



**BENICIA PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
REGULAR MEETING MINUTES
THURSDAY, APRIL 8, 2010**

7:00 P.M.

I. CALL TO ORDER:

- A. Pledge of Allegiance**
- B. Roll Call of Commissioners**

Present: Commissioners Don Dean, Rod Sherry, Lee Syracuse, Brad Thomas and Chair Healy

Absent: Richard Bortolazzo, Rick Ernst

Staff Present: Lisa Porras, Senior Planner
Kat Wellman, Contract Attorney
Kathy Trinque, Administrative Secretary

- 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. ADOPTION OF AGENDA:

On motion of Commissioner Syracuse, seconded by Commissioner Sherry, the agenda was adopted by the following vote:

Ayes: Commissioners Dean, Ernst, Sherry, Syracuse, Thomas, and Chair Healy

Noes: None

Absent: Commissioners Bortolazzo and Ernst

Abstain: None

III. OPPORTUNITY FOR PUBLIC COMMENT:

- A. WRITTEN**
None.

B. PUBLIC COMMENT

None.

IV. CONSENT CALENDAR:

On motion of Commissioner Syracuse, seconded by Commissioner Sherry, the Consent Calendar was approved by the following vote:

Ayes: Commissioners, Dean, Sherry, Syracuse, Thomas, and Chair Healy
Noes: None
Absent: Commissions Bortolazzo and Ernst
Abstain: None

A. Approval of Minutes of March 11, 2010

V. REGULAR AGENDA ITEMS:

**A. DRAFT PRINCIPLES FOR GATEWAY PRIORITIES, COMPONENTS, AND PROCESS
City Wide**

Lisa Porras (Senior Planner) presented the staff report, outlining the Planning Commission's recommended principles for future gateway planning. Lisa described the process the Planning Commission has followed to reach this point. She read through the following items: gateway priorities, internal gateways, guidelines to help discern priorities, gateway components, and gateway process.

These draft principles represent staff's attempt to capture what the Planning Commission envisions and to pass these on to the City Council so that when funding becomes available, the principles have been identified and can serve to guide future decision-making by the Council.

If the draft *Principles for Gateway Priorities, Components and Process* document receives the Planning Commission's approval, staff will forward it on to the City Council at a future date.

The Commission asked questions and clarification as follows:

Commissioner Dean asked about the 680/780 interchange area north of the bridge, and where a gateway would be located?

Lisa responded that the General Plan shows the location only in a general sense. She suggests that during a public process the Commission can look more specifically at a precise location. The public process would include Engineering division and Caltrans as well as members of the public.

Commissioner Dean asked about the process to complete this item. Is a motion required?

Lisa responded that if the Planning Commission by consensus feels that the document encapsulates everything the Commission has requested, staff will forward it on to City Council.

Public Comment:

Dana Dean of 835 First Street (business address) spoke on behalf of her client, CC Myers, lessor of the Pine Lake area. She asked that the Planning Commission respect the distinction made in the General Plan between the 5 identified gateways and the Pine Lake gateway. She expressed concern that this is not a back door attempt at making a General Plan Amendment.

Larry Lamerou of 783 West J Street encouraged that the City put a high priority be placed on the East 2nd Street corridor (an internal gateway).

Planning Commission Comments/Discussion:

Two e-mailed comments were received from Kitty Griffin, 236 Baker Street, expressing her desire for the East 2nd Street internal gateway being done first, next Military West between W 7th and West 2nd streets.

Another e-mail comment was received from Mary Frances, encouraging a gateway on East 5th Street.

Lisa Porras read a letter received from Elizabeth Murphy, 328 Weldon Ct. Ms. Murphy expressed her desire that the Planning Commission consider that the Pine Lake area be restored as a water storage facility that provides a more scenic approach to the city.

Commissioner Syracuse is in favor of the entrance to Benicia on East 2nd Street and 780 being a priority as the most important internal gateway to the city.

Brad Thomas expressed his appreciation of staff's efforts. Agrees that this document captures what the Planning Commission wants. It does distinguish the CC Myer property (Pine Lake) from other gateways. Also agrees that East 2nd Street and 780 is an important internal gateway.

Rod Sherry asked that the Planning Commission be included on the list under item 5 of the Gateway Process.

