



PLANNING COMMISSION AGENDA

City Council Chambers

66 North Lassen Street, Susanville, CA 96130

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

Tuesday, July 23, 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 19-1075 approving use permit and architectural design and site plan review to allow mixed use, residential with commercial and/or office, in a C-2 zone on property located at 55 South Sacramento Street file number (U 19-005)
2. Considering approval of Resolution 19-1076 approval of the general plan amendment to the land use map.
3. Considering approval of Resolution 19-1077 approval of zone change RZ-19-002, filed by the Susanville Indian Rancheria.

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.

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

**CITY OF SUSANVILLE PLANNING COMMISSION
STAFF REPORT
July 23, 2019**

FILE NUMBER	Use Permit # U 19-005		
APPLICANT/OWNER	William Valentine		
REPRESENTATIVE	William Valentine		
REQUEST	Use Permit to allow Mixed Use, Residential with Commercial and/or Office, and, Architectural Design and Site Plan Review as required with Use Permit.		
ASSESSORS PARCEL NO.	105-231-01; 105-231-12 & 105-231-13		
PARCEL SIZE	Parcel with Building 25,284SF; Parking area parcels 18,214 SF; Total 43,498 SF		
LOCATION	55 South Sacramento Street		
EXISTING ZONING	C-2 (General Commercial/Shopping Center) District		
SURROUNDING ZONING AND LAND USE	ZONING		LAND USE
	North	C-2	Commercial
	South	C-2	Industrial Storage and Residential
	East-	C-2	Commercial w/Mixed Use Residential
	West	C-2	Commercial and Residential
GENERAL PLAN DESIGNATION	General Commercial		
ENVIRONMENTAL DETERMINATION	Categorically exempt per CEQA guidelines, Section 15301 Existing Facilities		

COMMENTS RECEIVED:

City Building Official – Any work that requires permit to have permit before work begins.

City Public Works – No Comment

City Fire Department – Alarm and sprinkler changes may apply; possible exiting concerns; area separations may apply depending upon 1st floor occupancy;

One party called to inquire about details. There have been no other comments received from the public at the time of this Report.

PROJECT DESCRIPTION:

The proposal is to add communal living space apartments to the second floor of this commercial office building. Ten individual sleeping/living rooms are proposed with two bathrooms, one shared kitchen, one laundry and one lounge area.

ANALYSIS:

The property is zoned General Commercial/Shopping Center District, which requires a Use Permit for residential or mixed used occupancy. An Architectural and Site Plan Review is required for a Use Permit.

The primary issues for mixed use occupancies are generally fire code; appropriate fire separation of uses, ingress and egress, sprinklers if necessary, etc. Building Code requirements will also need to be met. The County Health Department will be responsible for any kitchen health and safety issues.

There is an existing apartment with private bathroom and cooking facilities already located on the second floor. There is one business on the main floor with other commercial and/or office space available.

The density for mixed use development is determined by the use permit. As a free-standing multifamily unit may include up to twenty dwelling units per acre, this proposal is well under that threshold as the total acreage of the property is nearly one acre. There is an abundance of parking on the rear parcels, south of the intervening alley. To allow the possibility of minor residential expansion without another use permit, staff feels that the use permit can include up to fifteen (15) living spaces, particularly as the proposed and existing living spaces are essentially one bedroom each.

There are established residential use to the southeast and southwest and there is Mixed Use, Commercial/Residential adjacent to the east. Staff feels that the proposed use fits existing uses and could have beneficial impact to the community.

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.

RECOMMENDATION: Adoption of Resolution No. 19-1075 approving Use Permit and Architectural and Site Plan Review for U 19-005 for William Valentine on APNs: 105-231-01, 105-231-12 & 105-231-13 subject to the conditions listed in the attached Resolution.

