



Planning Commission Minutes

Wednesday, September 2, 2009 6:00 PM
City Council Chambers
277 North Second Avenue

1. **CALL TO ORDER:**

Chairperson Hicks called the meeting to order at 6:18 p.m.

Present: Vice Chairperson Ron Bordona (arrived 6:25 p.m.), Commissioner Harold Crean, Chairperson Scott Hicks and Commissioner Richard Pacheco

Staff Present: Community Development Director/Planning Commission Secretary Danelle Stylos, City Attorney Tom Hallinan, Associate Planner Rose Rivera Administrative Secretary Colleen Andersen

2. **CONFLICT OF INTEREST DECLARATION:**

No conflicts were declared.

3. **AGENDA REVIEW:**

No reordering of the agenda occurred.

4. **CONSENT AGENDA:**

MOTION (Approved)

To accept the July 1, 2009 Planning Commission Meeting Minutes as submitted.

It was moved by Crean seconded by Pacheco and **CARRIED**.

AYES: Crean, Hicks, Pacheco

NOES: None

ABSTAIN: None

ABSENT: Bordona

5. **PUBLIC HEARING(S):**

- a) **Time Extension Request for Major Use Permit 2007-230-03:** A request to consider a two-year extension for Major Use Permit 2007-230-03. The property is located on the northwest corner of West "F" Street and California Avenue (APN 130-021-017).

Action Required: Environmental Determination (The project is Categorically Exempt under the California Environmental Quality Act [CEQA], Section 15061 [b][3] where the time extension is determined to not be a project for review) and either approve, deny or modify the request.

Planner Rivera presented the staff report and provided background information on the subject. The applicant is requesting a two-year time extension to resolve real estate issues for Major Use Permit 2007-230-03 to construct a 15,026 square foot Walgreens store with a drive-through pharmacy.

Chairperson Hicks opened the public hearing to public testimony at 6:22 p.m.

SPEAKERS IN FAVOR:

Brian Kisling—Applicant, Interra Development

SPEAKERS IN OPPOSITION:

No one appeared to speak in opposition.

There being no further testimony, Chairperson Hicks closed the public hearing at 6:25 p.m.

MOTION (Approved)

1. The project is exempt from the California Environmental Quality Act under Section 15061 (b)(3) wherein the Major Use Permit extension is determined to not be a project for review.
2. To adopt Planning Commission Resolution 2009-04 approving the two-year time extension for Major Use Permit 07-230-03 based on the findings and conditions of approval contained in the staff report.

It was moved by Crean, seconded by Pacheco and **CARRIED**.

AYES: Crean, Hicks, Pacheco
 NOES: None
 ABSTAIN: None
 ABSENT: Bordona

6. NON-HEARING ITEM(S) FOR ACTION:

- a) **Appeal of Code Enforcement Letter of Violation for Code Section 36.18.28:** Appeal Zoning Code Section 36-18.28 Fences, Hedges, Walls, and Screen Plantings, to determine whether the applicant may retain the mature landscape screen located in the front yard setback located at 1259 Riverbluff Drive.

Action Required: Determine whether the applicant may retain the mature landscape screen located in the front yard setback located at 1259 Riverbluff Drive.

Planner Rivera presented the staff report and provided background information on the subject. The City received a formal code violation complaint from a resident who was concerned about the height of a neighbor's shrubs located in the front yard setback of a residence located at 1259 Riverbluff Drive. The shrubs are approximately six feet in height with the exception of the shrub closest to the property line, which is trimmed down to three feet. According to the zoning ordinance, screen planting cannot exceed three feet in the twenty-foot front yard setback. Staff informed the property owner that the shrubs be trimmed to a height of three feet in the front yard setback in order to comply with the zoning ordinance. The property owner is seeking an appeal to

staff’s decision so that they may retain the mature landscape screen located in the front yard setback of their home.

Chairperson Hicks asked if anyone wished to speak in favor or against the request.

SPEAKERS IN FAVOR:

Erica Cooper—Applicant, Oakdale, CA

SPEAKERS IN OPPOSITION:

No one appeared to speak in opposition.

MOTION (Approved)

To approve through minute order the request to retain the mature landscape screen located in the front yard setback located at 1259 Riverbluff Drive.

It was moved by Crean seconded by Pacheco and **CARRIED.**

- AYES: Bordona, Crean, Hicks, Pacheco
- NOES: None
- ABSTAIN: None
- ABSENT: None

7. COMMUNITY DEVELOPMENT DIRECTOR’S REPORT:

- a) County Referrals: Secretary Stylos reported no County Referrals have been received.
- b) Future Planning Items/Programs: Secretary Stylos reported no future items at this time.

8. ITEMS FROM THE AUDIENCE: No items received.

9. INFORMATION ITEMS:

- a) Secretary Stylos reported that the All City Commission Workshop will take place October 10, 2009.

10. ADJOURNMENT:

There being no further business, Chairperson Hicks adjourned the meeting at 6:50 p.m.

Respectfully submitted,

Colleen Andersen
Administrative Secretary