



EL DORADO COUNTY PLANNING COMMISSION

Building C Hearing Room
2850 Fairlane Court, Placerville, CA 95667
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Walter Mathews, Chair, District IV
Alan Tolhurst, First Vice-Chair, District V
Lou Rain, Second Vice-Chair, District I
Dave Pratt, District II
Tom Heflin, District III

Char Tim Clerk of the Commission

MINUTES

Regular Meeting April 9, 2009 – 8:30 A.M.

1. CALL TO ORDER

Meeting was called to order at 8:36 a.m. Present: Commissioners Rain, Pratt, Heflin, Mathews, and Tolhurst; Paula Frantz-County Counsel; and Char Tim-Clerk of the Planning Commission.

2. ADOPTION OF AGENDA

Motion: Commissioner Rain moved, seconded by Commissioner Pratt, and unanimously carried (5-0), to adopt the agenda as presented.

AYES: Heflin, Tolhurst, Pratt, Rain, Mathews

NOES: None

3. PLEDGE OF ALLEGIANCE

4. CONSENT CALENDAR (All items on the Consent Calendar are to be approved by one motion unless a Commission member requests separate action on a specific item.)

a. **Minutes:** March 26, 2009

Commissioner Pratt pulled this item from the Consent Calendar. He inquired as to what was posted on the website in regards to the minutes and requested that the Clerk use identifying labels (such as “a”, “b”, “c”, etc.) in the motion when listing modifications to a project’s findings/conditions of approval. He cited Item #11/Z06-0005/TM06-1408/PD06-0006/Alto, LLC which had multiple amendments that made it slightly difficult to follow. Chair Mathews concurred with Commissioner Pratt’s request.

Motion: Commissioner Heflin moved, seconded by Commissioner Pratt, and unanimously carried (5-0), to adopt the minutes as presented.

AYES: Rain, Tolhurst, Pratt, Heflin, Mathews

NOES: None

b. **GOV09-0005** submitted by EL DORADO UNION HIGH SCHOOL DISTRICT for Finding of General Plan Consistency pursuant to Government Code Section 65401 for proposed impact fee program to be approved by the District's Board of Trustees at its April 14, 2009, meeting. The fee program identifies school development needs and the nexus study to fund such development.

Commissioner Rain pulled this item from the Consent Calendar. He voiced concern over the study and referred to the sentence "...residential project is projected to have 1,600 homes in the next five years." Commissioner Rain stated that this is based on a 2-year old study done prior to the fall of the real estate market and the fees listed are not current with today's market. Chair Mathews concurred.

There was discussion regarding school fees and how they are calculated.

County Counsel Paula Frantz explained that the Board of Supervisors is the only authority to set fees. It is the Planning Commission's role to determine if the proposed facilities are consistent with the assumptions and locations of items identified in the General Plan.

Aaron Mount, Project Planner, stated that perhaps a more appropriate government code to use would be Section 65042-Facilities.

Commissioner Tolhurst stated that there would be a need for the facilities once the homes were built.

Motion: Commissioner Rain moved, seconded by Commissioner Heflin, and unanimously carried (5-0), to find the request consistent with the General Plan.

AYES: Pratt, Tolhurst, Heflin, Rain, Mathews

NOES: None

END OF CONSENT CALENDAR

5. DEPARTMENTAL REPORTS AND COMMUNICATIONS (Development Services, Transportation, County Counsel)

Pierre Rivas provided a summary of the Board of Supervisor's actions at the March 31, 2009, hearing:

- OR09-0001/Avigation & Noise Easement: This ordinance was approved.
- Red Robin Subdivision: This item was denied, as recommended by the Commission.

Mr. Rivas provided a summary of the Board of Supervisor's actions at the April 7, 2009, hearing:

- Z08-0042/Ginney: This item was approved.
- Z07-0057/P07-0052/Cold Springs Estates: This item was approved.

- Z08-0026/TM08-1476/Vista Grande Estates: This item was continued off-calendar in order to review the rare plant issue.

Mr. Rivas distributed a newspaper article from Southern California titled “Sign Slowdown: Rules on billboards too important to rush”. He stated that it was current to the issues that are occurring in El Dorado County.

6. COMMISSIONERS’ REPORTS – None

9:00 A.M.

