

# 3 -Attachment 1

## RESOLUTION NO. 18-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS APPROVING CONDITIONAL USE PERMIT/DESIGN REVIEW APPLICATION #17-13.

**WHEREAS**, the property owner has requested approval of Conditional Use Permit/Design Review Application #17-13 subject to the attached findings (Exhibit A) and Conditions of Approval, (Exhibit B); and

**WHEREAS**, on February 27, 2018, the Planning Commission of the Town of Loomis conducted a public hearing on the extension, at which time any person interested in the matter had an opportunity to be heard; and

**WHEREAS**, the Planning Commission of the Town of Loomis reviewed and considered the staff report relating to the application, the plans, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

**WHEREAS**, the Planning Commission of the Town of Loomis hereby makes the following findings to approve Conditional Use Permit/Design Review Application #17-13.

**NOW THEREFORE**, based on the findings set forth herein the Planning Commission of the Town of Loomis, at its meeting of February 27, 2018, did resolve as follows:

1. The proposed Project is consistent with the goals, policies and land uses in the Town of Loomis General Plan and Zoning Ordinance.
2. Pursuant to CEQA Guidelines Section 15332 "In-Fill Projects" of the California Environmental Quality Act (CEQA) Guidelines the project is found to be categorically exempt in an urbanized areas zoned for industrial uses consistent with the Loomis General Plan and Zoning Ordinance, with all required public services.

ADOPTED this 27th day of February 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

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Mike Hogan,  
Planning Commission Chairman

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Carol Parker  
Secretary to the Planning Commission

## **EXHIBIT A**

### **FINDINGS: ENERGY PROS CONDITIONAL USE PERMIT/DESIGN REVIEW APPLICATION #17-13 PLANNING COMMISSION, FEBRUARY 27, 2018**

#### **Conditional Use Permit**

1. The proposed use as conditioned is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Ordinance and the Municipal Code;
2. The proposed use as conditioned is consistent with the General Plan and any applicable specific plan;
3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
4. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints; and
5. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property or improvements in the vicinity and zoning district in which the property is located in that the impacts of the use on the surrounding neighborhoods and the Town of Loomis have been minimize to acceptable levels by the recommended conditions of approval conditions of approval.

#### **Design Review:**

1. The proposed Project complies with Section 13.62.040 Design Review of the Town of Loomis Zoning Code.
2. The proposed Project provides architectural design, building massing and scale appropriate to and compatible with the site surroundings and the community.
3. The proposed Project provides attractive and desirable site layout and design, including, but not limited to, building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.;
4. The proposed Project provides efficient and safe public access, circulation and parking.
5. The proposed Project provides appropriate open space and landscaping, including the use of water efficient landscaping.
6. The proposed Project is consistent with the Town of Loomis General Plan.
7. The proposed Project complies with any applicable design guidelines and/or adopted design review policies.

## EXHIBIT B

### CONDITIONS OF APPROVAL: ENERGY PRO'S CONDITON USE PERMIT\DESIGN REVIEW #17-13 PLANNING COMMISSION, FEBRUARY 27, 2018

The Conditional Use Permit\Design Review is approved to allow the construction of two prefabricated metal building and operation therein of office and light industrial uses subject to the following conditions of approval.

