

Jackson Planning Commission

Minutes

Regular Meeting of August 16, 2010

COMMISSION MEMBERS PRESENT:

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

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 6:30 p.m. Chairman Hoeser welcomed Joe Assereto to the Planning Commission.

1. Public Matters Not on the Agenda.

Thornton Consolo and Jack Georgette stated their concern was regarding the removal of the large heritage oak in front of Sutter Amador Hospital. City Planner stated Sutter Amador Hospital had an arborist look at the tree and it was determined the tree would become a liability. She noted at the time of construction this tree was listed as a potential problem. Because this is an existing building and not new construction the hospital did not have to get permission to remove the tree. Mr. Consolo stated he would like to examine the landscape plan for that development.

Thornton Consolo also noted his concern with Wells Fargo's tree removal and river rock and requests staff follow up on this.

City Planner Peters noted the Wells Fargo tree removal was discussed at the May 17 meeting. The Planning Commission was informed Wells Fargo had contacted staff regarding this tree removal and noted it was removed in accordance with the Landscape Ordinance because of a health safety issue. She stated she would contact Building Inspector White regarding Mr. Consolo's concern with the river rocks.

Judy Jebian stated the City Landscape Ordinance should be more stringent with regarding to tree removal in order to protect our scenic views.

2. Approval of Minutes. Minutes from the June 21, 2010 and July 19, 2010 Meetings.

Moved by Commissioner Butow, seconded by Vice-Chairman Devlin and carried by a 3 to 0 vote to approve the Minutes of the June 21, 2010 meeting as presented. (Commissioner Selman and Chairman Hoeser abstained because they were not present at that meeting.)

Moved by Commissioner Butow, seconded by Vice-Chairman Devlin and unanimously carried to approve the Minutes of the July 19, 2010 meeting as presented.

3. Public Hearing – Variance 2010-03, Rex Jensen 220 North Main Street, APN 020-193-007. A Historic Variance to allow conversion of existing commercial use on the ground floor of the building to residential.

City Planner Peters reported the applicant is requesting a Historic Variance to allow for conversion his existing commercial use on the ground floor of his building to residential use thereby exceeding the number of residential units allowed in the Historic Commercial Zone by five units. The existing three-story building currently has four residential units – two on the second floor and two on the third floor. The ground floor has been used for a beauty salon, which has now vacated. Continued use of the ground floor, which is below the street grade, for commercial uses is problematic due to difficulties with compliance with the Americans with Disabilities Act. For this reason the applicant would like to add an additional four studio apartments on the ground floor of the building.

Development Code, Article II, Section 17.12.030 allows for residential uses in the Historic Commercial Zone. According to Development Code, Article II, Section 17.07.040, the maximum residential density allowed is one dwelling unit per 2,000 square feet of property. The lot is approximately 6,300 square feet thereby allowing for three residential units. This means that the existing four units are considered “Existing Non-Conforming.” To add any additional units would require a Variance. Please note that the Building Department has issued a Building Permit to Mr. Jensen however, the permit is only for maintenance to the building foundation, plumbing, electrical, and for installation of more windows to allow for better light and circulation in the space. No Building Permit has been issued to construct the residential units within the space.

The Planning Commission was provided a copy of the Development Code Article IV, Section 17.82.050 Historic Variances. Because this building is within the Downtown Historic District, staff has determined that this variance process is applicable to this project. A Historic Variance would allow for “a historic resource to be properly used for adaptive reuse and/or to be altered in a manner that will have the least impact upon its historic character and the surrounding area.” The findings required for a Historic Variance and different than those required for a standard Variance and are included in this report for Planning Commission consideration.

