



**CITY OF LAKEPORT
PLANNING COMMISSION
November 12, 2014**

MINUTES

CALL MEETING TO ORDER AND ROLL CALL: Chairman Gayner called the meeting to order at 5:02 p.m., with Commissioners Wicks, Russell, and Taylor present. Commissioner Kauper was absent. Also present were Planning Services Manager, Andrew Britton; and Department Secretary, Linda Sobieraj.

ACCEPTANCE OF AGENDA: A motion was made by Commissioner Taylor, seconded by Commissioner Russell, and unanimously carried by voice vote (4-0) to approve the agenda as posted.

CITIZEN INPUT: Planning Services Manager Britton indicated that there was no citizen input submitted.

COMMENTS FROM STAFF AND COMMISSIONERS: Planning Services Manager Britton indicated that there were no comments from staff. No comments from Commissioners.

CONSENT AGENDA: A motion was made by Commissioner Wicks to accept the minutes as posted, seconded by Commissioner Taylor, and unanimously carried by voice vote (4-0) to accept consent agenda item A (Minutes of the October 8, 2014, Planning Commission meeting).

REGULAR AGENDA:

OA 14-04 / Right-of Way Abandonment Lake Co. Arts Council DBA Soper Reese Community Theatre

Applicant initiated request for abandonment of a 5.4 +/- wide portion of the Martin Street Right-of-Way adjacent to the property at 275 S. Main Street (APN 025-324-04).

Planning Services Manager Andrew Britton read from the staff report which described the applicant's request for a right-of-way abandonment. He stated the project proposes the abandonment of a 5.4 +/- foot wide by approximately 196 feet long portion of the Martin Street right-of-way that extends along the south side of the Soper Reese property. Britton advised according to the submitted application materials, the abandonment request is associated with

the owner's plan to construct an addition to the theater. A 750 +/- square foot addition near the southeast corner of the building will be formally proposed in the future.

Planning Services Manager Britton concluded by advising that based on the comments received from the City's Interim City Engineer and other information contained in this staff report, the proposal to abandon a 5.4 +/- feet wide by approximately 196 feet long portion of the Martin Street right-of-way does not conflict with any applicable policies or programs set forth in the Lakeport General Plan. The loss of this small amount of right-of-way width will not, in the opinion of the Interim City Engineer, restrict the future installation of warranted traffic controls at the intersection of Martin and South Main Streets.

Britton recommended that the Planning Commission report to the City Council that the proposed abandonment of a portion of the Martin Street right-of-way between South Main and South Forbes Streets does not conflict with the provisions of the Transportation Element of the Lakeport General Plan and/or other applicable General Plan policies or programs.

Commissioner Wicks asked Britton in the General Plan, Martin Street is one of the three central future bikeways, if or how will it be impacted by this potential release of right-of-way? Britton advised according to the City Interim City Engineer, the installation of bike lanes on both sides of the street would require 10 feet of additional right-of-way. Therefore, the abandonment could affect the installation of bike lanes unless parking was prohibited on the street. At the present time, parking is essentially prohibited in the one block section in between South Forbes and Main Street. The north side (Soper Reese side) has a red zone area along the sidewalk and on the other side there are driveways that prohibit parking on the street. Further west on Martin Street the right of way is only 50 feet wide which limits the potential for future bikeway development. It was pointed out that the right-of-way could still be acquired on the south side of Martin Street (between Main and South Forbes Streets) to provide additional bike lanes or other needs in the future.

Public hearing was opened at 5:12 p.m.; input was given by Mike Adams, project applicant. Public hearing was closed at 5:15.

Commissioner Russell made a motion that the Planning Commission report to the Lakeport City Council that the proposal to abandon/vacate a 5.4 +/- feet wide by approximately 196 feet long portion of the Martin Street right-of-way that extends along the south side of 275 S. Main Street (APN 025-324-04) does not conflict with the provisions of the Transportation Element of the Lakeport General Plan and/or other applicable General Plan policies or programs. The motion was seconded by Commissioner Taylor.

