ACTION MINUTES CITY OF WOODLAND PLANNING COMMISSION THURSDAY, OCTOBER 4, 2007

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

Spesert

VOTING MEMBERS ABSENT: Dote

STAFF MEMBERS PRESENT: MacNicholl; Hanson; Pollard

The meeting was called to order at 7:01 PM. Commissioner Dote arrived at 7:05 PM.

1. Approval of Planning Commission Meeting Minutes for June 1, 2006; July 6, 2006; July 20, 2006; September 7, 2006; September 21, 2006; October 19, 2006; November 2, 2006; and September 6, 2007:

Commissioner Wurzel requested abstention from all minutes prior to his appointment to the Planning Commission. It was moved by Commissioner Spesert and seconded by Commissioner Murray that all of the minutes for the Planning Commission be approved.

The motion was carried by the following vote:

AYES: Spesert, Murray, Sanders, Barzo, Dote, Gonzalez, Wurzel (for the September 6,

2007 Minutes)

NOES: None ABSENT: None

2. Directors Report: Move Planning Commission Meeting start time from 7:00 PM to an earlier time, possibly 6:00 PM, consistent with the start time for City Council meetings:

COMMISSIONER COMMENTS:

- Commissioner Gonzalez: The City Council does start early, but the have more items on their agenda.
- Commissioner Sanders: Want to leave it at 7:00 PM
- Commissioner Barzo: Agree with Commissioner Sanders, leave at 7:00 PM; feel that the later time would allow for more community involvement

It was moved by Commissioner Murray and seconded by Commissioner Dote to keep the start time of the Planning Commission Meetings at 7:00 PM.

AYES: Murray, Dote, Sanders, Barzo, Wurzel, Spesert, Gonzalez

NOES: None ABSENT: None

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- 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.
 - 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 items a Commission member would like to have discussed at a future Commission meeting.
 - Commissioner Dote: Met with people from City Center Lofts, and recommended the meeting with the Architectural Subcommittee.
 - Commissioner Murray: Also met with City Center Lofts as Architectural Subcommittee.
 - Commissioner Sanders: Would like to take this opportunity to recognize past Chairman Barzo and all his work on the Stroll Through History. It was a great success.

5. Subcommittee Reports:

None.

PUBLIC HEARING:

6. Country Oaks Tentative Subdivision Map No. 4851:

Request for approval for a Tentative Subdivision Map and a Planned Development Conditional Use Permit to divide existing 5.65 acre parcel into thirty-eight (38) parcels at 1341 East Gum Avenue in the R-1/PD Zone.

APPLICANT/OWNER: Spare Time, Inc. (Larry Gilzean)
ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration
STAFF CONTACT: Paul Hanson, AICP, Senior Planner

RECOMMENDED ACTION: Conditional Approval

THIS ITEM HAS BEEN POSTPONED UNTIL A FUTURE DATE

7. Rite Aid Tentative Parcel Map No. 4929:

Request for approval to reassembly five (5) properties (APN: 005-644-04, 05, 08, 10 & Union Pacific railroad land) and re-divide into two (2) parcels on Main, Sixth and Court Streets in the Central Business District.

APPLICANT/OWNER: Petrovich Development Company

ENVIRONMENTAL DOCUMENT: Categorical Exemption

STAFF CONTACT: Paul L. Hanson, AICP, Senior Planner

RECOMMENDED ACTION: Conditional Approval

DISCUSSION:

- Commissioner Dote: Will the Downtown Specific Plan be updated?
- Robert MacNicholl, Planning Manager: Yes, it will be updated in the near future, along with other larger projects that will come before this Commission.
- Commissioner Murray: Where is the parking lot located?
- Paul Hanson, Senior Planner: Parking lot fronts on East Street.
- Commissioner Wurzel: Would like explanation as to where access to site is from Court Street, Sixth Street, and Main Street.

