

City of Jackson Planning Commission

Summary Minutes

Meeting of May 21, 2007

The Planning Commission of the City of Jackson met in the Civic Center Council Chambers, 33 Broadway, Jackson, California. Chairman Works called the meeting to order at 6:00 p.m.

COMMISSION MEMBERS PRESENT:

Dave Butow
Warren Carleton, Vice-Chair
Letitia Sexton
Terri Works, Chairman
Wayne Garibaldi

CITY STAFF PRESENT:

Mike Daly, City Manager
Susan Peters, City Planner
Karon Knuist, Administrative Clerk

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.

Pledge of Allegiance

- 1. Public Matters Not on the Agenda:** Chairman Works opened the floor for Public Matters Not on the Agenda.

Kathy Dubois read from a letter not provided to the Commissioners. Ms. DuBois would like the City to consider retrofitting existing homes rather than building new homes. If new homes need to be built they should be required to conform to rigid energy use standards using more natural resources – solar panels to feed more energy into the power grid, decrease lot size, more mixed use in the downtown areas.

Judith Jebian would like the packets to be available on-line Thursday or Friday afternoons before the meetings. City Manager Daly replied that we were working on getting that process in place.

No other matters were brought to the Commission and the Public Matters Not on the Agenda portion of the meeting was closed.

- 2. Approval of Minutes of April 16, 2007.**

Commissioner Butow pointed out that the Jackson Valley Irrigation District has not maintained a 20-1 dilution. City Manager Daly stated that we have maintained that ratio for 25 out of 35 years.

Commissioner Butow questioned the conditions of CUP 2007-02. He understood the conditions to include the rescinding of the CUP if the business should change in any way. City Planner Peters

replied that if at any time the applicants were not operating within the confines of the permit there would be a revocation hearing.

Commissioner Butow also pointed out that an “s” needed to be added the “Jackson Hill” in the second paragraph on page 3.

Jim Laughton’s name was misspelled on the top of page 4.

Motion: It was moved by Commissioner Carleton, seconded by Commissioner Sexton and carried with a 5-0 vote to accept the Minutes of April 16, 2007 with the changes as stated above.

3. Notice of Intent to Develop

Chairwoman Works removed herself from the panel and sat in the audience for the discussion of Item #3 – Notice of Intent to Develop (NOID), stating she felt she had a conflict of interest.

Vice-Chairman Carleton took over the meeting at that point. He addressed the Commissioners on the NOID’s being presented to them, and stated that he felt that before any decision were made, a new General Plan should be in place.

Commissioner Butow agreed and added that we should also wait to find out what the results of the State’s analysis of our wastewater issues, so we would know what the financial impact of that would be.

Commissioner Sexton does not have a problem approving and allocating the HEUs.

Commissioner Garibaldi pointed out that the Commission has already decided to allocate the HEUs and there is a deadline by which they need to be approved.

City Planner Peters addressed the Commissioners to alert them that the draft General Plan EIR will be ready sometime in June or at the latest July, then there is a 45 day review period and the Final GP EIR should be ready approximately 30-45 days after that.

City Planner Peters told the Commissioners that they have an obligation to follow the restraints set out in the ordinance and hear all the Notices of Intent to Develop. The Commissioners’ job is to decide if they feel any of the plans are worthy of the HEUs. If they feel a plan or plans are worthy of allocating the HEUs, then the project manager can submit an application and their detailed project will go before the Commission for approval. An allocation of HEUs does not mean that the project has been approved; it just gives them the right to submit an application.

City Planner Peters recommended that the Commission hear all the Notices of Intent to Develop, take public testimony, and then decide whether any of the projects are worthy of an allocation of

HEUs. The Commissioners can give all HEUs to one project, split the HEUS between several projects or not award any of the HEUs.

Commissioner Garibaldi asked City Planner Peters to explain what would happen if an allocation was made, and the application was denied.

City Planner Peters replied that the HEUs that were allocated to that project were out of the loop until next year when the Commissioners decide whether or not to allocate them.

Commissioner Carleton questioned why Jackson Hills was on the list because the Planning Commission had denied their project application. City Manager Daly explained that the Planning Commission had made a recommendation to the City Council that the Jackson Hills Project be denied, but the City Council has not acted on it and that it is still an active application.

Vice Chairman Carleton called Jackson Hills representative Martin Tuttle to the podium to outline their Notice of Intent to Develop for the Jackson Hills Golf Course project.

Marty Tuttle expressed his disappointment in the Commissioners' decision to recommend denial of the Jackson Hills project to the City Council. He feels they have a very strong project that will add to the City of Jackson and would like the Planning Commission to award 68 HEUs to their project so they can move forward with Phase 1.

Vice Chairman Carleton opened the floor for public discussion on the Jackson Hills project.

Sandy Nurse wanted to comment on businesses leaving Jackson and is concerned about taking land that is zoned for businesses and turning it into residential.

