



County of El Dorado

Planning and Building
Department
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Minutes - Draft Planning Commission

Jon Vegna, Chair, District 1
James Williams, First Vice-Chair, District 4
Amanda Ross, Second Vice Chair, District 5
Cheryl Bly-Chester, Member, District 2
John Clerici, Member, District 3

Julie Saylor, Clerk of the Planning Commission
Tiffany Schmid, Executive Secretary
Breann Moebius, Deputy County Counsel

Thursday, June 10, 2021

8:30 AM

**VIRTUALLY - See Agenda
for Details to View and
Participate**

PUBLIC PARTICIPATION INSTRUCTIONS: To comply with social distancing requirements and the stay at home order from the Governor, the Meeting Room will be closed to members of the public and all public participation will be handled remotely. Please note you will not be able to join the live stream until the posted meeting start time.

PHONE IN: 1-530-621-7603 or 1-530-621-7610, Meeting ID 924 9464 4350

WATCH LIVE STREAM: To observe the live stream of the Planning Commission meeting go to <https://zoom.us/j/92494644350>

PUBLIC COMMENT PARTICIPATION: If you are joining the meeting via zoom and wish to make a comment on an item, press the "raise hand" button. If you are joining the meeting by phone, press *9 to indicate a desire to make a comment. Speakers will be limited to 3 minutes.

By participating in this meeting you acknowledge that you are being recorded.

If you choose not to observe the Planning Commission meeting but wish to make a comment on a specific agenda item, please submit your comments to the Clerk of the Planning Commission at planning@edcgov.us. Planning Services cannot guarantee that any public comment received the day of the Commission meeting will be delivered to the Commission prior to any action.

The Clerk and Planning staff is here to assist you, please call 530-621-5355 if you need any assistance with the above directions to access the meeting.

Planning Commission audio recordings, Agendas, Staff Reports, Supplemental Materials and Minutes are available on the internet at: <http://eldorado.legistar.com/Calendar.aspx>

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***This Planning Commission meeting will be recorded via Zoom Webinar and available for Live Web Streaming on the internet (follow instructions listed under the Public Participation Instructions in this agenda).

The Planning Commission is concerned that written information submitted to the Planning Commission the day of the Commission meeting may not receive the attention it deserves. Planning Services cannot guarantee that any FAX, email, or mail received the day of the meeting will be delivered to the Commission prior to action on the subject matter.

For purposes of the Brown Act, Section 54954.2(a), the numbered items on this agenda give a brief description of each item to be discussed. Recommendations of the staff, as shown, do not prevent the Commission from taking other action.

Staff materials related to an item on this agenda submitted to the Commission after distribution of the agenda packet are available for inspection during normal business hours in Planning Services located at 2850 Fairlane Court, Placerville, CA. Such documents are also available on the Commission's Meeting Agenda webpage subject to staff's ability to post the documents before the meeting.

PROTOCOLS FOR PUBLIC COMMENT

Public comment will be received at designated periods as called by the Commission Chair.

Except with the consent of the Commission, individuals shall be allowed to speak to an item only once.

Matters not on the agenda may be addressed by the general public during Public Forum/Public Comment. Comments during Public Forum/Public Comment are limited to three minutes per person. The Commission reserves the right to waive said rules by a majority vote. Public Forum/Public Comment is for comment only. No action will be taken on these items unless they are scheduled on a future agenda.

Public testimony will be received on each agenda item as it is called. Individuals will have three minutes to address the Commission. Individuals authorized by organizations will have three minutes to present organizational positions and perspectives and may request additional time, up to five minutes. At the discretion of the Commission, time to speak by any individual may be extended.

Upon completion of public comment on an agenda item, the matter shall be returned to the Commission for deliberation. Members of the public shall not be entitled to participate in that deliberation, or be present at the podium during such deliberation, except at the invitation of the Commission for a point of clarification or question by the Commission.

Individual Commission members may ask clarifying questions but will not engage in substantive dialogue with persons providing input to the Commission.

If a person providing input to the Commission creates a disruption by refusing to follow Commission guidelines, the Chair of the Commission may take the following actions:

Step 1. Request the person adhere to the Commission guidelines. If the person refuses, the Chair may ask the Clerk to turn off the speaker's microphone.

Step 2. If the disruption continues, the Chair may order a recess of the Commission meeting.

Step 3. If the disruption continues, the Chair may order the removal of the person from the Commission meeting.

8:30 A.M.

