

APPROVED

CITY OF CITRUS HEIGHTS PLANNING COMMISSION MEETING MINUTES

January 11, 2017

1. CALL MEETING TO ORDER

Chair Cox called the meeting to order at 7:00 PM.

2. ROLL CALL

Commission Present: Cox, Dawson, DeCelle, Doyle, Fox, Lagomarsino

Absent: Blair

Staff Present: Bermudez, Flores, Kempenaar, Lagura, McDuffee, Norvell, Ramsay, Sherman

3. FLAG SALUTE

Commissioner Doyle led the flag salute.

4. PUBLIC COMMENT

None

5. CONSENT CALENDAR

Motion to approve the Planning Commission meeting minutes for November 9, 2016 as submitted.

M/S: Lagomarsino/Fox

AYES: 6 (Cox, Dawson, DeCelle, Doyle, Fox, Lagomarsino)

ABSENT: 1 (Blair)

6. PUBLIC HEARING

A. ASSISTED LIVING AND MEMORY CARE FACILITY – 8220

SUNRISE BOULEVARD: Project Planner Lagura presented a request to extend the expiration date of existing development entitlements to allow construction of an assisted living/memory care facility (74,000 sf building).

There was Planning Commission and staff discussion.

Commissioner Doyle asked how many beds would be provided by this facility. Planner Lagura said there would be 93 beds.

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Chair Cox opened the public hearing.

There were no speakers.

Chair Cox closed the public hearing.

Commissioner DeCelle asked if there might be parking issues. Planner Lagura responded that a condition of approval was added to address any parking issues.

Commissioner Doyle asked if the facility would be fenced for the safety of the residents. Planner Lagura said yes, it would be secured with wrought iron fencing.

Vice Chair Lagomarsino said he has concerns regarding the parking and suggested that a reassessment be done in a year.

Chair Cox called for a motion.

Motion to extend the expiration date for the Use Permit Modification and Design Review Permit Modification to December 11, 2017, subject to the Conditions of Approval listed in Exhibit A. In granting the extension, the Planning Commission finds that no substantial changes are present in the conditions or circumstances of the site or project such that there would have been grounds for denial of the original project.

M/S: Lagomarsino/Doyle

AYES: 6 (Cox, Dawson, DeCelle, Doyle, Fox, Lagomarsino)

ABSENT: 1 (Blair)

- B. BARTLETT PARCEL MAP – 8240 OLIVINE AVENUE:** Project Planner Bermudez presented a request for approval of a Tentative Parcel Map to allow the division of one parcel of approximately 1.3 acres in size, into two parcels and the removal of one protected tree.

There was Planning Commission and staff discussion.

Chair Cox opened the public hearing.

Applicants Karen and Rusty Bartlett informed the Commission that they were going to split the utilities and that they planned to stay on the property.

Citrus Heights resident Eleanor Morrison spoke in opposition to this project and said that she is concerned for future additional lot splits

which could make property values go down.

Citrus Heights resident Linda Maxsom spoke in opposition to this project and said that she lives across the street from the Bartlett's and is concerned other neighbors will want to split their properties too.

Chair Cox closed the public hearing.
Chair Cox called for a motion.

1. **Motion** to find that the proposed project is exempt from CEQA under Class 15 of the CEQA Guidelines as a minor land division;
2. **Motion** to approve the Tentative Parcel Map creating two (2) lots for single-family homes; and
3. **Motion** to approve the Tree Permit to allow the removal of one protected tree; subject to the findings and conditions of approval contained in the staff report.

M/S: Lagomarsino/Doyle

AYES: 6 (Cox, Dawson, DeCelle, Doyle, Fox, Lagomarsino)

ABSENT: 1 (Blair)

TENTATIVE PARCEL MAP CONDITIONS OF APPROVAL

- 1) Comply with all adopted City of Citrus Heights Codes and regulations, including but not limited to the Citrus Heights Municipal Code & Zoning Ordinance, Uniform Building Code and Uniform Fire Code and Sacramento County Environmental Health Department Standards.
- 2) The development approved by this action is the creation of two (2) residential lots as described in the staff report and all associated Exhibits and Attachments. [Planning]
- 3) The Tentative Parcel Map is valid for two (2) years from the date of approval by the Planning Commission; expiration of the map would be two (2) years after the Planning Commission's approval, January 11, 2019, unless a time extension has been granted. [Planning]
- 4) The applicant shall record a 27 ½ foot wide easement along the southern property line that will provide for access to Parcel 2 across Parcel 1. [Planning]
- 5) Prior to recording the map, applicant must pay the Quimby Act fees, please contact the Sunrise Recreation and Parks District. [GSD]

