

CITY OF COTATI
MINUTES for the Regular Meeting of the Planning Commission

DATE OF MEETING: August 17, 2009
TIME OF MEETING: 7:00 p.m.
PLACE OF MEETING: Cotati City Hall, City Council Chambers
201 West Sierra Avenue, Cotati, CA 94931

I. CALL TO ORDER

Vice Chair Pagnusat called the meeting to order at 7:00 p.m.

II. ROLL CALL

Commissioners Present: Hancock, Harvey, Ritter, and Pagnusat
Commissioners Absent: Hardy
Staff Present: Lustig, Harris, Pajon, and Ingraham

III. APPROVAL OF MINUTES

A. For the Regular Meeting on April 20, 2009

It was moved by Commissioner Harvey and seconded by Commissioner Ritter to approve the minutes of April 20, 2009.

Yes: 4 Noes: 0 Abstain: 0 Absent: 1 (Hardy)

B. For the Regular Meeting on July 13, 2009

Commissioner Hancock advised staff of the error on page 4 of the minutes. The sentence that indicates that Vice Chair Pagnusat and Chair Hardy recused themselves should read Commissioner Hancock and Chair Hardy.

It was moved by Commissioner Harvey and seconded by Commissioner Hancock to approve the minutes of July 13, 2009 with the correction.

Yes: 4 Noes: 0 Abstain: 0 Absent: 1 (Hardy)

IV. CHANGES TO THE AGENDA

None

V. ORAL AND WRITTEN COMMUNICATIONS

None

VI. MATTERS AT HAND

- A. Request for approval of a Use Permit to allow an auto repair shop at 466 Primero Court, Suite B. This application is exempt from the California Environmental Quality Act (CEQA) under Section 15301, Existing Facilities.

PA #: 05/09

Applicant: DeMartini Auto Repair

AP#: 144-010-066

Jim DeMartini

Assistant Planner Harris presented the staff report and reviewed the draft Conditions of Approval. She also discussed code enforcement issues on site, which were not related to the applicant. Staff recommends adoption of PC Resolution 09-08, approving the Use Permit to allow an auto repair shop.

Commissioner Harvey expressed concern with the generators and personal property being stored in the rear yard of the same building. She was concerned with how the applicant would get vehicles to the rear of the business.

Assistant Planner Harris discussed two different options which allow the vehicles to be located in the rear yard: driving through their tenant space, or driving behind the building to the rear yard.

Assistant to the City Manager Lustig stated that a condition could be included to require the generator company's rear yard to be free and clear to allow vehicles to be driven through to the applicant's rear yard.

Commissioner Ritter said that the parking area behind the business is clear and available.

Commissioner Hancock asked staff what the procedure was to ensure that oils and fuels didn't get into the creeks and storm drains.

Assistant Planner Harris explained that the Department of Emergency Services regulates how oils and fuels are stored and Industrial Waste regulates what can and cannot go down the drain.

Assistant to the City Manager Lustig explained that the liquids are disposed of through a recycling program.

Commissioner Hancock mentioned water issues that occurred in 2006 along the Laguna de Santa Rosa and asked about the dividing line.

Assistant to the City Manager Lustig said that she was unaware of this issue.

PUBLIC COMMENT open at 7:13 p.m.

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Jim DeMartini, DeMartini Auto Repair, stated that all waste is kept in a contained area. He asked for approval to keep the barbed wire located in the rear of the property.

Assistant Planner Harris explained that barbed wire it is not allowed by the zoning code. She explained that the site needs to be brought into code compliance with issuance of the Use Permit.

Assistant to the City Manager Lustig explained in detail the zoning code and other reasons that the barbed wire could not be kept, including aesthetic and security reasons.

In response to Commissioner Hancock's inquiry regarding waste, Mr. DeMartini explained the precautions that are taken, including keeping waste in a contained area and proper training of employees.

Commissioner Hancock asked if there were any way that waste to get into the storm drain.

Mr. DeMartini explained that a service comes out to remove the waste.

In response to Commissioner Pagnusat's inquiry about the amount of room for vehicles, Mr. DeMartini said that they have plenty of room for cars.

Commissioner Ritter asked Mr. DeMartini if he was okay with the required landscaping upgrades.

