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| <b>DECISION DATE:</b> | October 25, 2021           |
| <b>PREPARED BY:</b>   | K. Locke                   |
| <b>DECISION BY:</b>   | Community Dev.<br>Director |

## AGENDA ITEM SUMMARY REPORT

**APPLICATION NO.:** Design Review 7-21 (DR 7-21)

**APPLICANT:** Manish Bhatt

**OWNER:** Same as applicant

**REQUEST:** Design Review to allow for a change of paint color, construct a pergola, and new signage.

**LOCATION:** 250 South Main Street

**ASSESSOR'S PARCEL NO.:** 008-172-02

**ENVIRONMENTAL DETERMINATION:** The project is exempt from CEQA per Statutory Exemption 15301(a) for existing facilities involving minor interior and exterior alterations and 15303 new construction or conversion of small structures.

**SURROUNDING LAND USES:**

|        |                                     |
|--------|-------------------------------------|
| NORTH: | Ocean Breeze Lodge                  |
| EAST:  | Vacant Parcel                       |
| SOUTH: | AmeriGas Propane                    |
| WEST:  | Mendocino Coast Chamber of Commerce |

**APPEALABLE PROJECT:**  Can be appealed to Planning Commission

## PROJECT DESCRIPTION & ANALYSIS

The Ebb Tide Lodge is a 32 unit motel which has been operating since the 1960's. The project site is located in the northeast corner of the intersection of Highway One and Maple Street at 250 S Main (**Figure 1 – Location Map**). The property is zoned as General Commercial (GC). The applicant is requesting Design Review approval to permit minor changes to the existing site. The proposed scope of work includes a new color scheme and a pergola. The application does not include any expansion of the existing structures.



Figure 1 – Location map

### Color Scheme

The existing color scheme for the Ebb Tide Lodge is a mix of a mustard yellow and red brick as the body with white trim and red doors. The applicant is proposing a light gray body labeled “Steel City” and a darker blue accent labeled “Sea Isle”. A rendering of the proposed scheme is found on **Figure 2** below.



Figure 2 – Color Scheme

## Pergola

The applicant additionally is proposing to install a 12' x16' Cedar Gazebo with an aluminum roof. The gazebo would be located at the center of the site in a small landscaped common area for guests. The proposed gazebo design is shown on **Figure 3** and the gazebo location is shown on **Figure 4**.



Figure 3 – Proposed Gazebo

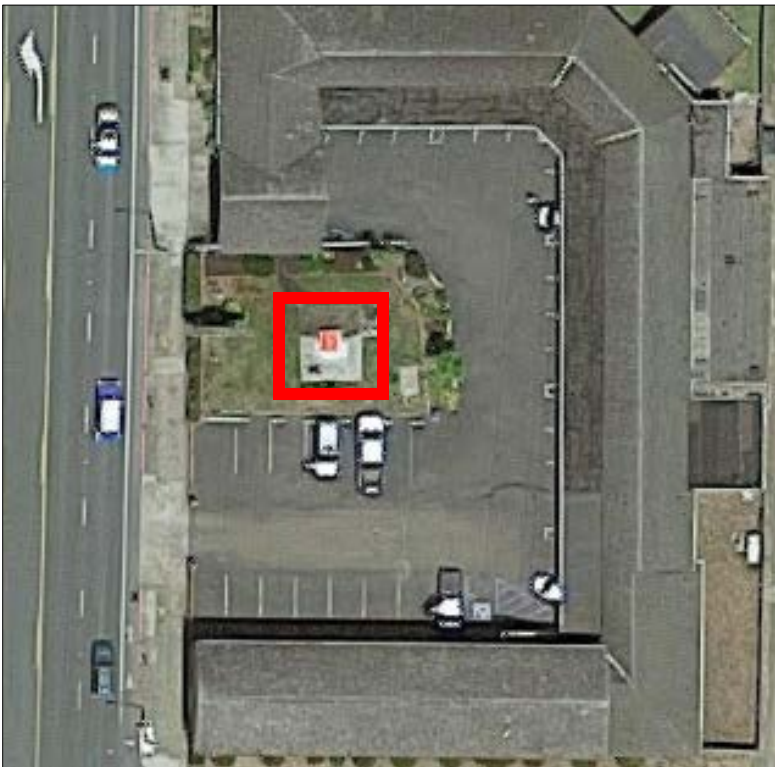


Figure 4 – Gazebo Location

## Signs

The application originally proposed a revised sign plan. After review of the proposed sign, Staff believe that it would elevate the project to be considered a “formula business” as defined in ILUDC section 18.100.020. An additional use permit and Planning Commission approval is required for formula businesses greater than 2000 square feet per ILUDC section 18.46.030. However, the City currently has a formula business moratorium, preventing any approval of formula business until the moratorium is lifted by City Council. Therefore, the proposed sign or any change which establishes this site as a formula business cannot be approved at this time. As a result, the applicant agreed to remove the sign from this application. Staff have also proposed the following condition:

1. Special Condition #1: Prior to operating as a formula business as defined in ILUDC section 18.100.020 under “Formula Business Regulations”, approval of a use permit is required prior to installing/maintaining two or more any of the following standardized features: an array of merchandise/menu, décor, uniforms, façade, color scheme, exterior signage including a trademark or service mark as signage.

