



TO: Planning Commission

MEETING DATE: July 8, 2024

FROM: Erin Ventura, Contract Planner

SUBJECT: Broadmeadows Estates Subdivision (Previously Golden Hills Estates, Unit No. 4) 10 Lot Subdivision. Initial Study/Negative Declaration, Vesting Tentative Subdivision Map #182/General Plan Land Use Amendment/Pre-zone Application Northeast corner of Golden Hills Drive and Broadmeadows Drive, (APN 040-030-060 and 040-232-001[Portions])

RECOMMENDATION:

Staff recommends that the Planning Commission consider the following;

1. Conduct a public hearing to receive public input;
2. Adopt Resolution 2024-2025-* recommending the City Council Certify the Initial Study/Mitigation Negative Declaration (SCH# 2023100658) for the Broadmeadows Estates Subdivision (Project) and approving Vesting Tentative Subdivision Map No. 182
3. Adopt Resolution 2024-2025-* recommending to the City Council a General Plan Amendment from Residential Low Density (RL) to Residential Single Family (RSF);
4. Adopt Resolution 2024-2025-* recommending to the City Council pre-zone the parcels outside the City limits to R-1;

BACKGROUND:

This item was continued from the June 10, 2024 regular meeting of the Planning Commission.

The Broadmeadows Estates Subdivision was previously Unit 4 of the Golden Hills Estates Subdivision. The Tentative Parcel Map (TPM) and Subdivision agreement for the Golden Hills Estates Subdivision, was previously approved in 2002 and has since expired. This project is the other side of an existing street with established single family homes.

Approximately five years ago, the applicant previewed this project and a neighboring project, Paneer Creek, with city staff. It was the staff's opinion that both projects together would require an environmental impact report. Based on that feedback, the applicant decided to focus on Broadmeadows, 10 single family homes on an existing street. Attached to this report is a Staff Report which was presented to the Planning Commission on June 13, 2022. At the 6/13/22 Planning Commission meeting the Planning Commission voted to deny the applicants appeal of the staff determination that the application was incomplete. The reason this report is being provided at this time is to provide additional background information. (Attachment June 13, 2022 PC Staff Report)

Also attached to this report is a letter from the developer, Stan Gable.

The Broadmeadows Estates Project is partially located within the City of Sutter Creek and substantially located outside the City limit at the northeast corner of Golden Hills Drive and

Broadmeadows Drive, as shown on the location map, Figure 1. It will require annexation through LAFCO,. There are no flood zones on the site.

Property owners David Mabry and Frank Trujillo, through their representative Bruce Baracco, prepared an application for a Vesting Tentative Subdivision Map to divide a portion of parcel 040-232-001 (0.67 acre), located within the City limit and a portion of parcel 040-030-06 (2.19 acres), located outside the City limit into ten parcels (Project) (See Figure 3);

- Parcel 1 – 0.23 acre (10,000 square feet)
- Parcel 2 – 0.34 acre (14,676 square feet)
- Parcel 3 – 0.33 acre (14,353 square feet)
- Parcel 4 – 0.33 acre (14,554 square feet)
- Parcel 5 – 0.24 acre (10,443 square feet)
- Parcel 6 – 0.22 acre (9,511 square feet)
- Parcel 7 – 0.25 acre (10,920 square feet)
- Parcel 8 – 0.24 acre (10,288 square feet)
- Parcel 9 – 0.29 acre (12,473 square feet)
- Parcel 10 – 0.41 acre (17,669 square feet)

The portion of parcel 040-232-001 located in the City limit is designated as RSF and zoned R-1. The portion of the project outside the City limit on parcel 040-030-060 is designated RL on the Sutter Creek Land Use Diagram, R-S on the County land use map, and zoned R1A. The applicant seeks to amend the General Plan Land Use Diagram to designate the area currently located outside the City limit as RSF, and pre-zone the portion of the project outside the City limit as R-1, making it consistent with the existing homes on Broadmeadow Drive.

