



# COUNTY OF EL DORADO PLANNING COMMISSION

Building C Hearing Room  
2850 Fairlane Court, Placerville, CA 95667  
<http://www.edcgov.us/planning>  
Phone: (530) 621-5355 Fax: (530) 642-0508

Tom Heflin Chair, District III  
Dave Pratt, First Vice-Chair, District II  
Walter Mathews, Second Vice-Chair, District IV  
Lou Rain, District I  
Alan Tolhurst, District V

Char Tim .....Clerk of the Planning Commission

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## MINUTES

**Regular Meeting  
December 8, 2011 – 8:30 A.M.**

### 1. CALL TO ORDER

Meeting was called to order at 8:37 a.m. Present: Commissioners Rain, Pratt, Heflin, and Mathews; Paula Frantz-County Counsel\*; and Char Tim-Clerk of the Planning Commission.  
[\*Arrived at 8:52 a.m. and was in attendance at the start of the public hearing portion.]

### 2. ADOPTION OF AGENDA

**Motion: Commissioner Mathews moved, seconded by Commissioner Pratt, and carried (4-0), to adopt the agenda as presented.**

**AYES: Rain, Pratt, Mathews, Heflin**

**NOES: None**

**ABSENT: Tolhurst**

### 3. PLEDGE OF ALLEGIANCE

4. CONSENT CALENDAR (All items on the Consent Calendar are to be approved by one motion unless a Commission member requests separate action on a specific item.)

a. Minutes: November 10, 2011

### END OF CONSENT CALENDAR

**Motion: Commissioner Mathews moved, seconded by Commissioner Pratt, and carried (3-0), to approve the Consent Calendar.**

**AYES: Pratt, Mathews, Heflin**

**NOES: None**

**ABSENT: Tolhurst**

**ABSTAIN: Rain**

5. **DEPARTMENTAL REPORTS AND COMMUNICATIONS**  
**(Development Services, Transportation, County Counsel)**

Pierre Rivas had no items to report for Current Planning. He informed the Commission that staff was researching the status of the El Dorado Hills Regional Fire Training Facility that had been previously approved by the Commission.

Peter Maurer provided a report on the following items for Long-range Planning:

- **Targeted General Plan Amendments**: The EIR RFP would be due the following week and a recommendation will be made to the Board of Supervisors in January 2012.
- **Zoning Ordinance Update**: Another version of this document will be available in the next few weeks for public review.
- **Land Development Manual**: This will be returning to the Board of Supervisors in late January/early February 2012.
- The Rare Plant Management Team is meeting later in the day to work on a proposal that would resolve the gabbro soils issue regarding a Cameron Park project.

6. **COMMISSIONERS' REPORTS**

Commissioner Rain explained the difficulties he had in expanding a posted diagram in DOT's future projects website for the Francisco/El Dorado Hills Blvd project. He requested that staff provide a copy of the diagram to him.

Commissioner Pratt provided an update on the County's agricultural crop.

Chair Heflin expressed appreciation to DOT for the "Share the Road" signs posted in the Apple Hill area. He also relayed to Planning staff a phone call he received regarding signs on Carson Road.

**9:00 A.M. – TIME ALLOCATION**

7. **PUBLIC FORUM/PUBLIC COMMENT**

Bob Smart, Parks and Recreation Commission, spoke on the bike ways and that economic development is a big piece of the puzzle. He had heard that there had been some issues with pas bike events in the South County, so he contacted the Sacramento Wheelmen in order to start a dialogue with them.

Bud Leland, Sacramento Wheelmen, stated that they were applying for a permit for a June 2012 event that would encompass 38 miles in El Dorado County. He distributed a handout and spoke on the upcoming event that is estimated to attract approximately 1,000 people. Mr. Leland understood the concerns from past rider behavior and would be taking actions to ensure that proper conduct is followed during the event.

