

MINUTES OF THE WILLOWS PLANNING COMMISSION MEETING

WEDNESDAY, FEBRUARY 17, 2016

The meeting was called to order at 7:00 pm by Vice Chair Commissioner Griffith.

PLEDGE OF ALLEGIANCE: Vice Chair Griffith led the Pledge of Allegiance.

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

Present: Benningfield, Woods, Griffith,

Absent: White

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

PUBLIC COMMENT: Vice Chair Griffith introduced the item. No comments were made.

APPROVAL OF MINUTES: It was moved by Commissioner Woods and seconded by Commissioner Benningfield to approve the Minutes of the Planning Commission Meeting held January 20, 2016.

AYES: GRIFFITH, WOODS, BENNINGFIELD

NOES: NONE

ABSTENTION: NONE

PUBLIC HEARING(S)/NEW BUSINESS:

a. CONTINUED FROM January 20, 2016 MEETING/Design Review (File#DR-16-01) Applicant/Owner: St. Monica's Catholic Church

Assessors' Parcel Number 005-370-101/1129 W Wood Street/R-1 Zone/Low Density Residential Land Use Designation/Request to approve installation of two ground mounted photovoltaic solar structures and a six foot high fence.

Vice Chair Griffith introduced the agenda item. Ms. Mantele presented the agenda report the Commission with updates and suggestions for screening the structures. Ms. Mantele stated that Keith Huff of Alternative Energy Systems, a representative for the applicant, was in the audience if the Commission had any questions. Vice Chair Griffith suggested, in regards to the fencing, enclosing only 3 sides keeping the south side open. Mr. Huff stated that they would be agreeable to this. John Joyce, representing the Church, was also in attendance. Mr. Joyce stated that St. Monica's would be agreeable to fencing 3 sides only also. A short discussion ensued. The determination was made to change condition #3 regarding fencing with slats to enclose 3 sides, the North, West and East sides of the fencing.

It was moved by Commissioner Benningfield, seconded by Commissioner Woods 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-16-01) to St. Monica's Catholic Church for installation and construction of two structures for a ground mounted photovoltaic solar system to encompass 3331.88 square feet and fencing to encompass the North, West and East sides with the South side being un-slatted for property located at 1149 W. Wood Street, Assessors Parcel Number 005-370-010.

AYES: GRIFFITH, WOODS, BENNINGFIELD

NOES: NONE

ABSTENTION: NONE

b. Use Permit (File #UP-16-01) and Design Review (File # DR-16-02) Applicant/Owner: Edgar & Julia Mercado/Robert Carter

Assessors' Parcel Number 005-364-001/560 N. Tehama Street/General Commercial Zone/General Commercial Land Use Designation/Request to establish a wholesale meat distribution business within an existing commercial building and approve exterior building and site improvements.

Vice Chair Griffith introduced the agenda item. Ms. Mantele presented the agenda report to the Commission. The applicants Edgar and Julia Mercado and their representative Matt Amaro were in the audience to speak and answer questions from the Commission. Mr. Amaro stated that the applicants would like to just reseal/restripe the parking lot at this time due to cost issues and eventually concrete the parking lot as monies become available. Mr. Mercado reiterated this statement. Commissioner Woods thanked the Mercado's for bringing their business to Willows. A short discussion was held regarding trucks maneuvering around in the parking lot. Mr. Amaro stated that they had a trial run with a 50 foot semi and the results were that there was no problem in turning a truck around in the parking lot.

Vice Chair Griffith then opened the public hearing. Hearing no public comments Vice Chair Griffith closed the public hearing.

It was moved by Commissioner Woods, seconded by Commissioner Benningfield to approve the next Resolution in line entitled, A Resolution of the Planning Commission of the City of Willows granting Use Permit and Design Review approval (File #UP-16-01 and #DR-16-02) to Edgar & Julia Mercado for establishment of a wholesale meat distribution use, to remodel an existing building and do site improvements for property located at 560 N Tehama Street, Assessors Parcel number 005-364-001.

AYES: GRIFFITH, WOODS, BENNINGFIELD

NOES: NONE

ABSTENTION: NONE

Staff reminded applicants that all use permits have a 10 day appeal period.

c. Use Permit (File #UP-16-02) Applicant/Owner: Michael & Monica Schwenne

Assessors' Parcel Number 005-403-012/459 N. Tehama Street/General Commercial Zone/General Commercial Land Use Designation/Request to allow establishment of a residential use of an existing structure.

Scott Taylor, City Manager, requested at this time to move on to Item 7d as the applicant for Item 7c was in route to the meeting from the bay area and was not in the audience yet. The Commission moved on to Item 7d.

d. Review and recommend to the City Council an application by California Land Investors, LLC to enter in to a development agreement with the City of Willows pertaining to the development of a parcel of land in the southern part of the City of Willows for 453 single family residential units and approximately 65 acres of commercial/industrial uses for property located at the SW corner of Tehama Street and C/R 53, east of Interstate 5, and identified by Assessor Parcel Number(s) 017-170-011; 001-091-012; 001-102-014; 001-101-003 and 017-170-017

Mr. Taylor presented the item stating it was a procedural process only wherein the Planning Commission would be approving a resolution recommending to the City Council to adopt an ordinance approving the development agreement between the City of Willows and California Land Investors, LLC. Mr. Taylor spoke briefly regarding the location and scope of the project as stated in the Planning Commission agenda report.

