



City of Sebastopol Design Review Board Staff Report

Meeting Date: April 6th, 2022
Agenda Item: 6B
To: Design Review Board
From: John Jay, Associate Planner

Subject: Design Review
Recommendation: Approval with conditions
Applicant/Owner: Elizabeth Valerio/Starbucks
File Number: 2022-001
Address: 700 Gravenstein Highway North
CEQA Status: Exempt
General Plan: Office Commercial (CO)
Zoning: General Commercial (CG)

Introduction:

This is a design review request for a new Starbucks within the Redwood shopping center at 700 Gravenstein Highway North. The applicant has already been approved for the continuance of a nonconforming drive through use at the March 8th, 2022, Planning Commission meeting. The Planning Commission did recommend for the Design Review Board to consider additional bicycle parking, if space accommodates for it, and to add EV charging stations as the proposal removed two parking spaces. The Planning Commission also recommended that the Design Review Board consider safe travel additions from the parking area to the entrance of the building across the drive through lane.

Project Description:

Starbucks is requesting Design Review approval for their new location at 700 Gravenstein Highway North. The proposal includes modifications to the exterior which also include the relocation of the current drive through window, restriping the parking lot, new roof, parapet caps, new paint, new landscape, and outdoor dining.

Environmental Review:

The project is categorically exempt from the requirements of CEQA pursuant to Section 15301 Existing Facilities (a) which includes Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. The proposed project would be consistent with this exemption in that it proposes to use an existing facility under the same use and have minor exterior and interior modifications and will not create any new environmental impacts as it will be in an already developed area.

General Plan Consistency:

The project is consistent with the General Plan in that it meets Policy LU 8-4 *Support the continued development and intensification of office and professional employment centers throughout all non-residential areas* because the Starbucks will help revitalize an older shopping center.

Zoning Ordinance Consistency:

The applicant is proposing to remove two parking spaces on site to update ADA and parking conditions on site. In doing so, the applicant would be altering the parking stall area to the north of the building which would remove the ability for patrons exiting the drive through window to park within that area. The Planning Commission has already approved the parking reduction request, but recommended the Design Review Board consider alternative options to this parking reduction by adding EV charging stations and additional bicycle parking.

The exterior modifications to the building will provide a much-needed update to an outdated building and shopping center. The applicant has provided a materials list within the plan set that will meet the requirements of a typical Starbucks but will also blend in with some of the existing buildings in the shopping center and neighboring locations.

Public Comment:

As of writing this staff report the Planning Department has not received any public comments.

City Departmental Comment:

The Planning Department routed this to the various city departments and those departments had no special conditions other than those set forth in conditions of approval.

Required Findings:

Chapter 17.450.030(b) sets forth the required findings of Design Review permits.

In considering an application for design review, the Design Review Board, or the Planning Director, as the case may be, shall determine whether:

1. The design of the proposal would be compatible with the neighborhood and with the general visual character of Sebastopol;
2. The design provides appropriate transitions and relationships to adjacent properties and the public right-of-way;
3. It would not impair the desirability of investment or occupation in the neighborhood;
4. The design is internally consistent and harmonious;
5. The design is in conformity with the guidelines and standards adopted pursuant to this chapter.

Analysis:

Design Review

All Design Review projects are subject to the Design Review Guidelines and staff feels that this project meets those guidelines as described in the analysis below:

Site Planning:

Neighborhood context: This project meets the site planning requirements in that it proposes to take over the existing use of a drive thru that is currently under the operation of Burger King and will make minor interior and exterior modifications.

Parking: Circulation and parking have been considered for the project in that Starbucks is proposing to restripe the parking lot and make modifications to the parking area to allow for a better flow of traffic. Both staff and the Planning Commission reviewed the modifications to the drive through, and believe the proposed changes will actually relieve some of the congestion now present in the nearby parking lot travel aisles. Some additional considerations could be adding a safe path of travel to the building from the parking lot as the shortest path of travel is across the drive thru exit. Additionally, including bicycle parking spots at a minimum of four with the opportunity to add more with site considerations would help for those traveling through the shopping center as this site is close to a transit stop and the West County Trail.

Open space: This project meets this standard in that they are proposing in adding additional outdoor dining and landscaping for a better use of the space.

Trash enclosures: This project meets this requirement in that the location for the trash enclosure is away from the main entrance of the building, is screened, and is accessible for collection and loading.

Utilities and mechanical equipment: This project meets this requirement in that the rooftop equipment will be screened and where away from the public view, where feasible.

Architecture:

Relationship to surrounding architecture: This project meets this requirement in that the color scheme is like the stand alone building at the north end of the shopping center. While this is a Starbucks and they have a set color pallet, the proposal still respects the surrounding businesses in blending architectural styles.

Materials: This project meets this requirement in that it proposes similar color schemes of the neighboring buildings in relationship to the shopping center. The color pallet is neutral in tone and doesn't promote any reflective material that would be against the Design Guidelines. The grey metal roof and white painted block mimics the smaller stand-alone structure on the north side of the shopping center; the adjacent Ace Hardware and new Exchange Bank building also have grey metal roofs. While these are different from the main shopping center structure, these structures are all directly adjacent to the street frontage and provided an updated aesthetic to the area.

Landscaping:

General: This project meets this requirement in that the landscape plan introduces a better use of the space available and promotes low to moderate water use. The landscape plan also includes protecting the six trees on site and incorporating trees on the site adequately spaced.

Special Development Guidelines:

Fast Food Restaurants: This project meets these requirements in that they propose outdoor dining areas that are integrated and compatible with the main building architecture. The site design provides logical and safe vehicle and pedestrian circulation and limits the interface between onsite parking spots.

As noted above, the Planning Commission recommended, and staff requests, the Design Review Board discuss the potential modifications related to:

- Additional bicycle parking
- Requiring EV charging station/parking
- Additional pedestrian improvements to connect the parking area to the building entry

Recommendation:

If it is the consensus of the Board that the proposed Starbucks restaurant and drive thru is compatible with the site, staff recommends that the application be approved based on the facts, findings, and analysis set forth in this staff report, and subject to the conditions of approval outlined.

Alternatively, the Board may find that revisions are necessary and a continuance is appropriate. Staff recommends that the Board provide direction for redesign to the applicant in the event of a continuance or rationale in the event of a denial.

Attachments:

- Exhibit A: Recommended Findings for Approval
- Exhibit B: Recommended Conditions of Approval
- Project Plans
- Planning Commission Report and final Findings and Conditions

EXHIBIT A
RECOMMENDED FINDINGS OF APPROVAL

Design Review
700 Gravenstein Highway North
004-430-042, 2022-001

1. The project/use/proposal is categorically exempt from the requirements of CEQA under Section 15301. Existing Facilities (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances.

Design Review findings:

2. The design of the proposal would be compatible with the neighborhood and with the general visual character of Sebastopol in that the proposal incorporates architectural features seen within the shopping center, much like the stand alone building at the north end of the center as it has a darker metal roof with a painted white block exterior;
3. The design provides appropriate transitions and relationships to adjacent properties and the public right-of-way in that the drive thru line limits the overflow of queued cars into the public streets;
4. It would not impair the desirability of investment or occupation in the neighborhood in that it proposes to revitalize an already existing drive thru with modifications, and will provide opportunities for outdoor dining and improved landscape design;
5. The design is internally consistent and harmonious in that the design is typical of a fast-food restaurant indoor dining;
6. The design is in conformity with the Zoning Ordinance standards, in that a Use Permit was approved by the Planning Commission for the modifications to the existing drive through and the reduction in parking spaces, and with the Design Review guidelines.

EXHIBIT B
RECOMMENDED CONDITIONS OF APPROVAL

Design Review
700 Gravenstein Highway North
004-430-042, 2022-001

1. Plans shall be in substantial conformance with application documents prepared by Valerio Architecture and Interiors and stamped received on January 10th, 2022, and on file at the City of Sebastopol Planning Department, except as may be modified by the Design Review Board:
 - a. Applicant shall provide a minimum of 4 bicycle parking spaces provided on site.
 - b. A minimum of two electric vehicle charging spaces shall be provided either in the parking lot to the north or the parking area to the west of the building.
 - c. Applicant shall strengthen the pedestrian connection from the north parking area across the drive through exit to the building entry, through design or asphalt striping. Applicant shall propose improvements for staff review and approval prior to issuance of a building permit.

2. All construction shall conform to the approved plans.

3. The applicant shall obtain a Building Permit prior to commencement of construction activities.

4. Inspection and business license as required by the Fire Department.

5. Encroachment permit for any work done in the public right of way as required by the Public Works Department.

6. The City of Sebastopol and its agents, officers and employees shall be defended, indemnified, and held harmless from any claim, action or proceedings against the City, or its agents, officers and employees to attach, set aside, void, or annul the approval of this application or the environmental determination which accompanies it, or which otherwise arises out of or in connection with the City's action on this application, including but not limited to, damages, costs, expenses, attorney's fees, or expert witness fees.

7. Minor changes may be approved administratively by the Planning Director of their respective designee upon receipt of a substantiated written request by the applicant. Prior to such approval, verification shall be made by each relevant Department or Division that the modification is consistent with the application fees paid and environmental determination as conditionally approved. Changes deemed to be major or significant in nature shall require a formal application or amendment.

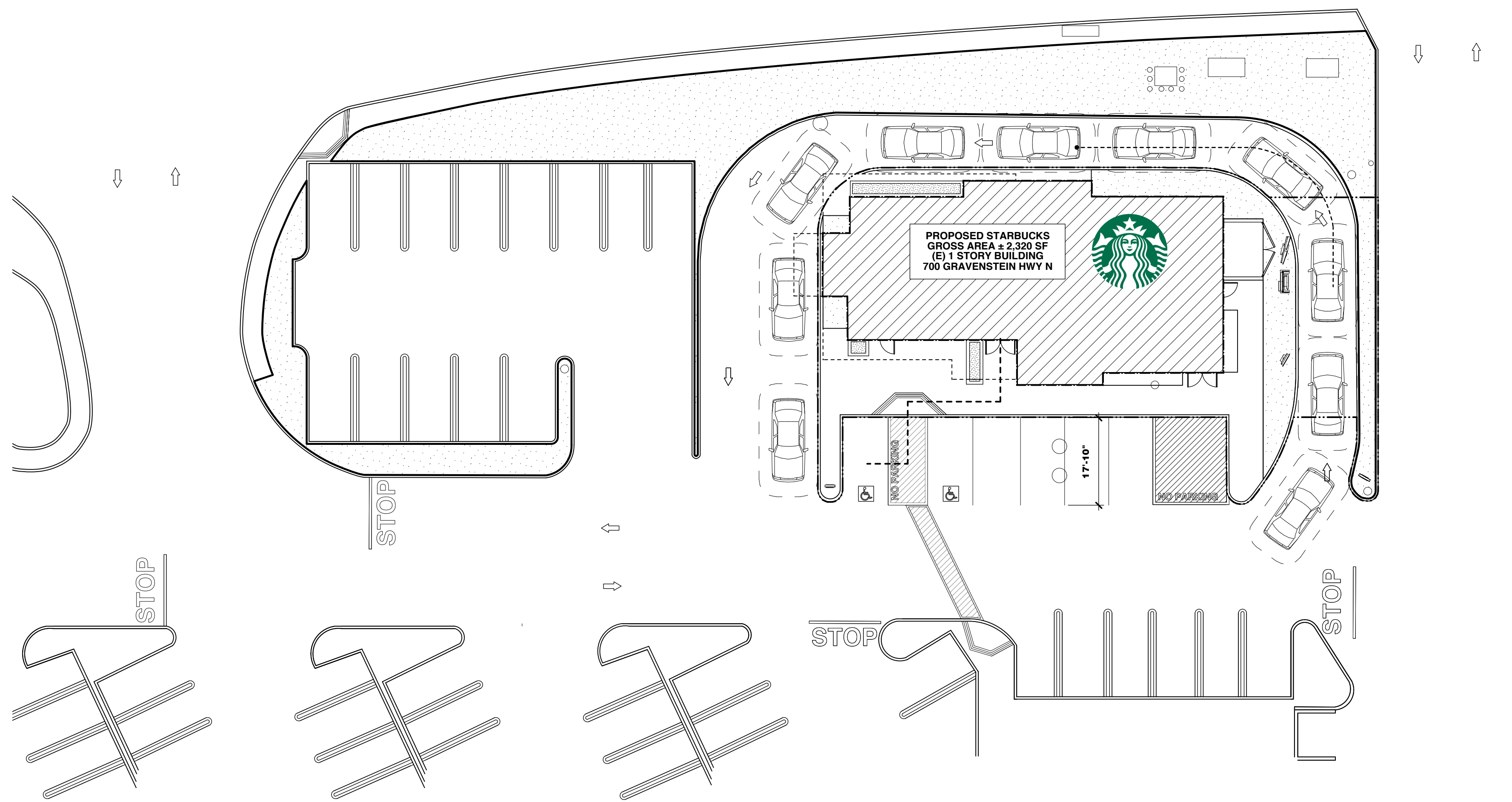
8. The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval.

9. This approval does not include any signs. Any new signs that will identify the use of this

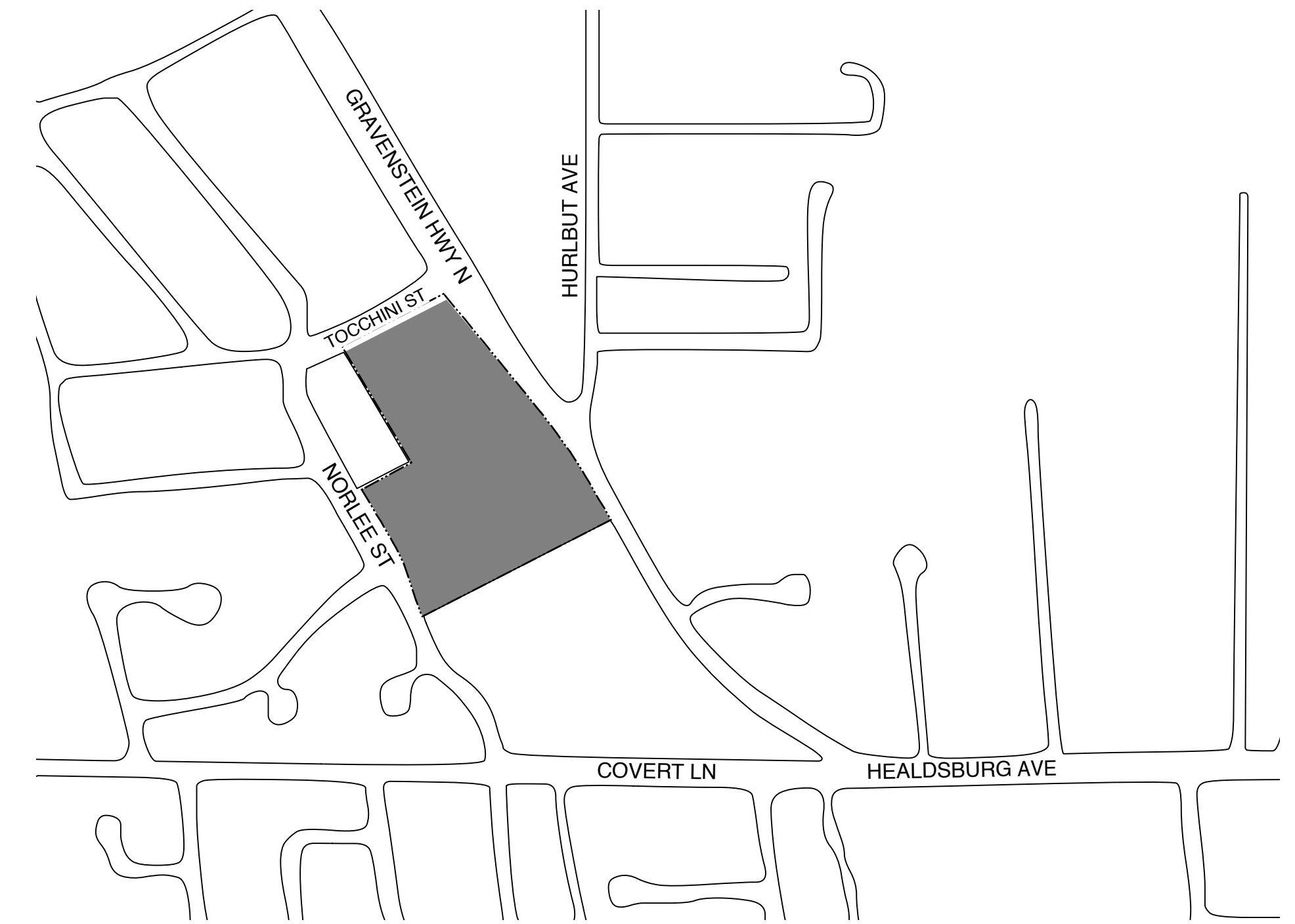
property are subject to the prior approval of the Design Review Board or City staff, as appropriate.

10. Approval is valid for three (3) years, except that the applicant may request a one (1) year extension of this approval from the Planning Director, pursuant to Section 17.400.100 of the Zoning Ordinance.

