

PLANNING COMMISSION AGENDA November 4, 2020 CITY COUNCIL CHAMBERS 6:30 p.m. 50 Natoma Street Folsom, California 95630

Pursuant to Governor Newsom's Executive Order N-29-20, members of the Folsom Planning Commission and staff may participate in this meeting via teleconference.

Due to the coronavirus (COVID-19) public health emergency, the City of Folsom is allowing remote public input during Commission meetings. Members of the public are encouraged to participate by e-mailing comments to kmullett@folsom.ca.us. E-mailed comments must be received no later than thirty minutes before the meeting and will be read aloud at the meeting during the agenda item. Please make your comments brief. Written comments submitted and read into the public record must adhere to the principles of the three-minute speaking time permitted for in-person public comment at Commission meetings. Members of the public wishing to participate in this meeting via teleconference may email kmullett@folsom.ca.us no later than thirty minutes before the meeting to obtain call-in information. Each meeting may have different call-in information. Verbal comments via teleconference must adhere to the principles of the three-minute speaking time permitted for in-person public comment at Planning Commission meetings.

Members of the public may continue to participate in the meeting in person at Folsom City Hall, 50 Natoma Street, Folsom CA while maintaining appropriate social distancing.

CALL TO ORDER PLANNING COMMISSION: Andrew Grant, Vice Chair Eileen Reynolds, Daniel West, Kevin Duewel, Barbara Leary, Jennifer Lane, Chair Justin Raithel

Any documents produced by the City and distributed to the Planning Commission regarding any item on this agenda will be made available at the Community Development Counter at City Hall located at 50 Natoma Street, Folsom, California and at the table to the left as you enter the Council Chambers. The meeting is available to view via webcast on the City's website the day after the meeting.

PLEDGE OF ALLEGIANCE

CITIZEN COMMUNICATION: The Planning Commission welcomes and encourages participation in City Planning Commission meetings, and will allow up to five minutes for expression on a non-agenda item. Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public; however, California law prohibits the Commission from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Commission.

MINUTES

The minutes of October 21, 2020 will be presented for approval.

PUBLIC HEARING

1. PN 20-201 Meridian Veterinary Care Conditional Use Permit and Determination that the Project is Exempt from CEQA

A Public Hearing to consider a request from Angie Stamm Vickery for approval of a Conditional Use Permit to operate a veterinary care facility within an existing 7,560-square-foot medical office building located at 101 East Natoma Street. The Zoning classification for the site is BP PD, while the General Plan Land Use designation is CC. The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15301 of the CEQA Guidelines, Existing Facilities. (Project Planner: Associate Planner, Josh Kinkade / Applicant: Angie Stamm Vickery)

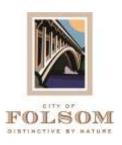
PLANNING COMMISSION / PLANNING MANAGER REPORT

The next Planning Commission meeting is scheduled for <u>November 18, 2020</u>. Additional non-public hearing items may be added to the agenda; any such additions will be posted on the bulletin board in the foyer at City Hall at least 72 hours prior to the meeting. Persons having questions on any of these items can visit the Community Development Department during normal business hours (8:00 a.m. to 5:00 p.m.) at City Hall, 2nd Floor, 50 Natoma Street, Folsom, California, prior to the meeting. The phone number is (916) 461-6231 and FAX number is (916) 355-7274.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in the meeting, please contact the Community Development Department at (916) 461-6231, (916) 355-7274 (fax) or kmullett@folsom.ca.us. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

NOTICE REGARDING CHALLENGES TO DECISIONS

The appeal period for Planning Commission Action: Any appeal of a Planning Commission action must be filed, in writing with the City Clerk's Office no later than ten (10) days from the date of the action pursuant to Resolution No. 8081. Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, the public hearing



PLANNING COMMISSION MINUTES October 21, 2020 CITY COUNCIL CHAMBERS 6:30 P.M. 50 Natoma Street Folsom, CA 95630

<u>CALL TO ORDER PLANNING COMMISSION</u>: Barbara Leary, Jennifer Lane, Andrew Grant, Vice Chair Eileen Reynolds, Daniel West, Kevin Duewel, Chair Justin Raithel

ABSENT: Grant

CITIZEN COMMUNICATION:

1. Lynn Gardner addressed the Planning Commission regarding the pinhole pipe leaks and damage being caused in Folsom residences.