PUBLIC FORUM/PUBLIC COMMENT – None

7. GENERAL PLAN AMENDMENT/REZONE

A08-0016/Z08-0040/El Dorado Mirage Plaza submitted by EL MIRAGE GROUP (Agent: Carlton Engineering, Inc.) for General Plan amendment changing land use designation from Medium Density Residential (MDR) to Commercial (C); and rezone from Single-Family Three-Acre Residential District (R3A) to Commercial-Planned Development (C-PD). The property, identified by Assessor’s Parcel Number 327-150-03, consisting of 10 acres, is located on the south side of Runnymede Drive, approximately 0.1 miles east of the intersection with El Dorado Road, in the Placerville area, Supervisorial District III. (Negative declaration prepared)

Jason Hade presented the item to the Commission with a recommendation of approval to the Board of Supervisors. He stated that there is no development proposed, but that the applicant concurred with staff’s recommendation to have a Planned Development (PD) overlay. The two key issues that staff reviewed were: land use compatibility and infrastructure. Mr. Hade stated that no public comments were received.

The Commission inquired on the following items: (1) The PD component in regards to Commercial zoning; (2) What type of zone change – parcel or complete; (3) Clarification on improvements with El Dorado Road and Hwy 50; (4) Adequacy of CEQA document; and (5) Potential significant increase of units if zoned Commercial and the Mixed Use Development component is utilized.

Tariq Shamma, applicant’s agent, indicated that a significant amount of finances have been invested into this project and that they will improve the property to whatever the market/public dictates. He stated that they were encouraged by staff to utilize the Mixed Use Development component for residential housing in the upper level of the property and commercial/retail in the lower portion. Mr. Shamma said that they were planning on tying it together with a boardwalk.

Troy Vukovich supports the project as it will provide sales tax, work for local businesses, and is perfectly designed for the area.

Dr. Richard Boylan stated that the General Plan amendment is needed because the proposal is not consistent with the General Plan. This project is disruptive and destructive of the area and residents are concerned about the increase in high density. Dr. Boylan also voiced concerns with

the prepared CEQA document. He stated that Indian Creek, which is a feeder to Webb Creek, runs through the subject parcel and felt that this project would cause a significant impact. Dr. Boylan requested that an Environmental Impact Report be prepared to protect the watershed and address the significant traffic impacts. He felt that this project needs design modifications.

Karen Yates, adjacent owner, voiced concern over the environmental document and disagreed with the document's statement that there were no significant impacts. She identified impacts on trees, creek and traffic. Ms. Yates stated that a corner of the subject parcel goes right next to her bedroom window and was concerned about the impacts of that. She also indicated that today's meeting notice was the first time that she has heard about this project.

Ray Bracher, resident off of Sharp Lane, which is south of the proposed project, in a neighborhood of approximately 10 houses, indicated that several of them have voiced support of the proposal.

Sue Taylor said that she has a problem with the County's current planning process of allowing projects to come in with General Plan amendments and rezones. Ms. Taylor read a recent letter from Supervisor Sweeney to the rest of the Board of Supervisors regarding his feelings on General Plan amendments and buffers.

Sam Driggers, El Dorado County Economic Development Coordinator, stated that they support the project as it is consistent with the sustainable economic development with the County. He stated that they are committed to work with the applicant and the community on this project.

In response to public comments, Mr. Shamma stated the following: (1) Working with Sycamore Consulting to protect Indian Creek; (2) Roads will be improved; (3) Providing needed commercial amenities to the area; and (4) Project is compatible to the County's and community's needs.

Commissioner Heflin stated that from an economic development standpoint, the project is consistent with the General Plan. He also felt that the traffic issues have been addressed.

Chair Mathews indicated that from a real estate perspective, the parcel is a difficult spot for residential use due to the vicinity of Hwy 50. He requested that the minutes reflect his word of caution to the applicant that adequate buffers between any future development and the adjoining neighborhood would be closely reviewed to ensure it blended accordingly. Chair Mathews also liked the PD overlay as it allowed the County to advocate the types of businesses permitted.

Commissioner Tolhurst thought that a tiered project might make sense, however, was still concerned with the east side of the project. He said that even without seeing an actual proposed development, he could see how it could work and this would create property close to transportation, work and commercial businesses.

Commissioner Pratt indicated that there is a lot of changes slotted for that particular area and when commercial development begins, wants the overall area to be taken into consideration when proposing signs and lighting.

No further discussion was presented.

