



**DATE:** January 29, 2019

File: UP 18-09

**TO:** ZONING ADMINISTRATOR

**FROM:** Shannon Costa, Assistant Planner 879-6807 [shannon.costa@chicoca.gov](mailto:shannon.costa@chicoca.gov)

**RE:** Use Permit 19-01 (Skypark Drive-through)  
2485 Notre Dame Boulevard, suite 800, APN 002-210-041

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## RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from further environmental review and approve Use Permit 19-01 (Skypark Drive-Through) based on the findings and subject to the recommended conditions of approval.

## BACKGROUND

This is a request to authorize drive-through sales for one tenant of a new multi-tenant commercial building proposed at the Skypark Plaza Shopping Center, located at 2485 Notre Dame Boulevard, on the northeast corner of Notre Dame Boulevard and Skyway (see **Attachment A**, Notification Map). The project site within and existing parking area between two points of ingress/egress from Notre Dame Boulevard to the Skypark Plaza Shopping Center.

The site is designated Commercial Mixed Use on the City's General Plan Land Use Diagram and is zoned CC (Community Commercial). A use permit is required to authorize a new drive-through sales use in the CC zoning district pursuant to Chico Municipal Code (CMC) Section 19.44.020, Table 4-6. New drive-through uses must comply with City standards set forth under Chico Municipal Code (CMC) Section 19.76.070.

At its June 26, 2018 meeting, the Zoning Administrator approved a use permit (UP 18-09) authorizing drive-through sales for the same project on different parcel within the same shopping center. The applicant has since decided not to move forward with the previous approval and is seeking approval of the same project at a different site.

The proposed building would be approximately 4,300 sq. ft. in size and would include space for two tenants of which one would feature a drive-through facility (see **Attachment B**, Site Plan to Accompany Use Permit 19-01). Site improvements and architecture associated with the proposed project have been reviewed and approved by Planning staff.

As depicted on the site plan, the new drive-through window would be located on the north side of the building, along the Notre Dame Boulevard frontage. The drive-through lane provides sufficient room to accommodate six vehicles in advance of the service window, consistent with the City's requirements. The proposed landscape plan depicts the screening proposed for the drive-through lane and is provided as **Attachment C**. All vehicle circulation associated within the new use would be internal to the existing shopping center and no new access points with the public right-of-way are proposed. Ample parking would be provided within the shopping center to serve the proposed project.

## **DISCUSSION**

The drive-through complies with all City standards, including sufficient room to queue at least six vehicles in the drive-through lane. As shown on the site plan, the drive-through lane has room for approximately seven vehicles total. Proposed screening for the drive-through lane includes layers of trees and hedges between the shopping center entrance and the drive-through lane. New landscaping is proposed onsite, and additional shade trees and landscaping would be provided in the parking lot.

The proposed project would maintain compatibility with the surrounding commercial uses. Located in the same shopping center is Starbucks, which also includes a drive-through facility. Directly north of the project site is McDonalds, which recently underwent a façade remodel. The proposed use is consistent with the site's General Plan land use designation and several goals found in the General Plan's Economic Development Element. The use is also consistent with the City's desire for intensification and revitalization of commercial uses. Staff recommends approval of the use permit.

## **ENVIRONMENTAL REVIEW**

This project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures). Consistent with this exemption, the project consists of the construction of a new commercial pad building less than 10,000 square feet in size, including drive-through food sales, not involving the use of significant amounts of hazardous substances, where all necessary public services are available, and the surrounding area is not environmentally sensitive habitat.

## **FINDINGS**

Following a public hearing, the Zoning Administrator may approve a use permit application, with or without conditions, only if all of the following findings can be made:

### Use Permit Findings

- A. *The proposed use is allowed within the subject zoning district and complies with all of the applicable provisions of Chapter 19.24 (Use Permits).*

Chico Municipal Code Section 19.44.020 allows drive-through sales in the CC zoning district, subject to use permit approval. This use permit has been processed in accordance with the requirements of Chapter 19.24.

- B. *The proposed use would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the proposed use.*

The proposed use consists of the addition of drive-through sales to a new multi-tenant commercial building in the Skypark Shopping Center. All drive-through improvements will be constructed to City standards, which are intended to promote the health, safety, and general welfare of the public. No new access points will be created, so there will be no new sight distance hazards, and there is adequate vehicle

stacking so that emergency access to the site remains unobstructed. No impacts to the health, safety, or welfare of neighborhood residents have been identified.

