City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 10, 2008

SUBJECT: Planning Commission Meeting Minutes:
February 21, 2008
March 6, 2008
March 20, 2008
April 3, 2008
April 17, 2008
May 15, 2008

Report in Brief

The Planning Commission meeting minutes February 21, 2008, March 6, 2008, March 20, 2008, April 3, 2008, draft minutes of April 17, 2008 and draft minutes of May 15, 2008 are attached for the Council's review. No action is necessary on this item; the minutes are provided for the City Council's information.

Prepared by: Robert MacNicholl
Planning Manager

Reviewed by: Barry Munowitch, AICP
Assistant City Manager

Mark G. Deven
City Manager

Attachment

ACTION MINUTES
CITY OF WOODLAND
PLANNING COMMISSION
THURSDAY, FEBRUARY 21, 2008

VOTING MEMBERS PRESENT:	Wurzel; Dote; Murray; Sanders; Gonzalez; Spesert
VOTING MEMBERS ABSENT:	Barzo
STAFF MEMBERS PRESENT:	MacNicholl; Norris; Stillman; Pollard; Houck

The meeting was called to order at 7:03 PM.

1. Director's Report:
   - Robert MacNicholl, Planning Manager: He said that, with the exception of the Chairman, we seem to know who will be attending the Planners workshop. He said that Commissioner Sanders is the only one that we have not officially heard from yet.
   - Commissioner Sanders: He said that he seems to have been signed up as well.
   - Robert MacNicholl: He thanked Commissioner Sanders for agreeing to attend.
   - Robert MacNicholl: He announced that VIPs were invited to attend the opening of Costco this evening. He also said that tomorrow morning at 8 AM the store would officially open and that this is the first opportunity to have a local Costco retailer.
   - Commissioner Sanders: He said that he has just come from the Costco opening. He said that the store is jammed to the rafters and if people come to Woodland to spend their money, it will be good for the City. He said it is a very nice facility and that Costco outdid themselves. He said that he has visited many other Costco stores and this one is very nice. He noted that Staff did a great job on the Costco as well.

2. Approval of Minutes:

   November 16, 2006:

   - Commissioner Gonzalez: She said that she finds it difficult to go back to 2006 and approve or disapprove anything, so she will abstain from that one.
   - Commissioner Dote: She asked for confirmation that these minutes are from 2006 and, if so, she will also abstain.
   - Robert MacNicholl: He confirmed that the minutes are from November 2006.
   - Commissioner Wurzel: He said that he would abstain as well as he was not on the Commission at that time.

- Commissioner Sanders: He indicated that since there are only 3 present to vote on this, they would pass on the November 16, 2006 minutes.
- Commissioner Dote: She found that she comments in the minutes. She said that she is quoted in the minutes so she will act on it.
- Commissioner Murray: She also found that she is quoted and she will act on it and say yes.
- Commissioner Sanders: He asked for a motion.

It was moved by Commissioner Dote and seconded by Commissioner Murray to approve the Planning Commission meeting minutes of November 16, 2006 as written.

AYES:	Dote; Murray; Sanders
NOES:	None
ABSTAINED:	Wurzel; Gonzalez; Spesert
ABSENT:	Barzo

February 7, 2008:

It was moved by Commissioner Dote and seconded by Commissioner Murray to approve the Planning Commission meeting minutes of February 7, 2008 as written.

AYES:	Wurzel; Dote; Murray; Sanders; Gonzalez
NOES:	None
ABSTAINED:	Spesert
ABSENT:	Barzo

- Commissioner Wurzel: He confirmed that he abstained from the November 16, 2008 minutes and approved the February 7, 2008 minutes.

3. Public Comment: This is an opportunity for the public to speak to the Commission on any item other than those listed on the Agenda. The Chairman may impose a time limit on any speaker.
   a. None.

4. Communication – Commission Statements and Requests: This is an opportunity for the Commission members to make comments and announcements to express concerns or to request Commission's consideration of any item a Commission member would like to have discussed at a future Commission meeting.

   - Commissioner Wurzel: He introduced Bill Fulton who is present at the meeting tonight. Mr. Fulton is the publisher of a recent article in the California Planning and Development Report (CP&DR). This article ranks the best small town downtowns in the Central Valley and the City of Woodland was ranked as having the best small town downtown. He read the following excerpt from the article:

"Woodland. Unlike downtowns in similar sized cities, downtown Woodland never died- not even when County Fair Mall opened at the southern edge of Woodland during the mid-1980s. Restaurants, watering holes, small professional service businesses and offices helped keep Main Street as the center of town. In the heart of downtown sits the City Hall, a 19th Century valley classic that was rebuilt during the Depression. The residential neighborhoods between East and West streets are filled with tall trees and well-maintained houses of Victorian, Tudor and craftsman design. But the jewel is the Woodland Opera House, a national historic landmark and, since the 1970s, a state park. The brick opera house was closed for 76 years before it reopened in 1989 and today provides a gorgeous setting for live theater. And both before and after the show, you'll find people on the sidewalks of downtown Woodland."

- Commissioner Wurzel: He thanked Mr. Fulton for the article. He said that we are proud of it and of the City. He thinks that Staff and residents should be proud of our downtown. He said that this is great recognition and again thanked him.
- Commissioner Sanders: He said he concurred and asked the Planning Manager if we can get this article linked onto the City website, with their permission. He said that we would like to use the article's kind words to trumpet the City of Woodland.
- Commissioner Dote: She remembers when they had an Urban Planner from Oakland visit the City during the Spring Lake Specific planning, and he said that downtown Woodland is a treasure and something that other cities would kill for.
- Commissioner Sanders: He said for them to save their article because there are a lot of good things coming to downtown and we are going to hang onto this ranking for a long time.
- Commissioner Dote: She also said that she was at Costco last week with the Chamber as they had their business luncheon there. Costco was well received and she learned that it is the second largest store in the chain. She said that it is a very large Costco and looks like a wonderful shopping opportunity for our city. She said that she is happy to see it.
- Commissioner Murray: She had no comments or announcements.
- Commissioner Gonzalez: She wanted to note that she met with Commissioner Murray and Tom Lumbrazo this week regarding the Gibson-Ogden agenda item.
- Commissioner Spesert: He had no comments or announcements.
- Commissioner Dote: She also met with Tom Lumbrazo this week.
- Commissioner Wurzel: He also met with Tom Lumbrazo this week.
- Commissioner Sanders: He said that he appears to be the only Commissioner that was not able to meet with Mr. Lumbrazo this week. He said that he will be sure to make it happen next time.

5. Subcommittee Reports.
   a. None

PUBLIC HEARING:

6. **Gibson-Ogden Development Project, Tentative Map No. 4879.** The applicant is requesting approval for 90 single family lots on 14.47 acres, including the footprint for a future bike-pedestrian overpass landing. The proposal requires a General Plan Amendment from Public Service (PS) to Medium Low Density Residential (MLRD); a Zoning Amendment from Residential Multi-family Density (R-M/PD) to Duplex Residential (R2/PD); and a Southeast Area Specific Plan Amendment from Medium Density Residential (MDR-20) to Low Density Residential (LDR-7). In addition the application includes proposed Tentative Map #4879 and a Conditional Use Permit for a Planned Development to allow modification from base zoning standards for lot area and dimensions, setbacks, street width and design.

Applicant/Owner:	Gibson Ogden Investors, Woodland Joint Unified School District
Environmental Document:	Mitigated Negative Declaration
Staff Contact:	Cindy A. Norris, Senior Planner
Recommend Action:	Conditional Approval

DISCUSSION

- Commissioner Dote: She requested confirmation that this project was originally going to be an apartment complex before the school district bought it and now it is going back to a housing site. Her concern is that during all this trading around of property we lost affordable housing as per our Housing Element.
- Cindy Norris, Senior Planner: She stated that because this project was designated as public service, it was not included in the 2002 Housing Inventory at that time. We are currently in the process of conducting our housing element update and the inventory is in the process of being developed. Staff feels that although the project site does not hold the twenty dwelling units per acre that its current zoning allows, they are complying with our affordable housing ordinance. She said that even though they have not yet conducted the inventory, Staff believes that there are adequate sites in Woodland to comply with the affordable housing ordinance.
- Commissioner Dote: She asked if this has affected our Overall City inventory of affordable housing.
- Cindy Norris: She confirmed that the overall inventory has not been affected.
- Commissioner Gonzalez: She said that she is more concerned about the overpass, when it will happen and how it will look. She said that her reference of overpasses is from Sacramento and that they do not add anything beautiful to its surroundings. She asked for some idea of how the overpass would look.
- Cindy Norris: She said that she knows some preliminary design has been done but mostly for the landing. There will still need to be some determination of where it will land. She believes it will be to the south. She said that overall design will be done at some future time.
- Bruce Pollard, Senior Civil Engineer: He said that there has been enough design done for a right-of-way, preliminary costs, and general structural

design. He said that there is usually some evaluation of architectural treatment in the design process and that would occur when they get into a final design so that the architectural design is more timely and contemporary to the time it is built.

- Commissioner Gonzalez: She asked when this would happen.
- Bruce Pollard: He said that it is not currently programmed in the Capital Budget.
- Commissioner Gonzalez: She stated that we want to have someone give us something so that we can plan to do something sometime in the future with a specific timetable.
- Liz Houck, Engineering Assistant: She indicated that the overpass is in two specific plans and it is part of the bikeway master plan.
- Commissioner Gonzalez: She said that it can be part of a plan but wanted to know what the timetable is.
- Robert MacNicholl: He indicated that a lot of it is dictated by events that are sometimes unforeseen. For example, he said that we are suffering from a large downturn in the development activity which is the basis for funding not just this but a number of other improvements that will be part of the overall bike plan for the community. For us to try and predict its construction date at this moment is not so important as to ensure that we have the ability when the time is appropriate. We need to ensure that the facility is part of that overall plan. So the answer is that we don't know, but that is true of a number of other infrastructure facilities we have in the community as well.
- Commissioner Gonzalez: She asked if it then poses a problem if we are asking the owner of land to give up land for something that may or may not be.
- Robert MacNicholl: He provided the example of having dedications for roads. There is no way of knowing necessarily when they will expand that road. You may have in your Capital Improvements Plan some anticipated period of time when it will occur, but in fact it will really be driven by when the need develops. Again, it would be critical to know where you need the road ultimately so when the development does finally occur to ensure that you have the means to do it. So, it is not so different from a lot of other facilities that the City needs in the long run.
- Commissioner Gonzalez: She noted that it is situated across from the community college. She asked how it was decided there and not across from the high school.
- Cindy Norris: She indicated that there is a bike access lane between the community college and the high school that will connect down to the Spring Lake Specific Plan.
- Commissioner Gonzalez: She asked to confirm that the path would be between the two.
- Cindy Norris: She confirmed that the path would be between. She clarified that the intent is not just to serve the community college or high school. She said that the intent is to connect the community and develop a citywide bike facility. She said that there are discussions in place for a potential regional bike system between Davis and Woodland. The intent is to allow future

connectivity and alternate transportation in Woodland. Also, the overpass would contribute as a tremendous community feature for the City.

- Commissioner Dote: She wanted to talk again about the over crossing. She said that we have been talking about this for a long time, probably more than 10 years. It was originally commented on in the Environmental Impact Report (EIR) for Gibson Ranch and then also Spring Lake. She asked if there have been any development fees collected for this.
- Robert MacNicholl: He confirmed that there have been fees collected.
- Liz Houck: She said that the Gibson Ranch infrastructure and the southeast infrastructure fees have been collected towards the construction. Also, it is being collected as part of the Spring Lake infrastructure fees.
- Commissioner Dote: She said that she remembers that the landing was between the high school and community college, but asked if we will still need Federal funding. She said that apparently the development fees are not enough and asked if we will still need federal funding for this.
- Bruce Pollard: He said that under the current funding scenario we are fine, but there are always the unforeseen circumstances of increased construction costs. He said that we have pretty much collected all that we can collect from the southeast area and this will be the last project.
- Commissioner Dote: She said that this brings us back to the question of timing. She asked if we are not waiting for Federal money, we are not waiting for State money, and local development fees have been collected, Gibson Ranch is basically built out except for this project, Spring Lake is proceeding-then what is the question of the timing on this project.
- Bruce Pollard: He said that Gibson Ranch pays for one half of this bridge and Spring Lake pays for the other half. Spring Lake has funding in place for what was called the Initial Facilities Requirements. There will probably be two to three additional phases of the infrastructure and those have not been programmed out yet.
- Commissioner Dote: She said that she does not know why it is not in our Capital Project.
- Bruce Pollard: He said that it is because we have only had the first bond increment on Spring Lake and they are evaluating further fund mechanisms with the development community for the future infrastructure. In other words, there are about $100 million of infrastructure to be constructed in the southeast area and Spring Lake area, and hat they need to collect fees for this particular item, which has not been given a timeframe at this point, due to the uncertain development timeframe for Spring Lake.
- Commissioner Dote: She asked what he estimates cost are for the over crossing and the landings. She asked if it would be $3-5 million.
- Bruce Pollard: He said that he did not have the cost with him, but that he believes it to be closer to $3 million. He said that he does not know what the current estimate is. He thinks that it is between $2-3 million now.
- Commissioner Wurzel: He again stated that Mr. Lumbrazo came and met with the Commissioners before he had the staff report. He said that Mr. Lumbrazo presented him with a map that included a different landing configuration than

this one. He asked specifically what map are the Commissioners being asked to approve tonight, this map or the one with the roundabout.

- Cindy Norris: She confirmed that the map for approval is the one included in the Staff Report. She said that it appears that they were looking at a prior map that had a smaller spiral footprint with a roundabout.
- Commissioner Wurzel: He then asked if this map has 90 lots and the prior map had 88 lots.
- Cindy Norris: She confirmed his information.
- Commissioner Gonzalez: She asked Staff to go over one more time the four years and dedication, etc.
- Cindy Norris: She stated that Staff's condition is written such that there would be a dedication of land for this landing and that they would dedicate that land. That is would include the dedication for the landing and that twenty-foot construction easement. The only variation from Staff's end is that once the over cross landing is constructed that the portion of the construction easement (ten-feet in width) would be vacated back to the parcels. Staff has also included conditions of approval that the setbacks should be looked at again during the course of design review for those particular lots so that they have appropriate ten-foot setbacks from the property line. These lots happen to be a little bit deeper so that they can accommodate modified setbacks. She said that the applicant is proposing that the land for the over cross landing be dedicated and that if the over pass is not constructed within four years, the land would be vacated. In addition, they request that the City provide compensation to the school district and Gibson Ogden Investors for the dedication. She explained that this is the difference.
- Commissioner Gonzalez: She asked if the compensation would be for the four years. They are talking about getting it back in four years if nothing happens.
- Cindy Norris: She clarified that it is if it is constructed.
- Commissioner Gonzalez: She confirmed that it is if the project is carried out. She also asked if the City does not feel that four years is sufficient.
- Robert MacNicholl: He stated that Staff is feeling real uncertainty about the development schedule in the Spring Lake area and a lot of the funding that will be needed for this project will be dependant upon how quickly that development occurs. It does not seem appropriate to Staff to put up front, without knowing about development ahead of time, a constraint on the City that we can not effectuate. We have a requirement and a specific plan to the north and a specific plan to the south that we need to connect with a bike path throughout the community. He said that it doesn't make any sense to place this arbitrary time limitation on the proposal.
- Commissioner Wurzel: He said that he wished to add to Commissioner Gonzalez's comments. He stated that after the four years, even when vacated, there would be no compensation. We would have paid for the easement, did not use it in four years and then they get the land back. He asked if there would be money returned when they get the easement back. He said that this is the confusion for him. He asked if this might be a question for the applicant, to propose an alternative.

- Liz Houck: She said that it is reserved for four years and if the City takes it within that time, then we would compensate them for it.
- Commissioner Spesert: He stated that other than the four-year issue, the compensation intrigues him. He was referring to the letter from the school district and indicated that there are a couple sentences in the letter that he wanted Staff's feedback on. He said that it might be more of a legal question. The sentence basically says that the City would have compensated the district for this dedication to the City and then it sites the education code. It states that the City would still be obligated to compensate the new owners if the City wishes to have this overpass constructed in the future. He then stated that the school district has a legal opportunity for the City to provide compensation for that piece of property. He asked if we have looked at the legal impacts if this property is transferred. He asked if the City would be bound to that commitment to the school district.
- Robert MacNicholl: He stated that he did not know.
- Commissioner Spesert: He stated that this is a significant issue.
- Robert MacNicholl: He said that he is not the City Attorney and therefore is not in a position to comment.
- Commissioner Spesert: He asked if the City Attorney has reviewed this issue.
- Robert MacNicholl: He stated that Staff has not yet had the City Attorney look at that letter, as the letter was just received.
- Commissioner Dote: She asked if the dedication of the land and the land swap in Spring Lake is for one of the already programmed school sites or is it for another site. She said that there were three sites in the Spring Lake Master Plan that were dedicated for elementary schools.
- Cindy Norris: She confirmed that it would be for one of the school sites that were previously planned.
- Commissioner Dote: She confirmed that we are not changing those sites.
- Robert MacNicholl: He stated that she is correct.
- Commissioner Gonzalez: He asked if fees on this project were negotiated and if this is this typical. She questioned if there are set fees. She is amazed that the fees were negotiated, as she would expect that the City would have set fees.
- Robert MacNicholl: He said that in this case there was a dispute between parties as to which fees were applicable and what would be appropriate. There was a three-way discussion as well that included the school district, the developer and the City. He stated that neither he, nor any other Staff at tonight's meeting, was a party to those negotiations. He said that he does not know the specifics of the meeting but does know that a decision was made and all three parties agreed that these negotiations reflected a fair apportionment for fees. He said that we see this reflected in the Agreement.
- Commissioner Gonzalez: She again asked if that is typical.
- Robert MacNicholl; He said that it is not typical but it does occur and has been done before.

