



PLANNING COMMISSION AGENDA

City Council Chambers

66 North Lassen Street, Susanville, CA 96130

Phone (530) 252-5117 Fax (530)257-4725

Tuesday, May 28, 2019 – 6:30 P.M.

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

CONSIDER APPOINTMENT OF VICE CHAIR

BUSINESS FROM THE FLOOR (NO ACTION TO BE TAKEN)

APPROVAL OF MINUTES:

3.26.19

5.14.19

PUBLIC HEARING ITEMS: None

NON-PUBLIC HEARING ITEMS:

1. Consider approval of Resolution 19-070 approving a Tentative Parcel Map on property located at the Northwest corner of Johnstonville Road and Bella Way. A.P.N. 116-050-61
2. Consider Architectural Design and Site Plan review to allow construction of a retail store in a C-M Zone with an indoor shooting range on property located at the Northwest Corner of Johnstonville Rd. and Bella way and approval of Resolution 19-071. A.P.N. 116-050-61

CORRESPONDENCE: None

CITY ATTORNEY REPORT: None

COUNTY REFERRALS: None

COMMISSION ITEMS:

ADJOURNMENT

The Planning Commission's action on Use Permit (including Planned Development Use Permits) and Variance items may be appealed to the City Council within 5 business days of action. The Planning Commission's action on Tentative Subdivision items may be appealed to the City Council within 10 business days of action. Appeals of the Planning Commission's action must be made in writing on the form provided by the City and must be accompanied by a fee adopted by the City Council. Appeals of Planning Commission actions must be based on comments made known (either through written or verbal comment) at the Planning Commission Meeting. Please contact the Community Development Department for more information regarding appeals.

ACCESSABILITY: *An interpreter for the hearing-impaired may be made available upon request to the City Clerk seventy-two hours prior to a meeting. A reader for the vision-impaired for purposes of reviewing the agenda may be made available upon request to the City Clerk. The location of this meeting is wheelchair-accessible.*

SUSANVILLE PLANNING COMMISSION

CHAIR PERSON Linda Robinette

COMMISSIONERS ~ Dan Foster, Alan Dowdy, Wayne Jambois, Melanie Westbrook

Susanville Planning Commission Minutes
March 26, 2019
City Council Chambers
66 N. Lassen St. Susanville CA 96130

Call to order at 6:35 p.m.

Roll Call of Commissioners Present:

Commissioner Wayne Jambois, Commissioner Melanie Westbrook, Commissioner Alan Dowdy, Commissioner Dan Foster, and Vice Chair Robinette.

City Staff present: Marlin Johnson, City Planner, and Ruth McElrath, Building Permit Technician

Approval of the Agenda: Motion by Commissioner Jambois, Second by Commissioner Dowdy; motion carried. **All in Favor:** Jambois, Foster, Dowdy, Westbrook and Robinette.

Vice Chair Robinette welcomed newly appointed Commissioner Melanie Westbrook.

Marlin Johnson, City Planner, introduced himself to the Planning Commission.

Business from the Floor: None

Approval of Minutes: Motion by Commissioner Jambois, second by Commissioner Foster to approve the minutes from the January 22, 2019 meeting. **All in Favor:** Jambois, Foster, and Robinette. **Abstain:** Westbrook and Dowdy.

Public Hearing Items: Consider Use Permit, Architectural Design and Site Plan review for U-18-005 to allow construction of a new 1,400 square foot central utility plan, extension of utility yard including installation of another underground fuel tank for Banner Health Systems at 1800 Spring Ridge Dr.

Mr. Johnson explained that the item before the Commission was a Use Permit and Architectural and Site Plan review for Banner Health Systems who was proposing to build a new 1,400 square foot Central Utility Plant Facility. The project also includes extending the utility yard and installing another underground fuel tank.

The project property is located at 1800 Spring Ridge Rd. with the added plant to be located on the west-side of the hospital, within the developed area. Mr. Johnson continued that the zoning is Commercial Office and Design Review, which kicked the project into needing a Use Permit. It is categorically exempt from CEQA per 15301 existing facilities and 15303(e) new construction of accessory permanent structures.

Staff is recommending adoption of Resolution 19-1068 and approving the Architectural and Site Plan for Use Permit 18-005 for Banner Health Systems with the conditions listed in the Resolution.

Commissioner Foster asked why nothing was mentioned in the Resolution regarding the underground 15,000 gallon fuel tank and why would Banner install one when there is natural gas available to the

hospital. He stated it would save them the cost of installing the tank, and possibly down the road, having to remove it.

Matt DeFabrizio, Banner Facilities Operation Manager, responded that the hospital's best practices are utilizing two fuel systems and Banner would be using natural gas fuel, but the underground tank would serve as a secondary source in case there is an interruption in services.

Vice Chair Robinette asked why the tank would be buried.

Mr. DeFabrizio explained that in California there can't be more than a 1,000 gallon tank above ground. To accommodate that regulation, there would have to be 15 above ground tanks. One 15,000 gallon underground tank would be safer than that many 1,000 gallon tanks above ground.

Commissioner Jambois asked if the tank would have any containment around it.

Mr. DeFabrizio responded that there isn't sealed containment, but there is a retaining wall and the tank itself is a double walled polyurethane tank. The double wall serves as the secondary catch containment if the tank itself were to be punctured.

Commissioner Jambois asked if there was a leak within the tank and if the oil went into the basin, how would it be extracted without getting into the soil and percolating to the water table.

Mr. DeFabrizio explained that if both walls were penetrated, there would be soil contamination that would have to be dug out, but that is a risk with all underground tanks.

There was discussion about how the tank would be installed, which would include removing the soil and putting down a gravel base for the tank to sit on.

Commissioner Foster explained that the company he worked for removed three tanks in their yard and it's not a pleasant matter, it can take a long time and the clean-up process can take up to a year. He stated he would like to see something in the Resolution about some of the preventative measures for the installation of the underground tank.