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- 6) SASD requires each parcel with a sewage source or building to have a separate connection to the public sewer system. SASD will require the resultant Parcel 2 to connect separately to the public sewer system. [SASD]
- 7) Sewer easements will be required to service resultant Parcel 2. All sewer easements will be dedicated to SASD in a form approved by the District Engineer. All sewer easements will be at least 20 feet in width and requires continuous access for installation and maintenance. SASD will only provide maintenance in public right-of-ways and dedicated sewer easements. [SASD]
- 8) .SASD Design Standards apply to any sewer construction and/or modification. [SASD]
- 9) .SASD and Regional San may require additional sewer impact fee payments in accordance with each District's Ordinances. Applicant should contact Permit Services Unit at (916) 876-6100 for sewer impact fee information. [SASD]
- 10)The installation of a 1-inch domestic metered water service to the additional parcel will be required. [CHWD]
- 11)The existing 1-inch domestic metered water service may need to be relocated based if frontage improvements are required by the City of Citrus Heights. [CHWD]
- 12)Coordinate existing water service relocation with Citrus Heights Water District. [CHWD]
- 13)Any easements granted to the District for the water facilities will be prepared by the developer at the developer's expense. [CHWD]
- 14)Fees and charges established by the District for plan check, construction water, inspection, and installation will be required of the developer. Upon improvement plan development, please have the developer provide two copies for review directly to Citrus Heights Water District. If you have any questions please feel free to contact the District. [CHWD]
- 15)Dedicate a 12.5-foot PUE adjacent to Olivine Ave (back of road right of way) for underground facilities. [SMUD]
- 16)Dedicate any private drive, ingress/egress or I.O.D. as a PUE for underground facilities. [SMUD]

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- 17) Building foundations must have a minimum horizontal clearance of 5-feet from any SMUD trench. Developer to verify with other utilities (Gas, Telephone, etc.) for their specific clearance requirements. [SMUD]
- 18) SMUD equipment shall be accessible to a 26,000-pound SMUD service vehicle in all weather. [SMUD]
- 19) SMUD equipment shall be no further than 15-feet from a drivable surface. The drivable surface shall have a minimum width of 20-feet. [SMUD]
- 20) Structural setbacks less than 14-feet from Road R/W shall require the developer to conduct a pre-engineering meeting with all utilities to ensure proper clearances are maintained. [SMUD]
- 21) Existing SMUD facilities within or adjacent to the property boundaries are to remain. Any relocation of these facilities shall be billable. [SMUD]
- 22) Future SMUD facilities located on the property may require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the property. [SMUD]
- 23) The applicant shall provide separate SMUD service points to each parcel to the satisfaction of the SMUD. [SMUD]
- 24) The applicant shall locate, verify, and provide a drawing to SMUD showing all electrical utility services to the existing structures. If necessary, any electrical services that cross the proposed property line to serve the existing structures shall be relocated to the satisfaction of SMUD. [SMUD]
- 25) Developer agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person not a party to this permit challenging the validity of any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Agreement. Developer may select its own legal counsel to represent Developer's interests at Developer's sole cost and expense. The parties shall cooperate in defending such action or proceeding. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and Developer agrees to pay directly or timely reimburse on a monthly basis City for all such court costs, attorney fees, and time referenced herein. [PLANNING]
- 26)

TREE PERMIT CONDITIONS OF APPROVAL TP-16-49

- 1) This permit allows the removal of one 19 inch Liquidambar as identified in the arborist letter dated October 25, 2016.

C. HUMAN BEAN COFFEE DRIVE – THROUGH USE PERMIT – 7601 SUNRISE BOULEVARD: Project Planner Kempenaar presented a request for approval of a Use Permit and Design Review Permit for a Human Bean Coffee Drive-through.

There was Planning Commission and staff discussion.

Chair Cox opened the public hearing.

Applicant Amie Wallace informed the Commission that they have runners that take orders and that they have partnered with the donut shop next door. There will be outside seating.

Chair Cox asked where the ADA spaces would be located. Planning Manager McDuffee said that ADA spaces would be addressed at the time that the building plans are reviewed.

Chair Cox closed the public hearing.

Chair Cox called for a motion.

- A. **Motion** to find that the project is Categorically Exempt from CEQA as a Section 15303 “Class 3” categorical exemption for development of “new, small facilities or structures”;
- B. **Motion** to approve a Use Permit (UP-16-02) to allow operation of a drive-through coffee kiosk subject to the findings and conditions of approval in this report; and
- C. **Motion** to approve a Design Review Permit (file no. DRP-16-03) to allow the construction of a new drive-through facility and associated site improvements such as landscaping, lighting, parking and drainage facilities subject to the findings and conditions of approval contained in this report.

