



# AGENDA

## PLANNING COMMISSION

### 155 W. DURIAN, COALINGA, CA 93210

### TUESDAY JANUARY 22, 2019

***The Mission of the City of Coalinga is to provide for the preservation of the community character by delivering quality, responsive City services, in an efficient and cost-effective manner, and to develop, encourage, and promote a diversified economic base in order to ensure the future financial stability of the City for its citizens.***

#### CALL MEETING TO ORDER (6:00 PM)

Pledge of Allegiance

#### CHANGES TO THE AGENDA

#### ROLL CALL

*Commissioners:*

- Chairman Sailer*
- Vice Chairman (Vacant)*
- Commissioner Jacobs*
- Commissioner Helmar*
- Commissioner Garza*

*Staff:*

- Sean Brewer, Community Development Director*
- Marissa Trejo, City Manager*

#### PUBLIC COMMENTS

*Under Government Code 54954.3 members of the audience may address the Commission on any item of interest to the public or on any agenda item before or during the Commission's consideration of the item. State law prohibits the Planning Commission from acting on non-agenda items.*

#### INFORMATION/CONSENT CALENDAR

1. Minutes - December 11, 2018
2. Consideration of a one (1) year project approval extension request from AMG &

Associates for Site Plan Review Application 16-09 for the Elm Ave Senior Apartments

3. Approval of the 2019 Planning Commission Meeting Calendar

#### PUBLIC HEARINGS

1. Planning Commission Review and Approval of a Conditional Use Permit Modification Application (CUP 17-10-M) for the Approval of a Producing Microbrewery and Restaurant at 466 N. 5th Street.

#### DISCUSSION AND/OR POTENTIAL ACTION ITEMS

1. Swearing in of New Planning Commissioner Sara Pruitt
2. Planning Commission Reorganization

#### DEPARTMENT REPORTS

#### COMMUNICATIONS

1. Staff Announcements
2. Commissioner Announcements
3. Chairman Announcements

#### ADJOURN



## Staff Report- Chairman and Planning Commission

**Subject:** Minutes - December 11, 2018  
**Meeting Date** January 22, 2019  
**Project Location:**  
**Applicant:**  
**Owner:**  
**Prepared By:** Sean Brewer, Community Development Director

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### I. RECOMMENDATION:

Approval of the Minutes from the December 11, 2018 Planning Commission Meeting.

### II. BACKGROUND:

### III. PROPOSAL AND ANALYSIS:

### IV. FISCAL IMPACT:

### V. REASONS FOR RECOMMENDATION:

#### ATTACHMENTS:

##### Description

- ☐ December 11, 2018 Minutes

**MINUTES**  
**PLANNING COMMISSION**  
**155 W. Durian, Coalinga, CA 93210**  
**TUESDAY December 11, 2018**

**CALL MEETING TO ORDER (6:00 PM)**

Pledge of Allegiance

**CHANGES TO THE AGENDA**

**ROLL CALL**

*Commissioners:*

*Chairman Sailer*  
*Vice Chairman Gonzales*  
*Commissioner Jacobs*  
*Commissioner Helmar*  
*Commissioner Garza*

Staff:

Sean Brewer, Community Development Director  
Marissa Trejo, City Manager

Wanda Earls, City Clerk

## **PUBLIC COMMENTS**

*Under Government Code 54954.3 members of the audience may address the Commission on any item of interest to the public or on any agenda item before or during the Commission's consideration of the item. State law prohibits the Planning Commission from acting on non-agenda items.*

## **INFORMATION/CONSENT CALENDAR**

1. Minutes - November 13, 2018
- 2.

*Motion by Helmar, Second by Garza to Approve Consent Calendar and Minutes of November 13, 2018. Motion **Approved** by a 4/0 Majority Voice Vote. (Gonzales Absent)*

## **PUBLIC HEARINGS**

1. **Consideration of a Combined Development Application (CDA 18-05) for a Medical and Adult-Use Commercial Cannabis Microbusiness Engaged in the Manufacturing, Distribution and Cultivation of Cannabis and Cannabis Products located at 1375 W. Elm Ave**

Staff recommends that the Planning Commission adopt Resolution No. 018P-012 with conditions approving application No. CDA 18-05 for a Medical and Adult-Use Commercial Cannabis Microbusiness to include manufacturing (using non-volatile solvents), distribution and cultivation facility to be located a 1375 W. Elm Ave.

October 30, 2018, the Community Development Department received a combined development application for a phased Commercial Cannabis Microbusiness development at 1375 E. Elm Ave. The development consists of the renovation of an existing 4,130 square foot industrial building including onsite improvements with a planned phase two (2) addition of 3,175 square foot. The proposed microbusiness will be engaging in the cultivation of cannabis, act as a licensed distributor and manufacturer using non-volatile solvents.

In accordance with Section 9-5.128(f) of the Coalinga Planning and Zoning Code related to Commercial Cannabis operations, prior to, or concurrently with, applying for a regulatory permit, the applicant shall process a conditional use permit as required by the City's Land Use Regulations. Information that may be duplicative in the two (2) applications can be incorporated by reference. The conditional use permit shall run with the regulatory permit and not the land. The applicant currently has a regulatory permit application under review with the Police Department and pending City Council approval. The State of California is now accepting applications from commercial cannabis operators who will be subject to the comprehensive set of regulations that the State has

adopted. The State regulations that apply to Cannabis Microbusinesses are regulated by the Bureau of Cannabis Control California. Those regulations will govern the various cannabis operations within the state in addition to applicable sections of the City of Coalinga commercial cannabis ordinance.

According to Section 9-6.402 of the City of Coalinga Municipal Code requires that all applicable new structures permanent or temporary erected in the City require a site plan review and approval by the Planning Commission for consistency with all applicable zoning regulations.

The purpose of the site plan review is to enable the Community Development Director or the Planning Commission to make findings that a proposed development is in conformity with the intent and provisions of the Coalinga Municipal Code, and to guide the Building Official in the issuance of permits. The proposed project does not fall under the exempt projects and projects qualifying for Administrative Site Plan Review; therefore, the proposed project requires site plan approval from the Coalinga Planning Commission.

This application constitutes a project in accordance with the California Quality Act, therefore staff has prepared an environmental analysis as part of this land use application.

Once the application was deemed complete staff requested comments from the necessary City Departments. This proposal including conditions of approval reflect feedback from the necessary City Departments.

**General Plan/Zoning Consistency:** The location where the manufacturing facility will be located has a General Plan designation of (MB) Manufacturing and Business with a zoning designation of Manufacturing and Business Light (MBL). The project proposal is consistent with the General Plan and Zoning Designations for Cannabis Uses.

## **Site Plan Analysis**

### **Manufacturing and Business Development Regulations**

There are several development regulations that staff evaluates prior to recommending approval of a site plan review application. This site plan application has been reviewed for compliance with the Coalinga Planning and Zoning Code and meets all applicable requirements for the proposed use based on type, location and site constraints.

### **Development Proposal and Phasing Plan**

The applicant is proposing to complete their operational buildout in two (2) phases. The first phase of development will be a renovate the existing 4,130 square foot industrial building in addition to all the required on and off-site improvements. The second phase is an addition of 3,175 square foot to the existing industrial building. The phasing plan allows for total buildout to occur over the course of two (2) years to ensure compliance with current development regulations.

**Access:** The primary access point for the development will be located on W. Elm Ave/SR198/33 at the southwest corner of the property. According the Fire Department and City Engineer there is adequate space onsite for public safety maneuvering. The need for a secondary ingress/egress point

is not necessary since it would be very difficult to provide an additional ingress/egress location without accessing through an adjacent property to the east.

**Utilities:** All utilities are readily available for connection on West Elm Ave. All utility connections shall be shown on the final site plan and approved by the Planning Department and confirmed by the Public Works Department. Improvement plans will be reviewed and approved by the City Engineer.

**Storm Runoff:** Existing storm drain facilities are in West Elm Avenue and are available to serve this development. Existing Storm water runoff from the project shall continue to be directed into the State right-of-way (SR 198) for collection by the existing storm drain facilities.

**Gas:** Public Natural Gas Facilities exist in Elm Avenue and are available to serve this development.

**Water:** Public Water Facilities exist in Elm Avenue and are available to serve this development.

**Sewer:** Public Sewer Facilities exist in Elm Avenue and are available to serve this development.

**Meters:** Meters for water, and gas service shall be requested by the public works department and shall be designed and installed to City Standards.

**Parking:** In accordance with section 9-4.302 Table 4.4 of the zoning code, the parking requirement for the industrial building is 1 stall for every 1,000 square feet of building space. The proposed development has exceeded the requirement by providing 12 vehicle stalls.

The lot is currently improved entirely of gravel. Phasing the onsite improvements is permitted subject to approval of the City Engineer. All non-paved areas shall be reviewed by the City Engineer to ensure adequate amounts of gravel are installed to acceptable base and compaction levels.

**Refuse Containers:** The proposed development provides a location for the trash enclosure. The required refuse containers locations, size, and shape shall be provided on the final site plan and approved by the City of Coalinga's contracted solid waste hauler.

**Landscaping:** The proposed landscaping exceeds the city's minimum requirement for landscaped areas as it relates to site frontage, parking, highway setbacks and equipment screening. A separate landscape plan will be submitted to the Community Development Department for review and approval prior to building permit issuance.

