

Jackson Planning Commission
Minutes
Special Meeting of July 16, 2012

COMMISSION MEMBERS PRESENT:

Joe Assereto
Kathryn Devlin, Vice-Chairman
Walt Hoeser, Chairman

CITY STAFF PRESENT:

Susan Peters, City Planner
Gisele Cangelosi, City Clerk

COMMISSION MEMBERS ABSENT:

Dave Butow
Fred Hall, Arrived Late

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 April 16, 2012 Regular Meeting.

Moved by Vice-Chairman Devlin, seconded by Commissioner Assereto, and carried by a 3 to 2 vote (Commissioner Butow and Commissioner Hall absent) to approve Minutes from the April 16, 2012 Regular Meeting as amended.

3. Public Hearing – Conditional Use Permit to Allow for Swap Meet, Auto Sales, and Mobile Food Service, 645 Highway 49/88, APN 020-140-023, Mike Knoll, Amador Auction House.

City Planners Peters reported the applicant is proposing to operate a swap meet, automobile sales, and mobile food facility in the Amador Auction House (previously Prospect Motors) parking lot at 645 Highway 49/88. The proposal is for a swap meet twice a month on Saturdays. Space will be made available to local merchants and individuals to sell items. Cars will also be on display for sale on a continuous basis. Additionally, the applicants are asking for permission to allow for a mobile food facility to locate in the parking lot.

The City of Jackson General Plan Designation and Zoning for this site is Commercial. Development Code Article II Section 17.06.040(B)(2) requires a Conditional Use Permit for uses which are not listed in any zoning district. While Conditional Use Permits 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 this project, the following findings must be made in accordance with Section 17.76.030 Findings and Decision (for Use Permits) of the Development Code:

1. The proposed use is allowed by the Development Code and is consistent with the General Plan.
2. The proposed use is consistent with the overall character of the surrounding neighborhood.
3. The proposed use will not have a significant adverse effect upon the environment.
4. The operating characteristics of the proposed use are compatible with existing and future land uses in the vicinity.
5. Granting the Use Permit would not be detrimental to the public health, safety, or welfare of the City, or injurious to the property or improvements in the vicinity and zone in which the property is located.
6. The site, development features, and surrounding improvements for the use are physically suitable for the type and density/intensity of the use.

Staff has no recommended conditions of approval for the proposed project. The Planning Commission can add Conditions of Approval if they so choose.

Should the Planning Commission chose to approve the conditional use permit for Mike Knoll, the following actions are recommended:

1. Instruct staff to file a Categorical Exemption; and,
2. Adopt a Resolution approving Conditional Use Permit 2012-01 for Mike Knoll at 645 Highway 49/88 (APN 020-140-023) based on the Findings in this report.

Mike Knoll, applicant, was present to answer questions of the Planning Commission.

Commissioner Hall submitted a letter for the record regarding his business consultant re market/swap.

Chairman Hoeser opened the public hearing. The following individuals spoke regarding the Conditional Use Permit to Allow for Swap Meet, Auto Sales, and Mobile Food Service, 645 Highway 49/88, Amador Auction House: Thornton Consolo, Jack Georgette and Dave Stark. Hearing no further comments from the public, Chairman Hoeser closed the public hearing.

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

Moved by Commissioner Hall, seconded by Commissioner Assereto, and carried by a 3 to 2 vote (Commissioner Butow and Commissioner Hall absent) to approve:

- **Instruct staff to file a Categorical Exemption; and,**
- **Adopt a Resolution approving Conditional Use Permit 2012-01 for Mike Knoll at 645 Highway 49/88 (APN 020-140-023) based on the Findings in this report and the following Conditions of Approval on the project:**
 1. **Conditional Use Permit 2012-01 shall be reviewed by the Planning Commission at their January 2013 meeting.**
 2. **The number of vendor stalls in the parking lot shall be limited to 30.**
 3. **Hours of operation shall be limited to 7 a.m. to 5 p.m. on two Saturdays a month**

4. Swap Meet vendors shall park in the upper lot off of Sutter Street to the greatest extent feasible. This Condition shall be implemented to the satisfaction of the Senior Building Official
5. To minimize parking on the street and at neighboring properties, a sign plan directing vendors and patrons to appropriate parking shall be developed, submitted, and approved by the City Planner prior to the first swap meet.
6. There shall be no electrical power provided to the vendor stalls. Any vendor appliances or electronics shall be battery powered. This Condition shall be implemented to the satisfaction of the Senior Building Official
7. There shall be no outdoor amplification of any kind.
8. The food vendor shall have a non-motorized cart and shall only operate on Saturdays when there is a scheduled swap meet or auction.
9. The applicant shall submit to the Planning Department a landscape plan to minimize visual impacts of the swap meet to surrounding properties. The plans, once approved by the City Planner, shall be implemented prior to the January 2013 Planning Commission review hearing.

4. Administrative Reports.

City Planner Peters reported on the following:

1. The City Council approved Resolution 2012-11, the proposed amendments to the Housing Element of the City of Jackson General Plan and staff forwarded to HCD by the April 6, 2012 deadline.
2. Staff is currently working on Noise Element and Commissioner Butow is on Historic information.
3. Jackson Wastewater Treatment Plant Project Notice of Availability will be posted July 18 and the Draft Environmental Report will also be available at City Hall and the City's website.

Adjourn 7:34 p.m.

Attest:



Gisele L. Cangelosi, City Clerk

Date Approved: September 17, 2012