

FROM THE PLANNING COMMISSION MINUTES OF FEBRUARY 12, 2009

13. REZONE/PLANNED DEVELOPMENT/TENTATIVE SUBDIVISION MAP

Z07-0027/PD07-0017/~~TM96-1325E~~ TM08-1473/Cameron Hills Subdivision submitted by DOUGLAS HANZLICK (~~Agent: Dunmore Communities~~) to rezone from One Family Residential (R1) to One Family Residential-Planned Development (R1-PD); Allow clustering of lots to avoid sensitive plant species and steep slopes, and a reduction in the minimum parcel size of 5 acres in the Airport Safety Zone 3; Create 41 residential lots ranging in size from 0.14 to 0.47 acres and five lettered open space lots totaling 8.16 acres and a design waiver from the required sidewalk width of 6 feet to 4 feet. The property, identified by Assessor's Parcel Number 116-010-04, consisting of 20.13 acres, is located on the west side of Cambridge Road approximately 150 feet south of the intersection with Berry Road in the Cameron Park area, Supervisorial District I. (Mitigated negative declaration prepared)*

Mel Pabalinas presented the item to the Commission with a recommendation of approval to the Board of Supervisors. He stated that comments have been received from the public and agencies in regards to traffic and environmental effects. Staff has determined that the proposed development is consistent with the area and mitigation measures have been proposed to decrease impacts.

Mr. Pabalinas made reference to a staff memo, dated January 20, 2009, regarding corrections to the submitted Staff Report. Included in the corrections is the explanation that TM96-1325E was an old time extension file and has since been withdrawn and is superseded by a new tentative map file application TM08-1473.

Mr. Pabalinas also indicated that staff is recommending a new condition be added to include the Avigation and Noise Easement. County Counsel Paula Frantz stated that this condition had been on the previous map. It was stated that the applicant was agreeable to this new condition.

Staff is also recommending that in Condition 1, in the sentence above Table 1, that the word "approximate" be added before the word "gross". In addition, at the request of the applicant, Dunmore Communities is to be removed as the project's agent as they are no longer a part of the project.

The Commission inquired on the Open Space in regards to maintenance and access. Gene Thorne, applicant's agent, responded that the Open Space in the project is not due to Density Bonus. Open Space Lot C is a drainage easement. Each Open Space has access to the road and is an amenity to the homeowners.

Mr. Thorne proceeded to respond to the various letters received on the project and distributed two maps to the Commission for ease in his explanation. He indicated that the first map clearly shows that this is an infill project. This property was planned to be developed due to the location of roads and the access provided. In response to the issues brought up in the letters, he stated the following: (1) Site distance is appropriate; (2) Original map had no Open Space and larger parcels, but now project has natural buffers and Open Space adjacent to lots located in the north; (3) An FIL letter from EID states that there is water on the property; (4) Open Space is beneficial to the neighborhood and for fire safety; (5) Already have a R1 designation and is just adding the

Planned Development; (6) There was already an approved subdivision map on the parcel when the applicant purchased the property; and (7) Traffic Study is not biased as it goes through DOT to the County's consultant and is then reviewed by DOT.

Bill Johnston stated that the traffic study did not indicate the date or time of when the study was conducted. He made reference to a DOT map and stated that the current levels are what the study is proposing when the development is completed. Eileen Crawford/DOT distributed copies of the map that Mr. Johnston was referring to in his statement.

Jean Costello stated that her issues have been addressed, but still was concerned over the impact of traffic from the development of 41 new homes and that due to the Open Space it was really only 12 acres for 41 homes. Ms. Costello is also concerned about the clustering of lots, reduction of parcel size, and water availability due to the possibility of a drought.

Martha McGoldrick stated that a telephone pole would have to be moved and since she works from home, she cannot have any down time. Also, there have already been two accidents on her property and she is concerned about the increase in traffic.

