

FROM THE PLANNING COMMISSION MINUTES DECEMBER 11, 2008

12. REZONE/PLANNED DEVELOPMENT/TENTATIVE SUBDIVISION MAP

b. **Z08-0021/PD08-0012/TM08-1472/Indian Creek Ranch Subdivision** submitted by ECHO LANE INVESTORS/CYNTHIA SHAFFER (Agent: Carlton Engineering) to rezone parcel from Single-Family Three-Acre Residential (R3A) and Agricultural (A) to Estate Residential Five-Acre-Planned Development (RE-5-PD) and Single Family Three-Acre Residential-Planned Development (R3A-PD); create 75 single family residential lots ranging in size from 1.00 to 5.02 acres, 11 open space lots and one remainder lot. The Tentative Subdivision Map would be phased, occurring in seven (7) phases; and request the following design waivers: (a) Allow proposed Road "A" to conform to modified standard 101B, 28' wide pavement with 2' shoulders on either side and a 20' wide pavement with 2' shoulders across the dam width; (b) Allow for Echo Lane to conform to modified standard 101B, 28' wide pavement with 2' shoulders on either side where such improvements are feasible. Where such improvements are not feasible the applicant requests that the road remain the same as existing width 24'-28'; and (c) Change the conditioned right-of-way requirement to a 40' wide right-of-way from the standard 50' wide right-of-way, for all onsite roads except Road "A" and Road "B". The property, identified by Assessor's Parcel Numbers 327-050-02; 327-060-03, -04, -07, and -08; 327-070-55, and -56; 327-080-04; and 327-020-10, consisting of 182.83 acres, is located on the north side of Echo Lane approximately 2,000 feet west of the intersection with El Dorado Road, in the **Placerville area**, Supervisorial Districts III and IV. (Mitigated negative declaration prepared)*

Gordon Bell presented the item to the Commission with a recommendation of approval to the Board of Supervisors. Mr. Bell distributed an Errata Sheet identifying changes that staff was recommending to the findings and conditions.

Two letters (public comment and Caltrans) were distributed to the Commission at the meeting.

Commissioner Knight announced that he had met with the applicant and the adjacent property owners.

Cindy Shaffer, applicant, indicated that staff had accurately described the project and that she agreed with the proposed changes identified in the Errata Sheet. Ms. Shaffer informed the Commission that the majority of today's discussion on the project will be the second access to Sundance Trail. They had been requesting this to be an egress only, which would be used on a daily basis. However, after meeting with the Sundance Trail Home Owners Association, she would not be opposed to an emergency-only gated access. Ms. Shaffer also stated that the residents had requested that no road improvements be made to Sundance Trail, which she has no objections to, but DOT has placed conditions on the project. However, Ms. Shaffer did object to the requirement of a 28 foot wide road with no parking allowed. She felt that this would encourage drivers to speed and would either like to have parking allowed or decrease the required road width.

Ray Griffith read into the record a letter from Karen Schambach, President of the Center for Sierra Nevada Conservation. A copy of the letter was distributed to the Commission.

Steve Allen, President of the Sundance Trail Road Association, referred to the consensus letter that was sent to the Commission. He stated that they had met with the developers and did not oppose the project as long as the following conditions were approved: (1) Emergency-only access gate to Sundance Trail; and (2) No road improvements on Sundance Trail except for the emergency-only access gate.

John Winner, resident of Sundance Trail, had no objections to an emergency-only access gate to Sundance Trail and if it was made a thorough access, it would be punishable to the Sundance Trail residents.

Tom Marshall, resident of Sayoma Lane, stated that 12 out of 17 residents in his neighborhood have no negative objections as the project will enhance their neighborhood and is a positive asset to the area.

Bob Jacobs and the majority of the audience (by a show of hands), indicated that they were in support of the consensus letter sent to the Commission.

Lucy Upton stated that in the late afternoon the sun blinds the curves of the road.