The Commission deferred to Mr. Johnson's opinion regarding underground tanks.

Mr. Johnson responded that they usually fall under the guise of the State, or locally, the Lassen County Environmental Health Department does have some jurisdiction.

Mr. DeFabrizio confirmed Mr. Johnson's statements and said a representative from Lassen County Environmental Health comes out once a year to inspect the tanks.

Commissioner Foster asked if there was a test or alarm alert system if oil goes into the center containment portion.

Mr. DeFabrizio confirmed there is and explained if the second containment tank started losing pressure and started leaking it will sound an alarm in his shop. There are extra valves to test the second line and

they will know if fuel is leaking into the second wall. He continued that maintenance staff checks the status of the current underground storage tanks.

Commissioner Dowdy asked what the methodology is to stop the oil if it were to start leaking.

Mr. DeFabrizio responded they work with local fuel agencies.

Sandy Duggar, Banner Lassen CEO, explained that the purpose of the project is to continue to grow services and install higher level equipment in the facility. When the hospital was built 14 years ago, it was built with the minimum power needed. The hospital needs to continue upgrading technology to meet the needs of the facility, but they don't have enough power to do so. The additional equipment in the utility yard will not only support the core power coming into the building, but the emergency power coming in to support those pieces of equipment if there is a power failure.

Commissioner Jambois stated he has been on the Commission for 19 years and has had some experience dealing with underground tanks. The Commission was now looking at approving installing an underground tank, when in the past, they try to remove them. He wanted to be sure that if the tank were to leak, that the fuel would be contained within that space and that if they were going to use an underground tank, that it be fully contained in concrete. He said he would be more comfortable if the Resolution contained something stating that there was a concrete floor and concrete walls around the tank.

Commissioner Westbrook asked if Banner already had a storage tank on site, what it is made of, what is it sitting on and if there had ever been any leaks.

Mr. DeFabrizio responded that the existing tank is 10,000 gallons, it is made of the same polyurethane material, it has less retaining walls around it and it has been there 16 years with no leaks.

Jeff Morrish, NST Engineering, said there aren't concrete walls around the tank, the retaining walls are on the surface and they don't go down to the bottom of the tank. The retaining walls contain the ground as it slopes down the site. It will be the same for the proposed 15,000 gallon tank and it's the same type of tank used at the gas stations around town and the State.

Vice Chair Foster asked what the current standard is for tanks.

Mr. Morrish responded that most above ground tanks are single wall tanks and they are contained with concrete to contain any leaks.

Commissioner Foster said he agreed with Commissioner Jambois regarding adding language to the Resolution. He continued that he didn't want to put a burden on the hospital, but he was curious if a 10,000 gallon tank wouldn't suffice as a backup.

Mr. DeFabrizio responded that it would not be enough and increasing the generator load would be a deciding factor.

Vice Chair Robinette asked Mr. Johnson if the concerns that were leveled were founded.

Mr. Johnson said they were, but he also feels the State and the County Health Department are given the jurisdiction on the particular issue of underground storage tanks because they aren't something that is part of the design review guidelines they were looking at and not typical of site development standards.

Commissioner Foster stated he wanted something added to the Resolution regarding back up or warning devices.

Commissioner Dowdy responded that it is all controlled by the State of California.

Commissioner Foster agreed, but said there is no reason to not have it in the Resolution.

Mr. Johnson responded that it is in there generically under general requirements that all concerned governmental agencies having jurisdiction by law including but not limited to issuance of appropriate permits shall be met. In this case, the Office of Statewide Health Planning and Development (OSHPD) who he met with along with Building Official Anthony Hanner. The City Building Inspector has no jurisdiction for permits for the project.

Ms. Duggar said OSHPD be responsible for building, construction and fire plans for the particular project.

Vice Chair Robinette suggested adding onto #9 that OSHPD would be responsible for building construction, fire and safety and asked if that would suffice and asked the other Commissioners if that would suffice.

Commissioner Jambois commented that if they added the words safety and environmental health that would be sufficient.

Commissioner Foster stated they weren't trying to be picky, they were trying to be thorough and cover all aspects of what people are trying to do. He continued that he would hate for something to come back on the Commission for something it failed to do.

Motion made by Commissioner Jambois, second by Commissioner Foster motioned to approve Resolution 19-1068 with the inclusion of the verbiage. Motion carried. Ayes: Jambois, Foster, Westbrook, Dowdy and Robinette. No: None. Absent: None.

Non Public Hearing: Consider ARC 18-004 for a new triplex at 940 Paiute Lane

Mr. Johnson explained that calling the project a Use Permit in the staff report was incorrect, but that is how the application was received. After looking at similar projects, it was determined it wasn't actually a Use Permit, it would just fall under the Architectural review. The proposed project is a two-story triplex apartment consisting of three two bedroom apartments on a .26 acre parcel at 940 Paiute Lane. Staff recommends approval of Resolution 19-1067 approving architectural and site plan review for ARC 18-004.

Mr. Morrish explained the confusion about the Use permit may have been because at one time they were proposing the triplex be two buildings with one to the front and one unit to the back. Since that wasn't considered a triplex and a Use Permit may not have been approved, they went back to attaching the three units together as one building. He continued that the proposed project is three units, two story buildings

with a contemporary style. There will be a parking spot with seven spaces and three covered parking spaces.

There was general discussion as to the exact location of the project and the size of the lot.

Mr. Morrish said there is a slope to the property and it will stair step up the slope.

Commissioner Jambois stated this type of housing is sorely needed in Susanville and we need more of it.

Vice Chair Robinette commented that there are enough multi-family homes in that particular area of town, but there is no reason not to have more.

There was general discussion about noticing the neighbors about the project.

Mr. Johnson explained that when the matter is a Use Permit, it would require contacting the neighbors because it is a public hearing. An architectural review is conducted in a public meeting, but not a public hearing and the notification process is not the same. He added that staff went over the process extensively to make sure they were on the right track.

