



PLANNING COMMISSION AGENDA

City Council Chambers

66 North Lassen Street, Susanville, CA 96130

Phone (530) 252-5118 Fax (530)257-4725

Tuesday, July 9, 2019 – 6:30 P.M.

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

BUSINESS FROM THE FLOOR (NO ACTION TO BE TAKEN)

APPROVAL OF MINUTES: None

PUBLIC HEARING ITEMS:

1. Consider approval of Resolution 19-1074 approving use permit and architectural design and site plan review to allow an outdoor display & sales in a C-2 zone on property located at 472 Richmond Road file number (U 19-004)

NON-PUBLIC HEARING ITEMS: None

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.

ACCESSIBILITY: 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

**CITY OF SUSANVILLE PLANNING COMMISSION
STAFF REPORT
July 9, 2019**

FILE NUMBER	Use Permit # U 19-004		
APPLICANT/OWNER	Lea Vanderley/M.A.M.A's Treasures		
REPRESENTATIVE	Lea Vanderley		
REQUEST	Use Permit and Architectural Design and Site Plan Review to allow an outdoor display and sales.		
ASSESSORS PARCEL NO.	107-062-06 & 107-062-07		
PARCEL SIZE	These two parcels, plus rear parcel total 28,500 SF		
LOCATION	472 Richmond Road		
EXISTING ZONING	C-2 (General Commercial/Shopping Center) District		
SURROUNDING ZONING AND LAND USE	ZONING		LAND USE
	North	C-2	Church, Residential & Vacant Land
	South	O-S	Bizz Johnson Trail/BLM
	East-	C-2	Lassen Lands & Trials Trust
	West	C-2	Undeveloped
GENERAL PLAN DESIGNATION	General Commercial		
ENVIRONMENTAL DETERMINATION	Categorically exempt per CEQA guidelines, Section 15301 Existing Facilities		

COMMENTS RECEIVED:

City Building Official – Meet Conditions of Approval.

City Public Works – No Comment

City Fire Department – Must maintain Fire Lane Access 20 feet in width to rear of property;
Designate sales areas with painted boundaries to not encroach on Fire Access Lane;
Products must be stored in orderly manner.

PROJECT DESCRIPTION:

The proposal is to increase merchandise display and sales area at an existing use that has previously had structures approved through the Architectural and Site Plan Review process.

ANALYSIS:

The property is zoned General Commercial/Shopping Center District, which requires a Use Permit for outdoor storage or sales. An Architectural and Site Plan Review is required for a Use Permit.

Staff feels that the proposed outside use will have minimal impact as long as the use does not encroach into fire lane access and access to the required five parking spaces. The proposal includes setting display tables three feet in width adjacent to the ramp along the north side of the Main Showroom. The applicant has been advised that area cannot be encroached upon and cannot be allowed as such.

Though required per Code, there is little further to review in regards to the Architectural and Site Plan Review process. The Planning Commission can speak to that if, and as, they wish.

The shape of the property and the existing layout is as it is. Staff concurs with earlier analysis that resolution of potential issues rests with the operation and management of the facility.

RECOMMENDATION: Adoption of Resolution No. 19-1074, approving Use Permit and Architectural and Site Plan Review for U 19-004 for Lea Vanderley/M.A.M.A's Treasures on APNs:107-062-06 & 107-062-07 subject to the conditions listed in the attached Resolution.

ATTACHMENTS:

1. Resolution No. 19-1074
2. Site Plan
3. Resolution 17-1054
4. Resolution 03-786

RESOLUTION NO 19-1074
A RESOLUTION OF THE SUSANVILLE PLANNING COMMISSION
APPROVING USE PERMIT AND ARCHITECTURAL DESIGN AND SITE PLAN
REVIEW TO ALLOW AN OUTDOOR DISPLAY & SALES IN A C-2 ZONE ON
PROPERTY LOCATED AT 472 RICHMOND ROAD
FILE NUMBER (U 19-004)

WHEREAS, Lea Vanderley, representing M.A.M.A.'s Treasures, has submitted an application for Use Permit and an Architectural and Site Plan Review to allow outside display and sales in a C-2 (General Commercial/Shopping Center District) zoned parcel on that property known as Assessor's Parcel Numbers 107-062-06 and 107-062-07, located at 472 Richmond Road; and

