AGENCY: Planning Commission
MEETING DATE: February 14, 2024
PREPARED BY: MJC
PRESENTED BY: Marie Jones

AGENDA ITEM SUMMARY REPORT

APPLICATION NO.: Use Permit 2-23 (UP 2-23), Design Review 3-23 (DR 3-23); 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, and Sign Permit 8-23 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.

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), 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 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.

- The 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 & PARKING:

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 5 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 5.

> **Special Condition 5**. 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.

PARKING AND LOADING:

The application does not propose altering the current off-street parking arrangement and as such, the project does not provide sufficient parking (per the code) for the proposed uses. Properties located within the Central Business District may pay a parking in lieu fee, rather than satisfy off-street parking requirements. However on December 11, 2023, the City Council extended a moratorium on payment of the parking in-lieu fee. As such, the project is not required to comply with the current off-street parking requirements or pay an in lieu fee.

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). The application sufficiently addresses these requirements and the proposed lighting plan would provide adequate illumination for one loading space. However, the existing chain link fencing along the alley does not comply with ILUDC §18.36.110 screening requirements, for which a combination of dense landscaping and solid masonry wall with a minimum height of 6 feet are required. Additionally, chain link fencing is explicitly prohibited in the Central Business District (see ILUDC §18.30.050.E.4). Therefore, the Planning Commission should adopt Special Condition 6 to ensure that the loading zone is properly delineated on the project plans and require removal of chain link fencing.

> **Special Condition 6.** 6. Prior to issuance of the Building Permit, the applicant shall file for Director review and approval a revised site plan complying with ILUDC §18.36.110.B and §18.30.050.E.4 requirements and showing the location of the loading space, masonry wall, and landscaping.

Utilities. In accordance with City Council Resolution No. 4741-2023, no sewer or water capacity fees are required for new or expanding businesses in the Central Business District.

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 7.

> **Special Condition 7:** 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.

SIGNS:

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 9 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 9**. In accordance with ILUDC §18.38.070 *et seq,* when an additional signage 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 of the Central Business District than the nearby Chase Bank sign, which is more modern and much taller.

Table 1	
Citywide Design Guidelines (2022)	
Chapter 5: Signs Overall Sign Guidelines, page 42 - *Mandatory Standards* 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 building and sign have a cream background.

Table 1	
Citywide Design Guidelines (2022)	
Monument Signs, page 47 - Mandatory Standards 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. 3. Monument signs shall be placed so that sight lines at entry driveways, pedestrian throughways, and circulation aisles are not blocked. 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). 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.	The proposed sign does not comply with all of these standards, therefore the Planning Commission should approve **Special Condition 10.** The proposed Landscaping Plan includes landscaping for the base of the sign.

Special Condition 10. 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.

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:

A. Design considerations. The proposed four residential units would be located on the second floor with a separate external entrance. Because of the building's location, the residential units would be set back from the road. As the residential units would be on the second floor, this potentially provides the occupants some protection from the commercial uses on the site. Additionally, the residences would be situated above the quietest ground-floor activities (i.e. the retail and restroom facilities) to minimize conflicts between residential and commercial activities. Noise is likely to be the only issue of compatibility, especially noise after 9:00 p.m. However, a person moving into the apartment would be able to identify this as a potential issue prior to moving into the building. The Planning Commission could adopt a special condition to reduce noise by requiring soundproof windows in the apartments. To address potential noise conflicts, the Planning Commission may adopt Optional Special Condition 1.

