1. Call to order:
   Chairman Callahan called the meeting to order at 7:00 pm.

2. Roll Call:
   Present: Chairman Callahan, Vice-Chairman Upham, Commissioner Benda, Commissioner Donnelly, Commissioner Hunter, Commissioner McTeer, and Commissioner Vick
   Staff: Tom Bland, Beth McKnight, Bob Brown, and Barbara Boyd

3. Public Comments for Items not on the Agenda:
   None

4. Consent Calendar:
   Chairman Callahan noted that Item 6, Additional Condition #5 of the April 14 minutes should have read as follows:
   5. Project shall include landscaping at both entrances to the facility and around the influent pump station wall. A lighting plan shall be submitted to staff for approval which shall include lighting along the project approach roadway and project entrances.
   Commissioner Benda motioned to approve the minutes of April 14, 2004, as amended and Vice-Chairman Upham seconded the motion. Motion carried.

5. Public Hearing:
   Applicant Donn Carpenter is requesting to move his tire shop, J's Rio Vista Tire, to a 13,887 square foot parcel on the corner of Highway 12 and Hillside Terrace. The subject property is developed with an existing building that has been vacant for several years. Surrounding land uses consist of single-family residential to the north, commercial to the east and west, and State Highway 12 to the south. The General Plan designates the site as HC Highway commercial; the site is zoned C-H Highway Commercial which permits auto repair shops with an approved use permit.
   Recommendation:
   Staff recommends denial of the Use Permit and Site and Architectural Review for J’s Rio Vista Tire Shop because the following findings cannot be made:
   1) As discussed in the staff report, the proposed use will adversely affect the adjacent properties within the vicinity and will detract from the public health, safety and welfare.
   2) The proposed use is not consistent with General Plan and is not similar to nor compatible with permitted uses in the Highway Commercial Zoning District.
   Further Action:
   The Planning Commission’s action on the use permit will be final unless appealed to the City Council within ten calendar days.

   Mark Nicolette, owner of the parcel stated that the Planning Commission has the authority to authorize the use permit. He asked that they refer to the actual drawings to see the proposed site. He asked that they make a decision to benefit the community and others.

   Donn Carpenter, owner of J’s Rio Vista Tire, said that he had received notice of staff’s recommendation of denial and would like to debate the issues concerning the reasons for denial. He noted that the reason for the sale of their current business location is due to the City’s
waterfront redevelopment project. He does not believe the project proposes a health, safety and welfare problem as stated in reason #1. He stated that the proposed building has two bays for car repairs, not one, so most of the work will be done inside and the majority of the tools will also be inside. He said that the business was failing when they bought it, and it is now successful. He realizes the importance of being in public view and said he is willing to abide by whatever they need to do. He noted that they have put up a fence to keep the forklift out of public view, and it will only be out to unload tires as needed. Mr. Carpenter said that he has made arrangements to store carcass tires outside of city limits. The reason that there are tires dumped at their current location is because they offer a used tire drop off as a community service. He explained that the building has a metal frame and was a gas station in the 1950’s. He said that they have already re-roofed the back of the building and will still need to repair the waiting room, the doors, and another part of the roof. He feels that at 10-12 spaces, there is adequate parking for their business.

The Commissioners asked the applicant if they will be doing tire alignment & balance and what percentage of their business is heavy equipment. They also wondered if the bays are large enough for trucks and if the noise would affect Shelby’s Drive-In next door.

Mr. Carpenter answered that at the present time they just sell and repair tires, and that most of the large equipment repairs are done off site. He said that at the present time they have a mobile dispatch and are on 24 hour call. He explained that less than 1% of the work will be done outside, so the noise will be contained in the building and the bays are large enough to accommodate cars and pickups, but not a semi truck.

Commissioner Benda stated that he concurs with the staff report, that the project doesn’t fit into the General Plan for Highway 12.

Chairman Callahan opened the public hearing for public comment.

Jim McPherson, Rio Vista resident, stated that he worked at many of the gas stations along Highway 12 in Rio Vista as a youth, and that they always serviced large trucks without problems. He noted that tires are done during the day, not creating noise at night like an auto mechanic shop might. He said that J’s Rio Vista Tire has always provided his crane business with good service and he could always count on them when he needed after hours service. Mr. McPherson pointed out that his wife is the owner of Shelby’s Drive In and that Shelby is not opposed to the tire shop locating there, that it may even help her business when customers are waiting for their tires and may need a bite to eat. He asked the Planning Commission to please consider giving approval to the Use Permit.

Margaret Roberts, Rio Vista resident, commented that creating the General Plan was a long process and she would like to see companies, along with the City, stay within the guidelines that were adopted. She stated that she does not feel that this falls within the guidelines. She said that growing up she lived near the Chevron station and could always hear the noise from the station at her home. Ms. Roberts said there is an industrial business park and there are people willing to erect buildings for businesses.

