



County of El Dorado

Planning and Building
Department
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Minutes - Final Planning Commission

Gary Miller, Chair, District 2
James Williams, First Vice-Chair, District 4
Jon Vegna, Second Vice-Chair, District 1
Jeff Hansen, District 3
Brian Shinault, District 5

Char Tim, Clerk of the Planning Commission

Thursday, February 8, 2018

8:30 AM

Building C Hearing Room

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<http://eldorado.legistar.com/Calendar.aspx>

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All Planning Commission hearings are recorded. An audio recording of this meeting will be published to the website. Please note that due to technology limitations, the link will be labeled as "Video" although only audio will play. The meeting is not video recorded.

Persons wishing to speak on a Consent Calendar item are requested to advise the Chair or Clerk prior to 8:30 a.m.

Public testimony will be received on each agenda item as it is called. The applicant (where applicable) is allocated 10 minutes to speak; individual comments are limited to 3 minutes; and individuals representing a group are allocated 5 minutes. Except with the consent of the Commission, individuals shall be allowed to speak to an item only once. Upon completion of public comment, the matter shall be returned to the Commission for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Commission for a point of clarification or question by the Commission.

Matters not on the agenda may be addressed by the general public during Public Forum/Public Comment. Comments during Public Forum/Public Comment are limited to 3 minutes per person. The Commission reserves the right to waive said rules by a majority vote. Public Forum/Public Comment is for comment only. No action will be taken on these items unless they are scheduled on a future agenda.

Staff materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for inspection during normal business hours in Planning Services located at 2850 Fairlane Court, Placerville, CA. Such documents are also available on the Commission's Meeting Agenda webpage subject to staff's ability to post the documents before the meeting.

The Planning Commission is concerned that large amounts of written information submitted to the Planning Commission the day of a public hearing might not receive the attention it deserves. To ensure delivery to the Commission prior to the hearing, written information from the public is encouraged to be submitted by Thursday the week prior to the meeting. Planning Services cannot guarantee that any FAX, email, or mail received the day of the Commission meeting will be delivered to the Commission prior to any action on the subject matter.

For purposes of the Brown Act, Section 54954.2(a), the numbered items on this agenda give a brief description of each item to be discussed. Recommendations of the staff, as shown, do not prevent the Commission from taking other action.

8:30 A.M.

CALL TO ORDER

Meeting was called to order at 8:31 A.M. by Commissioner Miller.

PLEDGE OF ALLEGIANCE TO THE FLAG

ADOPTION OF AGENDA AND APPROVAL OF THE 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.)

Public Comment: K. Greenwood

A motion was made by Commissioner Williams, seconded by Commissioner Vegna, to Adopt the Agenda and Approve the Consent Calendar, with Commissioner Shinault abstaining from Item #1.

Yes: 4 - Commissioner Shinault, Commissioner Miller, Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

CONSENT CALENDAR

1. [18-0159](#) Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of January 25, 2018.

Item was Approved on the Consent Calendar, with Commissioner Shinault abstaining.

END OF CONSENT CALENDAR

**DEPARTMENTAL REPORTS AND COMMUNICATIONS (Planning and Building,
Transportation, County Counsel)**

There were no Departmental Reports.

COMMISSIONERS' REPORTS

There were no Commissioners' Reports.

PUBLIC FORUM / PUBLIC COMMENT

There was no Public Comment.

AGENDA ITEMS

2. [18-0160](#)

Hearing to consider the Oasis/Conoco Phillips Service Station project (Design Review Revision DR04-0012-R-2)** for a Major Revision to an approved Design Review permit consisting of the following modifications to the existing 76 Gas Station: 1) Replacement of existing fueling canopy; 2) Demolition of existing cashier/mini-mart kiosk; 3) Construction of a new convenience store addition; 4) Removal of one fuel dispenser with associated underground facilities; and 5) Replacement of two monument signs with one monument sign on property identified by Assessor’s Parcel Number 121-180-16, consisting of 0.61 acre, in the El Dorado Hills area, submitted by Mr. Sukhabir Bhullar and Mr. Paramjit Bhullar; and staff recommending the Planning Commission take the following actions:

1) Find that the project is Categorically Exempt under California Environmental Quality Act Guidelines Section 15303(c); and

2) Approve Design Review Revision DR04-0012-R-2 based on the Findings and subject to the Conditions of Approval as presented.

