



**CITY OF CORNING  
PLANNING COMMISSION MEETING AGENDA  
TUESDAY, APRIL 20, 2021  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

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

**B. ROLL CALL:**

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

**C. 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.**

**D. MINUTES:**

**1. Waive the reading and approve the Minutes of the March 16, 2021 Planning Commission Meeting with any necessary corrections:**

**E. PUBLIC HEARINGS AND MEETINGS:**

**2. Use Permit 2021-295 – HOMETOWN HUB. Applicant: Joi D. Gonzalez: seeks Use Permit to sell beer and wine within a new Restaurant (HOMETOWN HUB) located within Heritage Square at 955 Highway 99W, Suite 119. APN: 071-140-027.**

**3. Use Permit 2021-296 – Bartels Chuckwagon. Applicant: Eric & Victoria Bartels, to allow an on-site trailer to sell coffee breakfast items in front of Bartels Giant Burger, an established business. Location: 22355 Corning Rd., APN: 069-210-042-000.  
**Item removed from Agenda – No Action Required.****

**F. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR:**

**G. ADJOURNMENT!:**

**POSTED: FRIDAY, APRIL 16, 2021**



**CITY OF CORNING  
PLANNING COMMISSION MEETING AGENDA  
TUESDAY, MARCH 16, 2021  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

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

**B. ROLL CALL:**

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

All members of the Commission were present.

**C. BUSINESS FROM THE FLOOR: None.**

**D. MINUTES:**

**1. Waive the reading and approve the Minutes of the following meetings any necessary corrections:**

**a. February 16, 2021 Joint Planning Commission & Special City Council Meeting; and**

Commissioner Barron moved to approve Minutes of the February 16, 2021 Joint Planning/Special City Council Meeting as written. Commissioner Pendergraft seconded the motion. **Ayes: Robertson, Barron, Poisson, Mesker, and Pendergraft. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**b. February 22, 2021 Joint Special City Council & Planning Commission Meeting.**

Commissioner Mesker moved to approve Minutes of the February 22, 2021 Joint Special City Council/Planning Commission Meeting as written. Commissioner Barron seconded the motion. **Ayes: Robertson, Barron, Poisson, Mesker, and Pendergraft. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

**E. PUBLIC HEARINGS AND MEETINGS:**

**2. Use Permit Application 2021-294 to allow Hall Brothers Mortuary to install a Crematory located at 902 5<sup>th</sup> St. APN: 071-171-04.**

Chairperson Robertson opened the Public Hearing at 6:31 p.m. Planner 1 Christina Meeds presented this item and provided the background process leading up to this Use Permit application.

A neighbor of the project site and member of the audience addressed the Commission voicing her concerns, specifically relating to chemicals utilized in the cremation process, pollutants emitted during the process, and potential resulting health issues.

Tehama County Air Pollution Control Officer Joe Tona addressed the Commission and responded to the concerns stated by the audience member. He explained that the agency does a health risk analysis for these types of facilities; such facilities are allowed up to a 1.00 emission; this facility rated a .03 emission. He stated that the health risk is minimal.

Steve Forest, owner of Hall Brothers Mortuary stated he has been working/operating a crematory for 30 years and he does not have cancer and explained that there are vast differences from a crematory built in 1970 compared to today. He stated that he understands the concerns of the neighboring property owner. He stated that the ability to provide these services will provide benefits for the community by allowing him to perform the cremations here rather than scheduling and arranging to transport to Chico for this service, thus allowing the remains to be returned to the family in a timely manner and stated the number of cremations he has done in a year. Ms.

Meeds stated that a condition of the Permit would be that no more than 150 cremations can be done in a one-year period.

