



Public Hearing
Conditional Use Permit
for a drive-through fast food restaurant
(In-N-Out) to be located at
1900 E. Plaza Blvd.
2021-11 CUP

Overhead



Site Characteristics:

- Subject property is 1.3 acres and currently occupied by a 6,178 sq. ft. restaurant building (Family House of Pancakes) proposed to be demolished
- Two existing wireless communication facilities mounted on artificial palm and within existing pylon sign
- Area is mixed-use with both commercial and residential properties
- Adjacent carwash has driveway access

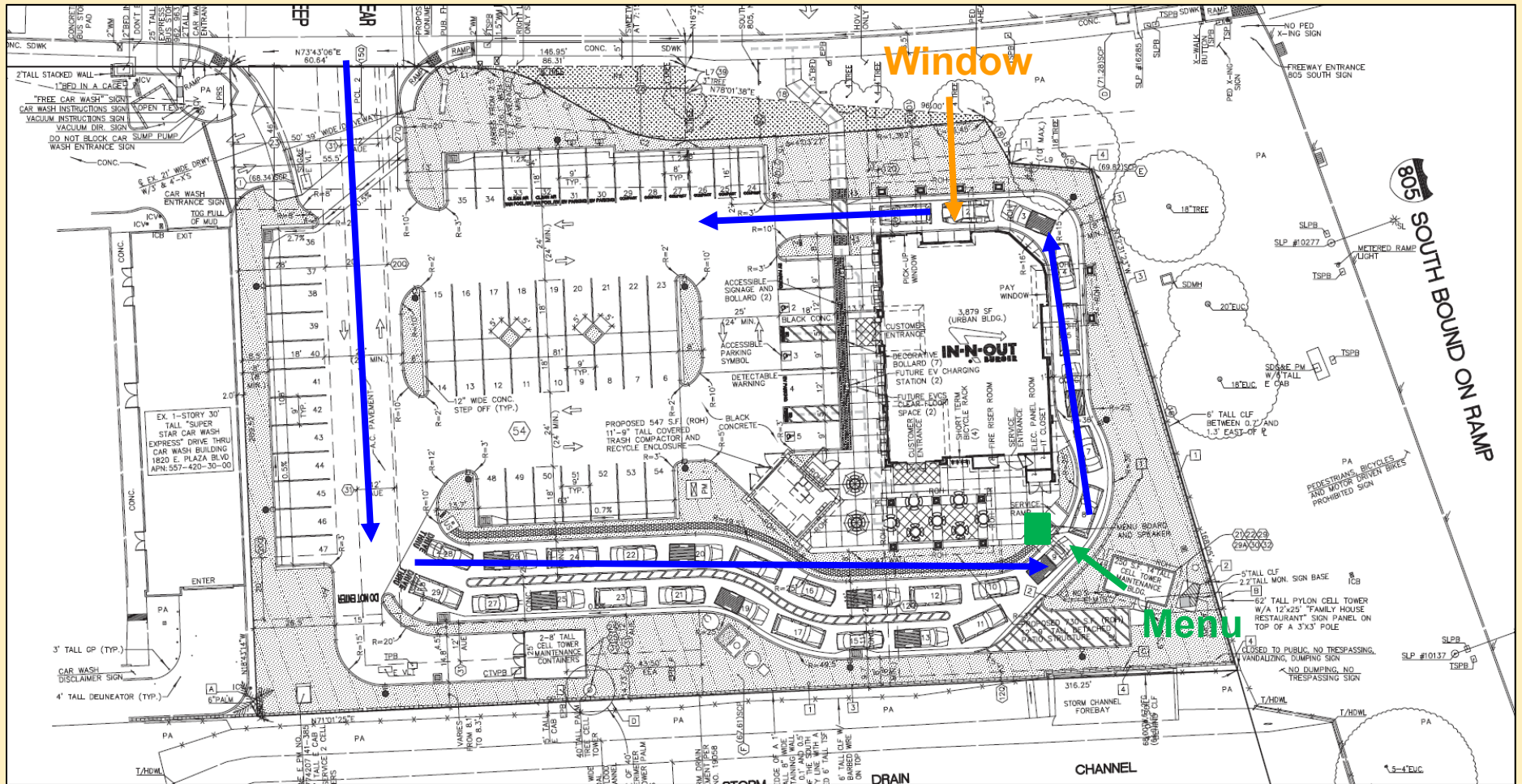
Proposed Use:

- Applicant proposes a new 3,879 square-foot drive-through fast food restaurant.
- Double lane drive-through aisle is proposed.
- 55 parking spaces are proposed, which is more than required. This may provide an alternate for drive-through customers.
- Interior seating for up to 84 customers and an outdoor patio for 52.
- Proposed hours of operation:
 - 10:30 am to 1:00 am Sunday through Thursday
 - 10:30 am to 1:30 am Friday and Saturday