Motion: Commissioner Heflin moved, seconded by Commissioner Tolhurst, and unanimously carried (5-0), to recommend the Board of Supervisors take the following actions: (1) Adopt the Negative Declaration based on the Initial Study prepared by staff; and (2) Approve General Plan amendment application A08-0016 and Rezone application Z08-0040 based on the findings proposed by staff.

AYES: Rain, Pratt, Tolhurst, Heflin, Mathews

NOES: None

Findings

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings should be made:

FINDINGS FOR APPROVAL

1.0 CEQA Findings

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment of the Planning Commission and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 General Plan Findings

- 2.1 The proposed General Plan Amendment from Medium Density Residential to Commercial is consistent with all applicable policies of the General Plan including 2.2.1.2 (land use type and density), 2.2.5.21 (land use compatibility), 2.5.2.1 (commercial facilities), 5.2.1.3 (public water system connection), 5.7.1.1 (fire protection), and 10.1.5.5 (retail development opportunity) because of the location in a Community Region, existing and proposed land use pattern adjacent to the site, development plan submittal requirement, the current availability of supporting utilities and infrastructure, proximity to emergency responders, and the County's intent to maintain an adequate supply of sites for retail opportunities.

2.2 In accordance with State law and pursuant to General Plan Policy 2.2.5.3, the County has evaluated the subject rezoning request based on the General Plan's general direction as to minimum parcel size or maximum allowable density and to assess whether changes in conditions are present that would support a higher density or intensity zoning district. The 19 specific criteria found within General Plan Policy 2.2.5.3 have been analyzed with regards to the above-referenced zone change request. Based on this analysis and the conclusions reached in the staff report, the site is found to be suitable to support the proposed density and use.

3.0 Zoning Findings

3.1 A rezone to Commercial – Planned Development will allow the property to be consistent with the proposed General Plan designation of Commercial.

3.2 The rezone will meet the intentions of Policy 2.2.5.2 because the establishment of a new zone designation of Commercial – Planned Development (C – PD) and the ensuing uses it allows is consistent with the allowed uses intended by the Commercial (C) land use designation.

3.3 The rezone would meet the intentions of Policy 2.2.5.3 because the location in a Community Region, the current availability of supporting utilities and infrastructure, proximity to emergency responders, and the existing and proposed land use pattern.

3.4 The proposed project is consistent with the El Dorado County Zoning Ordinance designation of Commercial (C) and the development standards within Section 17.32.040.

8. WORKSHOP

Proposed El Dorado-Diamond Springs Traffic Circulation Plan. Discussion on a proposed traffic circulation plan for the El Dorado-Diamond Springs area. The discussion will focus on the area bound by Pleasant Valley Road/State Route 49 on the north, Fowler Lane on the east, State Route 49 on the west, and Truscott Lane to Solstice Circle on the south.

Tom Dougherty/Planning Services, presented the workshop item to the Commission. He ensured that the Commission had received the revised Attachment 4, which had also been posted on the website. Mr. Dougherty stated that the reason for this workshop was because there are 19 proposed projects for this area that are either in the conceptual phase or are currently being processed for review. The purpose of this workshop is to discuss the combined traffic plan for this area as a whole. He indicated that comments from the Commission and the public would be considered when incorporating a circulation plan into the current projects.

Eileen Crawford/DOT had significant discussion with the Commission on DOT's plans regarding several roads, which included: (1) Connecting Fowler Lane to Union Mine Road and the State Route 49 area; and (2) Improvements to Union Mine Road. Ms. Crawford stated that the TIM fees from the proposed developments would be utilized for these improvements.

Commissioner Pratt was concerned that commuter traffic would utilize the route going through downtown El Dorado if the proposed circulation plan was used.

Rob Combs, Assistant Fire Chief-Diamond Springs/El Dorado Fire Protection District, said that circulation, access, and water supply were paramount in emergencies. He stated that Planning, DOT, and his agency worked well together in mitigating various issues and creating circulation points in the area. Mr. Combs indicated that topography was an issue that was discussed with the development community.

Dan Bolster/El Dorado County Transportation Commission, indicated that this particular area had the flattest areas around the county and this could provide an increase in multi-mobile traffic (i.e., bike, pedestrian). He stated that this was a tremendous opportunity to make a safe option for travel for all area residents. In response to Commissioner Pratt's inquiry, Mr. Bolster said that there were no State mandates regarding bike lanes. There was significant discussion on the various classes of bike lanes, proposed placements and connectivity.

