

AGENDA
YREKA PLANNING COMMISSION
Yreka City Council Chamber – 701 Fourth Street, Yreka, Ca.
November 20, 2013 at 6:30 P.M.

Call to Order

Pledge of allegiance

Conflict of Interest Declaration – Planning Commissioners

PUBLIC COMMENTS

This is an opportunity for members of the public to address the Commission on subjects within its jurisdiction, whether or not on the agenda for this meeting. The Commission reserves the right to reasonably limit the length of individual comments. For items that are on this agenda, speakers may request that their comments be heard instead at the time the item is to be acted upon by the Commission. The Commission may ask questions, but may take no action during the Public Comment portion of the meeting, except to direct staff to prepare a report, or to place them on a future agenda.

SPEAKERS: Please state your name and mailing address so that City Staff can respond to you in regard to your comments, or provide you with information, if appropriate. You are not required to state your name and address if you do not desire to do so.

1. Consent Calendar - Discussion/Possible Action – All matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Planning Commission wishes to remove an item for discussion or a member of the audience wishes to comment on an item. The City Manager recommends approval of the following consent calendar items:
 - a. Approval of the minutes of the meeting held on October 16, 2013.
 - b. Approval of a one year extension of Permit # 3818 for a site, landscape and parking plan for construction of a 6,160 sq. ft. office building.
Applicant: Rizzo Real Estate, Inc. by Glenn Rizzo Location: 608 & 610 S. Main Street

2. City Manager's Report.

Commissioner's Statements and Comments

Adjournment

Decisions of the Planning Commission may be appealed to the City Council by filing a written notice of appeal within 10 calendar days of the decision. Appeal must be submitted to the City Clerk's office together with the appeal fee of \$150.00 plus publication fee if required.

If you challenge any action taken pursuant to the California Environmental Quality Act, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Department at, or prior to, the public hearing. (Public Resources Code Section 21177)

All documents produced by the City which are related to an open session agenda item and distributed to the Planning Commission are made available for public inspection in the City Clerk's office during normal business hours.

In compliance with the requirements of the Brown Act, notice of this meeting has been posted in a public accessible place, 72 hours in advance of the meeting.

In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the City Clerk 48 hours prior to the meeting at (530) 841-2324 or by notifying the Clerk at casson@ci.yreka.ca.us.

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD
ON THE 16TH DAY OF OCTOBER, 2013

On the 16th day of October, 2013 at 6:30 p.m., the Planning Commission of the City of Yreka met in the City Council Chamber in said city in regular session. The meeting was called to order by Chair Leal and present were:

Commissioners: Deborah Baird, Diane Knitter, Steve Leal, Barry Ohlund, Matt Osborn and Richard Rolzinski. Absent: Paul McCoy

Disclosure: – Commissioner Ohlund disclosed that he had been approached by John Richter regarding Item # 2 - Sign Use Permit for Starbucks. Commissioner Ohlund stated that he advised Mr. Richter that since this was a matter for Planning Commission consideration, that he was unable to discuss the matter, and invited Mr. Richter to attend the meeting.

PUBLIC COMMENTS – John Richter spoke in regards to Starbucks and the benefit Starbucks would bring to the city.

Consent Calendar: Chair Leal announced that all matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Planning Commission wishes to remove an item for discussion or a member of the audience wishes to comment on an item:

- a. Approval of Minutes of the regular meeting held on August 21, 2013.

Following Commission discussion, Commissioner Ohlund moved to approve the minutes of the regular meeting on the consent calendar as submitted.

Commissioner Knitter seconded the motion, and upon roll call, the following voted YEA: Baird, Knitter, Leal, Ohlund, Osborn and Rolzinski.

Chair Leal thereupon declared the motion carried.

Discussion/Possible Action – Proposed categorical exemption and Sign Use Permit application submitted by Best Development Group to install a double-sided pole sign 8'4" x 6' (100 sq. ft. total), 45' high, sign copy will be "Starbucks Logo Drive Thru".

The Planning Commission will consider granting exceptions to Yreka Municipal Codes (YMC) 13.44.020 "Maximum total sign area for pole sign..." and YMC 13.12.050 "Signs not pertinent to land use".

