

MEETING DATE: September 12, 2018

PREPARED BY: S. McCormick

PRESENTED BY: S. McCormick

AGENDA ITEM SUMMARY REPORT

APPLICATION NO.: Design Review 2-18 (DR 2-18)

APPLICANT: Emily Baskaran

OWNER: McDonald's USA LLC / Drew Sanchez

PROJECT: Design Review for extensive remodel of the façade and roof line of an existing McDonald's restaurant.

LOCATION: 1190 S Main Street

APN: 018-150-61

ZONING: Highway Visitor Commercial (CH)

ENVIRONMENTAL DETERMINATION: This project is exempt from CEQA per Statutory Exemption §15301 for existing facilities involving minor interior and exterior alterations.

SURROUNDING LAND USES:
NORTH: Commercial – Empty Lot
EAST: Commercial – Empty Lot
SOUTH: Commercial – Empty Lot and Motel
WEST: Commercial – Empty Lot and Motel

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

PERMIT HISTORY

October 28, 1992 – Planning Commission conducted a Public Hearing for CDP 14-92/SCR 3-92 for the construction of a McDonald's Restaurant. The Public Hearing was continued to a future time to allow staff to prepare a more comprehensive staff report including a Negative Declaration and relevant information from the Boatyard/Todd Point Traffic Plan certified by City Council on July 27, 1992 in order to address concerns brought forth in meeting. McDonald's was also asked to resubmit revised plans to address traffic concerns raised at the hearing.

March 10, 1993 – Planning Commission conducted a Public Hearing for CDP 14-92/SCR 3-92 for construction of McDonald's Restaurant. The application was unanimously denied based on: 1) negative impacts that projected traffic would cause; 2) negative visual impact as a gateway building coming into town; and 3) community opposition stating the project would have a substantial adverse effects on people.

March 24, 1993 – Robin Blackman for the McDonald's Corporation filed an appeal to the City Council challenging the Planning Commission's decision to deny CDP 14-92/SCR 3-92, which would permit the construction of a McDonald's Restaurant with parking and landscaping.

April 12, 1993 – City Council conducted a Public Hearing to consider the appeal of Planning Commission decision to deny CDP 14-92/SCR 3-92, which would permit the construction of a McDonald's Restaurant with parking and landscaping. The City Council upheld the appeal and overturned Planning Commission's decision. The Council directed staff to return to the April 26, 1993 meeting with necessary findings for City Council approval.

May 10, 1993 – City Council voted to approve facts and findings submitted by staff to uphold the appeal of Robin Blackman, overturning the Planning Commission's decision to deny permit. CDP 14-92/SCR 3-92 was approved by the following vote: 3 Ayes, 1 Noes, and 1 Abstain.

PROJECT DESCRIPTION

The project site is located at the northeast corner of the intersection of S Main Street and Boatyard Drive (**Attachment 1 – Location Map**). The applicant is requesting Design Review approval to permit the extensive external remodel of an existing McDonald's Restaurant. The proposed remodel consists of new Hardie Plank siding, canopy/trellis, lighting and signage on the exterior and a full décor interior remodel with a new front counter and restroom upgraded per ADA requirements. The application does not include any expansion of structure nor kitchen scope.



Existing McDonald's Restaurant—View from intersection of Main Street and Boatyard Drive

LAND USE

The project site is located in the Highway Visitor Commercial (CH) zoning district, which allows the land use *Restaurant, café, coffee shop* by right.

Although this project is in the Coastal Zone, the project is exempt from the requirement for a Coastal Development Permit (CDP). Coastal Land Use and Development Code (CLUDC) Section 17.71.040(B)(3a) states that improvements and expansions of existing nonresidential structures are exempt from coastal permitting, provided the project meets the exemption criteria, which include:

- B3a. Improvements to any structure other than a single-family residence or a public works facility except as noted below in Section (b). For purposes of this section, where there is an existing structure, other than a single-family residence or public works facility, the following shall be considered a part of that structure:
- i) All fixtures and other structures directly attached to the structure.
 - ii) Landscaping on the lot.

This project meets these qualifications for the exemption because the improvements are proposed to an existing structure and because the structure is not located within 50 feet of bluff edge (the only Section b qualification that applies to the project).

DESIGN REVIEW

The proposed project proposes to extensively remodel the façade of a commercial structure, which requires a Design Review Permit per Section 17.71.050B1 of the CLUDC.

B1- Improvements subject to Design Review by the Commission.

