

**Minutes  
Zoning Administrator Meeting  
April 24, 2014**

**Staff Present**

Charley Stump, Zoning Administrator  
Jennifer Faso, Associate Planner  
Cathy Elawadly, Recording Secretary

**Others Present**

Chris Ives  
Kristina Bailey  
Jack Freeman  
Mike Gilbert  
Linda Lynch

**1. CALL TO ORDER**

Zoning Administrator Stump called the meeting to order at 2:00 p.m. in Conference Room No. 1, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

**2. SITE VISIT VERIFICATION**

**Zoning Administrator Stump** confirmed the site visit.

**3. APPROVAL OF MINUTES:** The minutes from the April 1, 2014 meetings will be available for review and approval at the Zoning Administrator hearing.

**Zoning Administrator Stump** approved the April 1, 2014 minutes, as submitted.

**4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS**

No one came forward to speak on non-agenda items.

**5. APPEAL PROCESS**

**Zoning Administrator Stump** read the appeal process. For matters heard at this meeting the last day to appeal is May 5, 2014.

**6. VERIFICATION OF NOTICE**

**Associate Planner Faso** verified that the proposed Dialysis Clinic Expansion (File No. 13-27-UPA-ZA) was properly noticed in accordance with the provisions of the UMC.

**7. PUBLIC HEARINGS**

**7A.** Dialysis Clinic Expansion, 275 South Orchard Avenue. (File No. 13-27-UPA-ZA). Request for approval of a Minor Use Permit Amendment to allow a 5,949 square foot expansion to the Dialysis Clinic located at 275 South Orchard Avenue, APN 002-274-07.

**Zoning Administrator Stump:**

- Dispensed with the staff report noting the only persons in attendance were the dialysis clinic team.
- Requested clarification the parking accommodations on the south side of the building that served the previous use would be dedicated parking for use by the dialysis clinic.
- The project plans show a phase 1 and phase 2 and asked for clarification from the applicant in this regard.
- Has observed the parking accommodations and potential demand thereof. Is fine with staff's analysis related to compliance with the parking requirements for the use noting the project description submitted by the applicant indicates the majority of the patients are dropped off at the clinic or brought to the clinic by bus and therefore has concluded parking would not be an issue for the proposed use and the expansion.

**Associate Planner Faso:**

- Confirmed staff has received no public comments regarding the project.
- Confirmed parking for the previous use would be dedicated parking for use by the dialysis clinic.

1 **PUBLIC HEARING OPENED: 2:02 p.m.**

2  
3 **Mike Gilbert, Dialysis Clinic Representative:**

- 4 • Has reviewed the staff report and had no questions or comments.
- 5 • Clarified the project involves two phases as shown on the submitted site plans.
- 6 • Confirmed parking for the proposed use and expansion would be ample, particularly  
7 since the majority of the patients are dropped off at the clinic or brought to the clinic by  
8 bus.

9  
10 **Associate Planner Faso:**

- 11 • Made a correction to the staff report that 13,296 is the total square footage for the dialysis  
12 clinic.

13  
14 **PUBLIC HEARING CLOSED: 2:05 p.m.**

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16 **Zoning Administrator Stump:**

- 17 • Has visited and is familiar with the site.
- 18 • The proposed project provides a valuable service to the community, is a great use of  
19 space and an appropriate use for the site.

20  
21 **Zoning Administrator Stump** approved Dialysis Clinic Expansion File No. 13-27-UPA-ZA with  
22 Findings 1-5 and Conditions of Approval 1-13.

23  
24 **7. ADJOURNMENT**

25 There being no further business, the meeting was adjourned at 2:06 p.m.

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27  
28 \_\_\_\_\_  
Charley Stump, Zoning Administrator

29  
30 \_\_\_\_\_  
Cathy Elawadly, Recording Secretary

31  
32 **MINOR USE PERMIT AMENDMENT FINDINGS TO ALLOW THE EXPANSION OF A DIALYSIS**  
33 **CLINIC AT 275 SOUTH ORCHARD AVENUE.**

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35 The following findings are supported by and based on information contained in this staff report,  
36 the application materials, and the public record.

- 37  
38 1. The proposed project, as conditioned, is consistent with the goals and policies of the  
39 General Plan as described in the staff report.
- 40  
41 2. The proposed project, as conditioned, is consistent with the purpose and applicable  
requirements of the C-1 zoning district as described in the staff report.
- 42  
43 3. The proposed project, as conditioned, is compatible with surrounding land uses and shall  
44 not be detrimental to the public's health, safety and general welfare based on the  
following:
  - 45 A. The project site is located within an existing commercial center and is surrounded  
46 by various retail and commercial uses. The Clinic has been operating at this  
47 location since 2010 and city staff has not received any complaints in regards to  
48 compatibility with surrounding land uses. Therefore based on this it is anticipated  
49 that the expansion would be compatible.

