



Resolution 12-2025

File #: 25-695

Version: 1

Agenda Date: 7/17/2025

Item #: 3a

Resolution making findings and a determination that the In-N-Out Burger Restaurant Project located at 932 and 972 El Camino Real qualifies for a categorical exemption, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332.

WHEREAS, the applicant has proposed the construction of a new 3,887 square foot In-N-Out Burger Restaurant with a drive-through and surface parking lot containing 51 parking stalls, landscaping, and circulation improvements ("Project") on the properties located at 932 and 972 El Camino Real (APN 014-011-320 and 014-011-330) of approximately 1.5 acres (referred to as "Project Site") in the City; and

WHEREAS, the proposed Project is located within the T5 Corridor (T5C) Zoning District and Medium Density Mixed Use General Plan Land Use Designation; and

WHEREAS, the applicant seeks entitlement approval of a Planning Project (P23-0135), including Design Review (DR24-0013), Conditional Use Permit (UP24-0001), and Master Sign Program (SIGNS24-0012) for the Project; and

WHEREAS, approval of the applicant's proposal is considered a "project" for purposes of the California Environmental Quality Act, Pub. Resources Code §21000, et seq. ("CEQA"); and

WHEREAS, the City, in conjunction with an environmental consultant, Meridian Consultants, LLC, prepared an Infill Checklist and technical analyses to provide substantial evidence that the proposed Project qualifies for a Categorical Exemption under the provision of CEQA, Class 32, Section 15332 as an Infill Development Project; and

WHEREAS, on July 17, 2025, the Planning Commission for the City of South San Francisco held a duly noticed public hearing to consider the Infill Checklist, attached hereto as Exhibit B, and take public testimony; and

WHEREAS, the Planning Commission has exercised its independent judgement and analysis, and considered all reports, recommendations, and testimony before making a determination on the Project.

NOW, THEREFORE, BE IT RESOLVED that based on the entirety of the record before it, which includes without limitation, the California Environmental Quality Act, Public Resources Code §21000, et seq. ("CEQA") and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the South San Francisco 2040 General Plan; the South San Francisco Municipal Code; the 2040 General Plan Program EIR

and Statement of Overriding Considerations; the Project applications; the project plan set consisting of: civil plans prepared by MSL Engineering, Inc., dated stamp received July 1, 2025; landscaping plans prepared by Brandon Petrunio & Associates, Inc. Landscape Architects, dated stamp received July 1, 2025; photometric plan prepared by RTM Engineering Consultants, dated stamp received November 1, 2024; renderings and elevations prepared by In-N-Out Burger, dated stamp received November 1, 2024; and sign program plans prepared by Signtech, dated stamp received November 1, 2024; the In-N-Out Burger Restaurant Project Infill Checklist, including all appendices thereto, prepared by Meridian Consultants, LLC, dated April 2025; all site plans; all reports, minutes, and public testimony submitted as part of the Planning Commission's duly noticed July 17, 2025 public hearing; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of South San Francisco hereby finds as follows:

SECTION 1 FINDINGS

A. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution.
2. The Exhibits attached to this Resolution, including the In-N-Out Burger Restaurant Project Infill Checklist and its Appendices (Exhibit A), are each incorporated by reference and made a part of this Resolution, as if set forth fully herein.
3. The documents and other material constituting the record for these proceedings are located at the Planning Division for the City of South San Francisco, 315 Maple Avenue, South San Francisco, CA 94080, and in the custody of the Chief Planner.

B. CEQA Findings

1. For the reasons stated in this Resolution, the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15332: Class 32 as an Infill Development project because:
 - a. As described in the record, the Project is designed to be consistent with the City's General Plan, all applicable General Plan policies and zoning designations and regulations.
 - b. The Project will be located within the City's limits, on a site of less than five acres and will be surrounded by urban uses in a built-out environment.
 - c. The Project Site has no value as a habitat for endangered, rare, or threatened species, as it is in a built-out environment and is currently disturbed as the site of existing buildings and parking lot.
 - d. As supported by the findings of the Infill Checklist and technical analyses, approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water

quality.

- e. The Project can be adequately serviced by all required utilities and public services.

SECTION 2 DETERMINATION

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of South San Francisco hereby makes the findings contained in this Resolution and a determination that the proposed Project qualifies for a categorical exemption, pursuant to CEQA Guidelines Section 15332.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

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I hereby certify that the foregoing resolution was adopted by the Planning Commission of the City of South San Francisco at a regular meeting held on the 17th day of July 2025 by the following:

vote:

AYES:

Chair Funes-Ozturk, Vice-Chair Pamukcu, Faria, Shihadeh, Tzang

NOES:

ABSTENTIONS:

ABSENT:

Baker, Evans



Attest: _____

Adena Friedman
Secretary to the Planning Commission



Resolution 13-2025

File #: 25-696

Version: 1

Agenda Date: 7/17/2025

Item #: 3b

Resolution making findings and approving entitlements for Design Review, a Conditional Use Permit and Master Sign Program for the construction of a new fast-food restaurant with drive-through located at 932 and 972 El Camino Real in the T5 Corridor (T5C) Zoning District.