Commissioner Pratt stated that the core issue was the negative economic impact to the wineries during the event, particularly since the event started and ended in an adjacent county. He suggested re-thinking the bike route so that the riders were not on the narrow roads leading to the wineries after 11:00am.

**8. SPECIAL USE PERMIT**

**a. S11-0008/China Hill Road Industrial Building** submitted by THELMA STEWARD (Agent: Douglas Zeller) to memorialize the continued operation of an industrial facility located on a residentially zoned parcel. The property, identified by Assessor's Parcel Number 092-060-70, consisting of 2 acres, is located on the northwest side of China Hill Road, approximately one-third mile west of the intersection with State Highway 49, in the El Dorado Community Region, Supervisorial District 3. [*Project Planner: Aaron Mount*] (Categorical Exemption pursuant to Section 15303(c) of the CEQA Guidelines)\*\*

Aaron Mount presented the item to the Commission with a recommendation for approval.

Doug Zeller/applicant's agent stated that the intent of the application was to memorialize what was already there and designate what can't go there. He also wanted the opportunity to dispel any rumors/concerns from the neighbors.

Commissioner Mathews confirmed that if a tenant wanted to lease the building for a use not listed, it would require a revision to the Special Use Permit.

Bill Casalegno stated he lived across the road from the project and although he understood the need for clarification in order for the owner to sell, he still had some concerns, which were as followed:

- New owner may want to increase the level of activity, which is currently very little;
- Current activity level is very compatible with the surrounding area;
- Approval of this permit would allow the activity to be increased;
- Referenced page 3 of the Staff Report regarding Fire Safety;
- Condition #4 would allow approval of an expansion of the permit to be at staff level instead of a public hearing; and
- Permit was processed as Categorically Exempt to CEQA even though the purpose of the permit is to allow the property to be sold and there is no clear future use identified.

Staff clarified the reference made to page 3 of the Staff Report and, at the request of Commissioner Rain, County Counsel Paula Frantz provided an explanation of the CEQA exemption.

County Counsel Frantz recommended modifying Condition #2 to remove the words "...and their immediate family...". In response to Chair Heflin's request for clarification on Condition #4 regarding staff level approval, County Counsel Frantz stated that although it is standard wording, it would be at the prerogative of the Commission. She recommended that any changes to the Special Use Permit be required to go through the Commission. Pierre Rivas suggested that

Condition #4 be modified by deleting the section of the Condition beginning with the sentence "Minor variations are allowed,..." and going until the end of the Condition.

Commissioner Mathews felt that the recommended changes to the two Conditions should assist in addressing the issues brought forth by Mr. Casalegno.

No further discussion was presented.

**Motion: Commissioner Mathews moved, seconded by Commissioner Rain, and carried (4-0), to take the following actions: 1. Find that the project is Categorically Exempt pursuant to CEQA Guidelines Section 15303(c); and 2. Conditionally approve Special Use Permit S11-0008 based on the Findings and subject to the Conditions of Approval as modified: (a) Amend Condition #2 by removing the words "...and their immediate family..."; and (b) Amend Condition #4 by deleting the section beginning with the sentence "Minor variations are allowed,..." and going until the end of the Condition.**

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

This action can be appealed to the Board of Supervisors within 10 working days.

### **Findings**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

#### **1.0 CEQA FINDINGS**

1.1 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15301 of the CEQA Guidelines that *consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination*. As conditioned the project will not be expanding the structures or uses beyond what currently exists.

1.2 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services Department, Planning Services Division at 2850 Fairlane Court, Placerville, CA.

#### **2.0 GENERAL PLAN FINDINGS**

2.1 As conditioned, the proposal is consistent with the intent of 2.2.5.21 (compatibility with surroundings), 6.2.3.2 (adequate access), and 6.5.1.2 (noise exposure), and 8.2.2.2 (adverse impacts on surrounding lands), concerning compatibility with the surrounding

neighborhood, and access and public safety. As conditioned, the project provides adequate access, parking and site design that insure compatibility with the surrounding permitted land uses, and is consistent with the General Plan policies identified above. The El Dorado County Department of Transportation has determined that traffic impacts will be less than significant, and the El Dorado County Fire Protection District has determined adequate emergency access exists.