- C. *The proposed use will not be detrimental and/or injurious to property and improvements in the neighborhood of the proposed use, as well as the general welfare of the City.*

The proposed use consists of the addition of drive-through sales for one tenant of a new multi-tenant commercial building in the Skypark Shopping Center. No new heavy truck traffic which could damage existing public roads is proposed, and existing regulations require that any public improvements damaged during the course of construction be repaired or reconstructed by the applicant. No other impacts to property or improvements have been identified.

- D. *The proposed use will be consistent with the policies, standards, and land use designations established by the General Plan.*

The proposed drive-through sales use is consistent with the Commercial Mixed-Use designation for the site, which accommodates a wide variety of retail uses, including those which are auto-oriented (such as drive-through uses). Approval of the project is also consistent with General Plan goals and policies to enhance Chico's long-term prosperity (ED-1), ensure that regulations and permitting processes for the conduct of commerce do not unreasonably inhibit local business activity (ED-1.3), and promote land use compatibility through use restrictions and development standards (LU-2.4). No specific, area, or neighborhood plans apply to the project.

- E. *The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.*

The proposed use consists of the addition of drive-through sales for one tenant of a new multi-tenant commercial building in the Skypark Shopping Center. The use is located at the general intersection of two arterial roadways (Skyway and Notre Dame Boulevard) and is compatible with existing retail development within the shopping center and on nearby properties. Compliance with the City's drive-through regulations will ensure operating characteristics are compatible with the surrounding land uses. The new structure, landscaping, and site improvements are subject to architectural review, and must be found consistent with the City's adopted Design Guidelines Manual.

## **CONDITIONS OF PROJECT APPROVAL**

1. Use Permit 19-01 authorizes drive-through sales for one suite of a new commercial building at the Skypark Shopping Center, in substantial accord with the "Site Plan to Accompany Use Permit 19-01 (Skypark Drive-through)" and in compliance with all other conditions of approval.
2. The permittee shall comply with all other State and local Code provisions, including those of the Building Division, Public Works Department, Fire Department, and Butte County Environmental Health. The permittee is responsible for contacting these offices

to verify the need for permits.

## **PUBLIC CONTACT**

A notice was published in the Chico Enterprise Record 10 days prior to the meeting date, and notices were mailed out to all property owners and tenants within 500 feet of the project site. At the time of the staff report being published, no comments have been received from the public.

### **DISTRIBUTION:**

Internal (2)

Bruce Ambo, Principle Planner

Shannon Costa, Assistant Planner

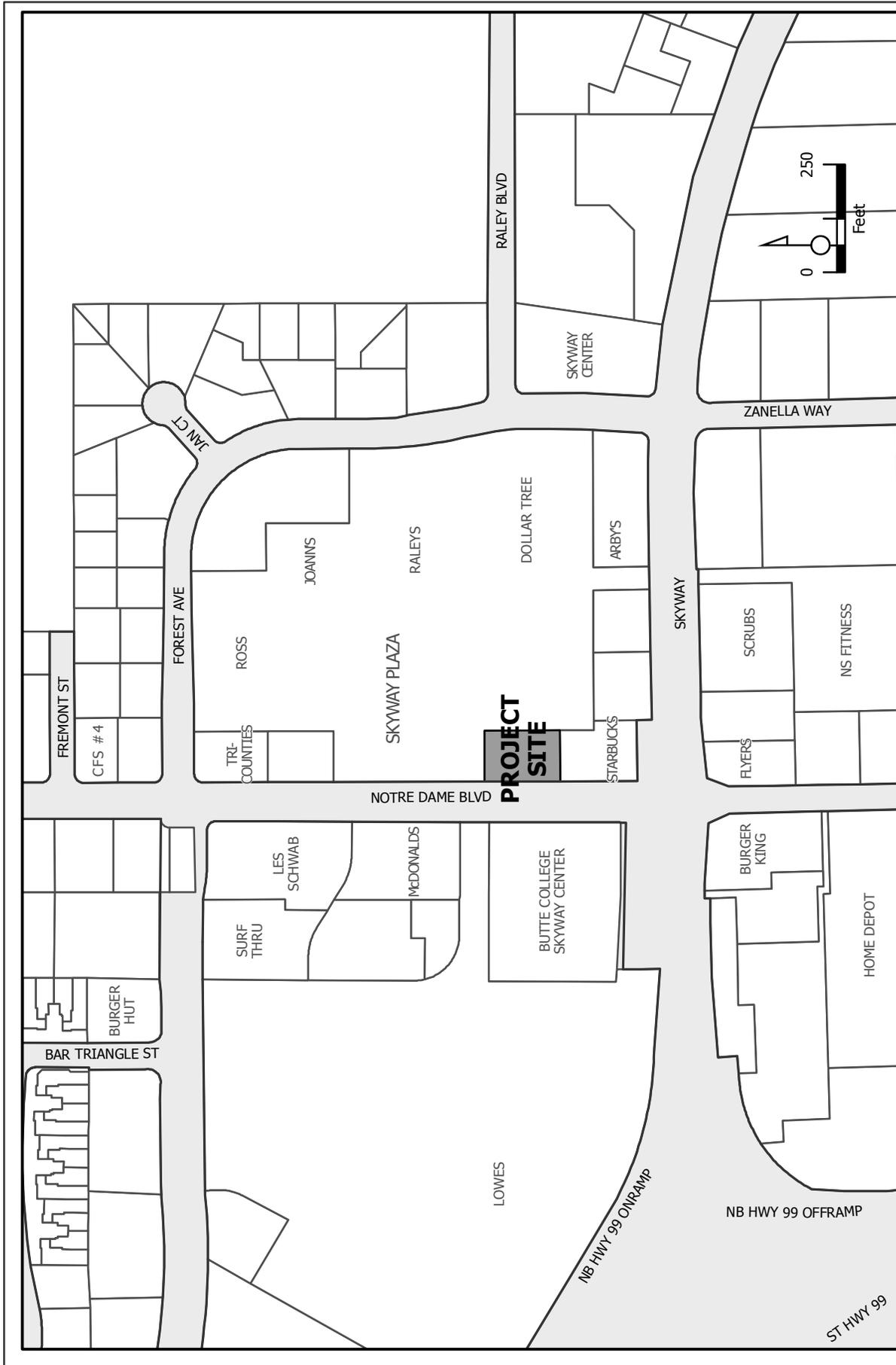
External (2)