The vote was called and was as follows:

AYES: Commissioners Taylor, Wicks, Russell and Chair Gayner.
(4-0)

NOES: None

ABSENT: Commissioner Kauper

Commissioner Kauper arrived to the Planning Commissioners Meeting at 5:20 p.m.

ZC 13-01/GPA 13-01/ ER 13-01 Lake County Vector Control District

Application for Zone Change, General Plan Amendment and Environmental Review for properties located at 408 and 410 Esplanade St. and 35 C St. (APNs 025-501-36, 025-501-17, 025-501-18 and 025-501-39)

Planning Services Manager Britton addressed the Commission advising the project consisted of General Plan Amendments from Residential and Resort Residential to Public and Civic Uses and a Zone change from R-5 – Resort Residential to PCU – Public and Civic Uses on land owned by the Lake County Vector Control District. Britton advised that the staff report incorporates the California Environmental Quality Act (CEQA) initial study and environmental review of the proposed applications.

Britton stated the staff report includes a table which identifies existing and proposed General Plan Designations and Zoning Designations, a map of the project area, a site description and a project description. The District is requesting that the City approve a General Plan Amendment to designate all of its lands as PCU – Public and Civic Uses, which is the appropriate type of Land Use designation for the District's current and future activities. The District is also requesting a Zone Change for the parcel at 35 C Street from R-5 – Resort Residential to PCU – Public and Civic Uses in order to achieve consistency between the General Plan and Zoning designations.

Britton advised as noted in the site description section of staff report the applicant has completed a voluntary merger of the three existing contiguous parcels. The merger has been recorded however a new APN for the newly merged parcel is still pending. There is discussion in the staff report regarding the districts future plans which staff believes is important to acknowledge. However, Britton emphasized that the current application was limited to the applications for the General Plan Amendments and Zone Change.

Britton advised the General Plan Amendment and Zone Change actions must be reviewed by the Planning Commission and forwarded on to the City Council in the form of a recommendation. The City Council must conduct a public hearing and consider the issues and factors involved in the proposal and must

make a final decision. Assuming that the City Council approves the General Plan Amendments and Rezoning request, a City Council Resolution and Zone Change Ordinance must be approved.

The proposed General Plan Amendments and Zone Change applications submitted by the Lake County Vector Control District are in general conformity with the City of Lakeport General Plan and Zoning Ordinance as documented in the staff report. The General Plan Amendments and Zone Change will rectify a long standing issue for the City in that the General Plan designations of the parcels are not appropriate and don't fit the existing and proposed uses. The Resort Residential General Plan designations on APNs 025-501-36 and -39 and the Residential designations on APNs 025-501-17 and -18 are inconsistent and an amendment to Public and Civic Uses is appropriate.

Similarly, the Zoning designation of R-5 Resort Residential on APN 025-501-39 (35 C Street) is inconsistent with the proposed General Plan designation and a change to PCU Public and Civic Uses is appropriate.

The analysis and information in this report along with the facts and information provided by the applicant as contained in the City file support an approval of the proposed General Plan Amendments and Zone Change. Approval of the proposed General Plan Amendments and Zone Change will facilitate the District's expansion plans.

The proposed General Plan Amendments and Zone Change of the parcels owned by the Lake County Vector Control District as described in the staff report do have the potential to impact the environment unless mitigation measures are incorporated into the project approval. Staff has developed mitigation measures which have been agreed to by the applicant, and when implemented will mitigate the potential impacts of the General Plan and Zoning changes to a less than significant level.

Future site improvements and expansion projects will be subject to subsequent CEQA environmental review and mitigation as well as the City's Architectural and Design review process.