(Supervisory District 1)

Public Comment: L. Johnson, D. Manning

A motion was made by Commissioner Vegna, seconded by Commissioner Williams, to Approve staff’s recommended actions and correct the typographical errors in the Environmental Review section of the Staff Report on the existing and replacement canopies’ square footage to 3,157 and 2,459, respectively.

Yes: 4 - Commissioner Shinault, Commissioner Miller, Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

3. [18-0161](#) Hearing to consider the AT&T CAF4 project (Conditional Use Permit S17-0016)* to allow the construction and operation of seven separate wireless telecommunication facilities consisting of seven new monopine towers ranging in size from 120 to 160 feet, with individual ground equipment with fencing on properties identified as follows: (a) Site 1-Cool: Assessor's Parcel Number 071-032-15, consisting of 25 acres, in the Cool area, Supervisorial District 4; (b) Site 2-Newtown: Assessor's Parcel Number 077-091-06, consisting of 4.9 acres, in the Newtown area, Supervisorial District 3; (c) Site 3-Pleasant Valley: Assessor's Parcel Number 078-180-38, consisting of 2 acres, in the Pleasant Valley Rural Center, Supervisorial District 2; (d) Site 4-Soapweed: Assessor's Parcel Number 085-010-13, consisting of 10 acres, in the Swansboro area, Supervisorial District 4; (e) Site 5-Latrobe: Assessor's Parcel Number 087-181-10, consisting of 20 acres, in the Latrobe area, Supervisorial District 2; (f) Site 6-Zee Estates: Assessor's Parcel Number 104-370-24, consisting of 60 acres, in the Pilot Hill area, Supervisorial District 4; and (g) Site 7-Gold Hill: Assessor's Parcel Number 105-110-81, consisting of 10 acres, in the Lotus area, Supervisorial District 4, submitted by AT&T Mobility; and staff recommending the Planning Commission take the following actions:

- 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; and
 - 2) Approve Conditional Use Permit S17-0016 based on the Findings and subject to the Conditions of Approval as presented.
- (Supervisorial Districts 2, 3, 4)

Public Comment: B. Craft, E. Vaughn, A. Gualtieri, S. Schilling, G. Denney, B. Crawford, A. Goulden, M. Crawford, B. Nicholson, D. Craft, J. Wyatt, P. Agri, L. Craft, S. Ramme, M. Block, L. Allred, P. O'Malley, B. Person, C. Nicholson, S. Person, S. Taylor, R. Hellsvig, C. Story, R. Wolfe, D. O'Malley, K. Greenwood, S. Baker, M. Lane

Site 1:

A motion was made by Commissioner Miller, seconded by Commissioner Shinault, to Approve Site 1 with staff's recommended actions including the amendments identified by staff. The motion FAILED.

A vote of 2-2 is not considered an approval by a majority vote, pursuant to the Planning Commission Bylaws, Section 5.c, which states "To be passed, all motions and resolutions must receive the affirmative votes of no less than the majority of the Commission unless otherwise required by law." There were no subsequent motions, therefore, the 2-2 vote, considered a denial, is the Planning Commission's decision.

Yes: 2 - Commissioner Shinault and Commissioner Miller

Noes: 2 - Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

A motion was made by Commissioner Williams, seconded by Commissioner Vegna, to Continue Site 1 to the February 22, 2018, to allow staff time to prepare Findings for Denial based on aesthetics, compatibility with neighboring land uses, co-location possibilities, alternative site analysis, and access.

Yes: 4 - Commissioner Shinault, Commissioner Miller, Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

Site 2:

A motion was made by Commissioner Williams, seconded by Commissioner Vegna, to conceptually Deny Site 2 based on the areas of aesthetics, compatibility with neighboring land uses, co-location possibilities, alternative site analysis, and access. The motion FAILED.

A vote of 2-2 is not considered an approval by a majority vote, pursuant to the Planning Commission Bylaws, Section 5.c, which states "To be passed, all motions and resolutions must receive the affirmative votes of no less than the majority of the Commission unless otherwise required by law." There were no subsequent motions, therefore, the 2-2 vote, considered a denial, is the Planning Commission's decision.

