



**CITY OF LAKEPORT
PLANNING COMMISSION
Special Meeting
June 24, 2015
MINUTES**

CALL MEETING TO ORDER AND ROLL CALL: Chairman Gayner called the meeting to order at 5:03 p.m., with Commissioners Kauper, Taylor, Russell and Wicks present. Also present were Community Development Director, Kevin Ingram; 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 (5-0) 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: Community Development Director Ingram briefed the Commissioners on a minor Architectural and Design project that was approved at the staff level. Ingram asked the Commissioners how or if they would like to be informed regarding minor projects that are approved at a staff level. The Commissioners agreed, they would like to be keep informed of what projects are taking place in the City. Ingram advised Department Secretary Sobieraj does keep a list of open projects and there current status. Ingram stated staff can provide this list to the Commissioners.

CONSENT AGENDA: Commissioner Wicks pointed out an error in paragraph one (1) page 1 which omitted who seconded the motion and a letter left out of his name on page 10 last paragraph. A motion was made by Commissioner Kauper to accept the minutes as amended; seconded by Commissioner Russell, and unanimously carried by voice vote (5-0) to accept consent agenda item A (Minutes of the May 13, 2015, Planning Commission special meeting).

REGULAR AGENDA:

AR 15-01 / ARC 15-03 / ER 15-03 – AMG & Associates

Architectural and Design Review and CEQA Environmental Review of a proposed 32-unit senior affordable housing – apartment project. The subject property is located at 1255 Martin Street and is further described as APN 025-431-16.

Community Development Director Ingram read from his staff report stating that the proposed apartment project involves the development of five, two-story residential buildings with a unified roof design, a community building/common area, a laundry/maintenance building (with elevator), and related on/off site improvements.

Ingram stated that his staff report addresses the City of Lakeport Zoning Ordinance – R-3 High Density Zoning and Architectural and Design Review criteria, and incorporates the California Environmental Quality Act (CEQA) Initial Study/Environmental Review (IS) which identifies the potentially significant environmental impacts associated with the development and subsequent use of the affordable apartment project. A CEQA Mitigated Negative Declaration (MND) has been recommended (with mitigation measures).

Project conditions of approval, not directly related to the potentially significant environmental impacts, are recommended for the Planning Commission's consideration.

Ingram advised the 10.5 acre parcel is situated directly west of Smith Street and south of Martin Street. The three and a half (3.5) acre development site area is situated in the northeast portion of the 10.5 acre parcel.

Ingram stated the proposed 32 unit apartment project will have a mix of 26 one-bedroom apartment units containing 607 ft.² and 6 two-bedroom residential units containing 805 ft.² According to the developer, the project will be an affordable senior housing development requiring income qualification for residency. The apartment will be available for seniors earning up to 60% of the Lake County Area Median Income.

Ingram advised that the Lakeport Municipal Code, Chapter 17.39, sets forth criteria and procedures related to the implementation of the density bonus requirements, for the purpose of increasing the production of affordable housing, consistent with the City of Lakeport General Plan – Housing Element and California Government Code requirements.

Per Section 17.39.050 (B)(3) of the Lakeport Municipal Code the subject project qualifies for the granting of up to three development incentives or concessions. The applicant submitted a Density Bonus/Incentive Application in conjunction with the proposed project requesting two (2) reductions in development standards. In addition to the two requested reduced development standards by the applicant, staff also recommended granting of a third concession that removed the requirement to provide one recreational vehicle parking space per 10 dwelling units required by Section 17.23.050 (A) (2) of the Lakeport Municipal Code.

In return for the granting of the proposed development incentives the applicant will be required to enter into a housing rent affordability agreement with the City for at least 30% of the units for a period of 30 years or longer.

Ingram stated he spoke with Commissioner Wicks who brought to his attention a couple items that needed to be changed. The first was on page 25, item number 3 the Architectural and Design review checklist which was mark "yes" should be marked "no." The second change was on page 29, the header section the initial study checklist refers to 36 units and there are 32 units. Ingram continued stating lastly, on page 45 a check mark should be placed in the "Less Than Significant with Mitigation Incorporation" column.

