



AGENDA
REGULAR PLANNING COMMISSION MEETING
COUNCIL CHAMBERS, 380 CIVIC DRIVE, GALT
THURSDAY, JUNE 9, 2011, 6:30 P.M.

NOTE: Speaker Request Sheets are provided on the table inside the Council Chambers. If you wish to address the Commission during the meeting, please complete a Speaker Sheet and give to the Secretary of the Commission. A maximum of five minutes is allowed for each speaker.

NOTE: If you need disability-related modifications or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the Community Development Dept., 209-366-7230, 495 Industrial Drive, at least two days prior to the meeting.

CALL MEETING TO ORDER

ROLL CALL: COMMISSIONERS: Dees, Morris, Pellandini, McFaddin, Rodriguez

PUBLIC COMMENTS: Under Government Code §54954.3 members of the audience may address the Commission on any item of interest to the public or on any agenda item before or during the Commission's consideration of the item.

INFORMATION/CONSENT CALENDAR

(1). **SUBJECT:** Minutes of the May 12, 2011 meeting.

RECOMMENDATION: That the Commission approve the minutes of the May 12, 2011 meeting.

PUBLIC HEARING

(3)1. **SUBJECT:** CARILLION CORNERS NORTHEAST AREA SPECIFIC PLAN AMENDMENT AND REZONE REQUEST

RECOMMENDATION: That the Planning Commission:

- 1) Recommend that City Council adopt Resolution 2011-__ adopting the Carillion Corners Northeast Area Specific Plan Amendment and Rezone Project CEQA Exemption, and approving the Northeast Area Specific Plan Amendment from Public/Social to Commercial; and
- 2) Recommend that City Council introduce Ordinance 2011-___ approving the proposed Rezone for the Carillion Corners Northeast Area Specific Plan Amendment and Rezone Project from Public/Quasi-Public (PQ) to Commercial (C).

DEPARTMENT REPORTS – None.

ADJOURN

CATHY KULM, PLANNING COMMISSION SECRETARY: Agenda Report. The agenda for this Galt Planning Commission Meeting was posted in the following listed sites before the close of business at 5:00 p.m. on the Monday preceding the meeting:

1. City Hall Lobby, 380 Civic Drive
2. U. S. Post Office, 600 N. Lincoln Way
3. Marian O. Lawrence Library, 1000 Caroline Avenue



MINUTES

**Planning Commission Regular Meeting
Council Chambers, 380 Civic Drive, Galt, California
Thursday, May 12, 2011, 6:30 p.m.**

The meeting was called to order at 6:30 p.m. by Vice-Chairperson Dees. Commissioners present: Pellandini, Dees, Rodriguez and Morris. McFaddin was absent.

Staff members present: Principal Planner Kiri, City Attorney Rudolph, City Engineer Forrest and PC Secretary Kulm.

PUBLIC COMMENTS – Mayor Barbara Payne thanked the commissioners for their attendance at the Community Gathering Event held on May 9, 2011. She would have liked to see more community participation; however, she felt it was important to have elected and appointed officials available to meet the public.

INFORMATION/CONSENT CALENDAR

1. **SUBJECT:** Minutes of the April 14, 2011 meeting.

ACTION: Rodriguez moved to approve the consent calendar; second by Pellandini. Motion was unanimously carried by those Commissioners present. (Pellandini, Dees, Rodriguez and Morris)

PUBLIC MEETING

1. **SUBJECT:** 2010-2015 CAPITAL IMPROVEMENT PROGRAM

RECOMMENDATION: That the Planning Commission adopt Resolution 2011-___(PC) finding that the major public works projects proposed within the 2010-2015 City of Galt Capital Improvement Program (CIP) for Fiscal Year 2011-2012 are consistent with the 2030 Galt General Plan as adopted

Kiri gave the staff report noting that there were two new projects for FY 11-12 listed under “Transportation” as #7 Street Sign Upgrade Improvements and #16 Bicycle Lane Project. All other projects were previously reviewed and found to be consistent with the General Plan at the May 13, 2010 regular Planning Commission meeting and are listed for informational purposes. General discussion ensued.

