

MINUTES OF THE WILLOWS PLANNING COMMISSION MEETING

WEDNESDAY, AUGUST 19, 2015

The meeting was called to order at 7:00 pm by Chairperson Woods.

PLEDGE OF ALLEGIANCE: Commissioner Benningfield led the Pledge of Allegiance.

ROLL CALL: Karen Mantele, Planner, Maria Ehorn, Minute Clerk

Present: Benningfield, Griffith, White, Woods

Absent: Warren

AGENDA REVIEW: Chairperson Woods asked if there were any changes to the agenda by staff or Commissioners. Staff and Commission had no changes to the agenda.

PUBLIC COMMENT: None.

APPROVAL OF MINUTES: It was moved by Commissioner White and seconded by Commissioner Griffith to approve the Minutes of the Planning Commission Meeting held July 15 2015. The motion was unanimously passed.

NEW BUSINESS/PUBLIC HEARING:

a. Turner Construction/Pacific Gas & Electric Design Review (File #DR-15-04)

Assessors' Parcel #003-081-001/310 E Wood Street/Light Manufacturing Zone/Light Manufacturing Land Use Designation/Request to approve design of a new 6,000 square foot service center building.

Chair Woods introduced the item.

Ms. Mantele stated before presenting the agenda report that the address for the above project should read 310 E wood street instead of 310 W Wood Street. Ms. Mantele then presented the agenda report for the Design Review application to the Commission. Staff reported that the demolition of the existing building has been completed. Staff also reported that at the time of submittal there was no signage proposed. Since then the applicant has stated that they are intending to install two (2) monument signs. There is a condition of approval that incorporates a requirement to get approval by the Planning Department prior to any sign installation. Staff reported that they were contacted by Patrick Dipley of Turner Construction regarding Condition of Approval, #26 dealing with the underground utilities. Applicant is proposing to underground all onsite utilities but are asking to have the offsite requirement not be placed upon them. Staff consulted the City Engineer regarding this requirement. Per the City Engineer the requirement will not be waived per the city code for development. Staff stated that should this be passed and adopted by the commission as stated, the applicant has the ability to appeal the decision if they so choose. Condition #33 (a) was also discussed between the City Engineer and applicant dealing with the roadway improvements. The applicant is wanting clarification of what would be "to the satisfaction of the City Engineer". Staff reported the City Engineer stated that the curb, gutter and sidewalk along the entire property frontage on E Wood Street including placement of an ADA compliant ramp at the N Colusa Street corner. This information was relayed to the applicant.

Dan Novak, representative of Pacific Gas & Electric (PG&E) for their real estate development department, spoke regarding the underground utilities condition #26 and having to underground all the utilities. Staff stated reiterated the City Engineer's statement that this condition will not be waived and that this condition applies to development. Staff reported a previous discussion with the applicant where they asked if they could apply for a variance because the cost of undergrounding all of the utilities would be quite large. Staff explained that variances are not allowed per code unless there is a hardship and monetary issues are considered a hardship to allow a variance. Chair Woods asked if they could appeal that condition only. Staff replied yes. Mr. Novak, speaking on behalf of PG&E, replied that they would review the code and the legal definition of development. If it applies we will comply. If we feel it does not comply we will make our argument when and if the appeal the decision on the condition.

Don Russell stepped forward to state that the color of the roof has been changed to gray.

Chairperson Woods opened public hearing portion for Design Review #DR-15-04, Assessors' Parcel #003-081-001/310 E Wood Street/Light Manufacturing Zone/Light Manufacturing Land Use Designation/Request to approve design of a new 6,000 square foot service center building.

Doug Ross asked if this was going to be non-public foot traffic Service Center. Mr. Novak of PG&E responded that yes this is a Service Center not for the public use and explained the use of the Service Center.

Hearing no further comments, Chair Woods closed the public hearing.

The commissioners discussed the project. Commissioner Benningfield asked if they would be removing the existing concrete slab or putting the new building on it. Applicant stated they will be limiting excavation where possible but would be removing the existing concrete slab. Discussion was held regarding the contaminated soils.

It was moved by Commissioner Griffith, seconded by Commissioner White to approve the next Resolution in line entitled, A resolution of the Planning Commission of the City of Willows granting Design Review approval (File #DR-15-04) to Pacific Gas & Electric for a new 6,000 square foot metal building and site improvements for property located at 310 E Wood Street, Assessor's Parcel Number 003-081-001.

AYES: BENNINGFIELD, GRIFFITH, WHITE, WOODS

NOES: NONE

Staff noted the appeal periods are 10 days after decisions.

Thunderhill Raceway Use Permit (File #UP-15-05)

Assessors' Parcel #003-044-005/130 N Butte Street/Central commercial Zone/Commercial Land Use Designation/and Assessor's Parcel Number 017-210-052/470 N Airport Road/Request to allow establishment of a mobile food truck business operating on both parcels on opposite days, operating seven days a week.

