

FROM THE PLANNING COMMISSION MINUTES OF AUGUST 9, 2012

**10. GENERAL PLAN AMENDMENT/REZONE/PLANNED DEVELOPMENT/
PARCEL MAP**

A07-0018/Z07-0054/PD07-0034/P08-0017/Diamond Dorado Retail Center submitted by Leonard Grado/GGV Missouri Flat, LLC for the following: (1) Certification of Environmental Impact Report (EIR SCH 2008012004) for the Diamond Dorado Retail Center; (2) General Plan Amendment amending land use designation from Industrial (I) to Commercial (C); (3) Rezone from Industrial (I) to General Commercial-Planned Development (CG-PD); (4) Preliminary Development Plan for the Diamond Dorado Retail Center based on *Alternative 5: MRF Access Plan*, consisting of seven (7) single-story commercial buildings ranging in size from 3,100 square feet to 160,572 square feet totaling 241,515 square feet; and (5) Tentative Parcel Map subdividing 27.61 acre property creating a total of 11 commercial parcels. The property, identified by Assessor's Parcel Numbers 051-250-12, 051-250-46; 051-250-51, and 051-250-54, consisting of 27.61 acres, is located on the northwest corner area of Highway 49 and Lime Kiln Road, in the Diamond Springs area, Supervisorial District 3. [*Project Planner: Mel Pabalinas*] (Environmental Impact Report prepared/SCH No. 2008012004)

Mel Pabalinas presented the item to the Commission with a recommendation of approval to the Board of Supervisors which would also include a recommendation to continue the Parcel Map application off-calendar. He made reference to Staff Memo dated August 1, 2012, Staff Memo dated August 3, 2012, and public comments received.

Chair Pratt asked if model program has to include all potential development that occurs. Eileen Crawford/DOT stated the model program covers only main roads in the County and only the approved projects have been added to the model.

Peter Maurer highlighted the original project proposal's primary access to the MRF and Alternative 5 reduced some of the impacts.

Craig Sandberg presented a timeline and the decision for a bypass to connect Missouri Flat Road and State Route 49 and the Diamond Springs Parkway. There will be a real effort with design to fit into the community in terms of landscaping, building design, energy efficiency and it will be a unique center. It will create potential employers and will help eliminate commute out of the County. Unclear with Condition #16 and timing of signals and agrees with the joining of the Community Facilities District.

Eric Fredericks-Caltrans stated issues brought up in his letter have not been resolved and is working with staff and would like to see an updated traffic analysis.

Rob Combs, Fire Chief Diamond Springs-El Dorado Fire Protection District, voiced concern that a number of issues have not been addressed. Talked about reduction in fire stations and staff, the Capital Improvement Plan, the Community Facilities District, would like the applicant and

propane company to work together to have additional mitigation put in place to reduce the potential of large scale release with the high density retail in the vicinity.

Dan Bolster, El Dorado County Transportation Commission, stated a study was completed in May 2010 for the realignment of State Route 49. The purpose of the study was to identify the feasibility to realign State Route 49 not to identify a preferred alternative route. The study identified three potential alignments. Working close with Caltrans on project and very interested what the community wants.

Greg Costa, homeowner on Lime Kiln Road, stated his property would be impacted the most and concerned he was just notified of the project. County Counsel Paula Frantz explained state law requires noticing of 300 feet and the County notices 500 feet from project. If not within that distance, property owners can ask to be put on a mailing list. Mr. Maurer verified owner did receive notice and stated that this was the first public hearing for this project.

Art Marinaccio stated that it should be noted in record that Mr. Costa did have public notice in his hand when he spoke. Mr. Marinaccio talked about the history of the lime plant and how this area was a heavy industrial area long before Planning. He also stated that what has been happening with the city and county in conjunction with Missouri Flat interchange improvements, modeling, public hearings, discussion, and engineering has been a discussion for 40 years.

Dave Hoagland was concerned about the primary access to the Diamond Springs Parkway and the sequencing of the project.

Bob Slater, Assistant Director-DOT, stated the vision of the realignment is to move State Route 49 west of the existing roadway to separate the encroachment from the actual parkway. Targeted construction is two years out.

Jerry Herrington voiced concern with current and future traffic and was unclear about the road being moved. Chair Pratt stated construction is two years out and State Route 49 would be moved over to line up better with the intersection.

Kathy Lishman wanted to know what other zone changes would occur and what else is there in the County that is comparable to 161,000 square feet. Encourages high standards for design, landscaping and signage.

Bob Smart stated getting rid of Lime Kiln Road access was a huge step in making project compatible. He commented on architectural design, historical nature of the lime and mill businesses, the natural crossings of animals and the safe crossings for pedestrians.

Chair Pratt stated that the under crossing concept would be good and this is a chance to have the architectural design done correctly and take the bike paths off of the main roads.

Lee Dobbs, Kamps Propane, stated propane is a necessary commodity in our area and to take into consideration that propane facilities have employees that want to serve the County and at reasonable rates.

Commissioner Rain voiced concern with weekend traffic modeling. Brian Wickert stated there would be auxiliary booths and a lot of operational people and activity that would alleviate peak periods.

Commissioner Heflin was concerned with Condition 16. Ms. Crawford stated they were still looking at the issues on this condition and would be working with the applicant to get it resolved. Ms. Crawford would be meeting next week with Caltrans on getting the Caltrans letter issues resolved which are not related to this project. She also stated a revised traffic model was being done parallel to this project and is about a year down the line and there would be more information in September.

Commissioner Heflin inquired on the condition on Traffic Impact Mitigation Program (TIM) and if the Commission can get these out of the Tim Fee program and ask the Board of Supervisors to include in the Capital Improvement Program? County Counsel Frantz explained that the Capital Improvement Program (CIP) is a separate stand alone item that goes to the Board of Supervisors.

Chair Pratt commented that this project may have one of the best exterior designs and wants to be sure the exterior design stays that way. Commissioner Rain agreed 100%.

Chair Pratt closed public comment.

Motion #1

Motion: Commissioner Mathews moved, seconded by Commissioner Heflin, and carried (4-0), to recommend the Board of Supervisors take the following actions: 1. Certify the Environmental Impact Report (EIR) (SCH No. 2008012004) for the proposed Diamond Dorado Retail Center, subject to CEQA Findings and Statement of Overriding Consideration as presented; 2. Adopt the Mitigation Monitoring Reporting Program (MMRP) as presented, in accordance with CEQA Guidelines Section 15074(d); 3. Approve General Plan Amendment A07-0018 based on the Findings as presented; 4. Approve Rezone Z07-0054 based on the Findings as presented; 5. Approve Preliminary Planned Development PD07-0034 *Alternate 5, Existing MRF Access Plan* for the Diamond Dorado Retail Center, based on the Findings, subject to the MMRP as presented and the Conditions of Approval as modified: (a) Add new condition as identified in the Staff Memo dated August 3, 2012; and 6. Continue formal action on Tentative Parcel Map P08-0017 off-calendar.

AYES: Rain, Heflin, Mathews, Pratt

NOES: None

Motion #2

Motion: Chair Pratt moved, seconded by Commissioner Rain, and carried (4-0), to recommend that the Board of Supervisors review and clarify Conditions 16 and 17, and any final agreement between Caltrans and the County Department of Transportation regarding timing and approval of highway capacity, based on the change of the project to

Alternative 5 and the concept of required mitigation which implies sole responsibility for this impact.

AYES: Mathews, Heflin, Rain, Pratt

NOES: None