

CITY OF
FOLSOM
DISTINCTIVE BY NATURE

PLANNING COMMISSION AGENDA
September 19, 2018
CITY COUNCIL CHAMBERS
6:30 p.m.
50 Natoma Street
Folsom, California 95630

CALL TO ORDER PLANNING COMMISSION: Aaron Ralls, Thomas Scott, Vice Chair John Arnaz, Jennifer Lane, Kevin Mallory, Ross Jackson, 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 August 1, 2018 will be presented for approval.

NEW BUSINESS

1. **PN 18-236 Riebe's Storage Building Commercial Design Review and Determination that the Project is Exempt from CEQA**

A Public Hearing to consider a request from Vince Nicosia for Commercial Design Review Approval for a 3,200-square-foot detached metal storage building at Riebe's Auto Parts, located at 9499 Greenback Lane, and determination that the project is exempt from CEQA. The zoning classification for the site is C-3 and the General Plan land-use designation is CC. The project is categorically exempt from environmental review based on Section 15303 (New Construction or Conversion of Small Structures) of the guidelines for the California Environmental Quality Act (CEQA) (**Project Planner: Assistant Planner, Josh Kinkade / Applicant: Vince Nicosia**)

INFORMATIONAL ITEMS

2. **Presentation on Zoning Ordinance Update (Desmond Parrington, AICP, Principal Planner)**

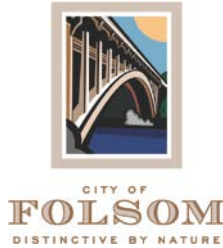
PLANNING COMMISSION / PLANNING MANAGER REPORT

The next Planning Commission meeting is scheduled for **October 3, 2018**. 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) 461-6203 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) 461-6203, (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
August 1, 2018
CITY COUNCIL CHAMBERS
6:30 P.M.
50 Natoma Street
Folsom, CA 95630

CALL TO ORDER PLANNING COMMISSION: Aaron Ralls, Thomas Scott, Vice Chair John Arnaz, Jennifer Lane, Kevin Mallory, Ross Jackson, Chair Justin Raithel

ABSENT: None

CITIZEN COMMUNICATION: None

MINUTES: The minutes of July 18, 2018 were approved as submitted.

NEW BUSINESS

1. PN 18-162 Valvoline Instant Oil Change Facility

A Public Hearing to consider a request from Henley Pacific SF, LLC for approval of a Planned Development Permit for development of a 5,068-square-foot instant oil change facility on a 0.86-acre site located at 1750 Cavitt Drive. The zoning classification for the site is SP 95-1 and the General Plan land-use designation is CC. A Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program were previously approved for the Quick Quack Car Wash project (PN 16-108) on December 7, 2016 in accordance with the California Environmental Quality Act (CEQA). **(Project Planner: Principal Planner, Steve Banks / Applicant: Henley Pacific SF, LLC)**

COMMISSIONER SCOTT MOVED TO APPROVE A PLANNED DEVELOPMENT PERMIT FOR THE DEVELOPMENT OF A 5,068-SQUARE-FOOT VALVOLINE INSTANT OIL CHANGE FACILITY AT 1750 CAVITT DRIVE AS ILLUSTRATED ON ATTACHMENTS 2 THROUGH 7 WITH THE FOLLOWING FINDINGS: GENERAL FINDINGS A & B, CEQA FINDINGS C-E, PLANNED DEVELOPMENT PERMIT FINDINGS F-M, AND CONDITIONS OF APPROVAL NOS. 1-44.

