



## **BENICIA PLANNING COMMISSION REGULAR MEETING MINUTES**

**City Hall Council Chambers  
Thursday July, 9, 2015  
7:00 P.M.**

### **I. OPENING OF MEETING**

#### **A. Pledge of Allegiance**

#### **B. Roll Call of Commissioners**

Present: Commissioners Birdseye, Cohen-Grossman, Radtke,  
Young and Chair Dean  
Absent: Commissioners Oakes and Sherry (excused)  
Staff Present: Christina Ratcliffe, Community Development Director  
Teresa Olson, Management Analyst/Recording Secretary  
Dorothy Dickson-Dodds, Administrative Secretary  
Kat Wellman, Contract Attorney

#### **C. Reference to Fundamental Rights of Public**

### **II. ADOPTION OF AGENDA**

On motion of Commissioner Radtke, seconded by Commissioner Cohen-Grossman the agenda was adopted, by the following vote:

Ayes: Commissioners, Birdseye, Cohen-Grossman, Radtke, Young and Chair  
Dean  
Noes: None  
Absent: Commissioners Oakes and Sherry  
Abstain: None

### **III. OPPORTUNITY FOR PUBLIC COMMENT**

**A. WRITTEN**-None.

**B. PUBLIC COMMENT**-None.

### **IV. CONSENT CALENDAR**

On motion of Commissioner Cohen-Grossman, seconded by Commissioner Young, the consent calendar was approved by the following vote with minor

revisions to the minutes:

Ayes: Commissioners Birdseye, Cohen-Grossman, Radtke, Young and  
Chair Dean  
Noes: None  
Absent: Commissioners Oakes and Sherry  
Abstain: None

**A. APPROVAL OF MINUTES OF JUNE 11, 2015 REGULAR MEETING**

**V. REGULAR AGENDA ITEMS**

**A. CLOSURE OF THE EAST N STREET TRAILER PARK AT 501 EAST N STREET, AFTER A DETERMINATION THAT THE PROJECT IS EXEMPT FROM CEQA**

15PLN-00029 Use Permit  
501 East N Street  
APNS: 0088-102-040, -050, -140

Ms. Ratcliffe provided an overview of the project. She noted that the draft ordinance was revised from the version originally included in the staff report with additional findings and conditions of approval as follows:

Additions to the draft findings as follows:

Finding #2. However, the conversion to a vacant lot is permitted by state law and is not contrary to the Zoning Ordinance

Finding #3. The conversion of the mobile home park to a vacant lot is permitted by state law and is not inconsistent with the general plan. Once the relocation of the residents of the mobile home park has been completed, the applicant will have 30 days to remove or demolish any empty mobile homes or trailers remaining on the property, obtaining any necessary permits from the City. The vacant lot will be maintained pursuant to conditions established by the Community Development Director to ensure that the lot remains free of debris, rubbish, and weeds, and does not become an attractive nuisance or in violation of any City Codes.

Finding #5. The conversion to a vacant lot is permitted by state law and is not inconsistent with the general plan or the Benicia Municipal Code.

Modifications to the conditions of approval as follows:

Condition #2. Once the relocation of the residents of the mobile home park has been completed, the applicant will have 30 days to remove or demolish any empty mobile homes or trailers remaining on the property, obtaining

any necessary permits from the City. The vacant lot will be maintained pursuant to conditions established by the Community Development Director to ensure that the lot remains free of debris, rubbish, and weeds, and does not become an attractive nuisance or in violation of any City Codes.

Condition #3. This use permit will be effective on a dated certain (TBD).

Ms. Ratcliffe also noted that staff had received a letter from Legal Aid Services of Northern California just before the hearing and that copies were at the dais. In addition, two other letters were received in opposition to the project.

Commissioner Young inquired about the City requirement for a use permit merely for the closure of a trailer park.

Public Comment was opened.

Applicant, Gene Pedrotti, spoke about his use permit application, the RIR and various efforts he has taken to assist the current residents in relocation planning.

Jack Schwartz, Law Offices of Burnham & Brown, attorney on behalf of the applicant, spoke on legal aspects of the use permit application.

The Commission asked questions of the applicant.

Michael Porter, resident of 501 East N Street, spoke in opposition of the park closure, citing the rent listed in the RIR was incorrect and asked about reimbursement for those who elect to leave their trailers behind.

Homer Jones, 835 Corrigan Court, spoke in opposition of the park closure, citing that the applicant hasn't applied for a new proposed use for the property and asking about losing affordable housing units as a result of the park closure.