WHEREAS, the applicant has proposed the construction of a new 3,887 square foot In-N-Out Burger Restaurant with a drive-through and surface parking lot containing 51 parking stalls, landscaping, and circulation improvements ("Project") on the properties located at 932 and 972 El Camino Real (APN 014-011-320 and 014-011-330) of approximately 1.5 acres (referred to as "Project Site") in the City; and

WHEREAS, the proposed Project is located within the T5 Corridor (T5C) Zoning District and Medium Density Mixed Use General Plan Land Use Designation; and

WHEREAS, the applicant seeks entitlement approval of a Planning Project (P23-0135), including Design Review (DR24-0013), Conditional Use Permit (UP24-0001), and Master Sign Program (SIGNS24-0012) for the Project; and

WHEREAS, approval of the applicant's proposal is considered a "project" for purposes of the California Environmental Quality Act, Pub. Resources Code §21000, et seq. ("CEQA"); and

WHEREAS, the City, in conjunction with an environmental consultant, Meridian Consultants, LLC, prepared an Infill Checklist to provide substantial evidence that the proposed Project qualifies for a Categorical Exemption under the provision of CEQA, Class 32, Section 15332 as an Infill Development Project; and

WHEREAS, the Design Review Board for the City of South San Francisco considered the Project and recommended approval to the Planning Commission on November 19, 2024; and

WHEREAS, on July 17, 2025, the Planning Commission for the City of South San Francisco held a lawfully noticed public hearing to solicit public comment and consider the environmental effects of the Project and proposed entitlements and take public testimony; and

WHEREAS, the Planning Commission reviewed and carefully considered the information in the Infill Checklist, and by separate resolution, determined that the Infill Checklist is an objective and accurate document that reflects the independent judgement and analysis of the City in relation to the Project's environmental impacts and finds that the Infill Checklist satisfies the requirements of CEQA. The Project is categorically exempt under the provision of CEQA, Class 32, Section 15332; and

WHEREAS, the Planning Commission has exercised its independent judgment and analysis, and considered all reports, recommendations, and testimony before making a determination on the Project.

NOW, THEREFORE, BE IT RESOLVED that based on the entirety of the record before it, which includes without limitation, the California Environmental Quality Act, Public Resources Code §21000, et seq. (“CEQA”) and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the South San Francisco 2040 General Plan; the South San Francisco Municipal Code; the 2040 General Plan Program EIR and Statement of Overriding Considerations; the Project applications; the project plan set consisting of: civil plans prepared by MSL Engineering, Inc., dated July 1, 2025; landscaping plans prepared by Brandon Petrunio & Associates, Inc. Landscape Architects, dated July 1, 2025; photometric plan prepared by RTM Engineering Consultants, dated stamp received November 1, 2024; renderings and elevations prepared by In-N-Out Burger, dated stamp received November 1, 2024; and sign program plans prepared by Signtech, dated stamp received November 1, 2024; the In-N-Out Burger Restaurant Project Infill Checklist, including all appendices thereto, prepared by Meridian Consultants, dated April 2025; all site plans; all reports, minutes, and public testimony submitted as part of the Planning Commission’s duly noticed July 17, 2025 public hearing; and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the Planning Commission of the City of South San Francisco hereby finds as follows:

SECTION 1 FINDINGS

A. General Findings

1. The foregoing recitals are true and correct and made a part of this Resolution.
2. The Exhibits attached to this Resolution, including Conditions of Project Approval (Exhibit A), Project Plan Set (Exhibit B), and Master Sign Program Plan Set (Exhibit C), are each incorporated by reference and made a part of this Resolution, as if set forth fully herein.
3. The documents and other material constituting the record for these proceedings are located at the Planning Division for the City of South San Francisco, 315 Maple Avenue, South San Francisco, CA 94080, and in the custody of the Chief Planner.
4. By a separate resolution, the Planning Commission, exercising its independent judgment and analysis, has found that, the In-N-Out Burger Restaurant Infill Checklist prepared for the Project, is the appropriate document for the Project and no further environmental analysis would be required, as the Environmental Checklist concludes that implementation of the Project will not create any new significant impacts or trigger any new or more severe impacts than were studied in the previously certified 2040 General Plan Program EIR; that no substantial changes in the projects or circumstances justifying major revisions to the 2040 General Plan Program EIR have occurred; that no new information of substantial importance has come to light since the 2040 General Plan Program EIR was

certified that shows new or more severe significant impacts, impacts that are peculiar to the Project or Project Site, nor shows new, different or more feasible mitigation measures; and that the Project is also exempt from CEQA as an Infill Development Project.

