



AGENDA LA MESA PLANNING COMMISSION

Wednesday, May 4, 2016
7:00 PM

La Mesa City Hall Council Chambers, 8130 Allison Avenue, La Mesa

1. Call Meeting to Order
2. Invocation and Pledge of Allegiance
3. Deletions from the Agenda / Urgent Additions to the Agenda / Additions to the next Agenda
4. Public Comments (non-agenda items)

Note: In accordance with State Law, an item not scheduled on the Agenda may be brought forward by the general public for discussion; however, the Commission will not be able to take any action at this meeting. If appropriate, the item will be referred to staff or placed on a future agenda.

5. Procedural Rules for Conduct of Hearings
6. **HEARINGS**

- a. **Conditional Use Permit CUP 16-01 and Special Permit 16-01 (Campagna)** – Consideration of a new coffee shop including a drive-thru and outdoor seating area at 7330-7354 University Avenue. The site is split zoned with the westerly portion zoned C-D-F-MU (General Commercial / Urban Design Overlay / Floodway Overlay/ Mixed-Use Overlay) and the easterly portion zoned RB-D-MU (Residential Business / Urban Design Overlay / Mixed-Use Overlay).
- b. **Variance V-16-01 (Okonski)** – Consideration of a variance for an exception to the building height limit for a two-story addition to a single-family residence at 4171 Merritt Boulevard in the R1R-P (Semi-Rural Residential / Scenic Preservation Overlay) zone.

7. **BUSINESS**

- a. Approval of the minutes from the April 6, 2016 Planning Commission meeting.
8. Informational Items
9. Adjournment

Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Community Development Department located at La Mesa City Hall, 8130 Allison Avenue, La Mesa, California, during normal business hours.

The City of La Mesa encourages the participation of disabled individuals in the services, activities and programs provided by the City. Individuals with disabilities, who require reasonable accommodation in order to participate in the Planning Commission meetings, should contact the City's Americans with Disabilities Act (ADA) Coordinator, Rida Freeman, Human Resources Manager, 48 hours prior to the meeting at 619.667.1175, fax 619.667.1163, or rfreeman@ci.la-mesa.ca.us.

Hearing assisted devices are available for the hearing impaired. A City staff member is available to provide these devices upon entry to City Council meetings, commission meetings or public hearings held in the City Council Chambers. A photo i.d. or signature will be required to secure a device for the meeting.

Citizens who wish to make an audio/visual presentation pertaining to an item at a public meeting of the City should contact Cheryl Davis at 619.667.1190, no later than 12:00 noon, one business day prior to the start of the meeting. Advance notification will ensure compatibility with City equipment and allow meeting presentations to progress smoothly and in a consistent and equitable manner. Please note that all presentations/digital materials are considered part of the maximum time limit provided to speakers.

NOTICE OF APPEAL PROCEDURES

Actions taken by the Planning Commission may be appealed to the City Council. If you disagree with any action of the Commission and wish to file an appeal, you must do so within ten working days of tonight's meeting. **In order to file an appeal, you must submit an appeal letter stating why you disagree with the Commission's action to the Office of the City Clerk, City Hall, 8130 Allison Avenue along with a \$100.00 appeal fee. If no appeal is filed within this period, the action becomes final.**

Once the appeal is filed, the item will be scheduled for the next available City Council meeting. If the item was previously noticed to the neighborhood, new notices of the City Council meeting will be mailed out ten days prior to the hearing date. The Council will then hold a public hearing to consider the appeal. Planning Commission actions involving a General Plan amendment, rezoning, or changes to the Zoning Ordinance regulations are advisory actions, which will automatically proceed for a hearing before the City Council. Any questions regarding the appeal process should be directed to either the Office of the City Clerk at 619.667.1120 or the Community Development Department at 619.667.1177.

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REPORT TO
LA MESA PLANNING COMMISSION

DATE: May 4, 2016

SUBJECT: **Conditional Use Permit CUP 16-01 and Special Permit 16-01 (Campagna)** – Consideration of a new coffee shop including a drive-thru and outdoor seating area at 7330-7354 University Avenue. The site is split zoned with the westerly portion zoned C-D-F-MU (General Commercial / Urban Design Overlay / Floodway Overlay/ Mixed-Use Overlay) and the easterly portion zoned RB-D-MU (Residential Business / Urban Design Overlay / Mixed-Use Overlay).

ISSUING DEPARTMENT: Community Development

SUMMARY

Issues: Is the proposed drive-thru and outdoor seating area consistent with the City of La Mesa General Plan, Mixed-Use Overlay Zone, and the Outdoor Seating Design Objectives?

Recommendation: Adopt a resolution, to approve Conditional Use Permit CUP 16-01 to allow the drive-thru and Special Permit SP 16-01 to allow the outdoor seating area, as shown on **Attachment E**.

La Mesa Zoning Ordinance Code Sections:

Section 24.02.060 provides requirements for conditional use permits.

Sections 24.02.050 provides requirements for special permits.

Chapter 24.04 provides parking requirements.

Chapter 24.06 provides requirements for Commercial Zones and Development Regulations.

Chapter 24.18 provides requirements for the Mixed Use Overlay Zone.

Environmental Review:

This project has been determined to be Categorically Exempt under the provisions of the California Environmental Quality Act, Class 32. The project is Categorically

Exempt from review under the California Environmental Quality Act Section 15332, Class 32. A Class 32 exemption may be applied to infill development projects that 1) are consistent with the general plan and zoning regulations; 2) are within City limits on a site surrounded by urban uses; 3) are on sites having no value as habitat for endangered species; 4) would not result in any significant effects related to traffic, noise, air quality, or water quality; and 5) can be adequately served by all required utilities and public services.

BACKGROUND:

The owner, Jack Campagna (ZBES 156225, LLC) proposes to lease the subject property to Starbucks to operate the coffee shop with outdoor seating and drive-thru. The subject 0.51 acre (22,216 square feet) parcel is addressed as 7330-7354 University Avenue and located between Yale and Harvard Avenues (**Attachments A and B**). The site is split zoned with the westerly portion zoned C-D-F-MU (General Commercial / Urban Design Overlay / Floodway Overlay/ Mixed-Use Overlay) and the easterly portion zoned RB-D-MU (Residential Business / Urban Design Overlay / Mixed-Use Overlay).

Properties along University Avenue, including residential and commercial uses, are zoned C-D-F-MU (General Commercial / Urban Design Overlay / Floodway Overlay/ Mixed-Use Overlay) to the west of the site and RB-D-MU (Residential Business / Urban Design Overlay / Mixed-Use Overlay) to the east. Single family residential properties contiguous to the north side of the site are zoned R1 (Urban Residential). Helix Charter High School is south of the commercial areas on University Avenue and located on Yale Avenue.

The Mixed-Use Overlay Zone allows commercial uses that are neighborhood serving and that generate pedestrian activity, such as cafes and restaurants. Per the La Mesa Municipal Code Section 24.18.040, the subject project would comply with applicable Mixed-Use Overlay Zone Development Standards including Pedestrian Orientation Along Street Frontage and Setbacks.

On April 4, 2016, Site Development Plan application DAB 16-03, to allow a new commercial building (Starbucks) including a drive-thru and outdoor seating area, was approved to ensure compliance with the City's development requirements. A condition in the Site Development Plan DAB 16-03 requires a street vacation and dedication prior to building permit issuance. Approval of Site Development Plan DAB 16-03 is contingent upon Planning Commission approval of the Conditional Use Permit CUP 16-01 for a drive-thru and Special Permit SP 16-01 for outdoor seating area and City Council ratification of Design Review DRB 16-03.

On April 4, 2016, Design Review application DRB 16-03 was recommended for approval to the City Council by the Design Review Board (**Attachment C**). Design Review is required to ensure that the objectives of the City's Urban Design Program and Urban Design Review are met. The future Starbucks signage would be processed under a separate permit and is not a part of this project.

DISCUSSION:

Site Plan:

There are three existing driveway curb openings to the site along each street front at University Avenue, Yale Avenue and Harvard Avenue. University Avenue is designated an Arterial street according to the La Mesa General Plan. Vehicular access to the site is from two of the three existing curb cuts along Harvard Avenue and Yale Avenue. The existing University Avenue curb cut would be removed and improved with sidewalk, curb, gutter, and a new street tree. As shown on the submitted plans (**Attachment G**), the coffee shop would be situated toward the west side of the site and oriented from east to west. Surface parking area is provided on the northeast portion of the site. The proposed building is generally rectangular in form, with the long side facing University Avenue. Entrances would be oriented toward the street and the outdoor seating area. A new accessible ramp would be constructed from University Avenue and lead to the main building entrance facing University Avenue.

The applicant has provided technical reports including a traffic assessment, preliminary water quality report, and a preliminary drainage study. These reports, available under separate cover, have been reviewed and accepted by the City.

Topics to be considered for Conditional Use Permit and Special Permit review include the following:

Drive-thru

A 12-foot wide one lane drive-thru, which runs east to west, would be accessed from the main drive aisle through the site. The drive-thru would accommodate queuing of approximately ten standard size vehicles. Orders would be taken from an order menu screen with canopy along the queuing lane and then picked up at the drive-thru window on the north building elevation. The volume from the menu board is adjustable and integrated with an ambient noise sensing microphone so that it maintains a constant level to which it is set. For example, in the early mornings when it is quiet on the street, volume would be consistent with the ambient noise level that exists outside.

A raised crosswalk with stripes would provide an accessible path of travel from the accessible parking space in the parking lot to the building entrance. Tiered landscaping, 48-inch tall patio railing, and a flow through planter would buffer the drive-thru from the rear parking area and University Avenue pedestrian realm. Landscaping, retaining walls, and rear slopes would buffer the drive-thru from the residential neighborhood to the north.

Drive-thru facilities are not allowed by right in the Mixed-Use Overlay Zone, and require Planning Commission review and approval of a conditional use permit to determine if the drive-thru and site plan meets the intent of the Mixed-Use Overlay Zone. A traffic assessment letter was prepared in September 2015, by KOA Corporation, that concluded the project would not cause significant transportation or traffic impacts.

Outdoor Seating Area

An unenclosed 960 square feet outdoor seating area surrounded by site walls would serve the coffee shop. Outdoor seating areas are permitted as accessory uses associated with legally permitted restaurants, bars, or cocktail lounges in commercial zones including coffee shops. A new steel trellis over the patio would be constructed southwest of the coffee shop. A five-foot high retaining wall would be constructed at the southwest corner at the edge of the concrete patio to establish the pad for outdoor seating. At the easterly portion of the building would be an entry portal setback 12-feet, at the interior edge of the pedestrian realm measured from the face of the sidewalk curb.

Landscaping design would be tiered with trees, shrubs and groundcover along the southwest edge along the pedestrian realm. The patio would be furnished with eight tables and chairs to accommodate 18 patrons. Pedestrians would have access to the building entrances through stairs and an accessible ramp from University Avenue.

Mixed-Use Overlay Zone:

The Mixed-Use Overlay Zone prescribes pedestrian orientation along street frontages in accordance with Municipal Code Section 24.18.040.B. "Pedestrian realm" means a twelve-foot wide area located between the face of the curb of a Circulation Element designated street and the face of the building. The pedestrian realm includes the parkway, sidewalk, and landscaped areas. The pedestrian realm may include both public and private property where the public right-of-way is not twelve feet wide. Pedestrian amenities, such as street trees, street furniture, bus stop facilities, and other landscaping, are to be included in the public realm. The project provides new street trees, landscaping and pedestrian scale lighting in an area that currently does not have such amenities. The building elevation facing University Avenue would be designed to create an active pedestrian area along the street edge, with stairs and accessible ramp that lead to the building entrances.

Consistency with the General Plan and Mixed-Use Design Guidelines

According to the La Mesa General Plan, the site is designated Mixed-Use Urban (40 dwelling units per acre). This land use designation is assigned to the City's transportation corridors including University Avenue. It is intended to allow a more intensive level of commercial development than "Local Serving Commercial", but not the high volume regionally significant activities found in "Regional Serving Commercial".