### 3.0 ZONING FINDINGS

- 3.1 The project site is zoned Single Family Two Acre residential (R2A). The existing structure and uses are nonconforming as they are not consistent with the uses allowed by the R2A zone district; however they are consistent with Chapter 17.20 of the Zoning Ordinance.
- 3.2 As proposed and conditioned, the project meets all applicable development standards contained within the El Dorado County Zoning Ordinance as the building and uses were legal at the time of inception.

### 4.0 SPECIAL USE PERMIT FINDINGS

- 4.1 **The issuance of the permit is consistent with the General Plan.** The applicant's proposal has been determined to be in compliance with County regulations, addressing environmental issues and health and safety concerns. The proposed use is consistent with the policies and requirements in the El Dorado County General Plan, as discussed in the Staff Report, and known potential project-related environmental issues, and the benefits to the community have been evaluated. Therefore, the Planning Commission finds that the project, as conditioned, conforms to the General Plan.
- 4.2 **The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood,** based on the conclusions contained in the Staff Report. The use will not conflict with the adjacent uses as they will be wholly contained within the building. After review of the submitted site plan and upon consultations with responsible agencies, it has been determined that the continued industrial uses at the project site are not anticipated to have a detrimental affect nor be injurious to the neighborhood.
- 4.3 **The proposed use is specifically permitted by Special Use Permit.** The uses are specifically permitted by Chapter 17.20 of the Zoning Ordinance, as they were initiated when the zoning and land use allowed them.

Conditions of Approval

**Planning Services**

1. This Special Use Permit is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

Exhibit E .....Site Plan

Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

Approval of the Special Use Permit to memorialize the nonconforming uses at the project site that have historically taken place within the existing 16,257 square foot structure. The following uses are allowed:

Light Manufacturing  
Light Industrial  
Storage  
Printing  
Machine Shop  
Cabinet Shop  
Wine Storage

All uses shall take place wholly within the existing 16,257 square foot building. No permanent storage shall take place outside of the structure. Expansion beyond the uses listed above will require a revision to this Special Use Permit.

2. **Caretaker Residence:** A residence for a caretaker, watchman, or person primarily employed in the industrial uses of the premises ~~and their immediate family~~ may be constructed on the project parcel. No persons shall reside within the existing 16,257 square foot structure.
3. **Expiration:** Pursuant to County Code Section 17.22.250, implementation of the project must occur within twenty-four months of approval of this permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval.
4. **Project Conformance:** The applicant shall be responsible for complying with all conditions of approval contained in this Special Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are ultimately

the responsibility of the property owner. Project improvements shall be completed in conformance with the plans submitted and in conformance with the conditions of approval herein and shall substantially comply with Exhibits listed in Condition of Approval 1 above. ~~Minor variations are allowed, however, any major changes in any element of the approved project shall require review and approval by the Development Services Director. The Director shall decide if the changes can be approved administratively or will be reviewed by the Zoning Administrator or the Planning Commission through an amendment to this Special Use Permit. This review shall always occur prior to any approved project modifications.~~

5. **Lighting:** All exterior lighting shall comply with County Code Section 17.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Security lighting shall be activated with motion-sensor or timer.

Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.

6. **Notice of Exemption Fee:** A \$50.00 administrative processing fee is required by the County Recorder to file the Notice of Exemption. This fee must be delivered to the El Dorado County Planning Services prior to the issuance of any development permit being issued on the project parcel.
7. **Hold Harmless Agreement:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

The developer and land owner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a Special Use Permit.

