

Jackson Planning Commission Minutes of December 19, 2005

COMMISSION MEMBERS PRESENT:

Dave Butow,
Wayne Garibaldi, Chairman
Terri Works
Rosemary Faulkner

CITY STAFF PRESENT:

Susan Peters, City Planner
Michael Daly, City Manager
Candy Collins, Accounting Assistant

COMMISSION MEMBERS ABSENT:

Warren Carleton, Vice-Chair

CITY STAFF ABSENT:

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

1. Public Matters Not on the Agenda.

None

2. Approval of Minutes of September 19, 2005, and October 3, 2005.

Moved by Commissioner Butow, seconded by Commissioner Works, abstained by Commissioner Faulkner and carried by a 3 to 0 vote to approve the minutes of October 3, 2005 and to continue minutes of September 19, 2005 to January 17, 2005 meeting.

3. Public Hearing – Planned Development Amendment, Sutter Amador Hospital.

City Planner Peters read the following and stated this was a public hearing and this was for recommendation to the City Council only.

Project Description

Sutter Amador Hospital (SAH) is proposing to amend their Planned Development to allow for construction of a two story, 47,000 square foot Support Services Building at their existing Sutter Amador Hospital campus. The intent of the project is to create additional space for the existing hospital facilities, which are currently overcrowded. The new Support Services Building would include an Imaging Department, Diagnostic Laboratory, Diabetes Center, Endoscopy, Infusion and other outpatient health-related services. There would also be approximately 13,000 square feet on the upper level designated for medical offices. The Support Services Building has been designed to address the deficiencies and overcrowding in the existing emergency room, diagnostic studies, and outpatient services facilities.

The proposed Support Services Building (SSB) would be positioned to the north and west of the existing hospital, outside of the flight path to/from the existing helipad. The SSB and the existing hospital structure

would be connected by a single-story enclosed pedestrian walkway. An outdoor gathering area directly outside the SSB Lobby will be protected by a painted metal loggia (sunshade) similar to the one at the existing SAH cafeteria.

Portions of the existing exercise trail that traverses the SAH campus would be re-routed. Some of the existing exercise stations located along the exercise path will be relocated and some of the exercise stations would be retained. Proposed landscaping improvements would be similar and complimentary to the existing landscape material palette at SAH. Additionally, the proposed interlocking retaining wall system, curb and gutter profile, parking lot light standards, and bollards would match existing conditions at SAH.

To maintain adequate parking during the course of construction and secure the north portion of the existing site for re-grading and construction, two phases of construction have been proposed for completion of the added facilities. The first phase of work would include the construction of a 77-space employee parking lot accessed from Huberty Way to replace the existing 43 parking spaces in the north employee designated parking area located where the SSB would be constructed. The second phase of work would consist of the remainder of the improvements listed in this project description. Total parking would be 450 spaces upon completion of the project.

Other proposed site improvements include widening the curb along Mission Boulevard and relocation of the primary monument sign at Mission Boulevard. Throughout the course of construction, access through the north site would be retained for fire service vehicles and the mobile MRI unit. Retaining walls would be utilized to prevent new construction from encroaching upon any of the existing heritage oaks on the site.

Covered ambulance parking accommodations and covered outdoor equipment storage at the Emergency Room entrance would be expanded. The currently undeveloped site area at the northeast corner of the existing hospital would also be improved for correctional facility van access, disaster triage, and parking. The path of travel for patients being transported from the hospital to the helipad would be retained. Upon completion of the proposed project, emergency vehicles would access the Emergency Room via Huberty Way along the eastern side of the hospital. This would minimize non-emergency traffic interference to emergency vehicles.

Environmental Review

A Draft EIR was prepared in September 2005 and circulated for public review. Written comments were solicited and received on the DEIR. A public meeting to receive comments on the RDEIR was held before the Commission on October 17, 2005. The comment period on the DEIR closed on November 2, 2005.

Two comment letters were received on the DEIR at the June 20, 2005 public hearing. The comment letters did not identify any potentially significant environmental impacts caused by the proposed project that were not already adequately addressed by the DEIR. Therefore, recirculation of the DEIR is not required.

The Final EIR provides responses to comments received on the DEIR and makes minor edits to the Draft EIR. Based on the inclusion of this information and the DEIR review process described above, the Final EIR meets the requirements of the California Environmental Quality Act.

