



AGENDA

REGULAR PLANNING COMMISSION MEETING COUNCIL CHAMBERS, 380 CIVIC DRIVE, GALT THURSDAY, APRIL 12, 2012, 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)1. **SUBJECT:** Minutes of the March 8, 2012 regular meeting.

RECOMMENDATION: That the Planning Commission approve the minutes of the March 8, 2012 regular meeting.

PUBLIC HEARING

(3)1. **SUBJECT:** Place of Worship Conditional Use Permit, 550 Industrial Drive, Suite 10

RECOMMENDATION: That the Planning Commission adopt Resolution 2012__ (PC) approving the CEQA Notice of Exemption and approving a Conditional Use Permit for a place of worship use at 550 Industrial Drive, Suite 10 (Real Life Church of Galt).

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, March 8, 2012, 6:30 p.m.**

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

Staff members present: Principal Planner Kiriu, City Attorney Rudolph and PC Secretary Kulm.

PUBLIC COMMENTS – None.

INFORMATION/CONSENT CALENDAR

1. **SUBJECT:** Minutes of the January 12, 2012 regular meeting.
ACTION: Dees moved to approve the consent calendar; second by Morris. Motion was unanimously carried by those Commissioners present. (Dees, Morris, McFaddin)

PUBLIC MEETING

1. **SUBJECT:** City of Galt Annual 2030 Galt General Plan and Housing Element Progress Report: 2011

RECOMMENDATION: That the Planning Commission review the City of Galt Annual 2030 Galt General Plan and Housing Element Progress Report: 2011, comment and direct staff to make any needed modifications to the report and then by motion recommend that the City Council accept said report and direct staff to submit said report to the Governor's Office of Planning and Research and the Department of Housing and Community Development in accordance with Government Code §65400.

Kiriu gave the staff report noting two corrections: 1. The Government Code citation in the Introduction Section (page 3) should be 65400 (a)(2); and 2. Table 5 on page 13 should be revised to include a Low Income, Deed Restricted unit for Habitat for Humanity for which a permit was issued in 2007.

Morris said he was amazed at the number of accomplishment noted in the report.

McFaddin asked what is currently holding up the 2006-2013 Housing Element certification. Kiriu explained that HCD has made a determination this cycle that the minimum housing density for multi-family housing should be a minimum of 20 dwelling units per acre. That number is substantially higher than what the City has in the Zoning Code. In the last cycle, HCD determined it would be 14 units per acre and the City did adopt that number. The City is currently in discussion with HCD regarding the issue. If the issue is not resolved soon, the City may consider waiting until the 2013-2021 cycle. McFaddin asked Kiriu to explain what it means to not have a certified Housing Element. Kiriu explained that there have been incidents in the past where HCD tied some grant funding to a certified Housing Element. Without one, the City may not qualify for certain grant funding. However, without a certified Housing Element, the City may also be more susceptible to a lawsuit from an affordable housing advocate group.

Kelly Keagy, city resident, noted that she was going to ask the same question as Ms. McFaddin and thanked Kiriu for her response.

McFaddin noted for the audience that the City of Galt has addressed approximately 34 items in 2011 in regards to the Galt General Plan Goals & Policies. She also reminded them that the Report is available on the City's website.