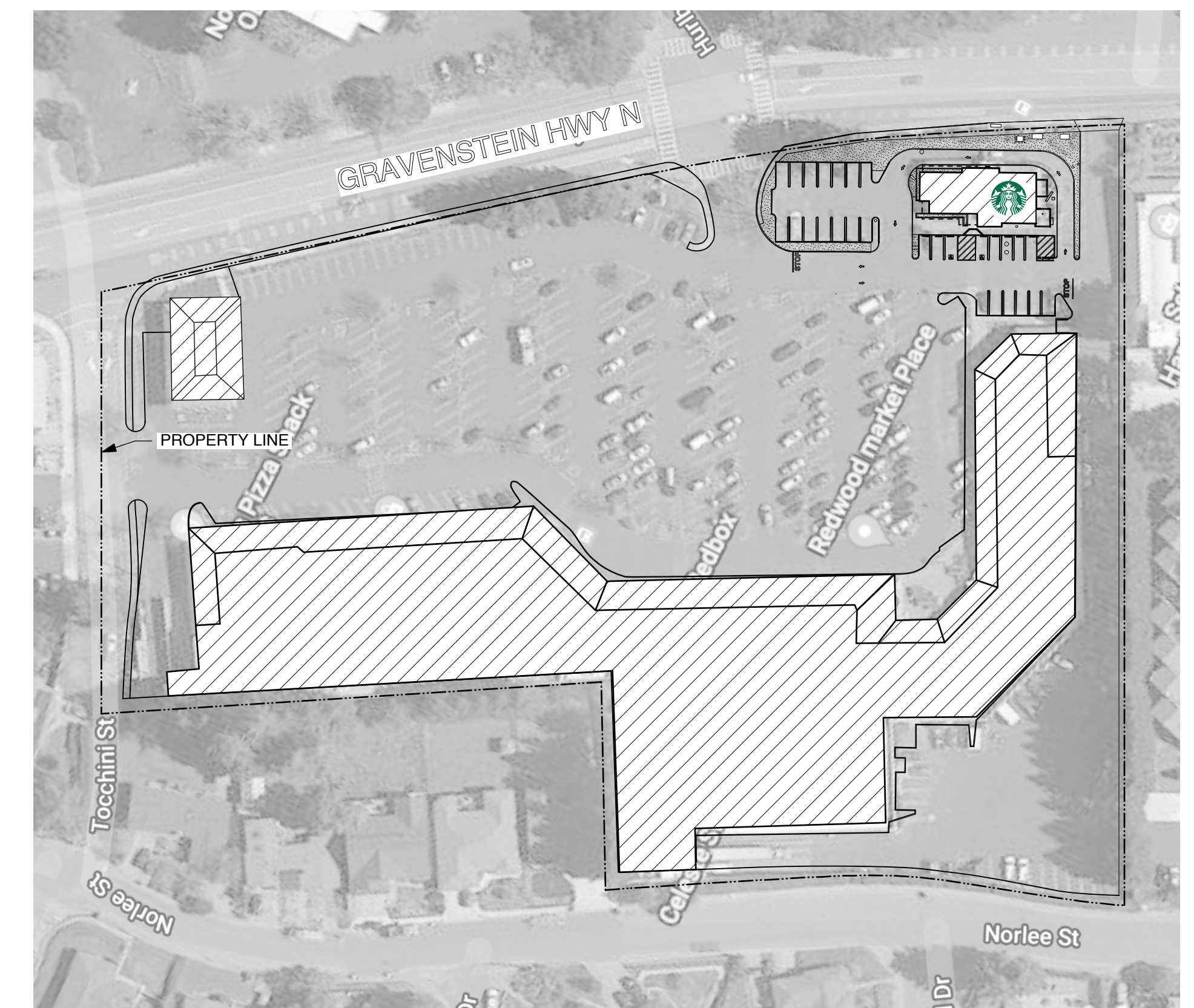
GRAVENSTEIN HWY N



VICINITY MAP



PROPERTY DIAGRAM



PROJECT DATA

ZONING:	CG- GENERAL COMMERCIAL
LOT AREA:	: 5,960 SF
BUILDING TYPE:	TYPE III-B
APN:	004-430-042
NUMBER OF STORIES:	1
BLDG HEIGHT:	27'-0"
EXISTING USE:	RESTAURANT
PROPOSED USE:	DRIVE THRU COFFEE SHOP
EXISTING SQUARE FOOTAGE:	: ± 2,320 sq. ft.
PROPOSED SQUARE FOOTAGE:	: ± 2,320 sq. ft.
TENANT OCCUPANCY CLASSIFICATION:	A-2

EGRESS REQUIREMENTS:	2 Required / 2 Provided
SPRINKLERED:	Yes
BLDG COVERAGE:	Existing: 2,320 sf / 6,181 sf = 38% Proposed: 2,320 sf / 5,960 sf = 39%
LANDSCAPE:	Existing: 679.5 sf / 6,181 sf = 10% Proposed: 772 sf / 5,960 sf = 13%
PAVEMENT:	Existing: 2,731.5 sf / 6,181 sf = 44% Proposed: 2,513 sf / 5,960 sf = 42%

PARKING CALCULATIONS:

EXISTING:	19 STANDARD STALLS	
	<u>2</u> ADA STALL	
	21 STALLS TOTAL	
		1 STALL PER 125 SF PER 1ST 2,500 SF
PROPOSED:	17 STANDARD STALLS	2,320 SF / 125 SF = 19 STALLS
	<u>2</u> ADA STALLS	
	19 STALLS TOTAL	TOTAL OF 19 SPACES REQUIRED

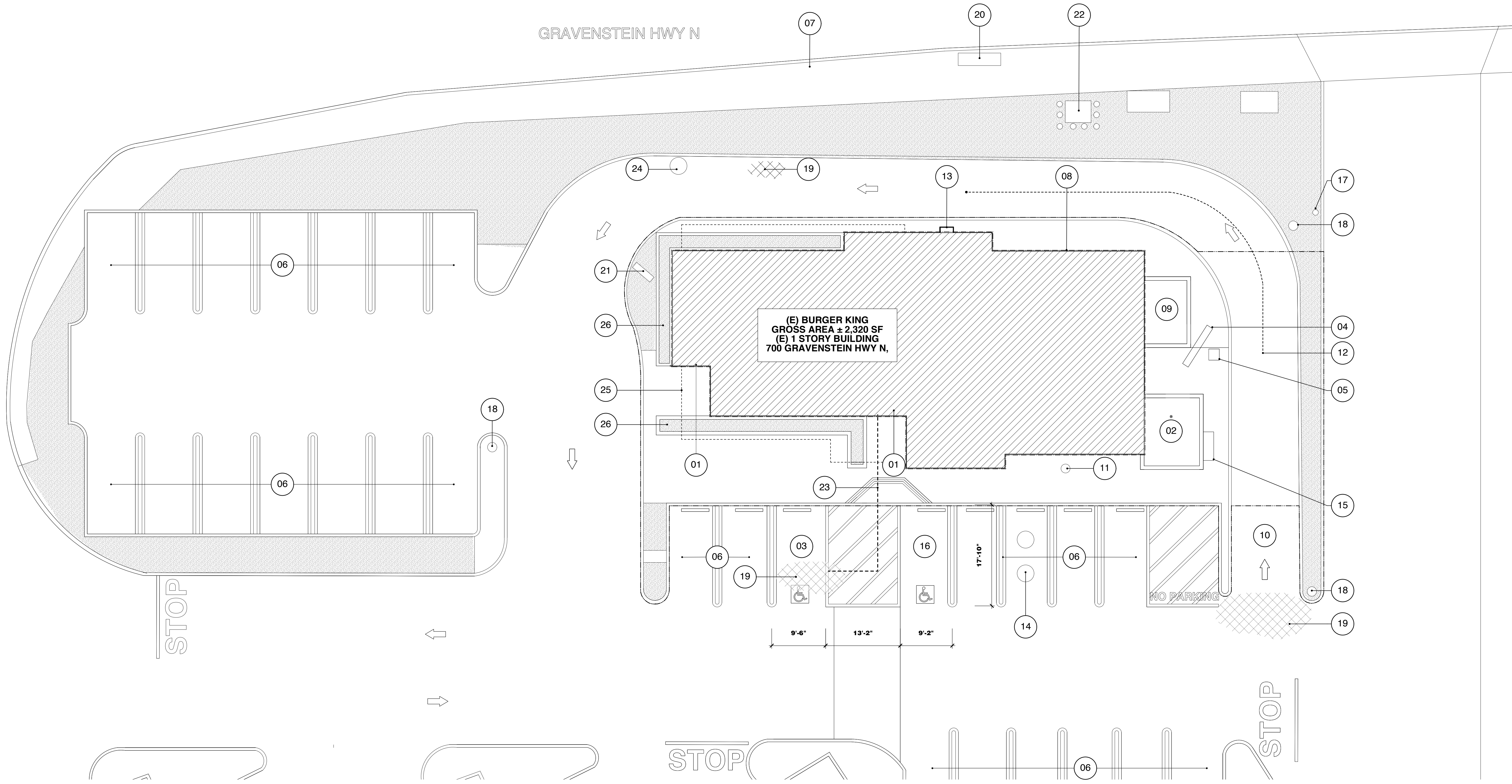
APPLICABLE CODES

Building:	2019 California Building Code (Volume 1&2) w/ City Amendments
Electrical:	2019 California Electrical Code w/ City Amendment
Plumbing:	2019 California Plumbing Code w/ City Amendments
Mechanical:	2019 California Mechanical Code w/ City Amendment
Energy:	2019 California Energy Code w/ City Amendments
Fire:	2019 California Fire Code w/ City Amendments
Green Building:	2019 California Green Building Standards Code w/ City Amendments

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4. PROPOSED FLOOR PLAN
5. ROOF PLAN
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7. ELEVATIONS
8. SECTIONS
9. EXISTING PHOTOS
10. RENDERINGS
11. MATERIAL BOARDS
12. DEMOLITION & EROSION CONTROL PLAN
13. SITE IMPROVEMENT PLAN
14. HORIZONTAL CONTROL, STRIPING & SIGNAGE PLAN
15. LANDSCAPE PLAN





SITE PLAN KEY NOTES

- | | | | | |
|---|---|--|---|---|
| <ul style="list-style-type: none"> 01. ENTRANCE 02. TRASH ENCLOSURE 03. VAN ACCESSIBLE PARKING STALL (NON-COMPLIANT) 04. MENU BOARD 05. SPEAKER POST 06. STANDARD PARKING | <ul style="list-style-type: none"> 07. PUBLIC SIDEWALK 08. GAS METER 09. TRANSFORMER ENCLOSURE 10. DT LANE 11. WATER METER & BACKFLOW PREVENTER 12. DISTANCE BETWEEN SPEAKER POST AND DT WINDOW: 72'-6" | <ul style="list-style-type: none"> 13. DT WINDOW 14. GREASE INTERCEPTOR 15. PRE-MENU BOARD 16. ACCESSIBLE PARKING STALL (NON-COMPLIANT) 17. FIRE HYDRANT 18. LIGHT POLES | <ul style="list-style-type: none"> 19. AREA OF DAMAGED CONCRETE/PAVEMENT 20. BUS STOP 21. EXIT ONLY SIGN 22. TRANSFORMER 23. PATH OF TRAVEL FROM ACCESSIBLE PARKING STALL 24. MANHOLE COVER | <ul style="list-style-type: none"> 25. ROOF OVERHANG 26. RAISED PLANTER |
|---|---|--|---|---|

DRIVE THRU COFFEE SHOP
700 GRAVENSTEIN HWY N,
SEBASTOPOL, CA 95472
APN#: 004-430-042

REVISION #	DATE	TITLE

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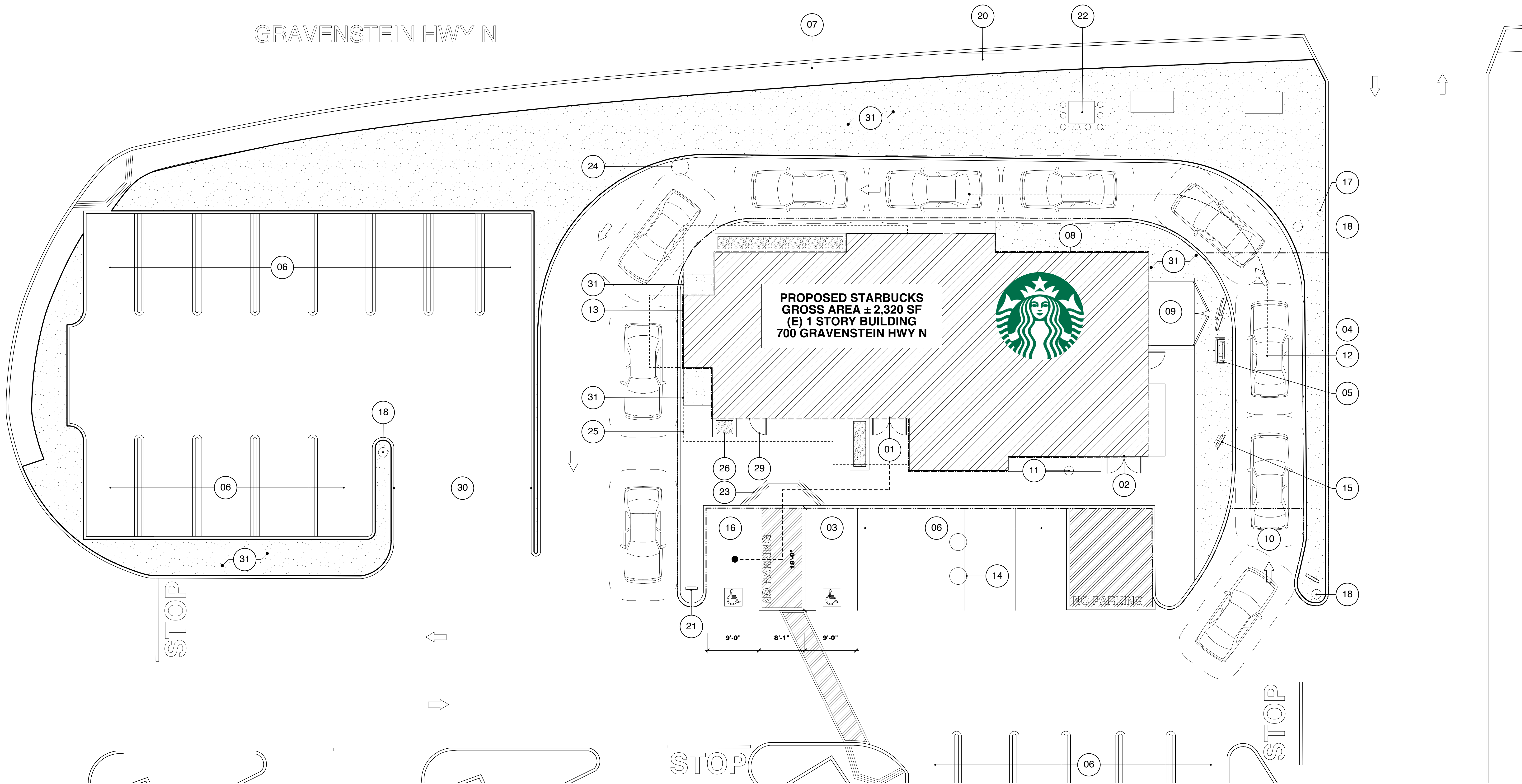


**DEVELOPMENT PLAN/
ARCHITECTURAL REVIEW**

Existing Site Plan | 02
Scale: 1/8"=1'0"
Project No.: 2836-21-11



GRAVENSTEIN HWY N



SITE PLAN KEY NOTES

- 01. MAIN ENTRANCE
- 02. TRASH ENCLOSURE, TRASH ROOM ENTRY
- 03. VAN ACCESSIBLE PARKING STALL (NON-COMPLIANT)
- 04. DIGITAL ORDER SCREEN
- 05. 5 PANEL MENU BOARD
- 06. STANDARD PARKING

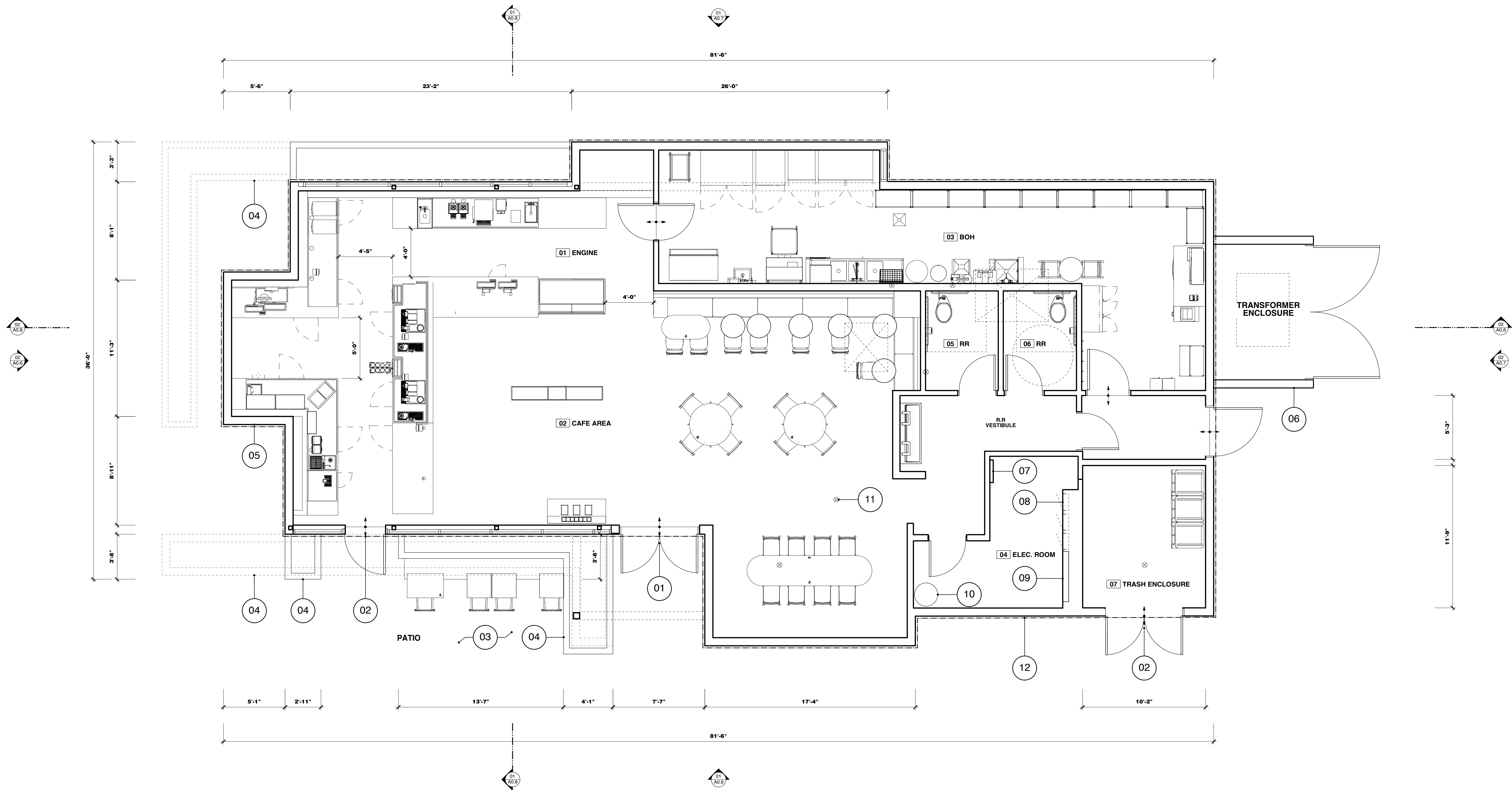
- 07. PUBLIC SIDEWALK
- 08. GAS METER
- 09. TRANSFORMER TO REMAIN, (N) ENCLOSURE
- 10. DT LANE
- 11. WATER METER & BACKFLOW PREVENTER
- 12. DISTANCE BETWEEN SPEAKER POST AND DT WINDOW: 72'-6"

- 13. DT WINDOW
- 14. GREASE INTERCEPTOR
- 15. PRE-MENU BOARD
- 16. ACCESSIBLE PARKING STALL (NON-COMPLIANT)
- 17. FIRE HYDRANT
- 18. LIGHT POLES

- 19. ILLUMINATED DT DIRECTIONAL
- 20. BUS STOP
- 21. (N) ILLUMINATED EXIT ONLY SIGN
- 22. TRANSFORMER
- 23. PATH OF TRAVEL FROM ACCESSIBLE PARKING STALL
- 24. MANHOLE COVER

- 25. ROOF OVERHANG
- 26. RAISED PLANTER
- 27. ESCAPE LANE
- 28. PULL FORWARD SPOT
- 29. SECOND EXIT
- 30. ADJUSTED PARKING LOT ENTRY
- 31. LANDSCAPE





KEY NOTES

- 01. (E) MAIN ENTRANCE
- 02. (N) ENTRANCE
- 03. (N) PATIO AREA
- 04. MODIFIED (E) RAISED PLANTER BEDS, ADD (N) PLANTING, DASHED LINE TO SHOW (E).
- 05. MODIFIED BUMP OUT FOR DT WINDOW
- 06. (E) TRANSFORMER TO REMAIN
- 07. ROOF ACCESS LADDER
- 08. ELECTRICAL PANELS TYP.
- 09. SWITCH GEAR
- 10. WATER HEATER
- 11. (E) FLOOR DRAIN
- 12. L.L.

