

<b>AGENCY:</b>	Planning Commission
<b>MEETING DATE:</b>	March 13, 2024
<b>PREPARED BY:</b>	MJC
<b>PRESENTED BY:</b>	Marie Jones

## AGENDA ITEM SUMMARY REPORT

**APPLICATION NO.:** Use Permit 2-23 (UP 2-23), Design Review 3-23 (DR 3-23); [Variance \(VAR 2-24\)](#) Sign Permit 8-23 (SP 8-23)

**OWNER/APPLICANT:** Christina Poos

**AGENT:** Kelly Grimes

**PROJECT:** Consideration of Use Permit 2-23, Design Review 3-23, Sign Permit 8-23 and [Variance \(VAR 2-24\)](#) applications requesting to convert an existing commercial building to the following uses: Restaurant with arcade, General Retail, and four Multi-Family Dwelling Units in the inland Central Business District. [The project includes as extensive interior remodel for the conversion of an office building into the aforementioned uses. It also includes the removal of the outdoor teller shelter on the north side of the building, the drive-through structure on the east of the building and installation of a number of windows and doors. The project includes the following associated development: new landscaping, pedestrian walkways, signage, fencing, bicycle parking, dumpster shelter, exterior lighting and mechanical equipment.](#)

**LOCATION:** 228 N. Main Street (APN 018-153-28)

**LOT SIZE:** 37,500 Square Feet

**ZONING:** Central Business District (CBD), Inland Zone.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**SURROUNDING LAND USES:**

NORTH:	CBD – Restaurant
EAST:	CBD – Post Office
SOUTH:	CBD – Bank
WEST:	CBD – Highway 1

**APPEALABLE PROJECT:** Can be appealed to City Council

### RECOMMENDED ACTION:

Receive Report, Hold a Public Hearing, Deliberate and Adopt a Resolution of the Fort Bragg Planning Commission Approving Use Permit 2-23 (UP 2-23), Design Review 3-23 (DR 3-23), [Variance \(VAR 2-24\)](#) Sign Permit 8-23 (SP 8-23) to convert an existing commercial building located at 228 N. Main Street to the following uses: Restaurant with arcade, General Retail, and four Multi-Family Dwelling Units in the inland Central Business District

### ALTERNATIVE ACTIONS:

1. Receive report, hold a public hearing, deliberate and provide direction to prepare a resolution for denial.
2. Receive report, hold a public hearing, continue the public hearing and request additional information.

## BACKGROUND:

The Fort Bragg Planning Commission held a public hearing on February 14, 2024, to consider the above application. The blue text in this staff report indicates changes to the report that result from the Planning Commissioners' direction.

During the public hearing, the Planning Commission deferred making a final decision on the permit application and requested additional information and clarification of the project. Specifically, the Planning Commission provided the following direction regarding desired changes to the project and the permits under consideration:

1. Make the following changes and additions to the site plan:
  - Include bicycle parking for at least four bicycles.
  - Include thermoplastic striping for pedestrian "cross walk" from Main Street across the parking lot to the front of the building.
  - Illustrate the removal of the cyclone fencing and its possible replacement with redwood fencing or nothing, as desired by the applicant.
  - Illustrate an exit only arrow from the parking lot exit onto Alder street.
2. Resubmit the building elevations with additional decorative details, some suggestions included:
  - Use a three-color paint scheme, as the commissioners expressed interest in painting the parapet a different color, repainting on a band on the building in a different color, painting around the window alcoves and/or painting newly installed window trim. The Commission expressed interest in seeing details or an exterior painting plan that would give the building more definition and articulation. MJC suggested that the applicant consider painting the two-story structure a different color than the restaurant side, so that the building has two distinct masses.
  - Consider adding window trim or some other architectural detail to the exterior.
3. Prepare a Variance analysis for the project to determine if the site/project would meet the requirements for a variance. The variance would be to eliminate the requirement for a loading zone and associated masonry wall. Commissioners noted that other businesses of similar size in downtown do not have loading zones and that the geometry of the loading zone area would make truck access and use difficult.
4. Eliminate the special condition for soundproof windows.

The building located at 228 N. Main St. has been under-utilized, since the Bank of America closed their office over ten years ago. The building was recently purchased by the applicant with the intention of converting it into a mixed-use building with four residential units, a restaurant, arcade and retail space. With adoption of the recommended conditions, the proposed residential and commercial uses would satisfy requirements for land use approval. While the existing structure (and other site improvements) were legally constructed before the adoption or amendment of the current development code, the structure and some existing site improvements no longer comply with ILUDC standards (i.e. front yard setback, off-street parking, and /or some landscape requirements). Nonconforming structures are regulated by Chapter 18.90 that states in part, "A nonconforming land use and the use of a nonconforming structure may be continued, including transfers of ownership, provided any such continued use shall comply with the requirements of this section."

## GENERAL PLAN CONSISTENCY:

The project was found to be consistent with all General Plan policies, including Land Use Policies LU-3.5 and LU-3.6 as the application proposes to locate commercial and residential uses within an existing, retail building in the Central Business District (CBD) and the application proposes to reuse the building located at 228 N Main Street following a period of unstable occupancy and vacancy.

- *Land Use Policy LU-3.5 Encourage Smart Growth: Locate new residential, commercial, or industrial development within, contiguous with, or in close proximity to, existing developed areas.*

- *Land Use Policy LU-3.6 Re-Use of Existing Buildings: Encourage the adaptive re-use and more complete utilization of buildings in the Central Business District and other commercial districts.*

The Planning Commission could find that approval of a Use Permit, Design Review, and Sign Permit applications are consistent with the Inland General Plan, Inland Land Use and Development Code (ILUDC), and Citywide Design Guidelines.

