



**CITY OF LAKEPORT
PLANNING COMMISSION
January 14, 2015**

MINUTES

CALL MEETING TO ORDER AND ROLL CALL: Chairman Gayner called the meeting to order at 5:00 p.m., with Commissioners Kauper, Taylor, and Wicks present. Commissioner Russell was not present. Also present were Community Development Director, Kevin Ingram; Planning Services Manager, Andrew Britton; Special Projects Coordinator, Richard Knoll; and Department Secretary, Linda Sobieraj.

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

CITIZEN INPUT: Community Development Director Ingram indicated that there was no citizen input submitted.

COMMENTS FROM STAFF AND COMMISSIONERS: No comments from staff or 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 December 17, 2014, Special Planning Commission meeting).

REGULAR AGENDA:

AR 14-09 / CE 14-21 Lake County Tribal Health

Application for Architectural and Design Review for a 1,500 sq. ft. kitchen/break room addition to an existing outpatient medical clinic at 925 Bevins Court (APN 025-462-23).

Planning Services Manager Britton read from his staff report which described the applicant's request for the proposed construction of a 1,500 square foot addition to an existing outpatient medical clinic.

Britton advised that the proposed clinic addition has been designed to harmonize with the existing architecture adding that important architectural features of the existing clinic have been incorporated into the new project to insure that the addition will complement with existing improvements. Britton described the notable features that will be incorporated into the addition include stone wainscot, stucco exterior walls and similar color schemes.

Public hearing was opened 5:06 p.m.; Steven Rugg, Project Manager spoke. Public hearing closed with no further input at 5:09 p.m.

Commissioner Wicks questioned if condition #4 in staff report (related to mechanical equipment) was necessary and Mr. Rugg advised it would not be needed as all mechanical equipment would be roof mounted and adequately screened.

Commissioner Wicks moved that the Planning Commission approve the application allowing the construction of a 1,500 square foot addition to the existing outpatient medical clinic located at 925 Bevins Court.

The Planning Commission's approval is based on the following: the information and documentation submitted by the project proponent; the information and documentation contained in the City's staff report on the project, the information and facts received at the public meeting on January 14, 2015; and the fact that there is general conformance with the criteria and standards specified in Chapter 17.27 of the Lakeport Municipal Code. The project is categorically exempt pursuant to Section 15301 (e) of the CEQA Guidelines.

The Planning Commission's approval of this application shall be subject to the conditions of approval specified in the staff report. Commissioner Taylor seconded the motion.

The vote was called and was as follows:

AYES: Commissioner Taylor, Wicks, Kauper and Chair Gayner (4-0)

NOES: None

ABSENT: Commissioner Russell

GPA 14-01, ER 15-01 City of Lakeport General Plan Amendments and the Lakeport General Plan EIR Addendum.

Public Hearing and consideration of recommendations to the Lakeport City Council regarding the City of Lakeport General Plan EIR Addendum and Lakeport General Plan Amendments.

Special Projects Coordinator Richard Knoll read from his staff report which described the Lakeport General Plan Amendments, the South Lakeport Area Sphere of Influence modification and the CEQA EIR Addendum. He advised

that the EIR Addendum was prepared by De Novo Planning Group for the City of Lakeport and a representative from De Novo, Steve McMurphy, was in attendance to answer questions.

Knoll stated the 2014 General Plan EIR Addendum addressed proposed changes and amendments to the Lakeport General Plan as recommended by the Lakeport Planning Commission to the Lakeport City Council on June 17, 2014. The Modified project, which is described in detail in Section 2.0 of the EIR Addendum, would amend the Lakeport Sphere of Influence boundary; modify General Plan policies and programs to address conservation, infrastructure, utilities, and growth; and would modify the Lakeport General Plan Land Use Map and City of Lakeport Pre-Zoning in the southern portion of the Lakeport General Plan Area and Sphere of Influence.

Knoll advised the Addendum to the General Plan EIR together with the final General Plan EIR (adopted by Resolution of the Lakeport City Council in January of 2009), constitutes the CEQA environmental review of the proposed General Plan Amendments.

The Addendum provides analysis and cites substantial evidence that supports the City's determination that the proposed modifications to the General Plan and Pre-zoning proposed by the 2014 Focused General Plan Update and Pre-zoning project do not meet the criteria for preparation of a subsequent or supplemental EIR under CEQA Guidelines Section 15162.

Knoll stated that as addressed in the EIR Addendum, the proposed General Plan Amendments associated with the Modified Project are not substantial changes to the adopted project. The proposed modifications will not cause new significant impacts or substantially increase the severity of a previously identified significant impacts from the Final EIR (CEQA Guidelines Section 15162[a][1]) that would require major revisions to the EIR. All impacts would be nearly equivalent to or reduced from the impacts previously analyzed in the original General Plan EIR. Accordingly, the proposed modifications associated with the 2014 Focused General Plan Update and Pre-zoning Project are not inconsistent with the City's current General Plan, Zoning Ordinance, or adopted Mitigation Measures for this project.

The proposed General Plan changes do not cause new significant impacts or substantially increase the severity of a previously identified significant impacts, and there have been no other changes in the circumstances that meet this criterion (CEQA Guidelines Section 15162[a][2]). There have been no significant changes in the environmental conditions not contemplated and analyzed in the original EIR that would result in new or substantially more severe environmental impacts.

Knoll read a portion of the staff's response to a comment from John Benoit, director of Lake LAFCO on this item.

Public hearing was opened 5:24 p.m.; and was closed with no input at 5:25 p.m.

