

PLANNING COMMISSION

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Karen Mantele

MINUTE CLERK



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

**PLANNING COMMISSION MEETING AGENDA**

Wednesday, June 29, 2011  
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. **Approval of Minutes:** None
7. **New Business/Advisory Request:** Review, discussion, determination and direction to staff on allowing, conditioning and/or restricting a "specific" use in the Entryway (E) zoning district. Specific Code Section(s) require as follows:

18.50.030 Uses permitted with a conditional use permit.

The following uses and structures are permitted in the E district only if a conditional use permit has first been secured. Uses and structures which, in the opinion of the planning commission, are similar to the following may be permitted if a conditional use permit has first been secured:

- (1) Permitted uses in the R-2 district, as set forth in WMC 18.35.030.
- (2) Pet shops and veterinary offices.
- (3) Mortuaries and funeral parlors.
- (4) Private schools.

Review, discuss and determine whether a use to be located within the Entryway zone (charter school) requires a conditional use permit prior to operation.

8. Commission Commentary:

9. Adjournment:

**CERTIFICATION:**

Pursuant to Government Code 5 54954.2 (a), the agenda for this meeting was properly posted on or before June 24, 2011

A complete agenda packet, including staff reports and back-up information, is available for public inspection during normal work hours Monday through Thursday between 7:30 a.m. and 5:30 p.m. at the Civic Center located at 201 North Lassen Street in Willows.

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: June 29, 2011

Proposal: Use of existing building for public charter school for Walden Academy, Inc.  
Applicant: Kelly Lawler, Chairman of the Board  
Project Location: 408 Pacific Avenue  
Parcel No: 005-381-004  
Zoning: E (Entryway)  
General Plan: Entryway

### Proposal:

Kelly Lawler, Board Chairman for Walden Academy, Inc. proposes to lease a building and establish a public charter school for kindergarten classes in an existing building located at the corner of Pacific Avenue and Wood Street. Walden Academy, Inc is a California non-profit public benefit corporation. The proposal would be to operate the school from 7:30 a.m. to 5:00 p.m. for administrative and teaching staff and from 8:00 a.m. to Noon for 25 kindergarten students to have an on-site ½ day program, with 1 teacher, 1 staff member and 1-3 parent volunteers throughout any given day. The intention is to start operation in mid July to allow the Academy staff time to clean, do minor painting and organization of the site in preparation for the first day of school, which will begin September 6, 2011 through June 8, 2012, with various school breaks throughout the year. (See attached full project description)

The site/building has been used since 1990 for Headstart programs for up to 30 children, according to Community Licensing and records from Fire Department inspections. The Headstart program is vacating the building and available for lease.

### Zoning/ General Plan

The project site is zoned Entryway, which the purpose of the district *is intended to apply to arterial streets leading into downtown, where a mix of commercial, office, and residential uses is appropriate in an aesthetically appealing corridor, in which new developments and modifications to existing developments shall occur in accordance with design guidelines. Permitted uses and uses permitted with a conditional use permit are intended to be compatible with residential uses within and adjacent to the E district.*

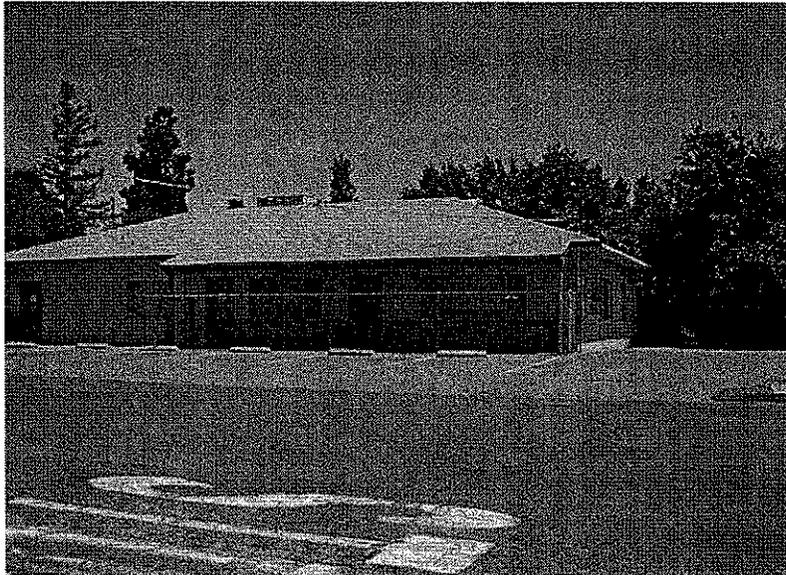
Section 18.50.030 *Uses permitted with a conditional use permit* allow for “permitted uses in the R-1 district as set forth in WMC 18.35.030” (which allows for private and religious schools, etc.) and also allows for private schools under Section 18.50.030(4). This proposal is not for a private school; however reference is made to what the zoning district allows.

