

**Minutes
Zoning Administrator Meeting
July 2, 2015**

Staff Present

Charley Stump, Zoning Administrator
Michelle Johnson, Assistant Planner
Cathy Elawadly, Recording Secretary

Others Present

Dan Thomas

1. CALL TO ORDER

Zoning Administrator Stump called the meeting to order at 11:04 a.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 June 4, 2015 meeting are included for review and approval.

Zoning Administrator Stump approved the June 4, 2015 meeting minutes, as submitted.

4. COMMENTS FROM AUDIENCE 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 Monday, July 17, 2015.

6. VERIFICATION OF NOTICE

Planning staff verified the proposed Pear Tree Center Small Parking Lot (File No.: 1046) was properly noticed in accordance with the provisions of the UMC.

7. PUBLIC HEARINGS

7A. Pear Tree Center Small Parking Lot at 534 East Perkins Street (File No.: 1046): Request for Zoning Administrator approval of a Use Permit and Site Development Permit to allow a parking lot; new trees, and new sidewalk to connect the existing hospital with the Pear Tree Center at 534 East Perkins Street, APN 002-200-42 File No.: Munis 1046.

Assistant Planner Johnson:

- Gave a project description/presentation as provided for on pages 1 through 8 of the staff report.
- Modified Condition of Approval No. 1 that the project will provide for '16 Red Maple shade trees' rather than '19.'
- Staff recommends approval of the project based on the Minor Site Development Permit Findings in attachment 1, Minor Use Permit Findings in attachment 2, and subject to the Conditions of Approval in attachment 3 with modification to Condition of Approval No. 1 as addressed above.
- Drew attention to Condition of Approval No. 4 for the benefit of the applicant to make certain it is understood a painted pedestrian pathway is to be provided that connects the Hospital property line to Pear Tree Center.

Zoning Administrator Stump:

- Page 3 of staff report, Table 1, General Plan Goals and Policies, modify information in the table to reflect the change made to Condition of Approval No. 1 that the number of shades trees will be 16 Red Maple trees rather than 19.

- 1 • Page 3, Table 1, General Plan Goals and Policies, Goal CT-12 related to explanation of goal that
2 states, 'currently there is a high demand for parking on Hospital Drive as a result of the traffic
3 driven from the Hospital and Medical offices; vehicles are forced to park on the street,' noted the
4 proposed parking is not dedicated parking for the Hospital, but rather general parking for Pear
5 Tree Center.
6

7 **Assistant Planner Johnson:**

- 8 • It was her understanding the proposed parking would be for employees of the Hospital,
9 particularly with the landscaped area and outdoor lounge for Hospital employees where the focus
10 of her analysis was that Hospital employees would no longer have to park on the street and could
11 park behind the Hospital complex in the proposed parking lot.
12

13 **Zoning Administrator Stump:**

- 14 • Is of the opinion the finding provided for in staff's analysis concerning parking addressed above
15 can still be made relative to consistency with Goal CT-12 that states, 'Increase the convenience
16 and attractiveness of off-street parking' where the proposed parking addition with 19 vehicle
17 spaces will accomplish just that. The proposed project is a new extension of an existing parking
18 lot that will provide nice landscaping and certainly will increase the convenience/attractiveness of
19 off-street parking.
20

21 **PUBLIC HEARING OPENED: 11:11 a.m.**

22
23 **Dan Thomas, Applicant:**

- 24 • Is fine with project findings and conditions of approval.
25 • Asked about the location of the pathway that connects the Hospital to the Pear Tree Center
26 property line.
27

28 Staff confirmed the location.
29

30 **PUBLIC HEARING CLOSED: 11:12 a.m.**

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32 **Zoning Administrator Stump:**

- 33 • Has visited the site and is familiar with the Project.
34 • Thanked staff for processing the project in a timely manner.
35 • The site has essentially been a vacant lot with weeds for many years and is of the opinion the
36 project is a nice amenity to the community. The project will increase the parking availability for
37 Pear Tree Center/provide for a convenient pathway that connects Pear Tree Center and the
38 Hospital and also includes an aesthetically pleasing landscaped area with a bench.
39 • Project is consistent with the General Plan Goals and Policies, zoning ordinance regulations and
40 is exempt from the Airport Master Plan requirements.
41 • While the staff report states the project is exempt from the LID Technical Design Manual
42 requirements added a new finding in this regard that states, 'The project is exempt from the City's
43 Low Impact Development requirements because it is a parking lot with less than 25 parking
44 spaces and less than 10,000 sq. ft. of new or replaced impervious surface and is also exempt
45 pursuant to the comments provided by the Department of Public Works.'
46

47 **Zoning Administrator Stump** approved Use Permit and Site Development Permit for Pear Tree Center
48 Small Parking Lot (File No.: 1046) based on the Minor Site Development Permit Findings in attachment 1
49 of the staff report with the addition of a new finding as referenced above, Use Permit Findings in
50 Attachment 2 of the staff report and subject to the Conditions of Approval in attachment 3 of the staff
51 report.
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53 **8. ADJOURNMENT**