- Commissioner Gonzalez: She asked if it is an accurate assumption that these fees are not what would be normally scheduled fees.
- Cindy Norris: She said that these fees are not what would have been employed if another developer not associated with this school district had come in to develop this site.
- Robert MacNicholl: He confirmed that typically a developer would be charged those fees currently in effect. In this case, there is a blending of some of those fees. Some of the fees reflect current levels and others don't, but reflect fees charged some time ago.
- Commissioner Dote: She said that she just heard that there was a three-way negotiation, including the developer, the school district and then she asked who the third party was.
- Robert MacNicholl: He said that it was the City.
- Commissioner Dote: She asked who was there from the City as he stated that it was not him, nor any Staff present.
- Robert MacNicholl: He clarified that he was not a party to the negotiation and did not know all parties to the negotiations.
- Commissioner Dote: She asked who represented the City.
- Robert MacNicholl: He said that he believed it was Barry Munowitch and the City Manger who were involved for the City. He did not mean to imply that it was someone that he did not know. He just could not speak to why the negotiated terms ended up as they are, as he was not a party to the negotiations.

PUBLIC COMMENT

- Commissioner Sanders: He invited the Applicant to come forward and make comment.
- Tom Lumbrazo, Gibson Ogden Partners: He thanked the Commission and apologized for the confusion over the map and site plan for the landing that he provided to the Commissioners during their meetings. He said that he did not have the updated version at the time. He said that they have changed it from a corkscrew to a landing, which is preferable. Since the first Planning Commission meeting some months ago, they have responded to three things that were requested. First, they have increased density by going from 75 to 88 units. You also requested a variety of mix in the housing product and now they have varying lot sizes and several unit types and more of an affordable product along the Bel Air side. Finally, you wanted to see the over crossing shown on the plan, and that has been done. In meeting with some of the Commissioners last week, there were questions that he wanted to address. One is the main street coming off of Brannigan. That is 14-feet wide. There would be a 20-foot travel lane, 14-foot landscaping with trees in it, a 14-foot travel lane and then walking paths on both sides. Also, there was a question about how much land would need to be dedicated for the landing area. There is close to 24,000 square feet. He then wanted to discuss the Conditions. He said that Cindy was right that they have come to an agreement about the affordable housing. They had been concerned about locking into the

conditions at the time and the affordable housing issue. An agreement was reached today. It would say on this map that the conditions about affordable housing with the approval of this project tonight would stand, without any amendments to the ordinance. That in mind, they are willing to waive the Vesting Tentative Map issue. If the City were to go forward with a Public Works Standard change, they would be subject to that. For example, if the pipe sizes change or something like that. We were concerned about the affordable housing issue as this project is designed to be efficient and successful in a time when we have a down market. They are working very hard with the school district and the City to make this happen. They are interested in getting this elementary school started in Spring Lake. The school district wants to move from this site to Spring Lake and this project makes that happen. He then reviewed the second condition regarding the dedication of the land for the landing for the over crossing and the space around the landing. He read that the City requests the dedication within four years of the land exchange and if the City does not request the land within the four years, the condition for the dedication shall expire. We feel that we should not be dragging this on forever. This has been planned for a long time, about 15 years. He said that there needs to be progress in getting this done. We are setting aside lots that can not then be built for at least four years. He is concerned about having someone build this project, then walk away for ten years, and then come back to build the final lots. He said that there needs to be some reasonable solution to time and the developers have picked four years. He said that they are requesting a reasonable condition that he read that would tie the timeframe down to four years. He asked for the Commissioner support in setting some kind of timeframe. He then discussed the last condition regarding compensation for land dedication at fair market value after an appraisal is conducted. He said that Staff had likened this dedication to a street dedication and he feels that it is not. He said that the streets that they have to dedicate, they are dedicating out right, but this is about a regional facility. It is about carrying traffic back and forth throughout the community. He said that this project benefits the whole community and in such cases, the whole community pays. He said that the City represents the community and the land should be paid for at fair market value.

- Commissioner Wurzel: He said that in addition to the map, the Applicant is requesting a PD zoning designation. So, essentially we are waiving a number of City standards with the set backs, etc. and we are allowing a more dense development. He asked the Applicant how he would respond to the issue of allowing a more dense development and narrower streets on this land for the landing as a swap for less dedication for the streets. In exchange for the PD zoning, they are giving us the land for the landing. If this development did not include the bike landing, you would yeald less density.
- Tom Lumbrazo: His response was that it is not that clearly black and white. He said that when they first came to Commission, they had 75 fairly standard sided lots with little variation from the standards. Then the Planning Commission asked to go back and make changes to add more lots and put the

landing in. He said that they did not want to put the over crossing in as it effects the privacy of all the lots that it crosses over. He said that they do get more lots but the value of those lots is significantly discounted because they will be much more difficult to sell. He stated that it is not an equal proposition. He said that they do get more lots but they do not compensate for all the lots that are effected by the over crossing.

- Commissioner Spesert: He asked the Applicant if he could answer any of the issues that he raised earlier about the school district's letter and their claims that the City is responsible for compensating the district and the developer.
- Dr. Jacki Cottingim, WJUSD Superintendent: She said that they are most concerned about preserving the money for the school. If they are not compensated for the landing that is being taken out of the property that is owned by the school district at this time, that is money that they will not have to build their school. She said that if they retain ownership of that piece of property, the City would have to compensate them. One of the alternatives is to leave that piece of property in the hands of the school district so that the issue of the land going to the developer would be mute. They have not yet received a legal determination if the compensation would transfer to the developer. In order to not receive a decrease in the value of the property in the exchange, the school district would then hold onto that piece of property and require compensation for it when it is taken by the City. She is unsure if it transfers but at any rate, there would be compensation required.
- Commissioner Spesert: He stated that their letter implies that there would be a transfer from the school district.
- Dr. Jacki Cottingim: She said that this would be their preference. She said that they are not developers and do not want to get stuck with a piece of property.
- Commissioner Spesert: He said that they site Education Code in the letter.
- Dr. Jacki Cottingim: She said that they know that they need compensation.
- Commissioner Spesert: He asked if in the Education Code there is a requirement that the City compensate the school district.
- Dr. Jacki Cottingim: She confirmed that this is correct.
- Commissioner Wurzel; He restated that there is an assignment of the compensation.
- Dr. Jacki Cottingim: She said that this is what she would ask for support for, that the school district does not suffer. When they trade the properties, it is the valuation that they are trading.
- Commissioner Spesert: He said that he understands but if there is no transfer of that duty of compensation from the district to the developer, then he would think that the City would not recognize that.
- Dr. Jacki Cottingim: She said that it would be one of the options and that is why one option is for the school district to retain ownership of that property, which would become cumbersome for both the City and the school district.
- Bruce Pollard: He wanted to clarify that there is just a single piece or property here with a tentative map on it, so without a mapping process that is separate from this that property can not be parceled out and retained.

- Dr. Jacki Cottingim: She confirmed that this is correct and the whole project could go up.
- Bruce Pollard: He continued by saying that they would have to come to the Commission with a separate map at that time, which may or may not have conditions.
- Commissioner Spesert: He asked if the piece of property where they want to put the landing would have to be pulled out, if the district decided to maintain it.
- Bruce Pollard: He said that they would have to have a separate map application to do that, which would have its own conditions on that map.
- Dr. Jacki Cottingim: She said that this would hold the process up and this is why they are asking for the exception. She said that what the school district is trying to do is retain funds for the children and our schools. She explained that this is their interest in this. They are not interested in making more money for a developer or anything else. She said that the money that would come in from the trade would go directly into the school's coffers to pay for the elementary school, for the benefit of the children.
- Commissioner Spesert: He asked if the district talked to legal council about the question of whether or not the City is to compensate the district if it transfers to the developer.
- Dr. Jacki Cottingim: She said that she did not ask for that but instead asked for the exception. She said that she would have thought that the City Attorney would have looked at this.
- Commissioner Sanders: He asked for clarification from Dr. Jacki Cottingim about two things she said tonight. First, if we do not grant this exception then the school district will retain possession of the 24,000 square feet as option one. Secondly, if the Commission does not grant the exception then the whole deal will fall through. He asked which one it is.
- Dr. Jacki Cottingim: She said that she did not know.
- Commissioner Sanders: He then said that to carry that line of thought out, if the Commission does not grant the exception then this project will not go through and the district will not get the school built. He said that he feels that they are being held hostage for 24,000 square feet.
- Dr. Jacki Cottingim: She said that she in not trying to hold anyone hostage for anything. Instead, she is trying to explain that they are trying to preserve. If the City were to take the land from the school district and if the school were to be built at Ogden and Brannigan, which most agree is not a good site for it and a better site would be in Spring Lake. She is saying that if they were to retain that property then the City would have to compensate the district for it if they built the school there. There are other issues concerning an over crossing that looks down into an elementary school. She explained that right now that property has value and a value to the district. If they were to lose that property, they also lose the compensation for that piece of property. In essence, they would be giving that away. She says that she does not have the authority to make a decision one way or another. She said that she is just staff who would make a recommendation to her Board.

- Commissioner Murray: She said that it is her understanding that there is a property A and a property B and that they would exchange these.
- Dr. Jacki Cottingim: She said that they would like to.
- Commissioner Murray: She said that is the idea, is that they would exchange and then they would build a school down in the Spring Lake area. She said that she finds it difficult to understand that the district would take a corner out of the land that they exchanged and say it is theirs.
- Dr. Jacki Cottingim: She explained that they have not exchanged property yet.
- Commissioner Murray: She asked if they are discussing the process of doing that exchange.
- Dr. Jacki Cottingim: She confirmed that they are trying to do this if the development is accepted and the conditions are favorable. She said that this is exactly what they want to do.
- Commissioner Murray: She said that it seems to her that it is making a deal and then taking part of it back.
- Dr. Jacki Cottingim: She said that they do not actually want the corner of the property but they just want to be compensated for it.
- Commissioner Murray: Again, she explained that she does not understand how there could be a fair and equal trade and then the district take a corner back and ask for compensation for it. She asked if they are not being compensated equally for the trade of land.
- Dr. Jacki Cottingim: She said that she understands what the Commissioner is asking but asked Mr. Scott Sheldon to speak to this issue. Mr. Sheldon is the district's real estate consultant and he is the one working on this land trade which are not equal values exactly.
- Scott Sheldon, Premier Commercial: He said that he does represent WJUSD in some of their real estate transactions, this being one of them. The general transaction that was put together for the developer was a trade of this particular piece of property for another piece of property in the Spring Lake. In terms of relative land values, they went through an appraisal of this property as well as the Russell Ranch property to put this exchange together. The Russell Ranch property was a little bit smaller property by about one acre. He said that relative exchange values came back that the Russell Ranch people would owe the district a few hundred thousand dollars more but it was all predicated on an equal trade of land. He said that in the formula for the land trade if they were to transfer less to the district then they would get more value but they do not need that. Instead, they need ten more acres. If they were on the other side of that and could take some land from Gibson-Ogden then the district's land is worth less money so they would end up paying money. He said that the economics are that the district will not have all the land value to trade into the other property; therefore they will get less money.
- Commissioner Wurzel: He asked Staff if there is within the SLIF fees cost for land for the bike cross over project so that if the City ends up having to compensate the school district for the property or the land owner is there money to do that.

- Bruce Pollard: He said that he was not aware of it being included. He also added a technical comment that if we have a tentative map with a condition that says that you shall dedicate this land. Then in the future, if we parcel that land out to a new property owner and it can no longer be dedicated, then you can not final the map because they can not fulfill all of the conditions unless they go back and amend the map conditions on the original final tentative map.
- Commissioner Dote: She asked if this is the original map.
- Bruce Pollard: He confirmed that this is the original tentative map we are looking at approving tonight. He explained that if the condition says that they must dedicate the land, then they must fulfill all conditions to get a final map. Subsequently, if that land is parceled out and given to someone else who then wants compensation, then this map can not final unless they go back and amend the conditions and come back.
- Commissioner Dote: She asked if the Applicant felt that four years was reasonable for construction, considering that the project is not in the Capital Budget.
- Tom Lumbrazo: He said that their issue is that they are trying to stimulate the City to move on this project, as it is in their plans and they have collected the fees. He then asked how long they should wait, ten or twenty years. He said that there has to be an agreement on timing and they have chosen four years because it is what they are willing to live with and not willing to live with much more.
- Commissioner Dote: She asked if compensation is based on fair market value and what that would be based on. She asked what it would be; if you could build homes on it or if you are putting an over cross landing on it.
- Tom Lumbrazo: He said that they would have an appraiser look at it regardless of the overpass landing. He said that it would be based on what the property could be used for and in this case it would be building more homes on it.
- Commissioner Dote: She stated that 24,000 square feet is almost six lots.
- Dave Taramino, Gibson Ogden Partners: He wished to provide further clarification about the area of the landing. He said that the furthest most lot to the western side plus two others are essentially made unbuildable under the current plan. But, they have to be built because the street has to get connected on either side. So, essentially they have to improve these two lots and they could sit there for a very long time. He said that in a typical situation, the landing is a regional facility and not like a street in front of the project. The City would acquire the land, they would hold onto it and they would do with it what they wanted over whatever length of time. He said that he believes that the City should acquire the three lots and landing area and hold onto it for whatever length of time they need to. He said that on the south side there are funds to acquire land from a government agency. He said that the college would get compensated. They would not dedicate the land, so the fees are being collected to compensate the college. He feels that if it is OK on the south side than it should be OK on the north side. He said that they want to at

least bring a closure to when this will happen. It is a major facility and there is a great impact. He said that the houses to the west are concerned about when this project will be developed and what it will mean to them as a homeowner. He asked, if not four years then when.

- Cindy Norris: She wished to make a point of clarification. She said that Staff would question the developability of the three lots with the conditions as they have been added. The intent was that those three lots could be developed and then that land could be vacated to those lots upon completion.
- Dr. Jacki Cottingim: She thanked the Planning Commission, City Council and developers for everyone working together to try to do what is best for the children in the community and the community as a whole.
- Commissioner Wurzel: He said that this one is very tough and his biggest challenge is trying to wrap his arms around all the nuances and details within one week of seeing the staff report. On the one hand, what if the school district never bought the land. He asked how could Staff, when they programmed the fee, even consider it. It was privately held land and it would just be a dedication so how do you program in land costs. On the other hand, the community college has been there for some time so you could plan a fee. He asked how we would even come up with the fee. Then he asked the question if the project would ever go forward. He said that we want it and it is part of a bike system, part of a master plan, part of the General Plan, and part of two Specific Plans, but sometimes infrastructure is hard to finance. He said that he does not yet know where he sits on this and was interested to hear other Commissioners comments first. He thinks that the four years is unrealistic. He said that we do a Capital Budget on five years typically and this is not yet programmed, so that does not make a lot of sense. He said that he does not have a position on it and that more time would be useful, but that may not be feasible as there has already been so much time spent on it.
- Commissioner Sanders: He agreed with Commissioner Wurzel that this is a difficult situation. He said that there is no doubt that they want to see the school get built. He feels that he has a gun to his head over the 24,000 square feet and he is uncomfortable with it. He said that Commissioner Spesert raises an excellent point about the transferability of the compensation requirement of the Education Code. First, he would like that question answered and the only person that can answer this is the City Attorney. Secondly is their long-term responsibility towards the City. If we don't dedicate the land to build the bike lane, which is part of our bike master plan and part of our desire to improve the community, that opportunity is lost forever. He feels that it will probably not be built in four years. So if we choose to agree to the four years then we choose, in essence, to say that we will not build it. He thinks that in the current fiscal situation that California is in, we may not likely be able to build it. He said that in deciding to agree to the four years, they are also deciding whether to build the bike over crossing or not. He struggles with if they need the overpass. He said that they are tasked with being the visionaries for how they want the City to grow, look and function. He is uncomfortable with pulling back every time there is a cost

involved as there is always a cost involved. He said that if he had to vote now, he is not in favor of the four years. It ties the City and says that we are not planning to do it. His preference would be to continue this item until they receive an opinion from the City Attorney. He said this is the responsible thing to do, as he will not vote to bind the City financially and might not be legal.

- Commissioner Dote: She said that they need to aggregate the two questions. The first question about the compensation and, secondly, are we going to build the project. If there is no north landing pad for it then it will not be built. This is not a new project and has been around since the mid-90s. She remembers making comment in the Gibson Ranch plan and the Spring Lake plan. This allows connectivity not just for the students but for the community and links the north and south sides of Gibson safely. She did not realize that it was not in the Capital Project plan. They four years is now a big issue to her and so she concurs that they need to understand the compensation issue first.
- Commissioner Wurzel: He asked if they could hypothetically look at assign the land and if the City could pay the developer. He asked Mr. Sheldon, if the dedication was forever then wouldn't the land value would be impacted and there wold not be as much value in the land. If there was a dedication there and it did not expire in four years, there would presumably be diminishment of value in the four years.
- Scott Sheldon: If the district or the developer would dedicate the land, the market would view it like an easement. He said that you couldn't build on an easement so there would be a lesser value. He said that there would also be a collateral lesser value. He thinks there is and the developer recognizes that on the surrounding properties.
- Commissioner Wurzel: He said that this answers his question that there would be a diminishment in value. He said that there might be a compromised position where they would pay for the land but we keep that easement there. That could be a compromised position where the land value is impacted because the City is able to keep that land value there. That would be a "no" on their condition number two but a "yes" on condition number three. Presumably they would have to pay less because they got the easement forever. He said that is only if Commissioner Spesert's question was answered that they could pay that.
- Commissioner Murray: She said she agrees with the idea of continuing this issue at least until they get a voice in what the legalities are. She feels that they do not yet understand all of the ramifications and that needs to be clarified before they vote for anything. She feels that the Commission has raised a lot of very good questions that need answers.
- Commissioner Gonzalez: She agrees with the delay. She said that this reminder her of in-lieu fees where we collect money and then wait around until eternity to get to it. She feels that the people in the City that makes these decisions are not working within the same timeframe as those people that are actually putting the money down on property. She feels that if she is going to buy a piece of property, she would need to be able to move on it if she is

going to make a living on it or make money on it. Like in-lieu fees, there is a portion that just says to pay in and then we will get around to it. She said that there is an urgency in our lives to make things happen or step away and reduce our loses. As said by Staff earlier, this is a project that has been around forever but we are not planning for it. Essentially, if the money is not there and we are not planning for it then it will not happen. She said that this needs to be a reality and they need to work toward the vision.

