

Planning Commission Agenda Report

November 8, 2017
Item 5.a.

- SUBJECT:** P17-0634 and P17-0635
- APPLICANT:** Ryan Shea (CalBay Development, LLC)
- PROPERTY OWNER:** DAI Commercial Property Family LP
- PURPOSE:** Applications for Conditional Use Permit (CUP) and Design Review (DR) to refurbish an existing building and operate an approximately 3,040-square-foot drive-through coffee shop with related site improvements
- LOCATION:** 5900 Owens Drive
- GENERAL PLAN:** Business Park (Industrial/Commercial and Office) and Mixed Use
- ZONING:** PUD-I/C-O (Planned Unit Development – Industrial/Commercial-Office) District
- EXHIBITS:**
- A. [Draft Conditions of Approval](#)
 - B. [Project Narrative and Plans dated "Received September 28, 2017"](#)
 - C. [Hacienda Owners Association Approval Letter dated "Received September 28, 2017"](#)
 - D. [Location and Notification Map](#)

STAFF RECOMMENDATION

Staff recommends the Planning Commission approve Case Nos. P17-0634 (CUP) and P17-0635 (DR) by making the findings within this report, subject to the draft conditions of approval listed in Exhibit A.

EXECUTIVE SUMMARY

The applicant, CalBay Development, LLC, requests CUP and DR approvals on behalf of Starbucks Coffee to remodel an approximately 3,040-square-foot existing drive-through restaurant and operate a drive-through coffee shop at 5900 Owens Drive. Drive-through restaurants/cafes require a CUP and exterior commercial remodels and related site improvements require DR approval. As proposed and conditioned, staff believes this use is consistent with the intent of the zoning district and will be compatible with the surrounding uses. Conditions of approval have been included which will ensure the safety and general welfare of the surrounding area, and the City in general, is maintained.

BACKGROUND

The applicant proposes to remodel an approximately 3,040-square-foot existing drive-through restaurant (formerly Arby's) and operate a drive-through coffee shop at 5900 Owens Drive, within Hacienda.

The subject site is zoned PUD-I/C-O District and is in the CPD (Retail/Commercial and Financial) Planning District of Hacienda. This planning district allows the permitted and conditionally permitted uses of the City's C-C (Central Commercial) and C-F (Freeway Commercial) Zoning Districts. Drive-through uses require approval of a CUP. Accordingly, the CUP for this application is before the Planning Commission for consideration.

The applicant has also applied for DR approval to modify the existing site layout, building exterior, and landscaping as part of the site rehabilitation for the project. DR applications of this nature are typically processed at staff level; however, staff is requesting the Planning Commission take action on the DR request with the CUP in order to evaluate the whole proposal comprehensively.

SITE AND AREA DESCRIPTION

The subject parcel at 5900 Owens Drive is located on an approximately 0.92-acre parcel formerly occupied by Arby's, at the southwest corner of the intersection of Owens and Chabot Drives (Figure 1). The subject parcel is accessible from two driveways; one driveway on Owens Drive at the northwest corner of the subject parcel, and one shared driveway (reciprocal access with 4780 Chabot Drive) on Chabot Drive at the southeast corner of the subject parcel. Existing site improvements include 33 parking spaces, a drive-through lane along the south and west sides of the building, a trash enclosure at the southwest corner of the subject parcel, and perimeter landscaping (turf, shrubs, and trees) along both Owens and Chabot Drives. The existing approximately 3,040-square-foot single-story building is generally rectangular in shape with stucco and tile clad walls and standing-seam metal awnings (see Figure 2). The surrounding uses consist of commercial uses to the north, office uses to the south and east, and a Shell gas station to the west. The nearest residences are located approximately 0.25 miles to the east (Galloway at Owens, Essex Site 1).

