

FROM THE PLANNING COMMISSION MINUTES OF OCTOBER 13, 2011

8. REZONE/PLANNED DEVELOPMENT/PARCEL MAP

Z10-0009/PD10-0005/P10-0012/Creekside Plaza submitted by GRADO EQUITIES VII, LLC to request the following: (1) Rezone from One-Acre Residential (R1A) to General Commercial-Planned Development (CG-PD) and Open Space-Planned Development (OS-PD); (2) Development Plan to construct three commercial buildings totaling 30,572 square feet maximum; (3) Tentative Parcel Map to create three commercial parcels and one open space parcel; (4) Finding of Consistency with General Plan Policy 7.1.2.1 to allow development and disturbance on slopes of 30 percent or greater gradient; and (5) Finding of Consistency with General Plan Policy 7.3.3.4 to allow a reduction of the wetland setback from 50 feet to zero, with portions of the development area within the required setback. The property, identified by Assessor's Parcel Numbers 327-211-14, 327-211-16, and 327-211-25, consisting of 4.32 acres (includes 0.22 acre of Forni Road Right-of-Way), is located on the northwest corner of the intersection of Forni Road and Missouri Flat Road, in the Placerville area, Supervisorial District 3. [*Project Planner: Tom Dougherty*] (Mitigated negative declaration prepared)*

Tom Dougherty presented the item to the Commission with a recommendation of approval to the Board of Supervisors. He distributed a letter from El Dorado Transit dated August 3, 2011. He also referenced a letter from the applicant dated October 12, 2011 which requested removal of certain conditions and also identified some errors located in the Staff Report.

County Counsel Paula Frantz stated that she reviewed the identified errors, particularly the acreage amount for the open space, and indicated that these errors in certain parts of the Staff Report would not change the environmental analysis as it was correctly identified in other areas of the Staff Report (i.e., page 3) and also in Section IV of the Initial Study.

Discussion ensued between Leonard Grado/applicant, staff and the Commission on each condition identified in his letter. Eileen Crawford/DOT was in agreement to removing the references to Mother Lode Drive in Condition #23.

Significant discussion ensued regarding Condition #30-Bus Stop/Public Transit. A summary of some of the comments are listed:

- Other alternatives should be looked at instead of a large-scale bus stop as there is an existing one across the street;
- Inquiry on the long-range strategic master plan;
- This is the last developable corner of the intersection and the last opportunity in the area to provide a north-bound transit stop; and
- Problematic area due to the existing high volume of traffic.

Mr. Grado made the following comments:

- Balance of parking stalls are 9 feet in width, with others being identified for compact which are only 8 feet in width;
- Working with other agencies that are ready to permit the project once the CEQA document is approved;

- Condition #23 would be a “deal killer” if kept in; and
- Corrected typo in his October 12, 2011 letter by stating that the TIM fees are actually around \$188,000 and not \$100,000 as written.

Kathleen Newell, Diamond Springs-El Dorado CAC, identified a list of design guidelines that they have come up with to make the Missouri Flat Corridor and the Diamond Springs-El Dorado region a better place to live. She stated that these will be provided to Dan Bolster to forward to the County and would like these to be used when decisions are being made regarding new development.

Tim Smith, Superintendent of the Motherlode School District, stated that student safety is their primary concern. They are opposed to the proposed crosswalk at Golden Foothill Parkway and Forni Road, as identified in Condition #22, as there would be blind spots. Mr. Smith stated there were no specifications on what type of improvements would be made on Forni Road in front of the school, but that they would like to have a turn lane into the school along with a sidewalk. He also stated that the proposed bike lane would place students biking against traffic on Missouri Flat Road.

Jason Harm, Principal of Herbert Green Middle School, indicated that they currently have three families that live north of the school and walk/ride to school on a regular basis. He also stated that there are already issues with traffic congestion, particularly at the start and end times of the school day and this project will increase that congestion.

Laurel Stroud felt that the traffic study was understated and disagreed with the internal trips which adjusted the trip count. She stated that the traffic is significant and needs to be mitigated. Ms. Crawford/DOT addressed the formulas used for traffic trips and stated that it was common practice to give credit for multiple trips. She also stated that traffic studies are usually done in the early stages of a project and this one was done in 2009.

