APPROVED ACTION MINUTES CITY OF WOODLAND PLANNING COMMISSION THURSDAY, JUNE 19, 2008

VOTING MEMBERS PRESENT: Wurzel; Dote; Murray; Sanders; Barzo

VOTING MEMBERS ABSENT: Gonzalez; Spesert

STAFF MEMBERS PRESENT: MacNicholl; Hanson; Stillman; Pollard;

Smith; Gnos (Consultant); Siprelle

(Attorney)

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

1. Director's Report:

- Robert MacNicholl, Planning Manager: He requested the biographies from the Commissioners. He did state that he had received a couple of them so far.
- <u>Commissioner Murray</u>: She asked want information Mr. MacNicholl was looking for.
- <u>Robert MacNicholl</u>: He stated anything worthy of knowing, such as interests, employer, hobbies, years of services, etc.
- <u>Commissioner Murray</u>: She asked is there was a limit on the amount of information a person could submit.
- Robert MacNicholl: He stated there is no limit.
- <u>Commissioner Wurzel</u>: He stated the City Council biographies on the City's website are a good example.
- <u>Commissioner Barzo</u>: He asked if the Director's Report could be changed to the Planning Manager's Report so that Robert MacNicholl could receive the credit.

2. Approval of Minutes:

December 7, 2006:

It was moved by Commissioner Barzo and seconded by Commissioner Murray to approve the Planning Commission meeting minutes of December 7, 2006 as written.

AYES: Dote; Murray; Sanders; Barzo

NOES: None ABSTAINED: Wurzel

ABSENT: Gonzalez; Spesert

February 21, 2008:

It was moved by Commissioner Murray and seconded by Commissioner Wurzel to approve the Planning Commission meeting minutes of February 21, 2008 as written.

AYES: Wurzel; Dote; Murray; Sanders;

NOES: None ABSTAINED: Barzo

ABSENT: Gonzalez; Spesert

 <u>Commissioner Sanders:</u> He stated that Staff continues to do an outstanding job on the minutes.

June 5, 2008:

• <u>Commissioner Dote:</u> She stated on page 3 her statement should read "<u>now</u> there will be a vacancy on the Planning Commission", instead of <u>not</u>.

It was moved by Commissioner Dote and seconded by Commissioner Wurzel to approve the Planning Commission meeting minutes of June 5, 2008 with the above noted corrections.

AYES: Dote; Wurzel; Murray; Sanders; Barzo

NOES: None ABSTAINED: None

ABSENT: Gonzalez; 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.
 - <u>Commissioner Barzo:</u> He had no announcements or comments.
 - <u>Commissioner Murray:</u> She commented that the house on the corner of Lincoln Avenue and Cleveland Avenue is moving along.
 - <u>Commissioner Dote:</u> She wanted to thank the Planning Commission chair for attending the City Council meeting. Commissioner Dote also questioned whether the Planning Commission minutes were posted on the City's website.

- Rachael Smith, Office Manager: She stated that once they are done and approved they are posted to the web.
- <u>Commissioner Dote:</u> She clarified that once the minutes from the Planning Commission meetings are adopted by City Council, they are then posted to the website.
- Rachael Smith: She said that is correct.
- <u>Commissioner Dote:</u> She asked if she needed to give a letter of resignation to the Commission.
- <u>Ann Siprelle, City Attorney:</u> She stated yes, a written letter of resignation would be appropriate.
- <u>Commissioner Dote:</u> She wanted to thank the Planning Commissioners and Staff for an exciting time while on the Commission.
- <u>Commissioner Wurzel:</u> He asked for a follow-up to the *Crown of Creation* CUP and letter.
- <u>Jimmy Stillman, Associate Planner:</u> He stated that he has been in contact with the applicant, who has discussed the letter with its author and the two are working towards a solution. Most of the complaints in the letter are police-based complaints. Staff has researched the CUP and at this time he is still in compliance.
- <u>Commissioner Wurzel:</u> He thanked Commissioner Dote for her comment at the June 5th City Council meeting, that although there was a lengthy discussion on the issues, everyone was allowed to give their input.
- <u>Commissioner Sanders:</u> He wanted to thank Commissioner Dote for all her years of service on the Planning Commission.
- 5. Subcommittee Reports:

a. None.

PUBLIC HEARING

6. **Pan Ocean Tentative Parcel Map No. 4944.** Applicant is requesting approval for a Tentative Parcel Map to subdivide a 30 acre parcel into four (4) parcels on East Beamer Street in the Industrial Zone.

Applicant/Owner: Dan Chen, Pan Ocean, Inc. Environmental Document: Categorical Exemption

Staff Contacts: Paul L. Hanson, AICP, Senior Planner

Recommended Action: Conditional Approval

DISCUSSION

- <u>Paul Hanson, Senior Planner:</u> He pointed out a correction on page 6; the findings <u>are</u> for the Pan Ocean Map and not the Rite Aid Map.
- Commissioner Dote: She questioned why the detention pond was a separate parcel.

- Paul Hanson: He stated it had to do with the flood zone. Because the property is in the flood zone all three parcels have to be maintained below 4 (four) feet. By taking out the detention pond, that can be over 4 (four) feet and flood, and that is what has been done here.
- <u>Commissioner Dote:</u> She questioned whether the material taken from the detention pond would be used to raise the elevation of parcel 1.
- Paul Hanson: He stated it was not needed, but it will be used to raise up the site.
- <u>Commissioner Dote:</u> She questioned whether this would cause any problems.
- Paul Hanson: He stated not at this time, staff is running flood models, though.
- <u>Commissioner Murray:</u> She questioned what will become of the building that is currently on site.
- <u>Paul Hanson:</u> He stated there is a tenant for parcel 1, but the applicant would be better suited to answer Commissioner Murray's question.