ACTION: Morris made a motion to approve staff’s recommendations as presented; second by Pellandini. Motion was unanimously carried by those Commissioners present. (Pellandini, Dees, Rodriguez and Morris)

PRESENTATION: City Attorney Rudolph gave a presentation regarding recent Land Use and CEQA case law. The presentation was informational only.

Pellandini asked about a potential Pawn Shop. Kiri explained that the applicant for a Pawn Shop would be coming to the June Planning Commission meeting requesting a Determination of Similar Use.

Meeting adjourned at 7:15 p.m.

Respectfully submitted by,

Cathy Kulm, Planning Commission Secretary



PLANNING COMMISSION AGENDA REPORT

PC 3

Meeting Date: June 9, 2011

Prepared by: Chris Erias, Senior Planner
Reviewed by: Sandra Kiriu, Principal Planner

SUBJECT CARILLION CORNERS NORTHEAST AREA SPECIFIC PLAN AMENDMENT
AND REZONE REQUEST.

RECOMMENDATION

- 1) Recommend that City Council adopt Resolution 2011-__ adopting the Carillion Corners Northeast Area Specific Plan Amendment and Rezone Project CEQA Exemption, and approving the Northeast Area Specific Plan Amendment from Public/Social to Commercial; and
- 2) Recommend that City Council introduce Ordinance 2011-__ approving the proposed Rezone for the Carillion Corners Northeast Area Specific Plan Amendment and Rezone Project from Public/Quasi-Public (PQ) to Commercial (C).

LOCATION The project site is located east of Highway 99, at the southeast corner of Carillion Blvd. and Twin Cities Rd. The project site is a total of 11.55 acres and is further identified as APN: 148-1110-002.

OWNER/APPLICANT Mitch Zeemont
Carillion Corners, LLC
595 Market Street, Suite 2700
San Francisco, CA 94105
Phone: (415) 956-9885

PARCEL SIZE 11.55 Acres

**EXISTING ZONING
AND SPECIFIC
PLAN DESIGNATION** Public/Quasi-Public (PQ) and Public/Social

**PROPOSED ZONING
AND SPECIFIC
PLAN DESIGNATION** Commercial (C) and Commercial

EXISTING LAND USE Vacant

**SURROUNDING
LAND USE** North: County property that is zoned mostly Agricultural - Residential.
South: Twin Cities Estates residential subdivision zoned R1-C, single family residential
East: Comfrey Senior Apartments zoned R3-PD, multi-family residential.
West: Carillion Corners Shopping Center (Rite Aid and Tractor Supply) zoned Commercial

ENVIRONMENTAL STATUS

This project is exempt from the California Environmental Quality Act (CEQA) in accordance with Public Resources Code Section 21083.3 and Section 15183 of the California Code of Regulations. These exemptions state that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review except if there are project-specific significant effects which are peculiar to the project or site. The subject property has a General Plan Commercial land use designation. The commercial land use on the subject property was evaluated in the City's 2030 General Plan Environmental Impact Report (EIR). In addition, the subject site will not have any project-specific or site-specific impact that will not be mitigated by payment of capital impacts fees and/or development policies/standards of the City's General Plan and/or zoning code. Examples include, but are not limited to, impact related fees, biological studies, and air quality modeling.

BACKGROUND AND PROJECT DESCRIPTION

The Existing Conditions Report of the Galt 2030 General Plan Update showed a lack of commercial uses within the City. It showed that Galt citizens do most of their durable goods shopping outside of the City limits which led the City to be among the highest in the State in sales leakage. In order to retain sales tax dollars and help provide more shopping opportunities to Galt residents, the City prioritized designating additional commercial areas within the City limits and new growth areas. Special attention was given to properties on major corridors like Twin Cities Road. Consequently, as part of the 2030 General Plan Update, the subject site's (southeast corner of Carillion and Twin Cities) land use designation was changed from public use to commercial to reflect the City's intent to allow future commercial development on this site. The NEASP and zoning were not changed because it was considered premature at that time.