- Robert MacNicholl: He said that he has a simplistic approach towards this and that is that if they do not do the planning and try to effectuate what we have set out to accomplish, the one thing that he is sure of is that it will not happen. This has been planned for in the General Plan, the Specific Plan for the southeast area, the Spring Lake Specific Plan, and the community bike plan. He said that if we start to take that apart on a short-term basis and ignore the long-term intent of those plans, then we would never get there. In his mind, the default position here is if we start piece mealing this and finding ways that we can not somehow afford in the short-run what we set out to do in the long-run, then we are certainly not ever going to accomplish it. He said that is a shame and the community deserves better and deserves to have a bike path system just like Davis, and other communities and even other States. There is no reason that this community should think that we can not do it. Yes, it takes time and money. No, we do not always have information about what that source of funding will be at any given moment. He said that we do have a few sources of revenue that have started to accumulate. For us to now turn around and say that we are not going to follow through and not going to wait until the Spring Lake plan is effectuated to the point where it provides the funding necessary to get this bikeway system put in, is a travesty for this community. We need to simply have a common purpose and one of them has to be that we have an alternative transportation mode in this community. He feels that for us to turn our backs on it now is wrong.
- Commissioner Spesert: He thinks that this has opened a number of emotional views for a lot of people. He echoed Commissioner Gonzalez's about fees. He said that when he bought his home he was told that this overpass would be built. He and his neighbors have been paying their mello roos for fourteen years and it still has not been built. He said that it is a question now of what is good public policy. Do we tell our constituents that we have all these good ideas but we have to waive that against the realities of the time that we live in now? As a public policy issue and as a property owner, it is unfair to take a piece of property from someone today because sometime in the future things will get a little bit brighter and then we can pay for this.
- Robert MacNicholl: He reiterated that this is not new news and this is not a short-term project.
- Commissioner Spesert: He said that they need to weigh good public policy against the vision. He said that they raised a significant issue that needs legal review. He agreed that they need a bike path and this is not the issue. He asked what are the responsibilities to provide this by the City, developers and the school district.

- Dr. Jacki Cottingim: She said that the school district has spent money already and the architect is on hold now. She asked when the Commissioners would come back with a decision.
- Robert MacNicholl: He stated that they would bring back to Planning Commission on March 6th or March 20th at the latest.
- Dr. Jacki Cottingim: She said that the new elementary school was originally to be built in 2008-2009 and now it has been moved to 2009-2010. She said that if a final decision is two months out then she would request that they just approve the four years and then the school district will take it up with City Council.
- Commissioner Dote: She said that it is not a matter of funding but instead of priorities. She provided an example of the bike overpasses in Sacramento. She said that they can move a project if the really want to. She thinks that this is the case here and that the City got side-tracked.
- Commissioner Sanders: He said that they will need to approve, deny or continue this issue tonight. Then, the school district can decide what action they will take next.
- Robert MacNicholl: He confirmed that they can bring this project back to the Planning Commission on March 6th.
- Commissioner Wurzel: He made a recommendation that the Commission continue this item to March 6th and gave direction to Staff to obtain legal review of the letter submitted by WJUSD and further review with the school district and the developer.
- Commissioner Sanders: He requested a motion.

It was moved by Commissioner Wurzel, seconded by Commissioner Dote and unanimously approved, that the Planning Commission recommend continuing the Ogden/Gibson Development Project until the March 6, 2008 Planning Commission meeting.

7. **Crown of Creation Tattoo Studio Conditional Use Permit.** The applicant is requesting approval for a Conditional Use Permit to establish a tattoo and body piercing studio. The subject site is located at 26 Main Street in the General Commercial (C-2) Zone.
APN: 006-021-03.

Applicant/Owner:	Benjamin Jones / Terry Garcia
Environmental Document:	Categorical Exemption
Staff Contact:	Jimmy Stillman, Associate Planner
Recommend Action:	Conditional Approval

DISCUSSION

- Commissioner Wurzel: He asked how many spaces would be added in this parking proposal.

- Jimmy Stillman, Associate Planner: He explained that two spaces would be added for a total of four spaces, including accessibility parking.
- Commissioner Spesert: He asked if there is a rental unit on the top floor of this building.
- Jimmy Stillman: He confirmed that there is a rental unit and rentals in the adjacent buildings.
- Commissioner Spesert: He asked about assigned tenant parking and if the main entrance to the business would be on Main Street.
- Jimmy Stillman: He explained that there is no parking available on Main Street. He said that there would be an entrance on Main Street but the primary entrance would be in the rear of the building.
- Commissioner Gonzalez: She reviewed the parking photo from the presentation again.
- Jimmy Stillman: He corrected his earlier information about the parking spaces by stating that they would be adding one space and three spaces are already dedicated in the rear.
- Commissioner Gonzalez: She stated that she likes the mixed use idea and that it is wanted in these kinds of areas.
- Commissioner Murray: She asked if there would be dedicated parking for the upstairs tenants.
- Jimmy Stillman: He stated that both residents and customers would share the parking.
- Commissioner Spesert: He asked for clarification about assigned tenant parking.
- Jimmy Stillman: He explained that the business would not have a lot of walk-in customers and that most would be by appointment.
- Commissioner Spesert: He asked if one or two of the spaces would be designated tenant parking.
- Jimmy Stillman: He again stated that the parking would be shared and indicated that there would be no parking allowed in the alleyway.
- Commissioner Wurzel: He asked if there would be parking available on Main Street.
- Jimmy Stillman: He said that there is no parking on Main.
- Commissioner Gonzalez: She asked about the Fitness business located nearby and the number of dedicated parking spaces.

PUBLIC COMMENT

- Commissioner Sanders: He asked the Applicant if he is in agreement with the Conditional Use Permit (CUP).
- Ben Jones: He stated that he does agree.
- Commissioner Dote: She asked the Applicant if this is his first business.
- Ben Jones: He said that he has worked in this type of business before but that this is his first chance to own a business.
- Carla Ramstad: She said that she owns the Woodland Carpet Works to the south. She said that this business would have two to four employees. She

also said that the apartment upstairs is a four-bedroom and parking is already cramped there due to tenants and visitors. She said that Main Street Fitness already fills parking in the whole area and other businesses are getting choked out. She said that she is constantly towing away vehicles from her own lot. She has talked with Code Enforcement about abandoned and destroyed cars. She provided photos to the Commission that she has taken to demonstrate her concerns about the current parking issues. She said that she is not against the business and she is pleased that they have cleaned up the lot. She reiterated that she is concerned about where the tenants and their visitors will park.

- Commissioner Gonzalez: She also acknowledged the local Bar and the additional parking due to their customers.
- Bill Kanada: He stated that he owns duplexes in the area for twenty years and that parking has always been a problem. He said that he is required to have 1 ½ parking spaces for each tenant for a total of nine spaces. He said that they can not park on the front street. He also discussed his concerns about not having curbside space for putting out his garbage cans for pick up.
- Glen McLaughlin: He stated that he is the owner of Deep Ink. He said that he is not against another tattoo shop coming to town and that competition is good. He said that his concern is about the safety of the people that this business would be serving. He said that he looked at the layout of the shop and he is concerned about their sterilization practices.
- Commissioner Murray: She asked if the Health Department monitors these issues.
- Glen McLaughlin: He said that they do and that they have already checked out his own shop.
- Commissioner Murray: She asked the Applicant if the Health Department has visited his shop yet.
- Ben Jones: He said that they have not yet visited.
- Jimmy Stillman: He explained that the CUP requires that the Health Department make comments before the Applicant starts renovations if the approval is received.
- Clara Tafoya: She said that she is at 30 Main Street and she has four units. She said that she has to pay to have cars towed from her lot and that there are scary people there.
- Commissioner Gonzalez: She asked if the owner of the property was present.
- Terry Garcia, Property Owner: She agreed that the parking is bad but said that getting a business there would improve things.
- Commissioner Gonzalez: She asked the property owner about the size of the upstairs rental.
- Terry Garcia: She said that three people live in this three-bedroom unit according to her property manager, John Lynch.
- Commissioner Wurzel: He asked what kind of uses are allowed in this building.
- Jimmy Stillman: He stated that this is General Commercial and there is a wide range of uses allowed.

- Commissioner Wurzel: He said that he sympathizes with the property owner and that he favors the project and use.
- Bill Kanada: He requested that the City restrict the number of parking spaces based on the type of business that they have.
- Commissioner Wurzel: He said that he is in full agreement.
- Commissioner Sanders: He explained that the City has standards and that they struggle with the issue of parking.
- Robert MacNicholl: He stated that parking enforcement is a full-time job. He said that they are currently working on downtown requirements and providing a long-term solution. He explained that many other uses could require more parking spaces and that the City ordinance does not address this directly.
- Commissioner Dote: She said that she is concerned about the number of letters that they received about this project and that this is relatively unusual. She said that she is not sure of a good answer for where customers will park.
- Robert MacNicholl: He said that the downtown ordinance will address this.
- Commissioner Dote: She asked about the limits of the downtown parking plan and how far west it will go.
- Robert MacNicholl: He said that it will go to Walnut Street.
- Commissioner Dote: She then said that this area is not in the Specific Plan and would not be addressed.
- Robert MacNicholl: He said that he was not sure about that.
- Commissioner Dote: She again asked where customers would park. She did not question that this should be commercial use. She is wondering if this is the best space for this particular commercial or retail business with a customer base.
- Robert MacNicholl: He questioned if this is being adversely effected by what were previously existing problem.
- Commissioner Murray: She said that she looks at this as the same situation of the last tattoo parlor. She feels that they need to give them a chance. She said that the problem is not what is coming in but what was already there. She recommended City signage or that the Owner post towing /reserved parking signs. She again stated that the project should have a chance.
- Commissioner Gonzalez: She stated that she is a landlord, too. She has property three to four blocks off Main Street. She said that the responsibility is on the landlord. If the landlord is vigilant then they can clean up the property. She said that she knows this from experience. She feels that this is not a prime location and that it is known to be cheap and not the best living situation. She said that there has always been congestion in the alley. She said that this business would not be a big contributor to the problem by adding one to two additional cars. She said that it would be unfair to turn this project down.
- Commissioner Spesert: He reviewed the parking spaces; one dedicated to access, one dedicated to the tenant (or three tenants), and two spaces for the two to four employees. He asked again where the customers would park.

- Jimmy Stillman: He stated that this project should be judged on what the parcel is zoned for and the CUP.
- Commissioner Spesert: He believes that it is not good public policy to throw their hands in the air about the parking issue.
- Jimmy Stillman: He said that it was just published in the Daily Democrat that the Police Department is putting the responsibility on the property owners. He said that they can not fix this issue with a tattoo parlor's CUP.
- Commissioner Spesert: He said that there is an existing parking problem and they would be exasperating the problem by approving this project. He said that they are not to make a situation worse. He said that he is not in favor of this project because it adds to the problem.
- Commissioner Sanders: He said that Commissioner Spesert's points are well taken but that we need more businesses and not vacant spaces. He said that if they do not approve this project, the owner could rent to a business that does not need a CUP and then the Commission would not have a say. He said that he does not have a problem with a tattoo parlor and that this is not the issue. He said that sometime in the past, someone made a mistake and did not look at the parking problems then. He said that parking is a problem on Main Street, from East Street to West Street. He said that they are working to improve west of downtown and improve the City. In his opinion, he sees no reason to deny the CUP.

It was moved by Commissioner Wurzel and seconded by Commissioner Murray that the Planning Commission approves the Conditional Use Permit for Crown of Creation Tattoo and Piercing Studio at 26 Main Street based on the identified findings of fact and subject to the identified conditions of approval, by taking the following actions:

- Confirmation of finding of exemption from the provisions of CEQA. This project is considered categorically exempt, a class one, non-expansion of an existing use. §15301 of the Public Resources Code.
- Determine that the project, as conditioned, is consistent with the General Plan.
- Determine that the project, as conditioned, is consistent with the Zoning Ordinance.
- Approve the Conditional Use Permit allowing a tattoo and body piercing establishment at 26 Main Street in the General Commercial (C-2) Zone.

AYES:	Wurzel; Dote; Murray; Sanders; Gonzalez
NOES:	Spesert
ABSTAINED:	None
ABSENT:	Barzo

NEW BUSINESS: None

OLD BUSINESS:

8. **Woodland Healthcare Public Art**. The applicant is requesting approval for proposed public art in conjunction with an approved Conditional Use Permit Modification to construct a 58,000 square foot medical office building. Subject site (APN 065-120-52, 53 & 54) is located across the street from 1325 Cottonwood Street.

Owner:	CHW-Woodland Healthcare
Staff Contact:	Paul Hanson, AICP, Senior Planner
Recommended Action:	Approval

DISCUSSION

- Commissioner Sanders: He said that he lives close to this and it is a very nice building. He asked if the art would be illuminated at night.
- Jimmy Stillman: He stated that he did not know and invited the artist up to discuss further.

PUBLIC COMMENT

- Mark Abildguard, Artist: He showed the Commission a drawing of the original design. He explained that the final art piece will be made out of steel rods. He said that it would be more organic and curvy then shown in the picture. He then provided the Commission with sample pieces of the rods and blown glass. He said that they would first install the art piece and then look at lighting.
- Commissioner Sanders: He asked if the artwork would be durable.
- Mark Abildguard: He said that they understand that the art is risky but that the pieces are replaceable. He explained that the art will be placed close to the entryway of the building so there would be no casual damage. He said that it will include eight foot span of glass pieces. Also, they have removed the lower branches and raised the base so that there will not be access to the branches.
- Commissioner Murray: She said that there is a four-foot concrete piece at the library and it was still accessible.
- Commissioner Wurzel: He stated that he likes the tree concept.
- Lynn DeSantis, Woodland Healthcare: She stated that they will have twenty-four hour security guards on the campus as well. Also, if there are problems they can change out the glass pieces with metal or other materials.

It was moved by Commissioner Wurzel, seconded by Commissioner Dote and unanimously approved, that the Planning Commission approves the public art proposal for Woodland Healthcare subject to the following findings:

- The public art proposal fulfills the requirements of the Conditional User Permit Modification and the Community Design Standards by incorporating public art into the commercial development and;

- The public art proposal was reviewed by the Woodland Planning Commission.

9. **Reconsideration of Petition for a General Plan Amendment**. Staff is requesting that the Planning Commission reconsider and reverse their previous conditional acceptance of a petition for a General Plan Amendment and Rezoning for North Kentucky Avenue (College Village Project). The proposal is to convert 32.4 acres of Service Commercial (C-3) property into 5.15 acres of Service Commercial (C-3) and 27.26 acres of Low Density Residential (R-8). APN 027-340-25, 26, 31

Applicant/Owner:	Tom Lumbrazo / North Kentucky Partners
Staff Contact:	Paul L. Hanson, AICP, Senior Planner
Recommend Action:	Reverse previous conditional acceptance of the petition

This agenda item had been continued to March 20, 2008.

- Commissioner Gonzalez: She confirmed that her abstention from the minutes was excluding the 2008 minutes.
- Bob MacNicholl: He stated that we are almost done transcribing the past Planning Commission minutes.
- Commissioner Murray: She stated that she appreciates this being done.

There being no further business, the meeting was adjourned at 10:08 PM.

Respectfully submitted,

Barry Munowitch, AICP
Assistant City Manager

ACTION MINUTES
CITY OF WOODLAND
PLANNING COMMISSION
THURSDAY, MARCH 6, 2008

VOTING MEMBERS PRESENT:	Wurzel; Dote; Murray; Sanders; Barzo Gonzalez; Spesert
VOTING MEMBERS ABSENT:	None
STAFF MEMBERS PRESENT:	MacNicholl; Norris; Smith

The meeting was called to order at 7:03 PM.

1. Director's Report:
   a. He reported that at the last Planning Commission meeting the publisher of an article that ranked Woodland the Best Small-City Downtown in the Central Valley was present. He said that this is noteworthy news and we have since added this information and a link to the original article on the City website.
   b. He said that Staff will begin providing the monthly project status report that is typically provided to City Council on a routine basis to the Planning Commission. This is in response to a request of Commissioner Wurzel. He said that Staff does not have the report tonight but will provide it in the Planning Commission packet at the next meeting.
   c. He said that Staff will be holding a Downtown Parking meeting on Thursday, March 13th. This will be a meeting of downtown business owners to further review the Downtown Parking Plan. He said that there have already been a number of meetings with the Chamber and other parties, but Staff wanted to go one step further and include downtown owners. He said that that the notice of the meeting has already gone out. He stated that those comments collected at the meeting will be submitted to Council for their further consideration when this item is heard by them again.

   - Commissioner Sanders: He said that the report that Commissioner Wurzel has requested is great. He said that he used to get it intermittently and it is helpful to them.

2. Approval of Minutes:

   November 16, 2007:

   - Commissioner Sanders: He said that he did read the minutes submitted for approval and they are excellent.
   - Commissioner Gonzalez: She requested that we correct the typo on page 8 of the minutes to indicate "she" rather than "he".

It was moved by Commissioner Wurzel and seconded by Commissioner Dote to approve the Planning Commission meeting minutes of November 16, 2006 as written, with the correction indicated on page 8.

AYES:	Wurzel; Dote; Murray; Sanders; Gonzalez; Spesert
NOES:	None
ABSTAINED:	Barzo
ABSENT:	None

- Commissioner Barzo: He indicated that he was abstaining from the approval of the minutes as he was absent at the March 6th meeting.
- Commissioner Murray: She said that she thought there were additional minutes for approval this evening; November 16, 2006 and February 7, 2008.
- Commissioner Sanders: He said that he only saw this one and asked if there were additional minutes for approval.
- Rachael Smith, CDD Office Manager: She said that she believes those minutes were approved at the last meeting.
- Commissioner Wurzel: He confirmed that these are the only minutes for tonight.