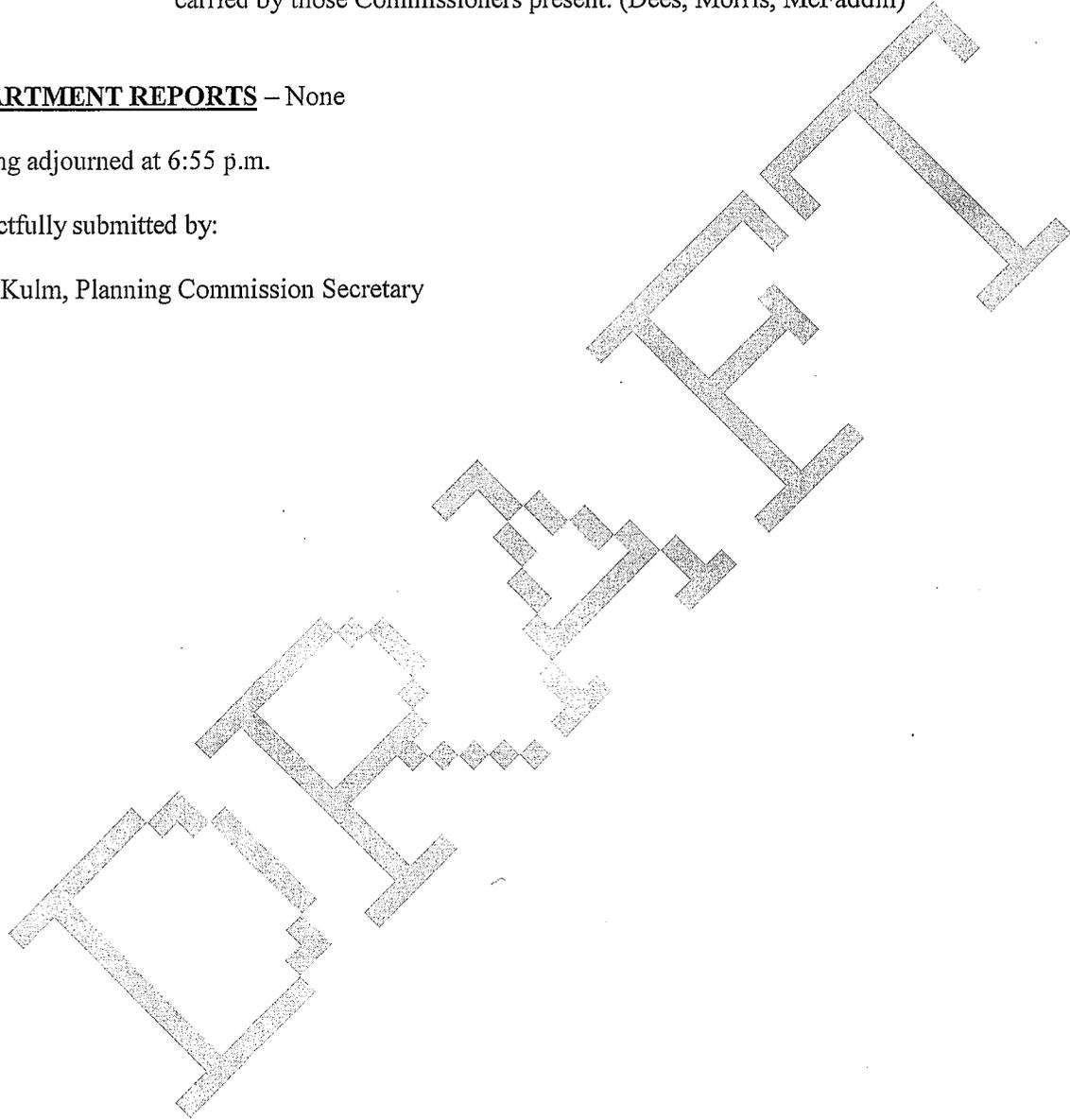
ACTION: Morris moved to approve staff's recommendation with the following two corrections: 1. The Government Code citation in the Introduction Section (page 3) should be 65400 (a)(2); and 2. Table 5 on page 13 should be revised to include a Low Income, Deed Restricted unit for Habitat for Humanity for which a permit was issued in 2007; second by Dees. Motion was unanimously carried by those Commissioners present. (Dees, Morris, McFaddin)

DEPARTMENT REPORTS – None

Meeting adjourned at 6:55 p.m.

Respectfully submitted by:

Cathy Kulm, Planning Commission Secretary





PLANNING COMMISSION AGENDA REPORT

Meeting Date: April 12, 2012

Prepared by:
Reviewed by:

Chris Erias, Senior Planner *CE*
Sandra Kiriu, Principal Planner *SK*

SUBJECT

PLACE OF WORSHIP CONDITIONAL USE PERMIT 550 INDUSTRIAL DRIVE,
SUITE 10

RECOMMENDATION

That the Planning Commission adopt Resolution 2012-__ (PC) approving the CEQA Notice of Exemption and approving a Conditional Use Permit for a place of worship use at 550 Industrial Drive, Suite 10 (Real Life Church of Galt).

LOCATION

The proposed place of worship is located at 550 Industrial Drive, Suite 10. This property is at the southwest corner of the intersection of Pringle Avenue and Industrial Drive in Galt. It is further identified as APN: 150-0041-063.

OWNER/APPLICANT

De Carson
550 Industrial Drive
Galt, CA 95632
(209) 745-2387

ZONING:

Light Manufacturing (LM)

**GENERAL PLAN
DESIGNATION**

Industrial

EXISTING USE

Carson's Coatings

SURROUNDING LAND USE

North: LM, light industrial center with various uses as well as a vacant LM zoned property. A nonconforming residence zoned LM is northeast of the site.

