



**CITY OF LAKEPORT
PLANNING COMMISSION
REGULAR MEETING
May 9, 2018**

MINUTES

CALL MEETING TO ORDER AND ROLL CALL: Chairman Wicks called the meeting to order at 5:03 p.m. with Commissioners Green, Russell, Froio, and Knorr present. Also present were Community Development Director, Kevin Ingram, Associate Planner, Dan Chance, and Administrative Specialist, Linda Sobieraj.

ACCEPTANCE OF AGENDA: A motion was made by Commissioner Green, to accept the agenda as posted; seconded by Commissioner Froio and unanimously carried by voice vote (5-0).

COMMUNICATIONS: Community Development Director Ingram advised there was no citizens input.

CONSENT AGENDA: Chair Wicks advised of a minor change to the April 11, 2018, minutes on page 2 paragraph 3 which should read "*Chair Wicks made reference to the geotechnical report and had concerns pertaining to the need for such deep excavation, if this issue was adequately addressed and whether or not an Initial Study should be required*". A motion was made by Commissioner Green, to accept the minutes as amended, seconded by Commissioner Russell, and unanimously carried by voice vote (5-0). (Minutes from the Planning Commission meeting April 11, 2018).

REGULAR AGENDA:

AMG & Associates – ER 17-01, ZC 17-02 GPA 17-01, PM 17-01

Associate Planner Chance briefed the Planning Commission on the application for a General Plan Amendment, Zone Change, and Parcel Map for property located at 1255 Martin Street.

Chair Wicks stated in the staff report page 8 it read "A note should be placed on the final map prohibiting development within this area unless a biological survey and environmental review under CEQA is completed" and asked if there was a reason why it could not be done before. Chance advised there was only a tentative map at this point and requiring a note ensures it will be on the map at the time it's recorded.

Wicks stated in the project condition agreement numbers 28 and 29 it mentioned a "½ standard measured from centerline" and what this meant. Director Ingram stated only half of the right of way on Smith Lane is owned by the applicant and are only responsible for improving one half.

Public hearing opened at 5:19 p.m. applicant Cameron Johnson with AMG & Associates answered questions regarding tree replacement and street improvements on Smith Street.

Lakeport resident Nancy Ware spoke regarding concerns for the proposed Smith Street improvements.

Public hearing closed at 5:32 p.m.

Chair Wicks advised in the Initial Study page 9 Response III C, it said there was a Less Than Significant Impact in the chart, however the response stated "No Impact". Director Ingram stated it should read "The Potential Impact is Less Than Significant".

Wicks asked for clarification on page 13 of the Initial Study, second paragraph last sentence. Chance stated it was identifying the biologically sensitive habitat in the area of Martin and Smith Streets.

Commissioner Green asked for clarification on page 15, first paragraph last line reads "which may require the completion of an updated historical and cultural resource study". Director Ingram stated they could strike that sentence, as there will not be a need to update any current cultural resource reconnaissance study.

Mitigated Negative Declaration Approval

Commissioner Green moved that the Planning Commission find that on the basis of the Initial Study ER 17-01 prepared by the Community Development Department that the Parcel Map, General Plan Amendment and Zone Change as applied for by Pacific West Communities will not have a significant effect on the environment and, therefore, recommend to the City Council that it approve a Mitigated Negative Declaration for the project as provided for in the California Environmental Quality Act. Seconded by Commissioner Knorr and carried by voice vote (4-1), with Commissioner Green opposed.

Tentative Parcel Map Approval

Commissioner Green moved that the Planning Commission find that the tentative parcel map applied for by Pacific West Communities on property located at 1255 Martin Street, is in conformity with the provisions of the California Subdivision Map Act and Chapter 16 of the Lakeport Municipal Code and, upon that basis, approve said map subject to the project conditions of approval and with the findings listed in the staff report dated May 9, 2018. Seconded by Commissioner Froio and carried by voice vote (5-0).