PUBLIC COMMENT

- <u>Commissioner Wurzel:</u> He questioned the statement justification and what the property was planned to be marketed as.
- <u>Dan Chen:</u> He stated he is currently seeking buyers for the property.

COMMISSIONER COMMENTS

- Commissioner Wurzel: No comment.
- Commissioner Dote: She doesn't have a problem with it; thinks it is a good project.
- <u>Commissioner Murray:</u> She drove around the site today, saw quite a bit of industrial development around the area; wishes them well in developing the project.
- Commissioner Barzo: He has no problem with it.

It was motioned by Commissioner Wurzel, seconded by Commissioner Dote, and unanimously carried that the Planning Commission approve the Pan Ocean Tentative Parcel Map # 4944 dated April 24, 2008 based on the identified findings of fact and subject to conditions of approval by taking the actions listed in the staff report dated June 19, 2008, with the typographical error on page 6 noted by staff.

7. **Ranchhod Tentative Parcel Map No. 4941.** Applicant is requesting approval for a Tentative Parcel Map to subdivide two (2) existing parcels into three (3) parcels on Freeway Drive in the Highway Commercial/EOZ Zone.

Applicant/Owner: Rohit Ranchhod/Collet-Lukenbill Enterprise

Environmental Document: Categorical Exemption

Staff Contact: Jimmy A. Stillman, Associate Planner

Recommend Action: Conditional Approval

PUBLIC COMMENT

- <u>Commissioner Dote:</u> She questioned whether two and one half acres was large enough for a hotel.
- Bryan Bonino, Laugenour & Meikle, Civil Engineer for Project: He stated the site plan has already been developed with proper parking for the gymnasium. The gymnasium will have approximately 90 parking stalls.
- <u>Commissioner Dote:</u> She questioned if the gymnasium was like a health club.
- <u>Bryan Bonino:</u> He stated that the gymnasium was *Fitness Systems*, located by DMV on East Gum Avenue. Once completed they will move from that location to the new location.
- Commissioner Dote: She questioned what restaurant will be going in the location.
- <u>Bryan Bonino:</u> He stated that is not known yet. However, the desire is to obtain a nice restaurant to serve all the hotels within walking distance.
- <u>Commissioner Dote:</u> She questioned whether Woodland had the market for four hotels.
- <u>Bryan Bonino:</u> He stated the same owner for Ranchhod also owns Holiday Inn, and they feel the market is good.

DISCUSSION

- <u>Commissioner Dote:</u> She stated on page 3 that this does not fall within a specific plan area. She questioned whether it wouldn't fall under the Gateway Overlay Zone.
- <u>Jimmy Stillman:</u> He stated this was in the Entryway Overlay Zone for design standard purposes. The three buildings that will be built will undergo design review.
- <u>Commissioner Barzo:</u> He thinks it is a good infill project, and is all for it. He especially likes the idea of the restaurant.
- <u>Commissioner Murray:</u> She is concerned with the access from Freeway Drive, but otherwise I think it is a fine project.
- Jimmy Stillman: All of the access is off of Freeway Drive.
- <u>Commissioner Dote:</u> She feels it is a good addition to the area. She stated that all of the hotels are currently booked for "*The Best Show on Tracks*".
- <u>Jimmy Stillman:</u> He stated that the hotels are currently running at approximately 80% occupancy each evening per the hotel owners.
- Commissioner Wurzel: He thinks it is a good project and he supports it.

It was motioned by Commissioner Dote, seconded by Commissioner Wurzel and Commissioner Murray, and unanimously carried that the Planning Commission approve the Ranchhod Tentative Parcel Map #4941 based on the identified findings of fact and subject to identified conditions of approval by taking the following actions as listed in the staff report dated June 19, 2008.

8. City Center Lofts Condominium Conditional Use Permit, Tentative Subdivision Map, and Design Review. Applicant wishes to construct a mixed-use development consisting of Commercial, Live-Work, and Residential Loft areas. The proposal includes 170 total Residential units, 32,069 square feet of Commercial space, and 307 parking spaces within a 2.1 acre site.

Applicant: Larry Andrews and Dave Morrison/City

Center Lofts LLC

Environmental Document: EIR

Staff Contact: Cindy Gnos, Contract Planner and Robert

MacNicholl, Planning Manager

Recommended Action: Certification of the Environmental Impact

Report and Conditional Approval of the City

Center Lofts Project

DISCUSSION

• Robert MacNicholl: He gave an overview of tonight's discussion, which will focus on policy, mitigation and findings. He clarified that this project was a mixed use residential/commercial condominium project, multi-story located on Main Street between Walnut and Elm Street. Mr. MacNicholl stressed that Dead Cat Alley would not be closed to vehicle traffic. It will, however, have enhanced pedestrian access. Mr. MacNicholl stated the specific entitlements consisted of 3:

- o Conditional Use Permit for the use as condominium
- o Tentative Parcel Map for condominium purposes
- o Design Review for the entire project.
- Robert MacNicholl: He stated that all of the actions will take a different approach. In this report there is a resolution, which will encompass conditions of approval, mitigation measures and all the rest, so it will be an easy consolidated action for the Commission to take. Staff has also provided a letter of recommended changes to the conditions of approval.
- Cindy Gnos, Contract Planner: She discussed the EIR process. She stated there were two primary issues with the EIR; one being historic resources and the other traffic/parking. In response to the demolition of the historic building, mitigation measures were added to final EIR, which included photo documentation of the building and signage provided to the Historical Preservation Commission for archival as well as providing a public display in the proposed building, providing \$20,000 to the City of Woodland as a contribution for enhancement of historic preservation, and incorporating some of the existing building materials in the courtyard if feasible. Ms. Gnos stated that the City of Woodland adopted a Downtown Parking Management Plan Ordinance, in which it would allow developers to pay in-lieu fees for projects that could not meet the required parking spaces. Staff has amended the mitigation measures EIR to read "comply with the ordinance; pay the in-lieu fee". Cindy Gnos also discussed conditions of approval # 2, 9, 38 and 73. One of the conditions of approval has been amended regarding the timing of

payment for outstanding processing fees and the other clarified the appeal time frame. She stated there are two resolutions attached, one related to the EIR; the finding of fact, the mitigation monitoring plan and the statement of overriding considerations and the other is the project resolution that speaks to the conditional use permit, design review and tentative subdivision map.

- <u>Commissioner Barzo:</u> He questioned whether the design guidelines would come before the Commission at a later date.
- Robert MacNicholl: He stated yes they would.
- <u>Commissioner Wurzel:</u> He asked if the Commission was scheduled to approve the design review tonight.
- Robert MacNicholl: He stated that the level of design to be approved tonight
 provides a level of certainty and addresses the overriding design concerns that
 staff has for downtown. When the materials, colors, and details are
 completed at a later date, then it will come again before the Commission for
 approval.
- <u>Commissioner Wurzel:</u> He clarified that was stated in condition 9.
- <u>Commissioner Dote:</u> She reiterated that Dead Cat Alley was to be kept opened and asked if the City would retain control of Dead Cat Alley or does it sit with the project.
- Robert MacNicholl: He stated that was a very good question because Dead Cat Alley if a very complex ownership situation. He stated he was unsure of the specific circumstances as it relates to this portion of Dead Cat Alley.
- <u>Bruce Pollard, Senior Civil Engineer:</u> He stated Dead Cat Alley was platted in 1898 and the City has control over all of it. Should the City vacate it, it was not platted in a manner that defines and separates out the parcels, so it would be split evenly with the adjacent parcels.
- <u>Commissioner Dote:</u> She questioned what a "Condominium Conditional Use Permit" was and how restrictive was it.
- <u>Robert MacNicholl:</u> He stated under the City's ordinance in order to have a condominium you have to have a condominium Conditional Use Permit, or you can also call it simply a Use Permit.
- <u>Commissioner Dote:</u> She asked what the conditions are for condominium occupancy.
- <u>Robert MacNicholl:</u> He stated it requires the process to be a Conditional Use Permit and the Commission would adopt and conditions deemed appropriate given the nature of the use.

PUBLIC COMMENT

- <u>Larry Andrews, Project Proponent:</u> He wanted to thank the Commission for the help and guidance provided to City Center Lofts over the last two years.
- <u>Commissioner Murray:</u> She stated she spoke with Mr. Andrews on the phone regarding this project. She asked if one building was for rent and the other for ownership. Will the apartments/lofts be owned by the residents?
- <u>Larry Andrews:</u> He stated there was no distinction between building one and two in terms of ownership rights. What he has applied for is the ability to sell the individual units to individual buyers.

- <u>Commissioner Murray:</u> She questioned whether there were two garages or one large garage for the whole complex.
- <u>Larry Andrews</u>: He stated the plan that has been submitted shows parking under both buildings and it would be connected so entrance and exit could be from either building.
- <u>Commissioner Murray:</u> She asked if the glare from the windows stated in the DEIR had been resolved.
- <u>Larry Andrews:</u> He stated the plan was to provide shade control.
- <u>Commissioner Murray:</u> She stated perhaps something could be put on the windows to avoid the reflections from the glare on vehicles below.
- <u>Larry Andrews:</u> He stated one thought was to recess windows back. He will refine the plans and bring updated plans before the Commission at a later date.
- <u>Commissioner Dote:</u> She stated she really liked the project; the Chamber of Commerce supported it. It met quite a few of underlying desires of the Downtown Specific Plan. She stated she just received a solicitation for sale of part of the project as a senior care facility. She questioned if this would change the use mix.
- <u>Larry Andrews:</u> He stated he is not looking for any deviation from the originally submitted plans. He also said his company was looking into equity investors for possible further development of the project.
- <u>Commissioner Dote:</u> She stated the Commission's concern regarding this. She also stated she was unsure if it would meet the same benefit level the Commission was interested in.
- <u>Commissioner Wurzel:</u> He questioned the duration of the Tentative Map and the Conditional Use Permit, when would they expire.
- Robert MacNicholl: He stated the duration was 2 years.
- <u>Commissioner Wurzel:</u> He questioned the process for extensions. He stated a final map must be recorded within 2 years and a permit must be pulled within two years for construction.
- <u>Cindy Gnos:</u> She stated there is a one year extension on Use Permit that can be applied for, a map extension is longer than one year.
- Commissioner Barzo: No questions.
- David Wilkinson, Woodland resident: Board of Directors, CA Preservation Foundation: He stated he had two comments on the DEIR, one regarding parking, the other regarding historical mitigation. He feels that with the City's parking policy they are promoting walking in Downtown Woodland, which he feels is a great thing. He also thinks that the City is making use of their infrastructure and not going overboard on parking. Mr. Wilkinson feels the decision the Commission will make tonight regarding historic preservation is extremely important with regards for the future of the historic preservation policy in the community. He stated that the design of contemporary architecture of this project will move Woodland into the 21st century. Mr. Wilkinson went on to say that he feels good quality modern architecture design enhances the wonderful historic resources in downtown Woodland. He feels the mitigation is relatively weak for a project of this magnitude. He stated an example; a couple of weeks ago he had a conference call with Robert MacNicholl, Jimmy Stillman and Mike Bueller, former legal

