

PLANNING COMMISSION

Peggy White, Chair  
Robert Griffith, Vice Chair  
Shirley Benningfield, Commissioner  
Candis Woods, Commissioner  
Walter Michael, Commissioner

CITY PLANNER  
Karen Mantele

MINUTE CLERK  
Maria Ehorn



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

**PLANNING COMMISSION MEETING AGENDA**  
**Wednesday September 21, 2016**  
**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:** Minutes of Planning Commission meeting held August 17, 2016
7. **Public Hearing/New Business**
  - a. **Use Permit (File # UP-16-06) Applicant/Owner: Suresh Patel/same**  
457 N. Humboldt Avenue/Assessors Parcel Number 017-330-022/CH (Highway Commercial) zone/Highway Commercial Land Use Designation/Request to allow additional pole and identity signage for existing motel
  - b. **Tentative Parcel Map Extension (File# MSUB-07-04) Applicant/Owner: Kyle & Tanya Persky**  
749 & 759 S. Merrill Avenue/Assessors' Parcel Number(s):001-330-017 & 001-017-018/ R-1 (Single Family Residential) zone/Low Density Residential Land Use Designation/Request for one year extension to parcel map
8. **Commission Commentary**
9. **Adjournment**

**CERTIFICATION:** Pursuant to Government Code § 54954.2 (a), the agenda for this meeting was properly posted on or before September 16, 2016.

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](http://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

**MINUTES OF THE WILLOWS PLANNING COMMISSION MEETING**

**WEDNESDAY, AUGUST 17, 2016**

The meeting was called to order at 7:00 pm by Chair White.

**PLEDGE OF ALLEGIANCE:**

Commissioner Benningfield led the Pledge of Allegiance.

**ROLL CALL:**

Karen Mantele, Planner, Maria Ehorn, Minute Clerk

Present: White, Benningfield, Griffith, Woods, Michael

Absent: None

**AGENDA REVIEW:** Chair White asked if there were any changes to the agenda by staff or Commissioners. Staff requested the Commission to hear item 7b prior to item 7a. Commissioner Michael moved to hear item 7b prior to item 7a. Commissioner Griffith seconded the motion.

AYES: White, Benningfield, Griffith, Woods, Michael

NOES: None

ABSENT: None

ABSTENTION: None

**PUBLIC COMMENT:** Chair White introduced the item. No comments were made.

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

AYES: White, Benningfield, Griffith, Woods, Michael

NOES: None

ABSENT: None

ABSTENTION: None

**PUBLIC HEARING(S)/NEW BUSINESS:**

- b. **Conditional Use Permit (File #UP-16-05) and Design Review (File #DR-16-07) Applicant/Owner: Jim Thompson/Larry Pastorino**

222 W. Sycamore Street/Assessors' Parcel Number: 002-172-006/Central Commercial Zone/General Commercial Land Use Designation/Establish a mobile food unit business and install and 18' x 20' shade structure for business.

Chair White introduced the agenda item. Ms. Mantele presented the agenda report to the Commission. Since the preparation of the staff report 3 letters have been received from Dale and Holly Myers, Willie and Missy Beavers, and Linda Robert and asked to be read to the commission and entered into the minutes. Staff then read all 3 letters.

Chair White opened the public hearing.

Jim Thompson of Thunderhill spoke regarding the area needing more new businesses. He stated they brought the truck in to supplement hours for existing employees in order to be able to make them full time employees.

Matt Amaro read a prepared statement regarding how the process works and how it is a difficult task without a food truck ordinance. He stated he is neither for nor against Use Permit 16-05 and Design Review 16-07 but would like to see more businesses come to the downtown area, and felt that the carport structure could meet design review requirements and did not like the idea of a portable outhouse on a downtown lot. He suggested that maybe Thunderhill could work with an existing business owner to allow the employees use of their rest room.

Mr. Thompson stated the porta-potty would be for the employees only but is open to striking a deal with an existing business for use of their rest room. Mr. Thompson stated he does not have to have the shade structure and could put up umbrellas instead. Commissioner Michael inquired as to what the hours of business would be. Mr. Thompson stated Monday through Friday, 10:00 am to 2:00 pm.

Larry Pastorino spoke stating he purchased the property in the 70's with a building on it which was demolished and would like a chance to make the property better, and maybe even going further and building a restaurant there as the property has a great potential for a restaurant location.

Dale Myers spoke saying as a current downtown business owner in the area he would like to maintain the downtown historical status and that downtown is not the place for mobile food truck business. He also felt that a mobile food unit with a porta-potty should not be allowed in the area instead of a brick and mortar business.