Figure 1: Aerial photograph of subject parcel

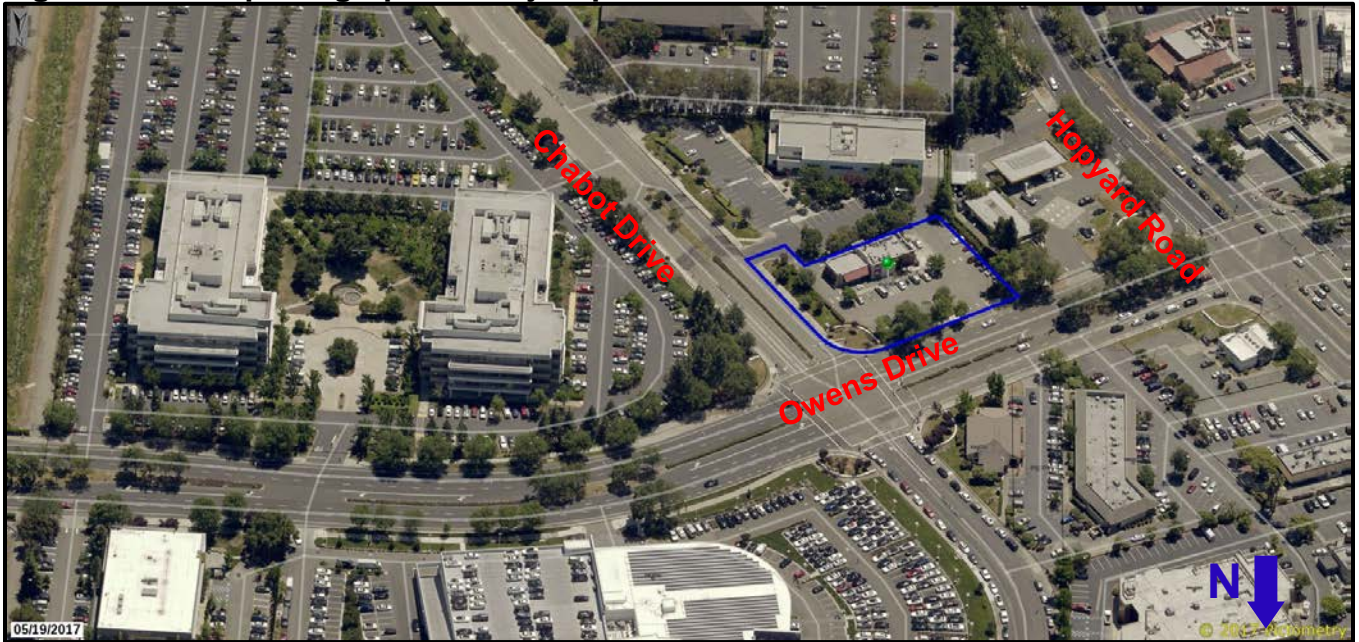


Figure 2: Existing Arby's building photographs



PROPOSED PROJECT

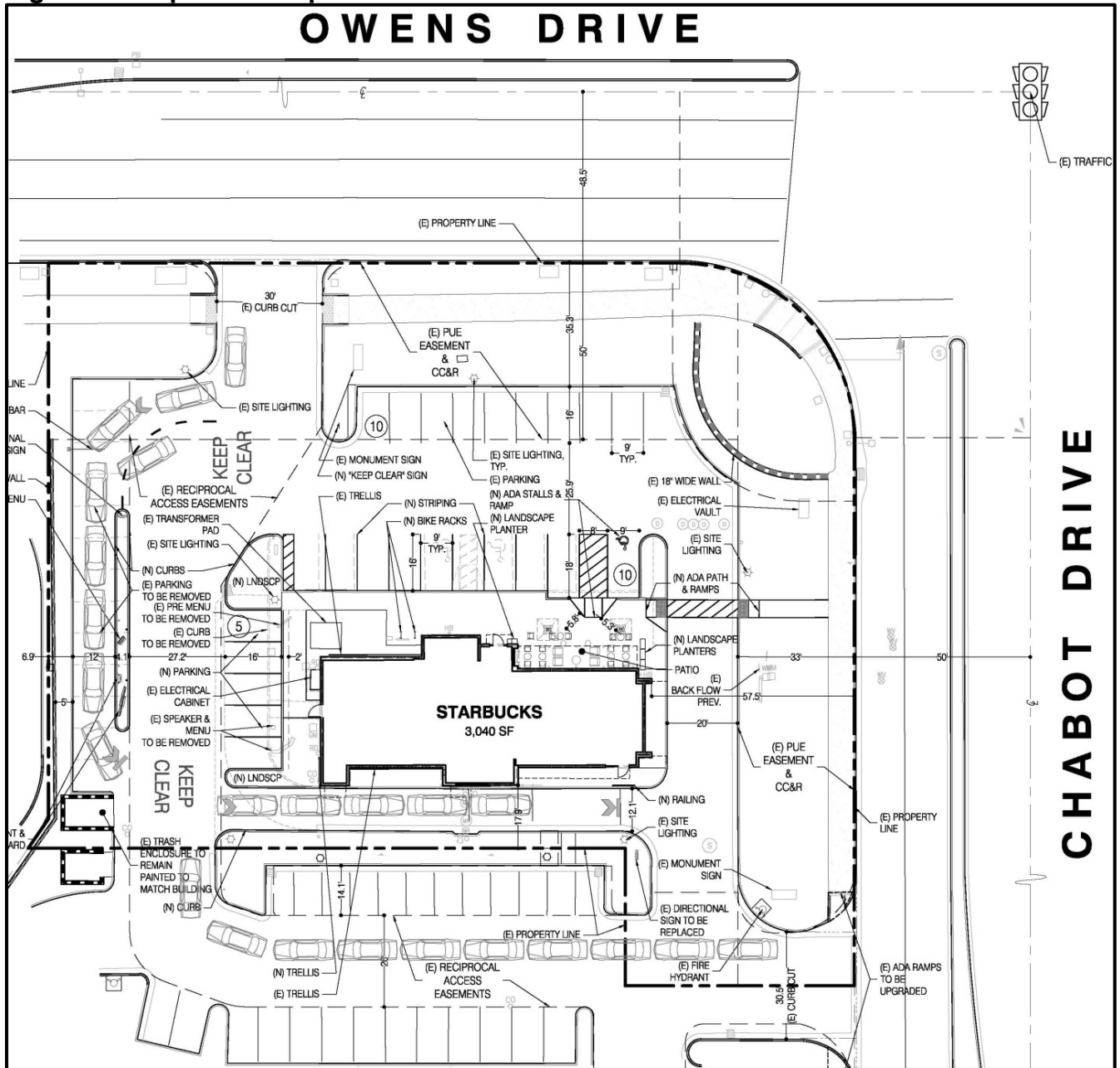
The project would demolish, reconstruct and/or reconfigure the existing site improvements and landscaping, as well as modify the exterior colors and materials of the existing building. These changes are summarized in the sections below.

Site Plan Layout – Access, Parking, Drive-through, Circulation, and Trash Enclosure

The subject parcel would continue to be accessed by the two existing driveways as previously described with no changes made to the driveways. The existing row of parking along the western property line would be demolished (13 spaces) with five of the spaces being replaced in a new parking area immediately adjacent to the western side of the building, resulting in a net loss of eight parking spaces on the subject parcel. Additionally, the row of parking immediately adjacent to the north side of the building (10 spaces) would be reconfigured slightly for accessibility compliance; however, no spaces would be lost with this improvement. Thus, a total of 25 parking spaces would be provided on-site with the project.