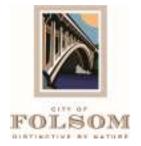
MINUTES: The minutes of October 7, 2020 were approved as submitted.

WORKSHOP

- 1. <u>Zoning Code Update Review of Zoning Districts and Development Standards</u> (Project Planner: Desmond Parrington, Principal Planner)
 - 1. Judi Alexander addressed the Planning Commission regarding zoning for transitional housing and homeless shelters.
 - 2. Laurette Laurent submitted a public comment letter to the Planning Commission citing concerns on misuse of overlay requirements.

City Planning staff gave a presentation on Article 2 of the Zoning Code Update to seek input from the Commission and the public. Article 2 covers zoning districts, allowed uses, development standards and design standards. Staff reviewed those unused zones proposed for elimination, discussed new zones including overlay zones proposed for East Bidwell Street and around the City's light rail stations, and allowed uses. Staff also discussed minor changes to development standards as well as the limitations on the review of multi-unit development projects and the use of objective design standards for that review. The Commission was generally supportive of the direction staff was proposing but had some concerns about the new overlay zones proposed for East Bidwell and around the light rail stations given the changes in State law regarding low barrier navigation centers. The Commission also wanted to retain discretionary review over projects whenever possible and directed staff to do some additional research on the standards for the new Residential Compact zone. Staff promised to return with additional workshops this year and early next year before the draft code is prepared.

PLANNING COMMISSION / PLANNING MANAGER REPORT
None
RESPECTFULLY SUBMITTED,
Kelly Mullett, ADMINISTRATIVE ASSISTANT
APPROVED:
Justin Raithel, CHAIR



AGENDA ITEM NO. 1

Type: Public Hearing

Date: November 4, 2020

Planning Commission Staff Report

50 Natoma Street, Council Chambers Folsom, CA 95630

Project: Meridian Veterinary Care Conditional Use Permit

File #: PN-20-201

Request: Conditional Use Permit

Location: 101 East Natoma Street, Suite 201

Parcel(s): 071-0032-017

Staff Contact: Josh Kinkade, Associate Planner, 916-461-6209

jkinkade@folsom.ca.us

Property Owner Applicant

Name: SEJ Enterprises No. 2 LLC
Address: 1301 East Bidwell Street, Suite 201
Address: 9712 Fair Oaks

Folsom CA 95630 Boulevard, Suite B

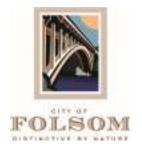
Fair Oaks, CA 95628

Recommendation: Conduct a public hearing and upon conclusion move to approve a Conditional Use Permit (CUP) to allow the Meridian Veterinary Care facility to operate at 101 East Natoma Street, Suite 201 subject to the following findings (Findings A-F) and conditions of approval (Conditions 1-17) attached to this report.

Project Summary: The proposed project involves a request for approval of a Conditional Use Permit (CUP) to operate a veterinary care facility in a BP PD (Business Professional, Planned Development District zone.

Table of Contents:

- 1 Description/Analysis
- 2 Background
- 3 Conditions of Approval
- 4 Vicinity Map
- 5 Project Narrative
- 6 Photographs of the Project Site
- 7 Staff PowerPoint Presentation