The Commission reviewed the Sign Use Permit application submitted by Best Development Group to install a double-sided pole sign 8'4" x 6' (100 sq. ft. total), 45' high, sign copy will be "Starbucks Logo Drive Thru...". Property location 1805 Fort Jones Road (State Route 3) Yreka, California, M-1 (Light Industrial) zone and General Plan designation I (Industrial).

Assessor's Parcel No. 62-161-230.

City Manager Steve Baker presented the Commission with the staff report and the following background - The proposed project is located within the depicted freeway interchange properties as designated by Resolution No. 2175. Resolution 2175 authorizes the Planning Commission to grant exceptions to the requirements of Title 13 Signs of the Yreka Municipal Code (YMC) for property designated as Freeway Interchange Properties.

The applicant is requesting the Planning Commission to grant an exception to YMC 13.44.020 regarding the total maximum allowable sign area for a pole sign and YMC 13.12.050 regarding signs not pertinent to land use. The "Starbucks" parcel meets the requirements for a Pole Sign pursuant to YMC 13.44.020 (2); however, the newly created parcel B does not. Property owner (Willis) and Developer (Best Development Group) have requested an exception to YMC 13.12.050 to allow for the advertisement (on a shared pole sign located on Parcel A) of a future business to be located on Parcel B.

Notification of the public hearing was mailed to property owners/occupants located within 300 feet of the proposed project on October 2, 2013 and A Notice of Public Hearing was published in the Siskiyou Daily News on October 4, 2013.

City staff recommends approval subject to the attached findings and conditions of approval, which includes a determination that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15311(a).

Public Hearing - This being the time and date set for the public hearing, Chair Leal opened the hearing to the audience.

Tim Willis asked if the city had regulations/guidelines regarding setbacks & placement for pole signs.

City Manager Steve Baker read YMC 13.44.020 (D) No pole or post sign shall project over the public right-of-way or sidewalk. Assistant City Manager Liz Casson stated there are no other city guidelines on placement for pole signs.

There being no statements or comments from the audience, Chair Leal closed the public hearing and discussion was opened to the Commission.

Following Commission discussion, Commissioner Ohlund moved to make the finding that the proposed project is exempt from an environmental review pursuant to California Environmental Quality Act (CEQA) Section 15311(a) and approve Sign Use Permit No. 4186 to install a double-sided pole sign 8'4" x 6' (100 sq. ft. total), 45' high, in accordance with the application submitted and subject to the following findings and conditions:

FINDINGS:

1. The installation of a double sided pole sign 8'4 x 6' (100 sq. ft. total) 45' high, sign copy will be "Starbucks Logo Drive Thru..." will not:
 - a. be contrary to the public's interest, safety, health, and welfare because the proposed sign is in compliance with the City's sign regulations.
 - b. be detrimental to property or improvements in the neighborhood for the reason stated in (a) above.
2. The subject property is located on Fort Jones Road within the freeway interchange properties designated by Yreka City Council Resolution No. 2175 as provided in Section 13.68.030(A)(1) of the Yreka Municipal Code and will therefore not be contrary to the intent of Chapter 13 or the public interest, safety, health and welfare.
3. Resolution No. 2175 authorizes the Planning Commission to grant exceptions to Yreka Municipal Code Title 13 for signs located within the designated freeway interchange properties.
4. The Planning Commission made a determination that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15311(a) (On-Premises Signs) of the CEQA Guidelines.

The following conditions shall be complied with at all times that the sign use permit is in effect:

1. The double sided pole sign 8' 4" x 6' (100 sq. ft. total), 45 feet high, shall comply with the specifications and plans approved by the Planning Commission on October 16, 2013.
2. The sign shall be erected in accordance with the specifications and plans submitted for Best Development approved by the Planning Commission on October 16, 2013, and shall not be deviated from without prior review and approval of the Planning Commission.
3. The sign shall be erected in accordance with the California Building Standards Code and Title 13, Signs, of the Yreka Municipal Code.
4. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to installing a pole sign.
5. The sign shall harmonize with the materials, textures, sizes, shape, heights, locations, and designs of the buildings, properties, or neighborhood of which they are a part, and as approved by the Planning Commission.
6. The signs shall be removed within thirty days after the business closes and is no longer in operation on the property upon which the sign is located.
7. The sign use permit shall expire and terminate if not used within one (1) year

from the date of approval. Approval may be extended upon written application to the Planning Commission before expiration of the first approval.

