Jackson Planning Commission Agenda

Tuesday, February 18, 2020 – 6:30 PM Regular Meeting
Jackson City Hall, 33 Broadway, Jackson, California 95642

PLEDGE OF ALLEGIANCE

1. PUBLIC MATTERS NOT ON THE AGENDA

Discussion items only, no action will be taken. Any person may address the Planning Commission at this time on any subject within the jurisdiction of the Planning Commission. Please note – there is a five (5) minute limit. Any matter that may require action may be referred to administration for review and appropriate administrative and/or legislative action.

2. APPROVAL OF MINUTES

Approve the minutes of the November 18, 2019 Planning Commission Meeting.

3. DISCUSSION CALENDAR


4. ADMINISTRATIVE REPORTS

This section is to provide staff and Commissioners an opportunity to present oral status reports on issues. No action is expected to be taken by the Planning Commissions.

5. ADJOURNMENT

Regular meeting adjournment.

Posted: February 11, 2020, City Hall, Jackson

Agenda materials will be available for review (pursuant to §54957.5 Government Code Section) in the City Clerk’s office in City Hall.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, you should contact the Office of the City Clerk at (209) 223-1646 (voice) or (209) 223-3141 (fax). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Visit our website at http://ci.jackson.ca.us for copies of previous agendas, minutes and City budget.
Vice Chairwoman Collins called the meeting to order at 6:31 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG.

Vice Chairwoman Collins led the Pledge of Allegiance.

1. **PUBLIC MATTERS NOT ON THE AGENDA.**

   Resident requested that PG&E be turned into a cooperative.

   After no further comments, Vice Chairwoman Collins closed Public Matters and moved to Approval of Minutes.

2. **APPROVAL OF MINUTES.**

   Approve the minutes of the September 16, 2019 Planning Commission Meeting.

   **Motion to approve the minutes of September 16, 2019. Moved by Commissioner White, seconded by Commissioner Consolo, and carried by a 3 to 0 vote:**

   - **AYES:** Collins, White, Consolo
   - **NOES:** None
   - **ABSENT:** McLean, Klotz
   - **ABSTAIN:** None

3. **DISCUSSION CALENDAR.**

   a. Possible Recommendation to the City Council for a Rezone, General Plan Amendment and Variance located at the Northwest Corner of Schober Ave. and Hwy 49 (APN 020-367-001). Applicant Mr. Lee Scundi.

   City Planner Susan Peters provided an overview of the proposed project:

   The project site, located at the northwest corner of Schober Avenue and Highway 49 in the City of Jackson, was originally owned by the California Department of Transportation (Caltrans) and considered Right of Way. Because this was road right of way, no zoning or general plan designation was applied to the property. Recently Caltrans established that this was a separate property from the right of way and has sold it to a developer, Mr. Lee Scundi.
Mr. Lee Scundi has applied to zone and general plan designate the property Commercial to allow for construction of drive through coffee kiosks. Additionally, Mr. Scundi has applied for a variance to allow for the proposed structures to encroach nine (9) feet into the ten (10) foot rear yard setback. The project design includes two 320 square foot drive through kiosks with four parking spaces. The kiosks will be accessed from two separate entrances on either end of the property from Schober Avenue. There will be one exit onto Schober Avenue.

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. Caltrans provided the attached comment letter requesting additional information regarding the site design. They were sent a copy of the Initial Study (also attached). The City has not received additional comments from Caltrans since submittal of the Initial Study.

Should the Planning Commission choose to recommend City Council approval of the requested General Plan Amendment and Rezone, in accordance with the City of Jackson, Development Code, Article VI, Chapter 17.60 General Plan, Land Use Designation Map, and Development Code Amendments, the following findings must be made:

1. The proposed rezone and amendment ensure 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 City Council approval of the requested variance:

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.

It is recommended that the Planning Commission conduct a public hearing on the Rezone, General Plan Amendment and Variance and forward the application and its associated Negative Declaration to the City Council for adoption based on the Findings in this report.

Vice Chairwoman asked the applicant, Lee Scundi, to step forward and provide his comments.

