

Jackson Planning Commission

Minutes

Special Meeting of December 4, 2006

COMMISSION MEMBERS PRESENT:

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

CITY STAFF PRESENT:

Mike Daly, City Manager
Susan Peters, City Planner
Carlyn Drivdahl, Assistant City Attorney
Candy Collins, Accounting Assistant

Chairman Works called meeting to order: 6:03 p.m.

1. Public Matters Not on the Agenda.

Commissioner Butow announced that the meeting last Thursday in Sutter Creek regarding the Certified Local Government Programs to preserve local historic sites was a success and that presentation materials from the representatives from the California State Office of Historic Preservation could be obtained from him.

2. Public Hearing – Project Determination Recommendation to City Council, Jackson Hills Golf Course and Residential Community.

Commissioner Works provided instructions to the applicants and the audience for speaking and overall conduct.

City Planner Peters read from her Planning Staff Report which provided a brief project description of the Jackson Hills Golf Course and Residential Community, the requested entitlements, and the environmental review process to date.

Additionally, City Planner Peters reviewed the following options for making a recommendation to the City Council:

Option 1: Recommend the City Council approve the proposed project. Direct staff to provide the necessary findings for approval of the project for consideration at the next available Planning Commission meeting.

Option 2: Recommend the City Council approve a modified version of the proposed project. The Planning Commission can choose to recommend one of the alternatives developed and reviewed in the EIR (see Revised Draft EIR Section 6.0 – Alternatives) or some other mutually agreed upon project. Staff would then be directed to modify the project description and develop findings for approval for consideration at the next available Planning Commission meeting. Consideration of

alternatives is likely to require additional/supplemental environmental analysis to support that the Final EIR covers the modified project (usually done with an addendum document to the EIR that does not require another public review).

Option 3: Recommend the City Council deny the proposed project. Direct staff to provide the necessary findings for denial for consideration at the next available Planning Commission meeting.

Commissioner Carleton expressed his concern with not having the Findings of Fact, Conditions of Approvals, and Statements of Overriding Considerations for the proposed project.

City Planner Peters responded that staff would need direction from the Planning Commission to efficiently put together Commissioner Carleton's request. Discussion ensued between Commissioners Carleton, Butow, Works, and Garibaldi and City Planner Peters regarding this issue.

Chairman Works received concurrence from Commissioners Sexton, Butow, and Garibaldi to continue and opened the public hearing.

The project applicants were allowed to provide a brief power-point presentation to the Planning Commission and audience.

Allen Warren, President of New Faze Development, the project applicant, spoke briefly regarding the merits of the Jackson Hills project and introduced **Martin Tuttle**, Vice President of New Faze, who addressed the Commission and audience regarding the time it has taken to get to the Planning Commission and the merits of the project which included the following: New housing in Jackson; a new 18 hole golf course with all of the amenities; 60 new full-time jobs; a solution to the City's wastewater issues by using reclaimed wastewater on the proposed golf course; oak tree preservation; open space and historic preservation; transportation improvements including bicycle and golf cart trails and a loop road which could access the Raley's Shopping Center; tax revenue for the City and; other infrastructure improvements for the City including a park and additional water storage.

John Little of Sycamore Environmental, discussed the oak woodlands on the site and the plans to preserve them.

Les Clark, Project Engineer from Nolte discussed the project as it relates to the wastewater issue.

Jim Abercrombie, Amador Water Agency Executive Director, commented that wastewater is preferable to potable water for golf course irrigation. The proposed project is identified within the Regional Wastewater Study as a partial solution to the regional wastewater problem. The Water Agency is not in favor of the use potable water on the golf course.

Kathy Allen, representing Amador Citizens for Smart Growth (ACSG), read from a handout provided to the Planning Commissioners. She stated, ACSG is not in favor of a project of this size for a variety of reasons, including traffic, noise, asbestos and the park size. ACSG believes the impacts associated with the project far outweigh any benefits the project may provide to the City of Jackson.

Jerry Scott & Judy Jebian, Coordinators for the Amador Calaveras Oak Conservation Group, read from a letter submitted to the Planning Commission. This group would like the Commission to adhere to the requirements of SB 1334, the recent legislation requiring oak woodland preservation.

Chris Wright, Foothill Conservancy, recommended City reject the proposed project because there are too many associated impacts and it should be sent back to the drawing board. He had a number of questions including the following: What are the exact details of the proposed wastewater system; where will the wastewater pipeline be located and that information should be in the Environmental Impact Report; do we have an understanding of the project's traffic fair share; what are the specifics on an alternative plan for traffic and; will there be long term mitigation monitoring? Overall, Mr. Wright stated he does not believe that there is enough information regarding the project to make a decision and that the project is not adequate for the community.

