

ITEM 6.1: **Conditional Use Permit and Design Review Permit Modification – 180 N. Sunrise Avenue – INFILL PCL 189 – EchoPark Automotive – File # PL21-0230**

REQUEST

The project is a request for a Conditional Use Permit to allow automotive sales and a car wash in the Community Commercial (CC) zoning district. The project also includes a Design Review Permit Modification to modify the exterior of the existing building and to construct an approximate 2,000-square-foot car wash building within the parking lot. The site will be occupied by EchoPark Automotive, a vehicle reconditioning facility and automotive sales use.

Applicant – Martin Walsh, Sonic Development, LLC
Property Owner – I Think I Can LP

SUMMARY RECOMMENDATION

The Planning Division recommends that the Planning Commission take the following actions:

- A. Adopt the three (3) findings of fact and approve the Conditional Use Permit subject to three (3) conditions of approval; and
- B. Adopt the two (2) findings of fact and approve the Design Review Permit Modification subject to twelve (12) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with all recommended conditions of approval.

BACKGROUND

The 11.85-acre project site is located at 180 North Sunrise Avenue (APN 013-213-030-00), within the City's Infill planning area (see Figure 1). The site is surrounded by existing developed areas, including an automotive sales use to the north (Hyundai of Roseville), N. Sunrise Avenue to the east, an automotive sales and rental use to the south (Enterprise), and Interstate 80 freeway to the west.

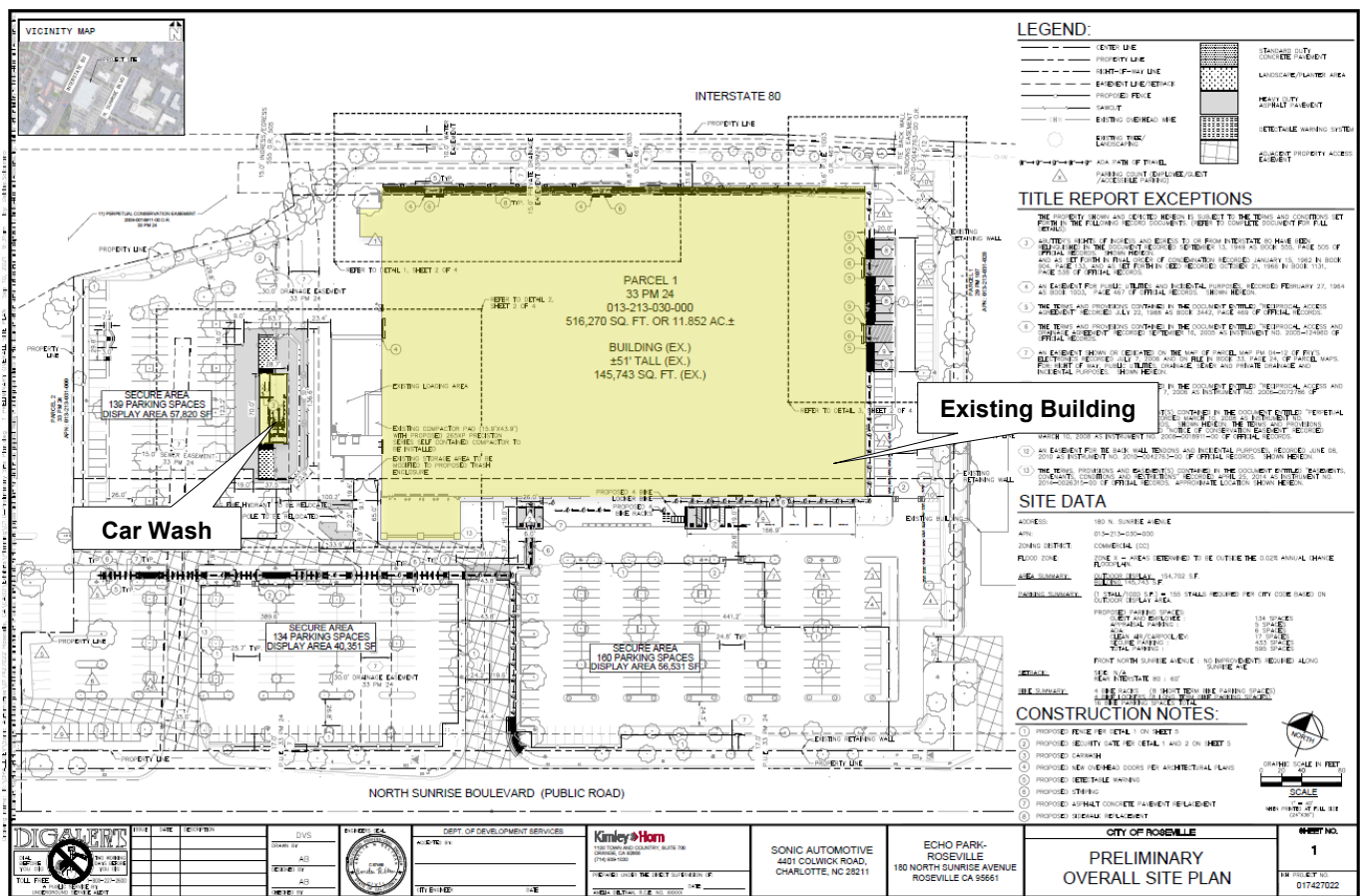
The project site was zoned Planned Development for Commercial Auto Sales and Service (PD197). However, in 2003, the City Council approved a Rezone (file #RZ 00-13)