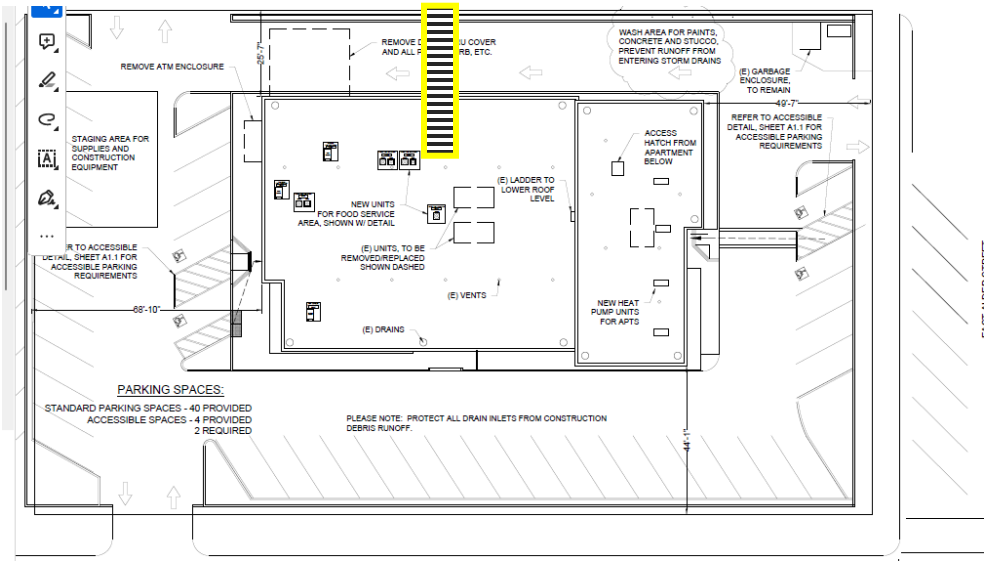
Optional Special Condition 1: The applicant shall install soundproof windows in all residential units, to be inspected as part of the Building Permit inspection and approved prior to final of the Building Permit.

The proposed mixed-use project would not conflict with adjacent restaurants, post-office or bank operations. 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.

The proposed project includes three studio apartments and one one-bedroom apartment. Each residential unit has a separate entrance from a hallway that would provide privacy. The proposed design includes a dedicated separate and primary entrance for residences from the parking lot on the south west side of the building and an emergency egress on the east side of the building.

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. There are two informal courtyards near the commercial entrances to the building, but the site does not ease pedestrian access between building entrances and public sidewalks. The applicant proposes to connect the south courtyard to an ADA-parking space facing Alder Street by painting; this proposed pedestrian connection could be continued to the street by adding a short sidewalk across the existing planted area. Additionally, the Planning Commission could require the installation of a "piano keyboard"-style sidewalk between the public sidewalk and the north plaza, as illustrated by Figure 1; although this would result in the loss of two parking spaces (see Attachment 2).

Figure 1 Site Plan with Pedestrian Access Shown



If the Planning Commission chooses to require a sidewalk connection, you may adopt optional Special Condition 2.

Optional Special Condition 2: 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.

ILUDC §18.42.100.B.6 states, "*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*." This is an existing building on an existing site. It is not located in a residential neighborhood and this requirement does not apply.

B. Mixed Uses. The scope of the proposed land uses requires an approved Use Permit.

C. Maximum density. The proposed project would provide four 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 CBD District.

D. Site layout and project design standards. The proposed project includes residential units on the second floor only. Residential tenants will share available parking with all other uses on site. A commercial loading area is not specified on the plan sets; therefore, the Planning Commission should adopt Special Condition 7 as described under the Loading Space analysis section and as recommended by Public Works. Two refuse areas are proposed at the southeast corner of the property for retail and apartment refuse and by the back door of the restaurant that is convenient for the restaurant use. However, both refuse areas require a built enclosure. The Planning Commission should adopt Special Condition 3.

> **Special Condition 3:** 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. Performance standards. 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 4 to address this issue:

> **Special Condition 4.** 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.

The proposed project would minimize noise impacts to the residential uses as they are not directly above the ground floor retail and restroom uses. 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.

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 2 - 5 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 ILUDC 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.;*

Figure 2. West Elevations - Before (top) and After (bottom)

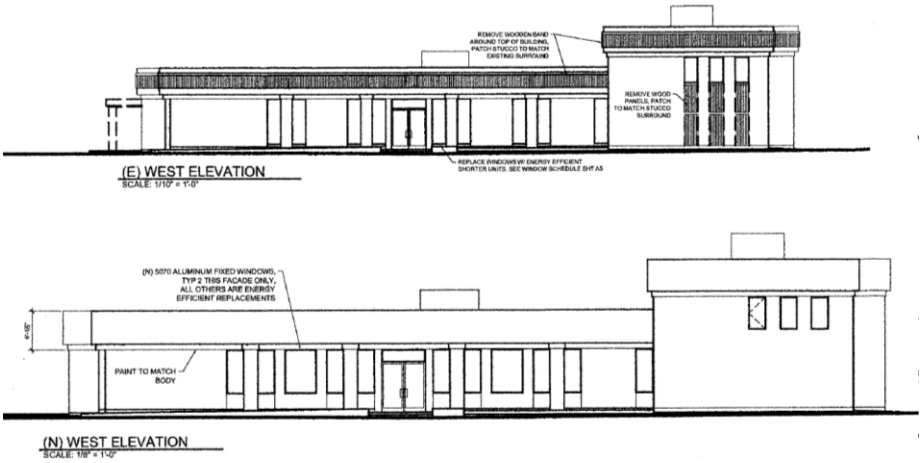


Figure 3. South Elevation – Before (top) and After (bottom)

