

Gridley City Planning Commission – Regular Meeting Agenda

Monday, February 12, 2018; 6:00 pm
Gridley City Hall, 685 Kentucky Street, Gridley, CA 95948

"Our purpose is to continuously enhance our community's vitality and overall quality of life. We are committed to providing high quality, cost-effective municipal services and forming productive partnerships with our residents and regional organizations. Working together, we develop, share, and are guided by a clear vision, values, and meaningful objectives."

1. **CALL TO ORDER** – Chairman Wise
2. **ROLL CALL** – Recording Secretary
3. **COMMUNITY PARTICIPATION FORUM** - *Members of the public may address the Planning Commission on matters not listed on the agenda. The Planning Commission may not discuss nor take action on any community participation item brought forward by a member of the community. Comments are requested to be limited to three (3) minutes.*
4. **CONSENT AGENDA** - *All items listed under the Consent Agenda are considered routine and acted upon by one motion. Any Planning Commissioner may request that an item be removed for separate consideration. The Planning Commission may only make minor comments; otherwise the item should be removed from the consent agenda and placed as the first item(s) under "Public Hearings".*

A. Planning Commission Minutes dated December 11, 2017

5. PUBLIC HEARINGS

- A. **Conditional Use Permit No. 1-18;** Application for a conditional use permit to allow residential use in an existing building located at 912 Hazel Street in the Limited Commercial/Downtown Mixed Use Combining Zone (C-1/DMU) and Commercial General Plan land use designation. (APN: 009-161-021)

1. Receive staff report
2. Open public hearing
3. Hear public testimony
4. Close public hearing
5. Commission discussion

City staff respectfully recommends the Planning Commission:

1. Find the project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15301, Existing Facilities, Class 1; and,
2. Make the required conditional use findings as described within the staff report; and,
3. Approve Conditional Use Permit 1-18 subject to the conditions attached to the staff report as Exhibit A.

- B. Conditional Use Permit No. 2-18;** Application for a conditional use permit to allow residential use in an located at 681 Vermont Street in the Limited Commercial/Downtown Mixed Use Combining Zone (C-1/DMU) and Commercial General Plan land use designation. (APN: 009-151-002)

1. Receive staff report
2. Open public hearing
3. Hear public testimony
4. Close public hearing
5. Commission discussion

Recommendation

City staff respectfully recommends the Planning Commission:

1. Find the project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15301, Existing Facilities, Class 1; and,
2. Make the required conditional use findings as described within the staff report; and,
3. Approve Conditional Use Permit 2-18 subject to the conditions attached to the staff report as Exhibit A.

6. INFORMATIONAL – None

7. REPORTS & COMMUNICATIONS – None

8. ADJOURNMENT - to the regular meeting of the Planning Commission to be held on Monday, March 12, 2018 at 6:00 p.m.

General Notes:

This agenda was posted on the public bulletin board in the foyer of City Hall at or before 4:00 p.m. on February 9, 2018, in accordance with Government Code Section 54954.2. This agenda along with all attachments, if any, is available for public viewing online at www.gridley.ca.us and at the Administration counter in City Hall, 685 Kentucky Street, Gridley, CA. This is a public meeting and anyone may address the Planning Commission. Any documents that were provided to the Planning Commission after the Agenda packet was distributed are also available for public review during normal business hours.

Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, contact the City Clerk by calling 846-3631 (voice). This request should be received at least three working days prior to the meeting in order to accommodate your request. For questions about this agenda, please call the Recording Secretary, Elisa Arteaga, at (530) 846-5695.

Gridley City Planning Commission – Regular Meeting Minutes

Monday, December 11, 2017; 6:00 pm
Gridley City Hall, 685 Kentucky Street, Gridley, CA 95948

"Our purpose is to continuously enhance our community's vitality and overall quality of life. We are committed to providing high quality, cost-effective municipal services and forming productive partnerships with our residents and regional organizations. Working together, we develop, share, and are guided by a clear vision, values, and meaningful objectives."

1. **CALL TO ORDER** – Chairman Wise called the meeting to order at 6:10 p.m.