Jill North was wondering why Jackson Hills needed more HEUs when they already had 82. City Planner Peters explained that Jackson Hills were allocated the 82 HEUs 2005, and the first phase of their project requires 150.

Vice Chairman Carleton closed the floor for public discussion on the Jackson Hills project.

Vice Chairman Carleton called Jackson Hills representative Marty Tuttle to the podium to outline their Notice of Intent to Develop for the Miner's Vista affordable housing project. Mr. Tuttle outlined Miner's Vista as a market rate affordable housing development made up of 15 condos and 30 apartments. He expressed his desire that the Miner's Vista project not compete with the Jackson Hills project for the HEUs being distributed.

Vice Chairman Carleton opened the floor for public discussion on the Miner's Vista project.

Kathy Dubois feels that the area chosen for Miner's Vista is not a suitable location for a housing project. It is located in a commercial area and the residents would be looking over the top of the mini storage.

Sandy Nurse stated that the area chosen for Miner's Vista is zoned light industrial and that the CCRs for the business park does not allow for residential units. She was concerned that the chosen parcel is too steep, it is located in the middle of a business park, it was no place for kids, and it would lower the value of their business property.

Vice Chairman Carleton closed the floor for public discussion on the Miner's Vista project.

Vice Chairman Carleton invited Jim Buell to the podium to give an overview of the St. Patrick Park project. Mr. Buell described the project as homes, custom placed to avoid existing trees, a walk able development made up of town homes and cottage clusters, a trail systems and common areas connected with internal driveways. A neighborhood convenience center is included in the plans, allowing residents access to banking, a barber/beauty shop, medical offices, etc. without having to get into their car and drive to town. Sixty-six percent of the project will be low to moderate housing with an emphasis towards senior living. Mr. Buell read from a letter provided to the Commissioners. The project will be required to meet the Green Building Industry Council's definition of state of the art energy conservation development by incorporating high "R" values, passive solar, photo-voltaic and protected solar access. St. Patrick Park is requesting all HEUs, because the project does not lend itself to phasing. The plan includes widening Highway 88 and extending the turn lane, knocking off a point of land to provide sight distance.

Commissioner Sexton wanted to know if Caltrans would be willing work with the project and an encroachment permit.

Mr. Buell said that was one of the first things he checked out when beginning the project and he said that Caltrans was positive about getting the project done.

Vice Chairman Carleton opened the floor for public discussion on the St. Patrick Park project.

Kathy Dubois asked if there were any parts of the development that the church would continue to own after the project was completed, either the land or the development itself.

Jim Buell answered that the church will retain ownership of the Catholic Center and church only.

Vice Chairman Carleton closed the floor for public discussion on the St. Patrick Park project.

Vice Chairman Carleton invited Murray Lind of Reynen Bardis to the podium to give an overview of the Creekside at Jackson Project. The project is a 277-acre development located northwest of French Bar Road, west of Hwy. 49. The project incorporates a variety of housing types including 150-180 lots for single-family homes on smaller lots; addressing the needs of young families and

fulfilling the 10% affordable housing requirements. The project also includes 150-180 conventional family size lots, 50-60 lots of estate size. They have begun talks with Amador County Unified School District to put in a K-8 school and park. They plan to keep ½ of the entire site undeveloped to protect Jackson Creek, public view sheds and habitat. The plan includes pedestrian bike paths, connecting the interior neighborhoods and the core of Jackson.

They are requesting 75 HEUs to begin Phase 1.

Vice Chairman Carleton opened the floor for public discussion on the Creekside at Jackson project.

Kathy Dubois asked if the homes were going to be constructed as “off the grid” solar home.

Murray Lind of Reynen Bardis answered that the houses would be plumbed and solar ready, all the homeowners would need to do would be to install the solar panels. They are constructed as not marketed as “solar homes” because the additional cost of the solar panels is sometimes a detriment to homebuyers.

Jack Georgette wanted to know what infrastructure the city had in place to handle these proposed massive developments. The police, fire, streets, etc. needed to handle all the people that these developments would house.

Doug Bailey wanted to know why the school is located in the rear of the development.

Joan Bailey wanted to know why the school site is located next to ranchland instead of closer to the housing developments.

Murray Lind of Reynen Bardis replied that that spot was chosen because it was the largest, flattest area.

Vice Chairman Carleton closed the floor for public discussion on the Creekside at Jackson project.

The next applicant, Charlotte Laughton was not present so Vice Chairman Carleton read her letter of application requesting 40 HEUs to develop 12.91 acres off of French Bar Road.

There were no comments or questions from the Commissioners or the public and Vice Chairman Carleton closed the public portion of the meeting and called a seven-minute recess.

When the Commissioners reconvened, they began the discussion of awarding the HEUs and the merits of each project.