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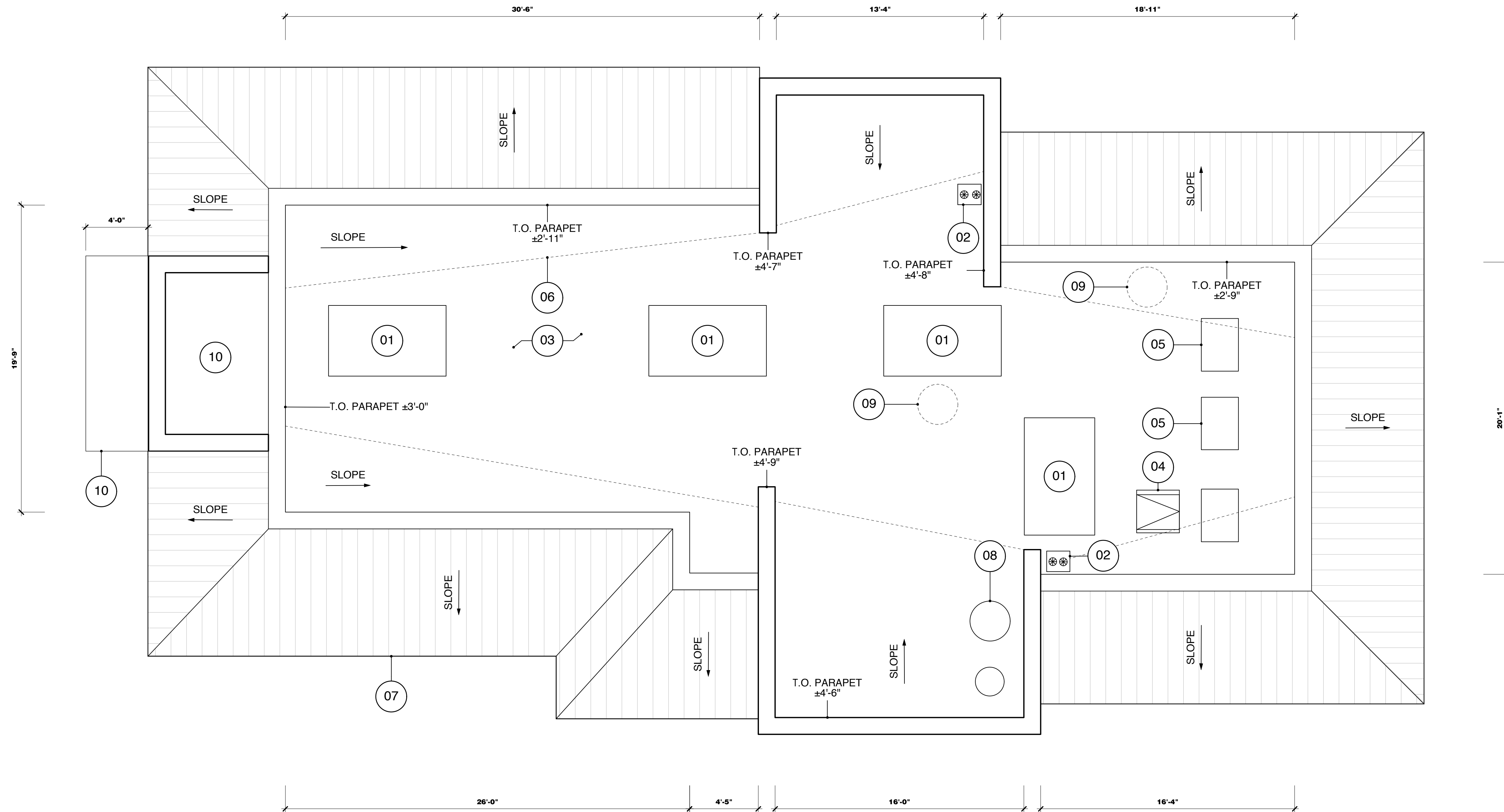
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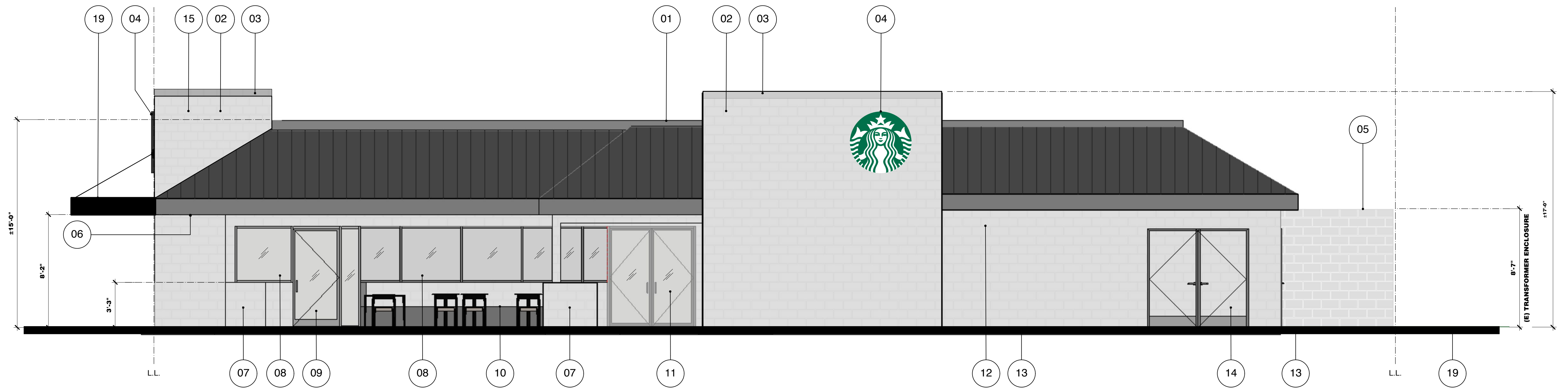




KEY NOTES

- 01. TYP. (E) RTU
- 02. (E) ROOF DRAIN
- 03. ROLLED ASPHALT ROOFING
- 04. ROOF ACCESS 2'9" X 3'2"
- 05. CONDENSER FAN. TYP.
- 06. ROOF CRICKET TYP.
- 07. (N) ROOFING
- 08. EXHAUST FAN
- 09. HOOD FAN
- 10. (N) BUMP OUT AND AWNING

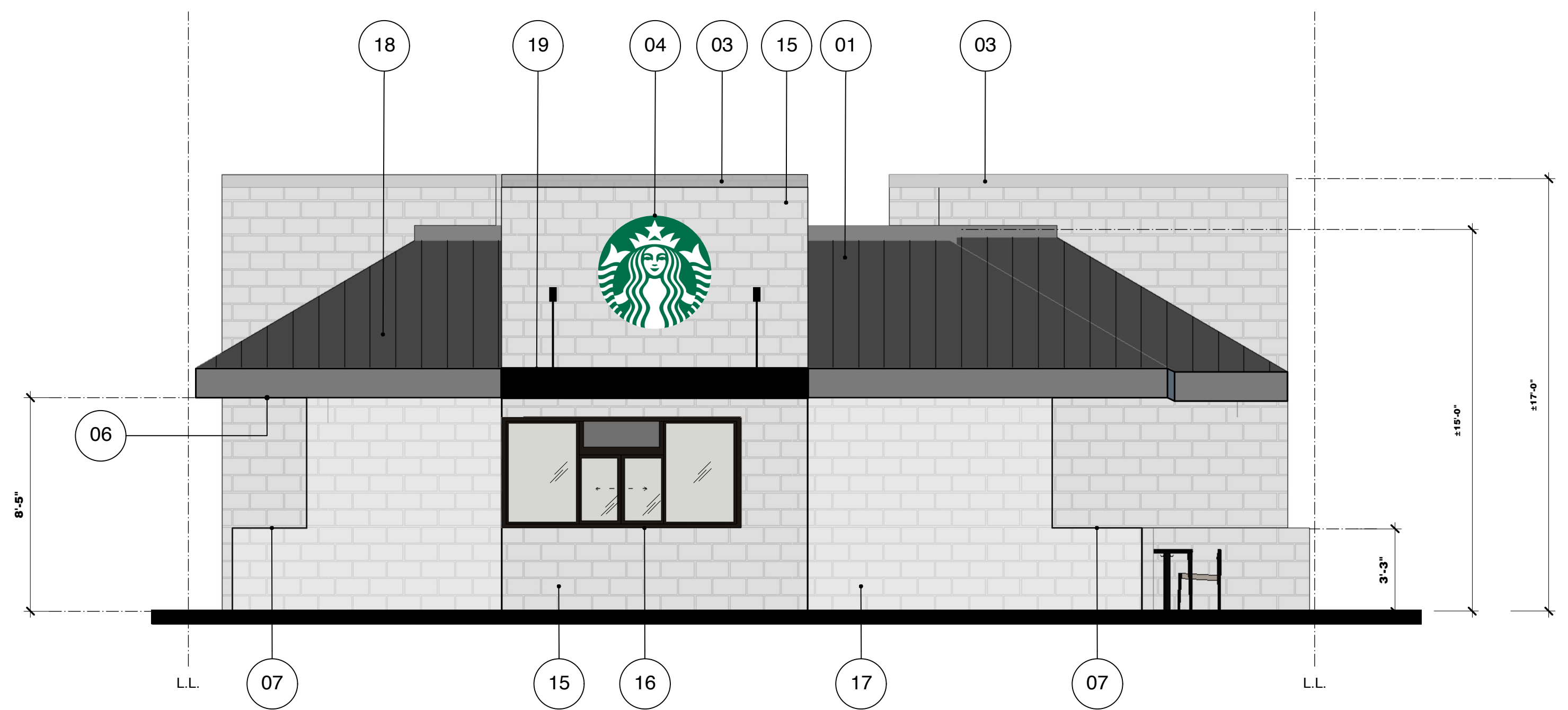




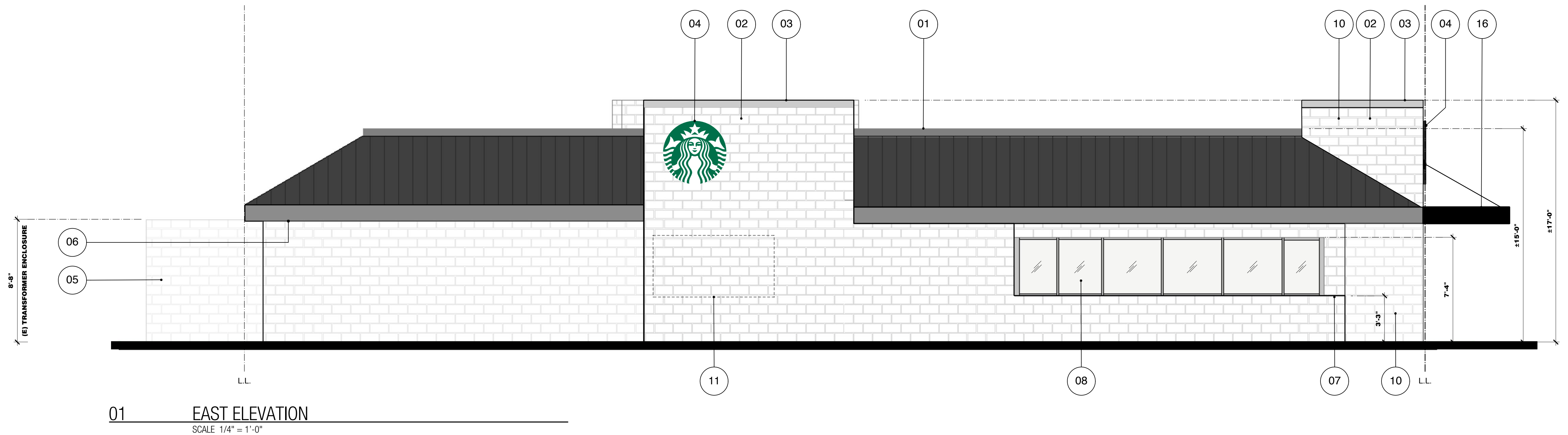
01 WEST ELEVATION
SCALE 1/4" = 1'-0"

KEY NOTES

01. RECLAD ROOF WITH STANDING SEAM
02. SALVAGE (E) FINISH, PATCH, PREP AND PAINT. P1- SW7636: ORIGAMI WHITE
03. (N) PARAPET CAPS, PAINT; P2- SW7023: REQUISITE GRAY
04. (N) 48" ILLUMINATED LOGO DISK
05. (E) TRANSFORMER TO REMAIN
06. SALVAGE ELECTRICAL CONNECTIONS FOR (E) CANS ON EAVE UNDERSIDE. REPLACE W/ (N) LIGHT FIXTURES.
07. MODIFY (E) RAISED PLANTER BEDS, ADD (N) PLANTING
08. (N) WINDOWS IN (E) OPENING
09. (N) SINGLE DOOR, MT1 DARK BRONZE ALUMIN. FRAME
10. (N) CUSTOM BENCHES, REMOVE (E) RAISED PLANTER
11. (N) STOREFRONT DOOR, DARK BRONZE ALUMIN. FRAME
12. (E) LOUVERED VENT
13. MAINTAIN (E) PLANTING
14. POLO METAL STEEL PAINTED SW7636: ORIGAMI WHITE WITH 10" STAINLESS STEEL KICKPLATE
15. (N) BUMP OUT TO MATCH (E) FINISH. PATCH, PREP AND REPAIR; P1- SW7636: ORIGAMI WHITE
16. INSTALL (N) READY ACCESS DT WINDOW
17. (N) PLANTING
18. (N) INTERNALLY ILLUMINATED WORDMARK AND DT CABINET
19. (N) AWNING AT DT WINDOW

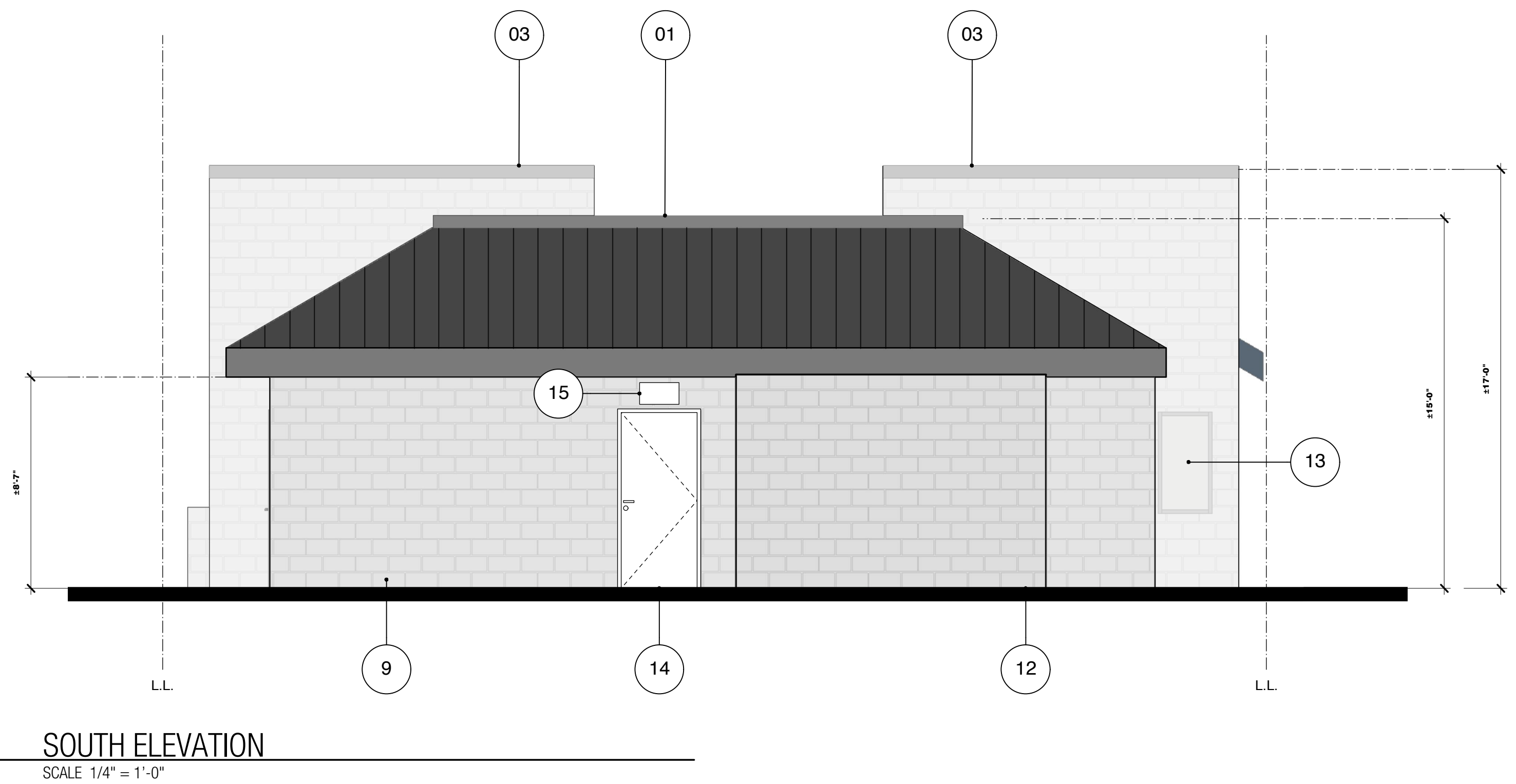


02 NORTH ELEVATION
SCALE 1/4" = 1'-0"



KEY NOTES

- 01. RECLAD ROOF WITH STANDING SEAM
- 02. SALVAGE (E) FINISH, PATCH, PREP AND PAINT; P1- SW7636: ORIGAMI WHITE
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- 07. MODIFY (E) RAISED PLANTER BEDS, ADD (N) PLANTING
- 08. (N) WINDOWS, MT1- DARK BRONZE ALUMINUM IN (E) OPENING
- 09. MAINTAIN (E) PLANTING
- 10. (N) BUMP OUT TO MATCH (E) FINISH. PATCH, PREP AND REPAIR
- 11. CLOSE (E) OPENING, FINISH TILE TO MATCH (E) FINISH. PATCH, PREP AND PAINT; P1-SW7636: ORIGAMI WHITE
- 12. REMOVE (E) FINISH CLADDING, CLEAN, PATCH, REPAIR (E) MASONARY, PAINT; P1-SW7636, ORIGAMI WHITE
- 13. (E) WINDOW TO REMAIN
- 14. (E) DOOR TO REMAIN, (N) PAINT; P1-SW7636
- 15. (E) SECURITY LIGHT
- 16. (N) AWNING AT DT WINDOW