According to the Design Guidelines for Properties in the Mixed-Use Overlay Zone, mixed use means a mixture of both commercial and residential, combined to create a vital and attractive environment for residents, employees, and visitors along each corridor. The boulevards are envisioned to be transformed by a mixture of uses including retail, office, residential, open space, and public uses connected to each other and to transit by a walkable environment along the street. The subject site is located 150 feet east of an existing bus stop along University Avenue.

The applicant has provided a narrative that describes the project and its consistency with the City of La Mesa General Plan and Mixed-Use Overlay Zone (**Attachment D**).

Mixed use may be “horizontal mixed use” or “vertical mixed use.” “Horizontal mixed use” means that residential and commercial uses are adjacent to each other. Not all projects along the corridor must be mixed use to achieve the goals of the plan. The subject coffee shop is a commercial use that would be neighborhood serving and generate pedestrian activity consistent with the intent of the Mixed-Use Overlay Zone.

The design of the subject building, drive-thru, outdoor seating, and related site improvements address privacy between the single family residential neighborhood to the north and this commercial activity by providing a zone boundary wall, 5,220 square feet of on-site landscaping including 41 new trees, and landscaping along the northerly edge. To promote active, pedestrian-friendly streets, the building would be oriented to and accessible from the University Avenue street frontage and directly from the public sidewalk. The project would close an existing curb cut along University Avenue, include 13 new street trees in decorative tree grates along the frontage, and new split-face retaining walls along the pedestrian realm. There would be a new accessible ramp along University Avenue. Therefore, the project may be considered consistent with the City of La Mesa General Plan and Mixed-Use Design Guidelines.

Conditional Use Permit:

The Planning Commission may impose conditions that address operations that would minimize impacts to neighbors, such as limiting outdoor noise levels. If the Commission decides after taking public testimony to approve the CUP application, facts in support of the required findings are presented below.

Does the proposed drive-thru meet the findings required for issuance of a Conditional Use Permit?

1. Will the project be incompatible with other uses in the same vicinity?

The drive-thru use of the coffee shop would be compatible with other uses in the same vicinity. The site is located in a commercial zone along University Avenue which is classified by the La Mesa General Plan as an arterial. A 12-foot wide one lane drive-thru, which runs east to west, would be accessed from the main drive aisle through the site. The volume from the menu board serving the drive-thru is adjustable and integrated with an ambient noise sensing microphone. There is an approximately 12-foot grade difference between the proposed building pad elevation and the existing homes to the north. The nearest residential uses to the north front Harvard and Yale Avenues and are separated by the rear parking lot, topography, rear yard areas, site retaining walls, and landscaping. Therefore, the project would be compatible with other uses in the same vicinity.

2. Will the issuance of such a conditional use permit lead to the creation of a nuisance or endanger the public health, safety, or order by any of the following:

- Unreasonably increasing pedestrian and/or vehicular traffic in the area in which the use is located;
- Increasing the incidence of disruptive conduct in the area in which the premises is located; or
- Unreasonably increasing the level of noise in the area in which the premises is located.

The Mixed Use Overlay Zone allows for commercial uses that are neighborhood serving and that generates pedestrian activity, such as cafes and restaurants. The drive-thru located behind the coffee shop is setback from University Avenue with landscaping and retaining walls to the south, and includes a zone boundary wall and landscaping along the northerly property line.

A raised crosswalk with stripes would provide an accessible path of travel from the accessible parking space to the building entrance. A traffic assessment letter was prepared in September 2015, by KOA Corporation, that concluded the project would not cause significant transportation or traffic impacts. To promote active, pedestrian-friendly streets, the coffee shop would be oriented to and accessible from the University Avenue street frontage and directly from the public sidewalk along Harvard and Yale Avenues. The project would close an existing curb cut along University Avenue. There would be a new accessible ramp along University Avenue. The use would not unreasonably increase pedestrian or vehicular traffic in the area. Therefore, the project may be considered consistent with the City of La Mesa General Plan and Mixed-Use Design Guidelines.

The drive-thru would accommodate queuing of approximately ten standard size vehicles. A manager and staff would be present during hours of operation to respond to any complaints related to noise, disruptive conduct, traffic or any other related issues related to the operation of the drive-thru. Therefore, there is no expectation that there would be disruptive conduct associated with the use.

The drive-thru would be required to conform to the City of La Mesa Noise Ordinance. The level of noise would be within a reasonable level when including the drive-thru because of the site improvements and volume control technology of the menu board. A condition has been added to require Planning Commission review if complaints are received by the Community Development Department.

3. Is the use consistent with the General Plan?

The subject property is designated by the La Mesa General Plan for "Mixed Use Urban", which is assigned to the City's transportation corridors such as University Avenue, El Cajon Boulevard and La Mesa Boulevard. It is intended to allow a more intensive level of commercial development than Local Serving Commercial, but not the high volume regionally significant activities found in Regional Serving Commercial.

The intent of the General Plan is to consider compatibility of uses within the community and how uses fit in with the neighborhood setting. The coffee shop with drive-thru and outdoor seating is consistent with the General Plan goal of revitalizing commercial districts

and the objective to maximize the potential of commercial centers in order to attract an appealing mix of new businesses because the subject use would serve the neighborhood and the community (p. LD-37). General Plan Land Use Policy LU-3.1.6, encourages provision of new site amenities, such as outdoor seating areas, bike racks, landscaping, and street trees as development occurs. The project would include a new coffee shop with drive-thru, 980 square feet of outdoor seating area, bike rack, 5,220 square feet of landscaping, and 13 new street trees.

Special Permit:

In order to grant a special permit, sufficient facts must be provided in support of the two required findings, described below:

1. Will the location and characteristics of the proposed buildings and/or structures and the allowed use of them impact unfavorably upon adjacent properties?

The location and characteristics of the proposed project, including 980 square feet of outdoor seating area, would not adversely impact adjacent properties. Landscaping, topographic differences, and site walls minimize the potential impact of incidental noise from the business operation on residences to the north. A five-foot high retaining wall would be constructed at the southwest corner at the edge of the concrete patio to establish the pad for outdoor seating. The patio would be furnished with eight tables and chairs to accommodate 18 patrons. Pedestrians would have access to the building entrances through stairs and an accessible ramp from University Avenue. All exterior lighting is down lit, shaded, and would not directly shine onto adjacent properties. A manager and staff would be present during hours of operation to respond to any complaints related to noise or any other related issues related to the operation of the outdoor seating. The project is required to comply with the noise regulations outlined in the Municipal Code.

Per the Outdoor Seating Design Objectives, for outdoor seating areas greater than 200 square feet, off-street parking will be adequate to prevent adverse impacts on surrounding uses and streets. On Sheet A01, the site plan shows that the parking area would accommodate 16 parking spaces, 3 parking spaces for the leasable area, 7 spaces for the interior seating, and 6 spaces for the exterior seating. No adverse parking impact is anticipated for the outdoor seating area because the project meets City parking standards.

2. Is the project consistent with the design objectives established as policy of the City Council?

Approval of this project would be consistent with the following General Plan policies. An urban design goal of the General Plan is to retain a built environment that contributes to the qualities distinguishing La Mesa's unique community identity (UD-1). An urban design policy of the General Plan is to promote reinvestment in private property, and encourage private property maintenance (UD-1.2.1).

An objective of the General Plan Land Use and Urban Design Element encourages development that preserves and enhances the aesthetic, environmental, economic, and social character of La Mesa through careful design review decisions (UD-2.1). The project is consistent with the City's design objectives because improvements are intended to complement the coffee shop by improving pedestrian orientation and providing an active outdoor space. The outdoor seating area is consistent with the Outdoor Seating Area Design Objectives (**Attachment F**).

Draft findings and conditions for the conditional use permit and special permit are provided as **Attachment E**.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution PC-2016-xx (**Attachment E**) approving Conditional Use Permit CUP 16-01 based upon the required findings for approval as discussed above and subject to the following conditions:

- A. The drive-thru use shall be limited to the hours of operation of the coffee shop and shall not operate between 2:00am and 6:00am. Noise levels shall be maintained in accordance with the La Mesa Noise Ordinance.
- B. If the drive-thru use should create a nuisance to surrounding properties, staff shall schedule a public hearing before the Planning Commission to evaluate the operations of the business. If the Planning Commission finds that the operation is creating a nuisance, the Commission may then impose additional restrictions on the business, including but not limited more restrictive operational hours of use.

Based upon the ability to make the required findings, staff recommends that the Planning Commission approve Special Permit SP 16-01 authorizing outdoor seating as shown on the submitted plans, subject to the following conditions:

- A. The special permit shall apply only to the outdoor seating and dining area as shown on the plans received on March 30, 2016.
- B. The applicant shall maintain the outdoor area in good condition and repair.
- C. The outdoor seating area shall be limited to the hours of operation of the coffee shop and shall not operate between 2:00am and 6:00am.
- D. No outdoor and/or amplified music shall be allowed in the outdoor patio area at any time.
- E. A building permit is required for the construction of the proposed structures.
- F. If the subject outdoor seating area should create a nuisance to the surrounding properties, staff may schedule a public hearing before the Planning Commission to evaluate the operations of the subject outdoor area. If the Planning Commission

finds that the operation is creating a nuisance, the Commission may then impose additional restrictions on the subject use, including, but not limited to, more restrictive use and hours of the subject outdoor seating area.

- G. Outdoor tables and chairs shall have a design and quality consistent with the architectural design of the coffee shop, and be properly maintained.
- H. "No Loitering" signs shall be posted on the exterior building wall facing the outdoor seating area.

Attachments:

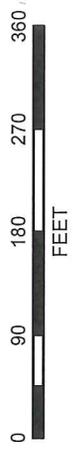
- A – Location map/aerial photograph
- B – Site photographs
- C – DAB/DRB Certificates
- D – Project narrative
- E – Draft resolution
- F – Outdoor seating area design objectives
- G – Proposed development plans



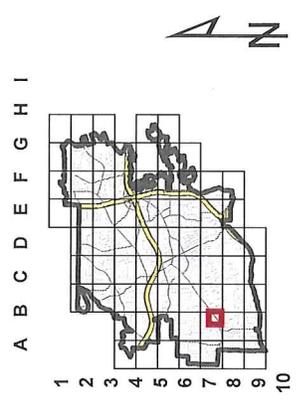
Conditional Use Permit
 Special Permit
 Site Plan Review
 Design Review
 CUP 16-01/ SP 16-01
 DAB/DRB 16-03

PROPERTY INFORMATION

Applicant	Jack Campagna
Site Address	7330-7354 University Ave La Mesa, CA 91942
APN	475-012-22-00
Lot Size	0.488 acre
General Plan	Mixed Use Urban
Zoning	C-F-D-MU General Commercial; Floodway Overlay Zone, Urban Design Overlay Zone, Mixed Use Overlay Zone/ RB-D-MU Residential Business; Urban Design Overlay Zone, Mixed Use Overlay Zone



DATA SOURCES:
 City boundary, SanGIS, 2011
 Roads, SanGIS, 2011



Vicinity Map





CITY OF LAMESA
JEWEL of the HILLS

Conditional Use Permit
Special Permit
Site Plan Review
Design Review
CUP 16-01/ SP 16-01
DAB/DRB 16-03

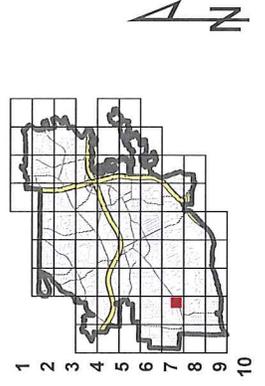
PROPERTY INFORMATION

Applicant	Jack Campagna
Site Address	7330-7354 University Ave La Mesa, CA 91942
APN	475-012-22-00
Lot Size	0.488 acre
General Plan	Mixed Use Urban
Zoning	C-F-D-MU General Commercial; Floodway Overlay Zone, Urban Design Overlay Zone, Mixed Use Overlay Zoner RB-D-MU Residential Business; Urban Design Overlay Zone, Mixed Use Overlay Zone