Sandra (?), a Sundance Trail resident, stated the following concerns: (1) Increase in noise level due to traffic; (2) Air quality; (3) Blind spots on road; (4) Increase in traffic; (5) No participation required from subdivision into their road maintenance; and (6) Increase in watershed.

Chris Thayer is opposed to the road expansion since telephone poles, culvert and landscaping in her yard would have to be moved if the road was widened.

Sue McGee stated the following concerns: wetlands, mining shafts, traffic, and special consideration of zoning being given to project.

Robert Combs, El Dorado-Diamond Springs Fire Protection District, stated that a subdivision must have two access points and the two Echo Lane points do not meet the requirements, therefore, an egress to Sundance Trail is required. He also stated that Sundance Trail subdivision's road infrastructure was insufficient and has been identified as a "Red Road" issue. Mr. Combs also stated that emergency access needs to have a secondary access not only for the Indian Creek subdivision but also for the Sundance Trail subdivision. He is not opposed to gates on Echo Lane and suggested that there be a combined Home Owners Association between the two subdivisions and then gate Sundance Trail.

Jackie Phillips supported Mr. Combs idea of combining the two subdivisions and gating access to each one.

Jeff Little of Sycamore Consultants, applicant's representative, responded to environmental concerns brought up by residents and stated that a wetlands delineation had been sent to the Army Corp of Engineers for review.

Craig Sandberg, attorney for the applicant, stated that fire regulations are what the Fire Department wants there, but the County has the authority on what is required. Mr. Sandberg distributed proposed conditions that would allow an emergency-only access gate. The proposed

conditions included the removal of Condition 60 and the modification of Table 1 in Condition 47.

Mr. Combs stated that under a Zone of Benefit, Sundance Trail is a public road. He also stated that an emergency gate for egress for Indian Creek subdivision, but ignoring Sundance Trail subdivision, could be an issue in the future. A possible solution would be to have a gate that had loops on both sides which would allow emergency egress for either Indian Creek or Sundance Trail subdivisions and to place a sign stating "emergency access only". Mr. Combs stated that he still felt that there should be no gate as it would cause an obstruction, but was willing to evaluate other alternatives.

Ms. Shaffer suggested that prior to the Board hearing, she would meet with DOT to discuss other alternative recommendations for the road widths.

No further discussion was presented.

MOTION: COMMISSIONER MATHEWS MOVED, SECONDED BY COMMISSIONER KNIGHT, AND CARRIED BY A VOTE OF 3-1 (MACCREADY), TO RECOMMEND THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS: 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 IN ATTACHMENT 1; 3. APPROVE REZONE Z08-0021 BASED ON THE FINDINGS IN ATTACHMENT 2; AND 4. CONDITIONALLY APPROVE PLANNED DEVELOPMENT APPLICATION PD08-0012, APPROVING THE DEVELOPMENT PLAN AS THE OFFICIAL DEVELOPMENT PLAN, AND TENTATIVE SUBDIVISION MAP APPLICATION TM08-1472 SUBJECT TO THE CONDITIONS IN ATTACHMENT 1, BASED ON THE FINDINGS IN ATTACHMENT 2; WITH THE FOLLOWING MODIFICATIONS: (A) ENTRY GATES BE ADDED, AS IDENTIFIED IN HANDOUT, AND TO INCLUDE THE SUNDANCE TRAIL EMERGENCY ACCESS GATE AS EMERGENCY ACCESS ONLY WITH A KNOCK-DOWN GATE TO BE DEVELOPED AND DESIGNED BETWEEN APPLICANT AND FIRE DEPARTMENT; (B) ELIMINATE #60; (C) AMEND TABLE 1 (SUNDANCE TRAIL OFF-SITE) IN #47; (D) INCLUDE CHANGES IDENTIFIED IN THE ERRATA SHEET; AND (E) MODIFY #5 TO ADD NEW EXHIBIT.

Commissioner MacCready stated that he dissented as he is not in favor of planned development with density bonus as it is circumventing General Plan Land Use and Zoning Maps and that should be changed via a General Plan amendment.