With no further questions/statements, Commission Barron moved to close the Public Hearing; Commissioner Mesker seconded the motion. **Motion was unanimously approved by a 5-0 vote and the Public Hearing was closed at 5:57 p.m.**

Commissioner Mesker moved to adopt the 3 SubFindings, 3 Legal Findings, and 2 Conditions of Approval for Use Permit 2021-294 and adopt Use Permit 2021-294. Commissioner Pendergraft seconded the motion. **Ayes: Robertson, Barron, Mesker, and Pendergraft. Absent/Abstain: None. Opposed: Poisson. Motion was approved by a 4-1 vote with Poisson opposing.**

- 3. Recommendation to City Council to approve the proposed Zoning Code Update and adopt associated Ordinance 694 amending Title 17 to repeal and replace Sections 17.04, 17.06, 17.08, 17.10, 17.12, 17.16, and 17.51 and add new sections addressing Multifamily Residential Object Design & Development Standards, Accessory Dwelling Units, and Reasonable Accommodation.**

Chairperson Robertson opened the Public Hearing at 7:00 p.m. This item was presented by Planner 1 Christina Meeds.

With no discussion, Commissioner Mesker moved to close the Public Hearing; Commissioner Poisson seconded the motion. **Motion was unanimously approved by a 5-0 vote and the Public Hearing was closed at 7:05 p.m.**

Commissioner Poisson moved to make recommendation to the Corning City Council to approve the proposed Zoning Code Update and adopt associated Ordinance 694. Commissioner Pendergraft seconded the motion. **Ayes: Robertson, Barron, Mesker, Poisson, and Pendergraft. Absent/Abstain/Opposed: None. Motion was approved by a 5-0 vote.**

#### **F. P:RESENTATIONS:**

- 4. Planning Department Annual Update Presentation.**

Planner 1 Christina Meeds provided an Annual Planning Department Update Presentation.

**G. PUBLIC COMMENTS AND BUSINESS FROM THE FLOOR: None.**

**H. ADJOURNMENT!: 7:38 p.m**

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**Lisa M. Linnet, City Clerk**

ITEM NO: E-2  
USE PERMIT APPLICATION 2021-295;  
HOMETOWN HUB TO SELL BEER & WINE WITHIN  
A NEW RESTAURANT LOCATED AT 955 HWY 99W  
SUITE #119, ALONG THE EAST SIDE OF HWY 99W  
APPROXIMATELY 429 FEET SOUTH OF THE  
SOLANO ST. / HWY 99W INTERSECTION.  
APN: 071-140-027

APRIL 20, 2021

TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING

FROM: CHRISSY MEEDS, PLANNER 1  
KRISTINA MILLER, CITY MANAGER

**PROJECT DESCRIPTION:**

Hometown Hub is seeking an on-sale license with the California Department of Alcoholic Beverage Control (ABC) to sell beer and wine within their new restaurant in an existing building. Section 17.54.020 (1) of the City of Corning Zoning Code requires that a conditional use permit must be obtained prior to the onsite serving or consumption of alcohol within a bar or restaurant. As required by code, the owners have applied for a Use Permit that must be granted by the Planning Commission prior to ABC issuing the on-sale license. The Hometown Hub restaurant will be located along the east side of HWY 99W approximately 429ft south of the Solano St./HWY 99W intersection.  
APN: 71-140-027 Address: 955 HWY 99W suite #119

**GENERAL PLAN LAND USE DESIGNATION**

HWY 99 W SPECIFIC PLAN

**ZONING**

The site is zoned CH-CBDZ. CH – CBDZ Highway Service Business Development District, the district allows, cafes and restaurants pursuant to Section 17.24.030 (A) of the Corning Zoning Code. The CH District (Section 17.24.020) states no uses permitted without use permits, however, Use Permit 2006-238 which the City of Corning Planning Commission approved on December 19, 2006 allows for commercial uses on APN: 071-140-027. As previously explained in the project description Section 17.54.020 (1) of the City of Corning Zoning Code requires that a conditional use permit must be obtained prior to the onsite serving or consumption of alcohol within a bar or restaurant.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Section 21084 of the Public Resources Code requires a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. The Secretary of Resources has classified projects that do not have a significant effect on the environment and are

declared to be categorically exempt from the requirement for the preparation of environmental documents.

CEQA, Section 15301, Existing Facilities, Class 1 provides exemptions for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use.