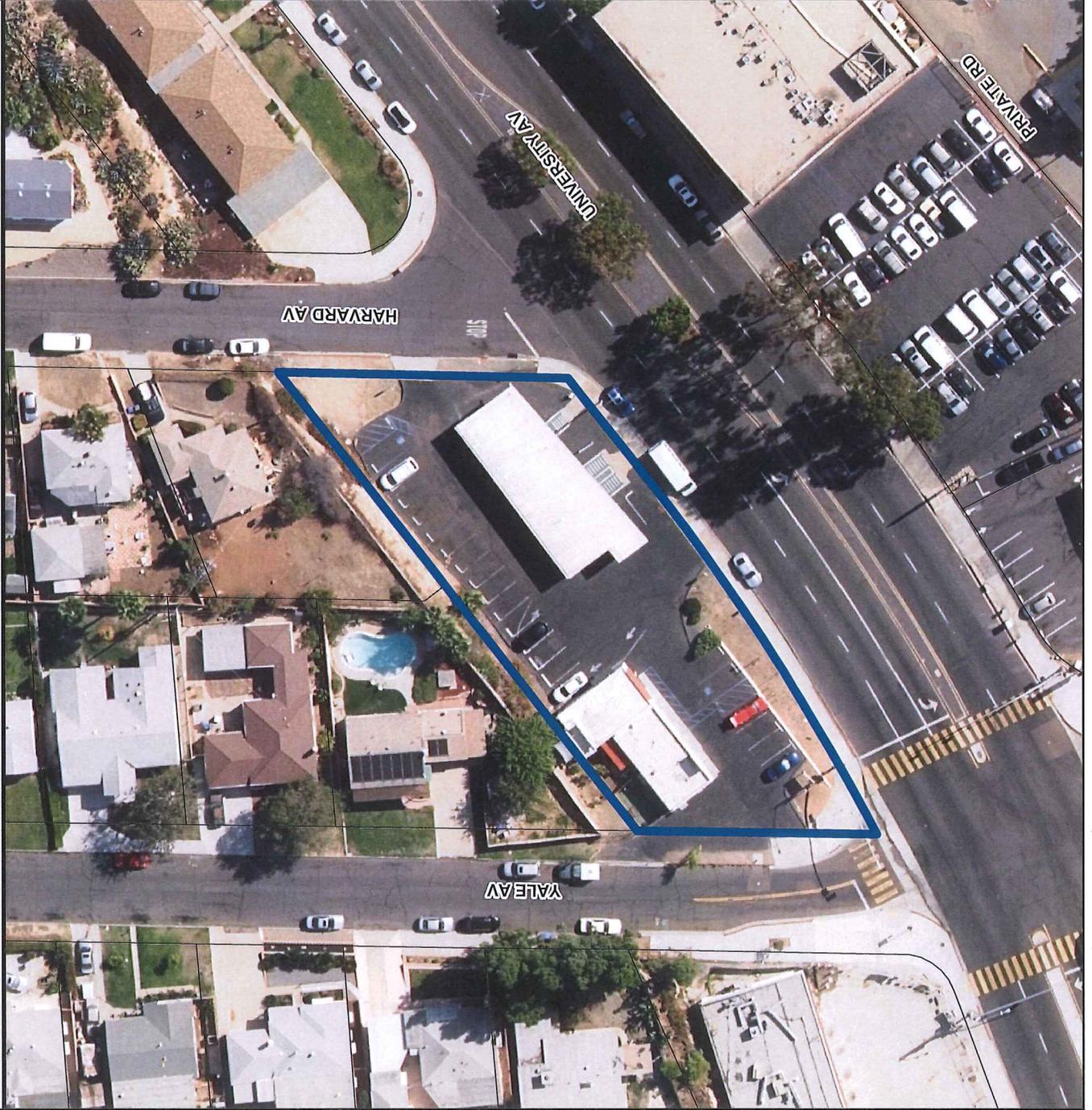


DATA SOURCES:
City boundary, SanGIS, 2011
Roads, SanGIS, 2011

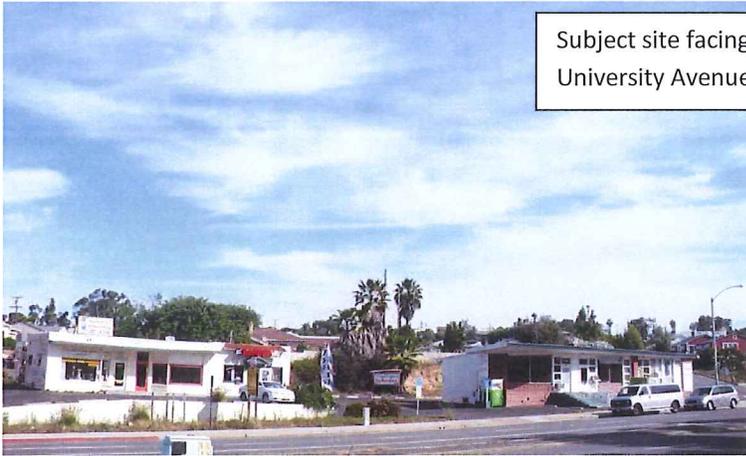
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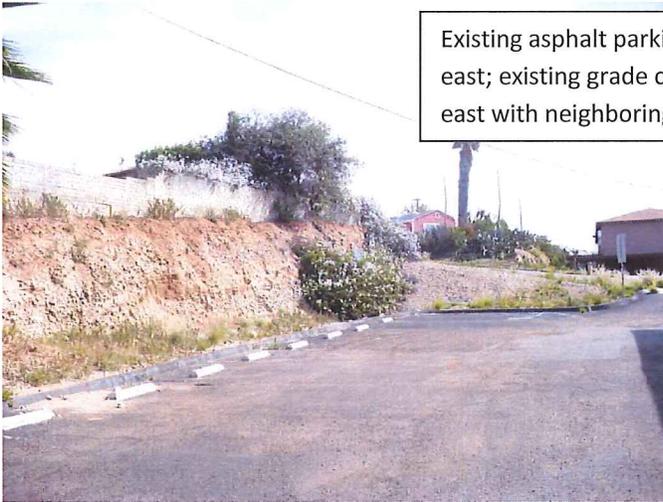
Aerial Map



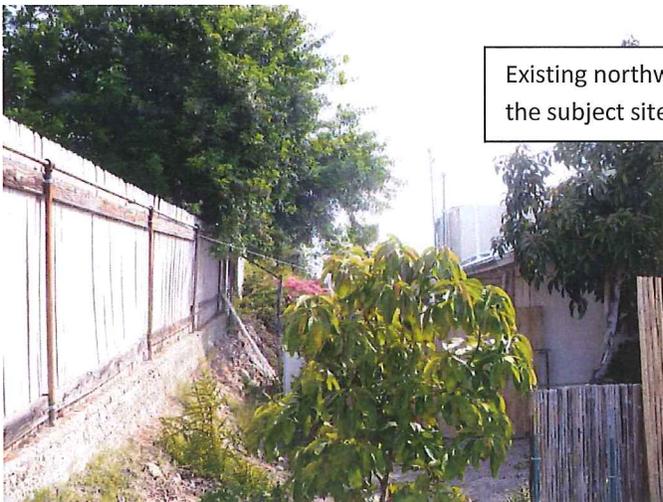
Subject site facing north from the University Avenue street frontage.

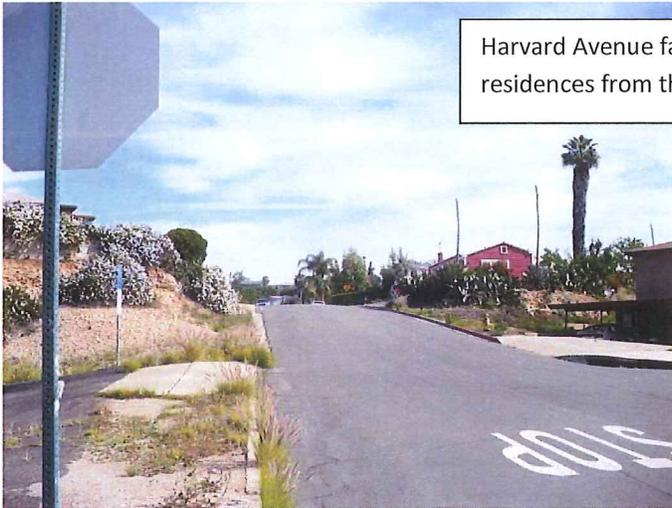


Existing asphalt parking area on the subject site looking east; existing grade change from the subject site facing east with neighboring residential properties to the north.

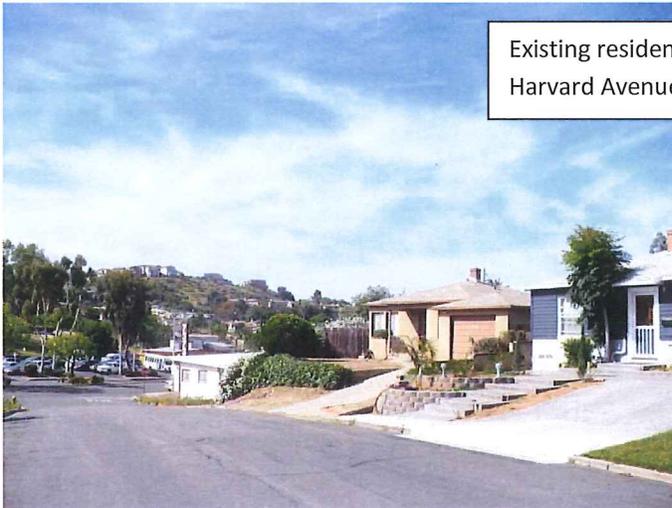


Existing northwesterly edge on the subject site looking east

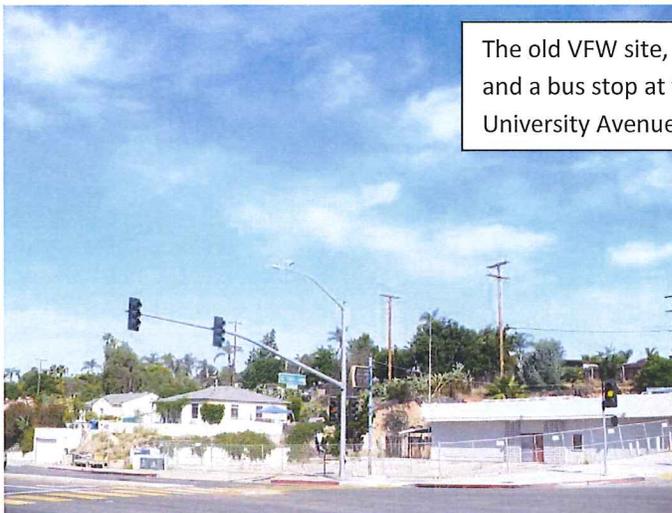




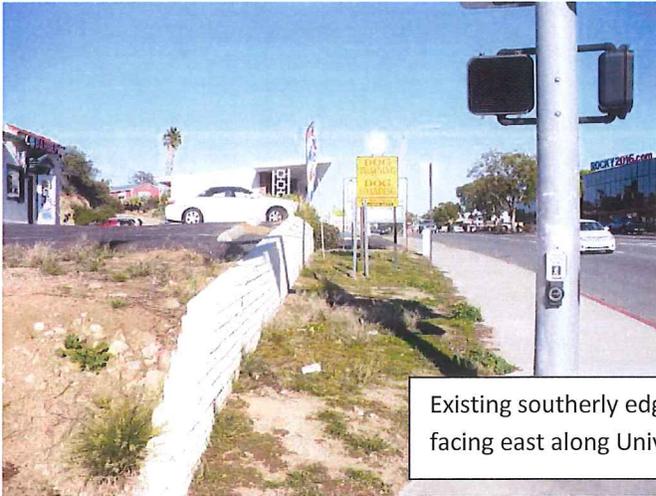
Harvard Avenue facing north toward residences from the subject site.



