

# Jackson Planning Commission

## December 18, 2006 Minutes

### **COMMISSION MEMBERS PRESENT:**

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

### **CITY STAFF PRESENT:**

Mike Daly, City Manager  
Susan Peters, City Planner  
Carlyn Drivdahl, Assistant City Attorney  
Candy Collins, Accounting Assistant

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**Vice-Chair Carleton** called the meeting to order: 6:06 p.m.

### **1. Public Matters Not on the Agenda.**

None.

### **2. Public Hearing – Project Determination Recommendation to City Council, Jackson Hills Golf Course and Residential Community.**

**City Planner Peters** provided instructions to the applicants and the audience regarding the process for the evening and reviewed the following options for making a recommendation to the City Council:

Option 1: Recommend the City Council approve the proposed project. Direct staff to provide the necessary findings for approval of the project for consideration at the next available Planning Commission meeting.

Option 2: Recommend the City Council approve a modified version of the proposed project. The Planning Commission can choose to recommend one of the alternatives developed and reviewed in the EIR (see Revised Draft EIR Section 6.0 – Alternatives) or some other mutually agreed upon project. Staff would then be directed to modify the project description and develop findings for approval for consideration at the next available Planning Commission meeting. Consideration of alternatives is likely to require additional/supplemental environmental analysis to support that the Final EIR covers the modified project (usually done with an Addendum document to the EIR that does not require another public review).

Option 3: Recommend the City Council deny the proposed project. Direct staff to provide the necessary findings for denial for consideration at the next available Planning Commission meeting.

**Vice-Chair Carleton** had some questions regarding the process and then turned the meeting over to Chairperson **Works** who arrived a few minutes late.

**Commissioner Garibaldi** requested that Chairperson Works repeat the rules for conduct.

**Chairperson Works** thanked the audience for their respectful conduct at the December 4, 2006 meeting and reviewed the rules for conduct for this meeting.

**Commissioner Butow** explained that he had requested his neighbor, Bill Orescan, a registered civil engineer, to review the Jackson Hills Environmental Impact Report and provide an analysis of the document and the project. He then requested that Mr. Orescan have additional time to review the information he compiled for the Planning Commission.

**Bill Orescan** read from his analysis of the EIR which he provided to the Planning Commission. He stated that there are a number of unresolved issues remaining regarding the EIR, specifically noting those related to drainage, the proposed park and wastewater.

**John Plasse** stated his concerns regarding storm drain and traffic issues. He stated that Jackson Hills should not be the only sewer treatment option in consideration and he listed some other options for disposing of the City's treated wastewater. Additionally, he feels that the project should be modified to have a 300 foot buffer or place the golf course adjacent to agricultural land. Mr. Plasse also requested that a potable water line be extended to his property and a condition be added to require the developers to utilize local contractors when building the project. He recommended the entire project be re-designed.

**Lois Moline** had questions regarding performance bonds, annexation costs, and the sequence of improvements. She then expressed her concerns regarding traffic.

**Planner Peters** responded to Ms. Moline by explaining the Development Agreement process and the how the project will be phased.

**Jim Messinger** expressed his concern with how long this process is taking and recommended that the Planning Commission recommend approval of the project to the City Council.

**John Greens** stated his concern regarding the lack of growth in the County and City. He also stated that a planned development with a golf course and nice housing would attract retirees which would have less traffic impacts.

**Bill Condrashoff** responded to the previous speaker by stating that towns die if they grow too fast. He expressed his concerns regarding traffic impacts and the cost to society associated with traffic congestion, noting that the traffic workshops last year concluded the City should limit growth. He stated that the project should be smaller. He also questioned what would happen if the state does not allow waste to be discharged on the golf course.

**City Planner Peters** responded to Mr. Condrashoff's question by stating that the applicants would not construct a golf course unless there is treated wastewater to irrigate the course.

**Douglas Gray** stated that there is always opposition to new development. He feels that this project would be a nice asset to the town and that the retirees attracted to this development

would not have too great an impact on the community. He stated that he would rather have one large planned project as opposed to a “hodge-podge” of smaller projects.

**Jill North** stated her concerns with the Jackson Hills project not providing for affordable housing or adequate public recreation areas and will be destroying 516 acres of open space. She expressed her concerns with the lack of higher-end jobs, impacts on blue oak woodlands and private recreation limitations. She also believes that the impacts regarding the pipelines to the project were not adequately addressed in the EIR.

**Kathy duBois** stated that she is not for no growth but is for smart growth. She expressed her concerns regarding the drastic removal of trees, loss of top soil due to erosion, the project’s incompatibility with the General Plan, and the lack of an agricultural buffer. She recommended that the project be sent back to the drawing board.

