



STAFF REPORT 10/18/2023

TO: Planning Commission

FROM: Gabriel Perez, Development Services Director

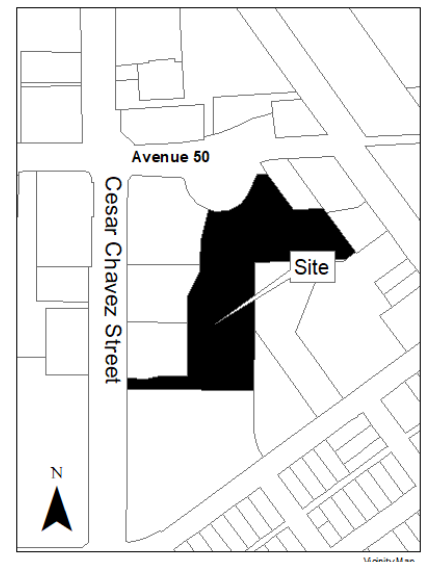
SUBJECT: Architectural Review No. 23-12 request to modify Panda Express drive thru building architecture with the addition of red LED lighting strips to the swoop roof element design as Architectural Review No. 23-12 at 50-120 Cesar Chavez Street. The project was originally approved as Architectural Review No. 21-12 consisting of development of 2.83 acres of an 8.25-acre property to include a 2,600 sq. ft. Panda Express drive thru restaurant and a 20,442 sq. ft. Aldi supermarket at the northeast corner of Cesar Chavez Street and First Street (APN# 778-020-007 and 778-010-017) Continued from October 4, 2023. Applicant: Panda Express, Inc.

STAFF RECOMMENDATION:

The applicant request that the Planning Commission approve Resolution No. PC2023-24 approving Architectural Review No. 23-12 with the findings and conditions as recommended by Staff.

BACKGROUND:

The project was originally approved as Architectural Review No. 21-12 on December 15, 2021 consisting of development of 2.83 acres of an 8.25-acre property to include a 2,600 sq. ft. Panda Express drive thru restaurant and a 20,442 sq. ft. Aldi supermarket at the northeast corner of Cesar Chavez Street and First Street (APN# 778-020-007 and 778-010-017). Aldi supermarket construction is complete and the store is open to the public. Panda Express restaurant is near completion of construction. The applicant did not include their desired LED strip lighting on exterior elevations plans and requests that the Planning Commission approve the modification. The Planning Commission considered this item at the regular meeting of September 6, 2023 but requested that the item be continued due to questions the Commission have of the applicant regarding the proposal. The applicant cited that they were not in attendance at the September 6 meeting due to email correspondence by the Development Services Director that unintentionally



identified September 13, 2023 as the public hearing date. The Planning Commission heard the agenda item again on October 4, 2023 where the Commission voted to continue the item to the October 18, 2023 based on the applicant request to defer the decision until the applicant team discuss alternatives during their recent field meeting. The applicant provided a letter as Attachment 8 requesting that the LED light as proposed be approved with illumination at the lowest level.

DISCUSSION/ANALYSIS

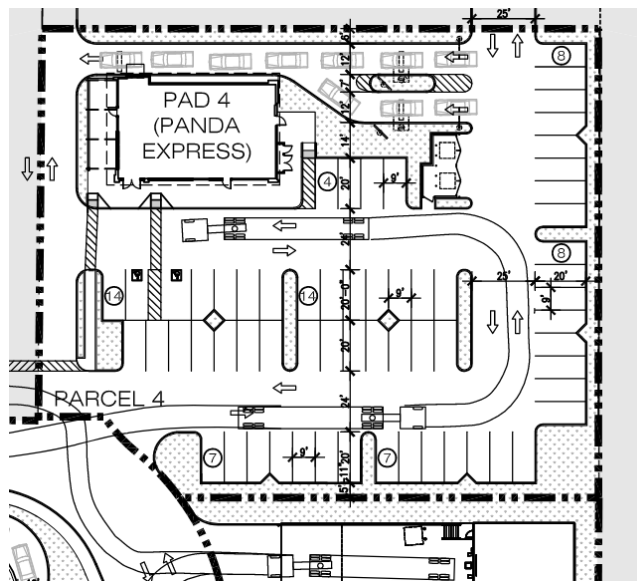
Panda Express Inc. requests Planning Commission approval of modifications to Panda Express drive thru building architecture with the addition of red LED lighting strips to the swoop roof element design as Architectural Review No. 23-12 at 50-120 Cesar Chavez Street. The surrounding uses are as follows:

- North:** Existing commercial development, America’s Tire (C-G, General Commercial).
- South:** Aldi Supermarket. (C-G, General Commercial).
- East:** Foster-Gardner agricultural products (nonconforming) industrial site (C-G, General Commercial).
- West:** McDonalds restaurant (C-G, General Commercial).

Site Plan

A Panda Express drive-thru restaurant is proposed at parcel 4 to the rear of the McDonalds restaurant and to the North of Aldi’s. Access is provided from the main driveway entrance from Cesar Chavez Street. Drive-thru queuing of up to 10 vehicles is provided from the rear of the building beginning with two queuing lanes with separate menu boards that converge into one queuing lane for order pick up at the drive thru window. An outdoor covered 400 sq. ft. patio dining area is proposed at the front of the Panda Express building.

Figure 1: Site Plan



Architectural Design

The overall architectural design of Panda Express incorporates modern architectural design with distinct material and color patterns for each building that differ from the original architectural conceptual design of Fountainhead Plaza as characterized by the Spanish Colonial revival appearance of the Walgreens drug store building.