WHEREAS, the City of Susanville Planning Division has determined that the project is exempt from CEQA as the proposal meets the qualifications for a Categorical Exemption under the California Environmental Quality Act (CEQA) as a Class 1 exemption, Section 15301 Existing Facilities; and

WHEREAS, the Susanville Planning Commission at a duly noticed public hearing held during its regular meeting of July 9, 2019, considered both written and oral comments presented concerning the Use Permit and the 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 Use Permit and Architectural and Site Plan Review:

1. The architecture and general appearance of the proposed use and related improvements as conditioned will be in keeping with the existing character of the property and 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 opportunities for city residents, as well as residents of the greater area.
5. That any 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 Use Permit and Architectural and Site Plan Review, application Number 19-004 filed by Lea Vanderley, representing M.A.M.A.'s Treasures to allow outside display and sales on property currently zoned C-2 in general conformity with the application and site plan stamped "CITY OF SUSANVILLE RECEIVED MAY 28, 2019, BUILDING & PLANNING" except as modified by the following terms, agreements and conditions contained in this Resolution:

AREA/ SITE SPECIFIC CONDITIONS

1. Maintain a minimum Fire Lane Access of twenty feet (20)' between the Main Showroom and the asphalt curb along the north side of the property.
2. Designate the permitted outside sales areas with painted boundaries to not encroach on Fire Lane Access or Parking Areas.
3. Outside display of products must be managed in an orderly manner within said painted boundaries

FEES & OTHER CHARGES

4. If needed, all standard mitigation fees and utility hookup fees apply to this project, unless waived or modified by individual providers.

STANDARD CONDITIONS

GENERAL

5. The requirements of all concerned governmental agencies having jurisdiction by law, including but not limited to the issuance of appropriate permits, shall be met.
6. 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.
7. 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.
8. 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.