AGENDA ITEM NO. 1 Type: Public Hearing

Date: November 4, 2020

Submitted,

PAM JOHNS

Community Development Director

ATTACHMENT 1 DESCRIPTION/ANALYSIS

APPLICANT'S PROPOSAL

The applicant, Angie Stamm Vickery, is requesting approval of a Conditional Use Permit (CUP) for operation of a veterinary care facility in an existing 7,560-square-foot office building located at 101 East Natoma Street, Suite 201. Approximately 3,000 square feet of the building would be utilized as a veterinary care facility for dogs and cats operating Monday through Friday from 8:30 a.m. to 6:00 p.m. and Saturdays by appointment. Approximately 2,000 square feet of the office space would be used for pet diet and supplemental sales with space for educational events for up to 25 guest, open Monday through Saturday, 10:00 a.m. to 6:00 p.m. with evening education events approximately once monthly on weekdays between 6:00 p.m. and 8:00 p.m. The applicant also plans to utilize approximately 2,000 square-feet of existing garage area beneath the main level for storage and pet rehabilitation space. Exterior uses would consist of patio lobby seating for 2 to 4 customers and a pet relief grass area. No overnight boarding or external housing of animals is proposed as part of the business, and no exterior modifications to the existing building are proposed.

POLICY/RULE

<u>Folsom Municipal Code</u> Section 17.22.030(E) allows for veterinary clinics/hospitals to operate in the BP zone with the issuance of a Conditional Use Permit.

ANALYSIS

General Plan and Zoning Consistency

The General Plan land use designation for the site is CC (Community Commercial) and the Zoning designation for the project site is BP PD (Business and Professional, Planned Development District). The existing building in which the proposed business will be located meets all of the <u>Folsom Municipal Code (Section 17.22)</u> development requirements including setbacks, building coverage, lot area, lot width, and parking.

Conditional Use Permit

As previously stated, the applicant is requesting approval of a Conditional Use Permit (CUP) to operate a veterinary care facility in an existing 7,560-square-foot office building located at 101 East Natoma Street. In order to approve this request for a Conditional Use Permit, the Planning Commission must find that the "establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City." (FMC § 17.60.040.)

In evaluating the CUP, staff considered the proposed use and its compatibility with existing land uses in the area relative to the types of animals being cared for, noise, odors,

traffic/access/circulation impacts, and parking impacts, among others. The project consists of an existing medical office building, with office buildings to the west, residences to the east and south and open space to the north.

Noise

Based on the project's close proximity to neighboring residences and offices, staff evaluated potential noise impacts generated by the proposed project. The most significant noise impacts generated by the project would likely be from potential barking of dogs being treated within the building. Based on review of an Environmental Noise Assessment prepared for a similar land use (Folsom Dog Resort), staff expects the proposed project will comply with the noise standards established by the Folsom Municipal Code, Section 8.42. Additionally, the clinic will have staff present at all times to supervise the animals, as overnight boarding is not proposed. No adverse noise impacts are expected at the neighboring residences and offices.

Medical Waste/Odor

The proposed project will generate animal and medical waste inside the building. Medical waste handling, classification and disposal in veterinary practices is overseen by the California Department of Public Health Medical Waste Management Program. Sharps (needles, etc.) and expired medications are mailed off in waste containers to a commercial disposal company and deceased animals are stored in a freezer and picked up by animal cremation company. Furthermore, the clinic building will contain heating, air conditioning, and ventilation systems sufficient to maintain an odorless environment for animals and employees within the building.

The applicant has requested an outside area for their pet patients to relieve themselves as well. Because of the close proximity to adjacent residential uses, staff has provided Condition No. 11, which states that the applicant shall place a sign on the lawn adjacent to the 179/199 Fargo Way duplex stating that pets may not relieve themselves on that lawn and that pet relief shall be limited to on-site areas not adjacent to residential uses. Based on the proposed waste disposal methods and the recommended conditions of approval, staff has determined that the proposed project will not cause any odor-related impacts to nearby properties.

Traffic/Access/Circulation

With respect to traffic/access/circulation and parking-related impacts, staff does not anticipate any significant impacts as the proposed use is located within a fully developed office space that includes existing driveways, drive aisles, and parking. The veterinary use does not trigger additional parking demand beyond what was previously considered for the project site.

In summary, staff has concluded that as conditioned, the proposed project is compatible with adjacent properties. In addition, staff has determined that the proposed project will not have a significant impact on adjacent properties in terms of noise, odor, traffic/access/circulation, and parking.

