

PLANNING COMMISSION

Candis Woods, Chair
Peggy White, Vice Chair
Shirley Benningfield, Commissioner
Robert Griffith, Commissioner
Kerri Warren, Commissioner

CITY PLANNER
Karen Mantele

MINUTE CLERK



201 North Lassen Street
Willows, CA 95988
530) 934-7041

PLANNING COMMISSION MEETING AGENDA
Wednesday July 15, 2015
7:00 p.m.

1. **Call to Order - 7:00 p.m.**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Agenda Review:** (Requested Changes by Commissioners or Staff?)
5. **Public Comment:** Persons wishing to speak on a matter *not on the agenda* may be heard at this time; however, no action will be taken unless placed on a future agenda. ***(Public Comments are generally restricted to three minutes.)***
6. **New Business/Public Hearing**
 - a. **Use Permit (File#UP-15-04) and Design Review (File #DR-15-03) Applicant/Owner: Peterson CAT/Peterson Holding Co.**

Assessors' Parcel Number 002-292-001 / Tehama Street/General Commercial Zone/General Commercial Land Use Designation/Request to establish an equipment sales/storage yard on a vacant lot and construction of a six foot chain link fence around said lot
7. **Commission Commentary**
8. **Adjournment**

CERTIFICATION: Pursuant to Government Code § 54954.2 (a), the agenda for this meeting was properly posted on or before July 10, 2015

A complete agenda packet, including staff reports and back-up information, is available for public inspection during normal work hours at City Hall or the Willows Public Library at 201 North Lassen Street in Willows or on the City's website at www.cityofwillows.org. In compliance with the Americans with Disabilities Act, the City of Willows will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office 934-7041 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

The City of Willows is an Equal Opportunity Provider

Planning Commission Agenda Report:

July 15, 2015

Project: Request to establish an equipment sales/storage yard on a vacant lot
 Use Permit (file# UP-15-04) & construction of a six foot chain link
 fence Design Review (file# DR-15-03)

Applicant(s)/Owner: Neil Sayer(Peterson CAT)/Peterson Holding Co

Project Location: S WL-POR S POR BLK A

Parcel No: 002-292-001

Zoning: General Commercial (GC)

General Plan: General Commercial

Project Description:

The applicant has submitted planning applications for Use Permit and Design Review approvals in order to establish an equipment sales/storage yard on a 39,800 square foot vacant lot in order to augment an existing business (*Peterson Tractor Co. located across Tehama Street at 411 S. Tehama St*). The lot will store new and used tractors and related agricultural equipment for sale. The proposal includes constructing a six foot high chain link fence around the perimeter of the lot with two rolling gates for entrance and exiting purposes; one located along Tehama Street and another one off of Birch Street. In addition they propose to place base rock over the entire lot surface for mud and dust control.

Review Process:

This matter is before the Planning Commission pursuant to Section(s) Chapter 2.45, 18.135 and 18.60.030(6) of the City of Willows Municipal Code.

Zoning/General Plan:

The project site is zoned General Commercial (GC), and allows for equipment sales use with an approved Use Permit. Zoning to the north, south, east are the same as the project site. West of the subject site are the RR tracks with Heavy Manufacturing (MH) zoning beyond that. All of the surrounding uses are commercial in nature.

The General Plan Land Use Designation for this parcel is General Commercial, which allows for service related businesses.

Use Permit Discussion:

The use of a vacant lot for purposes of equipment sales is allowed under 18.60.030(6) with an approved Use Permit. The subject lot is relatively flat. The request is to allow a vacant lot (39,800 SF) to be utilized as an equipment sales/storage yard to augment Peterson Tractor's business. As stated earlier they intend to utilize the lot for storage of new and used equipment, as its location is centrally located across from their store on Tehama Street.

Design Review Project Analysis:

Drives, Parking and Circulation: The proposal is to install a six-foot high chain link fence (*11 gage chain link*) around the perimeter of the lot. (Approximately 932 linear feet of fencing). There will be two structural welded framed roll gates installed (*24 feet wide*) at two locations for ingress/egress; one on the Birch Street side of the parcel (*south side*) and one along the Tehama Street frontage (*west side*) which this location will require a 20 foot setback of the gate in order to allow a vehicle to be off of the roadway

while accessing the lot. The truck traffic on and off of the property will generally be very light according to the applicant, with approximately 10 trucks per any given 30 day period. (See attached Circulation Plan)

Parking: No parking requirements are required for this use (equipment sales/storage yard).

Signage: No signage is proposed with this project.