General Plan Change Approval

Commissioner Russell moved that the Planning Commission recommend that the City Council approve the General Plan Amendment as applied for by Pacific West Communities for the property at 1255 Martin Street (GPA 17-01) changing the configuration of the Residential and High Density Residential land use designations on this property to conform with the proposed parcel boundaries of PM 17-01, subject to the findings listed in the staff report dated May 9, 2018. Seconded by Commissioner Knorr and carried by voice vote (5-0).

Zone Change Approval

Commissioner Froio moved that the Planning Commission recommend that the City Council amend the Lakeport Zoning Ordinance as applied for by Pacific West Communities for the property at 1255 Martin Street (ZC 17-02) changing the configuration of the Low Density Residential (R-1) and High Density Residential (R-3) zoning district boundaries to conform with the proposed parcel boundaries of PM 17-01 Parcel Map boundaries, subject to the findings listed in the staff report dated May 9, 2018. Seconded by Commissioner Knorr and carried by voice vote (5-0).

AMG & Associates – AR 17-01, OA 18-01

Director Ingram briefed the Planning Commission on an application for a minor modification to a previously approved Architectural and Design review and Density Bonus/Incentive Request for the construction of a 24-unit affordable multifamily apartment complex on an approximately 3.5-acre portion of a 10.5-acre property located at 1255 Martin Street.

Commissioner Green asked regarding the staff report page 7 Finding 4 if it was correct. Ingram stated it should be amended to reflect the specific section of Lakeport Municipal Code 17.39. Green further requested an additional finding be made drawing a connection between the need for more affordable housing and the proposed modification allowing the issuance of a building permit where other state permits are in process.

Chair Wicks asked staff to explain why requesting to remove sidewalks is not also an incentive under the density bonus. Ingram stated the Planning Commission has the ability to reduce right-of-way requirements outside the provisions of the Density Bonus Ordinance.

Public hearing opened at 6:14 p.m. Applicant Cameron Johnson spoke regarding budget, future project phases, funding, and covered parking. Public hearing closed at 6:44 p.m.

Wicks asked if there was a provision for signage for Smith Street which could limit traffic to local traffic only. Ingram stated he would have to check with Public Works but was unlikely as it is a publicly dedicated roadway.

Ingram read the new requested finding with regards to the modification will read into the record: *"Based on the demonstrated need for affordable housing within the City of Lakeport and the time constraints involved in meeting the deadlines associated with the federal home grant for this project, the Planning Commission finds that the request to allow the issuance of building permits with only the submittal of necessary state and federal permits in lieu of obtaining such permits is warranted due to the special circumstances of this project."*

Reconsideration of Previously Adopted Mitigated Negative Declaration

Commissioner Russell moved that the Planning Commission reconsider the previously adopted Mitigated Negative Declaration and re-approve the prepared Addendum to said Mitigated Negative Declaration ER 15-03 finding that the proposed modifications to the previously approved project as applied for by AMG & Associates, LLC is consistent with the CEQA Guidelines as described in Section 15162 and 15164. Seconded by Commissioner Knorr.

The vote was called and was as follows:

AYES: Commissioners Russell, Knorr, Green, Froio and Chair Wicks (5-0)

NOES: None

ABSENT: None

Architectural and Design Review & Density Bonus/Incentive Approval

Commissioner Green moved that the Planning Commission approve the Minor Modification, OA 18-01, as amended to the previously approved Architectural and Design Review, AR 17-03 and associated Density Bonus/Incentive request. The Planning Commission's approval is based on the information and documentation submitted by the project proponent; the information and documentation contained in the City's Staff Report and Initial Study on the project; the information and facts received at the public hearing conducted on May 9, 2018; and the finding that the project is in conformance with the criteria and standards specified in the Lakeport Municipal Code – Zoning ordinance.

The Planning Commission's approval of the project is subject to the modified conditions of approval / mitigation measures as specified in the May 9, 2018 Staff Report and as amended by the Planning Commission at the public hearing. Seconded by Commissioner Froio.

The vote was called and was as follows:

AYES: Commissioners Russell, Knorr, Green, Froio, and Chair Wicks (5-0)

NOES: None

ABSENT: None

Chair Wicks called for a brief break at 6:56 p.m. Continued meeting at 7:04 p.m.