Commissioner Dowdy asked if the neighbors were informed that the project was going to happen.

Mr. Johnson answered no and explained there isn't a requirement to do so. He continued that if staff starts advertising when it's not necessary, they start exceeding their duties and could be called on the carpet for creating an issue when they didn't have a right to create one. He added it is advertised on the agenda.

Mr. Morrish commented that Mr. Johnson was correct and it's only when the item requires a Use Permit that it requires a public hearing and advertising to the neighbors.

There was further discussion regarding noticing public hearing and non-public hearing items.

Correspondence: None

City Attorney Report: None

County referrals: None

Commission Items:

Vice Chair Robinette stated that at the next meeting the Commission needs to vote on a Chairman and Vice Chairman.

Commissioner Dowdy said that there is a construction trailer near the helicopter pad at Banner Lassen Medical Center and its being used for the flight crew to sleep in. There was general discussion that a helicopter crew has been up there for five years, but the trailer wasn't supposed to be there. The Commission asked Mr. Johnson to check on the status of the trailer.

Commissioner Jambois commented about a recent building fire on Weatherlow Street. He said they are becoming a perennial problem, but due to the cold and wet weather this year they have really become a problem. He said there is an issue with absentee landlords and the buildings get broken into and remain open allowing to people to go in and out of them and then there are fires.

Mr. Johnson said there is a new Blight Taskforce and the City is directing staff to come up with a process to get a better handle on the matter. He said it has been said that it is a City problem, not a homeless problem.

Vice Chair Robinette said the City Council passed some pretty hefty ordinances that gave the City teeth to deal with some of these blighted properties. She continued that each of them could probably list 10 separate properties that don't fall into code and need to be addressed.

There was further discussion regarding the Code Enforcement process and going after blighted properties and the Planning Commission is the hearing board.

Adjournment:

Motion made by Commissioner Jambois, Second made by Commissioner Foster to adjourn the meeting; motion carried. **All in Favor:** Jambois, Dowdy, Foster, Robinette and Lozano

Respectfully submitted by,

Ruth McElrath, Recording Secretary

Gwenna MacDonald, City Clerk

Approved On:

Susanville Planning Commission Minutes
May 14, 2019
City Council Chambers
66 N. Lassen St. Susanville CA 96130

Call to order at 6:30 p.m.

Roll Call of Commissioners Present: Commissioner Jambois, Commissioner Alan Dowdy, Commissioner Dan Foster. Absent: Vice Chair Robinette and Commissioner Westbrook.

City Staff present: Anthony Hanner, Building Official and Ruth McElrath, Building Permit Technician.

Approval of the Agenda: Motion by Commissioner Dowdy, second by Commissioner Foster to approve the agenda. Motion carried. Ayes: Foster, Dowdy and Jambois. Absent:

Consider appointment of chair and vice chair: Motion by Commissioner Foster, second by Commissioner Dowdy to appoint Vice Chair Linda Robinette as Chairman. Motion carried. Ayes: Foster, Dowdy and Jambois.

Commission tabled appointment of Vice Chair.

Approval of Minutes: None

Public Hearing Items: Consider Use Permit Architectural design and Site Plan for U-19-003 to allow an outdoor sales lot for portable sheds at 810 Main St. A.P.N. 103-323-16

Mr. Hanner explained the proposed project is to utilize a vacant lot as an outdoor sales display for portable sheds. There is a small office structure on the property but no water supply or waste water disposal facilities. The plan will include a written agreement for the one sales person who will operate the business to have access to a restroom. There may be up to 20 sheds on display with some sales delivered from off-site and some from the project site.

He continued that the property is zoned Uptown Business District (UBD), which requires a Use Permit and Architectural and Site Plan Review. Mr. Hanner explained that while the particular use type is not listed, it is similar in character and impact to a dealership for sales of autos, boats or mobile homes that are allowed with an approved Use Permit.

Site development standards defer to the C-2, General Commercial District, as new construction or rehabilitation will not exceed \$15,000.00. Because no new permanent structures are planned, the standards can be easily met. Staff feels the use can be a viable contributor to economic development and commercial traffic on Main Street and will be more attractive than a vacant lot. Since the project does not include construction of permanent buildings or installation of utilities, it does not detract from future long-term development of the property.

Mr. Hanner stated the proposal will do little for or against the historic and natural qualities of the area. The existing structure is CMU with painted finish and a shake roof. The display sheds will be new and presentable and little will change on the lot except for the creation of three parking spaces, including one handicapped space.

The display shed materials will be wood, or wood like in appearance with metal or shingled roofs. The colors appear tasteful and reasonable and there will be no added lighting and minimal signage. Any new signage will be reviewed by city staff.

Mr. Hanner explained that since the use is only temporary, additional landscaping and other development standards might be left for when the property is developed with a permanent structure. He explained there is existing landscape vegetation and additional portable landscaping is an option but concerns about vandalism and theft have been noted.

Public hearing opened at 6:38 p.m.

Martin Prado, Old Hickory Sheds Territory Manager, said he has been working on the project for awhile and communicating with the ownership. He explained Old Hickory Sheds offers a rent-to-own, no credit check program, which customers appreciate. They have also added new products such as animal shelters. The business was established in 1997 and they have been focusing on locations in Northern Reno Nevada and California.

Commissioner Jambois asked if the Historic Uptown Susanville Association gave any input.

Prado responded no.

Commissioner Jambois asked if the Commission could be assured that it will be a presentable project?

Prado said since he has taken over ownership, they have taken an approach like a new car dealership where the cars on display are always clean and shiny. He said the sheds will be set up with the doors facing out, the facilities will be swept out every day, price sheets will be available and the buildings will be level.

Randall Stein, the dealer operating the business, also spoke in favor of the project.

Commissioner Jambois said he was happy to see something go into the space and as long as it's kept neat and clean, they will be a welcome neighbor.