Vice Chairman Carleton explained to the Commissioners that their options were to award all the HEUs to one applicant, split the HEUs between applicants, or if they felt none of the projects were worthy, they did not have to award any of the HEUs. He also explained that the Notice of Intent to

Develop plans were conceptual, not full blown plans, that the Commissioners were just awarding the HEUs so the applicants have the right to submit a full application with Tentative Parcel maps, etc.

Commissioner Garibaldi wanted to point out that the Commissioners were only making a recommendation, whatever they decide still has to go to the City Council for the final decision. He outlined the reason that the HEU process was put into place, to clarify to the Commissioners and the audience. The Commissioners are to judge the NOIDs according to certain restraints put in place to determine a project's benefit to the city in terms of economic detriment or benefit, road improvements, sewer treatment plant improvements, recreational amenities, preservation of the environment, projects that infill around existing development, school facilities, affordable/workforce housing, and sensitivity to historic features.

Commissioner Butow expressed concern that the NOID applicants did not provide all 10 of the requirements and feels that the NOIDs should be reviewed by a civil engineer to check over the plans and make sure all questions are answered before the Commissioners receive them.

City Manager Daly responded that the plans are looked over and staff has conversations with the applicants so that they understand what is required in the NOID process.

Vice Chairman Carleton stated that since a decision needs to be made tonight, he would like to start by weeding out the less desirable projects and then coming to an agreement on how to distribute the HEUs between the remaining projects. Vice Chairman Carleton polled the Commissioners beginning with Commissioner Butow.

Commissioner Butow felt that since Jackson Hills was already voted down, there was no sense in talking about it. Miner's Vista has topography problems and the fact that they were trying to place it in a business district where the Codes, Covenants, and Restrictions (CC&R's) do not allow residential buildings was reason enough to remove it from the list. He would be willing to give St. Patrick Park the HEUs needed for the area they would utilize for their own use; the church, rectory, auditorium, meeting rooms etc. He is inclined to award the 75 HEUs to Creekside at Jackson because unlike Jackson Hills it is butting up to existing developments. Charlotte Laughton didn't give enough information in her NOID to warrant awarding her any HEUs.

Commissioner Sexton also felt they should disregard Charlotte Laughton's NOID due to lack of information and a vague timeframe of completion. Miner's Vista is located in the wrong place and doesn't feel people should live there. She is following the recommendation of the Planning Commission and not awarding any HEUs to Jackson Hills. She is not sure about Creekside at Jackson. She favors St. Patrick Park, commenting that the Catholic Center would relieve some of the downtown congestion around the current church, give the city additional jobs, providing affordable housing as part of their initial plan, providing personal services, encouraging energy conservation and solar housing.

Commissioner Garibaldi feels that Jackson Hills is not a dead issue. They still have the 82 HEUs given to them last year, he would recommend that they are given the 68 HEUs they need to complete Phase 1, with the remaining 38 be given to St. Patrick Park as a vote of confidence in their project. He likes the Creekside at Jackson project but it is in nearly the same location as Jackson Hills and would cause the same problems the Jackson Hills is facing.

Vice Chairman Carleton polled the Commissioners to see if they want to keep Jackson Hills as a contender. He received no responses either way so he took it off the list and all Commissioners agreed.

The Commissioners then decided on how to distribute the HEUs. Commissioner Garibaldi feels that St. Patrick has more of the attributes of what we want for developments in the city. Commissioner Sexton recommended St. Patrick because it adds to the city, helps with traffic congestion, provides services to the residents so they don't have to get in their cars and do their errands, and it will be done all at once, rather than in phases that will go on and on. Commissioner Butow favors St. Patrick and Creekside because they are normal extensions of what is already there.

City Planner Peters corrected the number of HEUs St. Patrick is requesting, because a portion of their project is deemed and locked in as affordable (low to low-moderate) housing which under California State Law exempts them. Out of the 180 total units, 94 units are deemed as affordable housing bringing the number of HEUs to 86 rather than the whole 106 available HEUs.

Commissioner Garibaldi recommends allocating 86 HEUs to St. Patrick and the remaining 20 to Creekside at Jackson.

Motion: Commissioner Butow moved to award 86 of the 2007 HEUs to St. Patrick Park with the provision that 94 units are locked in as affordable housing and therefore exempt. Commissioner Butow moved to award the remaining 20 HEUs to Creekside at Jackson. Commissioner Garibaldi seconds. The motion passes on a 4-0 vote, with Chairwoman Works having earlier removed herself from the panel.

Chairwoman Works rejoined the panel.

4. Administrative Reports

Three positions on the Planning Commission are expiring - Commissioners Butow, Garibaldi, and Carleton. Applications will be accepted Wednesday May 30 through Wednesday June 20, 2007.

Commissioner Butow asked City Planner Peters about the Traffic Report on Home Depot. She replied that she had copies of that portion of the technical appendices of the Home Depot EIR in the office and she would provide him one after the meeting.

Meeting adjourned by Chairwoman Works at 8:12 p.m.

Attest:

Karon Knuist, Administrative Clerk

Date Approved: October 15, 2007