- a. The following improvements shall always require Design Review by the Commission:
 - iii) All nonresidential development projects, including:
 - (a) Commercial, offices, and industrial structures;

Staff has completed an analysis of the proposed design to determine its' compliance with the Design Review Criteria in the CLUDC and detailed below:

17.71.050(E). Project Review Criteria. The review authority shall evaluate each application to ensure that the project:

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

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

2. Provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community;

Visually, the existing McDonald's Restaurant is separate from surrounding development as it is; buffered by empty parcels, landscaping and Highway 1. The land extending to the north/east is vacant, bordered on the east by a steep wooded bluff to the Noyo River. The Surf Motel and Gardens, located to the south, is separated from the project by Boatyard Drive and a vacant lot screened with landscaping. The land directly across the intersection to the west is vacant and the lot catty-corner across the expansive intersection of Highway 1 and Boatyard Drive to the south-west is the site of the Emerald Dolphin Motel.

With regard to appropriateness and compatibility of building scale, the existing structure will not be enlarged or expanded, so the building scale will remain similar in appearance to the existing building (**Attachment 2 – Existing McDonald's**). However, the proposed design differs significantly from the existing building in architectural style and color, which impacts the massing and the visual impacts of the project. The darker palette of color, predominately "Aged Pewter", may give a bigger and heavier appearance. The straight lines and the flat roof of the modern design may further accentuate the building mass in comparison to the varied pitched roof and the articulated building façade of the current structure. The applicant has proposed less signage and a façade with 2" x 2" vertical faux wooden batten that adds some warmth and definition to an otherwise austere appearance (**Attachment 3 – Proposed McDonald's**).



Color Rendering of Proposed Front Elevation

The Planning Commission should consider if the building’s massing is appropriate and compatible with the surrounding site and community. Consistency and compliance with the City’s Design Guidelines will be discussed further in this report below under point seven (7).

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.;

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

In deed the project meets the Highway Visitor Commercial (CH) zoning district setback requirements, as illustrated below with the applicable standards underlined:

CH Zoning District Requirement		Proposed Development
Front	<u>15 feet on an arterial street</u> ; or same as the front setback for an R zone on the same block; 5 feet elsewhere.	+/- 80 feet ✓
Side (interior)	Same as the front setback required for an R zone abutting the side property line; <u>none required elsewhere</u> .	N/A
Side (street)	<u>Same as front setback (15 feet)</u> . Except for properties north of Pudding Creek and west of Main Street with more than 135 feet of frontage, see Section 17.50.070(H).	+/- 115 feet ✓

Rear	10 feet adjacent to an alley; 15 feet adjacent to a residential zone; 30 feet from the Haul Road; <u>none required elsewhere.</u>	N/A
-------------	---	-----

Considering a formal sign application was not submitted as part of this Design Review, staff recommends requiring the applicant to submit a separate sign application prior to installing signage in order to ensure compliance with the CLUDC. This can be included as Special Condition 1:

Special Condition 1: Applicant shall submit a Sign Application prior to installing signage. If application is representative of current proposed signage and complies with square footage permitted, the Director will approve application.

4. Provides 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 CLUDC requirements.

5. Provides appropriate open space and landscaping, including the use of water efficient landscaping.

No changes to the existing open space and landscaping are proposed. The current landscape plan was approved by CDP 14-92/SCR 3-92.

6. Is consistent with the General Plan, any applicable specific plan, and the certified Local Coastal Program if located in the Coastal Zone.

The project is consistent with the CLUDC and the Coastal General Plan policies related to commercial development and the purposes of the Highway Visitor Commercial land use designation. Highway Visitor Commercial serves residents and visitors along the Highway One corridor and adjacent entry points into the community. Restaurants and motels are specifically listed as typical land uses of the zoning district.

7. Complies and is consistent with the City's Design Guidelines.

The Design Guidelines for Commercial Design include the following general Design Principle:

All types of commercial development in Fort Bragg should be compatible with and contribute to the unique special character of the community.

Modern buildings represent a stylistic change for the Fort Bragg Community. In the past four years Planning Commission has considered two modern designs as follows:

- **Taco Bell.** The Planning Commission recently considered a Design Review permit for a similar modern design for the new Taco Bell restaurant, and decided to include a Special Condition to modify the modern design so that it would be more compatible with the unique special character of the community by requiring: 1) that the imitation rock surface on southwest corner be replaced with a wood covered surface, so that the design is more in keeping with the architectural traditions of Fort Bragg; and 2) that the building façade be changed to include corbels to reduce the franchise look of the building and make it fit in better with Fort Bragg’s historic architecture.
- **Residential Structure at Snug Harbor.** As a single family residence this structure is exempt from Design Review. The Planning Commission approved the modern design as submitted.

The Planning Commission can place special conditions on the project through the Design Review process to make the proposed project more compatible with the special character of Fort Bragg. If the Planning Commission feels that the design is not compatible with the character of Fort Bragg, it would be helpful if the Planning Commission could provide some direction to staff to work with the applicant to develop a design that is more compatible. Some possible modification to consider might include:

- Require additional wood batten treatment on the long south facing wall of the building; and/or
- Require trellises and planting along the south facing wall of the building to break up the building massing and soften the architectural look; and/or
- Requiring a parapet wall and corbels to reduce the franchise look of the building and make it fit in better with Fort Bragg’s historic architecture; and/or
- Requiring a different paint scheme that breaks up the building massing and blends in better with the background vegetation.