PUBLIC COMMENTS

Staff mailed notices of this Conditional Use Permit to property owners within a 300-foot radius of the project site and posted a notice in the Folsom Telegraph. At the time of this staff report, city staff did not receive any comments on the project.

ENVIRONMENTAL REVIEW

The project is categorically exempt from environmental review under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.

RECOMMENDATION/PLANNING COMMISSION ACTION

MOVE TO APPROVE A CONDITIONAL USE PERMIT (PN 20-201) FOR THE OPERATION OF A VETERINARY CARE FACILITY AT 101 EAST NATOMA STREET, SUITE 201 WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL:

GENERAL FINDINGS

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND ZONING CODE OF THE CITY.

CEQA FINDINGS

- C. THE PROJECT IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15301 (EXISTING FACILITIES) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES.
- D. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS NOT SIGNIFICANT IN THIS CASE.
- E. NO UNUSUAL CIRCUMSTANCES EXIST TO DISTINGUISH THE PROPOSED PROJECT FROM OTHERS IN THE EXEMPT CLASS.

CONDITIONAL USE PERMIT FINDING

F. THE ESTABLISHMENT, MAINTENANCE, OR OPERATION OF THE USE OR BUILDING APPLIED FOR WILL NOT, UNDER THE CIRCUMSTANCES OF THE PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF SUCH PROPOSED USE, OR BE

DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD, OR TO THE GENERAL WELFARE OF THE CITY BECAUSE THE PROPOSED LAND USE WILL NOT HAVE A NEGATIVE IMPACT.

ATTACHMENT 2 BACKGROUND

BACKGROUND

The proposed Meridian Veterinary Care facility will be located in an existing 7,560-square-foot medical office building at 101 East Natoma Street. The design and Planned Development Permit for the Hillside Medical Center medical office building were originally approved by the Planning Commission in 1982 and the building was constructed in 1983. The parcel includes 30 parking spaces, a trash enclosure, landscaping and mature trees, with access to the parking spaces provided from a driveway on Fargo Street.

GENERAL PLAN DESIGNATION CC (Community Commercial)

ZONING BP PD (Business Professional, Planned

Development District)

ADJACENT LAND USES/ZONING North: Open Space with East Natoma

Street Beyond

South: Existing Two-Family Residences

with Montrose Drive Beyond

East: Existing Two-Family Residencies

West: Fargo Way with Business and

Professional Office Development

Beyond

SITE CHARACTERICS The project site is part of a fully

developed medical office building and associated site improvements including

a driveway, drive aisles, parking, sidewalks, trash/recycling enclosures

and landscaping.

FUTURE ACTION Issuance of Building Permits

APPLICABLE CODES FMC 17.22, Commercial Land Use

Zones

FMC 17.57, Parking Requirements

FMC 17.60, Use Permits

ATTACHMENT 3 Conditions of Approval

CONDITIONS OF APPROVAL FOR MERIDIAN VETERINARY CARE (PN 20-201) 101 EAST NATOMA STREET CONDITIONAL USE PERMIT				
	Mitigation Measure		When Required	Responsibl e Department
1.		This project approval is for the Meridian Veterinary Care Conditional Use Permit, located at 101 East Natoma Street.	OG	CD (P)
2.		Building plans shall be submitted to the Community Development Department for review and approval to ensure conformance with this approval and with relevant codes, policies, standards and other requirements of the City of Folsom.	pproval and with relevant B (P)(E)(B)	
3.	The owner/applicant shall protect, defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur: • The City bears its own attorney's fees and costs; and • The City defends the claim, action or proceeding in good faith The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant. This project approval granted under this staff report shall remain in effect for one year from final date of approval (November 4, 2021). Failure to obtain the relevant building (or other) permits within this time period, without the subsequent extension of this approval, shall result in the termination of this approval.		OG	(P)(E)(B) PW, PR, FD,
4.			CD (P)	
5.			CD (P)	

