



**CITY OF EUREKA**  
**DEVELOPMENT SERVICES DEPARTMENT**  
Brian Gerving, Interim Director

531 K Street, Third Floor  
Eureka, California 95501-1146  
(707) 441-4160 • [planning@ci.eureka.ca.gov](mailto:planning@ci.eureka.ca.gov)  
[www.ci.eureka.ca.gov](http://www.ci.eureka.ca.gov)

## NOTICE OF PUBLIC HEARING

### EUREKA DESIGN REVIEW COMMITTEE

**NOTICE IS HEREBY GIVEN** that the Eureka Design Review Committee will hold a public hearing on **Wednesday, November 27, 2019**, at 8:30 a.m., or as soon thereafter as the matter can be heard, in the Council Chamber, Eureka City Hall, 531 “K” Street, Eureka, California, to consider the following application:

**Project Title:** *Starbucks Storefront Enclosure*

**Project Applicant:** Noelia Santiago-Valerio Inc.      **Case No:** DR-19-0006

**Project Location:** 326 5<sup>th</sup> Street      **APN:** 001-105-011

**Project Zoning and Land Use:** DT (DOWNTOWN WEST)/DC (Downtown Commercial)

**Project Description:** The applicant is proposing to enclose the existing patio of Starbucks along 5<sup>th</sup> and E Street. The patio square footage will remain the same. There will be new windows above the existing low walls and between the existing columns. This will include the demolition of a portion of the patio’s pony walls and the addition of new patio railing. There will be no material changes. The project requires Design Review because it is a Pedestrian Focused Frontage (PFF). Design Review is the only discretionary approval required for this project.

All interested persons are invited to comment either in person at the scheduled public hearing, or in writing. Written comments may be submitted prior to or during the hearing by mailing or delivering them to the Development Services Department, Third Floor, 531 K Street, Eureka. Appeals to the City Council of the action of the Planning Commission, may be made within 10 calendar days of the action by filing a written Notice of Appeal, along with the filing fees as set by the City Council, with the City Clerk.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues that you or someone else raised at the public hearing or written correspondence received during or prior to the public hearing. Accommodations for handicapped access to City meetings must be requested of the City Clerk, 441-4175, five working days in advance of the meeting. The project file is available for review at the Development Services Department. If you have questions regarding the project or this notice, please contact Raquel Menanno, Assistant Planner, [rmenanno@ci.eureka.ca.gov](mailto:rmenanno@ci.eureka.ca.gov) or (707) 441-4113.



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**CITY OF EUREKA DESIGN REVIEW COMMITTEE**

**STAFF REPORT**  
 November 27, 2019

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Materials include:

- Aluminum Storefront (dark bronze frame color) with clear glass

**Analysis:**

The project requires Design Review because it is a Pedestrian Focused Frontage (PFF). Approval of the Design Review application, requires that the following findings be made to ensure the project complies with the Design Review criteria.

**Design Review Criteria:**

Community Character	The overall project design enhances Eureka’s unique character and distinctive sense of place. A variety of building types and styles respects Eureka’s architectural heritage and embraces forward-looking creative expression;
	<b>The overall project design enhances Eureka’s unique character by installing the same materials and paint color to match the previously approved</b>

	<b>project design. The enclosure of the patio does not negatively affect the unique character of the building.</b>
Surrounding Context	The overall project and associated buildings enhance the design quality of the area where they are located. New buildings may “fit in” with traditional architecture that matches or compliments the surrounding context or “stand out” with a contemporary and contrasting style. All buildings must minimize adverse impacts on neighboring properties when possible;
	<b>The same materials will be used, which match the existing design of the adjacent buildings, thus enhancing the design quality of the area. The building will continue to “fit in” with the traditional architecture that matches the surrounding context.</b>
Pedestrian Environment	Buildings incorporate design features that support an active public realm and an inviting pedestrian environment;
	<b>Design features including the patio along with the enclosure will create an inviting pedestrian environment. The enclosure will provide a barrier to the noise pollution along 5<sup>th</sup> and E Street creating a more enjoyable environment.</b>
Architectural Style	Buildings demonstrate a coherent and successfully executed architectural style. Building architecture may be traditional or modern. Buildings are not required to conform to any dominant architectural style or local vernacular. Creative architectural and artistic expression is encouraged;
	<b>A coherent and successfully executed architectural style is illustrated through the seamless integration of the glass enclosure with existing building elements. The glass enclosure is an additional design element adding a more modern design to a more traditionally designed building.</b>
Articulation and Visual Interest	Building facades are distinctive, create visual interest, and relate to the human scale through vertical and horizontal articulation, varied building planes, distinctive building elements, and/or noticeable architectural details. Building elements such as roofs, doors, windows, and porches are part of an integrated design and relate to the human scale. Architectural details such as articulation, trim, eaves, window boxes, and brackets contribute to the visual interest of the building;
	<b>The proposed project includes a clear glass enclosure relating to human scale through transparency allowing pedestrians a view from inside and outside of the building. This new element also creates further visual interest, rather than having an opaque patio enclosure, the enclosure is clear glass creating an engaging environment.</b>
Materials	Building facades feature high-quality materials that are appropriate to the architectural style, enhance building articulation, and are compatible with surrounding development;
	<b>The proposed material will be an aluminum storefront consisting of a dark bronze frame color with clear glass — consistent with the required high-quality materials.</b>
Safety	The project promotes public safety and minimizes opportunities for crime through design features such as property access controls (e.g., placement of

