

**Minutes
Zoning Administrator Meeting
October 20, 2016**

Staff Present

Kevin Thompson, Zoning Administrator
Michelle Johnson, Assistant Planner
Cathy Elawadly, Recording Secretary

Others Present

Jim Johnson
Jayme Curper

1. CALL TO ORDER

Zoning Administrator Thompson called the meeting to order at 10:00 a.m. in Conference Room No. 1, Ukiah Civic Center, 300 Seminary Avenue, Ukiah, California.

2. SITE VISIT VERIFICATION

Zoning Administrator Thompson confirmed the site visit.

3. APPROVAL OF MINUTES

4. COMMENTS FROM AUDIENCE ON NON-AGENDA ITEMS

5. APPEAL PROCESS

Zoning Administrator Thompson read the appeal process. For matters heard at this meeting the last day to appeal with the City Clerk is October 31, 2016 at 5:00 p.m.

6. VERIFICATION OF NOTICE – Confirmed by Staff.

7. PUBLIC HEARINGS

7A. Request for Review and Recommendation on a Minor Site Development Permit to expand the existing grave site area to include: live landscaping and an open Memorial Pavilion at 940 Low Gap Road; (Russian River Cemetery District) APN 001-020-63 File No.: Munis 2130-SDP-ZA

Assistant Planner Johnson gave a staff report:

- The Russian River Cemetery District is requesting approval of a minor site development permit to allow a six column open niche pavilion/columbarium for cremations and new landscaping at 940 Low Gap Road.
- The proposed project is consistent with the goal and policies of the Ukiah General Plan and the zoning requirements for the Public Facilities Zoning District (PF).
- The applicant is seeking an exception to the City parking lot requirement that states, 'parking lots with 12 or more parking stalls shall have a tree placed between every four parking stalls within a continuous linear planting strip, rather than individual planting wells, unless clearly infeasible. Parking lot trees shall primarily be deciduous species, and shall be designed to provide a tree canopy coverage of 50% over all paved areas within 15 years of planting. Based on the design of the parking lot, a reduced number of trees may be approved through the discretionary review process.' The proposed project has 22 existing parking spots and given the amount of existing trees the applicant is asking for an exception to the required parking lot trees and 50% shade coverage over all paved areas and staff supports the exception request from the parking requirements.
- Based on the recommendations from the DRB meeting of October 6, 2016 the applicant was asked to provide a revised project description and site plan that includes one of the following two recommendations: replace the proposed color for the granite columns with a color scheme that does not create a definitive striped appearance having less contrast. Based upon insight from the project architect who designs like mausoleums all over the world recommends having a definitive striped appearance so that people when they want

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to have a final resting place for their loved have a place that feels like more of a destination and prefer to have the contrast provided between the darker granite columns and the lighter granite where the remains of people are placed.

- Applicant was fine with the DRB's recommendation at the October 6, 2016 meeting to 'replace reposed white window frames with a darker color to vinyl to have less of a contrast with the color of the building' and has incorporated this recommendation into the building design.
- Planning staff is recommending approval of the project based upon the draft Findings in attachment 1 of the staff report with modification to Finding No. 3 and subject to the draft Conditions of Approval in attachment 2 of the staff report with modification to Condition of Approval No. 3 to eliminate the DRB's recommendation to 'replace the proposed color for the granite columns with a color scheme that does not create a definitive striped appearance having less contrast.'

PUBLIC HEARING OPENED: 10:07 a.m.

Jim Johnson:

- Met with Ed Eversole representing Eversole's Mortuary about the color scheme for the pavilion and Mr. Eversole indicated there needs to be a contrast between the columns and the place where the cremated remains are placed for final interment. Having this color contrast allows family members to more easily distinguish where the final remains of their loved ones are located.
- Is fine with Staff's analysis of the project and corresponding draft Findings and Conditions of Approval with the change to draft Findings No. 3 and draft Condition of Approval No. 3 to eliminate the need to 'replace the proposed color for the granite columns with a color scheme that does not create a definitive striped appearance having less contrast.'

Jayne Curper:

- Reiterated the importance of having a color scheme that provides for a definitive striped appearance and explained in more detail the reason why.

PUBLIC HEARING CLOSED: 10:09 a.m.

Zoning Administrator Thompson:

- Has visited the site.
- Agrees with staff's analysis of the project.
- Is fine with the design of the six column open niche pavilion/columbarium and landscaping plan.
- Is fine with the proposed project findings and conditions of approval, as modified.

