1. **CALL TO ORDER**

   The Regular Meeting of the City of Dixon Planning Commission was called to order at 7:00 p.m. by Chair Kevin Johnson.

2. **PLEDGE OF ALLEGIANCE**

   The Pledge of Allegiance was led by Chair Johnson.

3. **ROLL CALL**

   Present: Commissioners Jim Ernest, Don Hendershot, Jill Orr, Joe Quinn, David Reese, Don Ritchey, Chair Kevin Johnson

   Absent: None

4. **CORRESPONDENCE**

   None.

5. **AUDIENCE/PUBLIC COMMENT (NON-AGENDA ITEMS)**

   Tiffany Fabiani discussed ex-parté communications to avoid contentious items in the future.

6. **APPROVAL OF AGENDA**

   A motion was made by Commissioner Ritchey, seconded by Commissioner Ernest, to approve the Agenda as presented. Roll call was taken as follows:

   Ayes: Ernest, Hendershot, Orr, Quinn, Reese, Ritchey, Johnson
   Noes: None
   Abstain: None
   Absent: None
7. CONSENT CALENDAR

None.

8. PUBLIC HEARINGS

8.1 Sign Permit approval for modifications, as well as additional signage changes, to the existing multi-tenant freeway commonly known as the Gateway Plaza sign. The property is located in a Highway Commercial – Planned Development (CH-PD) zoning district. The project is located at Assessor’s Parcel Number (APN) 0113-490-030 (PA 16-23) (SGN 16-16).

Scott Greeley, Associate Planner, discussed the history of the project and the modifications being requested for approval for the Gateway Plaza Sign permit. Modifications included color changes and additional signage [not previously approved by the Commission via public hearing or administratively by Planning staff]. Mr. Greeley added that, at the time of the writing of this report, two (2) letters had been received by staff supporting the changes made. He presented the options available to the Commission for action including approval, conditional approval including a fee penalty or denial.

Commissioners Ernest, Quinn, Hendershot, and Reese expressed concerns about this item being presented “after-the-fact” without Commission approval; the amount(s) charged with a fee penalty; why the sign had been changed; and why proper protocols had not been followed.

In response, Mo Mashoon, owner/applicant, stated he had purchased the Gateway Center while it was in foreclosure; his company brand is “MASH”, which is why the name had been made part of the sign; and that he had not been aware of a required Design Review to change the colors and place additional signage.

Chair Johnson opened the public hearing.

Tiffany Fabiani asked if this was more a code enforcement issue, and felt entities involved in a multi-million dollar project should know the proper procedures, argued an owner’s name should not be placed on top the list of businesses, but liked the colors and believed they should be approved as part of a Commission’s action.

Chair Johnson closed the public hearing.

Consensus of the Commission that “MASH” at the top of the sign was not appropriate. They unanimously felt the applicant circumventing the entire Design Review and proceeding outside the City’s regulation(s) process was unacceptable.
Mr. Greeley suggested another option would be to return the item to a future date and continue to amend conditions of approval.

Commissioner Ritchey supported moving forward with approval at this meeting. Commissioner Reese supported Option 2 with additional conditions.

A motion was made by Commissioner Reese to conditionally approve the sign application, adjust the location of the word "MASH", and remove the "Gateway to Dixon" portion.

Chair Johnson had a question on the motion, asking if Commissioner Reese would prefer to see a design of the sign, as made in the motion, prior to final approval; Commissioner Reese affirmed that would be the intent and future Design Review subject to Planning staff approval would be appropriate.

Commissioners Ritchey and Quinn had further questions of Mr. Mashoon regarding further proposed changes. Mr. Mashoon passed out a rendering of an additional future change proposed.

The motion was re-stated by Commissioner Reese, seconded by Commissioner Hendershot, to conditionally approve the Sign Permit application with the following changes: 1) remove the "Gateway to Dixon", reference to the top, and 2) ask for redesign of the word "MASH" in the top frame. Commissioner Reese then asked that the word be made bigger or fill up the space, and return to City staff for review. Roll call was taken as follow:

Ayes: Hendershot, Reese
Noes: Ernest, Orr, Quinn, Ritchey, Johnson
Abstain: None
Absent: None

Motion failed.

Chair Johnson re-opened the item for public comment.

Comments were received from Tiffany Fabiani and Ginger Emerson.

Chair Johnson closed the public comment.

A motion was made by Commissioner Ernest, seconded by Commissioner Ritchey to approve the sign "as-is" with a request that it is additionally conditioned upon staff charging a penalty fee, that would double the normal permit fee, removing the bottom portion of the sign, and follow through with the proper channels by applying for a building permit, in addition to the Condition of Approvals as set forth by staff. Roll call was taken as follows:
Amended Conditions of Approval:
Assessor's Parcel Number (APN) 0113-490-030
(PA 16-23) (SGN 16-16)
September 20, 2016

Amended Conditions

1. As the application is a result of a Code Enforcement action, the applicant shall be responsible for paying a penalty fee at the time of submitting for the required building permit(s). This/these permit fee(s) will reflect an additional 100% of the cost of the building permit fee(s) associated with the signs that are being legalized.