- Bruce Pollard, Senior Civil Engineer: As currently conditioned, the map includes a raised median from the south leg of Sixth Street, across Sixth Street and up to approximately mid location. Heading eastbound on Main Street there is a left turn into the driveway; heading westbound on Main Street there is a right turn into the driveway or a right turn on Sixth Street and then a right turn into the driveway on Sixth Street; heading eastbound on Court Street turn right on Sixth Street and left into driveway or right into driveway access on Court Street; the proposed driveway easement on Court Street will allow through driveway on Main Street. The map's intention is for a left turn only from eastbound Main Street.
- Commissioner Dote: The left turn pocket is so close to East Street and Main Street, is there any potential conflict foreseen?
- Bruce Pollard, Senior Civil Engineer: The left turn pocket is continuous serves the left turn into Rite Aid and also the left turn onto East Street.; we don't see as an accident potential or safety hazard, but there may be more congestion.
- Commissioner Dote: Did service station that was on site previously have any problems with traffic?
- Bruce Pollard, Senior Civil Engineer: Rite-Aid will have fewer driveways than the service station had, no knowledge of accidents or complaints of traffic when service station was in use.
- Commissioner Wurzel: At present, only one through lane of traffic westbound on Main Street. Will it stay that way?
- Bruce Pollard, Senior Civil Engineer: The intersection between East Street and Sixth Street will be widened to two (2) lanes.
- Commissioner Wurzel: With two (2) through lanes does it become a safety issue?
- Bruce Pollard, Senior Civil Engineer: With two (2) through lanes, given you will have a driveway for ingressing, it is better than having one (1) lane because otherwise you will have people slowing down and causing back up and congestion at the railroad tracks.
- Commissioner Dote: Is this a Redevelopment Project?
- Paul Hanson, Senior Planner: No, it is not.

PUBLIC COMMENT/APPLICANT COMMENT:

• None.

COMMISSIONER COMMENTS:

- Commissioner Spesert: Thinks this is a good project, ready to move forward
- Commissioner Gonzalez: Have concerns with traffic; sees the Main Street entrance as problem; will there be a signal light at Sixth Street and Main Street?
- Bruce Pollard, Senior Civil Engineer: Within this project there will be no traffic signals included on Sixth Street and Main Street. Within the Downtown Specific Plan long term projection there will be a signal at Fifth Street and Main Street. There is also a mid-block cul-de-sac on the south leg of Sixth Street between Main Street and Lincoln Avenue. When the Downtown Specific Plan is updated traffic recirculation in the area may also be explored.
- Commissioner Barzo: No problem, good infill project.
- Commissioner Murray: No problems
- Commissioner Dote: Share some of the same concerns regard traffic issue, but feel Bruce has explained adequately. Will project come before Commission for Design Review? Have no problem with action tonight.
- Commissioner Barzo: Will the project come back to the Planning Commission for Design Review?

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- Robert MacNicholl, Planning Manager: The project will not come before Commission for Design Review. Design Review has been performed at staff level. The project before the Commission for consideration of a Tentative Parcel Map.
- Commissioner Wurzel: There will not be a left turn onto Sixth Street eastbound on Main Street permitted?
- Bruce Pollard, Senior Civil Engineer: Reason for that is that the left turn currently provided from the Wiseman Building on Main Street going out from the south leg of Sixth Street.
- Commissioner Wurzel: Biggest congestion area is Main Street and East Street; I therefore cannot support the left turn lane; would rather see median extended and make it a right in/right out only. Will applicant have signage on Court Street for Rite-Aid?
- Paul Petrovich, Applicant: There will be directional signage off of Court Street. If left turn is cut off on Main Street this project dies; this is a retail site, has to have access from Main Street; there were two (2) driveways to begin with; the left turn from Main Street is a requirement from Rite Aid.
- Bruce Pollard, Senior Civil Engineer: This is an urban environment, drivers expect different conditions than say freeway driving; there are similar driveway configurations at other locations in the City.
- Commissioner Dote: Would like clarification did applicant say project dies if no left turn lane for eastbound traffic on Main Street?
- Robert MacNicholl, Planning Manager: According to applicant based upon the criteria Rite Aid uses, the project requires a left turn access from Main Street.
- Paul Petrovich, Applicant: That is correct, and let me add that the development agreement for the Woodland Gateway Project required an investment in the Downtown, which this project is, so if this project is denied then that obligation goes away.
- Commissioner Gonzalez: Did I hear correctly that there will be no design review on this project?
- Robert MacNicholl, Planning Manager: No, that is not correct; the design review will be done at staff level as provided for in the Downtown Specific Plan.
- Commissioner Barzo: Is landscape plan and design review coming back to the Planning Commission?
- Commissioner Gonzalez: If we are just voting on map tonight, what other phases of this project will come before the Planning Commission?
- Robert MacNicholl, Planning Manager: This map is the extent of review at the Planning Commission level. The rest will be at staff level, as provided for in the Downtown Specific Plan.
- Commissioner Dote: Are there design guidelines for the Downtown Specific Plan?
- Robert MacNicholl, Planning Manager: Yes.
- Paul Hanson, Senior Planner: The Downtown Specific Plan was updated in 2003, at which time we strengthened the design standards.

