

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: CONOR MCKAY, CITY PLANNER
PLANNING AND ECONOMIC DEVELOPMENT
SUBJECT: APPLICATION FOR A ZONING TEXT AMENDMENT TO THE
PLANNED DEVELOPMENT (PD) 403 POLICY STATEMENT TO
SUPPORT THE OPERATION OF A COFFEE SHOP WITH
ACCESSORY DRIVE-THROUGH SERVICE AND EXTENDED
HOURS OF OPERATION LOCATED AT 4620 HIGHWAY 12 - FILE
NO. PRJ20-006

AGENDA ACTION: ORDINANCE INTRODUCTION

RECOMMENDATION

The Planning and Economic Development Department recommends that the Council introduce an ordinance to include “Coffee Shop – Counter Ordering” to the list of conditionally approved uses at “Parcel B” as identified in the Policy Statement for Planned Development 403 (PD 403), also identified as Sonoma County Assessor’s Parcel Number 032-190-029, to support the operation of a coffee shop with accessory drive-through and extended hours of operation.

EXECUTIVE SUMMARY

The proposal includes a zoning text amendment to allow for a Starbucks business with drive-through in Santa Rosa’s Northeast quadrant. The project site’s current zoning, PD 403, allows for the operation of a retail bank with drive-through ATM. The proposed use would occupy 2,200 square feet (sf) of a 3,759 sf facility, and the remainder would remain unoccupied. The proposed hours of operation are 4:30 a.m. to no later than 11:00 p.m. daily.

BACKGROUND

1. Project Description

The applicant proposes a Zoning Text Amendment to add “Coffee Shop – Counter Ordering” to the list of conditionally approved uses in the PD 403 policy statement. PD 403 was adopted to regulate the land uses at five separate and adjacent parcels, identified as Parcels A-F. Parcels A-C allow drive-through

STARBUCKS RE-USE WITH DRIVE THROUGH

Page 2 of 8

facilities as accessory uses subject to Conditional Use Permit (CUP) approval. Cafes and coffee shops are allowed on Parcels E-F subject to CUP approval. The proposed project would amend the PD policy statement to include “Coffee Shop – Counter Ordering” as an allowable use at Parcel B subject to CUP approval. The existing zoning allows the operation of a retail bank with drive-through ATM. The proposed project would amend the PD 403 policy statement to allow the operation of a coffee shop with accessory drive-through.

2. Surrounding Land Uses

The proposed site is immediately adjacent to an office building consisting of cosmetic surgery and spa treatment services to the south, and multi-family residential development to the east. A drug store and pharmacy with drive-through is located immediately west of the proposed site. Across Highway 12 to the north are single-family detached and duplex residential developments.

North: HWY 12, Medium Density Residential

South: Retail and Business Services (commercial)

East: Office (cosmetic surgery and spa)

West: HWY 12, Medium Density Residential

3. Existing Land Use – Project Site

The property is currently developed for use as retail banking, including walk-in and drive-through ATM services.

4. Project History

In January 1999, the Mission Arbors Rite Aid/DSL project was approved which included rezoning from U (Vacant) to C-1-PD (Retail, equivalent to Neighborhood Commercial in the current Zoning Code), Design Review, and a CUP for the construction and operation of a new 3,600 SF bank building with drive-through service at the subject site.

In July 1999, the policy statement for PD 0403 was adopted which establishes land use and development standards for the five parcels within the PD.

On March 2, 2020, the Planning and Economic Development Department received the Starbucks Re-use application as a Rezoning and Conditional Use Permit.

On July 14, 2020, the Planning and Economic Development Department received the re-submission of the Starbucks Re-use application as a re-zoning and an amendment to an approved major Conditional Use Permit.

On August 19, a Neighborhood Meeting was held which had no attendees.

STARBUCKS RE-USE WITH DRIVE THROUGH

Page 3 of 8

On September 10, 2020, an updated Focused Traffic Study was submitted to include queuing analysis results.

On September 24, 2020, the final plans and design package were submitted and the application was deemed complete.

On September 25, a Notice of Application was sent to residents and owners within 600 feet of the proposed project site.

On October 22, 2020, the Planning Commission by a vote of 6-1: (1) approved a conditional use permit to allow the operation of a coffee shop with drive-through and extended hours of operation, subject to City Council's approval of the zoning text amendment and (2) adopted a resolution recommending that City Council introduce and approve an ordinance to amend the text of PD 403 to support the operation of a coffee shop with accessory drive-through service and extended hours of operation at 4620 Highway 12.