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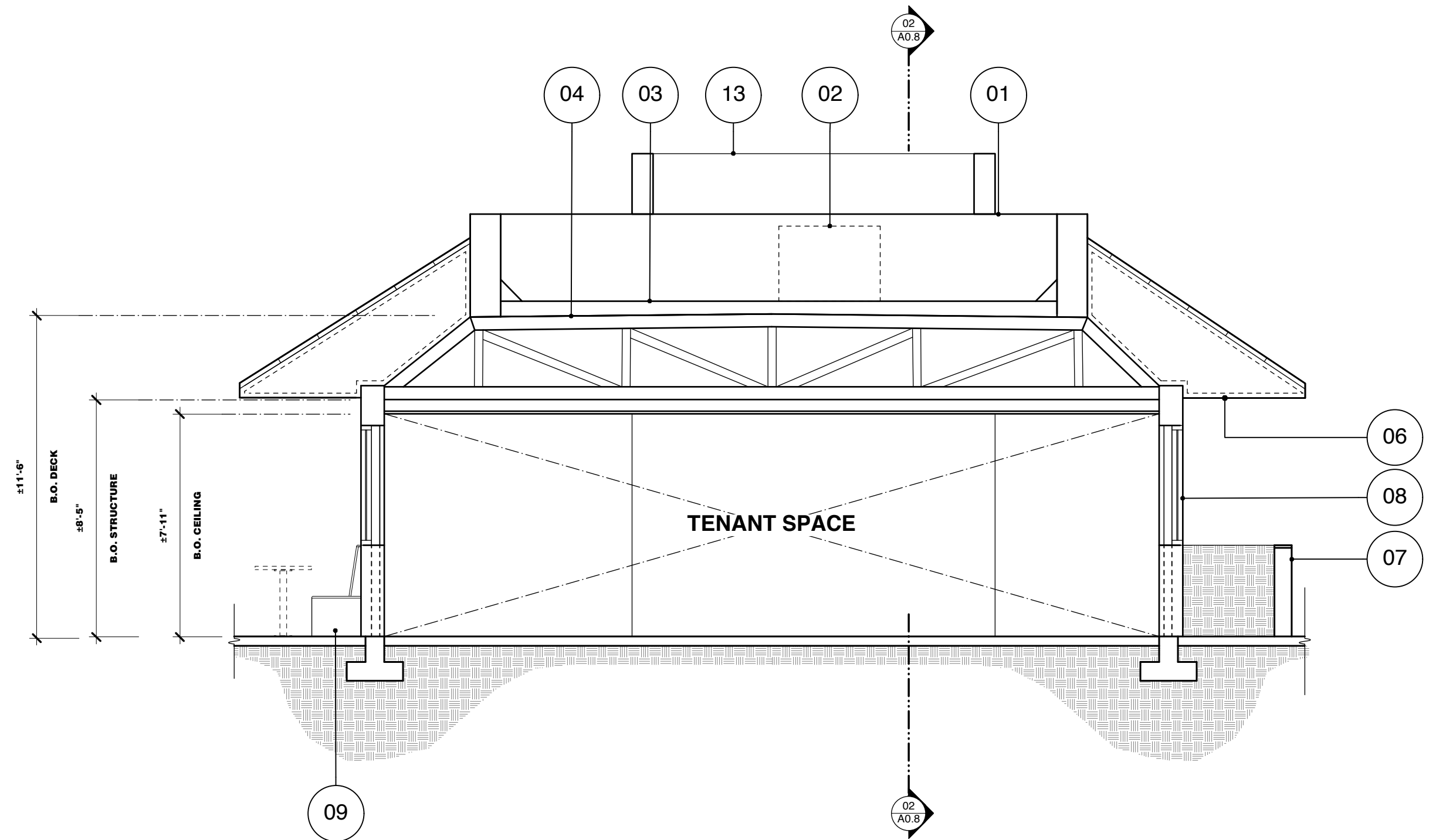
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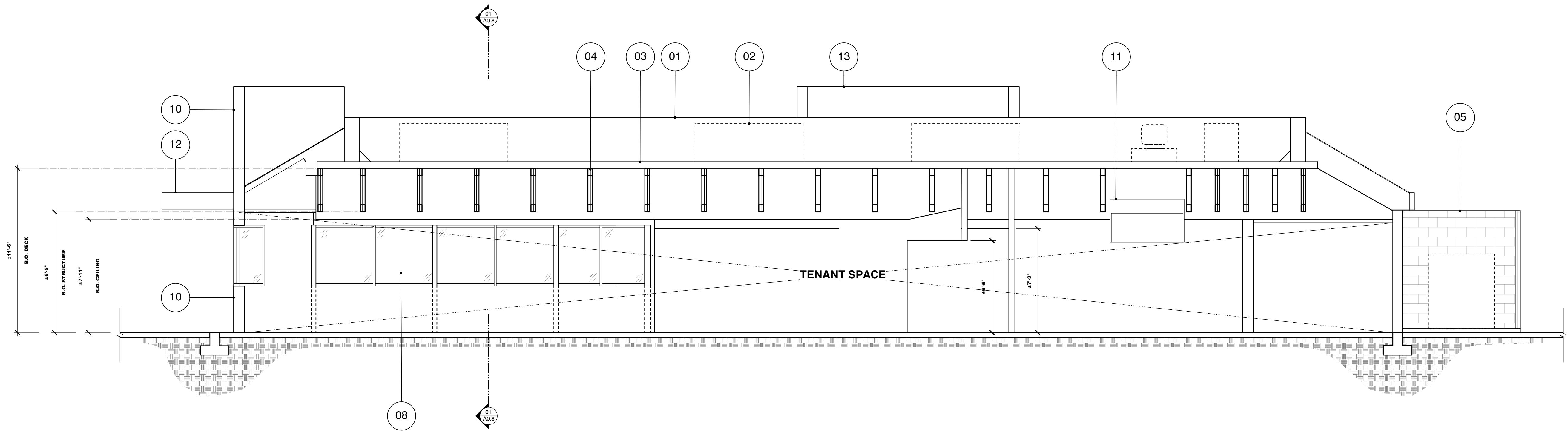


KEY NOTES

- 01. (E) PARAPET TO REMIAN, (N) FINISH
- 02. (E) RTU TYP.
- 03. (E) ROOF DECK
- 04. (E) OPEN WEB TRUSSES
- 05. TRANFORMER ENCLOSURE
- 06. (N) UNDERSIDE LIGHTS
- 07. (E) RAISED PLANTER TO BE MODIFIED
- 08. (N) WINDOW IN (E) OPENING
- 09. (N) CUSTOM BENCHES
- 10. (N) BUMP OUT FOR (N) DT WINDOW
- 11. (E) HOOD
- 12. (N) AWNING AT DT WINDOW
- 13. (E) BUMP OUT TO REMIAN



01 SHORT SECTION
SCALE 1/4" = 1'-0"



02 LONG ELEVATION
SCALE 1/4" = 1'-0"





Photo 1: View looking east at the subject property



Photo 2: View looking at the front entrance of the subject property



Photo 3: View looking at the existing trash enclosure



Photo 5: View looking north towards DT signage



Photo 6: View looking at the drive-thru of the subject property



Photo 7: View looking at the rear of the subject property



Photo 9: View looking west at the subject property



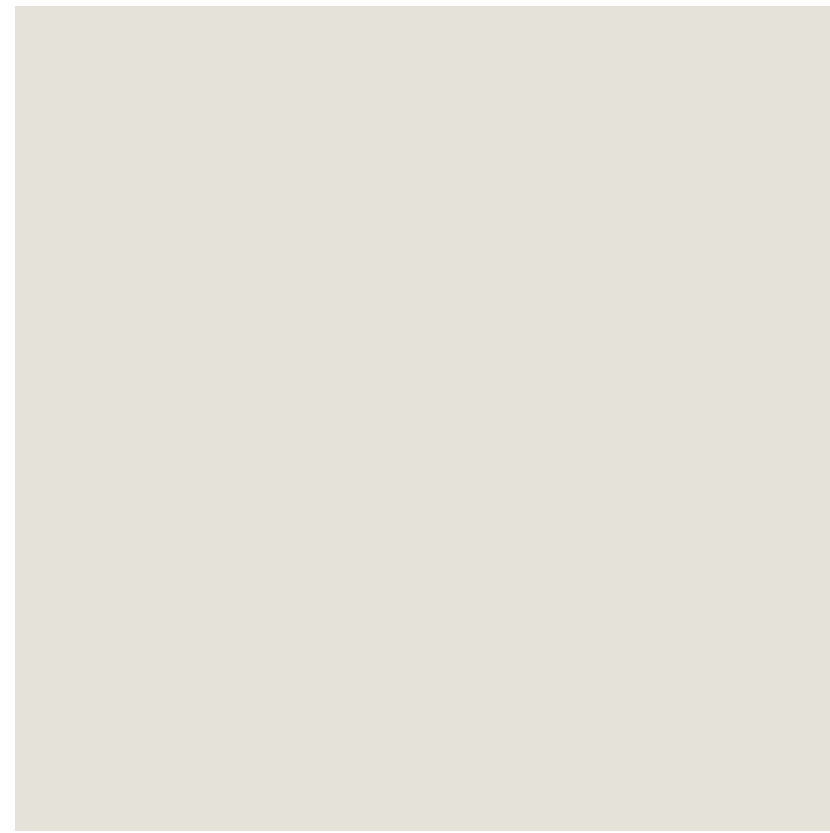
Photo 10: View looking south, towards the drive-thru



Photo 11: View looking south at the subject property







P1- SW7636: ORIGAMI WHITE



P2- SW7023: REQUISITE GRAY



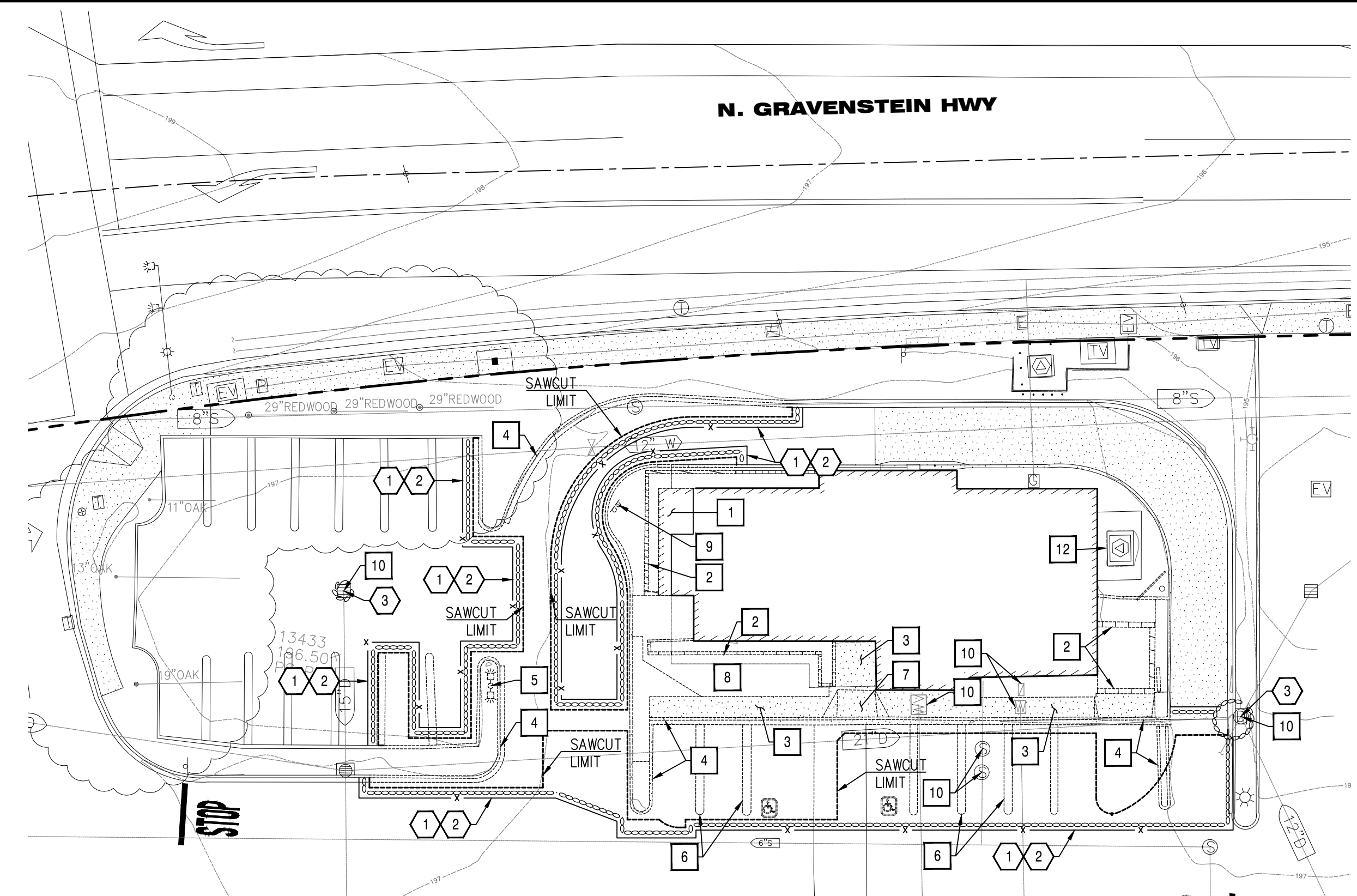
MT1- DARK BRONZE ANODIZED ALUMINUM



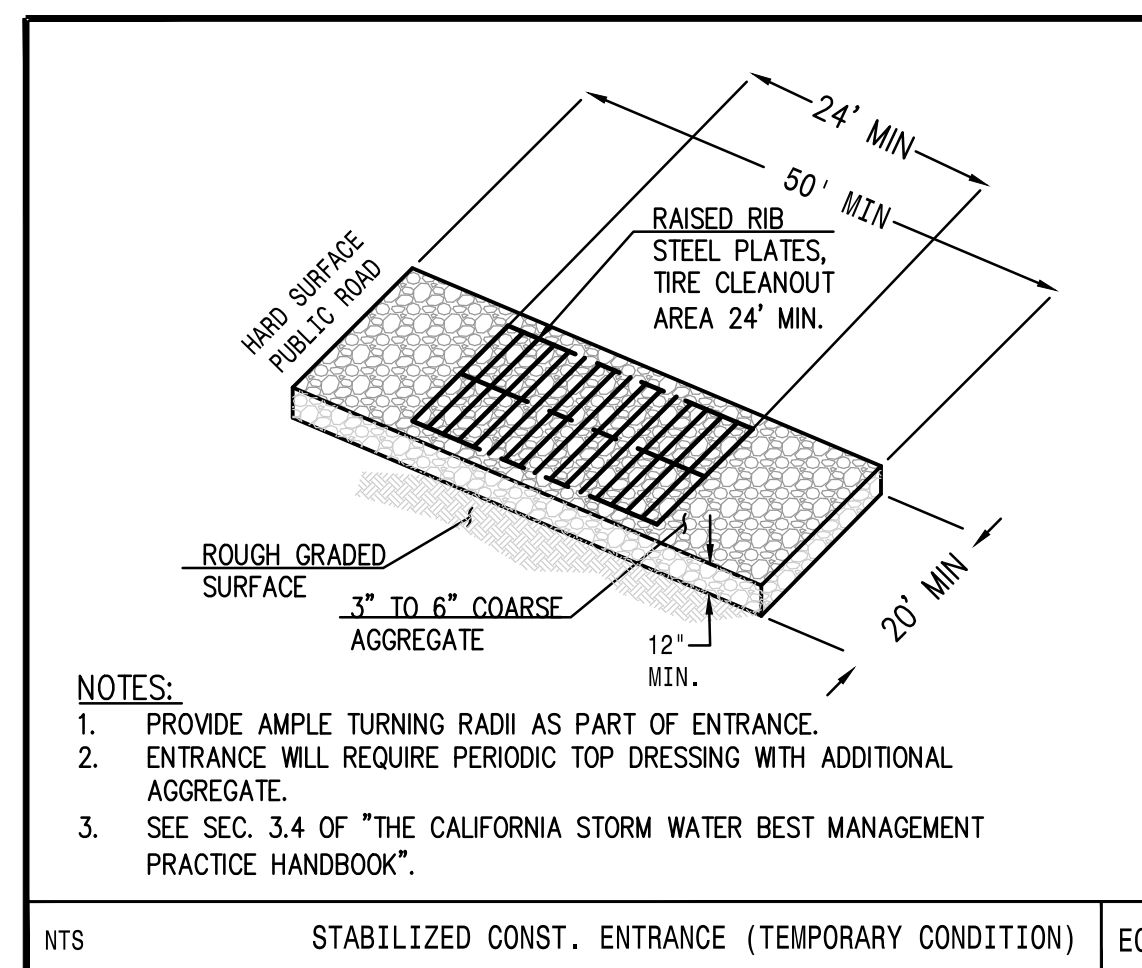
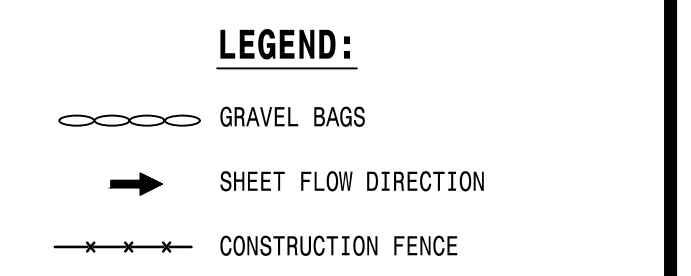
KEYNOTES