	entrances, fences), increased visibility and features that promote a sense of ownership of outdoor space.
	<b>Because the patio enclosure is transparent, people are able to see out onto the street creating more “eyes on the street”, whereas an opaque enclosure would not allow for this. Further, the pedestrian access way along 5<sup>th</sup> and E Street has pedestrian scale lighting creating increased visibility at the project site.</b>
Landscaping	Landscaping features low water-use plants appropriate for the local climate and does not include any invasive species that would be harmful to native plants and habitat in compliance with Section 155.320.050.D (Invasive Plants).
	<b>Landscaping features include grass and newport dwarf, which are not invasive plant species. The perimeter landscaping will extend and tie into the existing landscaping.</b>

**Findings**

Objective 1	The proposed project is consistent with the General Plan, any applicable specific plan or area plan, and other design policies and regulations adopted by the City Council;
	<b>The proposed project is consistent with the General Plan because it ensures that the street-facing facades of proposed developments exhibit high quality design, complement neighboring properties, and contribute to Eureka’s distinctive identity and unique sense of place, as implemented by the Zoning Code.</b>
Objective 2	The proposed project complies with all applicable provisions of the Zoning Code and Municipal Code;
	<b>The proposed project complies with all applicable provisions of the Zoning Code and Municipal Code as reviewed by staff.</b>
Objective 3	The proposed development will not be detrimental to public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity;
	<b>The proposed development seeks to enhance public health, safety, and welfare through providing an enclosed patio area in compliance with the Zoning Code. The project was referred to additional agencies of which none identified concerns that the proposed development would be detrimental to public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.</b>
Objective 4	The proposed project complies with all applicable Design Review criteria in Division 155.408.030.H (Design Review Criteria)
	<b>The proposed project complies with all applicable Design Review criteria as findings can be made to support each criteria.</b>

**Environmental:** The Design Review process is a discretionary action subject to environmental review in accordance with the California Environmental Quality Act (CEQA). However, this project qualifies for a Class 1 exemption from CEQA because the project consists of the maintenance of an existing private structure involving no expansion of use beyond that existing at the time of the lead agency’s determination.

**Agency and Departmental Comments:** Referrals were sent to several Tribes, agencies and City departments with interest or jurisdiction over the property or the intended use of the property. The following Agencies/Departments commented:

1. Inadvertent Discovery Protocol is required.

**Staff Recommendation and Motion:**

1. Hold a Public Hearing; and
2. Approve the Design Review application as submitted at 326 5th Street.

**Staff Contact Person:** Raquel Menanno, Assistant Planner; phone: (707) 441-4113;  
email:rmenanno@ci.eureka.ca.gov

**Attachments:**

Attachment 1	Resolution
Attachment 2	Project Plans

**DESIGN REVIEW COMMITTEE RESOLUTION NO. 2019-\_\_**

**A RESOLUTION OF THE DESIGN REVIEW COMMITTEE OF THE CITY OF EUREKA APPROVING THE PROPOSED PATIO ENCLOSURE AT APN 001-105-011**

**WHEREAS:** The applicant is proposing to enclose the existing patio of Starbucks along 5<sup>th</sup> and E Street; and

**WHEREAS:** The proposed project is principally permitted and existing; and

**WHEREAS:** The property at APN 001-234-011 is zoned DT (DOWNTOWN WEST) and has a land use designation of DC (Downtown Commercial); and

**WHEREAS:** The Eureka Municipal Code §155.208.040(B) requires that Pedestrian-Focused Frontages require Design Review Committee approval prior to construction.

The following findings of fact are based on information submitted with the permit application, agency comments, available records, public comment, and staff research and analysis.

**FINDING 1:** The proposed project is consistent with the required Design Review findings found in §155.412.040(J) *FINDINGS*, as described in the staff report.

**FINDING 2:** The Design Review process is a discretionary action subject to environmental review in accordance with the California Environmental Quality Act (CEQA). However, this project qualifies for a Class 1 exemption from CEQA because the project consists of the maintenance of an existing private structure involving no expansion of use beyond that existing at the time of the lead agency's determination.

**NOW THEREFORE, BE IT RESOLVED** by the Design Review Committee of the City of Eureka that the project, as described in the Staff Report, is approved subject to the following conditions of approval. The violation of any term or requirement of this conditional approval may result in the revocation of the permit.

**CONDITION 1:** Prior to commencement of any demolition, remodeling or construction, the applicant will obtain all required Building permits to the satisfaction of the City of Eureka Public Works Building Department.

**CONDITION 2:** In the event a building permit involving any ground disturbing activity is issued, the City's standard protocol for incidental archeological discovery (cultural or historical artifacts) shall be followed:

- a) If archaeological resources are encountered during construction activities, all onsite work shall cease in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist will be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the Tribal Historic Preservation Officers for the Bear River Band of Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains,

and human burials. Historic archaeological discoveries may include 19th century building foundations; structure remains; or concentrations of artifacts made of glass, ceramic, metal or other materials found in buried pits, old wells or privies.