Public Hearing closed at 6:50 p.m.

Motion made by Commissioner Dowdy, second by Commissioner Foster to approve resolution 19-1069. Motion carried. Ayes: Dowdy, Foster and Jambois. Absent: Westbrook and Robinette

Non Public Hearing Items: None

Correspondence: Mr. Hanner told the Commission there would be a Commission meeting on May 28, with at least one item on the agenda.

County referrals: None

Commission Items: None

Adjournment:

Motion by Commissioner Foster, second by Commissioner Dowdy to adjourn meeting at 6:54 p.m.

Respectfully submitted by,

Ruth McElrath, Recording Secretary

Gwenna MacDonald, City Clerk

Approved On:

RESOLUTION NO 19-1070
A RESOLUTION OF THE SUSANVILLE PLANNING DIVISION
APPROVING A TENTATIVE PARCEL MAP ON PROPERTY LOCATED AT THE
NORTHWEST CORNER OF JOHNSTONVILLE ROAD AND BELLA WAY
FILE NUMBER (PM 18-010)

WHEREAS, KHAS, Inc. has submitted a Tentative Parcel Map application to allow the division of one 5.5 acre parcel known as Assessor's Parcel Number 116-050-61 located at the northwest corner of Johnstonville Road and Bella Way into two parcels of 4.2 and 1.3 acres; and

WHEREAS, the City of Susanville Planning Division has determined that the project is exempt from CEQA under the categorical exemption under the California Environmental Quality Act (CEQA) as a Class 15 exemption, Section 15315 – Minor Land Division; and

NOW, THEREFORE, BE IT RESOLVED the City of Susanville Planning Division makes the following findings of fact:

- A. That the proposed map is consistent with the General Plan and the Zoning Ordinance.
- B. The site is physically suited for the type and density of development proposed. Both parcels meet the minimum lot size requirement of 20,000 SF in the Commercial – Light Industrial (C-M) District.
- C. The design of the tentative parcel map and related improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The site is already graded for agricultural purposes and streets and utilities are present.
- D. The design of the tentative parcel map and related improvements is not likely to cause serious public health problems.
- E. The design of the tentative parcel map and related improvements will not conflict with any existing public access or other easements.
- F. The tentative map is in conformance with the provisions of the Susanville Subdivision Ordinance and the state of California Subdivision Map Act.
- G. No findings are identified per Section 66474 of the Government Code to cause denial of said Tentative Map.

BE IT FURTHER RESOLVED, the Planning Commission hereby approves Tentative Parcel Map Number 18-010 filed by NST Engineering, Inc. for KHAS, Inc., in accordance with the Tentative Parcel Map stamped "CITY OF SUSANVILLE RECEIVED NOVEMBER 19, 2018, BUILDING & PLANNING" except as modified by the following terms, agreements and conditions contained in this Resolution:

AREA/ SITE SPECIFIC CONDITIONS

1. Complete all frontage improvements along the Parcel Map frontage. Include a full ADA compliant ramp at the southeast corner of Parcel B.
2. Provide all other requirements as noted by the City Engineer/Public Works Department.
3. Clearly identify the purpose and ownership of the 50' wide utility and access easement on the map and plans.
4. Show the full width of the right-of-way along all frontages where public road/street easement exist – identify if easement or fee title.
5. Provide street lighting in compliance with City standards.

STANDARD CONDITIONS

GENERAL

6. The Tentative Parcel Map shall expire on May 28, 2021 unless an extension of time is approved by the City of Susanville. The property owner is solely responsible for knowing the expiration date of the Tentative Parcel Map.
7. The Final Parcel Map and all reference documents shall have the **Parcel Map Number 18-101** on the map and sheets.
8. The requirements of all concerned governmental agencies having jurisdiction by law, including but not limited to the issuance of appropriate permits, shall be met.
9. For the purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.
10. All contractors and sub-contractors involved in the project shall obtain a City of Susanville Business License and maintain said license in force for the duration of the project.
11. The applicant/owner shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures, collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any

permit or approval issued by, the City and/or any of its officials, officers employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that developer shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the developer of any Action brought and City shall cooperate with developer in the defense of the Action.

APPROVED: _____

Marlin J. Johnson
City Planner/Community Development Director

ATTEST: _____

Gwenna MacDonald, City Clerk

The foregoing resolution was introduced and adopted at a meeting held on the 28th day of May, 2019, by the City of Susanville Community Development Director:

Gwenna MacDonald, City Clerk
City Clerk

Jessica Ryan, City Attorney

**CITY OF SUSANVILLE PLANNING COMMISSION
STAFF REPORT
May 28, 2019**

FILE NUMBER	# ARC 18-008		
APPLICANT/OWNER	KHAS, Inc.		
REPRESENTATIVE	NST Engineering, Inc.		
REQUEST	Architectural Design and Site Plan Review to allow construction of a Retail Store with an Indoor Shooting Range.		
ASSESSORS PARCEL NO.	116-050-61		
PARCEL SIZE	Overall parcel is 5.46 acres		
LOCATION	On west side of Bella Way, across from the VA Diamond View Outpatient Clinic at 110 Bella Way		
EXISTING ZONING	C-M (Commercial-Light Industrial) District		
SURROUNDING ZONING AND LAND USE	ZONING		LAND USE
	North	C-M	Light Industrial
	South	Industrial – Lassen County	Appears agricultural with a residence
	East-	C-M	VA Clinic
	West	C-M	Post Office
GENERAL PLAN DESIGNATION	Light Industry or Business Park		
ENVIRONMENTAL DETERMINATION	Categorically exempt per CEQA guidelines, Section 15322 In-Fill Development Project		

COMMENTS RECEIVED:

City Building Official – Building permits required. All construction must meet the 2016 building code.

City Public Works –Extensive comments on Street Improvements, Grading & Hydrology, Utilities, the Parcel Map and Permits. The Resolutions will reference requirements.

