

# PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING January 26, 2006

Prepared by: Wayne Wiley, Assistant Planner

ITEM IV-B: CONDITIONAL USE PERMIT – 7456 FOOTHILLS BOULEVARD – MARTINIZING DRY

CLEANERS) - FILE # CUP-000017

## **REQUEST**

The applicant requests approval of a Conditional Use Permit (CUP) to allow a Commercial Laundry to operate in an existing building located within the Community Commercial (CC) zoning district.

Property Owner: Marcia Goldenfeld – Woodcreek Plaza, LLC. Project Applicant: Michael J. Riordon – Martinizing Dry Cleaners

## **SUMMARY RECOMMENDATION**

The Planning & Redevelopment Department recommends that the Planning Commission:

- A. Adopt the Negative Declaration;
- B. Adopt the three (3) findings of fact for the Conditional Use Permit; and
- C. Approve the Conditional Use Permit, subject to seventeen (17) 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. To date, no comments have been received from adjacent property owners.

#### **BACKGROUND**

The subject site is located at 7456 Foothills Boulevard within the Woodcreek Plaza Shopping Center as an existing in-line tenant space. The site is within the Northwest Roseville Specific Plan (NWRSP) Parcel 15 (Attachment 1). The Woodcreek Plaza Shopping Center is within the Community Commercial/Special Area – Northwest Specific Plan (CC/SA-NW) zoning district.

Martinizing Dry Cleaners is proposing to occupy an existing tenant space within the Woodcreek Plaza Shopping Center (Exhibit B). Martinizing Dry Cleaners will be a dry cleaning facility that will have equipment on-site to supply dry cleaning, garment pressing and laundry services. By having equipment on-site and being capable of processing high volume laundry services, Martinizing Dry Cleaners meets the Industrial Use Type definition of a Commercial Laundry (Zoning Ordinance Section 19.08.100 F). According to the Roseville Zoning Ordinance, Commercial Laundries may be permitted in the CC zone upon approval of a Conditional Use Permit (CUP). The Zoning Ordinance requires approval of a CUP to address potential incompatible uses (see discussion in Sections 2 and 3 below).

#### **EVALUATION**

Conditional Use Permits are evaluated for consistency with the City's General Plan, conformance with the City's Zoning Ordinance, and potential for impacts to the health, safety and welfare of persons who reside or live in the area. Specifically, the Planning Commission must make the three findings listed below in **bold italics** to approve the Conditional Use Permit. An analysis of the project follows each finding.

1. The proposed use is consistent with the City of Roseville General Plan.

The land use designation for the subject property is Community Commercial (CC). The primary use of the CC land use designation includes retail stores and businesses selling a full range of goods and services. Martinizing Dry Cleaners provides walk-in customers dry cleaning and laundry services (Exhibit D). The applicant has verbally indicated they do not anticipate receiving dry cleaning or laundry from other facilities; **Condition 17** has been added to ensure this requirement is upheld. The frequency and type of deliveries would be similar to the level of commercial operations typically found in a neighborhood shopping center, and the hours of operation of the equipment will be limited as a condition of approval (**Condition 14**).

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

Martinizing Dry Cleaners meets the definition of a Commercial Laundry because they will be capable of providing high volume dry cleaning and laundry services on-site. As a Commercial Laundry, Martinizing Dry Cleaners may be conditionally permitted within a CC zoned district.

Conditional Use Permits are used to address potential incompatibilities between land uses. The standards and requirements of the Zoning Ordinance are used to evaluate the appropriateness of a use or uses. For Industrial uses, the Roseville Zoning Ordinance does not establish any specific development standards except for parking requirements.

Parking - The Zoning Ordinance does not specifically list parking requirements for Commercial Laundries. However, the Zoning Ordinance does provide that the Planning & Redevelopment Director may determine a parking requirement for an unlisted use. Martinizing Dry Cleaners has indicated that in terms of operations they will function primarily as a dry cleaning pick-up station, which is a use included in the Zoning Ordinance definition of a personal service. Even though Martinizing Dry Cleaners will be providing dry cleaning and laundry services on-site, it is not anticipated that this capability will affect the amount of parking needs generated by customers coming to drop-off their garments and linens. It is determined that the listed parking requirement for personal services provides an appropriate parking requirement for Martinizing Dry Cleaners. The parking requirement for personal services is one parking space per 300 square feet (1:300 sq. ft.). Martinizing Dry Cleaners proposes to use approximately 2,250 square feet of tenant space, which will require seven (7) parking spaces.