3. Public Comment: This is an opportunity for the public to speak to the Commission on any item other than those listed on the Agenda. The Chairman may impose a time limit on any speaker.
   a. None.

4. Communication – Commission Statements and Requests: This is an opportunity for the Commission members to make comments and announcements to express concerns or to request Commission's consideration of any item a Commission member would like to have discussed at a future Commission meeting.

   - Commissioner Spesert: He said that he received a call from a resident about the City website. He said their first comment was that it is great and he agrees. He really likes the layout of the new City website. He also said that he liked how the staff reports were previously attached to the agendas online and asked if we are no longer doing this.
   - Robert MacNicholl, Planning Manager: He said that we will investigate this issue.
   - Rachael Smith: She said that Staff has begun again to add the staff report link to the Planning Commission agendas, starting with this most recent one and going forward.
   - Commissioner Spesert: He said that this is great news.
   - Commissioner Gonzalez: She asked if the Commissioners will be getting all the documents for the meetings on the computer from now on.
   - Robert MacNicholl: He said that in this particular instance and because of the quick turn-around, Staff decided to go that way. He asked if the Commissioners find it something that they like in addition to the hard copies.

- Commissioner Gonzalez: She said that if it is a couple of pages only, it is not a problem.
- Robert MacNicholl: He then asked if she prefers to receive the packet of documents.
- Commissioner Gonzalez: She said that this attachment had twenty-four pages.
- Robert MacNicholl: He stated that if the Commission does not mind, he requests that they leave it to Staff's discretion. He said that at times it would be most expeditious to get things to them quickly via email, but as a general rule, Staff won't do it.
- Commissioner Barzo: He had no comments or announcements.
- Commissioner Murray: She had no comments or announcements.
- Commissioner Dote: She asked about the downtown parking meeting. She wanted to know if the business owners, building occupants or both were invited to the meeting.
- Robert MacNicholl: He confirmed that there would probably be a little of both present. He said that the area the Downtown Specific Plan covers that was noticed so it is conceivable that both will be attending. He said that there was no attempt to identify with certainty all the lessees of the buildings or who may be using them. He again stated that in theory the meeting will include both.
- Commissioner Dote: She stated that this is good. She also said that one to two times a year in the past, Planning Commission attended a joint meeting with the City Council. She would like them to consider doing this again as the direct interaction is positive.
- Commissioner Sanders: He said this is a good idea and thinks that this was done when there was a large project that required it; like Gateway and the Urban Limit Line. He said that he is always willing to meet with them.
- Robert MacNicholl: He said that he will raise the issue.
- Commissioner Wurzel: He had no comments or announcements.
- Commissioner Sanders: He said that he has a bit of sad news about losing businesses in downtown. He said that he saw the news in the paper. He said that this is sad for us but may be able to attract some people into those vacant spaces.

5. Subcommittee Reports.
   a. None

- Commissioner Sanders: He wanted to recognize that Ann Siprelle, the City Attorney, is present at the meeting tonight. He thanked her for attending the meeting.

OLD BUSINESS:

6. **Gibson-Ogden Development Project, Tentative Map No. 4879.** The applicant is requesting approval for 90 single family lots on 14.47 acres, including the footprint for a future bike-pedestrian overpass landing. The proposal requires a General Plan Amendment from Public Service (PS) to Medium Low Density Residential (MLRD); a Zoning Amendment from Residential Multi-family Density (R-M/PD) to Duplex

Residential (R2/PD); and a Southeast Area Specific Plan Amendment from Medium Density Residential (MDR-20) to Low Density Residential (LDR-7). In addition the application includes proposed Tentative Map #4879 and a Conditional Use Permit for a Planned Development to allow modification from base zoning standards for lot area and dimensions, setbacks, street width and design.

Applicant/Owner:	Gibson/Ogden Investors, Woodland Joint Unified School District
Environmental Document:	Mitigated Negative Declaration
Staff Contact:	Cindy A. Norris, Senior Planner
Recommend Action:	Conditional Approval

DISCUSSION

- Commissioner Wurzel: He asked about landscaping plans for the Lot A area.
- Cindy Norris, Senior Planner: She said that landscaping plans will be reviewed with the overpass design. It will also include the pedestrian pathway and landscaping on Lot A.

PUBLIC COMMENT

- Tom Lumbrazo, Gibson/Ogden Investors: He said that they are happy with the conditions and that they were able to work it out with Staff.
- Commissioner Dote: She noted that one lot is a Habitat for Humanity home.
- Cindy Norris: She reiterated that Staff recommends approval of all of the Conditional Use Permit and not just the two specific conditions discussed tonight.
- Commissioner Dote: She said that she is delighted that this has been resolved and that there is an agreement. She said it is a great example of cooperation.

It was moved by Commissioner Wurzel and seconded by Commissioner Dote and unanimously approved, that the Planning Commission recommends that the City Council take the following actions to approve the Gibson/Ogden Development Project based on the Identified Findings of Fact and subject to the identified Conditions of Approval:

- Approve Resolution __ approving the Mitigated Negative Declaration, including the identified mitigation measures, directing that a Notice of Determination be filed and adopting the Mitigation Monitoring Plan.

- Approve Resolution __ amending the City General Plan land Use Exhibit to change the land use designation for 14.47 acres (APN 027-80-008) from Public Service (PS) to Medium Low Residential Density (MLRD).

- Approve Resolution __, amending the Southeast Area Specific Plan Land Use Exhibit to change the specific plan land use designation for 14.47 acres

from Medium Density Residential (MDR-20) to Low Density Residential at 7 dwelling units per gross acre (LDR-7).

- Approve Ordinance ___, rezoning 14.47 acres (APN 027-80-008) from Multiple Family (R-M/PD) to Duplex Residential Zoning (R-2/PD).

- Approve Tentative Subdivision Map No. 4879, creating 90 lots on 14.47 acres plus dedication for an pedestrian/bike overcrossing, and dedication of public street right-of-way as identified in the Attached Tentative Map.

- Approve a Conditional Use Permit (CUP) for Planned Development (P-D) Overlay that includes modifications to setbacks, lot dimensions, and minimum lot area, street width and design.

There being no further business, the meeting was adjourned at 7:19 PM.

Respectfully submitted,

Barry Munowitch, AICP
Assistant City Manager

ACTION MINUTES
CITY OF WOODLAND
PLANNING COMMISSION
THURSDAY, MARCH 20, 2008

VOTING MEMBERS PRESENT:	Wurzel; Dote; Murray; Sanders; Gonzalez
VOTING MEMBERS ABSENT:	Barzo; Spesert
STAFF MEMBERS PRESENT:	MacNicholl; Hanson; Sokolow; Siprelle (City Attorney)

The meeting was called to order at 7:02 PM.

1. Director's Report:
   - Robert MacNicholl, Planning Manager: He said that tonight he provided to the Commissioners the monthly project status report that was promised at the last meeting. In the future, this report will be included in the mailed packets.
   - Robert MacNicholl: He noted that the Planners Conference is scheduled for next week, March 26th through March 28th, at the Sacramento Convention Center. He confirmed that the following Commissioners are pre-registered: Dote, Wurzel, Sanders and Murray.
   - Commissioner Sanders: He stated that he has been called to jury duty the same days as the conference and should know by Monday if he will still be able to attend.

2. Approval of Minutes:

March 6, 2008:

- Commissioner Dote: She noted a typo on page 3. "He" should be changed to the word "She".

It was moved by Commissioner Wurzel and seconded by Commissioner Murray to approve the Planning Commission meeting minutes of March 6, 2008 as written, and including the above noted correction.

AYES:	Wurzel; Dote; Murray; Sanders; Gonzalez
NOES:	None
ABSTAINED:	None
ABSENT:	Barzo, Spesert

3. Public Comment: This is an opportunity for the public to speak to the Commission on any item other than those listed on the Agenda. The Chairman may impose a time limit on any speaker.
    a. None.

4. Communication – Commission Statements and Requests: This is an opportunity for the Commission members to make comments and announcements to express concerns or to request Commission's consideration of any item a Commission member would like to have discussed at a future Commission meeting.

    - Commissioner Wurzel: He asked Staff for an update on the two community workshops held recently. These were the Downtown Parking and Housing Element meetings. He said that he was only able to attend one of them and would like to know status and next steps.
    - Robert MacNicholl: He said that on the Parking issue, the next step is that Staff will prepare a report based on the comments that were received at that meeting and the other meetings. He said that there have been 3-4 meeting on this issue, including the Chamber. He said that Staff had received a couple comments from the adjoining property owners to the proposed City Center Lofts project. For the most part, he feels that the comments were as expected. He said that at this point Staff is re-drafting the standards to reflect some of the comments received at that hearing as well as the previous City Council meeting. He believes it is scheduled to go back to City Council in April 2008 so the turn-around will be quick.
    - Commissioner Wurzel: He asked about the Housing Element update.
    - Robert MacNicholl: He introduced the new Associate Planner, Dan Sokolow, who comes to us from the City of Winters, where he was previously the Community Development Director.
    - Dan Sokolow, Associate Planner: He said that they did hold the Housing Element workshop back in February 2008. He said that there were two focuses. One was to introduce the project, explain what it is and discuss some of the details. The second was to reach out particularly to service providers to provide input on the Housing Element. Staff did receive two surveys that were returned regarding service needs of two providers. One was a service provider for mentally ill adults stating that they do need additional housing units. The other one was from a retirement community. It was not necessarily affordable housing but could be considered a special needs group. He said that their comments included a need for more assisted living type facilities. The next step is that Staff will incorporate some of that data in the background report of the Housing Element. Staff is assisting the Consultant, Willdan, hired to oversee the project for the City. Staff has been updating a lot of the data, including the number of clients of in-home supportive service in Woodland and the number of SSI recipients in Woodland. Staff has starting looking a little at the housing inventory, which will be one of the more significant aspects of the project. The issue will be quantifying if we can accommodate our regional housing needs allocation within our Housing Element period. He said that we are looking to get a draft out to HCD

(Department of Housing and Community Development) to review and a draft to Legal Services of Northern California. He is hoping to get the Housing Element with revisions to the Planning Commission in May 2008 to review and make a recommendation on it. Then it will go to City Council but it is a very tight schedule. He said that the goal is to get a new Housing Element adopted by City Council before its expiration date of June 30, 2008.

- Commissioner Sanders: He welcomed Dan and thanked him for the report. He said that the City has a proud tradition of having a great Housing Element. He said that a few years ago the City received recognition for it so they are looking forward to it again.
- Commissioner Dote: She noted in Staff's General Plan update that there have been delays due to lack of staffing. She asked for an estimate of what unfulfilled staff needs are within the department.
- Robert MacNicholl: He said that the General Plan update has been bounced back and forth in large part due to recent budget constraints that the City is now facing. He said that he could not give an estimate of when the General Plan update will happen. He said that the focus now is getting the Downtown Specific Plan revised due to pressure Staff is facing regarding downtown development. That should begin in the next several months but he can not give a more specific timeline for the General Plan other than to say that it has been postponed.
- Commissioner Dote: She also stated that she met with the project proponents on agenda item No. 9.
- Commissioner Murray: She said that she also met with Mr. Lumbrazo. She also had another item to discuss that is critical due to timing. She said that she is friends with the President of the Historical Society and the President of the Art Council. She said that they have been working for 2-3 years on trying to establish a cultural center in Woodland. She said that they were promised a building at one time and the City promised them a lot down on Oak and Fifth. The applied for a $250,000 grant to do a site plan on this lot. She said that the house got taken back and then the lot got taken back by the City because the City had other plans for that lot. She said that they have worked long and hard on this project and read an excerpt from their mission statement:

  The Cultural Center project is guided by our mission to promote Yolo County's rich history and unique culture through artistic, educational and social activities and events for individuals of all ages and cultural backgrounds…

- Commissioner Murray: She made a plea to Staff for ways to resolve this issue as time is running out on the grant. She said that if they can not find a site, they will have to give the money back. She stated that other communities around Woodland have offered them sites to put this Cultural Center, but this is the County seat and it seems to be the place where we have something like this located- in Historical Woodland. She said that she would appreciate any help that could be given.
- Commissioner Gonzalez: She wanted to understand why the City made changes to the Affordable Housing and Parking and then more recently have had workshops for

both. She said that it seems backwards and that the workshops should have come before the changes.

- Robert MacNicholl: He explained that Staff first prepared a draft of proposed changes to the ordinance. Then it is forwarded for review and comments to the City Council and Planning Commission. He said that the intent is to gather further input before the changes are finalized and then ultimately adopted by City Council. He said that at this point, the changes are not yet finalized.
- Commissioner Gonzalez: She asked then if the changes are not yet set in stone.
- Robert MacNicholl: He reiterated that Council has not yet adopted the changes.
- Commissioner Gonzalez: She asked then if this would happen after the workshops and elements are put together.
- Robert MacNicholl: He said that he is discussing the Downtown Parking Plan and the Housing Element. Regarding Downtown Parking, Staff has met with a number of organizations and the plan is being finalized in terms of an ordinance, which will then be adopted by City Council.
- Commissioner Wurzel: He clarified that the Commission heard a presentation about the Inclusionary Housing ordinance which is the ordinance that effects how new development will provide Affordable Housing. The workshop was on the Housing Element, which is a comprehensive plan for housing in Woodland. The two are definitely related. The Housing Element is required by law. The Inclusionary Housing affects Affordable Housing.
- Commissioner Gonzalez: She asked if one is a small piece of the other, the Housing Element.
- Robert MacNicholl: He confirmed this and said that the Inclusionary Housing ordinance will be discussed to some extent in the Housing Element.
- Commissioner Wurzel: He stated that the workshop was not about the ordinance, but was about the Housing Element.
- Robert MacNicholl: He apologized and said that he thought her question was about Downtown Parking.
- Commissioner Wurzel: He confirmed that the other topic that Commissioner Gonzalez brought up was about Downtown Parking. He said that the Commissioners received a presentation from Cindy Norris about parking. He said that they did not approve anything but that Cindy presented what those policies where and then subsequently there was a workshop. He said that no changes have been set in stone for Downtown parking yet. Therefore, the Planning Commission discussion was in advance of a public workshop and the cart was not put before the horse in that respect.
- Commissioner Gonzalez: She said that that was what her perception was, not knowing the process.
- Robert MacNicholl: He said that he thought that she was originally asking about the Downtown Parking exclusively. He offered to discuss Inclusionary Housing ordinance further with her following the meeting if she is interested.
- Commissioner Gonzalez: She said that she understands now. She then asked who is responsible for the tree trimming between the Fairgrounds and the Mall along the median.
- Robert MacNicholl: He said that he believes it is the City.

- Commissioner Gonzalez: She said that whoever it is, they are doing a disservice to the trees. They are being cut at 90 degrees possibly so that vehicles will not hit the branches.
- Commissioner Dote: She believes that some of the median maintenance is the responsibility of the Mall, but she is unsure of what side. She said that it could be just along East Street or East and Gibson.
- Robert MacNicholl: He said that some Gibson medians were the responsibility of the Mall and East Street may have been. He said that there has been an issue of that lately because Staff wants the landscaping in that median updated completely. He said that there have been a lot of discussions between Staff and the Developer about that. In regards to the tree trimming, he still feels that may have been the responsibility of the City but he will have to find out.

5. Subcommittee Reports.
   a. None

PUBLIC HEARING

6. **PAYLESS AUTO CARE CONDITIONAL USE PERMIT MODIFICATION.** Request for a Conditional Use Permit Modification to add automotive repair services to an existing automotive dealership (Payless Car Sales) at 317 West Main Street in the General Commercial (C-2) Zone (APN: 005-212-01).

Applicant/Owner:	Rosalin R. Prasad
Environmental Document:	Categorical Exemption
Staff Planner:	Jimmy Stillman, Associate Planner
Recommended Action:	Conditional Approval

This agenda item had been continued to a future date to be determined.

DISCUSSION

- Commissioner Sanders: He asked Staff if the Commission needs to vote on this continuance.
- Robert MacNicholl: He confirmed that no vote is needed and that Staff is fine.

CONTINUED

7. **RECONSIDERATION OF PETITION FOR A GENERAL PLAN AMENDMENT**. Staff is requesting that the Planning Commission reconsider and reverse their previous conditional acceptance of a petition for a General Plan Amendment and Rezoning for North Kentucky Avenue (College Village Project). The proposal is to convert 32.4 acres of Service Commercial (C-3) property into 5.15 acres of Service Commercial (C-3) and 27.26 acres of Low Density Residential (R-8). APN 027-340-25, 26, 31

Applicant/Owner:	Tom Lumbrazo / North Kentucky Partners
Staff Contact:	Paul L. Hanson, AICP, Senior Planner
Recommend Action:	Reverse previous conditional acceptance of the petition

DISCUSSION

- Commissioner Dote: She asked when this property was annexed.
- Paul Hanson, Senior Planner: He believes it was approximately 1995.
- Commissioner Dote: She asked when the General Plan was last updated.
- Paul Hanson: He said it was 2002.
- Commissioner Dote: She asked when the Flood Plain maps were issued.
- Paul Hanson: He said that in 1996 this was recognized as being in the flood zone.
- Commissioner Dote: She asked if they had not yet identified the depths. She wanted to know what is different since December 2006. She asked what is different now.
- Robert MacNicholl: He said that based upon what we know and what we have in the way of maps now, existing setting and limited access. This project, which was considered to be an infill development, he considers to be difficult to justify in terms of an infill development for reasons that were stated in the Staff report. First, it is simply a location that is not meeting defined infill under CEQA. It is evidently a site that has other uses adjoining it that are unlikely to change. These uses are potentially hazardous to an isolated residential area. These issues that are still there and he suspects were there in 2006. They include potential issues of nuisance and harm which are the result of having adjoining areas that are very heavy industrial in character and heavy commercial use as well.
- Commissioner Dote: She said that Trisha Stevens, the Community Development Department Director then, introduced the concept of Greenfield Infill. Those are areas that were annexed within City boundaries should be considered infill projects even though they were not reuse projects and hadn't had reuses on them but were still annexed within City limits. She said there were Brownfield Infill, or reuse, and Greenfield Infill. This project was considered a Greenfield Infill project in 2006, which would have exempted it

from population cap. It also exempted Affordable Housing and Multiple Family from population cap.