It was moved by Commissioner Spesert; and seconded by Commissioner Barzo that the Planning Commission approve the Rite Aid Tentative Map #4929 dated 7/11/07, 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, Class 15, minor land division and Class 32, infill development.
- Determine that the project, as conditioned, is consistent with the General Plan.
- Determine that the project, as conditioned, is consistent with the Zoning Ordinance.

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• Approve Tentative Parcel Map #4929 dated 7/11/07 dividing APN 005-644-04, 05, 08, 10 and property previous owned by Union Pacific railroad into "Parcel 1" and "Parcel 2" as identified by the attached tentative parcel map.

AYES: Sanders, Spesert, Barzo

NOES: Wurzel, Dote, Murray, Gonzalez

ABSENT: None

Motion is denied.

FURTHER DISCUSSION:

- Commissioner Wurzel: My issue with the project is access off of Main Street, not with the parcels; could the applicant come up with an alternate to Main Street access?
- Commissioner Sanders: I believe the applicant has made his position clear.
- Commissioner Barzo: The applicant has the right to appeal the Planning Commission decision within ten (10) days to City Council.
- Commissioner Spesert: Can we put this up for reconsideration?
- Commissioner Dote: Has to be one of the No votes that requests it to be reopened.
- Commissioner Wurzel: Would like to reopen and discuss more.
- Robert MacNicholl, Planning Manager: I would like to clarify Commissioner Wurzel's concern expressed in regard to access to site, as well as with restricting left turns into site from Main Street.
- Commissioner Wurzel: Making a left turn across the future two (2) lanes on Main Street is an issue.
- Paul Petrovich, Applicant: Approve map with access requested with the condition that if Public Works determines this becomes a traffic problem they have a right to close the left turn lane.
- Bruce Pollard, Senior Civil Engineer: After project is complete the Traffic Engineer can extend the median at anytime, should it become unsafe.
- Commissioner Sanders: With that condition on the map would that be satisfactory?
- Commissioner Wurzel: That would be fine with the stipulation
- Commissioner Dote: I would be ok with the condition on the map.
- Commissioner Murray: I would also be ok with the condition on the map.
- Commissioner Gonzalez: I am offended as a Commissioner that the staff does not give full the
 history of project. Commissioners need to know if the project is denied that it fails completely; I
 don't want the project to go away.
- Commissioner Dote: Impact on downtown development agreement should have been outlined in staff report also, if this is a keystone project to that development agreement.
- Commissioner Wurzel: Wish to thank Paul Petrovich for proposing a solution, I am supportive of project.
- Robert MacNicholl, Planning Manager: There is a replacement for condition #11 now proposed.
- Commissioner Wurzel: I propose a new motion with an added condition to the map that in the event that Traffic Engineer finds an unsafe condition does exist; he has the ability to extend the median restricting left turn traffic from eastbound Main Street into parcel #1. The motion also incorporates all other conditions and findings as recommended by staff.
- Commissioner Dote: What is the trigger for the Traffic Engineer?
- Bruce Pollard, Senior Civil Engineer: If, in the determination of the City Traffic Engineer, the left turn access from Main Street causes undue congestion or traffic safety concerns, the Traffic Engineer may close the access and extend the median along Main Street.

