SUSANVILLE PLANNING COMMISSION
Regular Planning Commission Meeting Minutes
TUESDAY, AUGUST 23, 2022 – 5:30 PM

CALL TO ORDER Chair Westbrook calls meeting to order at 5:30 p.m.

ROLL CALL Rod DeBoer, Wayne Jambois, and Melanie Westbrook. Absent: James Merchant and Tony Ardito.

1. APPROVAL OF AGENDA:
Moved by Wayne Jambois; seconded by Rod DeBoer to approve agenda as submitted.
Motion: 3 - 0
Voting For: Wayne Jambois, Rod DeBoer and Melanie Westbrook
Voting Against: None
Absent: James Merchant and Tony Ardito.

2. BUSINESS FROM THE FLOOR: NONE

3. CONSENT ITEMS:

3.A Receive and file minutes of the July 12, 2022, meeting. Receive and file minutes of the July 12, 2022, meeting.

P.C. 7.12.22 min.pdf

Moved by Rod DeBoer; seconded by Wayne Jambois to approve the July 12, 2022, minutes.
Motion: 3- 0
Voting For: Rod DeBoer, Wayne Jambois and Melanie Westbrook
Voting Against: None
Absent: James Merchant and Tony Ardito

3.B Receive and file minutes of the August 9, 2022, meeting
Receive and file minutes of the August 9, 2022, meeting.

P.C. 8.9.22 min..pdf

Moved by Rod DeBoer; seconded by Wayne Jambois to August 9, 2022, minutes.
Voting For: Rod DeBoer, Wayne Jambois and Melanie Westbrook
Voting Against: None
Absent: James Merchant and Tony Ardito

4. PUBLIC HEARINGS:

4.A Consider Second 1 Year Extension for UP#18-006
Rescind Resolution No. 19-1073 and Revoke UP#18-006.

Public hearing opened at 5:35 p.m.

Mr. Mumper explained UP 18-006 is for an ARCO am/pm gas station and car wash at 2650 Main St. It has been three years and two months since the original project was approved through the

Planning Commission, and the applicant has experienced a range of issues commencing the project.

The proposed project was approved June 25, 2019 and has already received a one-year extension. The property has become an attractive nuisance and the property owner failed to abate prior to the weed abatement deadline.

Mr. Mumper continued that on May 31, 2022, the owner paid for demolition and gas canopy permits, but work hasn't started. At that time, the owner assured the City Planner and Code Enforcement Officer he would clean up the property, demolish the buildings and secure the property. A fence was installed, but it has since been knocked over.

If the Commission rescinds the project, it is exempt from CEQA, under section 15270.

Mr. Mumper explained the proposed project is still consistent with the Susanville Municipal Code and General Plan. The Planning Commission may approve, disapprove, or defer the decision to City Council. If the Planning Commission approves the extension, the conditions of approval are outlined in Resolution 22-1119 and only have minor changes from the original adopting resolution.

If the Planning Commission approves the rescinding resolution, the applicant can appeal to the City Council. In the interest of the property being sold to a more suitable developer, staff recommends adopting rescinding Resolution in 21-1119. Should the applicant be in a more suitable position to pursue the project in the future, the City of Susanville will be happy to accept a new Use Permit and Architectural review application.

Mr. Mumper added a parcel map application was done as part of project and was divided into two.

Commissioner Jambois asked about the status of property.

Mr. Mumper responded everything in his staff report stands, with the addition that City staff has abated most of the weeds. Staff hasn't received promising progress, and it was staff's hope the entire site would have a fence so people couldn't access either parcel, but that hasn't happened.

Mr. Jambois noted if someone does park a vehicle on the property, it is quickly removed.

Mr. Mumper agreed, and said it is a coordinated code enforcement effort and the property owner has given permission to enforce such things.

Commissioner Jambois asked what the communication level has been between the applicant and the City.

Mr. Mumper responded the correspondence in the packet does a good job capturing the whole of the correspondence.