## **USE PERMIT ANALYSIS:**

The Planning Commission shall approve a use permit only after first establishing a basis for all of the following findings per ILUDC Sections 18.22.030.C; Section 18.71.060.F; and Section 18.42.100:

1. *The proposed use is consistent with the General Plan and any applicable specific plan;*
2. *The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Development Code and the Municipal Code;*
3. *The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;*
4. *The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located;*
5. *The proposed use complies with any findings required by §18.22.030 (Commercial District Land Uses and Permit Requirements), which reads:*  
  
*The use complements the local, regional and tourist-serving retail, office and services functions of the CBD, and will not detract from this basic purpose of the CBD. Uses proposed for the intense pedestrian-oriented retail shopping areas of the CBD, which include the 100 blocks of East and West Laurel Street, the 300 block of North Franklin Street\*, and the 100 and 200 blocks of Redwood Avenue, shall be limited to pedestrian-oriented uses on the street-fronting portion of the building.*
6. *The proposed use complies with the Specific Land Use Standards for Mixed Use Development in §18.42.100.*

While the proposed project is consistent with the Central Business District Table 2-6 *Allowed Land Uses and Permit Requirements* for Commercial Zoning Districts in ILUDC §18.22.030, the entire mixed use project shall be subject to a Use Permit because one land use activity – the arcade – is required to have Use Permit approval (see ILUDC §18.42.100.B). The following analysis illustrates that by adopting the recommended special conditions that the Planning Commission can establish findings to approve Use Permit Application 2-23.

- The “residential component mixed-use project” is permitted by right, so long as the residential units are *only on second or upper floors*. The application proposes four residential units as part of a mixed-use project. All four residential units would be located on the second floor. As designed, approval of the proposed residential use would not require a use permit.
- Restaurant use and retail uses are permitted by right.
- A use permit is required for the proposed arcade, which is a type of “Commercial Recreation Facility – Indoor” activity.

- Consistent with ILUDC §18.22.030.C.3 required finding, the proposed restaurant, retail and arcade are tourist-serving activities and they are compatible with the pedestrian oriented nature of the CBD.

#### **SITE DEVELOPMENT STANDARDS:**

The building at 228 N Main Street is a nonconforming structure that satisfies most of the City's current site development standards (See ILUDC Articles 2 and 3). The building does not conform to the current front setback requirement (e.g. *building facades shall abut the back of the public sidewalk*), as the building location is considerably offset from the back of the public sidewalk. Existing site improvements also do not satisfy current landscaping requirements, including providing a 15-foot deep landscaped strip between the parking lot and Main Streets. In accordance with ILUDC §18.90.030.B.1, non-conforming structures may continue to be used, changed, or expanded with a *Minor Use Permit approval, provided the Review Authority first finds that the additional work is compatible with neighboring uses and would not adversely impact neighboring properties.*

Additionally, the project must be found to comply with ILUDC §18.22.060(B) CBD Frontage and Facade Standards:

***B. Limitation on the location of allowable land uses. Each land use shall be located as follows:***

*1. The ground floor of each nonresidential structure shall be limited to the uses allowed on the ground floor by §18.22.030, Table 2-6, to enhance the pedestrian orientation of downtown streets. Examples of the pedestrian-oriented uses allowed by Table 2-6 include walk-in uses such as restaurants, retail stores, health/fitness facilities, personal services, community service organizations, and similar uses. The review authority may modify the Table 2-6 limitations on ground floor uses when existing structures are re-occupied by different tenants or uses, or when this requirement is determined by the review authority to be infeasible because of excessive storefront vacancies.*

The proposed project would consist of a ground floor restaurant, retail and arcade that would be used by locals and visitors alike. The project is consistent with ILUDC §18.22.060.B requirement. There are no specific regulations for a "Commercial recreation facility – Indoor."

#### **LANDSCAPING STANDARDS:**

The existing landscaping at the project site is a little tired and does not comply with current landscaping standards. The applicant has submitted a new landscaping plan (see Attachment 5). The new landscaping plan includes a good mix of native grasses, shrubs, forbs and trees. The landscaping plan proposes to keep existing shade trees and plant a few additional trees between the parking lot and the sidewalks along Alder and Main Streets. The applicant noted in a letter to the City that, "There are some limitations to the landscaping since the parking and planting areas are already defined. For example, planting trees at 25' on center is not possible but we have planted and kept as many trees as possible. We also have listed a variety of 11 native plants which the landscaper can choose from once the installation begins. Plant availability is key to the actual plant choices." Nevertheless, there is sufficient space to plant at least four additional trees to comply with the tree density requirement. Therefore, staff recommends Special Condition 1 to address this issue. Additionally, this project requires the installation of a backflow device. The backflow device must be landscaped so that it is screened from public view. This requirement is also addressed in Special Condition 1.

**Special Condition 1.** Prior to final of the building permit, applicant shall install at least two additional trees in the landscaping strip between the sidewalk and the parking lot along the Alder Street frontage between the entry driveway and the western corner of the parcel. The applicant shall also install at least two trees between the monument sign and the existing trees on the sidewalk fronting Main Street. Tree species shall be as specified in the landscaping plan. The installed backflow device shall be screened from view by shrubs and vegetation from the plant list in the Landscaping Plan.

**Fencing.** The existing chain link fencing is explicitly prohibited in the Central Business District (see ILUDC §18.30.050.E.4). The applicant has resubmitted the project plans illustrating the removal of the chain link fence and its replacement with a redwood fence.

**Utilities.** In accordance with City Council Resolution No. 4741-2023, no sewer or water capacity fees are required for new or expanding restaurants within the Central Business District. The applicants will have to pay capacity fees for the apartments and other uses. However, the applicant will also receive credit for the capacity fee that was previously paid for the existing office occupancy.

