

FROM THE PLANNING COMMISSION MINUTES OF SEPTEMBER 10, 2009

10. GENERAL PLAN AMENDMENT/REZONE/PARCEL MAP

A09-0001/Z09-0001/P09-0002 submitted by RICHARD J. AND BERNITTA A. KOVACH FAMILY TRUST (Agent: Marlon Ginney) to amend the General Plan Land Use Designation from Commercial (C) to Medium-Density Residential (MDR); Rezone from Planned Commercial (CP) to One-Acre Residential (R1A); Tentative Parcel Map creating two parcels, one-acre in size, on a two-acre project site; Design waiver requests to: (a) Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 28-feet to 20-feet with 2-foot shoulders on each side for an overall roadway width of 24-feet and omit curbs, gutters and sidewalks, and (b) Reduce the road right-of-way from 50-feet to 35-feet; and requesting to abandon the existing 50-foot wide non-exclusive road and public utility easement for the on-site access roadway as shown between Parcel C and D on the Parcel Map recorded in Book 7 at Page 42, El Dorado County. The property, identified by Assessor's Parcel Number 090-290-46, consisting of 2 acres, is located on the north side of French Creek Road approximately 0.25 miles south of the intersection with Mother Lode Drive, in the Shingle Springs area, Supervisorial District II. [*Project Planner: Jason Hade*] (Mitigated Negative Declaration prepared)*

Jason Hade presented the item to the Commission with a recommendation of approval to the Board of Supervisors. He made reference to the Staff Memo dated September 1, 2009, requesting the addition of two new conditions (#38 and #39) for the El Dorado County Fire Protection District.

Commissioner Tolhurst inquired if there was any historical data as to how this area was zoned Commercial in the first place.

Gene Thorne/applicant's agent was in disagreement to Conditions #15 and #29 regarding the turnarounds and stated he was in discussion with the Fire District on widening the encroachment by the fire hydrant. He requested the conditions either be waived or modify the wording to include alternative methods. Eileen Crawford/DOT responded that Mr. Thorne was referring to the current "catch-up" mode between the Design Manual and the Fire Code. Currently, the County is responding by including the language "or approved equivalent" as stated in Condition 15. If the applicant chose an alternative method, then authorization from the Fire District would be required.

County Counsel Paula Frantz recommended deleting Condition #29 and amending Condition #15 to add the words "Cal Fire and the Fire District" after "Department of Transportation".

Mr. Thorne requested that it be put in the record that it is not their intention to have the sewer connection at Altair Way as there is another location at the corner of the property. Marlon Ginney/applicant's agent indicated that he was meeting with EID later that day to confirm the alternate connection and would submit a letter to that regard.

No further discussion was presented.

Motion: Commissioner Rain moved, seconded by Commissioner Tolhurst, and unanimously carried (5-0), to recommend the Board of Supervisors take the following actions: 1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; 2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the conditions of approval and mitigation measures; 3. Approve General Plan Amendment A09-0001 and Rezone Z09-0001 based on the findings proposed by staff; 4. Approve Tentative Parcel Map Application P09-0002 based on the findings proposed by staff, subject to the conditions of approval as modified: (a) Amend Condition #15 to include Cal Fire and the Fire District; (b) Delete Condition #29; and (c) Add two new conditions as identified in Staff Memo dated September 1, 2009; 5. Approve the following design waivers based on the findings proposed by staff: (a) Reduce the Design Improvement Standards Manual (DISM) 101B requirement of a roadway width from 28-feet to 20-feet with 2-foot shoulders on each side for an overall roadway width of 24-feet and omit curbs, gutters and sidewalks; and (b) Reduce the road right-of-way from 50-feet to 35-feet; and 6. Abandon the existing 50-foot wide non-exclusive road and public utility easement for the on-site access roadway as shown between Parcel C and D on the Parcel Map recorded in Book 7 at Page 52, El Dorado County.

AYES: Pratt, Heflin, Tolhurst, Rain, Mathews
NOES: None