Susanville Fire Department – Sprinklers required; Fire Hydrant required; Provide turn

around at end of south parking lot.

Department of Veteran Affairs – Sent letter expressing concerns about potential negative impact from noise associated with gunshots. (Copy enclosed.)

PROJECT DESCRIPTION:

The project is a proposal to construct an 18,000 SF building for a retail store with an indoor shooting range and training facility on an existing vacant parcel in a C-M (Commercial - Light Industrial) zoning district.

The existing parcel will be split to provide a 4.2 acre parcel for this project, leaving a 1.26 acre parcel between the project parcel and the Post Office. The project parcel will have 335 feet of frontage on Johnstonville Road and 350 feet of frontage on Bella Way with the building facing Bella Way. The proposed building will be located approximately 80 feet from the front property line, Bella Way, 110 feet from the south/side, 100 feet from the north/side and 90 feet from the rear.

Staff did reach out to the Department of Veterans Affairs very early in this process, recognizing potential concerns with the nearby location of the VA Clinic. Staff also reached out to other entities and reviewed relevant City Codes. There is no clarity for noise standards in our Codes, but harvesting language from them led to considering a maximum 70 decibel level at the clinic property line, as well as recommending more than minimal setback for the gun range structure from Bella Way. These recommendations also seem reasonable and relevant based upon studies on decibel levels shared by the company likely to design the project. Staff also recognizes that both the gun range property and the clinic are located in an industrial district.

ANALYSIS:

The property is zoned Commercial - Light Industrial (C-M) District. The use is determined to be permitted within a building. A building permit in a C-M District requires an Architectural and Site Plan Review.

SITE DESIGN

The proposal requires this proposal to be evaluated against the City's adopted Design Guidelines. The proposed structure will be CMU construction with stucco finish and a single-ply of foam roof. The site plan and building shall be evaluated against the following applicable site and architectural design criteria in the guidelines:

Building location(s) and site layout should provide for a functional relationship with the existing site topography, vegetation and other natural features. The site is a level field currently being used for agricultural purposes. There is a slight slope to the northeast. Minimal fill will be required for development.

All development proposals should consider existing site conditions and should be designed to be compatible with the surrounding neighborhood and visual environment.

The surrounding area is a mix of industrial uses to the north with professional office uses to the east and west. South of Johnstonville Road is outside the City limits and appears to be part of an agricultural operation, including a residence set back from the road a couple hundred feet. The proposed one story structure set well back from the property lines with a gray stucco exterior appears to be compatible with the surrounding.

Natural features should be recognized and integrated into the site plan as much as possible. There are no significant natural features present on the site.

Rivers, streams, ponds, hillsides, rock formations, mature trees, native vegetation and similar natural features should be incorporated into the overall project design as much as possible. The slough area at the northwest corner of the property will not be affected. This is generally not applicable.

Development should be designed to minimize grading, earthwork and land disturbance and maintain the natural topographic features of the site. Accommodation of existing natural conditions can help avoid site problems associated with flooding, steep slopes, natural drainage courses, rock outcrops and other natural features. This will be so.

Buildings should be located and oriented in a manner that preserves significant views. Views from three vantage points are critical in the siting and orientation of buildings:

- a) *Looking at the site from neighboring properties and other areas;*
- b) *Looking at natural features, vistas, and other properties from the site.*
- c) *Looking through the site from key places within the project.*

This will be so.

Existing residential land uses should be protected from the noise, traffic, light and glare, fumes, lack of privacy and other potentially offensive aspects of proposed new neighboring land uses. Possible design solutions may include orientation of buildings and site activities away from sensitive areas, buffer plantings, fences, walls, berms, and/or additional open space separation. There is a significant distance from this project to residential uses in the City. There is a home several hundred feet to the south outside the City limits.

Site design should minimize changes to natural drainage patterns and avoid significant cut and fill slopes whenever possible. Cuts and fills within the drip-line of existing trees should be avoided. Drainage design should seek to avoid concentrating and accelerating storm runoff. No natural drainage courses will be affected by the project nor will the drainage pattern be significantly affected.

The clustering of buildings and/or uses in larger projects is encouraged. Clustering can minimize the disruption of natural features, provide for more convenient access, reduce improvement costs and create a more functional and cohesive design. The proposed building will be the only building on site.

Buildings should be sited and designed so that their forms do not disrupt prominent natural skylines such as ridges or hilltops. Buildings which are silhouetted against natural

skylines should be designed to be compatible with the natural setting. This development should blend into the existing development.

Well-landscaped and functional open space areas around building(s) are strongly encouraged. Open space can reduce the perceived density of development, serve as an effective buffer between adjacent development and sensitive land uses and enhance the overall visual appearance of the project. There will be landscaping added along the street sides and the parking areas.

Accommodations for pedestrian and bicycle circulation should be provided for in the site and building designs. For safety reasons, such accommodations should be designed to avoid conflicts with automobile and truck circulation patterns. This project should add to such circulation provisions, but will not resolve for the greater area.

Streets and driveways should be designed in conjunction with existing topographic conditions and natural features such as creeks and drainages. This will help to minimize the amount of cut and fill and to preserve natural drainage patterns. The road pattern is already established and the driveway will be from the side street, not Johnstonville Road.

Service areas and auxiliary structures (garbage dumpsters; propane, gas and oil tanks; utility boxes; etcetera) should be screened from public street view with a fence, wall or appropriate landscaping. The dumpster will be screened.

Access & Circulation: Access will be from the less trafficked street. Frontage improvements will add to access and circulation. A turn around for fire trucks at the west end of the south parking area will be added accordingly.

Property Lines & Setbacks: All existing proposed structures will meet the setback requirements for the C-M zoning.

Minimum Building Area: The proposed parcel size will exceed the 20,000 SF minimum in the C-M District.

Parking: Parking requirements will be met.

