

AGENDA

GONZALES PLANNING COMMISSION MEETING
CITY COUNCIL CHAMBERS – 117 FOURTH STREET
GONZALES, CALIFORNIA 93926
MONDAY, NOVEMBER 14, 2011
6:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL- COMMISSIONERS

1. Robert Bonincontri, Jose Rios, Tim Jackson, Gloria Velasquez, and Chairperson Angel Mendez

BUSINESS FROM THE PUBLIC

2. Business from the Public not on the Agenda. Any member of the Public may address the Commission for a period not to exceed three minutes on any subject not on the Agenda. The Commission will listen to all communications, but can take no action.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered routine by the Planning Commission and will be adopted by one action of the Commission unless any Planning Commissioner has a question or wishes to make a statement or discuss an item. In that event, the Chairperson will remove the item from the Consent Calendar for separate consideration.

3. Consider Approval of May 9, 2011 Planning Commission Minutes

REGULAR AGENDA

4. Consider Approval of Resolution No. PC 2011-04, A Resolution of the Planning Commission of the City of Gonzales Making Certain Findings Required Under Government Code Section 65402 Relating to the Proposed Disposition of City-Owned Property of Approximately 4.11± Acres, Which is Zoned Industrial and is Located in the Western Part of Gonzales to the West of Alta Street and North of Gonzales River Road at the Intersection of Alpine Drive and Katherine Street (APN 223-081-011)
 - a. Staff Report
 - b. Public Comment
 - c. Commission Discussion
 - d. Commission Action

Any writing or documents provided to a majority of the Planning Commission regarding any item on this agenda will be make available for public inspection at City Hall located at 147 Fourth Street, Gonzales, California, during normal business hours.

BUSINESS FROM COMMISSION

5. Oral Communication

BUSINESS FROM STAFF

6. Oral Communication

ADJOURNMENT

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (831) 675-5000. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (CFR 35.102-35.104 ADA Title II).

Any writing or documents provided to a majority of the Planning Commission regarding any item on this agenda will be make available for public inspection at City Hall located at 147 Fourth Street, Gonzales, California, during normal business hours.

MINUTES

GONZALES PLANNING COMMISSION MEETING
CITY COUNCIL CHAMBERS - 117 FOURTH STREET
GONZALES, CALIFORNIA 93926
MONDAY, MAY 9, 2011
6:00 P.M.

CALL TO ORDER

Commissioner Bonincontri called the regular meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The flag salute was recited by all present.

ROLL CALL

1. PLANNING COMMISSIONERS PRESENT

Robert Bonincontri, Tim Jackson, and Gloria Velasquez

Angel Mendez and Jose Rios excused absence.

STAFF PRESENT

Community Development Director Thomas Truskowski and Administrative Assistant
Paula Bonincontri

BUSINESS FROM THE PUBLIC

2. There was none.

CONSENT AGENDA

3. Consider Approval of April 11, 2011 Planning Commission Minutes.

Action: Commissioner Velasquez moved to approve the Consent Agenda.
Commissioner Jackson seconded the motion. Approved by vote; all ayes.

REGULAR AGENDA

4. Public Hearing to Consider A Resolution of the Planning Commission of the City Of
Gonzales Approving Conditional Use Permit 2011-01 and Granting Approval of On-Site

Sale of Alcoholic Beverages at the Comidas Sabrosas Restaurant Located at 46 Seventh Street (APN 020-076-010) in the Downtown Mixed Use Commercial Core Zoning District

Staff Report: Community Development Director Truskowski presented the staff report.

Public Hearing: Commissioner Bonincontri opened the public hearing at 6:08 p.m.

Commissioner Jackson suggested that if any violations occur due to the Beer and Wine License that the Planning Commission would revisit the occurrence.

Commissioner Bonincontri closed the public hearing at 6:09 p.m.

Action: Commissioner Jackson moved to adopt Resolution PC 2011-03, approving conditional Use Permit 2011-01 subject to the findings and conditions set forth in the Resolution and Exhibit A to the Resolution. Commissioner Velasquez seconded the motion. Approve by vote; all ayes.