Conditions of Approval

Should the Planning Commission choose to recommend the City Council approval of Sutter Amador Hospital Planned Development Amendment the Mitigation Measures listed in Section 5.0 Final Mitigation Monitoring and Reporting Program are recommended.

Action

Should the Planning Commission choose to recommend the City Council approve the Sutter Amador Hospital Planned Development Amendment and associated Final Environmental Impact Report the Planning Commission should forward a recommendation to approve the proposed project and certify the project's FEIR to the City Council with the following findings:

1. The City Council certifies that the Sutter Amador Hospital Planned Development Amendment Final EIR has been completed in compliance with the requirements of the California Environmental Quality Act.
2. The City Council certifies that the Final EIR was presented to the City Council and that the City Council reviewed and considered the information contained in the Final EIR prior to taking action on the project.
3. The City Council of the City of Jackson hereby certifies that the Final EIR reflects the independent judgment and analysis of the City Council of the City of Jackson.

Chairman Garibaldi opened the public hearing.

Suzanne Plasse, Jackson stated that she felt that the project proposal lacked the option to build a garage instead of taking over more land for parking lots.

Chairman Garibaldi closed the public hearing. 6:12p.m.

The following concerns were discussed between staff and the commissioners.

1. Funding for a new signal light.
2. Adding a condition that a well-lit sign be put close to the highway indicating the hospital entrance.
3. To treat the recommendation of certification of the FEIR and approval of the proposed project as separate issues and to have them stand-alone.

Moved by Commission Butow, seconded by Commissioner Faulkner and carried by a 4 to 0 vote to approve the motion to forward a recommendation to certify the project's FEIR to the City Council.

Moved by Commission Works, seconded by Commissioner Butow and carried by a 4 to 0 vote to approve the motion to forward a recommendation to approve the proposed project to the City Council with the following findings:

- 1. The City Council certifies that the Sutter Amador Hospital Planned Development Amendment Final EIR has been completed in compliance with the requirements of the California Environmental Quality Act.**
- 2. The City Council certifies that the Final EIR was presented to the City Council and that the City Council reviewed and considered the information contained in the Final EIR prior to taking action on the project.**
- 3. The City Council of the City of Jackson hereby certifies that the Final EIR reflects the independent judgment and analysis of the City Council of the City of Jackson.**

And to add a condition to improve the entrance with a well-lit sign:

- 4. Public Hearing – Tentative Parcel Map 2698, Harry & Jacquelyn Fletcher, 240 Walnut Street, APN 020-221-014.**

City Planner Peters read the following and stated that #2 of the Conditions of Approval should read City not City Council.

Project Description

The applicants are proposing to divide one 0.379-acre lot into two single-family residential lots. Proposed Parcel A has an existing single-family residence and is 9,687 square feet and, Parcel B is 6,807 square feet. Parcel A would continue to access off of Walnut Street. Parcel B would access off Mountain View Drive.

General Plan Designation and Zoning

The City of Jackson General Plan designation and zoning is Single-Family Residential (R-1).

Environmental Review

In accordance with the California Environmental Quality Act (CEQA) an Initial Study was prepared for this project and is attached for your review. The Initial Study revealed a potentially significant adverse environmental impact to traffic. For this reason, the project does not qualify for a Negative Declaration. Staff recommends that the applicant prepare an Environmental Impact Report (EIR).

Discussion

Despite the significant unavoidable impact to circulation resulting from any additional traffic, the Planning Commission has approved a few Tentative Parcel Maps with a Negative Declaration or Mitigated Negative Declaration as opposed to an EIR on the basis that the City is in the process of amending the Circulation Element and small infill projects would, according to the proposed update, be allowed to exceed the Level of Service threshold. For this reason, staff is providing the necessary information should the Commission choose to approve the project with a Negative Declaration.

Findings

Should the Planning Commission choose to approve this project, the following findings should be made:

1. The proposed Tentative Parcel Map is consistent with surrounding land uses.
2. The proposed land division will not be a detriment to the public health, safety, or general welfare of this community.
3. The proposed use will not have a significant adverse effect upon the environment.

Conditions of Approval

Should the City Council choose to approve this project, the following findings should be made:

1. All Standards for Development shall apply to this project.
2. A tree survey depicting trees to be removed or saved in accordance with the Landscape Planning Ordinance shall be submitted to the City prior to any clearing or grading activities.
3. In accordance with the Landscape Planning Ordinance, any trees designated to be saved shall have field fencing installed around the drip line of the tree for the duration of construction.
4. Removal or damage of any trees designated to be saved will result in a minimum fine of \$5,000 per tree.
5. Final map shall show dedication of road easement for Mountain View Drive. This condition shall be implemented to the satisfaction of the City Engineer.
6. Prior to recordation of any Final Parcel Map, the applicant shall provide the City of Jackson Planning Department a "will serve" letter form the Amador Water Agency for domestic water service to all resultant parcels. This condition shall be implemented to the satisfaction of the City Planner.