The project request is to amend the Northeast Area Specific Plan from Public/Social to Commercial and rezone the subject site from Public/Quasi-Public (PQ) to Commercial (C). There are no development plans proposed at this time. Typically, rezone and specific plan amendments are part of some larger development project. However, the property owner believes the commercial zoning will help provide better marketing for the site and therefore has embarked on the rezone and specific plan amendment in advance of development.

NORTHEAST AREA SPECIFIC PLAN AMENDMENT

The Northeast Area Specific Plan (NEASP) was originally adopted, the subject property was designated Public/Social. Major commercial uses were originally planned at the northwest corner of Walnut Avenue and Carillion Boulevard and the site of the current Carillion Corners Shopping Center (Rite Aid, Tractor Supply, etc). Over the years, however, the Galt Village Center (Raley's) was constructed on what was originally planned to be an office park. The Walnut and Carillion site has been difficult to develop because of relatively low traffic counts and the large scale of the site. Therefore, most retail development has shifted to Twin Cities Road which has high regional visibility and traffic counts.

The NEASP also recognized the need for commercial land. It stated that nearly half of Galt resident's purchases are made in other communities and that there are no local department, apparel, specialty and home furnishings stores or auto dealers and few fine dining restaurants. The NEASP states that once the 12 acre center in downtown (Galt Plaza) is built, additional commercial uses in the NEASP area (Page 19, Retail) could be considered. Galt Plaza was completed in the early 1990's and has long been established. The City has since approved development of Galt Village Center (Raley's) and also planned for eventual development of this project site in the 2030 General Plan. The current request to change the existing NEASP land use from Public/Social to Commercial is therefore consistent with the NEASP.

REZONE REQUEST

The applicant is proposing to rezone the subject property from Public/Quasi-Public (PQ) to Commercial (C). The Commercial zoning designation will allow most uses associated with commercial zones such as retail, restaurants, and office. The rezone request provides consistency with the General Plan. Impacts associated with the rezone to commercial were analyzed as part of the 2030 General Plan EIR. Any future development plans will be required to comply with General Plan policies and development standards of the Galt Municipal Code.

In addition, the site is suitable for commercial development. The site adjacent to the west is commercial and contains the Rite Aid, Tractor Supply, the future Fresh and Easy store, and other smaller commercial uses. The addition of more commercial use will complement the existing commercial to the west. Moreover, the additional commercial use can provide additional services to the nearby residents. The site to the east is multi-family, and to the south is single family residential.

ATTACHMENTS

Resolution 2011____, adopting the CEQA Exemption and amending the Northeast Area Specific Plan
Exhibit A Northeast Area Specific Plan Amendment Exhibit

Ordinance 2011-____, amending the Zoning Map
Exhibit A Zoning Exhibit

Attachment 1, California Environmental Quality Act Notice of Exemption

RESOLUTION NO. 2011-_____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GALT, CALIFORNIA,
ADOPTING THE CEQA NOTICE OF EXEMPTION
FOR THE CARRILLION CORNERS NORTHEAST AREA SPECIFIC PLAN AMENDMENT
AND REZONE PROJECT AND APPROVING A
NORTHEAST AREA SPECIFIC PLAN AMENDMENT
CHANGING THE LAND USE DESIGNATION FROM PUBLIC/SOCIAL TO COMMERCIAL**

WHEREAS, the applicant, Mitch Zeemont of Carillion Corners, LLC, has applied to amend the Northeast Area Specific Plan land use designation of the 11.55 acre property that is located at the southeast corner of Carillion Blvd. and Twin Cities Rd, further identified as APN: 148-1110-002. The request is to amend the Northeast Area Specific Plan from Public/Social to Commercial; and