Rendering



Site Plan



Analysis:

- Restaurant use is consistent with the MXD-2 zone
- A CUP required for drive-through business
- Additional requirements for fast food eating places
 - Public notice requirements consistent with CUPs
 - Distance requirements do not apply in the MXD-2 zone

Analysis (cont.):

- General Plan Policies related to fast food:
 - **Policy HEJ-4.2:** Encourage the development of healthy food establishments in areas with a high concentration of fast food establishments, convenience stores, and liquor stores.
 - **Policy HEJ-5.4:** Discourage unhealthy fast food outlets from locating near schools.
- E. Plaza Blvd., between Palm Ave. and I-805, currently has Bistro City, Kung Fu Tea, and California Produce
- East of I-805 there are four other drive-through restaurants within a half mile of the site (McDonald's, Popeyes, Dunkin' Donuts, and Starbucks)
 - Freeway presents a significant barrier
- In-N-Out has limited menu of burgers, fries, shakes, and soft drinks

Analysis (cont.):

- California Produce is a pre-existing healthy food option in line with the policy of **HEJ-4.2**
- The proposed restaurant would qualify as an “unhealthy fast food outlet” per **HEJ-5.4**
 - The nearest school is Las Palmas Elementary, which is more than a half-mile away in walking distance.

Analysis (cont.):

- Use is consistent with Land Use Code (LUC)
- Additional site planning standards in Chapter 18.41
 - Minimum queuing distances (established by CUP)
 - Minimum 25-foot interior turning radius for drive-through aisles
 - Location of drive-through window and landscape requirements
- Approximately 200 feet of vehicle queuing distance prior to ordering/menu board (double aisle)
- Another 150 feet before pickup window
- Total capacity of 29 cars with room for additional 7 before driveway entrance

Analysis (cont.):

- Interior turning radii of the drive-through aisles vary and are generally consistent with the requirement of 25.
- There is one 16-foot radius at the northeast corner of the building. Additional driveway width is provided at this location.
- Staff is recommending a condition for a revised site plan or alternative design approved by the City Engineer.
- The landscape plan is mostly consistent with the site planning standards. However, the proposed placement of shrubs does not fully meet screening requirements. A condition of approval is recommended to address this deficiency.

Analysis (cont.):

- While the proposal results in a smaller building, the site layout will result in few parking space (77-55). This is nine more spaces than required by the code.
- A traffic impact analysis was required for the proposed drive-through use.
 - The proposal is projected to generate approximately 1,655 net new daily trips compared to the existing restaurant, which was not open during the evening.
 - Analysis shows a reduction of 60 am peak hour trips and an increase in 103 pm peak hour trips.
 - Pass-by and diverted trips were accounted for.
 - The study was inclusive of other In-N-Out locations.

Analysis (cont.):

- Sufficient queuing capacity demonstrated
- Nearby intersections, with one exception, will continue to operate at an acceptable level of service (LOS)
- Intersection of Palm Ave. and E. Plaza. Blvd. already substandard
 - Project will result in less than two second delay
- Two additional scenarios evaluated
 - Close median to Palm Ave.
 - Extend median 300 feet
- Condition of approval to extend median 300 feet if deemed necessary by the City

Analysis (cont.):

- Noise issues related to drive-through businesses usually related to vehicles in queue and ordering windows/speakers
 - Close proximity to I-805 (ambient levels)
 - Solid six-foot high CMU wall separates residential properties to the south
 - Condition requiring noise-attenuating speakings
- Mailing sent to 249 occupants and owners

Comments:

- Engineering and Fire Departments provided comments related to standards for new development
- Sweetwater Authority
- cursory review by Planning
- Comments incorporated as conditions of approval

Public Comment:

- One letter provided at the time the staff report was written
 - Concerns related to traffic congestion
 - Concerns related to the concentration of fast food restaurants in the National City

CEQA:

- Staff has determined the proposed project to be categorically exempt pursuant to Class 32 (Infill Development Projects)
- Notice of Exemption will be filed subsequent to approval of the CUP

Conditions:

- Recommended conditions of approval to address the following:
 - Public safety concerns that may arise due to unforeseen traffic issues following the opening of In-N-Out (median extension)
 - Landscape plan in conformance with site planning standards
 - Revised site plan or design alternative approved by the City Engineer for drive-through aisles
 - Noise-attenuating speakers

Summary:

- Proposed use consistent with General Plan
 - Drive-through restaurant allowed with approved CUP in the MXD-2 zone
- Inclusion of conditions related to compliance with site planning standards, noise standards, and to alleviate concerns related to area traffic impacts
- Notice of Exemption of CEQA

Options:

- Approve CUP based on attached findings / findings determined by the Commission; or
- Deny CUP based on attached findings / findings determined by the Commission; or
- Continue the item for additional information
- Staff recommending approval with recommended conditions
- Notice of Decision to City Council