South: LM, vacant land and to the south of it is Building Materials Distributors. (BMD). Air Products, Inc., distributor of atmospheric gases, process and specialty gases, performance materials, and equipment and services is to the southwest.

East: LM, light industrial center with the Squeeze Inn Restaurant, Softcom, Image Tattoo Company, Captured Moments Photography, Wrapped Graphics, A Plus Smog, Brian's Automotive, Dugout Batting Cages, and Parker Realty.

West: LM, vacant land. Beyond it is the 100 foot wide Union Pacific Rail Road tracks and right-of-way, as well as the 60 foot right-of-way for McFarland Road.

ENVIRONMENTAL STATUS

Exempt as per California Environmental Quality Act, Section 15332. Section 15332 categorically exempts projects that are characterized as in-fill development projects. The Real Life Church of Galt is an in-fill project. It meets the criteria required for in-fill status as follows:

1. The project is consistent with the General Plan, and all zoning designations and regulations. Place of worship use is allowed in the Light Manufacturing (LM) zoning designation contingent upon approval of a Conditional Use Permit (CUP). In addition, permitting the place of worship use into the proposed location is an efficient use of existing infrastructure consistent with the Public Facilities and Service Element PFS-1.2, as the proposed project location is in an existing building on a fully developed site.
2. The project site is located in the City limits; it is less than 5 acres (2.5± total acres) and is surrounded by urban use. Light industrial warehouses are north of the project site. Vacant land zoned LM is south of the project site. A light industrial center containing a variety of businesses is directly east of the site and vacant land zoned LM and the Union Pacific Railroad tracks are west of the site.
3. The project site has no value for endangered, rare, or threatened species. The proposed use will occupy an existing building on a fully developed site. Construction to the site would mostly include interior renovations associated with tenant improvements.
4. Approval of the project would not result in significant adverse effects relating to traffic, noise, air quality, and/or water quality. The place of worship use is generally less intensive than those normally associated with light manufacturing and therefore will have less of an impact on noise, air quality and/or water quality than typical industrial uses permitted by right in the zoning district.
5. The site can be adequately served by all City utilities and public services. The proposed location is an existing building currently being served with all City utilities. The proposed use will not increase the need for public services.

PROJECT DESCRIPTION

The project site consists of two buildings. Carson's Coatings which manufactures foam-based architectural products and coatings, currently occupies both buildings. The Real Life Church of Galt is proposing to conduct worship services in 11,800± square feet of the 27,785± square feet building located at the front of the site along Industrial Drive. A health club plans to lease the remaining 15,985± square feet. The health club use is permitted in the LM zone and does not require a use permit. Carson's Coatings will be consolidating its operations to the 25,395± square foot building in the rear of the property.

The proposal includes minimal changes to the exterior and will require modifications to the interior. The interior space renovations to accommodate the place of worship use will include the following:

- Main Sanctuary
- Children's nursery
- One office
- Translators room
- Sound/media area
- Cry room/sound booth
- Classroom
- Multi-purpose room
- Computer room

- Thrift area
- Community center
- Community room
- Men's and Women's restrooms

Other tenant improvements associated with the health club use will also be completed.

At this time, the Real Life Church of Galt offers two Sunday morning services and one Sunday evening youth service. The church may hold the youth service during the week at some point in the future. According to the seating chart, the main sanctuary will accommodate 250 people.

Other activity on the church site will include regular staff and various meetings during the week. The staff includes but is not limited to youth and children's workers, technical media operators and pastors. The meetings include the Celebrate Recovery group, women's & men's ministries, prayer ministries, grief ministries, pastoral counseling, general training for community events, and a thrift store. The meetings will vary in times and attendance. The thrift store will be run by a member of the church and will provide clothing and possibly a canned food pantry for those in need in the community. Ancillary retail use is allowed in the LM zone as long as it is less than 25% of the gross floor area and is incidental and directly related to the primary use. The proposed thrift area meets this requirement.

Changes to the exterior include the addition of 46 parking spaces. This will be accomplished by re-striping the parking lot. The additional parking helps meet minimum requirements. However, it is still insufficient for the proposed place of worship use (see parking analysis below). In addition, the driveway located at the corner of Industrial and Pringle will be relocated along the Pringle Avenue frontage lining up with Industrial Drive, and a sidewalk will be installed on the north side of the building providing a continuous pedestrian path from the building to the other uses to the north.

