

# APPROVED

## City of Citrus Heights Planning Commission Meeting Minutes March 13, 2019

### 1. CALL MEETING TO ORDER

Chair Lagomarsino called the meeting to order at 7:00 PM.

### 2. ROLL CALL

#### Commission

**Present:** Duncan, Flowers, Ingle, Lagomarsino, Scheeler, Van Duker

**Absent:** Schaefer

**Staff Present:** Flores, Kempenaar, McDuffee, Ramsay, Ziegler

### 3. FLAG SALUTE

Commissioner Ingle led the flag salute.

### 4. PUBLIC COMMENT

None

### 5. CONSENT CALENDAR

The meeting minutes for February 27, 2019 were approved as submitted.

**M/S:** Duncan/Van Duker

**AYES:** (6) Duncan, Flowers, Ingle, Lagomarsino, Scheeler, Van Duker

**ABSENT:** (1) Schaefer

### 6. PUBLIC HEARING

**A. PUBLIC STORAGE – 6380 TUPELO DRIVE:** Project Planner Kempenaar presented a request for approval of a Use Permit Modification and Design Review Permit Modification to eliminate tenant spaces and convert an existing 12,960 square foot office/mini-storage building to a mini-storage facility of 14,040 square feet. This project is exempt from California Environmental Quality Act review.

There was Planning Commission and staff discussion.

Chair Lagomarsino opened the public hearing.

Applicant, Mark Kennedy, said that he would be happy to answer any questions.

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Chair Lagomarsino asked about steps taken to increase security for the area.

Mr. Kennedy said they have a video system and have cameras all around the property and they have upgraded their lighting system.

Commissioner Van Duker asked what would be on the other side of the glass. Mr. Kennedy said that it is a secured wall system, and the storage units will be right up against the glass.

Commissioner Duncan asked if the facility is full. Mr. Kennedy said that they currently have approximately 98 % occupancy as there is a high demand in this location.

Commissioner Duncan said he has heard that some people try to stay there all night.

Mr. Kennedy said that is not allowed and they would have police remove the person immediately.

Commissioner Scheeler asked if they have security inside as well as outside. Mr. Kennedy said the majority of the security system is exterior.

Commissioner Ingle ask if the public storage would bring in more money than the tenant spaces that are there currently. Mr. Kennedy replied that as a company they are a storage company and retail and commercial spaces are something that they are trying to move away from.

Jeff, a tenant at the project location spoke in opposition to this project and said he has been there 8 years and likes the location and that these type of units are hard to find.

Michael Johnson, a tenant at the project location spoke in opposition to this project and said that this is the only office warehouse building that he knows of in the area.

Applicant, Mark Kennedy, said that tenants are not required to leave before their lease is up.

Chair Lagomarsino closed the public hearing.

### **Commission Comments**

Commission Van Duker said he can relate to the tenants because his family business also had to relocate, however, he thinks this project should move forward.

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Commissioner Flowers said that she can relate to both the tenants and the property owner, but doesn't see any reason why this project shouldn't move forward.

Commissioner Scheeler said that he is concerned for the small businesses and people who work there, however, the property owner has a right to do what they feel is best for their business.

Commissioner Ingle spoke in opposition of this project and said she does not think this project will strengthen our retail base or provide needed goods and services; that is already happening.

Commissioner Duncan spoke in opposition of this project; he feels Citrus Heights has enough storage businesses and he doesn't want to see business owners go out of business.

Chair Lagomarsino reminded the property owners that they should be responsible for keeping the parking lot clean at all times.

Chair Lagomarsino called for a motion.

**Motion:**

- A. Find that the project is Categorical Exempt from CEQA per Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act.
- B. Approve a Use Permit and Design Review Permit modification to allow the conversion from an office/warehouse building to a mini-storage facility building with rental office service located at 6380 Tupelo Drive subject to the findings and conditions of approval contained in this report.

**M/S:** Flowers/Scheeler

**AYES:** (4) Flowers, Lagomarsino, Scheeler, Van Duker

**NOES:** (2) Duncan, Ingle

**ABSENT:** (1) Schaefer

Commissioner Scheeler directed staff to have the City's Economic Development staff contact and work with these business owners that are affected by this project.