The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

- b. **S11-0010/Communications Tower-El Dorado Hills Community Services District** submitted by AT&T to allow the addition of 3 antennas to the existing 6 antennas located on the rooftop of the El Dorado Hills Community Services District building. The property, identified by Assessor's Parcel Number 125-110-09, consisting of 39.5 acres, is located on the northeast corner of the intersection of Harvard Way and El Dorado Hills Blvd., in the El Dorado Hills area, Supervisorial District 1. [*Project Planner: Tom Dougherty*] (Categorical Exemption pursuant to Section 15303(e) of the CEQA Guidelines)\*\*

Tom Dougherty presented the item to the Commission with a recommendation for approval.

Craig Beardsley/applicant's agent concurred with the Staff Report.

Commissioner Rain had attended the APAC meeting and there had been concern that these towers were getting bigger and becoming an eyesore. Suggested screening since painting and camouflaging them was not working. He stated that the main issue was to try to blend it in on the Harvard side. Mr. Beardsley responded that they could look into it, but if approval of this permit was hinging on this particular issue, then they would screen them.

Significant discussion ensued between the Commission and Mr. Beardsley on various options to screen the tower.

Commissioner Pratt felt that the screening issue was the responsibility of the El Dorado Hills CSD as this was a revenue-generating project for them.

Commissioner Mathews agreed with Commissioner Pratt particularly since the CSD's neighbors were complaining about the aesthetics.

Chair Heflin referenced the CSD's written comments and stated that it appeared that they would not be taking the lead in resolving this aesthetics issue.

No further discussion was presented.

**Motion: Commissioner Rain moved, seconded by Commissioner Mathews, and carried (4-0), to take the following actions: 1. Find the project is Exempt from CEQA pursuant to Section 15303(e) of the CEQA Guidelines (New Construction or Conversion of Small Structures); and 2. Approve Special Use Permit S11-0010 based on the Findings and subject to the Conditions of Approval as presented.**

**AYES: Pratt, Mathews, Rain, Heflin**

**NOES: None**

**ABSENT: Tolhurst**

This action can be appealed to the Board of Supervisors within 10 working days.

### **Findings**

#### **1.0 CEQA FINDINGS**

1.1 Staff has determined that the proposed project will have no significant impact on the environment and is exempt from CEQA pursuant to Section 15303 and of the CEQA Guidelines. Section 15303 Class 3 exemptions consist of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures including, but are not limited to: (e) Accessory



(appurtenant) structures including garages, carports, patios, swimming pools, and fences. The project would add new antennas having no significant impact on the environment.

- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department, Planning Services, at 2850 Fairlane Court, Placerville, CA.

## **2.0 SPECIAL USE PERMIT FINDINGS**

### **2.1 The issuance of the permit is consistent with the General Plan.**

The proposed use is consistent with the policies in the 2004 General Plan. The proposed use is consistent with all applicable policies including Policies 2.2.5.21(land use compatibility) and 5.6.1.4 (special use permit required) because the aesthetics of the existing facility and related support equipment have been addressed. The replacement antennas and rooftop support equipment will be painted to blend with the existing parapet and wall colors.

### **2.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.**

The proposed use would not create hazards that would be considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood because the facility is existing and is not a significant expansion of the existing use, it adds three new antennas for a total of nine antennas.

### **2.3 The proposed use is specifically permitted by Special Use Permit pursuant to this Title.**

Section 17.14.2210.D.2.b of the County Code requires a Special Use Permit for the roof-mounted antennas subject to approval by the Planning Commission in accordance with Section 17.22.500 et seq. The proposed use has been conditioned in compliance with County Code Sections 17.14.210.E through J. As such, the project has been designed in compliance with the required conditions.