The applicant intends to maintain operations as the “Ebb Tide Lodge” until they apply for and receive approval for any formulaic change.

## DESIGN REVIEW FINDINGS

1. The project shall comply with the purpose and requirements of this Section.

The proposed design, as conditioned, is consistent with the purpose and requirements of Design Review.

2. The project shall provide architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community.

With regard to appropriateness and compatibility of building scale, the existing structure will not be enlarged or expanded, so the building scale will remain the same. However, the proposed color scheme differs significantly from the existing scheme, which changes the visual impact of the site. The more neutral blue and gray palette may actually lessen visual impact compared with the bright yellow and red currently. The palette is also more closely related to the businesses located to the north and south, allowing for compatibility with the surrounding area.

3. The project shall provide attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.

The applicant has not proposed any changes to the site layout and design, setbacks, drainage, fences and walls, grading, landscaping, lighting, etc.

4. The project shall provide efficient and safe public access, circulation, and parking.

No changes to circulation, walkways or parking spaces are proposed. The project preserves all existing public access, circulation and parking, and is consistent with ILUDC requirements.

5. The project shall provide appropriate open space and landscaping, including the use of water efficient landscaping.

No changes to the existing open space and landscaping are proposed.

6. The project shall be consistent with the General Plan, any applicable specific plan. The proposed changes are minor and do not conflict with any of the goals, policies, or programs in the Inland General Plan, therefore complying with this section.

7. The project shall comply and be consistent with the City's Design Guidelines. The following excerpts of the Fort Bragg Citywide Design Guidelines apply to the proposed changes:

- Exterior materials, textures, and colors should complement the architectural style of theme of a building.
- In general, fluorescent, garish colors should be avoided. Colors and materials should be durable and weather resistant.
- Common open space should be provided on-site.

The proposed changes comply with each of the following guidelines. The color palette is complementary to the coastal architecture of the City and is not a fluorescent or garish color. The site already has a common open space and the gazebo would only provide an additional feature to said open space.

## **RECOMMENDATION**

Staff recommends approval of Design Review 7-21 based on analysis, findings, and conditions contained herein.

## **GENERAL FINDINGS**

1. The proposed project is consistent with the purpose and intent of the zoning district, as well as all other provisions of the General Plan, Inland Land Use and Development Code (ILUDC) and the Fort Bragg Municipal Code in general;
2. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
3. 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;
4. The project complies with Specific Use Regulations established for the project;
5. For the purposes of the California Environmental Quality Act (CEQA), this project was found to be exempt under Section 15303 – conversion of existing structures to new uses.

## **DESIGN REVIEW FINDINGS**

Pursuant to ILUDC Section 18.71.050(F), The Planning Commission finds that the project:

1. Complies with the purpose and requirements of this Section;

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.

## **STANDARD CONDITIONS**

1. This action shall become final on the 11th day following the decision unless an appeal to the Planning Commission is filed pursuant to ILUDC Chapter 18.92 - Appeals.
2. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City. Any condition directly addressing an element incorporated into the application exhibits shall be controlling and shall modify the application. All other plans, specifications, details, and information contained within application shall be specifically applicable to the project and shall be construed as if directly stated within the condition for approval. Unless expressly stated otherwise, the applicant is solely responsible for satisfying each condition prior to issuance of the building permit.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.
5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.
6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 100 feet of the discovery; and 2) notify the Director of Public Works within 24 hours of the discovery. Evidence of an archaeological site may include, but is not necessarily limited to shellfish, bones, flaked and ground stone tools, stone flakes produced during tool production, historic artifacts, and historic features such as trash-filled pits and buried foundations. A professional archaeologist on the list maintained by the Northwest Information Center of the California Historical Resources Information System or Listed by the Register of Professional Archaeologists shall be consulted to determine necessary actions.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
  - (a) That such permit was obtained or extended by fraud.

- (b) That one or more of the conditions upon which such permit was granted have been violated.
  - (c) That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare, or safety or as to be a nuisance.
  - (d) A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
8. Unless a condition of approval or other provision of the Inland Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with ILUDC Subsection 18.76.070 (B).

### **SPECIAL CONDITIONS**

1. Prior to operating as a formula business as defined in ILUDC section 18.100.020 under “Formula Business Regulations”, approval of a use permit is required prior to installing/maintaining two or more of the following standardized features: an array of merchandise/menu, décor, uniforms, façade, color scheme, exterior signage including a trademark or service mark as signage.
2. The applicant shall apply for a water waiver with the City prior to re-painting the building.
3. The applicant shall apply for a building permit and receive issuance prior to construction of the gazebo.