M/S: Fox/Lagomarsino

AYES: 6 (Cox, Dawson, DeCelle, Doyle, Fox, Lagomarsino)

ABSENT: 1 (Blair)

CONDITIONS OF APPROVAL FOR USE PERMIT (UP-16-03)

- 1) The applicant shall comply with all City of Citrus Heights Codes and Regulations, including but not limited to the Citrus Heights Municipal Code and Zoning Code, Uniform Building Code; Uniform Fire Code and Sacramento County Environmental Health Department standards.
- 2) This approval will expire in two (2) years (1-11-19) after the date of its initial approval, unless a grading or building permit has been issued for the work described in the Development Plan.
- 3) The business shall be operated in a manner, which does not create any unacceptable noise levels as indicated in the Citrus Heights Noise Ordinance.
- 4) Development Impact Fees shall be calculated using current fees at time of development and shall be paid prior to issuance of the building permit. (GSD)
- 5) City staff will evaluate the traffic pattern & circulation of the site when the kiosk is open for business. Minor adjustments may be required to improve safety and/or circulation. Adjustments will be the responsibility of the applicant. (GSD)
- 6) Minor changes to the use and design of the project may be approved by the Community and Economic Development Director provided such changes are consistent with the overall design as approved herein. (Planning)
- 7) Developer agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person not a party to this permit challenging the validity of the Permit or any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Permit. Developer may select its own legal counsel to represent Developer's interests at Developer's sole cost and expense. The parties shall cooperate in defending such action or proceeding. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and Developer agrees to pay directly or timely reimburse on a monthly basis City for all such court costs, attorney fees, and time

CONDITIONS OF APPROVAL FOR DESIGN REVIEW PERMIT (DRP-16-03):

- 1) This approval will expire in two (2) years (1-1-19) after the date of its initial approval, unless a grading or building permit has been issued for the work described in Exhibits A-E.
- 2) The development approved by this action is described herein as shown in Exhibits A through E and as conditioned below. [Planning]

Prior to Issuance of Building Permits

- 3) All outdoor lighting including parking lot lighting shall be designed with full shields and cut-off flat lenses to ensure that all light from any fixture will not direct light skyward, and will minimize light pollution – flood lights are strictly prohibited. [Planning]
- 4) The applicant shall screen all roof mounted equipment. Rooftop screening of mechanical equipment shall be provided through architectural design of the building elevations. [Planning]
- 5) The applicant shall submit a Final Landscaping Plan prior to issuance of a building permit. The Final Landscape Plan shall demonstrate consistency with the City's landscape standards including water efficiency standards.[Planning]
- 6) The applicant shall submit final plans for the design and layout of the patio prior to issuance of a building permit. [Planning]
- 7) The Building Permit submittal shall include a bicycle rack and outdoor seating to serve the proposed drive-through. [Planning]
- 8) The applicant shall be responsible for paying required City and special district fees. [Planning/Building]
- 9) The applicant shall obtain a Building Pad/Site Certification from the Building Department prior to any foundation excavation or construction.[Building]
- 10) The applicant shall submit documentation showing that a lot merger has been recorded resulting in a single lot onsite prior to issuance of a building permit. [Planning]
- 11) The applicant shall comply with the requirements of the Citrus Heights Water District. [CHWD]

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- 12) The applicant shall comply with all fire and life safety requirements of the Sacramento Metropolitan Fire District. [Fire]
- 13) The applicant shall pay all development fees prior to issuance of a Building Permit. [GSD]
- 14) Traffic flow for stacking within the shopping center's north drive aisle shall be clearly marked. Also, at the entrance to the drive-thru (northwest corner of the parcel), the shopping center's drive aisle shall be clearly marked to keep the intersection clear for through traffic. Markings and striping shall be approved by the Engineering Division. (GSD)

Other Conditions of Approval

- 15) Minor modifications to the design of the project, including site layout, colors and materials, may be approved by the Community and Economic Development Director provided such changes are consistent with the overall design as approved herein. Major modifications will require Planning Commission approval. [Planning]
- 16) Developer agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person not a party to this permit challenging the validity of the Permit or any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Permit. Developer may select its own legal counsel to represent Developer's interests at Developer's sole cost and expense. The parties shall cooperate in defending such action or proceeding. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and Developer agrees to pay directly or timely reimburse on a monthly basis City for all such court costs, attorney fees, and time referenced herein. [Planning]

7. REGULAR CALENDAR

None

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:52 PM to the next meeting of February 22, 2017.

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Respectfully Submitted,

Karen Ramsay
Planning Commission Secretary