A parking study (Attachment 2) indicates a total of 336 parking spaces are provided in the center. Currently 329 parking spaces are required based on the existing tenants located within the shopping center. According to the most recent parking study, the Woodcreek Plaza shopping center has 7 parking spaces in excess of the shopping center parking standard. Based on the analysis noted above, there is adequate parking available for the proposed Martinizing Dry Cleaners. **Condition 16** will require the applicant to update the parking survey for Woodcreek Plaza prior to occupancy.

Given the above parking information, the project is consistent with the Zoning Ordinance development standards.

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.

Commercial Laundries located within Community Commercial zoned districts are conditionally permitted so that any potential conflicts between adjacent properties and the dry cleaning business can be identified and addressed. Potential operational conflicts can include noise, hazardous materials, air quality, and water quality.

Martinizing Dry Cleaners has indicated they will be open to receive walk-in customers during 7:00 a.m. through 7:00 p.m., Monday through Friday, and 9:00 a.m. through 5:00 p.m. on Saturdays. **Condition 13** is included to ensure that hours of operation will continue to coincide with typical commercial operations. The applicant has indicated that the processing, cleaning, pressing and packaging of garments will occur between 7:00 a.m. through 3:00 p.m. Monday through Saturday. **Condition 14** limits the use of the equipment between 7:00 a.m. to 3:00 p.m. to assist in minimizing the amount of noise, use of hazardous materials, and potential air and water quality impacts.

Typically dry cleaning/laundry operations are associated with noise and vibration from air compressors. The applicant has verbally indicated they will use a rubber mounted, enclosed equipment system as opposed to the standard rotary screw style of equipment. It is anticipated that they will comply with the Noise Ordinance standards. Martinizing Dry Cleaners proposes to install roof-mounted equipment. However, the applicant has indicated that the equipment is similar to the amount of equipment and noise level that might be associated with a bakery. In addition, consistent with the conditions of approval of the Woodcreek Plaza Shopping Center the equipment will be screened from public view (Exhibit C).

In discussions with adjacent businesses at an existing location using similar equipment (Fresh Cleaners located at 4021 Woodcreek Boulevard), the adjacent businesses have not noticed any noise or vibration from the existing dry cleaning facility. However, if the proposed project does exceed the Noise Ordinance levels, the proposed facility would be required to implement remediation measures to comply with the standards of the Noise Ordinance. (**Condition 12**)

Dry cleaning operations are subject to regulations addressing handling of hazardous materials, and protection of air and water quality. Historically, dry cleaning operations have used cleaning agents (such as perchloroethylene, or perc) that are potentially toxic liquid solvents. Problems have arisen in the past due to mishandling of the solvent and the treated clothes, and equipment leaks or faulty vents leading to air and/or water quality impacts. To address these concerns, the proposed project is required to provide a Hazardous Material Business Plan and comply with other safety precautions (**Conditions 4 through 11**), and is required to secure an Authorization to Construct from the Placer County Air Pollution Control District. However, as mentioned previously, this project will use new equipment that uses a no vent, closed loop system. The equipment prevents the solvent from escaping and prevents any venting of solvent or vapors into the atmosphere. In addition to the type of equipment proposed to be installed, Martinizing Dry Cleaners will also use a less toxic solvent known as GreenEarth (Attachment 3). The solvent is chemically inert, and does not pollute the air, soil or water according to the materials provided by the applicant. To ensure that GreenEarth or a comparable solvent is used at the subject site, **Condition 15** is included.

Based on the information presented above, the Planning & Redevelopment Department has not identified any potential adverse effects of this project upon the public health, safety and welfare or upon property or improvements in the vicinity of the project site and therefore supports approval of the request. The applicant is in agreement with all of the conditions of approval.