- b) If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of Eureka.
  
- c) In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code Section 7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted at 707-445-7242 to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code Section 5097.98. In part, PRC Section 5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of Public Resources Code Section 5097.98 shall be complied with as may be required.

**PASSED, APPROVED AND ADOPTED** by the Design Review Committee of the City of Eureka in the County of Humboldt, State of California, on November 27, 2019 by the following vote:

AYES: COMMISSIONER  
NOES: COMMISSIONER  
ABSENT: COMMISSIONER  
ABSTAIN: COMMISSIONER

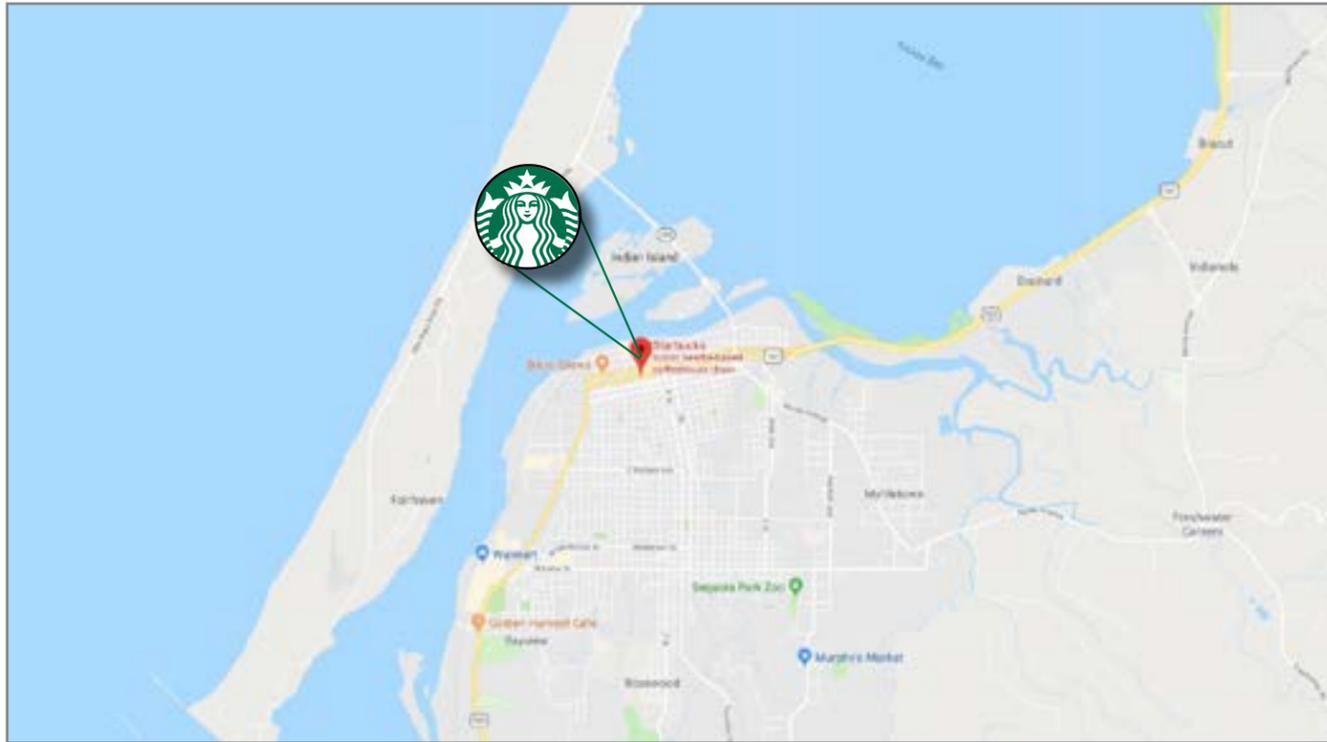
\_\_\_\_\_  
Kassidy Banducci, Chair, Design Review Committee