- Robert MacNicholl: He said that although they make reference to BUA in this Staff report, BUA is a limitation found within the Spring Lake area. He explained that other choices for this site are superior. Areas in which the City and Development community have committed tremendous resources to make it viable, such as Spring Lake, make more sense from a planning perspective for residential.
- Commissioner Dote: She discussed building unit allocation within Spring Lake. One reason for it was to prevent any overrun of growth cap. The second one was a control and allocation of units to the builders and developers who had actually funded all of the work on the project. They were in the first A and B sections, so it was a fairness thing about who had actually taken the risk in funding all of the Spring Lake Specific Plan for ten years. She explained that there were multiple property owners in there and some participated and some did not. She said it was about being fair about who had taken the risk and funded the money for the Specific Plan. So, there were really two purposes.
- Robert MacNicholl; He confirmed that this information is true.
- Commissioner Wurzel: He reviewed Attachment A in the Staff report. He said that the Staff report indicates that the Planning Commission made a motion to receive the application for a General Plan Amendment on 12/8/06 but the minutes say 2005. He asked for confirmation of the motion date and indicated that the application was submitted close to 2 ½ years ago.
- Robert MacNicholl: He explained that there was some concern by the Commissioners that there needed to be a more comprehensive approach taken if they were to look at this area.
- Commissioner Wurzel: He just wished to make note of the correction to the Staff report, changing the date of December 2005.

PUBLIC COMMENT

- Tom Lumbrazo, North Kentucky Partners: He said that he thinks that Staff wants to see this project killed at this time rather than process it. He thinks that the process is unfair and flawed. He said that they are still waiting and wasting money. He agreed with Commissioner Dote's comments that nothing has changed since then but that they have spent $50,000 on plans in good faith. They have spent $20,000 on the issue of air quality as they hired Sierra Research who reported that there is no air quality problem. He spoke to a number of issues presented by staff. 1) He said that this project is inconsistent with the General Plan but the law allows an amendment of the General Plan for certain cases. 2) He said that Staff indicates that residential surroundings are incompatible but really only on the east side. He questioned the issue of agricultural use surrounding the project and, therefore, they will not be able to approve other projects in the future. He said that there is clearly no impact and it is not fair to single them out, as Centex would also have incompatibility

issues. 3) He explained that mixed-use developments are popular now in the U.S., and include commercial, industrial and residential. He provided an example in Sacramento at the railroad hub. He said that this example is a mixed-use of commercial and residential that is raised above the freeway. He said that he likes this and thinks that it works. 4) He addressed the issue of the residential development being viewed as isolated. He said that this is because Centex bailed out. He said that this project is planned to provide access to the next parcel by use of 5-6 roads. He said that there is connectivity. He said that this area has been annexed for quite some time. 5) He said that their engineers have provided a design solution for the 100 year flood plan. He said that a 1-1 ½ foot fill will correct this problem and that no flood insurance would be needed. He also stated that one-half of Woodland is in the flood plan also. 6) He discussed the issue of absorption and BUAs. He said that this project is 111-115 single family homes and is not a massive project. He said it is fairly minor and he does not see the conflict. 7) He discussed competitive projects in the City, like the senior living at the mall property. He said that there would be lower fees and no BUAs. He said that he would consider it growth management. 8) He addressed the issue of this project not meeting the criteria for Infill within the City. He said that he disagrees with Staff and that 2/3 of the boundaries are not contiguous to development. 9) He discussed growth management and requested that the Planning Commissioners allow them to continue the process and do a full project plan first.

- Commissioner Wurzel: He questioned the Applicant about the flood control issue. He said that the 1-1 ½ feet might meet FEMA requirements for 100 year and asked if it would be possible to meet the 200 year standard.
- Bill Streng, North Kentucky Partners: He explained that it would not be much different to meet the 200 year standard.
- Commissioner Wurzel: He asked if the Applicant would do this.
- Bill Streng: He said yes, that they would do this as it would only take a couple more inches to elevate the land. He then also explained that a large portion of the City is in the flood zone and showed his own map of the City to demonstrate. He also indicated that to address the air quality issue they hired a premier company to research and then Staff waited 6 months to request a peer review, which could have been done during that time. He also discussed the Infill and Annexation issues addressed earlier by Mr. Lumbrazo.
- Commissioner Dote: She asked how wide the buffer is on the railroad line.
- Tom Lumbrazo: He said that it is eighty feet.
- Commissioner Dote: She asked what constitutes the buffer. She asked if it is swale or trees.
- Bill Streng: He said that it is both.

DISCUSSION

- Commissioner Gonzalez: She said that she remembers the event of that meeting. She said the question was ho to set this “triangle” apart when there

is no development east of Kentucky. She asked why they are doing this when better times are coming ahead.

- Commissioner Sanders: He said that he met Bill in his office in 2004 and told him then that he did not like the project. He feels the same now. He believes that the Kentucky area needs a comprehensive plan and not to piece meal it out. He said it is OK to leave the property vacant but does not believe that the project merits justify it. He said he can not speak to the issues about Centex. He does not support residential development along this corridor and does not think the location is suitable due to the isolation. He said that this project does not meet the definition of a mixed-use project. He said that the point is well taken about most of the City in the flood zone. He is concerned that the water will go elsewhere if they raise the ground level. He discussed building unit allocation being not just in Spring Lake. He agrees about promoting Infill but this is not an Infill project. He discussed the issue raised about fairness and indicated that the Planning Commission did not decide the fees for the project next to the Mall. He feels uncomfortable about passing on this project to have the work done and having them spend more money to try and convince the Planning Commission. He said he is not in favor of passing this project on and he sides with Staff about what is in the best interest of the City.
- Commissioner Wurzel: He said that he feels a lot of the same things that Commissioner Sanders does. He confirmed that the Commissioners are not being asked to consider the merits of the project. He said that if it is approved, he is committing Staff resources to consider an application for future rezone. He said this is not a wise investment of Staff resources and City money. He stated that it doesn't seem a wise investment or location for a residence until a comprehensive plan is done. He is not in favor of using more Staff resources on this project.
- Commissioner Murray: She said that she feels bad about the unfairness. She said that in the past she voted no on similar projects. She said that she can not say yes to this Applicant and no to others. She said that the comprehensive plan is far off still. She feels that they were jerked around.
- Commissioner Dote: She said that there is a lot to consider but she is not concerned about residential project on North Kentucky. She said that she liked the project in 2005-2006 and voted for it. She is concerned about why the project has taken so long. She again asked what has changed, the flood zone and the Master Plan. She identified that the annexation was approved so it was seen as developable. She said that she went out and looked at the location. She measured one-third mile to industrial. She does not think that the industrial uses are a great impact as not heavy industrial. She is also concerned about the fairness issue. She said that she would vote to let the process continue as no compelling new issues were identified.
- Commissioner Gonzalez: She said she wanted to stand up for Staff and say that when this project was discussed last, Staff told the Applicant that this was not a commitment. She said that Staff advised that they may need to spend some money and it was a gamble.

- Commissioner Dote: She again said that she is concerned about the time it has taken.
- Commissioner Gonzalez: She remembers that there were lots of discussions and arguments about not piece mealing this out.
- Commissioner Murray: She said that the original plan was to be just a business park and not residential.
- Bill Streng: He said in 1995 they requested to rezone to residential.
- Commissioner Dote: She asked what uses are allowed.
- Robert MacNicholl: He said it would allow a business park, heavy commercial, offices, and incubator facilities. He said that he has had discussions with the Applicant and that he finds no pleasure in this recommendation. He said that Staff has an obligation to guide these planning projects and what would benefit the City. He addressed the issue of what has changed. He said that the market has changed and that it is about choices. He said that Bill and the City are committed to Spring Lake and that it needs to come to a positive fruition. He said that even if this is a small project, the location has problems; it is remote and less desirable as a residential setting. He stated that Bill should not spend more time and money on a project that has so many negatives that it does not warrant the effort. He said that Staff thinks that this recommendation is sound.
- Bill Streng: He asked if he heard correctly that Commissioner Murray said that if he comes back with an application for a project that it is properly zoned for, that it would be turned down, too.
- Commissioner Sanders: He said no, it is not her position.
- Commissioner Murray: She said that she could not state that because she does not know what the City is going to do and Staff does not want building in this region. She said it puts the Commissioners in a position that limits what they can say.
- Bill Streng: He asked if he then can not do anything until Knaggs develops, no matter what it is.
- Robert MacNicholl: He confirmed that this is not what Staff is saying. This area is currently zoned for Service Commercial. He said that he knows that Bill has tried for years to find a successful development in Service Commercial. He said that he thinks that residential development is more problematic than Service Commercial. He said that staff is willing to work with him to come up something. He stated that there are constraints to this site that, regardless of the type of development, for example there are other issues that need to be addressed like flooding. In regards to the issues of nuisance and potential harm, it makes more sense to have something as a buffer and a less susceptible type of development than residential. He said that without knowing specifically what is being proposed, he could not advise how they would end up reacting to it.
- Ann Siprelle: She said that if the Developer is going to propose a use that is consistent with the General Plan and zoning then they would be coming in with something like a tentative map application, in which the Planning Commission has far less discretion to deny.

- Commissioner Murray: She acknowledged that the Applicant has been in our community for a long time and has done good things, and so she feels bad when he feels bad. Therefore, she hopes we can resolve something so that he can realize some benefit from his property ownership, and not have to wait thirty years.
- Bill Streng: He said that he hopes that we can all live that long.
- Commissioner Dote: She asked for clarification that if this is not an infill or residential site and the Applicant brings in another proposal, these conditions will not restrict it, as long as it is not a residential proposal. She wanted clarification that it does not indicate that he can not do anything until Spring Lake is completed.
- Commissioner Wurzel: He confirmed that they are rejecting this previous application and no other applications are presumed by this motion.
- Ann Siprelle: She clarified that this motion is rejecting only this General Plan Amendment and rezoning petition.

It was moved by Commissioner Wurzel and seconded by Commissioner Murray that the Planning Commission rejects the previous acceptance of the North Kentucky Partners General Plan Amendment and Rezone petition for further processing by the Planning Commission subject to the following findings and conditions:

- The amendments proposed by the petition are considered inconsistent with City's General Plan and accepted residential planning principles.
- The proposal is not considered an "infill" residential development under CEQA definition, and should be required to wait until the Spring Lake Specific Plan has completed its development.
- The proposal does not meet the Commission requirement "That the project shall be considered only with the encouragement of the inclusion properties directly south."

AYES:	Wurzel; Murray; Sanders; Gonzalez
NOES:	Dote
ABSTAINED:	None
ABSENT:	Barzo, Spesert

- Commissioner Sanders: He said that he is sorry but knows that they will see this Applicant again.

NEW BUSINESS:

8. **GENERAL PLAN ANNUAL REPORT**

Staff Contact: Dan Sokolow, Associate Planner
Recommended Action: Review

DISCUSSION

- Commissioner Murray: She asked about the governmental constraints mentioned on page 2.
- Dan Sokolow, Associate Planner: He explained that the Compliance Bonus Density Plan is part of the Housing Element update.
- Commissioner Gonzalez: She wanted to know what the rewards or punishments were with regards to the 58% met of goal given the allocation.
- Dan Sokolow: There are a number of grants and loan programs that the State offers that you have to have a housing element compliance or conditional compliance in order to be eligible for. There is a particular award that he believes the City has received twice called the Workforce Housing Grant Award, which is based on income-restricted units at the low and very low level. A portion of the funds received from that grant will go towards the Casa Del Sol Project. The funds could have conceivably have been spent on purchasing vehicles for their fleet, fire equipment, etc., but chose to give the money to developers for low income housing.
- Commissioner Gonzalez: She asked with the current housing market has the allocations been readjusted.
- Dan Sokolow: That's correct, it is significantly lower
- Commissioner Gonzalez: So, actually we can in a lot closer.
- Dan Sokolow: The housing need overall may not have been as acute. The allocation is not a production number although it appears so. It is essentially looking at the zoning, density and the City's track record in terms of assisting affordable housing projects and Woodland has a very good record.
- Commissioner Gonzalez: She wanted to know what is going on with Casa Del Sol.
- Dan Sokolow: He's not sure of the status other than it is still an active project. He will check with Redevelopment, since it is their project.
- Commissioner Murray: She asked if it was Federal money.
- Dan Sokolow: HOME is Federal money; Community Design is probably Federal funds as well.
- Commissioner Wurzel: CDBG is a Federal program but at some point it is administered by the State.
- Dan Sokolow: Woodland is an entitlement City, so we get an annual allocation.
- Ann Siprelle: There is a significant legal benefit to having an approved Housing Element. If it has been approved by HCD and someone challenges it in court then there is a presumption that it is valid.
- Commissioner Gonzalez: So they would have to sue the City in order for that to be brought up.

- Commissioner Dote: She wanted to clarify that the 27 acre Gateway Revitalization area is the rail yard area.
- Dan Sokolow: He stated that it was Armfield.
- Commissioner Dote: Is it Armfield or the rail on East St?
- Dan Sokolow: He agrees that it is the rail.
- Commissioner Dote: Is the rail ever going to relocate their switching yard
- Dan Sokolow: He does not know. Obviously if that area is redeveloped for what we term "highest and best use" there will have to be some changes, but he does not know the technical aspects on it.
- Commissioner Dote: She wanted to congratulate Staff on the Community Design Grant from SACOG for Casa Del Sol. She also asked if the Joint Powers Agency for the Habitat Conservation Plan been adopted yet.
- Dan Sokolow: No it has not. He does not think that the EIR has begun yet. We need to look into permitted activity in terms of future projects in the City that we want coverage under the plan for, but I do not know the timetable.
- Commissioner Dote: She wanted to know if they purchased any mitigation lands yet.
- Dan Sokolow: He stated that they either have funded easements or that they are close to it. He understands that is not a complete answer and he will follow up with Commissioner Dote on that.
- Commissioner Dote: She would appreciate that. Is there a share arrangement with the County on the Transient Occupancy Tax?
- Dan Sokolow: He is not sure if there is a split on that.
- Ann Siprelle: She thinks there is.
- Commissioner Dote: She thinks it has to do with the Redevelopment Agency.
- Ann Siprelle: She thinks it is in connection with the Annexation Agreements.
- Commissioner Sanders: The General Plan is very important to us, it is a major tool and the Commission is behind anything we can do to support it and its components updated and through. The Housing Element is very important, we want to win those awards, it's very important to the people who need those low and moderate income housing.
- Commissioner Dote: She supports Commissioner Sanders' concern with regards to the General Plan update especially as the City is considering adding commercial space. We really need that EIR done.

It was moved by Commissioner Wurzel and seconded by Commissioner Dote that the Planning Commission takes the following actions:

- Accept the General Plan Annual Progress Report required by the State of California; and
- Direct Staff to forward the Report to the City Council for review and subsequently to the Governor's Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD) for filing.

AYES:	Wurzel; Dote; Murray; Sanders; Gonzalez
NOES:	None
ABSTAINED:	None
ABSENT:	Barzo, Spesert

There being no further business, the meeting was adjourned at 8:49 PM.

Respectfully submitted,

Robert MacNicholl
Planning Manager

ACTION MINUTES
CITY OF WOODLAND
PLANNING COMMISSION
THURSDAY, APRIL 3, 2008

VOTING MEMBERS PRESENT:	Wurzel; Dote; Murray; Sanders; Barzo; Spesert
VOTING MEMBERS ABSENT:	Gonzalez
STAFF MEMBERS PRESENT:	MacNicholl; Sokolow

The meeting was called to order at 7:02 PM.

1. Director's Report:

   - Robert MacNicholl, Planning Manager: He said that the Planning Commissioners and Staff had a wonderful time last week at the Planners Institute. He felt that there were a number of outstanding classes and that he enjoyed it and hoped that they found it equally informative. He said that it was a very effected and worthwhile event to attend.
   - Robert MacNicholl: He said that Staff would like to take a photo of the Commissioners either before or just following the next Planning Commission Meeting. He said that Staff invites all Commissioners to attend so that we can get a group photo.
   - Commissioner Murray: She thanked Staff.
   - Commissioner Sanders: He requested an email from Staff in advance of the meeting as a reminder.
   - Robert MacNicholl: He stated that the Planning Commission Chairman made a presentation before the City Council at the last meeting on April 1, 2008. He said that it was a very informative and well received report on the Planning Commission and the events of the last year. He thanked Commissioner Sanders for a good job.

2. Approval of Minutes:
   a. None

3. Public Comment: This is an opportunity for the public to speak to the Commission on any item other than those listed on the Agenda. The Chairman may impose a time limit on any speaker.
   a. None.

4. Communication – Commission Statements and Requests: This is an opportunity for the Commission members to make comments and announcements to express concerns or to request Commission's consideration of any item a Commission member would like to have discussed at a future Commission meeting.