The General Plan Land Use designation for this site is Entryway, which provides for a mix of commercial, office, and residential uses along arterial streets leading to downtown, in which new developments and modifications to existing developments are subject to design guidelines. And further states “All permitted and conditional permitted uses are intended to be compatible with residential uses in adjacent districts”.

### Analysis:

Staff circulated the proposal to City departments including Fire, Police, Public Works and Building. Public Works has no issue with the proposal. The Fire Department comment is that the facility will need to have a Fire inspection prior to occupancy. The Police Department had concerns with the traffic as the intersection of Wood Street and Pacific Avenue are impacted with heavy traffic each morning, as Wood

Street is a major arterial roadway impacted by morning transient traffic currently. The Police Department comments overall do not object to the proposal; however make recommendations to (1) declare the adjacent roadway of Wood Street and Pacific Avenue as within a school zone and designate the appropriate 25 MPH zones as required by the Vehicle Code, (2) consider the placement of marked crosswalks for the intersection of Wood Street and Pacific Avenue, extending across Wood Street from the NE corner to the south sidewalk and across Pacific Avenue from the NE corner to the NW corner, and (3) if student cap of 25 is exceeded and or another grade level is to be included in the site use, that further study be required with further approval by the appropriate governmental departments or commissions. (See attached full Police Dept. comments)



**View from Pacific Avenue**

**STAFF RECOMMENDATION:**

Provide direction to staff after discussion and determination of the proposal to allow as a permitted or conditionally permitted use, a charter school.

**Attachments:**

1. Applicant's Project Description
2. E (Entryway) zoning district excerpt
3. R-2 (Two Family Residential ) zoning district excerpt
4. Police Department comments

Submitted by:

Karen Mantele  
Principal Planner

Project DescriptionWalden Academy Project Description for 408 Pacific Avenue:

Currently the Glenn County Office Education runs one of their Head Start preschool programs at the site located at 408 Pacific Avenue. According to Community Care Licensing and City records this facility has been approved for this use since 1990.

The interior of the facility is uniquely suited for educational purposes for young children ages 4 to 6. The site is currently being used for educational programming all day. Walden Academy would like to move in to the facility mid July and continue the similar use of the facility to house our Kindergarten class, which will only be half day. We would like to continue using the space for a similar educational purpose and level, thus not changing the impact.

Walden Academy Hours of operation and student occupancy:

7:30 am to 5:00 pm – Administrative and Teaching Staff

8:00 am to Noon - 25 Kindergarten students on site for a half day program, with 1 teacher, 1 Staff Member and 1-3 parent volunteers throughout any given day.

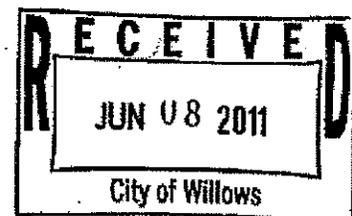
Educational Programming:

Students will participate in traditional kindergarten activities on this site, including but not limited to, teacher instruction, recess, snack and various arts and crafts activities. Students will be supervised by their teacher, a Walden Academy Staff member and various parent volunteers.