to change the zoning designation of the site to its current Community Commercial (CC) zoning in order to allow Fry's Electronics (an electronics retail store) to occupy the site. Associated with this request was a Design Review Permit (file #DRP 01-17) to allow the construction of an approximate 145,000-square-foot retail building with associated parking, lighting, and landscaping, as well as a Tree Permit (file #TP 02-31) to remove three (3) native oak trees that were located within the proposed building footprint.

The proposed project will renovate the existing building, which will be occupied by EchoPark Automotive, a vehicle reconditioning and automotive sales use. As required by the Zoning Ordinance, the project entitlements include a Conditional Use Permit to allow automotive sales and a car wash in the Community Commercial (CC) zoning district. A Design Review Permit Modification is included to change the color palette of the building's exterior and to construct an approximate 2,000-square-foot car wash building. The overall size of the retail building will remain the same at approximately 145,000 square feet. The car wash will be utilized by employees only. Minor modifications will be made to the parking lot and landscaping to accommodate the car wash building.

Figure 2: Site Plan



EVALUATION: CONDITIONAL USE PERMIT (CUP)

Section 19.78.060 of the City of Roseville Zoning Ordinance requires that three findings be made in order to approve a CUP. The three findings are listed below in *italicized, bold print* and are followed by an evaluation of the proposal in relation to each finding.

- 1. The proposed use or development is consistent with the City of Roseville General Plan and any applicable specific plan.***

The project site has a land use designation of Community Commercial (CC). The site is located within the Infill area of the City and not within a Specific Plan area. The CC land use designation is typically intended to provide for a broader range of goods and services. The General Plan lists auto sales and repair as primary uses within the CC land use designation. While not listed specifically as a primary use in the General Plan, the City's Zoning Ordinance conditionally permits car wash facilities in the CC zone district. The General Plan relies on the Zoning Ordinance to determine the appropriate location and design of car wash facilities through the Conditional Use Permit process. The project includes a request for a CUP; therefore, the proposed project is consistent with the General Plan.

2. *The proposed use or development conforms with all applicable standards and requirements of the Zoning Ordinance.*

The property has a zoning designation of Community Commercial (CC). Auto sales and car wash uses are permitted in the CC zone district with approval of a CUP. The CUP allows the Planning Commission the opportunity to review the project's compatibility with uses in the project area. The Zoning Ordinance standards relevant to the project are the requirements for approval of a CUP, as discussed herein, and requirements for off-street parking.

Section 19.26.030(B) of the Zoning Ordinance states that when a tenant space has multiple functions, such as sales and office, the amount of parking to be provided for the tenant shall be calculated as specified by Section 19.26.030(A) for the primary use. In this case, the primary use is auto sales, which has a parking requirement of one (1) space per 1,000 square feet of indoor and outdoor display area. Parking for the project is calculated based on the amount of outdoor display area, which is approximately 155,000 square feet, amounting to 155 parking spaces required. The site has a total of 595 spaces, but 433 of these spaces will be used for the outdoor vehicle display. The remaining 162 parking spaces will be provided for patrons, which exceeds the Zoning Ordinance parking requirements.

3. *The location, size, design and operating characteristics of the proposed use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.*

EchoPark is a vehicle reconditioning and sales facility that will occupy the existing building at the subject property. The building is approximately 145,000 square feet in size and is approximately 51 feet tall. Vehicles will be reconditioned inside the building and prepared for sale. The reconditioning is only provided for EchoPark's inventory; they are not open to the public for vehicle service needs. The building interior will be modified to include reconditioning bays, sales and service areas, and office space. A separate 2,000-square-foot building approximately 14 feet tall will be constructed within the parking lot, to the west of the existing building. As further discussed in the Design Review Permit Modification section, the project will modify the existing colors of the building and will make minor modifications to the landscaping to accommodate the new car wash building.