   - Commissioner Sanders: He reminded the Planning Commissioners that if they did not attend the Planners Institute and take advantage of the Ethics course, as he did, the Commissioners will still need to complete the formal course or complete it on the internet. He said that they would receive a note from Sue Vannucci.
   - Commissioner Spesert: He had no comments or announcements.
   - Commissioner Barzo: He asked for an update on the home on Lincoln and Walnut.
   - Robert MacNicholl: He said that he has received a number of calls regarding this property during the last week. He said that the plans have been approved and building permits issued for this home back in December 2007. He said that the property owner has not yet moved forward on this project, but that there is no real recourse. He said that the permits expire after six months and if nothing is done at that time, Staff will need to review and decide what can be done. He said that it appears that there is no interest in moving forward on behalf of the owner.
   - Commissioner Murray: She provided an update on the Cultural Center and the Art Center that she spoke about at the previous Planning Commission meeting. She said that the City has since agreed to give the land at Fifth/Oak and they are going ahead with the site plan.
   - Robert MacNicholl: He said that Dan Sokolow has been assisting with the preparation of a report that is going to City Council.
   - Commissioner Murray: She thanked Staff.
   - Commissioner Dote: She had no comments or announcements.
   - Commissioner Wurzel: He had no comments or announcements.

5. Subcommittee Reports.
   a. None

PUBLIC HEARING

6. **West Wood Subdivision (Unit 2) / Schellinger Homes**
   Staff is requesting that the Planning Commission deny the West Wood Unit II project. The 19.9 acre project proposal is to annex additional 14.9 acres to the City, a General Plan Amendment from Industrial to Low Density Residential, pre-zoning/rezoning to R-1/PD, and subdivision of the property for residential use on the north with continued industrial use on the south. The property would be subdivided into 83 lots comprised of 80 single-family lots and six secondary dwelling units, two industrial lots (Lot A and Lot B), and Lot X for a detention basin to serve both the subject property and existing West Wood Unit 1.

Owner:	Joe Ripple Schellinger Brothers
Staff Contact:	Cindy Norris, Principal Planner
Environmental Document:	Mitigated Negative Declaration
Recommended Action:	Denial

DISCUSSION

- Robert MacNicholl: He said that today the Applicant had verbally requested a continuance of this item. He said that they would also make a formal written request. He said that Applicant is not present tonight, but that the Applicant requested a continuance to allow time to sit-down with Staff to discuss issues as they felt they were not properly represented in the staff report. Therefore, Staff will be setting up a meeting with the applicant and he asked the Planning Commission to continue this matter to a date certain of May 1, 2008. He said that he has spoken with the Applicant who has agreed that May 1st works for him as well. He invited anyone present tonight to come to the meeting on May 1st and appear before the Commission if they have comments. He apologized for not having sufficient time to notify anyone that the continuance had been requested. He advised that Staff will not be re-advertising and that the continuance tonight will be the official public notice of the new date. He said that if the date changes again from May 1st, Staff will then re-notice this item.

It was moved by Commissioner Dote, seconded by Commissioner Wurzel and unanimously carried that the Planning Commission continue the West Wood Subdivision (Unit 2) / Schellinger Homes public hearing to a date certain of May 1, 2008.

- Commissioner Sanders: He apologized to members of the public that were present tonight for this matter.

NEW BUSINESS

7. **Status Report on the 2008 Housing Element**

Staff Contact:	Dan Sokolow, Associate Planner
Recommended Action:	Review

DISCUSSION

- Commissioner Sanders: He said that he set the bar high at the City Council meeting. He said that they want to make sure that we won some awards like we did a year or so ago.
- Commissioner Wurzel: He advised that there was an Affordable Housing Subcommittee that included Commissioner Gonzalez and himself. He asked if there is any planned coordination between that Subcommittee and Staff.

- Dan Sokolow, Associate Planner: He said that Staff could certainly coordinate this. He said that once the draft is completed they could have the Subcommittee take a look at it. He said that he would hesitate having it go to the full Planning Commission until there is a formal review of HCD and Legal Service of Northern California and an opportunity for their input.
- Commissioner Wurzel: He requested Staff then allow ample time for the Subcommittee to go through the review process.
- Commissioner Murray: She asked about the status and progress with Casa del Sol as it has been up in the air for a number of years.
- Dan Sokolow: He said that Commissioner Gonzalez asked about this at the last Planning Commission meeting. He said that he had checked with the Redevelopment Agency and emailed her back with status. He said that they are expecting to close in a couple months. He said that it is tenuous because it is a difficult project. He asked the Commission if it is OK to share his previous email to Commissioner Gonzalez with all the Commissioners. He also advised that at the next meeting he would include a short informational agenda item on the status. He said that Staff noted in the General Plan status report at the last meeting that in 2006 the City did receive a Community Design Grant from SACOG to provide funding. He said that the amount was approximately $400,000 to $500,000 to provide funding for streetscape infrastructure for the project. He said that it is a complicated project with more than one funding source. He said that Commissioner Gonzalez indicated at the last meeting that this is a challenged site and encouraged Staff to move forward as soon as possible on the project.
- Commissioner Dote: She asked what is meant by "close" and if it is referring to the purchase of the property.
- Dan Sokolow: He specified that close was in reference to the financing that is necessary. He believes that HCD or HUD is involved and is a major player in this project. He also believes that the City or Community Housing Opportunity Corporation (CHOC) has site control.
- Commission Dote: She asked if this is for the two mobile home parks. She said that they were originally going to purchase three mobile home parks but ended up with only two.
- Dan Sokolow: He said that it would be about 162 units.
- Commissioner Sanders: He confirmed that the Commission does not need to take any action but instead just receive the report.

There being no further business, the meeting was adjourned at 7:17 PM.

Respectfully submitted,

Barry Munowitch, AICP
Assistant City Manager

ACTION MINUTES
CITY OF WOODLAND
PLANNING COMMISSION
THURSDAY, APRIL 17, 2008

VOTING MEMBERS PRESENT:	Wurzel; Dote; Murray; Sanders; Barzo; Gonzalez; Spesert
VOTING MEMBERS ABSENT:	None
STAFF MEMBERS PRESENT:	MacNicholl; Stillman; Pollard

The meeting was called to order at 7:03 PM.

1. Director's Report:

   - Robert MacNicholl, Planning Manager: He said that he noted "Casa Del Sol" on the agenda as a reminder to confirm that the Commissioners all received the email from Associate Planner Dan Sokolow with the update.
   - Commissioner Sanders: He confirmed that they did receive it,
   - Robert MacNicholl: He said that he had no other items to report at this time.

2. Approval of Minutes:

   March 20, 2008:

   It was moved by Commissioner Dote and seconded by Commissioner Murray to approve the Planning Commission meeting minutes of March 20, 2008 as written.

AYES:	Wurzel; Dote; Murray; Sanders; Gonzalez
NOES:	None
ABSTAINED:	Barzo; Spesert
ABSENT:	None

   April 3, 2008:

   It was moved by Commissioner Dote and seconded by Commissioner Murray to approve the Planning Commission meeting minutes of April 3, 2008 as written.

AYES:	Wurzel; Dote; Murray; Sanders; Barzo; Gonzalez; Spesert
NOES:	None

ABSTAINED: None
ABSENT: None

- Commissioner Sanders: He again thanked Staff for the excellent minutes and said that he appreciated the timeliness of them as well.

3. Public Comment: This is an opportunity for the public to speak to the Commission on any item other than those listed on the Agenda. The Chairman may impose a time limit on any speaker.
   a. None.

4. Communication – Commission Statements and Requests: This is an opportunity for the Commission members to make comments and announcements to express concerns or to request Commission's consideration of any item a Commission member would like to have discussed at a future Commission meeting.

- Commissioner Spesert: He had no comments or announcements.
- Commissioner Gonzalez: She had no comments or announcements.
- Commissioner Barzo: He had no comments or announcements.
- Commissioner Murray: She had no comments or announcements.
- Commissioner Dote: She noted that some of the Commissioners were just at the opening and tour of the revised Porter Building and that it was quite impressive.
- Commissioner Wurzel: He had no comments or announcements.
- Commissioner Sanders: He said that some time in the future he would like to talk about sound walls, the maintenance of them and the landscaping around them. He requested advanced notice from Staff as he plans to prepare a PowerPoint presentation as he is getting tired of some of the things that we are doing. He would like to talk about what works, what does not and the maintenance of them. He said that we could do a better job.
- Robert MacNicholl: He asked that Commissioner Sanders give him a call to make sure that this item is scheduled.
- Commissioner Sanders: He said that he wants to fit this item in at a time when it is appropriate, so he will work with Staff on the timing.
- Commissioner Gonzalez: She asked if this would include landscaping, such as how she brought up earlier how the trees were being trimmed at the mall.
- Commissioner Sanders: He said that this could certainly be included and that they would talk about medians as well.

PUBLIC HEARING

5. **Payless Auto Care Conditional Use Permit Modification.** The applicant is requesting approve of a Conditional Use Permit Modification at 317 West Main Street (Payless Auto Sales) to add automotive repair services to the existing auto dealership. The applicant

would like to add minor automotive repairs, audio and video installation, accessory additions, and normal vehicle servicing to the existing daily operations.

Applicant:	Roslin R. Prasad
Owner:	Edward Schmauderer
Staff Contacts:	Jimmy Stillman, Associate Planner
Environmental Document:	Categorical Exemption
Recommended Action:	Conditional Approval

DISCUSSION

- Commissioner Dote: She requested to see the aerial view again and asked about the location of the Lincoln Garden Apartments. She asked how far away the apartments are from the auto bays.
- Jimmy Stillman, Associate Planner: He said that he did not have the distance available at this time. He said that from the plans each bay is approximately ten feet, so it appears to be a minimum of more than 100 feet from the edge of the bays. He said that there is also a building in the back that is currently being occupied by the property owner, Ed Schmauderer, who owns the adjacent True Value Hardware store. In addition, there is space along the side of Payless Auto that is being occupied by the property owner for his own personal uses.
- Commissioner Dote: She asked if the occupants of the Lincoln Garden Apartments were properly notified regarding these car bays.
- Jimmy Stillman: He said that this was properly noticed, including all properties within 300 feet of the property boundaries.
- Commissioner Dote: She said that her concern is noise from the tire shop. She said that this is a senior housing complex so tenants would be there during the day.
- Jimmy Stillman; He identified that in the Staff report there are performance standards for these types of uses. He said that they would have to meet the minimum noise requirements that he believes is 60 decibels. There is a performance standard that the Applicant must follow. He said that typically on car sales lots, you find modification of tires, which is a regular operation, even minus the request for the repair services to this use. He again confirmed that they were properly notified.
- Commissioner Wurzel: He asked if they are allowed to use PA systems on this site for sales, as this is pretty common. He said that he remembers that they had asked the question earlier but did not recall the answer.
- Jimmy Stillman: He said that he is not aware if the Applicant is using a PA system for service calls.
- Commissioner Wurzel: He asked if they are allowed to.
- Jimmy Stillman: He said that this is not something that the City disapproves of. He said that it seems this is a common practice for many car lots. He said this is why there are special conditions for special events, should they have additional PA systems or radio stations that are coming onto site for special events.
- Commissioner Wurzel: He said that his only comment would be that the tires would not be louder than that.

- Commissioner Gonzalez: She asked if this is a totally new business that they are adding to the same site or is this specifically for the cars that are going to be prepped to be sold or cars that have a problem initially when they are sold. She asked if they would be competing with other businesses or just handling their own.
- Jimmy Stillman: He said that in discussions with the Applicant, they stated that they are in the used car industry so when they are buying cars they do often times require minor corrections. He said that it is his understanding that it is not explicitly an auto repair shop. He said that the Applicant is present tonight and may be able to answer that question better. He said that it is specifically for the use of repairing cars that they are obtaining and selling on-site.
- Commissioner Gonzalez: She said that one of the conditions of use talks about elevating vehicles. She asked for further explanation.
- Jimmy Stillman: He said that often times with other dealerships, the City has run into problems with elevating cars that are actually becoming signage. He said that Staff is trying to avoid problems that they have had in the past. He said that car dealerships have placed cars on such high platforms that it is intimidating for pedestrians walking by on an adjacent sidewalk or a corner of a driveway where it becomes a visual impediment to people pulling out. He said that this has been an issue with other car lots and not specifically Payless Auto.
- Commissioner Gonzalez: She asked if this is a condition of approval that will be placed on Payless Auto that has not been placed on other car lots.
- Jimmy Stillman: He said that he is not familiar of conditions that existing car lots have. It would be a consistent condition should other car lots or new car lots come into town. He said that you would see many of these same conditions, if not all of them. He said that an existing car dealership operating with a use permit or if a new car lot were to come in; Staff would consider putting on as a condition of approval. He said that the root of it comes from problems that code enforcement has had where cars have been elevated high enough that they become signs. He said that essentially they are enforcing the zoning ordinance and the sign ordinance when the Code Enforcement Officer goes out to those sites.
- Commissioner Gonzalez: She addressed the hours of operation. She asked if the hours are just specifically for this dealership and other dealerships may have different hours.
- Jimmy Stillman: He said that these hours of operation were requested by the Applicant, so they were included in their statement of justification when they filed the appropriate paperwork for the use permit modification.
- Commissioner Gonzalez: She asked if the Applicant had not asked for those hours, what would their hours have been.
- Jimmy Stillman: He said that they did not have a discussion regarding appropriate hours due the location of residential units. He said that they met with the Applicant and noted that their service hours ended at an early afternoon time. He hoped they were taking into consideration their close proximity to softer uses or residential uses. He said that Bob may be able to speak from past experience if there are similar uses like this that have a quiet hour but he is unaware of that.
- Robert MacNicholl: He said that typically Staff would look at each one individually to look at the circumstances and setting and determine what is appropriate. He said

that the intent is trying to accommodate the surrounds as they see this use, as coming into an existing setting, would be in relative close proximity. He said in this case the discussion between the Applicant and Staff worked out just fine because the hours are not particularly onerous from the point of view of impact and are rather appropriate.

PUBLIC COMMENTS

- Al Eby, local business owner: He said that Commissioner Dote brought up an interesting point and so he wanted to ask what are the hours of operation that they are referring to.
- Jimmy Stillman: He said that in the conditions of approval it states that the hours of operation shall be limited to Monday through Friday, 8:00 AM to 5:00 PM, and Saturdays, 8:00 AM to 3:00 PM. At no time may auto care operations be conducted on Sundays and/or holidays.
- Al Eby: He asked about the noticing of the senior complex. He asked if the notice is sent just to the property manager or is one sent to each resident in the apartments.
- Jimmy Stillman: He stated that notices to multifamily type of occupancy go to the Manager or main address and it is the responsibility of the Manager to post the notice in common areas or the general office area.
- Al Eby: He said that this does not always happen and recommends that Staff look into further noticing also.
- Jimmy Stillman: He said that Staff will definitely look into this and also stated that a notice is also posted in the paper ten days in advance of the public hearing.
- Al Eby: He said that they might not have a subscription to the paper.
- Commissioner Murray: She said that there is a wall behind this business and she does not expect that there would be a problem. She suggested that they could plant high shrubbery as well.
- Commissioner Dote: She said that the hours wouldn't be an issue as this was a shop before.
- Commissioner Wurzel: He asked about the previous shop.
- Robert MacNicholl: He stated that it was a service shop.
- Commissioner Wurzel: He asked why they need a use permit. He said that he has no problem with this. He said that it makes sense and it is good for Woodland. He believes that it would help make this business a success.
- Commissioner Spesert: He said that he has no real problem with this. He said that if it were a full shop then he would take a closer look at it. He said that he support this project.
- Commissioner Gonzalez: She said that she feels the same way.
- Commissioner Barzo: He asked if Staff had any knowledge about complaints when it was a Chevy auto shop.
- Robert MacNicholl: He said that he is unaware of any complaints.
- Commissioner Barzo: He said that there is a sound wall there. He said that he has no problem with it and that competition in the City is good.
- Commissioner Sanders: He said that he supports it and that the improvements are great.

It was moved by Commissioner Murray, and seconded by Commissioner Wurzel, that the Planning Commission approve Conditional Use Permit Modification for Payless Auto Care based on the identified findings of fact and subject to the identified Conditions of Approval, by taking the following actions:

- Confirmation of finding of exemption from the provisions of CEQA. This project is considered categorically exempt, Article 19 §15332 - Class 1 Exemption, Existing Facilities.
- Determine that the project, as conditioned, is consistent with the General Plan.
- Determine that the project, as conditioned, is consistent with the Zoning Ordinance.
- Approve the Conditional Use Permit allowing for auto repair services in the General Commercial (C-2) Zone.

AYES:	Wurzel; Dote; Murray; Sanders; Barzo; Gonzalez; Spesert
NOES:	None
ABSTAINED:	None
ABSENT:	None

6. **State Historic Woodland Opera House Expansion.** The applicant is proposing to infill the existing Rotary Court in front of the 1980's Opera House annex with an additional annex project. The proposed addition will house a black box children's theater on the ground floor and an expansion of the existing intermission lounge on the second floor. The second floor of the new addition will also house administrative offices that are currently located in the second floor of the 1980's annex. The project will also include a new ticket window and office that will front onto Main Street and an expansion to the existing restrooms in the existing Opera House annex.

Applicant:	McCandless & Associates Architects
Owner:	State of California
Staff Contact:	Jimmy Stillman, Associate Planner
Environmental Document:	Categorical Exemption
Recommended Action:	Approval

DISCUSSION

- Commissioner Barzo: He asked who is the architect.
- Jimmy Stillman: He indicated that the architects are McCandless & Associates, who are present tonight, along with Jeff Kean, the Director of the Opera House.
- Commissioner Spesert: He asked what would happen with the murals that are currently on the side of the building. He asked if they would be relocated.
- Jimmy Stillman: He said that one mural was already removed during a recent windstorm. He believes that the other will be removed when construction gets

underway. He said that he is not aware if they will be displayed elsewhere and was not sure who even sponsored those murals.