Lee Scundi introduced himself to the Commission and stated there were no real big issues with the site. House on the left is zoned commercial. He lives in Mt. View where Google has bought a lot of property forcing buyers out of area. He purchased this lot originally to store equipment. Then he and his wife were thinking of other things they could do with it. He wants to do what is right for the community.

The Commissioners thanked everyone for coming and stated how impressed they were to see so many residents attend the meeting (60+ in attendance) and wished they had turn outs like this at every meeting.

Vice Chairwoman Collins opened up for Public Comment and requested since there were so many residents attending to keep comments short, don’t duplicate comments to allow others a chance to speak.

Over 25 residents came up to speak with the remaining audience in support of each speaker. The majority of complaints were as follows: The intersection (88/Schoeber) is very dangerous, Schoeber Road needs improvements as it is narrow with no sidewalks, speeding traffic, only 2 ways in and out of neighborhood, all around safety concern among noise, increased traffic, garbage, light impacts.

After no further comment, Vice Chairwoman Collins closed the Public Hearing and asked for Commission discussion.

Commissioner Consolo feels the property is too small, Schoeber has too many bottlenecks, and there are too many residential uses in the neighborhood. It’s a denial from him with a recommendation for residential.

Vice Chairwoman Collins stated she goes up and down Schoeber every day and it’s just the residents that go up/down that hill, so alert your neighbors regarding speed limit. She personally does not agree with a coffee kiosk.

Moved by Commissioner Consolo, seconded by Commissioner White, and carried by a 3 to 0 vote to recommend to City Council denial of the Rezone, General Plan Amendment and Variance for Mr. Lee Scundi. Motion passed with the following vote:

AYES: Collins, Consolo, White
NOES: None
ABSENT: McLean, Klotz
ABSTAIN: None
4. **ADMINISTRATIVE REPORTS.**

City Planner Susan Peters reported on the SP2 Grant of $160K for the city. Will start the Consultant selection process January-February with workshops in February. The City will have until June 2022 to complete the General Plan Update. The purpose of the SB 2 Grant is to increase affordable housing. Susan has ideas to provide more housing but ultimately it will be up to the Planning Commission and City Council.

Commissioner White asked about the sewer capacity issues. City Planner Peters gave an update on the recalibration of the Wastewater Treatment Plant and improvements to the collection system.

City Planner Peters commented that there are no new projects in the hopper. Jackson Rancheria's Boskovich Ranch project is only conceptual at this point. The City will have to work with the Rancheria to address the sewer capacity issues.

After no further reports, Vice Chairwoman Collins moved to adjourn the meeting.

5. **ADJOURNMENT**

Vice Chairwoman Collins adjourned the meeting at 8:24 p.m.

**ATTEST:**

_________________________  ____________________________
Patti Ungaro, Administrative Assistant  Date Approved
CITY OF JACKSON
Planning Staff Report

Date: February 18, 2020
Application Type: Tentative Parcel Map Extension
Proposed Project: TPM 2870 – 1016 Jackson Gate Road (APN 020-090-012)
Applicant: George & Leah Lee

Recommendation

That the Planning Commission consider adopting Resolution 2020-01 granting a one-year extension of Tentative Parcel Map 2870 for George and Leah Lee.

Background

Tentative Parcel Map (TPM) 2870 was originally approved by the Planning Commission on March 19, 2018. The Tentative Parcel Map was intended to divide one property located at 1016 Jackson Gate Road into three lots ranging in size from 7,832 to 12,010 square feet.

According to Section 17.96.140 of the Development Code a Tentative Map is valid for 24 months from approval. The Planning Commission (original approval authority) may grant an extension of one to five years (see attached Development Code, Article III, Section 17.96.150).

The City has received the attached letter from the applicant requesting a one-year extension.

Findings

Should the Planning Commission choose to grant the extension request, the following findings must be made:

1. There have been no changes to the provisions of the General Plan, any applicable Specific Plan, or this Development Code applicable to the project since the approval of the Tentative Map causing the proposed subdivision to become inconsistent with the General Plan or any applicable Specific Plan, or to not comply with any applicable provision of this Development Code;

2. There have been no changes in the character of the site or its surroundings that affect how the policies of the General Plan or other standards of this Development Code apply to the project, causing the proposed subdivision to become inconsistent with the General Plan or any applicable Specific Plan, or to not comply with any applicable provision of this Development Code; and

3. There have been no changes to the capacities of community resources, including but not limited to water supply, sewage treatment or disposal facilities,
roads or schools so that there is no longer sufficient remaining capacity to serve the project.