Mr. DeMartini said yes and that the property owner will be taking care of these upgrades.

PUBLIC COMMENT closed at 7:18 p.m.

Commissioner Harvey stated that it was wonderful that another business was coming into Cotati.

Motion: Commissioner Ritter made a motion and Commissioner Harvey seconded the motion to approve PC Resolution 09-08 with Conditions of Approval and the change to the typographical error on the resolution.

Yes: 4 Noes: 0 Abstain: 0 Absent: 1 (Hardy)

PC RESOLUTION 09-08
EXHIBIT "A"
CONDITIONS OF APPROVAL
DEMARTINI AUTO SHOP USE PERMIT PA# 05/09
466 PRIMERO COURT, SUITE B

Planning Division

1. Pursuant to the City of Cotati Land Use Code Section 17.62.050, this Use Permit is issued to allow "vehicle services – major repair/body work" at 466 Primero Court, Suite B. This use will occupy a total of 3,286 square feet with 575 square feet devoted to office, 2,045 square feet devoted to the repair shop, 666 square feet devoted to other uses, such as tools and parts storage, and a 2,400 square foot outside area for 4 vehicles. No auto body work is included as part of this UP.
2. The applicant shall landscape the front and side portion of Suite B visible from the parking lot consistent with other landscaping materials on-site within 30 days of Use Permit approval to the satisfaction of the Community Development Director. The applicant shall submit a landscaping and irrigation plan to Planning staff for approval within 14 days of Use Permit approval; ivy and turf shall not be planted.
3. The applicant shall remove the barbed wire currently installed on the chain link fence in compliance with Land Use Code section 17.30.030.E.2.
4. The applicant shall install a minimum of one 15-gallon native, drought-tolerant shade tree at the property frontage to improve parking lot shading within 30 days of the date of Use Permit approval, to the satisfaction of the Community Development Director.
5. The applicant shall not exceed regular business hours as defined in the Land Use Code.
6. A maximum of four (4) vehicles are permitted outside in the rear fenced area for a maximum of 48 hours. These four vehicle spaces count towards the applicant's required parking spaces. No other outdoor storage is allowed.
7. Vehicles may be parked in the parking lot only for customer pickup and/or dropoff.
8. No work shall be performed outdoors; all work shall be conducted completely within the building. No painting or washing of vehicles shall be performed within the inside or outside area of this site.
9. The applicant shall maintain the exterior in a clean and orderly fashion. All vehicles shall be located either in the building or in the rear fenced area at the close of business each day, except for vehicles to be picked up by a customer.
10. The applicant shall obtain the required sign permit prior to installation of any signage, to the satisfaction of the Community Development Director.

11. Inoperable vehicles shall not be stored on this site.

Building Division

12. The applicant shall comply with section 406.6 of the California Building Code prior to occupancy, to the satisfaction of the Building Official.

Police Department

13. The applicant shall install a burglary alarm and obtain a burglary alarm permit within 30 days of Use Permit issuance, to the satisfaction of the Chief of Police.

Engineering Department

14. The applicant shall obtain a permit from Industrial Waste within 30 days of Use Permit approval.

Rancho Adobe Fire Protection District

15. The applicant shall replace the keys in the Knox box at the time the keys are handed over or when the locks are changed.

16. The applicant shall ensure that the business name and suite number are located on the door.

17. The applicant shall ensure that a business inspection is completed by the Fire District prior to opening the business. A 48-hour notice is required when trying to schedule an appointment.

18. Any modification to the building must be approved by the Fire District prior to construction. The applicant shall submit a minimum of four (4) sets of plans.

19. The applicant shall submit an emergency contact form to the Fire District prior to opening the business.

20. The applicant shall comply with all California Building and Fire Codes, as well as the City of Cotati Fire Code.

Administrative Services Department

21. The applicant shall obtain a City of Cotati Business License within 30 days of Use Permit approval.

County of Sonoma Department of Emergency Services (DES)

22. The applicant shall contact DES within 30 days of opening for business and obtain the required hazmat business permit. This business is subject to the hazmat business program.