Commissioner Osborn seconded the motion, and upon roll call, the following voted YEA: Baird, Knitter, Leal, McCoy, Ohlund, Osborn and Rolzinski.

City Managers Steve Baker announced that due to a lack of a quorum for the September 19th City Council meeting the appointment of two Planning Commissioners has been moved to the October 17th City Council meeting. City Manager Baker provided the Commission with an updated list of Miner Street Grant Projects along with a brief update on the Yreka Police Departments Armored Vehicle, Yreka Creek Clearing, Fire Hall Big Dig, and Wastewater Treatment Plant Bidding.

There being no further business before the Commission, the meeting was adjourned.

Steve Leal, Chair
Approved by motion of the Planning
Commission on November 20, 2013

Extension
No. 3818

CITY OF YREKA
Planning Department

PERMIT

APPLICANT: Rizzo Real Estate, Inc. by Glenn Rizzo TELEPHONE: (530) 842-3864 – (Home)
(530) 842-7306 – (Office)

APPLICANT ADDRESS: 1034 Greenhorn Road, Yreka, CA 96097

IF OTHER THAN APPLICANT,
NAME OF PROPERTY OWNER: Rizzo Real Estate, Inc.

PROPERTY OWNER ADDRESS: 1034 Greenhorn Road, Yreka, CA 96097

PROJECT LOCATION: 608 & 610 S. Main Street, Yreka, CA 96097

A.P. #: 054-231-300 GENERAL PLAN DESIGNATION: GC ZONE: CH

DESCRIPTION OF PROPOSED PROJECT: Request extension for a site, landscape & parking plan
for construction of a 6,160 sq. ft. office building.

ENVIRONMENTAL REVIEW:

No Impact Environmental Impact Report Negative Declaration
 Categorical Exempt 15332 Statutorily Exempt

NOTICE OF DETERMINATION FILED (DATE): None

PLANNING COMMISSION APPROVED

APPROVED, (Date of approval): _____ DENIED, (Date of denial): _____

FINDINGS/CONDITIONS: _____

DATE ISSUED: _____ BY: _____

(City of Yreka Authorized Signature)

CITY OF YREKA
SITE PLAN PERMIT NO. 3818
MODIFIED
CONDITIONS OF APPROVAL

The following conditions shall be complied with at all times that the commercial use permitted by this permit is in effect:

1. All conditions hereinafter set forth shall be complied with by the Permittee prior to issuance of a certificate of occupancy.
2. An encroachment permit shall be obtained from *Cal Trans* prior to any work in the Main Street right-of-way. *An encroachment permit shall be obtained from the City of Yreka prior to any work on City facilities.*
3. Permittee shall offer to the City of Yreka for dedication a 15 foot utility easement for storm water drainage through the parking lot, the exact location to be determined by the Permittee and Director of Public Works.
4. The site, landscape and parking plans application as re-submitted by Robert Glenn Rizzo for Rizzo Real Estate Inc. dated May 29, 2007 as modified and approved by the Planning Commission on June 20, 2007 shall not be changed or deviated from without approval of the Planning Commission. After construction of improvements, no changes in use of the existing structures and no additional structures shall be built, and no open space, off-street parking facilities and public access areas, or landscaping shall be altered without prior approval of the Planning Commission; provided, however, upon request of the Permittee and showing of good cause, the City Manager is authorized to permit minor modifications of the site plan without resubmission to the Planning Commission.
5. Adequate off-street parking shall be provided as follows: One space for each 200 square feet of floor area for office use as set forth in Sections 16.54.020 (A.2.b) of the Yreka Municipal Code.
6. The design and location of the off-street parking facilities as shown on the site plan dated January 13, 2006, and approved by the Planning Commission on June 20, 2007 shall not be deviated from unless prior approval of the Planning Commission (with the exception as stated in Condition #4) is secured, and all loading, employee, and customer parking areas shall be paved and striped. Bumper rails or other barriers shall be provided where needed for safety or to protect property, as determined by the Director of Public Works and in accordance with Section 16.54.090 of the Yreka Municipal Code.
7. Parking required for disabled persons shall be marked, posted, and maintained in accord with provisions of the Motor Vehicles Code and any other law or regulation now or hereinafter enacted relating to parking for disabled persons.

8. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the approved landscape plan, and shall be completed prior to issuance of a certificate of occupancy or until security is posted in the amount of one hundred fifty percent to cover the costs of the unfinished work.

9. Permittee shall submit an irrigation design plan meeting the requirements of Section 11.38.050 of the Yreka Municipal Code prior to building permit issuance, for approval by the City Manager or Building Official.

10. ~~A detention basin for storm water runoff is not required if adequate on-site facilities are installed to carry the flow from a 100 year storm to Yreka Creek as approved by the Director of Public Works. Permittee shall install the private storm drain and maintain it in perpetuity.~~ **A detention basin for storm water may be required. Storm water detention requirements will be determined at issuance of building permit.**

11. Permittee shall show compliance with FEMA (Federal Emergency Management Agency) Flood Insurance Rate Map Flood Insurance Rate Map, dated November 18, 1981, prepared by the Federal Insurance Administration for the City of Yreka. Construction of buildings and structures at or above one foot above the base flood elevation may affect flood insurance rates.

12. Permittee shall submit application for boundary line adjustment (BLA) to combine Assessor's Parcel Nos. 54-231-160, 54-231-270, and portion of 54-231-080 to incorporate the project area into one parcel. Application shall be submitted to the Yreka Planning Department for approval, upon approval of the boundary line adjustment and any conditions imposed by the Planning Director, the lot line adjustment shall be reflected in a deed or record of survey which shall be recorded with the County Recorder prior to commencement of construction of the office building and parking lot. *BLA RECORDED 11/29/07 FOR A.P. # 54-231-160 & 54-231-270. AP# 54-231-080 WAS NOT INCLUDED IN THE BLA, SUBJECT TO THE CONDITION THAT PRIOR TO OCCUPANCY OF THE STRUCTURE A PARKING AGREEMENT MUST BE RECORDED PROVIDING COMMON PARKING WITH THE BUSINESSES LOCATED ON THE ADJACENT PARCELS.*

13. Permittee shall provide documentation as to the location of Yreka Creek in relation to the east property boundary lines and compliance with Yreka Municipal Code Section 16.56.030 that provides that no person shall alter, fill, excavate, divert, remove vegetation from, or place any obstruction in or upon any water channel (forty-five feet centered on the thread of Yreka Creek) within the city, or permit liquid waste to enter a water channel without prior approval.

14. Permittee shall comply at all times with the zoning district regulations for a CH (Commercial Highway) zone as set forth in Section 16.36 of the Yreka Municipal Code.