**Stormwater.** This project does not include an increase in impervious surfaces; therefore, stormwater discharge will remain the same. Nevertheless, some stormwater impacts may occur during the construction process, and Public Works Department staff have requested Special Condition 2.

**Special Condition 2:** Stormwater Management best practices shall be utilized during construction including the following:

- a) If construction is conducted between October and April (the rainy season) approval from the Public Works Department and additional construction BMP's will be required.
- b) It is not permitted for construction debris and soil to be placed in the City right-of-way. All construction debris/soil shall be properly disposed of.
- c) Applicant to adhere to the storm water measures outlined in the Storm Water Control Plan that was provided by the applicant.
- d) Applicant to ensure that there is no increase in runoff to adjacent properties or to the Public Right of Way.

#### MIXED USE PROJECTS:

This application was reviewed for compliance with the specific land use standards in ILUDC §18.42.100 *Mixed Use Projects* including design considerations (A), mix of uses (B), maximum density (C), site layout and project design standards (D), and performance standards (E), as follows:

<p><b>A. Design considerations.</b> A mixed use project shall be designed to achieve the following objectives:</p> <ol style="list-style-type: none"> <li>1. The design shall provide for internal compatibility between the residential and nonresidential uses on the site.</li> </ol>	<p>The residential units are located on the second floor and have a separate external entrance. Additionally, the residences would be located above the retail and restroom facilities on the first floor (the quietest areas on the first floor) which increases compatibility.</p>
<ol style="list-style-type: none"> <li>2. Potential glare, noise, odors, traffic, and other potential nuisance conditions for residents shall be minimized to allow a compatible mix of residential and nonresidential uses on the same site.</li> </ol>	<p>The residential units are set well back from the road due to the building location which will minimize these potential impacts. Additionally, the residential uses are located on the second story, which gives them some protection for the commercial uses on the site. Noise is likely to be the only issue of compatibility, especially noise after 9:00. However, a person moving into the apartment would be able to identify this as a potential issue prior to moving into the building.</p>
<ol style="list-style-type: none"> <li>3. The design shall take into consideration existing and potential future uses on adjacent properties and shall include specific design features to minimize potential impacts.</li> </ol>	<p>The mixed-use project would not conflict with adjacent restaurants, post-office or bank operations. The parking on the site is sufficient to park the mixed-use project through the application of the parking in-lieu fee and the pedestrian and vehicular circulation in the area is designed for the level of proposed use. No specific design features are required or recommended to minimize impacts.</p>
<ol style="list-style-type: none"> <li>4. The design shall ensure that the residential units are of a residential character, and that appropriate privacy between residential units and other uses on the site is provided.</li> </ol>	<p>The proposed project includes three studio apartments and a one-bedroom apartment. Each residential unit has a separate entrance from the hallway which provides appropriate privacy. They have a dedicated separate primary entrance from the parking lot on the south west side of the building as well as an emergency egress on the east side of the building.</p>

<p>5. Site planning and building design shall provide for convenient pedestrian access from the public street into the nonresidential portions of the project, through such means as courtyards, plazas, walkways, and street furniture.</p>	<p>This existing building includes two informal courtyards at the primary commercial entrances to the building. The project does not easily lend itself to more effective pedestrian access to the street due to the location of the existing building and parking area. The applicant has proposed to connect the south courtyard to the ADA parking space. This connection could be continued to the street with a short sidewalk connection across the landscaped strip. Additionally, the Planning Commission could require the installation of a piano keyboard style sidewalk between the public sidewalk and the north plaza illustrated below, although this would result in the loss of two parking spaces (see Attachment 2).</p> <p>If the Planning Commission chooses to require a sidewalk connection, you may adopt special condition 3.</p> <p><b>Special Condition 3:</b> Prior to final of the Building Permit, the Applicant shall install a thermoplastic safety crosswalk between the North entrance of the building and the public sidewalk, and a concrete sidewalk connection between the South ADA crosswalk and the sidewalk to provide safe ADA access from the sidewalk.</p>
<p>6. Site planning and building design shall be compatible with and enhance the adjacent and surrounding residential neighborhood in terms of building design, color, exterior materials, landscaping, lighting, roof styles, scale, and signage.</p>	<p>This is an existing building on an existing site. It is not located in a residential neighborhood and this requirement does not apply.</p>
<p>B. Mix of uses. A mixed use project may combine residential uses with any other use allowed in the applicable zoning district where allowed by Article 2 (Zoning Districts and Allowable Land Uses); provided, that where a mixed use project is proposed with a use that is required to have Minor Use Permit or Use Permit approval in the applicable zoning district, the entire mixed use project shall be subject to that permit requirement.</p>	<p>A Use Permit is required for the project.</p>
<p>C. Maximum density. The residential component of a mixed use project shall comply with the density requirements of the applicable General Plan designation and zoning district.</p>	<p>The proposed project would provide 4 housing units on a 37,500 SF site or 3.46 units/acre, which is below the maximum allowed density of 40 units/acre in the zoning district.</p>
<p>D. Site layout and project design standards. Each proposed mixed use project shall comply with the property development standards of the applicable zoning district and the following requirements:</p> <p>1. Location of units. Residential units shall not occupy ground floor street frontage on the primary street frontage. Residential units are allowed on the first floor of alleys and secondary street frontages. The ground floor street frontage space within a mixed use building shall be reserved for commercial uses, except for a lobby or other feature providing access to the residential units.</p>	<p>The proposed project includes residential units on the second floor only.</p>
<p>2. Parking. In order to encourage the development of residential uses in existing and new commercial areas, the use of shared parking provisions shall be incorporated into mixed use projects in compliance with § 18.36.080 (Reduction of Parking Requirements).</p>	<p>Residential tenants will share available parking with all other uses on site.</p>



