

Jackson Planning Commission
Minutes
Regular Meeting of November 20, 2006

COMMISSION MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Susan Peters, City Planner
Candy Collins, Accounting Assistant

Chairman Works called the meeting to order at 6:00 p.m.

1. Public Matters Not on the Agenda.

None.

2. Approval of Minutes of July 17, 2006, August 21, 2006, September 18, 2006 and October 16, 2006 meetings.

Moved by Commissioner Butow, seconded by Vice-Chairman Carleton and unanimously carried to approve the minutes of July 17, 2006.

Moved by Commissioner Butow, seconded by Vice-Chairman Carleton and unanimously carried to approve the minutes of August 21, 2006.

Moved by Commissioner Butow, seconded by Commissioner Sexton and unanimously carried to approve the minutes of September 18, 2006.

Moved by Vice-Chairman Carleton, seconded by Commissioner Butow and unanimously carried to approve the minutes of October 16, 2006.

3. Public Hearing –Tentative Parcel Map 2743- Teresa’s Place, Phil Guirlani, 1229 Jackson Gate Rd., APN 020-060-032.

City Planner Peters read from her staff report to the Planning Commission regarding the applicant’s request to divide and modify the Commercial (C-2) zoned property that includes Teresa’s Restaurant and the surrounding open space into four lots ranging in size from 0.30 acres to 1.6 acres.

City Planner Peters and the Commissioners discussed requiring the applicant to place a Planned Development designation on the site in order to better protect the adjacent creek.

Chairman Works opened the public hearing.

Applicant Phil Guirlani representing Teresa's Place Restaurant stated that this project was initiated for estate planning purposes, to create a piece of property for his brother to eventually to build a garage, and to create usable parcels for the future. Mr. Guirlani added that only Parcel 1 is next to Jackson Creek, Parcel 2 only has a tiny section next to the creek and parcels 3 and 4 are well above the creek flood plain. He also stated that he felt putting a Planned Development (pd) Overlay on all four of the parcels would be overkill.

Applicant Guirlani, City Planner Peters and the Commissioners further discussed modifying Condition of Approval No. 2.

Chairman Works closed the public hearing.

Moved by Commissioner Garibaldi, seconded by Commissioner Sexton and carried by a 3-2 vote (Vice-Chairman Carleton and Commissioner Butow opposed) to approve Tentative Parcel Map 2743- Teresa's Place, Phil Guirlani, 1229 Jackson Gate Rd., APN 020-060-032, based on the findings and subject to the Conditions of Approval, with the following: COA No. 2 to be amended to read, "Final map shall show a standard right-of-way where feasible from the centerline of Jackson Gate Road. This condition shall be implemented to the satisfaction of the City Engineer."

4. Public Hearing –Tentative Parcel Map 2718- Quint and C. Bryant, 10316 Amador Street APN 044-076-006.

City Planner Peters announced that Larry White, City of Jackson's Building Inspector would staff this issue because she stated she had a conflict of interest with the proposed project. She stepped out of the room, but announced she could be reached for procedural questions only if needed.

Commissioner Garibaldi also stepped down because of conflict of interest, but stayed in room among the audience.

Larry White read from the Planning Staff Report describing the applicants' proposal to divide one 0.724-acre site located at 10316 Amador Street into four parcels ranging in size from 7,051 square feet to 8,877 square feet.

Larry White and the Commissioners further discussed the conditions and the configuration of the four proposed lots.

Jim Buell, Cal State Engineering, representing the applicants, stated that the applicants bought the existing home and upon remodeling discovered it would not meet code so they are either forced to move the remaining house shell or demolish it. He also stated that he and the applicants felt the conditions of approval recommended were tough but doable.

Chairman Works opened the public hearing.

The following public speakers were opposed to dividing the site into four lots.

- Daralyn Bonneau
- Richard Bryant
- Elaine Defehr
- Doug Bonneau
- Lorna Anderson
- Jack Georgette

Comments related to tree impacts, poor water pressure in the area, privacy of surrounding properties, control of density within the neighborhood, precedence for additional lot splits and suggestions for less than four lots, perhaps two or three.

Chairman Works closed the public hearing.

The Commissioners discussed the concerns raised by the public, particularly those regarding the impact of the traffic on the infrastructure in the area, sight distances on Argonaut Drive and the consistency with the surrounding land uses.