Yes: 2 - Commissioner Williams and Commissioner Vegna

Noes: 2 - Commissioner Shinault and Commissioner Miller

Absent: 1 - Commissioner Hansen

A motion was made by Commissioner Williams, seconded by Commissioner Vegna, to Continue Site 2 to the February 22, 2018, to allow staff time to prepare Findings for Denial based on aesthetics, compatibility with neighboring land uses, co-location possibilities, alternative site analysis, and access.

Yes: 4 - Commissioner Shinault, Commissioner Miller, Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

Site 3:

A motion was made by Commissioner Shinault, seconded by Commissioner Miller, to Approve Site 3 with staff's recommended actions including the amendments identified by staff. The motion FAILED.

A vote of 2-2 is not considered an approval by a majority vote, pursuant to the Planning Commission Bylaws, Section 5.c, which states "To be passed, all motions and resolutions must receive the affirmative votes of no less than the majority of the Commission unless otherwise required by law." There were no subsequent motions, therefore, the 2-2 vote, considered a denial, is the Planning Commission's decision.

Yes: 2 - Commissioner Shinault and Commissioner Miller

Noes: 2 - Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

A motion was made by Commissioner Shinault, seconded by Commissioner Vegna, to Continue Site 3 to the February 22, 2018, to allow staff time to prepare Findings for Denial based on aesthetics, compatibility with neighboring land uses, co-location possibilities, alternative site analysis, and access.

Yes: 4 - Commissioner Shinault, Commissioner Miller, Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

Site 4:

A motion was made by Commissioner Shinault, seconded by Commissioner Miller, to Approve Site 4 with staff's recommended actions including the amendments identified by staff. The motion FAILED.

A vote of 2-2 is not considered an approval by a majority vote, pursuant to the Planning Commission Bylaws, Section 5.c, which states "To be passed, all motions and resolutions must receive the affirmative votes of no less than the majority of the Commission unless otherwise required by law." There were no subsequent motions, therefore, the 2-2 vote, considered a denial, is the Planning Commission's decision.

Yes: 2 - Commissioner Shinault and Commissioner Miller

Noes: 2 - Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

A motion was made by Commissioner Shinault, seconded by Commissioner Miller, to Continue Site 4 to the February 22, 2018, to allow staff time to prepare Findings for Denial based on aesthetics, compatibility with neighboring land uses, co-location possibilities, alternative site analysis, and access.

Yes: 4 - Commissioner Shinault, Commissioner Miller, Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

Site 5:

A motion was made by Commissioner Miller, seconded by Commissioner Shinault, to Approve Site 5 with staff's recommended actions including the amendments identified by staff. The motion FAILED.

A vote of 2-2 is not considered an approval by a majority vote, pursuant to the Planning Commission Bylaws, Section 5.c, which states "To be passed, all motions and resolutions must receive the affirmative votes of no less than the majority of the Commission unless otherwise required by law." There were no subsequent motions, therefore, the 2-2 vote, considered a denial, is the Planning Commission's decision.

Yes: 2 - Commissioner Shinault and Commissioner Miller

Noes: 2 - Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

A motion was made by Commissioner Miller, seconded by Commissioner Vegna, to Continue Site 5 to the February 22, 2018, to allow staff time to prepare Findings for Denial based on aesthetics, compatibility with neighboring land uses, co-location possibilities, alternative site analysis, and access.

Yes: 4 - Commissioner Shinault, Commissioner Miller, Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

Site 6:

A motion was made by Commissioner Miller, seconded by Commissioner Shinault, to Approve Site 6 with staff's recommended actions including the amendments identified by staff. The motion FAILED.

A vote of 2-2 is not considered an approval by a majority vote, pursuant to the Planning Commission Bylaws, Section 5.c, which states "To be passed, all motions and resolutions must receive the affirmative votes of no less than the majority of the Commission unless otherwise required by law." There were no subsequent motions, therefore, the 2-2 vote, considered a denial, is the Planning Commission's decision.

Yes: 2 - Commissioner Shinault and Commissioner Miller

Noes: 2 - Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

A motion was made by Commissioner Miller, seconded by Commissioner Williams, to Continue Site 6 to the February 22, 2018, to allow staff time to prepare Findings for Denial based on aesthetics, compatibility with neighboring land uses, co-location possibilities, alternative site analysis, and access.

Yes: 4 - Commissioner Shinault, Commissioner Miller, Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

Site 7:

A motion was made by Commissioner Shinault, seconded by Commissioner Miller, to Approve Site 7 with staff's recommended actions including the amendments identified by staff. The motion FAILED.