This project will allow the owners to sell beer and wine in an existing building that will have a new restaurant called Hometown Hub. The site is zoned CH-CBDZ which allows the retail sales of food and beverages as a permitted use. Staff feels that this is a negligible expansion of a deli and therefore exempt from CEQA pursuant to Section 15301, Class 1.

**RECOMMENDATION:**

**Staff recommends that the Planning Commission adopt the following, or similar, Factual Subfindings and Legal Findings for Use Permit 2021-295;**

**Factual Subfinding #1**

Hometown Hub is proposing to establish a restaurant in a CH-CBDZ, Highway Service Business Development District which permits the retail sale of food and beverage. Beer and wine are commonly served with meals in restaurants throughout the City of Corning. Obtaining an on-sale license from the ABC will not change the nature of the operation.

**Legal Finding #1**

The granting of Use Permit 2021-295 is a negligible expansion of a restaurant that is permitted to serve food and beverages in a CH-CBDZ Highway Service Business Development District and therefore exempt from CEQA pursuant to Section 15301, Class 1.

**Factual Subfinding #2**

The parcel where Hometown Hub is proposed is zoned CH-CBDZ Highway Service Business Development District

**Legal Finding #2**

The sale and consumption of beer and wine within a business is a permitted use in the Highway Service Business Development District upon the granting of a Use Permit pursuant to Section 17.54.020 (1) of the City of Corning Zoning Code.

**Factual Subfinding #3**

The applicants propose to serve beer and wine in a new business known as Hometown Hub

**Legal Finding #3**

The existing building is adequate in size, shape, and topography to allow for the serving of beer and wine in the Hometown Hub restaurant.

**Factual Subfinding #4**

The existing building is located along the east side of HWY 99W

**Legal Finding #4**

HWY 99W is an existing public road adequate in width and pavement to carry the amount of traffic generated by the expanded use at Hometown Hub.

**Factual Subfinding #5**

The existing building where Hometown Hub is proposed is located in an area that is developed with commercial businesses in the City of Corning.

**Legal Finding #5**

Providing for the sell and serving of beer and wine at the building located at 955 HWY 99W Suite #119 within the City of Corning will not have an adverse effect upon the use, enjoyment or valuation of adjacent or neighboring properties or upon the public welfare.

**ACTION:**

**Move to adopt the five Factual Subfindings and Legal Findings as presented in the staff report and approve Use Permit 2021-295 permitting the sale and serving of beer and wine in the Hometown Hub restaurant subject to the three (3) conditions as recommended by staff.**

**Condition #1**

The applicant must comply with the requirements of the Alcoholic Beverage Control (ABC) and be issued a license prior to the sale or serving beer and wine at the business known as Hometown Hub.

**Condition #2**

The applicant must comply with all local, state, and federal regulations especially those imposed by the City of Corning's Building and Fire Departments as well as the Tehama County Environmental Health Department.

**Condition #3**

Comply with the City of Corning Outdoor Advertising Sign Regulations.

Or;

**Move to adopt findings and deny the issuance of Use Permit 2021-295.**

**ATTACHMENTS**



Exhibit "A"

Use Permit Application

Hometown Hub

**CITY OF CORNING  
PLANNING APPLICATION  
TYPE OR PRINT CLEARLY**

Submit Completed Applications to:  
City of Corning  
Planning Dept.  
794 Third Street  
Corning, CA 98021

