

City of Bishop
PLANNING COMMISSION MEETING AGENDA
City Council Chambers – 301 West Line Street
Bishop, California 93514

DATE:

April 30, 2013
7:00 P.M.

NOTICE TO THE PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk (760) 873-5863. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35. 102-35.104 ADA Title II).

Any writing that is a public record that relates to an agenda item for open session distributed less than 72 hours prior to the meeting will be available for public inspection at City Hall, 377 West Line Street, Bishop, California.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENT: NOTICE TO THE PUBLIC: This time is set aside to receive public comment on matters not calendared on the agenda.

CORRESPONDENCE:

APPROVAL OF MINUTES

- (1) Minutes of the Planning Commission meeting held on March 26, 2013 subject for approval.

NEW BUSINESS

- (2) Set interview committee for Planning Commission opening.

OLD BUSINESS

- (3) Review Caltrans proposed Maintenance Yard Extension on Spruce Street.

STAFF AND COMMISSION REPORTS

ADJOURNMENT: The next regularly scheduled meeting of the Planning Commission will be May 29, 2013 at 7:00 P.M. in the Bishop City Council Chambers, 301 West Line Street, Bishop.

City of Bishop
PLANNING COMMISSION MINUTES
City Council Chambers – 301 West Line Street
Bishop, California 93514

March 26, 2013

CALL TO ORDER:

Chairman Malloy called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Malloy.

COMMISSIONERS PRESENT:

Huntley, Hardy, Crom and Malloy

COMMISSIONERS ABSENT:

Lowthorp and Bhakta

OTHERS PRESENT:

Gary Schley, Public Services Officer
Keith Caldwell, City Administrator / Planning Director
Peter Tracy, City Attorney
Michele Thomas, Secretary

PUBLIC COMMENT

Chairman Malloy asked if anyone wished to speak on a subject not calendared on the agenda. There was no public comment.

CORRESPONDENCE

Two letters were included in the packet from David Grah, Director of Public Works to Thomas Hallenbeck of Caltrans and Don McGhie of Los Angeles DWP. Both letters were in regards to the Caltrans Maintenance Facility expansion on Spruce Street.

(1) APPROVAL OF MINUTES

MOTION

Commissioner Crom moved to approve the minutes of the February 26, 2013 meeting with the correction on page 4 to change the motion vote from 1-4 to a vote of 1-3.

Ayes: Crom, Hardy, and Malloy
Abstain: Hardy

MOTION CARRIED: 3-0

PUBLIC HEARING

- (2) Proposed Amendment of Zoning Ordinance – ES Emergency Shelter Combining District.

This matter is continued over from the February 26th meeting.

Schley reviewed the ordinance expressing that the City of Bishop is proposing to amend Ordinance Title 17 Chapter 17.38 ES Emergency Shelter Combining District, to include Transitional and Supportive Housing as a permitted use. At the February 26th meeting, the commission asked staff to research in more detail the rules and laws that regulate the licensing and operation of transitional and supportive housing. Schley stated that transitional and supportive housing are regulated by Title 22 of California Code of Regulations and may be viewed at <http://www.dss.cahwnet.gov/ord/PG240.htm>.

Malloy asked staff why the city is proposing this zone change. Schley stated that it is written into the city's 2009 Housing Element as a goal to comply with Senate Bill 2. Senate Bill 2 requires the city to provide a zone for emergency shelters, transitional and supportive housing, by right which means a Conditional Use Permit is not required to be allowed. Tracy confirmed this statement.

Mark Heckman, resident at 185 Mac Iver Street, passed out a map illustrating the area in question along Mac Iver Street where the ES zone exists. Heckman thinks that the area on the other side of Spruce Street would be a better location for the emergency shelter zoning. He added that this location would be further away from existing residential housing. Heckman also feels his residence is incorrectly zoned at C-1 and should be R-1.