3. Loading areas. Commercial loading areas shall be located away from residential units and shall be screened from view from the residential portion of the project to the maximum extent feasible.	A commercial loading area is not specified on the plan sets. However the Planning Commission may adopt a variance to exempt this project from this requirement.
4. <b>Refuse and recycling areas.</b> Areas for the collection and storage of refuse and recyclable materials shall be located on the site in locations that are convenient for both the residential and nonresidential uses.	Two refuse areas are proposed at the south-east corner of the property for retail and apartment refuse and by the back door of the restaurant which is convenient for the restaurant use. However, both refuse areas require a built enclosure. The Planning Commission should adopt Special Condition 4.  <b>Special Condition 4:</b> The applicant shall install trash enclosures around both refuse collection areas. The enclosures shall be of redwood fencing, stucco or similar treatment as approved by the Director of Community Development prior to final of the Building Permit.
E. <b>Performance standards.</b> 1. <b>Lighting.</b> Lighting for commercial uses shall be appropriately shielded to limit impacts on the residential units.	The applicant is proposing to change parking lot lighting by replacing lighting fixtures on five existing free standing light standards by replacing five existing light fixtures on the building facade and by adding three new light fixtures to the building facade. However, the applicant's submitted lighting is not night-sky compliant. The code requires night-sky compliant downward facing and shielded lights. Therefore, the Planning Commission should adopt Special Condition 5 to address this issue:  <b>Special Condition 5.</b> Prior to the final of the Building Permit, the applicant shall provide specifications for the installed exterior lighting which shall be night-sky compliant, downward facing and shielded so that light does not enter the apartment windows or cast outside the limits of the property.
2. <b>Noise.</b> Each residential unit shall be designed and constructed to minimize nonresidential project noise levels, in compliance with the City's Noise Ordinance. Night-time commercial uses shall minimize noise levels, in compliance with the City's Noise Ordinance.	The proposed project would minimize noise impacts to the residential uses as they are located above the retail and restroom uses of the first floor. The restaurant does not have any apartments located above it and this is the loudest component of the mixed-use project. Additionally, compliance with the City's noise ordinance is required of all businesses and residences throughout the City. So, nothing additional is required.

## PARKING AND LOADING:

The application does not propose altering the current off-street parking arrangement and the project site currently provide sufficient parking (per the code) for the proposed uses as follows: 14 spaces for the restaurant, 3 spaces for the gaming, 6 spaces for the banquet rooms, 4 spaces for the retail, and 5 spaces for the residential use for a total of 32 required spaces. The project application includes 29 proposed spaces. This falls within the maximum allowable parking limit for the site.

**Section 18.36.110 Loading Space Requirements.** This mixed-use project includes more than 5,000 SF of retail and restaurant space and as such, it must satisfy loading space requirements (including one dedicated loading space, meaning a defined area measuring 12 feet by 40 feet, lighting, screening, striping and surfacing). However, during Planning Commission deliberations, the Planning Commission expressed interest in reviewing a Variance analysis to consider waiving the loading zone requirement, because truck maneuvers would require a truck to back out onto the one-way Alder street, which would result in a hazardous condition and because almost no other building in the Central Business District has a dedicated truck loading zone. A Variance analysis is included below.

## VARIANCE ANALYSIS:

The Variance provides a process for City consideration of requests to waive or modify certain standards of the Development Code when, because of special circumstances applicable to the property, including location, shape, size, surroundings, topography, or other physical features, the strict application of the development standards otherwise applicable to the property denies the property owner privileges enjoyed by other property owners in the vicinity and in the same zoning district. The Planning Commission must make the following findings in order to approve a variance:

**1. General findings.** The review authority may approve a Variance or Administrative Variance only after first making all of the following findings:

- a. There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, so that the strict application of this Development Code deprives the property of privileges enjoyed by other property in the vicinity and within the same zoning district;

The proposed project is located in the Central Business District on an already developed property that offers only one potential loading zone location, however that loading zone location would not accommodate through traffic and would require the delivery truck to back out onto a one-way street which would be difficult for a large truck to maneuver. Additionally, no other commercial business located within the Central Business District has a sanctioned loading zone, so the strict application of the loading zone requirement would deprive the project property owner of the opportunity to not have a loading zone like all other similarly sized commercial businesses in the CBD.

- b. The approval of the Variance or Administrative Variance includes conditions of approval as necessary to ensure that the adjustment granted does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and within the same zoning district; and

The Planning Commission should adopt special condition 6 to ensure that no special privilege is conferred to the project.

**Special Condition 6:** The applicant shall use the alley to load and unload supplies and equipment for the mixed-use project. The applicant shall not load or unload supplies or equipment from Main Street or Alder Street.

- c. The Variance or Administrative Variance is consistent with the General Plan and any applicable specific plan.

This is a minor variance request. There are no policies within the General Plan which deal specifically with loading zones.

## DESIGN REVIEW:

The nonconforming structure does not satisfy current Citywide Design Guidelines (2022). As a nonconforming structure, the applicant is not required to modify the building exterior in any way to conform with the Citywide Design Guidelines. However, the applicant is proposing minor modifications to the building's appearance and these proposed changes should comply with the Citywide Design Guidelines. The following exterior alterations are proposed: 1) remove the drive-through canopy, 2) remove the blue-color band that wraps around the building; 3) repair exterior plaster; 4) install twelve new windows, three doors and replace most of the existing windows in the building; and 5) install three new signs.



Figures 1 - 4 illustrate the north, south, east, and west building elevations before renovating (top) and after remodeling (bottom) (see also Attachment 3).

Design Review approval shall require that the Planning Commission first find that the project, as proposed or with changes resulting from the review process and/or conditions of approval, complies with all applicable criteria identified in ILDUC Subsection 18.71.050.F *Project review criteria*.