counsel to the National Trust for Historic Preservation. Mike Beuller gave the example there is a large condominium project just as you are coming into San Francisco, which had an impact on the old union halls. One of the mitigations was the City of San Francisco asked the developers to make good on some of the other historic preservation activities in the vicinity, and ultimately the developers renovated one of the old union halls. His point was that historic mitigation was not uncommon and he feels they are very relevant to this project. He stated his recommendation at more that what is before the Commission currently. He feels the mitigation should be closer to \$50,000 to \$100,000. He does not feel it will affect the economics of the project; it is the cost of doing business in Woodland, a city that values its historic resources. The building that is currently on the proposed site is part of the National Historic District and it will wipe out a significant piece of our historic district. Mr. Wilkinson stated he definitely thinks the project should be built, but as a community we need to set a policy so in the event we must sacrifice historic resources we get something in return. He would like to see State Theater get some help. He stated it is one of the key historic building in downtown and also a functioning art deco building. He believes that would be a win-win situation for both the community and the developer. Mr. Wilkinson said that Mr. Andrews spoke at a Historical Preservation Commission meeting and publicly stated he and his team would think about what would be reasonable mitigations. Mr. Andrews also publicly stated he thought the State Theater was a reasonable project to use some of the mitigation money for. He thought it would benefit the condominium project also. Mr. Wilkinson was also under the impression that Mr. Andrews wanted to bring his ideas back publicly. Mr. Wilkinson would like Mr. Andrews to come before the Commission tonight and present the ideas his team has come up with.

- Janet Ruggerio, representative for Holy Rosary Church: She asked that Robert MacNicholl be congratulated for his 35 years in planning, most of his time being served in Yolo County. She stated the Church has three areas of concern. While she did support the issue of joint parking, she is concerned with the spaces being used by more than just the occupants of the buildings. Ms. Ruggerio gave a little background on the church; it was built in 1951 and has approximately 2000 registered families. There are approximately 6000 families that participate in church services at any given time. The church has numerous masses and a tremendous amount of activity on the weekends. She feels the parking survey did not take this activity into account. She had questions regarding the parking.
 - o Are the retail spaces in the underground parking only for retail customers and employees?
 - o Are they available to the public at any time?
 - o Are they timed spaces?
 - \circ Will the 15 30 spaces of street parking be timed? When the church has a funeral mass during the day it usually last longer than two hours.
- <u>Ms. Ruggerio:</u> She recommended that the Planning Commission allow for a reassessment in 6 months to 1 year to determine the full impact of the parking situation. She also recommended there be restrictions, either through

- CC&R's or a special agreement limiting the number of vehicles the residents of the condominiums could own. She also stated that if the only access to the underground parking was through the lobby, then was it actually available to anyone other than retail. She did appreciate that the alley was to be kept open. However, she was still concerned with the noise from pile driving as Father Terry, along with two other priests do live in the building immediately adjacent the church. There also needs to be an assessment of the noise during the day when masses are in session. Ms. Ruggerio stated in her final comments the short term concerns were the parking and impact to services. She stated that the long term concern with this project deals with making sure all of the parcels, including the church site, will connect in the future for a redevelopment project. She states the church clearing understands the need for the development of this property development and supports the general design, but she stated she wanted to insure that in the short term the impacts on the church be considered.
- Meta Bunse, Historical Preservation Commissioner: She stated that the assessment status that we are dealing with is based on findings on impacts to the historic resources which are significant and can not be reduced to less than significant. She felt it was not accurate to say that there was no substantial new information provided for the final EIR. She stated there is not adequate mitigation for the loss of these buildings in her opinion. She was also unsure as to what efforts were made to incorporate all feasible alternatives. She discussed the EIR analysis and how it fits within the Downtown Specific Plan. Although the benefits are touted, there was no discussion of meeting the preservation goals of the Downtown Specific Plan. The fact that it actually fails to meet those goals, means it also fails to meet the goals of the General Plan as well in terms of historic preservation. The fact that it may be less desirable, although she states she does not see what supports that analysis, does not make it in feasible. She stated the loss of historic resources is a permanent loss. Ms. Bunse stated there was a typographical error on page 43 of the staff report; it read "the City of Wheatland" instead of "the City of Woodland". She also agreed with Mr. Wilkinson regarding the mitigation measures. Ms. Bunse stated she does not believe the balance of competing goals is thorough because it does not discuss the historic goals of either the Downtown Specific Plan or the General Plan. She felt that although there was no perfect answer when it comes to mitigating for the loss of a historic resource, it is reasonable to realize that \$20, 000 is inadequate. The money should be combined with perhaps interpretative museum efforts, something outlined to specifically use the historic documentation, the photo documentation to the benefit of the community. She would like to encourage the Planning Commission to expand the mitigation for the benefit of historic resources.
- <u>Commissioner Dote:</u> She questioned what Meta Bunse would propose as an expansion.
- Meta Bunse: She stated she believed additional monies would be necessary.
 Also being specific in mitigation as to the historic photo documentation and developed into adequate exhibits. Another possibility would be develop a program in conjunction with the historical society, the Historical Preservation