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 17.82.050 – Findings and Decision, the following findings must be made for approval of the requested Historic Variance:

1. The Historic Variance is necessary to provide for the appropriate adaptive reuse of an existing historic resource building, and/or to provide for the design and alteration of a historic resource building in a manner that will enhance its historic and functional use and utility;
2. The historic resource is being preserved or will retain its integrity as a historic resource. Any improvements, alterations, or modifications will not cause the survey rating category of the historic resource to be downgraded;
3. The Historic Variance will not prevent the use from being able to adequately function on the site;
4. The Historic Variance will not adversely impact property or public rights-of-way within the neighborhood and Historic Commercial Zone;
5. The Historic Variance is the minimum departure from the requirements of this Development Code necessary to grant relief to the applicant, consistent with Findings 1 and 2 above; and
6. The granting of the Historic Variance is consistent with the General Plan.

Should the Planning Commission chose to approve the Historic Variance for Mr. Rex Jensen at 220 North Main Street (APN 020-193-007) the following actions are recommended:

1. Instruct Staff to file a Categorical Exemption; and,
2. Adopt a Resolution approving Variance 2010-03 for Mr. Rex Jensen at 220 North Main Street (APN 020-193-007) based on the Findings in this report.

Rex Jensen, applicant was present to answer question of the Planning Commission.

Chairman Hoeser opened the public hearing. The following individuals voiced their concerns regarding the Historic Variance for Mr. Rex Jensen at 220 North Main Street: Judy Jebian, Thornton Consolo and Jack Georgette. Hearing no further comments from the public Chairman Hoeser closed the public hearing.

After considerable discussion among the Planning Commission and staff this item was continued to the September 20 meeting pending submittal of a revised design plan.

The following concerns were discussed: additional parking, density, unit square footage, low income inventory, American Disabilities Act requirements, signage, access to exterior entry, architectural design, lighting and existing non-conforming,

City Planner Peters reiterated the public hearing was closed and that the Planning Commission conceptually approved the Historic Variance for Mr. Rex Jensen at 220 North Main Street, pending submittal of a revised design plan that included only 2 units and 2 bathrooms on the ground floor.

4. 2010 Architectural Regulation.

City Planner Peters reported at the July meeting the Planning Commission reviewed the July 2010 Draft Architectural Regulations. Staff was directed to make some minor corrections and to provide for some additional pictures representing multi-family structures that are architecturally compatible with the Mother Lode Style. Additionally directed staff to place the revised document on your

August 2010 agenda for recommendation to the City Council. To conserve paper, the Draft Architectural Regulations was not reprinted for the Planning Commission agenda packet. The document, it may be found on the City's website <http://ci.jackson.ca.us>. The purpose of tonight's meeting is to make a formal recommendation to the City Council for their consideration at their September 13, 2010 meeting.

The Planning Commission was provided photographs of multi-family residential buildings along with some additional pictures of commercial buildings provided by staff and Ms. Kathy DuBois. Please review these pictures and consider including them in Section 3.2 Mother Lode Style for Multi-Family and Commercial Uses.

Chairman Devlin stated Sharon Hewitt requested Chapter 8.0 Highway Commercial be added back into the document. A copy of this Chapter was provided for the Planning Commission consideration.

City Planner Peters stated Sharon Hewitt must have been absent when the committee removed this chapter. The Committee felt it would be redundant and there was not a need for a separate chapter as highway commercial was addressed in Chapter 3.2.

The Planning Commission agreed with Sharon Hewitt recommendation that Chapter 8.0 Highway Commercial be added back into the document.

Moved by Vice-Chairman Devlin, seconded by Commissioner Butow, and unanimously carried to forward the Draft Architectural Regulation the City Council for their consideration at their September 13, 2010 meeting.

5. Administrative Reports.

Commissioner Butow reported the Amador County LAFCO at their August 19 meeting has the following item on their agenda: Adoption/amendment of a sphere of influence for the City of Jackson. The City of Jackson proposes to expand its current Sphere of Influence (SOI) into four areas: Wicklow, Martell, New York Ranch Road, and a small area along South Highway 49.

Chairman Hoeser inquired about a rumor he heard regarding manufacture homes on Sutter Street. City Planner Peters stated staff held a preliminary meeting with Beetle Barbour from Amador-Tuolumne Community Action Agency Argonaut regarding transitional housing at that location.

Adjourn 8:27 p.m.

Attest:



Gisele Cangelosi, City Clerk

Date Approved: September 20, 2010