal plans
- Structures and improvements have been pulled back from Zaca Creek
- The hotel building is shown to be closer to Hwy 246 frontage

Other comments from conceptual reviews which need to be further addressed:

- adding a landscape feature to the back side of the market and to break up the blank walls and asymmetry of the building
- additional landscaping especially in the trail area
- lighting plan / photo-metric study would be required for compliance with the City's dark sky friendly ordinance
- preparation of traffic study

Permit Applications, Project Plans and Technical Reports

The following land use permit applications have been submitted:

- Final Development Plan (24-FDP-01) and Conditional Use Permit (24-CUP-01) - to accommodate the proposed uses
- A 3-lot Tentative Parcel Map (TPM 31065) - to put each building on its own parcel with reciprocal access and utility easements over parking and circulation paths
- Specific Plan Amendment (24-SP-01) - to accommodate the proposed drive-through element of the coffee shop, some vehicle circulation along the Highway 246 frontage, and any other applicable deviations from the Avenue of Flags Specific Plan

The following project plans have been submitted, and are included in the agenda packet in **Attachment 4**:

- Grading & Drainage Plan
- Preliminary Utility Plan
- Preliminary Erosion and Sediment Control Plan

- Existing/Demolition Plan (shows the following items to be removed/retained: buildings, hardscape, sidewalks/driveways, trees, easement, property lines)
- Proposed Site Plan
- Preliminary Lighting Plan
- Architectural Floor Plans
- Elevations & Perspective Views
- Preliminary Landscape Plan

The following additional supporting information and technical reports have been submitted and are on file in the Planning Department (available upon request):

- Water Demand Determination Report (May 2024)
- Biological Resources Assessment Report (June 2024)
- Geotechnical Engineering Report (February 2024)
- Phase I ESA (June 2024)
- Preliminary Hydrology Report (May 2024)
- Preliminary Stormwater Control Plan (May 2024)
- Water & Sewer Systems Demand Analysis Memo (May 2024)
- Preliminary Title Report (April 24, 2024)

INITIAL STAFF REVIEW & COMMENTS

The proposed uses appear to be suitable for the site and consistent with the Specific Plan land use vision for District #6, which encourages businesses that cater to the needs of visitors and residents alike.

The proposed Project generally complies with the AOF Specific Plan development and building standards, as well as applicable regulations of the City's Zoning code and policies of the Buellton General Plan, with the following exceptions: coffee shop use with drive-thru and internal vehicle circulation/parking within the first 150' of frontage along Hwy 246 and Avenue of Flags, would require a Specific Plan Amendment.

The applicant has submitted a land use permit application for a Final Development Plan, Conditional Use Permit, Specific Plan Amendment, and Tentative Parcel Map. Other ancillary permits may potentially be required, such as: demolition permit, grading permit, tree removal permit, sign permit, solar permit, Fat Oils & Grease (FOG) & Industrial Wastewater Discharge (IWD) permits, and any permits that may result during further reviews by Public Works, Caltrans, Dept. of Fish & Wildlife, Water Quality Control Board, etc.

Preliminary staff comments are summarized below; additional comments may be presented at the Planning Commission meeting.

Site Plan, Setbacks & Adjacencies

The property is surrounded by the following uses: adjacent used car lot and Ellen's restaurant to the west; Pea Soup Andersen's building and Andersen's Inn to the north, across the Hwy 246 roadway; vacant, undeveloped land and the Shell gas station to the east; and Zaca Creek and Flying Flags RV resort to the south.

The irregularly shaped property has frontages on both Highway 246 on the north and Avenue of Flags on the west; both frontages are considered front yards. On the southern boundary, a portion of the site is located adjacent immediately adjacent to Zaca Creek with the remainder being adjacent to Flying Flags; this is considered the rear yard. The eastern boundary is considered the interior side yard and is located adjacent to undeveloped land, with the Shell gas station beyond.

The Specific Plan allows for zero-lot lines and flexibility with setbacks if provided as may be appropriate for specialty projects and/or unique sites, such as the subject property. A 50-foot setback from Zaca Creek top-of-bank is required for building structures.