- Commission, the Walking Tour group, or possibly the Yolo County Archives that would interpret the site, possibly a project on the history of auto-related businesses in Woodland.
- <u>Commissioner Wurzel:</u> He questioned if the condition of the photographic documentation of the building was prior to the commencement of the demolition of the building. The dealership is gone.
- <u>Meta Bunse:</u> She stated the documentation would be of the building and not of the business.
- <u>Commissioner Wurzel:</u> He asked Ms. Bunse what her feeling was on the photographic documentation requirement being done when the building is in disrepair, with the paint peeling on the walls. Mr. Wurzel believes that the photos should be taken sooner rather than later.
- <u>Meta Bunse</u>: She stated that peeling paint does not mean it is not a historic building; it still contributes to the historic district.
- Robert MacNicholl: He stated that he believes Ms. Bunse is going beyond the current state of the building and looking at the historic, traditional uses of the building over time, and perhaps when it began as an auto dealer.
- <u>Commissioner Wurzel:</u> He clarified that the photographic documentation was the compilation of old photos as well as how the historic resource looks today.
- <u>Meta Bunse</u>: She stated the National Park Service had extensive guidelines, called the "Historic American Building Survey", which lists the procedures for how to document historic buildings.
- Bobby Harris, resident: He stated he felt this was truly a marvelous and breathtaking project, an inspiration for the future of Woodland. He feels it is a beautiful western gateway to downtown but that the City has lost the eastern gateway. He addressed the parking issued and wanted to draw a connection between historical preservation and parking. Mr. Harris stated he had a suggestion that involved the CCRs and the City of Woodland's Parking Ordinance. He felt if the residences of the project were marketed and they accepted a provision of not owning a vehicle that would be a breakthrough and the City could adjust their ordinance to be flexible with regard to in-lieu mitigation fees, which are due to be paid with a gap in parking as it exists today. Mr. Harris stated that by marketing these opportunities in the future, so instead people spending money on vehicles and their upkeep, they can spend their money on an ownership position in such a marvelous development. He believes we need to emphasize this type of lifestyle change.
- Tom Stallard, Woodland resident, downtown business owner: He wanted to first thank the Planning Commission for the service they provide to the public. He also wanted to congratulate Commissioner Dote on her return to the City Council. Mr.Stallard stated that he supports the project, saying the City needs this kind of project. He states that it is completely consistent with SACOG blueprint plan for 20/50, basically smart growth live/work. This is a marvelous opportunity and if it is done well it will make a great addition to the City of Woodland. Mr. Stallard felt that the parking was adequate. His suggestion was to have only one reserved space for each unit. He believes the City should emphasize the walkibility of the town, and also the ease of the transit usage. He stated Woodland needs a density project downtown. He

- also stated that the restoration of the State Theater façade would be a great mitigation project.
- Cheryl Brookshear, Historical Preservation Commissioner, Woodland resident: She had a concern that the Historical Preservation Commission was not involved in the discussion of this project until the revised EIR, which by that time put into contention part of the Downtown Specific Plan and Chapter 6 of the General Plan, which deals with historic preservation. She stated that the potential to rehabilitate the buildings was never addressed as per chapter 6. Ms. Brookshear questioned if the City was planning on selling off its historic assets. There is an offer of \$20,000 for two historic buildings in downtown, and the question is what can you do with \$20,000? If the City decided to create a revolving fund to assist with historic preservation projects, would \$20,000 be enough to seed that fund? Another option would be for the City to invest the money and use the profit to provide grants for façade programs. She does not feel this is a viable option. Historic preservation is about keeping the past visible where it is now. Ms. Brookshear stated that if the City is going to take money for the historic district she would like to see it substantially more and if there is some type of documentation it needs to be visible to the public.
- Larry Andrews: His understanding was that the buildings were not the issue as the historic resource but the real issue was the automotive use downtown and how it contributed to the story of automotive use. He stated that what he wanted to mitigate was to celebrate the use of the automobile as a focus of downtown. Mr. Andrews stated he would like to help with downtown revitalization. He stated he has been meeting with the Historic Resources Commission and would like to do as much as possible on a voluntary basis, for example the State Theater would be a wonderful project, but it is someone else's property, he has never met with the owner, he does not know what the cost would be. Mr. Andrews stated he would encourage the City to study the cost to see if it is feasible and can be done. He stated he believes it is in the \$20,000 range. He stated that he would be willing to contribute more money if there was compromise; he felt he could add an additional \$40,000 to \$50,000.
- <u>Commissioner Dote:</u> Janet Ruggerio had questions regarding the noise. Does Mr. Andrews have any ideas about noise mitigation?
- <u>Larry Andrews</u>: There is a condition that requires us to submit a plan for the pile driving. In general terms it is not done on Sunday.
- Commissioner Wurzel: Pre-drilling.
- <u>Cindy Gnos:</u> She stated the mitigation measures limit the hours of construction. The hours will be 7:30AM 5:30PM Monday through Saturday, prohibited on Sunday. If pile driving is done, pre-drilling is required to minimize the noise.
- <u>Commissioner Sanders:</u> He feels that \$50,000 is at the low end. He stated that the Commission cannot commit to the State Theater or any particular project. Commissioner Sanders questioned if a fund was created for the Historic Preservation in the City of Woodland and the State Theater or another historic preservation project was viable enough to shift money from