## **Conditions of Approval**

### **El Dorado County Planning Services**

1. This Special Use Permit is based upon and limited to compliance with the project description and the following hearing exhibits:

Exhibit B-1 .....Title Sheet, Site Information and Vicinity Map,  
Sheet T-1, dated July 5, 2011

Exhibit B-2.....Overall Site Plan, Sheet A-1, dated July 5, 2011

Exhibit B-3.....Site Plan, Sheet A-2, dated July 5, 2011

- Exhibit B-4.....Antenna Plans and Details, Sheet A-3, dated July 5, 2011  
Exhibit B-5.....Elevations, Sheet A-4, dated July 5, 2011  
Exhibit B-6.....Details, Sheet A-5, dated July 5, 2011

Any deviations from the project description, exhibits, or Conditions of Approval set forth below must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

Approval of Special Use Permit S11-0010 for uses located at property identified as Assessor's Parcel Number 125-110-09. This revision shall supersede Site Plan Review SPR99-0004. Ground equipment and shelter shall be housed within an existing 10 foot by 8 foot lease area upon the rooftop of the El Dorado Hills Community Services District Pavilion Building. The following includes the project details included in this approval:

- a) AT&T shall be permitted three additional panel antennas, along with the existing six antennas, for a total of nine antennas; and
  - b) Six new runs of coax cable; and
  - c) Three DTMA's (amplifiers); and
  - d) One 18-inch cable tray; and
  - e) One ice bridge.
2. All improvements associated with the communication facility, including equipment shelters, support brackets, and antennas shall be properly maintained at all times. Colors of the tower and other improvements shall be maintained to ensure the appearance remains consistent. The antennas and project-related rooftop equipment shall be painted in the same non-reflective color, to be approved by the El Dorado Hills Community Services District to blend with the existing parapet and wall colors.
  3. Due to the ever-changing technology of wireless communication systems, this Special Use Permit shall be reviewed by the County Development Services Department every five years. At each five-year review, the permit holder shall provide the Development Services Department with a status report on the then current use of the subject site and related equipment. Development Services shall review the status and determine whether to:
    - a) Allow the facility to continue to operate under all applicable conditions; or
    - b) Hold a public hearing to determine whether to modify the conditions of approval in order to reduce identified adverse impacts; or initiate proceedings to revoke the special use permit, requiring the facility's removal if it is no longer an integral part of the wireless communications system.

By operation of this condition, it is the intent of County to reserve the right to modify or add new conditions, consistent with the language specified above. The failure of the County to conduct or complete a five-year review in a timely fashion shall not invalidate the Special Use Permit. The applicant shall pay a fee determined by the Development Services Director to cover the cost of processing a five-year review on a time and materials basis.

4. Prior to commencement of any use authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services for verification of compliance with applicable conditions of approval. The operator shall pay Planning Services for the time spent reviewing the site on a time and materials basis. All future development plans shall include this condition on the submitted plans.
5. A \$50.00 administrative processing fee is required by the County Recorder to file the Notice of Exemption. This fee must be delivered to the El Dorado County Planning Services prior to the issuance of any development permit being issued on the project parcel.
6. The operator (lessee) and property owner (lessor) are responsible for complying with all conditions of approval contained in this Special Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the owner and the operator.
7. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the applicant and landowner agrees to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

The applicant and land owner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a Special Use Permit.

The County shall notify the applicant/owner of any claim, action, or proceeding and County will cooperate fully in the defense.

**9. 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)\* [continued from 10/13/11 meeting]*

Tom Dougherty referenced a staff memo dated December 7, 2011, which was handed out to the Commission along with underline/strike-out versions of the Staff Report and environmental document. Mr. Dougherty went through the identified changes and informed the Commission that a new request was added to the project description. He also referenced letters from El Dorado Transit, the Diamond Springs-El Dorado CAC, which included a petition, and the Diamond Springs/Placerville Citizens Group, which included a petition. Mr. Dougherty clarified a comment made in the Diamond Springs-El Dorado CAC's letter regarding an extra building.