City of Lakeport – Zoning Inconsistencies GPA 16-01, ZC 16-01, ER 16-01

Associate Planner Chance provided a slide show presentation to the Commission regarding a General Plan Amendment and Zone Change for Ninety-one (91) properties throughout the City of Lakeport with inconsistencies existing between the General Plan and Zoning Land Use mapping.

Chance advised 25 C Street should be removed from consideration as additional review by staff at the request of the property owner demonstrated that no inconsistency currently existed.

Chance advised 180 Sixth Street, which is adjacent to map 7 of the staff report, is identified as office in the General Plan and subsequently R-3 in the Zoning and staff recommends adding a Professional overlay similar to those properties shown in area 7.

Chance advised staff received a number of letters from concerned property owners that have been made a part of the staff report.

Chance advised staff received a letter from the owner of 305 Chester Lane who requested that property be zoned Professional Offices to match the 2495 Parallel Dr. address. Ingram stated even though it is a separate assessor's parcel number it is part of the same property as 2495 Parallel Drive and does not exist as an independent legal lot of record.

Chance advised the owner of 1411 Alden Avenue, which currently does not represent an inconsistency, requested to rezone the property from R-1 Residential to R-3 High Density Residential. Chance stated granting this request would involve not only amending the General Plan but also the Zoning.

Public hearing opened at 7:39 p.m. Owner of 1411 Alden Avenue property, Lea Passantino spoke in favor of adding her property to the inconsistency list and rezoned to R3 High Density Residential.

Commissioner Green asked if it was a violation of the Brown Act to discuss adding this address as it was not originally part of the noticed area. Ingram stated since it was a City initiated project looking at Land Use designation City wide it was ok; however, he noted any properties with inconsistencies were studied as part of the CEQA Initial Study.

Property owners Frank Deloso, Cindy Shuell, Nancy Ware spoke regarding zone changes for their properties and following discussion were in favor of proposed changes by staff.

Public hearing closed at 8:12 p.m.

Chair Wicks advised map 16 page 18 of the staff report classified the property as proposed Industrial and C-2 Major Retail, however in the Negative Declaration page 2 classifies Industrial as having a C-3 compatible zoning district. Wicks asked if there was an inconsistency with the C-2 Major Retail classification. Ingram stated the existing General Plan designation is Major Retail for the whole area but the actual Zoning is Industrial which will be changed to be consistent. The confusion is that the map does not reflect a recent lot line adjustment affecting the existing Land Use designation lines shown on the map.

Commissioner Green asked how staff identified the properties that are inconsistent. Ingram stated usually when you update the General Plan the natural order of things is to immediately update the Zoning Ordinance. Ingram advised the last comprehensive General Plan update was done in 2009 and the last comprehensive Zoning Ordinance was done in 1999.

The Commission requested additional information on a number of properties.

Director Ingram suggested the Commission continue the item to a date and time specific which will eliminate the need to notice property owners again. Staff would prepare the requested information made by the Planning Commission and provide it at the next regular meeting in June.

Chair Wicks advised to continue the to the next regular meeting of the Planning Commission on June 13, 2018, at 5:00 p.m. Wicks asked that staff include specific addresses and that the addresses on the maps and the matrix match up when it brought back before the Commission.

General Plan Urban Boundary Review – Continue as a discussion item to a June 13, 2018 meeting

Reviewed and discussion of the implementation of policies and programs in the Urban Boundary Element of the 2025 Lakeport General Plan is continued to the June 13, 2018, regular meeting of Planning Commission.

Public hearing opened 9:11 and closed at 9:12.

CORRESPONDENCE:

NONE

COMMENTS FROM STAFF AND COMMISSIONERS:

NONE

DISCUSS AND SET THE NEXT MEETING DATE:

It was agreed by consensus that the next meeting be held on Wednesday, June 13, 2018, meeting adjourned closed 9:15 p.m.

Respectfully submitted,

KEVIN M. INGRAM
Community Development Director

These are the summary Minutes of the Planning Commission meeting. A recorded tape of the meeting is available at the Community Development Department at Lakeport City Hall, 225 Park Street, Lakeport, California for a period of 30 days after the approval of these Minutes.