Scott Gibson, 2540 Zanella Way, suite 60, Chico, CA 95928 scottg@sgarchitect.net

Carwood Skypark LLC, Attn. Jim Slaughter, 200 E. Carillo Street, Suite 200, Santa Barbara, Ca 93101

### **ATTACHMENTS:**

- A. Location/Notification Map
- B. Site Plan to Accompany Use Permit 19-01 (Skypark Plaza Drive Through)
- C. Landscape Plans



UP 18-09 (Gibson Architect, Inc)  
 2485 Notre Dame Boulevard #800  
 APN 002-210-041-000

| REV. DATE |
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PLAZA TITANIA TITANIA  
 2485 NOTRE DAME BLVD.  
 CHICO CALIFORNIA 95928

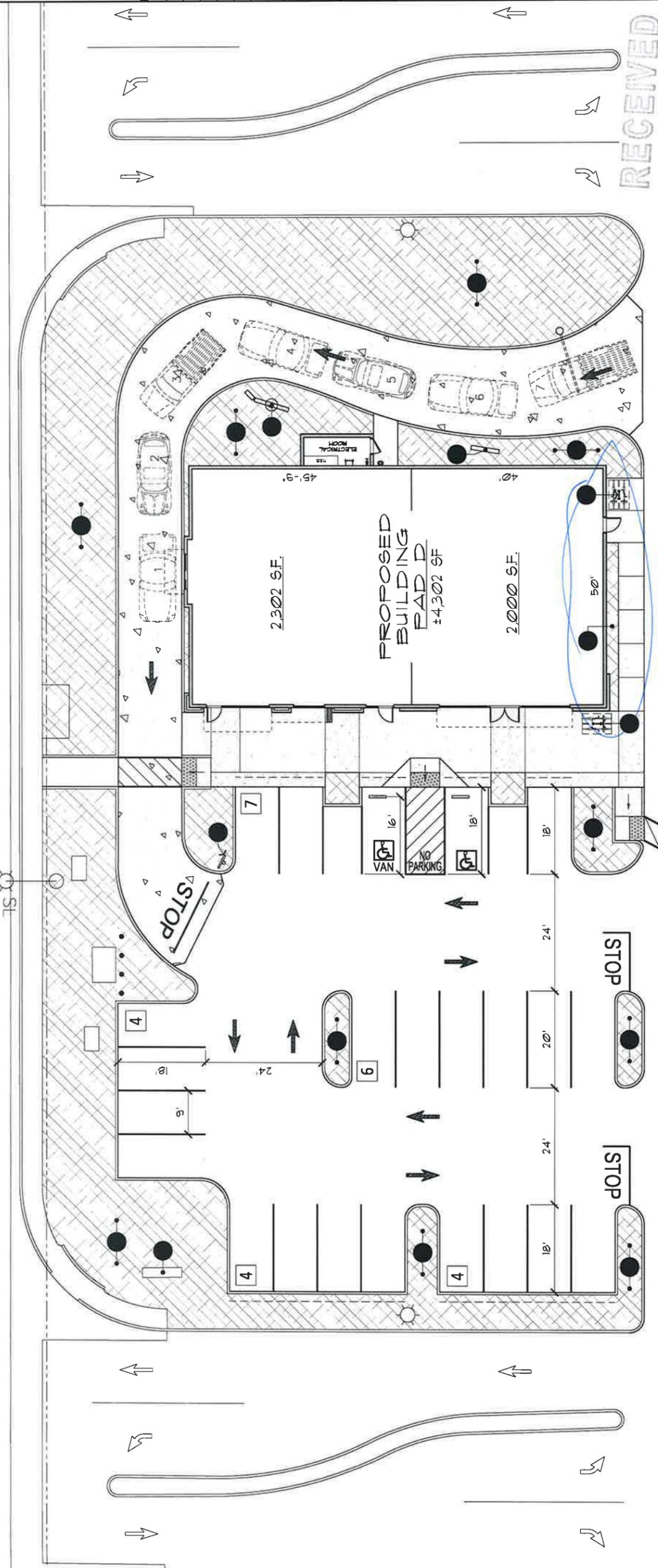
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DATE: 09/25/2018  
 JOB NO. 18.059

