

FROM THE PLANNING COMMISSION MINUTES OF DECEMBER 10, 2015

Commissioner Pratt stated historically, our Commission has, as a courtesy, let applicants before this Commission request that their item be continued to another meeting to be heard by a full Commission. However, whether any such request is granted remains subject to the Commission's discretion. That request must be made before the item has started; once we have started hearing the item, the applicant may not request a continuance on the grounds of not having a full Commission. The next time we may have a full Commission would be, at the earliest, January 14, 2016.

AGENDA ITEMS

3. 15-1409 Hearing to consider a request submitted by Dennis Smith appealing the approval of Design Review DR14-0005-S/Dollar General Georgetown to permit a new 9,000 square foot commercial building on property identified by Assessor's Parcel Numbers 061-362-01, 061-362-02, and 061-362-04. The property totals 1.2 acres and is located on the southeast side of Main Street between the intersections with Orleans Street and Harkness Street, in the Georgetown area; and staff recommending the Planning Commission take the following actions:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
- 2) Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines, Section 15074(d), incorporating the Mitigation Measures as presented; and
- 3) Deny the appeal, thereby upholding the approval of Design Review DR14-0005-S by the Development Services Division Director on October 28, 2015, based on the Findings (Attachment C) and subject to the Conditions of Approval (Attachment D).
(Supervisory District 4)

The Planning Commissioners' reminded the applicant of previous announcement in regards to requesting a continuance.

Rob Peters distributed a public comment received December 10, 2015 to the Commission and presented the item to the Commission with a recommendation to deny the appeal, thereby upholding the approval by the Development Services Division Director on October 28, 2015.

Commissioner Pratt stated that he has done three site visits with the applicant as well as attended several public outreach meetings/gatherings.

Chair Stewart questioned Rob Peters on the building design and façade. Rob Peters noted the façade and design is within the Design Guidelines, the main entrance door would be made of glass and steel while the remaining doors are actually false doors and will have the appearance of a barn-style rustic door.

Sabrina Teller, Applicant Legal Representative, spoke to the Commissioners. Sabrina Teller thanked staff for their work and assistance with this project. Sabrina Teller stated that Transportation Division and the Fire Department have approved the project Conditions as-is.

Sabrina Teller addressed the appellants concerns from the appeal and requested the Planning Commissioners to deny the appeal and adopt the Mitigated Negative Declaration.

Commissioner Pratt stated that he appreciates the applicant's willingness to work on designs. Commissioner Pratt noted his three main concerns of the project as:

- Orientation of the project building in the perspective of the full-life cycle of the building with additional layout/design issues including: location of the building, dumpster/truck loading area, off-street parking, building gables and signage;
- Septic capacity concerns including questions related to: per tests, standing water concerns and septic capacity for current project or will it work down the road; and,
- Traffic concerns due to access off of Main Street.

Discussions ensued in regards to the project building design, building location, dumpster/truck loading area, off-street parking, sewer capacity, traffic concerns, project building gables and covered canopy walkway.

Dennis Smith, Appellant, spoke to the Commission of his appeal and his concerns with the project as follows:

- Concerns for the need for additional handicap accessible sidewalks to be added across the street;
- Addition of crosswalk signage for school crosswalk zone safety;
- Traffic concerns due to lack of signage;
- Building design/layout; and
- Surface runoff concerns.

Dave Spiegelberg, Transportation Division, noted that he met with Dennis Smith and the appellants' concerns are not within the project parameters.

Leon Alevantis, resident, made the following comments:

- Opposes the project for the historical feel of the community but does not want to fight the project but try to improve it,
- Project location is correct based on project documents/layouts provided,
- Supports staff recommendations, and
- Appeal has no value.

Tara Gauthier, resident, made the following comments:

- Support staff recommendations to deny appeal as noted by Leon Alevantis's comments, and
- Appeal application has no value.

Commissioner Pratt questioned Tara Gauthier as to her opinion on how a business would benefit with a dumpster on Main Street. Tara Gauthier stated she is pro for recycle/trash enclosure requirements and discussed the projects landscaping/setback designs. Tara Gauthier also noted that she wants to compromise with the project, not fight it.

Dave Souza, resident, made the following comments:

- Property owners have the right to sell;
- Applicants have improved their designs but the peaks/gables need to go;
- Does not want to see a Dollar General in town, it will take away from local businesses;
- The project will not bring more jobs;
- Concerns with trash location; and
- Concerns with septic capacity.

Laurel Brent-Bumb, Chamber of Commerce, noted the project will bring economic development and jobs. Laurel Brent-Bumb also noted she supported staff's recommendation.

Chair Stewart closed public comment.

Sabrina Teller, Applicant Legal Representative, stated she was able to contact the applicant and they agreed to reduce gables, continue covered canopy along Main Street sidewalk but, they cannot move the building closer to Main Street which means the loading zone/dumpsters will stay as is.

Commissioner Pratt discussed the building location and noted that no matter where the building is placed on the lot, it will still be in view.

Chair Stewart questioned the project property wetlands and if they are seasonal.

Rob Peters discussed the project property has intermittent drainage and delineation is being done with Army Corp of Engineers. Rob Peters also noted in order to fulfil the project Conditions of Approval the project requires approval of a delineation permit.

Chair Stewart noted with the loading zone/dumpsters street side, the runoff would be away from wetlands. Rob Peters reviewed Exhibit F-5 showing the trash enclosure elevations.

Chair Stewart questioned a crosswalk at Orleans Street. Dave Spiegelberg, Transportation Division, noted that Transportation Division can review requirements for a crosswalk at Orleans Street.

Commissioner Pratt commented on the project spirit of design and how it is appropriate for the foothills area. Commissioner Pratt continued with commenting that future projects in similar areas should use something similar in design/layout. Commissioner Pratt continued with stating that he refuses to accept a Main Street business with dumpsters on the street/walkway.

Commissioner Miller noted that any building on this lot would have to go through these constraints. Commissioner Pratt noted concerns due to the use of the entire lot and noted that the building may be too big for the parcel.

There was no further discussion.

Motion #1:

Commissioner Miller moved, seconded by Commissioner Stewart, and motion failed (2-2), to take the following actions: 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; 2) Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines, Section 15074(d), incorporating the Mitigation Measures as presented; and 3) Deny the appeal, thereby upholding the approval of Design Review DR14-0005-S by the Development Services Division Director on October 28, 2015, based on the Findings (Attachment C) and subject to the Conditions of Approval (Attachment D) as modified: (a) the continuance of covered patio sidewalk along Main Street side of building, (b) lowering of all three gables to maximum extent feasible, and (c) requirement for Transportation Division to evaluate the need for a crosswalk on Orleans Street. Motion FAILED.

**AYES: Miller, Stewart
NOES: Heflin, Pratt
ABSENT: Shinault**

Motion #2:

Chair Stewart moved, seconded by Commissioner Pratt, and carried (4-0), to continue this item to the January 14, 2016 meeting.

**AYES: Miller, Heflin, Pratt, Stewart
NOES: None
ABSENT: Shinault**