54 There being no further business, the meeting was adjourned at 11:13 a.m.

FINAL SITE DEVELOPMENT PERMIT FINDINGS

**Minor Site Development Permit & Use Permit
Small Parking Lot
534 East Perkins Street
City File No. 1046**

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

1. The proposed project, as conditioned, is consistent with the goals and policies of the General Plan as described in the staff report and Table 1.
2. The proposed project, as conditioned, is consistent with the Zoning Ordinance as described in Table 2 of the staff report.
3. The location, size, and intensity of the proposed project will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern because the Department of Public Works has reviewed the proposal and supports the project. The proposed parking lot would not create a hazard for pedestrians or motorists because it would not change the existing traffic patterns; the proposed project is the addition of 19 vehicle spaces to an existing parking lot. The new parking lot would also include a painted pedestrian pathway from the hospital to the Pear Tree Center.
4. The proposed project would not change the existing height; therefore, the proposed project will not restrict or cut out light and air on the property or on the property in the neighborhood.
5. The project would not hinder the development or use of the buildings in the neighborhood but may generate value in the neighborhood due to the improvements made to the property.
6. The project site is not located adjacent to residential zoning districts.
7. The site is located in a commercial area and developed with an existing commercial building. No water courses, wildlife, wildlife habitat, floodway or flood plain or other environmentally sensitive areas are located on the site or in the area; therefore, none would be disturbed as a result of this project.
8. The Project would provide 16 new shade trees from the approved Street Tree list and additional landscaping. These features help to break up the existing building which is consistent with this finding.
9. The proposed project is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15311 Class 11, construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to: (b) Small parking lots.

- A. The Project includes the addition of vehicle parking spaces, 16 new shade trees and

1 landscaping. These modifications do not result in an expansion of the use or an
2 increase in capacity.

3
4 B. The Project is consistent with the Commercial general plan designation and all
5 applicable general plan policies as well as with the Community Commercial zoning
6 designation and regulations based on the analysis in the staff report.

7
8 C. Based on review of the project by Public Works, the Electric Department, Police
9 Department and Fire Marshal, the site can be adequately served by all required
10 utilities and public services.

11
12 D. The Project is a development site comprised primarily of impervious surfaces (parking
13 lot and building). The site and surrounding area are not environmentally sensitive.
14 The Project includes the addition of new trees and mulch. There are no wetlands,
15 creeks, or water bodies on the site.

16
17 10. The project is exempt from the City's Low Impact Development requirements because it is a
18 parking lot with less than 25 parking spaces and less than 10,000 sq. ft. of new or replaced
19 impervious surface and is also exempt pursuant to the comments provided by the Department of
20 Public Works.

21
22 11. Notice of the proposed project was provided in the following manner as required by the Zoning
23 Ordinance:

- 24 A. posted in three places on the project site on February 9, 2015;
- 25 B. mailed to property owners within 300 feet of the project site on February 6, 2015;
- 26 C. published in the Ukiah Daily Journal on February 8, 2015.

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29 ATTACHMENT 2
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32 **FINAL USE PERMIT FINDINGS**
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35 **Minor Site Development Permit & Use Permit**
36 **Small Parking Lot**
37 **534 East Perkins Street**
38 **City File No. 1046**
39

- 40 1. The following findings are supported by and based on information contained in this staff
41 report, the application materials and documentation, and the public record.
- 42
43 2. The proposed project, as conditioned, is consistent with the goals and policies of the
44 General Plan as described in the staff report and Table 1.
- 45
46 3. The proposed project, as conditioned, is consistent with the Zoning Ordinance as
47 described in Table 2 of the staff report. The project approved with conditions is
48 compatible with surrounding uses based on the following:
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50 A. The project site is located within an existing commercial area and is surrounded
51 mainly by commercial uses;

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- B. The proposed project is an addition to an approved retail use permit. The proposed use is anticipated to not increase the existing density given that no new traffic would be generated;
- 4. The project will not be detrimental to the public's health , safety and general welfare based on the following:
 - A. Through the use permit the operational characteristics will be regulated, therefore the project would not be detrimental to the surrounding uses;
 - B. The project has been reviewed by the Fire Marshal, Police Department, Building Official, and Public Works and any review comments from these departments have been included as conditions of approval;
 - C. The project is required to comply with all federal , state and local laws;
 - D. The project is consistent with the Airport Master Plan B2 compatibility zone requirements.
- 5. The proposed project is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15311 Class 11, construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to: (b) Small parking lots.
 - E. The Project includes the addition of vehicle parking spaces, 16 new shade trees and landscaping. These modifications do not result in an expansion of the use or an increase in capacity.
 - F. The Project is consistent with the Commercial general plan designation and all applicable general plan policies as well as with the Community Commercial zoning designation and regulations based on the analysis in the staff report.
 - G. Based on review of the project by Public Works, the Electric Department, Police Department and Fire Marshal, the site can be adequately served by all required utilities and public services.
 - H. The Project is a development site comprised primarily of impervious surfaces (parking lot and building). The site and surrounding area are not environmentally sensitive. The Project includes the addition of new trees and mulch. There are no wetlands, creeks, or water bodies on the site.
- 6. Notice of the proposed project was provided in the following manner as required by the Zoning Ordinance:
 - A. posted in three places on the project site on February 9, 2015;
 - B. mailed to property owners within 300 feet of the project site on February 6, 2015;
 - C. published in the Ukiah Daily Journal on February 8, 2015.