Landscaping: No landscaping is proposed with this project.

Lighting: No new lighting is proposed with this project. Existing street lighting is located off site along Tehama Street



Vacant lot (looking south)



Vacant lot (looking east)

The project was reviewed internally by city departments for comments/conditions which proposed conditions are reflected with those comments. The police department recommended that the company install security cameras and lighting in the sales yard.

Environmental Review and Analysis

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA). City staff has determined that the proposal is exempt from further CEQA pursuant to CEQA Section 15303, Class 3(e) New Construction or Conversion of Small Structures.

In accordance with Section 18.135.030 notice of this public hearing was published in the local newspaper ten (10) days prior to the public hearing and all property owners as indicated on the latest secured Assessor's records within 400 feet of the subject property were sent notice of the hearing. As of the date of preparation of this report no written public comments have been received.

Findings of Fact

Based upon the facts and conclusions contained within this staff report the following findings must be made in order to approve the applicant's request:

1. That the use is consistent with the purposes of the district in which the site is located.
2. That the proposed location of the use and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
3. That the proposed use is in conformance with the General Plan.

Staff Recommendation:

Staff recommends adoption of the attached resolution recommending Use Permit/Design Review approval for Peterson Holding Co. to establish an equipment sales/storage yard and construction of a six foot high chain link fence with two gates for property located on S. Tehama Street, specifically Assessor's Parcel Number 002-292-001, subject to the conditions of approval as shown in Attachment #2 and Attachments 3-6.

1. Adopt the Resolution approving the Use Permit and Design Review applications with conditions
2. Deny the Use Permit and Design Review applications with findings for denial

Attachments:

1. Draft Planning Commission Resolution
2. Proposed Conditions of Approval
3. Site Plan/Alta Land Title Survey
4. Fence Plan
5. Circulation Plan
6. APN map

Submitted by:

Karen Mantele
Principal Planner

**THE APPLICANT IS REMINDED THAT THERE IS A 10 (TEN) DAY APPEAL PERIOD FOLLOWING
THE PLANNING COMMISSION DECISION ON THE USE PERMIT PURSUANT TO Chapter
18.135.060**

PC RESOLUTION NO. _____-2015

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING USE PERMIT & DESIGN REVIEW APPROVAL (FILE#UP-15-04 & DR-15-03) TO PETERSON HOLDING CO TO ESTABLISH AN EQUIPMENT SALES/STORAGE YARD ON A VACANT LOT AND APPROVE INSTALLATION OF A SIX FOOT HIGH CHAIN LINK FENCE FOR PROPERTY LOCATED ON SOUTH TEHAMA STREET, SPECIFICALLY ASSESSORS PARCEL NUMBER 002-292-001

WHEREAS, the applicants, Neil Sayer on behalf of Peterson Holding Co. has filed for Use Permit and Design Review approvals to establish an equipment sales/storage yard on a vacant lot to augment their existing business and to make site improvements by constructing a six foot high chain link fence around said lot; and,

WHEREAS, City of Willows Municipal Code Section 2.45.030(e) states installation of fences, requires Design Review approval, and,

WHEREAS, City of Willows Municipal Code Section 18.160.030(6) allows for an equipment sales yard with an approved Use Permit; and

WHEREAS, notice of the Planning Commission meeting held on July 15, 2015, was published in a newspaper of general circulation in the City in accordance with law, and mailing to property owners within 400 feet were sent; and,

WHEREAS, the Planning Commission did, on July 15, 2015, hold a public hearing to consider all public oral and written comments, letters and documents, staff reports, and all other documents and evidence which are a part of the Record; and,

WHEREAS, the Planning Commission has reviewed all evidence submitted in connection with the application, including public testimony, staff report, supporting documentation, City codes and regulations, and all other relevant documents and evidence which are part of the record of proceedings; and,

WHEREAS, the Planning Commission finds that the proposal is considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3, New Construction, and

WHEREAS, the Planning Commission does finds that the proposed use is consistent with the purposes of the district in which the site is located, as equipment sales lot uses are allowed with a Conditional Use Permit within the General Commercial District per WMC section 18.60.030(6) and

WHEREAS, the Planning Commission does find that the proposed location of the use and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity, as conditions of approval incorporate provisions which project will not be detrimental to the public health, safety or welfare; and

WHEREAS, the Planning Commission does find that the proposed use is in conformance with the General Plan, as the property is located within the General Commercial designation, which allows for service related businesses.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the Use Permit and Design Review proposals to establish an equipment sales and storage yard on a vacant lot and to make site improvements by construction a six foot high chain link fence around the lot located on South Tehama Street, APN: 002-292-001 is consistent with the City of Willows General Plan, the City of Willows Municipal Code, and hereby approves Use Permit file UP-15-04 and Design Review file# DR-15-03, subject to the attached conditions of approval set forth in Attachment #2; and Attachments 3-6.