Chair White hearing no other comments closed the public hearing.

Discussion was held among the Commissioners and staff regarding allowing the food truck, shade structure, porta-potty, parking and possible compromises as far as the codes will allow. Commissioner Benningfield asked about the previous use permit applications for food trucks considered by the Planning Commission and why the one applied for at this same location was denied. Ms. Mantele stated that according to the meeting minutes it seemed there were similar concerns as tonight such as detracting from the quaintness of the area and parking issues.

Commissioner Griffith moved 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-16-05 & File #DR-16-07) to Jim Thompson of Thunderhill Grill & Catering to Allow Establishment of a Mobile Food Unit on a Vacant Lot and Allow Placement of an Open Covered Canopy Structure for Property Located at 222 W Sycamore Street Assessors Parcel Number 002-172-006 with amendments as follows: Strike "and allow placement of an open covered canopy structure" from title, amend conditions of approval: #7 to review in 6 months instead of a year, strike condition #8, add to condition #11 requiring an arrangement to be made to comply with the state code for restroom facilities prior to the use being put in place, and strike conditions #12, #13 and #14. The motion was seconded by Commissioner Michael.

AYES: White, Benningfield, Griffith, Woods, Michael

NOES: None

ABSENT: None

ABSTENTION: None

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

**a. Design Review (File #DR-16-06) Applicant/Owner: Anil Patel/Glenn Hospitality, Inc.**

457 N. Humboldt Street/Assessor's Parcel Number: 017-330-018 Commercial Zone/General Commercial Land Use Designation/Remove existing porte cochère and replace with commercial grade canvas awning.

Chair White introduced the agenda item. Ms. Mantele presented the agenda report to the Commission.

Mr. Patel explained why he chose the color he did for the awning as it is the Super 8 color. A short discussion ensued regarding the canopy color and lighting. Mr. Patel stated they are going to use the existing electrical circuit for LED lighting under the canopy.

Commissioner Michael moved 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-16-06) to Anil Patel of Super 8 Motel to Remove a Damaged Porte Cochère and Install a Canvas Awning to an Existing Motel for property located at 457 N. Humboldt Street Assessors Parcel Number 017-330-018. The motion was seconded by Commissioner Griffith.

AYES: White, Benningfield, Griffith, Woods, Michael

NOES: None

ABSENT: None

ABSTENTION: None

**b. Design Review (File #DR-16-04) Applicant/Owner: Cameron Johnson/AMG & Associates LLC**

1245 W. Sycamore Street/Assessor's Parcel Number: 001-051-011/RP (Residential Professional Zone/Office Professional Land Use Designation/Construct a new 2-story/24 unit multi-family residential apartment complex on vacant lot with site improvements.

Chair White introduced the agenda item. Ms. Mantele presented the agenda report to the Commission. Ms. Mantele stated that the applicant needed design review approval prior to being able to apply for funding for construction of the apartments.

A short discussion ensued among the commissioners regarding liking the overall design of the project and the applicant following the multi-family guidelines from the City.

Matt Amaro spoke commending the applicant for a nice design layout. He would like to see the detention pond stay grass covered and something more durable other than vinyl siding that is proposed.

Ms. Mantele stated she would like to amend condition of approval #9 to include applicant to submit a final landscaping plan for staff review once all of the detention pond calculations are in.

Commissioner Griffith moved 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-16-04) to AMG & Associates LLC for Construction of Two Apartment Buildings Totaling 24 Multiple Family Residential Units, a Community Building, a Tot Lot, Fencing and Site improvements for Property Located at 1245 W. Sycamore Street, Assessors Parcel Number 001051-011 with amendment as follows: Amend condition #9 that a final landscape plan shall be submitted for staff review and approval. The motion was seconded by Commissioner Woods.