ATTACHMENTS:

1. Resolution No. 19-1075
2. Second Floor Plan

RESOLUTION NO 19-1075
A RESOLUTION OF THE SUSANVILLE PLANNING COMMISSION
APPROVING USE PERMIT AND ARCHITECTURAL DESIGN AND SITE PLAN
REVIEW TO ALLOW MIXED USE, RESIDENTIAL WITH COMMERCIAL
AND/OR OFFICE, IN A C-2 ZONE ON PROPERTY LOCATED AT 55 SOUTH
SACRAMENTO STREET
FILE NUMBER (U 19-005)

WHEREAS, William Valentine has submitted an application for Use Permit and an Architectural and Site Plan Review to allow Mixed Use, Residential with Commercial and/or Office in a C-2 (General Commercial/Shopping Center District) zoned parcel on that property known as Assessor's Parcel Numbers 105-231-01, 105-231-12 & 105-231-13, 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 23, 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 19-005 filed by William Valentine to allow Mixed Use, Residential with Commercial and/or Office on property currently zoned C-2 in general conformity with the application and site plan stamped "CITY OF SUSANVILLE RECEIVED JUNE 11, 2019, BUILDING & PLANNING" except as modified by the following terms, agreements and conditions contained in this Resolution:

AREA/ SITE SPECIFIC CONDITIONS

1. Obtain required permits before any work begins.

FEES & OTHER CHARGES

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

STANDARD CONDITIONS

GENERAL

3. The requirements of all concerned governmental agencies having jurisdiction by law, including but not limited to the issuance of appropriate permits, shall be met.
4. 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.
5. 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.
6. 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

7. 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 23rd 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

NOTE:

**SHOWER
RENOVATIONS**

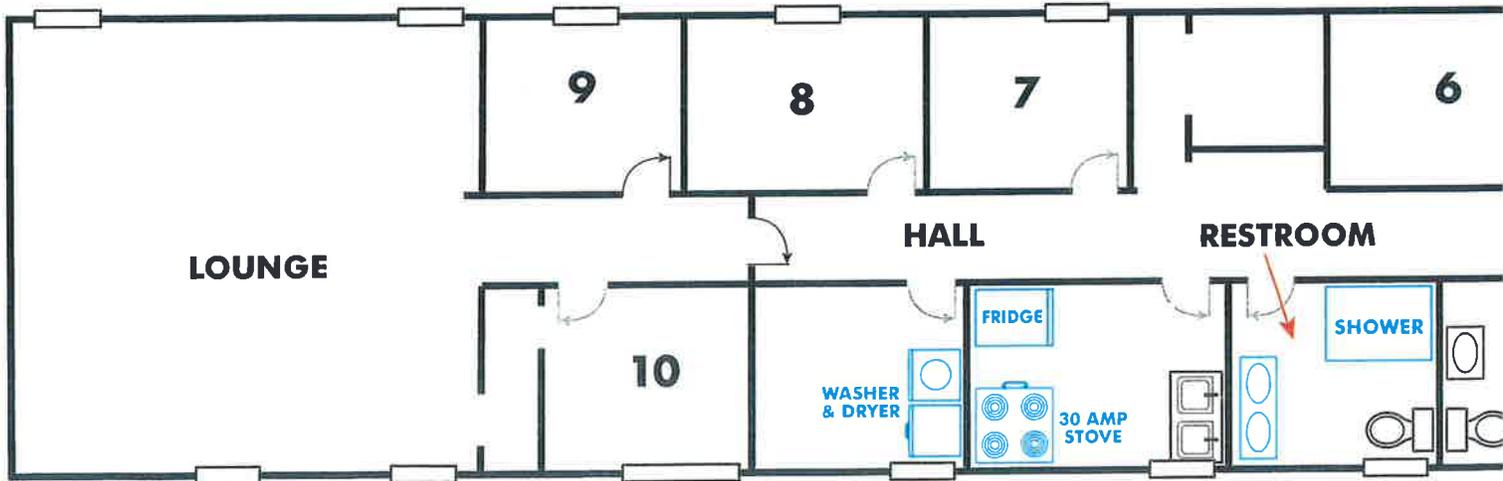
Location Address:

2100 Main St.
Susanville, CA

530-251-3454

**Communal Living Space
10 Rooms & 2 Restrooms
1 Kitchen, 1 Laundry**

SECOND FLOOR (



CITY OF SUSANVILLE
RECEIVED

JUN 11 2019

BUILDING & PLANNING

**CITY OF SUSANVILLE PLANNING COMMISSION
STAFF REPORT
June 23, 2019**

FILE NUMBER	RZ 19-002		
APPLICANT/OWNER	Susanville Indian Rancheria		
REPRESENTATIVE	James Mackay		
REQUEST	General Plan Amendment and Rezone.		
ASSESSORS PARCEL NO.	103-190-06		
PARCEL SIZE	18.09 acres		
LOCATION	South of Skyline Road and East of Paul Bunyan Road		
EXISTING ZONING	R-4 (Multifamily Residential) District		
SURROUNDING ZONING AND LAND USE	ZONING		LAND USE
	North	C-2 to the north/northeast R-3 to the north	Storage to the north/northeast Undeveloped to the north
	South	R-3	Undeveloped
	East-	R-3	Undeveloped
	West	N/A, northern portion R-1, southern portion	Casino and Commercial Uses (Tribal Land) Undeveloped
PROPOSED ZONING	C-O (Commercial Office) District		
EXISTING GENERAL PLAN DESIGNATION	Single-Family Residential		

PROPOSED GENERAL PLAN DESIGNATION

General Commercial

ENVIRONMENTAL DETERMINATION

To Be Determined Prior to Final Council Approval

COMMENTS RECEIVED:

City Administrator – Feels the proposal is in the City's interests. Would like to consider impact on police and fire services once it is operational.

City Building Official – Building permits required prior to development

City Fire Department – Ensure commercial zoning is in line with City Master Plan; all construction shall be completed in compliance with California Building & Fire Code; developer fees apply if, and as, appropriate;

Public Input – Verbal support from one couple for proposed changes in land use.

PROJECT DESCRIPTION:

The applicant is requesting a General Plan Amendment to Commercial Office and a Rezone to Commercial Office. The Project Questionnaire submitted with the application notes a need for a new health clinic. This facility would be located on the northeast portion of the property. The clinic is anticipated to be 38,000 SF in size, to include a section for dialysis if a partnership with the DaVita Corporation can be made. The northwest portion of the property would be available for business offices and potentially for small retail establishments. The southern, bulk, of the property is proposed to remain undeveloped due to topography restrictions.

ANALYSIS:

The General Plan designation is Single Family Residential. The property is zoned R-4 (Multi-Family Residential) District. The zoning is not currently consistent with the General Plan designation of Single Family Residential.

There is no General Plan designation for Commercial Office but such zoning is consistent with and may be located along arterial or collector streets and in other areas designated on the General Plan Land Use Map as Commercial. Skyline Drive is an Arterial and the proposed General Plan designation is consistent with the proposed zoning.

As multi-family residential uses are not allowed in R-1 (Single-Family Residential) Districts, but may be allowed with a use permit in CO (Commercial Office) Districts, the proposed General Plan Amendment is more in line with the existing zoning. (Note that this hearing is for the General Plan Amendment and Rezone requests, not for any particular proposed use.)

The proposed zone change appears to fit the surrounding zonings and existing uses. There is Commercial zoning to the north/northeast and commercial uses to the west. The other surrounding zones are primarily R-3, but the Commercial Office Zoning does not preclude multi-family residential. The future housing availability does not seem to be negatively impacted by the proposed change as R-1 has a maximum of seven (7) dwelling units per acre, R-3 a maximum of twelve (12) and C-O a maximum of twenty (20), but only with an approved use permit.

Impact from Commercial Office zoning seems to be no greater than R-3 from a traffic perspective.

Public Input – Verbal support from one couple for proposed changes in land use as they felt the potential impact on their property will be lessened.

Environmental Determination: The applicant had determined to hire a consultant to process the CEQA review. Based on the cost, the applicant requested to delay initiating the environmental study until the Planning Commission had heard the proposed General Plan Amendment and Rezone request and made a recommendation to Council. Staff agreed to include a condition to allow the CEQA determination to be delayed temporarily.

Criteria for General Plan Amendments: The General Plan may be amended when the following findings can be met:

1. The proposed amendment is deemed to be in the public interest.
2. The proposed amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected.
3. The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety and welfare.
4. The proposed amendment has been processed according to the applicable provisions of CEQA.

Findings:

Public Interest: To date the City has not received any notice of opposition to the project, either in writing or verbally. There is an evident need for health care in the community and this proposal shows great potential therein. Based upon the abundance of undeveloped R-3 zoned properties in the vicinity and the continuing ability to construct multi-family dwellings in the proposal, there should be minimal loss in housing potential.