The proposed project is located within 200 feet of a state highway and shall provide a landscaped area at least fifteen (15) feet deep between the highway right-of-way and any building or parking area for the length of the site frontage facing toward the highway. The applicant has provided the adequate setback from the state highway and will provide the required two (2) fifteen (15) gallon trees for every twenty-five (25) feet of site frontage toward the highway. This will be denoted on the final landscape plan but has been provided conceptually on this plan.

Parking facilities are located within fifty (50) feet of and visible from a right-of-way (State Route 198/33) so the area must be screened by a wall or berm at least two and one-half (2.5) feet high.

**Fencing:** All interior fencing shall be of material allowed under the planning and zoning code. All fencing adjacent to public rights or way will be a combination of wrought iron and landscaping or of a decorative block material. All existing dilapidated interior chain link fencing shall be replaced with new chain link fencing where permitted.

**Lighting:** Lighting has been reviewed and approved by the Police Department to ensure that there will be no spill over lighting. A photometric plan has been provided and meets the criteria of 1.5 foot candle of light site wide. All lighting shall use decorative poles and fixtures with LED technology and avoid HPS lighting in an effort to reduce energy consumption.

**Signage:** In accordance with the zoning regulations related to Commercial Cannabis facilities, no business-related signage shall be provided except for those federally regulated such as ADA.

### **Conditional Use Permit Analysis**

The CUP analysis will look at operation criteria such as security, odor control, hours of operation, etc. The regulatory permit reviewed by the Police Chief and approved by the City Council will consider these items in more depth and to ensure full compliance with the city planning and zoning code related to commercial cannabis operations.

### **Project Summary**

The project applicant proposes to operate an Adult-Use and Medicinal Microbusiness (Manufacturing (non-volatile), Cultivation, and Distribution).

The first operation HiKoa, Inc. seeks to start is cultivation. Once the cultivation operation is up and running, HiKoa, Inc. will start its manufacturing and distribution activities.

### **MICROBUSINESS**

In accordance with state law A microbusiness license allows a licensee to engage in the cultivation of cannabis on area less than 10,000 square feet and to act as a licensed distributor, Level 1 manufacturer (Type 6 – non-volatile), and retailer, as specified in an application. In order to hold a microbusiness license, a licensee must engage in at least three (3) of the four (4) listed commercial cannabis activities. The City of Coalinga allows for microbusinesses as long as retail is not a component.

### **MANUFACTURING**

In accordance with the MAUCRSA a “Manufacturer” means a licensee that conducts the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container.



HiKoa, Inc. will be conducting extractions using a closed-loop nonvolatile solvent extraction method, with only lab-approved harvest batches, and each extraction batch will be internally tested prior to being used in the formulation process. The types of medical cannabis products that will be manufactured and distributed will be limited to capsules, lozenges, pills, oils/oil extracts, tinctures, ointments, skin lotions, and any other products allowable, as specified by state and local regulations and law enforcement.

If at any point HiKoa, Inc. manufactures products in the form of food or other comestibles, HiKoa, Inc. shall obtain and maintain the appropriate approvals from the State Department of Public Health for the provision of food or other comestibles, unless otherwise governed by the Act and licensed by the State, in accordance with §9-5.128(d)(16).

## **CULTIVATION**

In accordance with State Law, “Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis. In addition, a “Cultivation site” means a location where commercial cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or a location where any combinations of those activities occurs.

Using the proven cultivation method outlined in this application, HiKoa, Inc. will produce and maintain a consistent supply of cannabis to support customers in the State of California. HiKoa, Inc. will begin operations with one production facility. The cultivation area of the production facility will maintain the maximum plant canopy of 10,000 square feet and may harvest time in the first year. After the first year of operations, HiKoa, Inc. plans to harvest six times per year. Based on this canopy limitation and number of harvests, HiKoa, Inc.

HiKoa, Inc. will manufacture the cannabis byproduct, often referred to as trim and shake, into extractions and infusions at its manufacturing facility.

## **DISTRIBUTION**

The applicant will distribute only cannabis goods, cannabis accessories, and licensees’ branded merchandise or promotional materials. They shall ensure that all cannabis goods batches are stored separately and distinctly from other cannabis goods batches on the licensed distributor’s premises. They are also permitted to package, re-package, label, and re-label cannabis, including prerolls, for retail sale.

**Location:** (1375 W. Elm Ave - Map & Floor Plans Attached)

**Security:** The applicants site protection strategy will address all forms of security concerns and will be required to meet all the security requirements of 9-5.128 of the Planning and Zoning Code as it relates to commercial cannabis activities. The Police Department has reviewed and verified that the security plan including camera placements, access controls, onsite and perimeter security meet the requirements of the code and the satisfaction of the Police Chief (Section 9-5.128). There will be 24-hour on-site security provided at this site.

**Building Access:** All employees and authorized personnel will enter the building at designated entry area after checking with the 24-hour security personnel at the site entrances who will grant authorization into the facility.

**Odor Control:** In order to control odor while producing at the above capacity and remaining compliant with §9-5.128(d)(15), the facilities will be equipped with both negative pressure and mass filtration systems. Odor control systems will be checked and replaced as necessary to prevent odor from escaping the facilities and becoming a nuisance to the applicant's neighbors.

**Hours of Operation:** The microbusiness is expected to operate from 7am – 7pm, (7) days a week with approximately 3 full time employees.

**Parking:** This facility will be accommodated by the (12) parking stalls as shown on the site plan.

**Security:** HiKoa, Inc. will contract with an entity that provides twenty-four-hour security patrols by a recognized security company licensed by the California Department of Consumer Affairs or otherwise acceptable to the Police Chief for all aspects of physical and asset security.

**Fuel Storage and other Potential Hazardous Materials:** The applicant will be required to meet with the Fire Marshall and Building Official to determine the level of safety protection required based on the desired storage of solvents, and all other hazardous materials on site. Known chemicals and solvents to be used at HiKoa, Inc. have been provided to the Fire Chief for review and approval.

**Water Use:** It is HiKoa, Inc.'s internal directive to not introduce any chemical waste, fertilizers or irrigation run off into the local waste stream. HiKoa, Inc.'s SOPs call for the capture of all cultivation waste water into holding tanks where it will be filtered through a combination of reverse osmosis and water treatment and then utilized as general property landscape irrigation water. Water usage for the cultivation operation is estimated to be 300-400 gallons with peak possibly at 500 gallons per day. This equates to approximately 1/2 acre foot annually. According to public works and utilities, this will not have a significant impact on the water availability, treatment or distribution for the City.

**Wastewater Disposal:** The applicant will not introduce any toxic chemical waste or solvents into the local waste stream and will be required to disclose all products, chemicals, solvents, active ingredients that will be used as part of the extraction and refinement process.

**Solid Waste:** The applicant will be required to utilize the City of Coalinga's solid waste hauler (Mid-Valley Disposal for all solid waste needs including destroyed product, green waste, typical solid waste and any other cannabis related products or byproducts where the State of California has authorized franchised solid waste haulers to provide said services.

**Surrounding Land Uses:**

Surrounding Land Use Setting	
South	<b>Industrial</b>
West	<b>Fresno County Agricultural Land</b>
East	<b>Vacant Land/Industrial</b>
North	<b>Industrial</b>

Per §9-5.128(d)(12), a Commercial Cannabis Operation shall not be located within 1,800 feet, measured from property boundary to property boundary, of any existing school or proposed school site as identified in the General Plan. For purposes of this section, school means any public or private school providing instruction in kindergarten or grades 1-12, inclusive, but does not include any private school in which education is primarily conducted in private homes. The applicant meets this set-back requirement.

**Public Notification:** On December 3, 2018 public hearing notices were sent to all property owners within 300 feet of the site as required by Local and State law.

**Environmental Review:** Section 21084 of the Public Resources Code requires the California Environmental Quality Act (CEQA) Guidelines to include a list of classes of projects that have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. In response to that mandate, the Secretary for Resources has found that several classes of projects listed in Article 19 of the CEQA Guidelines do not have a significant effect on the environment, and they are declared to be categorically exempt from the requirement for the preparation of environmental documents.

The proposed project includes the renovation of an existing 4,130 square foot industrial building and the construction of a 3,175 square foot addition for a cannabis microbusiness involved in cultivation, manufacturing and distribution, and would remain consistent with the General Plan designation of MB and zoning designation of MBL. The project site is located within the City of Coalinga limits on a 0.54-acre parcel that is surrounded by existing industrial development and does not have any value as a habitat for endangered, rare, or threatened species. The proposed project would not result in any significant effects related to biological resources, traffic, noise, air quality, or water quality, and the site would be adequately served by all required utilities and public services. Therefore, the proposed project meets all requirements established by Section 15332 of CEQA Guidelines and can consequently be considered exempt from the provisions of CEQA under a Class 32 exemption.

### **Class 32 Exemption**

Section 15332 of the CEQA Guidelines is as follows:

#### **15332. IN-FILL DEVELOPMENT PROJECTS**

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

- The project site has no value as habitat for endangered, rare or threatened species.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

Chairman Sailer opened the Public Hearing.

Comments:

- No comments received
- Work to start
- Stacked 4K square foot building
- Retail – pre-rolled joints
- Quality control
- Who monitors? State
- Odor scrubbed and compares to past systems
- No odor
- Staff to research established standards
- PG&E almost done with infrastructure for both buildings
- COA 39 Nos Box required
- Waste transferred to Mid Valley
- Almost entire plant will be used
- Drums picked up by hazardous waste
- Considered agri product
- No THC value
- Smell within site

Ms. Michele Leong, Hiko, Inc.

There will be three fulltime employees. They will be City residents. An officer will be on duty.

