County of El Dorado

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Legislation Details (With Text)

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On agenda:	2/11/2020	**Final action:**	2/11/2020

Title: HEARING - To consider a request submitted by Joe Harn appealing the Planning Commission's October 24, 2019 approval of Planned Development PD18-0005/Tentative Subdivision Map TM18-1536/Serrano Village J7 to allow a Development Plan for the proposed subdivision; a Tentative Subdivision Map creating 65 single family residential lots and six landscape lots; and Design Waivers of the El Dorado County Design and Improvement Standard Manual road improvement standards on property identified by Assessor's Parcel Number 123-040-011, consisting of 9.86 acres, in the El Dorado Hills area; and staff recommending the Board take the following actions:
1) Find that the project is Statutorily Exempt pursuant to Section 15182 of the California Environmental Quality Act Guidelines; and
2) Deny the appeal, thereby upholding the Planning Commission's October 24, 2019, approval of Planned Development PD18-0005/Tentative Subdivision Map TM18-1536 based on the Findings (Attachment B) and subject to the Conditions of Approval (Attachment C). (Supervisorial District 1) (Est. Time: 1 Hr.) (Refer: 12/10/19, Item 46) (Cont. 2/4/20, Item 12)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 3A - Bridlewood and J7 left in and out and roundabout, 2. Staff Handout 02-11-20, 3. Public Comment BOS Rcvd 2-10-20, 4. 2A - Bass Lake Traffic Data Addenda, 5. A - Appeal Form, 6. B - Findings, 7. C - Conditions of Approval, 8. D - Exhibit A-DOT Memo 10-21-19 (Bass Lake Road Traffic Data), 9. E - Exhibit B-Attachments to DOT Memo 10-21-19, 10. F - Exhibit C-Status of Demand-Parkland Dedication Letter 08-09-19, 11. G - Exhibit D-Open Space Dedication Letter 10-19-16, 12. H - Planning Commission Minute Order 08-08-19, 13. I - Planning Commission Minute Order 08-22-19, 14. J - Planning Commission Minute Order 10-24-19, 15. K - Notification Map, 16. L - Proof of Publication, 17. M - Serrano J7 Appeal Staff Report BOS Rcvd 2-11-20, 18. Applicant Public Comment Rcvd 12-10-19 BOS 12-10-19, 19. Public Comment BOS Rcvd 12-10-19, 20. Public Comment Rcvd 12-9-19 BOS 12-10-19, 21. Public Comment Rcvd 12-6-19 BOS 12-10-19, 22. Public Comment BOS Rcvd 12-5-19, 23. FINAL Findings, 24. FINAL Conditions of Approval, 25. APPROVED STAMPED Maps, 26. RECEIPT-Notice of Exemption, 27. FILED-Notice of Exemption

Date	Ver.	Action By	Action	Result
2/11/2020	3	Board of Supervisors	Approved	Pass
2/4/2020	2	Board of Supervisors	Continued	Pass
12/10/2019	1	Board of Supervisors	Not Approved (See Minutes)	
12/10/2019	1	Board of Supervisors	Approved	Pass

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DISCUSSION / BACKGROUND

This is to consider a request submitted by the appellant, Joe Harn, appealing the Planning Commission's October 24, 2019 approval of Planned Development PD18-0005/Tentative Subdivision Map TM18-1536/Serrano Village J7 to allow a Development Plan for the proposed subdivision; a Tentative Subdivision Map creating 65 single family residential lots and six landscape lots; and Design Waivers of the El Dorado County Design and Improvement Standard Manual road improvement standards. The site is within the Single Unit Residential-Planned Development (R-1-PD) zone district consistent with the General Plan Land Use Designation of Adopted Plan (AP)-El Dorado Hills Specific Plan (EDHSP). The property, identified by Assessor's Parcel Number 123-040-011, consisting of 9.86 acres, is located approximately 3,000 feet east of the Serrano Parkway and Bass Lake Road intersection, along Bass Lake Road, in the El Dorado Hills area, Supervisorial District 1. (County Planner: Aaron Mount) (Statutory Exemption pursuant to Section 15182 of the CEQA Guidelines)

The Planning Commission held public hearings on August 8, 2019; August 22, 2019; and unanimously (3-0 vote) approved the project on October 24, 2019. The appellant formally filed the appeal on November 4, 2019, within 10 working days after the approval of the project. The Zoning Ordinance provides that the appeal of a Planning Commission decision be decided at a public hearing before the Board of Supervisors.

