



City of Woodland

Meeting Agenda - Final

Planning Commission

City of Woodland Planning
Commission
c/o Community
Development Department
300 First Street
Woodland, CA 95695
530-661-5820

Thursday, April 17, 2014

6:30 PM

Council Chambers

A. Call to Order

B. Roll Call

C. Approval of Minutes

[14-135](#)

SUBJECT: Planning Commission Minutes

RECOMMENDATION: Staff recommends that the Planning Commission adopt the minutes of the Planning Commission meetings of April 3, 2014.

D. Directors Report

This an opportunity for the Community Development Department's Director or designee to provide the Commission with information on any items other than those listed on the Agenda.

E. Public Comment

This is an opportunity for the public to speak to the Commission on any item other than those listed on the Agenda. The Chairman may impose a time limit on any speaker.

F. Communications

Commission Statements and Requests: This is an opportunity for the Commission members to make comments and announcements to express concerns or to request Commission's consideration of any items a Commission member would like to have discussed at a future Commission meeting.

G. Subcommittee Reports

H. Public Hearing

[14-140](#)

SUBJECT: AT&T Cell Tower Conditional Use Permit

APPLICANT/OWNER: New Cingular Wireless PCS, LLC d/b/a AT&T Mobility

PROJECT PLANNER: Cindy Norris, Principal Planner
Erika Bumgardner, Associate Planner

ENVIRONMENTAL REPORT: Categorical Exemption

RECOMMENDATION: Approval with Conditions

[14-139](#)

SUBJECT: Woodland Gateway Center, A Request for a Modification to the Master Conditional Use Permit

APPLICANT/OWNER: Woodland Development Company, LLC

STAFF CONTACT: Ken Hiatt, Community Development Director; Cindy Norris, Principal Planner

ENVIRONMENTAL REPORT: Determination that the Environmental Impact Report (EIR) for the Woodland Gateway Retail Center and Supplemental EIR, (SCH #2003032060, certified May 23, 2006), adequately addressed the environmental issues associated with the project and no additional environmental evaluation is necessary

RECOMMENDATION:

- 1) Receive the staff report;
- 2) Conduct the public hearing;
- 3) Determine that the EIR for the Gateway Retail Center project adequately addressed the environmental issues associated with the project consistent with the provisions of the California Environmental Quality Act and no additional environmental evaluation is required; and
- 4) Approve Resolution No. PC14 - 04 to approve a revision to the Master Conditional Use Permit for the Woodland Gateway Center that no more than 20% of the 525,000 square feet of retail space, as described in the project EIR, may be allocated to tenants that are less than 4,000 square feet in size and consistent with uses allowed within the City's C-1 (Neighborhood Commercial) Zone, except as otherwise allowed in the Master Conditional Use Permit, based on the findings and subject to the Conditions of Approval contained in the Resolution.

I. Adjournment

The Planning Commission of the City of Woodland encourages all parties interested in a matter scheduled to be reviewed, discussed and acted on at a meeting, to participate in the public discourse, which may include the submission of written comments and materials. The Planning Commission notifies the public that those materials received less than 24 hours before a meeting date and time may not be able to be considered completely. Further, the Planning Commission encourages interested parties to attend the meeting to discuss any matter of concern and to explain their comments more fully.



Legislation Details (With Text)

File #: 14-135 **Version:** 1 **Name:**
Type: Minutes **Status:** Agenda Ready
File created: 4/10/2014 **In control:** Planning Commission
On agenda: 4/17/2014 **Final action:** 4/17/2014
Title: SUBJECT: Planning Commission Minutes

RECOMMENDATION: Staff recommends that the Planning Commission adopt the minutes of the Planning Commission meetings of April 3, 2014.

Sponsors:

Indexes:

Code sections:

Attachments: [April 3 2014 Draft Planning Commission Minutes](#)

Date	Ver.	Action By	Action	Result
4/17/2014	1	Planning Commission	approved	Pass

TO: Members of the Woodland Planning Commission

DATE: April 17, 2014

SUBJECT: Planning Commission Minutes

RECOMMENDATION: Staff recommends that the Planning Commission adopt the minutes of the Planning Commission meetings of April 3, 2014.

STAFF CONTACT:

Cindy Norris, Principal Planner

Attachment: April 3, 2014 Planning Commission Minutes



Legislation Details (With Text)

File #: 14-140 Version: 1 Name:
Type: Public Hearing Item Status: Agenda Ready
File created: 4/10/2014 In control: Planning Commission
On agenda: 4/17/2014 Final action: 4/17/2014
Title: SUBJECT: AT&T Cell Tower Conditional Use Permit

APPLICANT/OWNER: New Cingular Wireless PCS, LLC d/b/a AT&T Mobility

PROJECT PLANNER: Cindy Norris, Principal Planner
Erika Bumgardner, Associate Planner

ENVIRONMENTAL REPORT: Categorical Exemption

RECOMMENDATION: Approval with Conditions

Sponsors:

Indexes:

Code sections:

Attachments: [ATT 1a - PC Resolution COA AT&T Cell Tower 96 W Main](#)
[ATT 1b - Exhibit B to PC Reso CVU3474 W COURT ST CA ST](#)
[ATT 2 - Application Site Photos Vicinity Map](#)
[ATT 3 - Simulated Pine Visual](#)
[ATT 4 - RF Report](#)
[ATT 5 - Propagation Map](#)

Date	Ver.	Action By	Action	Result
4/17/2014	1	Planning Commission	adopted	Pass

AT&T Cell Tower Conditional Use Permit: Request for a Conditional Use Permit to allow the construction and operation of an 80-foot tall stealth telecommunications cellular tower in the shape of a pine tree (monopine) and the installation of related ground equipment on a 1,463 square foot leased area at 96 West Main Street.