Huntley clarified that the current public hearing is in regard to an amendment to the emergency shelter zone and not to discuss whether the zoning on Mac Iver Street should be changed to R-1.

Heckman continued to discuss the concern he has regarding a house next door that is for sale and the possibility of someone turning it into an emergency shelter.

Huntley stated that in order for someone to propose an emergency shelter, the owner would need to comply with the current zoning requirements along with the rules and laws that regulate such a facility. Schley also included that the mobile home park in question, which is regulated by the state, has its own rules and regulations to follow in addition.

The public hearing was closed at 7:25 P.M.

NEW BUSINESS

- (4) Proposed Amendment of Zoning Ordinance – ES Emergency Shelter Combining District.

Hardy referred to section 17.38.060 Standards and Requirements and asked staff if it would be possible to revise the ordinance so that compliance with federal, state, or local

rules was part of the zoning ordinance. Tracy stated that if there is a state or federal law or rule prohibiting something, we cannot have an ordinance prohibiting the same thing that is already in effect. Tracy added that the city is able to inform the business they are in violation of state law.

Huntley referred to section 17.38.060 Management and asked staff about the management staff being onsite and if that is part of the state or federal law. Schley stated that it is part of the city's ordinance and already approved in the Emergency Shelter Overlay zone. Continued discussion explained that emergency shelter and transitional housing require onsite management at all times of operation and supportive housing management may be located onsite or offsite.

Huntley also referred to signs and why the size requirement is up to a maximum of 9 square feet when the city ordinance allows for up to 80 square feet. Schley explained that in residential zones, signage is only allowed for real estate or for-sale signs up to 9 square feet and because this is in a residential zone, it will follow residential zoning requirements.

Hardy made a motion to recommend to the City Council that they adopt an amendment to the Bishop Municipal Code Chapter 17 Zoning by adding Section 17.08.116 and Section 17.08.117 to provide a definition for Transitional Housing and Supportive Housing and amending Chapter 17.38 ES Emergency Shelter Combining District as proposed and submitted.

Ayes: Crom, Hardy, Huntley, and Malloy

MOTION APPROVED: 4-0

PUBLIC HEARING

- (3) Request for a Conditional Use Permit to set aside the two way driveway requirement of 24 feet at 212 Sneden Street which is located in an R-2000-P district (Medium High Density Residential and/or Professional and Administrative Offices).

Schley excused himself from discussion on the proposed matter due to a financial conflict of interest.

Anna Scott, on behalf of Patsy Schley the owner of 212 Sneden Street, explained to the commission the Mrs. Schley is seeking a conditional use permit to set aside the two-way driveway requirements. Currently on the property is a unit in the back. In 1989 a fire destroyed a larger unit in the front. Mrs. Schley is looking to rebuild the unit as a single story rental property. Due to the small lot size, there is not enough room for a 24 feet driveway and it is proposed to add a 16 feet driveway along the side of the property.

The public hearing was closed at 7:40 P.M.

NEW BUSINESS

- (5) Request for a Conditional Use Permit to set aside the two way driveway requirement of 24 feet at 212 Sneden Street which is located in an R-2000-P district (Medium High Density Residential and/or Professional and Administrative Offices).

It was clarified that the driveway would be paved and the required parking area in the back will be a pervious surface.

Hardy made a motion to approve the Conditional Use Permit at 212 Sneden Street to set aside the two way driveway requirement of 24 feet by allowing for a 16 feet paved driveway and a pervious surface parking area as requested in the application.

Ayes: Crom, Hardy, Huntley, and Malloy

MOTION APPROVED: 4-0

Schley returned to the meeting in progress.

STAFF AND COMMISSION REPORTS:

Caldwell recognized Jose Garcia in the audience who has been nominated by the interview committee for the recent planning commission vacancy. The recommendation will go in front of the City Council for approval on April 9th.