2. **ROLL CALL** –

Planning Commissioners

Present:

Bob Wise
Ken Wolfe
Ishrat Khan-Aziz
Zachary Torres

Arriving post roll call:

None

Absent:

Maria Espino

Staff Present:

Donna Decker, City Planner/Consultant

3. **COMMUNITY PARTICIPATION FORUM** – *There was no one from the public that wished to speak on matters no on the agenda.*

4. **CONSENT AGENDA**

A. Planning Commission Minutes dated November 13, 2017

Motion by Torres, second by Wolfe, for approval of the Planning Commission Minutes dated November 13, 2017.

By unanimous vote, the motion passed 4-0.

5. **PUBLIC HEARINGS**

A. **Site Development Plan Review No. 4-17;** Application for a site development plan to develop a 3,180 square foot convenience market, an 8-MPD (pump) fuel canopy, and a 938 square foot carwash located on a portion of an approximately 2.74 acre site located at 1646 Hwy 99 on the east side of Highway 99, south of Hazel Street. (010-210-057) The

project will utilize the existing driveway on the northerly parcel consisting of approximately 0.28 acre, located at 2520 Hwy 99. (010-210-058)

1. Receive staff report - Donna Decker, Planning Consultant announced Ken Wold, Vice President CSHQA, for the project was unable to make the meeting due to unforeseen circumstance and was conferenced via telephone into the meeting. Ms. Decker proceeded to review the staff report submitted in the packet. She covered topics of the building design, general plan and zoning and site design plans. She provided corrections of building sizing preliminary of building footprint 3190 sq. feet, carwash changed to 940 sq. feet and the square footages for landscaping, asphalt and concrete paving. This preliminary specs were handed to Planning Commission prior to the meeting commencing. She review the calculations. She reported there is enough parking areas and reviewed the ratios and requirements. Ms. Decker announced the requirements for the landscaping, conditions of approval. She reviewed the conditions of approval and added the additional condition of approval added (electrical dept.) condition #23, pg. 9 of 12 (the abandonment of the existing water services along Hwy 99) this will require traffic control according to Caltrans and the application will be responsible for all of the costs related to this condition, utilities will need to come off of Fairview instead of the highway. She stated there was also another condition related to the landscaping on the south side next to Auto Zone, there will need to be an agreement between them. There are also several conditions of approval related to the site design (landscaping/lighting agreement with City of Gridley that they will be responsible for all improvements along 99), outdoor refuse container, bike racks in front of the store for customer and enclosed bicycle storage racks for employees on site, and improvements of highway 99 pedestrian walkways, to utilized the existing frontage curb, gutter sidewalk on the frontage of site but the area between the driveways must be modified to be a separated sidewalk. Decker elaborated as to Caltrans signals and boxes, ADA compliance of the walkways, path of travel from Fairview for foot traffic from students from the High School Campus and proposed path of travels into the site from all areas of the site. Ms. Decker concluded her presentation.
2. Open public hearing - Chairman Wise opened the public hearing.
3. Hear public testimony – Jatinder Kullar, 375 Obermeyer, Gridley, property owner of site and proposed development. He announced it was a good infill project for the community, for an area that has been vacant then supported by tenants. He is in full support of working with the City. He asked for clarification as to the ingress and egress of property. Ms. Decker provided clarification as to the possible recommendations that will most likely be required by Caltrans (right turn only). Mr. Kullar and Ken Wold reported that there was already a stop light at the location along 99 and Sycamore and it was anticipated a left could be made from the north at the stop light intersection. There was brief discussion and Ms. Decker clarified that condition (#9) can be reviewed and approved by Caltrans and Gridley Police Department. Chairman Wise report it would be up to Caltrans to make that determination as to what will be done with the light and traffic control and timing. Ms. Decker concurred the condition as stated based on conditions set forth by Caltrans/Gridley Police Dept. There was discussion of the timeline of the completion of the project, requirement of improvements of easterly part of the parcel.

Lynn Spencer, Chamber of Commerce President, 1354 Lewis Oak Road, Gridley addressed the Commission. She encouraged the Planning Commission to consider the safety of the students, and expressed her concern that adding another larger gas station can cause other gas stations to go out of business as well as a possible hazard to students walking in that area.