BUSINESS FROM COMMISSION

5. Oral Communication

There was none.

BUSINESS FROM STAFF

6. Oral Communication

Community Development Director Truskowski noted that the Rincon Villages project was presented to the City Council on May 2. A very thorough report was presented by planning staff on the project and part of the presentation was the very thorough coverage of the Planning Commission's discussion.

Community Development Director Truskowski stated that the Gonzales Unified School District stated that the school district does not have the funds to construct the school in the subdivision and they do not know where they will get the funds.

Community Development Director Truskowski indicated that the applicant came forward with some changes to conditions of approval similar to the changes brought before the Planning Commission. Staff recommended that City Council continue this matter to the May 16 meeting, so staff can review changes.

ADJOURNMENT

Commissioner Bonincontri made a motion to adjourn. Commissioner Velasquez seconded the motion. Approved by vote; all ayes.

The Planning Commission Meeting was adjourned at 6:13 p.m.

Robert Bonincontri, Commissioner

ATTEST:

René L. Mendez, City Clerk

City of Gonzales

PLANNING COMMISSION

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STAFF REPORT

DATE: November 14, 2011

TO: Honorable Chairperson Mendez and Planning Commissioners

FROM: Thomas Truszkowski, Community Development Director

SUBJECT: General Plan Conformity Review for the Disposal of City-owned Property Pursuant to Government Code Section 65402(a) – Disposal of City-owned Property of approximately 4.11± Acres, which is Zoned Industrial and is Located in the Western Part of Gonzales to the West of Alta Street and North of Gonzales River Road at the Intersection of Alpine Drive and Katherine Street (APN 223-081-011)

RECOMMENDATION:

It is recommended that the Planning Commission:

- Receive the written and oral staff report;
- Accept public comments;
- Commission discussion; and
- Adopt Resolution PC 2011-04, “A Resolution of the City of Gonzales Planning Commission Making Certain Findings Required Under Government Code Section 65402 Relating to the Proposed Disposition of City-owned Property of approximately 4.11± Acres, which is Zoned Industrial and is Located in the Western Part of Gonzales to the West of Alta Street and North of Gonzales River Road at the Intersection of Alpine Drive and Katherine Street (APN 223-081-011)”

Suggested Motion: “I move to adopt Resolution No. PC 2011-04, based upon the careful consideration of all pertinent testimony, information contained in the Planning Director’s staff report dated November 14, 2011, and the comments of the Planning Commission made at tonight’s meeting.”

BACKGROUND:

The City of Gonzales is the owner of a 4.11± acre parcel located at the corner of Alpine Drive and Katherine Street in the Gonzales Agricultural Business Park (see Exhibit ‘A’). For the last several years, the property has been planned as the new location for the City’s Corporation Yard. However, due to its prime location, with strong visibility and access attributes, the “highest and

best use” of the subject property is no longer viewed as a Corporation Yard. Rather, the property has a greater value; especially to private sector industrial businesses, which will further enhance City-wide economic development and job creation.

Following discussions held pursuant to Section 54956.8 of the Government Code, the Council made a decision to dispose of the property for economic reasons. Disposal of the property will bring savings to the City, by relieving maintenance and insurance expenses, and putting the property back onto the tax rolls.

Government Code Section 65402(a) requires that the sale of publically-owned real property be submitted to and reported upon by the planning agency as to conformity with the adopted General Plan. The text of that Section reads as follows:

“65402. (a) If a general plan or part thereof has been adopted, no real property shall be acquired by dedication or otherwise for street, square, park or other public purposes, and no real property shall be disposed of, no street shall be vacated or abandoned, and no public building or structure shall be constructed or authorized, if the adopted general plan or part thereof applies thereto, until the location, purpose and extent of such acquisition or disposition, such street vacation or abandonment, or such public building or structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof. The planning agency shall render its report as to conformity with said adopted general plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body.

If the legislative body so provides, by ordinance or resolution, the provisions of this subdivision shall not apply to: (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes; (2) acquisitions, dispositions, or abandonments for street widening; or (3) alignment projects, provided such dispositions for street purposes, acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature.”

