

## **FROM THE PLANNING COMMISSION MINUTES OF DECEMBER 13, 2012**

### **12. REZONE/TENTATIVE MAP**

**Z11-0007/TM11-1504/Wilson Estates** submitted by ANN WILSON, LISA VOGELSANG, CATHERINE RYAN, and JULIE RYAN for 1. Rezone from One-Acre Residential (R1A) to One-Family Residential (R1); 2. Tentative Subdivision Map with phasing plan to create 49 single-family residential lots ranging in size from 10,141 square feet to 62,449 square feet, two frontage landscape lots (Lot A-14,233 square feet, and Lot B-13,426 square feet), one 54,855 square foot lot (Lot C) for open space, landscaping, drainage, and retaining walls, one 0.65-acre public roadway lot (Lot F), and two gates at the project entrances to Roads B1 and D; and 3. A Design Waiver is requested to allow the utilization of road-side ditches and asphaltic concrete (AC) dikes in lieu of curbs and gutters. The property, identified by Assessor's Parcel Numbers 126-070-22, 126-070-23, and 126-070-30, consisting of 28.18 acres, is located on the north side of Green Valley Road, approximately 3,000 feet east of the intersection with Silva Valley Road, in the El Dorado Hills area, Supervisorial District 1. *[Project Planner: Tom Dougherty]* (Mitigated Negative Declaration prepared)\*

Tom Dougherty presented the item to the Commission with a recommendation for approval. He distributed a revised Exhibit L to the Commission and stated that the primary concerns raised in submitted public comment were traffic, HDR, noise, and biological issues.

Dave Crosariol/applicant's agent stated they had no issues with the Staff Report, but spoke on the issue surrounding Condition #28 regarding an offer of dedication on Malcolm Dixon Road.

Vern Miller made the following comments:

- Requested the project be denied as it did not fit in with the surroundings;
- Most existing lots are 5 acres with some 1 acre lots by Salmon Falls Road;
- Should never have been HDR as it is a pocket within a rural area;
- Cumulative impacts were not considered as there are 5 other projects in the area;
- Questioned why it was being proposed as a gated community; and
- Crossroad is in the wrong location and disagreed with DOT's assumption that traffic will use the route as he felt it would be unsafe without any controlled stops.

John Garcia/adjacent owner made the following comments:

- Thanked Mr. Crosariol for meeting with the residents and addressing their concerns by modifying some aspects of the project;
- Traffic issues;
- More homes will destroy the rural area;
- Concerned that property could be flipped and sold; and
- If approved, would like map to be tied to property so it couldn't be changed to high density.

Tara McCann made the following comments:

- Traffic and circulation issues;
- Current sight-distance is bad and many accidents occur in area;
- Green Valley Road needs immediate attention;
- Sterlingshire and Green Valley Road intersection is dangerous and this project doesn't address it as staff stated it was not within the project limits;
- Loch Way is not included;
- HDR is an issue and inquired as to how it got in there;
- Traffic study does not include the Church's peak hours;
- Oak tree mitigation;
- Questioned the distance of pavements when widening Green Valley Road to property line; and
- Opposed project on a traffic safety standpoint.

Sue Taylor made the following comments:

- Inquired if HDR allowed the option of 1 acre; and
- Questioned if the loss of oak woodlands was due to the road or the project.

Kelly Garcia/adjacent owner thanked Mr. Crosariol for listening to their concerns and modifying the project to address some of their issues. She made the following comments:

- In past public hearings (Planning Commission and Board of Supervisors) residents were reassured that they would be protected;
- Land use and traffic issues;
- There are errors and omissions in the Traffic Study and it didn't include Malcolm Dixon Road cut-thru traffic;
- Disagreed with the assumed circulation routes;
- Referenced a letter she previously sent to County that had included a review of the cumulative effects of the numerous surrounding projects;
- HDR concern;
- Current General Plan designation does not fit with area;
- Working with Shawna Purvines regarding the Targeted General Plan Amendment in order to make the area consistent;
- Common knowledge that project's owners want to sell property;
- Concerns on cumulative effects of traffic as this is a rural area;
- If approved, requests a right-out only onto Wilson Estates;
- DOT states that if the El Dorado Hills Blvd/Green Valley Road signal light timing was changed, it would resolve issues, therefore, is requesting the timing be changed now;
- Concerns with merging traffic; and
- Strongly encouraged that conditions be attached to property.