Crom asked for an update on the Cottonwood Plaza property. Schley stated that plans have been submitted for rebuilding the stairways; work will begin on a sewer line for a grease interceptor through Building B anticipating restaurants going in; and there will be drainage system work to put in an oil-water separator and for cleaning storm waters before leaving the site. Crom asked what the time line is to finish construction and to open businesses. Schley stated the work is going slowly but there has been recent progress.

ADJOURNMENT:

Chairman Malloy adjourned the meeting at 7:51 P.M. The next scheduled meeting will be April 30, 2013 at 7:00 P.M. in the City Council Chambers.

Chairman Malloy

Michele Thomas, Secretary

MEMORANDUM

TO: Planning Commission

FROM: Keith Caldwell, Planning Director

SUBJECT: NEW BUSINESS – Set Interview committee for Planning Commission opening

DATE: April 24, 2013

Consideration to appoint two Commissioners to serve on the interview committee to fill an unscheduled vacancy on the Planning Commission. The two appointed Planning Commissioners will join two Council members to interview any potential candidates and make a recommendation to the full Council at the meeting of May 28, 2013. The interviews will be scheduled the week of May 13th and/or May 20th.

RECOMMENDATION:

Appoint two Commissioners to serve on the interview committee.

MEMORANDUM

TO: PLANNING COMMISSION

FROM: KEITH CALDWELL, CITY ADMINISTRATOR

SUBJECT: Propose Caltrans Maintenance Yard Extension – Spruce Street

DATE: April 30, 2013

Attachments:

- Memo from Gary Schley – Caltrans Initial Request, October 22, 2012
- Planning Commission Meeting Minutes – October 30, 2012
- Maintenance Yard Expansion – Scope of Work
- City of Bishop Zoning Map
- Proposed Caltrans Alternates Map
- Wetland Studies Map
- Staff Letter to Caltrans District 9 Director – Thomas Hallenbeck
- Staff Letter to LADWP Real Estate Manager - Don McGhie
- Drafted Letter of Response to Thomas Hallenbeck from the Planning Commission

BACKGROUND/SUMMARY

In October of 2012, the Planning Commission received a request for a maintenance yard extension to the Caltrans facility located on Spruce Street. Several site alternatives were provided for consideration.

City staff provided input to the Planning Commission for the City's chosen alternative location which minimized street frontage. Recently, Caltrans staff chose an alternative that is contrary to City staff's suggested location.

A Caltrans representative has been invited to attend and comment during this meeting.

Regardless of the Caltrans chosen location, the City will continue to discuss project plans involving water, sewer, driveway access and drainage of the facility.

RECOMMENDATION

Planning Commission consider a letter of response to Caltrans building location alternative for their Maintenance Yard Extension – Spruce Street.

MEMORANDUM

DATE: October 22, 2012

TO: Planning Commission

FROM: Gary Schley

SUBJECT: Proposed Caltrans Maintenance Yard Extension, Spruce Street

Please find attached a request from Caltrans, District 9 to review several alternatives for a proposed extension of their maintenance yard at 1250 Spruce Street, located in an M-1 zoning district (General Industrial) within the City of Bishop. The various alternatives are on the attached plans included in your packet.

Some of the issues raised include the effect of the proposed yard development:

- In relation to future development of the area.
- Blocking access for future development of the area.
- Acquiring a good portion of the Spruce St. right of way frontage which would limit future development street frontage.
- Caltrans need of land for future development beyond the proposed yard alternatives.
- Avoiding an identified wetlands area directly east of the existing Caltrans Maintenance Yard (attached wetland studies map).

Review the four alternatives for a Caltrans Maintenance Yard extension at 1250 Spruce Street.

City of Bishop
PLANNING COMMISSION MINUTES
City Council Chambers – 301 West Line Street
Bishop, California 93514

October 30, 2012

CALL TO ORDER:

Chairman Bhakta called the meeting to order at 7:01 P.M.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairman Bhakta.