Parking

The parking requirement is determined by breaking down the various buildings into their component uses as set forth in the following parking analysis table:

PARKING ANALYSIS BY BUILDING USE

Use	Area (or Factor)	Parking Space Ratio	Parking Required	Parking Provided
Motel	24 guest units 5 employees	1 per guest room = 24 1 per 5 employees = 1	25	29
Coffee Shop	1,200 s.f. (*patron area) <i>* need floor plan and permanent outdoor seating capacity to verify</i> 4 employees	1 per 300 s.f area for patrons = 4 1 per 2 employees = 2	6	36
Market / Deli	9,000 s.f.	1 per 300 s.f. = 30	30	
TOTAL			61	65
Handicapped	Total number of spaces on site: 40 - 80	1 per 40 spaces on site = 2	2	4 + 1 EVCS
Loading Space	Commercial uses with floor area of 3,000+ s.f.	1 space	1 space 10 ft. X 30 ft.	1 space 12 ft. X 38 ft. <i>* need to verify suitability of location & access</i>

A preliminary estimate of parking requirements for the project is a total of 61 spaces. The proposed site plan shows 65 spaces, 4 spaces more than the minimum required; this includes 4 ADA accessible spaces. Space is not shown for Electric Vehicle Charging Station. The required 10' by 30' loading zone is provided, however suitability of the location and vehicular access needs to be verified. A total of 5 bicycle racks are shown: 3 racks by the Market, and 2 racks by the Coffee Shop. Confirmation of square footage attributable to Coffee Shop patron area, permanent outdoor seating and number of employees by use is needed; any changes in total parking requirement would need to be addressed by the Project. Will there be permanent outdoor seating for the deli portion of the Market area? If yes, square footages and locations need to be identified and the use needs to be considered in the parking calculation.

Access & Circulation

Vehicle ingress/egress is proposed via two driveways along Hwy 246 and one driveway on Avenue of Flags.

- The Hwy 246 frontage currently has six driveway approaches, which would be reduced to two and reconstructed to current Caltrans standards; needs further evaluation.
- The main driveway entrance to the Project along Hwy 246 over the Zaca Creek culvert would be partially located within the triangular lot that is Caltrans public right-of-way and provides access to the flood control headwall and culvert structures; needs further evaluation.
- A new driveway approach would be installed along Avenue of Flags along the western property line; potential impacts to the public roadway, the buffer median, the entire western parking area, and vehicle maneuvering space need to be further evaluated.
- All driveways would be for both ingress/egress and provide access to the interior two-way drive aisles and parking areas.

A one-way drive-through aisle is proposed for the coffee shop; vehicle queuing capacity and length need to be further evaluated to ensure it will accommodate anticipated vehicles, and turning movements need to be further evaluated to avoid both pedestrian and vehicle movement conflicts.

Interior vehicle circulation appears to be tight in certain locations. This is especially the case for larger commercial vehicles (delivery trucks, trash collection, etc.) attempting to access the loading zone and trash enclosure proposed along the eastern drive aisle; need to show how the vehicles would turn around to exit the property. Further review of the parking area and drive aisle layout is needed in order to ensure that adequate vehicle maneuvering space is provided and both vehicle and pedestrian conflicts are addressed.

Internal pedestrian circulation is provided via a proposed eight-foot wide sidewalk/Class 1 trail along Zaca Creek as well as a network of 4- to 6-foot wide sidewalks connecting the buildings to one another.

A Traffic & Circulation Study is required, given the proposed drive-through Coffee Shop use and related configuration; revisions to the existing driveway approaches and adjacent roadway impacts along both Hwy 246 and Avenue of Flags; and internal circulation constraints. The Study would include the following considerations at a minimum:

- Traffic generated by proposed drive-through use and impact upon City roadways.
- Analysis of on-site circulation, passenger and large vehicle maneuvering space, drive-through queuing capacity and vehicle stacking length, turning movements, potential pedestrian and vehicle conflicts
- Analysis of off-site turn movements and queuing (passenger & commercial vehicles) into and out of the subject property and other nearby sites onto Highway 246 (which is an arterial highway and designated truck route) and also onto Avenue of Flags.
- Analysis of on- and off-site circulation, including elimination and reconfiguration of the SR 246 driveway aprons.
- Visibility and congestion issues exiting driveways.
- Any other factors deemed relevant.