*Attest:*

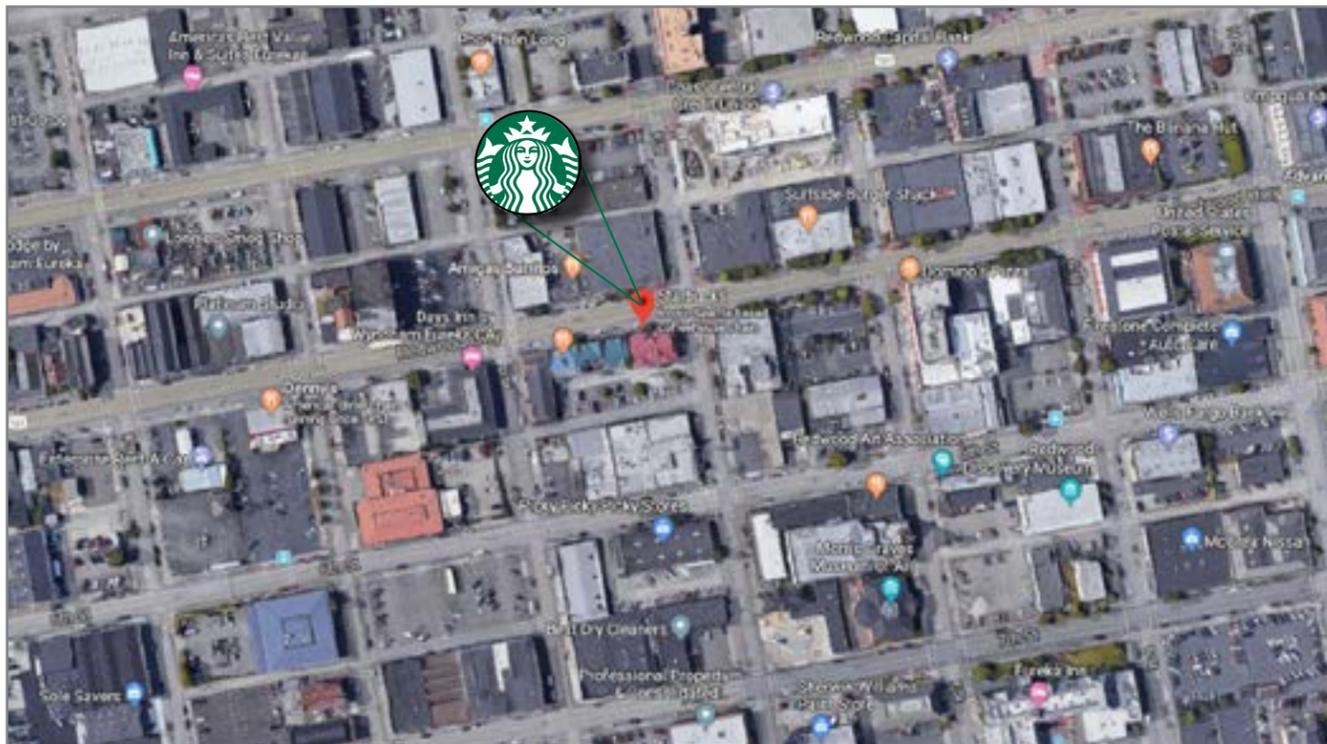
\_\_\_\_\_  
Kristen M. Goetz, Director Designee



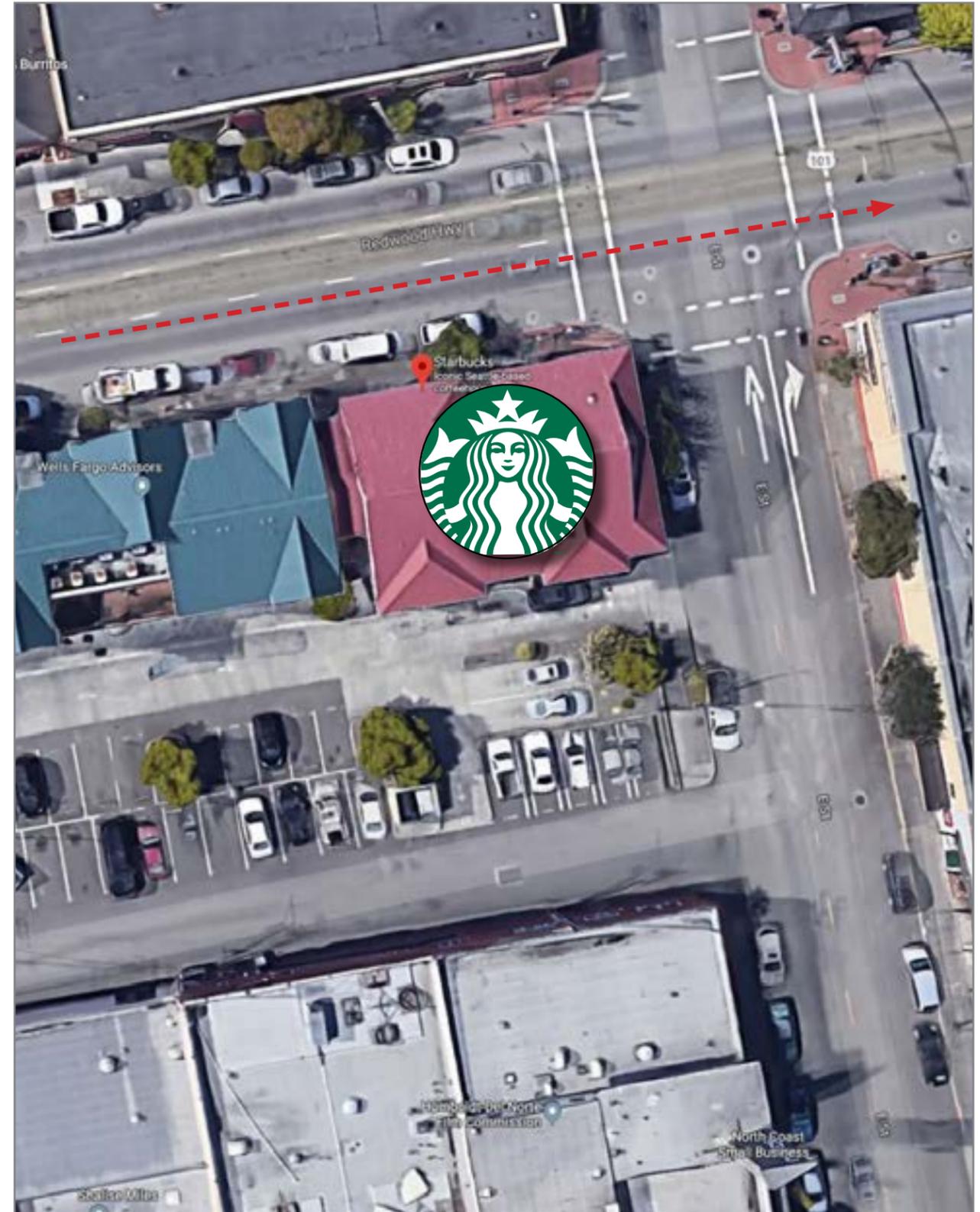
CPN# 23236-072  
STORE # 8729  
5TH & E ST.  
326 5TH ST.  
EUREKA, CA 95501