COMMISSIONERS PRESENT:

Bhakta, Lowthorp, Gardner, Huntley, Crom and Malloy

COMMISSIONERS ABSENT:

Hardy

OTHERS PRESENT:

Gary Schley, Public Services Officer
Peter Tracy, City Attorney
Michele Thomas, Secretary
David Grah, Director of Public Works

PUBLIC COMMENT

Chairman Bhakta asked if anyone wished to speak on a subject not calendared on the agenda. There was no public comment.

(1) APPROVAL OF MINUTES

MOTION

Commissioner Crom moved to approve the minutes of the September 25, 2012 meeting as written.

Ayes: Bhakta, Malloy, Huntley, Crom, and Lowthorp
Abstain: Gardner

MOTION CARRIED: 5-0

NEW BUSINESS

(2) Review of Proposed Caltrans Maintenance Yard Extension, Spruce Street

David Grah, Director of Public Works, explained that the project is to double the size of the Caltrans highway maintenance station on Spruce Street. This is a state project and the city doesn't have discretionary land use authority in this case but would appreciate any comments from the commission. Caltrans would like to work with the city to come up with the best plan. Grah said that he feels the main issue is that the area behind the existing maintenance station is zoned M-1, General Industrial, and the property is designed to be accessed off of Spruce Street. Caltrans provided a map showing five possible alternatives for the project. The first proposal from Caltrans, Alt B on the attached map, is to double the size along Spruce Street which would cut off access to land area in the back for development in the future. Although there are no proposals for development on the back land, Grah feels the city should be looking ahead for the future. At a previous meeting with Caltrans, City staff suggested widening the property straight back behind the existing station, Alt A. Caltrans pointed out that there are environmental and grading issues expanding in that direction. Caltrans then came up with a compromised proposal to reduce the amount of expansion along Spruce Street.

Brian McElwain, Caltrans Project Manager, stated that Caltrans is looking to expand their maintenance facility. The plans include storage for equipment and material base, parking for 17 employees, a new office, and wash racks with 5 bays. The project will be phased in as money becomes available. The first phase would be to acquire the land which then would include grading, paving, and new fencing.

Studies were done to determine potential wetland areas. Fish and Game stated that the area in the back of the existing station contains riparian habitat. This information has been submitted to the Army Corp of Engineers and Caltrans is waiting to hear back whether the area will be considered wetland.

Another location considered by Caltrans Alt D, the property to the north of the station along Wye Road, was determined to need extensive grading and the development of an access along Wye Road. The last location considered Alt E, behind the south portion of the station, would also require a lot of grading. In addition, the area east of the existing facility is depressed and would require extensive fill material. The location suggested by Caltrans as a preferred alternative Alt C, takes up half of the frontage along Spruce Street than the original proposed plan.

Caltrans' next step would be to finish the environmental document and start working with LADWP to acquire the land.

Crom asked why Caltrans is not able to expand their property on South Main Street for this project. McElwain stated that there is no empty space to build a maintenance yard at this location. Grah also added that the lot east of the property on South Main Street is wetlands, and, what part is not affected is too small to house a maintenance facility.

Huntley asked why the wetlands area behind the existing maintenance yard is not able to be developed on. McElwain explained that the area is a potential wetland; Army Corp hasn't taken jurisdiction yet. According to Fish and Game it is historical drainage and prior to development it would need to be litigated for the lost of the habitat. Under rules pertaining to wetlands, avoidance is to be considered first. Huntley commented that with the criteria, the area near the wetland appears to be undevelopable.

Bhakta stated that he thinks that Alt E with the access easement on Spruce Street would be the ideal location with a minimal amount of Spruce Street frontage used. McElwain went over notes from a previous meeting regarding Alt E. Concerns from Caltrans included a significant extra cost for the access street, a large fill at the back of the existing maintenance yard would make a connection and transition difficult and expensive, and the approximately of wetlands. Schley added that the ramp from the existing facility to access Alt E or A would consume a large portion of the requested land due to a 3 foot ramp or they would need to do a 3-4 foot fill.

