



MINUTES

**Planning Commission Regular Meeting
Council Chambers, 380 Civic Drive, Galt, California
Thursday, November 8, 2012, 6:30 p.m.**

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

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

INFORMATION/CONSENT CALENDAR

1. **SUBJECT:** Minutes of the October 11, 2012 special meeting.

ACTION: Rodriguez moved to approve the minutes of the October 11, 2012 meeting; second by Pellandini. A roll call vote was taken by those commissioners present: Dees – Yes; Pellandini – Yes; Morris – Yes; Rodriguez – Yes; McFaddin - Yes. **Motion was unanimously carried.**

PUBLIC COMMENTS – None

PUBLIC HEARING:

Chairperson McFaddin opened the public hearing.

1. **SUBJECT:** **ADOPTION OF THE GALT DEVELOPMENT AGREEMENT PROCEDURES ORDINANCE –**

Agenda item was continued to the Dec. 13, 2012 regular meeting.

Chairperson McFaddin closed the public hearing.

2. **SUBJECT:** **ADOPTION OF FLOOD CONTROL ORDINANCE**

RECOMMENDATION

- 1) Receive information regarding proposed ordinance going to City Council on Nov. 20, 2012.

Forrest gave staff report indicating that the new ordinance moves the appeal process to the Planning Commission rather than the City Council.

3. **SUBJECT:** **2030 GENERAL PLAN AMENDMENT TO REVISE THE LOCAL INVENTORY OF HISTORIC STRUCTURES AND FEATURES SET FORTH IN TABLE 9.1 OF THE EXISTING CONDITIONS REPORT OF THE GENERAL PLAN**

RECOMMENDATION

- 1) Recommend that City Council adopt Resolution 2012-___ certifying the Addendum to the 2030 Galt General Plan Final Environmental Impact Report (EIR) and adopting proposed amendments to the Galt Historic Structures and Features Inventory (Table 9.1) in the 2030 Galt General Plan Existing Conditions Report.

Kiriu gave the staff report. Rodriguez asked if there are any formal projects which have been designated for the buildings. Kiriu said there is discussion between the City and a developer regarding a potential Entertainment Complex.

Chairperson McFaddin opened the public hearing. No comments from the public.
Chairperson McFaddin closed the public hearing.

ACTION: Rodriguez moved to adopt staff's recommendation as presented; second by Pellandini. A roll call vote was taken by those commissioners present: Dees – Yes; Pellandini – Yes; Morris – Yes; Rodriguez – Yes; McFaddin - Yes. **Motion was unanimously carried.**

4. SUBJECT: 1021 MEADOWVIEW DRIVE SETBACK VARIANCE FOR SIDE AND REAR YARD SETBACKS

RECOMMENDATION

That the Planning Commission adopt Resolution 2012-___(PC) approving 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 the staff report noting that staff made changes to the Conditions of Approval (COA) originally presented in the Agenda Packet. The changes are noted below:

COA #3 now allows the property owner 90 days from adoption of this Resolution to obtain all applicable permits for all unpermitted structures on the property and pay all necessary fees. *The original condition allowed 60 days to submit permits.*

A new COA #6 was added which reads "The grant of this variance is contingent upon complying with Conditions 1, 2, 3, and 5 within 90 days and Condition 4 within 30 days. If not, variance does not become effective and the unpermitted structures will be considered a public nuisance subject to abatement as set forth in Title 21 of the Galt Municipal Code." *The original COA #6 was moved to COA #7.*

Staff also modified the language in the last condition (now COA #7) to read "Failure to obtain final Permits for the unpermitted structures by November 8, 2013 shall result in revocation proceedings in accordance with Section 18.84.050 of the Galt Municipal Code." *The original language read – Failure to comply with the aforementioned conditions by November 8, 2013 (including, but not limited to, a final building permit) shall result in revocation proceedings in accordance with Section 18.84.050 of the Galt Municipal Code.*

McFaddin asked the applicant if he was in agreement with all Conditions of Approval as discussed tonight. Mr. Hobbs said absolutely.

ACTION: Dees moved to adopt staff's recommendation with the changes to the Conditions of Approval as presented above; second by Rodriguez. A roll call vote was taken by those commissioners present: Dees – Yes; Pellandini – Yes; Morris – Yes; Rodriguez – Yes; McFaddin - Yes. **Motion was unanimously carried.**

5. SUBJECT: FAIRWAY OAKS VESTING TENTATIVE SUBDIVISION MAP PROJECT— This item was continued from the October 11, 2012 regular meeting.