Tom Bland, Director of Community Development, noted that his department has received calls from citizens concerned about truck traffic, noise, and the possibility of traffic from Highway 12 spilling over onto the residential streets.

Commissioner Vick said she agreed with the staff report, and that she would like to see the business stay in town, but near similar businesses. She feels that the business is not appropriate at this location.

Commissioner Donnelly stated that the proposed location is a high traffic zone with a lot of school traffic. With the site being very tight, he has concerns about the storage of large materials. He noted that this is a very visible location, the gateway to the city and also recognizes the need for business in this town.
Charlie Scholting came forward and remarked that Mark Nicolette paid $300,000 for the property, which was an eyesore and is not any longer. He also noted the need for small business in this town and said that the employees at J’s Rio Vista Tire are honest, hard workers.

Commissioner Donnelly replied that he is also a small business owner, and is not saying it’s not important, it’s just not the right location.

Chairman Callahan said that the Commission is in favor of the business, but it must be consistent with the General Plan. He cited many concerns: safety, pedestrians, it’s near the only light in town, the grade school traffic, tire storage.

Commissioner McTeer stated that the General Plan was based on a series of Town Hall Meetings and Highway 12 was a big concern. He noted that the more he looked into the General Plan, the more he found that the tire shop did not belong there.

A motion was made by Commissioner Vick to accept staff’s recommendation to deny CUP #04-002 J’s Rio Vista Tire. Commissioner Benda seconded the motion and the motion passed by a vote of 7-0.

Donn Carpenter thanked the Planning Commission for their consideration and asked that if anyone could help him find a new location, he was open to suggestions.

The Commission took a 5 minute intermission.

The meeting reconvened at 8:00 pm.

6. Project Review:

Tom Bland, Director of Community Development, the current proposed development projects. He showed a map of the Rio Vista area, showing the proposed development sites. He noted that most of the projects are proposed for single family homes with a density of approximately 4-7 units per acre. The development plans have tried to preserve the hillsides and natural character of the area, with trails and pathways being an important component. He noted that the General Plan calls for 5 acres of parkland per 1,000 population.

Bob Brown, Interim Planning Director, explained that he has been working on the Riverwalk, Del Rio Hills, and Gibbs projects. He gave short overviews of the projects. Gibbs Ranch was approved in the early 90’s as part of the Trilogy development. The owner, Shea Homes, developed a new plan approach and changed to a non-age restricted project. Mr. Brown said that it does not raise any additional environmental issues. He expects the project to proceed and go to final review late this summer. The Riverwalk & Del Rio Hills projects share many of the same components. They were both submitted last year and the review is about 70% complete. There are still some outstanding issues, including traffic, noise, gas production facilities, and environmental issues.

Mr. Bland continued with an overview of the Brann Ranch project. It has approximately 860 lots and includes a proposed school site. The proposed school site is an issue due to existing natural gas lines and the school district is working with the developers to resolve the issue.

Tom Bland introduced Jack Hall, representative for Shea Homes/Gibbs Ranch, and Elisabeth Fox, engineer for the project. They showed maps of the area, and proposed floor plans. Mr. Hall said that the project will be built in 3 phases and they hope to begin their model homes in March, 2006. The houses will be mainly two-story, and some of the over garage units could be lower cost housing, as addressed in the General Plan. Ms. Fox showed a map with the proposed class I & class II bike trails per the General Plan. The maps also showed open space available for parkland.

Mr. Bland introduced Tom Kambe, representative for the Riverwalk project. Mr. Kambe introduced Jerry Irvin, the designer for both the Riverwalk and Del Rio Hills projects. Mr. Irvin showed maps and gave a brief overview of the projects. Riverwalk consists of 236 acres, with
approximately 875 units and 24 acres of open space. There are 11 acres of parks and 2 miles of trails. Del Rio Hills is 507 acres with 1,400 – 1,600 dwellings and a total of 150 acres of open space. 85 acres of the open space is in ridges and swails to keep with the natural landscape of the area. The streets of both projects will tie into the existing Rio Vista community with possible trail connections to the schools.

7. Meeting schedule:
The next regular meeting will be June 9, 2004, at this time there are no items for the agenda.

8. Correspondence:
None

9. Comments from staff and/or Commissioners:
Tom Bland reminded the Commissioners of the joint City Council/River Delta Unified School District Study Session to be held May 18 at 5:00 at City Hall. He also told them about a City Council Study Session on May 25 at 5:30, the second one to be held concerning natural gas. He told them that in late June (possibly Tuesday, June 22), they are proposing to have a joint study session with the Planning Commission and the City Council concerning the remaining development issues and that they would have a chance to review the development projects again then.

Commissioner Vick brought her notes and copies of handouts she received at the Planner’s Institute. She said that the copies would be in the Community Development office if anyone wants copies.

10. Adjournment:
The meeting was adjourned at 9:30 pm.

Thomas E. Bland
Secretary