Action

Should the Planning Commission choose to approve Tentative Parcel Map 2698, the following actions are recommended:

1. Approve a Negative Declaration and instruct Staff to file a Notice of Determination;
2. Determine that the project will have a de minimus effect on fish and wildlife and instruct Staff to file a Certificate of Fee Exemption; and
3. Adopt a resolution approving Tentative Parcel Map 2698 for Harry and Jacquelyn Fletcher based on the Findings and subject to the Condition of Approval in this report.

Chairman Garibaldi questioned the City's Resource Allocation Policy and whether the City has taken in consideration of the vacant lots that might be getting applications for additional parcels. **City Planner Peters** answered his question by stating that when staff looked at the vacant parcels numbers, they took a very conservative approach to how many parcels would develop and what kind of timeline, meaning they assumed maximum build out of all the parcels, and it was unlikely that would happen. They also kept in mind of Swett, Longacre and a couple of other little tentative parcel maps that were trickling in. This was already factored in already, but in January they were going to have to re-establish how many housing equivalent units will be available for 2006 and they will have to sit back and reexamine that to make sure they would still be able to provide the services necessary.

Discussion ensued between Commissioner Butow and City Planner Peters regarding lot size and housing allocation planning.

Chairman Garibaldi questioned #6 of the COA, and whether this actually does anything for the city on an individual parcel and whether that gives the city another acre of water.

City Planner Peters answered this by stating what happens is the City Of Jackson is now on an equal playing field with the other cities and jurisdictions that receive water from the Amador Water Agency. In the past the City of Jackson has been the water purveyor and if they said they could provide water, we could provide water. The new agreement is "First Come, First Serve". Applicants will need to go to the Water Agency to obtain a Will Serve Letter.

Applicants Fred and Jacquelyn Fletcher, 240 Walnut Street, Jackson, stated that this parcel became doable because of construction on the backside of their lot. Two new dwellings have gone in on Mountain View. Two houses have been built on the West side of Mountain View and one house on the east side. We are now able to get access to the bottom of our property, which is now surrounded by two other dwelling, so we figured since it was unusable to us anymore, beside open land, we would just get it split while we could use it for a retirement home for us or a smaller house for us or our parents. Mr. Fletcher addressed Commissioner Butow's question on whether there were any structures to the South of the parcel with yes there is a house almost completed in a gully, owned by Barbara King now on Mountain View.

Commissioner Butow stated what he usually looks for is something from the neighbors stating if they are ok with the request and if everyone is on board with it.

Mr. Fletcher addressed this with the names of his neighbors, Gino Richie, John and Rosalie Pryor-Escamilla, Parks on the very bottom side, and Barbara King who now owns the Fletcher lot. He further stated that Ms. King was aware of the applicant's proposal and has been giving easement to allow them to put a water line in.

Chairman Garibaldi opened the public hearing – 6:55 p.m.

Rosalie Pryor Escamilla, 227 Mountain View Dr. wanted to state that she wasn't here to oppose the split but just has a couple questions regarding the split. (1) How much frontage on Mountain View Drive does the proposed parcel have and (2) what is the recommendation of a driveway width with a 2-car service?

City Planner Peters answered (1) being 12 feet, and (2) the driveway is usually 16 feet standard and 12 feet minimum.

Ms. Pryor-Escamilla further stated that what she was hoping to see in the list of conditions was that the upper lot reserve an easement to serve the lower lot, so who every builds there can access from Walnut where there is a lot of frontage and not try to come down Mountain View Dr. She went on to state that because she was told it was a City street, all the way down to their parcel, one the conditions of their home was that they pave the city street to bring it up to current standards. So she paved from the end of Mountain View Drive across what she interpreted to be Fred Fletchers 12-feet. She paved 25-feet beyond their driveway for the City and she did that because it was a condition of construction. If it was in fact private property she was were paving, so that the Fletchers or somebody else could have access to a second parcel, then she wondered if she was entitled to a little bit of reimbursement on their paving expense, because at the time it was her understanding it was a City street. The only other concern she had was when construction takes place, was to control dust, rocks and debris so she didn't end up with debris over the fence into her pool.