Start Date of Project:

Mid July - Walden Academy staff and volunteers would like to begin cleaning, minor painting and organization of the site in preparation for first day of school.

September 6, 2011 to June 8, 2012– Classes will be held on this site. With various school breaks throughout the year. A calendar is attached.



**Chapter 18.50**  
**E ENTRYWAY DISTRICT**

## Sections:

- 18.50.010 Purpose.
- 18.50.020 Permitted uses.
- 18.50.030 Uses permitted with a conditional use permit.
- 18.50.040 Prohibited uses.
- 18.50.050 Other regulations.

## 18.50.010 Purpose.

The entryway or E district is intended to apply to arterial streets leading into downtown, where a mix of commercial, office, and residential uses is appropriate in an aesthetically appealing corridor, in which new developments and modifications to existing developments shall occur in accordance with design guidelines. Permitted uses and uses permitted with a conditional use permit are intended to be compatible with residential uses within and adjacent to the E district. [Ord. 664-00 § 14B.01, 6-27-00; Ord. 632-91 § 14B.01, 10-22-91].

## 18.50.020 Permitted uses.

The following uses and structures are permitted in the E district:

- (1) Offices occupied by accountants, architects, dentists, physicians, engineers, attorneys, counselors, drugless practitioners, electrologists, geologists, optometrists, psychologists, and other occupations and enterprises.
- (2) Retail stores and businesses or service enterprises, including the following:
  - (a) Banks and business offices.
  - (b) Food, hardware, variety, drug, and clothing stores not to exceed 2,500 square feet of retail sales floor area. All on-site storage related to such uses shall be within an enclosed building and shall be clearly incidental to and integral to the operation of the primary business.
  - (c) Music and dance studios.
  - (d) Blueprint shops and photographic stores.
  - (e) Cafes, restaurants, and catering shops.
  - (f) Art and antique shops.
  - (g) Florists.
  - (h) Barber shops and beauty parlors.
  - (i) Bakeries, including only retail sales on the premises and baking to supply not more than three retail outlets.
- (3) Other uses, which, in the opinion of the planning commission, are similar to those uses listed above; and
- (4) Outdoor advertising signs and structures pertaining to the use or operation of the site, subject to the following:
  - (a) Signs shall not exceed one and one-half square feet for each lineal foot of building frontage. The total surface area of all incidental signs, including services, trading stamps, prices, credit cards, or product advertising shall not exceed 40 square feet.
  - (b) Signs shall be no higher than 30 feet above grade. Freestanding signs in excess of 10 feet in height are prohibited.

- (c) The above restrictions shall not apply to "directional signs" and "exempt signs" as defined in Chapter 18.125 WMC. [Ord. 664-00 § 14B.02, 6-27-00; Ord. 632-91 § 14B.02, 10-22-91].

18.50.030 Uses permitted with a conditional use permit.

The following uses and structures are permitted in the E district only if a conditional use permit has first been secured. Uses and structures which, in the opinion of the planning commission, are similar to the following may be permitted if a conditional use permit has first been secured:

- (1) Permitted uses in the R-2 district, as set forth in WMC 18.35.030.
- (2) Pet shops and veterinary offices.
- (3) Mortuaries and funeral parlors.
- (4) Private schools.
- (5) Bed and breakfast establishments with five or fewer guest quarters.
- (6) Martial arts or exercise studios.
- (7) Health clubs. [Ord. 664-00 § 14B.03, 6-27-00; Ord. 632-91 § 14B.03, 10-22-91].

18.50.040 Prohibited uses.

- (1) Uses permitted in the ML district, as set forth in WMC 18.70.020(2) et seq.
- (2) Uses permitted in the MH district, as set forth in WMC 18.75.020(2) et seq.
- (3) Automobile service stations and mini-markets with gasoline sales.
- (4) Outside sales and transient or mobile business operations.
- (5) Bars and cocktail lounges, except as incidental to and contained within an otherwise permitted restaurant or cafe.
- (6) Adult entertainment businesses subject to Chapter 18.115 WMC.
- (7) Uses and structures with drive-through windows.
- (8) Uses not expressly listed or determined by the planning commission to be similar to uses in WMC 18.50.020 or 18.50.030. [Ord. 664-00 § 14B.04, 6-27-00; Ord. 632-91 § 14B.04, 10-22-91].