- 1. TO MATCH (E) MASONRY TILES, PAINTED SW7636: ORIGAMI WHITE
- 2. (N) PARAPET CAPS TO BE PAINTED SW7023: REQUISITE GRAY
- 3. (N) WINDOWS IN (E) OPENING, MT1: DARK BRONZE ANODIZED ALUMINUM FRAME
- 4. (N) STANDING SEAM ROOF ON (E) STRUCTURE



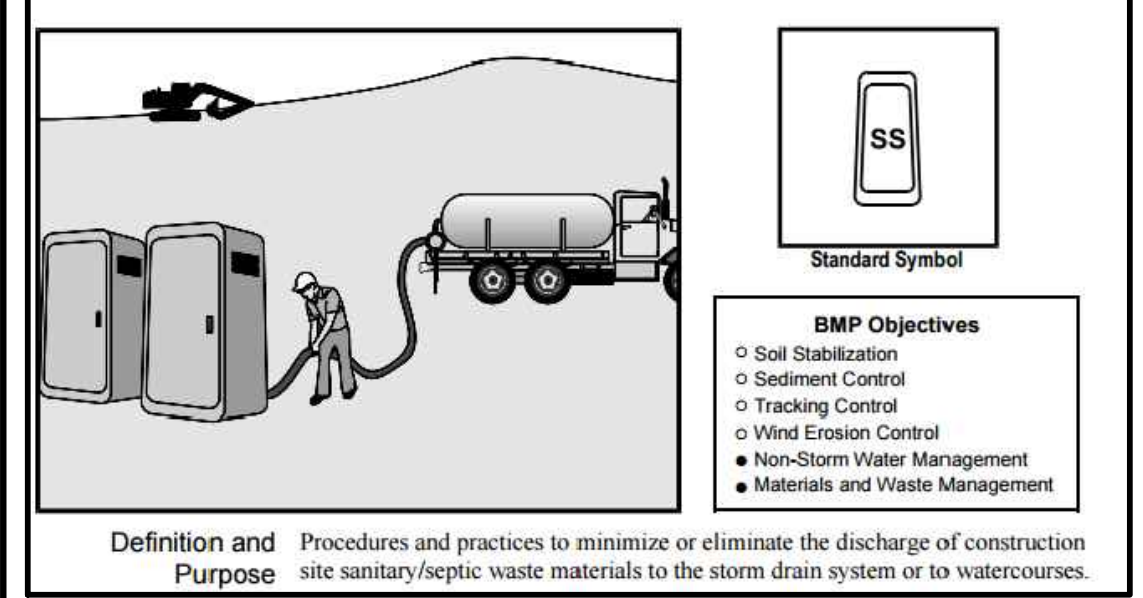


- EROSION CONTROL NOTES**
- FURNISH AND INSTALL GRAVEL BAGS PER DETAIL "EC3" ON SHEET C01
 - FURNISH AND INSTALL CONSTRUCTION FENCE.
 - CONSTRUCT STORM DRAIN INLET PROTECTION PER CASQA SE-10
- NOTE: CONSTRUCT AS REQUIRED
- CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE/EXIT (TEMPORARY CONDITION) PER DETAIL "EC1" ON SHEET C01.
 - CONSTRUCT FUELING AREA PER DETAIL "EC2" ON SHEET C01.
 - CONSTRUCT CONCRETE WASTE MANAGEMENT AREA PER DETAIL "EC4" ON SHEET C01.
 - CONSTRUCT SANITARY/SEPTIC WASTE MANAGEMENT (WM-9) PER DETAIL ON SHEET C01.
- DEMOLITION NOTES**
- REMOVED PORTION OF EXISTING BUILDING
 - REMOVE EXISTING WALL
 - REMOVE EXISTING CONCRETE
 - REMOVE EXISTING CURB, CURB & GUTTER
 - REMOVE EXISTING LIGHT POLE
 - REMOVE EXISTING STRIPING
 - REMOVE EXISTING CURB RAMP
 - REMOVE EXISTING LANDSCAPE
 - REMOVE EXISTING SIGN
 - PROTECT IN PLACE EXISTING CATCH BASIN/ STORM DRAIN INLET
 - ADJUST TO GRADE EXISTING WATER METER, VALVE, SEWER MANHOLE, CLEANOUT PER SITE IMPROVEMENT PLAN ON SHEET C02
 - PROTECT IN PLACE EXISTING TRANSFORMER

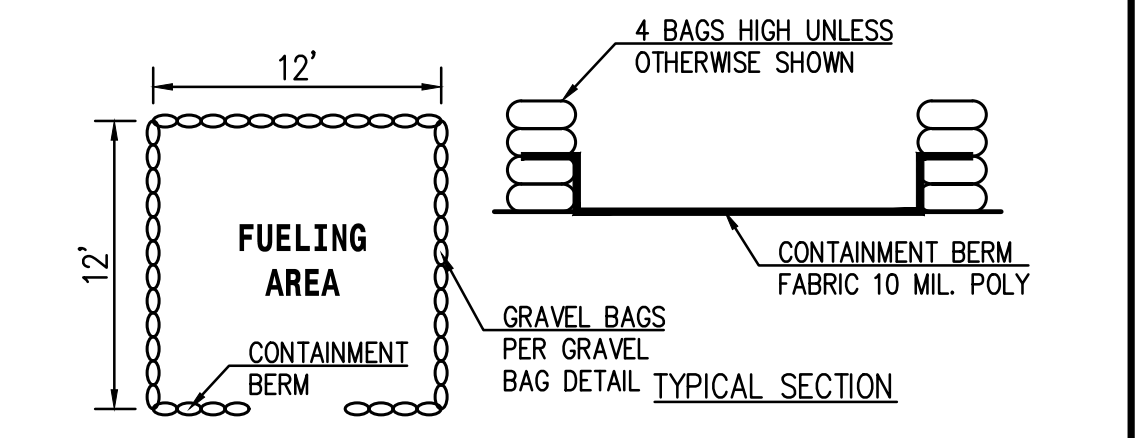


NTS STABILIZED CONST. ENTRANCE (TEMPORARY CONDITION) EC1

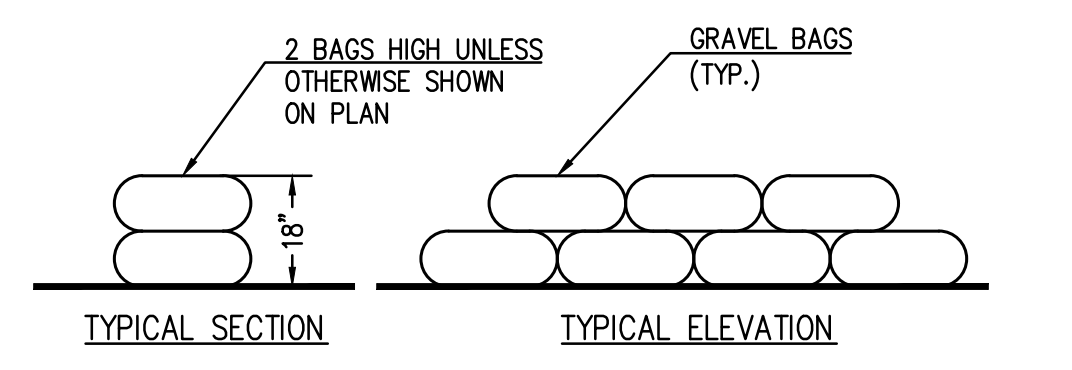
Sanitary/Septic Waste Management WM-9



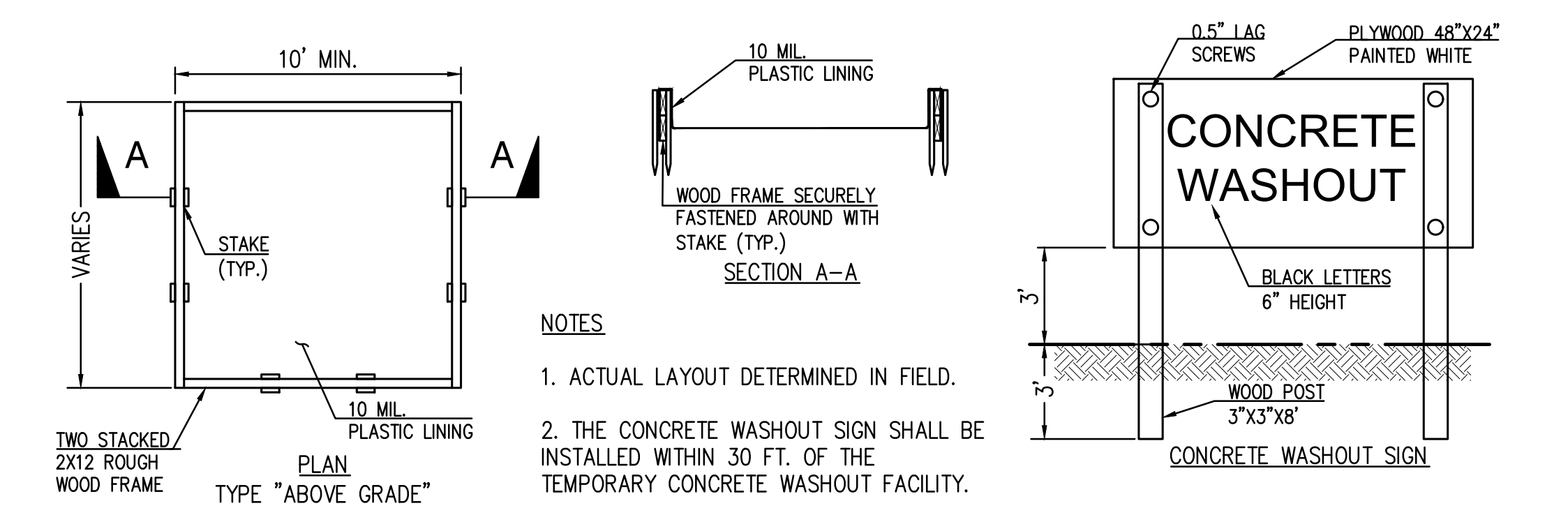
NTS SANITARY/SEPTIC WASTE MANAGEMENT (TEMPORARY CONDITION) EC1



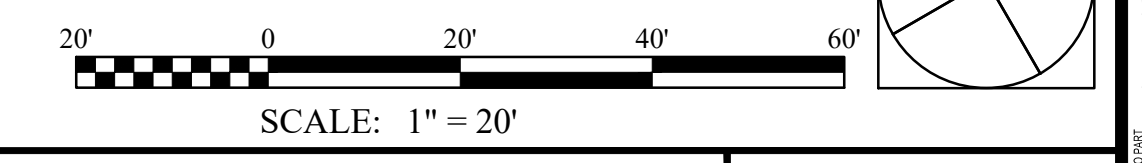
NTS FUELING AREA (TEMPORARY CONDITION) EC2



NTS GRAVEL BAG EROSION CONTROL EC3



NTS CONCRETE WASTE MANAGEMENT AREA (TEMPORARY CONDITION) EC4



BENCH MARK:
BASIS OF BEARINGS:

REVISIONS			
DATE	NO.	DESCRIPTION	BY (CH/KI/APP)

DESIGN BY: TT
DRAWN BY: AL
CHECKED BY: TT
DATE: 12/21/2021

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914 E. KATELLA AVENUE ANAHEIM, CALIFORNIA 92805
(714) 385-1835, FAX (714) 385-1834

TRYFON TRYFONOPOULOS
12-21-2021 DATE

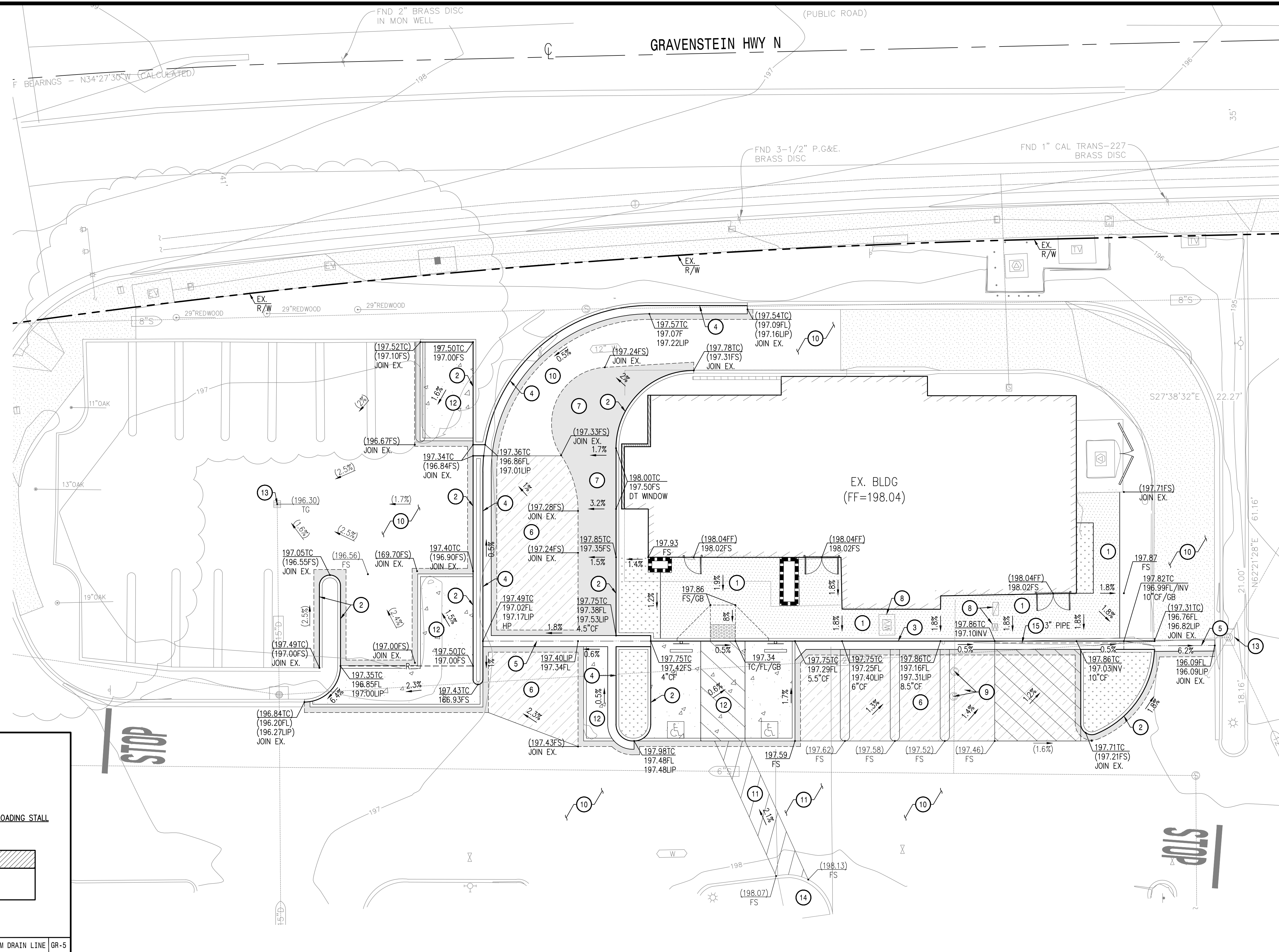
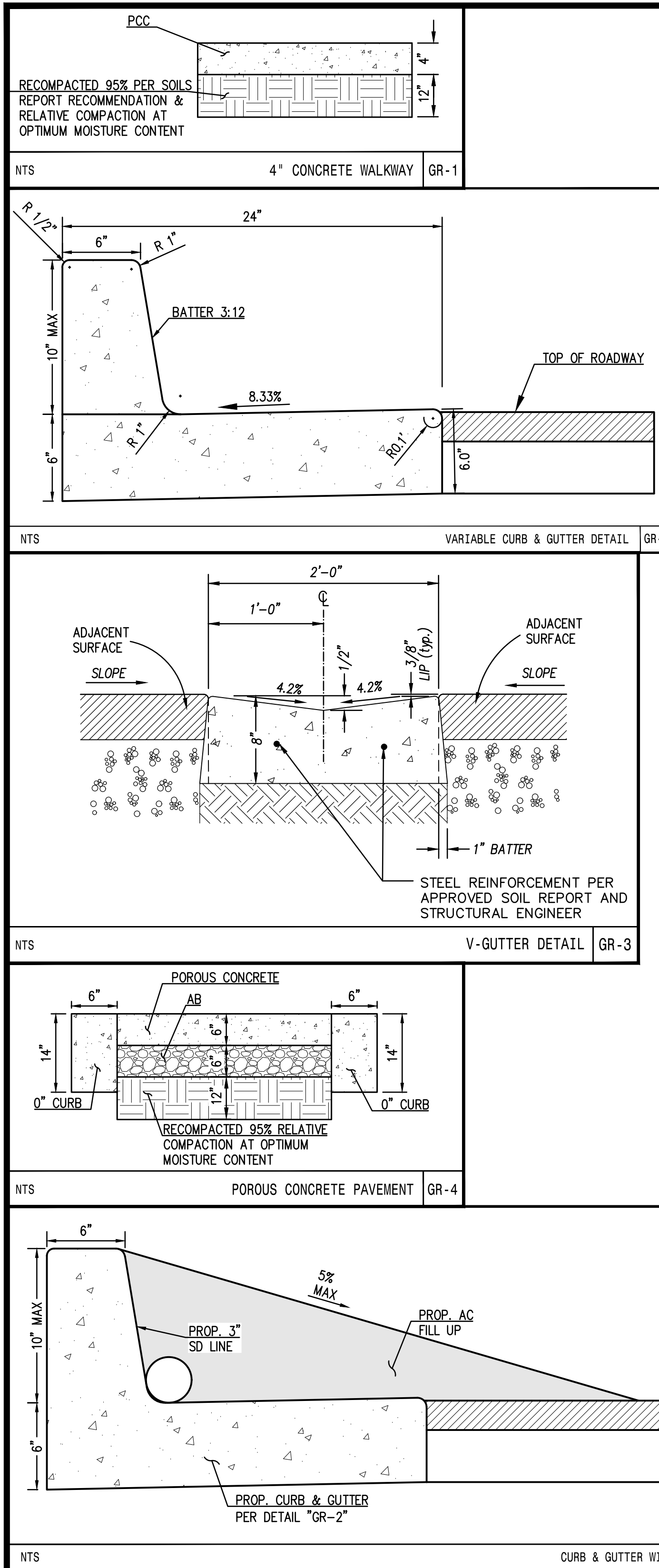