1. *Complies with the purpose and requirements of ILDUC Subsection 18.71.050.F;*
2. *Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community;*
3. *Provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.;*
4. *Provides efficient and safe public access, circulation, and parking;*
5. *Provides appropriate open space and landscaping, including the use of water efficient landscaping;*
6. *Is consistent with the General Plan, any applicable specific plan; and*
7. *Complies and is consistent with the City's Design Guidelines.*

Figure 1. West Elevations - Before (top) and After (bottom)

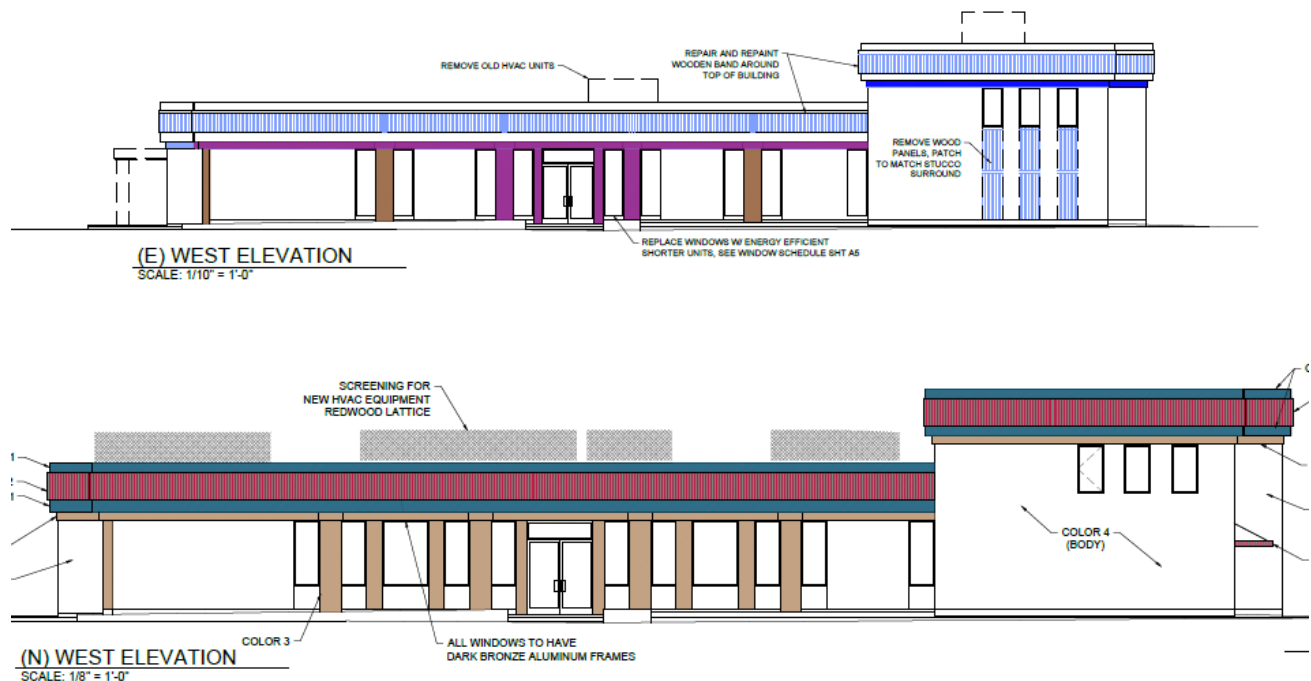


Figure 2. South Elevation – Before (top) and After (bottom)

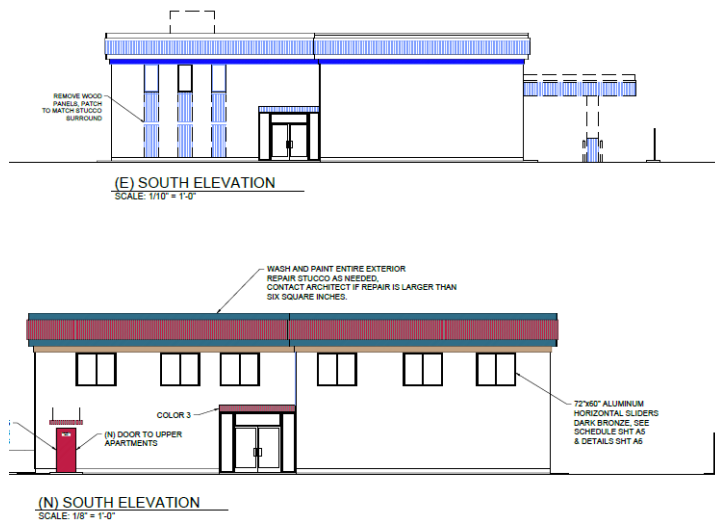


Figure 3. East Elevation – Before (top) and After (bottom)

