



**CITY OF CORNING
PLANNING COMMISSION AGENDA**

**TUESDAY, APRIL 17, 2012
CITY COUNCIL CHAMBERS
794 THIRD STREET
CORNING, CA 96021**

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

B. ROLL CALL:

**Commissioners: Reilly
Barron
Poisson
Mesker
Chairman: Robertson**

C. MINUTES:

1. Waive the Reading and Approve the Minutes of the March 20, 2012 Planning Commission Meeting with any necessary corrections.

D. BUSINESS FROM THE FLOOR: If there is anyone in the audience wishing to speak on items not already set on the Agenda, please come to the podium, and briefly identify the matter you wish to have placed on the Agenda. The Commission will then determine if such matter will be placed on the Agenda for this meeting, scheduled for a subsequent meeting, or recommend other appropriate action. If the matter is placed on tonight's Agenda, you will have the opportunity later in the meeting to return to the podium to discuss the issue. The law prohibits the Commission from taking formal action on the issue, however unless it is placed on the Agenda for a later meeting so that interested members of the public will have a chance to appear and speak on the subject.

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.

F. REGULAR AGENDA: All items listed below are in the order which we believe are of most interest to the public at this meeting. However, if anyone in the audience wishes to have the Agenda order changed, please come to the podium and explain the reason you are asking for the change.

2. Request for One-Year Extension on Use Permit 2011-261, Immaculate Conception Church: Consider approving a one-year extension for the construction of a 3,150 sq. ft. building to be used for office space and classrooms for church associated activities. Building is to be located adjacent to the Church Rector Building on a vacant parcel at the northeast corner of the Solano Street/1st Street intersection, 818 Solano Street, APN No. 73-065-03.

G. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:

H. ADJOURNMENT:

POSTED: FRIDAY, APRIL 13, 2012

**ITEM NO: D-1
CONSIDER ONE YEAR EXTENSION FOR
USE PERMIT 2011-261; IMMACULATE
CONCEPTION CHURCH, THE USE PERMIT
PERMITTED THE CONSTRUCTION AN
APPROXIMATELY 3,150 SQ. FT. BUILDING
FOR OFFICE SPACE & CLASSROOMS FOR
CHURCH ASSOCIATED ACTIVITIES.
LOCATED AT THE NORTHEAST CORNER
OF THE SOLANO ST. / 1ST ST.
INTERSECTION. APN: 73-065-03**

APRIL 17, 2012

TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING

FROM: JOHN STOUFER; PLANNING DIRECTOR

PROJECT DESCRIPTION:

On March 15, 2011 the Planning Commission approved Use Permit 2011-261 granting approval for Immaculate Conception Church (Church) to construct an approximately 3,150 sq. ft. building to be used for office space and classrooms for church associated activities. The building will be located adjacent to the church rector building on a vacant parcel at the northeast corner of the Solano St. / 1st Street intersection. Pursuant to Section 17.54.070 of the Corning Municipal Code (CMC) if a use permit is not exercised within one year from the date said permit is granted the use permit shall become null and void. The Church has applied for a one year extension of the Use Permit.

GENERAL PLAN LAND USE DESIGNATION:

R – Residential – All of the parcels owned by the Roman Catholic Diocese of Sacramento where the existing church, adjacent structures, and parking lots are located have this general plan designation.

ZONING:

R-1 – Single Family Residential – All of the parcels owned by the Roman Catholic Diocese of Sacramento where the existing church, adjacent structures, and parking lots are located have this zoning designation.

DISCUSSION:

The proposed building will replace a previously constructed building, removed from the site over 2 years ago, that was also used for office and classroom space. The Church and adjacent buildings were constructed and established prior to the site being zoned R-1. Due to the use permit requirements of Section 17.10.030 (B) of the CMC the church and adjacent structures are considered a legal nonconforming use of the site and subject to the provisions of Chapter 17.52 (Nonconforming Uses) of the CMC.

Section 17.52.040 Exception- -Destruction of building states the following “*If at any time any building which is in existence at the time of the adoption of the ordinance codified in this title and which does not conform to the regulations for the district in which it is located is destroyed by natural occurrence, accident or vandalism, to the extent of more than one-half the value thereof, then without further action by the city council the building and the land on which the building was located or maintained shall, from and after the date of destruction, be subject to all the regulations of the district in which the land and/or building are located.*”

Therefore, so that a new building could be constructed for office space and classroom use, to replace the previous building also used as office space and classrooms, a use permit was granted by the Planning Commission pursuant to Section 17.10.030 (B) of the CMC. For various reasons the Church was not able to commence with construction of the building and is requesting a one year time extension to start the building.

RECOMMENDATION:

ACTION

MOVE TO APPROVE A ONE YEAR TIME EXTENSION FOR USE PERMIT 2011-261 SUBJECT TO THE FOLLOWING THREE CONDITIONS AS ORIGINALLY APPROVED BY THE PLANNING COMMISSION.

OR:

DENY A ONE YEAR TIME EXTENSION FOR USE PERMIT 2011-261.

**ORIGINAL CONDITIONS OF APPROVAL
FOR USE PERMIT 2011-261**

CONDITION #1 – AGENCY COMPLIANCE:

The applicant must comply with all local, state and federal agencies regulations especially those imposed by the City of Corning Building & Fire Departments.

CONDITION #2 – HANDICAPPED PARKING:

The applicant must designate, appropriately mark, and maintain, as approved by the Building Official, a handicapped parking space.

CONDITION #3 - SIGN REGULATIONS

The business must comply with the City of Corning sign regulations established by Resolution 10-25-05-01.

ATTACHMENTS

Exhibit "A"

VICINITY MAP

Exhibit "B"

AERIAL PHOTO

Exhibit "C"

EXTENSION LETTER REQUEST

**EXHIBIT "A"
VICINITY MAP**



2ND STREET

EXHIBIT "B"
AERIAL PHOTO

1ST STREET

SITE

PARKING
AREA

JEEBIS DRIVE

JEEBIS DRIVE

EAST STREET



Exhibit "C"
Immaculate Conception Church
814 Solano Street
Corning, California 96021
(530) 824-5879

RECEIVED

MAR 15 2012

CITY OF CORNING

City of Corning
794 Third Street
Corning, CA 96021

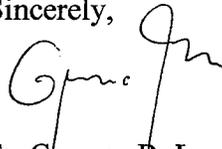
March 16, 2012

City of Corning,

We are requesting a one year extension to our use permit, #2011-261, which was issued March 15, 2011. Last year when we applied, our intention was to start within six months. However, more time was required than expected to make modifications to the plans as well as having a change in our Pastor/Parochial Administrator priest leadership.

As we are in the final stages of drawing plans, our hope is to start very soon. Thank you for your consideration of our request. The \$100.00 fee for this extension is enclosed.

Sincerely,



Fr. Cormac R. Lacre
Parochial Administrator