- B. Request for approval of a Use Permit to allow a training facility and light recycling processing facility with reduced parking requirements at 365 Blodgett Street. This application is exempt from the California Environmental Quality Act (CEQA) under Section 15301, Existing Facilities.

PA #: 08/09

Applicant: Conservation Corp North Bay

AP#: 046-111-046

Marilee Eckert

Assistant Planner Harris presented the staff report for the request for a Use Permit to allow a training facility and light recycling processing facility with reduced parking requirements. Staff recommends office square footage is limited to 2,400 square feet due to parking constraints. Staff is in support of the requested 15% parking reduction and recommends approval of PC Resolution 09-07.

Commissioner Harvey requested clarification on the different phases and how the shop area would be utilized. She stated that she is in support of the 15% reduction due to all the street parking.

Assistant Planner Harris clarified that the applicant proposes two phases of interior improvements. The third phase is staff's recommended limitation of office area. She explained that the shop area is the recycling processing area.

In response to Commissioner Ritter's question about the timing of the phases, Assistant Planner Harris explained that the applicant is currently in escrow to purchase the property and recommended the applicant respond to this question.

In response to Commissioner Hancock, Assistant Planner Harris explained that Phase I would be the immediate use and Phase II is how the applicant would eventually like to use the site.

Assistant Planner Harris provided detail on how the corp members would be transported to the site, primarily by shuttle or bus.

In response to Commissioner Harvey's question regarding restroom facilities at this site, Assistant Planner Harris explained that the handicap restroom requirements are handled through the Building Division at the tenant improvement process.

Vice Chair Pagnusat expressed concern with minimal parking that was originally approved at this site. He asked if it was because this building is in an industrial area.

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Assistant to the City Manager Lustig explained that the parking requirements changed with adoption of the Land Use Code. She added that new projects would not be approved with this minimal amount of parking.

PUBLIC COMMENT open at 7:32 p.m.

Applicant and Program Director Gary Miltimore and Finance Director Viola Morris gave an overview of the project.

In response to Commissioner Hancock's question, Mr. Miltimore described the business function along with the training provided to the corps members

Commissioner Harvey asked how the corps selects its employees.

Mr. Miltimore explained how they choose their employees, stating that support of the corps mission is a critical part of their selection process.

Commissioner Harvey thanked the applicant for bringing this business to Cotati.

Commissioner Hancock asked if the employees would bike to work and if they are encouraged to bike to work.

Mr. Miltimore said that they distribute a pamphlet that provides this information.

In response to Commissioner Hancock's comment, Mr. Miltimore explained that all of the corps' facilities are equipped with bike racks, and that the lack of bike racks must have been an architectural oversight.

Assistant Planner Harris stated that installing bike racks is a recommended Condition of Approval.

In response to Commissioner Ritter's question, Mr. Miltimore said that the corps is a non-profit, funded through government as well as other sources.

Commissioner Hancock asked about keeping the facility clean and ensuring that water does not get into the storm drains.

Mr. Miltimore said that part of the job training is proper clean up of the shop.

In response to Commissioner Pagnusat's question, Mr. Miltimore stated that the corps is okay with phasing the project.

Finance Director Morris explained the financing and grant funding for this project, stating that as soon as other funding becomes available they will they will come back to move forward with Phase 2.

PUBLIC COMMENT closed at 7:42 p.m.

In response to Commissioner Harvey's question on how conditions related to vehicle maintenance fit with this particular business, Assistant Planner Harris explained that these conditions are standard conditions.

Commissioner Ritter said that he thought this was a great project.

Motion: Commissioner Harvey made a motion and Commissioner Hancock seconded the motion to approve PC Resolution 09-07 with Conditions of Approval and correcting a typographical error on the resolution.