- the fund to the project would Mr. Andrews be willing to make a more significant contribution to the fund.
- <u>Larry Andrews</u>: He stated he felt he was offering quite a bit as it was since he was offering \$50,000, plus the work for the City, payment for infrastructure, and fees that have to be paid. He would like to have a partnership with the City.
- <u>Commissioner Sanders:</u> He questioned if Mr. Andrews would be willing to pay \$75,000 with review at the time of final design review.
- <u>Larry Andrews</u>: He stated his estimate was approximately \$75,000 if he was required to provide the various documentations.
- <u>Commissioner Sanders:</u> He stated that he would need to consult with the City Attorney to determine a way to leave the dollar amount open.
- <u>Commissioner Wurzel:</u> He gave his own example of a similar project he was working on in Salinas that fell through. He asked if the City has reviewed a pro-forma for this project yet?
- Robert MacNicholl: He stated there has not been a formal pro-forma.
- <u>Commissioner Wurzel:</u> He stated there would have to be a partnership if this project were to be constructed within two years; there would be tax increment financing, project subsidy. He stated the Commission will need to look at the mitigation measures with respect to the fees because this is a cost that the City of Woodland will be sharing. Look at it in that context.
- <u>Commissioner Sanders:</u> He stated if it was his nickel, he would raise the mitigation to \$100,000.
- <u>Commissioner Wurzel:</u> He was fine with that.
- <u>Robert MacNicholl:</u> He stated this project is important for the City and may be a model for future projects. He discussed the bullet points of the process.
 - o The likelihood of the buildings remaining nil
 - o The majority of the site is largely empty
 - The broader implications of a project of this scale and what it can do to the image of the community
 - o Interest in something like this project happening in some form
 - o Some contribution by the applicant
 - o Some participation on the part of the City through the Redevelopment Agency or some other means
 - O Suggestions on prioritization and having a process which uses the HPC as a vehicle for determining how the money is utilized and what priorities for the utilization for that money are. HPC would make recommendations to the City and City Council.
- Ann Siprelle, City Attorney: She would not suggest putting off setting the dollar amount of the contribution for a later date, because as a CEQA mitigation measure you do not want to be open to the challenge that as a speculative mitigation measure it is put off until a later date. Also, the way the mitigation measure is written now it states that the money would be contributed to the City for the enhancement of preservation efforts within the Woodland downtown area. The City has complete discretion on where to spend the money as long as it is for that purpose within that area.
- <u>Commissioner Wurzel:</u> He stated that comments from the July 5, 2007 Planning Commission were not addressed in the final EIR. He is referring to

- the specific comment on page 5-7of the Draft EIR. Commissioner Wurzel questioned how and when did the City make the determination that this project provided a greater economic benefit, and how the economic benefits were quantified without a review pro-forma by the City.
- <u>Cindy Gnos:</u> She stated a complete economic analysis has not been done at this time, and until redevelopment funds are requested the City does not review pro-formas unless a request for funds has been submitted. The City has been assisting with other financial sources and has been exploring grants and Prop. 1C. funds Ms. Gnos stated she has been working closely with Wendy Ross, Economic Development Manager and Cynthia Shallit, Redevelopment Manager. Ms. Ross and Ms. Shallit had written a letter suggesting increase in property taxes, expected sales tax benefits, and spinoffs that might occur from that by other consumer activity in the area. This project would be a catalyst for downtown.
- <u>Commissioner Wurzel:</u> He stated the EIR specifically states that the City has made this determination, and he does not see where in the EIR that determination was made. Commissioner Wurzel stated that was one comment that was not addressed from the draft EIR public Planning Commission review to today, and it was in the minutes.
- Robert MacNicholl: He stated there were some figures that were thrown out. They are discussed at some level in the letter from Ms. Ross and Ms. Shallit. On the basis of the estimates from the Economic Development Manager and the Redevelopment Manager the City did reach an internal consensus that did in fact provide benefit. The benefit outweighed any of the losses that would otherwise have developed as a result of the loss of the buildings.
- Commissioner Wurzel: He stated he could agree with that. He noted that on page 45, exhibit A of the CEQA finding of the first resolution under the statement of overriding consideration, just before exhibit B is presented, it specifically states "the City Council has found that the project benefits outweigh the significant..". He believes it should state "the Planning Commission." It went on to read the City believes", which he feels should again read "the Planning Commission believes", and the final paragraph "nevertheless the City", again that should read "nevertheless the Planning Commission". He stated the Planning Commission is determining that the economic benefits outweigh the other impacts.
- Ann Siprelle: The Planning Commission is the final decision-making body.
- <u>Commissioner Wurzel:</u> He stated those three edits would need to be incorporated. He feels the economics of this project are significantly challenged and it will take a major lift on the City's part to finish construction within two years. Commissioner Wurzel stated he would be in favor with keeping the mitigation amount at \$20,000 and perhaps the City would be willing to match the amount if this project is a priority to the City. He then asked if the City could put a condition on itself to mitigate, since the City is destroying historic resources by approving this project.
- <u>Ann Siprelle:</u> She stated the City could be included in a mitigation measure; the City could match the money or something like that. That could be an appropriate mitigation measure.