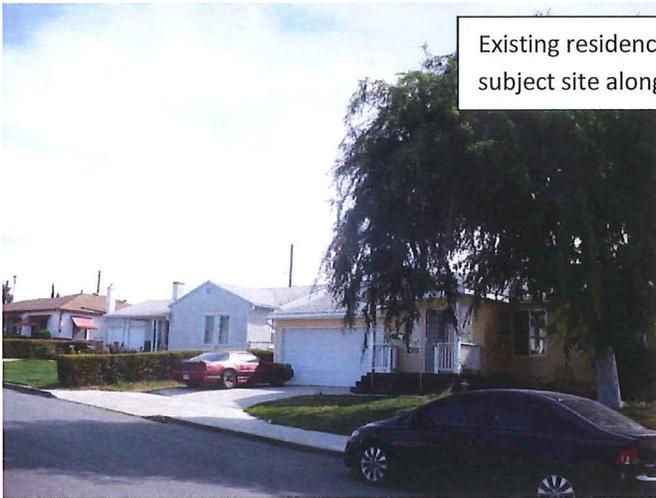
Existing residences along Harvard Avenue facing south.



The old VFW site, 7294 University Avenue, and a bus stop at the northwest corner of University Avenue and Yale Avenue.



Existing southerly edge and retaining wall facing east along University Avenue.



Existing residences north of the subject site along Yale Avenue.

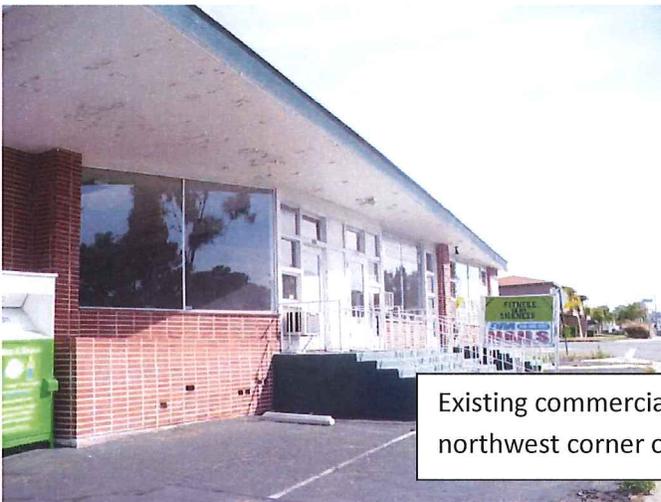
Existing drive-thru taco shop at the southeast corner of University Avenue and Yale Avenue.



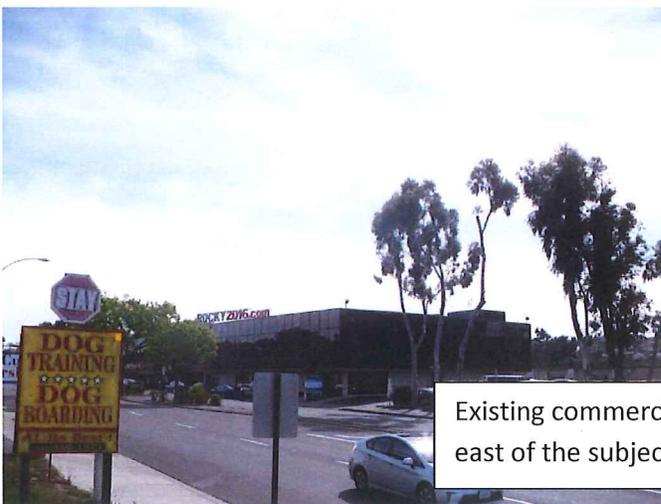
Existing commercial building at the southwest corner of the site.



Existing commercial building at the northwest corner of the site.



Existing commercial office building east of the subject site.





**CERTIFICATION OF
DEVELOPMENT ADVISORY BOARD ACTION**

FILE: DAB 16-03 (Campagna)

MEETING DATE: April 4, 2016

SUBJECT: Consideration of a new commercial building (Starbucks) including a drive-thru and outdoor seating area at 7330-7354 University Avenue. The site is split zoned with the westerly portion zoned C-D-F-MU (General Commercial / Urban Design Overlay / Floodway Overlay/ Mixed-Use Overlay) and the easterly portion zoned RB-D-MU (Residential Business / Urban Design Overlay / Mixed-Use Overlay).

DETERMINATION: After reviewing the various comments from the City departments, the Board duly made a motion to approve DAB-16-03, subject to the following conditions:

THE APPROVAL PROCESS FOR THIS PROJECT CONSISTS OF THE FOLLOWING ACTIONS:

- a. Planning Commission review of Conditional Use Permit CUP 16-01 for the proposed drive-thru and Special Permit SP 16-01 for the proposed outdoor seating area.
- b. Design Review Board approval and City Council ratification of Design Review DRB 16-03.
- c. City Council approval of the proposed street vacation.

A. THE FOLLOWING CONDITIONS MUST BE SATISFIED PRIOR TO ISSUANCE OF BUILDING AND GRADING PERMITS:

1. This Site Development Plan authorizes a new commercial building (Starbucks) including a drive-thru and outdoor seating area subject to Planning Commission approval of the proposed Conditional Use Permit for a drive-thru, Special Permit for outdoor seating area, and City Council ratification of DRB 16-03.

2. A minimum of 16 off-street parking spaces shall be provided in accordance with the following calculations:
 - i) A minimum of 3.2 parking spaces shall be provided to serve a total of 800 square feet of coffee shop uses (1 parking space/250 square feet x 800 = 3.2 parking spaces), plus
 - ii) Additional parking spaces for every 3-person capacity of in-store seating or 6.6 spaces (1 parking space/3 persons x 20 seats = 6.6 parking spaces), plus
 - iii) Additional off-street parking if the outdoor seating area exceeds 200 square feet or 6.0 parking spaces (1 parking space/3 persons x 18 seats = 6.0 spaces).
 - iv) One parking stall for the disabled shall be provided.
 - v) The square footage and seating capacity of the building shall be noted on the building plans, both for in-store and outdoor seating areas.
3. Parking lot layout and driveway conditions:
 - i) Driveway openings for two-way service shall be a minimum of 20-feet in width.
 - ii) The applicant may provide either 9' x 19' standard parking stalls with a 25-foot drive aisle backup, unless compact parking stalls are proposed. For compact (8' x 16') parking stalls a 23-foot drive aisle backup is required. There shall be no obstructions within these minimum areas.
 - iii) Parking spaces bounded on a side by a post, wall or fence more than 1 foot in height shall be increased in width by 1 foot, measured from the face of the obstruction.
 - iv) The maximum grade of any parking surface and its adjacent backup area shall be no more than 5% in any direction. The gradient of all parking areas and driveways shall be noted on the grading plans, and shall meet City standards.
4. This project is subject to the provisions of the Mixed Use Overlay Zone, Chapter 24.18 of the Municipal Code, including provisions for a "pedestrian realm" measured 12 feet in width from face of curb along the University Avenue property frontage.
5. All proposed walls, fencing and gates shall be constructed of ornamental materials that enhance the overall appearance of the project, and shall be approved by the Planning Director in accordance with Section 24.06.030.G of the Zoning Ordinance. A zone boundary wall, in accordance with Section 24.06.030.G of the Zoning Ordinance, shall be required for review and approval

by the Design Review Board where the site abuts residentially zoned property.

6. The applicant shall provide a letter from EDCO showing that trash and recycling service is available to serve the project. The applicant shall provide a trash enclosure containing trash dumpsters and areas for the storage of recyclable materials. The enclosure shall be located at least 20 feet back from the street curb, shall be constructed of solid masonry walls with solid gates, and shall be constructed of decorative, durable materials. Trash enclosures shall be subject to review and approval of the Community Development Director in accordance with Section 24.06.030.H of the Zoning Ordinance.
7. The applicant shall submit plans showing that all A/C units and mechanical equipment is screened from public view. Accessory roof equipment shall be permitted only if housed within structures which are architecturally compatible with the design of the building and designed to screen their view from any person on the street or an adjacent site per Section 24.06.040.G of the Zoning Ordinance.
8. The applicant shall submit a lighting plan and lighting details for all exterior elevations and parking areas. All proposed exterior lighting fixtures shall be ornamental in design and shall be designed, installed and maintained to project light primarily on the subject property, and shall not be focused on adjacent properties. All parking areas shall be provided with security lighting.
9. The applicant shall note on the building plans that all proposed signage shall be issued under separate permit, and that all non-conforming signs that exist on the property shall be removed prior to final inspection signoff by the Planning Department.
10. The applicant shall submit for review and approval landscape and irrigation plans in conformance with City standards and the State of California Water Efficient Landscape Ordinance regarding water efficiency regulations. A landscape deposit shall be made for third party landscape plan check and inspection services.
11. The applicant shall prepare and submit plans in conformance with the approved exhibits and conditions of approval for DAB 16-03 and DRB 16-03. A note shall be placed on the building plans stating that prior to final inspection sign off and release of electrical service, the site and buildings shall be inspected for substantial conformance to the approved exhibits and conditions. The exact materials and colors of all proposed structures shall be prominently noted on all plans and exhibits.
12. A note shall be placed on the building plans stating that should any archeological (cultural) or paleontological (fossil) resources or human remains be discovered during construction-phase ground-disturbing activities, all work in the immediate vicinity must stop and the project applicant shall notify the City of La Mesa immediately. A qualified professional shall be retained to evaluate the finds and

recommend appropriate action. For human remains, the applicant shall notify the County Coroner. For human remains determined to be of Native American origin, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed. The applicant shall ensure, to the satisfaction of the City and the Native American Heritage Commission, if applicable, that appropriate measures are undertaken prior to resuming any project activities that may affect such resources.

13. During project construction, the applicant shall comply with the following standard construction practices:
 - a. Soils stabilizers shall be applied to inactive graded areas.
 - b. Ground cover in disturbed areas shall be replaced as soon as possible through hydroseeding or the application of bonded fiber matrix on graded residential lots if needed prior to construction.
 - c. During grading activities three applications of water shall be applied between dozer/scrapper passes.
 - d. Dust shall be controlled during loading/unloading activities.
 - e. Speeds on unpaved surfaces shall be reduced to 15 miles per hour or less.
 - f. Haul road dust shall be managed through watering at least three times daily.
 - g. Paving, chip sealing or chemical stabilization of internal roadways shall occur after completion of grading.
 - h. If winds exceed 25 miles per hour sweepers or water trucks shall be used to remove "track-out" at any point of public street access and termination of grading.
 - i. Dirt storage piles shall be stabilized through chemical binders, tarps, fencing or other erosion control.
 - j. Trucks hauling soil, sand, and other loose material shall be covered or be required to maintain at least two feet of freeboard.
 - k. Construction vehicle tires shall be inspected and washed as necessary to be cleaned free of dirt prior to entering public roadways.
 - l. Idling times for construction equipment shall take into account the idling requirements for startup of heavy equipment.
 - m. Project design shall adhere to APCD Rule 67.0 to limit VOC content in paints used at the development.
 - n. Construction equipment shall only be located in the vicinity of sensitive

receptors if it is absolutely necessary in order to complete specific construction-related activities and move the equipment away from receptors immediately after the activities have been completed.

- o. When feasible, re-route construction trucks away from congested streets or sensitive receptor areas.
 - p. The amount of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
14. The applicant shall provide letters from the utility companies (SDG&E, AT&T, Cox Cable, Helix Water District, EDCO) for the availability of utilities and services for the proposed development and/or that the financial arrangements have been made to extend or install new services for the proposed development.
 15. The City shall process a public right of way vacation along the University frontage from the back of the proposed pedestrian realm to the existing property line consistent with Exhibit A. The applicant shall prepare and submit for processing the plat and legal description for this vacation prior to permit issuance.
 16. Developer shall dedicate public right of way to the City of La Mesa for a portion of Yale and University Ave. in the south west corner of the property consistent with Exhibit A.
 17. The applicant shall remove and replace any existing curb and sidewalk along project frontage that is cracked, broken or displaced. The city Inspector will identify the limits of removal and replacement. Pedestrian ramps will be brought up to current ADA requirements.
 18. The applicant shall install street trees with pedestrian friendly tree grates in the sidewalk and contiguous with the curb, equal to 1 tree for every 35 feet of property frontage (13 trees) along University Avenue, Yale Avenue and Harvard Avenue (Refer to SDRSD L4 and LMSD LS1 through LS3.)
 19. The applicant shall pay the current Sanitary Sewer Connection Fee as determined by the City's current fee structure.
 20. The applicant shall obtain an Encroachment Permit prior to beginning any proposed work within the City right of way.
 21. Surety (security) for improvements and/or grading shall be posted with the City of La Mesa prior to improvement and/or grading permit approval to guarantee the construction of all the required street improvements, drainage, grading, erosion control, monumentation, landscaping, irrigation, and sewer improvements. The security shall include all onsite and offsite grading and improvements. The amount of security shall be determined by the City Engineer based upon an

estimate furnished to the City and based upon approved plans submitted by the engineer of work. The engineer's cost estimate should include an estimate of utility relocation, if applicable.