Yes: 4 Noes: 0 Abstain: 0 Absent: 1 (Hardy)

PC RESOLUTION 09-07
EXHIBIT "A"
CONDITIONS OF APPROVAL
CONSERVATION CORP NORTH BAY (CCNB) USE PERMIT PA# 08/09
365 BLODGETT STREET

Planning Division

1. Pursuant to the City of Cotati Land Use Code Section 17.62.050, this Use Permit is issued to allow a "school - specialized education/training" and "manufacturing/processing – light" at 365 Blodgett Street. This use will occupy a total of 12,010 square feet with 4,777 square feet devoted to the training facility, 3,937 square feet devoted to a light recycling processing facility, and 2,400 square feet devoted to office. This facility shall not be used as a drop-off site for the public. This Use Permit also includes a reduction in the required number of parking spaces by 15% in accordance with Land Use Code section 17.36.080.B, so that a total of 28 spaces are required.
2. The applicant shall not exceed regular business hours as defined in the Land Use Code.
3. No vehicle mechanical work, painting, or washing of vehicles shall be performed within the inside or outside area of this site.
4. Inoperable vehicles shall not be stored on this site.
5. The applicant shall apply for the City's Cash for Grass turf reduction program within 30 days of Use Permit approval. Through this program, the applicant shall replace the turf with at least 50% native and 80% drought tolerant plant materials and drip irrigation, to the satisfaction of the Community Development Director.

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6. The applicant shall obtain a permit from Industrial Waste within 30 days of Use Permit approval.
7. In order to support the 15% reduction in required parking, a maximum of 11 corpsmembers' private vehicles are permitted on-site at any given time. Per the applicant's letter, most corpsmembers utilize public transportation and a shuttle, and parking demand by the corpsmembers is expected to be minimal.
8. The applicant shall install a bike rack(s) to accommodate a minimum of three bicycles in accordance with Land Use Code section 17.36.070.A within 30 days of Use Permit approval, to the satisfaction of the Community Development Director.
9. The applicant shall clean/wash the sorting area floor at least once daily to prevent odor and vectors. The cleaning frequency shall be increased if once daily is insufficient to reduce odor to an acceptable level for neighboring properties. Discharge into the City's sewer system shall meet City and subregional water treatment facility requirements.
10. All operations shall occur completely within the building, with the exception of vehicle travel and the use of the recycling bins. No outdoor storage is permitted.
11. Hazardous materials are not permitted on-site.
12. This facility shall not be open to the public as a drop-off facility.
13. The applicant shall comply with the Sustainable Building Program for any new construction or remodeling, as required.
14. The applicant shall obtain the required sign permit prior to installation of any signage, to the satisfaction of the Community Development Director.

Building Division

15. The applicant shall apply for and receive a building permit for any alterations to the building, interior or exterior, prior to performing the work. This includes electrical, mechanical, and plumbing work. All work proposed shall be drawn by and installed by licensed professionals.
16. If required by the California Code, the applicant shall increase the number of toilet fixtures based on the building's occupant load prior to occupancy.

Rancho Adobe Fire Protection District

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17. The applicant shall replace the keys in the knox box at the time the keys are handed over or when the locks are changed.
18. The applicant shall contact the Fire District to obtain a fire/life safety inspection prior to occupancy.
19. If any modifications to the building occur, the applicant shall submit at least three (3) sets of plans and the required fees to the Fire District, for review and approval prior to issuance of building permit and construction.
20. The applicant shall comply with all local and State fire codes and ordinances.

Administrative Services Department

21. The applicant shall obtain a City of Cotati Business License within 30 days of Use Permit approval.

Northbay Corporation (waste hauler)

22. The applicant shall submit the completed Waiver to Enter Private Property to Northbay Corporation prior to starting trash/recycling service.
23. The applicant shall ensure that the waste hauler's access to the trash and recycling bins is maintained.

REPORTS BY STAFF

Assistant to the City Manager Lustig updated the Commission on the following items:

- The Downtown Special Plan will be heard at City Council next Wednesday.
- Peet's Coffee is still interested in locating in Cotati.
- The Shell Station is required to have the demolition work completed by the end of the month.

Assistant to the City Manager Lustig introduced Planning Intern Valerie Ingraham.

REPORTS BY THE COMMISSION

Commissioner Harvey asked if a business has to let the City know when it vacates building (with regards to Powerfit).

Assistant to the City Manager Listed responded to Commissioner Harvey, stating that a business is not obligated to notify the City upon vacating.

Commissioner Hancock shared information on a storm water meeting he attended in Santa Rosa. He stated that there is a lot of activity and education occurring with storm water.

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MEETING AJOURNED at 7:50 p.m.

Submitted Respectfully by:

Keri L. Pajon