COMMISSIONER JACKSON SECONDED THE MOTION, WHICH CARRIED THE FOLLOWING VOTE:

AYES: RALLS, SCOTT, ARNAZ, LANE, MALLORY, JACKSON, RAITHEL
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

STAFF PRESENTATION

1. Staff Presentation on General Development Application Process

PLANNING MANAGER REPORT

None

RESPECTFULLY SUBMITTED,

Kelly Mullett, SENIOR OFFICE ASSISTANT

APPROVED:

Justin Raithel, CHAIRMAN

PLANNING COMMISSION STAFF REPORT

PROJECT TITLE	Riebe's Storage Building Commercial Design Review and Determination that the Project is Exempt from CEQA
PROPOSAL	Request for Commercial Design Review Approval for a 3,200-square-foot detached metal storage building at Riebe's Auto Parts, located at 9499 Greenback Lane.
RECOMMENDED ACTION	Approve, based upon findings and subject to conditions of approval
OWNER/APPLICANT	Bart Riebe/Vince Nicosia
LOCATION	9499 Greenback Lane (APN 223-0122-016 and 223-0122-017)
SITE CHARACTERISTICS	The 2.82-acre project site consists of the existing 9,260-square-foot Riebe's Auto Parts store and associated parking and landscaping. The area to the north of the commercial building is graveled, and the area to the north of that is undeveloped and unpaved.
GENERAL PLAN DESIGNATION	CC (Community Commercial District)
ZONING	C-3 (General Commercial District)
ADJACENT LAND USES/ZONING	North: Canyon Creek Estates Subdivision (R-1-L-A) South: Greenback Lane with commercial land (C-2 PD) beyond East: Auto sales and repair shop (C-3) and residential land (R-1-L-A) West: Forestwood at Folsom apartments (R-4 PD)

PREVIOUS ACTION

Planning Commission approval of a Woolworth Garden Center building at 9499 Greenback Lane in October 1980.

FUTURE ACTION

Issuance of a Building Permit and Recordation of a Lot Line Adjustment

APPLICABLE CODES

FMC 17.06, Design Review
FMC 17.22, Commercial Land Uses

ENVIRONMENTAL REVIEW

The project is categorically exempt under Section 15303 New Construction or Conversion of Smaller Structures of the California Environmental Quality Act (CEQA)

ATTACHMENTS

- 1. Project Vicinity
- 2. Proposed Site Plan and Elevations, dated November 17, 2017
- 3. Site Photographs

PROJECT PLANNER

Josh Kinkade, Assistant Planner

BACKGROUND

The Planning Commission first approved a Woolworth Garden Center building at 9499 Greenback Lane in 1980. The 9,260-square-foot building was then constructed in 1981. The building was subsequently converted into a Riebe’s Auto Parts store in 2004. In 2017, City staff was made aware of an unpermitted addition and shipping containers that were attached permanently to the rear of the structure. Staff also noted at this time that the property consisted of two parcels that bisected the building. As such, the property owner has applied for a Lot Line Adjustment to merge the two parcels and legalize the property. The Lot Line Adjustment is currently being finalized.

APPLICANT’S PROPOSAL

The applicant, Vince Nicosia, is requesting Commercial Design Review approval for a 3,200-square-foot, 20-foot-tall detached metal storage building 20 feet from the rear of the Riebe’s Auto Parts main building at 9499 Greenback Lane. The roof and siding of the storage building are proposed to be beige to match the existing main building. No other site improvements are proposed as part of this application. The site plan and proposed elevations are shown in Attachment 2.

GENERAL PLAN AND ZONING CONSISTENCY

The project is designated CC (Community Commercial) in the General Plan. The project is zoned C-3 (General Commercial District). The proposed project is consistent with both the General Plan land use and zoning designations for the site. The proposed storage building will be constructed as an accessory structure. Such structures are allowed uses in the C-3 zoning district, pursuant to design review approval by the Planning Commission. The following table

compares the standards of the C-3 zoning district to the proposed project location after the storage structure has been constructed. As shown, the project would continue to meet all standards of the C-3 zone:

	<u>REQUIRED</u>	<u>PROPOSED</u>
Front Setback (For Accessory Structures)	To the side or rear of the main structure	In the rear of the main structure
Rear Setback	12 Feet	312 Feet
Side Setback	5 Feet	47 Feet
Maximum Building Height	4 stories, not to exceed 50 Feet	1 story, 20 Feet
Setback To Other Structures	8 Feet	10 Feet

ARCHITECTURE / DESIGN

Folsom Municipal Code (“FMC”) Chapter 17.06 governs design review. The intent of the City Council in enacting that chapter, as relevant here, was to assure that buildings and structures are in good taste, good design, harmonious with surrounding developments, and in general contribute to the preservation of Folsom’s reputation as a place of beauty and quality. In enacting Chapter 17.06, the City Council also intended to prevent the development of structures which do not meet applicable design standards, are of inferior quality, or are likely to have a depreciating effect on the local environment or surrounding areas by reason of appearance or value.

Pursuant to FMC Section 17.06.030, the design and architecture of new commercial structures over 1,000 square feet in size must be submitted to the Planning Commission for review. The Planning Commission may approve, conditionally approve, or deny a design review application. FMC Section 17.06.080(A) requires the Planning Commission to consider various criteria when reviewing design review projects. Many of the criteria are not applicable to projects involving small storage buildings, as they relate to the construction of and additions to primary buildings. The criteria that may relate to analysis of a design review application for a project involving new accessory structures include:

1. Siting of all structures and improvements as designated upon a scaled site plan, including all existing trees and easements on the project site;
2. Exterior elevations and/or perspective drawings of structures featuring building height, description of all building materials, building colors, screening of utility meters and mechanical equipment;

FMC section 17.06.080(B) requires the Planning Commission to make the following findings in approving, conditionally approving, or denying an application for design review:

1. Project compliance with the general plan and any applicable specific plans and zoning ordinances;
2. Conformance with any adopted city-wide design guidelines;

3. Conformance with any project-specific design guidelines and standards approved through the planned development permit process or similar review process;
4. Compatibility of building materials, textures and colors with surrounding development and consistency with the general design theme of the neighborhood.

With respect to this project, the design of the proposed storage structure features vertically-oriented metal siding, while the main building is stucco. However, the storage building will be painted beige to match the colors of the main building, and would not be visible from the street, as it will be situated entirely behind the main building and a maximum of 20 feet in height, which will be shorter than the existing building. Furthermore, the storage building will not be visible to nearby residences due to the existing tree canopy. Staff also finds that the colors and materials of the proposed storage building are compatible with that of the existing building. Therefore, staff concludes that the project meets the two design review criteria referenced above.

The project does not propose any changes to existing circulation or parking. Accessible spaces will be kept in their current locations.

No city-wide design guidelines have been adopted. No project-specific design guidelines or standards exist for this project.

Staff forwards the following design recommendations to the Commission for consideration:

- a. This approval is for a 3,200-square-foot detached metal storage building in back of the Riebe's Auto Parts main building at 9499 Greenback Lane. The applicant shall submit building plans that comply with this approval and the attached site plan and building elevations dated November 17, 2017.
- b. The design, materials, and colors of the storage building shall be consistent with the submitted building elevations, color renderings, materials samples, and color scheme to the satisfaction of the Community Development Department.
- c. Roof-mounted mechanical equipment, including satellite dish antennas, shall not extend above the height of the parapet walls. Ground-mounted mechanical equipment shall be shielded by landscaping or trellis type features.
- d. Utility equipment such as transformers, electric and gas meters, electrical panels, and junction boxes shall be screened by walls and or landscaping.
- e. All exterior building-attached light fixtures shall be shielded and directed downward and away from adjacent properties and public rights-of-way. Lighting shall be equipped with a timer or photo condenser.

These recommendations are included in the conditions of approval presented for consideration by the Planning Commission (Condition No. 11).

In addition, to ensure no further work occurs until the lot merger has been recorded and the unpermitted work in the rear of the main building has been either demolished or legalized, staff

has provided Condition 10, which states that no building permit will be issued until these two tasks have been completed.

