

ITEM 6.2: **Conditional Use Permit Modification and Design Review Permit Modification – 1798 Pleasant Grove Boulevard – DWSP PCL 21 – West Roseville Marketplace Modifications (McDonald’s) – File #PL23-0121**

REQUEST

The project is a request for a Conditional Use Permit Modification for a drive-through fast-food restaurant to operate from 5:00 a.m. until 12:00 a.m., daily, and a Design Review Permit Modification for a drive-through fast-food restaurant to reduce the building square footage, modify the drive-through lane configuration, and modify the previously approved building elevations. The original Conditional Use Permit and Design Review Permit was file #PL22-0089.

Applicant – Tiffany Wilson, RSC Engineering, Inc.
Property Owner – Safeway Inc.

SUMMARY RECOMMENDATION

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

1. Adopt the two (2) findings of fact and approve the Conditional Use Permit Modification subject to six (6) conditions of approval; and
2. Adopt the two (2) findings of fact and approve the Design Review Permit Modification subject to five (5) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

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

BACKGROUND

The project site is located on Parcel 21 in the Del Webb Specific Plan (DWSP) at the northeast corner of Pleasant Grove Boulevard and Fiddlyment Road (see Figure 1). The site has a zoning designation of Community Commercial/Special Area – Del Webb Specific Plan (CC/SA-DW) and a land use designation of Community Commercial (CC). The project encompasses two (2) parcels located on Assessor’s Parcel Number 017-162-049-000 (±8.19 acres) and 017-162-010-000 (±0.62 acres).



Surrounding uses include a senior apartment complex and an age restricted single-family subdivision to the north, a community assembly use (Pleasant Grove Community Church) to the east, commercial property within the North Roseville Specific Plan to the south, and single-family residential properties within the West Roseville Specific Plan to the west.

On November 10, 2022, the Planning Commission adopted the West Roseville Marketplace Initial Study/Mitigated Negative Declaration (WRM IS/MND) and approved a Conditional Use Permit (CUP) to allow a gasoline station and a drive-through fast-food restaurant contiguous to residentially zoned properties, a Design Review Permit (DRP) to allow the construction of a 76,000-square-foot shopping center, a Tentative Parcel Map to subdivide two (2) parcels into four (4) commercial lots, and a Planned Sign Permit Program to establish the sign criteria for the shopping center. The November 2022 Planning Commission staff report is included as Attachment 1.

The current request is to modify the existing CUP and DRP to allow a drive-through fast-food restaurant (McDonald's) to establish their business hours of operation. The applicant also requests to modify the building elevations, reduce the building square footage, and modify the drive-through lane.