REGIONAL MAP



VICINITY MAP



SITE MAP

---➔ MORNING COMMUTE

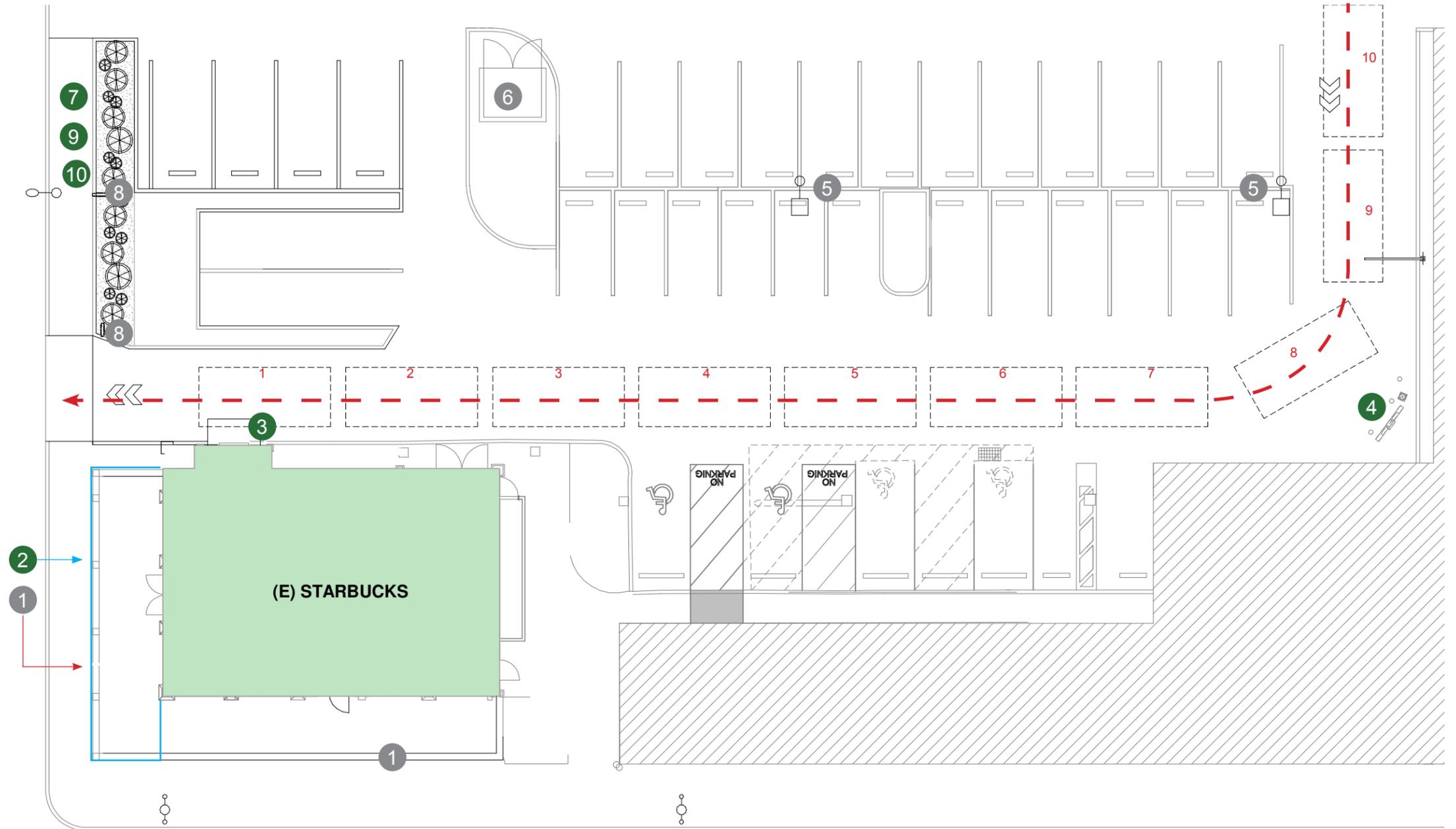


## SITE PLAN NOTES

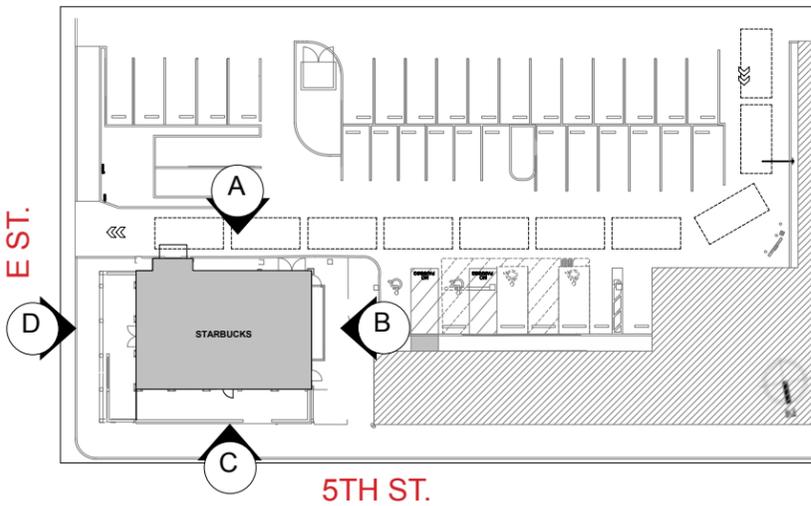
- 1 DEMO (E) PATIO RAILING
- 2 INSTALL (N) PATIO STOREFRONT WITH DOOR
- 3 REPLACE (E) DT CANOPY WITH (N) TO MATCH EXISTING
- 4 REPLACE (E) 5 PANEL MENU BOARD WITH (N) ONE, OR REPAINT
- 5 (E) LIGHT POLES, SEE SHEET 8
- 6 (E) TRASH ENCLOSURE. PAINTED CMU WALL W/ FENCE DOORS
- 7 (N) LANDSCAPE AREA. GRASS AND 3FT HIGH LANDSCAPE FENCE.
- 8 (E) DT DIRECTIONAL SIGNS TO REMAIN
- 9 PROPOSED (N) PLANTS: ESCALLONIA "NEW-PORT DWARF", SEE SHEET 8.
- 10 EXTEND AND TIE (N) LANDSCAPE TO (E) IRRIGATION SYSTEM.