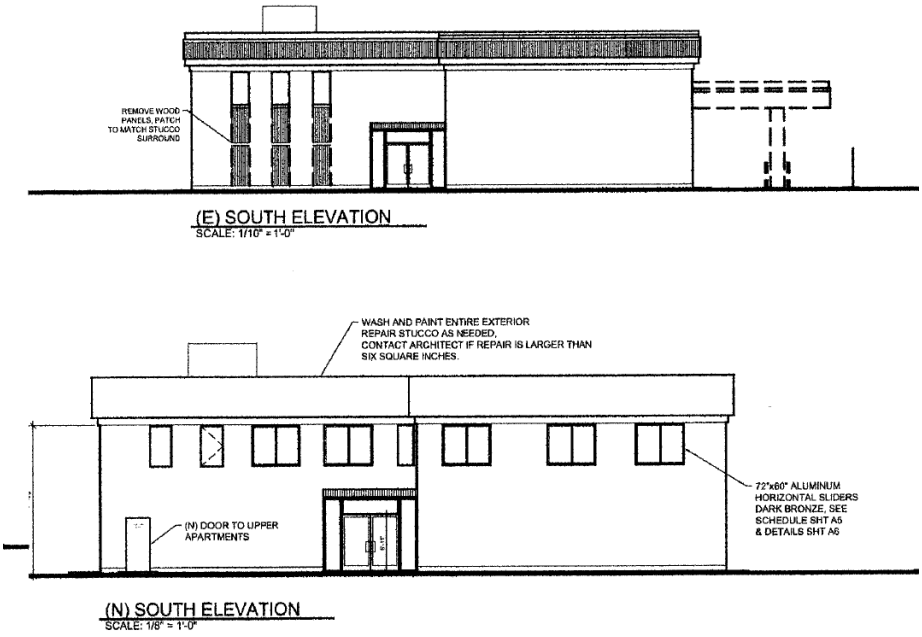


Figure 4. East Elevation – Before (top) and After (bottom)

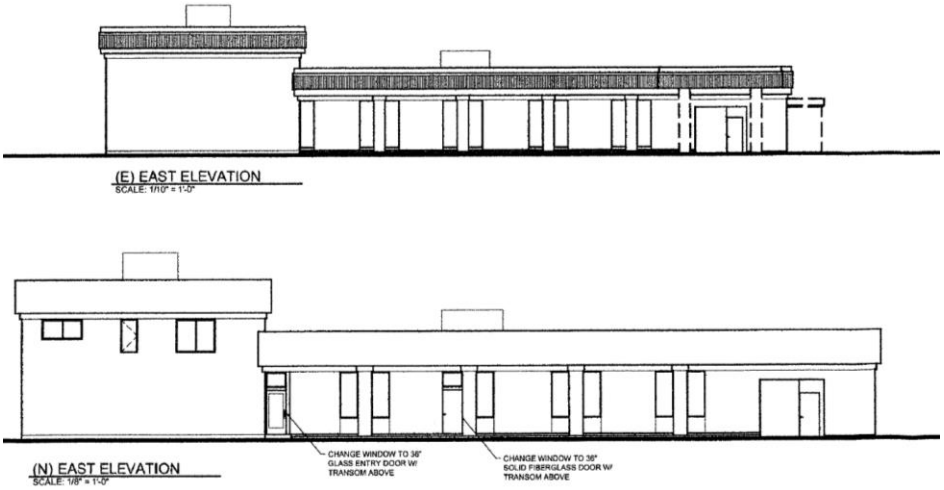
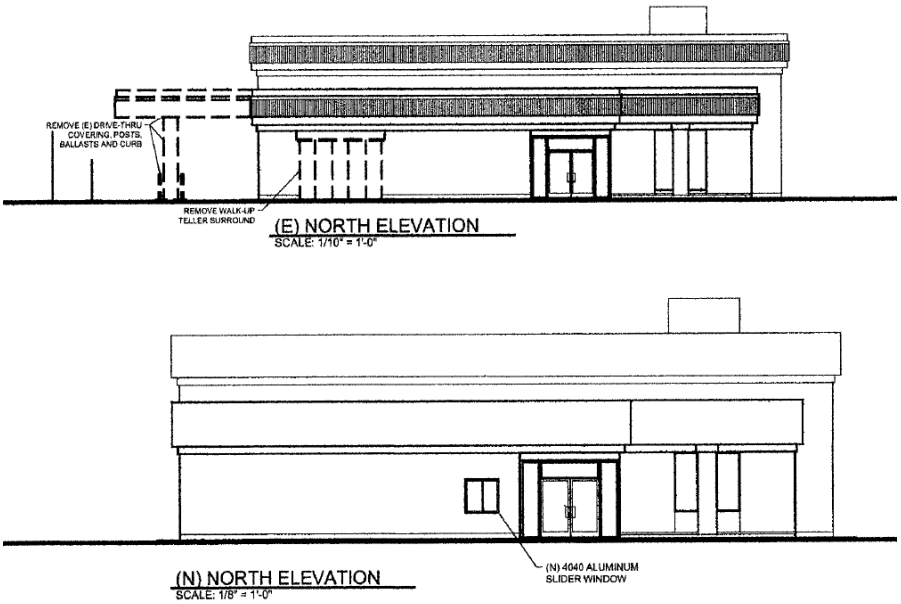