The existing drive-through lane and queueing area would also be modified with the project. The existing drive-through lane on the south side of the building would remain with the drive-through entrance and lane on the western side of the building removed. A new drive-through entrance and an extension of the queueing lane would be constructed along the western property line in place of the 13 parking spaces designated for removal as previously described. The menu and ordering boards would be located within this new portion of the drive-through lane. A total of 13 vehicles could be accommodated from the pick-up window back to the beginning of the drive-through lane, including seven vehicles from the menu and ordering boards back to the beginning of the drive-through lane (the vehicle depicted on the proposed site plan as double-stacked at the beginning of the drive-through lane has not been counted as part of the queueing; however, adequate space is available for this vehicle, if necessary, to avoid blocking the adjacent drive aisle). Although shown on the site plan, no drive-through queueing is proposed on the adjacent property to the south. In terms of site circulation, all existing drive aisles would remain unchanged and allow for two-way traffic; however, signage and striping would be used to: (1) keep the existing western drive aisle clear of queued vehicles where it intersects with the drive-through lane at the south corner of the subject parcel; and (2) help minimize on-site vehicular conflicts where the existing western drive aisle intersects with the existing driveway off Owens Drive and the entrance to the new drive-through lane. Additional signage and striping would be used at the driveway on Chabot Drive and the existing eastern drive aisle to direct drive-through customers to use the drive aisles on the east and north sides of the building to enter the drive-through to further minimize on-site vehicular conflicts. As described above, the applicant is proposing to allow a vehicle to pull alongside (double-stack) vehicles already in the queueing lane to further minimize on-site vehicular conflicts where the existing western drive aisle intersects with the existing driveway off Owens Drive and the entrance to the new queueing lane. The existing trash enclosure would remain in the existing location unchanged. Please see Figure 3 or Exhibit B for more details.

Figure 3: Proposed site plan



Building Design

No changes are proposed to the size or footprint of the existing building. Rather, the exterior materials and colors of the building would be changed to incorporate contemporary finishes and colors. Massing has been segmented by the use of material and color changes, a prominent building entrance, score or reveal lines, wood trellis canopies to create shadow lines, and metal trellises with vegetation on the front (north), south, and west elevations. Materials include cement plaster, wood siding, and aluminum storefront windows. Primary exterior colors are dark gray (Iron Ore) body, dark bronze trim, and natural-colored stain on the wood siding. Please see Figure 4 and Exhibit B for more details.

Figure 4: Proposed building elevations



Landscaping

Minor changes are proposed to the perimeter landscaping along Owens and Chabot Drives. With the exception of two trees along Chabot Drive, all other existing trees along those frontages will remain. The two trees (non-Heritage) proposed for removal would impede the proposed pedestrian path of travel from the public sidewalk to the building required by the California Building Code. As mitigation, the project proposes to replant three new trees, generally in the same area on both sides of the new pedestrian path of travel. New landscaping is also proposed along the western property line where a long row of hedges would be replaced by a new row of trees and small shrubs. The remainder of the new landscaping is proposed within the interior to the subject parcel, adjacent to the parking areas near the building, along the building perimeter or within the outdoor seating area. This landscaping includes a mix of trees and shrubs. Additionally, potted plants would be provided within the outdoor seating area. Vines would be planted along the building perimeter and trained to grow on the trellises attached to the building. Please see Exhibit B for more details.

Operations

Hours of operation for the Starbucks (drive-through and main store) will be from 4:30 a.m. to midnight daily. At any one time, approximately four employees will be on-site.

STAFF REVIEW/ANALYSIS

The following sections evaluate the proposed project with respect to land use, parking, traffic/circulation, noise, building design, and landscaping.

Land Use

General Plan Consistency

The subject parcel is designated Business Park and Mixed Use by the Land Use map in the General Plan. This land use designation allows for commercial uses and, therefore, the use of the subject property as proposed is consistent with this land use designation. Additionally, the project is consistent with the following goals, policies, and programs of the Land Use (L.U.) Element of the General Plan in that the proposed use would provide a drive-through coffee shop service to commuters and workers within and outside of the City:

L.U. Policy 4: Allow development consistent with the General Plan Land Use Map.

L.U. Policy 13: Ensure that neighborhood, community, and regional commercial centers provide goods and services needed by residents and businesses of Pleasanton and its market area.