Bob Smart spoke on the new bridge/bike lane that will service Mallard Lane and felt that it would facilitate more bike traffic to and from school. He suggested that in order to prevent bike lanes from being on the road, certain areas should be allowed to have bike traffic on the sidewalks.

Dr. Richard Boylan stated that this is the wrong project in the wrong place as it is a strip mall next to and encroaching into a wetland. He indicated that there are serious problems with this project, which included the following:

- Student safety;
- Traffic congestion;
- Slopes exceeding 30% grade;
- Over 13% of oak woodlands being removed;
- Light pollution;
- Currently zoned residential, which is compatible with wetlands when done correctly;
- Diamond Springs-El Dorado CAC doesn't have the authority to approve projects, which is what is stated in the Staff Report;

- Project is premature as the U.S. Army Corp of Engineers has not issued any permits;
- Applicant has existing commercial property that is vacant;
- Disagrees with the gift of County lands to a private developer; and
- Opposes project and requests that it be referred back to the Diamond Springs-El Dorado CAC for review when their proposed design guidelines are in place.

Pierre Rivas responded to Mr. Boylan's comment on the Diamond Springs-El Dorado CAC's motion on the project by referring to Exhibit P of the Staff Report.

Mary Dante stated that it was already difficult to enter/exit the existing shopping centers on that road. She is concerned that inadequate parking will be a "deal killer" for future tenants in the shopping center. Ms. Dante suggested thinking of the future small business owners in order to keep shoppers local.

Renee Gregson lives adjacent to the project and inquired why this was being proposed when there were already several similar complexes in the area and many vacant spots on Main Street. She suggested that creativity be used in order to retain the existing trees instead of just removing them.

Laurel Brent-Bumb, El Dorado County Chamber of Commerce, supports the commercial project as it is consistent with the General Plan and will bring jobs and sales tax to the County. She also stated that the project would be built in an area that was meant for commercial growth and that it would be unfair to penalize the applicant for the existing problem with the school traffic.

John McCoy disagreed with the applicant's belief that a major fast food chain would want to go into that area due to the current traffic issues. He felt that bus transportation is very important, particularly since some of the middle school students utilize the bus stop and there should be a north-bound bus stop on that road.

Phil Lollar lives on Bestafa Court and indicated that it is a unique neighborhood in that it is a very rural environment. He was concerned on the impact to wildlife if changes were made to the watershed due to this project. He requested that this project be reviewed very carefully so that it is designed with minimal amount of change to the area. Mr. Lollar stated that there is a need to examine how the project will impact the existing traffic congestion and mitigation is needed for the school even if it is not with this project. He questioned if this was a good location for a high volume business project.

Michael Drobesh stated that on page 3 of the Initial Study the wrong project description was used in the Introduction section. Mr. Dougherty confirmed that it was incorrect in that section. County Counsel Frantz provided an explanation of the differences between a Negative Declaration, Mitigated Negative Declaration, and Environmental Impact Report and their relation to the charts in the Initial Study.

Mr. Drobesh provided the Clerk with his speaking points, maps of various bus routes from El Dorado Transit, and a marked-up version of the Creekside Plaza Sign Plan. He voiced the following concerns:

- High traffic flow businesses on this corner;
- Bus stop is needed as there are no north-bound stops nearby;
- Opposes the setback decrease;
- Possible trash issue with a fast food establishment;
- Buildings are being located near the road;
- Applicant was involved in the development of the nearby shopping center that has McDonalds and considers that a disaster;
- RVs will still try to get into the project area, so there should be at least two parking spots identified for RVs; and
- High traffic businesses should be moved to the farther end of the parcel.