	above-stated results have occurred, the Commission may modify or revoke the		
	Conditional Use Permit.		
6.	This Conditional Use Permit shall be deemed revoked without further action by the Planning Commission if the operation of the facility in the manner described in the Conditional Use Permit ceases for any consecutive period of six (6) months, unless the applicant or current owner is actively engaging in work on the premises pursuant to a valid building permit and the Community Development Department Director has approved a written request from the applicant for an additional period not to exceed twelve (12) months when it is not in operation. Such an extension request shall be submitted to the Community Development Department no less than 30 days prior to the six-month deadline.	OG	CD
	DEVELOPMENT COSTS AND FEE REQUIREMENTS		
7.	If the City utilizes the services of consultants to prepare special studies or provide specialized design review or inspection services for the project, the applicant shall reimburse the City for actual costs it incurs in utilizing these services, including administrative costs for City personnel. A deposit for these services shall be provided prior to initiating review of the Final Map, improvement plans, or beginning inspection, whichever is applicable.	В	CD (P)(E)
8.	The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the applicant shall reimburse the City for all outside legal fees and costs incurred by the City for such services. The applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.	В	CD (P) (E)
9.	The owner/applicant shall pay all applicable taxes, fees and charges at the rate and amount in effect at the time such taxes, fees and charges become due and payable.	В	CD (P)(E)
	SIGN DESIGN REQUIREMENTS		
10.	Future signage for the site shall comply with the Folsom Municipal Code Chapter 17.52.	В	CD (P)(B)

	OPERATONAL REQUIREMENTS		
11.	 Hours of operation for the emergency veterinary clinic shall be permitted Monday through Friday from 8:30 a.m. to 6:00 p.m. and Saturdays by appointment only. Sales of pet products and educational events for up to 25 guests may occur Monday through Saturday from 10:00 a.m. to 6:00 p.m. Evening education events for up to 25 people may occur approximately once per month until 8:00 p.m. Clinic staff shall remain with animals at all times while they are being treated at the facility. There shall be no overnight kenneling. All patients (pets) shall be treated on an outpatient basis. Facility doors shall remain closed except for entering and exiting the building. Animals shall not be in the outdoor area(s) of the office park, except for purposes of entering and exiting the emergency clinic and pet relief. The applicant shall place a sign on the lawn adjacent to the 179/199 Fargo Way residence stating that pets may not relieve themselves on that lawn. Pet relief shall be limited to on-site areas not adjacent to residential uses. Any proposal to expand the hours of operation shall require a CUP Modification by the Planning Commission. 	OG	CD (P)
	OTHER AGENCY REQUIREMENT		•
12.	The owner/applicant shall obtain all required State and Federal permits and provide evidence that said permits have been obtained, or that the permit is not required, subject to staff review and approval.	В	CD (P)(E)
I	FIRE DEPARTMENT REQUIREMENTS		1
13.	The office building shall have illuminated addresses visible from the street or drive fronting the property. Size and location of address identification shall be reviewed and approved by the Fire Marshal.	В	FD
	NOISE REQUIREMENTS		
14.	Compliance with Noise Control Ordinance and General Plan Noise Element shall be required. Hours of construction operation shall be limited from 7:00 a.m. to 6:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays. No construction on Sundays or holidays shall be permitted. Construction equipment shall be muffled and shrouded to minimize noise levels.	OG	CD (P)(E)

	MISCELLANEOUS REQUIREMENTS			
15.	15. All medical waste shall be disposed of in designated hazardous waste containers and removed from the facility by a certified third-party contractor.			
16.	All fecal collection containers shall be located within the building.	OG	CD (P)	
17.	The clinic building will contain heating, air conditioning, and ventilation systems sufficient to maintain an odorless environment for animals and employees within the building.	OG	CD (P)	

RESPONSIBLE DEPARTMENT			WHEN REQUIRED		
CD	Community Development Department	I	Prior to approval of Improvement Plans		
(P)	Planning Division	M	Prior to approval of Final Map		
(E)	Engineering Division	В	Prior to issuance of first Building Permit		
(B)	Building Division	О	Prior to approval of Occupancy Permit		
(F)	Fire Division	G	Prior to issuance of Grading Permit		
PW	Public Works Department	DC	During construction		
PR	Park and Recreation Department	OG	On-going requirement		
PD	Police Department				

16

Planning Commission Meridian Veterinary Care Conditional Use Permit (PN 20-201) November 4, 2020

Attachment 4 Vicinity Map



Planning Commission Meridian Veterinary Care Conditional Use Permit (PN 20-201) November 4, 2020

Attachment 5 Project Narrative

Narrative for CUP for 101 East Natoma Street, Folsom, CA.

