



TOWN OF LOOMIS
PLANNING COMMISSION ACTION MINUTES
LOOMIS DEPOT
5775 HORSESHOE BAR ROAD
LOOMIS, CALIFORNIA

TUESDAY	01/22/2019	7:30 PM
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CALL TO ORDER: 7:30

PLEDGE OF ALLEGIANCE

ROLL CALL

X	Chairman Obranovich
X	Commissioner London
Absent	Commissioner Hogan
X	Commissioner Kelly
X	Commissioner Wilson

CEREMONIAL MATTERS:

ADMINISTRATION OF OATH TO INCOMING PLANNING COMMISSIONERS:
BONNIE LONDON

COMMISSION COMMENT FOR ITEMS NOT ON THE AGENDA: none

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA: none

This time is reserved for those in the audience who wish to address the Planning Commission on subjects that are not on the Agenda. The audience should be aware that the Commission may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please **note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker is three minutes but can be changed by the Chairman.**

ADOPTION OF AGENDA :

If items on the Agenda will be rescheduled for a different day and time, it will be announced at this time. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a three minute time limit. The Chairman has the discretion of limiting the total discussion time for an item.

Motion to adopt agenda: Wilson 2nd Kelly
 Ayes: Wilson, London, Obranovich, Kelly
 Noes: 0
 Absent: Hogan
 Abstain: 0

PUBLIC COMMENT ON CONSENT AGENDA:

Jennifer Knisley – Chamber of Commerce spoke about the upcoming “Discover Loomis Expo”

CONSENT AGENDA

RECOMMENDATION

- 1. PROJECT STATUS REPORT**
- 2. MINUTES 11/27/2018**

**RECEIVE AND FILE
 APPROVE**

Motion to approve consent agenda: Kelly 2nd: Wilson
 Ayes: Wilson, London, Obranovich, Kelly
 Noes: 0
 Absent: Hogan

Abstain: 0

PUBLIC HEARING

3. #16-16 MINOR USE PERMIT – APPEAL – CONDITION OF APPROVAL #2 – BAY DOORS TO REMAIN CLOSED DURING ALL HOURS OF OPERATION. 3344 SWETZER CT. (APN 044-220-057), LOOMIS

**APPLICANT: GOLDEN SPIKES BASEBALL
BRETT HEMPHILL**

Golden Spikes Baseball facility is a Permitted Use (Health/fitness facility) within the ILT (Limited Industrial) zone that was granted zoning clearance for a building permit and business license on February 11, 2014.

In 2016 a request to extend the operating hours from 7:00 am to 7:00 pm to 7:00 a.m. to 9:00 p.m. Monday to Friday; and maintain Saturday hours of 8:00 am to 5:00 pm (#16-16 Minor Use Permit) was approved by the Planning Department Determination No. 16-02, following a public hearing held on November 21, 2016.

The Staff Report for the November 21, 2016 Planning Director Hearing (included in Exhibit A) describes complaints received prior to the extended hours approval and, as a result, Condition #2, "All bay doors shall be closed during batting baseball practice, and any other times that may result in noise exceeding 55 dBA Ldn on adjacent residential properties to the east" was included. In the seven (7) conditions of approval, noise was the predominate issue being addressed and regulated.

On December 5, 2018 business owner Bret Hemphill submitted an Appeal to the condition requiring "all bay doors to remain closed during hours of operation". Due to continued neighbor(s) complaints, staff brings this matter forward, under a Public Hearing, to the Planning Commission to resolve the matter to the satisfaction of both the business owner and the adjacent neighbors.

RECOMMENDATION:

1. Conduct a public hearing and receive public input; and
2. Deny the appeal of Condition of Approval #2 and determine that the bay doors of the Golden Spikes Baseball facility remain closed during batting baseball practice, and any other times that may result in noise exceeding 55 A-Weighted Decibels (dBA) Day/Evening/Night Level (Ldn) on adjacent residential properties to the east.