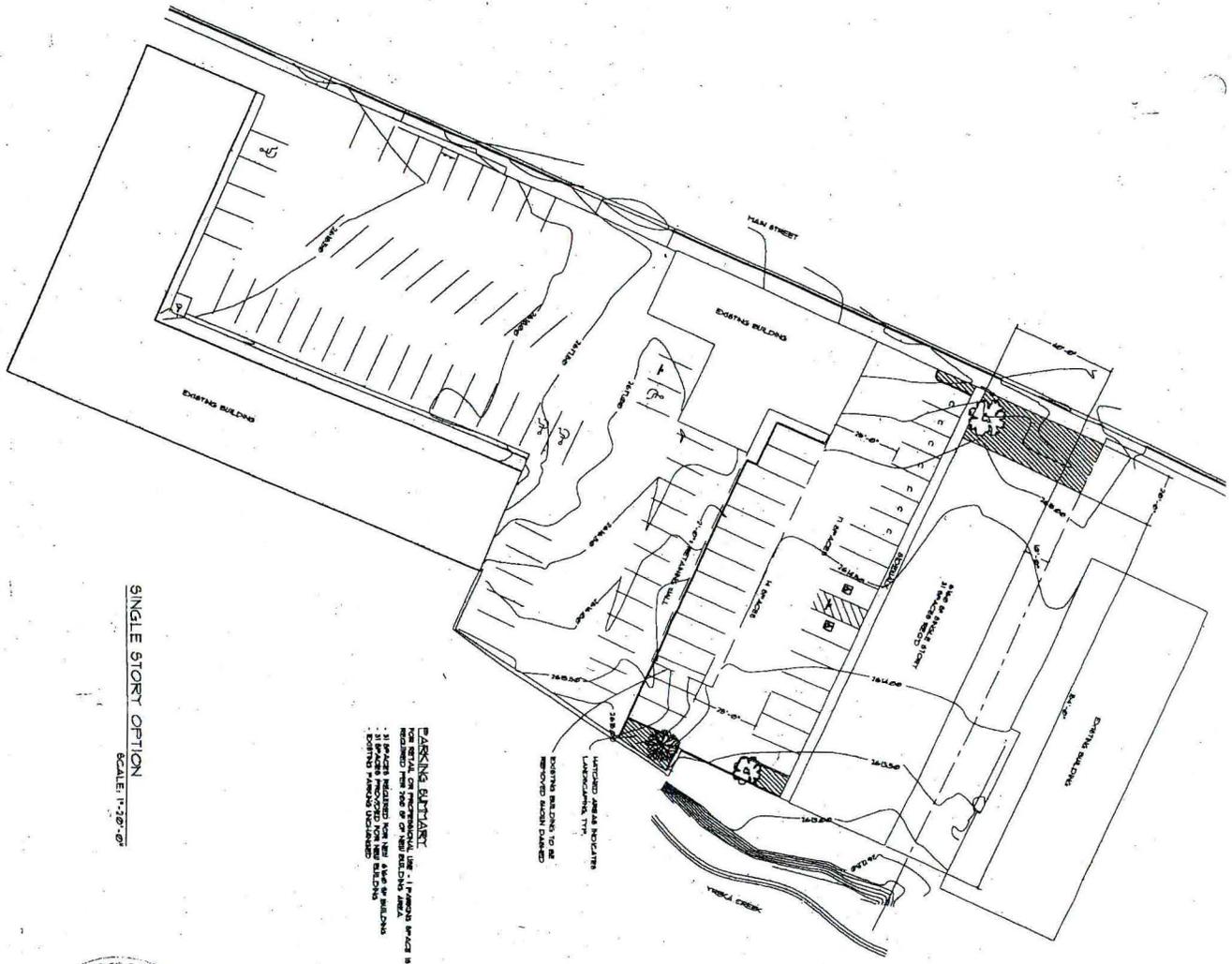
15. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to starting construction of the office building.

16. *Permittee shall remove and replace damaged sidewalk along the subject property Main Street frontage.*

17. Before issuance of a certificate of occupancy by the Building Official, developer shall have removed any driveway approach, including dropped curbs, that will not be used in the new development and replace with standard curb, gutter, and sidewalk. (modification 11-11)

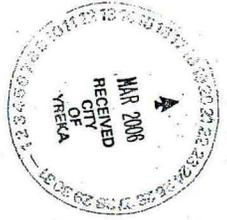
18. The site plan approval shall be automatically revoked and terminated if not used within one year from the date of approval unless, prior to the expiration of one year, a building permit is issued and construction is commenced. Approval may be extended upon written application to the Planning Commission before expiration of the first approval.

DATE: June 20, 2007
November 4, 2008 - One year extension granted to November 29, 2009
November 18, 2009 – One year extension granted to November 29, 2010
November 17, 2010 – One year extension granted to November 29, 2011
November 16, 2011 – One year extension granted to November 29, 2012
November 28, 2012 – One year extension granted to November 29, 2013
November 20, 2013 – Modified Condition # 10



SINGLE STORY OPTION
SCALE: 1"=30'-0"