EVALUATION – CONDITIONAL USE PERMIT MODIFICATION

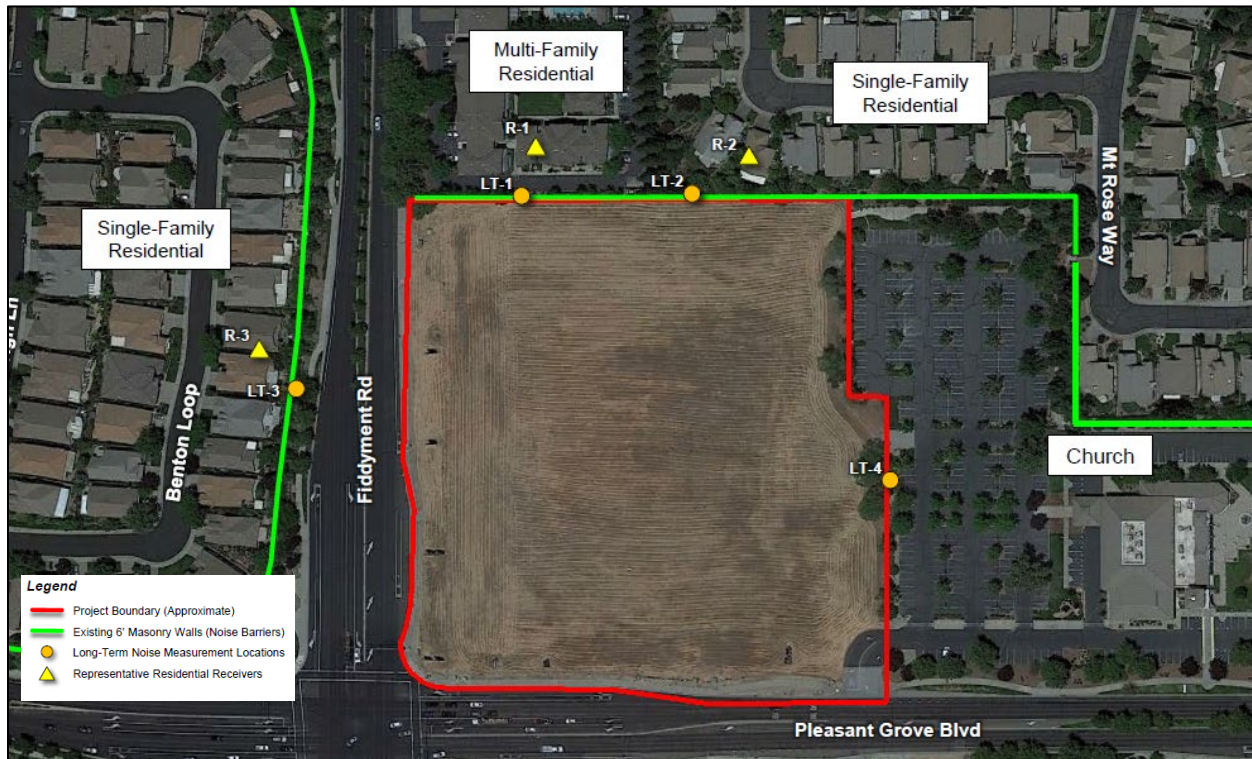
Section 19.78.060(J) of the City of Roseville Zoning Ordinance requires that two findings be made in order to approve a Modification for the Conditional Use Permit. The two findings are listed below in *italicized, bold print* and are followed by an evaluation of the proposal in relation to each finding.

- 1. The proposed modification is substantially consistent with the intent of the original approval.***
- 2. The modification complies with all applicable standards and requirements of this title, with the applicable goals, policies and objectives set forth in the General Plan, the applicable Community Design Guidelines and the applicable specific plan.***

The original CUP included a Condition of Approval that required the drive-through tenant of Building B to amend the CUP to establish the business hours of operation. McDonald's is requesting to establish their business hours of operation from 5:00 a.m. to 12:00 a.m., daily. The operation of the business is discussed in more detail below.

As part of staff's evaluation of the original West Roseville Marketplace CUP, a noise study was completed by Bollard Acoustical Consultants (BAC), an acoustical engineering firm (see Attachment 2). This study was prepared based on the original site plan for a fast food restaurant. Since the study was prepared, only minor site plan changes have occurred which will not detrimentally affect the noise analysis. Based on the BAC study, the primary noise sources associated with the project were identified to be the restaurant drive-through operations, parking lot movement, and the rooftop mechanical equipment (HVAC). However, it was estimated that the existing 6-foot sound wall along the northern property line will reduce the project noise levels by 5 dB. The study used the drive-through vehicle passby data and speaker noise level data and assumed standard spherical spreading loss, all the data was projected to the property lines of nearest sensitive receptor (receivers R-1 through R-3) (see Figure 2 below).

Figure 2: Location of Sensitive Receptors



The result of that analysis is illustrated in Table 1. Table 1 shows the restaurant drive-through operations noise levels are predicted to comply with the City’s Noise Ordinance and the City’s General Plan daytime and nighttime hourly average, while also staying in compliance with the maximum noise level standards at the nearest sensitive receptors. In addition to the noise study, the applicant provided supplemental data regarding the proposed drive-through system which is equipped with a feature known as Automatic Volume Control (AVC) (see Attachment 3). AVC will be used to reduce the outbound sound levels based on the surrounding ambient noise levels. This feature reduces the sound levels during quiet periods throughout the day. Overall, both the study and the supplemental data found that no mitigation measures would be required for the project since the predicted project noise levels will be well below the City’s Noise Ordinance and the City’s General Plan standards.