ENVIRONMENTAL REVIEW

The project is categorically exempt under Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA). Based on staff's analysis of this project, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case.

RECOMMENDATION/PLANNING COMMISSION ACTION

MOVE TO APPROVE COMMERCIAL DESIGN REVIEW FOR A 3,200-SQUARE-FOOT DETACHED METAL STORAGE BUILDING AT RIEBE'S AUTO PARTS, LOCATED AT 9499 GREENBACK LANE, AS ILLUSTRATED ON ATTACHMENT 2, WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL (NO. 1-17).

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 CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15303 NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).
- 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.

DESIGN REVIEW FINDINGS

- F. THE PROPOSED PROJECT COMPLIES WITH THE GENERAL PLAN AND THE ZONING ORDINANCE OF THE CITY.
- G. THE PROPOSED PROJECT PROVIDES COMPATIBILITY OF BUILDING MATERIALS, TEXTURES, AND COLORS WITH SURROUNDING DEVELOPMENT AND CONSISTENCY WITH THE GENERAL DESIGN THEME OF THE NEIGHBORHOOD.

Submitted,



Pam Johns
Community Development Director

CONDITIONS

See attached tables of conditions for which the following legend applies.

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	B	Prior to issuance of first Building Permit
(B)	Building Division	O	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		

CONDITIONS OF APPROVAL FOR THE RIEBE'S STORAGE STRUCTURE COMMERCIAL DESIGN REVIEW (PN 18-236)
9499 GREENBACK LANE

Mitigation Measure	When Required	Responsible Department
<p>1. The applicant shall submit final site development plans to the Community Development Department that shall substantially conform to the exhibits referenced below:</p> <ul style="list-style-type: none"> • Site Plan and Elevations, dated November 17, 2017 <p>This project approval is for the Riebe's Storage Structure Commercial Design Review, which includes a 3,200-square-foot detached metal storage building behind the Riebe's Auto Parts main building at 9499 Greenback Lane, as shown on the above-referenced plans. Modifications may be made to the above-referenced plans to respond to site-specific conditions of approval as set forth herein.</p>	B	CD (P)(E)
<p>2. Building plans and any required civil engineering 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.</p>	B	CD (P)(E)(B)
<p>3. The project approval granted under this staff report shall remain in effect for two years from final date of approval (September 19, 2020). 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.</p>	B	CD (P)

CONDITIONS OF APPROVAL FOR THE RIEBE'S STORAGE STRUCTURE COMMERCIAL DESIGN REVIEW (PN 18-236)
9499 GREENBACK LANE

Mitigation Measure		When Required	Responsible Department
4.	<p>The owner/applicant shall 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:</p> <ul style="list-style-type: none"> • The City bears its own attorney's fees and costs; and • The City defends the claim, action or proceeding in good faith <p>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.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD
DEVELOPMENT COSTS AND FEE REQUIREMENTS			
5.	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.	B	CD (P)(E)
6.	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.	B	CD (P) (E)

CONDITIONS OF APPROVAL FOR THE RIEBE'S STORAGE STRUCTURE COMMERCIAL DESIGN REVIEW (PN 18-236)
9499 GREENBACK LANE

	Mitigation Measure		When Required	Responsible Department
7.		<p>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.</p>	B	CD (P)(E)
8.		<p>This project shall be subject to all City-wide development impact fees, unless exempt by previous agreement. This project shall be subject to all City-wide development impact fees in effect at such time that a building permit is issued. These fees may include, but are not limited to, fees for fire protection, park facilities, park equipment, Quimby, Humbug-Willow Creek Parkway, Light Rail, TSM, capital facilities and traffic impacts. The 90-day protest period for all fees, dedications, reservations, or other exactions imposed on this project has begun. The fees shall be calculated at the fee rate in effect at the time of building permit issuance.</p>	B	CD (P)(E), PW, PK
9.		<p>If applicable, the owner/applicant shall pay off any existing assessments against the property, or file necessary segregation request and pay applicable fees.</p>	B	CD (E)

