



**CITY OF CORNING
PLANNING COMMISSION MINUTES**

**TUESDAY, AUGUST 18, 2009
CITY COUNCIL CHAMBERS
794 THIRD STREET**

A. CALL TO ORDER: at 6:30 p.m.

B. ROLL CALL:

Commissioners:	Robertson Reilly Hatley Vacant
Chairman:	Lopez

All Commissioners were present with one vacant position on the Commission.

C. MINUTES:

1. Waive the Reading and Approve the Minutes of the June 16, 2009 Meeting with any necessary corrections.

Commissioner Robertson moved to approve the Minutes as written. Commissioner Hatley seconded the motion. **Ayes: Lopez, Robertson, Reilly and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy on the Commission.**

D. BUSINESS FROM THE FLOOR:

Planning Director John Stoufer addressed the Commission and presented them with packets relating to the Medical Marijuana Cooperative, Collective and Dispensary. He stated that the Council would like to have a Joint Meeting with the Council and Planning Commission next Tuesday at 6:00 p.m. He confirmed that the Commission members would be available. It was clarified that this would not be a public hearing, just a study matter. Commission members by consensus stated that was fine. Mr. Stoufer stated that no discussion on this issue would take place tonight, as it is not agendized.

E. PUBLIC HEARINGS AND MEETINGS: Any person may speak on items scheduled for hearing at the time the Chairman declares the Hearing open. ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.

2. Amend Use Permit No. 2008-250, AAA Truck Wash. Amend Use Permit No. 2008-250 to establish an approximately 112 square foot mobile food unit, known as the "Mud Creek Smoker" in the front parking lot of the existing truck wash.

Chairman Lopez introduced this item by title and outlined the proposal. He then opened the public hearing and Mr. Stoufer briefed the Commission on the proposed business. He stated that Staff has some concerns in regards to the zoning and zoning requirements. He also stated that under the current Conditions for this site, existing Condition number 8 would need to be amended.

Petitioner Linda Myers addressed the Commission stating her plans for this business. Chairman Lopez asked if the City had received any correspondence from neighboring property owners; Mr. Stoufer stated no. Chairman Lopez stated he would not like to see a carport type structure, as it is not esthetically pleasing. Commissioner Robertson asked if the building structure would be removed daily, or every few days; Ms. Myers stated she was not sure at this time. Commissioner Robertson stated her concerns related to theft. Planning Director Stoufer referred to the Conditions.

With no further public discussion, Commissioner Reilly moved to close the public hearing. Commissioner Robertson seconded the motion. **Ayes: Lopez, Robertson, Reilly and Hatley.**

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Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy on the Commission.

Commissioner Reilly moved to adopt the 4 Subfindings and Findings as presented in the Staff Report for the Amendment to Use Permit 2008-250. Commissioner Robertson seconded the motion. **Ayes: Lopez, Robertson, Reilly and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy on the Commission.**

Commissioner Reilly moved to approve an Amendment to Use Permit 2008-250 subject to the all the original Conditions of Approval except Condition No. 8 which is being removed, and adopt additional Conditions of Approval numbers 13 through 16 as suggested by City Staff. Commissioner Robertson seconded the motion. **Ayes: Lopez, Robertson, Reilly and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy on the Commission.**

3. 2009-2014 Housing Element Update: Review and make recommendations to the Corning City Council on the 2009-2014 Draft Housing Element of the Corning General Plan and the Mitigated Negative Declaration filed on the adoption of a Housing Element Update.

Chairman Lopez introduced this item by title and opened the public hearing. Mr. Stoufer briefed the Commission stating that he and Staff are happy with the product produced by Diaz & Associates. Mr. Stoufer stated that the Environmental Document has been sent to the State Clearinghouse in Sacramento and will be there for a 45-day review. Commissioner Reilly asked the process once it goes to Sacramento; Mr. Stoufer explained the process. Mr. Diaz of Diaz and Associates was present to answer any questions.

Mr. Diaz explained that if significant comments are received from the State Agencies the Housing Element Update will be brought back to the Commission for discussion and possible action.

Commissioner Robertson moved to close the public hearing. Commissioner Hatley seconded the motion. **Ayes: Lopez, Robertson, Reilly and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy on the Commission.**

Commissioner Reilly moved to recommend that the Corning City Council adopt the Subfinding No. 1 and Finding No. 1 as presented and adopt General Plan Amendment 2009-1A, the 2009-2014 Housing Element, as presented in the draft document reviewed by the Planning Commission, with appropriate changes, if any, as recommended by the California Department of Housing & Community Development. Commissioner Robertson seconded the motion. **Ayes: Lopez, Robertson, Reilly and Hatley. Opposed: None. Absent/Abstain: None. Motion was approved by a 4-0 vote with one vacancy on the Commission.**

F. REGULAR AGENDA:

4. Use Permit 2008-252, Salado Orchards Phase 2: Consider approving a one-year time extension for Use Permit 2008-252 subject to the original Conditions of Approval.

Chairman Lopez introduced this item by title and then excused himself due to his proximity to the project (6:53 p.m.)

Commissioner Robertson further introduced this item briefing the Commission on the project and it's location. Planning Director Stoufer informed the Commission on the related City Codes. Commissioner Robertson asked if there is a limit on the number of extensions. Mr. Stoufer stated that there is no limit on extensions, however they would have to request it yearly.

Commissioner Reilly moved to recommend that the Corning City Council adopt the 3 Subfindings and Findings as presented in the Staff Report and approve a 1-year time extension for Use Permit 252, Salado Orchard Apartments Phase 2, Subject to the Conditions of Approval

imposed by Council on September 9, 2008. Commissioner Hatley seconded the motion. **Ayes: Robertson, Reilly and Hatley. Opposed: None. Absent: None. Abstain: Lopez. Motion was approved by a 3-0 vote with Lopez abstaining and one vacancy on the Commission.**

G. **ITEMS PLACED ON THE AGENDA FROM THE FLOOR: None.**

H. **ADJOURNMENT: 6:58 p.m.**

Lisa M. Linnet, City Clerk