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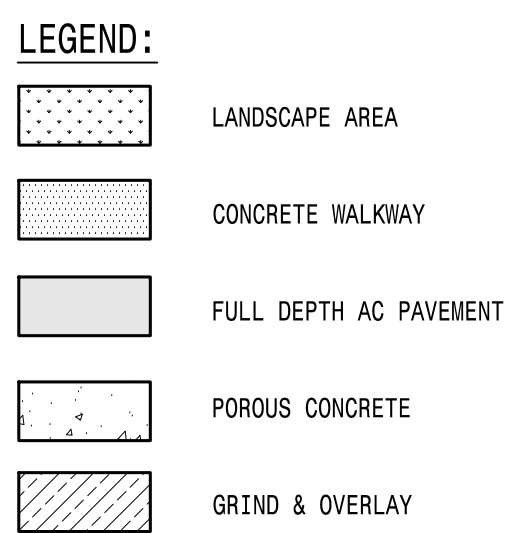
700 GRAVENSTEIN HWY N, SEBASTOPOL, CA 95472
DEMOLITION & EROSION CONTROL PLAN

DRAWING NO. C01
SHEET: 1 OF 3
PROJECT NO. 2111078

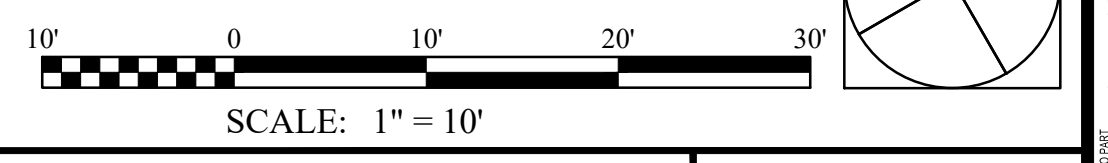
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- GRADING CONSTRUCTION NOTES**
- 1 CONSTRUCT 4" CONCRETE WALKWAY PER DETAIL "GR-1" ON SHEET C02
 - 2 CONSTRUCT 6" CURB PER SPPWC STD. DWG. 120-2, TYPE A1-6
 - 3 CONSTRUCT VARIABLE CURB & GUTTER PER DETAIL "GR-2" ON SHEET C02
 - 4 CONSTRUCT 6" CURB & GUTTER PER SPPWC STD. DWG. 120-2, TYPE A2-6
 - 5 CONSTRUCT CONCRETE V-GUTTER PER DETAIL "GR-3" ON SHEET C02
 - 6 GRIND & OVERLAY EXISTING AC PAVEMENT (2" MIN)
 - 7 CONSTRUCT FULL DEPTH OF AC PAVEMENT (8" MIN)
 - 8 ADJUST TO GRADE EXISTING WATER METER & VALVE
 - 9 ADJUST TO GRADE EXISTING SEWER MANHOLE & CLEANOUT
 - 10 PROTECT IN PLACE EXISTING AC/CONCRETE PAVEMENT
 - 11 REMOVE & RE-STRIPE 4" BLUE WIDE
 - 12 CONSTRUCT POROUS CONCRETE PAVEMENT PER DETAIL "GR-4" ON SHEET C02
 - 13 PROTECT IN PLACE EXISTING CATCH BASIN/STORM DRAIN INLET
 - 14 PROTECT IN PLACE EXISTING CURB RAMP
 - 15 FURNISH & INSTALL 3" PVC (SDR-35) PER DETAIL "GR-5" ON SHEET C02



TOTAL REMOVE AND REPLACE IMPERVIOUS AREA = 2,498SF



BENCH MARK:
BASIS OF BEARINGS:

REVISIONS			
DATE	NO.	DESCRIPTION	BY (CH/KI/APP)

DESIGN BY: TT
DRAWN BY: AL
CHECKED BY: TT
DATE: 12/21/2021

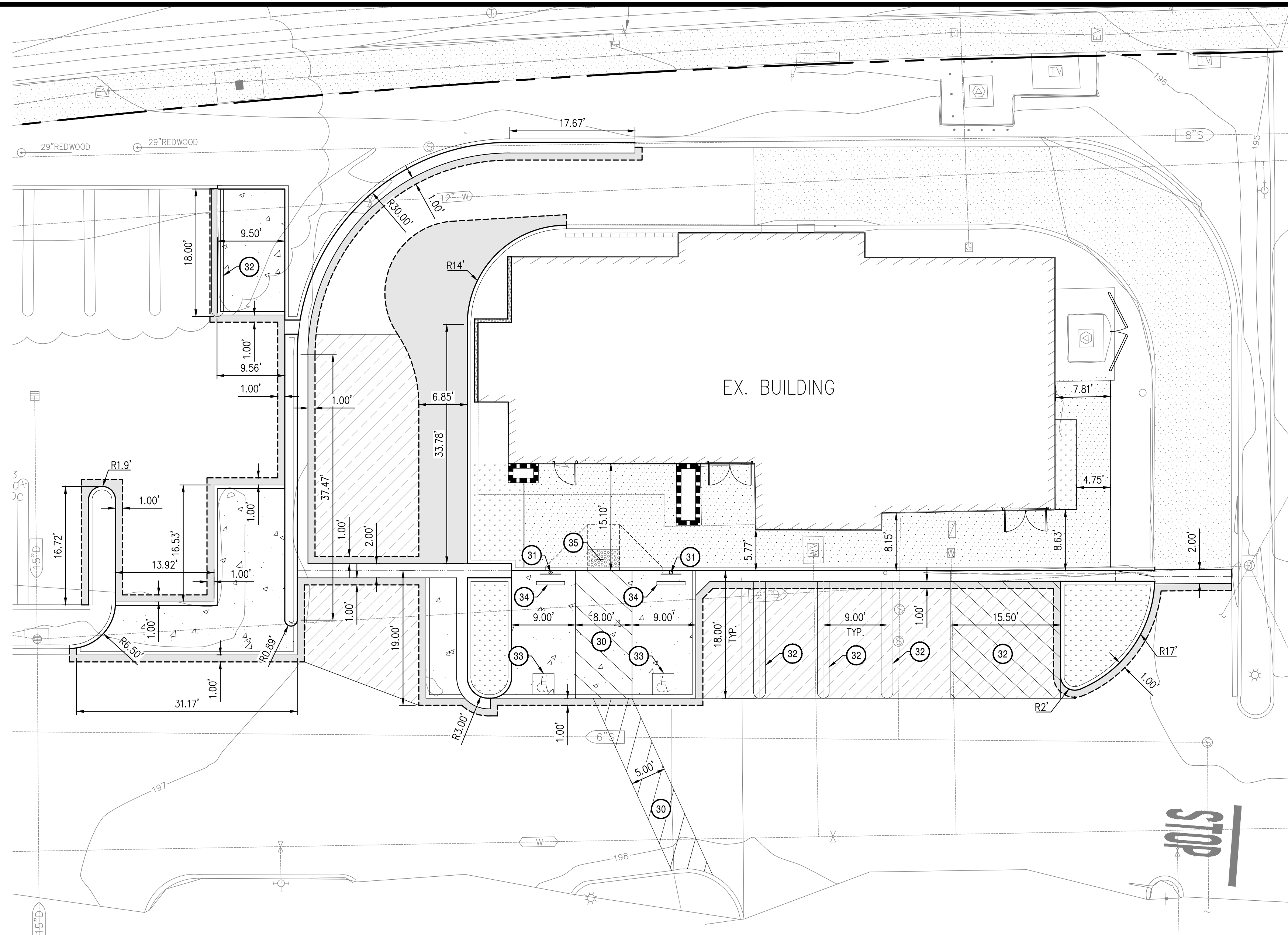
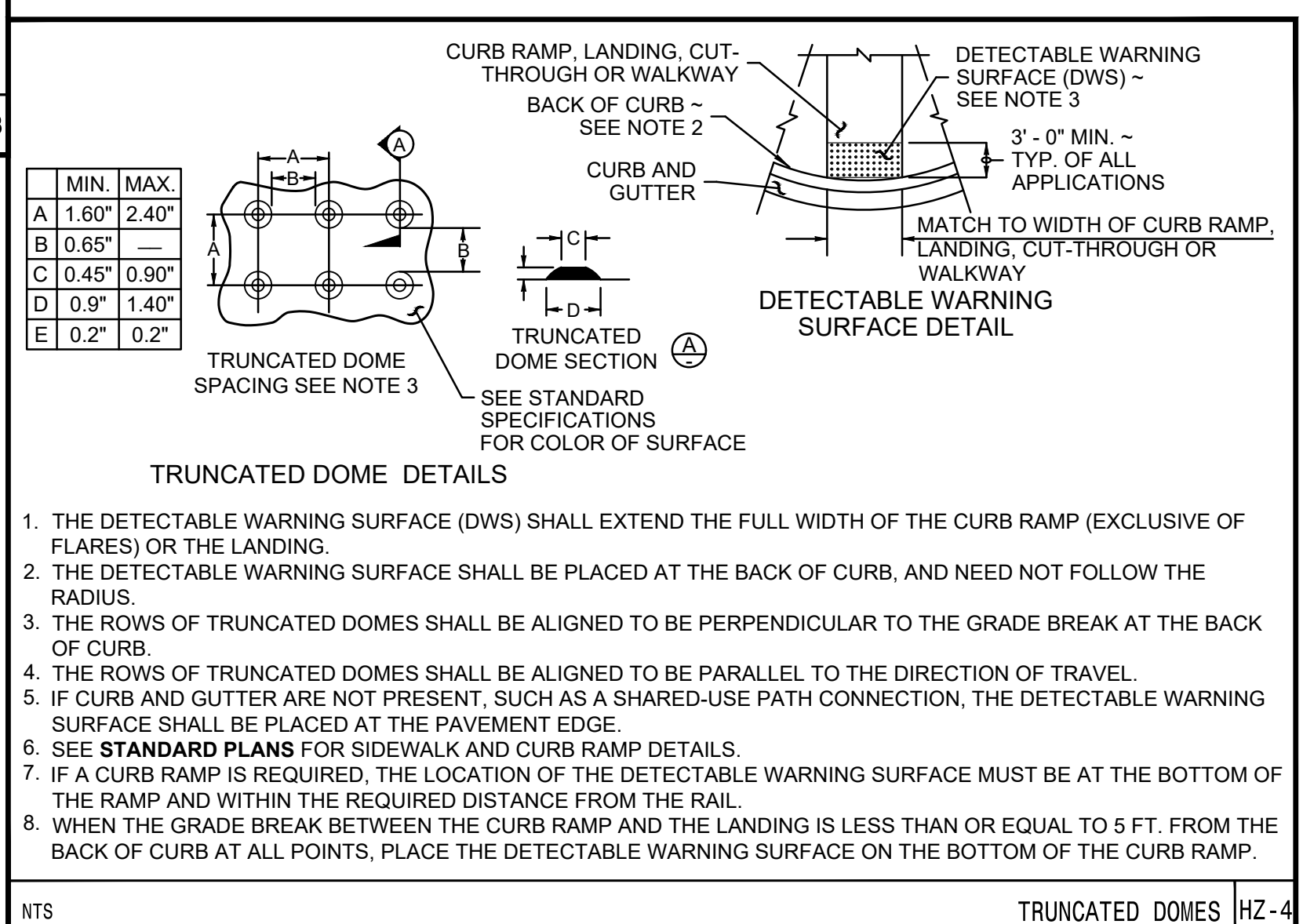
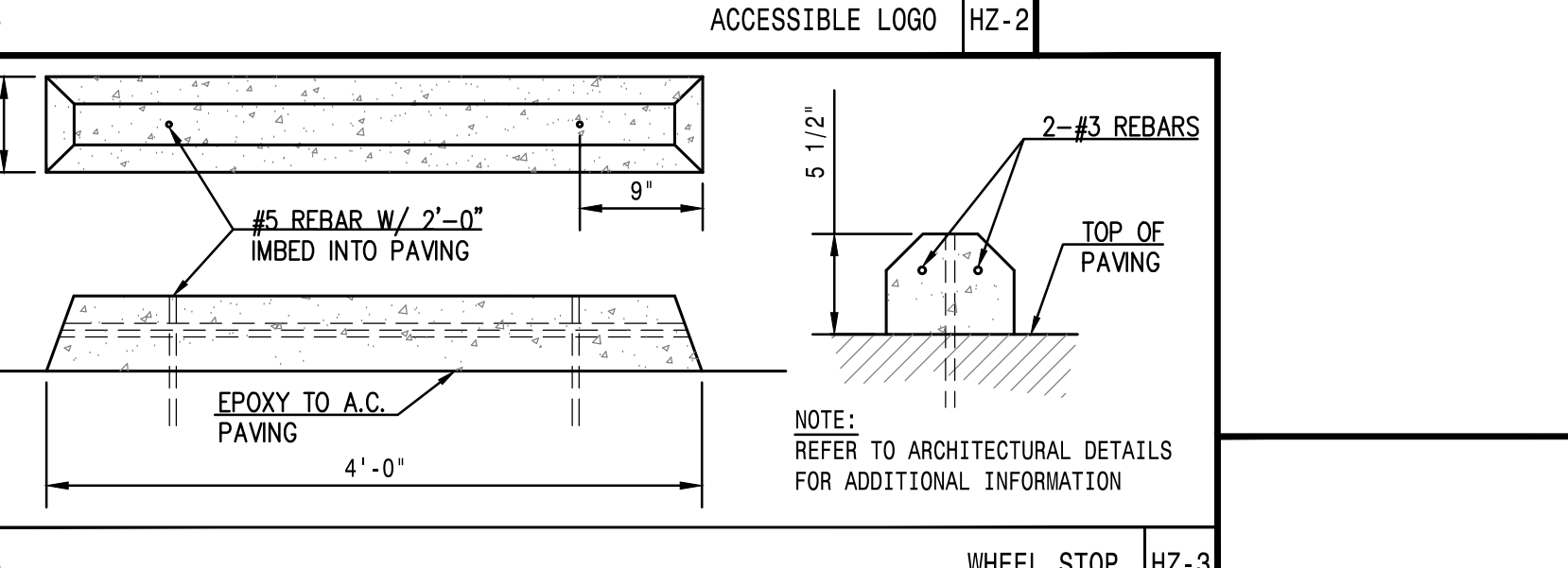
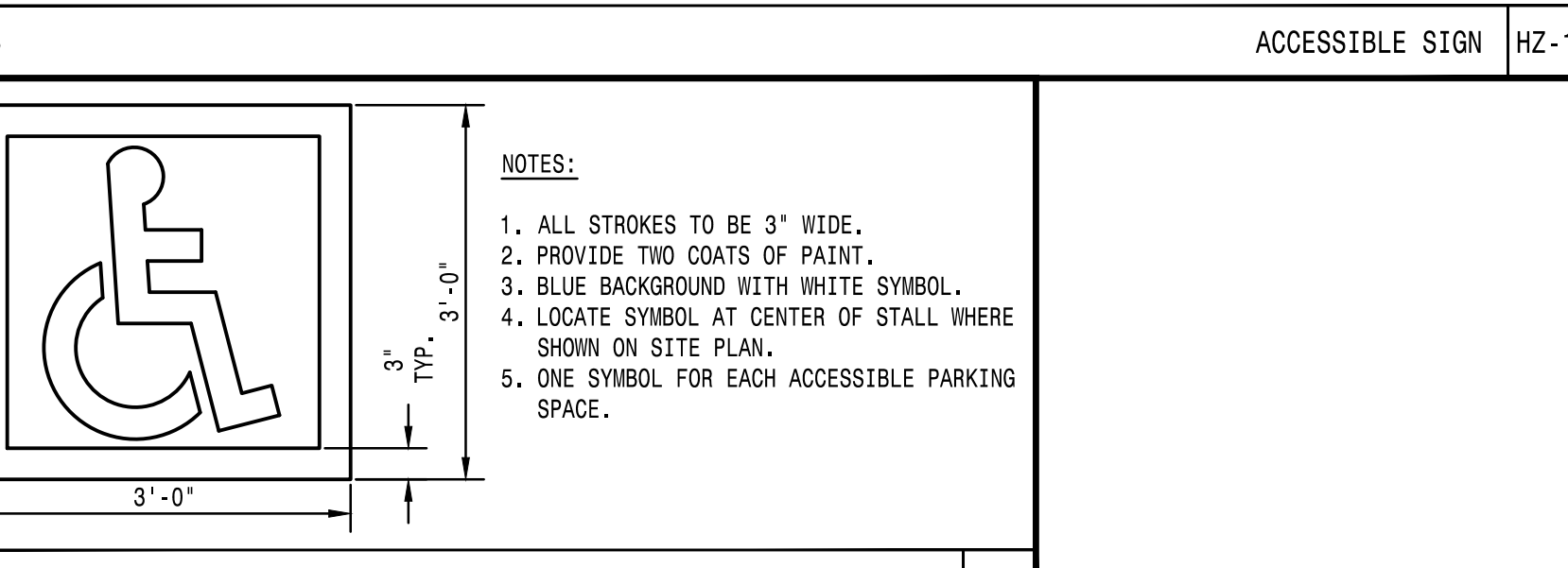
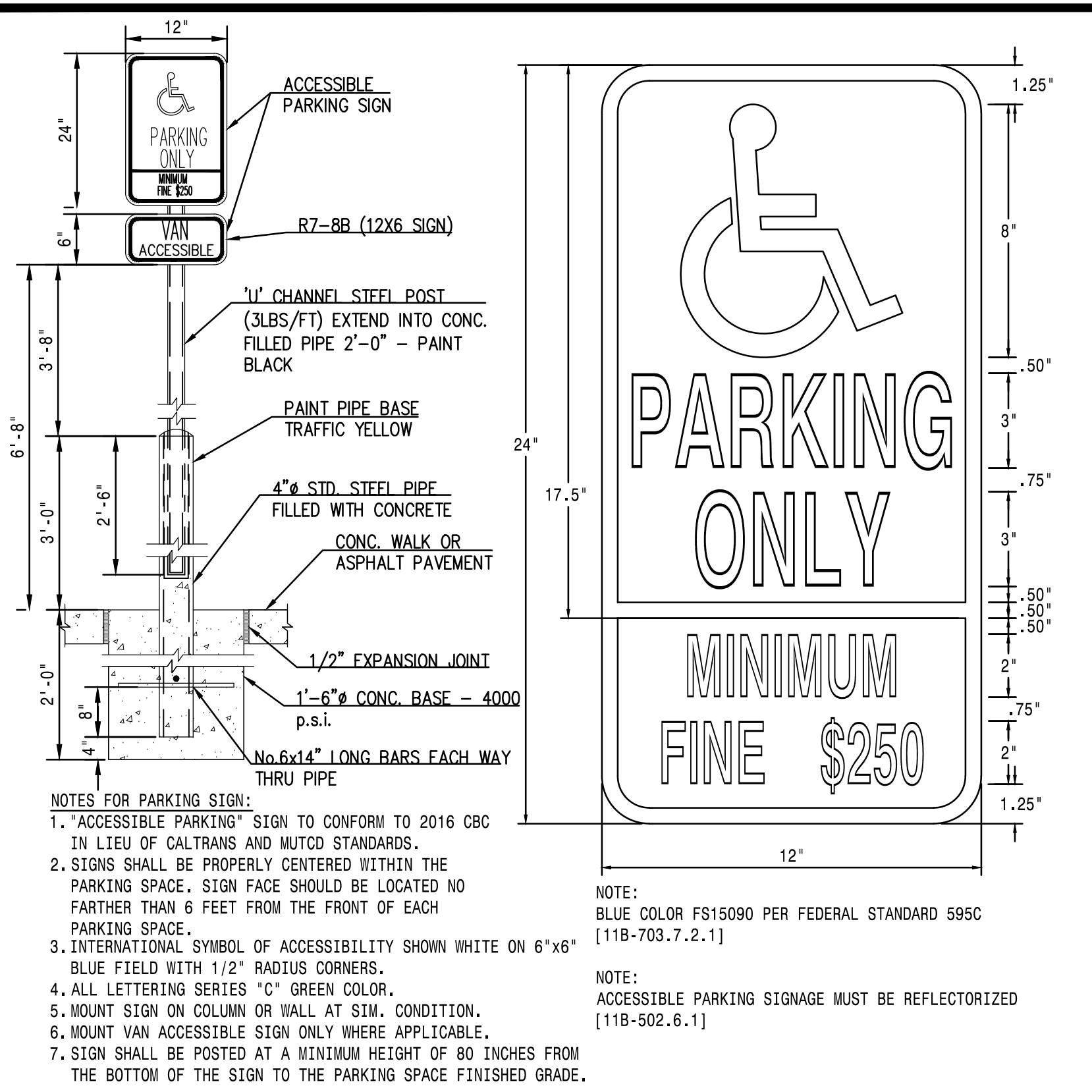
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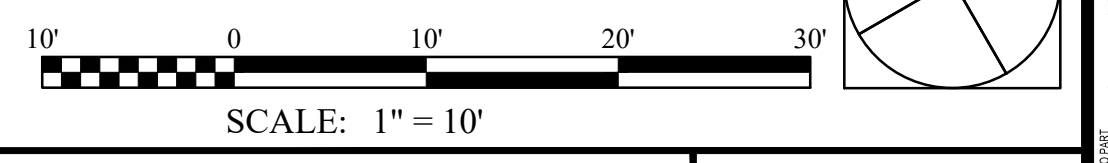
700 GRAVENSTEIN HWY N, SEBASTOPOL, CA 95472
SITE IMPROVEMENT PLAN