Consistency with General Plan: Amending the Plan to General Commercial, which supports Commercial Office, is consistent as the property is located on an arterial per the Commercial Office requirement of the General Plan. The existing General Plan designation of Single Family Residential and the existing zoning R-3 would allow seven (7) dwelling units per acre and twelve (12) dwelling units per acre, respectively. Commercial Office zoning is comparable as five to twenty (5-20) dwelling units per acre could be allowed with a use permit.

Per Land Use, the proposal would encourage yet manage growth in this area and will most likely leave an abundance of open space. Per Circulation, the property accesses an arterial street and the proposal will include abundant parking availability. Per Economic Development, the proposal demonstrate Susanville's readiness for growth and will bring new businesses. Dialysis service, in particular, can enhance the availability of visitors. Though the open space may not become a park, it does provide aesthetics to the community. Though the proposal could allow homes as noted above, if none are developed, a good portion of the surrounding undeveloped properties are zoned for

Duplex and Triplex Residential development. Per Community Health, Safety & Conservation, the proposal may provide a broad and expanded spectrum of health care services to residents and visitors.

Public Health, Safety and Welfare: These are broad terms used to describe compatibility of a project with the surrounding neighborhoods and the greater community. The limited public comment is in support of this proposal and, generally, it appears that this proposal is in the public interests.

Compliance with CEQA: If the proposal receives favorable consideration from the Planning Commission an investment in the CEQA review and determination is likely to move forward. There will be a requirement for completion of the CEQA process prior to any final approval by the City Council.

RECOMMENDATION: Adoption of Resolution No. 19-1076 & 19-1077, recommending approval of the General Plan Amendment and Rezone for RZ19-002 for the Susanville Indian Rancheria on APN: 103-190-06, subject to the conditions listed in the attached Resolutions.

ATTACHMENTS:

1. Resolution No. 19-1076
2. Resolution No. 19-1077
3. Zoning Map
4. Site Plan

RESOLUTION NO 19-1076
A RESOLUTION OF THE SUSANVILLE PLANNING COMMISSION
RECOMMENDING TO THE SUSANVILLE CITY COUNCIL APPROVAL OF THE
GENERAL PLAN AMENDMENT TO THE LAND USE MAP

WHEREAS, The Susanville Indian Rancheria filed an application for a General Plan Amendment on that property known as Assessor's Parcel Number 103-190-06, located at the southeast corner of Skyline Drive and Paul Bunyan Road; and

WHEREAS, the CEQA review must be completed to the satisfaction of the city prior to any final approval of this General Plan Amendment by the Susanville City Council; and

WHEREAS, the Susanville Planning Commission at a duly noticed public hearing held during its regular meeting of July 23, 2019, considered both written and oral comments presented concerning the General Plan Amendment; and

NOW, THEREFORE, BE IT RESOLVED the City of Susanville Planning Commission hereby recommends that the City Council approve the General Plan Amendment for the property to General Commercial, based upon the following findings of fact:

1. The proposed amendment if deemed to be in the public interest.
2. The proposed amendment is consistent with and compatible with the rest of the General Plan and any implementation programs that may be affected.
3. The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety and welfare.
4. The proposed amendment will be processed according to the applicable provisions of CEQA prior to any final approval by the City Council.
5. The amendment to the Susanville General Plan land use map is necessary to bring the General Plan and Zoning into consistency as required by the State Planning and Zoning Law, Government Code Section 65860.

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 23rd 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

Secretary to the Planning Commission

RESOLUTION NO 19-1077
A RESOLUTION OF THE SUSANVILLE PLANNING COMMISSION
RECOMMENDING TO THE SUSANVILLE CITY COUNCIL APPROVAL OF
ZONE CHANGE RZ-19-002, FILED BY THE SUSANVILLE INDIAN RANCHERIA

WHEREAS, The Susanville Indian Rancheria filed an application for a zone change on that property known as Assessor's Parcel Number 103-190-06, located at the southeast corner of Skyline Drive and Paul Bunyan Road; and

WHEREAS, the CEQA review must be completed to the satisfaction of the city prior to any final approval of this zone change by the Susanville City Council; and

WHEREAS, the Susanville Planning Commission at a duly noticed public hearing held during its regular meeting of July 23, 2019, considered both written and oral comments presented concerning the zone change; and

NOW, THEREFORE, BE IT RESOLVED the City of Susanville Planning Commission hereby recommends that the City Council approve the zone change and to amend the Zoning Map to reflect the Commercial Office (C-O) District, based upon the following findings of fact:

1. The proposed zone change will be processed according to the applicable provisions of CEQA prior to any final approval by the City Council.
2. The zoning will be consistent with the Susanville General Plan land use map as required by the State Planning and Zoning Law, Government Code Section 65860 and is deemed to be in the public interest.