Kal Bhullar, 7 E. Gridley Rd. Gridley, owner of 711, spoke against approval of the project. She expressed her concern with Planning Commission approving a project that can affect the market share of other local gas stations. She explained to Planning Commissioners that when they purchased 711 they had to provide a wide range business plan to ensure it would meet the community needs and felt this project could possibly cause other gas stations to go out of business.

Jeff Palmer, 438 Pasero Companeros, Chico, Ca., owner of Stohlman Union Station for 39 ½ years and it is a small station that has been in his family since the late 1940's. He expressed he did not believe there was enough room for another gas station in town and it was a safety concern for students and the traffic going in and out of that area. This project will create a lot of traffic and issues.

4. Close public hearing – Chairman Wise declared the public hearing closed.

5. Commission discussion –

Chairman Wise inquired if it was possible to declare the project categorically exempt. Ms. Decker confirmed that it can be declared because it is an infill to the site and meets all the Q test for the infill developments. There was deliberation from Planning Commission as to the exit of site, Sycamore St. traffic signage and intended use of the corner lot on the parcel.

Zachary Torres, Planning Commissioner expressed that he had the same concerns (Spencer, Bhullar, Palmer) mentioned in the public hearing and concurred that adding another gas station along the highway would be a safety problem for students, adding more traffic issues and did not feel there was enough market share for this project. He added that once this parcel is set a gas station it will be very difficult to change this use because it stays as gas station.

Ish Khan-Aziz, Planning Commissioner expressed the project would bring positive healthy competition that could be revenue to the City. She also expressed that she understood the concerns but again supported healthy competition.

Jatinder Kullar, applicant expressed he is born and raised in Gridley. His family has invested in this community. It is not his intention to hurt any business, this is a corporate store, but this community is a diesel oriented community and this could be a suitable project for this location. They were also considering restaurants and did reach out for that type of business, but it is very difficult to bring that into Gridley. He elaborated as to the concept for this project and what factors were taken into consideration for the use as well as existing tenants. He reiterated that it was not his intent to take anyone out of business, but the traffic count has increased a lot along the highway and having this type of business would be good for Gridley and there is room for another station.

Ken Wolfe, Vice Chairman, reported that he would not stop going to Stohlman's Union Station because he likes the service and this station would not provide this type of service. He did not believe Stohlman's would lose his customers due to special service given at the service stations and loyal customers. He does acknowledge the concerns with traffic and the safety of the students.

Chairman Wise opened the public hearing due to continued dialog. There was lengthy discussion between Staff, Commissioners, and public audience regarding the conditions of approval and one being the 6 ft. solid wall between the uses,

anticipated housing in the future and developments, traffic of customers for gas stations along the highway, and market share analysis. There was discussion with Ken Wold regarding the study for the market share analysis as to whether or not there will be a share for all and not be detrimental to local businesses. Wold explained he could not provide specifics because he did not have his computer available but acknowledged there will be some impact to other businesses. He added it would be a nice project. He elaborated as to possible effects of competition and most of the target was based on the transitional traffic analysis.

The public hearing was closed.

Motion by Wolfe, Second by Khan, for approval of the following:

1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15332(a-e), Class 32, Infill Development Projects; and,
2. Approve Site Development Plan Review 4-17.
3. Modifications to conditions of approval as stated by staff; to condition of approval #9 – ingress and egress of the site maybe limit to a right in and right out per review and approval by Caltrans, Planning, Police Department, add 6 ft. solid wall for review and approval per Planning Dept. between residential and commercial uses of the site, and adding a condition regarding cutting 2 inch waterline along highway 99.

Roll call

Ayes: Khan, Wolfe, Wise Noes: Torres Abstain: None Motion passes 3-1

6. INFORMATIONAL – None

7. REPORTS & COMMUNICATIONS – None

8. ADJOURNMENT -at 7:20 p.m. to the regular meeting of the Planning Commission to be held on Monday, January 8, 2018 at 6:00 p.m.

Approval : _____
Donna Decker, Planning Consultant

Planning Commission Agenda Item #5A
Staff Report

DATE: February 12, 2018

TO: Planning Commission

FROM: Donna Decker, Planning Department

SUBJECT: **Conditional Use Permit No. 1-18;** Application for a conditional use permit to allow residential use in an existing building located at 912 Hazel Street in the Limited Commercial/Downtown Mixed Use Combining Zone (C-1/DMU) and Commercial General Plan land use designation. (APN: 009-161-021)

Recommendation

City staff respectfully recommends the Planning Commission:

1. Find the project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15301, Existing Facilities, Class 1; and,
2. Make the required conditional use findings as described within the staff report; and,
3. Approve Conditional Use Permit 1-18 subject to the conditions attached to the staff report as Exhibit A.

