

**MINUTES OF THE CALAVERAS COUNTY
PLANNING COMMISSION MEETING OF
June 15, 2006**

***Amended by Planning Commission 7/06/06
Amendments to Page 3 (2004-125) in Italics***

1. CALL TO ORDER:

The Planning Commission meeting of June 15, 2006 was called to order at 9:00 a.m. by Chair Ted Allured at the Calaveras County Board of Supervisors Chambers. Commissioners present were: Holly Mines, Suzanne Kuehl, Bill Mason & Wes Hodgson. Staff members present were: Robert Sellman, Planning Director, John Andersen, Planner III, Don Ratzlaff, Planner II, and taking minutes, Gina Kathan, Permit Tech.

2. PLEDGE OF ALLEGIANCE

3. AGENDA CHANGES Tuscany Hills was continued to a future meeting with no public testimony.

4. PUBLIC COMMENT PERIOD: The public may address the Planning Commission on land use issues not on the agenda. Five minutes per person, fifteen minutes per topic. (The Planning Commission shall not take action on any items presented under this Public Comment Period). ► No one addressed the Commission.

5. PUBLIC HEARING ► Tom Jeffries, Jeffries Engineers, requested to remove 2004-133 Buller from the consent agenda. ► Commissioner Mines requested to remove 2006-41 EOT for Paloma Oaks Subdivision from the consent agenda.

CONSENT AGENDA

A. APPROVAL of MINUTES from JUNE 1, 2006

A motion was made to approve the consent agenda.

Moved: Hodgson

Second: Kuehl

Passed: 5-0-0-0

Regular Agenda

Tape 1, Side A

- B. 2004-133 ZONING AMENDMENT and TENTATIVE PARCEL MAP for DALE and DELORES BULLER. The applicant is requesting a Zoning Amendment from U (Unclassified) to RR (Rural Residential) for about 4.25± acres. Concurrently requested is approval of a Tentative Parcel Map to divide the property into 3 parcels of 1.5, 1.5 and 1.25± acres. The property is located at 4970 Independence Road, on the north side, in the Glencoe area. (APN # 14-008-32 is a portion of the Northwest ¼ of Section 29, T6N, R13E, MDM).

Planning Staff presented the staff report, recommending the Commission deny this request without prodigious.

The following persons spoke regarding this project: ► Tom Jeffries, Jeffries Engineers, spoke on behalf of his client, asking for an extension of time for 60 days. ► Robert Sellman explained three options to the Commission. ► Commissioner Mines spoke with concerns regarding boundary lines. ► Don Ratzlaff & Robert Sellman addressed the concerns of Commissioner Mines. ► Commissioner Allured also spoke with concerns regarding boundary lines. ► Tom Jeffries addressed the concerns of Commissioner Allured. ► Mary McBeth, adjacent property owner, spoke in opposition to the request. ► Ken Airola, Attorney for Mr. Buller, spoke on behalf of his client

A motion was made to grant the 60 day extension of time without new fees to get together the supplemental information.

Motion: Hodgson

Second: Mason

Passed: 5-0-0-0

Tape 1, Side A

- C. EXTENSION OF TIME for 2001-107 TSTM requested by KING/GROSSMAN (PALOMA OAKS SUBDIVISION). The Zoning Amendment and Tentative Subdivision Tract Map for Mr. & Mrs. Alan and Lori King and Mr. & Mrs. Robert and Eilene Grossman was approved on June 23, 2003 by Board of Supervisors Resolution 03-166 zoning and Ordinance No. 2749 subdivision map. The project divided about 55.88± acres into 11 parcels with a minimum parcel size of 5 acres. The property is located at 5629 Paloma Road, approximately 5½± miles northeasterly of Valley Springs in the Paloma area. (APN 16-004-07 is a portion of the Southwest ¼ of Section 28, T5N, R11E, MDM). The applicant has requested an additional thirty-six (36) month extension, the first extension, with two additional years allowed, if requested. The original expiration date of June 23, 2006, is being requested to be extended to June 23, 2009.

Planning Staff presented the staff report clarifying the history of the Tentative Map.

The following persons spoke regarding this project: ► Commissioner Mines spoke in opposition to granting a 5 year extension of time. ► Commissioner Kuehl agreed

with Commissioner Mines and asked for clarification to the State law regarding extension of time. ► Alan King, applicant, spoke in regard to his request, explaining that he is doing most of the work himself. ► Ken Airola, spoke on behalf of Mr. & Mrs. Grossman, in support of the request. ► John Andersen addressed the concerns raised by the Commission.

A motion was made authorizing the chair to sign **Resolution 06-41** to approve a 36 month extension of time with a new expiration date of June 23, 2009 for 2001-107 TSTM.

