

FROM THE PLANNING COMMISSION MINUTES OF MAY 27, 2010

4. **CONSENT CALENDAR** (All items on the Consent Calendar are to be approved by one motion unless a Commission member requests separate action on a specific item.)

GENERAL PLAN AMENDMENT/REZONE

d. A09-0006/Z09-0012/Pierce Trust submitted by ELIZABETH ANN WILLIAMS/Trustee (Agent: Gene E. Thorne & Associates, Inc.) to allow the following: (1) General Plan amendment amending the land use designation from Medium Density Residential (MDR) to Commercial (C); and (2) Rezone from One-Acre Residential (R1A) to Commercial-Planned Development (C-PD). The property, identified by Assessor's Parcel Number 327-140-07, consisting of 4.77 acres, is located on the east side of Greenleaf Drive, approximately 300 feet south of the intersection with Missouri Flat Road, in the Placerville periphery area, Supervisorial District III. [*Project Planner: Jason Hade*] (Negative declaration prepared) [*continued from 5/13/10 meeting*]

Item was conceptually denied by the Commission on May 13, 2010, and continued to May 27, 2010 Consent Calendar for Findings for Denial to be provided.

Staff Recommendation: Staff recommends the Planning Commission take the following actions:

1. Find that the project is Statutorily Exempt pursuant to CEQA Guidelines Section 15270(a);
2. Deny General Plan amendment application A09-0006 based on the findings in Revised Attachment 1; and
3. Deny Rezone application Z09-0012 based on the findings in Revised Attachment 1.

Commissioner Pratt pulled this item from the Consent Calendar for discussion. He indicated that he wanted to revisit the reasoning for the Commission recommending denial when staff's recommendation at the May 13, 2010, meeting was for approval.

Pierre Rivas stated that there are currently no submittal requirements for a specific development to be identified. He also said that this particular project would have a Planned Development overlay which meant that no development could occur unless the Development Plan was submitted for review at which point the Commission would have broad discretion over it.

Commissioner Pratt stated that at the last meeting his position on this item spoke on the following:

- Properties are in a transitional area;
- It made sense to have parcel zoned Commercial; and
- If this zoning is not allowed, it renders the parcel unusable and lowers the land value.

He also indicated that he could not cite General Plan Policy 2.2.5.21 as a finding for denial, as proposed by staff.

Commissioner Heflin had given significant thought to the Commission's previous action on this item and felt it would set a precedent if the project was denied, and he was not willing to do that. He further stated that the General Plan allows changes to occur without a project being submitted.

Chair Rain felt that the previous action was a little hasty due to the high emotion at the last meeting. He reiterated Mr. Rivas' reminder that the Commission would have broad discretion on development occurring on this property since there was a Planned Development overlay with the project.

Discussion ensued among the Commission and County Counsel regarding the following:

- Today's agenda indicated the item was conceptually denied at the last meeting with today's hearing to have final action of denial, yet present Commissioners were interested in re-considering that action;
- Only three Commissioners were present and would like a full Commission, if possible, for further discussion on both recommendations; and
- Interested in having the item re-noticed for the public.

Motion: Commissioner Heflin moved, seconded by Commissioner Pratt, and carried (3-0), to continue the item to the June 24, 2010, meeting and directed staff to re-notice the item and provide both recommendations for consideration.

AYES: Pratt, Heflin, Rain

NOES: None

ABSENT: Mathews, Tohurst