LIVERMORE
CALIFORNIA

PLANNING COMMISSION STAFF REPORT **ITEM NO. 5.1**

DATE: September 1, 2026

TO: Chairperson and Members of the Planning Commission

FROM: Steve Riley, Planning Manager

SUBJECT: Hearing to consider a request to approve a Parcel Map Waiver/Subdivision, Site Plan Design Review, and Conditional Use Permit for construction of a drive-through 7 Brew Coffee stand. The project consists of a new approximately 934-square foot building with dual drive-through lanes and associated landscape improvements in the Lowe's Shopping Center.

RECOMMENDED ACTION

Staff recommends the Planning Commission adopt resolutions:

1. Finding that the project is categorically exempt from the provisions of CEQA under CEQA Guidelines Section 15315, the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels, and CEQA Guidelines Section 15303, a project that consists of construction and location of limited numbers of new, small facilities or structures, including a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area.
2. Approving Parcel Map Waiver (PMW) 11648/Subdivision (SUB) 26-002, Conditional Use Permit (CUP) 26-005, and Site Plan Design Review (SPDR) 26-003.
3. Directing the Planning Manager to file a Notice of Exemption in accordance with the provisions of the California Environmental Quality Act, subject to project approval.

SUMMARY

The 7 Brew Coffee Project (Project) consists of the development of and operation of a 24-hour, approximately 934 square-foot drive-through 7 Brew Coffee within the Lowe's shopping center directly adjacent to the Chili's restaurant and adjacent to First Street and Mines Road. The site layout includes a drive-through service door and window on the west side of the structure with an associated covered canopy. A covered walk-up window and patio tables are proposed on the east side of the building. On-site circulation improvements would include the construction of dual drive-through lanes designed to accommodate queuing for up to 15 vehicles. Additional site improvements will include a trash and recycling enclosure, on-site directional signage, and landscaping.

DISCUSSION

PROJECT DESCRIPTION

The Project consists of the development and operation of a 24-hour, approximately 934 square-foot drive-through 7 Brew Coffee with dual drive-through lanes and walk-in cooler. The west side features a drive-through service door with a covered canopy, and the east side includes a covered walk-up window and patio seating. On-site improvements include dual drive-through lanes designed to hold up to 15 queued vehicles, a trash and recycling enclosure, directional signage, and landscaping. The proposed Parcel Map and Development Plans are shown in Attachment 2.

The Project includes the following entitlements:

- Parcel Map Waiver (PMW)/Subdivision (SUB): Creates a new 0.44 acre parcel to accommodate the proposed drive-through facility.
- Conditional Use Permit: Authorizes a new drive-through facility.
- Site Plan Design Review (SPDR): Ensures the site layout, landscape design, and building architecture comply with the zoning and Commercial Design Standards

PROJECT SITE CONTEXT

The Project site is in an existing commercial center on the corner of First Street and North Mines Road. Table 1, below, summarizes the General Plan land use designation, zoning classification, and existing land use on the Project site and surrounding properties. The Project Site is shown in Attachment 1 location map.

	General Plan Designation	**Zoning Designation**	**Existing Land Use**
North (Across First Street)	Low Density Residential 2	PUD 49-89	Residential
South	Regional Commercial	PDC-00-173	Commercial (Lowe's)
East	Regional Commercial	PDC-00-173	Commercial (Chili's Restaurant)
West	Regional Commercial	PDC-00-173	Commercial (Retail/Restaurant)
Subject Site	Regional Commercial	PDC-00-173	Parking

STAFF ANALYSIS

General Plan Land Use

The Livermore General Plan 2045 designates the site as Regional Commercial (RC), which accommodates destination-oriented retail and restaurant uses. The Project proposes a drive-through coffee business that will share a parking lot with anchor tenant, Lowe’s Home Improvement, and additional existing retail and restaurant uses, consistent with the General Plan land use designation.