- 1 B. The project was reviewed by the City Building Official Fire Marshal, Public Works  
2 Department and Police Department their comments have been added as  
3 conditions of approval.
- 4 C. The project is required to comply with the 1) California Building Code for any  
5 tenant improvements as applicable and all other applicable City, Local Agency,  
6 State and Federal requirements.
- 7 4. The proposed project is exempt from the provisions of the California Environmental  
8 Quality Act (CEQA) pursuant to Section  
9  
10 A. The project involves minor alterations to an existing commercial building that will  
11 not enlarge the footprint of the building.  
12 B. The project involves a 5,949 square foot expansion of an existing use.  
13 C. The project is not located within an environmentally sensitive area in that the site  
14 is located on an arterial street and in an urban area that includes a variety of  
15 commercial businesses. The site is developed with a building that has been used  
16 in the past currently used and will continue to be used for commercial uses and  
17 associated parking areas and landscaping. No water courses, wildlife, wildlife  
18 habitat, floodway or flood plain or other environmentally sensitive areas are  
19 present.  
20
- 21 5. Notice of the proposed project was provided in the following manner as required by the  
22 Zoning Ordinance:  
23  
24 A. Posted in three places on the project site on April 14, 2014.  
25 B. Mailed to property owners within 300 feet of the project site on April 14, 2014.  
26 C. Published in the Ukiah Daily Journal on April 13, 2014.

**USE PERMIT CONDITIONS OF APPROVAL TO ALLOW THE EXPANSION OF A DIALYSIS CLINIC AT 275 SOUTH ORCHARD AVENUE.**

- 27 1. Approval is granted for the expansion of the dialysis clinic as described in the project  
28 description submitted to the Community Development and Planning Department and date  
29 stamped March 13, 2014 and as shown on the plans submitted to the Community  
30 Development and Planning Department and date stamped February 3, 2014, except as  
31 modified by the following conditions of approval.  
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33  
34
- 35 2. This Use Permit Amendment is granted subject to the following operating characteristics:  
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  - 5,949 square feet expansion;
  - 13,296 square foot total dialysis clinic;
  - 10 new treatment stations;
  - 4 new home training rooms;
  - Expansion of supply storage area;
  - Hours of operation 7 AM to 7 PM Monday through Saturday, Closed Sunday;

- 1                   • Three overlapping four hour shifts. Each shift will have thirteen employees; and  
2                   • The maximum number of patients in the clinic at one time would be 28.
- 3           3. On plans submitted for building permit, these conditions of approval shall be included as  
4           notes on the first sheet.
- 5           4. Bicycle parking for 4 bikes shall be installed. The location of the required bicycle parking  
6           shall be shown on the plans and is subject to staff review and approval.

7   From the Department of Public Works ( Ben Kageyama)  
8

- 9           5. Applicable Ukiah Valley Sanitation District sewer connection fees shall be paid at time of  
10          building permit issuance. Based on UVSD Ordinance 35 and a proposed expansion of  
11          5,949 square feet, the connection fee is \$85,121.

12   From the Building Official (David Willoughby)  
13

- 14          6. Building, electrical, plumbing and mechanical permits will be required for the change of  
15          occupancy and the proposed work. The plans shall be designed by a California licensed  
16          Architect or Engineer.
- 17          7. Permits for the change to the automatic fire suppression system and alarm system are  
18          required through the fire department.
- 19          8. The 2013 California Codes will apply to this project.
- 20          9. If the valuation for the work proposed exceeds \$139,934 then the entire building will need  
21          to comply with the current accessibility standards as a new building; if the valuation is  
22          less than \$139,934 then 20% of the valuation will need to be spent improving the  
23          accessibility and removing barriers at the site.
- 24          10. An asbestos clearance from Mendocino County Air Quality District will be required prior  
25          to the issuance of the building permit.
- 26          11. Two sets of California Energy calculations addressing changes to the glazing and lighting  
27          where applicable.
- 28          12. If the permit valuation is equal to or greater than \$200,000 then the California Green  
29          Building Standards Code will apply to the expansion.

30   Standard City Requirements  
31

- 32          13. This Use Permit may be revoked through the City's revocation process if the approved  
33          project related to this Permit is not being conducted in compliance with these stipulations  
34          and conditions of approval; or if the project is not established within two years of the  
35          effective date of this approval; or if the established use for which the permit was granted  
36          has ceased or has been suspended for 24 consecutive months.
- 37          14. Business operations shall not commence until all permits required for the approved use,  
38          including but not limited to business license, tenant improvement building permit, have  
39          been applied for and issued/finaled.

- 1 15. No permit or entitlement shall be deemed effective unless and until all fees and charges  
2 applicable to this application and these conditions of approval have been paid in full.
- 3 16. The property owner shall obtain and maintain any permit or approval required by law,  
4 regulation, specification or ordinance of the City of Ukiah and other Local, State, or  
5 Federal agencies as applicable. All construction shall comply with all fire, building,  
6 electric, plumbing, occupancy, and structural laws, regulations, and ordinances in effect  
7 at the time the Building Permit is approved and issued.
- 8 17. A copy of all conditions of this Use Permit amendment shall be provided to and be  
9 binding upon any future purchaser, tenant, or other party of interest.
- 10 18. All conditions of approval that do not contain specific completion periods shall be  
11 completed prior to building permit final.
- 12 19. This approval is contingent upon agreement of the applicant and property owner and their  
13 agents, successors and heirs to defend, indemnify, release and hold harmless the City,  
14 its agents, officers, attorneys, employees, boards and commissions from any claim,  
15 action or proceeding brought against any of the foregoing individuals or entities, the  
16 purpose of which is to attack, set aside, void or annul the approval of this application.  
17 This indemnification shall include, but not be limited to, damages, costs, expenses,  
18 attorney fees or expert witness fees that may be asserted by any person or entity,  
19 including the applicant, arising out of or in connection with the City's action on this  
20 application, whether or not there is concurrent passive or active negligence on the part of  
21 the City. If, for any reason any portion of this indemnification agreement is held to be void  
22 or unenforceable by a court of competent jurisdiction, the remainder of the agreement  
23 shall remain in full force and effect.