Insofar as Caltrans has jurisdiction over the Highway 246 right-of-way, the proposed project plans will need to be submitted to Caltrans for review and comment; there may be additional issues to consider as a result of their review.

In addition, trash and recycle area plans need to be submitted to Marborg for review and comment; incorporate any required design considerations into revised plans. Further description is requested regarding how the trash cart area will be accessed by trash collection service trash pick-up service will be accommodated.

Architectural Design, Building Height & Elevations

Being situated along Highway 246, which is a main east-west arterial roadway and the major commercial corridor in the City with a nearby freeway interchange to US Highway 101, the Project site represents a prominent gateway to not only the Specific Plan area but also to the Buellton community as a whole.

For projects adjacent to Highway 246 and especially at prominent locations, the Community Design Guidelines emphasize high standards for the physical appearance of buildings, to include prominent architectural features and attractive/inviting design details. The proposed building architecture reflects a creative expression and blending of Art Deco and Streamline Moderne design styles, which are all suitable for the project site. The proposed building heights all appear to be lower than the maximum 35-foot height allowed by the Specific Plan.

The proposed 2-story Motel is shown to be 23 feet 7 inches in height, with architectural projections up to 30 feet. The design style presents as Art Deco-Midcentury Modern, with a secondary theme of space, due to the proximity of Vandenberg Space Force Base. The building appears to be raised out of the floodplain. Further review is needed to verify building heights from finished floor elevation per FEMA requirements.

The proposed Coffee Shop is designed in a 50s Diner style, with iconic pop-art elements that include a large coffee cup above the pickup window and a coffee pot that vehicles drive through to place their orders. Building heights appear to be: 16 feet for main building, 18.5 feet for the coffee cup is 18.5 feet, and 28 feet for the coffee pot. No operator for the business has been identified yet; hours of operation are unknown but anticipated to align with similar coffee shops that are open from 4:30 am to 10 pm. The building is in the flood plain and would have dry flood proofing construction.

The proposed Market is designed as an art deco theater with a central marquee/main entrance facing Highway 246. The predominant building height appears to be 22~ feet, with the center architectural tower element reaching 35 feet. No operator for the business has been identified yet; hours of operation are unknown but anticipated to align with similar markets that are open from 7:00 am to 11 pm. The building is in the flood plain and would have dry flood proofing construction.

The City's contract Architect has reviewed the plans as part of the Architectural Design Review process. The Design Review report from Ravatt Architects is included as **Attachment 6** and sets forth comments that need to be addressed.

Landscape & Screening

(applicable BMC Sections: 19.04.120, 19.04.144 and Chapter 12.32 "Tree Ordinance")

The total square footage of the combined 4.2 acre site is approximately 105,516 SF. The underlying CR zone requires that at least 5% of the net lot area be landscaped, and that all portions of any setback areas fronting on streets shall be landscaped. The proposed plans indicate that 31,833 SF (30%) of the project site would be landscaped. The remainder of the site would be allocated to building footprint at 23,843 SF (22%) and impermeable hardscape at 49,840 SF (47%).

The proposed site improvements would impact or encroach upon potential aquatic resources pertaining to Zaca Creek, including the removal of 2 Oak Trees at the top of the existing Zaca Creek headwall, encroachment into the dripline of an oak tree, and grading for the trail.

Further review of the proposed landscape plan is needed to verify details of compliance with the municipal code requirements. The reviews shall include consideration of the items described below along with other applicable requirements in the municipal code and Community Design Guidelines.

Parking areas shall be screened as follows:

- where trees are existing, parking area design should make the best use of this growth and shade;
- screening shall be provided along each property line, consisting of a five-foot wide strip, planted with either sufficient shrubbery to effectively screen the parking area, or a solid ornamental fence/wall not less than four feet in height;

Where total uncovered parking area exceeds 3,000 SF, the following shall be required:

- Trees, shrubbery and ground cover to break up continuity of parking areas, planting islands to protect trees/shrubs,
- All ends of parking lanes to have landscaped islands.

