

In-N-Out Burger

Mitigated Negative Declaration

Conditional Use Permit

2532 Santa Rosa Avenue

January 14, 2020

Susie Murray, Senior Planner
Planning and Economic Development

Restaurant

- Counter ordering
- Drive-through service
- Extended Hours of Operation

Entitlements/Actions

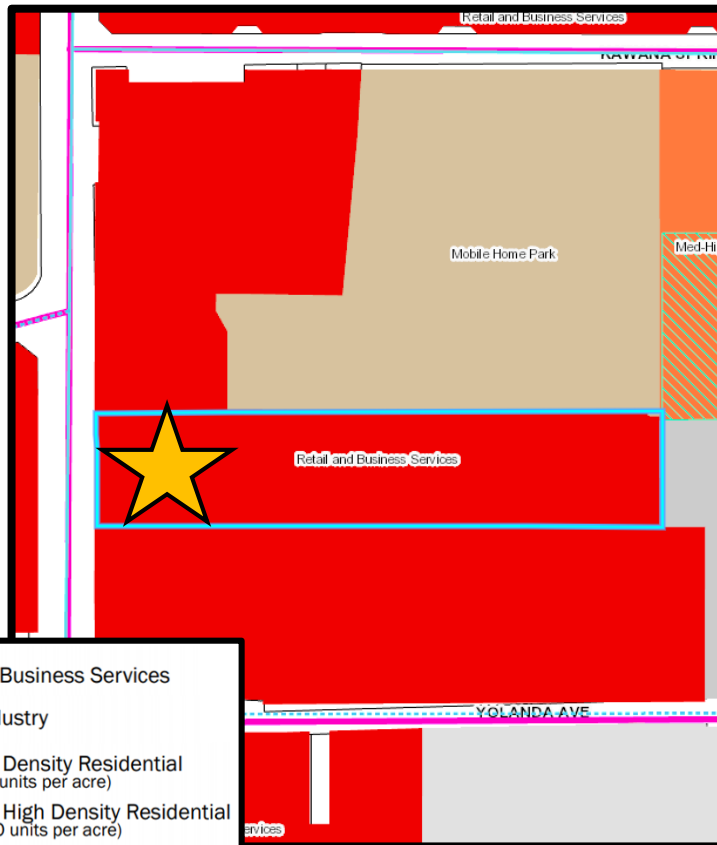
- Mitigated Negative Declaration (Planning Commission)
- Conditional Use Permit (Planning Commission)
- Design Review (Zoning Administrator)

- April 5, 2018 - Design Review Board concept review
- October 16, 2018 - Pre-Application Meeting with City staff
 - Intended to offer applicants an interdepartmental staff review of preliminary or conceptual design applications
- November 14, 2018 - Neighborhood Meeting
- December 6, 2018 – Project applications submitted
- On February 6, 2019 - Notice of Application mailed
- July 10, 2020 - Revised plans received
- November 4, 2020 - Initial Study/Mitigated Negative Declaration circulated for 30-day public review period
- December 14, 2020 – Response to comments

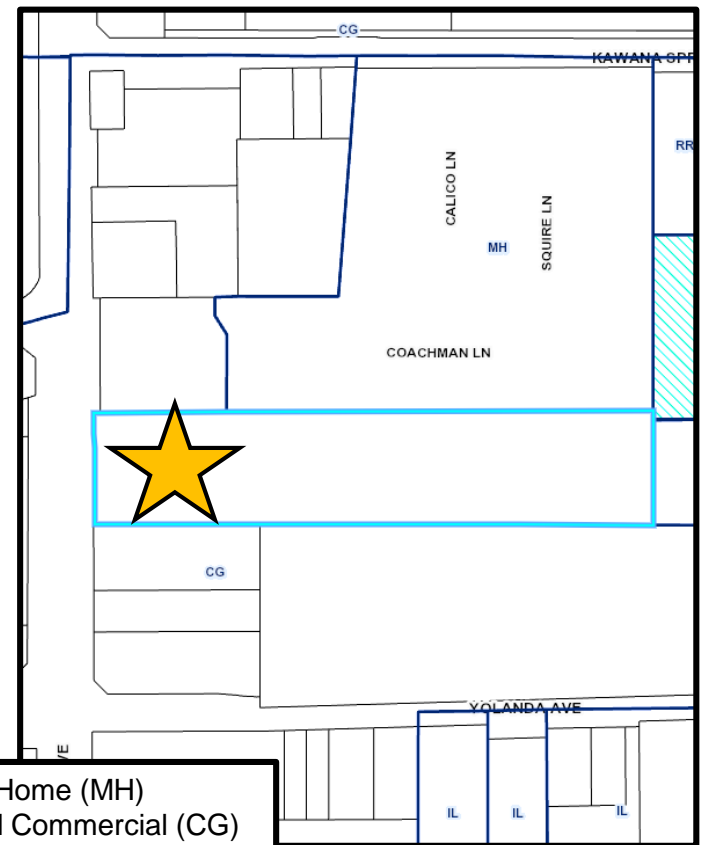
Project Location: 2532 Santa Rosa Avenue