SUMMARY

The applicant is requesting a conditional use permit in order to reside in a portion of the commercial property located at 912 Hazel Street in the Limited Commercial/Downtown Mixed Use Combining Zone (C-1/DMU) zoning district. Title 17 of the Gridley Municipal Code was recently amended to allow residential in the second floor areas of the Limited Commercial sites in the Downtown area. The amendment unintentionally omitted the condition if there were no second story; therefore, a conditional use permit is required prior to residential use being allowed at the site.

SITE DESCRIPTION

The subject site is located on the north side of Hazel Street between Kentucky Street and Ohio Street on the northwest corner of the intersection of Kentucky Street and Hazel Street as shown on Figure 1 below.

DISCUSSION

Conditional use permits (CUP) are entitlements that once activated are tied to the property without expiring unless so conditioned. The Gridley Municipal Code was recently amended to



Figure 1: Location Map



East side of second unit

Figure 2: Front view from Hazel Street

allow residential use in the Limited Commercial zoning district if the residential use is on the second floor. The amendment unintentionally omitted the opportunity for residential if the building was only single story.

The building is approximately 3,036 square feet. The code does not provide a limitation relative to building area. In the Mixed Use Combining Zone where commercial uses are added to residential uses, there is a limit of 750 to 1,200 square feet of commercial area allowed in the residential unit.

Although the code is silent, staff recommends the Planning Commission limit the living area to 750 square feet of residential area which equates to approximately 25% of the floor area. The intent of the code is to allow residential use as a subsidiary use. A condition of approval has been provided with this limitation.

Should the Planning Commission vote favorably, this entitlement will allow the residential use along with commercial uses allowed within the C-1 zone for this property.

PUBLIC NOTICE

Notices were mailed to the surrounding property owners within a 300-foot radius of the subject site. A notice was also published in the Gridley Herald, posted at City Hall, and on the city website. At the time this report was prepared, no written comments had been received.

FINDINGS

The Planning Commission is required to make the Findings of Fact for quasi-judicial actions of which this is.

Conditional Use Permit Findings:

- 1. The proposed use is in accordance with the objectives of the Downtown Mixed Use (DMU) General Plan land use designation and Limited Commercial/Downtown Mixed Use (C-1/DMU) zoning district.**
Approval of a conditional use permit will create an allowable use for this parcel in the land use district noted; therefore this finding can be made.
- 2. That the establishment, maintenance, or operations of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use.**
The residential use of the property will not be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use; therefore this finding can be made.
- 3. That the use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city or substantially impede enactment of the comprehensive plan.**

The residential use of the property as a single family use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city or substantially impede enactment of the comprehensive plan; therefore this finding can be made.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15301, Existing Facilities, Class 1.

CONCLUSION

Approving a conditional use for residential use will support the intent of mixed uses in the C-1 Limited Commercial zoning district.

ATTACHMENTS:

1. Exhibit A, Draft Conditions of Approval

DRAFT CONDITIONS OF APPROVAL

Conditional Use Permit No. 1-18
912 Hazel Street
(APN 009-161-021)

Approved Use:

Conditional Use Permit to allow residential use located at 912 Hazel Street. Zoning for the property is Limited Commercial (C-1) and Downtown Mixed Use (DMU) General Plan land use designation.

Conditions of Approval:

1. The approved use for CUP 1-18 shall be substantially as described within this staff report, submitted site plans, narratives, and applications on file in City Hall except as modified by the following conditions. Minor changes to the use, areas, and etc. shall be subject to the review and approval by the Planning Department. Staff may recommend changes to be reviewed by the Planning Commission.
2. The applicant/property owner shall file a Declaration of Acceptance of the Final Conditions of Approval within 30 days of Planning Commission approval.
3. The applicant/owner shall arrange to have Gridley Electric inspect the electrical at the site to insure they meet the current standards for the primary and second units established at such time to ensure the proper loads and metering are in place.
4. A building permit is required prior to any work being performed at the site. An application will be submitted to Butte County for the permit.
5. The residential unit is limited to 750 square feet of building area. The applicant will need to pay development impact fees and school fees as required at the time of building permit issuance.