Malloy asked McElwain about the memo presented to the commission from Schley regarding the possibility of Caltrans' needs of land for future development beyond the proposed maintenance yard alternatives. McElwain stated that he is not aware of any future land needs.

Bhakta also brought up the issue that using Alt C would block off the portion of Alt E behind the existing yard from any future use. Huntley added the possibility to use this area Bhakta mentioned along with half of Alt C's Spruce Street access to minimize the street frontage and make use of land that could not be developed otherwise. Huntley stated he understands the problems with cost of elevation and does not think building a maintenance yard should take away street frontage.

McElwain told the commission that Alt C seemed to be the best alternative because it is flat and wouldn't require any grading and would minimize any encroachments towards the potential wetlands. Schley added that he recalls from a prior meeting with Caltrans that another concern was the maneuvering of the equipment vehicles in tighter areas and that is why the 300 feet width is preferred. Huntley then added that his final comment is to try to minimize the use of Spruce Street frontage. McElwain said that he will take the commissioners ideas and concerns back to the Caltrans developing team for consideration but the department would like proceed with Alt C, work towards acquiring the land with LADWP, and finish up the environmental document.

No action was taken regarding the project.

STAFF AND COMMISSION REPORTS:

Schley stated there are no staff reports at this time.

ADJOURNMENT:

Chairman Bhakta adjourned the meeting at 7:42 P.M. The next scheduled meeting will be November 27, 2012 at 7:00 P.M. in the City Council Chambers.

Chairman Bhakta

Michele Thomas, Secretary

Bishop Maintenance Yard Expansion
EA 09-345701

Background:

Caltrans District 9 is working to expand the existing maintenance facilities at the Spruce Street location in Bishop.

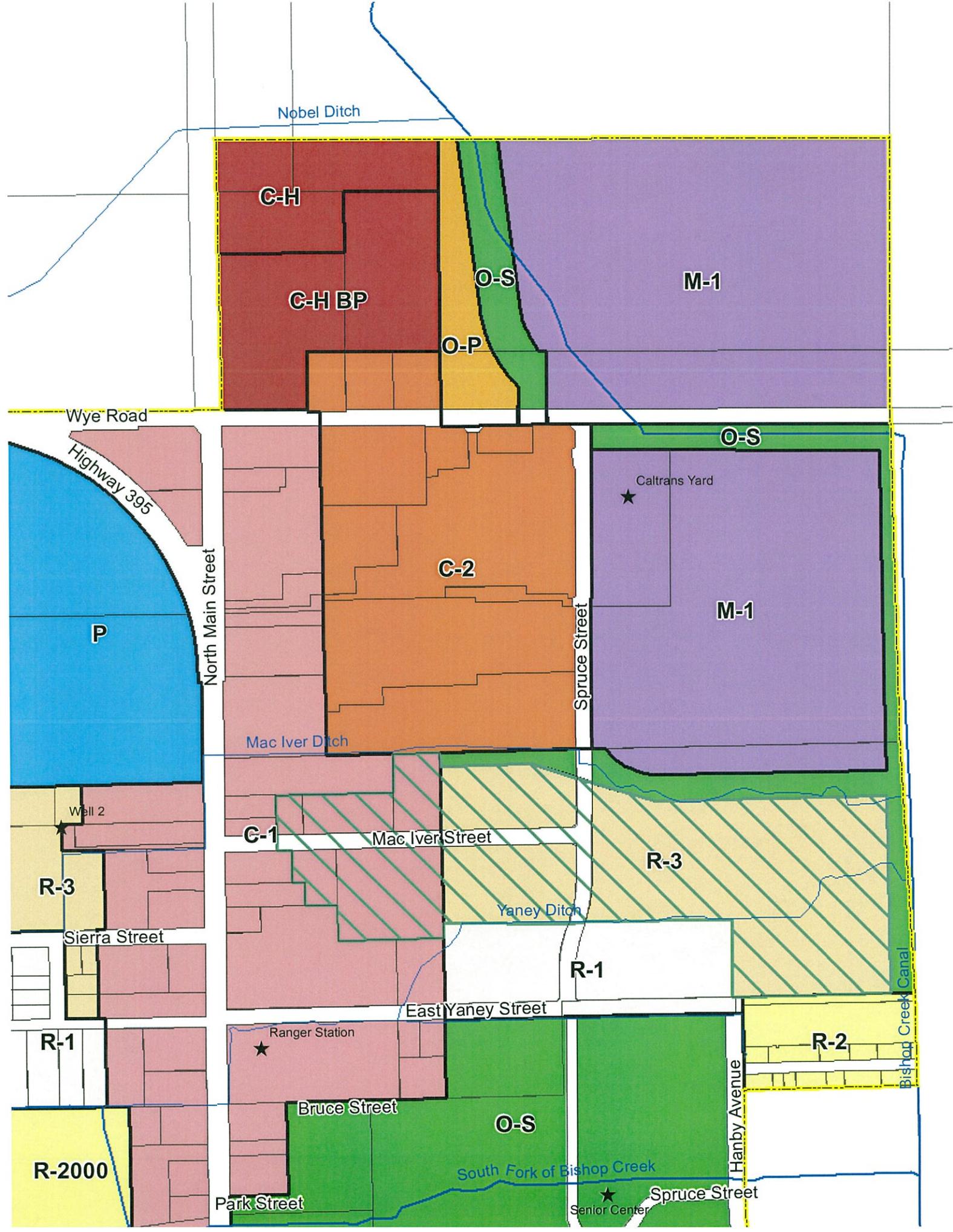
Maintenance Needs.