18.50.050 Other regulations.

(1) Residential Uses. Minimum lot area, front, side, and rear setbacks, maximum building height, maximum lot coverage and parking requirements for residential uses shall be subject to the regulations of the residential zone(s) in which the use is considered a principally permitted use.

(2) Nonresidential Uses.

(a) Minimum lot area: 5,000 square feet.

(b) Maximum lot coverage by structures: 50 percent.

(c) Minimum Yard Requirements.

(i) Front: 12 feet from the inner edge of the sidewalk or, in the absence of a sidewalk, 18 feet from the outer edge of the curb.

(ii) Side: six feet from the inner edge of the sidewalk or, in the absence of a sidewalk, 12 feet from the outer edge of the curb.

(iii) Rear: 12 feet where accessible from street or alley for loading purposes. Buildings may project over the rear yard, providing 14 feet clear vertical distance from ground level is maintained. Building code and other regulations shall apply. Signs may be located in required yard areas, subject to design review.

(d) Maximum building height: 30 feet.

(e) Loading Space. Private off-street space for handling all materials and equipment shall be provided.

(f) Minimum Parking. Off-street parking shall be provided in an amount in accordance with the regulations of Chapter 18.120 WMC. No off-street parking shall be provided in the front of any structure.

(g) When applying the regulations contained in the E district to parcels adjoining Wood Street, the Wood Street frontage shall always be considered the front yard.

The city of Willows zoning map is hereby amended by designating the areas shaded on the following map as entryway E zoning district.<sup>1</sup> [Ord. 664-00 § 14B.05, 6-27-00; Ord. 632-91 § 14B.05, 10-22-91].

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**Chapter 18.35**  
**R-2 TWO-FAMILY RESIDENTIAL DISTRICT**

## Sections:

- 18.35.010 Purpose.
- 18.35.020 Permitted uses.
- 18.35.030 Uses permitted with a conditional use permit.
- 18.35.040 Other regulations.

## 18.35.010 Purpose.

The two-family residential use or R-2 district is intended to allow mixed uses of residential types at a medium density. [Ord. 632-91 § 12.01, 10-22-91].

## 18.35.020 Permitted uses.

The following uses and structures are permitted in the R-2 district:

- (1) One- or two-family dwellings, including private garages, accessory buildings and uses.
- (2) Agriculture, horticulture, gardening, keeping of animals as permitted by city ordinance but not including stands or structures for the sale of agricultural or nursery products.
- (3) Underground utility installations and aboveground utility installations for local service except that substations, generating plants, public utility communication buildings, and gas holders must be approved by the planning commission prior to construction. The route of any proposed transmission line shall be discussed with the planning commission prior to acquisition.
- (4) Rooming and boarding of not more than two persons.
- (5) Family day care homes serving 12 or fewer children exclusive of children who reside at the home. [Ord. 632-91 § 12.02, 10-22-91].

## 18.35.030 Uses permitted with a conditional use permit.

The following uses and structures may be permitted in the R-2 district only if a conditional use permit has first been secured:

- (1) Private and religious schools, nursery schools, and family day care centers providing services to more than 12 children.
- (2) Churches and home occupations.
- (3) Golf and country clubs.
- (4) Temporary real estate offices, tract sales offices and advertising signs, and tract construction and equipment yards.
- (5) Bed and breakfast establishments. [Ord. 632-91 § 12.03, 10-22-91].

## 18.35.040 Other regulations.

- (1) Minimum lot size: 6,000 square feet for interior lots; 7,500 square feet for corner lots.
- (2) Minimum lot width: 60 feet for interior lots; 75 feet for corner lots.
- (3) Maximum lot coverage: 45 percent of the lot area.
- (4) Minimum Yard Setback.