Approximately 31,833 SF (30% of site area) is proposed to be planted with vegetation. Further detail is needed on the landscape plan, including: labels on the corresponding (or typical) locations of plant species, particularly along street frontages, parking lot screening areas, buffers, multi-purpose trail, and Zaca Creek adjacent areas; location of replacement oak trees; defining hardscape vs. softscape; describing and showing locations of any site amenities, such as site furnishings, permanent outdoor seating, fencing, screening and buffer areas, trellises, gates, and other applicable features.

Removal of at least one street tree is identified; need further evaluation of public improvements needed to determine if additional trees would be impacted. Additional street trees may be required along Highway 246 and Avenue of Flags.

Removal of at least 2 native Oak Trees and encroachment on driplines of other protected trees on the property will require compliance with the Native Tree Protection Ordinance (“Tree Ordinance”, BMC Title 12, Chapter 12.32), which promotes the preservation of native trees to maintain the character of the City, preserve the City’s beauty and identity, and protect native habitat. At a minimum, an arborist report will be required and replacement oak trees need to be shown on the landscape plan.

Top-of- bank and required 50 foot setback for Zaca Creek is delineated on plans. Parking, multi-purpose trails and drive aisles are allowable uses within the setback area. A 10 foot landscaped buffer area from top-of-bank may be required. Zaca Creek frontage would be a suitable location for pedestrian paths and other amenities that would enable customers/the public to enjoy the creek corridor’s scenery and, with suitable fencing/landscaping along the top-of-bank, would serve to reduce human intrusion into the creek channel.

Is any creek restoration planned? Landscaping and construction activity which impacts Zaca Creek shall be coordinated with applicable regulatory agencies, and appropriate permits obtained. A Biological Resources Assessment Report has been submitted; it is being reviewed by Staff and would be part of the Project documents to be considered by the Dept of Fish & Wildlife (DFW) in reviewing potential impacts to Zaca Creek. It is noted that the DFW review would address a comment from a community regarding potential impacts to Southern Steelhead Trout.

The Landscape Plan shall be designed to comply with the Model Water Efficiency Landscape Ordinance (MWELo). A compliant preliminary Irrigation Plan and calculations will be required, with the MWELo statement signed by a landscape architect.

Signage

(applicable BMC Sections: 19.04.170 thru 19.04.176 (referred to as “Sign Ordinance”))

Attractive and inviting signage is encouraged on this prominent location and gateway to the City’s thriving commercial corridor. Municipal Code signage allowances for commercial zones are calculated at one square foot of sign area per lineal foot of the longest street property frontage, and an additional one-half square foot of sign area per lineal foot of side street frontage. Any case in which the aggregate sign area exceeds four hundred square feet requires a minor use permit.

With approximate (*) street frontages of 372 feet along Highway 246 (longest frontage) and 202 feet on Avenue of Flags (side street), it is estimated that a maximum aggregate sign area of 473 square feet is allowed for the Project. * Note: the street frontages are estimates and need to be verified. Included in this aggregate calculation are monument signs; two would be allowed, with a maximum height of 8 feet, setback a minimum 5 feet from a public right-of-way.

While some information is provided on various sheets for signage, a sign summary with additional detail is needed, showing all proposed signage by type and location with dimensions, lighting, materials, etc. Given that the project consists of multiple tenants/businesses, a Master Sign Program reflecting all proposed

signage (wall, tenant, door, monument sign, building identification, directory, etc.) and in sufficient detail to allow for calculation of compliance with the Sign Ordinance shall be required.

Lighting Plan & Sign Lighting

Applicant has submitted a preliminary exterior sight lighting plan, with corresponding fixture locations noted parking lot poles lights, post lights, and bollards. Limited information was provided for exterior lighting on the buildings and signage. Additional information and detail is needed on all light fixtures, include signage, in order to allow for a complete review. Details to be provided include: colors, finishes, selected brightness/lumens and Kelvin ratings (3000 or lower requested), and dark sky compliance.

A photometric plan was not submitted; staff recommends the preparation of a photometric lighting analysis given the proximity of the Project to adjacent uses. The photometric plan needs to show brightness levels at the property line so that impact upon neighboring uses can be determined.

