

**Planning Commission Minutes
Community Chambers
Wednesday, March 11, 2009, 7:00 p.m.**

Commissioners Present: Ananya Choudhuri, Greg Clumpner, Lucas Frerichs, Kris Kordana, Mike Levy, Terry Whittier

Commissioners Absent: Mark Braly, Rob Hofmann

Staff Present: Mike Webb, Principal Planner; Lynanne Mehlhaff, Planning Technician

1. Call to Order

Chairperson Clumpner called the meeting to order at 7:03 p.m.

2. Approval of Agenda

Mike Webb, Principal Planner, announced that item #6B, the Aikens Tentative Map for 311 & 313 B Street should be continued again to March 25th. The agenda was approved by consensus.

3. Staff and Commissioner Comments (No action).

There were no staff or Commissioner comments.

4. Public Communications

There were no public communications.

5. Consent Items

- A. **Planning Commission Minutes of July 9, 2008**
- B. **Planning Commission Minutes of January 14, 2009**

Action: Commissioner Whittier moved approval of the minutes of January 14, 2009. Commissioner Kordana seconded the motion.

AYES: Whittier, Levy, Kordana, Frerichs, Clumpner

Abstained: Choudhuri

The minutes were approved 5-0-1.

The minutes of July 9, 2008 were not available.

6. Public Hearings

A. PA #39-08, Conditional Use Permit #06-08, 410 10th Street; (Lynanne Mehlhaff, Planning Technician)

Public Hearing to consider a conditional use permit to convert the existing detached garage into a second unit with reduced side and rear setbacks, the size of 331 square feet and the height of 18.5 feet which exceeds the height limit of 15 feet. The second unit will contain a studio for use as a bedroom/living area, a kitchenette with a sink, refrigerator and cooking appliance and a full bathroom. A proposed single car garage will take the place of the existing carport. Materials and colors will match the existing residence. Three off-street parking spaces are required for the property which will be provided in the new garage and the existing driveway.

Lynanne Mehlhaff, Planning Technician, presented the staff report.

Chairperson Clumpner opened the public hearing.

Greg Recanzone, owner of the property, explained how the access to the second unit and yard would be arranged with a six-foot walkway.

Mike Pesola, contractor of the project, answered building questions from the Commissioners.

A neighbor said she had no objection and was there with a foreign student for a civics lesson.

Chairperson Clumpner closed the public hearing.

Action: Commissioner Whittier moved approval of the Conditional Use Permit with the addition of a condition #8, requiring a six-foot cement walkway access on the east side of the property from the backyard to the driveway in front of the garage. Commissioner Frerichs seconded the motion.

Commissioner Kordana substituted the motion to approve the Conditional Use Permit as proposed with no additional conditions. Commissioner Levy offered a friendly amendment to allow the owner to choose improved access on either side of the house with the west side of the house having a gate but free of obstructed access at all times. Commissioner Whittier amended

his motion to state instead of a six-foot walkway it could be a minimum of four feet wide to serve adequately as a cement walkway access on the east or west side of the house.

Commissioner Frerichs accepted the amended motion. Staff suggested that the minimum width of the walkway be determined in consultation with the Fire Department. Commissioners agreed. Commissioner Kordana's substitute motion died due to lack of a second.

The original motion with the added condition of unobstructed access on either the east or west side of the property was voted on as follows:

AYES: Choudhuri, Whittier, Levy, Kordana, Frerichs, Clumpner

The motion passed unanimously 6 to 0.

**B. PA #21-08, 311 and 315 B Street, Tentative Map #04-08;
(Xzandrea Fowler, Planner)**

Public Hearing to consider approval of a Tentative Map to subdivide the properties located at 311 and 315 B Street into seven single-family lots for a townhouse project. The applicant received approval on July 9, 2008 to demolish the existing one story cottages located at 311 and 315 B Street and replace them with seven attached and detached, for-sale, single-family units.

Chairperson Clumpner opened the public hearing and continued it to March 25, 2009.

7. Business Items

A. Fence height and Trellis setbacks discussion

Mike Webb, Principal Planner, described residential fence standards and a recent code enforcement issue.

Chairperson Clumpner said he would like pictures of walls, fences, etc. that show different ways this could be affected. He also said he would like the details of the current code issue.

Commissioner Levy would like to see how other City's deal with this issue but also would like the City Attorney's legal input on how much the Planning Commission should weigh in on a code enforcement issue.

Commissioner Kordana said if our ordinance needs to be amended then we should have non-specific cases as examples to review to revise the ordinance. He wanted to avoid an amendment to the current zoning based upon a specific case so it wouldn't lead to an unbiased discussion.

Webb said this item may be scheduled for April or May so we could bring forward good information and examples from other city's etc.

Commissioner Kordana said after some thought, this case should be aired first and decided on and then the zoning ordinance could be amended. Chairperson Clumpner said having the specifics pointed out on the code enforcement case first may help see what holes we have in the zoning ordinance. Chairperson Clumpner said the City Attorney should advise on the parameters of dealing with this issue.

John Swann said he was the aggrieved party regarding the code enforcement issue and understood what the Commissioners discussed this evening. He said his opinion was that it was logical and fair to have the code enforcement issue heard first before the code was revised.

B. Inter-Commission Liaison assignments

Chairperson Clumpner asked if someone else could be the Liaison to the Finance & Budget Commission meetings; he was not available to go to these meetings at this time.

Webb said this could be agendaized for the next meeting.

8. Informational Items

A. Planning Commission Schedule

B. Update on City Council discussion regarding General Plan Update process

Webb explained the process and future discussions on the General Plan Update.

9. Staff and Commissioner Comments (continued).

Webb mentioned the Historic Resources Management Commission is having a training session on March 16th at the Hattie Weber Museum from 7:00 to 8:30 p.m. on the relationship between CEQA and Historic Resources and how they inter-relate. This is open to the public and all Commissions.

10. Public Communications (continued).

There were no public communications.

11. Adjournment to the next regular Planning Commission meeting to be held on Wednesday, March 25, 2009 in the Community Chambers (23 Russell Boulevard).

The meeting was adjourned at approximately 8:47 p.m.