

FROM THE PLANNING COMMISSION MINUTES OF AUGUST 28, 2008

7. GENERAL PLAN AMENDMENTS (Public Hearing)

b. A07-0014/Z07-0045/PD07-0031/TM07-1459/Red Robin Subdivison submitted by JUST TWO GUYS, INC. (Agent: Matt Rodgers) for a General Plan amendment to include the subject site within the existing Pollock Pines Community Region planning concept area to the west and to amend the land use designation from Low Density Residential (LDR) to Medium Density Residential (MDR); rezone from Single-family Two-Acre Residential (R2A) to Single-family Two-Acre Residential-Planned Development (R2A-PD); development plan to allow clustering of lots and a reduction in the minimum parcel size of two acres in the R2A zone district; and phased tentative subdivision map to create 20 residential lots ranging in size from 0.58 to 2.94 acres and three lettered lots as open space (totaling 13.9 acres) with Phase I encompassing Lots 1 and 2, Phase II encompassing Lots 3-12, and Phase III encompassing Lots 13-20. The properties, identified by Assessor's Parcel Numbers 079-010-49 and 079-151-27, totaling 45 acres, are located on the west side of Sly Park Road at the intersection with Terbekah Way, in the **Pollock Pines area**, Supervisorial District II. (Mitigated negative declaration prepared)*

Larry Appel informed the Commission that some issues have been raised by Environmental Management on this project and as a result, staff is recommending to move forward with the request for a General Plan Amendment and Rezone, but to continue the Development Plan and the Tentative Subdivision Map at this time.

Fred Sanford of Environmental Management stated that at the initial TAC meeting, it was indicated that a community sewage system was to be used. However, after meeting, the project changed to a on-site sewage system. Mr. Sanford stated that there is not enough information at this time and, therefore, is requesting a continuance on the tentative map application.

Gordon Bell presented the item to the Commission providing revisions to the background and project description of the submitted staff report, as summarized in a memo dated August 25, 2008. Staff's revised recommendation is to approve the General Plan Amendment and Rezone and continue the development plan and tentative subdivision map applications off-calendar.

Mark Dilly, co-applicant, stated that they were requesting the Planned Development in order to protect resources and the biological corridor.

Matt Rogers, co-applicant, distributed constraint maps to the Commission. He stated that the project meets all of the County's standards and that the request for the zoning change was to make the land use consistent with the zoning and to facilitate infrastructure. Mr. Rogers also indicated that they would be providing a new access road so there would be no impact to the existing roads; have performed fire flow tests and meet the requirements with the condition of sprinklered houses; and they meet the Option A requirements for trees.

Cari DeWolf, a long-time resident, feels that the project is not consistent with the General Plan and is not appropriate with the overall scheme. Ms. DeWolf stated that there are major infrastructure issues, such as the water distribution infrastructure which is 30 years old. She feels that the entire system needs to be analyzed for capacity. She also is concerned that the emergency gate would prevent neighbors from exiting in crisis situations.

Karen Luis requested the Commission deny this project due to fire hazard issues (i.e., access and water flow). She felt that rules are there for a reason and shouldn't be changed for a developer.

Ken Greenwood, representing a group of neighbors, requested the Commission deny this project as there is inadequate water supply, fire flow issues, access concerns and that the neighbors do not want to be a part of the Pollock Pines Community Region.

Cheryl Goss voiced concerns regarding water supply, fire danger, safety on Sly Park Road, and also stated that she does not want to be a part of the Pollock Pines Community Region.

Beverly Harvey said that Red Robin Road is a one car road.

John Gordon informed the Commission that he as already been denied insurance due to the fire hazard in the area and requests that they deny this project.

Marvin Bukema, property owner, disagreed with Mr. Greenwood's comments and also feels that the General Plan amendment would make it more consistent. Mr. Bukema informed the Commission that the property had been logged a long time ago, but trees had not been re-planted, so he has planted ponderosa trees over the years. He also stated that he has removed manzanita from the property for fire control measures but that other neighbors have not done the same.

Kimberly Beal, an Adhoc Committee member, felt that Environmental Management should just condition the project instead of requesting a continuance as there is a General Plan window that the applicant is trying to meet.

Donna Hayman voiced concerns regarding roads, water issues, fire danger, blind curves, and that her fire insurance has already been cancelled twice.

Mr. Rogers responded to the public's concerns with the following: existing residences will be better off if the sub-division is built because it will provide emergency access with the road also providing a fire break; the existing fire access road is being utilized for the emergency gate and will not be for secondary access; and the site distance at the Sly Park Road intersection meets the County's requirements. Mr. Rogers also stated that he was unaware of Environmental Management's testing requirements until recently and felt that it should be conditioned to the project instead of being continued.

Eileen Crawford of DOT said that secondary access was not required as they met the other requirements.

Commissioner Machado stated he had the most concerns with the map and that the General Plan amendment was the biggest issue. He also stated that he was reluctant to move the boundary line for the Pollock Pines Community Region.

Paula Frantz informed the Commission that it is in the General Plan that every 5 years an amendment to the Community Regions can be done. However, the Planning Commission has been making these types of changes more on a case-by-case basis.

There was no further input.

MOTION: COMMISSIONER MACCREADY, SECONDED BY COMMISSIONER MACHADO AND CARRIED WITH A 4-1 VOTE, IT WAS MOVED TO RECOMMEND DENIAL OF GENERAL PLAN AMENDMENT A07-0014 AND REZONE Z07-0045, BASED ON THE FINDING IN GENERAL PLAN POLICY 2.2.1.2 THAT LOW-DENSITY RESIDENTIAL (LDR) IS MORE CONSISTENT WITH THE LAND USE THAN MEDIUM-DENSITY RESIDENTIAL (MDR).