Location: 96 West Main Street

Applicant/Owner: New Cingular Wireless PCS, LLC d/b/a AT&T Mobility

Environmental Report: Categorical Exemption

APN 064-130-027

Project Planner: Cindy Norris, Principal Planner; Erika Bumgardner, Associate Planner

Staff Recommendation: Approval with Conditions

General Plan Designation: General Commercial

Current Zoning: C-2 (General Commercial)

Existing Land Uses: The site is currently developed with an 8,320 square foot retail/office building, including an All Seasons Paint store and a children's therapy center.

Flood Zone: Zone "X" - Not an area subject to inundation by 1% annual chance flood event. FIRM Map Number - 06113C0445G, Revised June 18, 2010

Street Access: West Main Street, east of California Street

Adjacent Land Uses & Zoning:

<u>DIRECTION</u>	<u>LAND USE</u>	<u>ZONING</u>
North	Commercial/Restaurant	C-2
South	Strip Retail/Motel	C-2
East	Commercial/Automotive	C-2
West	Commercial/Restaurant	C-2

Pending/Potential Action

Staff recommends that the Planning Commission adopt the attached Resolution (Attachment 1), approving the Conditional Use Permit (CUP) allowing AT&T Mobility to construct and operate an 80-foot tall stealth telecommunications cellular tower in the shape of a pine tree (monopine) and to install related ground equipment on a 1,463 square foot leased space at 96 West Main Street.

Project Site Description

The proposed project is located on West Main Street, just east of California Street, outside of the City's Downtown area. The project site consists of a 0.49 acre parcel with an existing 8,320 square foot commercial/office building located along the eastern half of the parcel. Existing tenants include All Seasons Paint and a children's therapy center. Businesses immediately adjacent to the site include Carl's Junior, Auto Zone, and Jim Boy's Tacos. The proposed telecommunications facility (lease area) will be located along the rear property boundary and will occupy four (4) of the 25 existing parking spaces on the site.

Project Proposal

The applicant, AT&T Mobility, proposes to construct and operate an 80-foot tall telecommunications cellular tower in the shape of a pine tree (monopine) and to install related ground equipment within a 1,463 square foot leased area at 96 West Main Street, a 0.49 acre parcel with an existing 8,320 square foot commercial/office building located along the eastern half of the site.

The proposed facility will include:

- Establishing a 15-foot wide access and utility easement on the project site from West Main Street to the telecommunications facility located at the rear half of the parcel;
- Establishing a 22-foot by 66.5-foot equipment compound area (leased area) on the rear half of the project site with a decorative and capped, 8-foot tall concrete masonry unit (CMU) wall, matching the color of the buildings and rear parcel wall;
- Placement of a 11'5" by 12' (136.8 square foot), 10'4" tall equipment shelter within the leased area;
- Installing an 80-foot tall faux pine tree monopole within the equipment compound; and
- Mounting up to 12 antennas on a single centerline of 68 feet.

The proposed location for the cellular tower is adjacent to the northwest corner of the existing building. The proposed cellular tower will be set back approximately 200 feet from West Main Street and 140 feet from California Street. The applicant has provided photo simulations and color renderings to aid in visualizing the change in view upon implementation of the proposed project. (See Attachment 3 - Photo Simulations.)

The proposed 80-foot monopine shall be designed to match the appearance and texture of an evergreen tree. To better simulate a living pine tree, the pole (tree trunk) shall taper so that the width of the pole at the top is less than the base, the tree trunk and branches shall include a textured (bark-like) cladding and the top of the tree shall be designed to simulate a living pine tree and shall not end with a flat top. All antennas shall be camouflaged with an "antenna sock" outfitted with pine needles or similar.

Public Notification

Public notice advertising for the public hearing on this project was prepared by the Community Development Department in accordance with notification procedures set forth in the City of Woodland's Municipal Code and State Planning Law. Two methods of public notice were used:

- Legal notice was published in the Woodland Daily Democrat on or before April 8, 2014.
- Notices were mailed to all property owners within 300 feet of the project site on April 4, 2014.

Copies of the factual staff report for the proposed project have been on file at City Hall since April 11, 2014.

Applicable Laws, Codes & Ordinances

The project is subject to the following laws, codes, and ordinances:

- The California Environmental Quality Act (CEQA)
- The City of Woodland General Plan
- The City of Woodland Zoning Ordinance

Environmental Assessment Status

This project qualifies for a categorical exemption from the provisions of CEQA, as the project is considered a small, infill development. CEQA identifies this as a Class 3 *New Construction of Small Structures* exemption and as a Class 32- *Infill Development* exemption and is listed in Title 14, Article 19 §15303 and §15332 of the California Code of Regulations. This project satisfies the exemptions if:

- (a) *The project consists of the construction and location of a limited number of new, small facilities or structures.*
- (b) *The project is consistent with the applicable general plan designation and all applicable general plan policies as well as applicable zoning designation and regulations.*
- (c) *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*
- (d) *The project site has no value as habitat for endangered, rare, or threatened species.*
- (e) *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*
- (e) *The site can be adequately served by all required utilities and public services.*

The site is located within the City of Woodland and is consistent with the applicable General Plan and Zoning policies and regulations as described below (see Staff Analysis). The proposed project consists of the construction and operation of a single 80-foot tall cellular tower and related ground equipment on a 1,463 square foot leased area. The proposed project site (0.49 acres) is less than five acres in size. The site is surrounded by urban development. The site consists of an existing 8,320 square foot commercial/office building. The site does not provide habitat for sensitive species.