Vice Chair Griffith then opened the public hearing. Hearing no public comments Vice Chair Griffith closed the public hearing.

It was moved by Commissioner Benningfield, seconded by Commissioner Woods to approve the next Resolution in line entitled, A Resolution of the Planning Commission of the City of Willows recommending to the City Council to adopt an ordinance approving the development agreement between the City of Willows and California Land Investors, LLC.

AYES: GRIFFITH, WOODS, BENNINGFIELD

NOES: NONE

c. Use Permit (File #UP-16-02) Applicant/Owner: Michael & Monica Schwenne

Assessors' Parcel Number 005-403-012/459 N. Tehama Street/General Commercial Zone/General Commercial Land Use Designation/Request to allow establishment of a residential use of an existing structure

Vice Chair Griffith introduced the agenda item. Ms. Mantele presented the agenda report to the Commission including the project scope which is to allow the establishment of a residential use, to included parking requirements as stated in the list of conditions for the project. Vice Chair Griffith then opened the public hearing. Doug Ross asked about the use and if the structure was to be used as commercial and residential at the same time, would the process have to start all over again to be revised as commercial/residential combination and would the commercial use be voided. Commissioner Woods stated that if the residential use was abandoned it would convert back to commercial use. Mr. Ross then asked if it went back to commercial use could you then apply for a dual use under the current processes. Mr. Taylor stated no, that once a non-conforming use has been abandoned it would revert to the commercial use and stay a commercial use in so far as this particular instance and parcel are concerned.

Ms. Mantele informed the Commission that Mr. Schwenne did send a written request to the City Manager Scott Taylor prior to the Commission hearing his use permit application, requesting an exemption for a garage on 459 N. Tehama (under code section 18.120.020(3))- Parking/Commercial Uses. This exemption states that parking requirements for commercially zoned property with 50 feet or less street frontage may be reduced or waived by the city manager. All other reductions require approval by the planning commission. Mr. Taylor spoke to the Commission about this request by stating that although he appreciated Mr. Schwenne's explanation of why he felt this section applied to his situation, he denied his request stating that covered parking is required by the zoning code and is a standard that he cannot support waiving. The applicant was so advised. A short discussion was held between staff and Commissioners regarding parking, existing building permits and the conditions of approval.

Ms. Mantele advised the Commission about what the planning files showed for 459 N Tehama, which was that a conditional use permit had been filed with the City for a billiard parlor in May of 1998. The file does not show that this application was heard. Additionally the file indicates that a letter was sent to the property owner at the time, also in May of 1998, informing him that a residential use is allowed in the General Commercial zone with a Use Permit. However no Use Permit was applied for thereafter

Ms. Mantele discussed with the Commission the General Commercial code, specifically code section 18.60.040(2) – *Other Regulations/Residential Uses*, wherein this section states that Residential Uses permitted with a use permit shall be subject to the regulations of the residential zones for which use is considered a principally permitted use; which the list of regulations include parking requirements.

Ms. Mantele then advised the Commission that the applicant was now in the audience. Michael Schwenne came forward, apologized for being late and spoke on his educational background, construction experience and his reasons for doing the project. He again asked to be exempted from the parking requirements under the parking code due to the cost of constructing a garage. Commissioner Woods commented that since the request before them was to allow the structure to be used a residential use, then the parking requirements stated in the parking code for two family residential uses will need to be met, and felt that the commercial parking code section that he requested relief under was not applicable in this case.

Vice Chair Griffith closed the public hearing.

It was moved by Commissioner Woods, seconded by Commissioner Benningfield to approve the next Resolution in line entitled, A Resolution of the Planning Commission of the City of Willows Granting Use Permit approval (File #UP-16-02) to Michael & Monica Schwenne to establish a residential use (Duplex) within an existing structure for property located at 459 N. Tehama Street, Assessor's Parcel Number 005-403-012.

AYES: GRIFFITH, WOODS, BENNINGFIELD

ABSTENTION: NONE

Staff reminded applicants that all use permits have a 10 day appeal period.

COMMISSION COMMENTARY:

1. Ms. Mantele stated the next meeting would be March 16, 2016. There should be at least 1 agenda item and possibly a couple others.
2. Vice Chair Griffith asked about the solar structure project from the last meeting and the handicap spot which is to be under the structure. Building Official, Clay Dawley, stated that the owner was not done yet and at the last inspection a correction notice was issued to restripe the handicap parking area under the solar structure.

ADJOURNMENT: Meeting adjourned at approximately 8:12 pm.

Robert Griffith, Vice Chair

Maria Ehorn – Minute Clerk