



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL                      DATE: JULY 14, 2015**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT                      WARD: 4**  
**DEPARTMENT**

**SUBJECT: PLANNING CASES: P15-0303, P15-0304, P15-0305, P14-0973 –  
CONDITIONAL USE PERMIT, DESIGN REVIEW AND VARIANCE FOR  
PROPOSED COMMERCIAL CENTER ON THE SOUTHEAST CORNER OF VAN  
BUREN BOULEVARD AND GAMBLE STREET**

## **ISSUE:**

The issue for City Council consideration is the proposal by SDG Investments for consideration of: a) two Conditional Use Permits; b) a Variance; and c) a Design Review application to construct a commercial center consisting of a 3,008 square foot drive thru restaurant building, and a 3,600 square foot commercial building with proposed retail and drive thru restaurant uses, on a vacant site of approximately 2 acres, located on the Southeast corner of Van Buren Boulevard and Gamble Street.

## **RECOMMENDATIONS:**

That the City Council:

1. Determine the proposed project constitutes an in-fill development, and is therefore, categorically exempt from the provisions of the California Environmental Quality Act per Section 15332 of the CEQA Guidelines;
2. Approve Planning Cases P15-0303, P15-0304, P15-0305, and P14-0973 based on and subject to the Planning Commission findings and recommended conditions found in the attached staff report; and
3. Adopt the June 4, 2015 staff report Exhibits 6-11 as the approved project plans subject to the recommended conditions of approval.

## **STAFF AND PLANNING COMMISSION RECOMMENDATIONS:**

Staff recommended approval subject to conditions. On June 4, 2015, the City Planning Commission recommended approval of Planning Cases P15-0303, P15-0304, P15-0305, and P14-0973 by a vote of 9 ayes, 0 noes and 0 abstentions, subject to the staff recommended conditions.

## **BACKGROUND:**

The applicant proposes a commercial complex consisting of a new approximately 3,008 square foot drive thru "Miguel's Jr" restaurant (Building 1), and a 3,600 square foot restaurant building

(Building 2) with a proposed drive thru, as well as indoor & outdoor eating areas. The proposed "Miguel's Jr" restaurant will have approximately 40-50 total employees. The restaurant hours of operation will be from 10:00 am until 10:00 pm. The applicant proposes a contemporary architecture building design for the Miguel's Jr restaurant, featuring straight lines at the roof line and gradual curves for projecting facade elements. Additionally, the building walls includes vertical and horizontal score lines. The applicant is proposing mural panels on portions of the western and eastern facades.

The design of proposed Building 2 (restaurant building) incorporates contemporary architecture with an overhead canopy structure along the entire front elevation, with pilasters at the corners and center of the building that extend into vertical architectural elements above the main roofline. There are no committed users for Building 2, but the applicant estimates a restaurant with a total of 35 to 50 employees. The project is proposed to feature an outdoor patio area next to Building 2.

Vehicular access to the project site is proposed with a 24-foot wide driveway from Gamble Avenue, and 29-foot 9-inch wide driveway from Fred Street. No direct access is proposed from Van Buren Boulevard. The Van Buren Boulevard and Gamble Avenue intersection is currently a signalized intersection. A raised median currently exists along Van Buren Boulevard, which restricts vehicles to a right turn onto Van Buren Boulevard from Gamble Avenue. This driveway connects to the primary internal drive aisle within the project, and the proposed drive thru will be accessed from this driveway. The drive thru lane for Miguel's Jr is located directly adjacent to the Van Buren Boulevard street frontage. The drive thru lane for Building 2 is largely screened from Van Buren Boulevard by the restaurant building.

The applicant proposes a conceptual landscape plan with drought tolerant landscape materials throughout the project site, including trees, shrubs, and groundcovers. The applicant proposes high efficiency, low water use methods, which include drip irrigation and smart irrigation controllers. The applicant requests variance approval to reduce the landscape setback from the 15-foot requirement to 8-feet. The variance is supported by staff, based on the findings contained in the Planning Commission report.

### **FISCAL IMPACT:**

There is no impact to the General Fund since all project costs are borne by the applicant.

Prepared by: Emilio Ramirez, Interim Community & Economic Development Director  
Certified as to  
availability of funds: Brent A. Mason, Finance Director/Treasurer  
Approved by: Al Zelinka, FAICP, Assistant City Manager  
Approved as to form: Gary G. Geuss, City Attorney

### **Attachments:**

1. City Planning Commission Recommended Conditions
2. City Planning Commission Report – June 4, 2015
3. City Planning Commission Report Exhibits – June 4, 2015
4. City Planning Commission Minutes