As conditioned, the development of the site will not result in significant traffic, noise, air quality, or water quality impacts. Existing streets are adequate to serve the facility. The project will comply with City noise standards. Existing utilities (storm water, sewer, water, electrical, gas) are adequate to serve the proposed project.

Prior to taking an action to approve the project as recommended, the Planning Commission is required to confirm this environmental determination in conjunction with action on the project. If this project is approved, staff will file a notice of exemption with the Yolo County Clerk's Office in conformance with section 15062(a) of the CEQA guidelines.

Reviewing Agency Comments

The project has been circulated to other City divisions and departments for review. All reviewing comments have been integrated into the conditions of approval.

Discussion

The Planning Commission's consideration of the Conditional Use Permit (CUP) is governed by both the City's local zoning regulations and the Federal Telecommunications Act (47 USCS § 332). Under the City's local regulations, in order to approve the CUP, the project must be consistent with the General Plan and Zoning for the site, and comply with the development standards for wireless telecommunication facilities set forth in the Woodland Telecommunications Ordinance. Additionally, the Commission must make the findings required for a Conditional Use Permit per Article 27 of the Woodland Zoning Ordinance.

The Federal Telecommunications Act limits the Commission's consideration of the project under these local standards in two significant ways. First, the federal law prohibits the City from either conditioning or denying the project based on concerns stemming from the environmental effects of radio frequency emissions (RF) if the proposed facility complies with federal RF standards. Second, the federal law prohibits the City from denying the project if (a) the facility is necessary to fill a significant service gap in the applicant's wireless network and (b) the facility is the least intrusive means of filling the service gap. The applicant has provided information on both its RF Compliance and coverage, indicating the proposed project complies with federal RF standards and is necessary to fill a significant service gap. **(See Attachment 4 - Radio Frequency - Electromagnetic Energy Compliance Report and Attachment 5 - New Build Coverage Maps.)**

STAFF ANALYSIS

Staff recommends approval of this project subject to the recommended conditions of approval and provides the following analysis:

Telecommunications facilities are public utilities, which provide communications systems to meet the needs of residents and businesses in Woodland. The proposed facility would improve coverage, and in addition to meeting the needs of residents and businesses, would benefit public safety response to health and safety concerns by providing more reliable service, particularly as more residents rely on wireless cell phones as their sole or primary telephone service.

GENERAL PLAN CONSISTENCY

The General Plan (GP) designation for the site is General Commercial (GC). The following General Plan policies are applicable to wireless communication facilities:

GOAL 4.J

To promote adequate levels of utility services provided by private companies and ensure that these are constructed to minimize negative effects on surrounding development.

POLICIES

4.J.3 The City shall promote initiatives for using emerging technologies such as fiber connectivity, wireless communications, data communications over broadband cable, and other capabilities where appropriate to improve and/or enhance Woodland's multimedia communications infrastructure.

4.J.4 The City shall promote technological improvements and upgrading of utility services in Woodland.

GOAL 4.K

To expand the use of information technology as a communication tool in order to improve personal convenience, to reduce dependency on nonrenewable resources, to take advantage of the ecological and financial efficiencies of new technologies, and to develop a better informed citizenry.

POLICIES

4.K.1 *The City shall facilitate and support development of the infrastructure necessary for all residents to use and benefit from current and emerging communication technologies.*

4.K.5 *The City shall endeavor to ensure that the “public utility” telecommunications infrastructure for high-speed networking will not be dependent on any one media, but will incorporate CATV, wireless, fiber optics, and other technology, as appropriate.*

The proposed project as conditioned is consistent with the General Plan.

ZONING CONSISTENCY

The zoning designation for the site is General Commercial (C-2). The project is subject to the City’s Wireless Communication Ordinance (Municipal Code Section 25-21-80). The Wireless Ordinance allows for monopole facilities in commercial areas provided a Conditional Use Permit is granted from the Planning Commission in accordance with Article 27 (Conditional Use Permit) of the City’s Zoning Ordinance. The City’s Wireless Ordinance also requires compliance with minimum physical standards and other requirements as deemed appropriate by the Planning Commission. The minimum physical standards include:

- (i) Adequate access shall be provided.
- (ii) Minimally visible when viewed from the public street or other public right-of-way.
- (iii) No reduction in parking below that required by local ordinance.

Setbacks

Per the Zoning Ordinance, there is no setback requirement for a property in the General Commercial (C-2) zone from the interior side and rear yard. The proposed leased area will be located directly adjacent to the western (interior side) and northern (rear yard) property lines. The leased area will be located approximately 180 feet from the south (front) property line and approximately 37 feet from the eastern (interior side) property line. There are no adjacent residential properties. The proposed monopole complies with the setback requirements of the Zoning Ordinance.

