



*PLANNING & REDEVELOPMENT STAFF REPORT
PLANNING COMMISSION MEETING April 27, 2006*

Prepared by: Chris Dougherty, Assistant Planner

ITEM IV-B: CONDITIONAL USE PERMIT AND DESIGN REVIEW PERMIT – 10201 FAIRWAY DR. – HRNSP PARCEL 46B – FILE # 2006 PL-027 (CUP-000022 & DRP- 000103)

REQUEST

The applicant requests approval of a modification of the existing Conditional Use Permit to allow the outdoor display of utility trailers and expand the designated outdoor sales and display area, and modification of the existing Design Review Permit for the addition of a permanent storage area.

Applicant and Property Owner: Lowe's Companies, Inc

SUMMARY RECOMMENDATION

The Planning and Redevelopment Department recommends that the Planning Commission take the following actions:

- A. Adopt the three findings of fact, as listed in the staff report, for approval of the Conditional Use Permit Modification.
- B. Approve the Conditional Use Permit Modification.
- C. Adopt the findings of fact, as listed in the staff report, for the Design Review Permit Modification.
- D. Approve the Design Review Permit Modification.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues with this request. The applicant has reviewed the conditions of approval for the project and is in agreement with those conditions.

BACKGROUND

The project site is located at 10201 Fairway Drive in the Highland Reserve North Specific Plan (HRNSP) area. On September 14, 2000 the Planning Commission approved a Design Review Permit for the construction of a Lowe's home improvement store. The approval also included a Conditional Use Permit to allow a building materials store in the Community Commercial zone of the Highlands Reserve North Specific Plan as well as a Sign Variance to exceed the Sign Ordinance provision for a wall sign.

The current request is for a modification to the existing CUP to expand the outdoor sales and display area and to amend the existing CUP to add utility trailers to the existing list of sale items allowed, and a modification to the existing DRP for the addition of a permanent storage area.

EVALUATION – CONDITIONAL USE PERMIT

Section 19.78.060.A of the City of Roseville Zoning Ordinance requires that three findings are made to approve a Conditional Use Permit. The required findings are listed below in ***italicized bold print*** and are followed by an evaluation.

1. *The proposed use is consistent with the City of Roseville General Plan and the Highland Reserve North Specific Plan.*

The Lowe's site has a General Plan land use designation of Community Commercial (CC). The General Plan states that primary uses within the CC designation include "Retail stores and businesses selling a full range of goods and services including auto sales and repair, and commercial child care facilities". The project site is located within the Highland Reserve North Specific Plan (HRNSP). The HRNSP lists a variety of uses permitted within the CC zone. The HRNSP lists "building material stores" as a conditional use in the CC Zone. As noted above, the Planning Commission approved a CUP to allow a building material store to operate in the HRNSP. Staff believes that the proposed modification to expand the outdoor sales area and sell and display utility trailers is consistent with the previously approved CUP thus is consistent with both the General Plan and Highland Reserve North Specific Plan.

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

The project site is zoned Community Commercial/Special Area - Highland Reserve North. The land use table of the HRNSP specifically lists building material stores as conditionally permitted uses in the CC zone. The purpose for this was so that outdoor operations could be more closely regulated. The original approved CUP limited outdoor sales to a designated area at front of the store and in a seasonal sales area to the north of the garden center (Exhibit B). The proposed construction of a permanent storage area adjacent to the garden center would extend the store frontage. This allows the expansion of the outdoor sales area to be consistent with the intent of the original CUP.

The Zoning Ordinance has specifications for construction within the Community Commercial zone, such as height restrictions, parking, and specifications for the design and number of parking spaces. These items were reviewed as part of the Design Review Permit request for the site (see below). Based on the attached Exhibits, as well as the conditions applied to the project, staff has determined that the proposed modification to the CUP will be consistent with the applicable standards and requirements of the Zoning Ordinance.

3. *The location, size, design and operating characteristics of the proposed use 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.*

Lowe's provided a project description detailing the operational characteristics of their facility in the original CUP. Exhibit A includes a list of anticipated display materials that does not include trailers. However, the proposed display and sale of utility trailers is no different and does not create any additional impacts than those items already permitted such as barbecues and lawnmowers.

Staff's primary concern relating to the outdoor operations for Lowe's is the exterior appearance. Of particular concern is the storage of proposed utility trailers in the parking lot of the site. Staff is recommending a condition of approval (3) to store the utility trailers either in the seasonal sales area or along the front sales area of the store. Limiting the sales area to these locations will keep an orderly appearance to the front of the store.