A vote of 2-2 is not considered an approval by a majority vote, pursuant to the Planning Commission Bylaws, Section 5.c, which states "To be passed, all motions and resolutions must receive the affirmative votes of no less than the majority of the Commission unless otherwise required by law." There were no subsequent motions, therefore, the 2-2 vote, considered a denial, is the Planning Commission's decision.

Yes: 2 - Commissioner Shinault and Commissioner Miller

Noes: 2 - Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

A motion was made by Commissioner Shinault, seconded by Commissioner Miller, to Continue Site 7 to the February 22, 2018, to allow staff time to prepare Findings for Denial based on aesthetics, compatibility with neighboring land uses, co-location possibilities, alternative site analysis, and access.

Yes: 4 - Commissioner Shinault, Commissioner Miller, Commissioner Williams and Commissioner Vegna

Absent: 1 - Commissioner Hansen

4. [18-0162](#)

Hearing to consider the recommendation from Planning staff for Special Use Permit S10-0009/Villa Florentina Bed & Breakfast to be modified to remove the use of 20 special events per calendar year of up to 189 guests and amplified music on property identified by Assessor's Parcel Number 006-132-28, consisting of 3.57 acres, in the Coloma area; and staff recommending the Planning Commission take the following action: 1) Modify Special Use Permit S10-0009 based on the Findings and subject to the Modified Conditions of Approval as presented. (Supervisory District 4)

Public Comment: B. Day, J. White, S. Schwartz-Kendall, R. Smay, L. Brent-Bumb, W. Thomas, D. Smay, G. Helms, D. Thomas, K. Harris, M. Lane, V. Harris, D. Lundgrum, C. Maddox, R. Smay, S. Mackey

A motion was made by Commissioner Williams, seconded by Commissioner Miller, to Approve staff's recommended actions. The motion FAILED.

Yes: 2 - Commissioner Miller and Commissioner Williams

Noes: 2 - Commissioner Shinault and Commissioner Vegna

Absent: 1 - Commissioner Hansen

A motion was made by Commissioner Miller, seconded by Commissioner Vegna, to Approve the following modifications to the original Conditions of Approval: (a) Condition 1.c to read as follows, "A total of 15 Special Events shall be permitted annually with a maximum of 130 guests."; (b) Condition 3: Add new sentence to read as follows, "All amplified music shall end by 7:00 P.M."; (c) New Condition to read as follows, "Lawn Area: Use of the lawn during Special Events shall end by 7:00 P.M."; (d) New Condition to read as follows, "Event Noticing: The property owner shall contact the immediate neighbors to the property and the Planning Director to provide notice of Special Events. This shall occur one week in advance of the scheduled Special Event."; (e) New Condition to read as follows, "Eight Month Review: The project shall be reviewed by the Planning Commission in eight months from the date of approval to review impacts as a result of the Special Events allowed under the Conditional Use Permit. The applicant shall provide Planning Services with a report detailing dates of Special Events that were held during the year."; and (f) New Condition to read as follows, "Stay of Enforcement: Enforcement of the County Noise Ordinance and the Conditions of Approval shall be stayed during the upcoming three events that the property owner already has a contract on."

Yes: 3 - Commissioner Shinault, Commissioner Miller and Commissioner Vegna

Noes: 1 - Commissioner Williams

Absent: 1 - Commissioner Hansen

ADJOURNMENT

The meeting was adjourned at 3:29 P.M. by Commissioner Miller.

All persons interested are invited to attend and be heard or to write their comments to the Planning Commission. If you challenge the application in court, you may be limited to raising only those items you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission at, or prior to, the public hearing. Any written correspondence should be directed to Planning Services; 2850 Fairlane Court; Placerville, CA 95667.

*A negative declaration has been prepared for this project and may be reviewed and/or obtained in Planning Services, 2850 Fairlane Court, Placerville, CA 95667, during normal business hours. A negative declaration is a document filed to satisfy CEQA (California Environmental Quality Act). This document states that there are no significant environmental effects resulting from the project, or that conditions have been proposed which would mitigate or reduce potential negative effects to an insignificant level.

**This project is exempt from the California Environmental Quality Act (CEQA) pursuant to the above referenced section, and it is not subject to any further environmental review.