22. Plans must be complete and stamped by a licensed professional before the Building Division will accept them into the plan review and permitting process.
23. Building and grading permits for the development of the project shall be issued concurrently.
24. A completed Building Location Verification, prepared by a registered civil engineer or land surveyor, must be submitted to the Building Division, prior to the foundation inspection of each building and any site retaining walls.
25. The applicant shall obtain demolition permits from the Community Development Department prior to the demolition of existing structures.
26. A soils investigation report prepared by a licensed civil or geotechnical engineer must be submitted verifying that the site is suitable for the proposed development.
27. All applicable school facilities fees, as determined by the school districts, shall be paid prior to permit issuance.
28. The project must comply with City's Construction and Demolition Ordinance regulating recycling of construction materials.
29. Heartland Fire & Rescue at time of plan or permit submission will charge certain fees for plan review and inspections. Fees will be determined at time of plan review and/or inspections.
30. Heartland Fire & Rescue at time of operational permit will charge certain fees for permit issuance which will have, at a minimum, annual fees charged. Failure to pay required annual fees will be cause to issue a "Cease and Desist" order
31. All fire apparatus access roadways must be maintained unobstructed and drivable by fire apparatus throughout the construction process. Access roadways shall be capable of holding an imposed load of 75,000 pounds including in adverse weather conditions.
32. Prior to combustible construction, grades for driveway and fire apparatus access roads shall not exceed 10%. Fire Department approval and additional conditions are required for grades up to 20 % maximum. Angle of approach and departure for driveways shall not exceed 5 degrees. Grades exceeding 12% shall be concrete with a deep broom finish perpendicular to the access roadway.
33. Fire Apparatus Access roads (all roads in project) shall be usable (paved), accessible and fire hydrant(s) shall be capable of flowing required GPM and shall be tested/accepted by Fire Dept. prior to dropping any lumber for construction.

34. The required fire flow shall be 1,500 GPM for a 2-hour duration at 20 PSI residual operating pressure. Documentation is required from the Water Purveyor verifying that the system is capable of meeting the required fire flow prior to building permit issuance. If the system is not capable of meeting the required fire flow documentation shall be provided showing financial arrangements have been made and water system improvement plans have been submitted and approved by Heartland Fire & Rescue and the water purveyor to upgrade the existing system prior to release of building permits.
35. The existing fire hydrant system is insufficient to provide the required fire flow. This system is required to be upgraded to meet the required fire flow as identified above.
36. In multi-family and commercial zones, fire hydrants shall be installed at intersections, at the beginning radius of cul-de-sacs, and every 300 feet of fire access roadways, regardless of parcel size. The size of fire hydrant outlets shall be a minimum of one 4 inch and two 2-½ inch NST outlet or greater as required by the Fire Code official. **Exception:** When improved methods of fire protection are provided, beyond those required by the Code, and accepted by the Fire Code official, adjusted spacing of fire hydrants from those set forth above may be considered.
37. Water improvement plans shall be approved by Heartland Fire & Rescue. The Developer shall furnish Heartland Fire & Rescue with three (3) copies of the water improvement plans designed by a Registered Engineer and/or Licensed Contractor. On-site private fire service mains shall have a minimum of eight (8) inch water mains with six (6) inch laterals and risers. Larger pipes may be required to meet required fire flow requirements. Fire hydrants shall provide one 4" port and 2- 2 ½ ports and must be an approved fire hydrant type.
38. Prior to combustibles being brought to the site, the developer shall provide written certification from the water purveyor, dated within the last thirty days, that:
 - A. All public fire hydrants required of the project have been installed, tested, and approved by the water purveyor, and
 - B. Are permanently connected to the public water main system, and
 - C. Are capable of supplying the required fire flow as required by Heartland Fire & Rescue.
39. Fire hydrants shall be painted per Heartland Fire & Rescue and the local water purveyor standards and be maintained free of obstructions. Blue reflective raised pavement markers shall be installed on the pavement at approved locations marking each fire hydrant.
40. Public and private water utility mains must provide the level of reliability/redundancy determined necessary by Heartland Fire & Rescue and the local water purveyor engineer.

41. If any fire hydrant is taken "OUT OF SERVICE" – Heartland Fire & Rescue shall be notified immediately and the hydrant marked, bagged, or otherwise identified as OUT OF SERVICE as directed by the Fire Marshal.

B. THE FOLLOWING CONDITIONS MUST BE SATISFIED PRIOR TO BUILDING OCCUPANCY:

1. The applicant shall install landscaping and irrigation as shown on the approved plans.
2. The applicant shall provide evidence, to the satisfaction of the Community Development Director, that proposed speakers in menu boards comply with the La Mesa Noise Ordinance.
3. All drainage improvements shall be completed and accepted by the engineering inspector prior to occupancy.
4. Fire lane designations shall be required for all fire access roadways as determined by Heartland Fire & Rescue. Posted signs which state "FIRE LANE, NO PARKING" shall be installed every 50 feet. Curbs shall be painted red and stenciled with white letters indicating the same on the face and top of any curb as directed by Heartland Fire & Rescue. All Fire lanes shall be marked and identified prior to Certificate of Occupancy.
5. Prior to Fire Department clearance for occupancy, an automatic fire sprinkler system shall be installed. The system shall comply with NFPA #13 Standards for Automatic Fire Sprinkler Systems. Three sets of plans, hydraulic calculations, and material specification's sheets for all equipment used in the system shall be submitted by a State of California Licensed C-16 Contractor for review, approval, and permits issued prior to commencing work.
6. Prior to Fire Department Clearance for occupancy, and automatic fire alarm system shall be installed. The system shall comply with NFPA #72 standard for Fire Alarm Systems. Three sets of plans, material specification's sheets for all equipment used in the system and California State Fire Marshal listings shall be submitted by a State of California Licensed C-7 and or 10 Contractor for review, approval, and permits issued prior to commencing work.
7. Prior to final inspection or occupancy, hand portable fire extinguishers are required to be installed as directed by Heartland Fire & Rescue Fire Prevention staff. The size, location, and markings shall be illustrated on the floor plan of the construction documents. Prior to installation the client is directed to request a fire inspection to confirm the locations of the fire extinguishers due to field changes with business systems that could conflict with the construction documents.
8. Permanent commercial three-dimensional street numbers, minimum 8 inches in height, shall be provided on the address side of the building at the highest

point and furthest projection of the structure. The address shall be visible from the street and shall not be obstructed in any manner.

9. Knox emergency access key box is required at each building, with specific mounting locations approved by Heartland Fire & Rescue. Recessed mount key boxes are required. Premise keys for all buildings and areas shall be marked and placed in the box prior to final inspection to ensure emergency access. The building owner/occupants shall provide replacement keys whenever locks are changed.
10. A fire department operational permit is required for certain specific operations regulated by the 2013 California Fire Code. The permit is issued after application has been made to Heartland Fire & Rescue and full compliance of the requirements for the operation has been adhered to. An annual fee is charged to the applicant for review and inspection of such permits on an annual basis. Some permits require additional inspections and permit compliance that may require additional fees to be paid semi-annually.
11. Provide plans on AutoCAD (any release) for pre-fire planning use by fire department. Information shall include locations of all exits, stairwells and roof access. Also, gas, electrical, water, fire sprinkler and standpipe valves and shutoffs, and elevator and electrical equipment rooms, fire alarm panels, remote annunciators and RTU/HVAC detectors.

C. THE FOLLOWING CONDITIONS MUST BE SATISFIED PRIOR TO THE ACCEPTANCE OF IMPROVEMENTS AND FILING OF THE NOTICE OF COMPLETION:

1. The developer, contractor or landscape architect shall provide a letter to the Community Development Department stating that all landscaping, irrigation, drainage, and hardscape was installed according to City standards. A Certificate of Completion for landscape improvements shall be submitted, as required by the State of California Code of Regulations pertaining to water efficient landscapes.
2. The applicant shall construct the project in substantial conformance to the approved exhibits and conditions set forth herein. The project shall utilize the architectural styles and materials as shown in the exhibits approved by the City for this project.
3. The applicant shall install street trees according to the approved landscaping plan.
4. Landscaping for trees, shrubs, walls, fences, cut/fill slopes or other structures at or near driveway and street intersections shall conform to the intersectional sight distance criteria as provided by the California Department of Transportation (CalTrans) Highway Design Manual. Any obstructions which exceed a height of thirty-six (36) inches shall not be permitted within a distance of five (5) feet from the property line at the street.

5. Certification of the as-built elevations of the structures shall be furnished to the City Engineer prior to release of bonds.

The vote on the motion was as follows:

AYES: Dick, Lee, Marquardt, Sturm, Jensen.
NOES: None.
ABSENT: None.
ABSTAIN: None.

ATTEST:



Howard Lee
DAB Coordinator



**CERTIFICATION OF
DESIGN REVIEW BOARD ACTION**

FILE: DRB 16-03 (Campagna)

MEETING DATE: April 4, 2016

SUBJECT: Review and recommendation to the City Council of a proposed new commercial building (Starbucks) including a drive-thru and outdoor seating area at 7330-7354 University Avenue. The site is split zoned with the westerly portion zoned C-D-F-MU (General Commercial / Urban Design Overlay / Floodway Overlay/ Mixed-Use Overlay) and the easterly portion zoned RB-D-MU (Residential Business / Urban Design Overlay / Mixed-Use Overlay).

DETERMINATION: After reviewing the proposal the Board made a motion to recommend approval of DRB 16-03 based on plans dated March 30, 2016 and a finding that the project is consistent with the City's Urban Design Program with the following suggestions:

- 1) Step back the front site wall along the stairway from University Avenue.
- 2) Shift and screen the rooftop mechanical units behind the proposed tower elements above the main building entrance and drive-thru window. Remove the rooftop trellises.
- 3) The metal trellises and awnings should remain unfinished galvanized metal and not painted.

The vote on the motion was as follows:

AYES: Dick, Lee, and Podeswik.
NOES: None.
ABSENT: McCullough and Hulitt.
ABSTAIN: None.

ATTEST:

Howard Lee
Associate Planner



City of La Mesa
Community Development Department
8130 Allison Ave.
La Mesa, CA 91941

March 29, 2016

CUP-16-01

Dear Building Official,

The following is a letter prepared in response to the comments dated March 28, 2016 by the City of La Mesa. To be a part of the Conditional Use Permit application, the intent of this narrative is to describe how the proposed drive through meets the purpose and intent of the Mixed Use Overlay zone and CUP findings.

This project is acknowledging the site surroundings through multiple methodologies to remediate the site into something more acceptable to the community that the surrounding citizens may use. Throughout the initial schematic stages of the project we have worked with the City of La Mesa on around ten iterations of the site plan to get the right layout situated from the beginning of this CUP process. Providing the drive through service at this location will provide a destination for people of the surrounding community and for people passing through to have a place to pause in La Mesa. Without the drive through there is no project. The coffee shop will be more easily sustained by the community with vehicular access as well as walk up. This added attention to the area will promote safety with more eyes on the street and promote a general increase in activity for this part of La Mesa.