Landscaping & Buffering: This will be adequately accomplished with landscaping along the street sides and the parking areas

Water Quality & Drainage: Grading layout and drainage plan shall be reviewed and approved by the Public Works Department prior to issuance of a building permit. The new structure and paving will increase the impervious surfacing of the site thereby increasing runoff. Storm water detention will be required to mitigate to pre-construction peak flow runoff.

Utilities: Utilities will be extended to serve the new structure. These will be underground and will meet building/electrical code requirements as well as the extension of sewer lines.

General Plan: The City's General Plan Land use designation for the property is Light Industry or Business Park: This development is within said parameters.

RECOMMENDATION: Adoption of Resolution No. 19-1071, approving Architectural and Site Plan Review for ARC 18-008 for KHAS, Inc. on APN: 116-050-61, subject to the conditions listed in the attached Resolution.

ATTACHMENTS:

1. Resolution No. 19-1071
2. Elevations Drawings
3. Site Plan
4. Letter from Department of Veterans Affairs

RESOLUTION NO 19-1071
A RESOLUTION OF THE SUSANVILLE PLANNING COMMISSION
APPROVING AN ARCHITECTURAL DESIGN AND SITE PLAN REVIEW TO
ALLOW A RETAIL STORE WITH AN INDOOR SHOOTING RANGE IN A C-M
ZONE ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF
JOHNSTONVILLE ROAD AND BELLA WAY
FILE NUMBER (ARC 18-008)

WHEREAS, KHAS, Inc. has submitted an application for an Architectural and Site Plan Review to allow the construction of a Retail Store with an Indoor Gun Range on a lot in a C-M (Commercial – Light Industrial) zoned parcel on that property known as Assessor’s Parcel Number 116-050-61, located at the northwest corner of Johnstonville Road and Bella Way; and

WHEREAS, the City of Susanville Planning Division has determined that the project is exempt from CEQA as the City’s architectural review process is non-discretionary and is considered to be ministerial; the proposal also meets the qualifications for a Categorical Exemption under the California Environmental Quality Act (CEQA) as a Class 22 exemption, Section 15322 – In-Fill Development Project; and

WHEREAS, the Susanville Planning Commission at a duly noticed public meeting held during its regular meeting of May 28, 2019, considered both written and oral comments presented concerning the proposed architectural and site plan review; and

NOW, THEREFORE, BE IT RESOLVED the City of Susanville Planning Commission makes the following independent findings of fact concerning the proposed Architectural and Site Plan Review:

1. The architecture and general appearance of the proposed structure and related improvements as conditioned will be in keeping with the character of the surrounding neighborhood.
2. The approval complies with and is supported by the goals, policies and action programs of the Land Use Element of the General Plan.
3. That the establishment, maintenance, or operation of the subject use, building or facilities applied for will not, under the circumstances of the particular use and with the conditions imposed thereon, be detrimental to or contrary to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the proposed use and will not be injurious or detrimental to property or improvements in the neighborhood or the general welfare of the City.
4. The proposed project is in the public interest because it provides economic development and recreational opportunities for city residents.
5. That the required public improvements are necessary for the public health,

safety, welfare and orderly development of the area and are in accordance with adopted standards of the City of Susanville and other jurisdictions having control over development in this area.

BE IT FURTHER RESOLVED, the Planning Commission hereby approves the Architectural and Site Plan Review, application Number 18-008 filed by NST Engineering, Inc. to allow the construction of a Retail Store with an Indoor Gun Range on a parcel currently zoned C-M in general conformity with the site plan, floor plans and elevations stamped "CITY OF SUSANVILLE RECEIVED NOVEMBER 19, 2018, BUILDING & PLANNING" except as modified by the following terms, agreements and conditions contained in this Resolution:

AREA/ SITE SPECIFIC CONDITIONS

1. Maintain a minimum building setback of seventy-five feet (75)' from the front/Bella Way lot line.
2. Maintain a maximum noise level from shooting range facilities of seventy decibels (70dBA) at the VA clinic property line.
3. Provide a turnaround at the west end of the parking area on the south side per the Fire Department.
4. Shooting Range must be certified as approved by the Chief of Police.
5. Curb and gutter and sidewalk along the property frontage shall be installed in accordance with chapter 12.20 of the Susanville Municipal Code.
6. Provide grading and on-site detention plans in accordance with the City's Public Works Department's requirements.
7. Provide all other requirements as noted by the City Engineer/Public Works Department.
8. Prior to issuance of a building permit developer must submit building colors and materials to the Building and Planning Division for final approval.
9. Provide ADA parking spaces in accordance with the California Building Code requirements.
10. This permit will become null and void if the approved use has not begun within 24 months from the date of adoption of this resolution unless an extension of the life of the permit is approved by the Planning Commission. It is the applicant's responsibility to request an extension within a reasonable time frame, if needed.

FEES & OTHER CHARGES

11. All standard mitigation fees and utility hookup fees apply to this project, unless waived or modified by individual providers.

STANDARD CONDITIONS

GENERAL

12. The requirements of all concerned governmental agencies having jurisdiction by law, including but not limited to the issuance of appropriate permits, shall be met.
13. For the purposes of assuring compliance, the applicant, agents, representatives or their assignees agree not to deny or impede access to the subject property by City employees in the performance of their duties.
14. All contractors and sub-contractors involved in the project shall obtain a City of Susanville Business License and maintain said license in force for the duration of the project.
15. The applicant/owner shall indemnify, protect, defend, and hold harmless, the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, from any and all claims, demands, lawsuits, writs of mandamus, and other actions and proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolutions procedures (including, but not limited to arbitrations, mediations, and other such procedures, collectively "Actions"), brought against the City, and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, the any action of, or any permit or approval issued by, the City and/or any of its officials, officers employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City), for or concerning the project, whether such Actions are brought under the California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure Section 1085 or 1094.5, or any other state, federal, or local statute, law, ordinance, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that developer shall reimburse City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the developer of any Action brought and City shall cooperate with developer in the defense of the Action.

