

**JULY 16, 2019 MINUTES
REGULAR WHEATLAND PLANNING
COMMISSION MEETING
WHEATLAND COMMUNITY CENTER,
101 C STREET, WHEATLAND, CA
6:00 – 7:25 P.M.**

PLANNING COMMISSIONERS PRESENT: T. Mihalyi, D. Panteloglow, W. Tinsley, S. Witt

OTHER OFFICIALS PRESENT: T. Raney, Community Development Director

PLEDGE OF ALLEGIANCE:

Commissioner Tom Mihalyi led the pledge of allegiance.

PUBLIC COMMENT

None.

CONSENT CALENDAR

1) Motion was made by Planning Commissioner D. Panteloglow, Seconded by Planning Commissioner W. Tinsley to approve the minutes from the regular meeting on November 6, 2018 and the regular meeting on April 2, 2019. Vote called – AYES: All. Motion carried

PUBLIC HEARING

1) Community Development Director Tim Raney presented the staff report for site plan and design review for the Sierra Central Credit Union located at 503 McDevitt Drive in the City of Wheatland. On March 20, 2018, the City of Wheatland Planning Commission approved with conditions of approval, a Conditional Use Permit for the Sierra Central Credit Union located at 503 McDevitt Drive. It should be noted that a Lot Line Adjustment is currently under review for the project site in order to combine the two project properties. The conditional use permit included three phases of development. Phase I of the proposed project would consist of the installation of a walk-up ATM in the existing commercial building, infill of two (existing doors, and creation of a secure Cash Room. Phase II of the proposed project would consist of 776 square feet of tenant improvements to the existing building for the creation of a Sierra Central Credit Union branch office. Proposed improvements would include the creation of a lobby; infill of the existing doors located at the Cash Room and proposed work room, installation of a check writing cabinet, and installation of a new Cash Room door. Phase II would also include ADA compliance improvements at the restroom, entrance door, and outside the building. Phase III of the proposed project would involve a lot merger of APN 015-630-073 and 015-271-011, a 300-square-foot building addition, and construction of a 300-square-foot drive-thru area. Pursuant to the City of Wheatland Municipal Code Section 18.67, Phase III would be subject to Planning Commission approval of a Site Plan and Design Review prior to development. On June 19, 2019, the applicant, Mel Higginbotham from Wallis Design Studio Architects, submitted an application to expand the existing Sierra Central Credit Union located at 503 McDevitt Drive. Pursuant to the Wheatland Municipal Code and Chapter 18.67, development in the Neighborhood Commercial District (C-1) zone is

subject to Site Plan and Design Review. The proposed building addition would consist of a new lobby, waiting area, teller station and counters, work/break room, janitor closet, and office, as well as infill of existing windows on the western and eastern portion of the building. The new building addition would allow for the creation of a new Cash Room to allow for a new walk-up ATM and one drive-up ATM. The drive-up ATM would be accessed through the proposed drive-thru located on the southern portion of the site. Drive-thru circulation would enter from McDevitt Drive and exit via an existing driveway on State Route (SR) 65, which would be a right-out only driveway. The proposal involves a complete renovation and expansion of the existing commercial building including a drive-thru ATM area. The proposed construction meets height, setback, and lot coverage requirements in the C-1 zone. The proposed construction will consist of a fiber cement horizontal siding exterior with brick wainscot, fiber cement fascia and trim, and a metal seam roof, as shown on Sheets A4.1, A4.2, and A5.0 of the proposed plans. As designed, the project meets all applicable development standards for the C-1 zone. Furthermore, the project meets applicable criteria within the City of Wheatland Community Design Standards Design Principles. The proposed project also includes new landscaping and a trash enclosure. The project is determined to be exempt from the provisions of the California Environmental Quality Act under Class 1, Section number 15301 (Existing Facilities) which includes additions to an existing structure that is less than 10,000 square feet provided that the project is in an area where all public services and facilities are available and not environmentally sensitive.

Planning Commissioner D. Panteloglew had comments on the parking lot design, ATM drive thru and whether or not the upstairs space added square footage to the building. Panteloglew also commented on the location of the air conditioner. The applicant clarified location of parking spaces, square footage of the building and that there is no additional square footage upstairs in the building.

Planning Commissioner T. Mihalyi commented on the sea container and trailer on the property and if there will be an exit from the drive thru advising right hand turn only. The applicant and T. Raney responded that will be a landscaped area and the owner will be contacted to clarify information regarding the sea container and yes there will be a sign in the drive thru.

Planning Commissioner S. Witt commented on reduced sight line to Highway 65 at McDevitt Drive and traffic leaving the drive through. Witt questioned if the existing curb cutout on the highway is being used; material being used and height for fence along property line of residents; carport dimension and stated he is not in favor of the addition of a conference room. Applicant responded that the existing curb on the highway will be used but it will be smaller, the fence would be wood or there could possibly be a sound wall and explained the dimensions of the carport.

Planning Commissioner W. Tinsley questioned if the drive thru is 24-hour and is in favor of a sound wall between the project and residents impacted by noise and headlights and questioned if the project will have solar. The applicant responded there will be no solar at this time.

PUBLIC COMMENT

None.

