

Jackson Planning Commission

Minutes

Regular Meeting of September 17, 2012

COMMISSION MEMBERS PRESENT:

Joe Assereto
Kathryn Devlin, Vice-Chairman
Walt Hoeser, Chairman

CITY STAFF PRESENT:

Susan Peters, City Planner
Michael Daly, City Manager
Gisele Cangelosi, City Clerk

COMMISSION MEMBERS ABSENT:

Fred Hall
Dave Butow

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 called the meeting to order at 6:30 p.m.

1. Public Matters Not on the Agenda.

None.

2. Approval of Minutes. Minutes from the July 16, 2012 Regular Meeting.

Moved by Vice-Chairman Devlin, seconded by Commissioner Assereto, and carried by a 3 to 0 vote (Commissioner Butow and Commissioner Hall absent) to approve Minutes from the July 16, 2012 Regular Meeting as amended.

3. Public Hearing – Conditional Use Permit to Allow for the Use of the Property to Include Food Prep and Headquarters for an Off-Site Catering Business, 425 North Main, APN 020-171-005, Kevin Clerk.

City Planner Peters reported the applicant is proposing to operate a commissary and headquarters to support a catering business, Clark's Food & Beverage Company. Location is residential but has mixed use in the area. The City of Jackson General Plan Designation and Zoning for this site is Residential Single Family. Development Code, Article III, Section 17.58.120(D)(4) regarding home occupations allows for "a use which entails food handling, processing, or packing," with a Conditional Use Permit. While Conditional Use Permits are typically subject to the California Environmental Quality Act (CEQA), projects which have no possibility of causing an environmental impact can be categorically exempted from CEQA review in accordance with Section 15061(b)(3) of CEQA.

Should the Planning Commission choose to approve this project, the following findings must be made in accordance with Section 17.76.030 Findings and Decision (for Use Permits) of the Development Code:

1. The proposed use is allowed by the Development Code and is consistent with the General Plan.

2. The proposed use is consistent with the overall character of the surrounding neighborhood.
3. The proposed use will not have a significant adverse effect upon the environment.
4. The operating characteristics of the proposed use are compatible with existing and future land uses in the vicinity.
5. Granting the Use Permit would not be detrimental to the public health, safety, or welfare of the City, or injurious to the property or improvements in the vicinity and zone in which the property is located.
6. The site, development features, and surrounding improvements for the use are physically suitable for the type and density/intensity of the use.

Staff had no recommended conditions of approval for the proposed project. The Planning Commission can add Conditions of Approval if they so choose.

Should the Planning Commission chose to approve the conditional use permit for Mr. Kevin Clark, the following actions are recommended:

1. Instruct staff to file a Categorical Exemption; and,
2. Adopt a Resolution approving Conditional Use Permit 2012-02 for Kevin Clark at 425 North Main Street (APN 020-171-008) based on the Findings in this report.

Kevin Clark, applicant, was present to answer questions of the Planning Commission.

Chairman Hoeser opened the public hearing. Jack Georgette spoke regarding the Conditional Use Permit to Allow for the Use of the Property to Include Food Prep and Headquarters for an Off-Site Catering Business, 425 North Main. Hearing no further comments from the public, Chairman Hoeser closed the public hearing.

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

Moved by Vice-Chair Devlin , seconded by Commissioner Assereto, and carried by a 3 to 0 vote (Commissioner Butow and Commissioner Hall absent) to approve Conditional Use Permit to Allow for the Use of the Property to Include Food Prep and Headquarters for an Off-Site Catering Business, 425 North Main.

1. Instruct staff to file a Categorical Exemption; and,
2. Adopt a Resolution approving Conditional Use Permit 2012-02 for Kevin Clark at 425 North Main Street (APN 020-171-008) based on the Finding in this report.

4. Demolition Review – 824 State Highway 49/88 – Removal of the industrial building currently occupied by Poor Man’s Bronze.

City Planner Peters reported the applicant is requesting approval to remove the structure located at 824 State Highway 49/88, currently occupied by Poor Man’s Bronze. The property is for sale and the owners have had potential buyers interested in the site without the building. The applicant has stated that demolition will not occur until such time that the property is sold. Development Code, Article IV, Chapter 17.83 Demolition Review requires review and recommendation by the Design Review Committee and Planning Commission approval for demolition for any potential historic resource. The Chapter requires use of the attached Section 15064.5(a) of the California Environmental Quality Act Guidelines to determine if the structure is considered a historic resource.