Height

Article 25 of the Zoning Regulations commencing with Section 25-25-10 exempts from height limitations:

B. Belfries, chimneys, church spires, cupolas, and domes, distribution and transmission facilities, fire and hose towers, flag poles, radio, and television aerials, smoke stacks, towers, water tanks, wind energy conversion systems.

The City’s Wireless Ordinance limits the height to the minimum functional height required for a monopole. The proposed monopole is 80 feet in height in order to meet its functional height requirements with a 68-foot minimum centerline for the proposed AT&T antennas. The applicant’s original request included a proposed 95-foot monopine. However, at the request of the planning staff, the applicant modified the facility design to reduce the overall height of the tower (monopine) by 15 feet for a total height of 80 feet; a more appropriate height and fit for the location of the facility. Rather than attaching the 12 antennas to two separate centerlines

at 68 feet and 82 feet requiring a minimum 95-foot tower, the modified design combines all 12 antennas on one centerline at 68 feet, allowing for the reduction in height.

Woodland Municipal Code section 25-21-80 (c)(7)(C) provides that the Planning Commission may approve an increase in height upon making the determination that the additional height is necessary to meet the technical requirements of the facility at a specific location and that the health, safety and welfare of the public warrant the increase in height. The proposed wireless telecommunications facility is 80 feet high. At this height, AT&T Mobility states, “[T]he proposed height is based on minimum height required to achieve AT&T’s service area objective as well as present a stealth design that reflects trees common to the area. The coverage maps reflect the height of antennas at a centerline of 68’ which is the minimum height necessary to achieve the coverage objective that AT&T seeks to fulfill for its network performance.” (See Attachment 5 - Zoning Coverage Maps).

Access and Off-Street Parking

The City’s Wireless Ordinance requires adequate access to the facility. The proposed leased area is located at the rear of the project site, accessed by way of an existing, improved parking lot and driveway off of West Main Street. Article 23 of the Zoning Ordinance, commencing with Section 25-23-10, addresses off-street parking and loading requirements. The proposed project does not trigger additional parking, and the project location provides sufficient on-site parking spaces for the project. AT&T’s facility will occupy 4 of the 25 existing parking spaces on the site; 21 of the existing parking spaces will be retained. Based on the Zoning Regulations for parking, the site requires 18 parking spaces for the existing commercial and office uses. The proposed wireless facility does not result in a reduction in parking below that required by the Zoning Ordinance.

Public Art

Per City requirements, commercial development is required to provide public art. The applicant proposes a cash contribution of \$10,000 “in-lieu” of providing public art. Collection of the in lieu fee will allow the City to commission larger pieces for location in public spaces rather than purchasing several small pieces. The Commission will need to review and approve the public art in-lieu contribution.

The proposed project, as conditioned, meets regulatory requirements of the City’s Wireless Ordinance.

CONDITIONAL USE PERMIT

Article 27 of the Zoning Ordinance, commencing with Section 25-27-01, addresses conditional use permits. The Planning Commission may approve, conditionally approve, or deny an application for a conditional use permit; and in authorizing a conditional use, may impose such requirements and conditions with respect to location, construction, time period, maintenance, and operation, as deemed necessary for the protection of adjacent properties and the public interest, when reasonably related to the use of the property. Before granting any conditional use permit, the Planning Commission shall be satisfied that the proposed structure or use conforms to the requirements and the intent of the Zoning Code and the General Plan. The zoning designation for the site is commercial. Within this zone, monopole telecommunication facilities are only permitted with a conditional use permit.

FINAL DECISION: The Planning Commission action on the conditional use permit shall be final unless, within **fourteen (14) calendar** days after the decision, an appeal is filed in accordance with Section 25-27-20 of the Woodland Municipal Code.

Recommendation

Staff recommends approval of the project by making an affirmative motion as follows:

Motion #1: Move that the Planning Commission approve Resolution No. PC14-_____.

Attachments:

1. Planning Commission Resolution
 - a. **Exhibit A** - Conditions of Approval
 - b. **Exhibit B** - Project Site Plans/Elevations
2. Application, Vicinity Map and Site Photographs
3. Photo Simulations
4. Radio Frequency - Electromagnetic Compliance Report
5. Zoning Coverage Maps



Legislation Details (With Text)

File #: 14-139 Version: 1 Name:
Type: Public Hearing Item Status: Agenda Ready
File created: 4/10/2014 In control: Planning Commission
On agenda: 4/17/2014 Final action: 4/17/2014
Title: SUBJECT: Woodland Gateway Center, A Request for a Modification to the Master Conditional Use Permit

APPLICANT/OWNER: Woodland Development Company, LLC

STAFF CONTACT: Ken Hiatt, Community Development Director; Cindy Norris, Principal Planner

ENVIRONMENTAL REPORT: Determination that the Environmental Impact Report (EIR) for the Woodland Gateway Retail Center and Supplemental EIR, (SCH #2003032060, certified May 23, 2006), adequately addressed the environmental issues associated with the project and no additional environmental evaluation is necessary

RECOMMENDATION:

- 1) Receive the staff report;
- 2) Conduct the public hearing;
- 3) Determine that the EIR for the Gateway Retail Center project adequately addressed the environmental issues associated with the project consistent with the provisions of the California Environmental Quality Act and no additional environmental evaluation is required; and
- 4) Approve Resolution No. PC14 - 04 to approve a revision to the Master Conditional Use Permit for the Woodland Gateway Center that no more than 20% of the 525,000 square feet of retail space, as described in the project EIR, may be allocated to tenants that are less than 4,000 square feet in size and consistent with uses allowed within the City's C-1 (Neighborhood Commercial) Zone, except as otherwise allowed in the Master Conditional Use Permit, based on the findings and subject to the Conditions of Approval contained in the Resolution.

