

Jackson Planning Commission

Minutes

Regular Meeting of April 15, 2013

COMMISSION MEMBERS PRESENT:

Kathryn Devlin, Vice-Chairman
Walt Hoeser, Chairman
Fred Hall
Paul Molinelli, Jr.
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 6:30 p.m.

1. Public Matters Not on the Agenda.

None.

2. Approval of Minutes. Minutes from the March 18, 2013 Regular meeting.

Moved by Commissioner Molinelli, seconded by Vice-Chairman Devlin, and unanimously carried to approve the Minutes for March 19, 2013 as amended.

For the record: Action minutes provide the necessary documentation of Planning Commission actions and audio recordings are retained for those desiring more detail on particular agenda item discussion. These audio recordings provide an accurate and comprehensive backup of Planning Commission deliberations and citizen discussion.

3. Public Hearing Residential Single Family (RSF) to Public/Institutional (P) & Variance for Substandard Lot Size, 714 North Main Street (APN 020-132-002), Reverend Steven Tumbas – Serbian Orthodox Church.

City Planner Peters reported Reverend Steven Tumbas of the Serbian Orthodox Church has submitted an application to rezone and amend the City of Jackson's General Plan land use designation for 714 North Main Street (APN 020-132-002) from Residential Single Family (RSF) to Public/Institutional (P). The Serbian Orthodox Church recently acquired this property which is adjacent to the church cemetery. The property is currently zoned and General Plan Designated Residential Single Family (RSF) and is improved with a residence. The Church is requesting a Boundary Line Adjustment to increase the size of the adjacent cemetery by expanding into the back portion of 714 North Main Street. To accommodate the Boundary Line Adjustment to expand the cemetery, the back portion of the property would need to be rezoned to Public/Institutional. Additionally, the front portion of the lot would require a variance because the Boundary

Line Adjustment would cause the front portion to be a substandard sized lot – 6,000 square feet instead of the 8,000 square feet required by the Development Code.

Zoning and General Plan designations for the surrounding properties include Residential Single Family, Residential Duplex, and Residential Medium Density to the south and west, Recreation/Open Space to the east, and Public/Institutional to the north. In accordance with the California Environmental Quality Act (CEQA) an Initial Study was prepared for this project. The Initial Study did not reveal any significant adverse environmental impacts. For this reason, the project qualifies for a Negative Declaration. The proposed Rezone and General Plan Amendment request was circulated to responsible agencies for comment. No comments have been received regarding the proposed project.

Should the Planning Commission chose to recommend approval of the requested rezone and general plan amendment to the City Council the following findings should be made:

1. The proposed rezone and amendment ensures and maintains internal consistency with all of the goals, policies, and actions of all elements of the General Plan;
2. The proposed rezone and amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
3. The proposed rezone and amendment will not have a significant adverse effect upon the environment.

In accordance with Development Code Section 17.82.030 – Findings and Decision, the following findings should be made should the Planning Commission choose to recommend approval of the requested variance to the City Council:

1. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, or topography), so that the strict application of this 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 this Development Code necessary to grant relief to the applicant, consistent with 1 and 2, above.

Reverend Steven Tumbas, representing Serbian Orthodox Church, was present to provide answers of the Planning Commission and staff.

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 Vice-Chairman Devlin, seconded by Commissioner Molinelli, and unanimously carried to approve the Rezone and General Plan Amendment and Variance request and forward the application and its associated negative declaration to the City Council for adoption at the May 13, 2013 meeting.

4. Public Hearing Variance - Sign Exception to Allow Complete Illumination of a Cabinet Sign Instead of the Letter and Logo Only, 1105 N. Main Street – APN 020-080-002, Teresa Ferrucci – Country Squire Motel.