**A2**

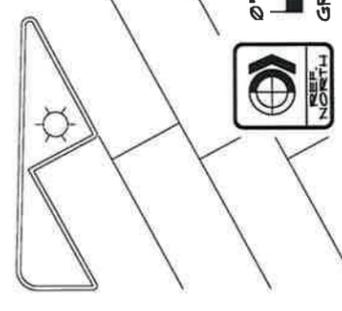
Attachment B

NOTRE DAME BLVD.



JAN 14 2019

CITY OF CHICO  
 PLANNING SERVICES



KEYED NOTES	
1	BICYCLE RACKS REFER TO M1 FOR RACK DETAILS
2	TRASH ENCLOSURE W/ROOF - REFER TO 1/A3 FOR DETAILS
3	EXISTING MONUMENT SIGN - REFER TO 2/A3
4	REFER TO LANDSCAPING PLAN FOR (E) HEDGE SCREENING
5	DRIVE THRU PRE-ORDER BOARD
6	MENU BOARD WITH ORDER SCREEN
7	WALL MOUNTED GREEN SCREEN METAL TRELLIS
8	STOP SIGNAGE

Proposed Site Plan - Pad D  
 SCALE: 1" = 10'-0"

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VALUES	5170		
MAXIMUM APPLIED WATER ALLOWANCE	650		
MAVA = (Eto-Epp)(0.62)(0.1AL)(0.3SLA)	0.62		
where:	0.1		
MAVA = MAXIMUM APPLIED WATER ALLOWANCE	4566		
Eto = REFERENCE EVAPOTRANSPIRATION	0.3		
Epp = EFFECTIVE PRECIPITATION 25% OF ANNUAL RAINFALL	0		
0.62 = CONVERSION FACTOR TO GALLONS PER SQUARE FOOT			
0.1 = ET ADJUSTMENT FACTOR			
LA = LANDSCAPE AREA INCLUDING SPECIAL LANDSCAPE AREA			
0.3 = ADDITIONAL ADJUSTMENT FACTOR FOR SLA			
SLA = SPECIAL LANDSCAPE AREA			
VALUES	0		
ESTIMATED TOTAL WATER USE	0.62		
ETMU = (Eto)(0.62)(PF X HA / (E + SLA))	0.75		
ETMU = ESTIMATED TOTAL WATER USE			
Eto = REFERENCE EVAPOTRANSPIRATION			
ETMU = ESTIMATED TOTAL WATER USE			
PF = PLANT FACTOR			
HA = HYDROZONE AREA			
SLA = SPECIAL LANDSCAPE AREA			
0.62 = CONVERSION FACTOR TO GALLONS PER SQUARE FOOT			
E = IRRIGATION EFFICIENCY			
ETMU = 51321 GALLONS PER YEAR			
PLANT FACTOR			
HYDROZONE WATER USE TYPE	PLANT FACTOR	AREA	PF X AREA
2	LOW	241	4150
3	MEDIUM	5	456
4	HIGH	.75	581
	TOTALS		1581
	SLA		0
NOTE: THIS CALCULATION IS FOR ONSITE LANDSCAPE ONLY			