Chair Healy stated that the list captured what was previously discussed. Mr. Healy required that staff include a discussion on the on the differences between public and private property. He also asked to categorize the list under tasks that are: (1) vision and (2) execution. Mr. Healy notes that because the City doesn't have the funds to begin developing each gateway at this time, the City does have the ability to invite the public to

a workshop to share their views and vision on this matter. He requested that this be brought back in July or August for a discussion with the public.

Lisa responded that she made note of the Commission's changes and read them back.

Chair Healy asked about the Caltrans landscaping project north of the Benicia/Martinez Bridge.

Lisa responded that a draft plan was presented to the City. Caltrans is doing their prep work now and will be planting soon. Lisa brought the draft plan and showed it to the Commission.

Kat Wellman, Contract Attorney advised the Commission that Caltrans' plan is not subject to the City's approval, but is for the City's information. Their right-of-way is under Caltrans' jurisdiction and not subject to City approval.

Commissioner Brad Thomas made a motion to approve the *Principles for Gateway Priorities, Components and Process* with noted changes and forward to the City Council for its consideration during future work programming for city gateways.

Seconded by Commissioner Don Dean

Ayes: Commissioners Dean, Sherry, Syracuse, Thomas and Chair Healy

Noes: None

Absent: Commissioners Bortolazzo and Ernst

Abstain: None

VI. COMMUNICATIONS FROM STAFF:

A. UPDATE ON THE TANNERY - 127 FIRST STREET **127 First Street; APN: 089-244-050**

At the March 11, 2010 Planning Commission hearing, the Commission requested that staff provide an update on all current activity occurring at the Tannery building. Lisa Porras informed the Commission that staff update will include focus on current permit activity, current planning applications, and public access (e.g. Bay Trail) regulations and requirements.

Commissioner Sherry recused himself.

Lisa Porras reviewed the permit activity for this project as outlined in the staff memorandum included in the agenda packet. Ms. Porras informed the Commission that just yesterday staff received a memo from the applicant stating that the 3,000 sq ft banquet room will no longer be part of the restaurant. Ms. Porras reviewed the chart of permit activity on page 2 of the report.

The other component of this project is the Bay Trail and public access to the shore. Staff has been working with BCDC to determine what kind of public access would be required by BCDC for this project. BCDC indicated that it depends on the project description. For example, the number of people the project draws and the value of the improvements that are needed determine what level of public access is required.

Ms. Porras described the various options the property owner/applicant has with his project. The first option that City staff is considering would require the applicant to post a bond, then the City issuing a temporary certificate of occupancy for 6 months to insure that the trail will be constructed. The 2nd option would be for the City to require that the trail/public access be provided before the certificate of occupancy is issued. Because the Planning Commission will consider the Use Permit for live entertainment, staff cannot discuss details of the project tonight.

Discussion held between Commission and staff.

Public Comments:

Kerry Carney representing the Benicia Historical Society expressed her concern about this project. Wants the shoreline path of history to be built and applauds maximum public access, with consistent standards that include pavement and lighting.

Bonnie Silveria, former Planning Commissioner and Parks Commissioner stated that for 24 years she has worked to get a shoreline path installed in this area. It is included in the Parks Master Plan and General Plan. She wants to see this shore path built and hopes the applicant cannot start the project without the pathway. We've required other developers to do the work first and wants the City to do the right thing.

Jerry Hayes, 150 West G Street, President of the Historical Society, also reinforces Dr. Carney and Bonnie Silveria's comments. In favor of the City moving forward with a historic walkway along the shore. If not now, when? Wants the Planning Commission to make sure it happens.

Another discussion held between the Commission and staff.

Additional public comment:

Jerry Hayes urged the City to let BCDC know what we want and be firm. We want the best trail for the City.

Dana Dean supports Bonnie Silveria's position. She stated that she is appalled that the City would consider a temporary certificate of occupancy and stated that 6 months is not long enough.

Commissioner Syracuse asked for another progress report at next month's Planning Commission meeting.

Lisa updated the Commission on the status of Sailor Jack's (formerly Capt. Blyther's) restaurant renovations at 127 First Street. The owner has asked for a final inspection, but they have some items to finish before final approval, such as trail maintenance, replace a bench and some details on the façade.

VII. COMMUNICATIONS FROM COMMISSIONERS:

None.

VIII. ADJOURNMENT:

Chair Healy adjourned the meeting at 8:47 pm.