L.U. Program 15.2: Promote the location of business services in Pleasanton to support industrial, commercial, and office complexes.

Zoning

The subject site is zoned PUD-I/C-O District and is in the CPD (Retail/Commercial and Financial) Planning District of Hacienda. This planning district allows the permitted and conditionally permitted uses of the City's C-C (Central Commercial) and C-F (Freeway Commercial) Zoning Districts. Within these Districts, drive-through restaurant/cafes require a Conditional Permit and associated site modifications and exterior building modifications require Design Review, both of which are before the Planning Commission for consideration.

One of the primary concerns in reviewing a CUP application is the effect of a proposed use on surrounding uses. As a standalone coffee shop with adequate on-site parking and drive-through lane queueing, the proposed use would be compatible with the surrounding businesses in that all activities associated with the use would be contained on-site and not spillover onto adjacent parcels or into the public right-of-way. The Planning Commission has previously approved other drive-through coffee shop facilities within the City at Pleasanton Gateway Shopping Center and Rose Pavilion Shopping Center and staff is not aware of any problems related to these facilities. Therefore, if the CUP were granted, the use would be consistent with the surrounding uses.

Should future problems arise with the use, the City would have the ability to bring the CUP back to the Planning Commission for additional mitigation, or possible permit revocation, if necessary. Based on past experience with similar uses, staff believes the use is compatible for this area. Staff has included conditions of approval that will ensure the use would not generate noise, traffic/circulation, or parking shortages such that surrounding uses would be adversely affected. Therefore, from a land use perspective, staff finds the use to be appropriate for the subject property, as conditioned.

Parking, Traffic and Circulation

The subject parcel contains an approximately 3,040-squarefoot building supported by 33 parking spaces. The project would not add any new square footage to the existing building, but due to the proposed increase in queueing area for the drive-through, would result in a net loss of eight parking spaces, resulting in a total of 25 parking spaces for the project. The

minimum parking requirement for the project is one space for every 150 square feet of building area as required by the Hacienda Design Guidelines' "freestanding restaurant" classification. Based on this requirement, the project would require a total of 20 parking spaces (3,040 sq. ft. / 150 = 20.26 parking spaces). A total of 25 parking spaces would be provided; thus, the project would conform to the parking requirements and include a surplus of five parking spaces over the minimum required. Additionally, bicycle racks have been provided for the project pursuant to the Hacienda Design Guidelines.

The Traffic Engineering Division did not require the applicant to prepare a new queueing analysis for the project. Rather, the prior queueing analysis, dated April 2016, prepared for the proposed drive-through Starbucks at 6455 Owens Drive, was determined to be adequate for the project. That analysis indicated for 95 percent of the time, a minimum of 11 vehicles total and seven vehicles from the ordering point/speaker back need to be able to queue in the drive-through lane to avoid spillback or overflow onto the public right of way. The other five percent of the time (anticipated peak time), a minimum of 12 vehicles total and eight vehicles from the ordering point/speaker back need to be able to queue in the drive-through lane to avoid spillback or overflow onto the public right of way. The proposed drive-through queueing lane has a stacking capacity of 13 vehicles total, six vehicles between the ordering point/speaker and pick up window, and seven vehicles from the ordering point/speaker back. Based on the proposed site layout, the Traffic Engineering Division has determined the peak demand would be accommodated on-site without spilling out onto Owens Drive. The Traffic Engineering Division has reviewed the proposed site layout and agrees the queueing capacity is sufficient and would not impact ingress and egress to the site or spill out onto the public right of way. To address any on-site circulation issues, the Traffic Engineering Division is recommending a condition of approval requiring on-site striping and signage to: (1) maintain clear drive aisles on-site, especially where those drive aisles intersect with the drive-through queueing lane; and (2) direct drive-through vehicles coming from the driveway entrance on Chabot Drive to the entrance of the drive-through queueing lane by utilizing the drive aisles on the east and north sides of the Starbucks building and not allowing queuing in the southern portion of this site and northern portion of the 4780 Chabot Drive site as currently depicted on the site plan.