WHEREAS, the project is exempt under Sections 21083.3 of the California Environmental Quality Act (CEQA) which addresses projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR (2030 General Plan) was certified; and

WHEREAS, the Planning Commission of the City of Galt held a duly noticed public hearing on June 9, 2011, and reviewed the CEQA Notice of Exemption for the Carillion Corners Specific Plan Amendment and Rezone Project (Project) and all evidence presented both orally and in writing and, using their independent judgment, finds the document to be in compliance with CEQA and recommends adoption of the Notice of Exemption for the project by the City Council of the City of Galt; and

WHEREAS, the City Council of the City of Galt held a duly noticed public hearing on July 5, 2011 and reviewed the CEQA Notice of Exemption for the Project, the recommendation from the Planning Commission, and all evidence presented both orally and in writing and, using their independent judgment, finds the document to be in compliance with CEQA; and

WHEREAS, the City Council adopted the Northeast Area Specific Plan and certified the Final Environmental Impact Report by adopting Resolutions 87-52 and 87-50, respectively on June 23, 1987, herein incorporated by reference, providing a basis of project approval; and

WHEREAS, the City Council adopted the 2030 General Plan and certified the Final Environmental Impact Report by adopting Resolution 2009-28, on April 7, 2009, herein incorporated by reference, providing a basis of project approval; and

WHEREAS, the Specific Plan Amendment will modify the Northeast Area Specific Plan Land Use Maps in accordance with Exhibit A; and

WHEREAS, the Northeast Area Specific Plan Amendment is consistent with the Galt 2030 General Plan; and

WHEREAS, at the June 9, 2011 public hearing, the Planning Commission of the City of Galt considered all evidence, presented both orally and in writing, related to the proposed Specific Plan Amendment to change the current land use designation of the subject property on the Northeast Area Specific Plan Map (Exhibit A) from Public/Social to Commercial, identified as Assessor's Parcel Number 148-1110-002, and recommended approval to the City Council; and

WHEREAS, at the public hearing on July 5, 2011, the City Council received and reviewed all evidence presented, both orally and in writing, including the Planning Commission recommendation regarding the Northeast Area Specific Plan Land Use amendment.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Galt, California, using their independent judgment, hereby adopts the Notice of Exemption per Section 21083.3 of the California Environmental Quality Act (CEQA) for the Project providing a basis of project approval and makes the following findings:

A. Legally noticed public hearings were held for input and testimony by the Planning Commission on June 9, 2011, and City Council on July 5, 2011; and

B. The City Council hereby approves the Northeast Area Specific Plan Land Use Amendment in Exhibit A, herein attached.

The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED AND ADOPTED by the City Council of the City of Galt, California, this 5th day of July 2011, upon motion by Councilmember _____, seconded by Councilmember _____, by the following vote, to wit:

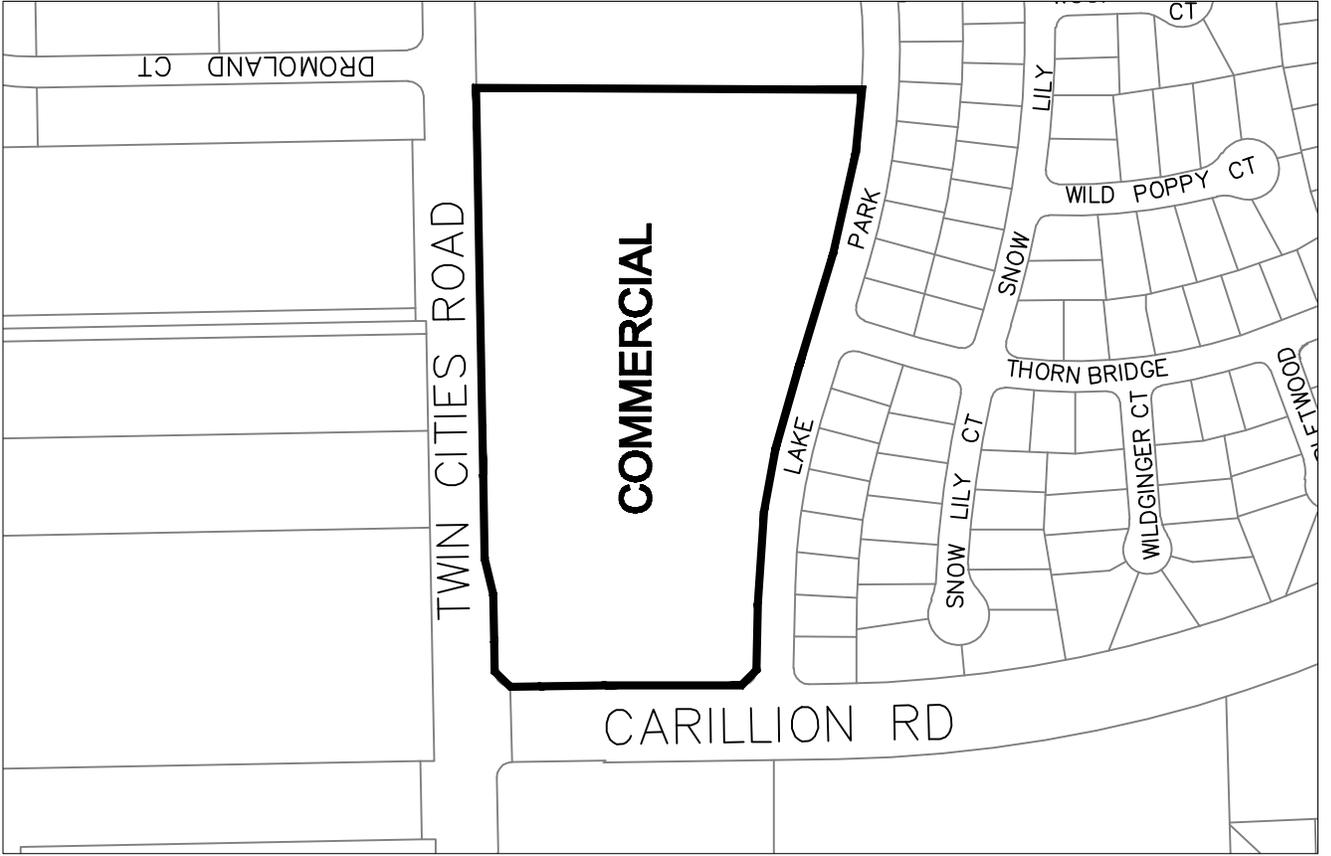
AYES: Councilmembers:
NOES: Councilmembers:
ABSTAIN: Councilmembers:
ABSENT: Councilmembers:

MAYOR, City of Galt

ATTEST:

City Clerk, City of Galt

PROPOSED NEASP
COMMERCIAL



EXISTING NEASP
PUBLIC / SOCIAL



ORDINANCE NO. 2011-_____

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF GALT, CALIFORNIA,
AMENDING THE DISTRICT ZONING MAP OF THE CITY OF GALT FOR THE
CARILLION CORNERS NORTHEAST AREA
SPECIFIC PLAN AMENDMENT
AND REZONE PROJECT**

THE CITY COUNCIL OF THE CITY OF GALT, CALIFORNIA, does ordain as follows:

SECTION 1. The Official District Zoning Map of the City of Galt established by Galt Municipal Code Section 18.08.040, is hereby amended in order to rezone from Public/Quasi Public (PQ) to Commercial (C) those 11.5± acres of land identified as Assessor Parcel Number 148-1110-002 as described in Exhibit A attached hereto and incorporated herein in conformance with the Galt Planning Commission recommendation at a public hearing held June 9, 2011, and the City Council decision at the public hearing held July 5, 2011.