CALL TO ORDER / ROLL CALL

Meeting was called to order at 8:30 AM by Chair Vegna, with Commissioner Clerici not present. All Commissioners attended by remote attendance.

PLEDGE OF ALLEGIANCE TO THE FLAG

ADOPTION OF AGENDA AND APPROVAL OF THE 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 motion was made by Commissioner Williams, seconded by Commissioner Vegna, to Adopt the Agenda and Approve the Consent Calendar.
Votes were by roll call.

Yes: 3 - Commissioner Williams, Commissioner Ross and Commissioner Vegna

Noes: 1 - Commissioner Bly-Chester

Absent: 1 - Commissioner Clerici

CONSENT CALENDAR

1. [21-0914](#) Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of May 27, 2021.

Item was Approved on the Consent Calendar.

END OF CONSENT CALENDAR

DEPARTMENTAL REPORTS AND COMMUNICATIONS (Planning and Building, Transportation, County Counsel)

Rob Peters, Deputy Director of Planning, advised the Commission that as of the Administrative deadline for the next meeting of the Planning Commission, June 24, 2021, no items were submitted for the meeting and staff's intent is to cancel that meeting. Commissioner Bly-Chester questioned staff on an upcoming Special Meeting. Staff advised that a Special Joint Meeting with the Board of Supervisors is tentatively scheduled for July 19, 2021 to discuss the Housing Element Update.

Commissioner Williams questioned the upcoming Board of Supervisors CIP (Capital Improvement Program) public workshops and how Commissioners can attend/participate. Breann Moebius, Deputy County Counsel, advised the Commissioners that they can attend as members of the public and she will circulate an email to all the Commissioners on participation options. Chair Vegna expressed that it would be nice to see those workshops held as joint meetings with the Commission. Rob Peters, Deputy Director of Planning, advised he could not speak on behalf of that as these workshops are being provided by the Department of Transportation. Chair Vegna encouraged his fellow Commissioners to reach out to their Supervisors directly on this matter.

COMMISSIONERS' REPORTS

Commissioner Bly-Chester stated that she is continuing to get comments about the construction at Gray's Corner and she has since been copied on a letter from an attorney representing the Fairplay Wineries in which the letter explains an avenue to get to a CEQA review which has been requested by constituents in the Somerset/Fairplay area for at least six months now. Commissioner Bly-Chester stated that as she understands it, that because there is discretionary action available to the County (well drilling, septic systems, grading and some other things) that means that if any part of a project is a discretionary action than the whole project can be considered discretionary and subject to CEQA. Commissioner Bly-Chester requested pursuant to Government Code 54954.A.3 that this matter be placed on the agenda for a future meeting to at least have staff bring back to the Commission a status on this matter.

Chair Vegna questioned staff if any aspect of the project is discretionary. Rob Peters, Deputy Director of Planning, advised that to date, the project has been considered ministerial but the County is in receipt of the letter Commissioner Bly-Chester is addressing and the letter is being further evaluated by the County.

Commissioner Williams questioned County Counsel on guidance on Commissioner Bly-Chester's request to have an item placed on a future agenda. Breann Moebius, Deputy County Counsel, advised the Commission: 1) County Counsel is in receipt of the letter in question and is currently reviewing; and 2) the Bylaws do allow an avenue for the Commission to add an item to an agenda from Public Forum and recommended the Commission take Public Forum and at that time, the Commission could make a motion and vote to have an item placed on a future agenda.

Commissioner Clerici arrived by remote attendance at 8:44 AM

Present: 5 - Commissioner Williams, Commissioner Ross, Commissioner Bly-Chester, Commissioner Clerici and Commissioner Vegna

PUBLIC FORUM / PUBLIC COMMENT

Public Comment: D. Devitt, S. Telfer

After Public Forum, discussions continued between the Commissioners and staff regarding proposed construction at Gray's Corner.

Commissioner Bly-Chester made a motion to request: 1) to post the letter that was received from the attorney representing the Fairplay Wineries; 2) note topics of comments discussed during open forum on meeting minutes for this meeting; and 3) pursuant to Government Code 54954.A.3 request that this matter be placed on the agenda for a future meeting after the discretionary component has been analyzed to see if there is an avenue that we (the Commission) can provide a public forum on this matter.

Motion failed for lack of second.

