

**Community Development Department
MEMORANDUM**

DATE: December 4, 2007

TO: City Council

FROM: Steve Calfee, Community Development Director

SUBJECT: **Stancil/Dover Project - Findings for Denial**

At the conclusion of the hearing at the last City Council meeting on November 27, 2007, for the Stancil/Dover project involving the residential development of approximately 5.83 acres near Forni Road, the City Council directed staff to prepare Findings for Denial of the project consistent with the City Council's deliberations. The Findings for Denial are attached hereto for the City Council's consideration. In reviewing the Findings, the City Council has the discretion to modify the Findings, augment the Findings, adopt the Findings, or to set the Findings aside. Because the Findings are considered a new item in terms of public information, the matter is placed on the City Council Agenda as a Public Hearing, wherein the public should be given the opportunity to speak relative to the Findings or other project-related matters.

An issue that arose after the closure of the first Public Hearing and came to light during the City Council's deliberations related to the loss of the City's commercial land use inventory in favor of a residential project and the apparent desire of the City Council to see that the commercial character of the area including the project not be compromised by amending the site's Highway Commercial Land Use and Zoning in favor of Residential Land Use and Zoning. In this regard, staff has had discussions with the applicant, Mr. Dover, regarding his desire to respond to the Council's concern that the site be developed with commercial uses. It is Mr. Dover's desire to present information relative to this matter at a Public Hearing in the near future to request that the City Council reopen the matter at a Public Hearing for that purpose.

Should any Councilmember wish to discuss this matter with me further, please feel free to contact me at your convenience.

Prepared by:

Reviewed by:

Steve Calfee
Community Development Director

John Driscoll
City Manager/City Attorney

Findings for Denial

Stancil/Dover Project

PROJECT DESCRIPTION

A request to amend the Placerville General Plan Land Use Map, encompassing 5.83-acres of land from Highway Commercial to High Density Residential, and rezone same land from HWC (Highway Commercial) to R3 (Multi-Family Residential Zone). In addition, the applicant proposes to subdivide said land into 34 single-family residential parcels, 6 parcels owned and maintained by a proposed home owners association under a planned development concept, along with proposed site roads, utilities, grading and drainage.

With respect to the aforementioned project, the City Council hereby finds that the Stancil/Dover Project is inconsistent with the following Goals and Policies of the City of Placerville General Plan:

Land Use Element

City Council finds that the proposed Stancil/Dover project is inconsistent with the General Plan Land Use Element Goal C and Policies 4 & 8 listed below. The Stancil/Dover project is inconsistent because it would cause the removal of approximately 6 acres of Highway Commercial Land Use and Zoning inventory needed to meet future needs of Placerville's Commercial land inventory. Further, the proposed project is contrary to Policy 4 which encourages the establishment of new commercial businesses in areas not currently realizing the full spectrum of commercial services, job creation and is contrary to the City's goal to broaden its revenue base because the Stancil/Dover project is non-commercial in nature. The proposed Stancil/Dover project is contrary to Policy 8 below, because it would eliminate future Highway Commercial uses in the area near Highway 50 and the west Placerville Drive interchange.

Goal C: To protect and provide for the expansion of Placerville's commercial services sector to meet the needs of both Placerville area residents and visitors.

Policy 4. The City shall encourage the establishment of new commercial businesses in Placerville that provide services currently not being provided in the Placerville area, create jobs appropriate to the skills of the local labor force, and broaden the revenue base of the City of Placerville.

Policy 8. The City shall limit highway commercial uses to areas near Highway 50 interchanges, subject to their compatibility with adjacent areas.

The entitlements subsequent to the General Plan Land Use Amendment cannot be considered nor approved without City Council first approving the requested General Plan Land Use Amendment. In light of this, the City Council need only make finding(s) relative to those which relate to the General Plan Land Use Amendment.

Based on the aforementioned **finding**, the City Council does hereby take the following action:

1. Adopt the Staff Report as part of the public record.
2. Reject the Mitigated Negative Declaration prepared for the proposed project dated September 14, 2007.
3. Deny General Plan Land Use Amendment 07-01.
4. Inasmuch as the following entitlements are predicated upon approval of General Plan Land Use Amendment 07-01, they are hereby dismissed: Zone Change 07-01; Tentative Subdivision Map 07-03; and, Planned Development Overlay 07-02 for property located on Forni Road, southwest of Office Max and In-N-Out Burger, Assessor's Parcel No. 325:310:62.