

LAW OFFICE OF
GARY L. LACY

1020 Suncast Ln., Ste. 101 | El Dorado Hills, CA 95762 | 916.933.0457

August 11, 2008

VIA FACSIMILE AND FIRST CLASS MAIL

El Dorado County Planning Commission
2850 Fairlane Court
Placerville, CA 95667

Re: August 14, 2008 Agenda Item # 11
Z07-0032/TM07-1447/PD07-0019/S08-0014
Submitted by Steve and Tina Farren

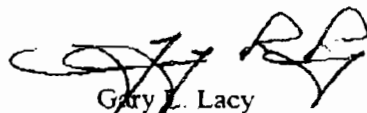
Dear Chairman Tolhurst:

The above referenced request to rezone/tentative subdivision map/special use permit is scheduled to be heard by your commission this Thursday, August 14, 2008. Attorney David Trapani and I have been retained by Mr. John McDougal, a property owner with adjoining property to the above referenced project for the purpose of representing Mr. McDougal's interests in said hearing.

Mr. Trapani and I are in the process of collecting information, including but not limited to, experts reports on the designation and classification of New York Creek, as it relates to General Plan Policy 7.3.3.4, for presentation to your commission in consideration of this matter. To allow us sufficient time to compile all of the necessary reports, we are respectfully requesting a continuance of the hearing on the above referenced matter for approximately one month.

Your courtesy and consideration of this request is greatly appreciated. In anticipation of your grant of a continuance, please notify me of the date for rescheduling of this hearing.

Sincerely,



Gary L. Lacy

BECKER RUNKLE & LAURIE

ATTORNEYS AT LAW

263 MAIN STREET, LEVEL 2
PLACERVILLE, CALIFORNIA 95667
(530)295-6400

ROBERT A. LAURIE

FAX (530) 295-6408

August 7, 2008

Mr. Alan Tolhurst
Chairman
El Dorado County
Planning commission
2850 Fairlane Court
Placerville, CA 95667

Re: Farren Subdivision – Issues Summary

Dear Chairman Tolhurst:

On behalf of the applicant for the above-referenced project, I hereby submit a brief summary of the issues related to the proposal.

1. General Plan Consistency and Zoning. The land use for the subject property is designated Low Density Residential (LDR) permitting parcels down to 5 acres in size. The proposed project consists of 12 single-family lots ranging in size from 1 to 7.2 acres and an open-space lot of 15.4 acres. The less than 5 acre lot sizes are permitted as the proposal includes a rezone to add a Planned Development Overlay which in turn imposes an open-space requirement and permits a density bonus. This project is consistent with all General Plan and zoning requirements. There are three design waivers supported by staff.

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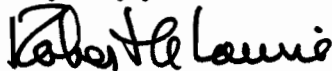
2. Special Use Permit for gated access. The application includes a Special Use Permit to include a Fire Department approved gate across the roadway access which is an extension of Uplands Drive. Uplands Drive is a County maintained public road that contains a cul-de-sac and an extension therefrom up to the applicant's boundary line. The portion of the roadway from the cul-de-sac to the property boundary (approximately 82') is not currently utilized as a roadway. The applicant has requested that the County abandon this portion of the right-of-way and permit the area to be utilized as the project's access point. The applicant's request for a Special Use Permit to allow gated access is based upon the desire to limit through traffic across Uplands Drive. Such would benefit both current and future residents of the Uplands Drive neighborhood without causing any detriment. Failure to permit a gate would encourage trespassers and others to utilize the private roads in the project and increase the threat of crime and fire.

3. Access. Access to the project is proposed to be taken through Uplands Drive, a public road. Some of the current residents along Uplands Drive have suggested instead that access be taken off of Salmon Falls Road. Such a proposal would not be in the best interests of the community. First, the Department of Transportation has a health and safety objection to additional encroachments to Salmon Falls based upon the traffic counts in the area. Secondly, an examination of the gradients of the subject property would show that access from Salmon Falls would be far more damaging from an environmental perspective. Finally, the proposed project is small, adding only 11 new lots. The impacts to Uplands Drive and its residents would be insignificant.

4. Open-Space. The project proposes 15.4 acres of open-space which is nearly 44% of the total project site. The open-space area consists of an intermittent water body, New York Creek, a wetlands area, and areas of dense trees and brush. Most of the area is of steep grade and unsuitable for hiking or biking or other trail utilization. It is the intent of the project proponent to maintain the open-space in a protected and fire-safe condition. Some of the neighbors are requesting public access to the open-space. The applicant objects to such public use as the lands are environmentally sensitive and, as noted above, not topographically suitable for motorized or pedestrian recreational use. Nevertheless, the public will benefit from the perpetual open-space nature of the area, thus meeting the policies of the General Plan.

Thank you for your consideration.

Very truly yours,



ROBERT A. LAURIE

Copies to PIC
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BECKER RUNKLE & LAURIE
ATTORNEYS AT LAW

263 MAIN STREET, LEVEL 2
PLACERVILLE, CALIFORNIA 95667
(530)295-6400

FAX (530) 295-6408

ROBERT A. LAURIE

08 JUL 22 PM 3:29
RECEIVED
PLANNING DEPARTMENT

July 22, 2008

Mr. Alan Tolhurst
Chairman
El Dorado County
Planning Commission
2850 Fairlane Court
Placerville, CA 95667

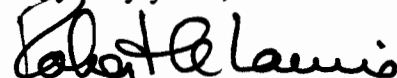
Re: Farren Request for Continuance; TM: 07-1447;PD: 07-0019;Z: 07-0032

Dear Chairman Tolhurst:

This office represents Ms Tina Farren, the applicant for the above-referenced project. The matter is set for hearing before the Commission on Thursday, July 24. In light of recent receipt of communications from neighbors, the applicant has determined that time is needed to consider and respond to the matters raised in those communications. Accordingly, we have communicated to Mr. Appel our request for a continuance.

The matter as currently agendized is set for conceptual approval with another hearing scheduled for August 14th. We would simply request that the current agenda matter be agendized for August 14th and eliminate the reference to "conceptual" as all matters should be addressed by that date. Thank you for your consideration.

Very truly yours,


ROBERT A. LAURIE

Cc: Mr. Appel, Mr. Baron