EVALUATION – DESIGN REVIEW PERMIT MODIFICATION

The evaluation of the Design Review Permit for the proposed project has been based on the applicable development standards within the City's Zoning Ordinance and the design standards of both the City's Community Design Guidelines (CDG) and the Highland Reserve North Specific Plan. Staff reviewed the proposal for consistency with the original approved Design Review Permit and with all applicable standards and found the project to be consistent with the requirements and guidelines in each. The following discussion is provided as clarification on areas of interest.

Site Design and Parking: The proposed storage area will be located in the parking area on the north-west side of the building adjacent to the current garden center (see Exhibit B). The area is proposed to be used for over stock and staging of materials for the garden center.

Currently there are 658 parking spaces at the Lowe's facility. The requirement for this location is 516 leaving an excess of 142 parking spaces. The proposed storage area would consume 34 of the excess parking spaces.

Architecture: The proposed storage area will be an extension of the current facility and will have a consistent architectural design to provide sufficient screening from public view. This is a key provision of the HRNSP and the existing CUP and DRP for Lowe's.

The applicant would like to use the storage area this season for the garden center operations. To serve as a temporary solution, staff is proposing a temporary screening of the storage area to serve as the storage area until a permanent solution can be built. The applicant has agreed to have a building permit for the permanent expansion by January 1, 2007.

CONCLUSION

With the design features discussed above with both the modification to the CUP and the DRP and the recommended conditions of approval, staff believes that the proposal is consistent with the approved Conditional Use Permit and Design Review Permit.

ENVIRONMENTAL DETERMINATION

The project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) Guidelines Section 15301(a), pertaining to minor alterations of existing public or private structures, and to Section 305 of the City of Roseville CEQA Implementing Procedures.

RECOMMENDATION

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

- A. Adopt the three findings of fact, as listed in the staff report, for approval of the Conditional Use Permit - CUP-000022 – 10201 Fairway Dr. - Lowe's Utility Trailers - to permit the sale of utility trailers and expand the outdoor sales area:
 1. The proposed use is consistent with the City of Roseville General Plan and the Highland Reserve North Specific Plan.
 2. The proposed use conforms with all applicable standards and requirements of the City of Roseville Zoning Ordinance

3. The location, size, design and operating characteristics of the proposed use 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.
- B. Approve the Conditional Use Permit – CUP-000022 – 10201 Fairway Dr. – Lowe’s Utility Trailers- subject to the following four (4) conditions of approval:
- C. Adopt the findings of fact as stated below for the Design Review Permit – DRP-000103 – 10201 Fairway Dr.:
1. The proposed modification is in substantial compliance with the intent of the original approval, prior conditions of approval, and all applicable design, development and improvement standards in effect as of the date of application for the modification.
 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, the applicable Community Design Guidelines and the North Central Roseville Specific Plan Design Guidelines.
- D. Approve the Design Review Permit – DRP-000103 – 10201 Fairway Dr. with the three (3) conditions listed below.

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT CUP-000022

1. This CUP is approved as shown and described in Exhibits A-C and as conditioned below. Exhibit A shall be revised to include utility trailers in the list of items allowed to be displayed in the outdoor sales area. (Planning)
2. This Conditional Use Permit approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on April 27, 2008. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, this shall be extended for no more than a total of one year from April 27, 2008. (Planning)
3. The placement of the utility trailers shall be limited to either the front sales area of the store or the seasonal sales area as shown in Exhibit B. (Planning)
4. All conditions of approval are in addition to the conditions of approval in the original Conditional Use Permit CUP 00-04. (Planning)

CONDITIONS OF APPROVAL FOR DESIGN REVIEW PERMIT DRP- 000103

1. The storage area will be enclosed with a wall and fence material that is consistent with the existing architecture to provide sufficient screening of the merchandise from public view. (Planning)
2. Until the permanent expansion of the storage area is completed, temporary fencing may be used to screen the merchandise from public view. This is not to extend past December 31, 2006. (Planning)
3. Outdoor temporary storage shall not be placed adjacent to the exterior wall. (Fire)

4. Prior to the issuance of a building permit for the conversion of the parking area to a permanent storage area the applicant shall pay all applicable impact and permit fees. (Building)

ATTACHMENTS

1. Vicinity Map

EXHIBITS

- A. Operations Plan
- B. Site Plan
- C. Reduced Color Elevation

Note to Applicant and/or Developer: Please contact the Planning Department 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 Director at, or prior to, the public hearing.