Zoning District

The site is under a Planned Development Commercial PDC-00-173 (PD). The purpose of the zoning

district is to provide an environment exclusive for and conducive to the development and protection of Lowe's and surrounding commercial development, provide for an aesthetically attractive commercial environment, and implement the provisions of the General Plan.

The PD permits a range of retail and restaurant uses, including fast food restaurants with drive in facilities; however, these uses are currently limited to Parcel 2 of Parcel Map 7598, which is adjacent to the project site and built out with an existing Chili's restaurant with no drive-through use. Section E.1. of the PD allows "Other Permitted, Conditional, or Accessory Uses determined by the Community Development Director to be of a similar and compatible nature to those uses described in Sections B, C, and D above."

Drive-through uses in comparable commercial zoning districts (e.g., Highway Service Commercial and Neighborhood Business Commercial) require a Conditional Use Permit to evaluate compatibility and mitigate potential impacts. The Project relies on PD Section E.1 to allow a conditionally permitted drive-through on newly created Parcel 1 (Parcel Map 11648). Because the proposed drive-through use is adjacent to the parcel where such uses are already allowed, and because it is similar and compatible in type and intensity, it can be conditionally permitted under the PD.

Conditional Use Permit

The proposed Project is a small-scale food and beverage use, primarily serving take-away coffee and light refreshments. The small scale of the operation and internalized vehicle circulation ensure the drive-through would not generate noise or activity beyond what is typical for the existing center. The layout of the site is designed to maximize queuing to reduce spillovers onto neighboring properties, parking lot driveway aisles and public roads. Queuing, ordering, and vehicle movement occur entirely on site, avoiding impacts to neighboring properties. Additionally, the Project includes conditions of approval that expressly prohibit queuing or stacking within the public right-of-way. The use is proposed and conditioned to operate 24 hours per day. Existing businesses within the commercial lot operate between 6 a.m. and 11 p.m., and the adjacent Safeway also operates 24 hours per day. There are also existing drive-through businesses in the adjacent commercial development, including a gas station and Starbucks. Therefore, the Project is compatible with the surrounding commercial development, subject to the conditions of approval.

Parcel Map Waiver 11648 Subdivision

The Project entitlements include a Parcel Map Waiver in conformance with Part 10 of the Livermore Development Code (and Government Code and the Subdivision Map Act, by reference). The proposed subdivision would divide Parcel 5, created by Parcel Map 7598, into two parcels. The new lot created by PMW 11648 would be 0.44 acres. There is no minimum lot size required by the zoning. Public Right of Way and Improvement requirements were met through the development of Parcel Map 7598, and therefore there are no additional improvements required.

Site Plan and Design Review

Development Standards

The PD establishes commercial development standards that regulate height, lot coverage (i.e., what percentage of the lot is covered by the building), and setbacks for all sites within the zoning designation.

The Project complies with the development standards of the PD as described below.

Development Criteria	PDC-00-173 Standard	Proposed	Analysis
Height			
Maximum Height	50 ft	20 ft 10 in	Complies
Setbacks			
Street Frontage Setback from First Street	20 ft	approx. 50 ft	Complies
Non-Street Frontage Setback	Does not apply to new parcels created within the Planned Development	36 ft	Complies
Parking Setback	5 ft landscaped	5 ft landscaped	Complies
Lot Coverage			
Lot Coverage	29% maximum parcels 1-5 combined	25.7% parcels 1-5 combined	Complies

Parking and Queuing

The PD requires one parking stall per 100 square feet of floor area for restaurant uses. Based on these standards, the proposed building requires 9 parking spaces. The Project would provide 9 parking spaces on the newly created parcel, including one new ADA-compliant space, on the proposed lot.

The Livermore Development Code requires the lesser of four bicycle spaces or 20% of the required vehicle parking spaces, which results in a requirement of 2.25 bicycle spaces. The PD allows a 25% reduction to this requirement, resulting in a minimum of 1.68 bicycle spaces. The Project proposes 2 bicycle parking spaces through a bike rack with two points of contact on the proposed lot, meeting this requirement.