SITE DEVELOPMENT REQUIREMENTS

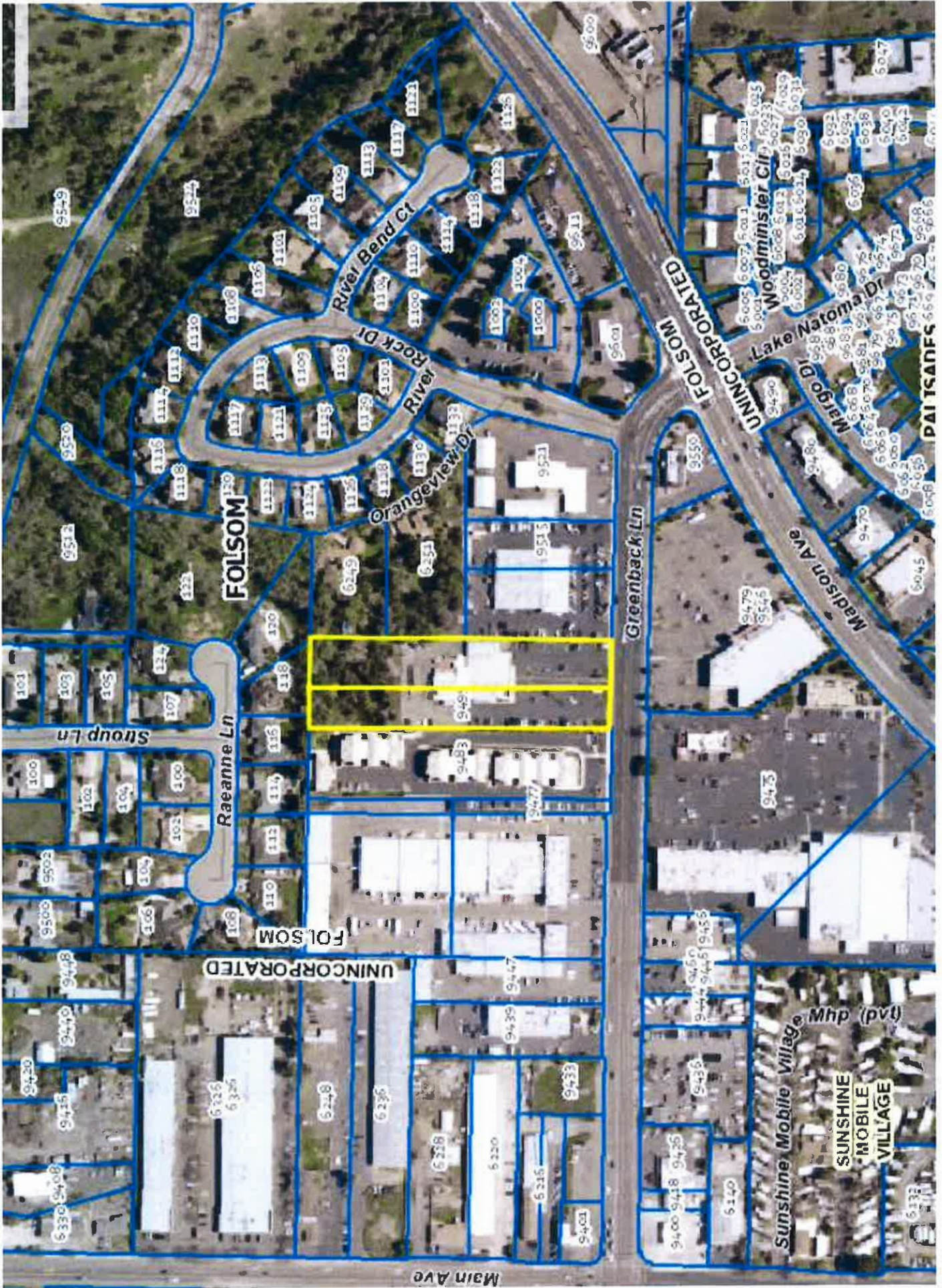
10.	No building permit for the storage structure will be issued until both the Lot Line Adjustment to merge the two lots at 9499 Greenback Lane is finalized and recorded and the unpermitted work in the rear of the main building is either demolished or legalized, to the satisfaction of the Community Development Department.	B	CD (P,E,B)
11.	<p>The project shall comply with the following architecture and design requirements:</p> <ul style="list-style-type: none"> a. This approval is for a 3,200-square-foot detached metal storage building in back of the Riebe's Auto Parts main building at 9499 Greenback Lane. The applicant shall submit building plans that comply with this approval and the attached site plan and building elevations dated November 17, 2017. b. The design, materials, and colors of the storage building shall be consistent with the submitted building elevations, color renderings, materials samples, and color scheme to the satisfaction of the Community Development Department. c. Roof-mounted mechanical equipment, including satellite dish antennas, shall not extend above the height of the parapet walls. Ground-mounted mechanical equipment shall be shielded by landscaping or trellis type features. d. Utility equipment such as transformers, electric and gas meters, electrical panels, and junction boxes shall be screened by walls and or landscaping. e. All exterior building-attached light fixtures shall be shielded and directed downward and away from adjacent properties and public rights-of-way. Lighting shall be equipped with a timer or photo condenser. 	B	CD (P)
12.	If any archaeological, cultural, or historical resources or artifacts, or other features are discovered during the course of construction anywhere on the project site, work shall be suspended in that location until a qualified professional archaeologist assesses the significance of the discovery and provides consultation with the Folsom Historical Society, City staff, and the Heritage Preservation League. Appropriate mitigation as recommended by the archaeologist and the Historical Society representative shall be implemented. If agreement cannot be met, the Historic District Commission shall determine the appropriate implementation method.	B	CD (P)