Staff supports a Planning Commission recommendation to the City Council for the adoption of a Mitigated Negative Declaration for the Lake County Vector Control General Plan Amendments and Zone Change project as provided for in the California Environmental Quality Act, subject to the mitigation measures set forth by the Planning Commission.

Commissioner Wicks spoke regarding the current project application that there is a lot of information that pertains to future construction and he wanted to clarify that the current project application was one of two being proposed, the second to take place in the event that construction is formally proposed and brought back to the Planning Commission in the future for approval. Planning Services Manager Britton agreed this was correct. Wicks continued advising that some of

the issues listed such as traffic and access, etc. may not actually be a part of the current project discussion but that it was important to add the information to the minutes and the reports in the future.

Public hearing was opened at 5:37 p.m.; Commissioner Wicks stated looking at the preliminary plans and considering the future plans proposed, he believes the Land Use and Planning section of the initial study should be looked at a little closer before they move forward to construction phase. Wicks then asked when this was reviewed how much emphasis was this given? Britton advised that an adequate amount of attention was given to the Land Use and Planning issues.

Commissioner Russell questioned if there was going to be any change from what they are going to be doing to what they have proposed to be doing. Britton referred the question to the project applicant.

Commissioner Kauper questioned if it would have been easier to bring the current item, the General Plan Amendment and Zone change, and the future construction project to the Planning Commission at the same time? Britton stated that it was staff's opinion that they were two separate issues. It was suggested that with respect to the majority of the land that the Vector Control District currently owns, these were more or less clean up issues. They have existing uses; the existing uses are consistent with the current Zoning but inconsistent with respect to the General Plan designation.

Input was given by Jamesina Scott, applicant spoke in support of the project; Verna Schaffer, resident; Jeff Hansen, resident; Rob & Barbara Bertsch, resident; Charles Hodgson, resident; John Trone, resident; and Val McMurdie, resident each spoke expressing concerns or opposition to the project. Public hearing closed at 6:18 p.m.

Commissioner Kauper stated he would like to see the future plans and know what is going on before he makes a decision. Based on the way the applicant's operations have incrementally changed over the years and things that have been approved and promised to happen but have not, he believes this is the time to look at the whole thing as a project and include overall comprehensive review including the buildings, etc. Britton responded that the applicant may not be prepared to do that at this time. The applicant has a right to apply for these applications at this point. There is no guarantee they will come forward with future construction plans. Kauper advised he was not comfortable making a decision without more information, he would like to see what they are proposing to do such as a whole comprehensive review.

Public hearing was opened again at 6:22 p.m., input was given by Jamesina Scott, project applicant. Public hearing closed at 6:30 p.m.

Commissioner Wicks advised he can see both the City's direction which is a good one and the neighboring residents' concerns. He is going to need more time to consider the project before he could give his decision.

Commissioner Taylor agreed that some of the issues that the residents brought up were valid issues; however, when the applicant makes a plan they will be addressed by the Planning Commission at that time.

Commissioner Russell advised that she is in favor of exploring the matter further and agrees with Commissioner Kauper in wanting more information before giving a decision on the matter.

Public hearing was opened again at 6:35 p.m., input was given by Jamesina Scott, project applicant; Ron Bertsch, resident; spoke also on the issue. Public hearing closed at 6:41 p.m.

Commissioner Kauper moved to table the item for 60 days with the matter to be placed on the January 14, 2015, meeting agenda. Commissioner Russell seconded the motion.

Britton requested that the Commissioners contact him with any specific questions regarding this item before the January meeting.

The vote was called and was as follows:

AYES: Commissioners Kauper, Wicks and Russell

NOES: Commissioner Taylor and Chairman Gayner
(3-2)

DISCUSS AND SET THE NEXT MEETING DATE: It was agreed by consensus that the next meeting be held on January 14, 2015.

There being no further business, the meeting adjourned at 6:56 p.m.

Respectfully submitted,

ANDREW BRITTON
Planning Services Manager
Community Development Department

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.