PRIOR CITY COUNCIL REVIEW

None.

ANALYSIS

1. General Plan

The General Plan land use designation for the site is Office. The Office land use designation provides sites for administrative, financial, business, professional, medical, and public offices.

The following General Plan goals and policies are applicable to the project:

LAND USE AND LIVABILITY

- LUL-E-1 Promote livable neighborhoods by requiring compliance with green building programs to ensure that new construction meets high standards of energy efficiency and sustainable material use. Ensure that everyday shopping, park and recreation facilities, and schools are within easy walking distance of most residents.
- LUL-I Maintain vibrant, convenient, and attractive commercial centers.
- LUL-I-1 Provide a range of commercial services that are easily accessible and attractive, that satisfies the needs of people who live and work in Santa Rosa and that also attracts a regional clientele.
- LUL-J Maintain the economic vitality of business parks and offices, and Santa Rosa's role as regional employment center.

STARBUCKS RE-USE WITH DRIVE THROUGH

Page 4 of 8

- LUL-J-1 Maintain an adequate supply of employment centers in a variety of locations and settings to ensure the city's continued economic vitality.
- LUL-J-3 Allow limited support retail and business services – such as cafes, delis, and dry-cleaners – where the land use classification on the General Plan Land Use Diagram is Office or Business Park.

ECONOMIC VITALITY

- EV-C Promote new retail and higher density uses along the City's regional and arterial corridors.

URBAN DESIGN

- UD A-12 Promote green building design and low impact development projects.
- UD-C Enhance and strengthen the visual quality of major entry routes into the city, as well as major corridors that link neighborhoods with downtown.
- UD-C-1 Enhance the appearance of the city's major entries through special design criteria and streetscape improvements.
- UD-D-5 Provide planting strips with large canopy trees between the road and sidewalk to buffer pedestrians from traffic and help define the street space along commercial streets. Install pedestrian amenities in the planting strip such as:
- Street lighting
 - Seating
 - Bus stop shelters
 - Bicycle racks
 - Mail boxes
- UD-F-4 Provide visual interest in building, site, and landscape design that avoids the sense of a monotonous tract development.

While the description of the Office General Plan Land Use (GPLU) Designation does not include retail activities, Policy LUL-J-3 as identified above calls for the allowance of limited support retail and business services such as cafes and delis where the GPLU is Office. This is to prevent "office islands" by locating retail uses nearby office uses in order to serve the employees and visitors of those offices. Staff has determined this use to be consistent with the General Plan in that it proposes the operation of a coffee shop with drive-through retail near office uses. The proposed use would assist in maintaining the economic viability of the area and provide a viable commercial service while ensuring compatibility with and providing a convenient retail option for the nearby office and residential uses.

2. Zoning

The site is within Planned Development (PD) 0403, which identifies the subject parcel as a site where professional offices, services of all types, banks, and financial institutions are principle permitted uses. The conditionally permitted uses are drive-through facilities accessory to permitted uses, day-care centers, medical offices, clinics, office/residential mixed-use buildings, and parking lots. The zoning designation identified in the Policy Statement for the PD is C-1-PD, which is equivalent to Neighborhood Commercial (CN) in the modern Zoning Code. A drive-through retail use is permitted in the CN district subject to CUP approval. The proposed re-zoning would add “Coffee Shop – Counter Ordering” to the list of conditionally approved uses listed in PD 0403, which would result in compliance with the Zoning Code.

Zoning for surrounding properties:

North: R-3-15 (Multi-family Residential)

South: C-1-PD (Prescription pharmacies; Retail stores and shops conducted wholly within a building not to exceed 20,000 square feet, including drug stores; but not including secondhand stores, convenience stores, liquor stores, or taverns)

East: R-3-15-PD (Multi-family residential)

West: R-3-18 (Multi-family residential)

3. Neighborhood Comments

A neighbor submitted a comment in opposition of the proposed project, citing engines idling contributing to air pollution, global warming, and the climate crisis. Additionally, this neighbor believes the project would contribute to an existing traffic congestion problem in this area.

Another neighbor submitted a comment identifying their concern about the noise generated at the proposed project site.

Staff Response:

- The project will comply with all applicable BAAQMD and CAP standards related to air quality impacts, which would result in less than significant air quality and GHG impacts.
- A Traffic Study was prepared in accordance with OPR Technical Advisory guidelines which concludes that 23 new trips would be generated during the morning peak hour and two fewer trips would be generated during the evening peak hour compared to the previous use. The Traffic Study was reviewed and approved by the City’s Traffic and Public Works Department.