Sponsors:

Indexes:

Code sections:

Attachments: [ATT 1 Reso 14-04 rev.pdf](#)
[ATT 2 - Application and Justification Statement.pdf](#)
[ATT 3 - Table.pdf](#)
[ATT 4 - Ltr Mayor City Counsel Woodland Protest Hearing Expansion of Existing Gateway I](#)
[ATT 5 - Woodland Gateway Site Plan 4 9 14.pdf](#)

Date	Ver.	Action By	Action	Result
4/17/2014	1	Planning Commission	adopted	Pass

Woodland Gateway Center, A Request for a Modification to the Master Conditional Use Permit: A request to modify provision number three of Master Conditional Use Permit for the Woodland Gateway

development project, which relates to those uses that may occupy the allowed small tenant shop space (under 4,000 square feet), consistent with those allowed within the City's C-1 (Neighborhood Commercial) Zone, except as otherwise stated in the Master Conditional Use Permit.

Location: Approximately 55 acres, located south of Interstate 5 Freeway and East of County Road 102; 2011 - 2185 Bronze Star Drive;

Applicant/Owner: Woodland Development Company, LLC

Environmental Review: Determination that the Environmental Impact Report (EIR) for the Woodland Gateway Retail Center and Supplemental EIR, (SCH #2003032060, certified May 23, 2006), adequately addressed the environmental issues associated with the project and no additional environmental evaluation is necessary.

APN 027-852-010, 011,012, 014, 015, 016, 017, 018, 022

Project Planner: Ken Hiatt, Community Development Director
Cindy Norris, Principal Planner

Staff Recommendation: Staff recommends that the Planning Commission take action on the following:

- 1) Receive the staff report;
- 2) Conduct the public hearing;
- 3) Determine that the EIR for the Gateway Retail Center project adequately addressed the environmental issues associated with the project consistent with the provisions of the California Environmental Quality Act and no additional environmental evaluation is required; and
- 4) Approve Resolution No. PC14 - 04 to approve a revision to the Master Conditional Use Permit for the Woodland Gateway Center that no more than 20% of the 525,000 square feet of retail space, as described in the project EIR, may be allocated to tenants that are less than 4,000 square feet in size and consistent with uses allowed within the City's C-1 (Neighborhood Commercial) Zone, except as otherwise allowed in the Master Conditional Use Permit, based on the findings and subject to the Conditions of Approval contained in the Resolution.

General Plan Designation: Highway Commercial (HC)

Current Zoning: Entryway Overlay Zone - Highway Commercial and Planned Development (EOA - CH/PD)

Existing Land Uses: Commercial Development, Woodland Gateway Center

Flood Zone: Zone "X" - Not an area subject to inundation by 1% chance flood event. FIRM Map Number 06113C0465H, Revised May 16, 2012.

Street Access: County Road 102 and Maxwell Road, Bronze Star Drive

Adjacent Land Uses & Zoning:

<u>DIRECTION</u>	<u>LAND USE</u>	<u>ZONING</u>
North	Interstate 5; Existing Gateway Center	EOZ/HC
South	Maxwell Rd, Vacant, Gateway II	Yolo County (Not annexed)
East	Vacant, Urban Reserve	Yolo County (Not annexed)
West	CR 102; Commercial, and Multi- Family	EOZ/CH; and Medium Density Residential PD

Project Site Description

The subject property consists of a regional retail center totaling 525,000 square feet on 55 acres of land. The regional retail center is comprised of two major stores, Costco and Target, 154,890 and 126,800 square feet respectively, (plus 10,000 sq feet for a garden center), as well as additional retail totaling approximately 237,000 square feet in size consisting of 5 sub-majors ranging in size from 15,000 to 30,000 square feet, and the remainder as general retail.

Background

The project area was annexed into the City in 1989 as part of the Lasher Property reorganization. In 1991, the Lasher-Woodland Auto Park was proposed. The project EIR was prepared and certified, and the project was approved but development never proceeded. In 2002, the General Plan was updated, which included the elimination of the five-acre general highway commercial restriction that had applied to the site. In addition, the most important element in the revision was that any development on the Lasher Property would be subject to a Development Agreement, which would make certain that the City could ensure appropriate uses, design and quality standards, etc. for the Lasher Property.

The Woodland Gateway Retail Center was originally the Woodland Gateway and Auto Center Project. The EIR was completed in July 2003 with the certification and project approval in February 2005. The project included 20 acres of an auto mall and 35 acres of regional retail. A Master Conditional Use Permit was approved, as well as a Development Agreement.

A revised application was submitted which eliminated the auto center component of the project and replaced it with all regional retail development. A Supplemental EIR was prepared and approved for the revised project May 23, 2006.

The Woodland Gateway Center approval included a Conditional Use Permit (CUP) with a Master list of Allowed Uses (MCUP). This list of uses was developed with specific criteria that address the type of use, amount of a use, and size of tenant spaces. (Attachment “C” Master Conditional Use Permit list of Allowed Uses).