Ron Parks, property owner just below the Fletchers, stated he has no opposition to the split, but had great concern over the common corner and who owned it. He further stated that he felt the map was not correct. The commissioners and staff agreed that this question of the property line needed to be resolved and brought back to the City Engineer for clarification.

Chairman Garibaldi closed the public hearing – 7:28 p.m.

Commissioners and Staff further discussed the issues before them and the unresolved issues that needed further clarification.

Moved by Commission Works, seconded by Commissioner Faulkner and carried by a 4 to 0 vote to continue this matter to resolve the property lines issues and to give a recommendation regarding the feasibility of a driveway off Walnut Street to the January 17, 2006 meeting.

5. Public Hearing - Tentative Parcel Map 2697, John Molinelli, 10300 Argonaut Drive, APN 044-075-012.

City Planner Peters read the following:

Project Description

The applicant is proposing to divide one 0.258-acre lot into two single-family residential lots. Proposed Parcel 2A is 6,000 square feet and, Parcel 2B is 5249 square feet. Because proposed Parcel 2B does not meet the minimum lot size for single-family residence (6,000 square feet) the applicant is also requesting a variance. Both parcels are currently vacant.

General Plan Designation and Zoning

The City of Jackson General Plan designation and zoning is Single-Family Residential (R-1).

Environmental Review

In accordance with the California Environmental Quality Act (CEQA) an Initial Study was prepared for this project and is attached for your review. The Initial Study revealed a potentially significant adverse environmental impact to traffic. For this reason, the project does not qualify for a Negative Declaration. Staff recommends that the applicant prepare an Environmental Impact Report (EIR).

Discussion

Despite the significant unavoidable impact to circulation resulting from any additional traffic, the Planning Commission has approved a few Tentative Parcel Maps with a Negative Declaration or Mitigated Negative Declaration as opposed to an EIR on the basis that the City is in the process of amending the Circulation Element and small infill projects would, according to the proposed update, be allowed to exceed the Level of Service threshold. For this reason, staff is providing the necessary information should the Commission choosing to approve the project with a Negative Declaration.

Findings

Should the Planning Commission choose to approve this project, the following findings should be made:

1. There are special circumstances applicable to this property, which deprives the property of privileges enjoyed by other property with a similar use.
2. The granting of this variance will not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone.
3. The granting of this variance will not adversely affect the interest of the public or the interests of other residents and property owners within the vicinity.
4. The proposed Tentative Parcel Map is consistent with surrounding land uses.
5. The proposed land division will not be a detriment to the public health, safety, or general welfare of this community.
6. The proposed use will not have a significant adverse effect upon the environment.

Conditions of Approval

Should the Planning Commission choose to approve this project, the following findings should be made:

1. All Standards for Development shall apply to this project.
2. Building Design for Parcel 2B shall be consistent with the Section 17.12.030 (F) (attached for your review). This condition shall be implemented to the satisfaction of the City Planner
3. A minimum thirty-foot wide right of way along frontage of property measured from the record centerline of Argonaut Drive shall be dedicated to the City. This condition shall be implemented to the satisfaction of the City Engineer.
4. All utility services shall be underground to proposed development. This condition shall be implemented to the satisfaction of the City Engineer.
5. Final Parcel Map shall tie across Argonaut Drive to westerly Right-of-Way (property corner to property corner) and shall show record centerline of Argonaut Drive.
6. Applicant shall enter into a Deferred Improvement Agreement with the City of Jackson for frontage improvements along Argonaut Drive. In the interim, to control drainage, an asphalt dike shall be constructed along Argonaut Drive fronting the property. This condition shall be implemented to the satisfaction of the City Engineer.

7. Water service connections shall be made off of Argonaut Drive water main. This condition shall be implemented to the satisfaction of the City Engineer.
8. Prior to recordation of any Final Parcel Map, the applicant shall provide the City of Jackson Planning Department a "will serve" letter form the Amador Water Agency for domestic water service to all resultant parcels. This condition shall be implemented to the satisfaction of the City Planner.

Action

Should the Planning Commission choose to approve Tentative Parcel Map 2697 and Variance, the following actions are recommended:

1. Approve a Negative Declaration and instruct Staff to file a Notice of Determination;
2. Determine that the project will have a de minimus effect on fish and wildlife and instruct Staff to file a Certificate of Fee Exemption; and
3. Adopt a resolution approving Tentative Parcel Map 2697 and Variance for Mr. John Molinelli based on the Findings and subject to the Condition of Approval in this report.