— NEW PATIO ENCLOSURE  
 - - - DRIVE THRU PATH

# NEW  
 # EXISTING







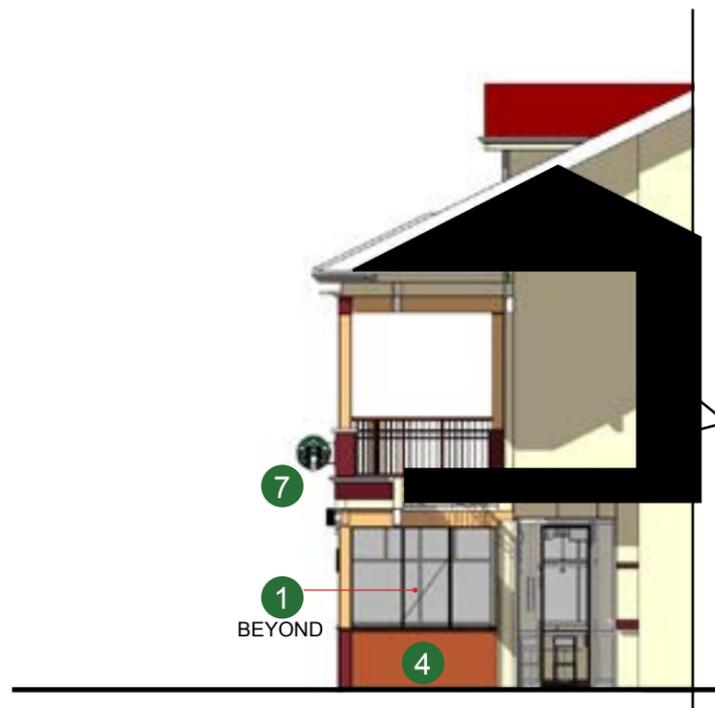
OVERALL SITE PLAN

**EXTERIOR SCOPE OF WORK**

- |   |   |
|---|---|
| 1 | (N) CUSTOMIZED ALUMINUM STOREFRONT (DARK BRONZE FRAME COLOR) W/ CLEAR GLASS |
| 2 | (N) OPERABLE WINDOWS: DARK BRONZE ALUMINUM W/ CLEAR GLASS                   |
| 3 | REMOVE (E) RAILING AND REPLACE W/ (N) PONY WALL PAINT TO MATCH ADJACENT     |
| 4 | (E) PONY WALLS/ RAILING   |
| 5 | (N) WALL SCONCES, SEE SHEET 8.  |
| 6 | ALL (E) FINISHES AND PAINT TO REMAIN, THROUGHOUT                            |
| 7 | (E) STARBUCKS SIGNS TO REMAIN   |
| 8 | (E) DT WINDOW   |