IMPROVEMENT PLANS

16. Prior to the issuance of building permits, improvement plans shall be submitted to and be approved by the City. All improvements shall be installed in accordance with said improvement plans prior to the issuance of a certificate of occupancy.

AIR QUALITY

17. All activities associated with a building site shall be conducted in a manner to control fugitive dust emissions through the use of dust palliative agents or the use of water to mitigate offsite impacts in accordance with Lassen County Air Quality District adopted regulations.

GENERAL UTILITIES

18. The owner/developer shall pay the cost for rearrangement, relocation, or removal of any utilities caused by any construction activity, whether inside or outside of the project where such work is a condition of or necessary to serve the project.
19. All new or relocated utility lines shall be placed underground and easements shall be provided if required.

WATER AND NATURAL GAS

20. The improvement plans for the water supply and natural gas supply shall be reviewed and approved by the City prior to the installation of the facilities. Water supply main lines, meters, appurtenant facilities, and service connections to the site shall be installed in accordance with the construction and testing standards of the City of Susanville.
21. All natural gas mains and service lines and appurtenances for the proposed project will be installed by the City of Susanville or its qualified contractor at the expense of the developer and to City construction standards. Gas line trenching will be provided by the developer and can be installed in a common trench with water per City Standards. Construction costs may be offset by installing gas lines in common trenches with water lines.
22. Prior to the issuance of building permits, the developer shall pay all inspection, capital improvement and facilities fees, connection and other capacity charges or fees as established by the City for the water supply and natural gas.

ELECTRIC

23. Contact Lassen Municipal Utility District before construction or before any electrical design is started for the project and complies with LMUD standards and specifications. All utility lines shall be placed underground.

SEWER

24. Meet the requirements of the Susanville Sanitary District (SSD) and include their requirements in the final design plans for a building permit. Owner/developer shall comply with all Susanville Sanitary District requirements.

FIRE

25. The project shall meet the fire and life safety requirements of the Fire Department prior to the issuance of a certificate of occupancy by the City.

LANDSCAPING

26. Prior to issuance of a building permit, irrigation and landscaping plan (including the species, size and placement of trees and shrubs) shall be submitted to the Community Development Department for approval. Trees and shrubs required by code shall be a minimum 1 ½" caliper and 75% of the shrubs shall be a minimum of 5 gallon size, 25% may be 2 gallon containers. Size of additional plantings not required by code may be alternate sizes. The landscape and irrigation improvements identified in the approved construction plans shall be installed prior to the issuance of a Certificate of Occupancy unless otherwise provided for. All landscaping shall be maintained in a healthy and growing condition.
27. All disturbed areas on the site shall be planted and maintained with shrubs or native plant material and a permanent irrigation system, or covered with weed mat and rock or other appropriate barrier to keep the site weed free.

LIGHTING

28. For any new lighting, a plan shall be submitted that shows the location, height, type and spread of exterior lighting on the site. All lighting shall be downward directional and include full cut-off fixtures to protect the Susanville night sky and adjacent parcels from unsightly glare. New on-site lighting shall conform to Section 17.96.050 of the City of Susanville Municipal Code.

ADDRESSING

29. All numbers shall be assigned by the city and be obtained from the Building and Planning Division. Numbers shall be legible, shall be placed in an approved location and shall be easily viewed from the public entrance to the property. Numbering plans for multiple units, condominium projects and alike shall be submitted and approved during the project review process.

APPROVED: _____
 Linda Robinette, Chairperson
 Planning Commission
 City of Susanville, State of California

ATTEST: _____
 Gwenna MacDonald, City Clerk
 Secretary to the Planning Commission

The foregoing resolution was introduced and adopted at a regular meeting of the Susanville Planning Commission held on the 28th day of May, 2019, by the following vote:

AYES:
 NOES:
 ABSENT:

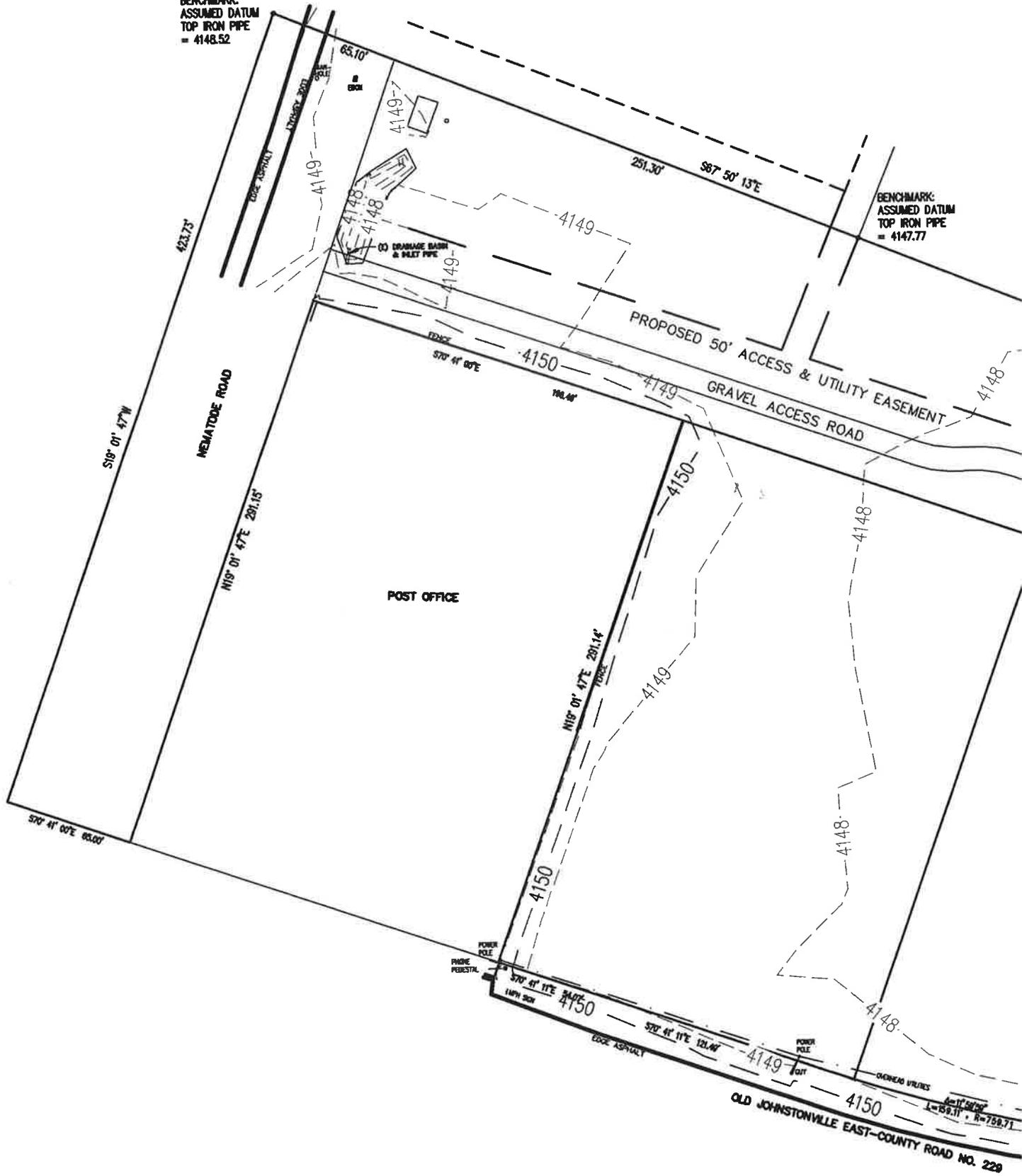
ABSTAIN:

**Gwenna MacDonald, City Clerk
Secretary to the Planning Commission**

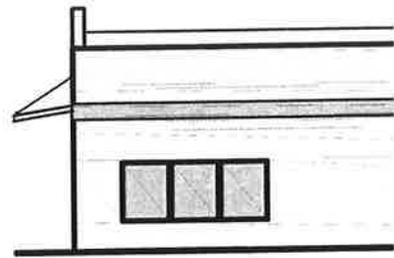
Jessica Ryan, City Attorney

BENCHMARK:
ASSUMED DATUM
TOP IRON PIPE
= 4148.52

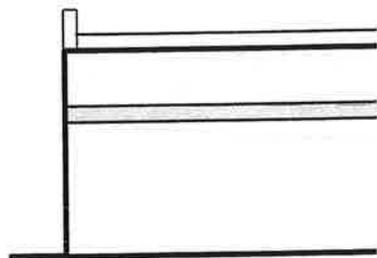
BENCHMARK:
ASSUMED DATUM
TOP IRON PIPE
= 4147.77



OLD JOHNSTONVILLE EAST-COUNTY ROAD NO. 229



**CITY OF SUSANVILLE
RECEIVED
NOV 19 2018
BUILDING & PLANNING**





DEPARTMENT OF VETERANS AFFAIRS
VA Sierra Nevada Health Care System

May 3, 2019

In Reply Refer to 654/01

Marlin Johnson
City of Susanville
66 North Lassen Street
Susanville, CA 96130

Dear Mr. Johnson,

Thank you for contacting the VA Sierra Nevada Health Care System regarding the proposed firearm retail store and indoor shooting range being considered for approval by the City of Susanville. Given the close proximity of the Diamond View VA Clinic to the identified site for the new Action Target location, I am taking this opportunity to express our health care system's concerns to the City of Susanville.

The Diamond View VA Clinic located at 110 Bella Way in Susanville, California provides an array of outpatient care and services to Veterans, including mental health services. Many of the Veterans visiting the clinic are coping with Post-Traumatic Stress Disorder (PTSD) symptoms. For these patients, certain triggers of a traumatic event, such as the sound of a discharging firearm, can bring back painful memories. Reminders of traumatic events can produce immediate and strong symptoms, including: Feelings of fear, panic and anxiety; as well as racing heartbeat, sweating, flashbacks, headaches and/or general discomfort. For individuals with PTSD (or combat exposure), these reactions significantly impede therapy, sense of safety and make it difficult for patients to progress through treatment.

Approving the building request at the identified location may negatively impact our patients who have experienced combat, work and/or personal traumas related to shooting. Additionally, the firearm store and shooting range could compromise the psychological safety of our clinicians and support staff in Susanville, many of whom are Veterans. For these reasons, I have some concern with the identified location and would greatly appreciate the City's consideration in this matter. Requiring significant noise abatement insulation in the building to minimize any adverse impact to the clinic would be very welcome. Thank you for affording me the opportunity to comment on behalf of the health care system; it is our mission to provide world class care and service to America's Heroes in a safe and secure environment. If you have any questions, or seek additional information, please contact Braden Sedran, Facility Planner, at (775) 789-6604.

Sincerely,

Lisa Howard
Director, VA Sierra Nevada Health Care System

Ioannis A. Lougaris
VA Medical Center
975 Kirman Ave.
Reno, NV 89502

Carson Valley
VA Clinic
1330 Waterloo Ln, Ste 101
Gardnerville, NV 89410

Sierra Foothills
VA Clinic
11985 Heritage Oaks Pl.
Auburn, CA 95603

Diamond View
VA Clinic
110 Bella Way
Susanville, CA 96130

Lahontan Valley
VA Clinic
1020 New River Pkwy, Ste 304
Fallon, NV 89406

Winnemucca
VA Clinic
3298 Traders Way
Winnemucca, NV 89445

VA Dental Clinic
3674 S. Virginia Street
Reno, NV 89502

VA Eye Clinic
2295 Kietzke Ln.
Reno, NV 89502

East Campus
VA Clinic
1201 Corporate Blvd, Ste 100
Reno, NV 89502