Coalinga has been the easiest city to work with and is one of our favorites.

Chairman Sailer closed the public hearing.

*Motion by Helmar, Second by Jacobs to Approve Resolution No. 018P-012 with Conditions Approving Application No CDA 18-05 from Hiko, Inc. for a Medical andAdult-use Commercial Cannabis Microbusiness to be located at 1375 W. Elm Street. Motion **Approved** by a 4/0 Majority Roll-call vote. (Gonzales Absent)*

## **DISCUSSION AND/OR POTENTIAL ACTION ITEMS**

### **DEPARTMENT REPORTS - None**

### **COMMUNICATIONS**

1. Staff Announcements - None

2. **Commissioner Announcements** - Commissioner Helmar said on the 8<sup>th</sup> of January she will be in Paris.
3. **Chairman Announcement** – Chairman Sailer wished everyone a Merry Christmas and Happy New Year.

**ADJOURN 6:25 PM**

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Chairman/Vice Chairman

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City Clerk/Deputy Clerk

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Date



## Staff Report- Chairman and Planning Commission

**Subject:** Consideration of a one (1) year project approval extension request from AMG & Associates for Site Plan Review Application 16-09 for the Elm Ave Senior Apartments

**Meeting Date** January 22, 2019

**Project Location:** Elm Ave (Between Walnut and Cherry), Coalinga, CA 93210

**Applicant:** AMG & Associates, 16633 Ventura Blvd, Suite 1017, Encino, CA 91436

**Owner:** AMG & Associates, 16633 Ventura Blvd, Suite 1017, Encino, CA 91436

**Prepared By:** Sean Brewer, Community Development Director

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### I. RECOMMENDATION:

Approval of a one (1) year extension for Site Plan Review 16-09 approved by the City of Coalinga Planning Commission on January 10, 2017.

### II. BACKGROUND:

January 10, 2017, the City of Coalinga Planning Commission approved a 32-unit senior living facility to be located on the south side of East Walnut Avenue between North Maple Road and Elm Avenue (State Route [SR] 33/198). The proposed project site is a 1.52-acre vacant lot is currently zoned and designated Residential High Density (RHD). On January 9, 2018, the planning commission approved the first (1) year extension for the same reasons identified in the current request.

This type of project requires several funding sources (HOME, Tax Credits, Conventional) in order to proceed to construction which are very competitive and hard to obtain.

### III. PROPOSAL AND ANALYSIS:

AMG & Associates have been working diligently to pursue financing for this project but have had challenges in the state competitive tax credit market. In addition the City of Coalinga has committed funding to this project from its Affordable Housing Fund to increase the project competitiveness in the tax credit arena as well as committed to applying for HOME funds on behalf of the developer to get this project fully funded. The City is expected to apply for HOME funds in the coming months.

The developer has a proven track record in the City for following thorough affordable housing projects. AMG & Associates constructed and immediately rented up the Valle Del Sole Apartments which opened in 2016. This is a very similar project to what has been approved on Elm and Walnut.

#### **IV. FISCAL IMPACT:**

None determined at this time.

#### **V. REASONS FOR RECOMMENDATION:**

Affordable housing projects like this require creative funding scenarios where all areas of the financial arena need to come together. It is not uncommon where these types of projects take 2 or even 3 years to come together. Staff is recommending approval of site plan extension for 1 additional year. The new expiration date would be January 22, 2020.

#### **ATTACHMENTS:**

##### **Description**

- Approved Site Plan
- Second (1) Year Extension Letter (1-9-2019)



COPYRIGHT DATE	12/2/16
DRAWN BY	DE
PROJECT #	AMG16-22

**PACIFIC WEST ARCHITECTURE**

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**APPLICANT**  
COALINGA PACIFIC ASSOCIATES II - A CALIFORNIA LIMITED PARTNERSHIP  
CAMERON JOHNSON  
AMG & ASSOCIATES, LLC  
16563 VENTURA BLVD., SUITE 1014  
ENCINO, CA 91436  
(818) 380-2600

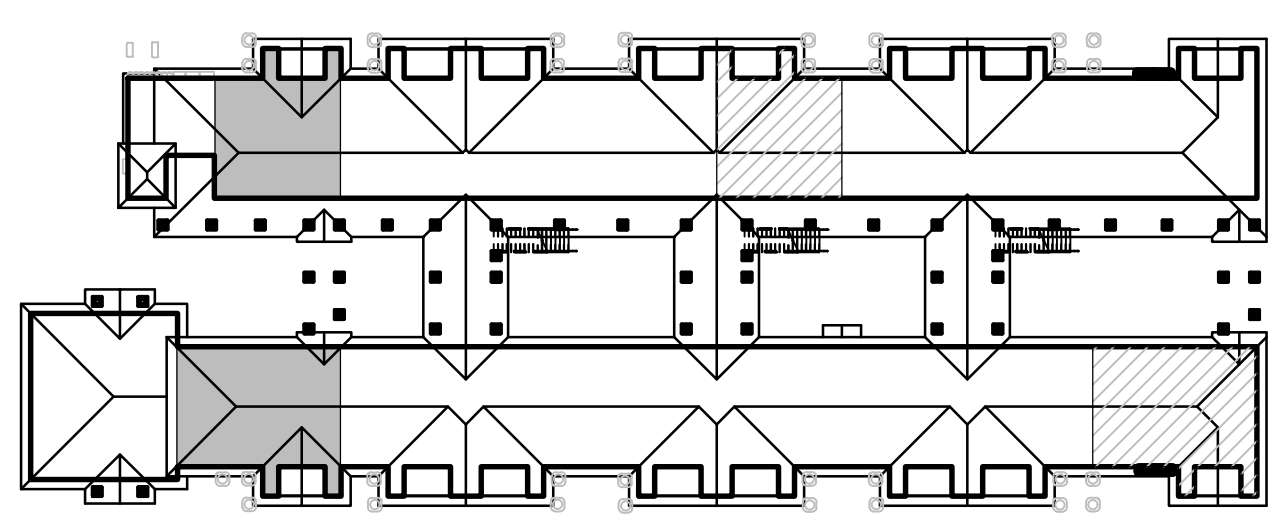
**ARCHITECT**  
PACIFIC WEST ARCHITECTURE  
DOUGLAS GIBSON, CALIFORNIA ARCHITECT C29792  
430 E. STATE STREET, SUITE 100  
EAGLE, IDAHO 83616  
(208)-461-0022 X3021

ACCESSIBILITY	# OF UNITS	PERCENTAGE
GROUND FLOOR UNITS	32	
ADAPTABLE UNITS (ALL GROUND FLOOR UNITS REQ.)	28	
ACCESSIBLE UNITS (10% TOTAL)	4	12.5 %
SENSORY IMPAIRED UNITS (4% TOTAL)	2	6.25 %