Improving the site conditions and general aesthetic of the existing adjacent generative corridor along University Ave., while remaining as accessible as possible to pedestrians has been the main ideology behind the design. Along the north property line of the site on top of an existing hill a zone boundary wall will be placed in accordance with the La Mesa Municipal Code Section 24.06.030.G. Despite the topographic relief in the site, this 6' masonry wall will protect the abutting residential zone and placing the 4' within the 10' setback line reduces noise transmission and visual discomfort for the residential property. This wall has multiple vegetated levels that terrace along the back edge of the site to soften the presence of the boundary wall and incorporate on site bio retention basins that will greatly reduce runoff from the site onto neighboring lots. The backside of the wall will have wall mounted metal vegetated lattices and the block pattern has been articulated to create an enhanced site wall visually balanced and scaled for comfort.





Materials for the project have been selected to enhance the appearance of the structures on site and contribute to the overall design. The parking light standards scattered around the parking area have been selected and placed as to not spill any light pollution onto the neighboring lots. The new edifice has been largely oriented to be accessible to all forms of transportation. There is a bus stop within 150' of the site. We have incorporated bike racks for locals that may live close. Also, we have integrated accessible elements into the design in order to give an equally smooth and inviting experience to all people. Working to support walkability with the 12' pedestrian zone, we have created a lush walking path along the street by greatly increasing the landscape conditions of the site. The project proposes to add street trees with a max of 30' separation along the street curb and the planting on site have been selected to be indigenous to the area and drought tolerant.

The large patio broadcasts a compelling gradient between interior and exterior in order to again promote the pedestrian use with outdoor seating for 18 people and an open façade between the side patio and the building. The project reconceptualizes the interconnection between infrastructures on site with the lighting and drainage patterns working as their own systems, yet together create harmony between the site and the new building. The patio will not have outdoor amplified music or outdoor performances.

After analyzing the traffic impact in the Traffic Assessment letter prepared for the City of La Mesa by KOA Corporation, the conclusion was that no significant transportation/ traffic impacts will take place. The main traffic is distributed as follows as assumed by KOA: the majority of traffic entering and leaving the site would come from the east (47%) and west (47%) on University Avenue, the major roadway providing access to the site. An additional 6% of traffic would arrive and leave from the northern (2%) and southern 4%) residential neighborhoods near the project site. Since the neighboring lots to the north are residential, they will primarily walk to the location and therefor provide a slight reduction in vehicular traffic for the area.

Over all the project is dependent on the duality of drive through and pedestrian access. By generating a defined pedestrian corridor with deterritorializing elements layered along the University Ave. edge of the site, the project intends to allow pedestrians off the street and coming from the onsite parking to easily filter onto the patio and eventually into the building.





City of La Mesa
Community Development Department
8130 Allison Ave.
La Mesa, CA 91941

March 29, 2016

SP-16-01

Dear Building Official,

The following is a letter prepared in response to the comments dated March 28, 2016 by the City of La Mesa. To be a part of the Special Permit application, the intent of this narrative is to describe how the proposed outdoor seating is essential to the project and meets the purpose and intent of the Mixed Use Overlay zone and SP findings.

This project is acknowledging the site surroundings through multiple methodologies to remediate the site into something more acceptable to the community that the surrounding citizens may use. Throughout the initial schematic stages of the project we have worked with the City of La Mesa on around ten iterations of the site plan to get the right layout situated from the beginning of this SP process. The proposed outdoor seating area at this location will provide a destination for many people in the area and a place of pause for people passing through La Mesa. Outdoor seating at this project will greatly enhance the community by offering an opportunity for walk up patronage and by creating a sense of continuity along University Ave with the other shopping centers. This added attention to the area will promote safety with more eyes on the street and promote a general increase in activity for this part of La Mesa.

Improving the site conditions and general aesthetic of the existing adjacent generative corridor along University Ave., while remaining as accessible as possible to pedestrians has been the main ideology behind the design. Along the north property line of the site on top of an existing hill will be a zone boundary wall placed in accordance with the La Mesa Municipal Code Section 24.06.030.G. Despite the topographic relief in the site, this 6' masonry wall will protect the abutting the residential zone and 4' within the 10' setback line reducing noise transmission and visual discomfort for the residential property. This wall has multiple vegetated levels that terrace along the back edge of the site to soften the presence of the boundary wall and to incorporate on site bio retention basins that will greatly reduce runoff from the site onto neighboring lots. The backside of the wall will have wall mounted metal vegetated lattices and the block pattern has been articulated to create an enhanced site wall visually balanced and scaled for comfort.



DI DONATO ASSOCIATES

ARCHITECTURE + GRAPHICS 3939 1ST AVENUE, SUITE 100, SAN DIEGO, CA 92103 619.299.4210 619.2 Page | 1



Materials for the project have been selected to enhance the appearance of the structures on site and contribute to the overall design. The parking light standards scattered around the parking area have been selected and placed as to not spill any light pollution onto the neighboring lots. The new edifice has been largely oriented to be accessible to all forms of transportation. There is a bus stop within 150' of the site. We have incorporated bike racks for locals that may live close. Also, we have integrated accessible elements into the design in order to give an equally smooth and inviting experience to all people. Working to support walking with the 12' pedestrian zone we have created a lush walking path along the street by greatly increasing the landscape conditions of the site. The project proposes to add street trees with a max of 30' separation along the street curb and the planting on site have been selected to be indigenous to the area and drought tolerant.

The large patio broadcasts a compelling gradient between interior and exterior in order to again promote the pedestrian use with outdoor seating for 18 people and an open façade between the side patio and the building. The project reconceptualizes the interconnection between infrastructures on site with the lighting and drainage patterns working as their own systems but together create harmony between the site and the new building. The patio will not have outdoor amplified music or outdoor performances.

After analyzing the traffic impact in the Traffic Assessment letter prepared for the City of La Mesa by KOA Corporation the conclusion was that no significant transportation/ traffic impacts will take place. The main traffic is distributed as follows as assumed by KOA, the majority of traffic entering and leaving the site would come from the east (47%) and west (47%) on University Avenue, the major roadway providing access to the site. An additional 6% of traffic would arrive and leave from the northern (2%) and southern 4%) residential neighborhoods near the project site. Since the neighboring lots to the north are residential they will primarily walk to the location and therefor provide a slight reduction in vehicular traffic for the area.

Overall the project is dependent on the duality of drive through and pedestrian access. By generating a defined pedestrian corridor with deterritorializing elements layered along the University Ave. edge of the site the project intends to allow pedestrians off the street and coming from the onsite parking to easily filter onto the patio and eventually into the building.



DRAFT RESOLUTION NO. PC-2016-xx

RESOLUTION APPROVING CONDITIONAL USE PERMIT CUP 16-01 AND SPECIAL PERMIT 16-01 (CAMPAGNA) – CONSIDERATION OF A NEW COFFEE SHOP INCLUDING A DRIVE-THRU AND OUTDOOR SEATING AREA AT 7330-7354 UNIVERSITY AVENUE.

WHEREAS, the Planning Commission of the City of La Mesa did hold a duly noticed public hearing on May 4, 2016, and accepted a staff report and public testimony in considering Conditional Use Permit CUP 16-01 and Special Permit 16-01, a new coffee shop including a drive-thru and outdoor seating area at 7330-7354 University Avenue with Assessor Parcel Number 475-012-22-00. The site is split zoned with the westerly portion zoned C-D-F-MU (General Commercial / Urban Design Overlay / Floodway Overlay/ Mixed-Use Overlay) and the easterly portion zoned RB-D-MU (Residential Business / Urban Design Overlay / Mixed-Use Overlay);

WHEREAS, notice of the May 4, 2016, Planning Commission public hearing was provided to property owners surrounding the subject property;

WHEREAS, the Planning Commission considered a Categorical Exemption for this project in accordance with California Environmental Quality Act.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

Conditional Use Permit CUP 16-01 Findings:

1. Incompatibility with other uses in the same vicinity will not result.

The drive-thru use of the coffee shop would be compatible with other uses in the same vicinity. The site is located in a commercial zone along University Avenue which is classified by the La Mesa General Plan as an arterial. A 12-foot wide one lane drive-thru, which runs east to west, would be accessed from the main drive aisle through the site. The volume from the menu board serving the drive-thru is adjustable and integrated with an ambient noise sensing microphone. There is an approximately 12-foot grade difference between the proposed building pad elevation and the existing homes to the north. The nearest residential uses to the north front Harvard and Yale Avenues and are separated by the rear parking lot, topography, rear yard areas, site retaining walls, and landscaping. Therefore, the project would be compatible with other uses in the same vicinity.

2. Issuance of such a conditional use permit would not lead to the creation of a nuisance and would not endanger the public health, safety, or order by:
 - (1) Unreasonably increasing pedestrian and/or vehicular traffic in the area in which the premises are located; or
 - (2) Increasing the incidence of disruptive conduct in the area in which the premises are located; or
 - (3) Unreasonably increasing the level of noise in the area in which the premises are located;

The Mixed Use Overlay Zone allows for commercial uses that are neighborhood serving and that generates pedestrian activity, such as cafes and restaurants. The drive-thru located behind the coffee shop is setback from University Avenue with landscaping and retaining walls to the south, and includes a zone boundary wall and landscaping along the northerly property line.

A raised crosswalk with stripes would provide an accessible path of travel from the accessible parking space to the building entrance. A traffic assessment letter was prepared in September 2015, by KOA Corporation, that concluded the project would not cause significant transportation or traffic impacts. To promote active, pedestrian-friendly streets, the coffee shop would be oriented to and accessible from the University Avenue street frontage and directly from the public sidewalk along Harvard and Yale Avenues. The project would close an existing curb cut along University Avenue. There would be a new accessible ramp along University Avenue. The use would not unreasonably increase pedestrian or vehicular traffic in the area. Therefore, the project may be considered consistent with the City of La Mesa General Plan and Mixed-Use Design Guidelines.

The drive-thru would accommodate queuing of approximately ten standard size vehicles. A manager and staff would be present during hours of operation to respond to any complaints related to noise, disruptive conduct, traffic or any other related issues related to the operation of the drive-thru. Therefore, there is no expectation that there would be disruptive conduct associated with the use.

The drive-thru would be required to conform to the City of La Mesa Noise Ordinance. The level of noise would be within a reasonable level when including the drive-thru because of the site improvements and volume control technology of the menu board. A condition has been added to require Planning Commission review if complaints are received by the Community Development Department.

3. The use is consistent with the La Mesa General Plan.

The subject property is designated by the La Mesa General Plan for "Mixed Use Urban", which is assigned to the City's transportation corridors such as University Avenue, El Cajon Boulevard and La Mesa Boulevard. It is intended to allow a more intensive level of commercial development than Local Serving Commercial, but not the high volume regionally significant activities found in Regional Serving Commercial.

The intent of the General Plan is to consider compatibility of uses within the community and how uses fit in with the neighborhood setting. The coffee shop with drive-thru and outdoor seating is consistent with the General Plan goal of revitalizing commercial districts and the objective to maximize the potential of commercial centers in order to attract an appealing mix of new businesses because the subject use would serve the neighborhood and the community (p. LD-37). General Plan Land Use Policy LU-3.1.6, encourages provision of new site amenities, such as outdoor seating areas, bike racks, landscaping, and street trees as development occurs. The project would include a new coffee shop with drive-thru, 980 square feet of outdoor seating area, bike rack, 5,220 square feet of landscaping, and 13 new street trees.

4. The project is consistent with Section 24.02.060 of the La Mesa Municipal Code.

Special Permit SP 16-01 Findings:

1. The location and characteristics of the proposed buildings and/or structures, and the allowed uses of them, will not impact unfavorably upon adjacent properties.

The location and characteristics of the proposed project, including 980 square feet of outdoor seating area, would not adversely impact adjacent properties. Landscaping, topographic differences, and site walls minimize the potential impact of incidental noise from the business operation on residences to the north. A five-foot high retaining wall would be constructed at the southwest corner at the edge of the concrete patio to establish the pad for outdoor seating. The patio would be furnished with eight tables and chairs to accommodate 18 patrons. Pedestrians would have access to the building entrances through stairs and an accessible ramp from University Avenue. All exterior lighting is down lit, shaded, and would not directly shine onto adjacent properties. A manager and staff would be present during hours of operation to respond to any complaints related to noise or any other related issues related to the operation of the outdoor seating. The project is required to comply with the noise regulations outlined in the Municipal Code.