Ingram advised that staff has developed mitigation measures which have been agreed to by the applicant, and when implemented will mitigate the potentially significant environmental impacts of this proposed project to a less than significant level.

As described in the staff report, the proposed project is in compliance with the Lakeport Municipal Code Section 17.27.110 (Architectural and Design Review criteria and standards). The proposed buildings will be attractive structures which will enhance the appearance of the site and complement the surrounding area. Provided the project is developed in accordance with the submitted plans and specifications and the recommended mitigation measures and conditions of approval are satisfied, the proposed project will provide a pleasant and functional residential environment for senior members of our community.

Ingram advised staff recommends that the Planning Commission adopt a Mitigated Negative Declaration for the project as provided for in the California Environmental Quality Act. Staff further recommends that the Planning Commission approve the Architectural and Design Review and Archaeological Review applications. Approval of the project shall be subject to the environmental mitigation measures and conditions of approval as stated in the staff report. The status of all required mitigation measures, and other conditions of approval stemming from the project, will be monitored/evaluated by staff in the future in accordance with the provisions of Municipal Code Section 17.35.020.

Commissioner Wicks stated they had two separate items to review in one packet. We had a Mitigated Negative Declaration and an Architectural and Design Review and in the very end we are giving two sample motions. He asked if one was approved and the other was not approved how will it impact the entire project? Ingram advised that both projects are linked together but essentially if the Commission denied the Mitigated Negative Declaration they couldn't approve the project.

Wicks stated there were discrepancies on the actual size of the project would be and asked for clarification on what the size of the project was as it was listed and calculated differently. Ingram advised that was a question best answered by the applicant and Wicks asked Chairman Gayner to note the question for the applicant when the time comes.

Wicks stated that in the Lakeport Municipal Code section 17.27.60 it mentions *"site plans shall also show the locations of the exterior lighting sight, trash enclosures, location and size of water and sewer lines, fire hydrants, etc."* and the site plans they were given did not show lighting. He asked if any further documentation had been provided that gives better clarification of the lighting. Ingram advised that this project is going to mimic the neighboring Bella Vista project, also constructed by the applicant, and it would need to meet all General Plan and Zoning requirements in regards to lighting.

Wicks asked when an analysis will be available. Ingram advised it would be required prior to a building permit application. Most of the project conditions of approval can be broken down into two categories most are either required concurrently or prior to submittal of a building permit and the second ones are required prior to the granting of the Certificate of Occupancy.

Wicks asked Ingram what his recommendation would be to the Commission to look at this item objectively without the backup documentation. Ingram advised that staff is recommending, based on their analysis, conditions 1, 2, & 3 of the Project Conditions Agreement to address lighting and ensure compliance with both General Plan and Zoning Ordinance requirements.

Commissioner Wicks would like to clarify the language in condition #70 where it states *"The project shall be developed in accordance with the approval of the Planning Commission and City Ordinances. Construction drawings and improvement plans for the apartment project shall conform to the plans approved by the Commission and to the conditions of approval and mitigation measures."* as it currently reads Commissioner Wicks believed that Commissioners are being asked to physically approve construction drawings and improvement plans without having them at the this time. Wicks would like to clean up that language before it gets adopted.

Commissioner Taylor questioned which way the run-off water flow from Smith Street and can Martin Street handle the extra volume. Ingram advised that the applicants will be required to submit a drainage, prepared by an engineer, to the City which would be reviewed by the city our engineer prior to the issuance of a building permit.

Public hearing was opened 5:57 p.m. The applicant, Cameron Johnson spoke to the Commissioners advising the size of the project is 3.5 acres and the new project is going to mirror the Bella Vista project.

Commissioner Russell asked the applicant where they planned to put the fire lane. Mr. Johnson advised they altered the plan during the pre-application process however the plans the Commissioners have before them do not show the changes to the fire lane location.