#### GENERAL CONDITIONS

1. \_\_\_\_\_ This approval expires on February 27, 2020 unless implemented or extended as per **Section 13.64.060 Permit time limits, extensions, and expiration** of the Loomis Municipal Code.
2. \_\_\_\_\_ The project shall proceed only in accordance with approved plans on file in the Planning Department, the conditions contained herein, and the Town of Loomis Municipal Code. Approval of this project, subject to these plans, conditions, and Code(s), shall not be interpreted as the Town having waived compliance with any sections of the Town of Loomis Municipal Code (Zoning, Building Codes, etc.), Loomis General Plan, or applicable Plans.
3. \_\_\_\_\_ The Project shall be implemented substantially in accordance with the proposed site plan as prepared by the Giuliani & Kell, consisting of seven sheets, dated August 3, 2017 except as may be modified by the conditions stated herein.
4. \_\_\_\_\_ When submitting for Plan Check, the owner must provide to the Planning Department a copy of the final conditions of approval with a cover letter specifying how and where the revised plans address each of the conditions. Plan Check by the Planning Department and Town Engineer will not be initiated without compliance with this condition. All plans shall be consistent with that approved by the Planning Department. The owner shall be responsible for correcting any inconsistency which may occur through error or omission during plan preparation or construction.
5. \_\_\_\_\_ The applicant/owner shall indemnify, exonerate and hold harmless the Town of Loomis and all officers and employees thereof against all claims, demands and causes of action arising out of improvements constructed within this Project.
6. \_\_\_\_\_ The conditions of approval of the application shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, which may or may not be shown on the map or improvement plans.

#### IMPROVEMENTS

7. \_\_\_\_\_ The owner shall obtain an encroachment permit prior to any work within public rights-of-way.
8. \_\_\_\_\_ The plans for improvements required as a condition of approval of this project shall be prepared by a California Registered Civil Engineer and shall be approved by the Town Engineer prior to any construction.
9. \_\_\_\_\_ The cost of all inspections related to on-site and off-site improvements shall be borne by the owner and shall be paid prior to completion of the improvements.
10. \_\_\_\_\_ The owner shall dedicate all necessary right-of-way or easements for streets, sewers, water facilities, utilities, drainage facilities, and other facilities as required by the Town Engineer and show such on the final

map prior to recordation.

11. \_\_\_\_The owner shall be responsible for all actions of his contractors and subcontractors until such time as the improvements have been accepted as complete by the Town.
12. \_\_\_\_Prior to occupancy of the buildings, the owner shall construct all improvements required as a condition of approval of this project, or enter into a contract agreement with the Town to construct all improvements, and shall post bond, cash deposit, or instrument of credit, guaranteeing the construction of all improvements within the time period specified herein or approved time extension in accordance with the Town of Loomis Municipal Code.
13. \_\_\_\_All grading shall conform to the Town Grading Ordinance (Municipal Code Section 12), , with prior review and approval by the Town Engineer. All grading shall be constructed in a manner so that post-development runoff flows do not exceed predevelopment flows In accordance with the Placer County Flood Control District Storm Water Management Manual and the Loomis Land Development Manual.
14. \_\_\_\_Prior to tenant occupation and tenant improvements on the Project site; the applicant/owner shall contact the Town of Loomis Engineer to determine further requirements for a Drainage Study for the parcel. The applicant/owner provided the Town Engineer with preliminary drainage calculations that satisfied the type of development that was to occur on the Project site through this application and that is in compliance with Town of Loomis Drainage Standards. Improvements and additional development above and beyond what is proposed for this current Project would require approval of a Drainage Study by the Town Engineer to satisfy Town of Loomis Drainage requirements.

**GENERAL PLANNING**

15. \_\_\_\_The applicant\property owner shall provide no less than 48 parking spaces to serve the existing and proposed uses approved by this permit as shown in the following table

| PARKING CALCULATIONS    |                         |               |               |                |           |
|-------------------------|-------------------------|---------------|---------------|----------------|-----------|
|                         |                         | Total         | Net           | 1 Space        | Required  |
| Existing Building       | Land Use                | Floor Area    | Floor Area    | for every      | Parking   |
|                         | Office                  | 3800          | 3420          | 200 sf         | 18        |
|                         | Light Industrial        | 3700          | 3330          | 1000 sf        | 4         |
|                         |                         | 7500          | 6750          |                | 22        |
| <b>New Buildings</b>    |                         |               |               |                |           |
| <b>Building 1</b>       | <b>Office</b>           | <b>4400</b>   | <b>3960</b>   | <b>200 sf</b>  | <b>19</b> |
| <b>Building 2</b>       | <b>Light Industrial</b> | <b>3000</b>   | <b>2700</b>   | <b>1000 sf</b> | <b>3</b>  |
|                         |                         | <b>7400</b>   | <b>6660</b>   |                | <b>22</b> |
| <b>Company Vehicles</b> |                         |               |               |                | <b>4</b>  |
| <b>Grand Totals</b>     |                         | <b>14,900</b> | <b>13,410</b> |                | <b>48</b> |

