



**BENICIA PLANNING COMMISSION
CITY COUNCIL CHAMBERS**

REGULAR MEETING MINUTES

Thursday, September 11, 2008

7:00 P.M.

I. OPENING OF MEETING

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

Present: Commissioners Rick Ernst, Dan Healy, Rod Sherry, Lee Syracuse, and Brad Thomas

Absent: Commissioner Bortolazzo and Chair Railsback (excused)

Staff Present: Damon Golubics, Principal Planner
Lisa Porras, Senior Planner
Gina Eleccion, Management Analyst
Mike Roberts, Senior Civil Engineer
Kat Wellman, Contract Attorney

- 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. AGENDA CHANGES AND DISCUSSION

None.

III. OPPORTUNITY FOR PUBLIC COMMENT

- A. WRITTEN**

None.

- B. PUBLIC COMMENT**

None.

IV. CONSENT CALENDAR

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

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

- A. Approval of Agenda**
- B. Approval of Minutes of August 14, 2008**

V. REGULAR AGENDA ITEMS

- A. 1280 WEST 11th STREET – KING SOLOMON CHURCH EXPANSION**
08PLN-36 Use Permit & 08PLN-45 Variance
1280 West 11th Street, APN: 86-062-010

PROPOSAL:

The applicant requests approval of a Use Permit and Variance to expand a pre-existing church from 3,949 to 8,943 square feet. The applicant proposes to construct an additional 4,994 square feet to enlarge an existing sanctuary, kitchen, restrooms, and social hall and to add new classroom and office space. Improvements to the site also call for development of an at-grade parking area and site landscaping throughout.

To carry out the applicant’s request, three permits are required: Use Permit (church expansion), Variance (setbacks and landscaping), and Design Review. The permitting process involves two-steps: (1) Use Permit and Variance approval subject to the discretion of the Planning Commission, and (2) Design Review approval subject to the discretion of the Historic Preservation Review Commission.

Recommendation: Approve a Use Permit and Variance request to expand the existing King Solomon Church located at 1280 West 11th Street, based on the findings and subject to the conditions in the proposed resolution.

Damon Golubics, Principal Planner, noted that a letter had been submitted from a neighbor at 1029 West L Street.

Lisa Porras, Senior Planner, gave an overview of the project. She highlighted existing operations and siting, as well as proposed modifications. The staff report includes an overview of all regulations that the project must comply with. The applicant is requesting variances on the front setback, the sideyard setback, and on the landscaping requirements. The Commission must find that there are special circumstances that warrant granting these variances. She noted the need for a Use Permit in addition to the variances requested.

Commissioners commented on the City right-of-way between the church and the first residential property to the south. In addition, the setback regulations were commented on. Lisa Porras noted that the setback requirement is 15' along the alley. She further noted that the applicant would be responsible for maintaining the landscaping in the public right-of-way.

Commissioners questioned the City's requirement of stormwater management. Mike Roberts, Senior Civil Engineer, noted that there are conditions of approval that address this. Onsite detention and treatment are requirements.

Kat Wellman, Contract Attorney, noted that the final design of sewer tie-ins and landscaping will be addressed by the Historic Preservation Review Commission and the Building Department prior to issuance of a permit.

Commissioners commented on the green building in relation to this project. Damon Golubics noted that this would be the appropriate time to discuss that, however, often green building requirements are costly, and churches cannot afford these costs.

Marv Kinney, Engineer – He thanked staff for working with the applicant. There are issues with the economics of “green building” requirements. He noted that there is current work related to a sewer back-up that is unrelated to the project proposed. He disagrees with adding 2 additional palm trees. This is a costly project and is not economically feasible.

Commissioners questioned if there was consideration of LEED Certification. Marv Kinney stated that this has been considered, and an architect advised them that the redesign would cost 35% more to design a “green building”. They are planning to use green materials during construction.

Lisa Porras commented on the tree requirement by the Parks Department. Originally, the applicant informed staff that they desired to remove the existing palm tree to make the existing landscaping more coherent. Since the palm tree will not be removed, the details on the type of additional trees required can be worked out with the Parks and Community Services Department.

Commissioners commented on Condition #4 regarding the palm tree. Mike Roberts noted that 2 half-size palm trees would be consistent with the Benicia Traffic Calming approved trees.

Marv Kinney stated for the record that they do not agree with the tree requirement. Damon Golubics commented that condition 4 can be deleted, with all landscaping details to be worked out with the Historic Preservation Review Commission. Lisa Porras noted that the original plans show only one palm tree. Lisa Porras suggested a revision to Condition #4 as follows:

4) A revised landscape plan shall be submitted to the CDD, with existing palm tree remaining.

The public hearing was opened.

Gretchen Filer and Scott Johnson, 1059 West L Street – They submitted a letter to the Commission. They support the church, but have concerns with privacy issues due to the parking lot. They noted there are issues with high school students hanging out in the parking lot. They also noted that they have not had any personal conversations with the church regarding this issue, but are confident they can work this out.

The public hearing was closed.

Commissioners commented on the issue with high school students hanging out and would like to see more enforcement.

Mike Roberts noted that the sidewalk was replaced on West 11th as part of the High School Traffic Signal project that is going on. In addition, he noted that the sewer line issues are being reviewed and addressed by Public Works. There will be a permanent physical solution to the problem.

Issues regarding lighting were discussed. Lisa Porrás stated that there are fifteen 10' light pole proposed. The zoning requires that a light source shall not shine onto the adjacent properties.

Marv Kinney noted that Benicia High School has a security person that patrols the area.

Commissioner Syracuse commented on the history of this congregation. He noted that the church members have been good neighbors.

RESOLUTION NO. 08-9 (PC) - A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BENICIA APPROVING A USE PERMIT AND VARIANCE RELATED TO THE EXPANSION OF KING SOLOMON CHURCH LOCATED AT 1280 WEST 11TH STREET

On motion of Commissioner Thomas, seconded by Commissioner Ernst, the above Resolution was approved by the following vote:

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

VI. COMMUNICATIONS FROM STAFF

Lisa Porras stated that the City has upcoming dates scheduled for the Housing Element update. A Housing Expo will be held on October 3rd and 4th at the Veteran's Hall. A representative from the State will be in attendance.

In addition, she noted that there will be a workshop on the Climate Action Plan on Thursday, October 9th. There will be a workshop held at the Senior Center on November 13th.

Gina Eleccion noted that the update to the historic resource inventory is being brought back to the Historic Preservation Review Commission on September 25th.

VII. COMMUNICATIONS FROM COMMISSIONERS

Commissioner Ernst commented on the Housing Element update.

VIII. ADJOURNMENT

Vice Chair Healy adjourned the meeting at 8:17 p.m.