Zoning Administrator Thompson approved Minor Site Development Permit to expand the existing grave site area to include: live landscaping and an open Memorial Pavilion at 940 Low Gap Road (Russian River Cemetery District) File No.: 2130-SDP-ZA based on the Findings in Attachment 1 of the staff report and subject to the conditions of approval in attachment 2 of the staff report with the change to draft Finding No. 3 and Condition of Approval No. 3, as discussed above.

8. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:10 a.m.

Cathy Elawadly, Recording Secretary

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FINAL MINOR SITE DEVELOPMENT PERMIT FINDINGS

**Niche Memorial Pavilion
940 Low Gap Road
File No: 2130-SDP-ZA**

1. The six column open niche pavilion/columbarium and/or mausoleum proposed Accessory Structure is an expansion of an existing public facilities use consisting of a Cemetery that is consistent with the goals and policies of the Ukiah General Plan, including Land Use Element requirements for the siting of new structures;
2. The proposed Project, as conditioned, is consistent with the requirements of the zoning ordinance as described in Table 1 of the staff report, and with the approval of the requested modifications to the landscaping requirements;
3. Approval of the modifications to the landscaping requirements is based on the following:
 - Amongst the three adjacent parcels currently being utilized as a Public Cemetery by the Russian River Cemetery District there are over 200 existing trees including Oaks, Ginkgo , Crape Myrthe, Willow, Deodara Cedar, Redwood, Floavering Plum, Ornamental Pear, and Chinese Pistache.
 - The proposed project has 22 existing parking spots; given the amount of existing trees the applicant is asking for an exception to the required parking lot trees and 50 % shade coverage over all paved areas.

The proposed project was reviewed by the Design Review Board (DRB) on September 22, 2016 and October 06, 2016. The DRB recommended the project for approval based on the following (see attachment 4; DRB Minutes dated October 6, 2016):

- replace reposed white window frames with a darker color to vinyl to have less of a contrast with the color of the building; and
4. The location, size, and intensity of the proposed project will not create a hazardous or inconvenient vehicular pedestrian traffic pattern. The project includes an open Niche Memorial Pavilion which will serve the existing needs of the Russian River Cemetery. There is existing infrastructure including a parking lot and paved walkways.
 5. The proposed project has 27 existing parking spaces and paved walkways surrounding the proposed memorial niche. The project as conditioned will not create a hazardous or inconvenient condition to adjacent or surrounding uses.
 6. The proposed project has 45 existing trees on the west property line which provides screening along Despina Drive; in addition, there are vineyards to the north and east of the proposed project and more than 100 oaks to the south. The proposed plans include Lagerstromia "Crape Myrtle"; Lavendula Grosso "Lavender"; and Rosamarinus Officinalis "Huntingtons Carpet" – Rosemary to be planted within the paved planters immediately surrounding the Niche Pavilion.
 7. The proposed project is located 200 +/- feet from all property lines; therefore, will not restrict or cut out light and air on the property, or on the property in the neighborhood;

1 nor will it hinder the development or use of buildings in the neighborhood, or impair
2 the value thereof.
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- 4 8. The proposed addition of the open niche memorial pavilion will be crafted in a way that is
5 aesthetically pleasing with subtle colors, trees, live landscaping and would be located
6 200 +/- feet from the nearest residential neighborhood. As a result, the addition will
7 not have a substantial detrimental impact on the character or value of an adjacent
8 residential zoning district.
9
- 10 9. The proposed project is located on a flat parcel that has existing paved walkways; does
11 not include the removal of any trees and is not located near any creeks. The project
12 would include the addition of new landscaping and trees will not excessively damage
13 or destroy any natural features.
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- 15 10. The proposed project includes an open six column niche pavilion accented with granite,
16 trees, and live landscaping. The project has variety, creativity and architecture and
17 will not be box-like or uninteresting.
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- 19 11. The proposed project is exempt from the provisions of the California Environmental
20 Quality Act (CEQA) pursuant to Sections 15303, Class 3 (e); construction of small
21 accessory (appurtenant) structures including garages, carports, patios, swimming
22 pools, and fences. City staff has determined that all public services are currently
23 serving the site and are available to serve the site after the addition is constructed,
24 and the site is characterized as densely urban with no significant plant or animal
25 habitat value.
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28 **FINAL CONDITIONS OF APPROVAL – MINOR SITE DEVELOPMENT PERMIT**
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30 **Minor Site Development Permit**
31 **Niche Memorial Pavilion**
32 **940 Low Gap Road**
33 **File No: 2130-SDP-ZA**
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- 35 1. All use, construction, or occupancy shall conform to the application approved by the
36 Zoning Administrator, and to any supporting documents submitted therewith, including
37 maps, sketches, renderings, building elevations, landscape plans, and alike.
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- 39 2. The approved Site Development Permit may be revoked through the City's revocation
40 process if the approved project related to the Permit is not being conducted in
41 compliance with the stipulations and conditions of approval; or if the project is not
42 established within two years of the effective date of approval; or if the established land
43 use for which the permit was granted has ceased or has been suspended for twenty-four
44 (24) consecutive months.
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- 46 3. Except as otherwise specifically noted, the Site Development Permit shall be granted
47 only for the specific purposes stated in the action approving the Permit and shall not be
48 construed as eliminating or modifying any building, use, or zone requirements except as
49 to such specific purposes.
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- 51 4. Plans submitted to the building department shall include a revised landscaping plan that
52 includes an automatic irrigation system.
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- 1 5. Based on the recommendations from the Design Review Board Meeting October 6, 2016
2 meeting the applicant shall provide a revised project description and site plan that include
3 the following:
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5 • replace reposed white window frames with a darker color to vinyl to have less
6 of a contrast with the color of the building; and
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8 6. On plans submitted for building permit, if required, these conditions of approval shall be
9 included as notes on the first sheet.