AGENDA ITEMS

2. [21-0915](#) Hearing to consider the Mercy El Dorado Haven Apartments project (Design Review DR21-0003)** to request a Design Review permit in accordance with the provisions of California Senate Bill 35 (affordable housing streamlined approval) for a 65-unit apartment complex including 136 off-street parking spaces, children's play area, landscaping, signage and open space/common areas on property identified by Assessor's Parcel Number 331-301-017, consisting of 4.66 acres, in the El Dorado area, submitted by Mercy Housing California; and staff recommending the Planning Commission take the following actions:
- 1) Certify the project to be Statutorily Exempt pursuant to Section 15268, Ministerial Projects, of the CEQA Guidelines;
 - 2) Find that the project is consistent with the provisions of Senate Bill 35 (SB 35); and
 - 3) Approve Design Review Permit DR21-0003, based on the Findings and subject to the Conditions of Approval as presented.
(Supervisory District 3)

Public Comment: B. West, S. Christiansen

Chair Vegna opened the hearing and upon conclusion of public comment and staff input, closed the hearing.

A motion was made by Commissioner Williams, seconded by Commissioner Vegna, to continue this matter to the next available date to work on issues brought up by the Commission regarding fencing/barriers to reduce safety concerns related to potential standing water within the stormwater features. Commissioner Williams withdrew the motion.

No vote was taken.

[Clerk's Note: Commissioner Williams withdrew his motion prior to taking Lunch break from 12:05 PM - 12:45 PM]

A motion was made by Commissioner Clerici, seconded by Commissioner Williams, to Approve staff's recommended actions with the following changes:

- 1) Incorporate Conditions of Approval as outlined in Staff Memo dated June 8, 2021;
- 2) Revise Condition of Approval No. 52 to replace '50%' to '100%' affordable housing;
- 3) Modify Condition of Approval No. 53, by removing the following verbiage: skilled and trained workforce in the construction of the project;
- 4) Revise Condition of Approval No. 1 to replace '50%' to '100%' affordable housing;
- 5) Modify Condition of Approval No. 1 by adding the following verbiage between the last two paragraphs: Applicant will consider alternative design solutions, deterrents, and/or barriers to reduce safety concerns related to potential standing water within the required stormwater quality features and work with County staff during permit review.

Votes were by roll call.

Yes: 4 - Commissioner Williams, Commissioner Ross, Commissioner Clerici and Commissioner Vegna

Abstained: 1 - Commissioner Bly-Chester

3. [21-0916](#) Hearing to consider the Heritage at Carson Creek project (Specific Plan Amendment SP-R20-0001/Tentative Subdivision Map TM20-0001/Development Agreement DA20-0001) to request:
- 1) Amendment to the Carson Creek Specific Plan (CCSP) consisting of the following modifications (Appendix A1 of Exhibit W [Addendum to the Carson Creek Specific Plan EIR]):
 - A) Amend land use categories by changing Industrial (I) and Research and Development (RD) within the Tentative Subdivision Map area to 86.4± acres Residential, 1.7± acres of future Local Convenience Commercial, a 0.9-acre increase of the Open Space (OS) land use category, and a 0.56-acre parcel that supports the western terminus of Investment Boulevard;
 - B) Add Village 11 as a Residential Village;
 - C) Increase the CCSP residential unit cap from 1,700 to 1,925 units and stipulate that none of the additional units may be developed outside of the project site;
 - D) Adopt development standards for the Single Family (4,500 sq. ft. min.) zoning, which would be applied to all of the proposed Village 11 area. A summary of the primary development standards proposed for this village is presented in the Project Description section below and additional details are provided in the proposed Carson Creek Specific Plan Amendment (SPA) text in Appendix A1 of Exhibit W;
 - E) Create a new future Local Convenience Commercial (LC) - Investment Boulevard CCSP zone district and adopt development standards for this zone. These development standards would be similar to the existing LC development standards in the CCSP. A summary of the development standards proposed for this commercial area is presented in the Project Description section below and additional details are provided in the proposed Carson Creek SPA text in Appendix A1 of Exhibit W;
 - F) Remove all references to a golf course, particularly Section 4.16 Golf Course Standards;
 - G) Edit text and Figures throughout the CCSP to reflect the increased maximum unit cap and changes in the maximum amount of square footage for non-residential land uses, update tables, document changes in public and utility service infrastructure, and identify road section standards for Village 11;
 - H) Supplement CCSP Figure 4, Land Use Plan, with Figure 4a, Amended Land Use Plan, which removes I and RD referenced in the lower portion of the Figure 4 Land Use Plan, replaces with Village 11 and includes a private clubhouse site, Local Commercial and OS;
 - I) Supplement CCSP Figure 5, Circulation Plan, in the CCSP, with Figure 5a, Amended Circulation Plan, which removes I and RD referenced for the