REVIEW AND ANALYSIS:

A. Zoning Analysis. The property has the zoning designation of Industrial (I). The intent of the Industrial Zone is to provide areas for general industrial, food processing, manufacturing, wholesale, and services uses needed by the City and region subject to regulation necessary to protect other nearby uses from hazards, noise and other disturbances. The lot size of the property is approximately 4.11± acres. The minimum lot area in the zone is ten thousand (10,000) square feet. Setbacks within the zone are 20 feet (Front); 10 feet (Side) and 10 feet (Rear). The maximum height within the zone is fifty (50) feet.

In addition to the above-referenced development standards, the City has adopted a set of Industrial Zoning District Design Guidelines to help further clarify design considerations. The design guidelines are intended to be used as a primary tool by property owners and developers in planning for site improvements and new buildings, or significant renovations of existing sites. The guidelines address site planning, architectural design, roadway access, internal circulation and parking, landscaping, lighting and security, and signage.

For most uses, the City requires the processing of an application for a Conditional Use Permit (CUP) or administratively issued Site Plan Permit to enable the City to determine the degree of conformity to adopted standards.

- B. General Plan Analysis.** The property has a General Plan land use classification of Industrial/Manufacturing. The primary purpose of this designation is to define those areas that are appropriate for heavy industrial and manufacturing uses. The emphasis is on agricultural services, but other types of industry compatible with the policies in the General Plan are encouraged. The designation permits industrial parks, light manufacturing, warehousing, wineries, auto and farm equipment sales or repair establishments, feed stores, lumberyards, construction supply companies, and similar and compatible uses. Compatible highway-serving uses like gas stations, restaurants, motels, and truck stops are also permitted. The maximum permitted Floor Area Ratio is 0.5.
- C. Conformity and Planning Agency Findings.** Government Code Section 65402(a) requires that the sale of publically-owned real property be submitted to and reported upon by the planning agency as to conformity with the adopted General Plan. As demonstrated above, the zoning of the property and its General Plan land use classification are consistent, and the property can be developed consistent with adopted City policy and development standards.

The following findings support the disposal of the City-owned property located at 119 Alpine Drive (APN 223-081-011), including:

1. The disposal of property is consistent with the adopted General Plan for location, purpose and extent of use; determinations that are required by Government Code Section 65402(a); and
2. The disposal of the property will not result in a change to current zoning standards and regulations that are currently applicable to the property, which will result in a future use that is compatible with surrounding uses and in compliance with City policy, plans and regulations; and
3. The vacant property is no longer needed for municipal purposes and shall be disposed of following City of Gonzales procedures as outlined in Chapter 3.20 of the Gonzales City Code; and
4. The sale of the property will not be detrimental to the health, safety or general welfare of the public; and
5. The common benefit of the community will best be served by the sale of the property.

California Environmental Quality Act (CEQA) Compliance

The activity has been reviewed for compliance with the California Environmental Quality Act (CEQA) and has been found to qualify for a Class 12 Categorical Exemption pursuant to CEQA Guidelines Section 15312 in that the activity consists of the sale of surplus government property, which is not located in area of statewide, regional, or area wide concern as indentified in §15206(b)(4) of the California Code of Regulations, Title 14, Chapter 3 (Guidelines for California Environmental Quality Act).