On August 7, 2012 the Design Review Committee (DRC) met and continued the meeting pending additional information regarding the history of the structure. On September 7, 2012 the DRC reviewed additional information regarding the structure and determined that it was not considered a historic resource per section 15064.5(a) of CEQA. The DRC voted unanimously to recommend Planning Commission approval of the demolition with a recommendation that the cedar paneling be recycled. The Planning Commission was provided a copy of the Design review Committee Minutes.

In accordance with Development Code Section 17.83.040 – Findings and Decision, one the following findings must be made for approval of the requested design:

1. Maintaining the resource is not economically feasible based on policies, criteria, and guidelines adopted by the City Council.
2. Within one year of the demolition of the resource, the resource will be replaced by a building reconstructed to replicate the resource from a period of the historic significance of the resource and the reconstruction of the building is done in accordance with the "Standards for Reconstruction and Guidelines for Reconstructing Historic Buildings" as set forth in the Secretary of the Interior's Standards for the Treatment of Historic Properties.
3. The historic resource poses an immediate danger to the health, safety, or welfare of the occupants, the owner, or that of the general public; there are no other reasonable actions that may be taken by the City or property owner to eliminate or reduce the immediate danger to an acceptable and safe level; and the historic resource must be demolished immediately to safeguard the public health, safety, and welfare.
4. The historic resource must be removed from the site in order for the property to be utilized for a public structure or use which substantially benefits the public.
5. The project is not considered historic as defined by Section 15064.5(a) (Determining the Significance of Impacts to Archeological and Historical Resources) of the California Environmental Quality Act Guidelines.

It is recommended that the Planning Commission review the demolition request, the recommendation of the Design Review Committee for 824 State Highway 49/88 and consider a resolution approving the proposed demolition permit of the building based on at least one of the findings in this report.

City Planner Peters noted for the record the applicant was not present to answer questions of the Planning Commission.

Chairman Hoeser opened the public hearing. Thornton Consolo spoke regarding the 824 State Highway 49/88 Demolition Permit – Removal of the industrial building currently occupied by Poor Man's Bronze. Hearing no further comments from the public, Chairman Hoeser closed the public hearing.

City Manager Daly reiterated there is no demolition date slated; this demolition would be contingent on the sale of the property.

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

Moved by Vice-Chairman Devlin, seconded by Commissioner Assereto, and carried by a 3 to 0 vote (Commissioner Butow and Commissioner Hall absent) to Adopt a Resolution approving the 824 State Highway 49/88 Demolition Permit – Removal of the industrial building currently

occupied by Poor Man's Bronze base on the Finding #5 and added the following condition of approval:

- **Finding #5: The project is not considered historic as defined by Section 15064.5(a) (Determining the Significance of Impacts to Archeological and Historical Resources) of the California Environmental Quality Act Guidelines.**
- **Condition of Approval: Required preservation of the corrugated metal siding and roof materials and the cedar paneling inside the building for re-use. A plan for implementation of this Condition of Approval shall be submitted prior to issuance of a demolition permit.**

5. Public Hearing - Conditional Use Permit to Allow the Property Owner to Park a Recreational Vehicle on Buscaglia's Property for On-site Security Purposes, 1218 Jackson Gate Road, APN 020-060-026, Rodney Young.

City Planner Peters reported the applicant is proposing to park a recreational vehicle on Buscaglia's property near the old ruins for on-site security purposes as the result of vandalism issues and to protect the property. The City of Jackson General Plan Designation and Zoning for this site is Limited Commercial. Development Code, Article III, Section 17.30.100(B)(7) regarding property maintenance allows for vehicles to be used for living space for a maximum period of two weeks. Development Code Article II Section 17.06.040(B)(2) requires a Conditional Use Permit for uses which are not listed in any zoning district. While Conditional Use Permits are typically subject to the California Environmental Quality Act (CEQA), projects which have no possibility of causing an environmental impact can be categorically exempted from CEQA review in accordance with Section 15061(b)(3) of CEQA.

Should the Planning Commission choose to approve this project, the following findings must be made in accordance with Section 17.76.030 Findings and Decision (for Use Permits) of the Development Code:

1. The proposed use is allowed by the Development Code and is consistent with the General Plan.
2. The proposed use is consistent with the overall character of the surrounding neighborhood.
3. The proposed use will not have a significant adverse effect upon the environment.
4. The operating characteristics of the proposed use are compatible with existing and future land uses in the vicinity.
5. Granting the Use Permit would not be detrimental to the public health, safety, or welfare of the City, or injurious to the property or improvements in the vicinity and zone in which the property is located.
6. The site, development features, and surrounding improvements for the use are physically suitable for the type and density/intensity of the use.