Figure 5. North Elevation– Before (top) and After (bottom)



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.*

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**
Central Business District, page 6 • Maximize transparent storefronts, especially along the ground floor. • Orient buildings to face the street. Architecture should complement and respect the historic Central Business District vernacular. • Keep the downtown a lively mixed use, 24hr core.	Yes, as described below: 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. Reusing the largely vacant building for a mixed residential, retail and restaurant use will contribute to the lively mix of uses in the downtown.
Additions, Remodels, & Renovations, page 25 - Mandatory Standards 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. 2. Building materials used for the addition shall be of comparable or better quality than the existing building.	The proposed project complies with this requirement. 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. The applicant proposes to install stucco in place of the blue panels, the stucco will match existing surface texture.
Additions, Remodels, & Renovations, page 25 - Preferred Standards 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. 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.	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. This is a preferred standard; compliance is not mandatory. Not applicable.
Loading and Delivery, page 25 - Mandatory Standards 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. 2. Loading and delivery areas shall be screened with portions of the building, architectural wing	Complies with mandatory requirement. The loading and delivery area for the restaurant is located on the eastern façade facing the alley. The location of the delivery area is appropriate and will minimize conflicts.

Table 2.	
Citywide Design Guideline (2022)	**Compliance Analysis**
walls, freestanding walls and/or landscaping planting.	This area is screened from the alley with a privacy fence. However, chain link fencing is explicitly prohibited in the Central Business District (see §18.30.050.E.4), which is addressed by **Special Condition 6**.
Mixed Use Development, page 30 - Site Planning Mandatory Standards 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 appropriately located and screened. One of the refuse storage areas must be relocated closer to the restaurant back door and shall be effectively screened with redwood fencing. See **Special Condition 3**.
Architecture, page 31 - Mandatory Standards 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, a new piece of mounted equipment will be visible from the apartments and the street. Planning Commission may adopt Special Condition 8 to address this issue. See **Special Condition 8**.
Site Amenities, page 31 - Mandatory Standards 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.	The building includes two mini-plazas/entryways. These are pre-existing and no changes are proposed to them. 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. 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.

Special Condition 8. The applicant shall install screening around the mechanical equipment on the roof. Such screening shall consist of redwood lattice or similar material as approved by the Community Development Director prior to final of the building permit.

If the applicant should choose to paint the building in the future that can be accomplished with an over-the-counter color review. 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.

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. Site Plan
3. Elevations
4. Floor Plan
5. Landscaping Plan
6. Lighting Plan
7. Signage Plan
8. 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) for a Mixed-Use Project at 228 N. Main St.
9. Public Hearing Notice
10. Notice of Exemption