**Frank Busi Sr.** stated that the decision the Planning Commission makes impacts the citizens in the County. He stated his concerns with the traffic impacts and the decline in the quality of life if the project were to be approved.

**Joan Bailey** stated that she agreed with Mr. Plasse that there needs to be an agricultural buffer. She also had questions regarding the size and location of the water tank for the project.

**Frank Busi Jr.** stated that he had researched some deeds which showed that water from Jackson Creek, including treated wastewater, belongs to the McGee and Mattley families. He questioned how the City has the right to give water away that does not belong to them.

**Charles Field** Executive Director, Amador County Transportation Commission, stated that the Final EIR did not address all of the ACTC comments. He expressed his concern with the feasibility of some of the mitigation measures, specifically the improvements to French Bar Road. He also expressed concern with the projects inconsistency with the General Plan as well as inconsistency which he feels exists between the Land Use and Circulation Elements. He stated that a west bypass option should be worked out prior to making any findings on this project.

Discussion ensued between Mr. Fields and Commissioners Works, Carleton, and Butow regarding the mitigation fees for required for this project, the General Plan inconsistencies, and fees required in other jurisdictions.

**Lucy Hackett** New Faze representative, provided a list of Jackson Hills supporters to the Planning Commissioners.

**Ron Ask** stated that he is in favor of Jackson Hills and the 35 new employment opportunities. He believes that Jackson Hills is smart growth and that the golf course would be a benefit to the community. He referred to a book, *Pattern Language*, which outlines how cities should develop. He stated some benefits of the project and requested that the Planning Commission allow the project to happen.

**Anne Lintz** stated that New Faze is a quality company. She expressed her concerns with denying this project sending a message to other quality developers not to come to Jackson. She stated that Jackson Hills residents will spend money in Jackson and that no growth causes unaffordable housing and a lot of commuters.

**Stan Lukowicz** stated that the town can't stay the same and that the City should maximize the highest and best use of the land. He feels that Jackson Hills will help with the sewer situation and that the City should "go after" the Casino for traffic solutions, not this project. He further stated that if this project doesn't happen in the City, it will happen in the County which means the City will have all the impacts and none of the revenue. He noted that recent local sales tax losses are significant.

**Jeanne Plasse** expressed her concern with the loss of quality of life should the project be approved. She talked about the City of San Louis Obispo and their growth policies. She stated that the project is too big and that an alternative should be looked at.

**Thornton Consolo** stated that he is not against the project, but would like to see if re-worked. He expressed concern that the Planning Commission did not consider comments from those outside the City as valid. Additionally, he requested that Mr. Orescan be given additional time to speak.

**Bill Orescan** continued to speak about the handouts that he prepared for the Planning Commission. Specifically, he addressed the alternatives section of the EIR. He feels that the impacts of the alternatives are overstated. He provided his written materials to Clerk Collins.

**Jimmy Laughton** stated that he was neither for or against the project but that he wanted to see his neighbors "get a fair shake."

**Allen Warren of New Faze** told the Commissioners about New Faze's local work program and explained that New Faze hires local contractors as part of this program. He expressed his desire to address all the valid concerns brought up tonight.

**Martin Tuttle of New Faze** thanked everyone for commenting, both pro and con, on the project. He recapped the project description emphasizing the smart growth aspects of the project. He stated that this project is small compared to most golf course projects. He emphasized the importance of the project with regard to providing a solution to the City's sewer issues, providing public trails and recreational features, and preserving trees and cultural resources. With regard to the traffic issues, Mr. Tuttle stated that they were committed to partner with the City to try to solve as many transportation issues as possible. He further stated that the tax benefits to the City were significant. He concluded that New Faze is committed to make this project a "good thing" for the City.

**Chairperson Works** stated she was "in the middle" regarding this project and that a solution to wastewater issues would be a major overriding consideration for this project. She asked staff questions regarding the disposition of the wastewater treatment plant.

**City Manager Daly** responded by explaining the status of the existing wastewater treatment plant capacity and the discharge permit.

**Chairperson Works, City Manager Daly, and City Planner Peters** continued discussion regarding potential solutions and costs for upgrading the wastewater treatment plant. Les Clark of Nolte Associates discussed the sanitary sewer plans for the proposed project. He discussed what the ideal plan for wastewater would be and also discussed the worst-case scenario of requiring storage of wastewater during the winter months. He stated that the golf course is intended to be a flexible mechanism for dealing with the City's wastewater.

**City Planner Peters** stated that the pending state discharge permit will provide the City with information regarding whether the City can discharge to the creek during the winter months or at any time of the year. Les Clark discussed the winter storage options with Chairperson Works.

