

FROM THE PLANNING COMMISSION MINUTES OF NOVEMBER 12, 2009

10. REZONE/TENTATIVE MAP

Z06-0025/TM06-1419/Kamm Park Subdivision submitted by KAMM GHALAMKAR (Agent: Gene Thorne & Associates, Inc.) to rezone from Estate Residential Five-Acre-Airport Safety (RE-5-AA) to One-Family Residential (R1) for Lots 1-5 and One-Family Residential-Airport Safety (R1-AA) for Lots 6 and 7; Create seven single family residential lots ranging in size from 9,700 gross square feet to 1.98 gross acres; and Design Waiver Request to deviate from the following El Dorado County Design and Improvement Manual (DISM) standards: (a) Reduction of sidewalk width along Rancho Tierra Court from six feet to four feet; (b) Exceed 3 to 1 lot depth-width ratio for Lot 7; and (c) Reduction of off-site road width from 28 feet to 20 feet with 1-foot shoulders and asphalt concrete (AC) curbs, and without concrete curbs, gutters or sidewalk. The property, identified by Assessor's Parcel Number 116-040-07, consisting of 5.07 acres, is located along the east and west side of Rancho Tierra Court, approximately 0.25 mile south of the intersection with Woodleigh Lane, in the Cameron Park area, Supervisorial District I. [*Project Planner: Mel Pabalinas*] (Mitigated Negative Declaration prepared)*

Mel Pabalinas presented the item to the Commission with a recommendation of approval to the Board of Supervisors. Staff was recommending the removal of Conditions #28, #30, and #34, which was requested from the applicant's agent and agreed upon by DOT. Mr. Pabalinas indicated that a letter was received by Greg and Karen Duncan and he addressed each issue that was listed in the letter.

Gene Thorne/applicant's agent distributed maps to the Commission which indicated the lot sizes of the project and the adjacent parcels. He briefly explained the reason of requesting the removal of the three conditions.

Brad Bonar/neighbor is opposed to the project because a subdivision would be created among 5 acre parcels which will cause an increase in noise and a loss of privacy. In addition, he stated that the applicant did deep brushing on over 10,000 square feet of the property and did not get the required permit. Since no erosion control practices were used, mud and dirt washed into his property causing approximately \$5,000 in damage.

Lana Bonar/neighbor requested the Commission to deny the project due to the drainage issues, the incompatibility with the surrounding area and the loss of privacy and quiet which is why they moved to the area. In addition, she voiced concern on whether they would be required to move from their well and septic system to EID.

The Commission voiced concern over the possible violation of grading without a permit and Chair Mathews requested that research be conducted on this issue since the brush removal did cause damage to the neighbor's property.

Eileen Crawford/DOT stated that General Plan Policy 15.14.140 states exemptions for a grading permit and item #4 of that policy states soil disturbance less than 10,000 square feet.

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Rain, and carried (4-0), 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 Reporting Program in accordance with Section 15074(d) of the CEQA Guidelines, incorporated in the Conditions of Approval as presented; 3. Approve Rezone Z06-0025 based on the Findings proposed by staff; 4. Approve Tentative Map TM06-1419 based on the Findings proposed by staff, subject to the Conditions of Approval as modified: (a) Delete Conditions #28, #30, and #34; and 5. Approve the following Design Waiver requests: (a) Reduction of sidewalk width along Rancho Tierra Court from six feet to four feet; (b) Exceed 3 to 1 lot depth-width ratio for Lot 7; and (c) Reduction of off-site road width from 28 feet to 20 feet with 1-foot shoulders and asphalt concrete (AC) curbs, and without concrete curbs, gutters or sidewalk.

AYES: Rain, Heflin, Pratt, Mathews

NOES: None

ABSENT: Tolhurst