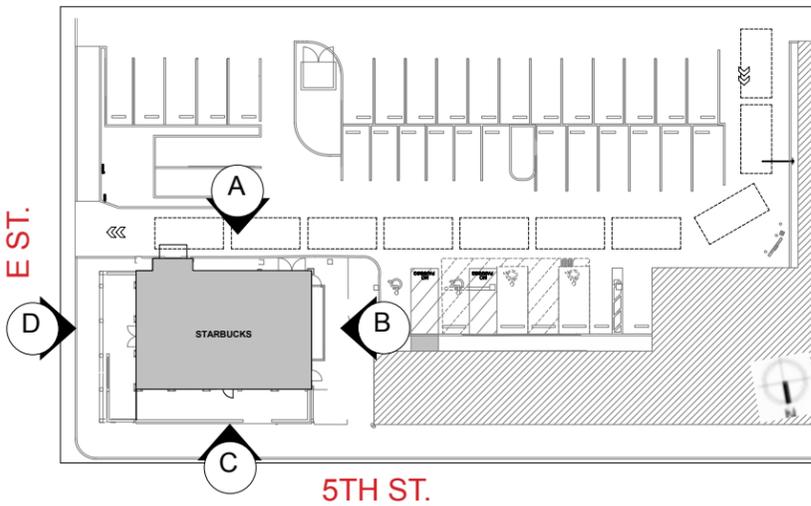


A. SOUTH ELEVATION



B. WEST ELEVATION





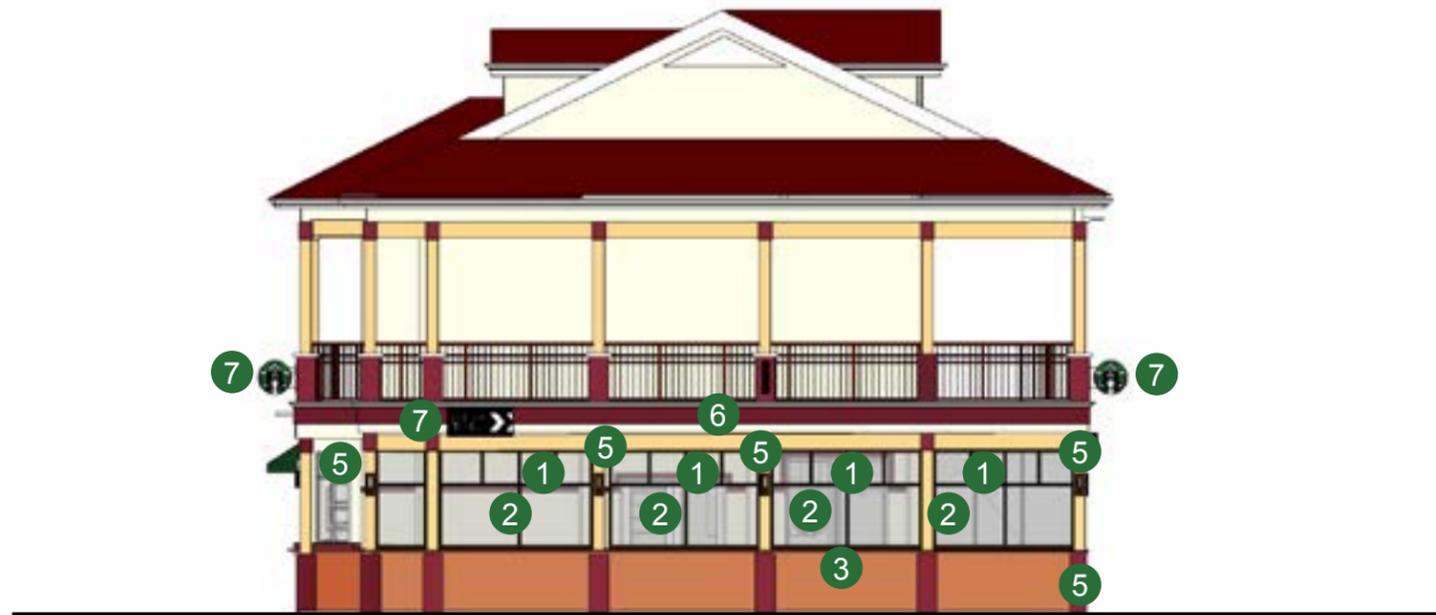
OVERALL SITE PLAN

**EXTERIOR SCOPE OF WORK**

- 1 (N) CUSTOMIZED ALUMINUM STOREFRONT (DARK BRONZE FRAME COLOR) W/ CLEAR GLASS
- 2 (N) OPERABLE WINDOWS: DARK BRONZE ALUMINUM W/ CLEAR GLASS
- 3 REMOVE (E) RAILING AND REPLACE W/ (N) PONY WALL PAINT TO MATCH ADJACENT
- 4 (E) PONY WALLS/ RAILING
- 5 (N) WALL SCONCES, SEE SHEET 8
- 6 ALL (E) FINISHES AND PAINT TO REMAIN, THROUGHOUT
- 7 (E) STARBUCKS SIGNS TO REMAIN
- 8 (E) STOREFRONT