General Plan & Zoning



- Retail & Business Services
- Light Industry
- Medium Density Residential
(8.0-18.0 units per acre)
- Medium High Density Residential
(18.0-30.0 units per acre)
- Transit Village Medium
(25.0-40.0 units per acre)
- Mobile Homes
(4.0-18.0 units per acre)



- Mobile Home (MH)
- General Commercial (CG)
- Light Industrial (IL)
- Rural Residential (RR)

- **EV-C** Promote new retail and higher density uses along the City's regional/arterial corridors.
- **LUL-I-1** Provide a range of commercial services that are easily accessible and attractive, that satisfy the needs of people who live and work in Santa Rosa and attracts a regional clientele.
- **LUL-G-3** Prepare and implement mixed-use zoning district(s) that provide development standards for mixed use sites and centers. District regulations should address:
 - Minimum density and intensity requirements;
 - Allowable uses;
 - Building heights;
 - Shared parking standards; and
 - Prohibition of new auto-oriented and drive-through establishments.
- **NS-B-5** Pursue measures to reduce noise impacts primarily through site planning. Engineering solutions for noise mitigation, such as sound walls, are the least desirable alternative.

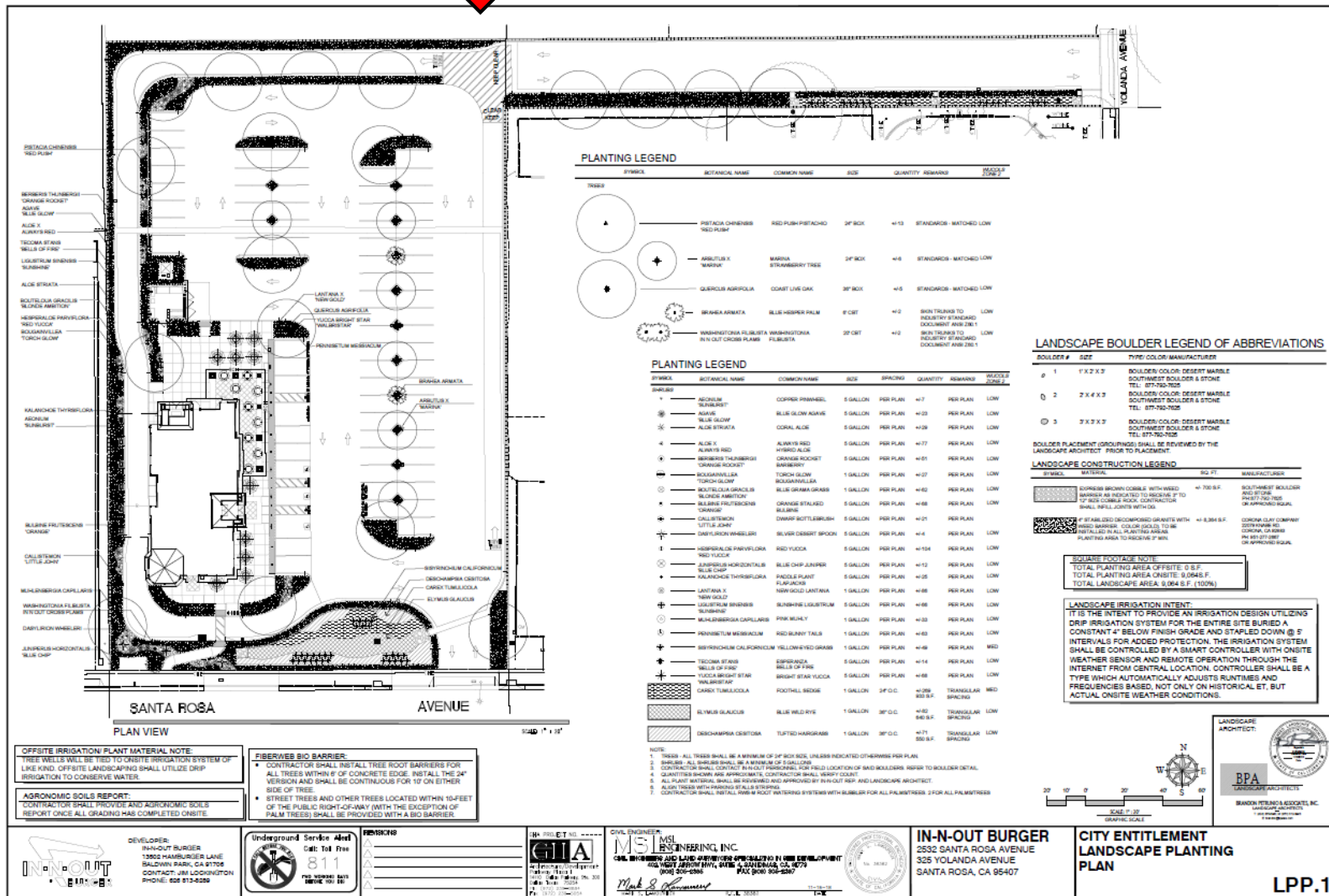
- Drive-through Retail Use – Requires a CUP in CG zoning district
- Extended Hours of Operation – Requires minor CUP in CG zoning district
- Parking – Exceeds requirements
- Noise Ordinance – Complies as conditioned
- Meets Development Standards
- Requires Design Review (including the wall)

