

Jackson Planning Commission
Minutes
Regular Meeting of July 15, 2013

COMMISSION MEMBERS PRESENT:

Bob Stimpson
Walt Hoeser, Chairman
Fred Hall
Paul Molinelli, Jr., Vice-Chairman
George White

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 called the meeting to order at 6:33 p.m.

Chairman Hoeser introduced new Planning Commissioner Bob Stimpson.

Chairman Hoeser voiced his appreciation to Kathryn Devlin for all her assistance with the general plan. He noted Mayor Crew presented Kathryn Devlin with a proclamation for her service on the Jackson Planning Commission from 2008-2013 at the June 24, 2013 City Council meeting.

1. Public Matters Not on the Agenda.

None.

2. Approval of Minutes. Minutes from the April 15, 2013 Regular meeting.

Moved by Commissioner Molinelli, seconded by Commissioner Hall, and unanimously carried to approve the Minutes for the April 15, 2013 Regular meeting.

3. Election of Vice-Chairman. Make appointment for remaining 2013 meetings.

Moved by Chairman Hoeser, seconded by Commissioner Hall, and unanimously carried to appoint Paul Molinelli as Vice-Chairman.

4. Variance to Allow Construction of an Addition to the Cottage Located behind the Main Building to Encroach into the Ten Foot Rear Yard Setback, 240 N. Main Street – APN 020-193-009, Kevin Kraft. Hold public hearing and determine Commission Policy.

City Planner Peters reported the applicants are requesting a variance to allow for construction of an addition to an existing cottage to encroach into the ten foot rear yard setback, a copy of the site plan was

provided. The cottage is located behind the main structure at 240 North Main Street and was constructed near the rear property line.

The General Plan Land Use Designation and Zoning of the project site is Historic Commercial (HC) which allows for residential uses. According to Development Code, Article II, Section 17.12.040, structures in the Historic Commercial Zone must maintain a ten foot rear yard setback. The current structure is considered existing non-conforming because it was constructed prior to the set-back requirements. The proposed variance, if approved, will be applied to the entire structure, bringing it into compliance with existing regulations.

Because of its Historic Commercial Zoning, this project is also subject to review by the Design Review Committee (DRC). The proposed project was on the July 2, 2013 DRC agenda for consideration, however there was not a quorum, so no action was taken. For this reason, the Planning Commission should also consider the design of the structure in accordance with the Architectural Regulations.

While variances 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. In accordance with Development Code Section 17.82.030 – Findings and Decision, the following findings must be made for approval of the requested variance:

1. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, or topography), so that the strict application of the Development Code deprives the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts;
2. The Variance authorized does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and in the same zoning district;
3. The approval of the Variance is in compliance with the requirements of the California Environmental Quality Act (CEQA) and there would be no potential significant adverse effects upon environmental quality and natural resources that could not be properly mitigated and monitored, unless a Statement of Overriding Considerations is adopted;
4. Granting the Variance:
 - a. Does not allow a use or activity which is not otherwise expressly allowed in the applicable zoning district
 - b. Would not be detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and zoning district in which the property is located; and
 - c. Is consistent with the General Plan and any applicable Specific Plan.
5. The Variance is the minimum departure from the requirements of the Development Code necessary to grant relief to the applicant, consistent with 1 and 2, above.

In accordance with Development Code Section 17.77.040 the following findings must be made for approval of the proposed project design:

1. The project, including its character, scale and quality of design, is consistent with the purpose of this Chapter, and all applicable development standards and historic design guidelines; architectural features

2. With regard to a designated historic resource, the proposed work will neither adversely affect the significant architectural features of the designated historic resource nor adversely affect the character of historical, architectural, or aesthetic interest or value of the designated resource and its site;
3. With regard to any property located within the Historic Commercial Zone, the proposed work conforms to the Architectural Regulations for the zone and does not adversely affect the character of the zone;
4. In case of construction of a new improvement, addition, building, or structure upon a designated historic resource site, the exterior of such improvements will not adversely affect and will be compatible with the use and exterior of existing designated historic resources, improvements, buildings, natural features, and structures on said site.
5. The proposed project is consistent with the General Plan.

City Planner Peters stated for the record staff received two letters in favor of Variance 2013-02 from Beau Gillman and Larry Reid.

Chairman Hoeser opened the Public Hearing. Hearing no comment from the public, Chairman Hoeser closed the public hearing.

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

Moved by Chairman Hoeser, seconded by Commissioner Hall, and unanimously carried to:

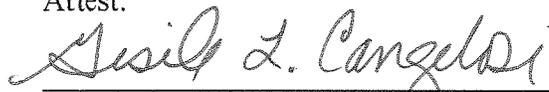
- 1. Instruct Staff to file a Categorical Exemption; and,**
- 2. Adopt a Resolution approving Variance 2013-02 and project design for Kevin Kraft at 240 North Main Street (APN 020-193-009) based on the Findings in this report.**

5. Administrative Reports.

City Planner Peters reported when the City did the Mission Boulevard and Mission Bridge realignment projects two parcels were created that a zoning designation was never created and this needs to be addressed in the near future.

Adjourn 6:52 p.m.

Attest:



Gisele L. Cangelosi, City Clerk

Date Approved: December 16, 2013