The proposed use of the building will be as follows:

Approximately 3000 sq ft of the main building will be an integrative veterinary care facility for dogs and cats. Services include wellness care, dentistry, minor surgery, radiology. Hours to be M-F from 8:30-6 and Saturdays by appointment. External use of the structure to include patio lobby seating area for 2-4 customers and a pet relief grass area. No overnight boarding or external housing of animals will take place at the location.

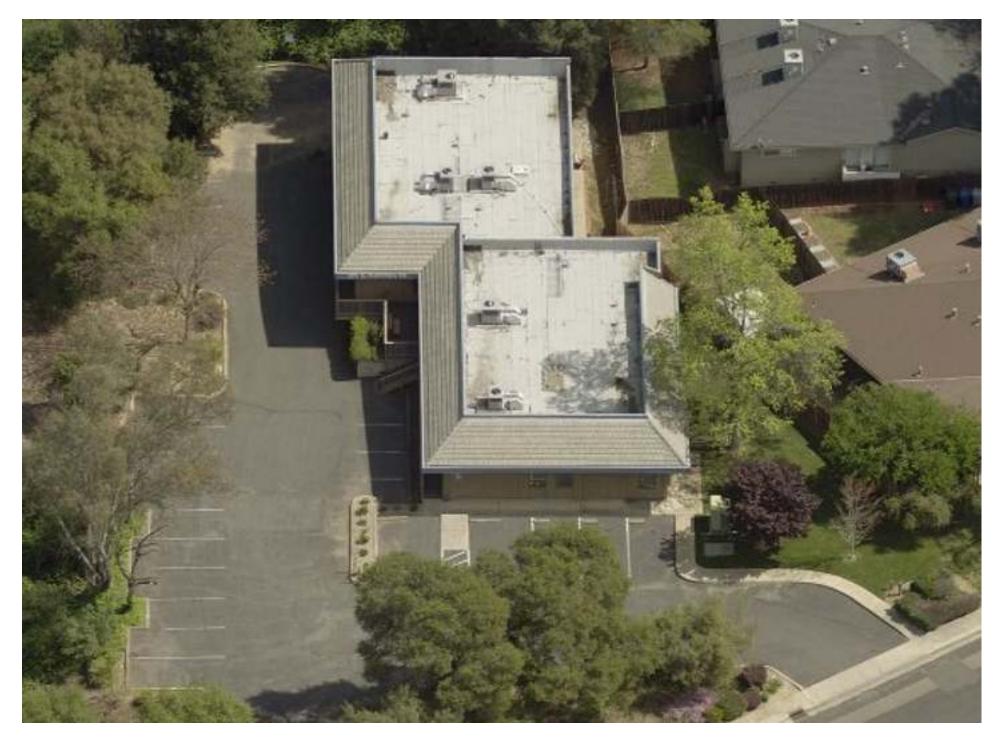
Approximately 2000 sq ft the main building to house an area for pet diet and supplement sales with convertible space to hold educational events of no more than 25 guests. Hours of operation to be M-Sat 10am-6pm and possible evening lectures/education events once monthly on a weekday evening from 6-8pm.

