

Jackson Planning Commission  
Minutes  
Regular Meeting of May 18, 2009

**COMMISSION MEMBERS PRESENT:**

Dave Butow, Vice-Chairman  
Kathryn Devlin  
Walt Hooser  
Darek Selman

**CITY STAFF PRESENT:**

Susan Peters, City Planner  
Mike Daly, City Manager  
Gisele Cangelosi, City Clerk

**COMMISSION MEMBERS ABSENT:**

Leticia Sexton, 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 Butow called the meeting to order at 6:00 p.m.

**1. Public Matters Not on the Agenda.**

Kathy duBois, Jackson, stated her concern was regarding Amador County's dilapidated outbuildings on Court Street and felt the County should be fined for code violations.

City Planner Peters explained those particular buildings are under the County's jurisdiction and are exempt from the City's codes. The Jackson Revitalization Committee's subcommittee Community Identity will be talking to County representatives about these building in the near future.

**2. Approval of Minutes.** Minutes from the April 20, 2009 meeting.

**Moved by Commissioner Devlin, seconded by Commissioner Selman, and carried unanimously carried to approve the Minutes of the April 20, 2009 meeting as presented.**

**3. Public Hearing – Notice of Intent to Develop.**

City Planner Peters reported at the April 20, 2009 meeting, the Planning Commission reviewed the Notice of Intent to Develop from the Fuller Family Partnership for the Westbend Subdivision located on French Bar Road. The request was for 150 Housing Equivalent Units (HEU's) for a maximum project of 400 single and multi family residences on 227 acres. The Planning Commission determined this project was too dense and that the proposed school site was inappropriate. They directed staff to hold a meeting with the applicant, staff, and Commissioners Butow and Devlin to discuss modifying the Notice of Intent to Develop (NOID). The requested meeting was held on April 27, 2009 with Mr. Brian Drake representing the Fuller Family Partnership. The Planning Commission was provided a copy of the revised NOID which address all the issues reviewed at that meeting. The revised NOID requests a total of 80 HEUs. Combining this with the existing 20 HEUs would give the applicants 100 HEUs for a first phase of the project

which has been scaled down from 400 residential units to 277 units which is consistent with the existing zoning. Additionally, the school site has been dropped and an easement for potential bypass has been added.

Tonight's action was that the Planning Commission review the revised Notice of Intent to Develop and make a recommendation to the City Council regarding award allocations of no more than 150 HEUs based on the specific criteria established in the Resource Constraints and Priority Allocation Policy.

Brian Drake, Fuller Family Partnership, the applicant, was present to answer questions of the planning commission.

Vice-Chairman Butow opened the public hearing. The following individuals voiced their opinions regarding awarding allocations 80 HEUs for 2009: Judy Jebian and Kathy duBois. Hearing no further comments from the public, Vice-Chairman Butow closed the public hearing.

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

**Moved by Commissioner Hoeser, seconded by Commissioner Devlin, and carried unanimously carried to review the revised Notice of Intent to Develop and make a recommendation to the City Council regarding award allocations of no more than 80 HEUs based on the specific criteria established in the Resource Constraints and Priority Allocation Policy.**

**4. Public Hearing – Variance 2009-02, CVS Pharmacy & California Sign Installation, 515 S. State Highway 49, APN 020-372-007.**

City Planner Peters reported the applicant is requesting to replace the existing "Longs Drugs" sign located in the Jackson Creek Plaza on Highway 49 with "CVS/pharmacy" signs. Section 17.60.175 (A) allows for ninety square feet of wall signage per business. The existing main "Longs Drugs" sign is approximately 117 square feet. The proposed CVS/pharmacy signs including the "Liquor", "Photo", and transom signs total approximately 164 square feet. The main "CVS/pharmacy" sign is proposed to be approximately 133 square feet. 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. One of the following findings shall be made for Planning Commission approval:

- 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 17.60.010 and the resulting sign will be superior to the sign which would otherwise be allowed by this Chapter in its design, construction, and placement.

Vice-Chairman Butow opened the public hearing. The following individuals spoke their concern regarding Variance 2009-02, CVS Pharmacy & California Sign Installation, 515 S. State Highway 49: Eileen Sullivan, Judy Jebian and Jerry Scott. Hearing no further comments from the public, Vice-Chairman Butow closed the public hearing.

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

**Moved by Commissioner Hoeser, seconded by Commissioner Selman, and unanimously carried to:**

- 1. Instruct Staff to file a Categorical Exemption; and**
- 2. Adopt a Resolution approving Variance 09-02 for CVS/pharmacy based on the Findings "B" in the May 18, 2009 staff report and determined the following sign sizes were appropriate:**
  - a. "CVS/pharmacy" wall sign shall have letters no greater than 42" and the total sign shall not exceed approximately 117 square feet.**
  - b. The "Liquor" and "Photo" signs shall be allowed as presented.**
  - c. The "CVS/pharmacy" transom sign shall be allowed as presented.**

City Planner Susan Peters stated this action is appealable to the City Council with a written request and a \$200.00 fee to the City Clerk within 10 calendar days.

#### **5. Draft Development Code.**

City Manager Daly stated due to technical difficulty, staff was not able to get the Draft Development Code online until today. With the absent of Chairman Sexton and the fact the Commission received the code on Friday it is recommended this item be deferred and that a special meeting be scheduled for June 1 for full Commission consideration.

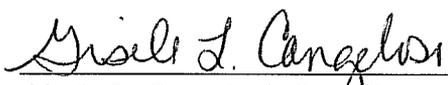
It was as the consensus of the Planning Commission to schedule a special meeting for June 1, 2009 in order to keep on schedule review the remaining articles of the Draft Development Code.

#### **6. Administrative Reports.**

Kathryn Devlin stated her seat on the Planning Commission expires in June 30, 2009. Staff explained the City Council is accepting applications for three available positions on the Jackson Planning Commission, Dave Butow, Kathryn Devlin and Walter Hoeser. Applications must be received by 5:00 PM, June 17, 2009 and appointments will be made at the June 22, 2009 City Council meeting.

Adjourn 7:18 p.m.

Attest:

  
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Gisele L. Cangelosi, City Clerk

Date Approved: July 20, 2009