Tamlynn Katz said that there is already significant traffic and in less than one year, there have been two accidents. She inquired as to why access could not be from Cambridge Road. She also indicated that since her house abuts Open Space Lot A, she is concerned about erosion due to grading and also inquired about fencing to prevent trespassers onto her property.

Tyler Mussetter was concerned regarding all of the issues brought forth, particularly the traffic. He also stated that environmental impacts were a concern. Although he is not against development, the picture painted to him when he moved to the area was that they were going to be large lots. Mr. Mussetter also stated that a road through Cambridge Road instead of Kimberly should be proposed.

Rainer Brueggemann stated that the access should be through Cambridge Road to avoid the increase in traffic on Kimberly.

Judy Mathis agreed that access should be through Cambridge Road. She also stated that the subdivision was well-placed and suggested that staff should review parcels contiguous to the development's Open Space Lots in order to provide public access.

Catherine (?) cited traffic concerns. She also stated that she had contacted the Cameron Park Community Services District (CSD) and they were not aware of this project and it had not gone through their design review for the rezone.

Ms. Crawford responded to inquires of accessing Cambridge Road and said that the General Plan states that a major two-lane road requires ¼ mile spacing and the proposed access meets this requirement. In addition, she stated that DOT has a hired consultant for traffic studies and although the applicant pays for the service it is an outside consultant.

Gina Hunter informed the Commission that in July 2007, the Cameron Park CSD had responded regarding this project, although now it is under a new tentative subdivision map number.

Therefore, this application does not need to be resubmitted to the Cameron Park CSD as this new map is the same map that they had commented on.

Mr. Thorne addressed the traffic, access, and grading concerns brought up during the meeting and also indicated that none of the proposed lots are less than standard size and they are providing Open Space.

Chair Mathews stated that since most of the concerns are traffic-related, he would like to see some type of mitigation. Ms. Crawford responded that the County has a committee called "Traffic Advisory Committee" that meets twice a month to provide analysis on speeds, road widths, and traffic accidents in areas of concern brought to the County's attention. The Committee provides recommendations to alleviate issues and they are a separate County process and are not project-related. She indicated that she would contact them that day to notify them to begin the process of evaluating Kimberly Drive.

Commissioner Rain stated that he went to Kimberly Drive and would like to address the neighbors concerns and make it safer with perhaps stops signs and would like to have the Committee review that area.

Chair Mathews said that this was always an infill project and it also creates a through-flow which is separate from Cambridge Road.

Commissioner MacCready inquired on Condition 15 in regards to what an appropriate maintenance program is and what type of criteria is used to evaluate it.

Ms. Frantz stated that it is difficult to prepare criteria in advance since each developer can have a different intent of the purpose and use for proposed Open Space. She also stated that this particular project is subject to General Plan Policy 2.2.3.1.a as it is not using Open Space for Density Bonus. Ms. Frantz recommended that Condition 15 have additional language to state that the Open Space maintenance program shall be submitted to Planning for review and approval. The applicant was agreeable to that new language. Mr. Thorne stated that on page 11 of the Environmental Checklist Form, this is already included, however was also agreeable to adding the additional language.

No further discussion was presented.

Motion: Commissioner MacCready moved, seconded by Commissioner Rain, and unanimously carried (4-0), to recommend the Board of Supervisors take the following action: 1. Adopt the Mitigated Negative Declaration based on the Initial Study reviewed 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 proposed by staff; 3. Approve Rezone Z07-0027 based on the findings proposed by staff; 4. Conditionally approve Planned Development application PD07-0017, Tentative Subdivision Map application TM08-1473 and adopting the Development Plan as the official development plan, based on the findings proposed by staff, subject to the conditions as modified, which include amendments to Conditions 1 and 15 and a new condition to include the Avigation and Noise Easement; and 5. Approve Design Waiver request to reduce the required sidewalk width of 6 feet to 4 feet.

AYES: Heflin, Rain, MacCready, Mathews
NOES: None
ABSENT: Tolhurst