Bill Welty agreed with Ms. Garcia's statements and made the following comments:

- Density is an issue and only the Commission or Board of Supervisors can control that;
- The applicant's agent has worked well with the residents to address their concerns;
- If parcel is HDR, then make the lots at least 1 acre; and

- If approved, ensure that the Tentative Map conditions are married to the sale of the property.

County Counsel Paula Frantz responded to various public comments with the following responses:

- Oak tree mitigation Option A is an on-site mitigation and this project meets the on-site retention rate;
- Referenced Page 19 of the General Plan in response to the inquiry of HDR lot size; and
- Provided historical background on the HDR designation for that area.

Mr. Maurer provided information on the community region boundary, oak trees, and suggested language for a new condition to address building envelopes.

Mr. Crosariol made the following rebuttal comments:

- Would not object to a new condition for building envelopes;
- Spoke on General Plan consistency;
- Pocket of HDR is in the interior of the project and the lot sizes relate to the rules of the R1 zoning and he is very pleased with the project layout;
- Project is more of a “plug and play” for a system already in place;
- Gates are requested at the Tentative Map stage even if they are not implemented in order to avoid having to return for that particular item;
- Staff addressed HDR issue;
- Project has 1.75 units/acre;
- Spoke on traffic study;
- Disagreed with Ms. McCann’s sight-distance concern as they are over the distance standards;
- Sewer is not allowed by General Plan but compelled to put it in since it is located in the Community Region;
- Agreed with Ms. Garcia’s request to change the signal timing now to determine if it will help resolve traffic issues; and
- There is a letter on record from the US Army Corps of Engineers stating that no permit is required.

Chair Pratt closed Public Comment.

Commissioner Rain was concerned with the Green Valley Road traffic as it is a freeway now. He also was concerned about Sterlingshire. He recommended that the next Commission consider 15 gallon size trees as a minimum size, instead of seedlings, for on-site oak woodlands retention. He supported the project.

Commissioner Heflin stated that the project has changed significantly since it first came before them last year. He voiced concern on traffic safety but did support the project.

Commissioner Mathews felt that HDR next to a rural area was not good. Project is next to a busy road. He felt it was a good project and commented that the density had gone down from last time.

Commissioner Shinault stated it was a well-designed project within the guidelines and restrictions that are currently in place. Traffic was a concern.

Chair Pratt made the following comments:

- Timing of a signal light should be efficient and it needs to be addressed;
- Speed limit on Green Valley Road should be lowered and enforced;
- Project design – access will go to Green Valley Road extension; and
- There is a significant number of HDR located approximately 80 feet away and it is not that isolated.

Mr. Maurer spoke on Condition #28 in regards to the centerline. County Counsel Frantz proposed language that would clarify this Condition and recommended the same wording be used in Condition #29. Mr. Maurer read the proposed language into the record.

Mr. Maurer read into the record a proposed condition to address building envelopes.

Mr. Crosariol stated they would accept a new condition requiring 15 gallon oak trees on the replacement plan.

No further discussion was presented.

**Motion: Commissioner Heflin moved, seconded by Commissioner Mathews, and 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 as modified; 3. Approve Rezone Z11-0007 based on the Findings as presented; 4. Conditionally approve Tentative Map TM11-1504 based on the Findings and subject to the Conditions of Approval as modified: (a) Amend Conditions #28 and #29 with recommended proposed wording; (b) Add new condition requiring 15 gallon oak trees on the replacement plan; (c) Add new condition regarding building envelopes; and 5. Approve the request for a Design Waiver to allow the utilization of road-side ditches and asphaltic concrete (AC) dikes in lieu of curbs and gutters.**

**AYES: Rain, Shinault, Mathews, Heflin, Pratt**  
**NOES: None**