Appeal

The appeal (Attachment A) asserts that conditions approved by the Planning Commission do not adequately ensure development of a park and do not mitigate circulation and safety impacts. The appeal item is listed verbatim below in bold with County staff responses immediately following in italics.

1) "The maps conditions approved by the Commission do not adequately ensure that the park mandated by the 1989 development agreement will be constructed by Serrano Associates, LLC".

County Response: In accordance with the El Dorado Hills Specific Plan, the subject 12.5 acre-lot for the park was originally approved under separate development applications for Serrano Village J, Lot H (Tentative Map TM14-1524 and Planned Development PD14-0008). The El Dorado Hills Community Services District (EDHCSD) and Serrano Associates are still in discussion over the final design of the park. As of August 2019, the EDHCSD anticipated being able to provide direction to construct the park in November 2019, subject to an executed Parkland Dedication Agreement (Exhibits C and D); however, to date this has not occurred. Based on ongoing negotiations between EDHCSD and Serrano, Staff recommended the following Condition of Approval to Serrano Village J7 project to ensure that the park site is developed:

"Condition of Approval 50. Prior to recordation of the final map for Village J7, Developer shall record against the 12.5 acre parcel within Serrano Village J, Lot H a Declaration of Restrictions, in form

acceptable to County Counsel, preserving the property for public park purposes only, pending actual construction of the parcel by Developer and dedication to the El Dorado Hills Community Services District. Developer shall cooperate in good faith with the El Dorado Hills Community Services District to provide for the design and construction of the 12.5 acre park in Village J, Lot H as soon as reasonably feasible and in accordance with the El Dorado Hills Specific Plan and the El Dorado Hills Specific Plan Public Improvements Financing Plan."

The above Condition of Approval was included in the approval by the Planning Commission on October 24, 2019. Both the EDHCSD and Serrano agreed to the inclusion of this Condition.

2) "Further, this approval will increase automobile, bike, and pedestrian traffic that will create safety and circulation impacts that are not mitigated by the conditions approved by the Commission".

County Response: At the August 22, 2019, Planning Commission hearing, the Commissioners approved a motion to continue Agenda Item 3 (Legistar File: 19-1171) to the October 24, 2019 meeting. The Commissioners requested that County staff and the Applicant evaluate new traffic data from Bass Lake Road as it relates to the project.

The Department of Transportation (DOT) reviewed the Applicant's submitted traffic analysis and concluded that no additional Conditions of Approval were required for the subject project (Exhibits A and B). DOT's memo includes analysis of Level of Service (LOS), intersection LOS and traffic signal warrants, left turn pockets, safety, and future traffic volume projections. The Planning Commission found that none of the evaluation criteria met or exceeded the County's requirements for traffic related improvements in their approval of the project.

Conclusion: The Planning and Building Department recommends that the appeal be denied and the Planning Commission's October 24, 2019, approval of the project be upheld as the project is consistent with the Zoning Ordinance, Subdivision Ordinance, Adopted Plan, and CEQA as determined by the Planning Commission.

ALTERNATIVES

The Board may elect to uphold the appeal thereby reversing the action taken by the Planning Commission on October 24, 2019, resulting in the denial of Planned Development PD18-0005/Tentative Subdivision Map TM18-1536/Serrano Village J7. A Denial of the application should be continued to a date certain so that staff can prepare Findings of Denial.

CONTACT

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