Should the Planning Commission choose to approve the Conditional Use Permit for Rodney Young, staff recommends the following conditions:

1. All utilities (water, sewer, electrical) shall be connected per City of Jackson Building Department standards. This condition shall be implemented to the satisfaction of the Senior Building Inspector.
2. Applicant shall obtain and pass inspection by the City's Building and Public Works Departments, and the Amador Fire Protection District. This condition shall be implemented to the satisfaction of the City Planner.

Should the Planning Commission chose to approve the conditional use permit for Mr. Rodney Young, the following actions are recommended:

1. Instruct staff to file a Categorical Exemption; and,
2. Adopt a Resolution approving Conditional Use Permit 2012-03 for Rodney Young at 1218 Jackson Gate Road (APN 020-060-026) based on the Findings and subject to the Conditions of Approval in this report.

Chairman Hoeser opened the public hearing. The following individuals spoke regarding the Conditional Use Permit to the Property Owner to Park a Recreational Vehicle on Buscaglia's Property for On-site Security Purposes, 1218 Jackson Gate Road: Alicia Miller, Judy Jebian Thornton Consolo. Hearing no further comments from the public, Chairman Hoeser closed the public hearing.

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

Moved by Vice-Chairman Devlin, seconded by Commissioner Assereto, and carried by a 3 to 0 vote (Commissioner Butow and Commissioner Hall absent) to deny Conditional Use Permit to Allow the Property Owner to Park a Recreational Vehicle on Buscaglia's Property for On-site Security Purposes, 1218 Jackson Gate Road, APN 020-060-026 based on that the following finding could not be made in accordance with Section 17.76.030 Findings and Decision (for Use Permits) of the Development Code.

- **Finding #2: The proposed use is consistent with the overall character of the surrounding neighborhood.**
- **Finding #3: The proposed use will not have a significant adverse effect upon the environment.**

City Planner Susan Peters stated the action is appealable to the City Council with a written request and a \$200.00 fee to the City Clerk within 10 calendar days.

6. ACTC Public Workshop Circulation Improvement Program and Transportation Impact Fee Update. Review existing circulation conditions, and initiate the exploration of potential solutions toward mitigating congestion/improving circulation.

Neil Peacock, ACTC, stated in November 2011 the City of Jackson and the Amador County Transportation Commission (ACTC) initiated an update of the City's Circulation Improvement Program. This project will create a comprehensive program to plan, prioritize, and fund various transportation capital improvement projects including multi-modal and street-scape improvements, as well as relevant transit service enhancements. The program will result in a prioritized funding strategy and an update to the City's AB 1600-compliant Nexus Plan and local Traffic Impact Mitigation Fee program, a major revenue source for these improvements.

Utilizing a grant from Caltrans, the City and ACTC hired Omni-Means, Ltd. to prepare the Circulation Improvement program. Tonight's workshop is intended to introduce Omni-Means staff to the Planning Commission and public and to initiate the visioning process for transportation improvements in the City of Jackson.

Marty Inouye, Principal/Project Manager, Omni-Means, LTD, was present the City of Jackson Circulation Improvement Program and Transportation Impact Fee Update. The Power Point presentation prepared by Omni-Means provided additional information regarding the Circulation Improvement Program and transportation impact fee update.

1. Improve future circulation:
2. Study funding/coordination:
3. Project Objectives
4. Circulation Improvement Plan/Fee
5. Key Work Tasks
6. Schedule and Key Milestones
7. Current Transportation Baseline/Setting
8. Example of Varied Roadway Characteristics
9. Transit, Bicycle and Pedestrian Facilities
10. Planning Issues
11. Potential Solutions
11. Roadway Concepts

After considerable discussion among the Planning Commission and staff, Chairman Hoeser thanked Neil Peacock, ACTC and Marty Inouye, Principal/Project Manager, Omni-Means, LTD for their presentation.

7. Administrative Reports.

City Planner Peters nothing to report.

Adjourn 8:37 p.m.

Attest:



Gisele L. Cangelosi, City Clerk

Date Approved: October 15, 2012