County Counsel Paula Frantz informed the Commission that since the new request in the project description was not noticed, they would not be able to take action on that new request. She also voiced concern on the significant amount of information being provided the day of the hearing with neither the public nor staff being provided an opportunity to review it prior to today. County Counsel Frantz recommended that the Commission listen to public comment today but continue the item to another hearing.

Leonard Grado/applicant had no comments.

Jim Ware, DOT Director, stated that there had been confusion on the traffic impact analysis and believed that the issues were now resolved. He spoke on the following:

- Missouri Flat Road/Motherlode Drive intersection;
- Peak hour trips;
- Grant funding as a possibility to resolve school's issues; and
- Support of the Vacation of Right-of-Way.

Commissioner Mathews stated that the biggest issue with the school and traffic was during the pick-up times and requested DOT comment on having the developer resolve the issue. Mr. Ware responded that pick-up times are an issue at every school site but it is only for a short duration of time. Further discussion ensued between the Commission and Mr. Ware regarding traffic impacts to surrounding areas, mitigation measures, and computerized modeling.

Mindy Jackson, El Dorado Transit Executive Director, stated that they had been working with Development Services and DOT and had come to a resolution with the applicant on a bus turnout. There had been significant support from the public on a bus stop and they will work with the applicant on a location.

Commissioner Pratt voiced concern that the proposed bus stop would force the public to cross multiple times on an uncrossable road in order to reach the transit stops. He felt it was being proposed in the wrong location and would cause a public safety hazard. He further stated that he was not opposed to the bus stop but to the proposed location. Significant discussion ensued between the Commission and Ms. Jackson and a summary of the comments is provided:

- Bus stop would reduce current number of road crossings;
- Golden Center Drive should be considered a possible alternative for a permanent bus stop location as it is currently a request-only stop;
- Proposed bus stop locations include the consideration of existing sidewalks, bike paths, etc.; and
- Current maintenance schedule of transit stop located by Walmart and Panda Express should be increased due to overflowing trash receptacles.

Tim Smith, Motherlode School District Superintendent, repeated the following concerns that he had voiced at the past hearing:

- Student safety;
- Traffic congestion from 7am-7:45am and 2pm-2:45pm when school is in session;
- School traffic entering/exiting on Forni Road will impact traffic at the Missouri Flat Road/Forni Road intersection and will impact student safety;
- Unsure what improvements are being identified for the school frontage area, but requests that it include sidewalks and a right-hand turn lane; and
- Bike lane terminated at Missouri Flat Road.

Commissioner Pratt made the following comments:

- Bike lanes should not be on heavily traveled roads like Missouri Flat Road and should be re-directed to the lesser traveled roads;
- Pick-up/drop-off times at schools has been a recurring issue for many years; and
- School has the potential to help mitigate the traffic congestion issue by restructuring the bus pick-up location.

Eileen Crawford/DOT explained the process and policy regarding traffic signals.

Sue Taylor made the following comments:

- Serious site that needs to be mitigated better;
- Current traffic issue with school pick-up times is very dangerous to students;
- Sidewalks should be put in for the school; and
- Reiterated previous comments from last meeting which were included on a handout that she distributed to the Commission.

Bob Smart, Diamond Springs-El Dorado CAC Chair, made the following comments:

- Not enough interaction with those involved to resolve the issues;
- Recommend moving this to the community level in order to resolve the issues; and
- Inquired if US Army Corps of Engineers had been approached with community's concern to put in a bike path.

Laurel Brent-Bumb, El Dorado County Chamber of Commerce voiced support of the project and was concerned that a viable commercial project had to overcome so many obstacles in order to proceed.

Kathleen Newell announced that a grant had just been approved for transportation circulation.

Patricia Debler/resident made the following comments:

- Initiated the petition and received over 90% in opposition to the project;
- Current traffic situation is already dangerous to students;
- “Protecting rural environment of County” is included in many County mission statements;
- Creek is a year-round stream and does not dry up in the summer; and
- Hwy 50 is congested on the weekends and many locals use Forni Road to bypass that traffic.

