

Jackson Planning Commission

Minutes

Regular Meeting of April 18, 2011

COMMISSION MEMBERS PRESENT:

Joe Assereto
Dave Butow
Kathryn Devlin Vice-Chairman
Darek Selman
Walt Hoeser, Chairman

CITY STAFF PRESENT:

Susan Peters, City Planner
Gisele Cangelosi, City Clerk

COMMISSION MEMBERS ABSENT:

Note: The Staff Report Packet prepared for the Planning Commission is hereby incorporated into these minutes by reference as though set forth in full. Any Staff Report, recommended findings, mitigation measures, conditions, or recommendations which are referred to by Commissioners in their action motions on project decisions, which are contained in the Staff Reports, are part of these minutes. Any written materials, petitions, packets or comments received at the hearing also become part of these minutes. The recording tapes of this meeting are hereby incorporated into these minutes by reference and are stored in the City of Jackson Planning Department.

Chairman Hoeser reconvened to the regular meeting at 6:30 p.m.

1. Public Matters Not on the Agenda.

Thornton Consolo, Jackson, stated his concern was regarding Amador County building a new Law Enforcement facility outside the city limits. He felt the Planning Commission needed to be aware of this situation because the decentralization of County facilities might have an effect Jackson as the County seat.

2. Approval of Minutes. Minutes from the April 4, 2011 Special Meeting.

Moved by Commissioner Butow, seconded by Commissioner Assereto and carried by a 3 to 2 vote (Vice-Chairman Devlin and Commissioner Selman abstained) to approve the Minutes of the April 4, 2011 meeting.

**3. Public Hearing - Tentative Subdivision Map 179, C&L Investment Co., Inc. 20
Rollingwood Drive, APN# 020-510-010 & 11 and 020-540-001.**

Vice-Chairman Devlin recused herself based on a conflict of interest. Commissioner Selman recused himself based on a conflict of interest.

City Planner Peters reported at the special Planning Commission meeting held April 4, 2011, the a public hearing was held to consider Tentative Subdivision Map 179 for the Rollingwood Mobile Home Park. After considerable testimony, staff was directed to prepare a resolution denying the subdivision application. The City Attorney and City Planner prepared Resolution 2011-02 Denying Tentative Subdivision Map 179 for review and consideration. Staff recommends that the Planning

Commission provide the public an opportunity to comment on the Resolution prior to Planning Commission adoption.

The Planning Commission was provided a copy of a letter from William Constantine dated April 15, 2011 requesting the Commission make Finding Number 1 more complete and respectfully suggest that the following sentence be added: **“The report also does not contain any information on either the financial circumstance or the demographics of any of the park’s residents to allow a reasonable assessment of the impacts of the conversion upon them to be made.”**

City Planner Peters reported staff received Attorney Constantine’s letter today and it was forwarded to City Attorney Morris to determine if he felt it would be appropriate to include the suggested additional language. Due to the late submittal of Attorney Constantine’s letter staff did not receive a response from City Attorney Morris prior to the meeting.

It was the consensus of the Planning Commission the additional verbiage appeared to go beyond what the statute requires and felt the prepared resolution contained the necessary statutory language.

Chairman Hoeser reopened the public hearing. The following individual spoke regarding Tentative Subdivision Map 179 for C & L Investments Co., Inc., at 20 Rollingwood Drive: Shirley Dajnowski and Thornton Consolo. Hearing no further comments from the public regarding Chairman Hoeser closed the public hearing.

After considerable discussion among the Planning Commission and staff the following motion was made:

Moved by Commissioner Assereto, seconded by Commissioner Butow, and unanimously carried to approve Resolution 2011-02 as presented to deny Tentative Subdivision Map 179 for C & L Investment Company Inc., based upon the testimony received during the public hearing on the application and based upon the following findings:

- 1. The applicant has failed to comply with subsection (b) of section 66427.5, by filing an inadequate and incomplete report on the impact of the subdivision of the park upon residents of the park. The report addressed only the impact on residents opting not to purchase the lots upon which their homes are located, and did not adequately or clearly address the financial impact of the subdivision on residents wishing to purchase the lots occupied by their homes.**
- 2. The survey of residents conducted by the applicant pursuant to subsection (d) of section 66427.5 shows 16 residents in favor of the subdivision and 135 residents opposed to the subdivision, reflecting a deep lack of support by the residents for the subdivision. The Planning Commission has considered the results of the survey as required by section 66427.5, and finds that the survey results justify a denial of the Application. The Planning Commission further finds that the survey results justify denial based upon the uncodified legislative intent reflected in AB 930, the 2002 legislation adding the resident survey requirement to section 66427.5.**

3. **The applicant has failed to comply with subsection (f) of section 66427.5 by providing inadequate information concerning the “market level” of rent, which may be charged to nonpurchasing residents who are not lower income households. The applicant has provided only an estimate, not an “appraisal conducted in accordance with nationally recognized professional appraisal standards,” as required by subsection (f).**

Vice-Chairman Devlin and Councilmember Selman return to dais at 6:51 p.m.