Commissioner Wicks advised he was unable to find a condition that speaks to having a delineated fire zone. This is problematic as the need for a delineated fire zone was an identified mitigated measure within the Initial Study. Ingram advised that a condition of approval should be drafted and added per the Commission's direction.

Commissioner Wicks asked what the minimum allowable parking was for the size of project being proposed. Ingram advised that there are a number of different factors that come into play, but it is within the Commission's jurisdiction to determine what an appropriate ratio would be. Ingram advised the applicant provided information that demonstrates that senior housing units tend to have less vehicles than standard multi-family housing units. However the Commission can balance that against their own knowledge. Mr. Johnson advised that they are currently providing 38 parking spaces which is more than the .75, which is the minimum percentage they provide for their many other senior housing projects.

Commissioner Kauper asked what Mr. Johnson's plan was for the excess materials from the preliminary grading plans. Mr. Johnson advised they plan to keep it on site.

Public hearing was closed at 6:45 p.m.

Commissioner Kauper asked for clarification on condition #38 which read "*The residential units shall be constructed in a manner that will ensure the indoor noise levels do not exceed the findings of the noise study and the City's indoor noise standard.*" He advised there was no noise study provided. Ingram advised that staff was originally planning to request a noise study, but after a more careful review of specific environmental factors applicable to the site it was decided that it was not warranted and that sentence should be eliminated.

Commissioner Kauper asked for clarification on condition #56 regarding Smith Street's right-of-way measurement. Public hearing was opened at 7:07 p.m. Mr. Johnson clarified and the Commission agreed that the second to the last sentence should read "*Smith Street shall be reconstructed to a 20 foot width curb to curb.*"

Mr. Johnson also clarified that in condition #56 the Smith Street sidewalk will be 4 feet in width and Martin Street will be 5 feet width. Ingram advised that Smith Street is classified as a local street and minimum sidewalk width per the Lakeport Municipal Code for local streets is 4 feet.

Commissioner Russell initiated a discussion regarding the required number of parking spaces and the need for specified loading areas. Project condition #60 was changed by consensus to 36 parking spaces which would include 1 loading, 1 visitor, and 4 handicapped accessible.

Project condition #41 was changed by consensus to read "Keys, Knox Box, and fire department emergency access details shall be coordinated with the Lakeport Fire Protection District."

Commissioner Taylor stated this project is very worthy of Lakeport and will fill up fast similar to that of the Bella Vista project. The Bella Vista project has really picked up the area, has made everything look better and this project will only add to the enhancement of the neighborhood. He stated this is a project we should go for.

Commissioner Wicks agreed with Taylor however he did not believe that the project application is complete enough to allow for the adoption of an Initial Study consistent with CEQA. He is behind the project itself but he with some of the items presented as conditions stating that they should be completed prior to approval by the Planning Commission.

Mitigated Negative Declaration Approval

Commissioner Russell moved that the Planning Commission find based on the facts presented in the CEQA Initial Study for the 32 unit senior affordable multifamily residential development project at 1255 Martin Street, that the potentially significant environmental impacts that have been identified will be reduced to a less than significant level by the implementation of the proposed measures/conditions of approval. The Planning Commission hereby adopts a Mitigated Negative Declaration (MND) for the project as provided for in the California Environmental Quality Act.

Architectural and Design Review & Density Bonus/Incentive Approval

Further moved that the Planning Commission approve the Architectural and Design Review and Density Bonus/Incentive application. The Planning Commission's approval of the request 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 June 24, 2015; 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 conditions of approval / mitigation measures as specified in the June 24, 2015 Staff Report and as amended by the Planning Commission at the public hearing. Commissioner Taylor seconded the motion.

The vote was called and was as follows: (4-1)

AYES: Commissioner Taylor, Kauper, Russell and Chair Gayner

NOES: Wicks

ABSENT: None

DISCUSS AND SET THE NEXT MEETING DATE: It was agreed by consensus that the next meeting be held on July 8, 2015.

There being no further business, the meeting adjourned at 20:07 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.