In particular, the MCUP included a provision, #3, which allowed up to twenty (20%) of the total retail square footage for the center, or 105,000 square feet, to be allocated to shop space for tenants that are less than 4,000 square feet in size. In addition, the MCUP included a restriction that these tenants, (smaller than 4,000 square feet in size), were not to include food service, bank(s) or professional service office uses. The intent was to encourage larger regional tax generating uses rather than service uses that do not generate sales tax, as well as

to minimize those uses that would be more typically found in downtown or general or neighborhood commercial locations.

Modification to provision number three (#3) of the Master Conditional Use permit was approved November 5, 2009 to allow the following exception:

- LL. That “one” tenant space may be permitted within the center which is a professional service office (such as dentist, chiropractor, or insurance), which may be no larger than 4,000 square feet in size. At no point in time shall there be more than one tenant space for the use(s) described therein. (Added 11/5/09)

With this amendment, the Woodland Gateway Center was able to lease shop space to the Smiles Dental Office located at 2041 Bronze Star Drive, south of the Red Robin Restaurant.

Project Proposal

The applicant has submitted a request to amend the Master Conditional Use Permit (MCUP), in order to clarify and allow additional flexibility in the nature and type of uses that could be considered for the small tenant spaces (under 4000 square feet). The application justification statement is found in Attachment “B”. This request is to allow additional professional service uses, as support to the overall center, and to clarify what uses are allowed in the smaller tenant spaces. The applicant requests that paragraph #3, contained in the Master CUP, which limits the type of the uses allowed in the small shop spaces (under 4000 square feet), be modified to allow uses that are consistent with the City’s C-1, Neighborhood Commercial Zone, except as otherwise addressed in the Master Conditional Use Permit.

Public Notification

Public notice advertising for the public hearing on this project was prepared by the Community Development Department in accordance with notification procedures set forth in the City of Woodland’s Municipal Code and State Planning Law. Two methods of public notice were used:

- Legal notice was published in the Woodland Daily Democrat on Sunday, April 6, 2014.
- Notices were mailed to all property owners within 300 feet of the project site on or before Monday, April 7, 2014.

Copies of the factual staff report for the proposed project have been on file at City Hall since April 11, 2014.

Applicable Laws, Codes & Ordinances

The project is subject to the following laws, codes, and ordinances:

- The California Environmental Quality Act (CEQA)
- The City of Woodland General Plan
- The City of Woodland Zoning Ordinance
- Community Design Standards

Environmental Assessment Status

The requested changes do not increase the size of the center or significantly change the retail uses. The changes do not increase the intensity or overall use of the center and do not raise any environmental issues that

were not addressed in the earlier environmental review, or cause new or substantially more severe significant environmental impacts. No additional environmental evaluation is required, pursuant to the California Environmental Quality Act (CEQA), section 21166. All mitigation measures identified in adopted Mitigation Monitoring Plan are fully enforceable pursuant to CEQA. The EIR and Supplemental EIR, (SCH # 2003032060, May 2006), prepared for the Woodland Gateway Retail Center included Chapter 4.7 assessing Socio-economic impacts.

The proposed “project” for purposes of CEQA evaluation, is the proposed change to the type of allowed uses in the small (less than 4,000 square foot) tenant spaces within the center. This project does not add new square footage or result in any change to the project description for the Woodland Gateway I Retail Center EIR.

The approved EIR project description for the Woodland Gateway Regional Retail Center EIR stated that the proposed project would include 49.4 net acres of retail uses designated for shopping center/regional retail uses with a maximum of 525,000 square feet of retail uses, including two major retail stores 148,000 and 123,000 square feet in size (plus 10,000 for outdoor garden center), approximately 237,000 square feet of retail consisting of 5-sub majors ranging in size from 15,000 - 28,000 square feet, and the remainder as general retail.

As a reminder, CEQA states that economic impacts do not need to be studied in environmental review. However, economic impacts that have the potential to lead to physical blight and urban decay are environmental issues. The urban decay standard of significance established through case law is as follows:

A project would have a significant impact if the development of the proposed project would directly or indirectly result in physical deterioration to properties or structures that is so prevalent and substantial, it impairs proper utilization of the properties or structures, and the health, safety and welfare of the business, vacancies, abandoned buildings, boarded doors and windows, parked trucks and long-term unauthorized use of properties and parking lots, extensive or offensive graffiti painted on buildings, dumping of refuse or overturned dumpsters on properties, dead trees and shrubbery and uncontrolled weed growth or homeless encampments.

As required in General Plan policy 1.E.10, an economic impact study was prepared as part of the CEQA review for the EIR to assess the effects of the development on the City. The assumed mix of uses in the analysis included a mixture of super-regional, regional, and community retail stores. It was recognized that the overall center would have both positive and negative impacts to the City. On the positive side, the City would have an expanded set of retail outlets to serve Woodland and the surrounding area, and the City would experience increased sales and property tax revenues. But the retail center would also compete for shoppers with existing Woodland retailers and may cause a redistribution of sales and possible closure of some existing retailers.