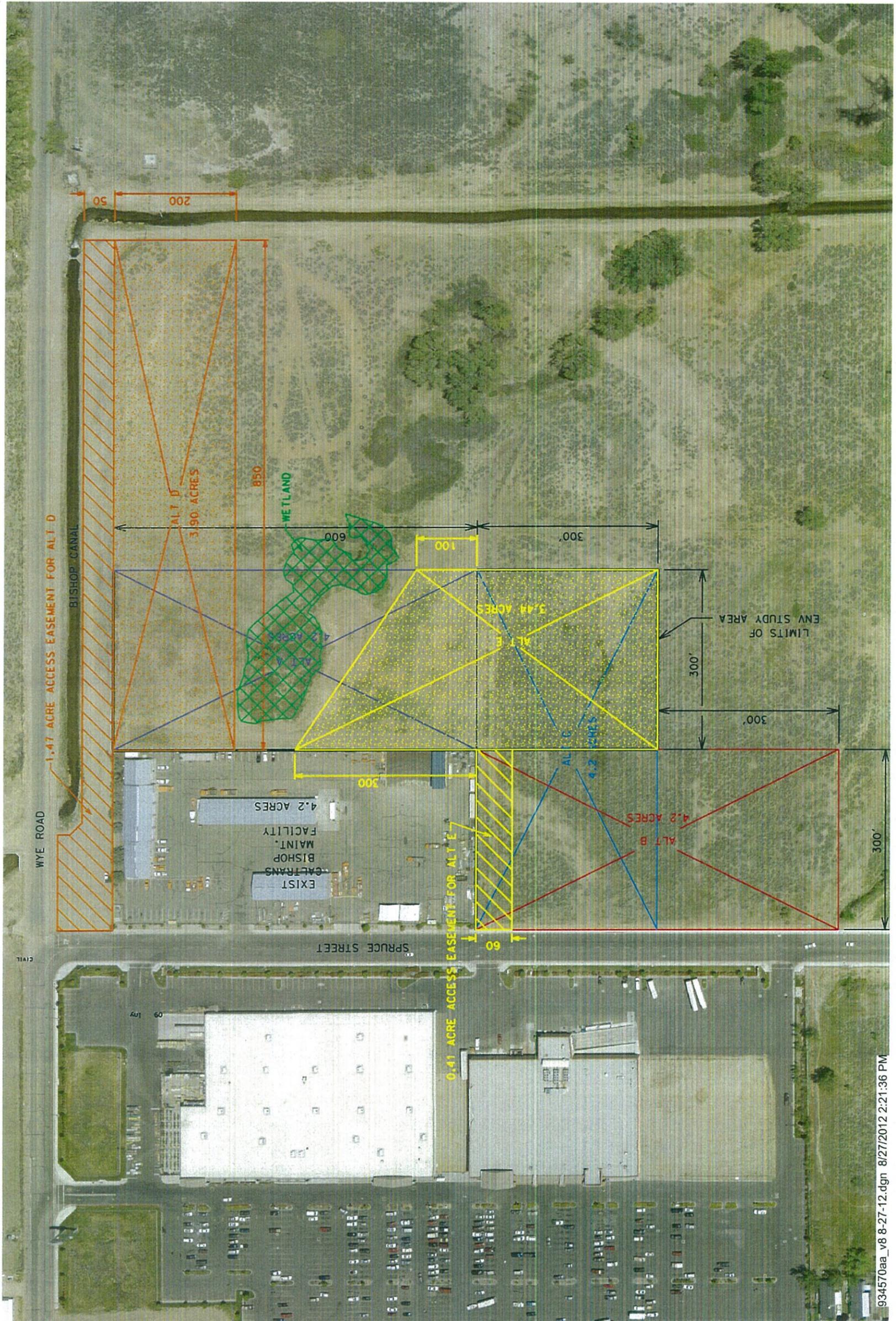
An additional 4.2 acres is needed for long term needs.