STARBUCKS RE-USE WITH DRIVE THROUGH

Page 6 of 8

- The Project would also comply with the City's Noise Ordinance, which would result in less than significant noise impacts.

4. Public Improvements/On-Site Improvements

No public improvements are required. The applicant would keep the project frontage vehicular site distance clear of overgrown vegetation and maintain vegetation heights of less than three feet or more than seven feet.

FISCAL IMPACT

Approval of this action does not have a direct impact on the General Fund.

ENVIRONMENTAL IMPACT

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The proposed project qualifies for exemption from review under a Class 32 Infill Development exemption under Section 15332.

- The project is consistent with the GPLU designation of Office in that Policy LUL-J-3 allows limited supporting retail and business services such as cafes and delis where the GPLU is Office. The PD 403 Policy Statement designates this parcel as C-1-PD, which is equivalent to Neighborhood Commercial (CN) in the modern Zoning Code. The proposed Zoning Text Amendment would modify the Policy Statement to include "Coffee Shop – Counter Ordering" to the list of conditionally permitted uses at the subject parcel. An accessory drive-through retail sales use is permitted in PD 403 and CN districts subject to CUP approval.
- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- The project site has no value as habitat for endangered, rare or threatened species in that the site is fully developed for previous use as a bank facility.
- Approval of the project would not result in any significant effects relating to traffic. A Focused Traffic Study conducted by W-Trans, dated September 10, 2020, concluded that 23 new trips would be generated during the morning peak hour and two fewer trips would be generated during the evening peak hour compared to the previous use. The study also concluded that impacts to Vehicle Miles Traveled (VMT) would be less than significant due to the project's local-serving nature.
- Approval of the project would not result in any significant impacts relating to noise, in that the project has been conditioned to comply with the City's Noise Ordinance (City Code Chapter 17-16).

STARBUCKS RE-USE WITH DRIVE THROUGH

Page 7 of 8

- Approval of the project would not result in any significant impacts relating to air quality in that the Bay Area Air Quality Management District (BAAQMD) outlines an operation-related criteria air pollutant screening level of 6,000 square feet for “fast food restaurant with drive through” land use types. The proposed use would occupy 2,200 square feet of a 3,759 square foot building, which is under the threshold of 6,000 square feet. Additionally, the project would comply with all applicable provisions of the City’s Climate Action Plan as discussed above. Therefore, air quality impacts would be less than significant.
- Approval of the project would not result in any significant impacts relating to water quality. The project was reviewed by the City’s Engineering Development Services Division and Water Department and it was determined that less than significant impacts to water quality would occur. The proposed project would maintain existing on- and off-site drainage and would not impact Santa Rosa Creek, which is located approximately 330 feet to the southeast of the project site. Additionally, there is adequate water service at the project location.
- No exceptions to the exemption apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. (CEQA Guidelines Section 15300.2).

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

On October 22, 2020, the Planning Commission, by resolution, (1) approved a conditional use permit to allow the operation of a coffee shop with drive-through and extended hours of operation, subject to City Council’s approval of the zoning text amendment and (2) recommended the Council introduce and approve an ordinance to amend the text of PD 403 to support the operation of a coffee shop with accessory drive-through service and extended hours of operation at 4620 Highway 12.

NOTIFICATION

The project was noticed as a Public Hearing per the requirements of Chapter 20-66 of the City Code. Notification of this public hearing was provided by posting an on-site sign, publishing notice in a newspaper of general circulation, mailed notice to surrounding property owners, electronic notice to parties that had expressed interest in projects taking place in this geographic area of Santa Rosa, and bulletin board postings at City Hall and on the City website.

ATTACHMENTS

- Attachment 1 – Indemnification and Disclosure Forms
- Attachment 2 – Location Map
- Attachment 3 – Project Narrative
- Attachment 4 – Revised Project Plan Set dated 8-20-2020
- Attachment 5 – Focused Traffic Study dated 9-10-2020 prepared by W-Trans

STARBUCKS RE-USE WITH DRIVE THROUGH

Page 8 of 8

- Attachment 6 – Climate Action Plan (CAP) Checklist and discussion
- Attachment 7 – Public Correspondence and Neighborhood Meeting Notes
- Attachment 8 – MJP98-053 (Mission Arbors CUP)
- Attachment 9 – Planned Development (PD) 403 Policy Statement with Proposed Amendment
- Attachment 10 – Planning Commission Resolution 12026, dated October 22, 2020
- Ordinance – Rezoning

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