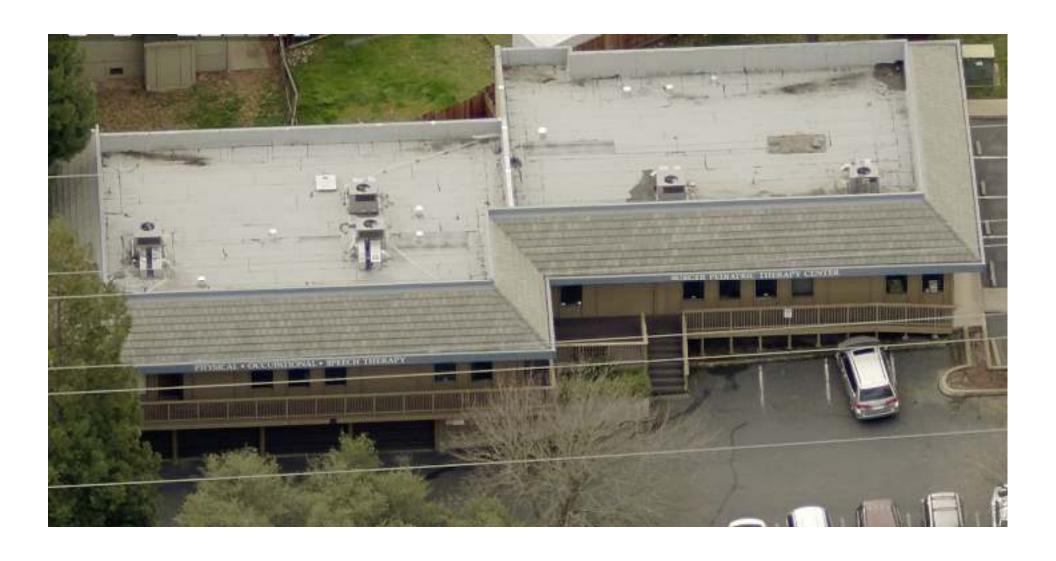
The approximately 2000 sq ft of garage space under the main structure will be used as tenant storage initially but may ultimately be taken by Meridian Veterinary Care to be used as a pet rehabilitation space including water and land treadmill therapy as well as other physical therapy modalities (laser, TENS, stretching, etc.)

Project Coordinator Contact: Angie Stamm Vickery 916-903-9701

Planning Commission Meridian Veterinary Care Conditional Use Permit (PN 20-201) November 4, 2020

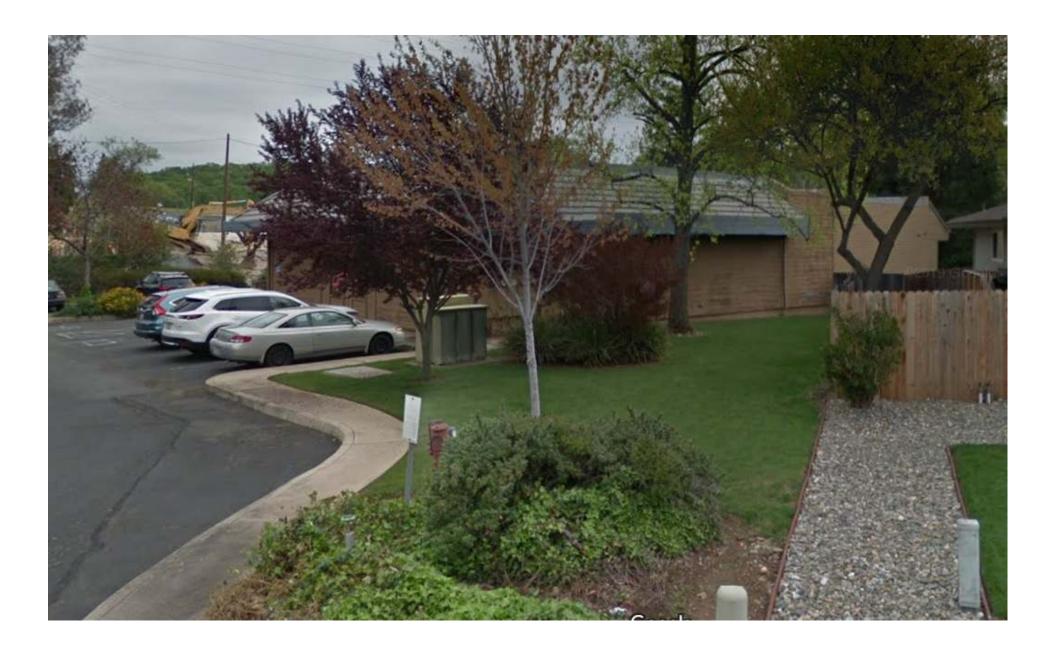
Attachment 6 Photographs of the Project Site