Staff and Commissioners discussed the similarity of this project proposal and the Spunn Rd. Project that the applicant did earlier this year.

John Molinelli explained that the Spunn Rd. property butts up against this property. This lot is a sister lot to the Spunn Rd. lot. The two lots were previously owned by a sister and brother and divided. This lot doesn't have a building on it, as did the Spunn Rd. lot, which he further explained he tore down completely. Mr. Molinelli passed building plans to the Commissioners.

Chairman Garibaldi opened the public hearing – 7:55 p.m.

The following public members were opposed to the lot split:

Daralyn Bonneau, 10300 Amador Street

Bob Tarleton, 10285 Argonaut Drive

Geoff & Heather Davies, 10303 Spunn Road

Joyce Voss, 01280 Argonaut Drive

Suzanne Plasse, Jackson

John Molinelli addressed the public with stating his intent was to stay consistent with the surrounding neighborhood and felt that their concerns were able to be mitigated to what he hoped would be a satisfactory result.

Chairman Garibaldi closed the public hearing – 8:07 p.m.

Commissioner Butow stated he would along go with the neighbors and felt that approving this would be setting a real precedence and didn't feel he could be a part of this.

Commissioner Faulkner stated that she had no objection to the split because she didn't feel that Mr. Molinelli should be prohibited because the streets were narrow, and that she admired him for cleaning up the lot.

Commissioner Works stated that she was very conflicted because she felt there were other little lots on Amador Street, but also she wasn't completely comfortable with splitting the this lot.

Chairman Garibaldi stated he would probable vote no and felt that the neighbors who owned property in that area bought their homes with the expectation that all the lots would stay pretty much the same.

Moved by Commissioner Butow, seconded by Commissioner Works and carried by a 3 to 1 vote (Commissioner Faulkner dissenting) to deny the Tentative Parcel Map 2697, John Molinelli, 10300 Argonaut Drive, APN 044-075-012, due to the fact that they could not meet findings 1 – 4.

7. Public Hearing – Tree Removal, John Dardis, 250 French Bar Rd., APN 020-382-001.

City Planner Peters read the following

This little piece of property is located on French Bar Road, its westerly boundary is right at Perry Street. It's just below the access road that's kind if getting to Raley's, the back way. The applicant is doing a commercial development there and he would like to be able to access the lower part of his commercial development via a little road way and that road way would remove 3 trees of less than the 16 inch DBH that are required for replacement, but they are greater than the 8-inch DBH that requires the Planning Commission review and approval to remove.

Project Description

In accordance with Section 17.31.060 of the Landscape Planning Ordinance, the applicant is requesting permission to remove three oak trees ranging in size from 8 inches to 14 inches diameter at breast height (DBH) to accommodate construction of a commercial structure located at 250 French Bar.

Conditions of Approval

Should the Planning Commission choose to approve removal of these trees, the following Conditions of Approval are recommended:

1. Applicant shall provide the Planning Department with a landscape plan per the Landscape Planning Ordinance.
2. Pursuant to the Landscape Planning Ordinance all trees to be saved shall be appropriately fenced and any tree maintenance shall be performed by a qualified arborist.

Action

Should the Planning Commission choose to approve the tree removal for Mr. Dardis the following action is recommended:

1. Adopt a resolution approving the proposed tree removal plan for Mr. Dardis at 250 French Bar Road subject to the conditions of approval located in this report.

Staff and Commissioners discussed the need to bring back the Landscape Ordinance and putting a more definitive language on the outcome if it is violated.

Chairman Garibaldi opened the public hearing – 8:26 p.m.

Suzanne Plasse, Jackson expressed her desire that the trees remain.

Chairman Garibaldi closed the public hearing – 8:30 p.m.

Moved by Commissioner Works, seconded by Commissioner Butow and carried by a 2 to 1 vote (Commissioner Faulkner dissenting) and (Chairman Garibaldi abstaining) to deny the Tree Removal, John Dardis, 250 French Bar Rd., APN 020-382-001, based on the need to reserve the oak heritage.

8. Workshop – Zoning Ordinance.

Continued to January 17, 2006 and a special meeting on January 30, 2006.

9. ADMINISTRATIVE REPORTS.

Adjourn 8:50 pm.

Attest:

Candy Collins, Accounting Services II

Date Approved: March 20, 2006