Staff has reviewed the proposed extension request and has no concern with the project’s consistency with the General Plan or Development Code. There has been a change to the City’s sewer treatment capacity since approval of the original map, however the growth projections that were reviewed at the August 27, 2018 City Council Meeting included completion of this project.
Planning Commission Resolution No. 2020-01

A Resolution of the Planning Commission of the City of Jackson
Approving Tentative Parcel Map 2870 Extension
1016 Jackson Gate Road (APN 020-090-012)
George & Leah Lee

WHEREAS, George and Leah Lee are requesting a one-year extension of Tentative Parcel Map 2870 located at 1016 Jackson Gate Road (APN 020-090-012); and

WHEREAS, the Planning Commission can, in accordance with Development Code Section 17.96.150, extend a Tentative Parcel Map for one to five years:

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings:

1. There have been no changes to the provisions of the General Plan, any applicable Specific Plan, or this Development Code applicable to the project since the approval of the Tentative Map causing the proposed subdivision to become inconsistent with the General Plan or any applicable Specific Plan, or to not comply with any applicable provision of this Development Code;

2. There have been no changes in the character of the site or its surroundings that affect how the policies of the General Plan or other standards of this Development Code apply to the project, causing the proposed subdivision to become inconsistent with the General Plan or any applicable Specific Plan, or to not comply with any applicable provision of this Development Code; and

3. There have been no changes to the capacities of community resources, including but not limited to water supply, sewage treatment or disposal facilities, roads or schools so that there is no longer sufficient remaining capacity to serve the project.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves a one-year extension of Tentative Parcel Map 2870 for George & Leah Lee.

The foregoing resolution was duly passed and adopted by the Planning Commission of the City of Jackson at a regular meeting on the 18th day of February 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF JACKSON

ATTEST: Steve McLean, Chairperson

John Georgette, City Clerk
17.96.150 Extensions of Time for Tentative Maps.

When a subdivision has not been completed through the recording of a Parcel or Final Map within the time limits set by Section 17.96.130 (Tentative Map Time Limits), time extensions may be granted in compliance with this Section. Extension requests applications shall be filed with the Planning Department on or before the date of expiration of the approval or previous extension, together with the required filing fee.

A. Tentative Maps. The review authority which approved the Tentative Map may grant extensions of one to five years to the initial time limit, provided that the total of all extensions shall not exceed five years, only after finding that:

1. There have been no changes to the provisions of the General Plan, any applicable Specific Plan, or this Development Code applicable to the project since the approval of the Tentative Map causing the proposed subdivision to become inconsistent with the General Plan or any applicable Specific Plan, or to not comply with any applicable provision of this Development Code;

2. There have been no changes in the character of the site or its surroundings that affect how the policies of the General Plan or other standards of this Development Code apply to the project, causing the proposed subdivision to become inconsistent with the General Plan or any applicable Specific Plan, or to not comply with any applicable provision of this Development Code; and

3. There have been no changes to the capacities of community resources, including but not limited to water supply, sewage treatment or disposal facilities, roads or schools so that there is no longer sufficient remaining capacity to serve the project.

B. Tentative Maps with multiple Final Maps. Extensions for Tentative Maps with multiple Final Maps shall be allowed in accordance with the Subdivision Map Act.

C. Vesting Tentative Maps. The review authority which approved the Vesting Tentative Map may grant extensions of one to five years to the initial time limit, provided that the total of all extensions shall not exceed five years, in compliance with subsection A, above. Any rights conferred by Section 17.96.120 (Vesting Tentative Maps) shall expire if a Final Map is not approved and recorded before the expiration of the vesting Tentative Map.
Planning Commission,

As the owner of the above property, I am requesting a 1 year extension on my Tentative Parcel Map 2870. Additional time is needed to complete the various items which are Conditions of Approval.

Sincerely,

George Lee

11/07/19