

DAVID A. MABRY AND FRANK TRUJILLO
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July 15, 2024

Sutter Creek City Council
18 Main Street
Sutter Creek CA 95685

Subject: Appeal of Planning Commission Determination Regarding the Broadmeadows Estates Subdivision Project (APN 040-030-060 and APN 040-232-010)

Dear City Council Members:

At their regular meeting on July 8, 2024, the Planning Commission determined that the Broadmeadows Estates Tentative Subdivision Map could not be approved because "the proposed subdivision is not consistent with the general plan, any applicable specific, special or community plan, or the city subdivision ordinance." (Sutter Creek Municipal Code, Section 17.12.100 A)

On behalf of project property owners David Mabry and Frank Trujillo, the determination of the Planning Commission is hereby appealed to the City Council as allowed under Section 18.06.045 of the Sutter Creek Municipal Code.

Background

The Broadmeadows Estates Subdivision consists of ten single-family residential lots with street frontage on Golden Hills Drive and Broadmeadows Drive, which are currently constructed streets, built to City Standards. The subdivision lots are located along the north side of Broadmeadows Drive and the east side of Golden Hills Drive. A portion of the subdivision is within the City Limits, while a portion of the subdivision is in the County and will need to be annexed.

Basis for Appeal

The Planning Commission failed to recognize that the application package for the Broadmeadows Estates project includes: a Vesting Tentative Subdivision Map; a General Plan Amendment to change the Land Use designation to Residential Single Family (RSF); a pre-zoning request to designate the portion of the project in the County as R-1 (Residential Single Family); and an annexation request to annex 2.72 acres to the City of Sutter Creek and the Sutter Fire Protection District.

In the normal course of considering a subdivision development application, all of the elements indicated above (Tentative Subdivision map, General Plan Amendment, Pre-zoning, and Annexation) are considered together. The Planning Commission chose to ignore this standard approach to project review, and instead, only considered the Tentative Subdivision Map as the 'application.'

Requested Action

It is hereby requested that the City Council take the following actions:

1. Grant the appeal request from David Mabry and Frank Trujillo;
2. Find that the Broadmeadows Estates project is consistent with the General Plan;
3. Certify the Initial Study/Mitigated Negative Declaration prepared for the project;
4. Approve Vesting Tentative Subdivision Map No. 182 for Broadmeadows Estates;
5. Approve a General Plan Amendment from Residential Low Density (RL) to Residential Single Family (RSF); and
6. Pre-zone the project area outside the City Limits to R-1.

Respectfully submitted,



BRUCE C. BARACCO
Project Planner