City Planner Peters, responded to the question about mitigation monitoring by explaining that the City would hire a consultant to provide the required monitoring. The costs associated with this consultant would be reimbursed by the developer.

Tom Infrsino, Attorney representing the Foothill Conservancy, addressed the Planning Commission regarding legal issues, specifically, CEQA consistency associated with the proposed project. Mr. Infrsino read a letter to the Planning Commission which stated that the project should not be approved because it is inconsistent with the Land Use and Traffic Elements of the City's General Plan. He feels that the City should complete the updates of the Land Use and Traffic Elements and prepare a facilities improvement plan prior to consideration of this project. He is not in favor of this project because it is "too big, too soon, and in the wrong place."

Mike Carey, Superintendent, Amador County Unified School District, expressed his concern that New Faze has not proposed any solutions to the school overcrowding issues. SB 50 ties the hands of the school district but the School Board came up with a resolution in October which provided guidelines for addressing growth. He proceeded to read parts of the resolution.

Ken Berry, stated that the EIR should be re-circulated due to changes in the project's wastewater alternatives. He also asked if there were any circulation changes to reserve right-of-way for a bypass. An EIR, per CEQA, needs to explain everything about the project including the Water Agency's removal of water out of Jackson Creek.

Jim Messinger, stated that New Faze has a good reputation and he thinks the project would be an asset to the community.

Suzanne Plasse, read from her handout submitted to the City Clerk and added that the project should be sent back to the drawing board.

David Carlson, stated that a well planned development is necessary and that while this is a large project, the density is not great. Jackson Hills has many amenities which a small project could not provide. The Conditions of Approval are how the City ensures the impacts are not too great.

Judy Jebian, stated that this project would not have a “light touch” on the community. Traffic is a big issue. She questioned the number of housing units the City needs. She stated that cumulative impacts are not adequately addressed in the EIR and that the mitigation measures proposed are not adequate. Noise is another big issue which affects quality of life. Traffic impacts were not looked at when schools release and parents are picking up their children. She also questioned how traffic from the proposed project will affect emergency vehicles and air quality.

Project Attorney Michael Cook, stated that the consultant took a conservative approach and that five of the significant impacts are related to agriculture – any project on that site would affect agriculture. He stated there are two main issues – oak trees and traffic – both of which he feels have been mitigated.

Elizabeth Rhoades, stated she was a horticulturalist not associated with the project. Expressed her appreciation of the riparian habitat and oak conservation plans for the project. Additionally, she stated that this project would be the model for other projects.

Lynette Lipp, expressed concern that the State’s legal requirements for mitigating school impacts is not enough. Project should give more money or build a school. Additionally, she had concerns regarding maintenance of roads.

Lee Suess, speaking for his son who hopes to move to Jackson Hills when he retires. He feels that most of the home owners will be retirees who would be a good source a community service volunteers.

Gary Clark, gave a history of the site and discussed the significance of the City’s sewer problem. He feels that this low density housing project would solve the City’s sewer problem and help keep the sewer bills down.

Bob Rogers, stated he is in favor of the project because it is an upscale development which has lots of amenities.

Lucy Hackett, stated she is in favor of the project because it helps the economy and provides many opportunities for Jackson Citizens.

Jill North, stated that outside developers should not be allowed into the City. Feels the development is too exclusive and that quality of life would be impacted. She stated that people want to preserve our natural resources and habitats. She expressed concern that 50 parcels would be built into a wooded area and explained how roads will impact trees as far as 40 feet away. She further stated that all the oak woodland should be preserved.

Janice Cavelierie, stated that she is a realtor and thinks the project is beautiful and should be approved.

Jeff Votaw, stated that there is only so much that can be done with the traffic and that the Jackson Hills project would be a great asset. He further stated that he felt the developers had gone above and beyond.

John Plasse, stated that Phase 1 design is bad, removal of oaks is bad, and that the project needs to avoid taking trees. He also stated that water runoff, a significant unavoidable impact, all drains through his property and wells. Water quantity from the wells is not good and can't handle any impact. He feels that the project is "leap frog" development. Stated that the project needs to be redesigned and requested the Planning Commission not approve it "as is."

Chairman Works asked for a break during which Vice-Chairman Carleton left the meeting.

Chairman Works reconvened the meeting and proposed to continue this matter to the December 18, 2006 meeting due to Vice-Chairman Carleton becoming ill and leaving.

Moved by Commissioner Butow, seconded by Commissioner Garibaldi and unanimously carried to continue this matter to the regular Planning meeting of December 18, 2006 at 6:00 p.m.

Meeting adjourned: 10:28 p.m.

Attest:

Susan Peters, City Planner

Date Approved: March 4, 2007