- <u>Commissioner Wurzel:</u> He stated the City or the agency giving the matching funds would like flexibility.
- <u>Commissioner Dote:</u> She is concerned with the Planning Commission obligating monies out of the City budget or the Redevelopment Agency budget. She thinks it could be a recommendation on the part of the Planning Commission, but does not believe that they can commit City resources.
- <u>Commissioner Wurzel:</u> He stated agency resources would be committed because of the partnership that would develop.
- <u>Commissioner Dote:</u> She understood that, but stated the Planning Commission does not have any budgetary control.
- <u>Ann Siprelle:</u> She stated if the Planning Commission imposed that condition, then the condition would have to be met unless it was appealed.
- <u>Commissioner Wurzel:</u> He again stated that if the project was to move forward it would be necessary for partnership with the City to be capitalized.
- <u>David Wilkinson:</u> He does not feel that \$50,000 to \$75,000 mitigation will cause this project many problems. He stated tonight was about the entitlements and mitigations. He is unsure if the developers want a public/private partnership because the development could become more costly if the Redevelopment Agency invested funds into the project in terms of labor standards.
- <u>Larry Andrews:</u> He stated that the project is a partnership of lenders, investors, the City, and he has also contacted the State and the Federal government to inquire about grants available. His concern is having more burdens added on to the project that when it comes time to work that out with the City we have a need to fund historic mitigation. He feels the mitigation is for the history of car use and not for the building.
- Commissioner Sanders: He stated the Planning Commission needed to balance what the City was losing and what it was gaining, what can be done for the community and what can be done to help the project along. He felt that \$75,000 was a good amount for mitigation judging by the comments from the audience, and if it went to a vote, he also felt that is what the Commission would vote for. He asked Mr. Andrews if he could accept that amount.
- <u>Larry Andrews:</u> He stated yes, if there was a consensus from the other stakeholders here tonight. He would like to listen to some of their comments.
- <u>Meta Bunse</u>: She supports the \$75,000 mitigation and she appreciates Mr. Andrews's willingness to negotiate. She also thinks it would be wonderful if the money could be applied to the historic preservation in downtown.
- <u>Commissioner Sanders:</u> He stated the City has the discretion on how the money will be used for historic purposes.
- <u>Ann Siprelle:</u> She clarified Commissioner Sanders statement that the City's discretion regarding the use of funds for historic was for the downtown area.
- <u>Bobby Harris:</u> He emphasized his point regarding a compromise on where the money comes from. His idea of providing ownership properties in the project for people willing to abstain from a motor vehicle and having the ordinance for in-lieu fees relaxed to 5 -10 spaces. He feels that would make of the difference in monies discussed tonight. He would look forward to an opportunity of discussion of his idea.

- <u>Larry Andrews:</u> He stated he is very excited about the project. He appreciates all the cooperation he has received from City Staff, Raney Planning and Management and everyone in the community.
- Commissioner Sanders: Close Public Comment.

DISCUSSION

- <u>Commissioner Sanders:</u> He is unsure if the Commission can impose CCRs for no vehicles.
- <u>Ann Siprelle:</u> She stated there is a condition that the Planning Department will review the CCRs to try and meet objective.
- Commissioner Sanders: He suggested to staff to work on the issue. Commissioner Sanders stated this is very difficult as the City will be losing several historic buildings. He stated what the City is gaining is significant compared to what the City is losing. At an early stage in the discussions regarding this project the Planning Commission looked at ways to integrate the existing buildings. However, that became completely impractical. He feels that through the mitigation, and with so much interest in the revitalization of the State Theater, which would be a boon for downtown and greatly enhance the project before the Commission tonight, he supports the City Center Lofts Project. He would like to see the entitlement increased to \$75,000, and however it is funded is beyond the scope of the Planning Commission. The parking issue and its impact on the church can be addressed in the construction plan. However, there is nothing that can be done regarding the parking issue. He reiterated that he supported the project, would like the condition changed to \$75,000 and he is very excited about the design.
- <u>Commissioner Barzo:</u> He strongly supports the project and feels it would be a great improvement to downtown. He feels that \$75,000 is a fair amount, especially considering what the City is giving up. He also states that parking has always been a problem and it would never going to go away.
- <u>Commissioner Murray:</u> She stated it is a great project; it will do wonders for downtown. She also stated that the City had, for quite a while, been trying to relocate the used car lots from downtown. Commissioner Murray stated the developer was very open and easy to work with. She appreciates their willingness to increase the mitigation fee, and she does not want anything to jeopardize the project.
- Commissioner Dote: She is very impressed with the project and very happy that the developers are flexible with the mitigation fee. She would like to see the money go into a specific fund rather than a general fund, one that is earmarked for historical preservation projects. Those funds could be used for a study to understand what it would take to revitalize the State Theater. However, the theater is privately owned and it is unknown whether the owner is interested in any improvements. She believes the Redevelopment Agency would get involved with the State Theater if they wanted. Commissioner Dote stated she would like to see if there is some way to relax the parking requirements as an incentive to the developer through the CCRs.