The overall parking requirement for the existing commercial center and the proposed Project is 770 spaces, based on the total square footage of the development. There are 808 existing parking spaces on the subject site. The Project proposes removing 27 parking spaces to accommodate the new building and dual drive aisles, and adding one ADA-compliant space, resulting in a total of 782 parking spaces on the site. Therefore, the Project complies with both vehicular and bicycle parking requirements.

The Project proposes space for approximately 15 cars to queue behind the proposed drive-through window. The applicant intends to implement a runner ordering system, where employees take orders and payments in line, to increase speed and efficiency in serving drive-through customers. This system decreases wait times, while allowing the runners to have more personal face-to-face interaction with customers. As previously described, the layout of the site was designed to maximize queuing to reduce spillovers onto neighboring properties or the public roads. Additionally, the existing pedestrian and bicycle access from First Street to the west of the proposed building will be preserved and enhanced with a crosswalk and ADA compliant ramps.

Landscape Design

The proposed site plan includes landscape design to support and complement the building architecture and the surrounding commercial area. The Livermore Development Code (LDC) Table 4.13 requires a minimum of 16 trees per gross acreage, with a minimum of 20% 24-inch box size. The Livermore Design

Standards and Guidelines (DSG) section 5.D requires a hierarchy of plantings in terms of size and types of plant material (DSG 5.D.3.1.1), species which are native or well-adapted to the climatic conditions (DSG 5.D.4.1.5), and minimum 5-gallon shrub size (DSG 5.D.4.2.1). The proposed planting plan includes a variety of trees, shrubs, and bioretention plants that are distributed throughout the site and around the proposed building, as described below:

Tree species
The project proposes 8 new trees, 5 of which are 1.5" caliper, which is equivalent to 24-inch box size (Attachment 2, sheet L1). Species include a mixture of evergreen and deciduous trees such as the Western Redbud, Chinese Pistache, Aleppo Pine, and the Marina Strawberry Tree. The Western Redbud is California Native, and the remaining species are considered Adaptive.

Shrub species
The project proposes four varieties of shrub species, all a minimum of 5 gallons in size. Species include a mixture of evergreen and deciduous shrubs including Common Yarrow, Firepower Heavenly Bamboo, Hameln Fountain Grass, and Southern Moon Yedda Hawthorn (Attachment 2, sheet L1). The Common Yarrow is California Native.

Bioretention species include European Grey Sedge, California Wild rose, and Blue-Eyed Grass (Attachment 2, sheet L1). The latter two species are California Natives.

As described above, the proposed landscaping is consistent with both LDC and DSG standards.

All the proposed planting would be low water usage, consistent with the Water Efficient Landscape Ordinance, Livermore Municipal Code 13.25.

Architecture

The Livermore Design Standards and Guidelines (DSG) section 5.C requires commercial buildings to have a clearly defined base, middle and top (DSG 5.C.1.1.4), create three-dimensional interest (DSG 5.C.2.1.5), and use a variety of materials (DSG 5.C.2.6.1). The proposed building is visually interesting and designed with a variety of colors and high-quality building materials, including stone, stucco, and metal (Attachment 2, sheet A6.1). Vertical and horizontal façade breaks and varied building massing have been incorporated into the design of the building, such as the stone façade, the vertical pillars, and the awnings covering the drive-through lanes and seating area (Attachment 2, Sheet A6.2). Therefore, the architecture is consistent with the DSG commercial requirements.

ENVIRONMENTAL DETERMINATION

Staff recommends finding the Project categorically exempt from the provisions of CEQA under CEQA Guidelines Section 15315, the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels, and CEQA Guidelines Section 15303, a project that consists of construction and location of limited numbers of new, small facilities or structures, including a store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area. The Project proposes the subdivision of an existing commercial lot into 2 parcels, and the construction of an approximately 934 square foot building. Therefore, the project is exempt from CEQA.

ATTACHMENTS

1. Location Map
2. Development Plans
3. Resolution - Environmental
4. Resolution - Project
5. Exhibit A - Conditions of Approval

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