Location Alternatives Discussion:

- Alt B was the originally preferred alternative.
- The Project Development team reviewed the Alternates A through E.
- The team was informed of the City of Bishops concerns.
- The consensus was that the Alt "C" is the preferred alternative.
- The scope of work will include grading, soil stabilization, stormwater BMP's, and fencing to provide the short term needs of material and equipment storage as well as the RW acquisition.
- Improvements to the maintenance station will be phased in as funds become available.

Attachments: Alternatives, wetland studies





Wye Road

Spruce St

TP2

TP1

TP6

TP5

TP3

TP4

TP13

TP12

TP8

TP11

TP7

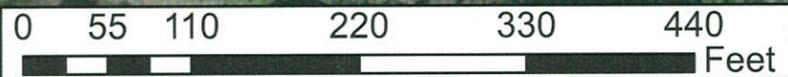
TP9

TP10

COMPARISON PLOT

Bishop Maintance Yard

- Test Plot Points
- 250 ft Proposed Buffer
- Mapped Wetland Boundary
(test plot data does not support all 3 parameters)





CITY OF BISHOP

377 West Line Street - Bishop, California 93514

Post Office Box 1236 - Bishop, California 93515

760-873-8458 publicworks@ca-bishop.us

www.ca-bishop.us

15 March 2013

Thomas P. Hallenbeck
District Director
Caltrans District 9
500 South Main Street
Bishop, California 93514

Thomas:

This is to confirm recent discussions with your staff concerning expansion of the Caltrans maintenance station on Spruce Street in the City of Bishop. An earlier letter on this subject was sent to you in January 2011.

The city continues to be receptive to the expansion as long as the expanded station is as compact as possible, the use of frontage on Spruce Street is minimized, and access to undeveloped parts of the city is not restricted. This has been shared with your staff by city staff and by the City of Bishop Planning Commission.

In October 2012, Caltrans staff presented the proposed expansion to the Planning Commission. The presentation included several alternative configurations for the expansion. As reflected in the approved minutes from that meeting, the Commission asked Caltrans to pursue a hybrid alternative that minimized the use of street frontage, made use of space behind existing station and the expansion, and still avoided the areas where Caltrans has identified environmental issues.