A/I/O	WATER USE
SCALE	N/A

LANDSCAPE AREA 8,197 SF = 24% LANDSCAPING  
 SITE AREA 27,853 SF

A/B	LANDSCAPE PERCENTAGE
SCALE	N/A

PHOTO	SYMBOL	NAME
	1 & 2	LIGUSTRUM JAPONICUM 'TEXANUM' MAXLEAF TEXAS PRIVET MAINTAIN @ 42" HIGH
	3	BAMBUSA M. 'GOLDEN GODDESS' GOLDEN GODDESS BAMBOO
	4	DIETS IRIOIDES FORTNIGHT LILY
	5	PHORHIUM TENAX 'RUBRUM' PURPLE FLAX
	6	COTONEASTER DANERLI 'LOWFAST' BEAR BERRY COTONEASTER
	7	TELCRIMUM CHAMAEDRY'S GERMANDER
	T1	PRUS CALLERYANA 'BRADFORDII' BRADFORD PEAR
	T2	LAGERSTROMIA FAURIE 'NATCHEZ' CREPE MYRTLE
	T3	PISTACIA CHINENSIS CHINESE PISTACHE
	V1	GELSEMIUM SEMPERVIRENS CAROLINA JESSAMINE

A/I	PLANT PICTURES
SCALE	N/A



E/4 CONCEPTUAL LANDSCAPE PLAN  
 SCALE 1" = 16'0"

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
1	LIGUSTRUM JAPONICUM 'TEXANUM'	MAXLEAF TEXAS PRIVET	EXISTING	LOW
2	LIGUSTRUM JAPONICUM 'TEXANUM'	MAXLEAF TEXAS PRIVET	15 GALLON	LOW
3	BAMBUSA MULTIPLEX 'GOLDEN GODDESS'	GOLDEN GODDESS BAMBOO	5 GALLON	LOW
4	DIETES IRIOIDES	FORTNIGHT LILY	15 GALLON	LOW
5	PHORHIUM TENAX 'RUBRUM'	PURPLE FLAX	15 GALLON	LOW
6	COTONEASTER DANERLI 'LOWFAST'	BEAR BERRY COTONEASTER	1 GALLON	LOW
7	TELCRIMUM CHAMAEDRY'S	GERMANDER	5 GALLON	LOW
T1	PRUS CALLERYANA 'BRADFORDII'	BRADFORD PEAR	15 GALLON	LOW
T2	LAGERSTROMIA FAURIE 'NATCHEZ'	CREPE MYRTLE	15 GALLON	LOW
T3	PISTACIA CHINENSIS	CHINESE PISTACHE	15 GALLON	LOW
V1	GELSEMIUM SEMPERVIRENS	CAROLINA JESSAMINE	15 GALLON	LOW
	VARIES	TURF	EXISTING	HIGH
	VARIES	EXISTING LANDSCAPING	EXISTING	

E/I	PARKING LOT SHADING
SCALE	N/A

SPECIES	% SHADE	QTY	SHADE AREA	TOTALS
CREPE MYRTLE	50%	6	157 SF	942 SF
BRADFORD PEAR	50%	4	480 SF	1920 SF
BRADFORD PEAR	25%	1	240 SF	240 SF
CHINESE PISTACHE	100%	2	162 SF	1624 SF
CHINESE PISTACHE	75%	5	722 SF	3610 SF
CHINESE PISTACHE	50%	1	481 SF	481 SF
TOTAL SHADE AREA				9117 SF
PARKING AREAS				12518 SF
PARKING LOT SHADE				9117 SF = 72% PARKING LOT SHADE
TOTAL ON SITE PARKING LOT AREA				12518 SF

REVISIONS	DATE
PLAN CHECK	5/22/18

All drawings and written material appearing herein constitute the original and unpublished work of the Landscape Architect and the same may not be duplicated, used, or disclosed without the written consent of the Landscape Architect.

**ALPINE LANDSCAPE INC.**  
  
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**SKYPARK PLAZA**  
**FUTURE PAD D**  
 2485 NOTRE DAME BLVD.  
 CHICO CALIFORNIA 95928

**CONCEPTUAL LANDSCAPE PLAN**



PROJECT	MRH	SCALE	
DRAWING	MRH	SHEET	12/12/18
		SHEET NO.	

L of 1