FINAL CONDITIONS OF APPROVAL

MINOR SITE DEVELOPMENT PERMIT & USE PERMIT SMALL PARKING LOT 534 EAST PERKINS STREET CITY FILE NO. 1046

1. Site Development Permit and Use Permit approval is granted to allow a small parking lot with 19 vehicle spaces, 19 Red Maple shade trees and an outdoor employee lounge with landscaping as shown on the plans and as described in the project description submitted to the Planning and Community Development Department and date stamped June 8, 2015 as except as modified by the following conditions of approval.
2. On the plans submitted for building permit, these conditions of approval shall be included as notes on the first sheet.
3. Construction hours are limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday. Construction is prohibited on Sundays and holidays recognized by the City of Ukiah.
4. A painted pedestrian pathway will be included that connects the Hospital property line to the Pear Tree Center.

From the Building Official (David Willoughby)

A building permit is required. The following comments are intended to aid the applicant in realizing possible requirements for the project and are not intended as a plan review.

1. If lighting is added then 2 sets of energy calculations are required when submitting for the permit.
2. Detectable warning strips are required at each end of the pathway entering into the parking lot.

From Public Works (Ben Kageyama)

The Department of Public Works has reviewed the above referenced project and offers the following comments for your consideration:

1. The project does not appear to trigger the requirements of the LID Technical Design Manual. We request an LID Determination Worksheet or equivalent be filled out and accompany this application.

The following conditions of approval are recommended:

2. Prior to construction of site improvements, a final grading, drainage, landscaping, and erosion and sediment control plan, prepared by a Civil Engineer, shall be submitted for review and approval by the Department of Public Works.
3. The project engineer shall provide direct oversight and inspection during project construction, with special attention to implementation of best management practices for

1 sediment and erosion control, and the proper grading, installation, and landscaping of
2 vegetated swales and infiltration areas. Upon completion of the work, a report shall be
3 submitted by the project engineer to the Department of Public Works stating that the
4 improvements have been completed in accordance with the approved plans and conditions
5 of approval, shall function as intended, and all areas have been permanently stabilized to
6 prevent sediment and erosion.
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9 Standard City Conditions of Approval

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- 11 5. This approval is not effective until the 10 day appeal period applicable to this Site Development
12 Permit has expired without the filing of a timely appeal. If a timely appeal is filed, the project is
13 subject to the outcome of the appeal and shall be revised as necessary to comply with any
14 modifications, conditions, or requirements that were imposed as part of the appeal.
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- 16 6. The property owner shall obtain and maintain any permit or approval required by law, regulation,
17 specification or ordinance of the City of Ukiah and other Local, State, or Federal agencies as
18 applicable. All construction shall comply with all fire, building, electric, plumbing, occupancy, and
19 structural laws, regulations, and ordinances in effect at the time the Building Permit is approved
20 and issued.
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- 22 7. All conditions of approval that do not contain specific completion periods shall be completed prior
23 to building permit final.
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- 25 8. Building, Grading or other required Permits shall be issued within two years after the effective
26 date of the Site Development Permit, or the discretionary actions granted by the permit shall
27 expire. In the event the required Permits cannot be issued within the stipulated period from the
28 project approval date, a one year extension may be granted by the Director of Planning if no new
29 circumstances affect the project which otherwise would render the original approval inappropriate
30 or illegal. It is the applicant's responsibility in such cases to propose the one-year extension to
31 the Planning Department prior to the two-year expiration date.
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- 33 9. Except as otherwise specifically noted, the Site Development Permit shall be granted only for the
34 specific purposes stated in the action approving the Site Development Permit and shall not be
35 construed as eliminating or modifying any building, use, or zone requirements except to such
36 specific purposes.
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- 38 10. The approved Site Development Permit may be revoked through the City's revocation process if
39 the approved project related to the Site Development Permit is not being conducted in
40 compliance with the stipulations and conditions of approval; or if the project is not established
41 within two years of the effective date of approval; or if the established land use for which the
42 permit was granted has ceased or has been suspended for twenty four (24) consecutive months.
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- 44 11. No permit or entitlement shall be deemed effective unless and until all fees and charges
45 applicable to this application and these conditions of approval have been paid in full.
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- 47 12. This approval is contingent upon agreement of the applicant and property owner and their
48 agents, successors and heirs to defend, indemnify, release and hold harmless the City, its
49 agents, officers, attorneys, employees, boards and commissions from any claim, action or
50 proceeding brought against any of the foregoing individuals or entities, the purpose of which is to
51 attack, set aside, void or annul the approval of this application. This indemnification shall include,
52 but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be
53 asserted by any person or entity, including the applicant, arising out of or in connection with the
54 City's action on this application, whether or not there is concurrent passive or active negligence
55 on the part of the City. If, for any reason any portion of this indemnification agreement is held to

1 be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement
2 shall remain in full force and effect.