AYES: White, Benningfield, Griffith, Woods, Michael

NOES: None

ABSENT: None

ABSTENTION: None

**COMMISSION COMMENTARY:**

1. Commissioner Griffith stated he has pulled his application for city council.
2. Commission and staff discussed that the next meeting will be September 21, 2016. Ms. Mantele stated for the next regular meeting she has a use permit coming up for additional signage along Humboldt and anticipates a design review application for new construction of a commercial building that will probably be at the October meeting. Also, she had sent out an email regarding the state planning commission conference which usually takes place in December. If any of the commissioners would like to go to contact her and the city clerk will arrange it.
3. Commissioner Michael asked if there were continuing education funding and was wondering about the Planning Commission academy and if anyone had gone. Staff replied there is continuing education funding and that most have been to the academy. Ms. Mantele said as soon as she is notified of the next one she will let the planning commission know. Also he will not be at the September meeting as he has a conflicting meeting.
4. Commissioner Woods asked staff the status of the Mercado project. Matt Amaro replied on behalf of the applicant stating that it was a long drawn out process in getting the project designed but is expecting approval of the project any day now. Commissioner Woods also asked the status of the Round Table Pizza project. Ms. Mantele stated that the project is moving along and progress is being made. Commissioner Woods stated she thinks it is vital that the City is willing to help people through the process and try to give them every opportunity to be successful. Ms. Mantele stated she and the city manager are working on possible text amendments that will help to alleviate a requirement in the code for residential use in a couple of zones and anticipates bringing the item before the Planning Commission in October.

**ADJOURNMENT:** Meeting adjourned at approximately 8:58 pm.

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Peggy White – Chair

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Maria Ehorn – Minute Clerk

**Planning Commission Agenda Report:****September 21, 2016**

Project: One year time extension for a Tentative Parcel Map (File #MSUB-07-04)  
 Applicant(s)/Owner: Kyle & Tanya Persky/same  
 Project Location: 749 & 759 S. Merrill Avenue  
 Parcel No(s): 001-330-017 & 001-330-018  
 Zoning: R-1 (Single Family Residential)  
 General Plan: Low Density Residential

**Project Description**

The applicants have submitted a planning application requesting a one-year time extension to subdivide two lots totaling 2.97 acres into fourteen (14) lots to allow construction of single family residences per Subdivision Map Act Section 66452.13. The property owners desire to market this Map and to do so will need to gain approval to extend the life of this Map.

**Background**

The project site is located at the corner of South Merrill Avenue and Elm Street and adjacent to the Glenn Colusa Irrigation District on the south.

In November of 2006 the original tentative map was brought before the Planning Commission for their review. The tentative map was approved at that meeting. This approval granted the parcel map 24 months extension by right, resulting in the expiration date of November 1, 2008.

In September of 2007 the property owner requested to amend the approved tentative map by breaking up the project into four phases. This request was taken to the Planning Commission and was granted approval.

In September of 2008 the Planning Commission approved a one year extension to the tentative map approving it until November 1, 2009.

Based on the economic climate in 2008, 2009, 2010, 2011 and 2013 the California Legislature passed bills automatically extending the expiration date of tentative parcel maps subject to specific conditions. The purpose of the state extensions was to grant additional time for maps to record that were in effect at the time of each bill's passing. As a result of the automatic extensions this map was allowed to be extended until November 1, 2016. The applicant has filed a written request to allow an extension to the tentative map prior to the November 1<sup>st</sup> deadline. This would be the second time a one year extension has been applied for on this parcel map. The subject tentative map is consistent with the requirements of the City code regarding extensions.

**Review Process**

This matter is before the Planning Commission pursuant to Section 17.55.180(2) of the Willows Municipal Code.

**Environmental Review and Analysis**

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA) through a Mitigated Negative Declaration which was adopted by the Planning Commission in 2006 with the initial Tentative Map application approval. Staff has determined that the proposal is exempt from further any further CEQA review.

Notice of this public hearing was published in the local newspaper prior to the public hearing. No public comments have been received by Staff prior to preparation of this report.

**STAFF RECOMMENDATION:**

Staff recommends adoption of the attached resolution recommending approving a one year time extension to Tentative Parcel Map file# MSUB-07-04 for Kyle & Tanya Persky for property located at 749 & 759 S. Merrill Avenue, Assessors Parcel Numbers 001-330-017 and 001-330-018.

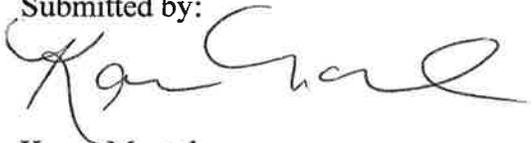
**PLANNING COMMISSION OPTIONS:**

- 1) Recommend approval of the map extension request as described
- 2) Deny the map extension request with appropriate findings for denial

**Attachments:**

1. Draft Planning Commission Resolution
2. Tentative parcel map
3. Adopted conditions of approval for all four phases

Submitted by:



Karen Mantele  
Principal Planner

PC RESOLUTION NO. \_\_\_\_\_-2016

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING APPROVAL FOR A ONE YEAR TIME EXTENSION TO PARCEL MAP FILE NUMBER MSUB-07-04 FOR KYLE & TANYA PERSKY FOR PROPERTY LOCATED AT 749 & 759 S. MERRIL AVENUE, ASSESSORS PARCEL NUMBERS 001-330-017 & 001-330-018**