IT IS HEREBY CERTIFIED that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission of the City of Willows on Wednesday, the 15th day of July, 2015, by the following vote, to wit:

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

APPROVED: _____
Candis Woods, Chairperson

ATTEST: _____
Recording Secretary

**USE PERMIT/DESIGN REVIEW CONDITIONS OF APPROVAL
FOR
PETERSON HOLDING CO/EQUIPMENT SALES/STORAGE YARD
FOR PROPERTY LOCATED ON SOUTH TEHAMA STREET
APN; 002-292-001**

PC approval date: _____,2015

General

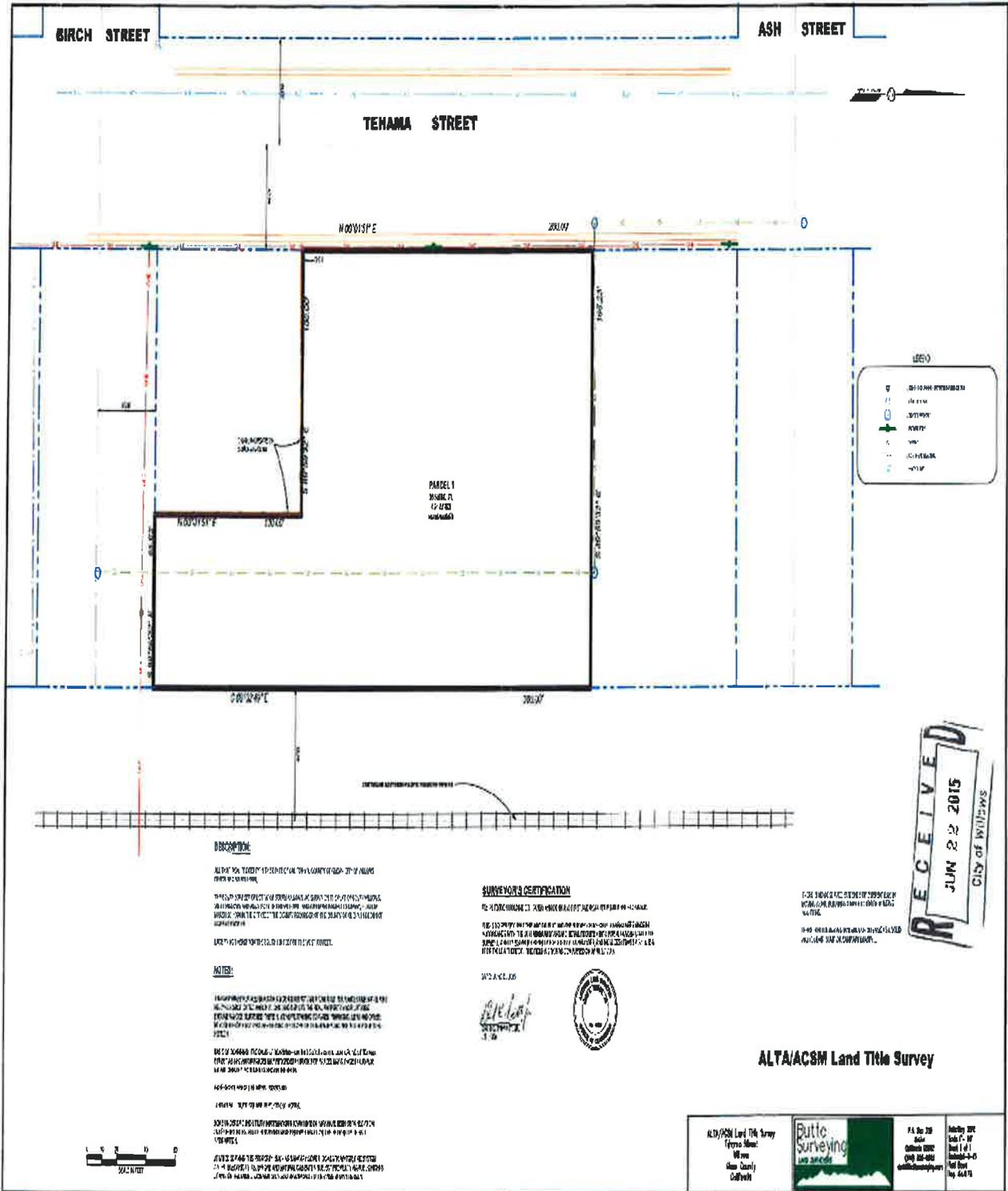
1. That the applicant/developer shall enter into a Pass Through Agreement with the City of Willows to pay the cost of all planning review, plan checking and field inspection of this development.
2. The approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies and fees of the City of Willows.
3. If the use is not made on the project (establish an equipment sales/storage yard)subject to the permit within one (1) year after the date of granting the permit, then without further action, the permit shall be null and void and such use shall not be made of the property except upon the granting of a new permit.
4. All plans for additional uses, which are not covered by this review, shall be submitted to the City Manager/Planning Commission for review and approval prior to use.
5. The developer shall adhere to the design and specification of the Architectural Design Review approval regarding installation of fencing.
6. The Architectural Design Review approval shall expire in one year unless otherwise stipulated by the Planning Commission. The applicant may apply to the Building Official for an extension of not more than one year from the original date of expiration, if he finds that there has been no substantial change in the factual circumstances surrounding the originally approved design. Substantial changes and any further extension beyond one year shall require Planning Commission approval.
7. All conditions required by the Planning Commission shall be completed and installed prior to use of the site/building.
8. Corner monument pins indicating property boundaries shall be set prior to installation of fencing.
9. Any debris located on the property shall be disposed of properly to an approved waste disposal site.
10. A final dimensioned fence plan shall be submitted for Planning approval prior to installing fencing showing a 20 foot setback from the property line for the gate entrance along Tehama Street.