Dave Jeffrey, resident, spoke in opposition of the park closure, citing personal financial, emotional, and physical challenges for his family.

Susan Wilkes, resident and manager of the trailer park, spoke in opposition of the park closure, citing a lack of affordable housing alternatives within the City.

Rachel Pozo, resident, spoke in opposition of the park closure, stating there are not alternative trailer park locations within the City that would accommodate her trailer or her pets.

Sandra Quiroz, resident of the trailer park, spoke in opposition of the park closure, citing health problems, the convenience of medical services within the City, the lack of availability of another location which would accommodate her trailer, and lack of affordable housing alternatives.

Clint Gomez, Benicia resident, spoke in opposition of the park closure, citing a lack of alternative low income housing in the City.

Thomas Biscarro, resident of the trailer park, spoke in opposition of the park closure.

Irene Ross, attorney with Legal Services of Northern California, requested the Planning Commission deny the application for the park closure, citing it is in contradiction to the Municipal Code and State Code. She stated the park closure is not in alignment with the General Plan Housing Element; citing a lack of affordable housing options within the City, and lack of alternative land zoned for a trailer park.

Commissioner Young asked Ms. Ross about the term economic rent which is stated in the RIR.

Rick Farmer, Benicia resident, spoke in opposition of the park closure, citing lack of affordable housing alternatives.

Alex Mines, 662 West K Street, suggested allowing more time for the residents to relocate.

Anna Whitney, property owner of an adjacent lot, spoke in opposition of the use permit for the closure stating she is in opposition of a vacant lot next to her property.

Public Comment was closed.

Chair Dean called for a recess at 8:28 p.m.

Chair Dean resumed the meeting at 8:39 p.m.

Ms. Wellman advised the Commission due to the late public comment letter received from Legal Services of Northern California that a continuance to the next regular Planning Commission meeting on the item is recommended in order for the Commission and staff to review the items addressed in the letter and respond accordingly.

The Commission asked questions of the applicant's representative who authored the RIR on various items including defining the term economic rent, relocation reimbursement costs, cost of replacement housing, the adjacent communities listed in the report for comparison, the possibility for updating the information in the RIR on current vacancies, current rents, ADA requirements, and ADA accessibility.

Applicant, Gene Pedrotti answered several of the Commissions questions.

Attorney for the Applicant, Jack Schwartz, spoke to legal questions posed by the Commission on the RIR, the methodology and the use of economic rent.

The Commission asked questions of staff including replacing the 18 housing units potentially lost as a result of the closure of the park, the current wait list time for Benicia Housing Authority, remaining in alignment with the goals listed in the Housing Element for low-income housing, the ultimate use of the property, prior case studies for trailer park closures within the City, relocation cost comparisons for tenants with pets.

Commissioner Young offered a motion to continue the item to a future date not certain or table the item. Ms. Ratcliffe noted that this was a use permit application subject to the California Permit Streamlining Act and that tabling the item was not an option and that while continuing the item to a date uncertain was a possibility, the Commission must be mindful of the Permit Streamlining Act. The motion did not receive a second, the motion died.

On a motion of Commissioner Cohen-Grossman, seconded by Commissioner Birdseye, the item was continued to the next regular Planning Commission Meeting on August 13, 2015 with a provision that a revised RIR be distributed to the residents at least (15) days prior to the item coming back to the Commission.

Ayes: Commissioners Birdseye, Cohen-Grossman, Radtke, Young and Chair Dean

Noes: None

Absent: Commissioners Oakes and Sherry

Abstain: None

## **B. PLANNING COMMISSION RULES AND PROCEDURES**

Ms. Ratcliffe introduced the item and gave a brief presentation.

Public Comment- None.

The Commission discussed the modifications to the Rules and Procedures. The Commission asked various questions about the proposed changes.

On motion of Commissioner Cohen-Grossman, seconded by Commissioner Young, the Commission directed staff to continue working on changes and edits to the rules and procedures and bring back to the Commission for a final review.

Ayes: Commissioners Birdseye, Cohen-Grossman, Radtke, Young and Chair Dean

Noes: None

Absent: Commissioners Oakes and Sherry

Abstain: None

**VI. COMMUNICATIONS FROM STAFF**

Ms. Ratcliffe introduced new Community Development Department Administrative Secretary Ms. Dickson-Dodds to the Commission.

**VII. COMMUNICATIONS FROM COMMISSIONERS**

None.

**VIII. ADJOURNMENT**

Chair Dean adjourned the meeting at 10:10 p.m.