Engineering Plans & Reports

The Public Works Department has provided the following preliminary comments (additional information may be presented at the Planning Commission meeting):

- A Traffic & Circulation Study will need to be prepared.
- Need more information and detail on how traffic (ingress/egress) circulation will occur and modifications to Avenue of Flags. The entire western parking area and mini-median on Avenue of Flags will need to be reworked.
- Need additional detail regarding stormwater controls and treatments being proposed. The site appears to have high percentage of hardscape and impermeable surface.
- Need to address flood control requirements in that area. FEMA has preliminary maps out and new cross sections are provided for that area; a copy of the preliminary map is included in **Attachment 7**. The map viewer can be accessed at the following location:
<https://fema.maps.arcgis.com/apps/webappviewer/index.html?id=e7a7dc3ebd7f4ad39bb8e485bb64ce44>
- Industrial Wastewater Discharge (IWD) and Fat, Oils & Grease (FOG) permits may potentially be needed, depending on further review of specific uses and operations of the coffee shop and market.
- Clarification of any access restrictions on Hwy 246 (a California State Highway under Caltrans jurisdiction) will be required. This includes the triangular shaped parcel, located at the main access driveway on Hwy 246; the parcel is currently a public right-of-way and also provides access to the Zaca Creek flood control headwall/culverts. The public improvements proposed on this triangular parcel need further review by Public Works. Preliminary review, comments and potential permit requirements from Caltrans are also required.
- Potential construction that impacts Zaca Creek, including landscaping and improvements adjacent to the existing flood control structures, need to be further defined with Public Works and coordinated with applicable regulatory agencies (e.g. Dept of Fish & Wildlife, Water Quality Control Board, etc); appropriate permits to be obtained.
- Additional comments will be presented at the meeting regarding the proposed Tentative Parcel Map, which is required to realign the property line between existing parcels as needed in order to allow for each building to be situated on a discrete parcel and to address the numerous easements that exist on the property.

Building & Safety Comments

The Santa Barbara County Building & Safety Division has reviewed the plans and the following comments have been provided:

- 1- A Geology report prepared by a CA licensed Geologist will be required.

- 2- An updated Geo Tech report with a minimum 50' boring will be required.
- 3- The site appears to be located in the Flood Plain, all Flood Control Administrator conditions of approval must be included on the cover sheet of the plans to include, base flood elevation, minimum finish floor height required above the base flood elevation, any flood proofing requirements, etc., coordinate with structural as needed.
- 4- Provide an accessible path of travel from the Hwy 246 entrance to the motel entrance.
- 5- Provide an accessible path of travel on the shortest route possible from accessible parking at the motel to the office, currently appears there are steps proposed.
- 6- For plan review, provide complete site and building accessibility plans.
- 7- For plan review, provide a separate detailed egress plan that identifies the occupant load of all spaces, floors and building, minimum exit requirements based on the occupant load served, egress components (i.e.: exit access, egress balcony, exit discharge, exterior exit stair, etc.) and accessible paths of travel to the public right of way.
- 8- For plan review, provide a fire resistive plan that identifies all fire resistive rated construction requirements for Type of Construction, exterior wall and opening protection based on fire separation distance to property lines, occupancy separations if required, separation of sleeping units, label fire rated assemblies as required to include fire barriers, fire partitions, fire rated exterior walls, fire rated horizontal assemblies, parapets, etc. Detail all fire rated assemblies, provide listed assemblies used, detail continuity provisions at concealed spaces for all locations and conditions as well as protection of penetrations.

For any questions or clarification, please contact Beth Brooke, Plans Examiner, at 805-934-6238 or via e-mail, Bbrooke@countyofsb.org

SB County Fire Department Comments

Due to the complexity of the project, additional fees were requested by the Fire Department for plan review. The fees have just been received, and the Fire Department is commencing their review of the plans. Comments will be provided at a future date (to be determined) and any potential changes to the site plan and/or building design would need to be addressed by the Project.

SB County Sheriff Department Comments

The Sheriff Department has not provided any comments.

Specific Plan Amendment Request

The adopted Avenue of Flags Specific Plan acknowledges that, over time, revisions may be needed in order to respond to changing technical and economic conditions. Chapter 6, "Specific Plan Administration" provides for an amendment application process, which may be initiated by a developer, an individual, or by the City.