COMMISSIONERS COMMENTS OF STAFF:

Commissioner London: initiated a discussion on the 2 different noise study reports

Commissioner Wilson: Led a discussion on overall noise and repetitive noise and the difference between the two

Luke Saxelby, Saxelby Acoustics: Noise Consultant explained the 2 different noise chart results extrapolated from the noise study.

Explained audible noise vs meeting noise standards.

PUBLIC COMMENT:

Applicant Bret Hemphill (Owner Gold Spikes): Spoke about and explained the purpose of his appeal. Explained he believes the required noise study shows that they are in compliance of noise standard for Town of Loomis

Michela Olson: Business partner Golden Spikes: Spoke on behalf of business and need for appeal; Re-iterated that he believes the business is in compliance with Loomis standards. States only one neighbor has complained.

Eva Marshall – Kathy Way: Stated she made her first complaint in 2016, and has followed with formal complaints. Sharp unexpected noise levels restrict ability to use the backyard. Business use has grown to 3 -4 days a week, growing cliental and sessions. She questions the noise study. The timing of the study, the interpretation and extent of the study.

Nanette Jorjorian – Kathy Way: States the noise is sharp, startling and repetitive. Late in the evening is the worse.

Alex Creel – Golden Spikes business owner: Questions the requirement for a noise study and if Town is not going use the study as a guideline.

Kevin Marshall- Kathy Way: 20 year resident. Stated the noise is such a problem they are unable to use the backyard. Questions the study, and the timing of it. Also stated that that the heat in facility is not good for the kids.

Pam Blake – Angelo Drive: Suggests that a compromise to the problem could be to limit the hours of the open bay doors instead of eliminating all open bay door hours.

COMMISSION DELIBERATION:

Commissioner Wilson discussed the facility doors (location, type etc) and which doors were open for the testing.

Chairman Obranovich asked if modifying the conditions of approval was an option

Commissioner London opened a discussion regarding problematic hours and seasons.

Commissioner Kelly opened a discussion on the PC ability to limit the business if they comply all the required conditions and meet current code.

Chairman Obranovich asked for clarification on the noise study.

Motion to up hold the appeal with condition of approval Item # 2 modified to read: Golden Spikes shall close all bay doors during batting baseball practice by 5:30 p.m, and any other times that may result in noise exceeding 55 dBA Ldn on adjacent residential properties to the east. Front doors shall remain closed at all times.”: Kelly 2nd: London

Ayes: London, Obranovich, Kelly

Noes: Wilson

Absent: Hogan

Abstain: 0

4. #18-09 MINOR LAND DIVISION

4823 SAUNDERS AVE (APN 030-080-036), LOOMIS, CA

APPLICANT: TIMOTHY BLAIR, PLS

Minor Land Division Application #18-09 proposes division of one parcel being 4.60 acres into two individual parcels. The proposed new parcel sizes will be approximately; Parcel 1 = 2.30 acres and Parcel 2 = 2.30 acres.

The existing 4.60 acre parcel site consists of one parcel, with a single family residence, garage, stable, and fenced pasture area. The parcel is zoned RE (2.3 acre minimum) and is occupied by the current owner.

RECOMMENDATION:

1. Conduct a public hearing and receive public input; and
2. Adopt the recommended Notice of Exemption as per the requirements of the California Environmental Quality Act (CEQA); and
3. Adopt Resolution #18-12 approving the Minor Land Division (#18-09) subject to the findings in Exhibit A and the recommended conditions of approval in Exhibit B.

PUBLIC COMMENT: none

COMMISSION DELIBERATION: none

Motion to approve recommended action: Wilson 2nd Kelly

Ayes: Wilson, London, Obranovich, Kelly

Noes: 0

Absent: Hogan

Abstain: 0

ADJOURNMENT: 09:15 PM

Signed, 02/10/2019 at Loomis, California.



Carol Parker, Administrative Clerk/Planning Assistant