The operational description is included as Exhibit A. The applicant has indicated EchoPark will employ approximately 75 people on day one of operation, which will grow to potentially 139 employees over the next three (3) years. The business will be open to the public from Monday through Saturday, 9:00 a.m. to 9:00 p.m., and closed on Sundays. The hours of operation for the vehicle reconditioning team will be Monday through Saturday, 7:00 a.m. to 6:00 p.m., and closed on Sundays. The vehicle reconditioning process includes inspections, detailing, maintenance (e.g., oil changes, new tires, replacement of parts, etc.), and painting. All vehicles will run through the car wash, which will be used by employees only. The car wash is expected to average approximately 600 cars a month.

The project site is surrounded by commercial uses, including an automotive sales use to the north and an automotive sales and rental use to the south. Given the proposed use is also auto-related, the project is compatible with the surrounding uses. No impacts to surrounding uses are anticipated as the car wash and reconditioning services will be conducted within an enclosed building. In addition, the project will

maintain the existing reciprocal access agreements between the adjacent properties at 150 N. Sunrise Avenue and 190 N. Sunrise Avenue. Based on the proposed operations and with the conditions of approval, staff does not anticipate the use or the development will adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.

EVALUATION: DESIGN REVIEW PERMIT MODIFICATION

The evaluation of the Design Review Permit Modification has been based on the applicable development and design standards within the City's Zoning Ordinance, the General Plan, and the City's Community Design Guidelines (CDG). Section 19.78.060(J) of the Zoning Ordinance requires two findings of fact be made in order to approve a Design Review Permit Modification. The required findings are listed below in *italicized, bold print* and are followed by an evaluation.

- 1. The proposed modification is substantially consistent with the intent of the original approval.***
- 2. The proposed modification is in compliance with all standards and requirements of the City's Zoning Ordinance, with the applicable goals, policies and objectives set forth in the General Plan, and the applicable Community Design Guidelines.***

The original Design Review Permit approval for the site allowed the construction of the existing ±145,000-square-foot building along with associated parking, lighting, and landscaping. The building architecture incorporated a train theme through the use of elements typically associated with a rail yard, including a roundhouse and water tower, and a trestle feature that wraps around the building. The most notable design feature associated with the building design was the "runaway train" that appears to be crashing through the front of the building and projects out away from the building. The proposed modifications will remove the water tower and train elements and will incorporate a modernized design with a new color palette. The new ±2,000-square-foot car wash building will be designed consistent with the colors and materials used for the main building. The following sections of evaluation focus on areas of interest.

Site Plan: The applicant proposes minor modifications to the site plan to accommodate the new car wash building, which will be located internal to the site and south of the main building. The outdoor vehicle display areas will be located along the eastern and southern portions of the site. The display areas will be secured with an automatic gate and a 2.5-foot tall security guard rail. Consistent with the Community Design Guidelines (CDG), the existing landscape frontage will minimize views of parked vehicles from the street. A new trash enclosure that will be built to City Refuse standards will be provided near the existing loading dock area located to the left of the building.

Architecture: Figure 3 on the following page includes the current and proposed front elevation. The existing building utilizes a warm color palette, including beige as a primary building color and rust and greenish gray used as accent colors. The proposed project will maintain beige as the primary building color, but will incorporate more neutral grays in place of the rust and greenish gray. In addition, green will be used minimally as an accent band on the front elevation. The existing building materials will remain unchanged, which consist of concrete and an EIFS finish, stone cladding on accent pilasters and the base of the building corner, wooden trestle features, and a standing seam metal roof. As mentioned, the water tower and train elements will be removed. The building will feature a new storefront with new windows and doors, as well as new overhead doors on the rear and side of the building.

The car wash building is rectangular in shape and will consist of CMU painted beige with a gray trim to match the main building. The same stone cladding will be used as a wainscot on each building elevation. Overall, the project will maintain consistency with the CDG through its mix in colors and materials, varied roof forms, and use of architectural elements.