11. No barbed wire shall be allowed on the upper portion of fencing.
12. Dust prevention must be emphasized to avoid unnecessary annoyance to persons living or working in the area. Working hours shall be restricted to the hours of 7:00 a.m. to 6 p.m., Monday through Friday unless approved by the City Manager.
13. All contractors/sub-contractors shall obtain a City business license prior to commencing operation. (Contact Finance Department).

Public Works Department

14. Manhole on north fence line is painted green, and shall not be covered with the base rock proposed for the parcel. City must have access to manhole at all times.
15. If any work occurs within the public right of way (i.e. street, sidewalk) shall require an encroachment permit issued by the City of Willows Public Works Dept.

ALTA LAND SURVEY



FENCE PLAN

WILLARD FENCE CO.

144 Meyers Street, Suite 136 • Chico, CA 95928
 License # 688105

(530) 894-2449 **FAX 894-3199**

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|--|-----------------------|--|--|
| PROPOSAL SUBMITTED TO Peterson Tractor | | JOB LOCATION WILLOWS | |
| STREET | | ROY 834-8839/514-3930 | |
| CITY, STATE AND ZIP CODE | | BILLING | |
| PHONE (510)333-2342 EXT. | DATE 5/4/15 | ncsayre@petersoncal.com JOB PHONE | |

RECEIVED

JUN 22 2015

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| <p>JOB DESCRIPTION AND SPECIFICATIONS:</p> <p>Install approx. 960' of 6' high chain link fence including, (3) 24' heavy duty roll gates, with heavy duty roll gate hardware. All post set in concrete.</p> <p style="text-align: center;"><u>MATERIAL</u></p> <p>2 3/8" Structural Terminal Post 2 3/8" Structural Gate Post 1 7/8" Line Post 1 5/8" Top Rail or Bracing 9 ga. Tension Wire 17 ga. Chain link fabric 1 5/8" Structural Welded Frame Gate</p> <p>NOTE: FOR (3) STRANDS OF BARBED WIRE ADD \$1,860.00 TO TOTAL BELOW.</p> <p>NOTE: + OR - FOOTAGE TO BE \$16.00 PER LINEAR FOOT.</p> | |
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We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of Fifteen thousand eight hundred eighty-nine and 00/100 - Dollars (\$ 15,889.00).

Payment to be made as follows:
MATERIAL DEPOSIT OF \$8,595.00 IS DUE BEFORE JOB START

REMAINING BALANCE IS DUE IN FULL ON DAY OF JOB COMPLETION

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| All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. | Authorized Signature: <u> Kirk Willard (RW) </u> Note: This proposal may be withdrawn by us if not accepted within <u> 10 </u> days. |
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| Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. | Signature: _____ Date: _____ Signature: _____ Date: _____ |
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APN MAP