- Jeff Kean: He said that it was the Stroll Through History, who sponsored the murals.
- Jimmy Stillman: He said that Staff could discuss the murals to determine what will become of them.
- Commissioner Gonzalez: She asked Staff to discuss parking.
- Jimmy Stillman: He said that the City is currently undergoing a parking survey and the Opera House would be required to meet the parking requirements for the theater portion. He said that this would equal about 27-28 parking spots. He explained that since the parking can not be located on site, an in-lieu fee of $5,000 per spot for 30 spots would equal $150,000 that the Woodland Opera House would be required to provide for future parking facility development.
- Commissioner Gonzalez: She asked if this was based on gross square footage or a portion.
- Jimmy Stillman: He said that Staff debated this issue due to the relocation of the previous office spaces to the new addition.
- Commissioner Gonzalez: She asked what would become of the old offices.
- Jimmy Stillman: He stated that the old office space would be used for the expansion of the bathrooms and to enlarge the intermission area.
- Commissioner Gonzalez: She asked if the number of spaces was a negotiated issue.
- Jimmy Stillman: He said that it was not but instead was based on the square footage of the black box theater.
- Commissioner Gonzalez: She asked about the lounge area, which could be considered a lobby.
- Jimmy Stillman: He explained that there would not be two groups there at the same time. He stated that the two areas would work together and that you are only using the lounge area if you are at some point in the Black Box Theater.
- Commissioner Gonzalez: She asked how many exits there would be onto Main Street.
- Jimmy Stillman: He said that there are no proposed exits onto Main Street from the new addition. He said that there is one exit on the eastern portion of the elevation and an entrance into the Black Box Theater from the plaza.
- Commissioner Gonzalez: She asked about the entrance to the ticket office.
- Jimmy Stillman: He stated that entrance would be services from an inside office in the corridor. He said that there would then be a standard ticket window on Main.
- Commissioner Gonzalez: She asked Staff if they had any comments about the restrooms being located in the old portion of the building.
- Jimmy Stillman: He explained that there is a slight inconvenience about having to move from the far end of the old building used as a dressing room to the theater.
- Commissioner Gonzalez: She said that if you are in the lounge, you will have to travel to the second floor to use a restroom and instead the offices are located next to the lounge. She said that she is just interested in why it was designed this way.

PUBLIC COMMENT

- Jeff Kean, Director of Woodland Opera House: He said that he would be happy to answer any questions about the use of the facility. He explained that the office locations are just the only place that they could go. He said that it is his office that is disappearing in order to double the size of the women's restroom. He said that adding more bathrooms to the third floor would have blown their budget. He said that they are adjusting the restrooms that are currently there to bring them up to ADA code, as is required by the State.
- Commissioner Gonzalez: She asked if they would be receiving any other money other than Woodland money.
- Jeff Kean: He said no, as it is a Woodland theater and the City is the contracted operator.
- Commissioner Gonzalez: She said that she asked as the State oversees this project.
- Jeff Kean: He said that the State would also own the building. He stated that the contract between the City and the State says that any improvements will be owned by the State. He said that the State does not operate nor want to operate the building. He said that the State will help out with the maintenance of the historic portion of the building.
- Commissioner Gonzalez: She asked if then the new addition would belong to the City of Woodland.
- Jeff Kean: He said no, it will belong to the State of California.
- Commissioner Gonzalez: She asked Mr. Kean if he would like to address the letter from Mr. and Mrs. Stallard.
- Jeff Kean: He asked if she would like him to go item by item.
- Commissioner Gonzalez: She said that a general idea of what his thoughts are would be good.
- Jeff Kean: He read from a letter that the Stallards sent to the State a few years ago. He stated that he is still unclear about what their affinity for the area is other than to keep it a green area. He stated that the expansion project would actually reduce wear on the Opera house as the historic portion of the building is either in performance or rehearsal practically every day of the year. He explained that having this additional space means that they can alternate between the two spaces, giving the historic portion a rest. He said that they would be using the dressing rooms, as there is not enough square footage in the new portion for dressing rooms. He said that there would be periods of 2-3 weeks when the historic portion would not be used and this would allow maintenance or down time. He said that Mr. Stallard is mistaken that the only entrance would be through the historic area of the building. Instead, there would be two entrances to the expansion as Staff presented. He said that they own a second building on Fourth Street where they house their scenery, costumes, do construction and currently have a rehearsal studio in the front of the building. He said that bringing everything back into the same building is a convenience. He said that Woodland Opera House is a brand. He stated that when people want to take classes from the Woodland Opera House then they want to come to the Woodland Opera House, so this is a big advantage for them. He said that the idea that the Woodland Opera House does not contribute to the downtown area is false. He said that he did not see the letter in support of the expansion and asked Staff whom it was from.

- Jimmy Stillman: He said that the letter is from Anita Long who operates the House Dresser. He offered a copy to Mr. Kean.
- Jeff Kean: He said that he is a member of the Downtown Association and they are becoming very active at this point. He said that they are hosting a City Council candidate forum on May 19th and they are very concerned about the number of closed buildings in the downtown area. He stated that the number of closures has a lot to do with the amount of people traffic. He said that the Opera House brings in over 20,000 people a year to the downtown area. He said that Anita at the House Dresser stays open on Sundays when the Opera House will be having a performance, as she knows that she will get more foot traffic. He stated that the Yolo Hospice is on the verge of closure because they need to bring more foot traffic through their store. He said that we need to bring more traffic downtown, which the Woodland Opera House does. He said that they currently operate 31 weekends each year and with the expansion they can move up to 48 weekends each year. He said that if they can alternate between theaters then they can operate practically every weekend and bring more people downtown. He said that the idea that the Opera House does not contribute to the economic health of downtown is ludicrous, as the Opera House is the centerpiece of downtown. He said that the children's programs are exploding and they can not believe the number of kids who want to do programs. He said it might anticipate a possible solution to their own financial stability as an organization. He stated that this building not only allows expanding children's programs but to also be available as a rental for other organizations to come and use. He said that they are in discussions with the Community College to use the space. He said that all this needs to be weighed against having green spaces downtown.
- Commissioner Dote: She asked if the Measure set aside $3 million and asked if that is enough for this project.
- Jeff Kean: He said that this year it will be but two year from now he can not guarantee that it would be.
- Commissioner Dote: She asked if this is enough to begin the construction.
- Jeff Kean: He explained that the money is collected over the course of twelve years and therefore Woodland Opera House, Inc. will have to obtain a construction loan. He said that City Council has agreed in principle to go as a guarantor against this loan based on the Measure E money. He said that they just have to put a financial package in front of the Council to consider. He said that at this point it is believed that the project can be done for just over $2 million and add the financing to it then it will come to about $3 million. He said that if they wait and inflation goes up then there may not be enough money so he if feeling a time pressure here.
- Commissioner Dote: She said that she was on this Board as well for 1 to 1 ½ years and there was a lot of discussion about the expansion. She asked how the board came to approve this project; unanimous or split on the decision.
- Jeff Kean: He stated that at the time of the vote, Mr. Stallard was on the Board and he voted in opposition, while the rest of the Board was unanimous in favor. He said that they started this in 2001 and put together a five-year plan for the expansion of the Opera House, starting with expanding the youth programs and then getting a facility to house them. He said that this is the final piece of that plan. He reiterated that the Board has been talking about this for over seven years.

- Commissioner Dote: She asked if they would be giving up the other site or keep it.
- Jeff Kean: He said that the location would continue to be their costume and scenery shop.
- Commissioner Dote: She confirmed that they would be moving the classroom out of it.
- Jeff Kean: He said that it would function as a backup rehearsal hall.
- Commissioner Murray: She asked the Architect about the space between the two buildings and if it would be out of brick.
- Bill McCandless, Architect: He said that it is a separation to denote where the new addition has been added onto the existing building.
- Commissioner Murray: She asked what material would be used.
- Bill McCandless: He said that it is a metal material.
- Commissioner Murray: She asked if it is structural.
- Bill McCandless: He said that it is not, but they are not into mechanical drawing yet and the mechanical system has not yet been designed. He said it could possibly end up being a louver for some mechanical equipment.
- Commissioner Murray: She asked about the location of the elevator, as it used to be in the old portion.
- Bill McCandless: He said that this will not change and the elevator entrance is from the plaza.
- Commissioner Murray: She said that there is an issue that bothers her. She said that there are so many nice curves on the building, like the windows and the main entrance. She said that the marquee does not blend in with the building.
- Bill McCandless: He said that there has been a lot of discussion about this. He said that had many discussions with the Opera House people and researched different types of marquees but this is the kind that they prefer.
- Commissioner Murray: She said that historically it does not match.
- Bill McCandless: He said that he would agree with her and that he is not real fond of it but unfortunately it is the function of it that this driving this.
- Jeff Kean: He stated that this is the marquee that is located there now. He said that it would just be moved to the wall but that nothing is changing.
- Commissioner Murray: She said that it was not originally but was added on.
- Jeff Kean: He confirmed that the marquee was not original but has been there since the 1980 addition.
- Commissioner Murray: She said that it just seems that they could do something more attractive.
- Bill McCandless: He said that it is framed out in large pieces of sandstone, so it has a header piece and a piece at the bottom. He said that there are not a lot of options for the marquee piece itself and the City will not allow digital, lit signs.
- Commissioner Murray: She said that they could do an arch along the top. She said that she likes arches and curves rather than squares. She also said that Tom and Meg Stallard have done a lot for the Opera House and the downtown and she would hate for them to walk away from this feeling that they weren't heard. Therefore, she suggests that they do something to include them in something. She said that they

have done a lot for the downtown and maybe they could sit down and allow them their minute to be heard.

- Jeff Kean: He said that they have also done a lot for the Opera House. He stated that Meg was the Board President for three years when they did the five-year plan that came up with the idea of expanding the Opera House.
- Commissioner Murray: She said that she has lived here since the 1960's and the Opera House has always been talked about being added onto. She said that she has no objection to the addition and thinks that it is great.
- Jeff Kean: He said that in the 1980's they would have built all the way out to the sidewalk if they had the money. He said that addition then was a compromise and even looks chopped off.
- Commissioner Murray: She said that it does not look attractive and there is also very little landscaping in the plaza. She said that if you wanted green space, there is opportunity there but there is no water.
- Jeff Kean: He said that there were trees there once but they all fell over because there was very shallow roots. He said that it is a hard space and is not usable, friendly or inviting.
- Jimmy Stillman: He added that in the original General Plan that was drafted in 1980 by the State of California for the Opera House called out for a building out to the sidewalk, so it is supported in their original document. Therefore, it has always been their intention that it would be built out and would not be a green space.
- Lou Anderson, Member of Woodland Opera House Board: He said that he chairs the Facilities Committee since about 2000, has been a member of the Board since about 1990 and been involved in the Opera House since 1989. He said that the Board has been in discussions with the State of California. He addressed the issue of the murals and stated that when the Stroll broached the issue, they were made aware of the plan to expand in that area and were looking at alternate areas should they need to be moved. He addressed the issue of parking and stated that he is also the Parking Appeals Officer for the City of Woodland and agrees with Commissioner Gonzalez that parking is an issue in downtown. He stated that the times when the Opera House is open for performances is in the evenings when the downtown parking is not the same issue as other times. He said that he does agree that some kind of compensation needs to be made. He reiterated that only one facility would be working at a time, either in the Performing Arts Center for Youth (or Black Box Theater) and the main stage, but not both. He said that this addresses the restroom issues, as there would not be an overflow from both facilities at the same time. He confirmed that the expansion was discussed in the 1980's. He said that the Board is 100% behind this project and is unanimous at this time. He said that he is currently, and was at the time, the Secretary for the Board and took the minutes on this vote to move forward on this. He confirmed that Mr. Stallard was the only vote in opposition. He said that there was only one abstention and that was from the City representative, Dan Gentry. He said that he also volunteers at the Opera House and does the historic tours.
- Commissioner Gonzalez: She said that there will only be one entrance on Main and asked how this will increase foot traffic on Main Street as the majority of parking is at the back of the building.

- Lou Anderson: He stated that the entrance would be through the Heritage Plaza side of the building. He said that there is one fire exit located on the west corner of the building but this will not be an entrance. He said the ticket office would face Main Street, which will bring the walk-up traffic. He said that about ½ of the people are coming in from the Main Street side and ½ from the backside of the building and the parking lot off Dead Cat Alley.
- Commissioner Barzo: He said that he was a member of the Stroll Through History committee and he can substantiate what Mr. Anderson said about the murals and that there was a possible expansion. He said that they knew that the location of the murals would be temporary. He asked to see a photo from the plaza and said that the clock located outside the Opera House was donated by the Stroll, and the wind did not blow it over.
- Lou Anderson: He said that the Woodland Rotary, who donated the money for the plaza improvement areas in the early 1990's, is aware and have no objections to the expansion that they are aware of. He spoke about the marquee and said that it is the original marquee from the 1980's expansion but when they did the improvements to the area the built up around it with the brickwork and lettering above it.
- Al Eby: He said that when people come to the Opera House they are coming early and they are eating and shopping. He said that he has had people visit their gallery and then come back later to buy a piece of artwork. He said that they need to create a destination point for the community. He said that they have had two very productive meetings; one with the Vice-Mayor and one with the Mayor. He said that they are creating a marketing outreach outside of the community. He said that Paco's and the Bistro had to put on extra staff for the nights his gallery puts on receptions, every first Friday, because of the increase. He said this a good thing because it generates sales tax. He said that they are networking with businesses and creating a higher-end scale. He said that he just got a call today and was told that there is a "Tony the Tiger" bail bonds on Main Street. He said that he does not really like that but it is not his decision. He does not think that it helps drive downtown as a destination point in the community or people will head outside the community. He said that he agrees with Commissioner Murray and does not care for the marquee but there appears to not be many options. He said that he thinks that the expansion is a good project and he looks forward to it.

DISCUSSION

- Commissioner Sanders: He said that this is a great project and will fit in well. He said that he is happy to support the Woodland Opera House expansion and thinks that it will help downtown. He hopes that the State will support it and believes that the City Council will support as well.
- Commissioner Barzo: He strongly supports and believes that it will bring in more foot traffic. He thinks that the Architect did a good job.
- Commissioner Gonzalez: She said that she support it as it makes sense and it looks like ruins. She does not think that 30 parking spaces is reasonable and would like to see money that is not from the City's own pockets but instead grants or matching funds.

- Commissioner Spesert: He said that he is very supportive and attends lots of events with his family. He said that it would increase foot traffic in restaurants. He thinks that businesses should stay open later. His daughters participate in programs at the Opera House. He said that it is a jewel to market, and something to be proud of in the community.
- Commissioner Murray: She does support it and would like to see a small hand extended to the Stallards and to take into account their views.
- Commissioner Dote: She hoped for a campus or to extend across the plaza. She thinks it is a wonderful design and moves the whole complex to the street. She said that she received a letter regarding the proprietor from Tazzina that was the same as Anita's.
- Commissioner Wurzel: He said that supports the project as it stands. He said that he would defer to his colleagues regarding the history. He said that he knows the Stallards, respects their opinions and wishes they were here to speak. He said that at face value, it looks like a good project and wants family to be involved. He reminded the Commission of what they are being asked tonight, and that it is 100% Woodland funded project. He wished that Tom and Meg could have talked to him. He included that voters didn't know that they were also funding parking when approved the Measure, but he is not saying that there isn't a need for parking. He said that City Council could consider waiving in-lieu fees as they have on other affected City properties. He said that it is important to keep people who are investing in downtown.

It was moved by Commissioner Wurzel, and seconded by Commissioner Dote, that the Planning Commission approve the proposed elevations for the Woodland Opera House at 340 Second Street and require that the appropriate In-Lieu parking fees be paid prior to issuance of building permit.

AYES:	Wurzel; Dote; Murray; Sanders; Barzo; Gonzalez; Spesert
NOES:	None
ABSTAINED:	None
ABSENT:	None

NEW BUSINESS

7. **Abandonment of City Owned Easement.** Request for 65402 Finding for an Abandonment of City Owned Easement at 435 Sixth and 1100 Main Streets.

Staff Contact:	Bruce Pollard, Senior Civil Engineer
Recommended Action:	Approval

DISCUSSION: None

It was moved by Commissioner Barzo, and seconded by Commissioner Dote, that the Planning Commission approve the abandonment of a portion of the public access

easement at 435 Sixth and 1100 Main Streets with the following findings:

- The abandonment is consistent with the City of Woodland General Plan.
- The portion of the public access easement being abandoned is not necessary to the property
- The abandonment does not negatively impact adjacent parcels.
- The abandonment is exempt from CEQA and no further environmental action is necessary.

AYES:	Wurzel; Dote; Murray; Sanders; Barzo; Gonzalez; Spesert
NOES:	None
ABSTAINED:	None
ABSENT:	None

There being no further business, the meeting was adjourned at 8:33 PM.

Respectfully submitted,

Robert MacNicholl
Planning Manager

ACTION MINUTES
CITY OF WOODLAND
PLANNING COMMISSION9
THURSDAY, MAY 15, 2008

VOTING MEMBERS PRESENT:	Wurzel; Murray; Sanders; Barzo; Gonzalez; Spesert
VOTING MEMBERS ABSENT:	Dote
STAFF MEMBERS PRESENT:	Munowitch; MacNicholl; Hanson; Gatie

The meeting was called to order at 7:02 PM.

Commissioner Dote arrived at 7:04 PM.

1. Director's Report:

   - Robert MacNicholl, Planning Manager: He announced that tonight was the grand opening of Woodland Healthcare. He said that it looks beautiful and that the public art is up and inside. He also stated that the second item is information on the Housing Element, which will be discussed later this evening.

2. Approval of Minutes:

April 19, 2007:

It was moved by Commissioner Murray and seconded by Commissioner Wurzel to approve the Planning Commission meeting minutes of April 19, 2007 as written.

AYES:	Wurzel; Dote; Murray; Sanders; Barzo; Gonzalez
NOES:	None
ABSTAINED:	Spesert
ABSENT:	None

May 17, 2007:

It was moved by Commissioner Murray and seconded by Commissioner Spesert to approve the Planning Commission meeting minutes of May 17, 2007 as written.

AYES:	Dote; Murray; Sanders; Barzo; Gonzalez; Spesert

NOES:	None
ABSTAINED:	Wurzel
ABSENT:	None

3. Public Comment: This is an opportunity for the public to speak to the Commission on any item other than those listed on the Agenda. The Chairman may impose a time limit on any speaker.
    a. None.