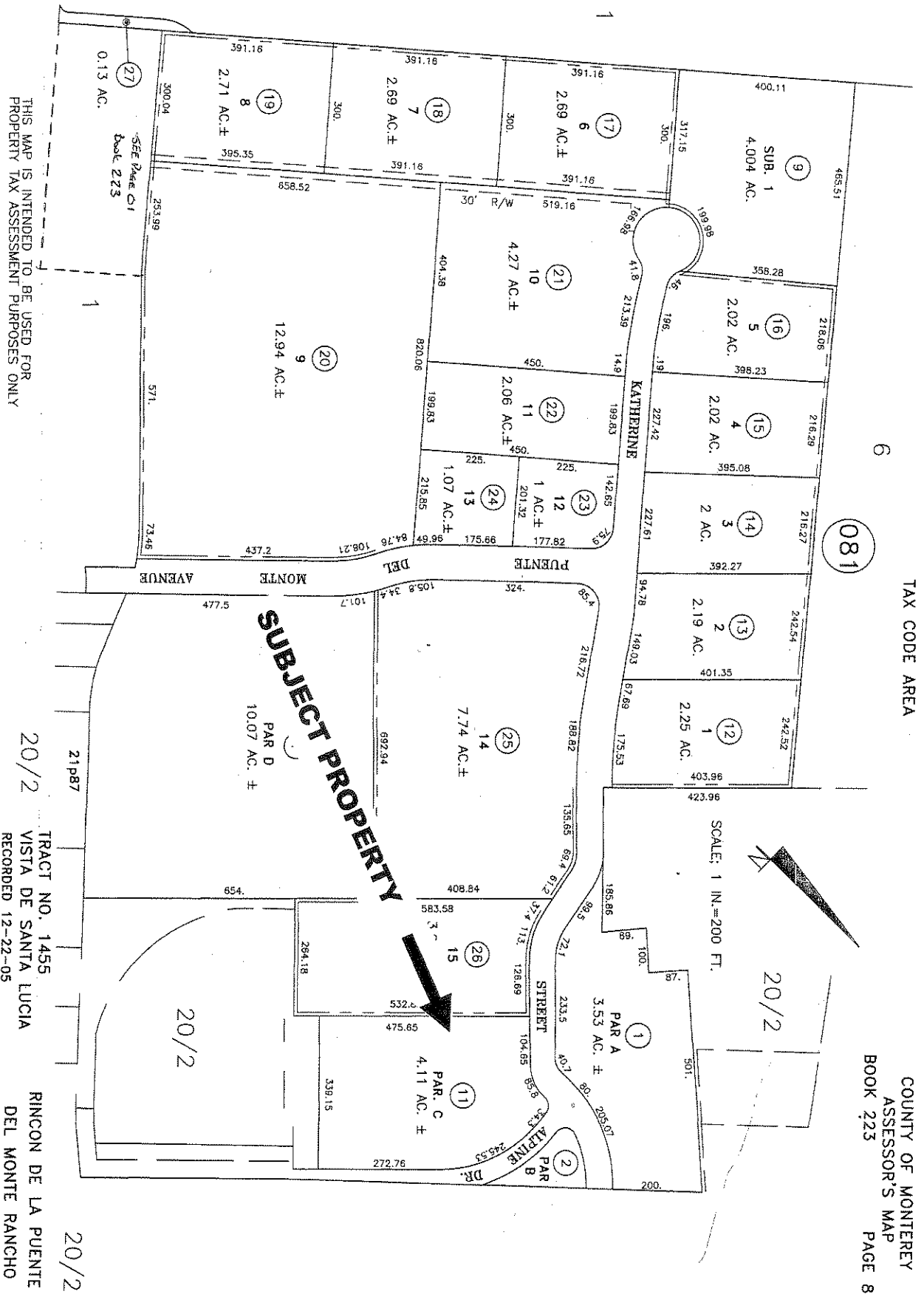
CONCLUSION:

Following discussions held pursuant to Section 54956.8 of the Government Code, the City Council made a decision to dispose of a City-owned 4.11± acre parcel located at the corner of Alpine Drive and Katherine Street in the Gonzales Agricultural Business Park for economic reasons. Disposal of the property will bring savings to the City, by relieving maintenance and insurance expenses, and putting the property back onto the tax rolls.

In accepting this report and adopting the attached Resolution, the Planning Commission finds that the disposal of property is consistent with the adopted General Plan for location, purpose and extent of use as required by Government Code Section 65402(a).