## **ENVIRONMENTAL DETERMINATION**

The Planning & Redevelopment Director has determined that the above project will not have a significant effect on the environment and proposes that a Negative Declaration be adopted. This determination has been based upon an Initial Study that concludes that the project will not have significant effects on the

environment. At this meeting the Approving Authority may adopt the proposed Negative Declaration (Exhibit A). An Initial Study and Negative Declaration were prepared for this project and posted on January 6, 2006. The 20-day comment period expires on January 26, 2006. No comments regarding the environmental determination were received prior to the release of this report.

#### **RECOMMENDATION**

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

- A. Adopt the Negative Declaration;
- B. Adopt the three (3) findings of fact listed above for the Conditional Use Permit 7456 Foothills Boulevard FILE # CUP-000017; and
- C. Approve the Conditional Use Permit 7456 Foothills Boulevard FILE # CUP-000017 subject to the sixteen (16) conditions below.

## CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP-000017):

- 1. The project is approved as shown in Exhibits B and C, and as conditioned below. (Planning)
- 2. The applicant shall obtain and maintain all additional licenses and permits necessary to conduct the dry cleaning business from the subject property. (Planning)
- Construction Documents submitted for plan check and permit shall comply with all applicable code requirements including the 1994 Uniform Building Code, 1994 Uniform Mechanical Code, 1994 Uniform Plumbing Code, 1993 National Electrical Code, 1994 Uniform Fire Code, Roseville Municipal Code and all state and federal mandated requirements in effect at the time of submittal for building permit. (Building)
- 4. RFC Section Section 105.8.f.3 (as amended) requires a permit for IIIB liquids when stored or used in a quantity in excess of 110 gallons. The applicant will be required to obtain a permit from the Fire Department if he/she cannot operate with a quantity below the threshold noted above. (Fire)
- 5. The applicant shall be required to submit a Hazardous Materials Business Plan if they handle or store hazardous materials (including IIIB combustible liquids) in a quantity at or above 55 gallons. (Fire)
- A portable fire extinguisher shall be mounted in accordance with Article 10. (Fire)
- 7. A NO SMOKING sign shall be posted. (Fire)
- 8. CFC 3603.5 requires that mechanical ventilation system exhaust 1 cfm for each square foot of floor area, and it shall be interlocked with the dry cleaning equipment. (Fire)
- 9. CFC 3603.7 requires all wiring connections to be in accordance with the Electric Code. Based on CFC 3603, the applicant is requested to submit a copy of the owner's manual or literature about the Realstar Hydroclean Machine from the manufacturer. (Fire)
- 10. CFC 3603.9.4 requires that a label be affixed near the dry cleaning machine door indicating that it not to be operated with solvents having a flash point less than specified by the manufacturer. The sign shall also indicate that the doors to the machine shall not be opened until the rotating cylinder has stopped. (Fire)

- 11. The applicant shall describe the extent of any dry cleaning to be done outside of the machine. (Fire)
- 12. The project is subject to the noise standards established in the City's Noise Ordinance. (Planning)
- 13. The approved hours of operation for receiving business from walk-in customers shall be as follows: Monday through Friday 7:00 a.m. through 7:00 p.m., and 9:00 a.m. through 5:00 p.m. on Saturdays. (Planning)
- 14. On-site equipment shall be limited to use during the hours of 7:00 a.m. to 3:00 p.m. Monday through Saturday. (Planning)
- 15. Martinizing Dry Cleaners shall use GreenEarth solvent or a comparable cleaning solvent at this location. Conversion to a different system of dry cleaning shall only be permitted following receipt of written authorization from the Planning & Redevelopment Department. (Planning)
- 16. The applicant shall submit a revised parking survey for Woodcreek Plaza prior to occupancy. (Planning)
- **17.** Deliveries/pick-ups or processing of clothes from other dry cleaning or laundry facilities is not permitted. (Planning).

#### **ATTACHMENTS**

- Vicinity Map
- 2. Woodcreek Plaza Parking Survey
- GreenEarth Cleaning System Fact Sheet

#### **EXHIBITS**

- A. Negative Declaration
- B. Site Plan
- C. Floor Plan/ Exterior Elevation

**Note to Applicant and/or Developer:** Please contact the Planning & Redevelopment 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.