4. Communication – Commission Statements and Requests: This is an opportunity for the Commission members to make comments and announcements to express concerns or to request Commission's consideration of any item a Commission member would like to have discussed at a future Commission meeting.

    - Commissioner Sanders: He wants to address the undergounding of power lines in front of the hospital. He said that there is a helicopter landing pad near the power lines and would like to see them removed so there is no incident.
    - Commissioner Spesert: He had no comments or announcements.
    - Commissioner Gonzalez: She had no comments or announcements.
    - Commissioner Barzo: He had no comments or announcements.
    - Commissioner Murray: She had no comments or announcements.
    - Commissioner Dote: She said that she just attended the opening of Woodland Healthcare. She said that it is wonderful.
    - Commissioner Wurzel: He had no comments or announcements.

5. Subcommittee Reports.
    a. None

PUBLIC HEARING

6. **Best Buy Design Exception.** A request for an exception to the City of Woodland's Community Design Standards for the proposed Best Buy store located in the Woodland Gateway Project.

Applicant/Owner:	Best Buy Stores/Paul Petrovich
Staff Contact:	Paul L. Hanson, AICP, Senior Planner
Recommended Action:	Approval

PUBLIC COMMENT

- Robert Millsap, Yolo County Representative for Petrovich Development: He stated that this project is not historic but is contemporary and a reasonable exception. He said it is a quality design and is keeping with the overall design of the project. He said that we are fortunate that Best Buy is coming here to Woodland, as it will provide substantial tax revenues for the City and help the City Manager with the current budget issues. He said that he hopes the Planning Commission recognizes this as an exception and follows the recommendation of Staff.
- Phil Harvey, V.P. of Development for Petrovich: He said that this is a great addition to Westgate. Best Buy is only 6% of the overall square footage for the center, which would have both historic and well as the wedge. He said they will work to incorporate the design into the overall center and Best Buy has requirements as well.
- Commissioner Dote: She asked if Best Buy is 30,000 square feet.
- Phil Harvey: He explained that Costco is 250,000 square feet of the 500,000 square feet. He said that Best Buy is 12% of the center, not counting Costco, and that a lot of smaller shops will be located at the entrance. Best Buy will be in the back of the project.
- Commissioner Dote: She asked about the orientation of Best Buy to Costco.
- Phil Harvey: He discussed the south elevation and explained that Best Buy is located to the west of Target.
- Commissioner Wurzel: He asked if there was any site plan.
- Robert MacNicholl: He said no.
- Commissioner Dote:
- Andrew Maltson, Best Buy Representative: He explained that they are trying to grow their image and capture the market share. He said that they need a brand image for this to work.
- Commissioner Dote: She asked about their market, demographics and their product.
- Andrew Maltson: He said that Best Buy markets to everyone. Their demographics are mostly 25-40 year old males. Their main products are electronics and appliances. They are working to make it more female friendly.
- Commissioner Dote: She asked if they're in competition with Circuit City and Fry's.
- Andrew Maltson: He said that Fry's typically does 125,000 square foot stores. Best Buy also does in-home installation and "Geek Squad".
- Commissioner Wurzel: He said that he talked to the Planning Manager and had asked how many Best Buy stores are in this region.
- Andrew Maltson: He said that there are 11 stores currently.
- Commissioner Wurzel: He said that of those 11 stores, only one does not have the "wedge".
- Commissioner Sanders: He asked if they will also be doing car stereo installation.
- Andrew Maltson: He said that he did not know for sure, but most stores do installation. He would need to check.
- Commissioner Sanders: He said that looking at the north elevation; he is not sure where this would be done.

DISCUSSION

- Commissioner Wurzel: He said that he understands brand image and that this is extensive signage. He said that if we want Best Buy, then this is what we get.
- Commissioner Dote: She said that in the past, they have discussed the need for corporate logos. She provided the examples of Raley's and the Shell station before it was demolished. She said it is ok, if it is not the start of a series of them and as long as one is out of the box.
- Commissioner Murray: She said they have spent hours talking with Mr. Harvey, that they want to preserve the historic atmosphere and want it to match. She said that the blue "wedge" ruins what they have tried to preserve.
- Commissioner Spesert: He said that he has no opposition to this project.
- Commissioner Gonzalez: She said that she also has no opposition to this.
- Commissioner Barzo: He said that they have design standards and this is an exception to those. He said that he is not for it.
- Commissioner Sanders: He said that this is a small portion but it does not fit with what they have tried to do. He said that he would love Best Buy to come here, but he can not see approving this particular design. He said that he feels bad because he wants them to come here, but he also does not feel bad because of this design. He said that the integrity of this project is important.
- Commissioner Dote: She said that she finds it troublesome that sales tax and economic revenue are being discussed. She said that she is worried about the promotion of projects due to revenue potential, as it should be irrelevant.
- Commissioner Gonzalez: She said that there needs to be variation for it to stand out. She explained that you can not color a Victorian pink and call it historic. She said that they are not to throw out the guidelines, but they need exceptions. She stated that to assume that one exception will destroy it is hasty.
- Commissioner Sanders: He said that he could not disagree more.
- Commissioner Spesert: He said that he is sensitive to making a quality project. He said that to say we want no contemporary projects and yet want a contemporary project in the downtown core, which is another item tonight, is disingenuous. He reiterated that they do not want it in Gateway and yet it is OK in downtown.
- Commissioner Dote: She said that if granted, it needs to be for the right reason and make it an exception due to Gateway guidelines.
- Commissioner Barzo: He again stated that there are design standards. He said that in the last 6-12 months some of the Commissioners have spoken out against the standards. He said that they need to bring back the standards, as the developers need something to go by. He said that they need to bring them back and review. He said that they need to be consistent to be fair to the developers.
- Commissioner Gonzalez: She said that she totally agrees with Commissioner Barzo. She said that we can not build on east side of town and call it historic because it was built in 2008.
- Commissioner Dote: She said that they need to schedule a workshop on the agenda to review and discuss the design standards. She said that not trying to make this historic but reminiscent of historic. She said that there should be elements that are reminiscent and indicative of what Woodland is.

It was moved by Commissioner Spesert, and seconded by Commissioner Wurzel, that the Planning Commission approve the Design Exception for the Woodland Gateway Best Buy Store subject to the following findings:

- That the project is not able to meet the City's Community Design Standards due to the peculiarities of the project.
- That the overall intent of the design standards is still being met within the Woodland Gateway Center.

DISCUSSION

- Commissioner Dote: She asked if this motion is in particular to the branding.
- Commissioner Sanders: He said yes.

AYES:	Wurzel; Gonzalez; Spesert
NOES:	Dote; Murray; Sanders; Barzo
ABSTAINED:	None
ABSENT:	None

- Commissioner Sanders: He stated that the motion is denied four votes to three votes.

NEW BUSINESS

7. **Review of the Proposed Ten-Year Capital Budget**. A request for review of the City of Woodland's Ten-Year Capital Budget for the period of Fiscal Year 2008/09 to 2017/18.

Applicant:	City of Woodland, Capital Projects Committee
Staff Contacts:	Lynn Gatie, Senior Management Analyst Kim McKinney, Senior Accountant
Recommended Action:	A finding of conformity with the 2002 General Plan

DISCUSSION

- Commissioner Wurzel: He asked if the General Plan is updated, then will the Capital Budget be revised.
- Lynn Gatie, Senior Management Analyst: She explained that they could revisit the Capital budget if there was anything significant that changed, like the water meters.
- Commissioner Murray: She discussed item no. 64. She said that it was wonderful and makes her excited that looking at ground water. She said that did not see tapping into Sacramento River water.
- Lynn Gatie: She said that this item is a surface water project and they are looking to rehabilitation of the wells. Also, the elevated water tank does not meet seismic guidelines. She said that there are a lot of water projects.

- Commissioner Murray: She said that she is concerned about floods and toxic spills on the rail road tracks. She suggests having a plan in place, improving inter-department communications and disaster drills.
- Lynn Gatie: She said that there are a number of IT projects that will provide greater connectivity between departments and with the community.
- Commissioner Dote: She is also excited about project no. 64. She asked about how the project numbers are linked to the spreadsheet provided.
- Commissioner Wurzel: He assisted Commissioner Dote find project no. 64 on the attached spreadsheet.
- Lynn Gatie: She continued by explaining how project no. 64 will be funded in fiscal year 09-10 and will include grant money.
- Commissioner Dote: She asked what would be done.
- Lynn Gatie: She stated that it would help maintain and expand the Urban Forest.
- Commissioner Murray: She said that she has been a member of the Tree Foundation for six years. She said that they have planted three thousand trees in City and on Highway 113. She said that the foundation still get grants and is active. She encouraged the City to work with the Tree Foundation.
- Lynn Gatie: She said that the project also includes maintenance.
- Commissioner Gonzalez: She asked what an urban forest is.
- Lynn Gatie: She explained that an urban forest is any tree that creates a canopy. She said that the project also includes creating an inventory of the trees that the City has, creating goals to maintain these trees and a plan to improve.
- Commissioner Gonzalez: She asked how you know what is a priority.
- Lynn Gatie: She explained what goes into the Capital Improvement Plan process. She said that the City departments rate their projects numerically. Next the Finance Director, City Manager and acting Public Works Director meet to discuss the projects. The plan is to move towards fund integrity and remedy negative fund balances that have resulted from internal borrowing in the past.
- Commissioner Gonzalez: She asked if future Capital Budget reports could include a "lay person's" description of projects because she finds this report meaningless.
- Lynn Gatie: She said that this is their hope. The City is moving from an annual budget to a ten-year plan and is inputting this information into a database with the assistance of a consultant. She stated that they are still working on the data for City Council.
- Commissioner Gonzalez: She said that she didn't understand the purpose of the priority.
- Lynn Gatie: She explained that they are looking at the first three years and asking City Council to set money aside to work towards these projects. She said that the last seven years would focus on a plan and setting goals.
- Robert MacNicholl: He said that the ten-year budget would be both a wish list and that which will be done. The focus will be on what is considered critical, so it will be adjusted each year. He said that it would include a three-year plan and then also long-term projects.
- Commissioner Wurzel: He stated that this is a Performance Based Budget concept that the City is working towards. He said that in the future the City would have

measurements. He also said that when updating the General Plan, they would identify goals and policies within the General Plan. He said that would set a matrix of what goals are in the General Plan and what projects work towards it. He said that there would need to be a clear process of community input.

- Lynn Gatie: She included that the City is also looking at its Vision, Values and Mission. She said that it has not been reviewed in ten years and also leads to Performance Based Budgeting.

It was moved by Commissioner Wurzel, and seconded by Commissioner Dote, that the Planning Commission find the proposed CIP for 2008/09 – 2017/18 and the associated Three-Year Capital Budget are in conformity with the General Plan.

AYES:	Wurzel; Dote; Murray; Sanders; Barzo; Gonzalez; Spesert
NOES:	None
ABSTAINED:	None
ABSENT:	None

8. **City Center Lofts Design Workshop.** A request for review of the proposed design of the City Center Lofts project located at 333 Main Street.

Applicant:	City Center Lofts, LLC/Larry Andrews
Staff Contact:	Robert MacNicholl, Planning Manager
Recommended Action:	Review and provide comment on the proposed design

DISCUSSION

- Commissioner Gonzalez: She sated that she just learned that she has purchased property within 300 feet of the City Center lofts project and recused herself from the discussion.
- Commissioner Sanders: He stated he was informed by Commissioner Barzo that Commissioner Gonzalez must sit outside Council Chambers due to the Brown Act Rules.

INTERMISSION

- Commissioner Sanders: He ordered a five-minute break in order for the Applicant to set up equipment for their presentation. He reopened agenda item no. 10 at 8:04 PM.

PUBLIC COMMENT

- Larry Andrews, Applicant: He stated that they are looking for suggestions from the Planning Commission as Staff has already given recommendations. He explained that on design issues would be discussed tonight.

- Commissioner Sanders: He went back to item no. 6 and asked if everyone wants to review several design plans.
- Barry Munowitch, Assistant City Manager: He said that Staff would put together a packet to bring back for their review.
- Commissioner Sanders: He said that they would need significant time to review.
- Commissioner Dote: She asked if they would then reopen the sign ordinance as well.
- Commissioner Sanders: He said that they should review one item at a time.
- Steve Andrews, Architect: He reviewed the design elevations in detail. He also discussed the previous review that took place at Planning Commission about a month ago. He explained that RRM Design Group had listed recommended changes and he has incorporated these changes as presented tonight. He stated that this presentation is a new iteration of the project. He said that this project would be back again in two weeks.
- Commissioner Wurzel: He asked if the finishes on the façade would be submitted in the Staff report.
- Steve Andrews: He confirmed that this is a newer iteration than provided in the report.
- Commissioner Murray: She asked about the function of the "tail" on the building.
- Steve Andrews: He explained that this portion of the building will also have windows but the elevation was just not finished yet.
- Commissioner Murray: She asked what roofing material would be used on the overhangs and around the door areas.
- Steve Andrews: He said that he sees this as a translucent material, like glass, that would cut out some of the light.
- Robert MacNicholl: He asked the Commission if they would like to hear from RRM Design Group.
- Commissioner Sanders: He said they would.
- Dave Javid, RRM Design Group: He explained how they used the Downtown Specific Plan design guidelines. He reviewed the original RRM presentation and previous recommendations provided to the Applicant. He reviewed the Architect's changes and how he incorporated these recommendations into the design. He stated that he is concerned about only using glazing and not shading along the end piece due to the sun and heat on the south side of the building. He also reviewed the Conditions of Approval from RRM.
- David Wilkinson: He stated that he is the author of a book about Woodland and a member of the Board of Trustees. He said that he admires good contemporary architecture along side historic as it sets it off. He said that he is really ecstatic about this project and that the Architect did a really fine job. He said that he personally likes edgy architecture that grabs attention. He stated that he likes the colors, textures, layered effect and the gateway building at the end. He said that at the Historical Preservation Commission meeting, he hopes that future historians look to this project. He said that he hopes the City Redevelopment Agency could help developers economically. He identified a need for more people living downtown and he is thrilled, although they are losing a historic building. He said that the City needs a policy in place that would preserve historic resources and he hopes that the

developers come back with a proposal that will offset the loss of this historic building. He said that Mr. Andrews proposed a contribution to the Woodland Opera House. He also recommended cash mitigation or help with the windows at the public library, for example.

- Commissioner Wurzel: He asked what the Architect was referring to when talked about two weeks from tonight.
- Commissioner Sanders: He advised to let Staff answer that question.
- Bobby Harris, Candidate for Woodland City Council: He said that he was also at the Historical Preservation Commission meeting last night. He said that they need to look at historic mitigation, as there is no real proactive approach to restoring the State Theater. He said that this is an opportunity to renovate the Theater and it is a natural win-win. He said that the City needs to coordinate a mitigation component. He stated that Mr. Andrews was open to help preserve the Theater at the same time that the City Center Lofts project is being developed. He said that there is urgency as there is a strong proposal for a Cineplex to the east within one year and this would be competition to the State Theater. He said that time is running out.
- Barry Munowitch: He stated that this is a design workshop on this project and, therefore, they should focus on the design tonight.
- Commissioner Wurzel: He asked what the next step is.
- Robert MacNicholl: He said that they need closure on additional directions from RRM. He explained that next would be full entitlement package, including Environmental Impact Report (EIR), map and design review to come before the Planning Commission on June 5th.
- Commissioner Wurzel: He confirmed that the Historical Preservation Commission discussed draft mitigation to the EIR.
- Robert MacNicholl: He said that the information would go the consultant to incorporate comments.
- Commissioner Wurzel: He confirmed that the Planning Commission received the EIR only.
- Commissioner Dote: She said that she likes the changes.
- Commissioner Murray: She said that she is impressed with the integrity of the Architect. She said that it helps her to hear his point of view. She said that they have done a wonderful job.
- Commissioner Spesert: He said that he is really excited about this project and that it is really good for the City. He said that he wants to see the materials that would be used.
- Commissioner Barzo: He said that this is a great project and he is also anxious to see.
- Commissioner Sanders: He would like changes to the round end of the building, as he thought that it was missing something.
- Steve Andrews: He said that he did not have time to finish and he will improve.
- Commissioner Sanders: He said that may not have a rendering of the walk through with glass doors.
- Steve Andrews: He said he will need time to complete.
- Commissioner Sanders: He said that concerned about the glass due to the sun.
- Steve Andrews: He said that he plans to go back and add.

- Commissioner Sanders: He said that he agrees with Commissioner Spesert. He would like to see wood also.
- Steve Andrews: He said that material and color boards could be done at a later date.
- Commissioner Sanders: He said that he likes the design and the direction this project is heading in. He said this is a really exciting project. He stated that the Architecture Subcommittee could help.
- Steve Andrews: He said that he looks forward to it.
- Commissioner Wurzel: He said that there is a draft set of Conditions of Approval in the Staff report. He asked if this should be all-inclusive. He confirmed that approving these conditions but that conditions are not all-inclusive at this point.
- Robert MacNicholl: He said that a package is coming that will include more conditions and that the discussion tonight is focused on general design sense for the project.
- Commissioner Wurzel: He said
- Commissioner Sanders: He said that he is very interested in Mr. Wilkinson and Mr. Harris' comments. He said that the Planning Commission has never done a historic mitigation.
- Robert MacNicholl: He said that they will also look into this and will come up with conditions for historic mitigation.

9. **Informational Item** – Status report on 2008 Housing Element Update Project.

- Robert MacNicholl: He informed the Commission that the Housing Element report will be sent to HCD and Legal Services of Northern California. He explained that the draft document is close to completion. He expects that it will be in late September or October before it is adopted.

- Commissioner Sanders: He noted that the next Planning Commission meeting is not in two weeks as this would be May 29th, but instead meets on June 5th.

There being no further business, the meeting was adjourned at 9:12 PM.

Respectfully submitted,

Robert MacNicholl
Planning Manager