**WHEREAS**, the applicants Kyle & Tanya Persky have filed a written request to allow a one year time extension to tentative parcel map file number MSUB-07-04; and,

**WHEREAS**, City of Willows Municipal Code Section 17.55.180(2) allows for a 12 month extension to a parcel map with the approval from the Planning Commission, and

**WHEREAS**, Section 66452.13 of the Subdivision Map Act a tentative map allows for a 12 month extension on tentative parcel maps; and,

**WHEREAS**, the Planning Commission did, on September 21, 2016, 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 map extension request, 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 project map was reviewed under the California Environmental Quality Act (CEQA) through a Mitigated Negative Declaration which was adopted by the Commission for the project.

**NOW THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Willows does hereby find that the one year extension request to extend the map for an additional 12 months is consistent with the City of Willows General Plan, the City of Willows Municipal Code, and hereby approves the request for a one year time extension.

**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 21<sup>st</sup> day of September, 2016, by the following vote, to wit:

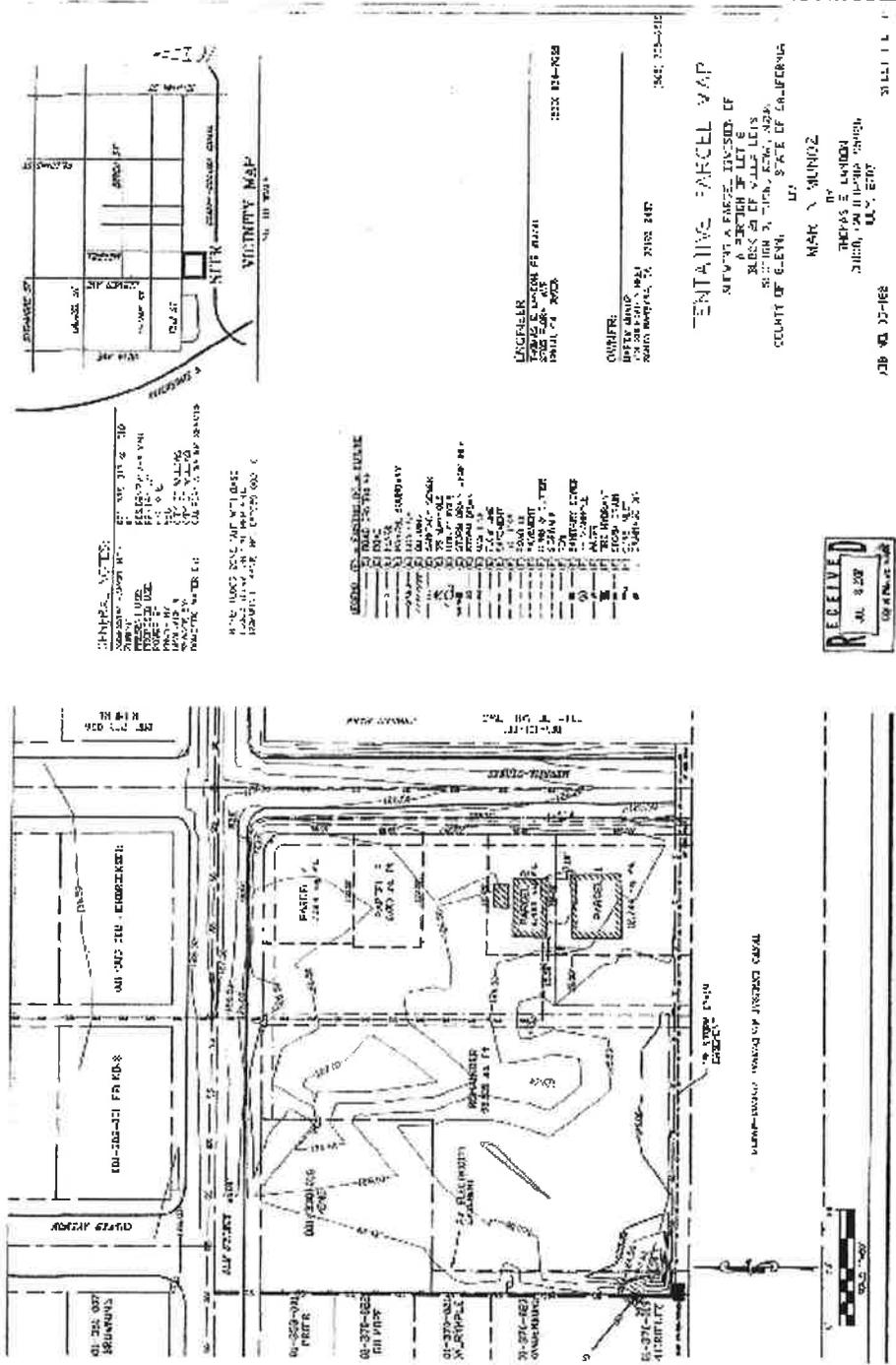
AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