Mr. Bolster also stated that his agency is doing a realignment study of State Route 49 between El Dorado and Coloma. The main project goals of this study are: (1) Address existing constraints on local and regional transportation systems; (2) Examine alternative alignments to remove State Route 49 out of Coloma State Park; and (3) Address the State Route 49 and Hwy 50 intersection at Spring Street. Mr. Bolster informed the Commission that on April 30, 2009, at 6:00pm there would be an Open House at the Marshall Building in the Fairgrounds to present the project to the public. The study is anticipated to be completed in 2011 and will provide a maximum of 3 alternative alignments. The goal is to use much of the existing road network.

Joan Stek, Administrative Assistant to Superintendent Shanda Hahn of the Mother Lode Union School District, requested on behalf of the school district, that the Commission never approve the use of Oakdell Drive for any development project as it would dangerously impact the use of the school (Charles Brown School) and its purpose.

Dr. Richard Boylan felt that the proposed new roads were a gift of public funds to private developers. This would create a patchwork of developments thereby creating an urban sprawl in a rural atmosphere. He stated that there has been no talk of CEQA and a report needs to be done by an independent firm. Dr. Boylan stated that the proposed circulation plan needs to be sent back for re-design.

Art Marinaccio applauded this effort but suggested that it was not aggressive enough. The focus needs to be what roads have to be in place in order to implement the General Plan. He also suggested that instead of using 30,000 feet for aerial views for maps, that 5,000 feet be used in order to better identify the area and how it is being used. In regards to the realignment study, Mr. Marinaccio encouraged the Transportation Commission to utilize past studies instead of starting from scratch.

Sue Taylor stated that the reason why development in this area has not occurred yet is due to the General Plan and zoning. She also said that community identity was not addressed by any of the presenters and that the community has not been involved in this process.

Ron Dennis, representative for the Diamond Dorado project, stated that this is a complicated area and has worked diligently with other developments in the area regarding the circulation plan. He indicated that the transportation element is key in developing the area and although Charles Brown School is opposed to the use of the road by its school, the project does have legal access.

Tripp Mikich stated that Diamond Springs has 5 gas stations and 5 convenience stores all within 100 feet of each other. The proposed circulation plan looks like a map of Folsom; a rural area that became a sprawling area with strip malls. Mr. Mikich indicated that 1,500 housing units are being proposed for this area, which equates to approximately 5,000 residents. However, none of the current residents of the area are even aware of these proposed projects. He said that the development community has been involved, yet the residents have not been consulted.

John McCoy said that he moved to the area 5 years ago knowing that development would eventually occur, but had expected it to be a planned development instead of parcel-by-parcel. He stated that it was good to plan transportation, but where was the action. Currently, high school students are walking to and from school without any walkways. He also inquired if the County was using transportation as a growth limiter.

Kathye Russell said that this is about growth and the big picture. The beginning of the process is to hone it down and look at the projects. She also indicated that the State is getting more active in local land use planning.

Larry Patterson, representative for Lake Oaks Properties, stated that around 1992 in the El Dorado Community Hall there was a public meeting regarding some of the proposed projects. He said that the comprehensive thought process for this plan dealt with the topography, utilities, and providing residential usage with proximity to schools, work centers and commercial areas.

Francesca Loftis said that people buy in an area for the atmosphere/appearance and that downtown Diamond Springs has been destroyed due to the 3 gas stations right next to each other and now they want to destroy El Dorado. She said that they need to listen to the "true" community, with are the residents of the area.

Bob Halman stated that he grew up in San Diego and has been driven up north ever since. He has seen the development community develop California and now they are in El Dorado County. The County is being driven by the development community and the residents are depending on the County to preserve the area.

Gene Thorne said that the public does not understand that there is a General Plan. The parcels have the right General Plan designation as not one project is requesting an amendment, but the zoning is archaic. Mr. Thorne stated that the General Plan is being followed and it is a joint effort to make the circulation plan work.

Several of the Commissioners expressed their appreciation to the public for voicing their concerns and opinions on this subject. It was also explained that not all of the projects listed may even come forth for processing as they are quite old.

Commissioner Pratt stated that the interconnectivity of the projects was a value.

Commissioner Heflin said that the General Plan land use designation needs to be considered, particularly since the General Plan was developed with a significant amount of input over a number of years.

No further discussion was presented.

No action taken.

9. ADJOURNMENT

Meeting adjourned at 11:36 a.m.

APPROVED BY THE COMMISSION
Authenticated and Certified:

Walter Mathews, Chair