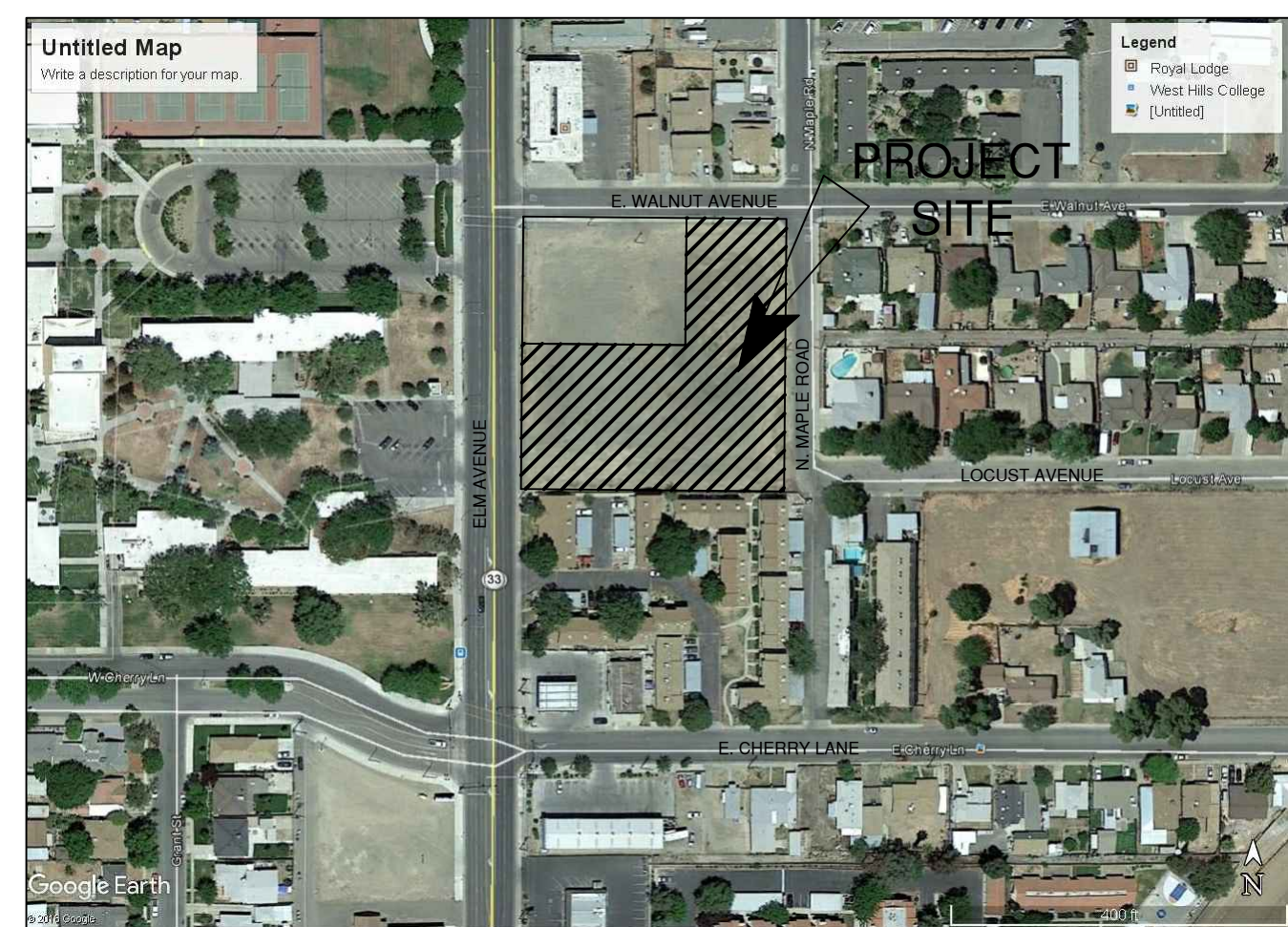
**UNIT MIX SUMMARY**

	CONDITIONED SQ. FOOTAGES
(26) 1-BEDROOM UNITS	(26) x 613 S.F. = 15,938 S.F.
(6) 2-BEDROOM UNITS	(6) x 805 S.F. = 4,830 S.F.
<b>(32) UNITS TOTAL</b>	<b>15,938 S.F. + 4,830 S.F. = 20,768 S.F.</b>

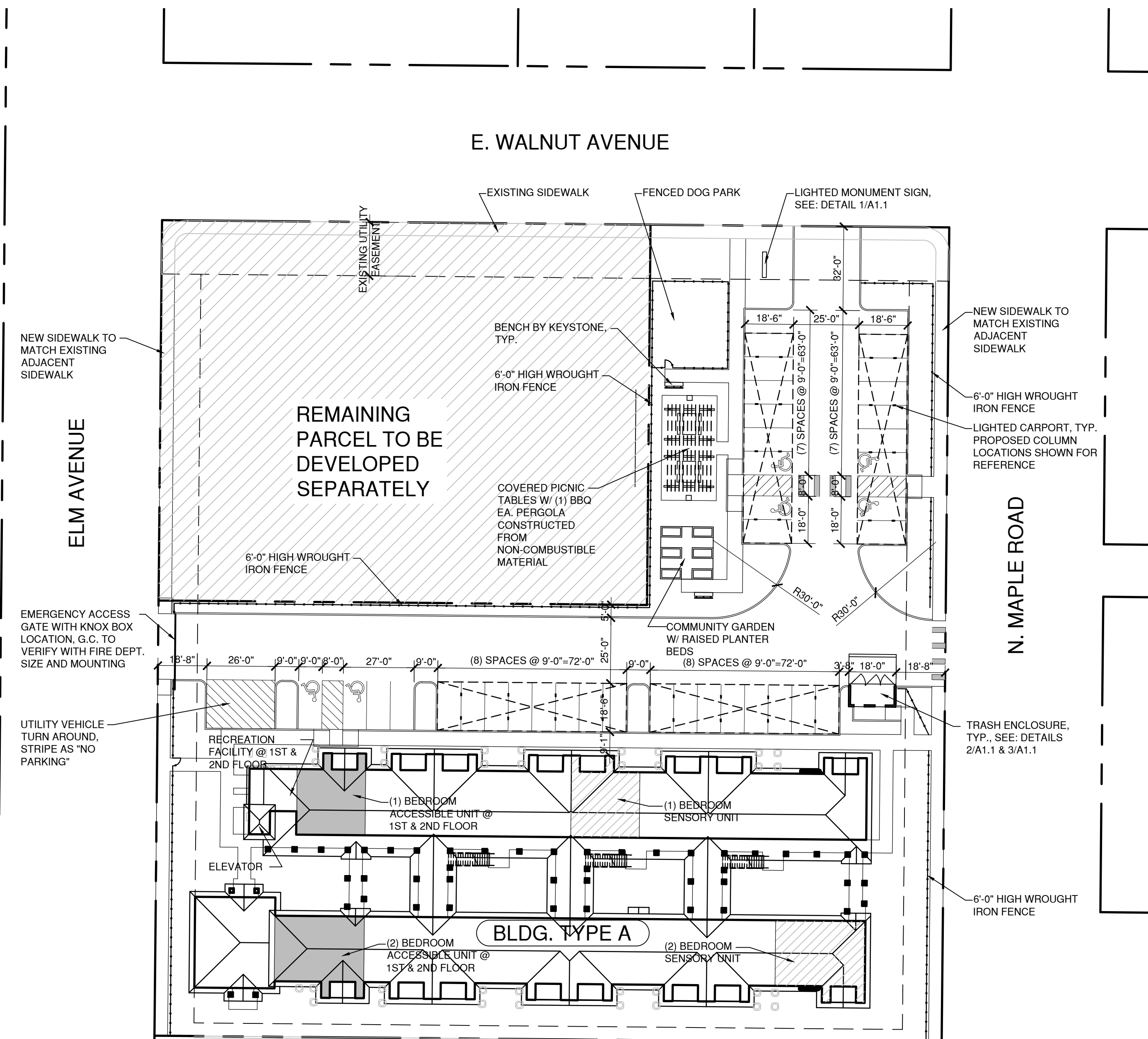
COMMUNITY AREA RECREATION FACILITY: 1,000 S.F.  
TOTAL: 22,068 S.F.



**BUILDING TYPE A**  
(1) BLDG. TOTAL  
FOOTPRINT - 13,110 S.F.  
MAXIMUM HEIGHT - 28'-0" (2) STORY  
OCCUPANCY - APARTMENTS = R2 & COMM. AREA = B  
FULLY SPRINKLERED PER NFPA 13  
CONSTRUCTION TYPE: VB