DRAWING NO. C02
SHEET: 2 OF 3
PROJECT NO. 2111078

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- HORIZONTAL CONTROL, SIGNING & STRIPING NOTES**
- (30) PAINT 4" BLUE WIDE BORDER & STRIPES @ 3' O.C.
 - (31) INSTALL ACCESSIBLE PARKING SIGN PER DETAIL "HZ-1" ON SHEET C03.
 - (32) STENCIL PARKING STALLS PER CITY JURISDICTION.
 - (33) STENCIL ACCESSIBLE LOGO PER DETAIL "HZ-2" ON SHEET C03.
 - (34) FURNISH AND INSTALL WHEELSTOP PER DETAIL "HZ-3" ON SHEET C03.
 - (35) FURNISH AND INSTALL TRUNCATED DOMES PER DETAIL "HZ-4" ON SHEET C03.



BENCH MARK:
 BASIS OF BEARINGS:

REVISIONS			
DATE	NO.	DESCRIPTION	BY (CH/KI/APP)

DESIGN BY: TT
 DRAWN BY: AL
 CHECKED BY: TT
 DATE: 12/21/2021

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 914 E. KATELLA AVENUE
 ANAHEIM, CALIFORNIA 92805
 (714) 385-1835, FAX (714) 385-1834

REGISTERED PROFESSIONAL ENGINEER
 TRYFON P. TRYFONOPOULOS
 NO. 65859
 EXP. 12/31/23
 CIVIL
 STATE OF CALIFORNIA

TRYFON TRYFONOPOULOS
 12-21-2021
 DATE

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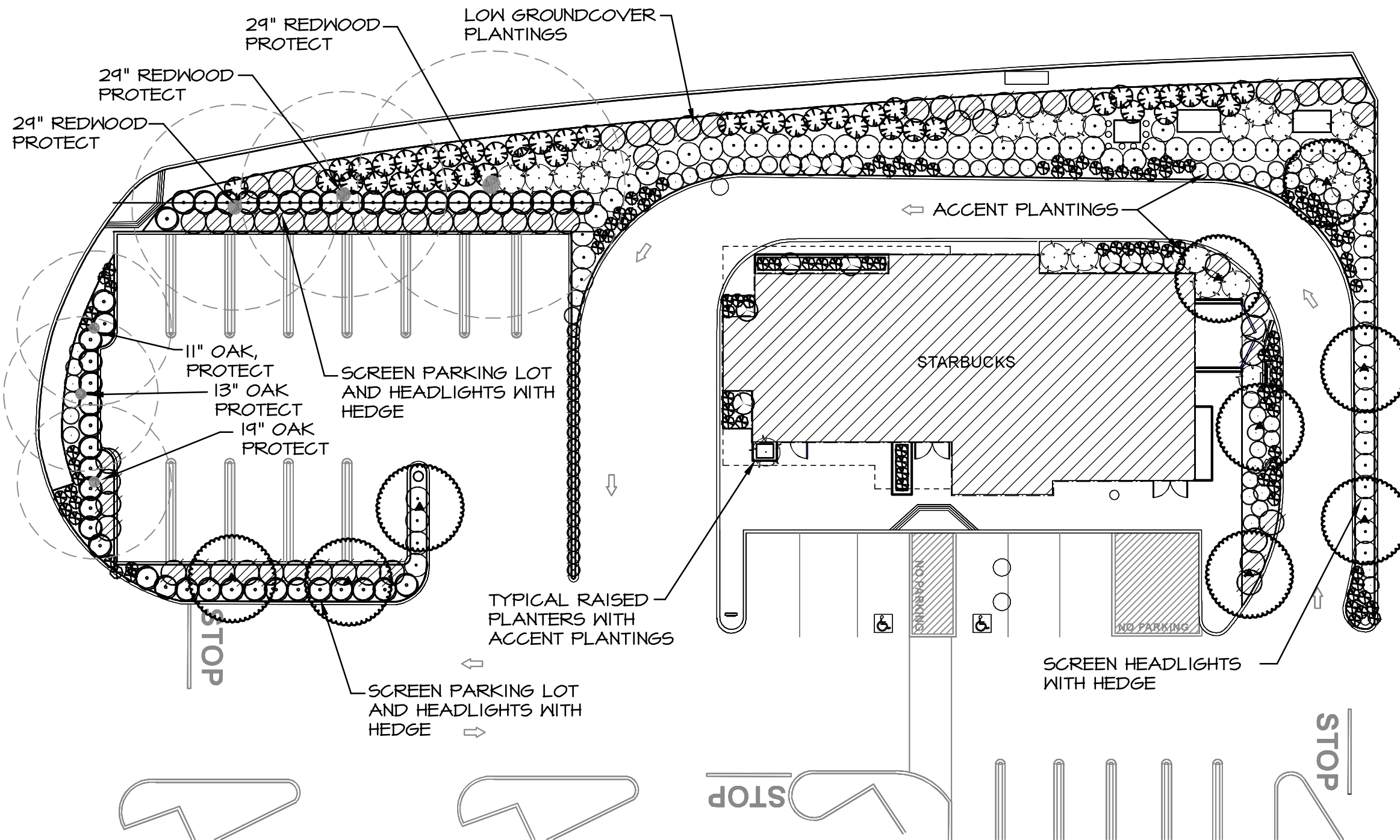
700 GRAVENSTEIN HWY N, SEBASTOPOL, CA 95472
 HORIZONTAL CONTROL, STRIPING & SIGNAGE PLAN

DRAWING NO.
 C03

SHEET: 3 OF 3

PROJECT NO.
 2111078

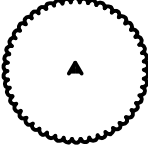
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IRRIGATION:

IRRIGATION SYSTEM SHALL BE CONTROLLED BY A "SMART" CONTROLLER CAPABLE OF MAKING ADJUSTMENTS TO THE SYSTEM TIMING BASED ON CHANGES REGISTERED ON ITS OWN MINI-WEATHER STATION. THE SYSTEM SHALL ALSO HAVE A FLOW SENSOR FOR DIAGNOSING UNUSUAL HIGH FLOWS AS MAY OCCUR DURING A BREAK. WORKING IN TANDEM WITH THE FLOW SENSOR WILL BE A MASTER VALVE CAPABLE OF SHUTTING DOWN THE SYSTEM IN THE CASE OF AN UNUSUAL HIGH FLOW. NEW AREAS WILL RECEIVE DRIP IRRIGATION EMITTERS UNLESS OTHERWISE NOTED, THESE DEVICES WILL PROVIDE LOW FLOWS AND PREVENT RUNOFF ONTO THE PAVING, AS WELL AS PROVIDE EFFICIENT USE OF WATER AT THE PLANT LEVEL. EXISTING LANDSCAPES SHALL REMAIN INTACT AND/OR REFURBISHED AS NECESSARY. IRRIGATION PLANS SHALL CONFORM TO STATE WATER EFFICIENT LANDSCAPE ORDINANCE (AB 1881). A 3" DEEP LAYER OF MULCH TO MATCH THE EXISTING MULCH SHALL COVER ALL PLANTING BEDS TO REDUCE WEED GROWTH AND AID IN WATER RETENTION

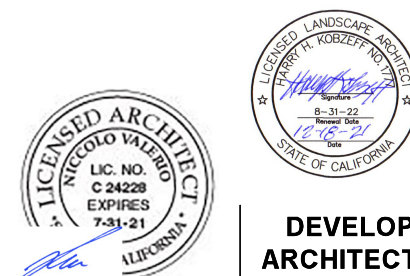
TREE LEGEND:

-  LAGERSTROEMIA X FAURIEI 'NATCHEZ' STANDARD
- WHITE CRAPE MYRTLE
- 24" BOX 9-10' HIGH 3-4' WIDE
- MODERATE TO 25' H X 12'

SHRUB LEGEND:

SYM	BOTANICAL NAME	COMMON NAME		DESCRIPTION
⊗	BUXUS MICROPHYLLA JAPONICA 'WINTER GEM'	JAPANESE BOXWOOD	1 GAL.	SMALL GREEN SHRUB MODERATE TO 3'H X 3'
○	EUONYMUS FORTUNEI 'EMERALD GAIETY'	WINTERCREEPER	5 GAL.	SMALL VARIEGATED SHRUB MODERATE TO 3'H X 3'
⊕	HEMEROCALLIS HYBRID 'STELLA DEL ORO'	DWARF DAY LILY	5 GAL.	SMALL FLOWER ACCENT MODERATE TO 2'H X 2'
⊗	MYOPORUM PARVIFOLIUM 'PINK'	PINK PROSTRATE MYOPORUM	5 GAL.	LOW EVERGREEN SHRUB MODERATE TO 1'H X 5'
○	MYRTUS COMMUNIS 'COMPACTA'	COMPACT DWARF MYRTLE	15 GAL.	EVERGREEN HEDGE SHRUB MODERATE TO 3'H X 3'
⊗	NANDINA DOMESTICA 'GULF STREAM'	GULF STREAM HEAVENLY BAMBOO	5 GAL.	FOLIAGE AND FORM ACCENT MODERATE TO 3'H X 2'

⊗	PHOTINIA X FRASERI 'RED ROBIN'	DWARF PHOTINIA	5 GAL.	EVERGREEN HEDGE SHRUB MODERATE TO 5'H X 5'
⊗	ROSA SPP. 'ICEBERG'	ICEBERG ROSE	5 GAL.	WHITE FLOWERING ACCENT MODERATE TO 3'H X 3'
⊗	ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET'	HUNTINGTON CARPET ROSEMARY	5 GAL.	LOW COLOR BLUE ACCENT MODERATE TO 1'H X 6'



Kobzeff & Associates
 LANDSCAPE ARCHITECTURE
 24412 MOCKINGBIRD PLACE
 LAKE FOREST, CALIFORNIA
 (949) 525-8218

ENVIRONMENTAL DESIGN
 LAKE FOREST, CALIFORNIA
 harry@kobzefassoc.com

Scale: 1"=20'

Project No: 2780-20-107



City of Sebastopol Planning Commission Staff Report

Meeting Date: March 8th, 2022
Agenda Item: 6B
To: Planning Commission
From: John Jay
Subject: Conditional Use Permit
Recommendation: Approval with conditions

Applicant/Owner: Starbucks
File Number: 2022-001
Address: 700 Gravenstein Highway North
CEQA Status: Exempt
General Plan: Office Commercial (CO)
Zoning: General Commercial (CG)

Introduction:

This project is for a conditional use permit to allow the nonconforming use of a Drive through at the project site 700 Gravenstein Hwy N. to be modified. Currently the building is under the operation of Burger King, the proposed project would be to allow Starbucks, who is proposing to take over the business, to change the drive through window location (note, however, that the entitlement “runs with the land” so would allow any operator to modify the drive through/operate the restaurant). They also intend to make minor interior modifications to the building.

Project Description:

Starbucks is requesting the approval of a conditional use permit to modify the location of the drive through window and extend the existing drive through lane. The applicant is also proposing outdoor dining less than 20% of the interior seating, restripe the parking area and remove two parking stalls, and update the exterior of the building with a new roof, parapet caps, new paint, new planters. The Design Review Board will review the exterior changes if the conditional use permit is approved by the Planning Commission.

Project Location and Surrounding Land Uses:

The project is located within the Redwood Market Place shopping center and is surrounded by other General Commercial buildings. Across Highway 116 to the west is a residential planned community and to the north is more General Commercial. The use of a drive through has been an allowed use for more than 10 years at this location and the proposal of Starbucks would be consistent with the existing use. Starbucks has proposed to change the location of the drive through window to provide a better flow of traffic within the shopping center and would not produce overflow queuing into the side street which provides delivery truck access for Lucky’s or the parking lot’s drive aisles.

General Plan Consistency:

The project is consistent with the General Plan in that it meets Policy LU 8-4 *Support the continued development and intensification of office and professional employment centers throughout all non-residential areas* because the Starbucks will help revitalize an older shopping center.

Zoning Ordinance Consistency:

New Drive through uses were banned in Sebastopol in 2012, and made all existing drive through uses, including the subject property, non-conforming uses. This use is therefore subject to the City's Non-conforming use regulations (Section 17.160).

If the Planning Commission approves a Conditional Use Permit, the project would be consistent with the Zoning Ordinance, in that of Section 17.160.030 "non-conforming uses", the City allows a nonconforming use of a building to be changed to the same use or more restrictive in nature provided that a conditional use permit is first obtained. Additionally, Section 17.160.040(C) specifies that "Drive-through uses existing as of December 18, 2012, may be modified for aesthetic, safety, or other reasons as determined appropriate by the City, but no modifications that would intensify or expand the use shall be permitted."

The project purposes to move the drive through window to the north end of the building and would eliminate the existing drive through window. Staff has reviewed and does not believe this increases the capacity (ie like adding a second window or having a 'payment window' and a 'service window'), but that this will help traffic flow in the queue of the drive through as Starbucks is likely to have queuing lines at least as long as Burger King. Section 17.160.040.C of the nonconforming uses of the zoning code states "*Drive-through uses existing as of December 18, 2012, may be modified for aesthetic, safety, or other reasons as determined appropriate by the City, but no modifications that would intensify or expand the use shall be permitted.*" With the relocation of the drive through window and closure of the existing window, staff believes this would be consistent with the intent of this section of the zoning ordinance.