Per the Outdoor Seating Design Objectives, for outdoor seating areas greater than 200 square feet, off-street parking will be adequate to prevent adverse impacts on surrounding uses and streets. On Sheet A01, the site plan shows that the parking area would accommodate 16 parking spaces, 3 parking spaces for the leasable area, 7 spaces for the interior seating, and 6 spaces for the exterior seating. No adverse parking impact is anticipated for the outdoor seating area because the project meets City parking standards.

2. The project is consistent with the design objectives established as policy of the City Council.

Approval of this project would be consistent with the following General Plan policies. An urban design goal of the General Plan is to retain a built environment that contributes to the qualities distinguishing La Mesa's unique community identity (UD-1). An urban design policy of the General Plan is to promote reinvestment in private property, and encourage private property maintenance (UD-1.2.1).

An objective of the General Plan Land Use and Urban Design Element encourages development that preserves and enhances the aesthetic, environmental, economic, and social character of La Mesa through careful design review decisions (UD-2.1). The project is consistent with the City's design objectives because improvements are intended to complement the coffee shop by improving pedestrian orientation and providing an active outdoor space. The outdoor seating area is consistent with the Outdoor Seating Area Design Objectives.

3. The project is consistent with Section 24.02.050 of the La Mesa Municipal Code.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LA MESA AS FOLLOWS:

1. The foregoing findings of fact and determinations are true and hereby made a part hereof.

2. The Planning Commission approves Conditional Use Permit CUP 16-01 as shown on the attached plans, dated March 30, 2016 and subject to the following conditions:
 - A. The drive-thru use shall be limited to the hours of operation of the coffee shop and shall not operate between 2:00am and 6:00am. Noise levels shall be maintained in accordance with the La Mesa Noise Ordinance.
 - B. If the drive-thru use should create a nuisance to surrounding properties, staff shall schedule a public hearing before the Planning Commission to evaluate the operations of the business. If the Planning Commission finds that the operation is creating a nuisance, the Commission may then impose additional restrictions on the business, including but not limited to more restrictive hours of use.

3. The Planning Commission approves Special Permit SP 16-01 as shown on the attached plans, dated March 30, 2016 and subject to the following conditions:
 - A. The special permit shall apply only to the outdoor seating area as shown on the plans received on March 30, 2016.
 - B. The applicant shall maintain the outdoor area in good condition and repair.
 - C. The outdoor seating area shall be limited to the hours of operation of the coffee shop and shall not operate between 2:00am and 6:00am.
 - D. No outdoor and/or amplified music shall be allowed in the outdoor patio area at any time.
 - E. A building permit is required for the construction of the proposed structures.
 - F. If the subject outdoor seating area should create a nuisance to the surrounding properties, staff may schedule a public hearing before the Planning Commission to evaluate the operations of the subject outdoor area. If the Planning Commission finds that the operation is creating a nuisance, the Commission may then impose additional restrictions on the subject use, including, but not limited to, limiting hours of the subject outdoor seating area.
 - G. Outdoor tables and chairs shall have a design and quality consistent with the architectural design of the coffee shop, and be properly maintained.
 - H. "No Loitering" signs shall be posted on the exterior building wall facing the outdoor seating area.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of La Mesa, California, held the 4th day of May, 2016, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

I, Howard Lee, Deputy Secretary of the City of La Mesa Planning Commission, do hereby certify the foregoing to be a true and exact copy of Resolution PC-2016-xx, duly passed and adopted by the Planning Commission.

Howard Lee, Deputy Secretary
La Mesa Planning Commission



CITY OF
LA MESA
JEWEL of the HILLS

OUTDOOR SEATING AREAS FOR RESTAURANTS, BARS & COCKTAIL LOUNGES

COMMUNITY DEVELOPMENT DEPARTMENT / PLANNING DIVISION
8130 Allison Avenue, La Mesa, CA 91942
Phone: 619.667.1177 • Fax: 619.667.1380

Who would be interested in applying for an outdoor seating area?

Those who own or operate a restaurant, bar or cocktail lounge and would like to develop an outdoor seating area for their patrons.

Eligibility for Outdoor Seating

Outdoor seating may be approved when a restaurant, bar or cocktail lounge is allowed as a permitted use by the underlying zoning, and when the proposed outdoor seating meets the design objectives and development standards of the City of La Mesa. Outdoor seating is allowed in any commercial zone.

Important note: The outdoor dining ordinance differs from the sidewalk café ordinance, which only applies in the CD (Commercial Downtown) zone and allows cafes to locate within the sidewalk area of the public right of way.

Purpose and Intent of the Outdoor Seating Area Ordinance

Outdoor dining facilities permitted under Section 24.06.040.G of the City of La Mesa Zoning Ordinance are to be located and designed in such a way as to minimize impacts upon adjacent properties, while providing outdoor dining space to businesses.

Review Process for Permitting Outdoor Seating

A Special Permit application is required to be submitted with appropriate filing fees before staff can evaluate a proposed outdoor dining project. Once deemed complete, the Special Permit application will be considered by the Planning Commission at a noticed public hearing.

Outdoor Seating Design Objectives

1. Outdoor dining areas are permitted as an accessory use associated with a legally permitted restaurant, bar or cocktail lounge in commercial zones. This provision does not apply to sidewalk cafes located within the public right-of-way as provided in Section 18.18 of the Municipal Code.
2. Outdoor dining areas are to be safely constructed of quality materials in accordance with the provisions of the Uniform Building Codes, and meet all other size, setback and location standards prescribed in the Zoning Ordinance.
3. Outdoor dining areas should be designed to be architecturally compatible with existing structures on the subject property and consistent with the City's Urban Design Guidelines. Fencing and screening should be consistent with the architecture of the facility, as well.
4. Outdoor eating areas will need to insure that pedestrian circulation and disabled access standards are achieved.
5. For outdoor dining areas greater than 200 square feet, off-street parking should be adequate to prevent adverse impacts on surrounding uses and streets.
6. In evaluating the size, location and design of outdoor dining facilities, the City will take into consideration the potential for noise impacts on surrounding land uses to insure consistency with community noise standards and regulations. Public notice for the Special Permit may be extended beyond the standard 300 foot radius if the Planning Commission or City Council determines that noise-sensitive land uses could be impacted by a proposed outdoor dining area.
7. All outdoor dining areas should be kept in good condition, both structurally and aesthetically.



REPORT TO LA MESA PLANNING COMMISSION

DATE: May 4, 2016

SUBJECT: **Variance V 16-01 (Okonski)** – Consideration of a variance for an exception to the building height limit for a two-story addition to a single-family residence at 4171 Merritt Boulevard in the R1R-P (Semi-Rural Residential / Scenic Preservation Overlay) zone.

ISSUING DEPARTMENT: Community Development

SUMMARY

Issues: Are there sufficient facts to support the required findings for approval of a variance?

Recommendation: Approve the variance, subject to conditions listed in **Attachment E**.

La Mesa Zoning Ordinance Code Sections:

Section 24.02.040 lists the requirements for approval of variances.

Section 24.05.030.B provides building height requirements for the R1R zone.

Environmental Review:

The project is Categorically Exempt from review under the California Environmental Quality Act, Class 1. A Class 1 exemption may be applied to an addition to an existing structure.

BACKGROUND:

The half-acre subject property is located on the north side of Merritt Boulevard near the intersection of Woodland Drive (**Attachment A**). The house is centered on the site, at the top of a gently sloping knoll. It dates to 1927 and is known as the Prather House, a locally designated historic landmark. Site improvements include low retaining walls, a circular driveway, and a 600 square-foot detached garage in the rear northeast corner of the property that was completed in 2009. Mature landscaping partially obscures the view of the house from the street. Surrounding development in the La Mesa Highlands neighborhood consists of single-family residences on half-acre lots.

The existing 1,464 square-foot, single-story residence has a combination roof consisting of a low-pitched cross gable appended to the front of a flat roof with Mission-style parapet. An L-shaped porch that wraps around the front of the house sits three feet above the yard. There is also an attached garage on the east side of the house. The building footprint is considerably smaller than that of the neighboring houses. Photos of the subject property and surrounding area are provided on **Attachment B**.

A two-story, 2,380 square-foot rear addition is proposed as shown on the development plans (**Attachment F**). The addition would sit on a raised foundation level with the floor of the original portion of the house and would have a ceiling height of nine (9) feet on the first story and eight (8) feet on the second story. A flat roof with parapet is proposed. Only minor grading is needed with less than three feet of fill across the rear of the addition for a walkway.

In the R1R zone, the building height limit is 20 feet, measured from the average level of the highest and lowest point of the foundation to the plate line of the uppermost story. If the existing residence were situated on a level pad, the addition would comply with the 20-foot height limit. Instead, the site slopes uphill towards the center of the building, resulting in the garage floor being approximately seven (7) feet lower than the finish floor of the house. The applicant's development plans include a topographic survey that demonstrates this condition (**Attachment F**). After averaging the grades around the house, the proposed addition is 23 feet high, which exceeds the limit by three (3) feet.

The project otherwise complies with development standards such as setback and lot coverage limitations for the R1R zone as well as grading and landscaping provisions of the Scenic Preservation Overlay zone. The property meets the minimum lot area requirement of 15,000 square feet. It is the topographic condition that creates a challenge in adding a second story to the building without exceeding the height limit. Although there are no known height variances in the area, at least seven setback variances have been granted over the years to properties in La Mesa Highlands (**Attachment D**).

On January 6, 2016, the Historic Preservation Commission reviewed the project and issued a Certificate of Appropriateness (**Attachment C**) for an improvement to a designated landmark. Notice of the May 4, 2016 Planning Commission hearing to consider the requested height variance was published in the East County Californian and mailed to surrounding property owners on April 21, 2016.

DISCUSSION:

Variances may be authorized to reduce, modify, or waive development standards when, because of special circumstances applicable to the property, the strict application of the zoning ordinance deprives the property of privileges enjoyed by other properties in the same zone and vicinity. In this case, the applicant's request is to exceed the 20-foot building height limit by three (3) feet. To grant a variance, the following three findings are required:

1. Will the strict application of the development standards for which the variance is requested deprive the building site of a development privilege enjoyed by other properties in the same zone and vicinity?

Yes. The strict application of the development standards would deprive the building site of a development privilege enjoyed by other properties in the same zone and vicinity because other properties in the neighborhood are developed with two story residences. The 20-foot height limit is generally intended to allow for two-story development in the R1 zones.

2. Are there special circumstances such as size, shape, topography, location or surroundings which affect the building site and cause the deprivation of development privileges?

Yes. Sloping topography affects the building site and causes deprivation of development privileges. While the knoll on which the Prather House sits is not steeply sloped, the six-foot grade difference between the front and rear of the house and the raised foundation upon which the house was built create additional height that is required to be factored into the height calculation. The addition has been designed to have a top plate that is exactly 20 feet above existing grade. A variance would not be necessary if the entire building site were level. After accounting for the change in grade around the house, the average height extends to 23 feet.

3. Will granting the variance constitute a special privilege inconsistent with the limitations upon other properties in the same zone and vicinity?

No. Granting the variance would not constitute a special privilege inconsistent with the limitations upon other properties in the same zone and vicinity due to the quantity of variances previously granted in the La Mesa Highlands neighborhood. These include a rear setback reduction for a raised deck atop a retaining wall at 4331 Woodland Drive (V 11-02) and a side setback reduction for a second story addition at 4190 Merritt Boulevard (A 06-89). Although these variances pertained specifically to setbacks, existing building configuration and topography were similar circumstances to those constraining the subject property.

RECOMMENDATION:

Staff recommends that the Planning Commission approve Variance V 16-01 allowing an exception to the building height limit for a two-story addition to the residence at 4171 Merritt Boulevard, as shown on the submitted plans and subject to the conditions recommended by staff on the draft resolution (**Attachment E**).