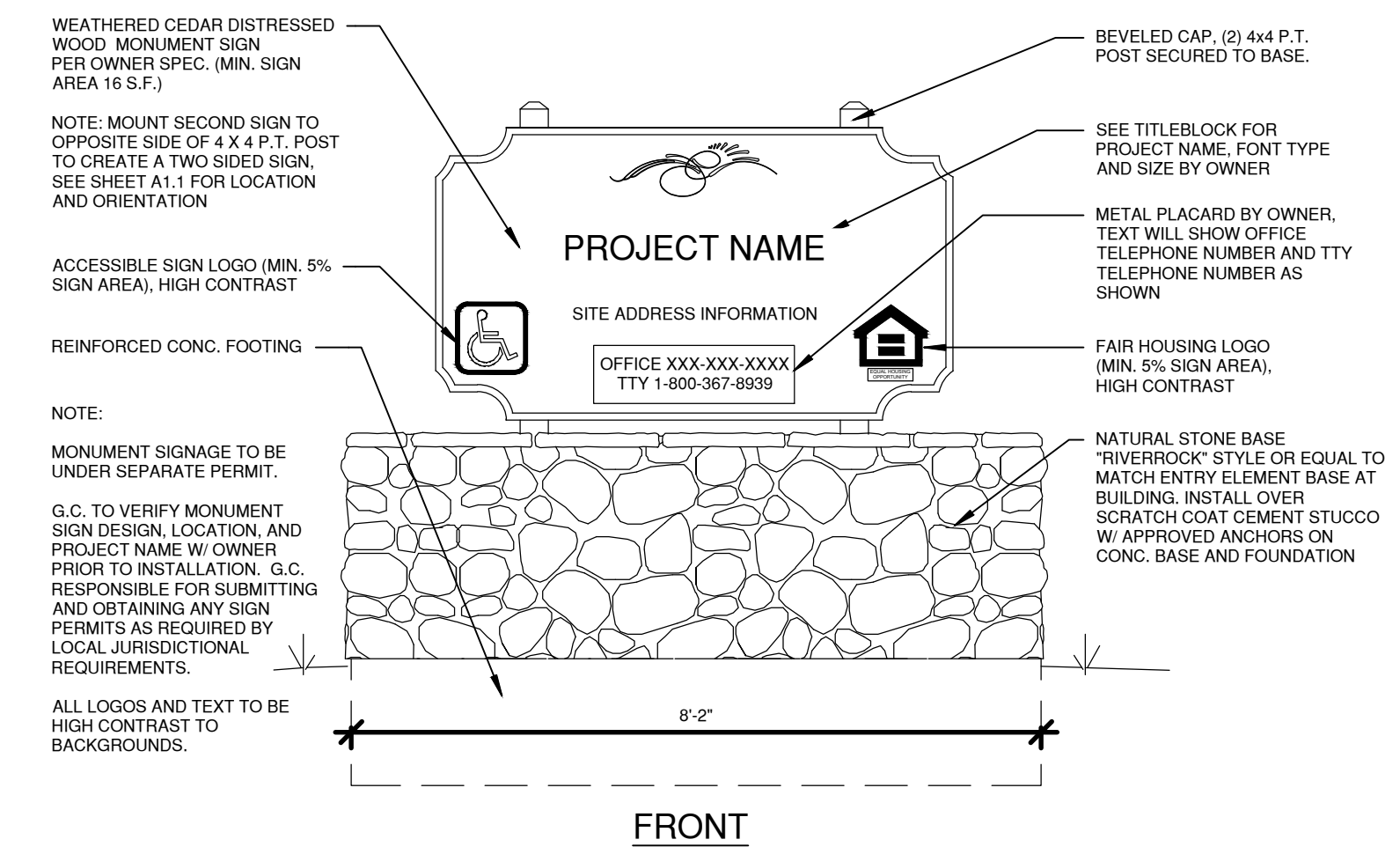


**VICINITY MAP**  
N.T.S.

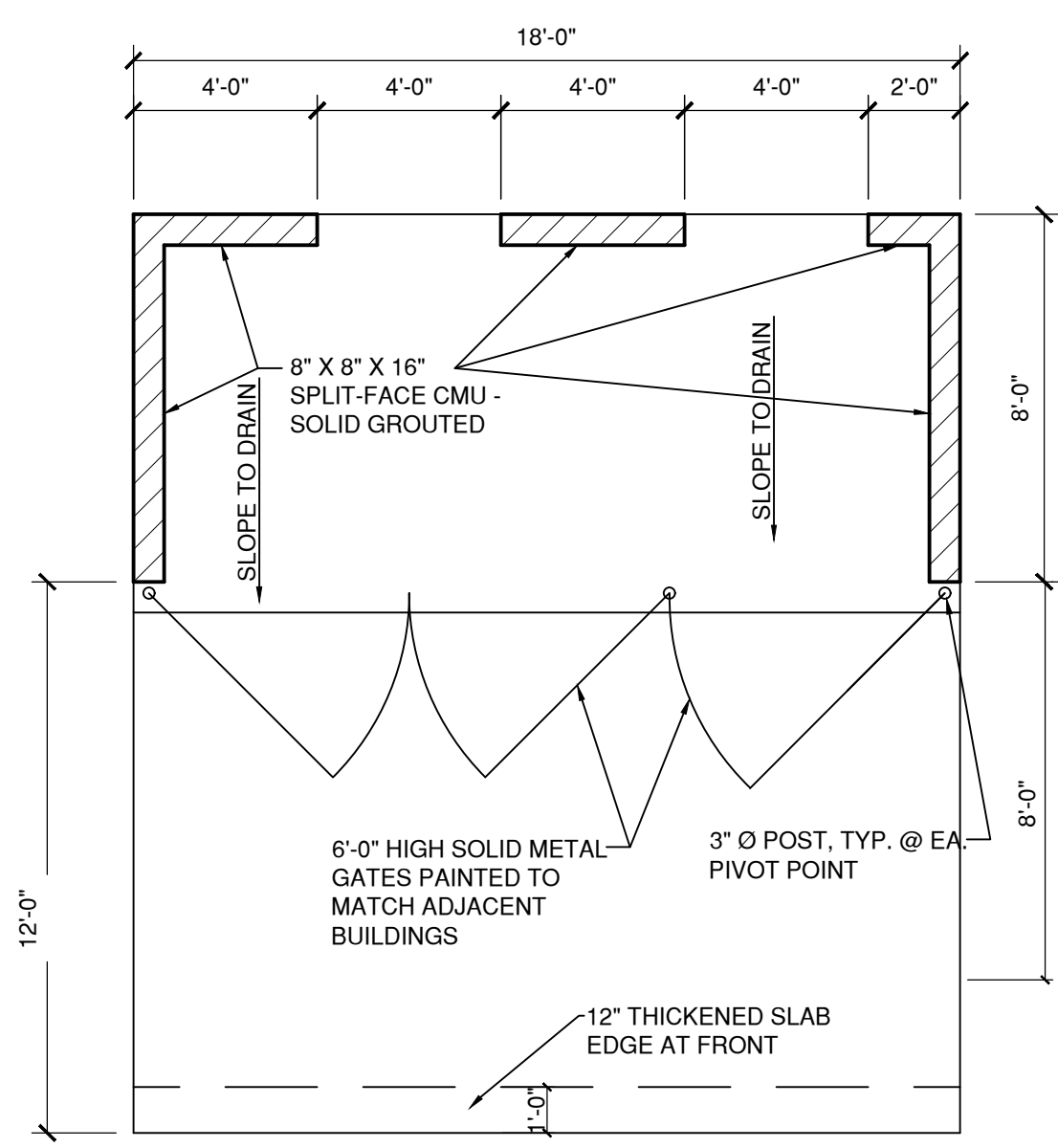


**SITE PLAN**  
SCALE: 1" = 30'-0"

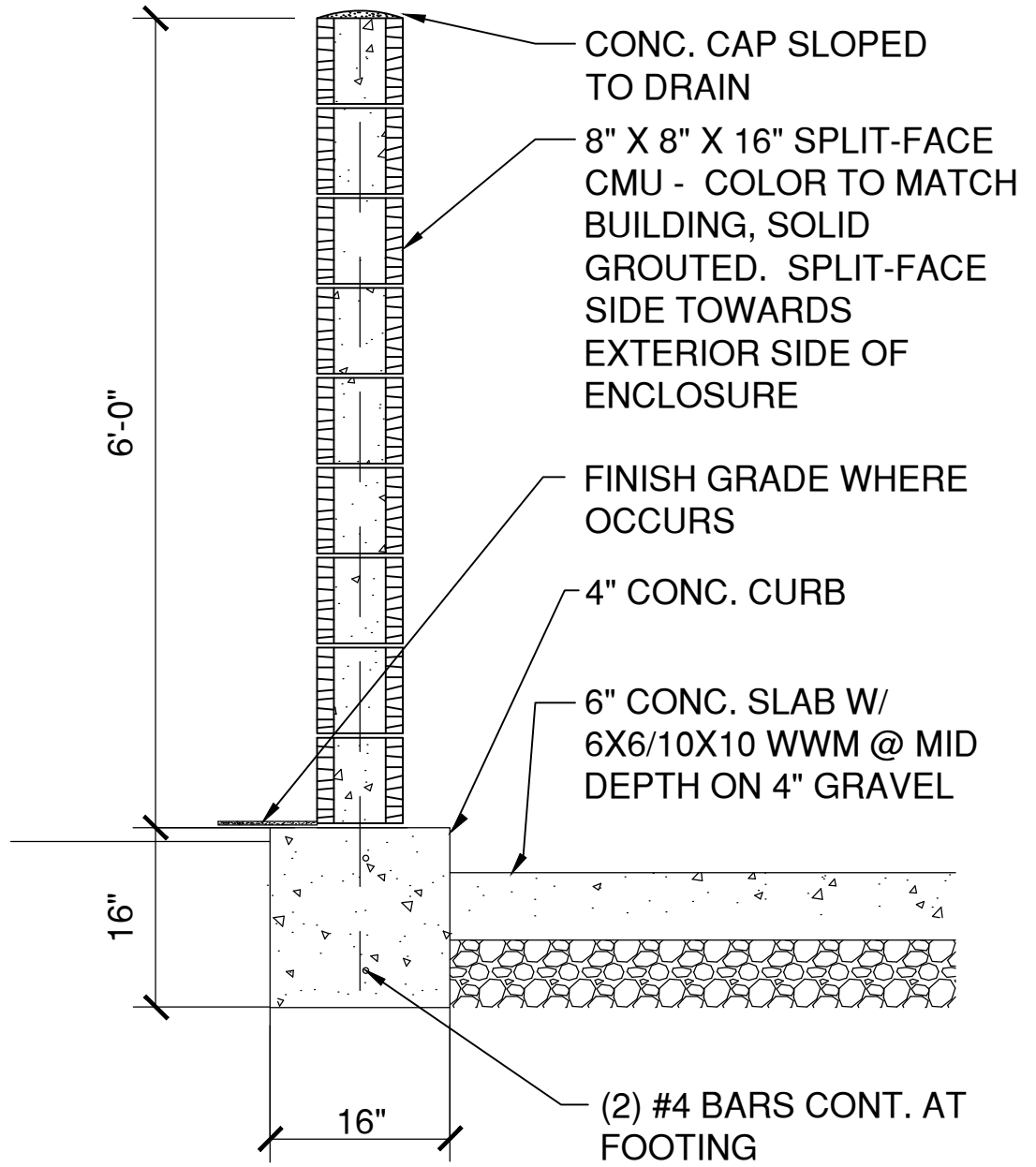
- NOTE:
- SITE PLAN DRAWN WITHOUT BENEFIT OF SURVEY
  - THE LANDSCAPE PLANS WILL COMPLY WITH THE REQUIREMENTS OF THE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE (MWELO)



① **MONUMENT SIGN**  
1/2" = 1'-0"



② **TRASH ENCLOSURE**  
1/4" = 1'-0"



③ **TRASH ENCLOSURE SECTION A-A**  
3/4" = 1'-0"

Pacific West Architecture

430 E. STATE STREET, SUITE 100  
EAGLE, IDAHO 83616  
(208) 461-0022  
fax (208) 461-9267

ALASKA - ARIZONA - CALIFORNIA - COLORADO - HAWAII - IDAHO - IOWA - KANSAS - KENTUCKY - LOUISIANA - MONTANA - NEVADA - NEW MEXICO - NORTH DAKOTA - OREGON - SOUTH DAKOTA - U.S.V.I. - UTAH - WASHINGTON - WYOMING

**ELM AVENUE SENIOR APARTMENTS**

PROJECT

**A1.1**

SCHMATIC SET / NOT FOR CONSTRUCTION



December 7, 2018

**VIA EMAIL**

Sean Brewer, Director  
Community Development Director  
City of Coalinga  
155 W. Durian Avenue  
Coalinga, CA 93210

**Re: One-Year Extension of SPR-16-09  
Elm Avenue Senior Apartments  
32 Unit Senior Living Facility**

Dear Mr. Brewer,

AMG & Associates, applicant for the above referenced project, respectfully requests a second one-year extension of SPR-16-09. SPR-16-09 was originally approved on January 10, 2017. Since the original approval date, AMG has worked diligently in the pursuit of financing for the project. Due to the competitive nature of this financing we were unable to proceed with construction during the one-year approval period and second year extension period. We fully expect to pull building permits and begin construction of this project prior to the expiration of this second one-year extension, should it be granted.