The fiscal analysis evaluated impact to Downtown and indicated that the effect would be difficult to predict. The report concluded that the nature of Downtown continues towards more lifestyle and specialty retail. The report assessed the possibility of long term vacancy and impact due to loss of larger furniture and appliance stores in the district and generally found that long term impact would be “unlikely as the Downtown has already seen a transition in its retail outlets.”

The fiscal analysis indicated that the most direct competition would be with the County Fair Mall. The analysis generally concluded that impact to the County Fair Mall in the category of “other retail” (as opposed to Apparel, Home Furnishings and Appliances), would not be significant because the Primary Market Area and Total Market Area still presented the County Fair Mall with a sizable market. Further, the analysis concluded that with or without the Gateway Center, the County Fair Mall would need re-working to compete regionally. “That there is still investor interest in the mall, even with the Gateway center and therefore the project would

have less than significant impact on existing business due to urban decay”.

Staff’s assessment is that while the minor modification to the allowed uses in the smaller tenant spaces within the Gateway Retail Center could be potentially competitive to existing neighborhood developments, that impact to the vacancy rate would be relatively small and would not affect the overall health of any one center.

Staff has received a letter from the owner of the County Fair Mall, in which he expresses concern with the proposed amendment to the Gateway Retail Center. It should be noted that the uses that are listed in the letter as possibly moving from the County Fair Mall are those which are already allowed uses in the Center. The proposed modifications to the MCUP would not affect the possible eventual relocation of those tenants. However, it should be noted that the Mall appears to be undergoing transition and has experienced the recent positive addition of the WalMart grocery store.

STAFF ANALYSIS

Staff supports this proposed amendment subject to the recommended conditions of approval and provides the following analysis:

Discussion

The Woodland Gateway Retail Project was approved as a regional commercial site as Highway Commercial with an Entryway Overlay and Planned Development (EOZ-CH/PD). The intent with the approval of the Woodland Gateway Center was the development of a shopping and Regional Retail center at a Freeway and entry way location that will generate ongoing property and sales tax to the City. The amount of sales tax generated depends on the success of the businesses that locate in the center and the extent to which there are net new sales to Woodland. A successful center requires synergy created by a diverse tenant mix through a variety of merchandisers and service providers. Providing a range and depth in tenant mix will support the center’s success and resiliency. The hope is to attract customers who will combine trips for more than one purchase event. But at the same time, the center should not overly compete with other key neighborhood and community retail centers in town. Balance in the allowed mix and tenant size has been utilized as a way to minimize this competition to the extent possible.

The Gateway center is first and foremost a regionally focused retail center with the largest percentage of uses in large, big box format. The center is auto oriented by design with a more singular trip focus. In contrast with the Downtown, the center does not result in large amounts of walking or experiential situations that one might have in strolling in the Downtown, or even within an enclosed mall. Therefore, it is likely that in many cases, the types of tenants attracted to these highly different shopping environments will vary greatly. The Downtown will tend to attract smaller, specialty shops that thrive on high volume foot traffic and the synergy created by singular unique retail uses, variety of restaurants, cultural/entertainment venues and events.

The center has received approval for 525,000 square feet of commercial space. The approved Master CUP allows up to 20 percent, or 105,000 square feet, of that retail space to accommodate smaller tenant spaces of 4,000 square feet or less. The approved site layout for the Center provides for a maximum of 91,400 square feet of possible small tenant space within the project site. Most of that space would be created in shop buildings #5, 6, 7 and 8, located at the southeast end of the project site. The first of these, Shop Building 5, (2051 Bronze Star at approximately 12,500 square feet), has just been completed. There are 6 tenant spaces available, three of which have been leased, (Sleep Train, GNC, and Sprint).

In accordance with the applicant statement, there is currently a possible 77,200 square feet of future available shop space for smaller tenants (under 4,000 square feet) with most of it located southeast of the existing development (See site layout in Attachment "5"). Staff has reviewed the proposed request with the following considerations; to facilitate the successful build-out of the regional center, to limit excessive competition with existing neighborhood serving centers, and to ensure that the intent of the regional and neighborhood commercial purposes within the community is preserved.

Therefore, in evaluation of the applicant's request, with the previously stated considerations, staff supports the request to allow for a limited amount of ancillary neighborhood commercial uses. This additional tenant mix may in effect function as the glue within the center and provide depth to possible uses mix, but in a fairly limited amount, less than 20% of the overall center.

Based on this assessment, staff offers the following proposed amendment to the MCUP:

1. # 3. ~~No more than 20% of the 525,000 square feet of retail space, as described in the project description for the EIR, may be allocated for tenants that are less than 4,000 square feet in size. The subject shops shall not include food service, bank, or professional service offices (such as a dentist, chiropractor, or insurance), except as otherwise conditionally allowed in the Master Conditional Use Permit. (amended 11/5/09).~~

No more than 20% of the 525,000 square feet of retail space, as described in the project description for the EIR, may be allocated for tenants that are less than 4,000 square feet in size and consistent with uses allowed within the City's C-1 (Neighborhood Commercial Zone), except as otherwise allowed in the Master Conditional Use Permit. (Amended April 11, 2014)

GENERAL PLAN CONSISTENCY

The current land use designation is Highway Commercial. The Highway Commercial definition states the following:

This designation provides for restaurants, service stations, truck stops, hotels and motels, and retail and amusement uses that are oriented principally to highway and through traffic, regional retail uses, regional offices, public and quasi-public uses, and similar and compatible uses.