Utilizing the Institute of Transportation Engineers (ITE) publication for trip generation for drive-through coffee facilities with seating¹, it is estimated approximately 306 a.m. peak hour trips and 130 p.m. peak hour trips will be generated by the project. The Traffic Engineering Division has reviewed these numbers and determined no additional traffic analysis or mitigation is required to accommodate the project.

Noise

The subject site is located in proximity to office and commercial uses, including a Shell gas station immediately adjacent to the western property line (separated by a masonry wall). The proposed use is not expected to result in a substantial change in ambient noise levels. The drive-through will include a menu board with an internal audio system that includes a microphone and speaker. A typical drive-through audio system generates approximately 75 decibels (dB) from a distance of 3 feet, 64 dB from a distance of 20 feet, and 53 dB generated from a distance of 70 feet. The system is approximately 15 feet from the western

¹ 100.5 a.m. peak hour trips per 1,000 gross sq. ft. of building area / 42.8 p.m. peak hour trips per 1,000 gross sq. ft. of building area.

property line that abuts the Shell gas station. The operation of the business is required to meet the maximum noise limit in the Pleasanton Municipal Code of 70 dB at the property plane, and a Condition of Approval has been included to verify this requirement would be achieved. There are no residential uses located in close proximity to the subject parcel. Therefore, staff believes the proposed use would not have a negative impact on surrounding uses with regard to noise.

Design Review

Architecture, Colors and Materials

Staff believes the proposed changes to the building are positive and will modernize the somewhat dated building design and the proposed design would be compatible with the surrounding buildings. Staff also finds the changes to be consistent with the Hacienda Design Guidelines, which require buildings to be designed with a high quality visual image, with consistent architectural features on all sides. The Hacienda Owners Association is also supportive of the building design.

Landscaping, Tree Removal, and Tree Mitigation

Staff believes the proposed landscaping adequately mitigates the trees proposed for removal and is appropriate for the subject parcel. The proposed landscaping would be compatible with the surrounding parcels as it incorporates a similar plant palette found throughout the Hacienda Business Park. Staff also finds the proposed landscaping to be consistent with the Hacienda Design Guidelines, as the total landscaped area would increase from 27.74percent of the subject parcel to 28.45percent of the subject parcel (25percent minimum required). The Hacienda Owners Association is also supportive of the proposed landscaping.

Signage

No signage is proposed with this Design Review application. All new signs would be required to obtain staff level approval if consistent with the Hacienda Design Guidelines or Sign Design Review approval if deviating from the Guidelines.

USE PERMIT FINDINGS

Conditional uses are those uses which, by their nature, require special consideration so they may be located properly with respect to the objectives of the Municipal Code and with respect to their effects on surrounding properties. In order to achieve these purposes, the Planning Commission is empowered to approve, conditionally approve, or deny applications for CUPs. The Planning Commission must make the following findings prior to granting the Conditional Use Permit:

A. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.

Objectives of the zoning ordinance include: fostering a harmonious, convenient, workable relationship among land uses; protecting existing land uses from inharmonious influences and harmful intrusions; and ensuring that public and private lands ultimately are used for the purposes which are most appropriate and beneficial to the City as a whole. As conditioned, staff feels the proposed drive-through coffee shop would be consistent with these objectives. The drive-through coffee shop would be located on a standalone parcel and be the sole tenant on a site formerly occupied by a

drive-through restaurant use. Other drive-through restaurants and cafes located on standalone parcels have been found to be compatible with surrounding businesses and uses. Staff believes the proposed drive-through coffee shop would also be compatible with neighboring uses.