Sue Taylor made the following comments:

- Current traffic in area is already horrendous;
- Referred to the Diamond Springs-El Dorado Visioning Workshop and that this project should be placed on hold until that was completed;
- Read into the record the CEQA section referencing accurate project descriptions;
- 22% of the development has over 30% slopes;
- Concerned with zero setback for wetlands;
- This is Level F traffic which should have a traffic signal;
- Massive amount of fill is being brought in to fill the wetlands;
- Oak canopy appears to be more than the stated 13%;
- Unable to comment on applicant's letter requesting removal of conditions due to the late submittal;
- Urban project in a rural environment;
- More study needed for traffic impacts;
- Not enough mitigation measures;
- Cross-lot drainage is a concern in case the lots are ever split;
- Student safety will be impacted due to more traffic going to a fast food business;
- Project has extended to the maximum limit of square footage;
- \$188,000 in TIM fees may not be enough for mitigation;
- Sewer/water impacts;
- Sales tax will be going to fund past and future road improvements on Missouri Flat Road;
- Applicant is the same developer of Golden Center, which is a nightmare for traffic flow due to McDonalds;
- Area was zoned residential for a reason; and
- Requests that the Mitigated Negative Declaration and the project be rejected until it is re-written.

County Counsel Frantz responded to Ms. Taylor's concern on the late request from the applicant to remove certain conditions. She summarized the process and analysis done when the public or applicant requests removal of conditions. County Counsel Frantz indicated that in the case for

Conditions #23 and #30, the Commission could continue the item to allow the applicant to work with DOT and Planning staff to ensure the removal of the conditions would not change the environmental analysis. She also commented on the cross-lot drainage concern and stated that all lots are conditioned under the same Planned Development and, therefore, are treated as one project.

Ms. Crawford/DOT indicated that the lot is not conducive to a bike trail but it may be able to be placed on the backside of the project but would have to be part of another project as that land is currently privately-owned.

Mr. Grado provided the following rebuttals:

- Addressed comments made on a previous development project which is located nearby;
- Long-time resident and is sensitive to the issues;
- In agreement with continuing the project to ensure that there would be no impact to the CEQA analysis if the requested conditions were removed;
- Retaining wall visibility will be obscured due to current vegetation and the requirement to plant more in that area;
- Land that is given to the U.S. Army Corp of Engineers will not have public access and, therefore, a bike trail is not possible in that location; and
- Believes that adding another drive-thru establishment will have a positive impact to the existing over-burdened businesses in the area.

Commissioner Rain made the following comments:

- Current parking standards/dimensions don't compensate for today's larger vehicles;
- Traffic is a nightmare and need to research on queuing into Forni Road;
- Inquired if the bike trail could go in the back of the project instead of a large retaining wall, which is unsightly;
- Disagrees with public request to return project to the Diamond Springs-El Dorado CAC for another review; and
- Mitigation is in place for the Oak Woodlands.

Commissioner Pratt made the following comments:

- Current parking spaces don't accommodate larger vehicles;
- If bus stop is in front of project, will require 1-2 intersection crossings in order to access it;
- Left-hand turn from Missouri Flat Road to Forni Road is adequate in length to accommodate the turn;
- Outbound Forni Road to Missouri Flat Road is just as critical as the intersection and need to work with the school to address issue;
- Car management at school site is a critical part during the pick-up times;
- El Dorado Transit needs the opportunity to address issues regarding the bus stop;
- Shielding of the lights is needed against the north and east sides (residential areas); and
- Landscaping plan needs to be adequate enough to assist in headlight management.

Commissioner Mathews made the following comments:

- Drop-off/pick-up times at school are a big issue; and
- Confirmed staff analysis of Conditions #23 and #30.

Commissioner Tolhurst made the following comments:

- Bus stop issue is a big concern;
- General Plan designated this area as Commercial;
- No damage to wetlands; and
- Traffic is a big issue.

Chair Heflin made the following comments:

- Comfortable with the process taken regarding the Oak Woodlands;
- Need to address the traffic issues;
- Conditions #23 and #30 need to come back for discussion; and
- In support of removing Conditions #12c and #14.

[Clerk's Note: Commissioner Tolhurst left the meeting at 12:04 p.m.]

No further discussion was presented.

Motion: Commissioner Pratt moved, seconded by Commissioner Mathews, and carried (4-0), to continue Z10-0009/PD10-0005/P10-0012/Creekside Plaza to the December 8, 2011 meeting.

AYES: Rain, Mathews, Pratt, Heflin
NOES: None
ABSENT: Tolhurst