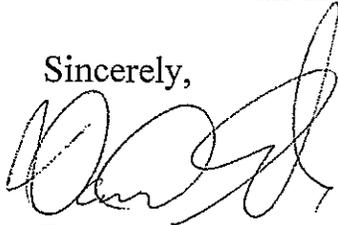
We were disappointed to learn at a recent meeting with your staff that Caltrans has selected an alternative that does not effectively respond to the Commission's request. The selected alternative does not make use of space behind the station and so uses more street frontage than is necessary.

Hallenbeck
15 March 2013

The project is expected to be on the agenda for the April 2013 Planning Commission meeting. It could be helpful if Caltrans staff could be present at this meeting. The meeting will be at 7pm, 30 April 2013 in the Bishop City Council Chambers at 301 West Line Street.

As development of the project moves forward, it will be important to continue discussions about water and sewer service, driveway access, and drainage of the facility. We look forward to working with your staff to make the project a success for both Caltrans and the City of Bishop.

Sincerely,

A handwritten signature in black ink, appearing to read "David Grah", written over a light blue horizontal line.

David Grah
Director of Public Works



CITY OF BISHOP

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19 March 2013

Don McGhie
Los Angeles Department of Water and Power (DWP),
500 Mandich Street
Bishop, California 93514

Don:

This is to make you aware of discussion between the City of Bishop and Caltrans concerning proposed expansion of their maintenance station on Spruce Street in Bishop.

As you know, Caltrans proposes to double the size of their maintenance station on Spruce Street. The land needed for the expansion would be acquired from DWP. Caltrans initial proposal was to expand the station entirely to the south effectively doubling the street frontage taken up by the facility. The city is concerned that expanding the station in this way would prevent access to the developable land between Spruce Street and the Bishop Creek Canal. (It is worth noting we are aware of no plans to develop this land but still we are bound to protect the possibility of its development in the future.)

We asked Caltrans to look at alternatives that reduced the use of frontage on Spruce Street and maximized the use of land east of the existing station and east of the proposed expansion. Although they now propose to expand the maintenance station using less street frontage than originally proposed, we believe there is substantial opportunity to further reduce the use of street frontage while still avoiding environmentally sensitive areas and providing the additional area they desire. The topic has been discussed at two past Planning Commission meetings and is on the agenda for the April meeting. A letter to Caltrans from the Commission reiterating the city's position is expected after that meeting.

Although the issues the City of Bishop have identified with the proposed expansion have no direct bearing on negotiations between Caltrans and DWP for the acquisition of property necessary for the expansion, we wanted you to be aware of our continued concerns. If you need additional information, please let me know.

Sincerely,

David Grah
Director of Public Works



CITY OF BISHOP

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30 April 2013

Thomas P. Hallenbeck
District Director
Caltrans District 9
500 South Main Street
Bishop, California 93514

Thomas:

This letter concerns the proposed expansion of the Caltrans maintenance station on Spruce Street.

The City of Bishop Planning Commission supports the expansion as long as the expanded station is as compact as possible and the use of frontage on Spruce Street is minimized. We have appreciated the opportunity to hear from your staff at previous Commission meetings about the proposed expansion and appreciate Caltrans' continued investigation into a more compact expansion configuration.

As we understand, Caltrans has identified a preferred expansion alternative that reduces the use of Spruce Street frontage, but does not, in the opinion of the commission, make full use of developable property behind (east of) a portion of the existing station and behind Caltrans' preferred expansion area. A hybrid alternative that minimizes the use of street frontage, makes use of space behind existing station and the expansion, and still avoids the areas where Caltrans has identified environmental issues had been suggested. The Planning Commission requests that Caltrans pursue this hybrid expansion alternative instead of the Caltrans' currently preferred alternative.

Let us know if there is any way the Commission or city staff can help to make this project a success.

Sincerely,

Darren Malloy, Chairperson
Planning Commission