

PLANNING COMMISSION MINUTES OF FEBRUARY 7, 2019

The San Joaquin County Planning Commission met in regular session on February 7, 2019 at 6:30 p.m., in the Public Health/Planning Commission Auditorium, 1601 East Hazelton Avenue, Stockton, California.

The meeting was called to order by Chair Kitty Walker.

The Pledge of Allegiance to the flag was given.

Roll Call:

(present)

Commissioners

Kitty Walker, Chair
Randy Hamilton, Vice Chair
Stan Morri
Sheri Midgley
James Grunsky

County Staff

Mark Myles, County Counsel
Jayna Rutz, Department of Public Works
Anush Nejad, Deputy Director Public Works, Mountain House CSD
Michael Kith, Environmental Health Department

Community Development Department Staff

Eric Merlo, Assistant Director
John Funderburg, Principal Planner
Megan Aguirre, Senior Planner
Keia Williams, Office Assistant Specialist

ACTION ITEMS:

1. **ONE-YEAR TIME EXTENSION REQUEST FOR A PREVIOUSLY APPROVED USE PERMIT APPLICATION NO. PA-1600194 OF RIGOBERTO GAMA (C/O DILLON & MURPHY)** for a truck parking facility to be built in two (2) phases over five (5) years. Phase 1 consists of the construction of a 1,400 square foot office and parking for sixty-three (63) trucks with double trailers. Phase 2 consists of the construction of a 7,000 square foot shop and the construction of a 4,000 square foot office addition. The project site is located on the southeast corner of State Route 99 West Frontage Road and East Peltier Road, Acampo. (Supervisorial District: 4).

Megan Aguirre, Senior Planner, introduced the staff report into record.

PUBLIC HEARING OPENED:

PROPONENTS:

Joe Murphy, of Dillon & Murphy, indicated that he is in favor of the Time Extension, but requested clarification of the Federal Aviation Administration (FAA) conditions regarding water management facilities pertaining to wildlife in the Airport Land Use Commission (ALUC) letter. There is an issued grading permit for the site that includes a storm retention pond, and Mr. Murphy indicated that he assumes the current grading permit will not change regardless of what the letter says. However, he called Joel Campos of ALUC and has not heard back yet.

Megan Aguirre, Senior Planner, confirmed that she spoke with Joel Campos of ALUC about the conditions. Mr. Campos did not state that there was a specific issue with the storm pond or the existing grading permit, which is already issued. She recommended that Mr. Murphy contact Mr. Campos for any additional information.

Mr. Murphy stated that a storm pond is necessary for the operation of the business, and if ALUC does not want a pond within the airport area, the project cannot move forward.

Ms. Aguirre stated that the ALUC did not state specifically that there was an issue with a storm pond at this location in their discussion.

OPPONENTS:

None.

REBUTTAL:

None.

PUBLIC HEARING CLOSED.

It was moved, seconded (Hamilton / Morri), and passed with a vote of 5 - 0:

1. Approved the Negative Declaration; and
2. Approved the one-year Time Extension for the previously approved Use Permit application No. PA-1600194 with the previously approved Findings and Revised Conditions of Approval contained in the Staff Report.

VOTE:

AYES: Midgley, Hamilton , Grunsky , Morri, Walker

NOES:

ABSENT:

- 2. MAJOR SUBDIVISION APPLICATION NO. PA-1800152 AND MOUNTAIN HOUSE DEVELOPMENT TITLE TEXT AMENDMENT APPLICATION NO. PA-1800153 OF SHEA MOUNTAIN HOUSE LLC (C/O CARLSON, BARBEE, & GIBSON)** The Major Subdivision application is to subdivide an 11.4-acre R-MH parcel that would be divided into 137 residential lots that would range in size from 2,000 square feet to 3,876 square feet. The Text Amendment application would amend Section 9-310.5M(a)(6), to read as follows, "For single family homes with common automobile or pedestrian access in the R-MH zone, the rear setback for lots backing onto a public street may be reduced to five (5) feet, provided that minimum building separations as specified in Table 9-310.3M are maintained". The project site location is bounded by Andalusia Way and a 3.8-acre private lot on the west, De Anza Boulevard on the south, Central Parkway on the east, and Byron Road on the north, Neighborhood "H". (Supervisory District: 5).

John Funderburg, Principal Planner, introduced the staff report into record.

PUBLIC HEARING OPENED:

PROPOSERS:

Chair Walker commented on the off-street parking for the project site. She was concerned there would not be adequate off-street parking for the development project.

David Best, representative for Shea Homes addressed Chair Walker's concern about parking. Mr. Best stated, that this project will be managed by a Homeowners Association (HOA), which will enforce parking restrictions on all the streets that will be private. No parking on the private streets will be allowed inside the subdivision. Guest parking will be provided and restrictions enforced.

Chair Walker asked if Mr. Best could provide examples of developments, similar to the proposed, where they have been successful in keeping the parking off the streets.

Mr. Best stated that several other developments, similar to the proposed, have been constructed in the South Bay and on the other side of the hill. The parking varies from development to development. This project is allotting 1/3 of a space per unit for guest off-street parking. Every house has a two (2) car garage and residents have the opportunity to park in their garages.

Chair Walker asked if there is a minimum setback of 15 feet, will the driveways be adequate enough for parking in the driveway.

Mr. Best stated, yes that the front yard of the house is only for certain units where the front door is on the side of the house. The garages are located on the front and the main street acts like an alley. The garage is only three (3) feet from the property line.

Chair Walker asked if by calling the street an alley it makes it a rear yard, and you only have to setback the house five (5) feet.

John Funderburg stated that there are exceptions in the Mountain House Development Title that allow for the building separation to be maintained. The streets have to meet the minimum fire width and they must meet the minimum building separation between buildings, which is eight (8) feet.

Mr. Best stated the following: He believes that the fifteen (15) foot setback is to a public street. All the streets in this development are private. This project can be viewed as a detached condominium. The homes are built and the configuration of the lots is to function like a condominium, but we've detached the home so the folks have the opportunity for a private yard space. By designing it this way, we can get the density that's required in the R-MH Zone and still have a detached experience.

Chair Walker asked if the trees are part of an approved landscape plan and, as part of the conditions of approval, do they have to adhere to the quantities actually illustrated on this plan.

John Funderburg stated that the Community Services District at the time when the In-Tract landscaping plans are presented, they are reviewed to ensure that all In-Tract landscaping requirements are met for developments in Mountain House. Mr. Funderburg stated that you may not see the density as shown in the illustration.

OPPONENTS:

None.

REBUTTAL:

None.

PUBLIC HEARING CLOSED.

It was moved, seconded (Midgley/ Morri), and passed with a vote of 5 - 0:

1. Forward Major Subdivision Application No. PA-1800152 to the Board of Supervisors with a Recommendation for approval with the Findings and Conditions of Approval contained in the Staff Report and;
2. Forward Text Amendment Application No. PA-1800153 to the Board of Supervisors with a Recommendation for approval based on the ability to make the required bases for Mountain House Development Title Text Amendment contained in the Staff Report.

VOTE:

AYES: Grunsky, Midgley , Morri , Hamilton, Walker

NOES:

ABSENT:

The meeting adjourned at 7:25 P.M.

KITTY WALKER, Chair

ERIC MERLO, Secretary