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

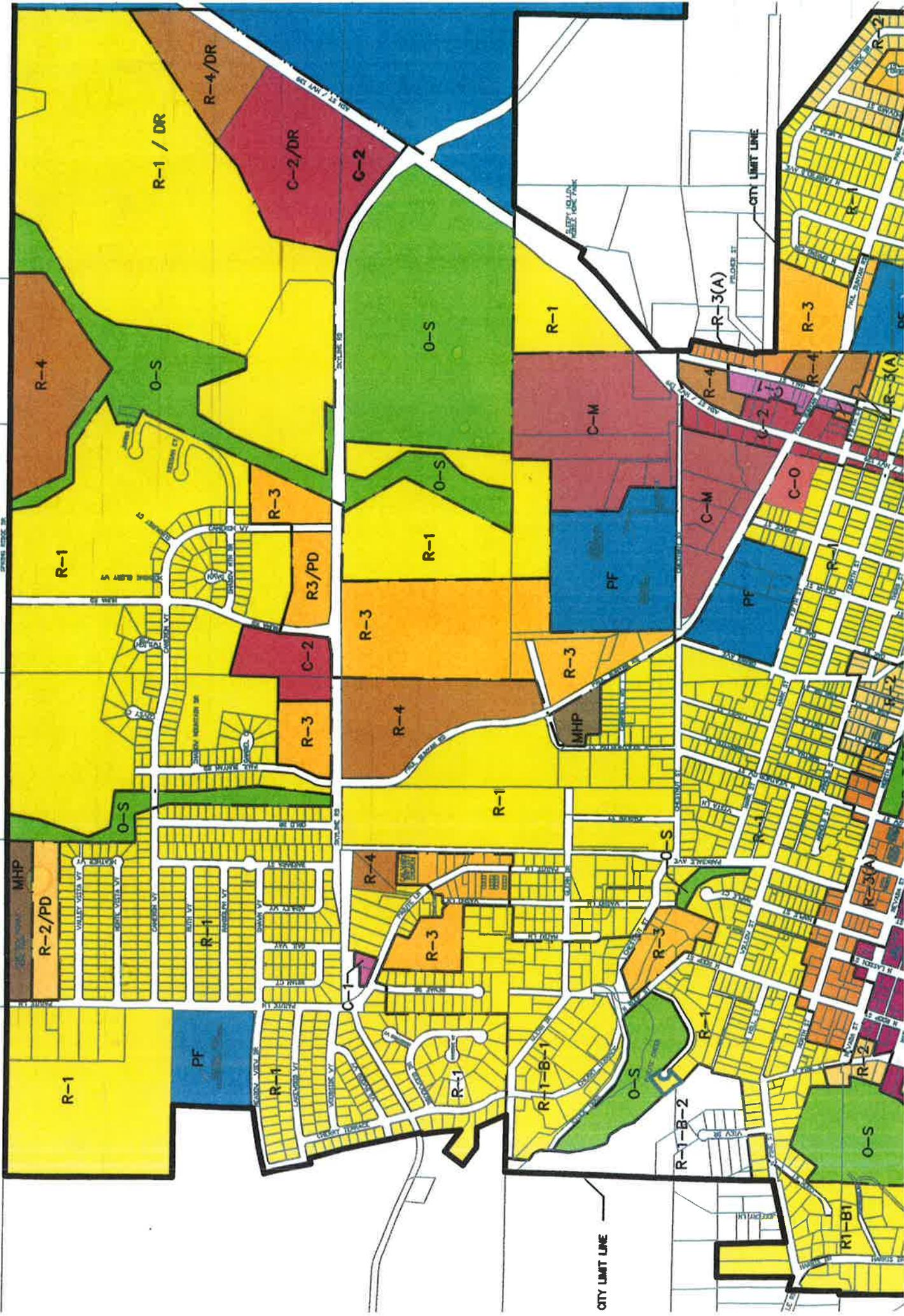
ATTEST: _____
Gwenna MacDonald, City Clerk
Secretary to the Planning Commission