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- Commissioner Spesert: Remove "congestion" unless it can be specifically defined; change verbiage to read "traffic safety concerns".
- Paul Petrovich, Applicant: Property owner should have a right to appeal.
- Bruce Pollard, Senior Civil Engineer: Providing a perspective as former Traffic Engineer, and member of the Traffic Commission; under the Vehicle Code and City Ordinance the Traffic Engineer can close a left turn access to any property. Every property has a right to access to a main street at any time from a right turn in and right turn out, but they do not have a right to a left turn access. If the Traffic Engineer decides to close a left turn, the property owner has a right to an appeal process through the Traffic Commission and the City Council; both the ability to close a left turn access and the ability to appeal the closure is provided for in the current legislature. By adding the condition of giving notice to property owner, you are, in effect, letting future property owners know that this item has been discussed at the Planning Commission at some prior time.
- Commissioner Sanders: Bruce will reword the condition and I will clean up the record. Commissioner Wurzel called for reconsideration; do we need to vote on that?
- Robert MacNicholl, Planning Manager: Yes.
- Commissioner Sanders: Called for a motion to reconsider the earlier denial
 - o AYES Sanders, Barzo, Wurzel, Dote, Murray, Gonzalez, Spesert
 - o NOES None
- Commissioner Sanders: Motion is back on table. We had a motion to amend the condition of approval, which I think we are doing, with the first draft. Commissioner Wurzel you made that motion, would you like to withdraw that motion and make a new motion?
- Commissioner Wurzel: No, rather than motion to amend it, I want a motion to move the item with that amended condition.
- Commissioner Sanders: The condition that Bruce Pollard is drafting now?
- Commissioner Wurzel: The one Bruce Pollard is drafting now.
- Commissioner Sanders: Then we need to withdraw your previous motion.
- Commissioner Wurzel: I withdraw my previous motion with conditions.
- Bruce Pollard, Senior Civil Engineer: If in the determination of the City Traffic Engineer the left turn-in access from Main Street causes undo traffic safety concern the Traffic Engineer may close the access and extend the median along Main Street under guidance of the City Municipal Code and the California Vehicle Code.
- Commissioner Sanders: Does this satisfy everyone? I see nods all around. Does someone want to make a motion?
- Commissioner Wurzel: I already made it.
- Commissioner Sanders: Make it again for the record please.

It was moved by Commissioner Wurzel, seconded by Commissioner Spesert and unanimously carried that the Planning Commission Approve the Rite Aid Tentative Parcel Map #4939 dated 7/11/07, based on the identified findings of fact and subject to the identified conditions of approval, as amended, by taking the following actions:

- Confirmation of finding of exemption from the provisions of CEQA. This project is considered categorically exempt, Class 15, minor land division and Class 32, infill development.
- Determine that the project, as conditioned, is consistent with the General Plan.
- Determine that the project, as conditioned, is consistent with the Zoning Ordinance.

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- Approve Tentative Parcel Map #4929 dated 7/11/07 dividing APN 005-644-04, 05, 08, 10 and property previous owned by Union Pacific railroad into "Parcel 1" and "Parcel 2" as identified by the attached tentative parcel map.
- Subject to the following amendments to conditions amending condition #11 and condition #14:
 - O Condition #11: Unless otherwise approved by the City Engineer applicant shall comply with all conditions set in the site plan review memo dated April 11, 2007 and letter to Ms. Tanihana dated May 21, 2007. (See attached Memo dated April 11, 2007).
 - o Condition #14: Unless otherwise approved by the City Engineer the project shall relocate PG & E vault currently located in the proposed Main Street project driveway.
- Also subject to the following traffic safety condition:
 - o If in the determination of the City Traffic Engineer the left turn in access from Main Street causes undo traffic safety concerns the Traffic Engineer may close the access and extend the median along Main Street in accordance with the City Municipal Code and the California Vehicle Code.

There being no further business, the meeting was adjourned at 8:45 PM

Respectfully submitted,

Barry Munowitch Community Development Director

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