The applicant is proposing to remove two parking spaces on site to update ADA and parking conditions on site. In doing so, the applicant would be altering the parking stall area to the north of the building which would remove the ability for patrons exiting the window to park within that area.

The exterior modifications to the building will provide a much-needed update to an outdated building and shopping center. The applicant has provided a materials list within the plan set that will meet the requirements of a typical Starbucks but will also blend in with some of the existing buildings in the shopping center and neighboring locations. Note, this is informational only, as the Design Review Board will be responsible for reviewing and approving these changes.

Environmental Review:

The project is categorically exempt from the requirements of CEQA pursuant to Section 15301 Existing Facilities (a) which includes Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. The proposed project would be consistent with this exemption in that it proposes to use an existing facility under the same use and have minor exterior and interior modifications and will not create any new environmental impacts as it will be in an already developed area.

City Departmental Comments:

The Planning Department routed this to the various city departments and those departments had no special conditions other than those set forth in conditions of approval.

Required Findings:

Conditional use permits (CUP) are discretionary and shall be granted only when the review authority determines that the proposed use or activity complies with all of the following findings:

- A. The proposed use is consistent with the General Plan and all applicable provisions of this title.
- B. The establishment, maintenance, and operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area of such use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Additionally, the approval for a CUP associated with modifying a non-conforming drive through must also meet the following criteria:

- C. Section 17.160.040.C: *“Drive-through uses existing as of December 18, 2012, may be modified for aesthetic, safety, or other reasons as determined appropriate by the City, but no modifications that would intensify or expand the use shall be permitted.”*

Lastly, the approval for a CUP associated with the reduction in parking spaces on the site, based on shared uses or other related conditions:

- D. Section 17.110.020.D Increase or Decrease in Parking Requirement – Conditional Use Permit. Where an applicant requests or where the Planning Director determines that, due to special circumstances:
 - 1. Any particular use requires a parking capacity significantly greater or less than required, the Planning Director shall refer the matter to the Planning Commission for the imposition of an appropriate parking requirement. The Planning Commission may, by conditional use permit, require a number of parking spaces up to 20 percent more than required. The Planning Commission may, by conditional use permit, require fewer spaces than required if developer demonstrates a reduced parking need through a trip reduction or parking reduction program.
 - 2. A project proposes use of valet parking, or other managed parking arrangement in conjunction with either a reduction in the number of parking spaces from Zoning Ordinance requirements, use of tandem parking, or modification of dimensional or other Zoning Ordinance physical development requirements. The Planning Commission may, by conditional use permit approve such modifications.
- E. Section 17.110.020.E Prior to approving such conditional use permit, and as applicable, the Commission must determine that:
 - 1. In the case of a reduction in the number of parking spaces required, due to special circumstances associated with the nature or operation of the use or

combinations of uses at its location, the proposed project will generate a parking demand significantly different from the standards specified;

2. The number of parking spaces conveniently available to the use will be sufficient for its safe, convenient and efficient operation;

3. A greater number of parking spaces than required by the Commission will not be necessary to mitigate adverse parking or traffic impacts of the use on surrounding properties;

(Not applicable to this application)

4. For use of valet parking, the Commission determines that use of valet parking is appropriate due to the type of use, scale of use, or other factors;

(Not applicable to this application)

5. For use of valet parking, tandem parking, a higher proportion of compact parking spaces, or other changes to dimensional parking space requirements, the configuration of parking spaces and operation of the parking facility will ensure that the use has adequate parking availability;

(Not applicable to this application)

6. In addition, prior to approving a decrease in the parking capacity required, the Commission must determine that adequate provisions have been made to accommodate any possible subsequent change in the use or occupancy which may require a greater parking capacity or other modifications to the parking operations or dimensional standards than that allowed by the Commission. Such provisions include, but are not limited to, restriping of parking spaces, elimination of tandem parking, reduction in the proportion of compact parking spaces, provision of additional bicycle or transit facilities, provision of additional off-site parking, or similar measures;

7. The location of several types of uses or occupancies in the same building or on the same site may constitute a special circumstance warranting the modification of parking requirements;

8. Any substantial change in use or occupancy or any substantial change in the special circumstances described above shall constitute grounds for amendment, or potential revocation of the conditional use permit issued pursuant to this section; and

9. The Commission finds that any modifications under these provisions will not create an impairment to public safety, impede safe and efficient pedestrian or vehicle traffic flow, or otherwise interfere with the operation of area uses or functions.

Analysis:

The project requests a conditional use permit for the allowed continuation of nonconforming use within the General Commercial district, and the modification of the drive through as well as other alterations as noted. As stated in Chapter 17.160.030.b of the nonconforming activities section “*The nonconforming use of a building may be changed to a use of the same or more restricted*

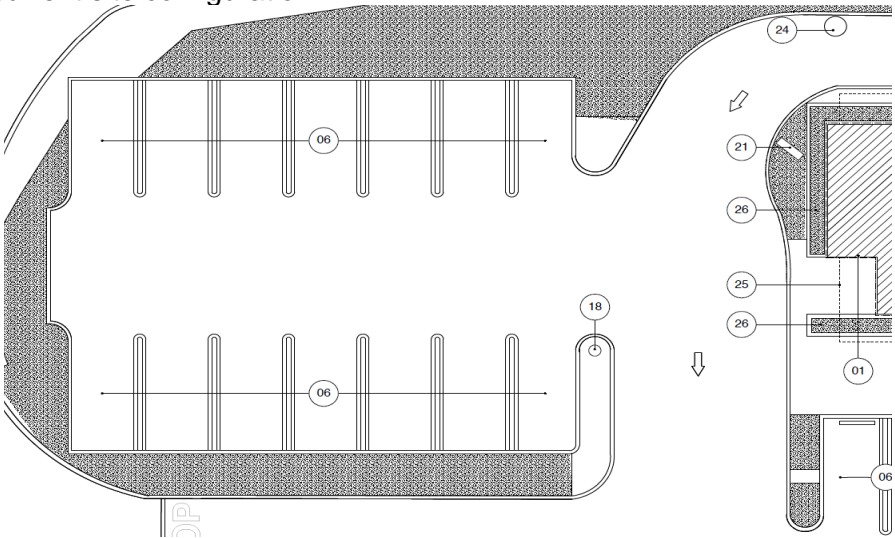
nature; provided, that in each case a conditional use permit shall first be obtained. If a nonconforming use is replaced by a use of lesser intensity, the occupancy thereafter may not revert to a nonconforming use of greater intensity.”

As mentioned in the Zoning ordinance consistency, section 17.160.040.C of the nonconforming uses allows existing drive throughs to be modified as determined appropriate, by the City and any expansion of that modification would not be permitted. However, staff feels that the Planning Commission should require, through a condition of approval, that the existing drive through window be completely closed off and the newly proposed window be installed as the plans shown dated January 10th, 2022. This would not allow a design change to come at a latter point in time to include multiple windows.

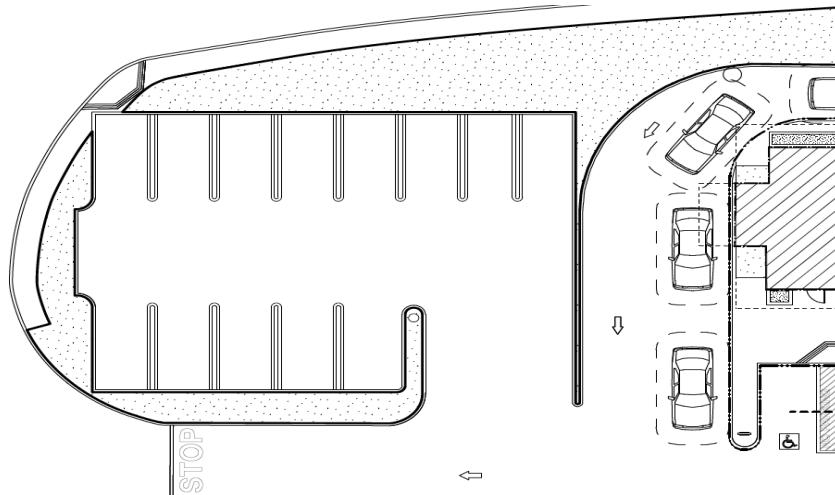
The applicant is also proposing parking modifications to the overflow parking lot to the north. Staff feels that this modification is well needed with the relocation of drive thru window. Currently, the parking lot is accessed off the exiting of the drive thru window in its current eastern location. However, when the window change is made this layout will be confusing and cumbersome to patrons exiting the window. The applicant is provided a plan to deal with this potential hurdle on sheet 3 of the project plan set. The plan would be to install a curb along the parking lot running east to west which would funnel the traffic into the main flow of the shopping center.

The original use permit for this site, which was granted in 1984, required this site to account for 348 parking spaces, including 20 spaces for the fast-food restaurant (the subject use). That number was then reduced to 324 at a February 1984 City Council meeting. Staff reviewed the available parking is currently 322 total parking spaces for the whole center, including 22 for the subject site. While this is number is less than what was originally required, it is possible 2 of the parking spaces could have been converted to ADA spaces (allowed by the Zoning Ordinance without a variance being required).

Below is the current site configuration:



Below is what is proposed.



This parking modification will help with traffic queuing in that, if the parking area was kept in place, it could cause potential backups and disrupt the flow of traffic in and out of the drive through lane.

The proposal proposes to provide 19 parking spaces where the original use permit required 20. This parking reduction can be approved through a conditional use permit approved by the Planning Commission per the Zoning Ordinance, Section 17.110.010 and Section 17.110.020.D. and E., which allows the Commission to reduce the overall parking requirement based on the particular use, trip reduction, or shared uses.

Additionally, shared parking under, Section 17.110.010, may be allowed with Planning Commission approval if there is clear separation of time/use (this was also considered in the original parking space reduction from 348 to 324 spaces). Staff feels the removal of parking spaces is supportable, and will not cause a negative effect to the shopping center, as the most frequent time of travel to a coffee shop is in the morning hours, before some other shops in the center are open. Additionally, removal of these parking spaces will not affect current parking conditions as there appears to be adequate parking stalls located within the shopping center based on day-to-day observations. Staff believes this request therefore can meet the findings required by Section 17.110.020.E, items 1, and 2, 6, 7, and 8 as there are many additional spaces available on the same site/shopping center, and a variety of uses with busy times that vary throughout the day. Given the changes to include outdoor seating, staff recommends the Commission discuss appropriate bicycle parking. The Zoning Ordinance requires 4 bicycle parking spaces minimum, however the Commission should consider requiring additional bicycle parking given the use, to encourage alternative modes of transportation, as well as meet Section 17.110.020.E, item 6, by providing alternatives to vehicle access (the site also has a transit stop to support this requirement).

The window's current location allows for roughly 6 cars to be in queue whereas the new orientation would allow for 10 cars thus allowing for a better flow of traffic through the shopping center and the proposed use. Currently, overflow traffic to the existing drive through backs up into the drive aisles of the shopping center (in front of the Verizon / Postal Annex store) and/or the alley south of the restaurant. The change to the queue would reduce, and may eliminate, this issue. Therefore, staff believes Section 17.110.020.E, item 9 can be met given the improvements to traffic likely by the revised configuration of both the drive through queue and the separation of this traffic from the parking area.

Public Comment:

Staff has received one public comment in question of replacing the Burger King with a Starbucks, what is Sebastopol's policy on Drive throughs, and in denial of another Starbucks in town. This public comment has been attached to this staff report.

Recommendation:

Staff believes the proposed use is compatible with the site, and recommends approval, subject to the following key conditions:

- Remove existing drive through window and install new drive through window per project plans dated January 10th, 2022.
- Exterior design features will require Design Review Board review.

If it is the consensus of the Planning Commission that the proposed use is compatible with the site and surrounding uses, staff recommends that the application be approved based on the facts and findings in Exhibit A Findings for Approval, and subject to the Recommended Conditions of Approval found in Exhibit B, and any additional or modified conditions the Planning Commission determines is appropriate.

Attachments:

Project Plans

Exhibit A Recommended Findings for Approval

Exhibit B Recommended Conditions of Approval

Exhibit C Standard Conditions of Approval

Public Comment

EXHIBIT A
RECOMMENDED FINDINGS OF APPROVAL

Conditional Use Permit
700 Gravenstein Highway North
004-430-042, 2022-001

- A. The proposal is categorically exempt from the requirements of CEQA under Section 15301. Existing Facilities (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances.
- B. The proposed use is consistent with the General Plan in that the remodel of an existing older building will help revitalize employment centers of non-residential areas of the City.
- C. The proposed use is consistent with applicable provisions of the City's Zoning Ordinance:
- a. *The establishment, maintenance, and operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area of such use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.*

The proposed use will meet this requirement in that the project, as conditioned, does not negatively affect the general welfare of the neighborhood or properties. The proposed changes to the drive through is further anticipated to improve traffic configuration within the existing shopping center parking lot.

- b. *Section 17.160.040.C: "Drive-through uses existing as of December 18, 2012, may be modified for aesthetic, safety, or other reasons as determined appropriate by the City, but no modifications that would intensify or expand the use shall be permitted."*

As conditioned, the proposed use meets this requirement in that this project only proposes to relocate the drive through window, and will be required to close the existing drive through window, and will not increase the intensity of the site in doing so.

- c. *Section 17.110.020.D Increase or Decrease in Parking Requirement – Conditional Use Permit Findings*
 - 1. *In the case of a reduction in the number of parking spaces required, due to special circumstances associated with the nature or operation of the use or combinations of uses at its location, the proposed project will generate a parking demand significantly different from the standards specified.*

The coffee shop hours are typically earlier in the day than most of the other operations within the shopping center other businesses will not feel the

negative effects of having one less parking spot within this center. This criterion is met.

2. *The number of parking spaces conveniently available to the use will be sufficient for its safe, convenient and efficient operation;*
There are parking spaces available within the larger shopping center lot that are available. These parking spaces are within a reasonable walking distance from the dining area and will not cause any safety concerns as the walkways will be properly striped. This criterion is met.
3. *A greater number of parking spaces than required by the Commission will not be necessary to mitigate adverse parking or traffic impacts of the use on surrounding properties;*

This criterion is not applicable.

4. *For use of valet parking, the Commission determines that use of valet parking is appropriate due to the type of use, scale of use, or other factors;*

This criterion is not applicable.

5. *For use of valet parking, tandem parking, a higher proportion of compact parking spaces, or other changes to dimensional parking space requirements, the configuration of parking spaces and operation of the parking facility will ensure that the use has adequate parking availability;*

This criterion is not applicable.

6. *In addition, prior to approving a decrease in the parking capacity required, the Commission must determine that adequate provisions have been made to accommodate any possible subsequent change in the use or occupancy which may require a greater parking capacity or other modifications to the parking operations or dimensional standards than that allowed by the Commission. Such provisions include, but are not limited to, restriping of parking spaces, elimination of tandem parking, reduction in the proportion of compact parking spaces, provision of additional bicycle or transit facilities, provision of additional off-site parking, or similar measures;*

The changes to the parking area will allow better flow out of the drive through into the main center. Coffee shop hours of operation are typically earlier in the day than before some of the neighboring businesses are open. The project is adjacent to a Sonoma Transit stop. As conditioned, the project will provide additional bicycle parking spaces, to provide alternative transportation measures to the site. As conditioned, this criterion will be met.

7. *The location of several types of uses or occupancies in the same building or on the same site may constitute a special circumstance warranting the modification of parking requirements;*

The shopping center shares parking spaces with the multiple tenants. These tenants have different schedules of open hours, and also of peak times,

which allows for shared parking of the large parking available on the site. This criterion is met.

8. *Any substantial change in use or occupancy or any substantial change in the special circumstances described above shall constitute grounds for amendment, or potential revocation of the conditional use permit issued pursuant to this section; and*
9. *Modifications under these provisions will not create an impairment to public safety, impede safe and efficient pedestrian or vehicle traffic flow, or otherwise interfere with the operation of area uses or functions.*

As designed, the traffic flow through the larger parking lot would be improved by having additional vehicle queuing within the dedicated drive through lane, rather than in the general traffic lanes between the restaurant and the main shopping center structure, so vehicle flow will be improved. Pedestrian flow will not be impeded. This criterion is met.

EXHIBIT B
RECOMMENDED CONDITIONS OF APPROVAL

Conditional Use Permit
700 Gravenstein Highway North
004-430-042, 2022-001

1. Use shall be in substantial conformance with application documents prepared by Valerio Architecture and Interiors and stamped received on January 10th, 2022, and on file at the City of Sebastopol Planning Department, except as may be modified by the Design Review Board.
2. The existing drive through window shall be removed.
3. Design Review Board approval is required for the exterior alterations.
4. All construction shall conform to the approved plans.
5. 4 bicycle parking spaces shall be provided on site.
6. The applicant shall obtain a Building Permit prior to commencement of construction activities.
7. Inspection and business license as required by the Fire Department.
8. Encroachment permit for any work done in the public right of way as required by the Public Works Department
9. The City of Sebastopol and its agents, officers and employees shall be defended, indemnified, and held harmless from any claim, action or proceedings against the City, or its agents, officers and employees to attach, set aside, void, or annul the approval of this application or the environmental determination which accompanies it, or which otherwise arises out of or in connection with the City's action on this application, including but not limited to, damages, costs, expenses, attorney's fees, or expert witness fees.
10. Minor changes may be approved administratively by the Planning Director of their respective designee upon receipt of a substantiated written request by the applicant. Prior to such approval, verification shall be made by each relevant Department or Division that the modification is consistent with the application fees paid and environmental determination as conditionally approved. Changes deemed to be major or significant in nature shall require a formal application or amendment.
11. The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval.
12. This approval does not include any signs. Any new signs that will identify the use of this property are subject to the prior approval of the Design Review Board or City staff, as appropriate.
13. Approval is valid for three (3) years, except that the applicant may request a one (1) year

extension of this approval from the Planning Director, pursuant to Section 17.400.100 of the Zoning Ordinance.

14. The Use Permit shall be in effect unless it is abandoned or closed for 12 months or longer.
15. The terms and conditions of this conditional use permit shall run with the land and shall be binding upon and be to the benefit of the heirs, legal representatives, successors and assigns of the permittee.