Motion was made by Planning Commissioner W. Tinsley, Seconded by Planning Commissioner S. Witt to **adopt Resolution No. 2019-02 Approving the Site Plan and Design Review for the Sierra Central Credit Union Located at 503 McDevitt Drive with staff direction to check with the City Engineer for specifications of a rock wall.** Vote called – AYES: All. Motion carried.

2) Community Development Director T. Raney presented the staff report for approval of a proposed

Development Agreement amendment for the Bishop Pumpkin Farm between the City of Wheatland and William and Sandra Bishop. City staff has been working with representatives of the Bishop Pumpkin Farm to revise the Bishop Pumpkin Farm Development Agreement to address issues related to fees. The Bishop Pumpkin Farm currently provides the City of Wheatland an admissions fee collected as part of any fee-based activity at the farm. These fees have been used by the city for a variety of improvements providing support to the community during the heavy traffic periods during the pumpkin farm season. The City of Wheatland has also collected development impact fees for the construction of additional buildings on the Bishop Pumpkin Farm property. However, the calculation of the development impact fees has been difficult because the city's current impact fees do not have an appropriate category for agricultural tourism related structures. Therefore, for each structure proposed for the Bishops site, the city and the Bishops have had to negotiate an appropriate impact fee amount. As a measure to resolve the impact fee issues, this proposed development agreement amendment will waive the collection of any development impact fees related to the agricultural tourism activities on the Bishops Property for the proposed extended term of this development agreement of 20-years. However, the city will be allowed to continue to collect the 5% admissions fee for the next 20 years, which will provide the city with an adequate replacement of the development impact fees. Because substantive changes, such as extension of the term of a development agreement, the Planning Commission is required to conduct a hearing and make a recommendation to City Council on the Development Agreement Amendment.

Planning Commissioner D. Panteloglow commented on the excise tax portion of Bishop Pumpkin Farm Development Agreement Amendment No. 1. T. Raney explained a Development Impact Fee Study is costly and has not been done since the last City General Plan Update. T. Raney explained the terms of the Bishop Pumpkin Farm Development Agreement which were extended to cover costs related to General Plan requirements. T. Raney stated that action requested from the board at this time is necessary to avoid negotiations and to get to a point of having a guaranteed source of income. D. Panteloglow stated she reviewed the original Bishop Pumpkin Farm Development Agreement and Amendment No. 1 and questioned if Section 4.12 from Bishop Pumpkin Farm Development Agreement Amendment No. 1 is eliminated on proposed amendment No. 2, will this affect future development impact fees and excise tax the applicant would have to pay. T. Raney stated he will research this matter for addition information. D. Panteloglow commented on Section 4.26 of Amendment No. 2 states that 60% goes to the City's General Fund and 40% to the City's Special Funds and will be expended for street maintenance and improvements benefiting the land described in Exhibit A. Exhibit A is only Bishop Pumpkin Farm property and on Amendment No. 1 it states that the 40% going to the City's special fund may be used for any public project that is approved in writing by the City and the property owner. D. Panteloglow asked why this is changing. T. Raney responded the Admissions Fee charged by the project, ½ was to go in the City's General Fund and ½ to into a pot that the City and the Bishops would negotiate how the money would be spent. In Amendment No. 1 the formula was changed from 50/50 to 60/40 but the Bishops are still in a position to negotiate how the money is spent. D. Panteloglow stated that Amendment No. 2 states the funds will now only be expended on the Bishop's property. T. Raney stated that in Amendment No. 2 there is in interest by the City to not have the Bishops negotiate how the 40% is spent. Raney added that the money is not for improvements to their property but for improvements to be made for projects to support transportation systems to get people to their property.

Planning Commissioner S. Witt commented that he would like to see the original Development Agreement and Amendment No. 1 to review. S. Witt questioned the Sales Tax Section, paragraph 3.2, of Development Agreement Amendment No. 2 states, 'if sales tax is ever imposed on the admission charge, then parties agree into entering negotiations'. Is that if the state legislature allows tax on service? T. Raney responded yes. S. Witt questioned if the sales tax collected on the site is split with the county. T. Raney responded that 87.5% goes to the City and 12.5% to the County. Will that ever sunset. T. Raney responded no. S. Witt commented on paragraph 3.3 that if the property ever discontinues events or no longer charges admission then that portion of the agreement would end. S. Witt added that he feels if operations of the pumpkin farm

stabilizes or shrinks he is not sure if core operations of the farm would disappear, so fees would be paid for from services that are taxed. T. Raney responded that the City believes there could be a possible impact on the community but also brings opportunities. S. Witt questioned if the was a split tax roll for Prop 13 would it affect terms of agreement. T. Raney responded this has not been contemplated.

Planning Commissioner W. Tinsley stated he feels he has not had adequate information to review previous documents regarding the Development Agreement stated he would like to postpone the hearing to a future date.

PUBLIC COMMENT

None.

Motion was made by Planning Commissioner W. Tinsley, Seconded by Planning Commissioner T. Mihalyi to **continue the Public Hearing for consideration to recommend City Council approval of an Amendment to the Bishop Pumpkin Farm Development Agreement between the City of Wheatland and William and Sandra Bishop to August 6, 2019 and direct staff to provide additional documentation for review.** Vote called – AYES: All. Motion carried,

REPORTS

None.

With no other business before the Commissioners, the meeting adjourned at 7:25 p.m.

Respectfully submitted,
Tim Raney, Community Development Director