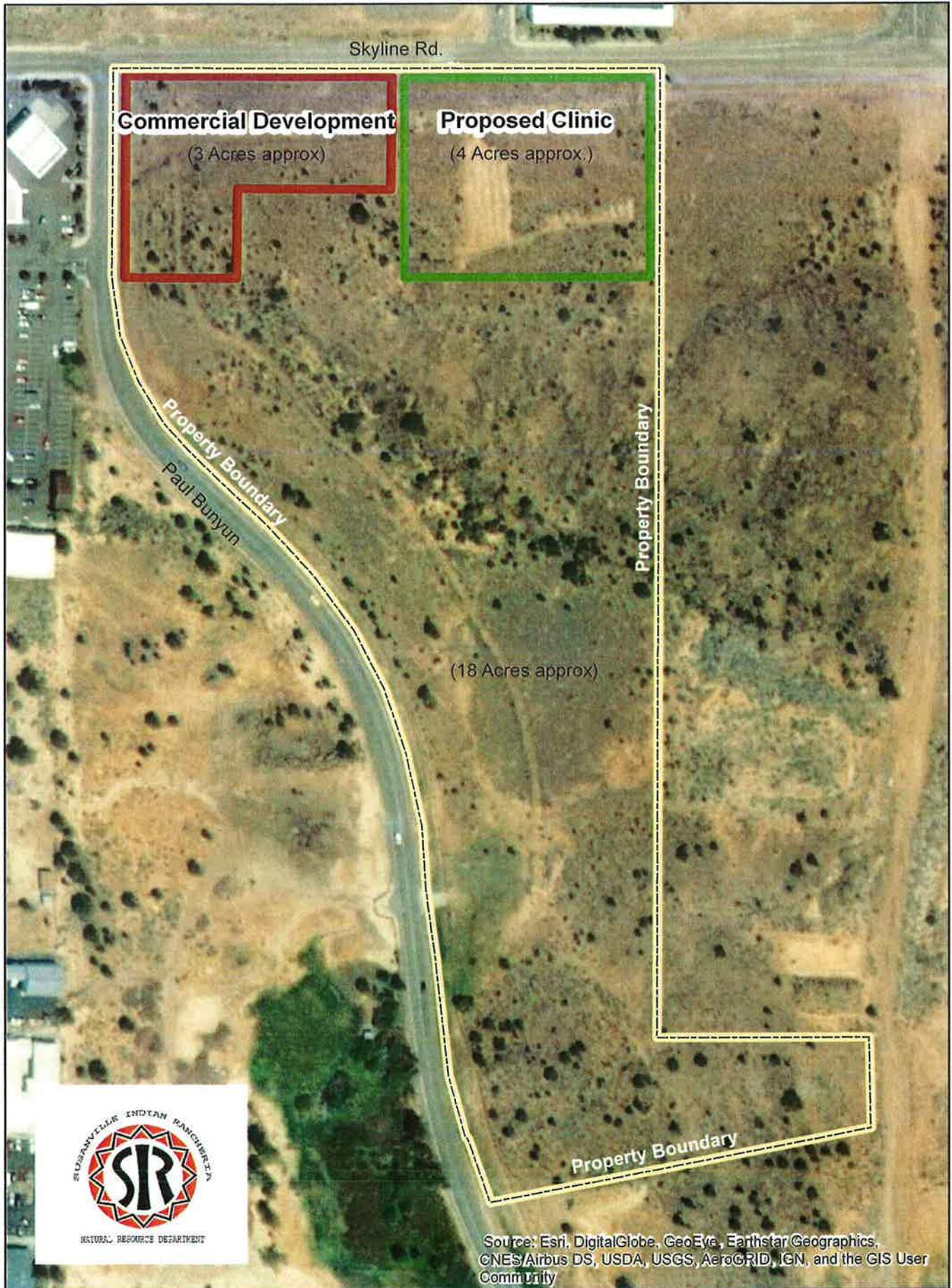
The foregoing resolution was introduced and adopted at a regular meeting of the Susanville Planning Commission held on the 23rd day of July, 2019, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Gwenna MacDonald, City Clerk
Secretary to the Planning Commission

Jessica Ryan, City Attorney





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community