(a) Front yard: 25 feet.

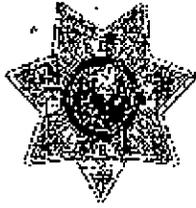
(b) Side yard: six feet except the side yard on the street side of each corner lot shall not be less than 10 feet.

(c) Rear yard: 15 feet.

**EXCEPTION:** A garage that is not attached to and made a part of the main building shall not be closer than eight feet clear distance to the main building and shall be five feet from alley property line. A nongarage accessory building shall be a minimum of three feet from the rear property line.

(5) Maximum building height: two and one-half stories not exceeding 30 feet. Nongarage accessory buildings shall not exceed 12 feet in height without prior approval of the planning commission.

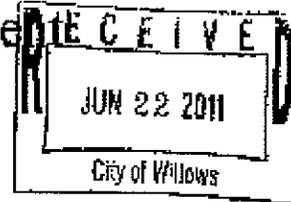
(6) Parking spaces required: see WMC 18.120.020. [Ord. 632-91 § 12.04, 10-22-91].



# MEMORANDUM

*Willows* Police Department

William Spears, Chief of Police



June 16, 2011

**TO:** Karen Mantele, Contract Planning Staff

**FROM:** William Spears, Chief of Police

**SUBJECT:** WALDEN ACADEMY -- 408 Pacific Ave. Willows

I have reviewed the application and conducted an on site observation of 408 Pacific Ave. Willows. I therefore make the following findings.

The application address is located on the Northeast corner of the intersection of Wood Street and Pacific Avenue. Wood Street is an East West, four-laned two directional main arterial roadway. Wood Street is also State Highway 162. Pacific Avenue is a North-South two-laned two directional secondary arterial roadway. The only traffic control for the intersection is a stop sign for Pacific Avenue. The speed limits are 35 MPH for Wood Street and 25 MPH for Pacific Avenue.

The location currently had a preschool, with an approximate total student attendance of 30 children. The hours of operation are 7 am to 4 pm, Monday through Friday.

It is my understanding that the preschool is closing and Walden Academy desires to conduct their kindergarten at the location. The application reads that there will be 25 children, 1 teacher and 1-3 parent volunteers on site throughout the day.

The application does not refer to any other students being on the site. At one point I was told there was some consideration of also conducting a first grade class at the location. The application does not make any reference to this and therefore the considerations or recommendations are only based on the kindergarten presence. Should additional students, beyond the 25, indicated be placed at the location, the applicant will need additional review.

**Traffic:**

The intersection of Wood Street and Pacific Avenue are impacted with heavy traffic each morning. Pacific is a major flow route from much of northern Willows and the unincorporated residential areas north of the city. Wood being a major arterial roadway of the city is impacted by morning transient traffic.

The current utilization as a preschool has melded into the current traffic patterns as to drop offs. I can not predict any increased impact merely by conversion from preschool to kindergarten.

As a private preschool there has not been the requirement of reduction of the speed limit to the school zone 25 MPH prima facie requirement. With this being an extension of a charter school, I am not sure if we would be required to declare the area a school zone and comply with the Vehicle Code requirements of 25 MPH.

One consideration is that it is found that preschoolers do not walk to school. Although not recommended, there could be kindergarteners walking to school. In my opinion this could trigger the 25 MPH requirement.

As to the project overall I do not object, but do make the following recommendations if the application and use is approved.

- Declare the adjacent roadway of Wood Street and Pacific Avenue as within a school zone and designate the appropriate 25 MPH zones as required by the Vehicle Code.
- Consideration of the placement of marked crosswalks for the intersection of Wood and Pacific. The crosswalks would extend across Wood Street from the Northeast corner to the South sidewalk, and across Pacific from the Northeast corner to the Northwest corner.
- If the student cap (25) is exceeded and/or another grade level is to be included in site use, that further study be required with further approval by the appropriate governmental departments and commissions.

Respectfully,



William Spears,  
Chief of Police