The applicant will also be required to install a minimum of 6 bicycle parking spaces. Per Table 18.36-2, bicycle parking is required at a rate of one bike parking space for every 25 vehicle spaces. The site is providing 131 parking spaces which equal 5.24 bike parking spaces (6 rounded up). There is currently no bike parking on site. A condition of approval is to provide for the bike parking before occupancy.

Parking Analysis

The building was constructed primarily for light manufacturing uses. Consequently, the site parking at the time of construction was designed at 1 space per 3,000 square feet of warehouse space plus one space per employee during maximum shift. This formula provided the building with 65 parking spaces. This left the site under-parked for a place of worship use, and the other planned uses on the site.

Due to the potential large concentration of people for a place of worship use, its off-street parking requirement is based on one (1) space per three (3) seats of maximum seating capacity. The following is a breakdown of the required off-street parking for the proposed place of worship use along with the other uses at the project site.

84 parking spaces - Place of Worship (Suite 10)

1 space for each 3 seats of maximum occupancy. The floor plan shows 250 seats which equals **84 parking spaces**.

80 parking spaces - Health Club (Suite 50)

1 space for each 200 square feet of gross floor area. The floor plan shows 15,985 square feet of space for the health club which equals **80 parking spaces**

19 parking spaces - Industrial Storage and Warehousing (Suite 90)

1 space for each 3,000 square feet of gross floor area plus 1 space for each employee maximum shift (10 employees). The building to be used for Carson's Coating business is 25,392 square feet which equals **19 parking spaces**.

Total requirement	84	Place of Worship
	80	Heath Club
	<u>19</u>	<u>Carson's Coatings</u>
	183	
	-45.75	25% reduction for staggered use (GMC Section 18.36.050 C)
	138	(rounded up)
		10% reduction for showers/lockers in gym
	<u>-8</u>	<u>(GMC Section 18.36.050 A-1)</u>
	130	Total spaces required
	111	Spaces provided on site plan
	+20	Parking Agreement (GMC Section 18.36.020 B)
	131	Total parking spaces provided

The revised parking layout is showing 111 parking spaces, which is short 19 spaces. Staff worked closely with the applicant to reach a workable solution that accommodated the proposed uses on the site while being consistent with the Galt Municipal Code parking requirements. This solution included providing a 25% reduction for staggered use, 10% reduction for providing showers and lockers in the adjacent health club/gym, and a parking agreement between the owner of the site (De Carson) and the owner of 580 Industrial Drive, Paul Alamo, to allow overflow parking to use the parking spaces at 580 Industrial Drive. The place of worship use will have exclusive use of 20 parking spaces for Sunday services. The spaces are available at 580 Industrial Drive because the uses on the site do not operate on Sunday. Section 18.36.020 B of the GMC requires that the parking agreement be recorded in a form approved by the City Attorney. A condition of the project will be that the recordation be completed before occupancy (see Conditions of Approval, Exhibit A).

No other changes to the site plan or exterior of the building are planned or expected.

Land Use Compatibility:

This property is zoned Light Manufacturing (LM). Surrounding land uses are primarily light manufacturing uses that have large open interior spaces. Operational hours of these businesses tend to run Monday through Friday. As mentioned above, the proposed place of worship use peak operating time is on Sunday after typical business hours (8am-5pm). Those attending the Sunday services will not be conflicting with the regular traffic associated with the industrial park. In order to minimize potential conflicts the place of worship services will be conditioned to operate on weekends or after 6:00 pm. Since most surrounding land uses are not in operation at that time, it would not have a detrimental impact to neighboring businesses. Moreover, the proposed Real Life Church of Galt week day operations are minimal and would not impact the other Industrial Park businesses. Consequently, the proposed place of worship use is compatible with the other light manufacturing uses.

Utilities:

The property is served by public water, sewer and storm drain. The applicant is moving into an existing building in a fully developed site. Capacity currently exists in the utility systems to serve this project.

FINDINGS

Pursuant to Municipal Code Section 18.80.030, the Planning Commission may approve or conditionally approve an application for a Use Permit if it finds all of the following:

FINDING: The proposed use is consistent with the goals and policies of the General Plan and any applicable specific plan.

DISCUSSION: The proposed place of worship use is consistent with the General Plan. It does not conflict with any goals and policies of the General Plan. Permitting the place of worship use into the proposed location is an efficient use of existing infrastructure consistent with the Public Facilities and Service Element PFS-1.2, as the proposed project location is in an existing facility.

The proposed place of worship use is also consistent with the infill development priority as stated in the Conservation and Open Space Element, Policy COS-5.3. It states that the City should promote growth within existing urban areas (infill) as a priority over urban expansion. Since the proposed use is in an existing facility no new land will be developed.