Submitted by:



Allyson Kinnard
Associate Planner

- Attachments:
- A. Vicinity map/aerial photograph.
 - B. Site Photographs.
 - C. Historic Preservation Commission Certificate of Appropriateness.
 - D. Map of Variances – La Mesa Highlands.
 - E. Draft Planning Commission Resolution PC-2016-xx.
 - F. Development Plans.



**Variance
V16-01**

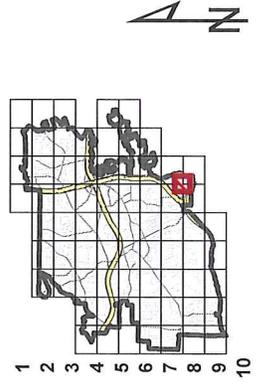
PROPERTY INFORMATION

Applicant	Keith Okonski
Site Address	4171 Merritt Blvd La Mesa, CA 91941
APN	499-522-05-00
Lot Size	20,000 sq. ft
General Plan	Semi-Rural Residential
Zoning	R1R-P Semi-Rural Residential; Scenic Preservation Overlay Zone



DATA SOURCES:
City boundary, SanGIS, 2011
Roads, SanGIS, 2011

A B C D E F G H I



Vicinity Map





**CITY OF
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**Variance
V16-01**

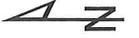
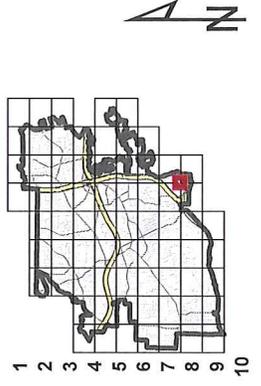
PROPERTY INFORMATION

Applicant	Keith Okonski
Site Address	4171 Merritt Blvd La Mesa, CA 91941
APN	499-522-05-00
Lot Size	20,000 sq. ft
General Plan	Semi-Rural Residential
Zoning	R1R-P Semi-Rural Residential; Scenic Preservation Overlay Zone



DATA SOURCES:
City boundary, SanGIS, 2011
Roads, SanGIS, 2011

A B C D E F G H I



Aerial Map





Rear and west side elevation



Site of proposed addition in rear yard



Rear elevation



West side elevation looking toward front

V 16-01 4171 Merritt Boulevard



Front porch



View of site from the street

V 16-01 4171 Merritt Boulevard



View of garage at lower elevation



Axonometric view showing orientation of surrounding residences.

V 16-01 4171 Merritt Boulevard



**CERTIFICATE OF APPROPRIATENESS
BY THE HISTORIC PRESERVATION COMMISSION**

FILE: HPC-15-09 (Sparky's Properties Inc.)

MEETING DATE: January 5, 2016

SUBJECT: Consideration of a proposed addition to a single-family residence at 4171 Merritt Boulevard in the R1R-P (Semi-Rural Residential/Scenic Preservation Overlay) zone. The Prather House is a locally designated historic landmark.

DETERMINATION: Commissioner Hart made a motion to issue a Certificate of Appropriateness for the proposed addition as shown on the plans dated December 28, 2015.

Commissioner Sherman seconded the motion.

The vote on the motion was as follows:

Aye: Commissioners Hart, Niemeier, Sherman, Swanson, and Wilcox.
Nay: None.
Abstain: None.
Absent: Commissioners Jones, and Schmitz.

ATTEST:

Allyson Kinnard
Associate Planner

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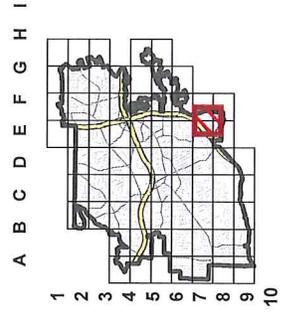
Variance V16-01

File	Address	Project Description
V 16-01	4171 Merritt Blvd	Exceed building height for two-story addition
A 01-02	4300 Merritt Blvd	Reduce side setback from 10' to 3' for patio cover
A 06-89	4190 Merritt Blvd	Reduce side setback from 10' to 5' for second story addition
A 06-95	4129 Woodland Ct	Reduce front setback from 20' to 3'
A 02-08	4233 Woodland Dr	Reduce side setback from 20' to 10' for decks on easement lot
V 11-02	4331 Woodland Dr	Reduce rear setback for deck
A 06-01	4369 Woodland Dr	Reduce front setback from 20' to 8', side setback from 10' to 5'
A 07-85	4280 Porter Rd	Reduce rear setback for enclosed patio

Legend



DATA SOURCES:
City boundary, SanGIS, 2011
Roads, SanGIS, 2011



Variations - La Mesa Highlands



RESOLUTION NO. PC-2016-xx

RESOLUTION APPROVING VARIANCE V 16-01 (OKONSKI) FOR AN EXCEPTION TO THE BUILDING HEIGHT LIMIT FOR A TWO-STORY ADDITION TO A SINGLE-FAMILY RESIDENCE AT 4171 MERRITT BOULEVARD IN THE R1R-P ZONE

WHEREAS, the Planning Commission of the City of La Mesa did hold a duly noticed public hearing on May 4, 2016, and accepted public testimony in considering Variance V 16-01, a request to exceed the building height limit at 4171 Merritt Boulevard in the R1R-P (Semi-Rural Residential / Scenic Preservation Overlay) zone;

WHEREAS, the applicant proposes to build a two-story addition to the residence in the rear yard area;

WHEREAS, Variance V 16-01 would allow a three-foot exception to the 20-foot building height limit;

WHEREAS, the Historic Preservation Commission reviewed the project and issued a Certificate of Appropriateness for an alteration to a designated landmark;

WHEREAS, this project is categorically exempt from review under the California Environmental Quality Act, Class 1; and

WHEREAS, the Planning Commission did receive and consider a staff report and public testimony on the proposal.

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

Variance Findings:

1. **The strict application of the development standard(s) for which the variance is requested would deprive the building site of a development privilege enjoyed by other properties in the same zone and vicinity.** Other properties in the neighborhood are developed with two story residences and the 20-foot height limit is generally intended to allow for two-story development in the R1 zones.
2. **There are special circumstances such as size, shape, topography, location or surroundings which affect the building site and cause the deprivation of development privilege.** Sloping topography creates a six-foot grade difference between the front and rear of the residence. The addition has been designed with the top plate situated at 20 feet above existing grade, but after accounting for varying grades around the house and the existing raised foundation, the resulting average height is 23 feet.

3. **Granting the variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the same vicinity and zone** due to the number of variances previously approved in the La Mesa Highlands neighborhood. In those cases, existing building configuration and topography were similar circumstances to those constraining the subject property.
4. That the proposal is consistent with Section 24.02.040 of the La Mesa Zoning Ordinance.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LA MESA AS FOLLOWS:

1. The foregoing findings of fact and determinations are true and hereby made a part hereof.
2. The Planning Commission approves Variance V 16-01 to exceed the building height limit for a proposed two-story addition at 4171 Merritt Boulevard in the R1R-P zone, subject to the following conditions:
 - A. The applicant shall obtain building permits and final inspections in general conformance with the plans submitted on March 24, 2016. The variance shall only apply to the excess building height as shown on the submitted plans.
 - B. If after one year the discretionary permit has not been exercised, the applicant may upon written request at least 30 days prior to the date of expiration request an extension as set forth in Section 24.02.070 of the Zoning Ordinance.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of La Mesa, California, held the 4th day of May 2016, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

I, Allyson Kinnard, Deputy Secretary of the City of La Mesa Planning Commission, do hereby certify the foregoing to be a true and exact copy of Resolution PC-2016-xx, duly passed and adopted by the Planning Commission.

Allyson Kinnard, Deputy Secretary
La Mesa Planning Commission



MINUTES LA MESA PLANNING COMMISSION

Wednesday, April 6, 2016

The La Mesa Planning Commission held a meeting on Wednesday, April 6, 2016, in the La Mesa City Council Chambers located at 8130 Allison Avenue, La Mesa, California.

The Agenda for this meeting was posted on April 1, 2016, at 11:00 a.m., on the Bulletin Board next to the entrance to the City Council Chambers, 8130 Allison Avenue, La Mesa, California.

Planning Commission members present were Chairman Alvey, Vice Chair Hottel, Commissioners Levy, Hawkins, and Keene. Commissioners Hurd Glenn and Newland were absent.

Staff members present were Director of Community Development Carol Dick, Associate Planner Allyson Kinnard, Associate Planner Howard Lee, and Assistant City Attorney Gregory Lusitana.

Item 1. The meeting was called to order at 7:00 pm.

Item 2. Chairman Alvey gave the Invocation and led the Pledge of Allegiance.

Item 3. Deletions from Agenda/Urgent Additions to the Agenda/Additions to the Next Agenda

None.

Item 4. Public Discussion and Audience Participation.

None.

Item 5. Procedural Rules of Conduct for Hearings.

Commissioner Keene read the procedures for public hearings.

Item 6. HEARINGS

6a. **Sign Program DAB 16-04 (RABA LP/Victoria Land Partners)** – A request to amend an existing comprehensive sign program for a commercial retail center at 8200-8216 Parkway Drive in the C-D (General Commercial/Urban Design Overlay) zone.

Ms. Kinnard presented the staff report.

The public hearing was opened.

Those in favor:

- Leah Lombardi – Chick-fil-A

Those in opposition:

- None

The public hearing was closed.

The Commissioners discussed the project.

ACTION: Chairman Alvey made a motion to approve Sign Program DAB 16-04 to amend an existing comprehensive sign program for a commercial retail center located at 8200-8216 Parkway Drive with an additional finding numbered #3 as follows: "That the additional signs are needed because the surrounding topography and the relationship of the buildings to the street inhibit identification of the proposed businesses and the new signs would provide sufficient visibility." The previous #3 finding would be renumbered to #4. The motion was seconded by Commissioner Levy. Motion carried 5 in favor and 0 opposed. Commissioners Hurd Glenn and Newland were absent.

Ms. Dick read the appeal procedures into the record.

- 6b. **Special Permit SP 16-02 (Auerbach Realty Group LLC)** – Consideration of a Special Permit for a proposed outdoor seating and dining area at 7966 La Mesa Boulevard in the CD-D (Downtown Commercial/Urban Design Overlay) zone.

Ms. Kinnard presented the staff report.

The public hearing was opened.

Those in favor:

- Carol Wiley – Architect for the project

Those in opposition:

- None

The public hearing was closed.

The Commissioners discussed the project.

ACTION: Commissioner Keene made a motion to approve the draft resolution approving Special Permit SP16-02 for a proposed outdoor seating and dining area at 7966 La Mesa Boulevard. The motion was seconded by Commissioner Hottel. Motion carried 5 in favor and 0 opposed. Commissioners Hurd Glenn and Newland were absent.

Ms. Dick read the appeal procedures into the record.

- 6c. **Sign Program DAB 16-05 (Mann Enterprises)** – A request to amend the comprehensive sign program for a commercial retail center at 8780-8820 Grossmont Boulevard in the C-D (General Commercial / Urban Design Overlay) zone.

Mr. Lee presented the staff report.

The public hearing was opened.

Those in favor:

- Tom Adam – Mann Enterprises

Those in opposition:

- None

The public hearing was closed.

The Commissioners discussed the project.

ACTION: Chairman Alvey made a motion to approve Sign Program DAB 16-05 in accordance with the draft resolution provided by staff to amend the comprehensive sign program for a commercial retail center at 8780-8820 Grossmont Boulevard. The motion was seconded by Commissioner Keene. Motion carried 5 in favor and 0 opposed. Commissioners Hurd Glenn and Newland were absent.

Ms. Dick read the appeal procedures into the record.

Item 7. BUSINESS

7a. Approval of the minutes from the March 16, 2016 Planning Commission meeting.

ACTION: Commissioner Levy made a motion to approve the minutes as written. The motion was seconded by Commissioner Keene. Motion carried 5 in favor and 0 opposed. Commissioners Hurd Glenn and Newland were absent.

Item 8. INFORMATIONAL ITEMS

Commissioner Levy informed the Commissioners that he and his wife will be moving to New York.

There being no further business before the Commission, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,
Cheryl Davis
Administrative Coordinator