APPROVED: \_\_\_\_\_  
Peggy White, Chairperson

ATTEST: \_\_\_\_\_  
Recording Secretary, Maria Ehorn

**Tentative Parcel Map**

ATTACHMENT 2



**Conditions of Approval****MUNOZ SUBDIVISION  
PHASE 1  
CONDITIONS OF APPROVAL**

1. That the Final Map shall conform to the Tentative Subdivision Map as submitted dated September 12, 2006, and approved by the City of Willows Planning Commission and on file at the City of Willows.
2. Notwithstanding the provisions of any other of these Conditions of Approval, this tentative map shall expire 24 months from the date of approval unless extended pursuant to the Subdivision Map Act.
3. That the application to extend the filing period for this map shall be received by the City of Willows sixty (60) days prior to the expiration date.
4. Any action or condition of the Planning Commission regarding this Tentative Map may be appealed in writing to the City Council in accordance with Section 66452.5 of the Government Code (filing fee is required). This Map shall not be recorded until the expiration of the 15-day appeal period following the date of approval. The expiration date of the appeal period is \_\_\_\_\_, 2007.
5. Pursuant to section 66474.9 of the California Government Code the subdivider shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the County, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the Planning Commission or City Council concerning this subdivision, which action is brought within the time period provided for in Section 66499.37. The City shall promptly notify the applicant of any such claim, action or proceeding and shall cooperate fully in the defense of the action. If the City fails to so notify the applicant or to cooperate fully in the defense, the applicant shall not be obligated by this condition.
6. That prior to the filing of the Final Map for recording, the subdivider shall file a properly executed Tax Collector's Certificate with the County Recorder. A copy of this executed Certificate shall be included with the Final Map at the time the Map is submitted to the City for recording. In lieu of the above-mentioned requirements the subdivider may choose to have the County Tax Collector execute a Tax Collector's Certificate placed on the face of the Final Map. The Certificate shall be executed by the Tax Collector prior to submitting the Final Map to the City for recording.
7. That the applicant/developer shall comply with the Subdivision Standards and requirements of the City of Willows.

**MUNOZ SUBDIVISION  
PHASE II  
CONDITIONS OF APPROVAL**

1. That the Final Map shall conform to the Tentative Subdivision Map as submitted dated September 12, 2006, and approved by the City of Willows Planning Commission and on file at the City of Willows.
2. Notwithstanding the provisions of any other of these Conditions of Approval, this tentative map shall expire 24 months from the date of approval unless extended pursuant to the Subdivision Map Act.
3. That the application to extend the filing period for this map shall be received by the City of Willows sixty (60) days prior to the expiration date.
4. Any action or condition of the Planning Commission regarding this Tentative Map may be appealed in writing to the City Council in accordance with Section 66452.5 of the Government Code (filing fee is required). This Map shall not be recorded until the expiration of the 15-day appeal period following the date of approval. The expiration date of the appeal period is \_\_\_\_\_, 2007.
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7. That the applicant/developer shall comply with the Subdivision Standards and requirements of the City of Willows.

**MUNOZ SUBDIVISION  
PHASE III  
CONDITIONS OF APPROVAL**

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3. That the application to extend the filing period for this map shall be received by the City of Willows sixty (60) days prior to the expiration date..
4. Map may be appealed in writing to the City Council in accordance with Section 66452.5 of the Government Code (filing fee is required). This Map shall not be recorded until the expiration of the 15-day appeal period following the date of approval. The expiration date of the appeal period is \_\_\_\_\_, 2007.
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7. That the applicant/developer shall comply with the Subdivision Standards and requirements of the City of Willows.

**MUNOZ SUBDIVISION  
PHASE IV  
CONDITIONS OF APPROVAL**

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2. Notwithstanding the provisions of any other of these Conditions of Approval, this tentative map shall expire 24 months from the date of approval unless extended pursuant to the Subdivision Map Act.
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7. That the applicant/developer shall comply with the Subdivision Standards and requirements of the City of Willows.