Please contact me with any questions you may have at 818-380-2600 extension 19.

Sincerely,



Cameron Johnson  
Land Acquisition Manager  
AMG & Associates



## Staff Report- Chairman and Planning Commission

**Subject:** Approval of the 2019 Planning Commission Meeting Calendar  
**Meeting Date** January 22, 2019  
**Project Location:**  
**Applicant:**  
**Owner:**  
**Prepared By:** Sean Brewer, Community Development Director

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### I. RECOMMENDATION:

Adoption of the 2019 Planning Commission Meeting Calendar.

### II. BACKGROUND:

In accordance with the Coalinga Municipal Code, Planning Commission meetings are conducted on the second and fourth tuesday of each calendar month.

### III. PROPOSAL AND ANALYSIS:

### IV. FISCAL IMPACT:

### V. REASONS FOR RECOMMENDATION:

#### ATTACHMENTS:

	Description
□	2019 Calendar

# 2019

JANUARY							FEBRUARY							MARCH							APRIL						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
30	31	1	2	3	4	5	27	28	29	30	31	1	2	24	25	26	27	28	1	2	31	1	2	3	4	5	6
6	7	8	9	10	11	12	3	4	5	6	7	8	9	3	4	5	6	7	8	9	7	8	9	10	11	12	13
13	14	15	16	17	18	19	10	11	12	13	14	15	16	10	11	12	13	14	15	16	14	15	16	17	18	19	20
20	21	22	23	24	25	26	17	18	19	20	21	22	23	17	18	19	20	21	22	23	21	22	23	24	25	26	27
27	28	29	30	31	1	2	24	25	26	27	28	1	2	24	25	26	27	28	29	30	28	29	30	1	2	3	4
3	4	5	6	7	8	9	3	4	5	6	7	8	9	31	1	2	3	4	5	6	5	6	7	8	9	10	11

MAY							JUNE							JULY							AUGUST						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
28	29	30	1	2	3	4	26	27	28	29	30	31	1	30	1	2	3	4	5	6	28	29	30	31	1	2	3
5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
26	27	28	29	30	31	1	23	24	25	26	27	28	29	28	29	30	31	1	2	3	25	26	27	28	29	30	31
2	3	4	5	6	7	8	30	1	2	3	4	5	6	4	5	6	7	8	9	10	1	2	3	4	5	6	7

SEPTEMBER							OCTOBER							NOVEMBER							DECEMBER						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	29	30	1	2	3	4	5	27	28	29	30	31	1	2	1	2	3	4	5	6	7
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
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6	7	8	9	10	11	12	3	4	5	6	7	8	9	1	2	3	4	5	6	7	5	6	7	8	9	10	11



Meeting Dates



Meeting Cancelled



## Staff Report- Chairman and Planning Commission

**Subject:** Planning Commission Review and Approval of a Conditional Use Permit Modification Application (CUP 17-10-M) for the Approval of a Producing Microbrewery and Restaurant at 466 N. 5th Street.

**Meeting Date** January 22, 2019

**Project Location:** 466 N. 5th Street, Coalinga, CA 93210

**Applicant:** Juan Maciel, 571 Menker Ave, San Jose, CA 95128

**Owner:** Juan Maciel, 571 Menker Ave, San Jose, CA 95128

**Prepared By:** Sean Brewer, Community Development Director

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### I. RECOMMENDATION:

Staff recommends approval of a Conditional Use Permit Modification Application (17-10-M) by adopting Resolution No. 019P-001 with conditions.

### II. BACKGROUND:

On January 9, 2018 the City of Coalinga Planning Commission Approved Conditional Use Permit Application No 17-10 allowing the establishment of a beer and wine tap room. Follow the formentioned link to view the original approval report: <https://coalinga.novusagenda.com/AgendaPublic/CoverSheet.aspx?ItemID=2316&MeetingID=196>

On December 27, 2018, the Community Development Department received a Conditional Use Permit Modification application from Juan Maciel (further identified as “applicant”) to expand an approved Taproom to a Microbrewery to include the production of beer including the food service at 466 N. 5<sup>th</sup> Street. Staff accepted the application on December 27, 2018 and began processing the application for a modified conditional use permit.

The requirements of a conditional use permit are intended to prevent problems associated with commercial establishments involved in the sale of alcohol for consumption on-site (on-sale) or off-premises (off-sale), and to prevent over-concentration. It has been demonstrated that such establishments can adversely affect nearby commercial and residential uses and can create substantial demands for police services. Therefore, the purpose of the CUP is to establish regulations to govern land uses involved in the production and dispensing of alcoholic beverages.

### III. PROPOSAL AND ANALYSIS:

**Project Summary:** The applicant proposes to modify his existing conditional use permit for taproom to change uses to a small microbrewery so that he can produce beer as well as to serve the produced beer to customers at 466 N. 5<sup>th</sup> Street. A microbrewery operates similar to that of a bar or lounge that serves alcoholic beverages but focuses on beer and sometimes wine with limited production onsite. The original approval did not permit the applicant to produce beer on-site without subsequent approval by the Planning Commission and modification of the use permit. The original application submitted stated that minor production may occur on the premises in the future but there was not enough information at the time to permit this activity under this application.

**Modification Request:** The modification request includes the ability of the applicant to produce beer on-site within the existing building and operate as a microbrewery. Under California ABC Law, the proposed use would be classified as a “Type 23” small beer manufacturer (Brew Pub or Micro-brewery) which authorizes a small-scale brewery operation (typically produces less than 15,000 barrels per year but permitted up to 60,000 barrels) that typically is dedicated solely to the production of specialty beers in draft form, exclusively at the brewery, although some do have a restaurant or pub on their manufacturing plant. In addition to the beer production and sales, the applicant wishes to operate an incubator kitchen for startup restaurateurs to prepare food to be sold on and off-site.

**CUP Analysis**

**General Plan/Zoning Consistency:** The current zoning and land use designation for the subject property is (CG) Commercial General. Microbreweries limited in scope to the inside of the building have been determined to fall under the land use classification of Bars/night clubs/lounges/food service which are businesses serving beverages for consumption on the premises as a primary use and including on-sale service of alcohol including beer, wine, and mixed drinks. This includes providing food for its patrons in addition to establishments that provide dancing or entertainment. In accordance with the Coalinga Planning and Zoning Code, these additional uses are permitted subject to approval of a conditional use permit.

**Location/Building (APN: 072-111-16ST):** The proposed microbrewery is to be located at 466 N. 5<sup>th</sup> Street located between Birch and Cedar in the downtown plaza overlay district. The building is approximately 2,000 square feet which was previously used as an office building for the CA State Department of Conservation, Division of Oil and Gas. Interior tenant improvements will need to be made to accommodate the new use.

**Surrounding Land Use Setting:**

South	<b>Commercial (CHUSD HR Office/Boardroom, Private Security -DEFCON)</b>
West	<b>Commercial (Mortuary) - Vacant</b>
East	<b>Commercial (Flower Shop)</b>
North	<b>Commercial Zone (Existing Legal Non-Conforming Residence)</b>

Staff has determined that there are no land use compatibility and/or transitional concerns related to the placement and approval of this use as the use will be operated entirely indoors.

**Operations:** The microbrewery will be operated by the owner of the property as a sole proprietor. The sale and production of beer will only be permitted within the existing 2,000 s/f building and detached structure located near the northeast corner of the lot. Beer and Wine may be the only permitted alcoholic beverages to be sold and produced on these premises in accordance with the Type 23 ABC License. This facility shall be

permitted to be used as a brewing location for homebrewers where the facilities equipment is used to manufacture the homebrew in accordance with State law. No spirits shall be manufactured or sold at this location. All sales will be monitored by the California Department of Alcoholic Beverage Control (ABC) and strictly enforced. In addition to the production and sale of beer, the applicant plans to construct a commercial kitchen in order to provide food options to patrons in addition to serving as a startup incubator for aspiring chefs and restaurateurs to prepare entrees for sale onsite and off-site.

**Brewing Process and Equipment:** Whether you are a home brewer or a commercial brewer the processes are very similar in that beer is produced from fermenting sugars derived from grain, usually barley. Typical processes for brewing is (1) Malting, (2) Mashing, (3) Boiling, (4) Fermentation and (5) Bottling/Aging.

Malting: Brewing begins with raw barley, wheat, oats or rye that has germinated in a malt house. The grain is then dried in a kiln and sometimes roasted, a process that usually takes place in a separate location from the brewery. At the brewery, the malt is sent through a grist mill, cracking open the husks of the kernels, which helps expose the starches during the mashing process. The process of steep milling, or soaking the grain before milling, is also an option for large-scale brewers. The type of mill proposed in this application is a hand crank with the option of using a power drill as an attachment.

Mashing: The first step in the beer-making process is mashing, in which the grist, or milled malt, is transferred to the mash tun. Mashing is the process of combining the grist and water, also known as liquor, and heating it to temperatures usually between 100 degrees Fahrenheit up to 170 degrees Fahrenheit. Mashing causes the natural enzymes in the malt to break down starches, converting them to sugars, which will eventually become alcohol. This process takes place in one to two hours. Mash temperatures can be gradually increased or allowed to rest at certain temperatures, choices which are very much part of the brewer's art. Different temperature levels activate different enzymes and affect the release of proteins and fermentable sugars. Proteins play a smaller role but are important to the creation of foam in a finished beer.