City Planner Peters reported the applicant, Ms. Teresa Ferrucci, was requesting a sign exception to allow her to replace the facing on the pole mounted internally lit cabinet sign at the Country Squire Motel such that the entire sign is illumined instead of the letters only – as noted in the provided photos. Development Code, Article III, Section 17.54.105 – Maintenance and Repairs of Nonconforming Signs requires that replacement face plates for internally lit cabinet signs comply with Section 17.54.152 (H) of the Sign Regulations. This section requires internally lit signs to have opaque backgrounds so only the words or logs on the sign are lighted. Logos are defined in the Sign Regulations as follows:

“Logo” is a graphic mark or emblem commonly used by commercial enterprises, organizations, and individuals to aid and promote instant public recognition. Logos are either purely graphic (symbols/icons) or are composed of the name of the organization (a logotype or wordmark). An example of an abstract mark is the blue octagon representing Chase Bank, while an example of a representational mark is the “everyman” icon of PBS. Examples of well-known logotypes (wordmarks) are the striped IBM design, Mobil written in blue with a red “o” and CocaCola written in flowing red script.

In order to allow for the sign exception one of the following findings from Section 17.54.160 must be made:

- A) The proposed exception is required to provide for safe installation of the proposed sign; or
- B) The proposed exception is consistent with the purpose and intent of Sign Ordinance as set forth in Section 17.54.010 and the resulting sign will be superior to the sign which would otherwise be allowed by this Chapter in its design, construction, and placement.

While exceptions 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 the sign exception for Ms. Ferrucci for the Country Squire Motel located at 1105 North Main Street (APN 020-080-002) the following actions are recommended:

1. Instruct Staff to file a Categorical Exemption; and,
2. Adopt a resolution approving approve the sign exception for Ms. Ferrucci for the Country Squire.

Ms. Teresa Ferrucci, applicant, was present to provide answers of the Planning Commission and staff.

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 Vice-Chairman Devlin, seconded by Commissioner Molinelli, and unanimously carried to adopt a Resolution Denying Variance 2013-01 Sign Exception Country Squire Motel 1105 North Main Street, APN 020-080-002.

City Planner Peters noted for the record she would provide Merzlak Signs a copy of the resolution denying Variance 2013-01 Sign Exception Country Squire Motel.

5. Local Agency formation Commission Sphere of Influence Amendment Recommendation to City Council.

City Planner Peters reported a Sphere of Influence (SOI) is an area designated by the Local Agency Formation Commission (LAFCO) as potentially annexing into the City in the foreseeable future. LAFCO bases the SOI on the services that the City can provide. In 2009 the City of Jackson initiated an expansion of the City's SOI with the idea of planning for growth into areas where we currently provide water, police, fire, and some sewer service. The process stalled in August 2010 due to LAFCO board member concerns regarding the disposition of the Wicklow Subdivision project. LAFCO has a legal obligation to review municipal services and amend Spheres and jurisdictional boundaries as necessary. Toward that objective, LAFCO Executive Officer Roseanne Chamberlain approached the City of Jackson about a LAFCO initiated SOI amendment. Staff has met with Ms. Chamberlain and Amador County Planning Director Susan Grijalva regarding potential amendments. The conclusion at that meeting was to remove lands from the existing sphere not reasonably likely to develop in the next 10 years and add properties that already receive city services. The major difference between the City initiated and LAFCO initiated SOI amendments is the city is not the "applicant" and is not responsible to submit a proposal or pay fees as part of any application. This doesn't preclude the City Council from telling LAFCO what are appropriate amendments for the City. Ms. Chamberlain has indicated that a recommendation from the City Council would be helpful to LAFCO. For this reason, staff has prepared the provided proposed Sphere of Influence Amendment map for Planning Commission consideration and recommendation to the City Council.

Moved by Commissioner Molinelli, seconded by Vice-Chairman Devlin, and unanimously carried to approve the existing and proposed Sphere of Influence maps and make a recommendation to the City Council at the April 22, 2013 meeting for their consideration and recommendation to support and forward the proposed SOI amendments to LAFCO.

6. Administrative Reports.

Vice-Chairman Devlin reported for the record her term expires June 30 and not she would be stepping down. City Manager Daly stated he would inform the City Council and noted the City will accept applications for the two vacant seats until Wednesday, June 19, 2013, in order to allow time for City Council appointment at the regular meeting on June 24, 2013.

Adjourn 7:33 p.m.

Attest:



Gisele L. Cangelosi, City Clerk

Date Approved: July 15, 2013