Ms. Mantele presented the agenda report for the Conditional Use Permit application to the commission. Staff reported that they had a discussion with the City Manager regarding the use of the city parking lot. Since the parking lot is owned by the city he feels that the City Council would be the body that could approve the use of the parking lot for a for profit business otherwise it is at the expense of the taxpayer. The City Manager feels that neither he nor the Planning Commission has the authority to grant the use of the public property for a for profit business. The Finance Director does request that Thunderhill report any sales tax made with their business in the City of Willows. Staff spoke with Jim Thompson and David Vodden of Thunderhill Raceway regarding their existing business license. Staff then researched the existing license. It has a start date of January 1, 1994 with a billing category listing of other businesses and the description is for entertainment. At the time issuance of the existing business license, Thunderhill had an office located on the corner of Wood Street and Lassen. The city code does not allow for moving of mobile units even with a Use Permit which is subject to site specific. Policy has been that they are located at fixed locations. The precedent has been that the city has allowed certain types of community based events on city property. Staff would like the commission to consider adding the condition that any use of property would require the property owner's written permission for the use of the lot area.

Discussion was held among staff and commissioners regarding what restrooms and what type of restroom would be used during times of operation. If another business would allow the use of their restroom it would be required of the applicant to provide documentation of the agreement.

Jim Thompson with Thunderhill spoke, apologizing for not having all of the proper paperwork done prior to doing business. He stated obtained documentation for the use of the bathroom at Tootsies at the downtown location. At the Walmart location he stated he had obtained permission from Mark Feathers to be located in the parking lot and Mr. Feathers would give him the required documentation on Friday. Discussion was held among staff and commissioners regarding the process of amending the current code to allow mobile food trucks not be required to be at a fixed location, what other jurisdictions were allowing and which body would the appeal would go before. Commissioner Griffith asked if the applicant would have to renew his business license. Staff stated applicant would have to get a separate license for food service. Discussion was held regarding what constitutes an event and what documentation is required to work an event.

Chairperson Woods opened public hearing portion for Use Permit (File #UP-15-05) Assessors' Parcel #003-044-005/130 N Butte Street/Central commercial Zone/Commercial Land Use Designation/and Assessor's Parcel Number 017-210-052/470 N Airport Road/Request to allow establishment of a mobile food truck business operating on both parcels on opposite days, operating seven days a week. Hearing no comments from the public Chair Woods closed the public hearing.

Commissioner Woods had a concern regarding not having the authority to approve the use of the food truck at the city parking lot property. Commissioners discussed and will approve the 470 N Airport Road location and deny the 130 N Butte Street location.

It was moved by Commissioner Griffith, seconded by Commissioner White to approve the next Resolution in line, title to be amended to read, A resolution of the Planning Commission of the City of Willows granting Use Permit approval (File #UP-15-05) to Thunderhill Raceway allowing the establishment of a mobile food unit business to be located at 470 N Airport Road within the CG zoning district assessor's parcel number 017-210-052. Pending receipt of all required documentation and permissions.

AYES: BENNINGFIELD, GRIFFITH, WHITE, WOODS

NOES: NONE

Applicant was apprised of the appeal time limits and process by Staff.

COMMISSION COMMENTARY:

Staff reported the following:

1. Clay Dawley, Building Official, reported: the Senior complex is complete. No major failures yet. A water booster pump had to be installed. Tractor Supply is moving along. Shelving is going in and product should be showing up by Monday. Soft grand opening for the public on the 12th of September. The large Forest Service remodel project should be close to being submitted. The car wash appears to be having electronic problems. Owner is working on resolving the issue. Commissioner Benningfield asked about the car wash sign and was it the same one that the commission put the kibosh on. Staff did relay the commissions comments to the owner and then met with him on site and looking around at all the other signs in the area it was determined that this was going to be their brand/logo just as Chevron, McDonalds, Shell all the other businesses around there and being we don't really have any detailed sign regulations to prevent what he was requesting. Commissioner Griffith stated the lot looks a lot nicer than when it was empty. Staff agreed. Discussion was held regarding how much the cost was and how good the job was.
2. Staff reported the mobile food unit that was approved last September is coming up for review. Commissioner Woods asked if anyone had heard anything negative regarding the unit and no one had.

3. At this time Staff does not have any projects coming up for Planning Commission review. Staff will be gone during September but if the commission would like to have a meeting it could be placed on September 2nd. Commissioners agreed that if something came in a September 2nd meeting would be fine.
4. Staff reported that the city did get the Economic Development Assistance (EDA) grant, 2.5 million dollar infrastructure grant for the Basin Street commercial project. Commissioner Griffith asked if there were matching funds. Staff responded yes. Discussion was held regarding the grant matching funds.
5. Staff commented that 3 commission seats are going to be up this year, Commissioners Griffith, Warren and Woods.
6. Commissioner Benningfield asked about the Motor Supply building and it looked like new owners. Staff responded that the company has been bought and the new owners are Hust Brothers.
7. Commissioner Griffith remarked about Peterson Tractor site looking very nice. Everyone agreed.

ADJOURNMENT: Meeting adjourned at approximately 8:16 pm.

Maria Ehorn, Minute Clerk

Candis Woods, Chair