



Staff Report

Agenda Item No.

D-1

To: City of Imperial Planning Commission

From: Isabel Alvarez, Administrative Analyst

Date: December 14, 2016

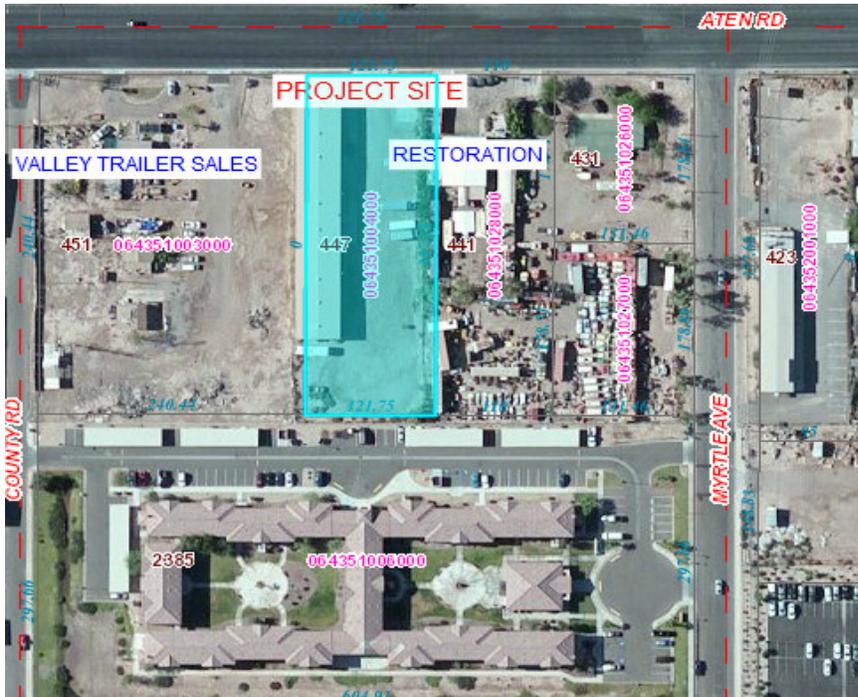
**Subject: Conditional Use Permit Request #16C04
The Coffee Shop
447 W. Aten Road, Suite A; Imperial, CA 92251**

Summary:

Applicant:	Anna Thelen (The Coffeshop)
Project Location:	447 W. Aten Road, Suite A; Imperial, CA 92251
Zoning:	C-1 Commercial Neighborhood Zone
General Plan:	Commercial
Environmental:	Categorically Exempt
Recommendation:	Approve Conditional Use Permit

Background

The applicant is requesting a Conditional Use Permit (CUP) to construct a coffee shop with a drive-through at 447 W. Aten Road, Suite A. The project site is part of an existing building. Immediately to the west of the project site is Valley Trailer Sales and to the east Restoration: A Hair and Beauty Workshop. An apartment complex is located directly to the south of the existing building, but the proposed coffee shop is to be located approximately 400 feet away. (An aerial photo of the project site is shown below.)



Discussion/Analysis

The Coffeeshop currently operates at a lease space on the northwest corner of La Brucherie and Aten, but they are proposing to relocate to be able to provide drive-through service.

The subject site at 447 W. Aten Road is currently zoned C-1 Commercial Neighborhood Zone. The land uses and zoning to the east and west of the project site are also C-1 Commercial Neighborhood Zone. The C-1 Commercial Neighborhood Zoning designation is intended for professional, administrative offices, restaurant, theatre, health clubs, and for neighborhood shopping centers which provide limited retail business service and office facilities for the convenience of residents of the neighborhood. Section 24.05.120.B.20.d of the Imperial Zoning Ordinance lists drive-through restaurants as a use subject to a Conditional Use Permit.

A restaurant is permitted by right in commercial zones, but potential traffic issues related to drive-through services require a conditional use permit.

Evaluation

The Zoning Ordinance provides flexibility in the regulation of uses to ensure that unusual characteristics of certain uses are properly addressed in furtherance of the Imperial Zoning Ordinance. Section 24.19.340 of the City of Imperial Zoning Ordinance requires that the Commission make specific findings be made when reviewing a CUP. The required findings are listed below in ***bold italics***, followed by an evaluation.

- 1. That the proposed location, size, design, and operating characteristics of the proposed use is in accord with the Title and Purpose of this Ordinance, the Purpose of the zone in which the site is located, the Imperial General Plan, and the development policies and standard of the City.***

The subject site is located within C-1 Commercial Neighborhood Zoning. The coffee shop will not interfere or conflict with the purposes of the zone.

- 2. That the location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect or be materially detrimental to adjacent uses, residents, buildings, structures, or natural resources with consideration given to those items listed in Section 24.19.340.B of the Imperial Zoning Ordinance.***

The proposed location is ideal for the facility as it is surrounded by similar land uses. To the west of the project site there is Valley Trailer Sales, and to the east there is Restoration: A Hair and Beauty Workshop. The project will be compatible with the adjacent land uses and will not adversely affect residents.

- 3. That the proposed location, size, design, and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.***

The project is very limited in nature, and as such, will not be detrimental to the public health, safety, or welfare. Cars waiting at drive through locations can sometimes cause traffic issues within parking lots and roadways. The proposed project provides sufficient queueing space for up to four (4) cars.

- 4. That the proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance, except for any approved Variance.***

The proposed coffee shop will comply with all provisions of the Zoning Ordinance.

Environmental Compliance

The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301 of the Guidelines.

Recommendation

Staff recommends the Planning Commission conduct a public hearing to receive comments for and against the project. Unless sufficient evidence to the contrary is presented at the public hearing, Staff recommends approval of **Resolution No. PC2016-08** approving a conditional use permit for a drive-through coffee shop located at 447 W. Aten Road subject to the following conditions on Exhibit A Conditions of Approval.

Respectfully Submitted



Jorge Galvan, AICP
Director of Planning and Development

Attachments: Resolution No. PC2016-08 with Conditions of Approval