PROJECT INFORMATION	PROJECT ADDRESS 955 Hwy 99 W Corning		ASSESSOR'S PARCEL NUMBER see approved permit	G.P. LAND USE DESIGNATION Commercial
	ZONING DISTRICT -	FLOOD HAZARD ZONE NO	SITE ACREAGE -	AIRPORT SAFETY ZONE? NO
	PROJECT DESCRIPTION: (attach additional sheets if necessary) Beer + wine license for restaurant			
	APPLICATION TYPE (Check All Applicable)			
<input type="checkbox"/> Annexation/Detachment <input type="checkbox"/> Appeal <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Planned Dev. Use Permit <input type="checkbox"/> Parcel Map <input type="checkbox"/> Preliminary Plan Review <input type="checkbox"/> Rezone <input type="checkbox"/> Street Abandonment <input type="checkbox"/> Subdivision <input type="checkbox"/> Time Extension <input checked="" type="checkbox"/> Use Permit				
APPLICANT INFORMATION	APPLICANT Joi D. Gonzalez		ADDRESS 904 700th St. Corning	DAY PHONE (530) 824-4383
	REPRESENTATIVE (IF ANY) same		ADDRESS N/A	DAY PHONE N/A
	PROPERTY OWNER Absolute Mgmt. Daha Investments		Nicole Andrea ADDRESS P.O. Box 17510 Reno, NV 89511	(530) 377-3770 DAY PHONE (530) 377-3770
	CORRESPONDENCE TO BE SENT TO <input checked="" type="checkbox"/> APPLICANT <input type="checkbox"/> REPRESENTATIVE <input type="checkbox"/> PROP. OWNER			
	APPLICANT/REPRESENTATIVE: I have reviewed this application and the attached materials. The information provided is correct. Signed: 		PROPERTY OWNER: I have read this application and consent to its filing. Signed: 	
By signing this application, the applicant/property owner agrees to defend, indemnify, and hold the City of Corning harmless from any claim, action, or proceeding brought to attack, set aside, void or annul the City's approval of this application, and any Environmental Review associated with the proposed project.				

SUBMITTAL INFO	FOR OFFICE USE ONLY			
	APPLICATION NO.	RECEIVED BY:	DATE RECEIVED 3-28-21	DATE APPL. DEEMED COMPLETE
	FEES RECEIVED/RECEIPT NO.	CEQA DETERMINATION Exempt ND MND ER		DATE FILED





# CITY OF CORNING

## ENVIRONMENTAL INFORMATION FORM (To be completed by Applicant)

DATE FILED \_\_\_\_\_

### General Information

1. Project Title: Hometown Hub beer+wine license

2. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

Building permits

### Additional Project Information

3. For non-residential projects, indicate total proposed building floor area: 3,200 sq. ft. in 1 floor(s).

4. Amount of off-street parking to be provided. 40-50 parking stalls. (Attach plans)

5. Proposed scheduling/development. N-A

6. Associated project(s). NONE

7. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected. (This information will help the City track compliance with the objectives of the Housing Element of the General Plan.)

N-A

**CITY OF CORNING  
PLANNING APPLICATION**

8. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.

① Restaurant, City, 3200<sup>sq ft</sup>. + loading facilities

9. If industrial, indicate type, estimated employment per shift, and loading facilities.

N-A

10. If institutional, indicate the primary function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.

N-A

11. If the project involves a variance, conditional use permit or rezoning application, state this and indicate clearly why the application is required.

I do not know if any of the above pertain

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

- |   | YES                      | NO                                  |
|---|--------------------------|-------------------------------------|
| 12. Change in existing topographic features, or substantial alteration of ground contours?                            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. Change in scenic views or vistas from existing residential areas or public lands or roads?                        | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14. Change in pattern, scale or character of general area of project?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Significant amounts of solid waste or litter?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16. Change in dust, ash, smoke, fumes or odors in vicinity?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17. Change in lake, stream or ground water quality or quantity, or alteration of existing drainage patterns?          | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 18. Substantial change in existing noise or vibration levels in the vicinity?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 19. Is the site on filled land or on slopes of 10 percent or more?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 20. Use, storage, or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 21. Substantial change in demand for municipal services (police, fire, water, sewage, etc.)?                          | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 22. Substantially increase energy usage (electricity, oil, natural gas, etc.)?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 23. Relationship to a larger project or series of projects?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**CITY OF CORNING  
PLANNING APPLICATION**

**Environmental setting**

24. Describe the project site as it exists before the project, including information on topography, soil type and stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site, snapshots or Polaroid photos will be accepted.

N-A

25. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

All surrounding properties are all commercial


**Certification**

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date 3/24/21

Signature

For:

  
Homefown Hub Restaurant.