2. The applicant must obtain a building permit within one year after Planning Commission approval or apply to the Planning Commission for an extension of time to do so. If a building permit is not obtained within said one-year period or any extension thereof granted by the Commission, any approval granted by the Planning Commission shall automatically lapse and a new application will be required.

3. The applicant shall indemnify, defend, and hold harmless the City, and the officers, agents and employees of the City from any and all claims, damages and liability which may result from approval or implementation of the project (including, but not limited to, damages, attorney’s fees, expenses of litigation, or costs of court). Provided, however, this duty to indemnify and defend shall not extend to any claim, suit or action arising from the active negligence or willful misconduct of the City or its officers, agents or employees. The applicant shall enter into an Indemnification Agreement with the City of Dixon evidencing the foregoing. The standard agreement can be obtained from the Community Development Department.

4. Development Impact Fees for the necessary public facilities to serve this project must be paid for each building permit. The fees are based on the specifics of the plans as submitted. The fees include:

- Waste Water Fee
- Drainage Improvement Impact Fee
- Police Facilities Fee
- Transportation Fee
- Fire Facilities Impact Fee
- Administrative Facilities Impact Fee
- Public Works Facilities Fee
8.2 General Plan Amendment, Zoning Text Amendment, Use Permit, and Design Review to allow mini storages with caretaker's residences as conditionally permitted uses in the Highway Commercial zoning district. The property is located in a Highway Commercial – Professional and Administrative Office – Planned Development (CH-PAO-PD) zoning district. The General Plan Amendment and Zoning Text Amendment would include all properties in the CH zone district. The Use Permit and Design Review portion of the project is located at 1445 and 1465 Market Lane, and has Assessor's Parcel Numbers (APN) of 0113-440-300 and 0113-440-320 (PA 16-2) (GP 16-1, RZ 16-1, UP 16-1, DR 16-1).

Scott Greeley, Associate Planner, announced the applicant would like to postpone this item until the November Planning Commission Meeting.

Chair Johnson opened the item for public comment. There were no public comments. Chair Johnson closed the item for public comment.

A motion as made by Commissioner Ritchey, seconded by Chair Johnson, to postpone this item to the November 15, 2016, Planning Commission Meeting. Roll call was taken as follows:

Ayes: Ernest, Hendershot, Orr, Quinn, Reese, Ritchey, Johnson
Noes: None
Abstain: None
Absent: None

9. UNFINISHED BUSINESS

None.

10. NEW BUSINESS

10.1 Discussion item for definition in the zoning ordinance of single-family residential and multi-family residential and recommendation to City Council.

Kristen Maze, Community Development Director, discussed the project at 311 W. Broadway [Figueroa] that triggered this discussion.

Chair Johnson opened the item for public comment.

Ginger Emerson objected to the fact there was no written information for this item; no one can compare alternatives or offer comment. She added Mr. Figueroa had not been questioning the zoning but was questioning the fees.
Nubia Goldstein, Staff Attorney, noted the City Council is looking for consensus/direction/thoughts of the Commission regarding zoning and fee structure for any potential revisions, that this was a very preliminary discussion and not an action item for this meeting.

Chair Johnson closed the item for public comment.

Commissioners Ernest, Ritchey and Chair Johnson felt this to be a very valid concern, but preferred to see written information for comparisons and give informed input.

Ms. Maze commented that for sewer, there are only two (2) fee structures at this time, single-family and multi-family residence(s), that this is a "general" discussion and the City Council will be looking to the Planning Commission for input and clarification.

The consensus of the Commission was that an in-depth review of the fee structure for single-family and multi-family residences needs to be considered.

11. ITEMS FROM THE PLANNING COMMISSION

Commissioner Ritchey announced Friday would be the last day for Food Truck Mania.

Commissioner Orr announced the Downtown October Fest and the Lions Club Texas Hold’em Tournament October 8th.

12. ITEMS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

Ms. Maze commented that there is a tree ordinance and list of approved trees [referencing a prior meeting discussion on trees] that was sent to UCD for review and comment, and that Janet Koster, Public Works Operations Manager, is an arborist.

Commissioners Reese and Quinn expressed concerns over the in-appropriate trees planted by the developer in Valley Glen. Commissioner Reese would like future discussions with developers to include fences as well as trees.

13. ADJOURNMENT

The Regular Meeting of the Dixon Planning Commission adjourned at the hour of 8:20 p.m.

Dianna Camara
Recording Secretary

Kevin Johnson
Commission Chair