4. Presentation by Amador-Tuolumne Community Action Agency Regarding “Sutter Family Homes” Project on Argonaut Drive near Sutter Street.

City Planner Peters reported A-TCAA requested placement on the agenda to provide information to the Planning Commission and the public about the value of their project to the community. The City Council was also presented with this project on November 8, 2010 A-TCAA’s Housing Resources Director, Beetle Barbour, contacted City staff last year regarding a proposed project to construct four single family homes for a transitional living program within Jackson. Based on their evaluation of housing needs in the area and the success of a similar housing project in Columbia, they applied for funding from the State Housing and Community Development Department for funding from the Proposition 1C program. They were recently awarded \$1,000,000 to move forward with the project. According to Ms Barbour these homes will typically be occupied by single mothers and their children, many of whom have been the victims of domestic violence. However, the housing program is available to qualifying families who have experienced economic hardships. The proposed project location is on Argonaut Drive and is shown on the attached vicinity map. The property they have identified is zoned medium density residential and allows for up to four dwelling units per acre. Since the property is 1.4 acres in size, these four homes can be constructed at this location with a ministerial building permit and approval from the Planning Commission or City Council is not required.

Beetle Barbour, A-TCAA Housing Resources Director, gave a brief description of the “Sutter Family Homes” Project on Argonaut Drive near Sutter Street. She provided a brief history of a family in the program in Tuolumne. She reported the majority of homeless are families and with this type of program it puts them on the road out of homelessness. Amador-Tuolumne Community Action Agency was formed in 1981 to help individuals in these two counties towards self-sufficiency; to assist local residents in becoming involved and contributing members of the community; to promote family and other supportive environments so that children, youth and elders can achieve their maximum potential; and to form partnerships and coalitions within the community to meet these needs.

Yvonne Penland, A-TCAA Tuolumne Housing Program Manager was present to answer questions of the Planning Commission and public.

Nancy Andrade, ATCAA Tuolumne Transitional Living Programs Case Manager was present to answer questions of the Planning Commission and public.

Sherrie Milligan, ATCAA Amador Housing Programs Manager was present to answer questions of the Planning Commission and public.

Chairman Hoeser opened the public discussion. The following individuals spoke regarding A-TCAA regarding "Sutter Family Homes" Project: David Shirley, Elizabeth Chapin-Pinotti, Larry Duran, Steve McLean, Rodney Hobbs, Sue Hobbs, Nancy Hutchinson, Paul Podesta and Jack Georgette.

The following concerns were discussed:

1. Length of stay at a transitional living location.
2. State's definition for length of stay is 2 years, which depends on the school year.
3. Staff on call 24/7 for each A-TCAA facility.
4. Construction issues: site plan, slope grade, landscaping, tree removal, fencing, sewer, storm water drainage, and parking.
5. Compatible to community, believes manufactured homes will lower home values in the area.
6. No overnight adult allowed other than family members.
7. Reasons for locating all of the homes on one lot versus purchasing several individual homes throughout the City.
8. Families are chosen through an extensive interview process and have to sign a transitional housing agreement.
9. A-TCAA expectations of the residents.
10. Zero tolerance for drugs and alcohol.

Hearing no further comments from the public regarding Chairman Hoeser closed the public discussion. No action was taken.

5. Administrative Reports.

City Planner Peters reported at the May meeting there would be a conditional use permit to allow operation of a mobile food facility and review of the current Sign Ordinance. She reported the Ed McMahan presentation was presently airing on TSPN.

Vice-Chairman Devlin inquired if there was a new estimated date as to when the Architectural Regulations would be presented to the City Council for final consideration.

City Planner Peters reported she has been diligently working on the Architectural Regulations and updating the Development Code and hoped to schedule that public hearing in the near future. However the focus has changed and she has been on working on completing the revisions to the Housing Element.

Adjourn: 8:01 p.m.

Attest:



Gisele L. Cangelosi, City Clerk

Date Approved: May 16, 2011