**CONDITIONS OF APPROVAL - USE PERMIT**

- 1) The applicant shall comply with all city of Citrus Heights Codes and Regulations, including but not limited to the Citrus Heights Municipal Code and Zoning Code, California Building Standards and the Auburn Boulevard Specific Plan. [Planning]

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- 2) The project shall comply with all requirements of all servicing agencies of the City of Citrus Heights including but not limited to Sacramento Metropolitan Fire District, Sacramento Suburban Water District, Sacramento Area Sewer District, and with the implementation measures of the Sacramento Metropolitan Air Quality Management District (SMAQMD) Basic Construction Emission Control Practices
- 3) This approval will expire in two (2) years (3/13/2021) after the date of its initial approval, unless a building permit has been issued for the work. The Director may extend the term of approval for one additional year. [Planning]
- 4) Any violations of the conditions of approval could result in the revocation or modification of the Use Permit and/or the imposition of fines and penalties as allowed under Code. [Planning]
- 5) This Use Permit shall run with the land through any change of ownership of the subject site and all conditions of approval shall continue to apply after a change in ownership. [Planning]
- 6) Developer agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person not a party to this permit challenging the validity of the Agreement or any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Agreement. Developer may select its own legal counsel to represent Developer's interests at Developer's sole cost and expense. The parties shall cooperate in defending such action or proceeding. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and Developer agrees to pay directly or timely reimburse on a monthly basis City for all such court costs, attorney fees, and time referenced herein. [Planning]

**CONDITIONS OF APPROVAL – DESIGN REVIEW PERMIT**

- 1) The applicant shall comply with all City of Citrus Heights Codes and Regulations, including but not limited to the Citrus Heights Municipal Code and Zoning Code, California Building Standards. [Planning]
- 2) Mechanical equipment shall be screened by the building parapet. No rooftop equipment may be visible from the surrounding right of way. [Planning]

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- 3) The site plan shall be revised to include the installation of a minimum of one bicycle rack conveniently placed to the satisfaction of the Planning Division. [Planning]
- 4) This Design Review Permit approval does not include any signs. All signs must comply with the sign requirements and receive a separate permit. [Planning]

**Prior to Issuance of Building Permit**

- 5) The applicant shall submit a lighting plan that depicts the proposed on-site lighting will not exceed .50 foot-candles within 2 feet of the property line of the light source. [Planning]
- 6) Developing this property will require the payment of sewer impact fees. Impact fees shall be paid prior to filing and recording the Final Map or issuance of Building Permits, whichever is first. The applicant should contact the Permit Services Unit at 916-876-6100 for sewer impact fee information. [SASD]
- 7) Development Impact Fees shall be calculated using current fees at time of development and shall be paid prior to issuance of the building permit. [Engineering]
- 8) The applicant shall submit a security plan to the Police Department for review and approval. The security plan should address crime prevention thru security cameras, alarm upgrades, or other improvements, subject to Police Department approval. [Police]

**Other Conditions of Approval**

- 9) Prior to final of Building Permit, the applicant shall call for inspection by the Planning Division to verify compliance with the approved plans. [Planning]
- 10) Minor modifications to the design of the project, including site layout, colors and materials, may be approved by the Community Services Director provided such changes are consistent with the overall design as approved herein. Major modifications will require Planning Commission approval. [Planning]
- 11) Prior to any occupancy, remove and replace the existing driveway along Tupelo Drive to a Type A-6 driveway that meets current accessibility requirements. Transitions to the existing sidewalks on both sides of the

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driveway are required. All work within the public Right-of-Way requires an Encroachment Permit from the General Services Department [Engineering].

- 12) Prior to any occupancy, install one streetlight along Tupelo Drive. Location to be determined by City Staff. [Engineering].
- 13) Developer agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person not a party to this permit challenging the validity of the Agreement or any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Agreement. Developer may select its own legal counsel to represent Developer's interests at Developer's sole cost and expense. The parties shall cooperate in defending such action or proceeding. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and Developer agrees to pay directly or timely reimburse on a monthly basis City for all such court costs, attorney fees, and time referenced herein. [Planning]

## **7. REGULAR CALENDAR**

### **A. BIKEWAY AND PEDESTRIAN MASTER PLAN**

Senior Planner Kempenaar presented an overview of the Bikeway and Pedestrian Master Plans.

### **B. PLANNING COMMISSION ACADEMY DISCUSSION**

The Planning Commissioners that attended the Planning Commissioners Academy shared their experience and what they learned.

## **8. ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:20 PM to the next meeting of April 10, 2019.

Respectfully Submitted,

Karen Ramsay  
Planning Commission Secretary

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