



MINUTES
Planning Commission Regular Meeting
Council Chambers, 380 Civic Drive, Galt, California
Thursday, October 11, 2012, 6:30 p.m.

The meeting was called to order at 6:30 p.m. by Chairperson McFaddin. Commissioners present: Dees, Morris, McFaddin, and Rodriguez. Pellandini was absent.

Staff members present: Community Development Director Kiriu, Senior Planner Erias, City Attorney Rudolph, Development Services Engineer Forrest, and PC Secretary Kulm.

INFORMATION/CONSENT CALENDAR

1. **SUBJECT:** Minutes of the August 23, 2012 special meeting.

ACTION: Rodriguez moved to approve the minutes of the August 23, 2012 meeting; second by Morris. A roll call vote was taken by those commissioners present: Dees – Yes; Morris – Yes; Rodriguez – Yes; McFaddin - Yes. **Motion was unanimously carried.**

PUBLIC COMMENTS – None

PUBLIC HEARING:

Chairperson McFaddin opened the public hearing.

1. **SUBJECT:** FAIRWAY OAKS VESTING TENTATIVE SUBDIVISION MAP PROJECT – This item was continued from the August 23, 2012 meeting.

Agenda item was continued to the November 8, 2012 regular meeting.

Chairperson McFaddin closed the public hearing.

2. **SUBJECT:** 28 3RD STREET AND 216 A STREET GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT AND REZONE PROJECT

RECOMMENDATION

- 1) Recommend that City Council adopt Resolution 2012 - ___ adopting the 28 3rd Street and 216 A Street General Plan Amendment, Downtown Revitalization and Historic Preservation Specific Plan Amendment and Rezone Project CEQA Exemption, and approving the General Plan Amendment at 28 3rd Street from High Density Residential to Low Density Residential and removing 216 A Street from the Downtown Revitalization and Historic Preservation Specific area.
- 2) Recommend that City Council introduce Ordinance 2012- ___ approving the proposed Rezone at 216 A Street by removing it from the Downtown Revitalization and Historic Preservation Specific Plan area and assigning it (R3) Multiple-Family.

Erias gave the staff report as well as a powerpoint presentation. General discussion ensued.

ACTION: Morris moved to recommend that City Council adopt Resolution 2012 - ___ adopting the 28 3rd Street and 216 A Street General Plan Amendment, Downtown Revitalization and Historic Preservation Specific Plan Amendment and Rezone Project CEQA Exemption, and approving the General Plan

Amendment at 28 3rd Street from High Density Residential to Low Density Residential and removing 216 A Street from the Downtown Revitalization and Historic Preservation Specific area; second by Rodriguez. A roll call vote was taken by those commissioners present: Dees – Yes; Morris – Yes; Rodriguez – Yes; McFaddin - Yes. **Motion was unanimously carried.**

ACTION: Morris moved to recommend that City Council introduce Ordinance 2012-___ approving the proposed Rezone at 216 A Street by removing it from the Downtown Revitalization and Historic Preservation Specific Plan area and assigning it (R3) Multiple-Family; second by Dees. A roll call vote was taken by those commissioners present: Dees – Yes; Morris – Yes; Rodriguez – Yes; McFaddin - Yes. **Motion was unanimously carried.**

3. SUBJECT: 1021 MEADOWVIEW DRIVE SETBACK VARIANCE FOR SIDE AND REAR YARD SETBACKS - This item was continued from the July 12, 2012 meeting.

RECOMMENDATION

That the Planning Commission adopt Resolution 2012-___(PC) denying a variance at 1021 Meadowview Drive modifying the required setbacks in the side yard from 5 feet to approximately 4.5 feet and in the rear yard from 10 feet to 4.5 feet.

Erias gave staff report.

Chairperson McFaddin opened public hearing.

Michael Cook, attorney and representative for applicant, explained why Mr. Hobbs should be granted the variance. He noted the following reasons: 1) the cost to the homeowner to demolish or attempt to move the structure would create a financial hardship, 2) the structure is the same building as it was when built approximately 28 years ago with the exception of overhangs and a new HVAC system, 3) other jurisdictions require a 5' setback in the rear, rather than 10' as required by Galt, and 4) the three surrounding properties have no issues with the structure. Mr. Cook explained that the lot is 110' deep and the lot to the rear is also 110' deep, making the distance from this structure a great distance from the house in the rear. Mr. Cook said that variances are granted to address the difficult and unusual.

General discussion ensued. Commissioner Dees noted he had met with Mr. Hobbs earlier in the day and looked at the structure. Rodriguez asked if the neighbors have any problems with granting the variance. Two of the neighbors (1024 First St. and 1016 Meadowview) responded in Spanish that they had no problem with the structure. Commissioner Rodriguez translated. Denise Sanders, 600 Pestana, also said she had no problem with the structure.

Morris asked if granting this variance would apply only to this property or set precedence for other structures/properties. Rudolph explained that if the Commission decides to grant the variance, staff would write as much about this specific situation into the resolution as to why this warranted a deviation, thereby not setting precedence for other structures.

Rudolph explained that if the general consensus of the Commission is to support the variance, he would recommend that the Commission tentatively approve the variance and direct staff to prepare a resolution to formally grant the variance based upon the information presented by the applicant and including conditions indicating that there cannot be any residential occupancy and that the overhang be reduced to a three foot setback and any other things that the Commission wants to identify. With that direction staff could come back at the next meeting with a formal resolution for adoption.

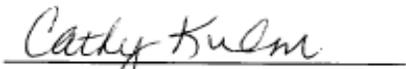
Chairperson McFaddin closed the public hearing.

ACTION: Rodriguez moved that staff draft a resolution granting the variance request and Conditions of

Approval for review by the Commission at the Nov. 2012 meeting, McFaddin added that residential occupancy would not be allowed and that the awnings be removed; Attorney Rudolph paraphrased the motion to say that staff will come back to the November 2012 meeting with a resolution granting the variance based upon the conditions identified by the Commission, Kiriu also clarified that one of the conditions would be that building permits are obtained and fees are paid; second by Morris. A roll call vote was taken by those commissioners present: Dees – Yes; Morris – Yes; Rodriguez – Yes; McFaddin - Yes. **Motion was unanimously carried.**

DEPARTMENT REPORTS – Kiriu gave a presentation on the CEQA process.

Meeting adjourned at 7:35 p.m.



Cathy Kulm, Secretary

Galt Planning Commission

Approved 11-8-12.