Boiling: Once a brewer has wort, it is sterilized through a boiling process in a kettle, which halts enzyme activity and condenses the liquid. During the boil, which typically lasts from 60 to 120 minutes, hops are added during this process.

Fermentation: Wort is transferred to a fermentation tank and the yeast is pitched, or added where the conversion of sugars to alcohol and carbon dioxide that lead to an ale or a lager, depending on the type of yeast used. Once yeast has been pitched at proper temperature, the beer is generally maintained from 60 to 68 degrees Fahrenheit for ales, and 50 degrees Fahrenheit for lagers. The process of the yeast converting sugars to alcohol generates heat.

Bottling/Aging: Once the beer has fermented, it must be kegged or bottled and carbonated, either naturally or by force. Force carbonation involves adding CO<sub>2</sub> to a container under high pressure, forcing it to be absorbed into the beer.

Typical Equipment: Equipment necessary to start a brewery normally consists kettles, kegs, boilers, bottling and canning lines, conveyors, cooling systems, storage tanks, fermentation tanks, filters and beer-labeling machines, piping and tubing, refrigeration equipment, cleaning equipment, waste treatment systems and tap handles. All equipment will be located and stored inside.

**Hours:** The applicant plans to operate the microbrewery Thursday – Sunday from 12pm to 10pm except for 11pm on Saturdays. Beer production shall be allowed any day of the week.

**Noise:** Typical beer production processes do not inherently create a lot of noise, therefore amending the use permit to include beer production should not create a noise impact to the surrounding properties. Production will be limited to an enclosed building unless decibel levels can be maintained below the maximum allowable

levels for the commercial zoning designation where certain processed may be operated outdoor in the back of the lot.

The applicant is also requesting occasional live music indoors. The conditions of approval address restrictions on entertainment and noise to reduce impacts to adjacent residents. This modification would permit both live and amplified music inside the microbrewery, however, if music is to be allowed outside, a noise management plan shall be submitted to the Community Development Department for review and approval by the Community Development Director and Police Chief. Said plan shall establish the method by which noise impacts, including but not limited to, amplified music and patron noise from within the facility as well as patrons/pedestrians outside of the facility in the back area or on the adjacent public sidewalk/street will be regulated to avoid disruption to the immediate neighborhood. Noise levels shall not exceed 65 db levels from any surrounding residential areas adjacent to the subject property.

**Special Events:** There may be cases where special events take place at this location and the applicant will be required to ensure the appropriate measures are taken to provide adequate crowd control and noise control.

**Lighting:** Exterior lighting will need to adequately illuminate the sidewalk and other public ways in front of the business at closing times and insure the safety of patrons and discourage loitering in front of the business. Staff will work with the applicant to ensure that the decorative lights on Plaza are in working condition to ensure lighting is adequate at the time of occupancy. Staff has included as a condition of approval to ensure adequate lighting including additional pack lighting on the building.

**Parking:** The site has the ability to accommodate 2 off-street parking spaces. In accordance with the Planning and Zoning Code, the parking requirement for this type of use is 1 space per 75 s/f of seating area. Therefore, the maximum required parking demand for this site is 26 taking into account full open seating within the microbrewery. Although the site cannot accommodate the required parking spaces, the zoning code does allow the number of parking spaces required by Table 4.4 to be reduced as well in certain circumstances on-street parking availability and the availability of public parking can't help off-set the on-site parking demand. Ample on-street public parking is available within and on the plaza from Elm Ave to Birch. This building is to be treated similar to other businesses located in the plaza who rely on on-street/downtown parking facilities to accommodate their parking demands.

If parking shortages or other parking-related problems develop, conditions of approval will require the business operator to institute appropriate operational measures necessary to minimize or eliminate the problem including, but not limited to, adjusting the operating hours of the business.

**Public Notification:** Public hearing notices were sent to all property owners within 300' feet of the site as required by Local and State law.

**Environmental Considerations:** The proposed project has been determined to be exempt from CEQA in accordance with Section 15301(a) for existing facilities. A notice of exemption will be filed with the Fresno County Clerk's Office once approval has been granted for this application.

#### **IV. FISCAL IMPACT:**

None determined at this time.

#### **V. REASONS FOR RECOMMENDATION:**

A Conditional Use Permit shall only be granted if the Planning Commission determines that the project as

submitted or as modified conforms to all of the following criteria. If the Planning Commission determines that it is not possible to make all of the required findings, the application shall be denied. The specific basis for denial shall be established for the record.

**General Plan consistency:** Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable plan that the City has adopted;

This project furthers the advancement of the goals and objectives of the general plan by providing a diversification of uses in the commercial zone and downtown overlay districts of the City. The proposed use is consistent with the uses allowed in the general commercial zoning district and does not pose a threat to the health, safety, and welfare of the adjacent properties or the community as a whole.

***GP Policy LU1-2***

Retain and expand diversified business opportunities that are compatible with the environment, community values and community vision of the City.

***GP Policy LU1-3***

Attract new businesses to the City that are compatible with the community vision and improve the balance among commercial, professional office, and industrial businesses so that the needs of Coalinga residents are provided for without compromising the community character.

***GP Policy LU5-1***

The City shall actively encourage expanded commercial/retail shopping opportunities and employment generating uses in the Downtown area, generally defined as the square-shaped area between Van Ness Street to the north, Polk Street to the south, Sunset Street to the west and Hayes Street to the east, especially infill development.

***GP Policy LU5-2***

The City shall enhance the City's historic Downtown Core by creating an efficient, attractive, and pedestrian-oriented area that reflects the City's historic character while providing a diverse mix of uses

**Neighborhood compatibility:** The location, size, design, bulk, coverage, density, traffic generation and operating characteristics of the proposed project are consistent with the purposes of the district where it is located, and will not have an adverse effect on the neighborhood and surrounding properties;

The proposed use meets and/or exceeds all development regulations for the district that it is located and shows similar operational characteristics to its surroundings uses and zoning designations which will eliminate any adverse effect on the neighborhood and surrounding properties. With the development regulations placed on the proposed use, it will not have a significant impact on traffic and noise within the surrounding areas.

**Asset for the neighborhood:** The nature, use and architectural/design features of the proposed development make it attractive, functional and convenient. The proposed development enhances the successful operation of the surrounding area in its basic community functions, or provides an essential service to the community or region.

With the establishment of this use, there will be a reduction in vacant buildings and provide another service that is regularly used within the Community. Microbreweries are a form of bar/lounge with a reduced impact to that of a traditional bar where spirits are served. Microbreweries are traditionally limited to beer and wine with a unique concentration on local producers.

ATTACHMENTS:



## Description

- ☐ CUP 17-10-M Application
- ☐ Resolution 019P-001 with Conditions

CITY OF COALINGA  
MODIFICATION OF  
USE PERMIT APPLICATION

CVP 17-10-M  
Application Number

12-19-2018  
Date

APPLICANT INFORMATION:

Applicant/Property Owner: JUAN MACIEL  
Applicant's Mailing Address: 571 MENKER AVENUE SAN JOSE, CA. 95128  
Telephone Number: (408) 679-6311 Assessor Parcel No.: 072-111-16T  
Property Location: 466 N. FIFTH ST. COALINGA, CA.

Legal Description (lot, block, tracts, etc.)  
Beginning at a point on the Northeasterly line of Fifth Street, distant thereon 50 feet  
Southeasterly from the corner formed by the intersection of the Northeasterly line of fifth Street  
with the Southeasterly line of "B" Street; thence Southeasterly along said Northeasterly line of  
Fifth Street a distance of 75 feet; thence at right angles Northeasterly 100 feet; thence at right  
angles Northwesterly 75 feet; thence at right angles Southwesterly 100 feet to the place of  
beginning.  
Said property is also described as Lot 14 in Block 8 according to the Official Map recorded in  
Book 10 Page 5 of Record of Surveys, in the office of the County Recorder of said County.

PROPERTY USE INFORMATION:

Current Zoning: COMMERCIAL Existing Use: COMMERCIAL OFFICE SPACE

Existing Number of Lots: \_\_\_\_\_ Proposed Number of Lots: \_\_\_\_\_

Area of Parcel (s): \_\_\_\_\_

Proposed Use: SMALL-BATCH BREWERY USING TRADITIONAL INGREDIENTS AND METHODS,

IN A WESTERN DECOR SETTING. ESTABLISHMENT WILL BE FAMILY & PET FRIENDLY.  
(If additional space is required attach separate sheet of paper) COMMERCIAL KITCHEN TO BE INSTALLED BY SUMMER OF 2019

Describe any new structures or improvements associated with modification of the use (indicate total square foot of structures):  
USING THE 1,670 SF OF SPACE, WITH A PORTION OF IT DEDICATED TO  
BEER PRODUCTION, AND THE REMAINDER FOR SEATING AND BEER TASTING.  
(If additional space is required attach separate sheet of paper) FOOD PREPARATION & DINING TO FOLLOW ONCE PERMITTED.