Michael Stout stated that traffic is the biggest issue and the project will increase this level. He suggested widening the intersection to relieve the school traffic.

Chris Fusano purchased the property in question over 35 years ago and felt that DOT had done a good job developing Missouri Flat Road.

Dr. Richard Boylan made the following comments:

- Bus stop is needed;
- Forni Road has traffic congestion;
- As proposed, project would kill kids as it would attract students and cars with the proposed fast food restaurant;
- Sidewalks are critical, not optional;
- Bike trail hasn't been addressed in project, which is required;
- Diamond Springs-El Dorado Design Guidelines review hasn't been done with this project; and
- Project should be sent back for re-working in order for it to comply/conform.

County Counsel Frantz stated that as long as there were no additional impacts or mitigation measures identified, the environmental document would not be required to be re-circulated. However, if time permitted, would recommend that it be re-circulated. She also stated that the primary concern was that the new additional request to the project description was not noticed.

No further discussion was presented.

**Motion: Commissioner Mathews moved, seconded by Commissioner Pratt, and carried (4-0), to continue the item to the January 26, 2012 meeting and directed staff to re-notice the project with the additional item in the project description and to re-circulate the environmental document.**

**AYES: Rain, Pratt, Mathews, Heflin**

NOES: None  
ABSENT: Tolhurst

10. GENERAL PLAN AMENDMENT/REZONE/PLANNED DEVELOPMENT/TENTATIVE MAP

**A08-0015/Z08-0039/PD08-0025/TM08-1485/Tilden Park** submitted by REAL RETURNS LLC for the following: 1. General Plan Amendment to change the land use designation from Medium Density Residential (MDR) to High Density Residential (HDR) and Commercial (C); 2. Rezone from One-Acre Residential (R1A) to One-Family Residential-Planned Development (R1-PD), Commercial-Planned Development (C-PD), and Open Space-Planned Development (OS-PD); 3. Planned Development with the intention to allow clustering of lots and allow building within setbacks required for One-Family Residential (R1); 4. Tentative Map and phasing plan to create 14 single family residential lots, ranging in size from 5,151 to 9,590 square feet (total of 2.97 acres), two commercial lots, which would be 3.28 acres and 4.94 acres in size, and two open space lots totaling 35,506 square feet (0.82 acre); and 5. Design Waivers have been requested for the following: (a) The roadway width for Crosswood Drive along the project frontage be reduced from 28 feet to 18 feet from edge of pavement to edge of pavement with type 2 vertical curb, gutter and sidewalk on the project side only; (b) The roadway width for Crosswood Drive offsite from the project to Wild Chaparral Drive be reduced from 28 feet to 18 feet from edge of pavement to edge of pavement with one-foot shoulders; and (c) Frontage improvements, including curb, gutter and sidewalk, along Crosswood Drive be eliminated. The property, identified by Assessor's Parcel Numbers 070-280-59 and 070-280-60, consisting of 12.01 acres, is located approximately 500 feet from the northwest corner of the intersection of Crosswood Drive and Wild Chaparral Drive, in the Shingle Springs area, Supervisorial District 4. [Project Planner: Shawna Purvines] (Mitigated negative declaration prepared)\* [continued from 10/27/11 meeting]

Chair Heflin requested that this item be heard immediately following Public Forum/Public Comment as the applicant was requesting a continuance.

Pierre Rivas indicated that the applicant was requesting a continuance to the February 9, 2012 meeting to allow sufficient time to meet with the attorneys involved and the neighbors. He stated that staff concurs with the applicant's continuance request.

**Motion: Commissioner Pratt moved, seconded by Commissioner Rain, and carried (4-0), to continue the item to the February 9, 2012 meeting.**

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

11. ADJOURNMENT

Meeting adjourned at 11:53 a.m.

APPROVED BY THE COMMISSION

Authenticated and Certified:

  
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Tom Heflin, Chair