- Commissioner Wurzel: He has been supportive of this project from the beginning. He stated the Historic Preservation was important to the Planning Commission in the amount of \$75,000. He feels a better implementation of the policy, which is beyond the scope of the Commission, would be to focus the objectives of the Redevelopment Agency on projects like this. He stated with respect to the parking issue the developer would need to determine through CCRs the number of allocable parking spaces to the units to only one, then they will have to try and market the project and market forces will work out whether prospective buyers feel that it is too inconvenient to have two vehicles to live in this place.
- <u>Ann Siprelle:</u> She stated theoretically the City could require the CCRs to have that specific provision in it, but then the City would have to decide if they want to be in a position of enforcing it. Also, the homeowners always have the option to change the CCRs.
- <u>Commissioner Dote:</u> She stated the discussion for this project has been going on for two hours so far. We have spent a great deal of time talking about the historical preservation, and I would like to thank the developers, Mr. Wilkinson and all of the other representatives of the community because that is the core Woodland value. This conversation would not have happened in many other cities and she is very proud that it happened here tonight.
- <u>Ann Siprelle:</u> She reminded the Commission there are two separate resolutions before the Commission tonight. The mitigation measure with the dollar amount is 4.1-2B and there are a couple of edits in the statement of overriding considerations.

It was motioned by Commissioner Wurzel, seconded by Commissioner Dote and Commissioner Murray, and unanimously carried that the Planning Commission approve The Environmental Analysis for the City Center Lofts Project, certify the final EIR Schedule # 206102011, adopting a Statement of Overriding Considerations, and adopt a Mitigation Monitoring Plan as laid out in the Resolution 0801 with changes noted on Exhibit A, Page 45, Section 4.1.2C. With respect to Page 43, Mitigation Measure 4.1-2B prior to the issuance of a building permit the project applicant shall contribute \$75,000 to the City for the enhancement of preservation efforts within the Woodland Downtown area.

- <u>Ann Siprelle:</u> She stated that same change would be made in the Mitigation Monitoring Plan, which is adopted by the resolution.
- Robert MacNicholl: He stated the second resolution number is 0802.

It was motioned by Commissioner Wurzel, seconded by Commissioner Murray, and unanimously carried that the Planning Commission approve Resolution 0802 making findings and conditionally approving the City Center Lofts Project located at 333 Main Street, including a condominium Conditional Use Permit, a Tentative Subdivision Map, and Design Review. Modification to condition #1 as stated in the letter, applicant shall pay outstanding entitlement fees or enter into an agreement with the City regarding the timing of the payment of fees within six months of receipt of the detailed accounting. Condition #83 approval of this permit will be effective, providing no appeals are received within 10 calendar days for the Tentative Subdivision Map and 14 calendar days for the Conditional

Use Permit of the Planning Commission meeting date and that the property owner and applicant signatures are obtained affirming that they have read, understood, and agree to comply with the conditions of approval.

- <u>Cindy Gnos: Chairman</u> Sanders asked that #73 be modified on the construction plan, that we also give consideration to the timing of the services.
- 9. **Proposed Subdivision Ordinance.** Public hearing to accept comments on the proposed rewrite of chapter 21 of the City of Woodland Municipal Code (Subdivision Ordinance).

Applicant/Owner: City of Woodland

Staff Contact: Bruce Pollard, Senior Civil Engineer Recommend Action: Recommend City Council Approval

DISCUSSION

- Bruce Pollard, Senior Civil Engineer: He covered the highlights of the subdivision changes. He stated the property owners and the engineers that the City generally does business with were notified through a public notice. However, most of the engineers were given information prior to the public notice. As of now, no comments have been received.
- <u>Commissioner Murray:</u> She questioned whether this would become part of the General Plan or if this would be separate.
- Bruce Pollard: He stated it is part of the Municipal Code.
- Ann Siprelle: She stated it will replace the Subdivision chapter in the Code.
- <u>Commissioner Dote:</u> She questioned what the tree planting and maintenance easement was.
- <u>Bruce Pollard:</u> Prior to ERAF in 1991 the City maintained all trees within 15 feet of the sidewalk. The ordinance requires a tree planting and maintenance easement for those purposes. The City reduces Staff and reverted ownership of the trees to property owners but the ordinance still requires a tree planting and maintenance easement.
- <u>Commissioner Wurzel:</u> He questioned from a practical perspective how this ordinance would affected the two parcel maps and the tentative map the Commission approved tonight.
- <u>Bruce Pollard:</u> The only practical one is the City Center Lofts because it is a condominium map, but it is already a Conditional Use Permit. However, in Spring Lake, the condominium maps are not Conditional Use Permits because they are in the plan, but it allows for a Tentative and Final on a condominium map rather than now that process does not follow because a Tentative and Final are not required and they just go through the Department of Real Estate to final a condominium map. This gives a greater definition for the process and allows the City to make sure that conditions are complete.

PUBLIC COMMENT

• None

DISCUSSION

- <u>Commissioner Wurzel:</u> He thanked Mr. Pollard.
- <u>Commissioner Murray:</u> She stated it was a large amount of work that was well done.

It was motioned by Commissioner Dote, seconded by Commissioner Wurzel and unanimously carried that the Planning Commission adopt Resolution 0803 to recommend to the City Council of the City of Woodland to adopt the ordinance relating to subdivisions.

There being no further business, the meeting was adjourned at 9:46 PM.

Respectfully submitted,

Robert MacNicholl Planning Manager