Mr. Loflin distributed a letter of notice of violation. He explained the Fire Department took the lead on weed and rubbish abatement and issued a 10-day notice back in June. City staff has gone out to do some of the work, and he along with other staff members spent four hours on Saturday, and three hours and 15 minutes on Sunday focusing on abating weeds and picking up trash. Work is not complete, and it will take several dump trips to dispose of the trash. Estimated staff wages are $613.85, and does not include equipment, gasoline, administrative charges, dump fees or other costs to fully abate.

Since the buildings were going to be demolished, the recommendation is to have them demolished, or at least secure the old shop building on Parcel 2 to mitigate transient activity, Mr. Loflin said. We are here to assist the applicant with code enforcement efforts, but we are at the point we need to

see some compliance in cleaning up the property, especially since it's going through the weed abatement process with the use of staff time.

Sukhminder Singh, applicant, explained this is the first time he saw the weed violation. Notices were sent to his old address, which he just updated, so now he will receive them in a timely manner. It's not an issue to clean up the property, and he will pay the fees. He has spent money cleaning up the property the last four years. He put fencing up, and he thought it did help a little. He also allowed the use of the lot during the Dixie Fire and has been very cooperative.

Chair Westbrook commented the project was approved three years ago, and asked Mr. Singh what his intent is to develop the property.

Mr. Mumper noted Mr. Singh provided written correspondence to the Commission.

Mr. Singh explained he has a franchisee ARCO am/pm in Vacaville. The sales were up, and he was approved for a new site. When he started the project, there were excellent numbers. All loans are based on predicted sales and population. Unfortunately, after COVID, the situation changed. People were quoting him almost double prices. He is really struggling to complete the project because prices and supplies are not stable. He can start demolition, but it will come out of his pocket. He spent $1.5 million on property. He is hopeful if given a one-year extension, he will complete this project.

Public hearing closed at 5:52 p.m.

Commissioner Jambois compliments staff in putting together a comprehensive packet. He also appreciates Mr. Singh travelling from Vacaville to present his case. He continued this project has gone on a long time. The fact it is now going through an abatement concurrent with another request for extension deeply troubles him. It is obvious the applicant has some financial problems that's not going to get rectified anytime soon. If the Commission grants an extension, it is not going to be helpful for the applicant, and he will be back here again at the end of one year. Building supplies are in a state of flux, any builder will tell you it is difficult to come up with supplies.

He was strongly leaning on rescinding the application and let the applicant come back at a future date for another Use Permit and Architectural Review. If applicant feels so moved, he can appeal that to the City Council.

He continued that what bothers him, is the lack of communication with City staff. He does not detect a lot of effort on Mr. Singh's part, trying to communicate their problems and working with staff to accomplish something. If there had been communication all along, we wouldn't be here tonight.

Chair Westbrook asked that if the property happens to switch ownership, will the new owner have to come back for new permits.

Mr. Mumper confirmed that would be the case.

Commissioner DeBoer said someone has to start moving on the place, unless they come up with the plan, he would refuse it.

Chair Westbrook encouraged applicants to come back and work with staff on new plans, or any options to sell.

Mr. Mumper advised Mr. Singh he had five days to appeal the decision to the City Council.

22-1119 Approving Extension .docx

22-1119 Rescinding.docx

Project Timeline.pdf

Moved by Rod DeBoer; seconded by Wayne Jambois to approve rescinding resolution for 22-1119.
Motion Carried: 3- 0
Voting For: Rod DeBoer, Wayne Jambois and Melanie Westbrook
Voting Against: None
Absent: James Merchant and Tony Ardito

5. NEW BUSINESS:

5.A Presentation for Commissioners regarding the California Environmental Quality Act (CEQA), Zoning, General Plan Designations, and overview of Commissioner Roles and Responsibilities.

No Action Required. Informational Item.

Commission tables item until all members are present.

6. CORRESPONDENCE:

7. COUNTY REFERRALS:

8. ADJOURNMENT:

Motion to adjourn at 6:02 p.m. by Rod DeBoer, seconded by Wayne Jambois. Motion carries.

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Signed, Chair Melanie Westbrook

Respectfully submitted by,

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Ruth McElrath, Building Permit Technician

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Heidi Whitlock, City Clerk

Approved On: October 25, 2022