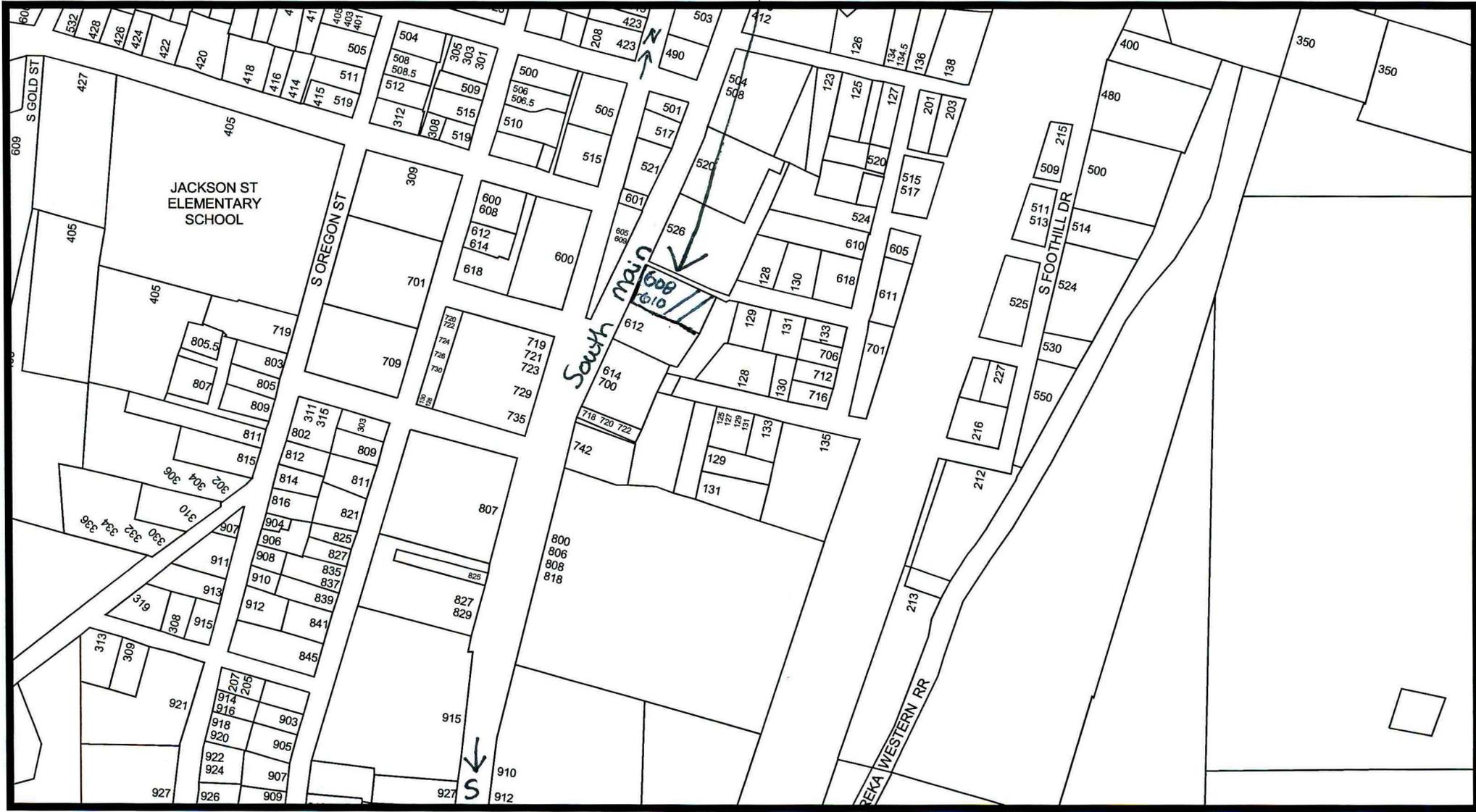
PARKING STUDY:
FOR RETAIL, OR PROFESSIONAL, USE - 1 PARKING SPACE IS
REQUIRED PER 100 SF OF NEW BUILDING AREA.
- IF PARKING IS LOCATED NON-USE AREA OR BUILDING
- EXISTING PARKING IS INDICATED



Handwritten notes:
R. C. [unclear]
6/2/06
[unclear]

1	SHEET	PARKING STUDY FOR COMMERCIAL DEVELOPMENT RIZZO REAL ESTATE, INC. 1034 GREENBARN ROAD YREKA, CA	The Engineering Structural & Civil Engineering <small>1000 Main St., Yreka, CA 96097 530-838-7222 530-838-7223 530-838-7224</small>	REVISIONS <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>						

Site



ASSESSOR'S CADASTRAL MAP

- 1. THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.
- 2. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN.
- 3. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE REQUIREMENTS.

Wly Por of Block 52
Yreka, California

Tax Area Code
7-00

54-23