Motion: Kuehl

Second: Hodgson

Passed: 5-0-0-0

Tape 1, Side A & B & Tape 2 Side A

- D. 2004-125 GENERAL PLAN AMENDMENT, ZONING AMENDMENT and TENTATIVE SUBDIVISION TRACT MAP for F M COMPANY LLC. The applicants are requesting a General Plan Amendment to the Arnold Community Plan to change the land use designation from COM - Commercial and RR - Rural Residential to MFR - Multi-Family Residential and a Zoning Amendment from C2 (General Commercial) and RR (Rural Residential) to R3-PD (Multi Family Residential – Planned Development) for 5 ± acres. Concurrently requested is approval to divide the site into forty-eight (48) townhouse lots and one (1) common area lot. The subject property is on the north side of Blagen Road just east of the existing housing project in Arnold. (APN's 26-019-038, 039, 072 & 094 and 26-001-071 are a portion of North ½ of Section 29, T5N, R15E, MDM).

Planning Staff presented the staff report. ► John Andersen informed the Commission that the project was pre-noticed for the Board of Supervisors and also informed them of the issues with the traffic study. ► *Suzanne Kuehl announced that her employer, SEI Solid Waste, owns property adjacent to the subject parcel. She consulted with County Council and Suzanne determined that there was no conflict of interest.* ► Tim McSorley addressed issues with on-site bike paths. ► Commissioner Mason had questions regarding bike paths. ► Commissioner Mines spoke regarding bike paths. ► Tim McSorley addressed all concerns by the Commission.

The following persons spoke regarding the project: ► Mike Hathaway, agent, gave a brief overview of his client's request. ► Commissioner Mines spoke with concerns regarding the traffic study and of the bike paths. ► Commissioner Kuehl spoke with concerns regarding traffic impacts. ► Brian Dickson, Ebbetts Pass Fire District, spoke with concerns regarding traffic impacts and clarified the fire code regarding buffers. ► Michael Chimente, Superintendent Vallecito School District, spoke regarding traffic impacts. ► Suzanne Robinson, citizen of Arnold, spoke with concerns regarding protection of trees, wildlife habitat and the marsh area. ► Ross Alford, citizen of Arnold, spoke regarding the Arnold Community Plan requirements. ► Commissioner Kuehl spoke in opposition to closing Blagen Road. ► Commissioner Mason spoke regarding a plan for road improvements. ► Tim McSorley spoke regarding the traffic study and Level of Service of the affected roads. ► Mike Hathaway addressed concerns raised.

A motion was made to continue the project to the August 3rd Planning Commission.

Motion: Kuehl

Second: Hodgson

Passed: 5-0-0-0

Commissioner Allured called for a break at 11:23
Reconvened at 11:35

Tape 2, Side A

- E. 2005-95 TENTATIVE PARCEL MAP for KENNETH R. and NINETTE KYLE SHEARER. The applicants are requesting approval of a Tentative Parcel Map to divide 2.5 ± acres into two (2) parcels of 1.4 and 1.1 acres respectively. Current land use designation is Mokelumne Hill Community Plan – Rural Residential ½ acre density with existing zoning of RR-½ (Rural Residential – ½ acre minimum parcel size) The property is located at 8511 Center Street on the south side of the street about ¼ mile west of Main Street in Mokelumne Hill. (APN 18-017-004 is a portion of the East ½ of Section 12, T5N, R11E, MDM).

Planning Staff presented the staff report and recommendations. The letter from Water Resources doesn't apply to this project.

The following persons spoke regarding the project: ►Commissioner Mines questioned Fire Protection conditions. ►John Andersen explained that they are a notice to the applicant.

A motion was made to grant the Negative Declaration based upon one finding and no mitigating measures.

Moved: Hodgson

Second: Mines

Passed: 5-0-0-0

A motion was made authorizing the Chair to sign **Resolution 2006-42** to approve 2005-95 Tentative Parcel Map based upon the findings and conditions as presented.

Moved: Mines

Second: Kuehl

Passed: 5-0-0-0

**2001-154 Revised Draft EIR for Tuscany Hills will not be heard at this meeting.
The project will be re-noticed for a future public hearing date.**

- F. 2001-154 REVISED DRAFT ENVIRONMENTAL IMPACT REPORT for TUSCANY HILLS The revised Tuscany Hills project ("project") proposes development of 335 single family residential units, 28 lots zoned Recreation-Existing Parcel Size-Environmental Protection (REC-X-EP) with a proposed use as non-development open space, nine recreation lots zoned Recreation-Existing Parcel Size (REC-X) with proposed uses as an 18-hole private, membership only golf course and marina and other lakefront recreational uses on 1,113 acres in Calaveras County. The project also includes transfer of density from 561 acres of a portion of the remaining Rancheria del Rio Estanislao lands of the current property owner to Tuscany Hills. The project is not listed on the Hazardous Waste and Substances Sites List as set forth in Government Code Section 65962.5.

6. PLANNING DIRECTOR'S REPORT ► Robert Sellman reported that all Planning Commission recommendations to the Board of Supervisors have been approved. ► There is a study session on Monday, June 26th at 1:30 p.m. regarding the re-organization of the Community Development Agency. The Planning Commission may attend and comment. ► Stephanie Moreno asked that we amend the format of the agenda. She wants staff to draft new language to replace, "Planning Staff presented the staff report and recommendations".
7. OFF-AGENDA DISCUSSION ► none
8. ADJOURNMENT OF REGULAR PLANNING COMMISSION The Planning Commission meeting was adjourned at 11:55 a.m.

Robert Sellman, Planning Director

Ted Allured, Planning Commission Chair