Exhibits - A Diagram of Subject Property
B Resolution No. PC 2011-04

EXHIBIT 'A'



THIS MAP IS INTENDED TO BE USED FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY

TRACT NO. 1455
 VISTA DE SANTA LUCIA
 RECORDED 12-22-05

RINCON DE LA PUENTE
 DEL MONTE RANCHO

RESOLUTION NO. PC 2011-04

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GONZALES
MAKING CERTAIN FINDINGS REQUIRED UNDER GOVERNMENT CODE
SECTION 65402 RELATING TO THE PROPOSED DISPOSITION OF CITY-OWNED
PROPERTY OF APPROXIMATELY 4.11± ACRES, WHICH IS ZONED INDUSTRIAL
AND IS LOCATED IN THE WESTERN PART OF GONZALES TO THE WEST OF ALTA
STREET AND NORTH OF GONZALES RIVER ROAD AT THE INTERSECTION OF
ALPINE DRIVE AND KATHERINE STREET (APN 223-081-011)**

WHEREAS, the City of Gonzales is the owner of a 4.11± acre parcel which is zoned Industrial and is located in the western part of Gonzales to the west of Alta Street and North of Gonzales River Road at the intersection of Alpine Drive and Katherine Street (APN 223-081-011) (the “Subject Property”); and

WHEREAS, the subject property has been planned as being the future location of a new City Corporation Yard; and

WHEREAS, due to its prime location, with strong visibility and access attributes, the “highest and best use” of the subject property is no longer seen as a Corporation Yard. Rather, the property has a greater value; especially to private sector industrial businesses, which will further enhance City-wide economic development and job creation; and

WHEREAS, following discussions held pursuant to Section 54956.8 of the Government Code, the Gonzales City Council made a decision to dispose of the property for economic reasons, including savings to the City, by relieving maintenance and insurance expenses, and putting the property back onto the tax rolls.

WHEREAS, Government Code Section 65402(a) requires that the sale of publically-owned real property be submitted to and reported upon by the planning agency as to conformity with the adopted General Plan; and

WHEREAS, at its regular meeting held on November 14, 2011, the Planning Commission of the City of Gonzales considered whether the disposal of the subject property is consistent with adopted General Plan for location, purpose and extent of use as required by Government Code Section 65402(a); and

WHEREAS, the Planning Commission has carefully considered all pertinent testimony and information contained in the staff report and the comments and discussion of the Commission; and

WHEREAS, the disposal of the subject property has been reviewed for compliance with the California Environmental Quality Act (CEQA) and has been found to qualify for a Class 12 Categorical Exemption pursuant to CEQA Guidelines Section 15312 in that the activity consists of the sale of surplus government property, which is not located in area of statewide, regional, or area wide concern as identified in §15206(b)(4) of the California Code of Regulations, Title 14, Chapter 3 (Guidelines for California Environmental Quality Act).

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Gonzales as follows:

Section 1. The facts as stated and set forth in the Recitals of this Resolution are true and correct.

Section 2. Based upon the information conveyed to the Commission in the staff report, testimony presented during the Commission's meeting and discussion and deliberations of the Commissioners, this Commission hereby makes the following findings in support of the disposal of the subject property, including:

1. The disposal of property is consistent with the adopted General Plan for location, purpose and extent of use; determinations that are required by Government Code Section 65402(a); and
2. The disposal of the property will not result in a change to current zoning standards and regulations that are currently applicable to the property, which will result in a future use that is compatible with surrounding uses and in compliance with City policy, plans and regulations; and
3. The vacant property is no longer needed for municipal purposes and shall be disposed of following City of Gonzales procedures as outlined in Chapter 3.20 of the Gonzales City Code; and
4. The sale of the property will not be detrimental to the health, safety or general welfare of the public; and
5. The common benefit of the community will best be served by the sale of the property.

Section 3. It is hereby directed by the Commission, consistent with Government Code Section 65402(a), that the Community Development Director shall prepare and transmit a report to the City Council outlining the Commission's findings, and recommending approval of the disposition of the subject property.

PASSED AND ADOPTED by the Planning Commission of the City of Gonzales at a regular meeting duly held on the 14th day of November 2011 by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Angel Mendez, Chairperson

ATTEST:

René L. Mendez, Secretary