RECOMMENDATION

Approve Resolution 2012-___PC adopting the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and conditionally approving the Vesting Tentative Subdivision Map for the Fairway Oaks Project.

Commissioner Rodriguez left the meeting due to a conflict. Rudolph noted that the commissioner is recusing himself because he owns property within 500' of the project boundaries.

Erias gave the staff report noting that this project was before the Planning Commission at the August 23, 2012 meeting. The Commission recommended that City Council adopt the environmental report and approve the project rezone. Action on the Vesting Tentative Map was continued because the Planning Commission directed staff to explore a connection to Glendale Ave. which has been provided. The City Council adopted the Initial Study/Mitigated Negative Declaration and approved the rezone from R1A-ARC and Open Space to R1C-ARC and Open Space on October 2, 2012.

Erias noted that staff made a change to the Conditions of Approval (COA) originally presented in the Agenda Packet. The following language was added to COA #39. "If the ODS has not installed the above improvements at the time the final map is filed, prior to approval of the final map, the ODS shall enter into an agreement (1) to pay all costs associated with acquiring the interests in the land which will permit the improvements to be made, including but not limited to, the costs of proceedings before other governmental bodies necessary to obtain authority for acquisition of land by eminent domain; and further (2) to complete the improvements after the acquisition of the land interests."

Chairperson McFaddin opened the public hearing.

Mike Oliver, Arcadia Homes representative, gave a brief overview of the project. Morris asked if the Glendale Ave. connection would include a one-way or two-way stop. Forrest said there would only be a stop sign exiting the subdivision. Rudolph asked the applicant if he agrees with the Conditions of Approval as presented by staff, including the change to COA #39. Mr. Oliver said yes.

Jim Templeton, 10573 Cornell Road, thanked the Commission, staff and Mike Oliver for working with the homeowners on Cornell Road, with specific regard to the Glendale connection. Mr. Templeton asked for clarification on the proposed sidewalk and/or grass path. His concern is in regards to the lack of an easement on his property. Erias explained that the sidewalk has not been abandoned at this point. Morris asked which side of the street the sidewalk would be on, Erias said the north side.

Wendy Blevins, homeowner on Cornell Road, expressed concerns regarding the traffic exiting onto Lincoln Way as well as the five foot proposed sidewalk. Ms. Blevins said she is very pleased with what Mike Oliver has done and all the work done by Chris Erias.

Dale Templeton, 10601 Cornell Road, thanked everyone for doing a great job and listening to the homeowner's concerns. Mr. Templeton expressed concern in regards to potential intrusion onto his property due to the proposed walkway, as well as parking along the side of the road.

Deborah Mergenthaler, 10617 Cornell Road, expressed concern regarding the proposed sidewalk and how that will affect the oak trees on her property. Ms. Mergenthaler also noted that she had spoken with the proposed Glendale connection property owner and he has not been approached by anyone regarding the purchase of his property.

Kiri explained that the project includes two off-site improvements that are necessary for the development of the subdivision, and neither Mr. Oliver nor the City currently has rights to the property on Glendale or Cornell. The map Conditions of Approval basically say that the developer is responsible for negotiating those off-site improvements. If he is unable to do that by the time he requests a final map, the City then has to make a determination as to whether to acquire the property on the developer's behalf or waive/modify the conditions as appropriate.

Steven Winkler, Public Works Director, City of Galt, clarified COA #39, which deals with some of the off-site improvements on both Cornell Road and Glendale Avenue. He read section b and g of that Condition – noting that all improvements must be acceptable to the Public Works Department prior to approval of a final map.

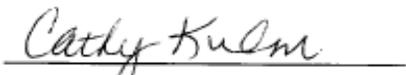
Planning Commissioners discussed briefly some concerns with the sidewalk and/or pathway, as well as traffic challenges.

Chairperson McFaddin closed the public hearing.

ACTION: Morris moved to adopt staff's recommendation with the changes to the Conditions of Approval as presented above; second by Pellandini. A roll call vote was taken by those commissioners present: Dees – No; Pellandini – Yes; Morris – Yes; McFaddin - Yes. **Motion was carried.**

DEPARTMENT REPORTS – None.

Meeting adjourned at 7:45 p.m.



Cathy Kulm, Secretary
Galt Planning Commission

Minutes approved 1-10-13.