C. NORTH ELEVATION

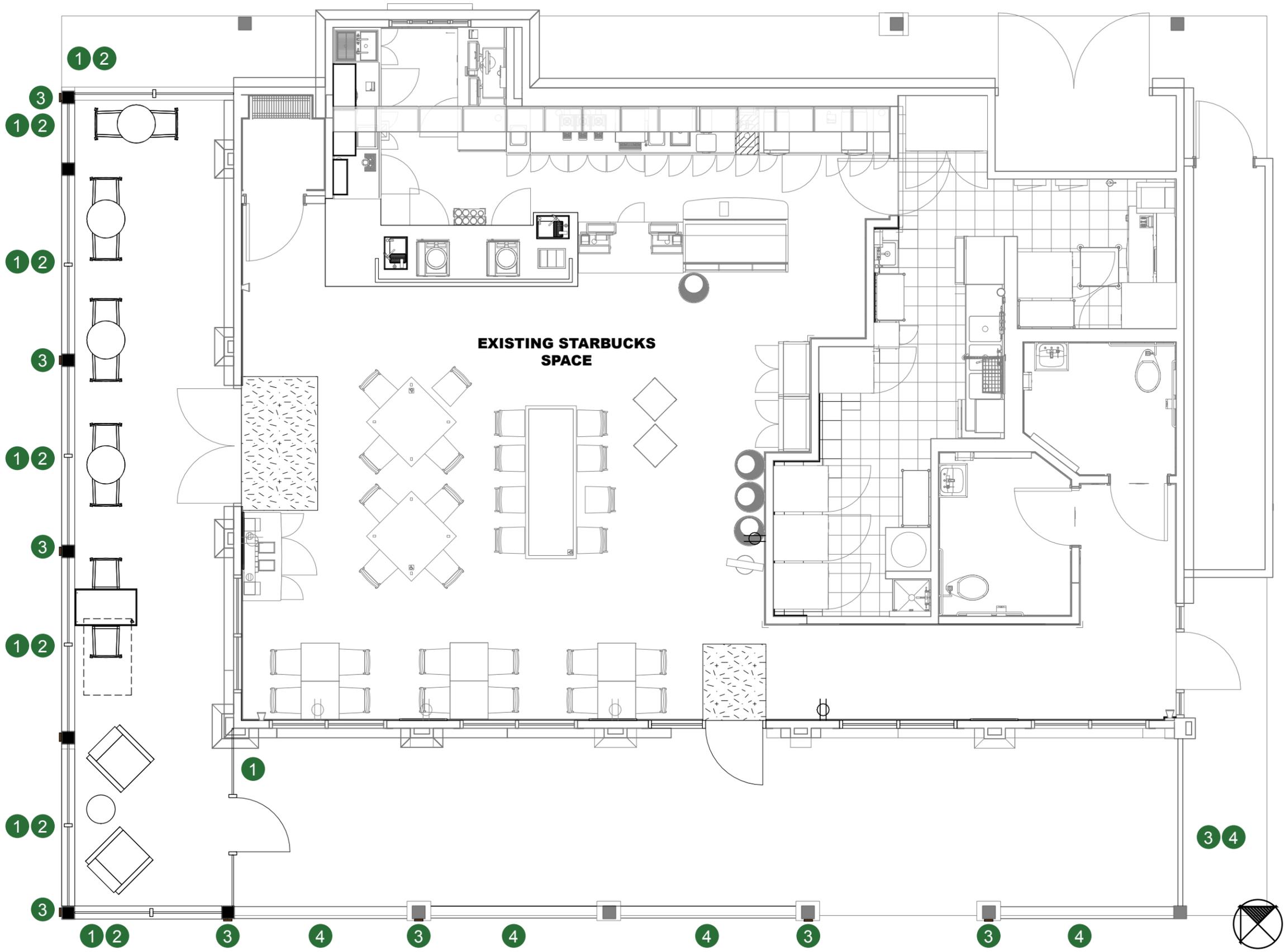


D. EAST ELEVATION



**EXTERIOR SCOPE OF WORK**

- 1 (N) CUSTOMIZED ALUMINUM STOREFRONT (DARK BRONZE FRAME COLOR) W/ CLEAR GLASS
- 2 (N) OPERABLE WINDOWS: DARK BRONZE ALUMINUM W/ CLEAR GLASS
- 3 (N) WALL SCONCES
- 4 (E) PONY WALLS/ RAILING



**EXISTING / NEW WORK**

- 1 LIGHT POLES
- 2 TRASH ENCLOSURE
- 3 NEW LANDSCAPING W/  
ESCALLONIA "NEWPORT DWARF"
- 4 NEW EXTERIOR WALL SCONCES:  
HINKLEY 1648BZ- ATLANTIS 2  
LIGHT 16IN DARK BRONZE
- 5 (E) PAINTED COLUMN AND BEAM
- 6 (E) PAINTED PONY WALL
- 7 (E) PAINTED WOOD RAILING
- 8 (N) DARK BRONZE ALUMINUM  
STOREFRONT