FINDING: The proposed use is consistent with the purpose of the applicable zoning district or districts.

DISCUSSION: The Galt Municipal Code (GMC) defines the light manufacturing (LM) zone as a zone established to provide "a working environment for industrial uses likely to have limited impacts on neighboring uses". Per Section 18.12.020(M) of the GMC this zoning district is characterized by medium and large lots and is designed to promote the development of uses such as auto service centers, research and development parks, construction industries, incidental wholesale and retail activity, outdoor storage, and assembly/light manufacturing uses."

The definition of the Light Manufacturing zone is wide ranging and the City has already made the finding that places of worship uses are consistent with the purpose of the Light Manufacturing zone. In fact, the Planning Commission approved a Use Permit for the Family Life Christian Church to operate at 85 Enterprise Ct. in the LM zone on March 12, 2009. The project has been found to be consistent with the intent of the LM zone.

FINDING: The proposed use is listed as a use subject to a use permit in the applicable zoning district or districts or a determination of similar use has been made in accordance with the procedures set forth in Chapter 18.72 of this title.

DISCUSSION: The proposed use is located within the LM zoning district and requires a Conditional Use Permit pursuant to Zoning Code Table 18.16-1, "PLACE OF WORSHIP". The applicant has complied with all application requirements and the matter has been scheduled for public hearing in accordance with Chapters 18.80 and 18.52 of the Galt Municipal Code.

FINDING: The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the City and the State of California.

DISCUSSION: The applicant has submitted an application for a use permit for the Facility in accordance with the City's procedures set forth in Subsections 18.52.050 A 1 (c), Review by the Planning Commission, and 18.52.070, Public Hearings and Notices and 18.80.020A. The proposed use does not require additional permits other than tenant improvement building permits. Therefore, it meets the minimum requirements of this title and shall meet all other applicable laws, ordinances, and regulations of the City and the State of California in order to operate.

FINDING: The proposed use will not be materially detrimental to the health, safety, or welfare of the public or to property and residents in the vicinity.

DISCUSSION: The proposed place of worship use will not be detrimental to the health, safety, or welfare of the public or to property and residents in the vicinity.

The purpose of a CUP is to establish procedures and standards for the review and approval of use permits by the Planning Commission so as to insure the proper integration of uses which, because of their special nature, may be suitable only in certain locations and provided such uses are arranged or operated in a particular manner. Conditionally permitting places of worship allows the Planning Commission to address each request on an individual basis to determine its specific impact. It is generally believed that the place of worship use will not conflict with the allowable uses in the LM zone. The operating hours of these uses tend to be opposite that of places of worship. This should result in limited impact on traffic and exposure of persons to noise, odor, or other impacts typically associated with light industrial uses. Parking is one problem when a church locates in an existing industrial building because these uses typically have provided parking based on the lesser requirements for industrial and warehousing uses.

FINDING: The proposed use is suitable for the site and is compatible with neighboring uses.

DISCUSSION: A place of worship use is compatible with neighboring uses and is suitable for the site. Assembly type uses are an established light manufacturing use and are suitable for the site. They are compatible with neighboring uses. As mentioned above, the site is bordered by other light manufacturing, warehousing uses and other non-industrial uses like the Squeeze Inn Restaurant. In addition, the border uses to the Industrial Park are primarily residential. Places of worship uses are more associated with residential use and are compatible with the neighboring residential uses. In addition, the amount of traffic generated by the proposed use is typically off peak hour traffic so any traffic impacts will not be significant.

PUBLIC NOTICE

The project was advertised for public hearing in the Galt Herald on March 28, 2012 and notice was mailed to all property owners within 500 feet of the property boundary. In addition, individual notices were provided to all residents in the three mobile home parks in the vicinity (Three Palms, Country Villa, and Galt Mobile Estates).