{End}

Planning Commission Agenda Item #5B
Staff Report

DATE: February 12, 2018

TO: Planning Commission

FROM: Donna Decker, Planning Department

SUBJECT: **Conditional Use Permit No. 2-18;** Application for a conditional use permit to allow continued residential use for a single family residence located at 681 Vermont Street in the Limited Commercial/Downtown Mixed Use Combining Zone (C-1/DMU) and Downtown Mixed Use General Plan land use designation. (APN: 009-151-002)

Recommendation

City staff respectfully recommends the Planning Commission:

1. Find the project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15301, Existing Facilities, Class 1; and,
2. Make the required conditional use findings as described within the staff report; and,
3. Approve Conditional Use Permit 2-18 subject to the conditions attached to the staff report as Exhibit A.

SUMMARY

The applicant is requesting a conditional use permit in order to continue the use of the property as an existing single family residence and second residential unit in the Limited Commercial/Downtown Mixed Use Combining Zone (C-1/DMU) zoning district. The property was developed with single family residential uses in the late 1940's. A second unit has also been constructed. The applicant has requested a separate meter for the second unit.

SITE DESCRIPTION

The subject site is located on the southwest corner of the intersection of Spruce Street and Vermont Street. This location is on the most westerly boundary of the C-1 zoning district as shown on Figure 1 below.

DISCUSSION

Conditional use permits (CUP) are entitlements that once activated are tied to the property without expiring unless so conditioned. In order to maintain the ability to continue to reside and/or legally alter or rebuild the structures on the site, a conditional use permit is required to establish the use in the C-1 zoning district. Should the Planning Commission vote favorably, this

entitlement will allow the continued residential use along with the second residential unit. The owner would be able to have a second meter at the additional unit.

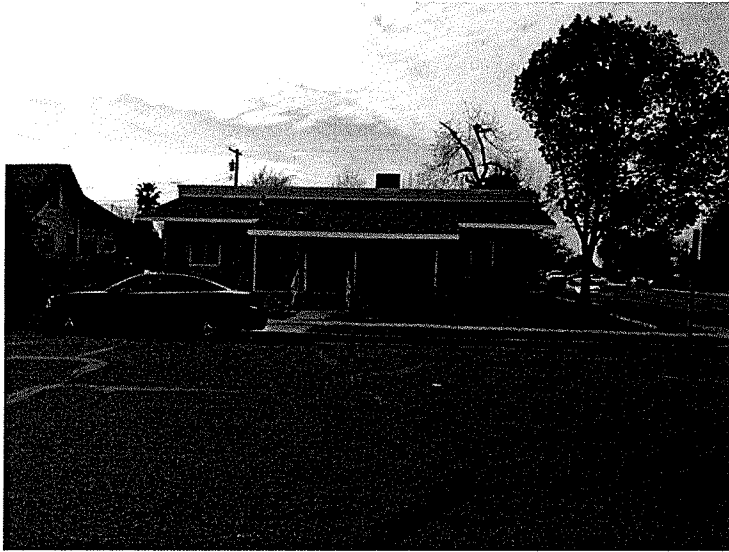


Figure 1: Location Map



← East side of second unit

Figure 2: View looking south from Spruce Street
At primary residence



**Figure 3: View looking west from Vermont Street
At primary residence**

PUBLIC NOTICE

Notices were mailed to the surrounding property owners within a 300-foot radius of the subject site. A notice was also published in the Gridley Herald, posted at City Hall, and on the city website. At the time this report was prepared, no comments had been received.

FINDINGS

The Planning Commission is required to make the Findings of Fact for quasi-judicial actions of which this is.

Conditional Use Permit Findings:

- 1. The proposed use is in accordance with the objectives of the Downtown Mixed Use (DMU) General Plan land use designation and Limited Commercial/Downtown Mixed Use (C-1/DMU) zoning district.**

Approval of a conditional use permit will create an allowable use for this parcel in the land use district noted; therefore this finding can be made.