NOISE REQUIREMENT

13.	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. Construction equipment shall be muffled and shrouded to minimize noise levels.	B	CD (P)(E)
FIRE DEPARTMENT REQUIREMENT			
14.	Approved building address numbers shall be placed near the main entrance on the building in such a position as to be plainly visible and legible from the street fronting the property. Numbers shall be either externally or internally-illuminated on a lighting circuit powered dusk to dawn and the color shall contrast with their background. The size of the address numbers shall be a minimum of 10 inches.	B	FD
15.	Plans and specifications must be submitted and approved by the City of Folsom Fire Department prior to the start of construction.	B	FD
16.	If the storage building is to store hazardous material, fire sprinklers will be required.	B	FD

POLICE/SECURITY REQUIREMENTS

17.	<p>The owner/applicant shall consult with the Police Department in order to incorporate all reasonable crime prevention measures. The following security/safety measures shall be required:</p> <ul style="list-style-type: none"> • A security guard shall be on-duty at all times at the site or a six-foot security fence shall be constructed around the perimeter of construction areas. (This requirement shall be included on the approved construction drawings). • Security measures for the safety of all construction equipment and unit appliances shall be employed. • Landscaping shall not cover exterior doors or windows, block line-of-sight at intersections or screen overhead lighting. 	B	PD
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Attachment 2

Proposed Site Plan and Elevations, dated November 17, 2017

Attachment 3
Site Photographs







CITY OF
FOLSOM
DISTINCTIVE BY NATURE

COMMUNITY DEVELOPMENT

DATE: 9/19/18 Planning Commission Meeting
TO: Chairman and Planning Commissioners
FROM: Community Development Director, Pam Johns
SUBJECT: Staff Presentation on Zoning Code Update Process

Item #2

A Zoning Ordinance Update will be presented by Principal Planner, Desmond Parrington.