

## **FROM THE PLANNING COMMISSION MINUTES OF FEBRUARY 26, 2009**

### **9. REZONE/PARCEL MAP**

**Z07-0057/P07-0052/Cold Springs Estates** submitted by LIVING CARE I, LLC/DEMETRE HARAMBAKIS (Agent: Gene Thorne & Associates) to rezone from Estate Residential Five-Acre (RE-5) to One-Acre Residential (R1A) and create four parcels ranging in size from 1.01 to 1.71 acres. Design waivers have been requested for the following: (a) Not require inclusion of a ten (10) foot roadway shoulder for Pedestrian/Bike paths along the subject property frontage on Cold Springs Road; (b) Allow creation of Parcels 1 and 3 exceeding the 3:1 lot depth to width ratio; (c) Allow the centerline of Boulder Lane to not follow the centerline of the proposed right-of-way; (d) Allow the use of a modified Standard Plan 101B for Boulder Lane (20-foot travel surface, 1 foot shoulders); and (e) Allow the existing width of Cold Springs Road along the project frontage to be considered adequate with no changes to the existing roadway. Also, a request to eliminate a pedestrian/bike path required by General Plan Transportation and Circulation Element Policy TC-4i which seeks the inclusion of pedestrian/bike paths connecting to adjacent development and to schools, parks, commercial areas and other facilities in Community Regions where feasible. The property, identified by Assessor's Parcel Number 323-250-42, consisting of 5.08 acres, is located on the west side of Boulder Lane, southwest of the intersection with Cold Springs Road, in the Placerville Area, Supervisorial District III. (Mitigated negative declaration prepared)\*

Pierre Rivas presented the item to the Commission with a recommendation of approval to the Board of Supervisors. Mr. Rivas indicated that there was a change to staff's recommended action and, based on the findings provided by the applicant as identified as Exhibit F – page 6, the recommendation was now to approve all of the requested design waivers.

Eileen Crawford/DOT explained that the recommendation for the design waiver being changed from denial to approval was because there are certain design criteria they try to achieve for projects, with one being to center the road between the right-of-way limits. However, one of the other issues is when one road connects to another road; DOT wants that road to be as perpendicular as possible, with the design criteria being at least a 70 degree angle. The current road is at a 50 degree angle and if the road is moved over within the right-of-way limit, it can achieve a 70 degree angle. After looking at the two design criteria, it was more preferable to have the 70 degree entrance of Boulder Lane coming up to Cold Springs Road rather than have it centerlined between the two. Ms. Crawford also requested language modification to Condition 22.

Michael Smith/Gene Thorne and Associates, applicant's agent, was in agreement with the change in staff's recommendation on the design waiver and the modification to Condition 22. He also requested that the first six bolded words ("When the design waiver is granted") in the first sentence of Condition 23 be removed. Staff was in agreement.

Kathye Russell/Gene Thorne and Associates, submitted maps to the Commission for her presentation regarding the agricultural buffer setback issue (General Policy 8.1.3.1). She indicated that this is a mute point for this project as there are two parcels that separate the

Agricultural District from the project site, and is, therefore, not considered an adjacent parcel. Ms. Russell also stated that this is an infill project.

Commissioner Heflin thought that this was an appropriate project for the area.

No further discussion was presented.

**Motion: Commissioner Heflin moved, seconded by Commissioner MacCready, 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 proposed by staff; 3. Approve Rezone Z07-0057 and Tentative Parcel Map P07-0052 based on the findings proposed by staff, subject to the conditions as modified, which include amendments to Conditions 22 and 23; and 4. Approve the following design waivers as the required findings have been made: (1) Not require inclusion of a ten (10) foot roadway shoulder for Pedestrian/Bike paths along the subject property frontage on Cold Springs Road; (2) Allow creation of Parcels 1 and 3 exceeding the 3:1 lot depth to width ratio; (3) Allow the use of a modified Standard Plan 101B for Boulder Lane (24-foot travel surface, 1 foot shoulders); (4) To allow the existing width of Cold Springs Road along the project frontage to be considered adequate with no changes to the existing roadway; and (5) Allow the centerline of Boulder Lane to not follow the centerline of the proposed right-of-way.**

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