Table 1: Predicted Restaurant Drive-Through Noise Levels at Nearest Residential Uses

Receiver ¹	Distance from Source (ft) ²		Predicted Noise Levels (dB) ³			
			Speaker		Vehicles	
	Speaker	Vehicles	L _{eq}	L _{max}	L _{eq}	L _{max}
R-1	535	520	23	27	15	25
R-2	520	510	24	28	15	25
R-3	630	615	22	26	13	23
Applicable General Plan Daytime Noise Standard (dB)			50	70	55	75
Applicable General Plan Nighttime Noise Standard (dB)			40	60	45	65

¹ Nearest residential uses are represented as receivers R-1 through R-3 on Figure 1.
² Distances scaled from drive-through lane and speaker area to residential property lines using site plan.
³ Predicted noise levels include consideration of screening that would be provided by proposed intervening on-site structures, where applicable.
 Source: *Bollard Acoustical Consultants, Inc. (2022)*

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. 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 evaluation of the Design Review Permit Modification has been based on the original approval and the applicable development and design standards within the City's Zoning Ordinance, Community Design Guidelines (CDG), and the DWSP. Staff reviewed the proposed project for consistency with all applicable standards and found the project to be consistent with the relevant requirements and guidelines. The proposed modifications are discussed and evaluated below.

Architecture: McDonald's proposes to match the building materials and color palette of the previously approved pad building design. Stone veneer is proposed to wrap around the entire tower element and will be placed along the building elevations at strategic locations which will help provide breaks in the rhythm of the building elevations. Further, aluminum trellis features are included as accents on the building and will be a dark grey color. Figures 3 and 4 below illustrate the proposed front and rear building elevations. Overall, the project building will reflect a craftsman architecture style consistent with the previously approved building elevations.

Figure 3: Proposed Front Building Elevation



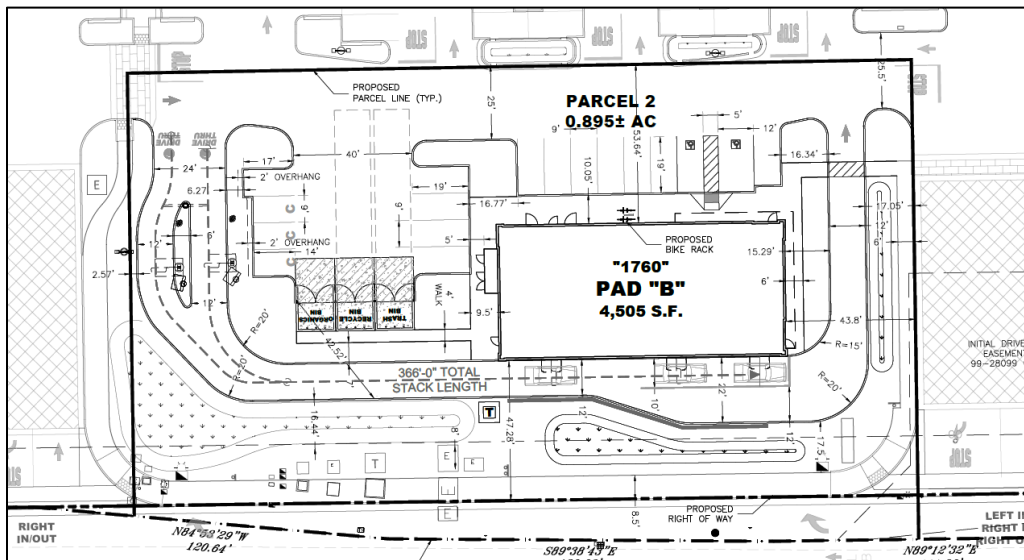
Figure 4: Proposed Rear Building Elevation



Vehicle Access, Circulation, and Parking: Ingress and egress for the project site will be provided via two (2) driveways on Fiddymont Road and two (2) driveways on Pleasant Grove Boulevard (1 existing and 1 proposed). Based on the Fehr & Peers technical memorandum completed with the previous entitlements, the project site circulation is intuitive and meets City standards. The proposed site changes include extending the drive-through lane and reconfigure the single drive-through lane into a dual drive-through lane. Additional changes include relocating the trash enclosure and reconfiguring the parking stalls. As illustrated in Figure 5 below, the proposed site reconfiguration will allow room for additional vehicles to queue in the drive-through lane and offer two (2) drive-through menu boards. The proposed dual drive-through lane will offer approximately 366-feet of stacking distance versus the previously approved drive-through lane which was 245-feet long. As a result of the site reconfiguration, the trash enclosure shifted slightly closer to the drive-through lanes and the parking stalls are central to the project site. 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.

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 modifications as outlined above.

