

January 12, 2012 - Joint Workshop with Planning Commission and Historic Preservation Review Commission

SPECIAL MEETING

Joint Workshop with the

BENICIA PLANNING COMMISSION AND

BENICIA HISTORIC PRESERVATION REVIEW COMMISSION

CITY HALL COUNCIL CHAMBERS

AGENDA

January 12, 2012

6:00 P.M. to 7:30 P.M.

After the special meeting is adjourned the Planning Commission will reconvene (not before 7:45 P.M.) to address their regular agenda items.

I. OPENING OF MEETING

- A. Pledge of Allegiance
- B. Roll Call of Commissioners
- C. Reference to Fundamental Rights of Public -

A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.

II. OPPORTUNITY FOR PUBLIC COMMENT

This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on the agenda that is within the subject jurisdiction of the Planning Commission. State law prohibits the Commission from responding to or acting upon matters not listed on the agenda.

Each speaker has a maximum of five minutes for public comment. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. Speakers may not make personal attacks on council members, staff or members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

- A. WRITTEN
- B. PUBLIC COMMENT

III. SPECIAL MEETING AGENDA ITEM

- A. [WORKSHOP - NEW HARBOR COMMUNITY CHURCH, NEW FACILITY PROPOSED AT 882 BLAKE COURT AT ROSE DRIVE](#)

PROPOSAL:

The City of Benicia is processing an application from New Harbor Community Church to construct a new 20,244 sq. ft., multi-use, two-story church at the terminus of Blake Court, east of Rose Drive. Pursuant to a prior agreement with the City in June 2001, the land was dedicated to a church to be selected by the Benicia Council of Churches. New Harbor Community Church was the selected recipient of this land. However, the Church will still need to get Use Permit approval from the Planning Commission since the location is in the City's Single Family Zone District. In addition, the project's overall site plan and building disposition requires Design Review approval by the Historic Preservation Review Commission (HPRC). Finally, because the project in current form provides less than the required landscaping, a Variance will also need to be approved by the Planning Commission. This project was previously presented to a joint workshop of the Planning Commission and HPRC on September 10, 2009. City staff has been working with the applicant on overall site design to address the concerns that were raised at the previous workshop. Several schematic drawings will be presented at this workshop.

The purpose of this meeting is to receive feedback and input from citizens and Commissioners regarding these new conceptual site designs.

Recommendation:

Staff recommends that the Planning Commission and Historic Preservation Review Commission review alternative site design concepts for the proposed two-story 20,244 sq. ft. New Harbor Church at 882 Blake Court, at Rose Drive, and direct the applicant to draw upon staff's suggested conceptual site plan (Diagram 4) and continue processing the application.

IV. ADJOURNMENT

Public Participation

The Benicia Planning Commission and Historic Preservation Review Commission welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The Planning Commission allows speakers to speak on agenda and non-agenda matters under public comment. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the Planning Commission.

Should you have material you wish to enter into the record, please submit it to the Commission Secretary.

Disabled Access

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the ADA Coordinator, at (707) 746-4211. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Meeting Procedures

All items listed on this agenda are for Commission discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action the Commission may take.

The Planning Commission and Historic Preservation Review Commission may not begin new public hearing items after 11 p.m. Public hearing items, which remain on the agenda, may be continued to the next regular meeting of the Commission, or to a special meeting.

Pursuant to Government Code Section 65009; if you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing. You may also be limited by the ninety (90) day statute of limitations in which to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

Appeals of Planning Commission and Historic Preservation Review Commission decisions that are final actions, not recommendations, are considered by the City Council. Appeals must be filed in the Public Works & Community Development Department in writing, stating the basis of appeal with the appeal fee within 10 business days of the date of action.

Public Records

The agenda packet for this meeting is available at the City Clerk's Office, the Benicia Public Library and the Public Works & Community Development Department during regular working hours. The Public Works & Community Development Department is open Monday through Friday (except legal holidays), 8:30 a.m. to 5 p.m. (closed from noon to 1 p.m.). Technical staff is available from 8:30 - 9:30 a.m. and 1:00 - 2:00 p.m. only. If you have questions/comments outside of those hours, please call 746-4280 to make an appointment. To the extent feasible, the packet is also available on the City's web page at www.ci.benicia.ca.us under the heading "Agendas and Minutes." Public records related to an open session agenda item that are distributed after the agenda packet is prepared are available before the meeting at the Public Works & Community Development Department's office located at 250 East L Street, Benicia, or at the meeting held in the City Hall Council Chambers. If you wish to submit written information on an agenda item, please submit to Kathy Trinque, Administrative Secretary, as soon as possible so that it may be distributed to the Planning Commission and Historic Preservation Review Commission.

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REGULAR MEETING

BENICIA PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS

AGENDA

January 12, 2012

7:45 P.M.

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- A. WRITTEN
- B. PUBLIC COMMENT

IV. CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the Planning Commission or a member of the public by submitting a speaker slip for that item.

*Any Item identified as a Public Hearing has been placed on the Consent Calendar because it has not generated any public interest or dissent. However, if any member of the public wishes to comment on a Public Hearing item, or would like the item placed on the regular agenda, please notify the Community Development Staff either prior to, or at the Planning Commission meeting, prior to the reading of the Consent Calendar.

- A. [Approval of the 2012 Planning Commission Calendar Identifying Hearing Dates](#)

V. REGULAR AGENDA ITEMS

- A. [USE PERMIT APPLICATION FOR A LARGE FAMILY DAY CARE AT 130 GILL WAY](#)

PROPOSAL:

In accordance with the Benicia Municipal Code Section 17.24.020, the applicant requests approval of a Use Permit to establish a large family day care facility at 130 Gill Way. The applicant currently operates a large family day care facility at 216 Eaton Court, but will be moving and requests use permit approval to operate the large family day care, maximum of 14 children, at this new location. The applicant has requested hours of operation from 6:00 a.m. to 5:00 a.m., seven days a week.

Recommendation:

Approve a Use Permit request to allow a large family day care facility at 130 Gill Way based on the findings, and subject to the conditions listed in the attached resolution.

VI. COMMUNICATIONS FROM STAFF

VII. COMMUNICATIONS FROM COMMISSIONERS

VIII. ADJOURNMENT

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