FIRE

9. The project shall meet the fire and life safety requirements of the Fire Department.

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

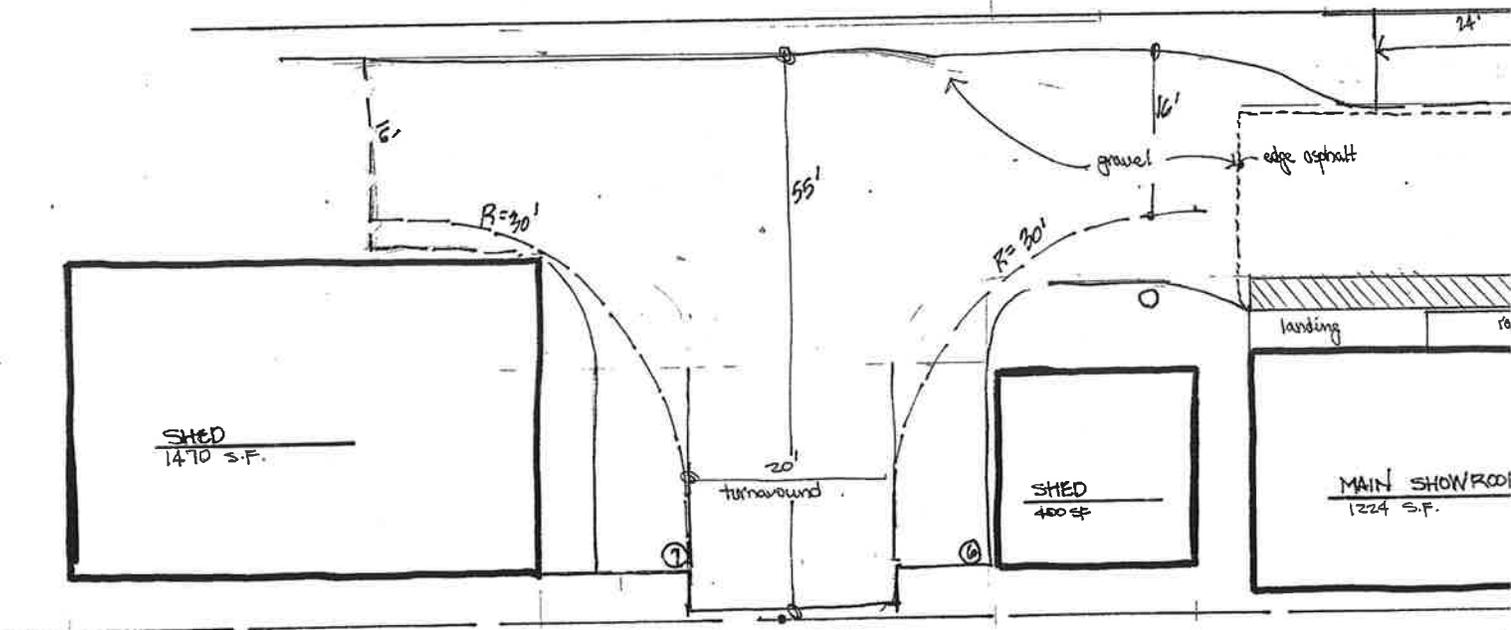
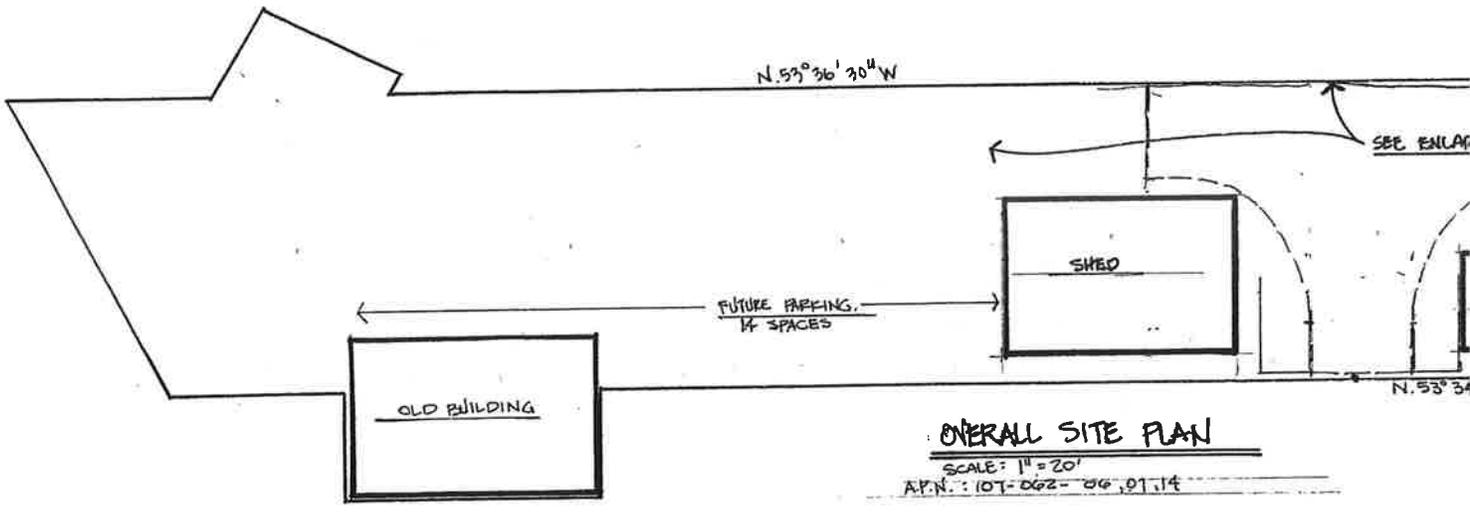
ATTEST: _____
Gwenna MacDonald, City Clerk
Secretary to the Planning Commission

The foregoing resolution was introduced and adopted at a regular meeting of the Susanville Planning Commission held on the 25th day of July, 2019, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Gwenna MacDonald, City Clerk
Secretary to the Planning Commission

Jessica Ryan, City Attorney



PARKING

SPACES PROVIDED (loss of 3 spaces with new building)	= 10	POSSIBLE (ADDITIONAL PARKING) IN REAR
SPACES REQUIRED		
FRONT BUILDING (OFFICE) 1 SPACE / 300 SF (100/300)	= 3	
RETAIL 1 SPACE / 300 SF (1224/300)	= 4	
REMAINING BUILDINGS 1 SPACE / 1000 SF (2030/1000)	= 3	
TOTAL	= 10	