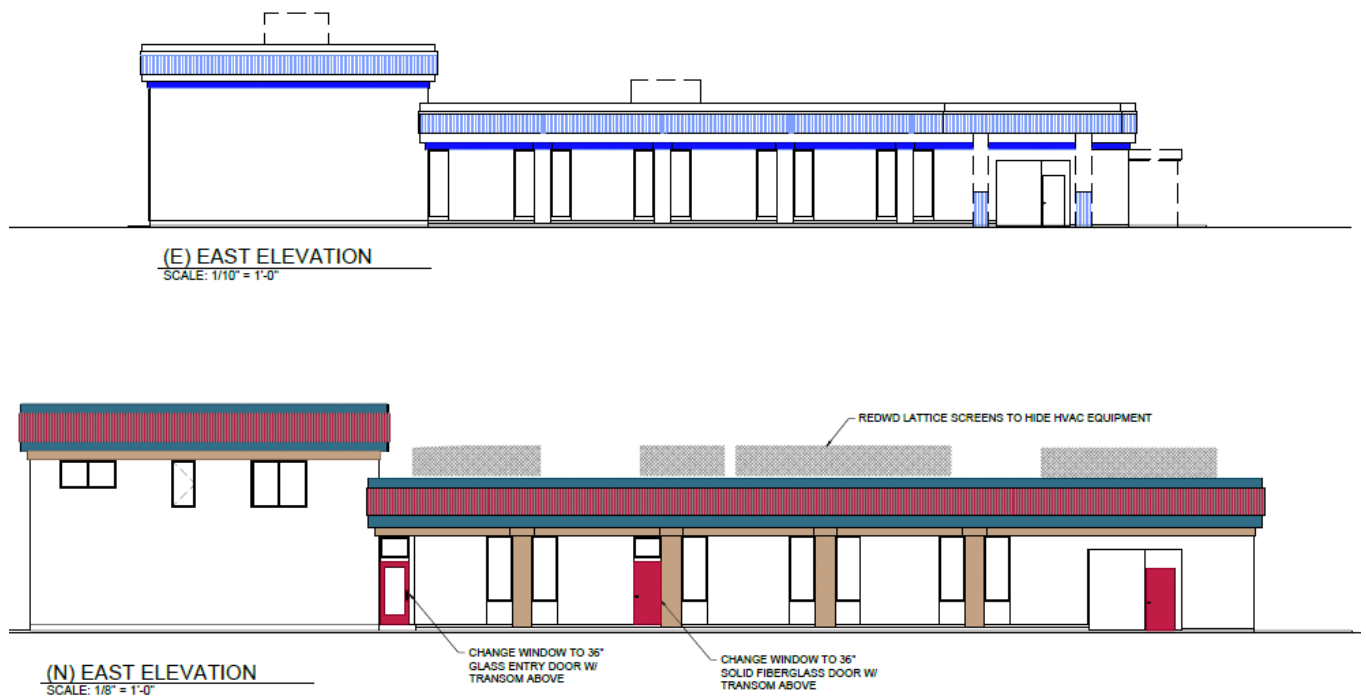
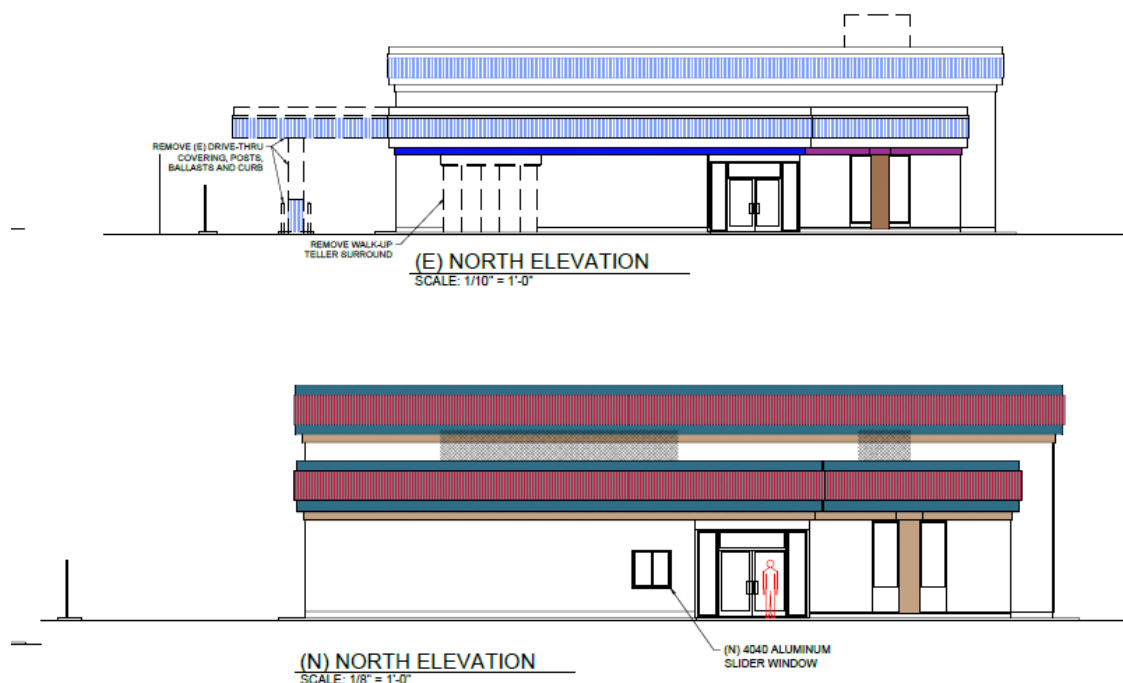


Figure 4. North Elevation– Before (top) and After (bottom)



The proposal to remove the drive-through canopy is exempt from design review as it is not visible from a public-right-of-way. Nevertheless, the following analysis looks at all proposed changes (see Table 1). The table below analyzes the project relative to relevant Design Guidelines:

Table 2.	
Citywide Design Guideline (2022)	Compliance Analysis
<b>Central Business District, page 6</b> <ul style="list-style-type: none"> <li>Maximize transparent storefronts, especially along the ground floor.</li> <li>Orient buildings to face the street. Architecture should complement and respect the historic Central Business District vernacular.</li> <li>Keep the downtown a lively mixed use, 24hr core.</li> </ul>	<p>Yes, as described below:</p> <p>The applicant proposes to replace all non-transparent windows with transparent windows in shorter frames along the ground floor. The applicant also proposes to add 12 new windows. The applicant proposes to remove the blue band along the cornice of the building. As this band is franchise architecture for Bank of America, this change would improve the building with respect to the historic vernacular.</p> <p>Reusing the largely vacant building for a mixed residential, retail and restaurant use will contribute to the lively mix of uses in the downtown.</p>
<b>Colors, page 17</b> <ul style="list-style-type: none"> <li>Colors used on exterior facades should be <i>harmonious</i> and <i>contrasting compatible colors</i> are encouraged to accentuate details.</li> </ul>	<p>The applicant has proposed a three-color scheme for the remodel of blue-purple, brown, Navajo white, a grey green and sienna (see Attachment 8 for exact colors). The colors may or may not be harmonious, this is a subjective decision for the Planning Commission to make.</p>