Commissioner Taylor moved that the Planning Commission recommend that the City Council approve the 2014 Addendum to the City of Lakeport General Plan EIR (2009) prepared by De Novo Planning Group on behalf of the City of Lakeport (October 24, 2014). Recommendation is based on the finding that the 2014 General Plan EIR Addendum and the certified 2009 General Plan EIR provides analysis and cites substantial evidence that supports the City's determination that the proposed modification to the General Plan and Pre-zoning proposed by the 2013-14 General Plan update do not meet the criteria for preparing a subsequent or supplemental EIR under CEQA.

Taylor further moved to recommend that the City Council approve and adopt the General Plan Amendment as recommended by the Lakeport Planning Commission on June 17, 2014. Commissioner Kauper seconded the motion.

The vote was called and was as follows:

AYES: Commissioner Taylor, Wicks, Kauper and Chair Gayner (4-0)

NOES: None

ABSENT: Commissioner Russell

ZC 13-01/GPA 13-01/ ER 13-01 Lake Co. Vector Control District

Continuation of consideration 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). Continued from the November 12, 2014, Planning Commission hearing.

Community Development Director Ingram read from his memorandum giving background information from the November 12, 2014, Planning Commission hearing. Ingram advised, staff is not recommending any new changes or modifications to the existing environmental document or recommended project mitigation measures.

Ingram stated following the last public hearing staff supplied a letter to Vector Control requesting additional information on several topics related but not limited to: parking, use of an existing private lake access easement and hazardous materials storage. The alleged 'piecemealing' of the environmental review process related to this project and potential future development projects was also described by Mr. Ingram.

Ingram advised that memorandum prepared by staff includes a detailed analysis of each of these topics and also contains Vector Control's responses to both CDD's requests as well as some additional requests that came in from neighboring property owners after the November hearing.

Ingram stated based upon the received information, Planning staff believes that all questions and concerns raised by the Planning Commission and public have been satisfactorily addressed and that no additional changes to the environmental document or project mitigations are being recommended. Staff recommended that the Planning Commission make a recommendation to the City Council to approve this project.

Commissioner Wicks asked staff if the Initial Study that is being presented is intended to be used as a basis for future construction projects. Community Development Director Ingram answered no, any addition future development at the site is subject to additional discretionary review.

Public hearing was opened at 5:38 p.m. Verna Schaffer, Lakeport citizen; Ron Bertsch, Lakeport citizen; Val McMurdie, Lakeport citizen; Phillip Murphy, of Kelseyville spoke in opposition of this application. Dr. Jamesina Scott, project applicant spoke in favor of the project.

Public hearing was closed at 6:12p.m.

Commissioner Kauper asked since the parcels have been merged and most have been assigned a zone for civic purposes, what effect would it have to make the zoning consistent with the General Plan in terms of being able to proceed with the development of the entire project? CDD Ingram advised in order for any future development at the site to occur a finding that the project is consistent with the General Plan and Zoning Ordinance would be needed. As designated currently, such a finding cannot be made.

Commissioner Wicks asked how does a Zoning designation get changed when the General Plan doesn't designate it as such? Doesn't the General Plan have to be changed first? Ingram advised that General Plan designations and Zoning Districts can be different than one another; however there is always a requirement that the Zoning be consistent with the General Plan.

Commissioner Wicks asked when the original zoning was changed to PCU, Planning Services Manger Andrew Britton advised he believed it was changed as part of a Zoning Ordinance update in 1999. Wicks asked how pertinent is this land change or can it wait until the building plan submittal. Ingram answered he could not speak on behalf of Vector Control, however the land change could be important to Vector Control's grants or other future funding which may be dependent on correct General Plan and Zoning designations.

Commissioner Kauper advised he does not see an overwhelming public need to align the two until we succeed with what the whole project would like. Kauper would rather to wait for a complete submittal. Commission Wicks stated it is not about the project because there is not yet a project being presented; it is about the land. He advised the actions that the Planning Commission takes now by no means guarantees approval of a future development. In fact, based on the public comment received, Vector Control is going to have to put together a very solid proposal that addresses all of the issues in order for to consider allowing expansion of uses at this site.

Commissioner Wicks made a motion that the Planning Commission find, based on the facts presented in the Initial Study for the Lakeport General Plan Amendment and Zone Change project at 408 and 410 Esplanade and 35 C Street, that the significant environmental impacts that have been identified are mitigated by the mitigation measures/conditions of approval to a less than significant level. The Planning Commission recommends that the Lakeport City Council adopt a Mitigated Negative Declaration for the project as provided for in the California Environmental Quality Act.

Wicks further moved that the Planning Commission recommend that the City Council approve the Lakeport General Plan Amendments for: 1.) APNs 025-501-17 and 025-501-18 – from Residential to Public Civic Uses and 2.) APNs 025-501-36 and 025-501-39 -- from Resort Residential to Public Civic Uses.

Further moved that the Planning Commission recommend that the City Council approve a Lakeport Zoning Ordinance amendment for: 1.) APN 025-501-39 from R-5 Resort Residential to PCU – Public and Civic Uses.

Further moved that the Planning Commission's recommendations are based on the following: a) the information and application documentation submitted by the project proponent; b) the information and documentation contained in the City's CEQA Initial Study, staff reports and City file on the project; c) the information and facts received at the public hearings of November 12, 2014, and January 14, 2015; and d) the fact that there is general conformance with the applicable criteria and standards specified in the Lakeport Municipal Code.

These recommendations are to be subject to the conditions/mitigation measures specified in the staff report and Initial Study. Commissioner Taylor seconded the motion.

The vote was called and was as follows:

AYES: Commissioner Taylor, Wicks, and Chair Gayner

NOES: Commissioner Kauper

ABSENT: Commissioner Russell

Recommendation was approved (3-1).

DISCUSS AND SET THE NEXT MEETING DATE: It was agreed by consensus that the next meeting be held on February 11, 2015.

There being no further business, the meeting adjourned at 6:39 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.