Figure 3: Current and Proposed East Elevation (Front)



Vehicle Access, Circulation, and Parking: The property has frontage on N. Sunrise Avenue, which is a four-lane major arterial roadway at this location. Access to the site is provided by a signalized driveway on N. Sunrise Avenue that intersects with Sierra Gardens Drive. A second driveway exists approximately 250 feet south of the signalized driveway that provides for right-in and right-out turning movements. The site also has shared driveways on the northern and southern property lines that connect to the adjacent properties; the existing reciprocal access agreements between the properties will be maintained. The project was reviewed by City Engineering and Fire Department staff and was found to comply with vehicle access and circulation standards and emergency circulation requirements. As discussed in the CUP section of this report, the project exceeds the Zoning Ordinance parking requirements, providing a total of 162 spaces. Consistent with the CDG, the site provides at least 100 feet of vehicle stacking distance for the car wash building.

Landscaping and Lighting: The proposed project will maintain a majority of the existing landscaping on the site, which includes the existing 20-foot wide landscape planter along N. Sunrise Avenue and shade trees within the parking lot. Some of the existing parking lot shade trees will be removed to accommodate the proposed car wash building and restriping of parking spaces. Two (2) lacebark elm trees and a mix of shrubs and groundcover will be planted adjacent to the car wash building. The project will maintain 50% shading of the parking lot as required by the CDG. Parking lot lighting already exists for the site and was determined to comply with the CDG with the original DRP approval, which require lighting to have no glare onto adjacent properties. The existing lighting on the building will also remain.

In summary, the proposed modifications are in substantial compliance with the intent of the original approval, and the modifications comply with the applicable goals, policies, and objectives of the Zoning Ordinance, the General Plan, and the CDG. As such, staff supports the project as outlined above.

PUBLIC OUTREACH

The proposed project was distributed to all internal and external agencies and departments who have requested such notice, and all comments or recommended conditions of approval have been incorporated into the project, as appropriate. A notice of the public hearing was published in the Press Tribune on October 5, 2021 and a notice of the hearing was also distributed to all property owners within 300 feet of the site, interested persons, and published on the Roseville Coalition of Neighborhood Associations' website. To date, no comments have been received.

ENVIRONMENTAL DETERMINATION

Under Public Resources Code (PRC) Section 21083.3, a certified environmental impact report (EIR) for a planning or zoning project may be used to eliminate, or to reduce the scope of, environmental review

for later development projects. The City approved its 2035 General Plan in August 2020 and the EIR for the General Plan contains robust and specific language supporting the City's use of the statutory exemption contained in Public Resources Code Section 21083.3 in the absence of environmental issues peculiar to the site. This exemption is further expanded upon by CEQA Guidelines Section 15183, which provides an exemption from additional environmental review for projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Staff prepared an environmental compliance checklist, included as Attachment 1, demonstrating the Project qualifies for review under CEQA Guidelines Section 15183 and does not need additional environmental review since the General Plan EIR, certified by the City Council on August 5, 2020, adequately addressed the Project's potential environmental impacts. No potential new impacts related to the Project have been identified that would necessitate further environmental review beyond the impacts and issues already disclosed and analyzed in the General Plan EIR. No other special circumstances exist that would create a reasonable possibility that the Project will have a significant adverse effect on the environment and, thus, no further environmental review is required. As the Project meets the requirements of PRC Section 21083.3 and CEQA Guidelines Section 15183, the Project is statutorily exempt from further CEQA review.

The addition of a car wash to the Property is categorically exempt under CEQA Guideline Section 15301, which exempts minor alterations to existing structures and facilities, including Projects in an area where all public services and facilities are available and any additions to existing structures will not result in an increase of more than 10,000 square feet.

RECOMMENDATION

The Planning Division recommends the Planning Commission take the following actions:

- A. Adopt the three (3) findings of fact and approve the **CONDITIONAL USE PERMIT – 180 N. SUNRISE AVENUE – INFILL PCL 189 – ECHOPARK AUTOMOTIVE – FILE #PL21-0230** subject to three (3) conditions of approval; and
- B. Adopt the two (2) findings of fact and approve the **DESIGN REVIEW PERMIT MODIFICATION – 180 N. SUNRISE AVENUE – INFILL PCL 189 – ECHOPARK AUTOMOTIVE – FILE #PL21-0230** subject to twelve (12) conditions of approval.