<b>Table 2.</b>	
<b>Citywide Design Guideline (2022)</b>	<b>Compliance Analysis</b>
<p>CBD Architecture, Page 27</p> <p><b>Mandatory Standards</b></p> <ul style="list-style-type: none"> <li>To divide the building mass of larger buildings into smaller scale components, buildings over 50 feet of frontage, visible from a public right of way, shall reduce the perceived mass and bulk by using one or more of the following: <ul style="list-style-type: none"> <li>a. change in roof heights or wall plane;</li> <li>b. projecting or recessed elements;</li> <li>c. varying cornice or rooflines; or</li> <li>d. other similar means.</li> </ul> </li> </ul>	<p>Likewise, this mandatory standard to divide the mass of larger buildings could be applied to this building, even though it is not new construction, via use of the requirement “d. other means”. The Planning Commission could require the applicant to paint the two-story mass of the building a different color than the one-story mass of the building. This would break up the building’s mass.</p> <p>The Planning Commission may want to adopt a Special Condition to address this.</p>
<p><b>Additions, Remodels, &amp; Renovations, page 25 - Mandatory Standards</b></p> <p>1. The design of a proposed addition shall follow the general scale, proportion, massing, and detailing of the original structure. New additions shall be interpretations of, or improve upon, the design of the existing structure wherein the main characteristics of the existing building are incorporated or improved upon using modern construction methods. This may include: (c) c. Sensitivity to the patterns of window and entrance spacing and openings; (d) Harmonizing with existing colors and materials; (e) Inclusion of similar architectural details (i.e. window/door trim, lighting fixtures, decoration); and others.</p> <p>2. Building materials used for the addition shall be of comparable or better quality than the existing building.</p>	<p>The proposed project complies with this requirement.</p> <p>While not an addition, the proposed remodel is minor in nature and respects the existing structure while improving upon it with transparent windows, additional windows and doors and the removal of franchise architectural features. <a href="#">The applicant’s revised design repeats the window rhythm of the upper floor, as requested by the Planning Commission.</a></p> <p>The applicant proposes to install stucco in place of the blue panels, the stucco will match existing surface texture.</p>
<p><b>Additions, Remodels, &amp; Renovations, page 25 - Preferred Standards</b></p> <p>1. Introducing or changing the location, size, or style of windows or other openings that alter the architectural rhythm or character of the original building is discouraged.</p> <p>2. When original decorative details and architectural elements were covered up in previous remodeling, these forgotten details should be restored and incorporated in the design of the remodeled building.</p>	<p>The applicant has proposed to replace some windows with doors and change the lower edge of some windows as is appropriate for a restaurant, since the window height should match the table height.</p> <p><a href="#">The applicant’s revised design repeats the window rhythm of the upper floor, as requested by the Planning Commission.</a></p>
<p><b>Loading and Delivery, page 25 - Mandatory Standards</b></p> <p>1. Loading and delivery service areas shall be located and designed to minimize their visibility, circulation conflicts, and adverse noise impacts to the extent feasible.</p> <p>2. Loading and delivery areas shall be screened with portions of the building, architectural wing walls, freestanding walls and/or landscaping planting.</p>	<p>The Planning Commission has asked for a variance analysis to eliminate the loading and delivery requirement for this reuse of a building in the CBD with highly constrained street access. <a href="#">If the Variance is approved this requirement would not apply.</a></p>

Table 2.	
Citywide Design Guideline (2022)	Compliance Analysis
<b>Mixed Use Development, page 30 - Site Planning Mandatory Standards</b> 1. Loading areas and refuse storage facilities for the commercial use should be located as far as possible from residential units and should be completely screened from view from adjacent residential portions of the project or another adjacent residential uses. The location and design of refuse storage facilities should mitigate nuisances from odors when residential uses might be impacted.	The loading area is not required if the Planning Commission grants a Variance. The refuse storage is appropriately located and screened. One of the refuse storage areas must be relocated closer to the restaurant, backdoor and shall be effectively screened with redwood fencing, this has been added to the revised site plan.
<b>Architecture, page 31 - Mandatory Standards</b> 1. When residential & commercial uses are in the same structure, separate pedestrian entrances should be provided for each use. 2. All roof-mounted equipment should be completely screened from views above. Special consideration should be given to the location and screening of noise generating equipment such as refrigeration units, air conditioning, and exhaust fans so that they don't disturb residences.	A separate pedestrian entrance is provided on the south side of the building. As illustrated in the project elevations, new mounted roof-top equipment will be visible from the apartments and the street. The applicant's revised elevation plan submittal includes redwood lattice to screen the mechanical equipment from view.
<b>Site Amenities, page 31 - Mandatory Standards</b> 1. Outdoor Space. include publicly accessible, designed outdoor space for resident and public use, that is proportionate to the size of the proposed buildings. Public spaces can include plazas, parks, courtyards, corridors, sidewalk cafes, trails, outdoor seating areas and/or similar active and passive areas. Public spaces should be located in visually prominent, accessible and safe locations that promote year-round activity. 2. Usable open space or public gathering places accessible to the community (e.g., a roof garden, expanded waiting area adjacent to a bus stop, etc.) shall be provided when feasible. 3. Landscaping, shade trees, and benches shall be incorporated into the site design as well as outdoor dining areas to encourage pedestrian activity on the ground floor level of a building.	<p>The building includes two mini-plazas/entryways. These are pre-existing and no changes are proposed to them.</p> <p>The applicant has not proposed any changes to the open space areas of the project, so the project is exempt from compliance with this requirement.</p> <p>There are some limitations to the landscaping since the parking and planting areas are already defined. The applicant has proposed just a few tables for outdoor dining in the plaza at the front of the restaurant.</p>

The applicant has also expressed some interest in painting a large mural on the building to make it more attractive. A mural project can also be approved as an over-the-counter review.