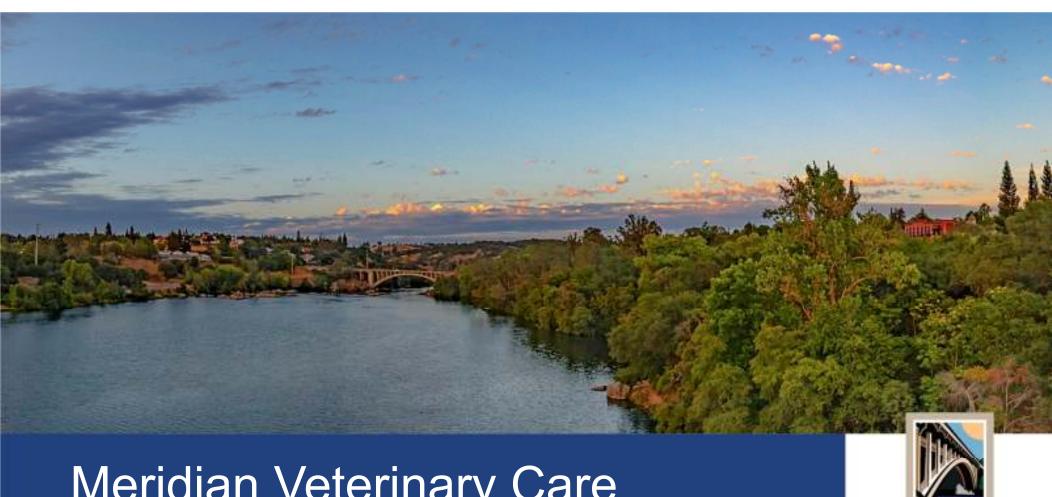






Planning Commission Meridian Veterinary Care Conditional Use Permit (PN 20-201) November 4, 2020

Attachment 7 Staff PowerPoint Presentation



Meridian Veterinary Care Conditional Use Permit

Project Vicinity





Aerial Photos



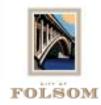


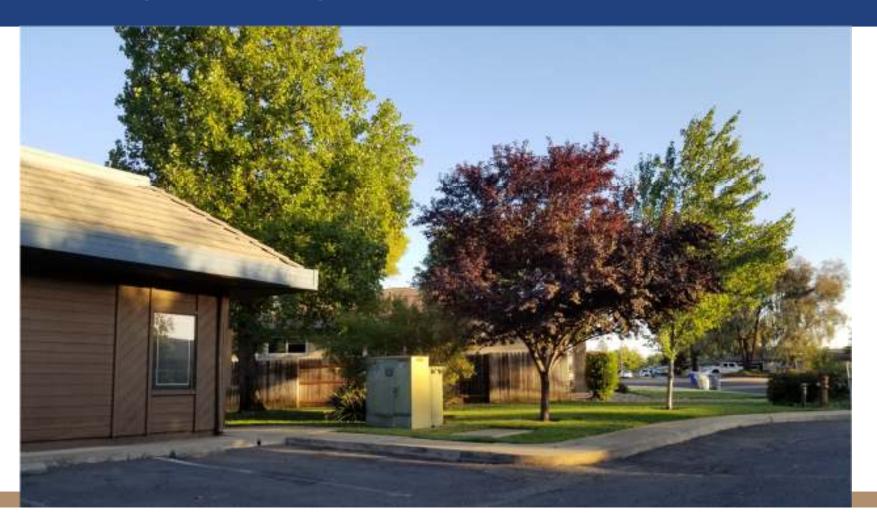
Site Photos





Neighboring Yard





Staff Recommendation



Staff recommends approval of PN 20-201 for a Conditional Use Permit (CUP) to allow the Meridian Veterinary Care facility to operate at 101 East Natoma Street.