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11 Standard City Conditions of Approval
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- 13 7. Any construction shall comply with the "Standard Specifications" for such type of
14 construction now existing or which may hereafter be promulgated by the Engineering
15 Department of the City of Ukiah; except where higher standards are imposed by law, rule,
16 or regulation or by action of the Zoning Administrator.
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18 8. In addition to any particular condition imposed, any construction shall comply with all
19 building, fire, electric, plumbing, occupancy, and structural laws, regulations and
20 ordinances in effect at the time the Building Permit is approved and issued.
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22 9. All work within the City right-of-way shall be performed by a properly licensed Contractor
23 with a current City of Ukiah Business License. Contractor must submit copies of proper
24 insurance coverage (Public Liability, \$1,000,000; Property Damage, \$1,000,000) and
25 current Workman's Compensation Certificate.
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27 10. An encroachment permit from the Public Works Department is required to perform all
28 work with the street right-of-way.
29
30 11. All conditions that do not contain specific completion periods shall be completed prior to
31 release of final building inspection and issuance of a Certificate of Occupancy for the
32 primary building on the site.
33
34 12. No permit or entitlement shall be deemed effective unless and until all fees and charges
35 applicable to this application and these conditions of approval have been paid in full.
36
37 13. A copy of all conditions of this Site Development Permit shall be provided to and be
38 binding upon any future purchaser, tenant, or other party of interest.
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40 14. All conditions of approval that do not contain specific completion periods shall be
41 completed prior to building permit final.
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43 15. All required landscaping shall be properly maintained to insure the long-term health and
44 vitality of the plants, shrubs and trees. Proper maintenance means, but is not limited to
45 the following:
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47 A. Regular slow, deep watering when feasible. The amount of water used shall
48 fluctuate according to the season, i. e., more water in summer, less in the winter.
49 B. Additional watering shall occur during long periods of severe heat and drying
50 winds, and reduced watering shall be used during extended periods of cool rainy
51 weather.
52 C. Fertilizer shall only being used on trees during planting. Shrubs may receive
53 periodic fertilizer according to the recommendations of a landscaping
54 professional.
55 D. Weed killers shall not be used on or near trees.

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- E. The tree ties and stakes shall be checked every six months to ensure they do not constrict the trunks and damage the trees.
- F. Tree ties and stakes shall be removed after 1 to 3 years to ensure they do not damage the trunk of the tree and its overall growth.
- G. Any tree that dies or is unhealthy due to pests, disease or other factors, including vandalism, shall be replaced with the same or similar tree species, or an alternative species approved by the department of Planning and Community Development.
- H. All trees shall be properly pruned as appropriate. No topping cuts shall be made. All pruning shall follow standard industry methods and techniques to ensure the health and vitality of the tree.

16. This Site Development Permit may be revoked through the City's revocation process if the approved project related to this Permit is not being conducted in compliance with these stipulations and conditions of approval; or if the project is not established within two years of the effective date of this approval; or if the established use for which the permit was granted has ceased or has been suspended for 24 consecutive months.

17. This approval is contingent upon agreement of the applicant and property owner and their agents, successors and heirs to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City. If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.