

City of Jackson Planning Commission

Summary Meeting Minutes of June 16, 2008

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

COMMISSION MEMBERS PRESENT:

Leticia Sexton Chairperson
Dave Butow, Vice Chairperson
Walt Hooser
Terri Works
Kathryn Devlin

CITY STAFF PRESENT:

Susan Peters, City Planner
Karon Knuist, Administrative Clerk

Absent: Mike Daly, City Manager

COMMISSION MEMBERS NOT PRESENT:

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.** No one came forward and the Public Matter portion of the meeting was closed.
2. **Approval of Minutes.** Regular Meeting Minutes from May 19, 2008 were reviewed.

MOTION: Commissioner Works made a motion to approve the Regular Planning Commission Meeting Minutes of May 19, 2008, seconded by Vice Chairperson Butow. Motion was passed with all in favor.

3. **Tentative Parcel Map 2768 Jackson Creek Apartments, 510 Water Street, APN# 020-200-038 & 020-200-039.** Commissioner Works stepped down because of the proximity of her home to the Water Street property. Vice Chairperson Butow did not step down, and stated that although he understood that he could not vote on the project, he felt that he should be able to speak to the Commissioners as a private citizen. He also stated that he talked to an attorney regarding the 500-foot proximity rule and that attorney referred him to the Commission on Fair Political Practices.

City Planner Peters left the room to confirm the 500 ft rule with City Manager Daly who was not present for the meeting. She asked Commissioner Works to update everyone on the first meeting of the Housing Element group.

Commissioner Works stated that the first meeting had a disappointing turnout. They spent their time introducing themselves and talking about what goes into a Housing Element. The Housing Element is the only Element of the General Plan that requires State approval. The City of Sutter Creek completed their Housing Element and had it approved by the State. The cost to complete the document was close to \$20K.

The State of California requires each city to build a certain number of houses each year to provide adequate housing for the population, so the choice to build or not is not ours to make. Over the next 5 years, Jackson will need 216 new housing units to satisfy the State requirements. There was some discussion on whether the St. Patrick Green project will count toward that number.

City Planner Peters rejoined the meeting and stated that City Manager Daly's feeling on the 500-foot rule was that it is what the current City Council recognizes, as well as the past and current City Attorney. Commissioner Butow stepped down from the dais.

The Planning Commission is hearing this matter again because there was an error in noticing the last time and the tenants were not noticed.

Chairperson Sexton asked Ted Mortarotti to give an overview of the project.

Chairperson Sexton opened the floor to the public.

Helen Page, a tenant of the Jackson Creek Apartments enjoys living in apartments so close to town and if the apartments are converted to condominiums it will reduce the number of available rentals in town.

From the audience, Commissioner Butow stated the applicant did not comply with Ordinance 17.47.050, H-2, because they did not provide any vacancy factors from an independent contractor. The Planning Commission cannot waive this requirement of the Ordinance, only the City Council has that authority.

Jack Georgette would like to require a small fenced yard for a playground.

Helen Page said that a playground would be a huge liability and it should be up to the homeowners association after the condo conversion.

Chairperson Sexton closed the floor to the public.

MOTION: Commissioner Hooser made a motion to approve Tentative Parcel Map 2768 for Jackson Creek Apartments, 510 Water Street and instructs staff to file a Categorical Exemption. Commissioner Devlin seconded the motion and the motion was passed with vote of 3 ayes (Sexton, Hooser and Devlin) and 2 abstentions (Works and Butow).

- 4. Conditional Use Permit 2008-03 Poor Man's Bronze, Duane La Moureaux, 824 Hwy 49, APN#020-120-011.** The owner of the business is requesting a Conditional Use Permit to allow an on-site travel trailer to be used as a 24hour guard shack and office. The trailer is currently housed in a metal building previously used for a body shop. Conditions of Approval require that all utilities be connected per City and County Environmental Health Standards and pass inspection by the City's Building and Public Works, County Public Health and Amador Fire Protection Agency.

Sally Bligh, representing the property owner was asked to the podium. Ms. Bligh stated that the tenant was on a month-to-month basis until the property was sold. The metal building was previously used as an auto body shop where propane was used and there should be no problem having a trailer contained in the building using propane for heating and cooking.

Commissioner Devlin went by the business and commented that the trailer was not an eyesore, and that the building was cool inside with good air circulation.

Duane La Moureaux, owner of Poor Man's Bronze, came to the podium and stated that the reason he needed to be on site was to guard his merchandise. He has motion detectors, but most people ignore them. He has already run 2 people off the property. He moved the trailer inside the metal building because it is cooler. He said that he is happy to meet all of the City's requirements, and that business has been better than he anticipated.

Chairperson Sexton opened the floor to the public. No one came forward and Chairperson Sexton closed the floor to the public. It was mentioned that Sue Hobbs called City Manager Daly regarding the CUP and was not in favor of it.

MOTION: Commissioner Works made a motion to approve Conditional Use Permit 2008-03 for Poor Man's Bronze, Duane La Moureaux, instructing staff to file a Notice of Exemption and adopting a resolution to approve the CUP based on the Findings and subject to the Conditions of Approval. Commissioner Devlin seconded the motion and the motion was passed with vote of 4 ayes and Vice Chairman Butow abstaining.

- 5. Land Use Element Update.** Discussion was held on the Ahwahnee Water Principles and it was suggested that someone come and give a talk to the Planning Commission. Commissioner Works would like some language added to the Land Use Element to state that we are adopting the Ahwahnee Water Principles.

6. **Administrative Reports.** City Planner Peters reported that Fat Cat Tattoo pulled their CUP from the Agenda because they have found a place in Sutter Hill.

Vice Chairman Butow commented on the railroad depot and other properties owned by SPI in Martell. He went to the County TAC meeting where the County Planning Department was going to file a mitigated negative declaration (MND). Because the planned development is within a mile of the Jackson City limits he recommended that a full EIR would be required with a traffic study. The County withdrew their MND and will have future hearings.

Vice Chairman Butow also commented that the Emergency Moratorium was denied by the City Council because they thought it was too overbearing. Councilman Garibaldi suggested that staff redesign the ordinance. Vice Chairman Butow asked City Planner Peters to bring the Ordinance back to the Planning Commission with different wording. City Planner Peters stated that she would talk to City Manger Daly about doing that.

Meeting adjourned by Chairperson Sexton at 7:30pm.

Attest:

Karon Knuist, Administrative Clerk

Date Approved: DRAFT