The Panda Express drive thru building incorporates a new architectural prototype design with a “swinging” roof shape design. The building is framed with dark stone veneer base, light stucco and window systems at the mid-section, and iron colored metal cap and spruce colored Nichiha siding for the roof parapet. The nichia siding is also a feature of the vertical corner entry element. An outdoor covered patio dining area is provided at the front elevation with a low stone veneer patio wall.

The proposed LED lighting strips would be directly applied to the “swinging” roof shape element and would be red in color (Figure 2). Staff requests Planning Commission review of this modification as it was not originally considered by the Planning Commission and could be classified as signage rather than an architectural feature. Staff recommends that appropriate application of the LED lighting strip would be to obscure the lighting so that it is tucked under the “swinging” element and emits a halo lighting effect that is more understated and visually appealing.

The applicant in their letter in Attachment 8 requests that the red LED strip light be approved to be dimmed at the lowest level. The applicant provided photos of the LED strip tested at nighttime in Attachment 7 that they indicated were at the lowest level. There were no other photos provided at other lighting levels to demonstrate that the provided photos were at the lowest level. The applicant indicated that the LED lighting is the same as what In-N-Out uses and provided images of the restaurant in Attachment 7. Staff remains firm in its recommendations to view obscure the direct view of the LED lighting either with moving the lighting to the corner of the swinging element and the main building wall or using a “lip” feature on the proposed light location.

Figure 2: Proposed LED Lighting strip evening perspective



Figure 3: Nighttime LED testing at subject site



Figure 4: In-N-Out Comparison



Landscape Design

The plant palette includes a variety of trees including “Chilean Mesquite” “Desert Willow/Amethyst” and “Thornless Palo Verde” within the perimeter plantings and interior parking lot planters. The planters will include water-efficient plantings including “Red Bird of Paradise”, “Bush Morning Glory”, “Toothless Desert Spoon”, “Mexican Evening Primrose”, and Agave “Century Plant” succulents. Decorative Gravel (3/4”) is proposed to be consistent with gravel in landscape areas for Aldi Supermarket and Starbucks. Decorative lighting is proposed in landscape areas to illuminate trees.

CONSISTENCY WITH ZONING

The subject site is zoned C-G (General Commercial) zone, which allows for retail and restaurant establishments. The project complies with the development standards of the Zoning Ordinance for parking, lot requirements, height, landscaping and drive through stacking.

Table 1 – Development Standards

	Zoning Ordinance	Proposed	Complies with Code
Parking (Minimum)	Restaurants: Panda Express- 36 spaces required. Requirement is 1 space per 45 sq. ft. of customer area plus 1 space for each 200 sq. ft. of noncustomer area.	Panda Express- 62 spaces	Yes
Lot Requirements	Minimum Lot width 50'	All proposed parcels (TPM 37940) greater than 100' width	Yes
Height (maximum)	35'	Panda Express – 23'3"	Yes
Landscaping	<ul style="list-style-type: none"> • Parking area or driveway abutting a street requires a 10 foot setback fully landscaped. • Internal landscaping equal to a minimum of 5% of the parking and driveway area. • Parking and driveway area is commercial zones shall be separated from building by a landscape planter. • One 15 gallon tree for every 10 parking spaces. • All landscape planter beds in interior parking areas shall be not less than five feet in width 	<ul style="list-style-type: none"> • All areas exceed 10' fully landscaped setback • Internal landscaping % not identified but required by condition of approval. • Aldi building is not separated from driveway by a landscape planter but is conditioned to do so. • One 15 gallon tree is provided for every 10 parking spaces. • The rear property line planter to the rear of Panda Express is less than 5'. 	Substantially in compliance. Project conditioned to comply with all landscape standards.
Drive-through	Minimum stacking for 8 vehicles at 20' per vehicle.	Panda Express accommodates stacking for 10 vehicles	Yes

ENVIRONMENTAL IMPACT CONSIDERATION

The Planning Commission adopted a Mitigated Negative Declaration as part of Environmental Initial Study (EIS 07-16) on May 7, 2008 for the Fountainhead Plaza for all phases of the project. Staff determined that the proposed development and modifications will not result in any new environmental effects that were not previously analyzed as part of the original project. As such, no additional environmental review or further mitigation is required for this request.

ALTERNATIVES:

- 1) Adopt Resolution No. PC 2023-24 approving Architectural Review No. 23-12 with the findings and conditions as recommended by Staff approving LED strip lighting directly view obscured.
- 2) Adopt Resolution No. PC 2023-24 approving Architectural Review No. 23-12 with the findings, but without conditions of approval requiring that the LED strip lighting be directly view obscured.
- 3) Deny the proposed project.
- 4) Continue this item and provide staff and the applicant with direction.

RECOMMENDED ALTERNATIVE(S):

Staff recommends alternative #1.

Attachments:

1. Resolution No. PC2023-24 for AR No. 23-12
Exhibit A – Conditions of Approval
Exhibit B – Proposed LED strip lighting plans
2. Site Plan
3. Approved Development Plan Set
4. Council Resolution 2022-10 with Original Conditions of Approval
5. Resolution PC 2021-25 Conditions of Approval
6. Applicant Examples LED Strip Lighting
7. Additional Photos of LED light tested at low dim level at subject site
8. Applicant letter – October 11, 2023