The subject site is zoned PUD-I/C-O District, which permits a wide range of commercial uses, and requires Conditional Use Permit approval for uses with a drive-through. The proposal is in accordance with the purposes of the commercial zoning district to provide locations to offer commodities and services to the residents of Pleasanton and surrounding areas. As proposed and conditioned, the drive-through coffee shop will not interfere with the ability of surrounding uses to operate or the overall site circulation. Staff believes the proposed use, as conditioned, will be compatible with adjacent uses. The applicant will also be required to mitigate any future nuisances which may occur as a result of the proposed use. In summary, staff believes this finding can be made.

B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.

Based on the proposal, the drive-through coffee shop would be compatible with the existing uses on adjacent properties. The number of parking spaces available would exceed the parking demand for the proposed use. The queueing analysis indicates the project will not be detrimental to the surrounding uses or the public right of way. The drive-through coffee shop would be required to meet the requirements of the Uniform Building Code and other applicable City codes. The drive-through coffee shop and proposed access and circulation would also be required to meet all Fire Code requirements and have no adverse impact on emergency access or circulation on-site. The applicant would be required to procure all Building and Safety Division permits for any tenant improvements. The proposed project is compatible with the adjacent uses and would be consistent with the existing scale and character of the area. Therefore, staff believes this finding can be made

C. That the proposed conditional use will comply with each of the applicable provisions of the Municipal Code which apply to Conditional Uses.

Chapter 18.124 of the Municipal Code states that, because of their unusual characteristics, conditional uses require special consideration so they may be located properly with respect to their effects on surrounding properties. The site's PUD-I/C-O zoning conditionally permits the establishment of drive-through restaurants/cafes. Staff believes the recommended conditions of approval will integrate the proposed use without detrimentally affecting the surrounding properties and the City in general. As with any use permit, this use can be suspended or revoked if the conditions are not met. As conditioned, the drive-through coffee shop would comply with all applicable provisions of the Zoning Ordinance. Therefore, staff believes this finding can be made.

ALTERNATIVES

The subject parcel is a legally created lot zoned for C-C and C-F District uses. The proposed use would comply with the allowed uses for the zoning district and the building modifications and site improvements would be similar to other developments in the area. Alternatives for the site could include:

1. Proposing a building and/or drive-through with different materials/colors or drive-through location and length; or
2. Undertaking no project, under which the existing building and drive-through lane would remain unaltered.

The first alternative wouldn't necessarily result in operational benefits and/or an improved design. The second alternative would not be beneficial in the long-term as the existing building could remain vacant for an extended period of time, most likely resulting in the building and site improvements to degrade. Therefore, staff believes the proposed project represents a reasonable development scenario.

PROS AND CONS

Pros	Cons
Building design is compatible with the other buildings in Pleasanton.	Loss of parking.
Consistent with the conditionally allowed uses.	
Provide opportunity for enhancing the subject parcel and existing building with improved aesthetics, drive-through lane circulation and landscaping.	

HACIENDA OWNERS ASSOCIATION

The Hacienda Owners Association has reviewed the application for the drive-through coffee shop and found it is in substantial compliance with Hacienda Design Guidelines set forth in its Covenants, Codes & Restrictions (CC&Rs). The Association provided an approval letter attached as Exhibit C.

PUBLIC NOTICE AND COMMENTS

Notices of this application were sent to surrounding property owners and tenants within a 1,000-foot radius of the site. Staff has provided the location and noticing map as Exhibit D for reference. At the time this report was published, staff had not received any public comments about the project.

ENVIRONMENTAL ASSESSMENT

This project is categorically exempt (Section 15301, Class 1, Existing Facilities) from the requirements of the California Environmental Quality Act (CEQA). Therefore, no environmental document accompanies this report.

SUMMARY/CONCLUSION

The subject proposal would establish a drive-through coffee shop to serve surrounding residents and businesses. The on-site improvements, exterior building design modifications, and landscaping improvements would not adversely affect the site or surrounding uses and would enhance the site's appearance from the public right of way and adjacent properties. Additionally, the operation of the drive-through coffee shop is not expected to result in negative impacts to residents and business in the vicinity of the project site.

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