PARTIAL SITE

SCALE: 1" = 10'

4200 S.F. EXISTING BU	
480 S.F. 1 BUIL	
4760 S.F. TOTAL FLO	
680 S.F. PROPOSED	

RESOLUTION NO 17-1054

A RESOLUTION OF THE SUSANVILLE PLANNING COMMISSION APPROVING AN ARCHITECTURAL DESIGN AND SITE PLAN REVIEW APPLICATION FILED BY MAMA FOR A 480 SQUARE FOOT METAL BUILDING ON PROPERTY LOCATED AT 472 RICHMOND ROAD AND AMENDING CONDITIONS OF APPROVAL CONTAINED IN RESOLUTION 03-786 APN 107-062-06, 07, & 14 CITY FILE NUMBER A17-003

WHEREAS, MAMA has submitted an application for an Architectural Design and Site Plan Review to construct a 480 square foot building on a parcel developed with a pregnancy crisis center and associated thrift store in a C-2 (General commercial and Shopping Center) zone district on properties known as Assessor's Parcel Number 107-062-06, 07, & 14 located at 472 Richmond Road; and

WHEREAS, the Susanville Planning Commission at a public meetings held on May 23, 2017, August 22, 2017, and September 12, 2017 considered both written and verbal comments presented concerning the proposed project in accordance with City code; and

WHEREAS, the City of Susanville Planning Division has determined that the project is not a project under CEQA; and

NOW, THEREFORE, the City of Susanville Planning Commission:

A. Makes the following findings:

1. That the project is consistent with the General Plan and Zoning Ordinance for the City of Susanville. The Commission finds that the architectural and general appearance of the building changes are in keeping with the character of the neighborhood and will not be detrimental to the orderly and harmonious development of the area.
2. That the establishment, maintenance, or operation of the subject use, and facilities applied for will not, under the circumstances of the particular use, 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.
3. The conditions imposed upon approval of this use are necessary to meet the existing City of Susanville code requirements, the

City's Design Guidelines or the statutory requirements of other governmental or public utility agencies.

4. That the new building can be located in a manner which would preserve the off street parking on the site of a minimum of 5 spaces.
 5. That while the proposed metal building does not have a "high" architectural design and would not be consistent with the metal building guidelines contained in the City of Susanville Design Guidelines adopted July 17, 2002 it is consistent with the other structures on the site and compatible with the development on the property and in the vicinity.
 6. The outdoor storage and display of secondhand goods on the property located 472 Richmond Road is a violation of the C-2 zoning district regulations and must be discontinued unless a use permit is obtained.
- B. Approves Architectural Design and Site Plan Review A17-003 for MAMA to allow a 480 square foot storage building on property located at 472 Richmond Road in accordance with the site plan stamped "City of Susanville Received, August 23, 2017, Building & Planning" as revised by planning staff and on file in the Planning and Building Division office, City of Susanville.

AREA /SITE SPECIFIC CONDITIONS

1. Obtain a building permit(s) from the City of Susanville Building and Planning Division.
2. Provide five (5) off street parking spaces on a paved surface. The spaces shall be striped in accordance with parking space dimension requirements.
3. No "yard sales" or other outdoor display or storage of goods or materials shall be permitted unless a use permit is obtained.
4. The 20-foot wide all weather fire lane and turn-around shall be kept unobstructed and shall be maintained to fire department standards.
5. The new structure shall be painted to match the adjacent 480 square foot storage building.

6. The above conditions are in addition to the conditions of the Architectural Design and Site Plan Review approved for this property on November 18, 2003 by Resolution 03-786.

BE IT FURTHER RESOLVED, the Planning Commission hereby approves the Architectural and Site Plan Review Application Number A17-003, filed by MAMA.