The intent of this designation is to allow for development that captures sales tax leakage and which provides opportunities for retail stores and businesses serving a regional as well as the community need. Allowable uses include retail shopping centers and regional retail uses, including large format box stores, with ancillary retail. In particular, it is felt that professional service and retail uses that are accessory to the primary larger format retail stores are appropriate to support to the overall center as a regional destination.

The following key policy statements relating to Commercial Land Use are provided for in the General Plan:

Policy 1.E.1 - The City shall designate commercial land in appropriate locations to provide for various kinds of commercial development to meet the needs of Woodland Residents and visitors. The City shall strive to avoid creating an oversupply of commercially-designated land to prevent the dilution of deterioration of currently viable commercial areas.

Policy 1.E.2- The types and locations of future outlying commercial uses should be examined to minimize any adverse effects on the vitality of Downtown and the East Street Corridor. New commercial development along East Main Street near the entrances to the City via I-5 and SR 113 should be designed to avoid detracting from the Central Commercial Core.

Policy 1.E.10 - The commercial area designated east of County Road 102 and south of I-5 is designated Highway Commercial with the express intention of permitting and encouraging an auto mall; development of other Highway Commercial uses shall also be allowed to achieve a mixed retail project. The development of the 55 acres shall be subject to an approved development agreement. Prior to approval of the development agreement, the applicant shall fund a City prepared economic impact study to assess the effects of the development on the City.

Through the preparation of an EIR for the project, including an economic analysis and the preparation of a Master Conditional Use Permit, the project as proposed is consistent with the allowed uses and purpose for this General Plan designation. Staff has concluded that the changes do not impair the consistency with the intent of the General Plan.

ZONING CONSISTENCY

The zoning for the subject property is Highway commercial with Entryway Overlay and Planned Development, (HC/EOZ/PD). In addition, the project has an approved Development Agreement and Master Conditional Use Permit. The project proposes to amend the Master Conditional Use Permit for the Woodland Gateway Retail Center to allow clarification to the types of uses that may be allowed in the small shop spaces, (under 4,000 square feet), that they may include a limited amount of neighborhood commercial uses in an amount which will be minor and subordinate to the main purpose of the center as a shopping and regional retail center.

The definitions for Planned Development, Neighborhood Commercial, Highway Commercial, and Entryway Overlay are provided below:

Planned Development Overlay Zone: To encourage a creative and more efficient approach to the use of land and to provide for a greater flexibility in the design of integrated developments that otherwise possible though the strict application of zoning regulations.

Neighborhood Commercial Zone: To provide neighborhood shopping areas where retail business or service establishments supply commodities or perform services to meet the daily needs of the residential neighborhood but to not permit commercial uses which would be more appropriate in CBD, ESC, C-2, C-3, C-H zones. C-1 zones are to be applied to areas of two net acres minimum and fifteen net acres maximum in size.

Highway Commercial Zone: To provide areas adjacent to freeway interchanges for uses which serve the traveling public and other limited commercial uses that need freeway exposure or which enhance the entrances into the City.

Entryway Overlay Zone: To provide areas adjacent to freeway interchanges for uses which serve the traveling public and other limited commercial uses that need freeway exposure or which enhance the entrances into the City. To apply a Planned Development (PD) overlay to industrially zoned land with the EOZ to encourage a creative and more efficient approach to the use of land and to provide for greater flexibility in the design of integrated developments than otherwise possible through the strict application of zoning regulations.

The purpose of the Planned Development Overlay (PD) is to allow greater flexibility in the nature and

type of uses. As a result, staff feels that the proposed modification, to allow additional support uses such as neighborhood commercial services as ancillary to the project, will not significantly alter the intent of the site as a regional retail center, but rather, by allowing these uses on a limited basis, they will support the mix of uses and generate additional customer base for the larger regional uses.

CONDITIONAL USE PERMIT

Article 27 of the Zoning Regulations commencing with Section 25-27-01 addresses conditional use permits. This center has an approved Master Conditional Use Permit which has provided for a mix of uses that is varied somewhat from those found in City's land use table for the Commercial Highway (CH) and Entryway Overlay Zone (EOZ). As a result of the Planned Development /Conditional Use Permit process, consideration to modify uses is permitted, as long as they meet the general intent and provisions of the General Plan and Zoning Ordinance. Staff believes that the proposed modifications to the Master Conditional Use Permit provide clarification to the underlying intent of the original approval and provide clarity to the interpretation of this document.

The Planning Commission may approve, conditionally approve or deny the application for a modification to the Conditional Use Permit; and in authorizing a conditional use, may impose such requirements and conditions with respect to location, time period, maintenance, and operation, as deemed necessary for the protection of the adjacent properties and the public interest, when reasonably related to the use of the property. Before granting any conditional use permit, the Planning Commission shall be satisfied that the proposed use conforms to the requirements of this Chapter and the General Plan.

Recommendation

Staff recommends approval of the recommended modification to the Master Conditional Use Permit by making an affirmative motion as follows:

Motion No1: Move That the Planning Commission approve the Resolution No. PC14 - 04

Attachments:

Attachment 1: Planning Commission Resolution with the revised Master Conditional Use Permit

Attachment 2: Application and Justification Statement

Attachment 3: Table Comparison of Uses

Attachment 4: Letter from County Fair Mall Owner

Attachment 5: Site Layout with Tenants