

Jackson Planning Commission
Minutes
Regular Meeting of April 21, 2014

COMMISSION MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Susan Peters, City Planner
Gisele Cangelosi, City Clerk

COMMISSION MEMBERS ABSENT:

Walt Hoeser, Chairman

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.

Vice-Chairman Mollinelli called the meeting to order at 6:30 p.m.

1. Public Matters Not on the Agenda.

None.

2. Approval of Minutes. Minutes from the December 16, 2013 Regular meeting.

Moved by Commissioner Hall, seconded by Commissioner Stimpson, and carried by a 4 to 0 vote (Chairman Hoeser absent) to approve the Planning Commission Minutes from December 16, 2013 as presented. Motion passed with the following vote:

AYES: Hall, Molinelli, Stimpson, White
NOES: None
ABSENT: Hoeser
ABSTAIN: None

3. Public Hearing - Conditional Use Permit to allow for a Small Licensed Child Care Center Sean Murphy, 335 South Avenue, APN 020-311-008.

City Planner Peters reported the applicant is proposing to operate a small licensed child care center with up to 15 children. Operation hours would be Monday through Friday from 7:30 am to 5:30 pm. The preschool will operate with two employees. The City of Jackson General Plan Designation and Zoning for this site is Residential Single Family. Development Code, Article III, Section 17.58.080 Child Day Care Facilities, allows for a child care center in the Residential Single Family Zone with a Conditional Use Permit. While Conditional Use Permits 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.

Should the Planning Commission choose to approve this project, the following findings must be made in accordance with Section 17.76.030 Findings and Decision (for Use Permits) of the Development Code:

1. The proposed use is allowed by the Development Code and is consistent with the General Plan.
2. The proposed use is consistent with the overall character of the surrounding neighborhood.
3. The proposed use will not have a significant adverse effect upon the environment.
4. The operating characteristics of the proposed use are compatible with existing and future land uses in the vicinity.
5. Granting the Use Permit would not be detrimental to the public health, safety, or welfare of the City, or injurious to the property or improvements in the vicinity and zone in which the property is located.
6. The site, development features, and surrounding improvements for the use are physically suitable for the type and density/intensity of the use.

Staff recommends the following conditions of approval for the proposed project:

1. Employees shall park in the rear of the building. This condition shall be implemented to the satisfaction of the City Planner.
2. Facility operators shall disallow children to be dropped off or picked up across the street. This condition shall be implemented to the satisfaction of the City Planner.

Should the Planning Commission chose to approve the conditional use permit for Gold Star Preschool for Mr. Sean Murphy, the following actions are recommended:

1. Instruct staff to file a Categorical Exemption; and,
2. Adopt a Resolution approving Conditional Use Permit 2014-01 for Sean Murphy at 335 South Avenue (APN 020-311-008) subject to the Conditions of Approval and based on the Findings in this report.

Sean Murphy, property owner, was present to answer questions of the Planning Commission.

Vice-Chairman Molinelli opened the Public Hearing. Hearing no comment from the public, Vice-Chairman Molinelli closed the public hearing.

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

Moved by Commissioner Stimpson, seconded by Commissioner Hall, and carried by a 4 to 0 vote (Chairman Hooser absent) to approve the following:

1. **Instruct staff to file a Categorical Exemption; and,**
2. **Adopt a Resolution approving Conditional Use Permit 2014-01 for Sean Murphy at 335 South Avenue (APN 020-311-008) subject to the Conditions of Approval and based on the Findings in this report. Motion passed with the following vote:**

AYES: Hall, Molinelli, Stimpson, White
NOES: None
ABSENT: Hooser
ABSTAIN: None

APPROVED: _____
 DATE: _____
 BY: _____

3. Tree Removal, Sutter Street Realignment and Signalization Project, Intersection of Sutter Street & Highway 49/88.

City Planner Peters reported the City of Jackson and Caltrans are in the initial stages of construction for the Sutter Street Highway 49/88 realignment and signalization project. The bulk of the construction is scheduled for later this year; however there are some utilities to be relocated first. The attached plans show the proposed realignment of Sutter Street and the parking facility to the south of the intersection. The plans also show two existing trees in the construction area. These trees will need to be removed before the relocation of the utilities can occur (see attached picture). Development Code, Article III, Section 17.40.070(8) requires Planning Commission approval for removal of trees greater than 8" DBH (diameter at breast height). Additionally, Section 17.40.070(A) requires replacement of 3:1 for trees removed with a 16" DBH or greater. Both trees on the site are greater than 16" DBH and would require replacement.

Should the Planning Commission choose to approve removal of the tree:

1. Section 17.40.070 requires replacement at a minimum of three to one ratio. The attached Landscape Layout shall be amended to show six 15 gallon trees (variety to be determined) in the parking and landscape area.
2. The Commission shall find that the removal is consistent with Development Code, Article III, Section 17.40.070 Landscape Planning Ordinance.

Vice-Chairman Mollinelli opened the Public Discussion Hearing. Hearing no comment from the public, Vice-Chairman Mollinelli closed the public discussion.

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

Moved by Commissioner Hall, seconded by Commissioner Stimpson, and carried by a 4 to 0 vote (Chairman Hooser absent) to approve a Resolution for the Tree Removal, Sutter Street Realignment and Signalization Project, Intersection of Sutter Street & Highway 49/88. Motion passed with the following vote:

AYES: Hall, Molinelli, Stimpson, White
NOES: None
ABSENT: Hooser
ABSTAIN: None

4. Administrative Reports.

City Planner Peters reported on the following:

1. Continues to work on the remaining Housing Elements.
2. Draft of the Collaborative County-Wide Update of the Housing Element of the General Plan should be presented at the May meeting.

Adjourn 7: 04 p.m.

Attest:



 Gisele L. Cangelosi, City Clerk

Date Approved: July 21, 2014