CONDITIONS OF APPROVAL FOR THE CONDITIONAL USE PERMIT

1. This conditional use permit approval shall be effectuated within a period of two (2) years from **October 14, 2021** and if not effectuated shall expire on **October 14, 2023**. Prior to said expiration date, the applicant may apply for an extension of time, provided this approval does not extend the expiration beyond **October 14, 2024**. (Planning)
2. The project is approved as shown in Exhibits A—B, and as conditioned or modified below. Any modifications to the operations shall require approval of a Conditional Use Permit Modification. (Planning)
3. The proposed car wash shall recycle a minimum of 75% of its water use. The applicant shall provide manufacturer's specifications with improvement plan submittal. (Environmental Utilities)

CONDITIONS OF APPROVAL FOR THE DESIGN REVIEW PERMIT MODIFICATION

1. This Design Review Permit approval shall be effectuated within a period of two (2) years from **October 14, 2021** and if not effectuated shall expire on **October 14, 2023**. Prior to said expiration date, the applicant may apply for an extension of time, provided this approval does not extend the expiration beyond **October 14, 2024**. (Planning)

2. The project is approved as shown in Exhibits A—B, and as conditioned or modified below. (Planning)
3. The project is subject to the previously approved conditions of approval for the Design Review Permit for Fry's Electronics (File #DRP 01-17), except as conditioned or modified below. (Planning)
4. Bike parking and carpool parking shall be provided per the City of Roseville Transportation Systems Management (TSM) Ordinance. (Alternative Transportation)
5. The applicant/developer shall prepare a Transportation Systems Management (TSM) Plan for EchoPark Automotive. (Alternative Transportation)
6. The applicant shall not commence with any on-site improvements until such time as grading and/or improvement plans have been submitted for review and are approved and grading and/or encroachment permits are issued by the Department of Development Services – Engineering Division (Engineering, Environmental Utilities)
7. The approval of this project does not constitute approval of proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. The Developer shall submit civil drawings to the Department of Development Services – Engineering Division for review and approval. (Engineering)

PRIOR TO ISSUANCE OF BUILDING PERMITS:

8. Parking lot design shall conform to the City's design standards, including the following minimum standards for parking stalls:
 - a. All parking stalls shall be double-striped. Parking stalls adjacent to sidewalks, landscaped areas or light fixtures, and all Accessible stalls shall abut a 6-inch raised curb or concrete bumper. (Planning)
 - b. Standard – 9 feet x 18 feet; Compact – 9 feet x 16 feet; Accessible – 14 feet x 18 feet (a 9-foot-wide parking area plus a 5-foot-wide loading area) and a minimum of one (1) parking space shall be Accessible van accessible – 17 feet x 18 feet (9-foot-wide parking area plus an 8-foot-wide loading area). (Planning)
 - c. An 'exterior routes of travel' site accessibility plan incorporating slope, cross-slope, width, pedestrian ramps, curb ramps, handrails, signage, detectable warnings or speed limit signs or equivalent means shall comprise part of the site improvement plans submitted to City for review, prior to building plan check approvals. This site accessibility plan shall also include:
 - i. Accessible parking stalls shall be dispersed and located closest to accessible entrances. The total number of accessible parking spaces shall be established by Table 11B-208.2 of the CBC.
 - ii. Accessible Parking spaces and crosswalks shall be signed, marked and maintained as required by Chapter 11 of the CBC.
 - iii. Accessible parking and exterior route of travel shall comply with CBC, Sections 11B-206 and 11B-208. (Building)
9. At a minimum, landscaped areas not covered with live material shall be covered with a rock, (3") bark (no shredded bark) or (3") mulch covering. (Planning)
10. Building permit plans shall comply with all applicable code requirements (California Building Code – CBC – based on the International Building Code, California Green Building Standards Code–CGBSC,

California Mechanical Code – CMC – based on the Uniform Mechanical Code, California Plumbing Code – CPC – based on the Uniform Plumbing Code, California Fire Code – CFC – based on the International Fire Code – with City of Roseville Amendments – RFC, California Electrical Code – CEC – based on the National Electrical Code, and California Energy Standards – CEC T-24 Part 6), California Title 24 and the American with Disabilities Act - ADA requirements, and all State and Federally mandated requirements in effect at the time of submittal for building permits (contact the Building Division for applicable Code editions). (Building)

11. The applicant shall provide a new trash enclosure per City of Roseville standards. The enclosure can be a single bin if the compactor is utilized. If the developer chooses to modify the existing storage area to a trash enclosure, the enclosure will need to meet current city standards. (Engineering)
12. All landscaping in areas containing electrical service equipment shall conform with the Electric Department's Landscape Requirements and Work Clearances as outlined in Section 10.00 of the Department's "Specification for Commercial Construction." In addition, no trees greater than 20' at maturity may be planted that encroach into the overhead power line easement. (Electric)

ATTACHMENT

1. Environmental Compliance Checklist

EXHIBITS

- A. Operational Description
- B. Plans

Note to Applicant and/or Developer: Please contact Planning Division staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Manager at, or prior to, the public hearing.