APPROVED: _____


Vicki Lozano, Chairperson
Planning Commission
City of Susanville, State of California

ATTEST: _____


Gwenna MacDonald,
Secretary to the Planning Commission

The foregoing Resolution was introduced and adopted at a regular meeting of the Susanville Planning Commission held on the 12th day of September, 2017, by the following vote:

AYES: Jambois, Dowdy, Foster, Robinette, Lozano

NOES: None

ABSENT: None

Gwenna MacDonald
Secretary to the Planning Commission



Jessica Ryan
City Attorney

RESOLUTION NO 03-786

**A RESOLUTION OF THE SUSANVILLE PLANNING COMMISSION APPROVING
ARCHITECTURAL DESIGN AND SITE PLAN REVIEW APPLICATION**

FILED BY LEA VANDERLEY

APPLICATION NUMBER A 03-029

WHEREAS, Lea Vanderley of MAMA Crisis Pregnancy Center is requesting an architectural design and site plan review to allow the construction of two steel storage buildings in conjunction with a pre-existing use located at 472 Richmond Road, Susanville, CA, in a C-2 (General Commercial) zone district; and

WHEREAS, the Susanville Planning Commission, at a public meeting held during its meeting of November 18, 2003, considered the written and verbal comments presented concerning the proposed project, and

WHEREAS, this application is not considered a project as defined by the California Environmental Quality Act (CEQA), Section 15378 (b), therefore an environmental document is not required.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission hereby makes the following findings of facts:

- A. The architectural and general appearance of the proposed structure and related improvements as conditioned will be in keeping with the character of the surrounding neighborhood.
- B. The proposed project as conditioned will not be detrimental to the orderly and harmonious development of the City.
- C. The proposed project as conditioned will not impair the desirability of investment or occupation in the neighborhood.
- D. The proposed project is consistent with the City of Susanville Zoning Ordinance and the Susanville General Plan 1990-2010

BE IT FURTHER RESOLVED, the Planning Commission hereby approves the Architectural Design and Site Plan Application Number A 03-029, subject to the terms, agreements and conditions contained in this Resolution.

5. This permit is granted for the following listed uses as shown on the approved site plan labeled Exhibit "A" and stamped "RECEIVED NOVEMBER 3, 2003, CITY OF SUSANVILLE CALIF" except as modified by these terms, agreements and conditions contained in this Resolution. Minor modifications may be approved by the Community Development director. Any substantial revisions will require an amendment to this permit.
2. The requirements of all concerned governmental agencies having jurisdiction by law, including but not limited to the issuance of appropriate permits, shall be met.
3. 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.
4. The applicant shall verify the location of the natural gas lateral serving this property and shall not build over it (or over any other utility lines).
5. Colors of the buildings shall be as follows: Ivory with green trim for front storage building 20' X 24' in size; mocha tan for rear building 20' X 48' with a 12' X 48' open porch.
6. The front of the open porch (facing Richmond Road) on the rear building must be enclosed with a fence or solid enclosure to prevent items temporarily being stored here from being visible from the street.
7. A 20-foot wide all weather gravel road (with 95% compaction) shall be constructed from the end of pavement to the building at the western end of lot 14 and shall include a hammerhead turnaround between the two buildings on lot 14. This road/driveway shall be constructed prior to or concurrent with occupancy of the new building on lot 14.

8. At least 5 new trees shall be planted along the south property line to provide some buffering of this use from the trail.
9. The abandoned car on lot 14 and other trash and debris shall be removed from the property and legally disposed of.
10. This permit will become null and void if the approved use has not begun within one year from the date of adoption of this resolution unless an extension of the life of the permit is approved by the Planning Commission.
11. 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.
12. No permits will be issued and this permit shall have no force or effect unless and until the terms, agreements and conditions thereof are agreed to, in writing, by the applicant and the property owner.
13. Project proponent shall comply with all Lassen Municipal Utility District requirements.
14. Any new on-site lighting shall conform to Section 17.96.050 of the City of Susanville Municipal Code and shall be shielded from surrounding property and streets.

APPROVED: _____

Beth Bennett, Chairperson

Planning Commission

City of Susanville, State of California

ATTEST: _____

Debra M. Magginietti,

Secretary to the Planning Commission

The foregoing resolution was introduced and adopted at a regular adjourned meeting of the Susanville Planning Commission held on

the 18th day of November, 2003, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Debra M. Magginetti,

Secretary to the Planning Commission