project site, replaces with Village 11 and includes a private clubhouse site, Local Commercial and OS, and identifies offsite roadway connection to Latrobe Road. The Industrial Collector shown in Figure 5, will now be Residential Collector and Residential Street for the new Village 11; J) Modify CCSP Figure 6 to include right-of-way (ROW) exhibits for Residential Collector and Residential Street for Village 11; and K) Supplement CCSP Figure 7 Pedestrian Trail System, with Figure 7a, Amended Pedestrian Trail System which removes I and RD referenced in the lower portion of the Figure 7 Pedestrian Trail System, replaces with Village 11 and includes a private clubhouse site, Local Commercial and OS and Revise Schematic Pedestrian Trail Layout Alignment.

2) Approve Tentative Subdivision Map of proposed Residential Village 11 dividing a 132.1-acre site into:

- 86.4 acres of Residential to include 410 buildable lots and 29 lots for landscaping and/or water quality Best Management Practices;
- 1.7-acre future Local Convenience Commercial site;
- 13.5 acres of Open Space; and
- 30.0-acre Park site.

Of the 410 buildable lots, 409 would support for-sale, market rate age-restricted units (ARUs), to be constructed in three (3) phases, and one would support a future private clubhouse. The proposed lots are shown in Exhibit N and the proposed development phasing is shown in Exhibit O. The residential lot sizes would range in size from 4,595 square feet to 13,522 square feet.

3) Enter into and execute a Development Agreement (DA) between the County of El Dorado, Carson Creek El Dorado, LLC, and Lennar Homes of California, Inc., for the development known as Heritage Carson Creek Village 11.

On property identified by Assessor's Parcel Numbers 117-680-003, 117-680-004, 117-680-007, 117-680-008, 117-680-016, 117-570-013, 117-570-017, and 117-570-018, consisting of 132.1 acres, in the El Dorado Hills area, submitted by Lennar Homes of California; and staff recommending the Planning Commission:

1) Review the staff report, receive public comment, and direct staff on recommendations to the Board of Supervisors regarding the CCSP SPA, the Heritage at Carson Creek Tentative Map, and the proposed Development Agreement (DA).
(Supervisorial District 2)

Public Comment: R. Williams, T. Fessler, J. Harn

**Chair Vegna opened the hearing and upon conclusion of public comment and staff input, closed the hearing.
A motion was made by Commissioner Vegna, seconded by Commissioner**

Williams, to continue this item off calendar due to unresolved issues with the CSD (El Dorado Hills Community Services District) in respect to access and Conditions of Approval as well as allowing the applicant an opportunity to meet with DOT (Department of Transportation) staff to work on options for potentially obtaining right-of-way access to the Empire Ranch Interchange.

No vote was taken.

A motion was made by Commissioner Ross, seconded by Commissioner Williams, to recommend denial of this item to the Board of Supervisors noting reasons for denial as follows:

- 1) Incompatible zoning uses (Residential lots adjacent to Industrial lots / buffers);
- 2) Concerns about the types of housing developments that our County should be promoting (Work force housing);
- 3) Concerns about a connection road to Sacramento County area (Empire Ranch); and
- 4) Subdivision driveway lengths of only 18 feet (setbacks).

Votes were by roll call.

Yes: 3 - Commissioner Williams, Commissioner Ross and Commissioner Clerici

Noes: 2 - Commissioner Bly-Chester and Commissioner Vegna

ADJOURNMENT

Meeting was adjourned at 4:12 PM by Chair Vegna.

All persons interested are invited to participate remotely (following instructions listed under the Public Participation Instructions in this agenda) and be heard or to write their comments to the Planning Commission. If you challenge the application in court, you may be limited to raising only those items you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission at, or prior to, the public hearing. Any written correspondence should be directed to Planning Services; 2850 Fairlane Court; Placerville, CA 95667.

*A negative declaration has been prepared for this project and may be reviewed and/or obtained in Planning Services, 2850 Fairlane Court, Placerville, CA 95667, during normal business hours. A negative declaration is a document filed to satisfy CEQA (California Environmental Quality Act). This document states that there are no significant environmental effects resulting from the project, or that conditions have been proposed which would mitigate or reduce potential negative effects to an insignificant level.

**This project is exempt from the California Environmental Quality Act (CEQA) pursuant to the above referenced section, and it is not subject to any further environmental review.