*Net Floor Area is the Total Floor Area less 10% to account for non-usable areas, such as walls, stairwells, HVAC, toilets.*

16. \_\_\_\_\_ Tenant Improvement Plans and any change of use shall be reviewed by Loomis Planning Department to ensure the proposed use is in compliance with parking as per **Section 13.36.00 Parking and Loading** of the Loomis Municipal Code. Those uses not in compliance shall be denied unless adequate parking is provided or otherwise approved by the Planning Commission.
17. \_\_\_\_\_ The property owner shall be responsible to ensure all conditions to this permit are binding on all successors-in-interest (e.g., by incorporating into the standard provisions of any sale, lease, and/or rental agreements, etc.).
18. \_\_\_\_\_ The owner will be responsible for taking reasonable actions to abate nuisances caused by this project in the project area which are under the owner's control.
19. \_\_\_\_\_ Tenant occupancy shall not be permitted until all conditions incorporated into this Conditional Use Permit are completed by the applicant/owner and accepted or approved by the Town.
20. \_\_\_\_\_ If prehistoric or historical archaeological deposits are discovered during project activities, all work within 25 feet of the discovery shall be halted and the Town of Loomis Planning Department shall be notified. The archaeologist shall assess the situation, and consult with agencies and Native American Tribes, as to the treatment of the discovery. Mitigation may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits; recording the resource; preparation of a report of findings; and accessioning recovered archaeological materials as appropriate with affected tribal groups.
21. \_\_\_\_\_ Operating hours and construction are limited to 7:00 a.m. to 7:00 p.m. Monday through Friday, 8:00 a.m. to 5:00 p.m. on Saturday, with no operation on Sundays or holidays, unless otherwise as per **Section 13.28.060 ILT district standards** of the Loomis Municipal Code.
22. \_\_\_\_\_ The applicant\owner shall pay development fees such as the Road Circulation/Major Roads Fee, the Community Facility Fee, the Park & Recreation Fee, and the Placer County Capital Facility Impact Fee as required prior to building permit issuance.
23. \_\_\_\_\_ The project shall conform to the General Plan, including the Noise Element standards, State Noise Insulation Standards (CA Code of Regulations, Title 24) and Chapter 35 of the Uniform Building Code. Noise generated by the project shall not exceed 65 dBA at the property line during or after construction.

#### **DESIGN REVIEW**

24. \_\_\_\_\_ The construction and design of the proposed 3,000 sf warehouse and a 4,400 sf office building shall be in substantial compliance with the submitted elevations, plans, and color palette approved by the Planning Commission on February 27, 2018.
25. \_\_\_\_\_ Landscaping and irrigation shall be in substantial compliance with the Landscape Plan approved by the Planning Commission on February 27, 2018.
26. \_\_\_\_\_ Minor changes to the facade design, such as providing additional windows and doors and/or locations thereof, may be approved by the Planning Director.

## **AGENCIES**

Prior to issuance of a Building Permit the applicant\owner shall submit an application for review and approval by the South Placer Fire District (SPFD) and revise the site plan to provide an adequate hammerhead turnaround for emergency equipment, such as increasing the width to 26 feet, to the satisfaction of SPFD.

Prior to issuance of a Building Permit for construction the owner shall comply with the requirements as provided in the South Placer Municipal District (SPMUD), including access to the existing manhole, and limiting development that would interfere with their existing sewer easement to the satisfaction of the SPMUD.

Prior to occupancy of any of the new buildings the applicant\owner shall provide "can and will-serve" letters from PCWA, SPMUD, SPFD, and Recology.

The United Auburn Indian Community (UAIC) shall be allowed to observe any ground disturbing activities and participate in any cultural resource surveys and be provided copies of all cultural reports prepared for this site as per AB 52.