Required Findings

- The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code;
- The proposed use is consistent with the General Plan and any applicable specific plan;
- The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;
- The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;
- Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).



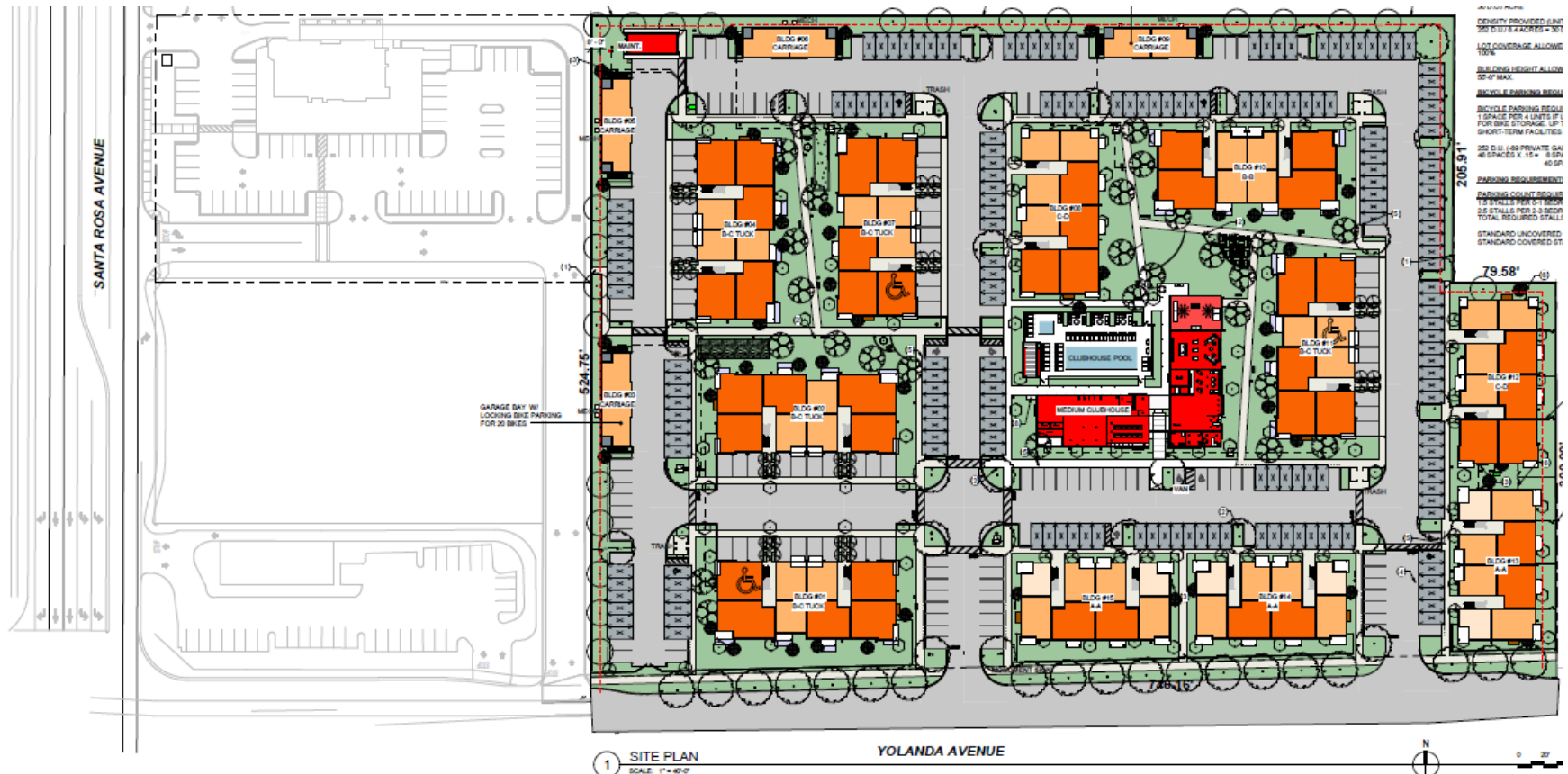
Landscape Plan



Yolanda Apartments Revised Site Plan



Yolanda Apartments Approved Site Plan



Staff review

- Traffic & concurrent development in the area
- Noise impacts for neighboring residential uses
- Odor impacts for neighboring residential uses

No issues are unresolved



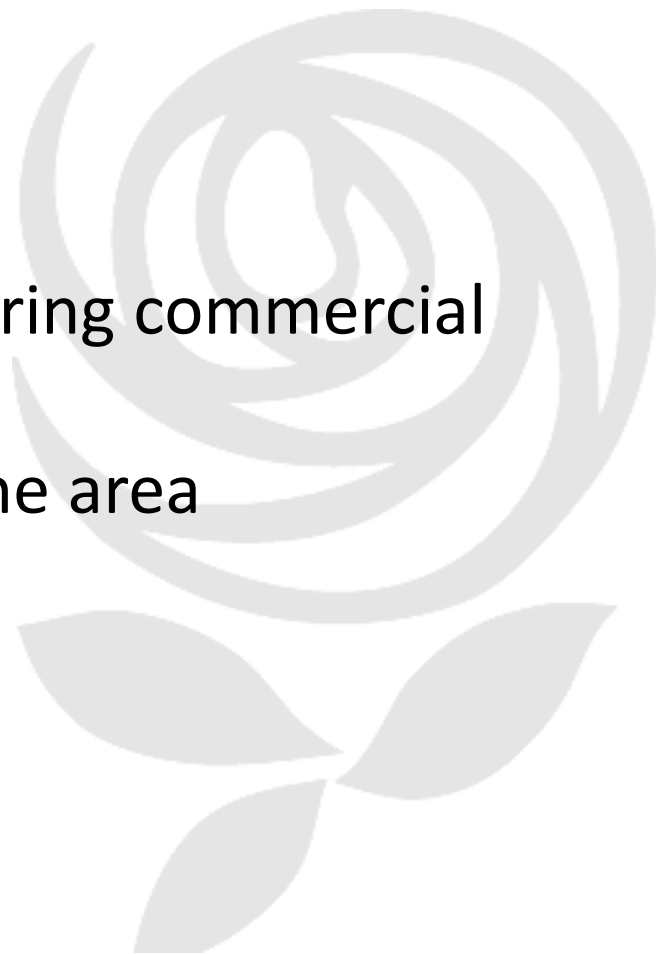
Environmental Review

California Environmental Quality Act (CEQA)

- Initial Study
- Mitigated Negative Declaration
 - Mitigation Monitoring Program
- 30-Day Public Review
- Comments Received
 - Applicant
 - Outside Agencies



- Number of drive aisles
- Impacts on affordable housing
- Impacts of site design on neighboring commercial uses
- Support for a new restaurant in the area



It is recommended by the Planning and Economic Development Department that the Planning Commission approve the In-N-Out Burger project to construct and operate a restaurant with counter ordering and drive-through services and extended hours of operation by:

- Adopting the Mitigated Negative Declaration, and
- Approving the Conditional Use Permit

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