Moved by Commissioner Butow, seconded by Vice-Chairman Carleton, and carried by a 4-0 vote to deny Tentative Parcel Map 2718 - Quint and C. Bryant, 10316 Amador Street APN 044-076-006 based on findings No. 1 - The proposed Tentative Parcel Map is not consistent with surrounding land uses.

5. Public Hearing –Tentative Subdivision Map 150 Dolores & Fary Shealor and the Scardina Trust, Jackson Gate Road, APN (020-090-011).

City Planner Peters stated that the applicants have requested that consideration of the environmental document required for Tentative Subdivision Map 150 be continued to a future meeting allowing them more time to respond to the Planning Commission's concerns.

6. Public Hearing –Variance 2006-06 Daniel W. Maysee, 948 Ponderosa Street, APN (020-580-006).

City Planner Peters read from the Planning Staff Report the proposed variance to allow construction of a gazebo at the applicant's single-family residence located at 948 Ponderosa Street to encroach three feet into the required five-foot side yard setback.

City Planner Peters and the Commissioners discussed the location of the nearly completed gazebo and topography of the parcel.

Daniel Maysee, applicant, explained that he discovered the hard way that his gazebo project would need a building application and that he applied for one as soon as the inspector notified him of the violation. Mr. Maysee further explained that the backyard does drop off, and that the area chosen for the gazebo is really the only workable space. Mr. Maysee requested that he be allowed to move

the gazebo three (3) feet into the five (5) foot side yard setback and to keep the gazebo structure at 14 feet by 12 feet.

Chairman Works opened the public hearing.

The following public speakers were not opposed to the applicant's proposal.

- Thornton Consolo
- Andrew Davie

Chairman Works closed the public hearing.

City Planner Peters and the Commissioners discussed the issue of building without a permit and the associated violation fine.

Moved by Commissioner Butow, seconded by Commissioner Sexton and carried by a 4-1 vote (Vice-Chairman Carleton opposed) to approve Variance 2006-06 Daniel W. Maysee, 948 Ponderosa Street, APN (020-580-006).

7. Public Hearing –Conditional Use Permit 2006-02 K. Hovnanian Forecast Homes, 401 Scottsville Blvd, APN (044-460-026) & (044-460-027).

City Planner Peters read from her staff report regarding the requested Conditional Use Permit to operate a temporary model home sales office in the Pine Meadows subdivision on Scottsville Boulevard.

Ms. Peters also read a portion of a letter received by Gerry & Judy Elliott in regards to the CCRs for the Pine Meadows Subdivision.

Terry Mangen, Manager for K. Hovnanian Homes in the Central Valley stated that they constructed the first two homes at the top of Scottsville Boulevard and it is their desire to make the first one a temporary sales office to help people who own their own lots through the construction process. He further stated that he really didn't know how long they would utilize the homes as models. He also stated that traffic from the model homes would be less than if the two homes were residentially occupied.

Chairman Works opened the public hearing.

Ms. Peters read a letter received from Sierra Foothill Laboratory

Thornton Consolo stated that he agreed with the complaints but would not be opposed to a Conditional Use Permit as long as there is a specific time line for the proposed use and that the flags were taken down and the existing signs toned down.

Chairman Works closed the public hearing.

City Planner Peters and the Planning Commissioners discussed in detail the need for a time limitation on the use permit, signs size, annual review, and removal of the flags.

Moved by Commissioner Garibaldi, seconded by Vice-Chairman Carleton and carried by a unanimous vote to approve Conditional Use Permit 2006-02, K. Hovnanian Forecast Homes, 401 Scottsville Blvd, APN (044-460-026) & (044-460-027) with the following conditions:

- 1. The Conditional Use Permit shall expire November 20, 2007.**
- 2. The Planning Commission at their May 2007 meeting shall review the Conditional Use Permit.**
- 3. All flags posted on the property shall be removed by 5 p.m., November 21, 2006.**
- 4. The only signs allowed shall be one sign in front of each house of the same design, size and placement as the existing monument sign at 401 Scottsville Boulevard.**

8. ADMINISTRATIVE REPORTS.

City Planner Peters reminded the Commissioners of the December 4, 2006, Special Planning Meeting for consideration of the Jackson Hills Project.

City Planner Peters and the Commissioners discussed the Shealor Tentative Subdivision Map timeline as it relates to the Resource Constraints and Priority Allocation Policy. They also discussed starting the 2007 Housing Equivalent Unit (HEU) process in January 2007.

Meeting adjourned: 8:28 p.m.

Attest:

Susan Peters, City Planner

Date Approved: March 19, 2007