Proposals to amend the SP must clearly and specifically document the need for such changes, and shall include revised text and revised maps/figures, where relevant, depicting the requested amendment. The applicant should indicate the economic, social and technical issues that generate the need for amendment.

Any proposal to amend must be accompanied by reports, or studies that analyze the amendment's effect compared to the adopted SP. The applicant must provide an analysis of the amendments impacts relative to the adopted CEQA document for the Specific plan. Depending on the nature of the amendment, supplemental environmental analysis may be necessary in order to ensure compliance with CEQA.

Given the favorable comments received from both Planning Commission and City Council at the prior conceptual reviews of the Project, the Applicant has submitted an application for Specific Plan Amendment to allow the following two items which are not otherwise permitted by the Specific Plan: 1) “drive-thru sales” use; and 2) vehicle parking and circulation within the first 150 feet of frontage along Hwy 246. The Applicant proposes that the two amendments be made only to Specific Plan District #6, and be only for the Hwy 246 frontages.

In the Project Description Narrative (**Attachment 3**), the Applicant presents a preliminary rationale for the Amendment, which includes consideration for:

- providing services to the significant volume of commuter traffic from neighboring valley communities and travelers
- addressing the needs of local businesses along the Hwy 246 frontage to be competitive, especially with the commercial hub east of US 101 - vehicle oriented amenities such as drive through sales are an important factor.

Staff is in the process of evaluating the rationale, along with the supplemental reports and studies submitted by the Applicant. Additional detail may be required in order thoroughly address the proposed amendment’s effects compared to the adopted Specific Plan. The extent of the additional information will depend largely upon the results of the environmental review which is being conducted to analyze the proposed Project’s impacts upon the adopted CEQA document for the Specific Plan.

Environmental

The Initial Study / Mitigated Negative Declaration (IS/MND) for the Avenue of Flags Specific Plan was approved by City Council in October 2017. The IS/MND states that private development would occur primarily on the ten Opportunity Site areas (Opp Sites), which are either vacant or underutilized privately-owned parcels; land use entitlements would be on a project-specific basis The Opp Sites are all under 5 acres in size and may potentially qualify for a Categorical Exemption (Class 32 In-Fill Development Projects) under the California Environmental Quality Act (CEQA) guidelines. Deviations from the land uses and densities analyzed in the MND are subject to Planning Commission and City Council consideration and may require a Specific Plan Amendment.

Given that a Specific Plan Amendment is being requested to address the impacts of proposed uses and site configurations that were not considered by the IS/MND, supplemental environmental analysis is required in order to assure compliance with CEQA. The Applicant has submitted some of the technical studies that may be required; preparation of a Traffic Study is being arranged; and the City’s environmental consultant, Rincon, would be preparing additional analyses, peer reviews and documentation, as needed. Additional information which may be needed from the Applicant would be determined during the CEQA review process.

Additional Comments and Actions

Staff may have additional comments to be provided at the time of the meeting. Comments and corrections from staff and the Planning Commission will be summarized in an Incomplete Letter and provided to the Applicant. The Applicant will then respond to the Incomplete Letter with a resubmittal of the project. If the resubmittal meets the requirements contained in the Incomplete Letter, the project will move forward with a public hearing with the Planning Commission after the environmental review is completed. At that time the Planning Commission would take an action, which would consist of a recommendation to City Council for final action on the Project.

RECOMMENDATION

That the Planning Commission provide comments and direction to the Applicant and Staff on the proposed Project plans.

ATTACHMENTS

Attachment 1 – Vicinity Map

Attachment 2 – 100-Year Flood Map

Attachment 3 – Project Description Narrative

Attachment 4 – Project Plans (Grading & Drainage Plan, Preliminary Utility Plan, Preliminary Erosion & Sediment Control Plan, Existing/Demolition Plan, Proposed Site Plan, Preliminary Lighting Plan, Floor Plans, Elevations & Perspective Views, Preliminary Landscape Plan)

Attachment 5 – Conceptual Review Comments

Attachment 6 – Design Review Report

Attachment 7 – FEMA Preliminary Map re: Flood Zone Updates