- 2. That the establishment, maintenance, or operations of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use.**

The continued use of the property with a single family residential and second unit uses will not be detrimental to the health, safety, peace, comfort and general welfare of persons

residing or working in the neighborhood of such proposed use; therefore this finding can be made.

3. **That the use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city or substantially impede enactment of the comprehensive plan.**

The use of the property as a single family use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city or substantially impede enactment of the comprehensive plan; therefore this finding can be made.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15301, Existing Facilities, Class 1.

CONCLUSION

Approving a conditional use for continued single family residential use will allow the site to continue its historical use and will allow the reconstruction and general maintenance and improvement of the structures should they be destroyed by fire or other calamity. This conditional use permit will be accompanied by the second unit approval.

ATTACHMENTS:

1. Exhibit A, Draft Conditions of Approval
2. Exhibit B, SU1-18

DRAFT CONDITIONS OF APPROVAL

Conditional Use Permit No. 2-18
681 Vermont Street
(APN 009-151-002)

Approved Use:

Conditional Use Permit to allow residential use located at 681 Vermont Street. Zoning for the property is Limited Commercial (C-1) and Downtown Mixed Use(DMU) General Plan land use designation.

Conditions of Approval:

1. The approved use for CUP 2-18 shall be substantially as described within this staff report, submitted site plans, narratives, and applications on file in City Hall except as modified by the following conditions. Minor changes to the use, areas, and etc. shall be subject to the review and approval by the Planning Department. Staff may recommend changes to be reviewed by the Planning Commission.
2. The applicant/property owner shall file a Declaration of Acceptance of the Final Conditions of Approval within 30 days of Planning Commission approval.
3. The applicant/owner shall arrange to have Gridley Electric inspect the electrical at the site to insure they meet the current standards for the primary and second units established at such time to ensure the proper loads and metering are in place.
4. Any modifications to the existing structures in the future for replacement or enlargement are required to conform to the currently adopted building code applicable at the time of work.

{End}



Permit No. SU 1-18
Second Unit
For
Gabriel Ruiz

Applicant: Gabriel Ruiz
Address: 681 Vermont St., Gridley, CA 95948
APN: 009-151-002
GP: Downtown Mixed Use
Zoning: C-1/DMU, Limited Commercial/Downtown Mixed Use

Dear Gabriel:

Your application for a Second Residential Unit has been approved for the purpose of providing separate utility metering.

Your approval is based upon the attached *Declaration of Acceptance of the Conditions of Approval*. The approval is not transferable to a different address or location. Should you move to another residence, you will need to submit a new application to the City.

Please return a signed copy of the Declaration of Acceptance to:

Planning Department
City of Gridley
685 Kentucky Street
Gridley, CA 95948

Sincerely,

A handwritten signature in black ink, appearing to read "Donna Decker", written in a cursive style.

Donna Decker
Planning Director

DECLARATION OF ACCEPTANCE

CONDITIONS OF APPROVAL
Second Unit 1-18
681 Vermont Street – Gabriel Ruiz

Approved Use:

Second Unit permit to allow the separation of utilities at an existing structure located at 18 Obermeyer Avenue, Gridley, CA 95948. (APN 024-070-005).

Conditions of Approval:

- A. The existing second unit is approved; no more than one second dwelling is allowed per parcel.
- B. The second dwellings shall not exceed one thousand two hundred (1,200) square feet of living area. The existing second unit may be enlarged up to 1,200 square feet. Any enlargement of the unit shall require a building permit and meet all applicable regulations for lot coverage, building height, setbacks, signs, parking and other standards consistent with the R-1 Single Family Residential District.
- C. A second dwelling attached to a primary unit shall be no greater than 30% of the existing living area and shall be regulated by the City building code pertaining to additions.
- D. The unit shall be inspected by the Building Department to ensure the unit meets the criteria of habitable space.
- E. Any modifications to the structure shall meet the currently adopted building code.
- F. The parcel shall provide three parking spaces for the residences; two are required for the existing single family residence and one is required for the second unit.
- G. The applicant shall obtain a conditional use permit to allow single family residential in the commercial zoning district.

Gabriel Ruiz



Donna Decker
Planning Director

Date

Date