ATTACHMENTS

Resolution 2012-__ (PC)
Exhibit A - Conditional Use Permit Conditions

RESOLUTION NO. 2012-___ (PC)**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF GALT, CALIFORNIA,
ADOPTING A NOTICE OF EXEMPTION IN COMPLIANCE WITH CEQA AND
MAKING FINDINGS FOR APPROVAL OF A
CONDITIONAL USE PERMIT FOR
A PLACE OF WORSHIP AT 550 INDUSTRIAL DRIVE, SUITE 10**

WHEREAS, The Real Life Church of Galt has requested a conditional use permit to operate a place of worship in 550 Industrial Drive, Suite 10; and

WHEREAS, the subject site is in the Industrial/Light Manufacturing General Plan land use designation and Light Manufacturing zoning district; and

WHEREAS, a place of worship use is a conditionally permitted use in the Light Manufacturing (LM) zoning district; and

WHEREAS, a Notice of Exemption (NOE) was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA Guidelines Section 15332); and

WHEREAS, the Planning Commission of the City of Galt held a duly noticed public hearing on April 12, 2012 to consider the adoption of the Notice of Exemption as well as approval of the Conditional Use Permit application and;

WHEREAS, the Planning Commission, using their independent judgment, reviewed the Notice of Exemption and all evidence in the record related to the proposed project including the staff report, public testimony, and all evidence presented both orally and in writing.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Galt, California hereby adopts the Notice of Exemption CEQA Guidelines Section 15332 for the project and further approves the Conditional Use Permit for a place of worship use at 550 Industrial Drive, Suite 10, subject to the conditions set forth in Exhibit A, and makes the following findings as substantiated by evidence in the staff report.

A. The Planning Commission, at the public hearing on April 12, 2012, reviewed the Conditional Use Permit application and all evidence in the record related to the proposed project including the staff report, public testimony, and all evidence presented both orally and in writing.

B. The Planning Commission finds that the project is consistent with the goals and policies of the General Plan as further detailed in the staff report for this project hereby incorporated herein in full by reference.

C. The Planning Commission has determined that the project is consistent with the purpose of the LM zoning district.

D. The Planning Commission has determined that the project is listed as a use subject to a conditional use permit in the LM zoning district.

E. The Planning Commission has determined that the project will not be materially detrimental to the health, safety, or welfare of the public or to property and residents in the vicinity.

F. The Planning Commission has determined that the project is suitable for the site and is compatible with neighboring uses.

G. The Planning Commission has determined that the project meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the City and the State of California.

The Planning Commission Secretary shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED AND ADOPTED by the Planning Commission of the City of Galt, California, this 12th day of April, 2012 upon motion by Commissioner _____ seconded by Commissioner _____, by the following vote, to wit:

AYES:	Commissioners:
NOES:	Commissioners:
ABSTAIN:	Commissioners:
ABSENT:	Commissioners:

Planning Commission Chair, City of Galt

ATTEST:

Planning Commission Secretary, City of Galt

Exhibit A to Resolution 2012__ (PC)
Place of Worship
Conditional Use Permit
April 12, 2012

1. Approval of this Conditional Use Permit is for the operation of a Place of Worship Use located at 550 Industrial Drive, Suite 10, as generally described in the Planning Commission staff report (dated 4-12-12). Said use permit will run with the land. Specific approved components include a congregational worship area, children's nursery, offices, various meeting and/or classrooms, and food pantry/thrift store. Expansion of the congregation use into these ancillary areas beyond the 250 fixed seats will require Planning Commission approval at a duly noticed public hearing.
2. The development for which this use permit has been granted must commence and be diligently pursued within one (1) year of the approval of the use permit. If the development has not commenced or been diligently pursued to completion within one (1) year, the approval shall automatically expire. Prior to the expiration of the permit, the applicant may apply for a single one (1) year extension.
3. The applicant shall provide approved bicycle parking accommodating at least 6 bikes. Location and type of rack shall be approved by the Planning Department prior to occupancy.
4. The applicant shall comply with all applicable state and local laws, rules, ordinances and regulations during the construction and operation of the facility.
5. Noncompliance with the conditions of approval may result in the revocation of the use permit as provided in Section 18.52.080 of the Galt Municipal Code.
6. An exclusive Parking Agreement shall be recorded between the owner of the property, 550 Industrial Drive, and the owner of 580 Industrial Drive and binding on all successors in interest. The Agreement shall be on a form approved by the City Attorney and recorded with the Sacramento County Recorder's Office prior to certificate of occupancy and a certified copy delivered to the City of Galt Planning Department. All costs associated with the preparation and recordation of the document are the responsibility of the property owner. Said form shall bind all successors in interest unless and until the CUP is revoked or alternative parking arrangements, acceptable to the City are approved by the City.
7. Worship services using the main sanctuary (250 person maximum occupancy) shall be conducted on weekends or after 6:00 PM weekdays only so as to create or receive minimal anticipated impacts related to operation of adjacent industrial businesses. The services shall coincide with the aforementioned parking agreement and the applicant's exclusive right for 20 off-street parking spaces.