Section 2.55 of the City’s Design Guidelines sets specific design requirements for Drive-Through Businesses. In terms of architectural form and detail of the proposed remodel, the City’s Design Guidelines offers the following requirements for Drive-Through businesses:

Section 2.55 Drive-Through Businesses: Architecture Requirements	Compliance with Requirement Proposed McDonald’s Remodel
All building elevations should receive the same level of architectural detailing.	The front elevation contains more detail than the other sides. Additional detailing is required to comply with the design guideline, please see Special Conditions 2, 3 & 4 below.
Building should incorporate roof designs with built-in equipment wells or other built-	The proposed roof design provides screening that is built-in.

in screening methods, so that screening devices do not appear added-on.	
Outdoor eating areas are encouraged at fast food locations and should include details such as trellises, low walls, fountains, etc.	The existing building and the proposed remodel do not incorporate outdoor seating. Trellises/canopies are included in the proposed project.
The only franchise identifying feature should be the company's logo and signs.	The modern design of the proposed remodel could be utilized by a different business at a future time.

In The Design Guidelines the terms *should* means that substantial compliance with the guideline is required. When the term *encouraged* is used it means that the requirement is not mandatory.

Therefore, Staff recommends the following special conditions for compliance with these requirements:

Special Condition 2: An additional 2” x 2” batten section of trellis shall be added to the South and North faces of the building. The trellis width shall be equivalent in width to the longer trellis on the west façade of the building.

Special Condition 3: A trellis shall be added above all walkways on the building similar to the photo below of a similar McDonalds.



Optional Special Condition 4: The applicant shall submit new paint colors for approved by the Director of Community Development. The new paint colors shall be earth tones and representative of the surrounding landscape.

ENVIRONMENTAL DETERMINATION

This project is exempt from CEQA per Statutory Exemption §15301 for existing facilities involving minor interior and exterior alterations.

PLANNING COMMISSION ACTION

1. Hold a hearing on Design Review 2-18 (DR 2-18), close the hearing, deliberate and approve DR 2-18 subject to all standard and special conditions.

ALTERNATIVE ACTION

2. Hold a hearing, close the hearing, deliberate without a decision, provide direction to staff and revisit the application at the next scheduled meeting for a decision and the addition of any new findings.
3. Deny the Design Review Permit.
4. Approve the Permit with additional special conditions.

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, Coastal Land Use and Development Code (CLUDC), and the Fort Bragg Municipal Code;
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; and
4. For the purposes of environmental determination, the project is exempt from CEQA, pursuant to the California Environmental Quality Act (CEQA). This project is exempt from CEQA per Statutory Exemption §15301 for existing facilities involving minor interior and exterior alterations.

DESIGN REVIEW FINDINGS

The project complies with the purpose and requirements of CLUDC Section 17.71.050 Design Review;

1. The project provides architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community;
2. The project provides attractive and desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.;
3. The project provides efficient and safe public access, circulation, and parking;
4. The project provides appropriate open space and landscaping, including the use of water efficient landscaping;
5. The project is consistent with the Inland General Plan, any applicable specific plan, and the CLUDC; and
6. The project complies and is consistent with the Citywide Design Guidelines.

SPECIAL CONDITIONS

1. Applicant shall submit a Sign Application prior to installing signage. If application is representative of current proposed signage and complies with square footage permitted, the Director will approve application.
2. An additional 2" x 2" batten section of trellis shall be added to the South and North faces of the building. The trellis width shall be equivalent in width to the longer trellis on the west façade of the building.
3. A trellis shall be added above all walkways on the building similar to the photo included in staff report of a similar McDonalds.
4. The applicant shall submit new paint colors for approved by the Director of Community Development. The new paint colors shall be earth tones and representative of the surrounding landscape.

STANDARD CONDITIONS

1. This action shall become final on the 11th day following the decision unless an appeal to the City Council is filed pursuant to CLUDC Chapter 17.92 - Appeals.
2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.
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 installation, maintenance, operation, and removal of the existing storage tanks and structures as well as the installation, maintenance, and operation of the new storage tank from all agencies having jurisdiction over fuel storage tanks, including without limitation the Fort Bragg Fire District. This permit shall also be subject to full compliance with all city, county, state, and federal regulations regarding the installation, maintenance, operation, and removal of fuel storage tanks. 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 25 feet of the discovery; 2) notify the Fort Bragg Community Development Department within 24 hours of the discovery; and 3) retain a professional archaeologist to determine appropriate action in consultation with stakeholders such as Native American groups that have ties to the area.
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 Coastal 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 CLUDC Subsection 17.76.070(B).

ATTACHMENTS

1. Location Map
2. Existing McDonald's
3. Proposed McDonald's