**City Manager Daly** again discussed the disposition of the City's discharge permit. He stated that the State is still working on issuing a permit and that several promised deadlines have already lapsed.

**Commissioner Carleton** asked about Ken Berry's letter which questioned the changes in the project description with regards to sewer, water, fire suppression, etc. He asked staff if the EIR was still valid.

**Assistant City Attorney Drivdahl** stated that the standard for recirculation of an EIR is if new information changes an impact's significance. Chairperson Works asked whether a new sewer plant warranted an EIR. Ms. Drivdahl responded that the new sewer plant would be a City Project, separate from this project.

**Commissioner Carleton** asked the status of the regional sewer solution. City Manager Daly responded that there is still discussion regarding which is better, a local or regional sewer solution.

**Chairperson Works**, reiterated that the sewer solution would be a big overriding consideration for the project but that she was having trouble understanding the "order in which things would happen." She questioned how to approve this project if the City doesn't know if it will solve the sewer problem. City Planner Peters responded that the project would be conditioned to "solve the problem." Commissioners Works and Garibaldi briefly discussed with staff the sewer issue and associated costs.

**Allen Warren** stated that the sewer treatment and discharge issues exist with or without the proposed project. He stated that with the project, approximately 17 percent of the cost of the necessary improvements would be borne by New Faze – this would lower the financial burden on existing ratepayers. He further stated that with approval of this project, the City will know where to put its reclaimed wastewater. He requested the opportunity to move forward.

**Commissioner Carleton and City Manager Daly** discussed the process for applying wastewater to the golf course and Commissioner Carleton expressed his concerns for controlling

the release of wastewater specifically onto neighboring properties. Les Clark attempted to address Commissioner Carleton's concerns.

**Chairperson Works** expressed her frustration with not knowing where the City stands with regard to the wastewater discharge permit. Discussion again ensued between Chairperson Works and City Manager Daly regarding sewer options.

**Commissioner Carleton** asked if the Planning Commission could request an EIR on the sewer issue. City Planner Peters responded that there could be an EIR on the sewer project once a project has been determined.

**Chairperson Works** expressed her concerns with the lack of affordable housing. She stated that this area needs housing for nurses, schools, etc. She further stated that if this project would be "taking up" the allowed housing for the City, then it should provide for some workforce housing.

**Allen Warren** responded that this project would provide for "move-up housing" which leaves more affordable housing for those that need it. He stated that New Faze is a leading company for developing affordable housing. He also stated that New Faze has applied for another project in the City for 45 units of affordable housing. He then expanded on the benefits of the project. Discussion ensued between Mr. Warren and Chairperson Works regarding affordable housing and jobs provided by the proposed project.

**Tom Blackman** discussed the job and housing situation in the City. He stated that there are a lot of vacant rental units in the City and that there are a lot of people who would like to live on the golf course.

**Chairperson Works** stated that she would like to direct staff to craft the findings and conditions for the project so the Commission would have more information. She reminded the Commissioners that there would exist other opportunities to review this project.

**City Planner Peters** concurred that there would be further opportunities to review this project during the future phases of the tentative map and during the growth management process where the applicant would be requesting allocations for development of residential units. The Commission discussed park fees, school fees, traffic and the Housing Equivalent Unit allocation process. Commissioner Garibaldi stated that he believed that the traffic problems are outside of the City's control.

**Commissioner Works** stated that the project may help the City's sewer issue, may be a help to Jackson's small business owners and, affords employment opportunities. She stated that the Planning Commission should move the project forward with some additional conditions.

**Commissioner Sexton and City Planner Peters** discussed the process if staff were directed to create findings.

There was discussion amongst the Commissioners regarding the project alternatives.

**City Planner Peters** read Alternative 4.

**Allen Warren** stated that the project would likely not go forward if the density is reduced.

**Chairperson Works** stated that she was not in favor of Alternative 4.

Discussion ensued between Chairperson Works, Mr. Warren, Mr. Ask, Mr. Blackman, Ms. Allen, Mr. Carlson, Mr. Condrashoff, Ms. Lintz and Mr. Orescan regarding the various project alternatives.

**Commissioner Garibaldi** requested that staff address the conditions of approval for preservation of some oak habitat.

**Moved by Commissioner Garibaldi, seconded by Commissioner Sexton and carried with a 3-2 vote (Commissioners Carleton and Butow opposed) to request staff to prepare the findings and statement of overriding considerations that would be necessary to approve Option 1 as presented in the Planning Staff Report.**

Meeting adjourned: 11:15 p.m.

Attest:

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Susan Peters, City Planner

Date Approved: March 19, 2007