Further, the Planning Commission and the City Council find that the proposed Carillion Corners Northeast Area Specific Plan Amendment and Rezone request is in conformance with the Galt General Plan land use designation of Commercial and the Northeast Area Specific Plan designation of Commercial as approved by Resolution 2011-_____.

Further, that the City Council adopted California Environmental Quality Act Notice of Exemption for said project, Resolution 2011-_____.

SECTION 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care toward persons and property within or without the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 4. Effective Date. This ordinance shall become effective thirty (30) days after its final passage and adoption.

SECTION 5. Within fifteen (15) days after its final passage, the City Clerk shall cause this ordinance to be published in full in accordance with Section 36933 of the Government Code.

The foregoing ordinance was introduced and the title thereof read at the regular meeting of the City Council the 5th day of July, 2011 and by unanimous vote of the Council members present, further reading was waived.

On a motion by Councilmember _____ seconded by Councilmember _____ the foregoing ordinance was duly passed and adopted by the City Council of the City of Galt at a regular meeting thereof, this _____ day of _____, 2011, by the following vote, to wit:

AYES: Councilmembers

NOES: Councilmembers
ABSTAIN: Councilmembers
ABSENT: Councilmembers

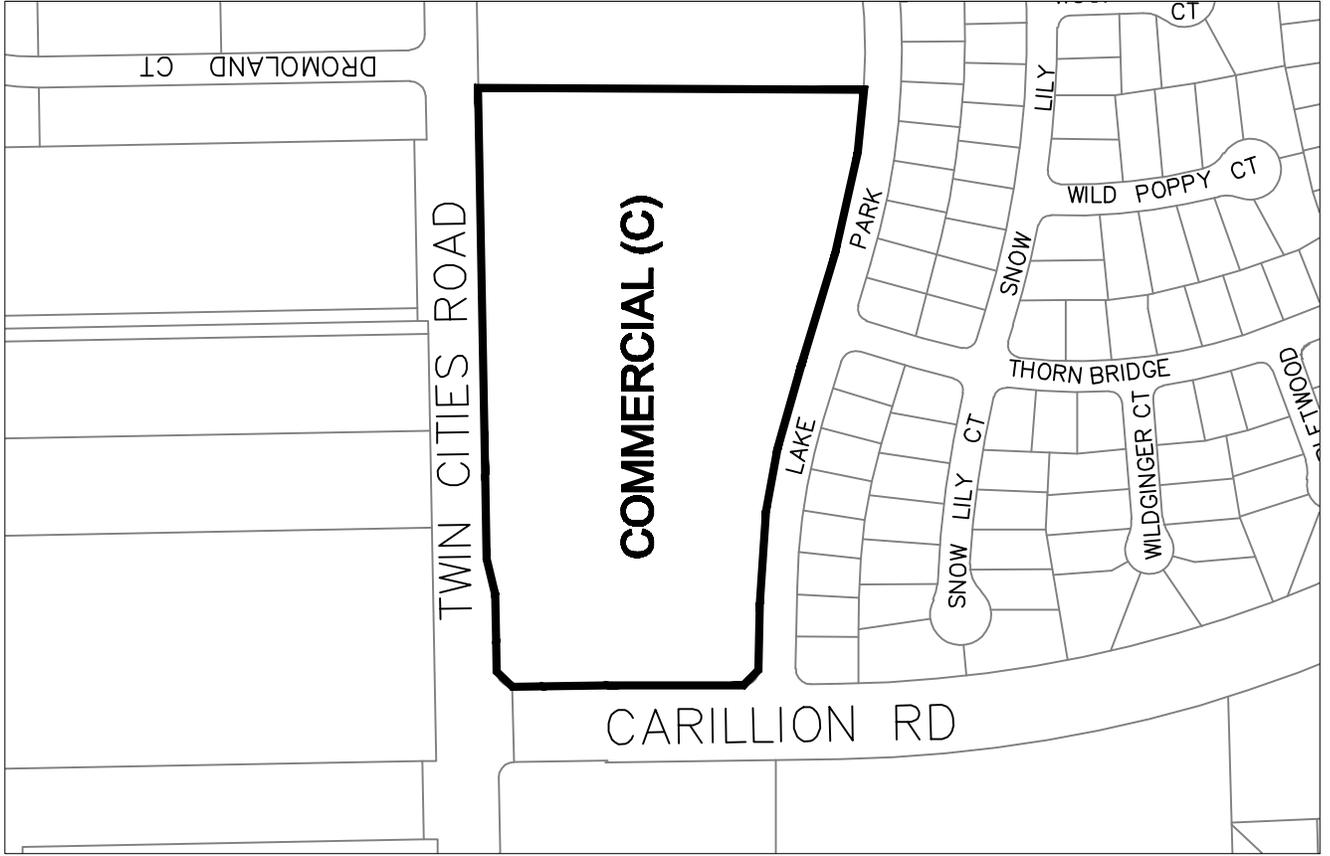
MAYOR, City of Galt

ATTEST:

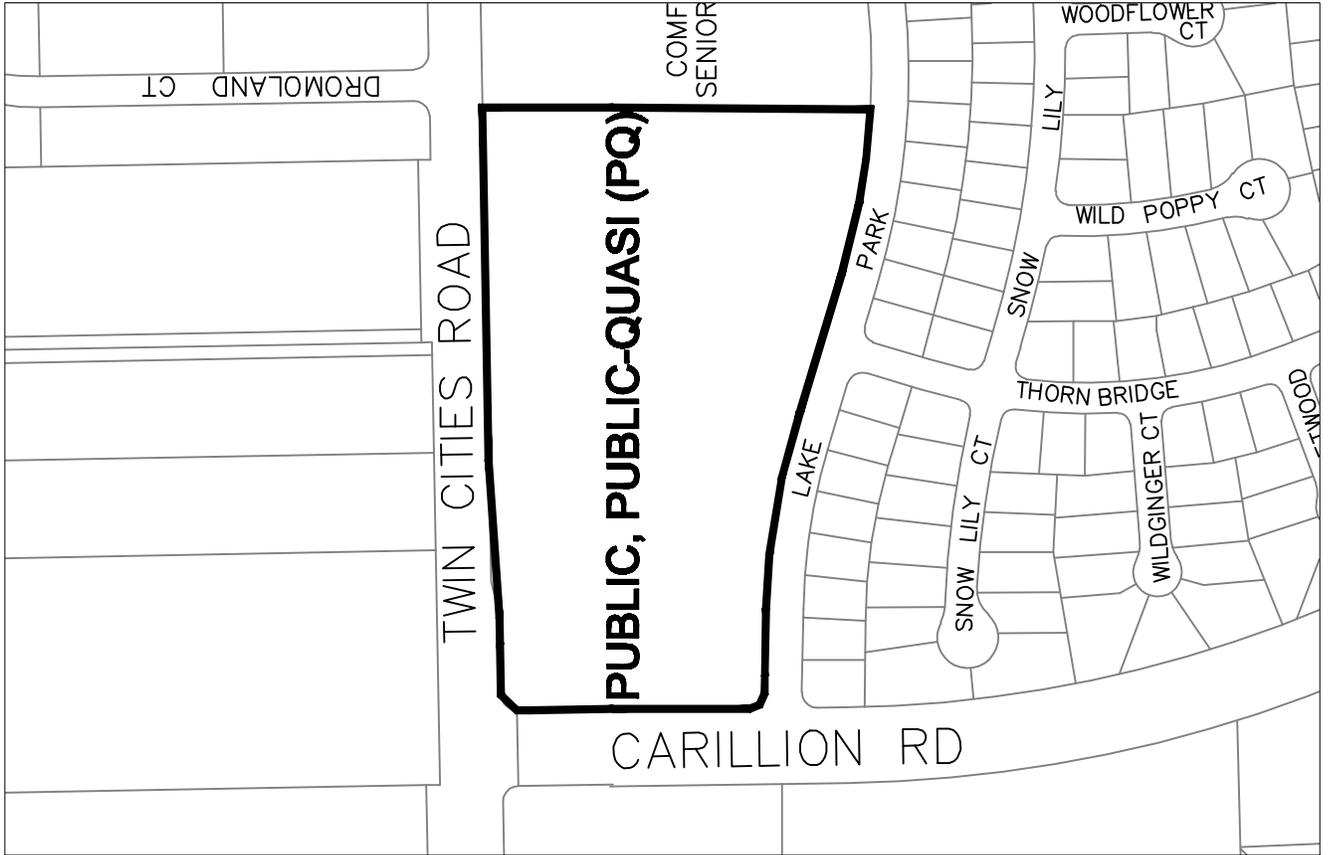
CITY CLERK, City of Galt

P10512-O

PROPOSED ZONING



EXISTING ZONING



ATTACHMENT 1

NOTICE OF EXEMPTION

To: Sacramento County Clerk
 P.O. Box 839
 Sacramento, CA 95812-0839

From: CITY OF GALT
 Planning Department
 495 Industrial Drive
 Galt, CA 95632
 209-366-7230

Project Title: Carillion Corners Northeast Area Specific Plan Amendment and Rezone Project

Project Location - Specific: The 11.55 acre property is located at the southeast corner of Carillion Blvd. and Twin Cities Rd, and is located in the City’s Northeast Area Specific Plan. It is further identified as APN: 148-1110-002.

Project Location: City of Galt, County of Sacramento, California

Project Applicant: Mitchell Zeemont
 Newmark Realty Capital, Inc.
 595 Market Street, Suite 2700
 San Francisco, CA 94105

Description of Project: The applicant is proposing to amend the Northeast Area Specific Plan from Public/Social to Commercial and rezone the subject site from Public/Quasi-Public (PQ) to Commercial (C). There are no development plans being proposed at this time. As part of the 2030 General Plan Update, the subject site was given a Commercial land use designation. The proposed specific plan amendment and rezone are consistent with the City’s General Plan and any future development will be consistent with development polices of the General Plan.

Name of Public Agency Approving Project: City of Galt, City Council

Exempt Status:

- Ministerial (Sec. 21080(b)(1); 15268)
- Categorical Exemption (Sec. 15332)
- Exemption, Consistent with Existing General Plan and Zoning (Sections 21083.3 & 15183)
- Funding Request: Feasibility and Planning Studies (Sec. 21102, 15262)
- Statutory Exemption. (Sec. 15282(l))

Reasons Why Project is Exempt: This project is exempt from the California Environmental Quality Act (CEQA) in accordance with Public Resources Code Section 21083.3 and Section 15183 of the California Code of Regulations. These exemptions state that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review except if there are project-specific significant effects which are peculiar to the project or site. The subject property has a General Plan Commercial land use designation. The commercial land use on the subject property was evaluated in the City’s 2030 General Plan Environmental Impact Report (EIR). In addition, the subject site will not have any project-specific or site-specific impact that will not be mitigated by payment of capital impacts fees and/or standard development policies/standards of the City’s General Plan and/or zoning code. Examples include, but are not limited to, impact related fees, biological studies, and air quality modeling.

Lead Agency: City of Galt
Contact Person: Chris Erias, Senior Planner
Telephone/E-Mail: 209-366-7230/cerias@ci.galt.ca.us

Signature

Date

Signed by Lead Agency X
Signed by Applicant _____

Date Received for filing at OPR: _____