Describe operational characteristics of use (Hours of operation, Number of Employees, Vehicle Traffic, to and from use, Parking requirements, etc.): PROPOSED HOURS OF BUSINESS: THURSDAY, FRIDAY, SAT. AND SUNDAY,  
FROM 12 NOON TO 10PM DAILY, EXCEPT 11PM ON SATURDAYS. OCCASSIONAL LIVE MUSIC.  
(If additional space is required attach separate sheet of paper)

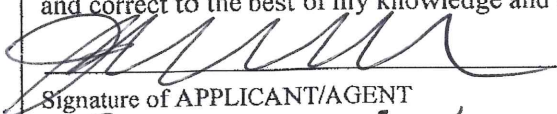
Give justification for Modification of existing use permit: TO OPERATE A SUSTAINABLE, PROFITABLE  
BUSINESS THAT EMPLOYS LOCAL PEOPLE, GIVES BACK TO THE COMMUNITY  
AND PUTS COALINGA ON THE "BEST SMALL-TOWN BREWERIES MAP!"

- Adhering to all Health and Safety codes, a commercial kitchen permit will be applied for, to serve as a small-business incubator for aspiring chefs & bakers that hail from the local community.

The undersigned applicant has the ability and intention to proceed with the actual construction work in accordance with these plans (as approved) within one year from the date of approval and the applicant understands that this Conditional Use Permit, if granted, becomes null and void and of no effect if the applicant does not commence with the actual construction work in accordance with these plans within one year from the date of approval of this application and diligently proceed to completion. An extension to commence the work at a later date may be granted by the Planning Commission, upon the written petition of applicant for such extension before the expiration of the one-year period. The applicant understands that the Commission may also establish a deadline for the completion of said project.

Signature of BOTH the APPLICANT and RECORDED PROPERTY OWNER(S) are required below as applicable.

The forgoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.



Signature of APPLICANT/AGENT

JUAN MACIEL

Name of APPLICANT/AGENT (Please Print)

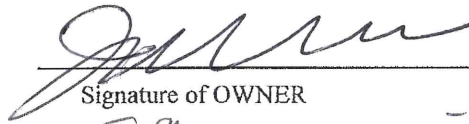
571 MENKER AVE SAN JOSE, CA

Mailing Address

95128

(408) 679-6311

Telephone Address



Signature of OWNER

JUAN MACIEL

Name of OWNER (Please Print)

571 MENKER AVE SAN JOSE,

Mailing Address

CA. 95128

(408) 679-6311

Telephone Address

# RESOLUTION 019P-001

## A RESOLUTION OF THE CITY OF COALINGA PLANNING COMMISSION APPROVING WITH CONDITIONS A MODIFICATION TO CONDITIONAL USE PERMIT APPLICATION NUMBER 17-10 FOR A MICROBREWERY INCLUDING FOOD SERVICE TO BE LOCATED AT 466 N. 5<sup>TH</sup> STREET

WHEREAS, the City of Coalinga Community Development Department has received an application to modify Conditional Use Permit 17-10 from a beer and wine taproom to a small producing microbrewery with food service to be located at 466 N. 5<sup>th</sup> Street; and

WHEREAS, the Planning Commission held the scheduled and noticed public hearing on January 22, 2019 to take testimony with regard to the proposed application, and;

WHEREAS, Public hearing notices were sent to all property owners within 300' feet of the site as required by Local and State law.

WHEREAS, the Planning Commission has determined that this project is exempt for further environmental review under CEQA in accordance with Government Code Section 15301 (existing facilities), and;

WHEREAS, the Planning Commission completed its review of the proposed development and information contained in the staff report and has considered the testimony received during the public meeting process and comments provided via mail, and;

WHEREAS, the Planning Commission has made the following findings based on the development proposal:

**General Plan Consistency.** Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable plan that the City has adopted;

**Neighborhood Compatibility.** The location, size, design, bulk, coverage, density, traffic generation and operating characteristics of the proposed project are consistent with the purposes of the district where it is located, and will not have an adverse effect on the neighborhood and surrounding properties; and

**Asset for the Neighborhood.** The nature, use and architectural/design features of the proposed development make it attractive, functional and convenient. The proposed development enhances the successful operation of the surrounding area in its basic community functions, or provides an essential service to the community or region.

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NOW THEREFORE BE IT RESOLVED, that the Planning Commission approves the modification of the conditional use permit at the above location with conditions (Exhibit A):

PASSED AND ADOPTED, by the City of Coalinga Planning Commission at a regularly scheduled meeting held on the 22<sup>nd</sup> Day of January 2019.

AYES:

NOES:

ABSTAIN:

ABSENT:

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Planning Commission Chairman/Vice Chairman

ATTEST:

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City Clerk/Deputy City Clerk

## Exhibit A

### **General On-going Procedural and Operational Conditions of Approval – Conditional Use Permit 17-10-M (466 N. 5<sup>th</sup> Street – Microbrewery)**

**REVISIONS:** Any proposed changes or revisions to the approved use or activities on the site shall require submittal, review and approval of a revised conditional use permit application.

**EXPIRATION:** This approval shall become null and void if all conditions have not been completed and the occupancy or use of the land has not taken place within one (1) year of the effective date of conditional approval.

**LICENSES:** Prior to selling and producing alcoholic beverages on site, the applicant shall obtain the appropriate license from the California State Department of Alcoholic Beverage Control and must follow the conditions of said license at all times. Production shall be limited per the conditions of approval and staff report incorporated including the limitations place on the applicant by the California State Department of Alcoholic Beverage Control.

**CONTINUOUS EFFECT:** All of the conditions of this approval are continuously in effect throughout the operative life of the project for the uses approved. Failure of the property owner, tenant, applicant, developer or any operator to comply with any or all of the conditions at any time may result in a public hearing and revocation of the use provided adequate notice, time and opportunity is provided to the property owner or other party to correct the non-complying situation.

**PROPERTY MAINTENANCE:** The tenant and/or property owner shall continually maintain the property and its infrastructure so that it is visually attractive and not dangerous to the health, safety and general welfare of both its employees, patrons and surrounding properties.

**SIGNAGE:** All signage related to the sale of alcoholic beverages shall be in accordance with the City's sign regulations located in the City's planning and zoning code.

**POLICE DEPARTMENT:** Should the Police Department determine that the sale of alcohol at this location has become an excessive burden on police services the Police Department may remedy the situation by recommending to the Planning Commission revoke the Conditional Use Permit.

**ADDITIONAL CONDITIONS:**

1. The applicant shall maintain, at all times, compliance with the requirements of Section 9-5.103 of the Coalinga Planning and Zoning Code pertaining to commercial establishments involved in the sale of alcoholic beverages.
2. The conditional use permit authorizes the production and retail sale of beer and wine for on and off-site consumption.
3. All exterior lighting shall be reviewed and approved by the Police Chief before certificate of occupancy is granted.

4. Hours of operation are restricted to from 12:00 p.m. to 10:00 p.m. Thursday through Sunday (11pm on Saturday's). Any request for extended days and/or hours of operation shall be approved by the Community Development Director and Police Chief.
5. There shall be no loitering on the premises and shall have the proper postings necessary to discourage loitering.
6. There shall be no outdoor storage permitted on the premises.
7. The business shall be conducted, at all time, in a manner that will allow the quiet enjoyment of the surrounding neighborhood. The application and/or business owner shall institute whatever security and operational measures necessary to comply with this requirement.
8. All proposed signage will require the filing of a sign permit application with the Community Development Department.
9. Sound from the premises shall not exceed 65db from the exterior property lines of the property.
10. The presence and consumption of alcohol shall not be visible from adjacent properties or public rights of way.
11. If live entertainment is provided outside the enclosed buildings, a noise management plan shall be submitted to the Community Development Department for review and approval by the Community Development Director and Police Chief. Said plan shall establish the method by which noise impacts, will be regulated to avoid disruption to the immediate neighborhood.
12. Prior to issuing a building permit the conditions of approval shall be required to be incorporated within the approved plans.
13. Food preparation on-site shall be permitted within an approved commercial kitchen.
14. The maximum occupancy, as determined by the provisions of the California Building Code shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time. Occupant loads for the back-patio area and enclosed building shall be marked separately. This shall be reviewed and approved by the Building Official and Fire Marshall.
15. The applicant shall defend, indemnify, and hold harmless the City or any if its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul the approval of the project when such claim or action is brought within the time period provided for in applicable state and /or local statues. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding

if the City bears its own attorney's fees and costs, and the City defends the action in good faith.

16. This use permit shall be subject to revocation by the Planning Commission at such time as any of the following conditions are found to exist:
  - a. Conditions of approval have not been fulfilled;
  - b. The use has resulted in a substantial adverse effect on the health and/or general welfare of users of adjacent or proximate property; or
  - c. The use has resulted in a substantial adverse impact on public facilities or services.





## **Staff Report- Chairman and Planning Commission**

**Subject:** Planning Commission Reorganization  
**Meeting Date** January 22, 2019  
**Project Location:**  
**Applicant:**  
**Owner:**  
**Prepared By:** Sean Brewer, Community Development Director

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### **I. RECOMMENDATION:**

Staff is recommending that the Commission conduct a reorganization of the Chairman and Vice Chairman seats.

### **II. BACKGROUND:**

The process for selecting a Chairman and Vice Chairman has occurred annually at the first or second January meeting. The sitting Commission selects a Chairman and Vice Chairman following a process of a nomination and a second of one of its sitting members and a vote. If the person received a simple majority of the vote, he/she becomes Chairman. The same process was then conducted for the Vice Chairman.

### **III. PROPOSAL AND ANALYSIS:**

### **IV. FISCAL IMPACT:**

### **V. REASONS FOR RECOMMENDATION:**