Figure 5: Proposed Site Plan



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. Early notification of the project was posted on the Roseville Coalition of Neighborhood Associations (RCONA)'s website. A notice of the public hearing was published in the Roseville Press Tribune on October 26, 2023, and a notice of the hearing was also distributed to all property owners within 300 feet of the site and posted on the RCONA website. No comments have been received as of publication of the staff report.

ENVIRONMENTAL DETERMINATION

An Initial Study and Mitigated Negative Declaration (IS/MND) was prepared for the West Roseville Marketplace (under file #PL22-0089), which was adopted by the Planning Commission on November 10, 2022. The proposed project is within the scope of the previously approved project and will not result in any new environmental impacts. All applicable mitigation measures (included as Attachment 4) from the IS/MND will be implemented during the design and construction of the project. Therefore, no further environmental review is required.

RECOMMENDATION

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

1. Adopt the two (2) findings of fact and approve the **CONDITIONAL USE PERMIT MODIFICATION – 1798 PLEASANT GROVE BOULEVARD – DWSP PCL 21 – WEST ROSEVILLE MARKETPLACE MODIFICATIONS (MCDONALDS) – FILE #PL23-0121** subject to six (6) conditions of approval; and
2. Adopt the two (2) findings of fact and approve the **DESIGN REVIEW PERMIT MODIFICATION – 1798 PLEASANT GROVE BOULEVARD – DWSP PCL 21 – WEST ROSEVILLE MARKETPLACE MODIFICATIONS (MCDONALDS) – FILE #PL23-0121** subject to five (5) conditions of approval.

CONDITIONS OF APPROVAL FOR A CONDITIONAL USE PERMIT MODIFICATION, FILE #23-0121

1. This Conditional Use Permit Modification approval shall be effectuated within a period of two (2) years from **November 9, 2023**, and if not effectuated shall expire on **November 9, 2025**. Prior to said expiration date, the applicant may apply for an extension of time, provided this approval does not extend the expiration beyond **November 9, 2026**. (Planning)
2. The project is approved as identified and shown in Exhibit A, and as conditioned or modified below. Any modifications to the operations shall require approval of a Conditional Use Permit Modification. (Planning)
3. The project is subject to the previously approved conditions of approval for the DWSP PCL 21 – West Roseville Marketplace (file #PL22-089), except as conditioned or modified below. (Planning)
4. The project shall comply with all required environmental mitigation identified in the West Roseville Marketplace Initial Study/Mitigated Negative Declaration (included as Attachment 4) and shall include all applicable mitigation measures as notes on the grading plans. (Planning)
5. The drive-through hours of operation shall be limited to 5:00 a.m. to 12:00 a.m. to comply with the City's Noise Regulations standards. (Planning)

6. Operations shall be consistent with the City's Noise Regulation standards (Roseville Municipal Code Chapter 9.24). (Planning)

CONDITIONS OF APPROVAL FOR THE DESIGN REVIEW PERMIT MODIFICATION, FILE #23-0121

1. This Design Review Permit Modification approval shall be effectuated within a period of two (2) years from **November 9, 2023**, and if not effectuated shall expire on **November 9, 2025**. Prior to said expiration date, the applicant may apply for an extension of time, provided this approval does not extend the expiration beyond **November 9, 2026**. (Planning)
2. The project is approved as shown in Exhibit A and as conditioned or modified below. (Planning)
3. The project is subject to the previously approved conditions of approval for the DWSP PCL 21 – West Roseville Marketplace (file #PL22-089), except as conditioned or modified below. (Planning)
4. The project shall comply with all required environmental mitigation identified in the West Roseville Marketplace Initial Study/Mitigated Negative Declaration (included as Attachment 4) and shall include all applicable mitigation measures as notes on the grading plans. (Planning)
5. Bike parking and electric vehicle parking spaces shall be provided per the California Green Building Standards. Carpool spaces shall also be provided per the City of Roseville's Transportation System Management (TSM) Ordinance, R.M.C Chapter 11.33. Bike rack/locker design and designated parking space markings and location shall be approved by Alternative Transportation. (Alternative Transportation, Building).

ATTACHMENTS

1. Planning Commission Staff Report
2. Environmental Noise Assessment
3. Drive-Through Sound Levels Report
4. West Roseville Marketplace IS/MND

EXHIBITS

- A. 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.