B. Design Review

1. The Project, including Design Review, is consistent with Title 20 of the South San Francisco Municipal Code because the Project is an allowed use that has been designed in compliance with all applicable Zoning requirements and standards.
2. The Project, including Design Review, is consistent with the General Plan because the proposed restaurant and drive-through is consistent with the policies and design direction provided in the South San Francisco General Plan Business Medium Density Mixed Use Land Use designation to create an area intended for a mix of uses serving both surrounding neighborhood and visitors from nearby areas.
3. The Project, including Design Review, is consistent with the applicable design guidelines adopted by the City Council in that the proposed Project is consistent with the T5C Zoning District development standards and the Citywide development standards, as evaluated in the Zoning Ordinance Compliance analysis for the Project.
4. The Project, including Design Review, is consistent with the Conditional Use Permit requirements for this project, Master Sign Program requirements and drive-through facilities standards included in SSFMC Chapter 20.350.016.

C. Conditional Use Permit

1. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Ordinance and all other titles of the South San Francisco Municipal Code. The Project Site is located in the T5 Corridor (T5C) Zoning District, in which a limited-service restaurant is permitted land use by-right and a drive-through facility is allowed with a Conditional Use Permit, and extended hours of operation are permitted with a Conditional Use Permit.
2. The proposed use is consistent with the General Plan and any applicable specific plan. The General Plan Land Use designation for the Project Site is Medium Density Mixed Use, which is intended for a broad range of commercial, office, and residential uses and public spaces serving both surrounding neighborhoods and visitors from nearby areas. The Project is consistent with the guiding and implementing policies in the General Plan as it will redevelop a vacant, underutilized site with a high demand restaurant use along a commercial and transit priority corridor identified for redevelopment.
3. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements. The Project Site is surrounded by a mix of

existing commercial, residential, and open space uses, along a major commercial and transit priority corridor. The proposed restaurant and drive-through use is similar to and compatible with the surrounding area.

4. The Project meets the applicable requirements for redevelopment in the T5C District, as well as the specific standards for drive-through facilities outlined in SSFMC Section 20.350.016.
5. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and reasonably foreseeable future land uses in the vicinity. The Project Site is surrounded by a mix of existing commercial, residential and open space uses, and is located in a General Plan Land Use designation intended for a broad range of uses and along a transit priority corridor identified for redevelopment. The proposed restaurant and drive-through use is similar to and compatible with the existing and reasonably foreseeable future land uses in the surrounding area. The extended hours of operation are consistent with uses on a major commercial corridor, and having delivery hours outside of operating hours will help separate truck traffic from vehicle, bicycle, and pedestrian traffic on the site.
6. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints. The Project is a redevelopment of an underutilized 1.5-acre parcel along a major commercial corridor in an urbanized area with access to all required utilities and public services.
7. An environmental determination has been prepared in accordance with CEQA. The In-N-Out Burger Restaurant Infill Checklist prepared for the Project concludes that implementation of the Project will not create any new significant impacts or trigger any new or more severe impacts than were studied in the previously certified 2040 General Plan Program EIR; that no substantial changes in the projects or circumstances justifying major revisions to the 2040 General Plan Program EIR have occurred; that no new information of substantial importance has come to light since the 2040 General Plan Program EIR was certified that shows new or more severe significant impacts, impacts that are peculiar to the Project or Project Site, nor shows new, different or more feasible mitigation measures; and that the Project is also exempt from CEQA as an Infill Development Project.

D. Master Sign Program

1. The proposed signs are compatible in style and character with the building to which the signs are to be attached, any surrounding structures and any adjoining signage on the site. The proposed signs were designed in keeping with the architectural design of the new building, using similar materials and colors, and maintaining the characteristic qualities and style of the In-N-Out signature and brand.
2. The Master Sign Program contains standards for all wayfinding and identification signage for the site. Any future tenants will be provided with adequate opportunities to construct, erect or maintain a sign

for identification; and

3. The Master Sign Program includes the installation of wayfinding and identification signage for the entire site that will improve both pedestrian and vehicular circulation and emergency vehicle access.

SECTION 2 DETERMINATION

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of South San Francisco hereby makes the findings contained in this Resolution and approves the entitlements request for 932 and 972 El Camino Real (P23-0135: DR24-0013, UP24-0001 and SIGNS24-0012) subject to the attached Conditions of Approval.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its passage and adoption.

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I hereby certify that the foregoing resolution was adopted by the Planning Commission of the City of South San Francisco at a regular meeting held on the 17th day of July 2025 by the following:

vote:

AYES:

Chair Funes-Ozturk, Vice-Chair Pamukcu, Faria, Shihadeh, Tzang

NOES:

ABSTENTIONS:

ABSENT:

Baker, Evans



Attest: _____

Adena Friedman
Secretary to the Planning Commission