#### **SIGN PERMIT:**

**The Sign Review is considered part of the Design Review.** The approval of a Sign Permit shall require the Planning Commission to first establish a basis for the findings listed in ILUDC Section 18.38.030.D, as applicable.

The applicant proposes to install three new signs, as follows: two 26 inch by 40 inch signs (7.25 SF) at each parking lot entrance and one monument sign measuring 7 feet by 4 feet (28 SF) to be located at the corner of Main and Alder Streets.

- The code allows a business of this size to have 100 SF total of signage. The proposed signage is well within the limitation.
- The applicant is allowed to have three signs per building or two signs per business within a building. The current signage program is for the restaurant portion only. If the applicant proposes to install future signage for one or more additional businesses within the building, one of the Bear's Pizza signs will need to be removed. See ILUDC 18.38.070.B Table 3-12.
- The sign meets all requirements regarding height.
- The proposed locations for signs conform with requirements. The proposed monument sign would be located in the same location as the current monument sign, which does not conform with the minimum 20-foot setback from the curb for the traffic safety visibility area. However, this sign is located on a one-way street where no one would take a right hand turn onto Main Street, so this traffic visibility requirement does not apply.

Special Condition 7 is suggested to clarify that one of the Bear's Pizza signs should be removed if additional signs for other businesses are added to the site in the future.

**Special Condition 7.** In accordance with ILUDC §18.38.070 *et seq*, when an additional sign is added for other businesses at the property, one of the Bear's Pizza signs shall be removed.

The placement of the monument sign on the southwest corner of the parcel is appropriate. The height is similar to other monument signs along Highway 1.

The proposed signage is visually compatible with the scale and architectural style of the building as both have a contemporary design. It is also more compatible with other signs in the Central Business District than the nearby Chase Bank sign, which is more modern and much taller.

Table 1	
Citywide Design Guidelines (2022)	
<b>Chapter 5: Signs Overall Sign Guidelines, page 42 - Mandatory Standards</b> 1. Signs shall be designed to relate to the architectural features of the building on which they are located and create visual continuity with other storefronts on the same or adjacent buildings. 2. Signs shall coordinate with the building design, materials, color, size, and placement.	The applicant proposes to establish a new 7-foot-high monument sign on the corner of Alder and Main St. The proposed colors are compatible as the blue architectural features will be removed from the building.  The proposed sign will be on wood balustrades which do not match the stucco materials of the building. However, the proposed signage style is more in keeping with the historic character of the downtown and so is acceptable. Both the building and sign have a cream background.
<b>Monument Signs, page 47 - Mandatory Standards</b> 1. Monument signs may be internally illuminated, however, the sign copy shall be the only portion of the sign face that is illuminated. The sign background or field shall be opaque with a non-gloss, non-reflective finish. Signs with individual back-lit letters, or stenciled panels with three-dimensional push-through graphics are encouraged. 2. Monument signs shall be placed perpendicular to the street.	The proposed sign does not comply with all of these standards; therefore the Planning Commission should approve <b>Special Condition 8</b> .  The proposed Landscaping Plan includes landscaping for the base of the sign.



Table 1	
Citywide Design Guidelines (2022)	
<p>3. Monument signs shall be placed so that sight lines at entry driveways, pedestrian thoroughways, and circulation aisles are not blocked.</p> <p>4. Monument signs shall be designed to create visual interest and compliment their surroundings. Monument signs shall incorporate architectural elements, details, and articulation as follows: (a) Provide architectural elements on the sides and top to frame the sign pane(s). Use columns, pilaster, cornices, and similar details to provide design interest; (b) Incorporate materials and colors into the sign support structures to match or be compatible with materials and colors of the development the sign serves so it does not appear out of scale with its adjacent building(s).</p> <p>5. Monument signs shall incorporate landscaping at their base. Landscaping around monument signs should be designed to ensure the long-term readability of the sign.</p>	

**Special Condition 8.** The applicant shall submit a revised sign design for approval by the Community Development Director which includes: 1) architectural elements on the sides and top to frame the monument sign pane, such as columns, pilaster, cornices, and similar details to provide design interest; 2) if the proposed signs will be internally illuminated only the sign copy may be illuminated; and 3) a lighting plan for the signs if they are not internally illuminated.

#### ENVIRONMENTAL DETERMINATION:

This project is exempt from CEQA under section 15301 Existing Facilities because there will be no substantial changes to the structure and the use is similar to the previous use. There are no relevant exceptions to the exemption and there are no potential significant environmental impacts from this project.

#### ATTACHMENTS:

1. Applications
2. Revised Site Plan submitted 2-20-2024
3. Revised Elevations submitted 2-20-2024
4. Floor Plan
5. Landscaping Plan
6. Lighting Plan
7. Signage Plan
8. Paint Color Swatches. Can also be viewed at: <https://www.benjaminmoore.com/en-us/paint-colors/shared-list/311dba93-4690-4061-b540-84820f446534>
9. Resolution of the Fort Bragg Planning Commission Approving Use Permit 2-23 (UP 2-23), Design Review 3-23 (DR 3-23), Sign Permit 8-23 (SP 8-23), and Variance 2-24 (VAR 2-24) for a Mixed-Use Project at 228 N. Main St.
10. Public Hearing Notice
11. Notice of Exemption