Figure 1. Location



Broadmeadows Estates Subdivision TPM #182

Location	South of Gopher Flat Road and east of Golden Hills Drive adjacent to Golden Hills Estates Unit 2 (See Figures 1 and 2)
Acres	2.86
Parcels	APN 040-232-01: 0.67 acres within the existing City Limits 2.19 acres from APN: 040-030-06: 2.19 acres outside the City Limits
Proposed Units	10 (See Figure 3)
General Plan	Lots 1, 2, 3, and 4 within City limits: RSF Residential Single Family Portions of Lots 1 through 10, within the County: RL Residential Low Density

	Portions outside City limit require annexation and General Plan land use designation change from RL to RSF.
Zoning	Lots 1, 2, 3, and 4 within City limits: R-1 Portions of lots 1 through 10, within the County: RE Portions outside City limit require annexation and rezone from RE to R-1.
Existing	Golden Hills Drive and Broadmeadows Drive improved with curb and gutter, storm drainage, water, sewer, communications and energy utilities. Lots 5-10 are rough graded.
Proposed	<ul style="list-style-type: none"> • 10 lots: 9,511 square feet to 17,669 square feet in size • Four-foot sidewalk, one streetlight at the end of the cul-de-sac, storm manholes, and a 12-inch diameter storm drainage line along the north side of Broadmeadows Drive. • Removal of concrete blocks and debris on Lots 5 and 6. • Remove and cap the existing well and pump on Lot 5 under permit from the Amador County Environmental Health Department. • Remove the existing soil mound within Lots 2, 3, and 4 and the boulders on Lot 2. • Removal of one 30-inch Blue oak tree on Lot 5 and replace with one new Blue oak tree on each lot (10 total) at the completion of construction on each lot. • The 15-foot public utility easement (PUE) on the north side of Broadmeadows Drive is reserved for the new drainage line and any additional underground utilities should they be required in the future. • CFD Formation to maintain the storm drain system (See drainage improvements)
Drainage Improvements	The developer is proposing to modify the existing drainage improvements and construct new drainage improvements.

Figure 2. Street view of Broadmeadows Estates at Golden Hills and Broadmeadows Drives



HISTORY:

The original application for the Golden Hills Estates Subdivision encompassed approximately 55 acres located between Gopher Flat Road on the north and Sutter Creek Road on the south, approximately 0.9 miles east of State Route 49, was received by the City approximately 20 years ago.

The tentative subdivision map for units 1, 2, and 3 allowed a maximum of 79 single-family residential lots. Unit 1 was approved with 5 single-family residential lots, Unit 2 was approved with 31 single-family residential lots, both of which were built.

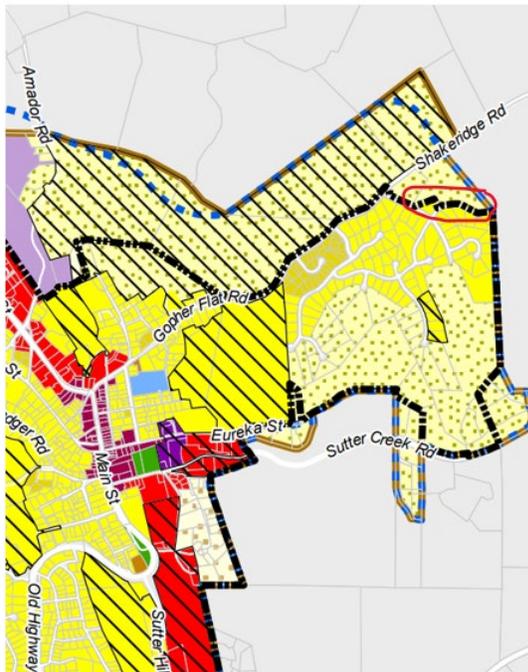
Unit 3 included the remaining 39 single-family residential lots and is now called Panner Creek Estates. The subdivision map for Unit 3 has expired and that project has been put on hold as of now.

This project is what was Unit 4 of the original Golden Hills Estates Subdivision (Broadmeadows Estates), located at the northwest corner the intersection of Golden Hills Drive and Broadmeadows Drive on assessor parcel APN 040-030-060, proposed 10 single-family residential lots and one remainder lot zoned Residential Low Density (Planned Development), with a portion the Unit within the County and requiring annexation.

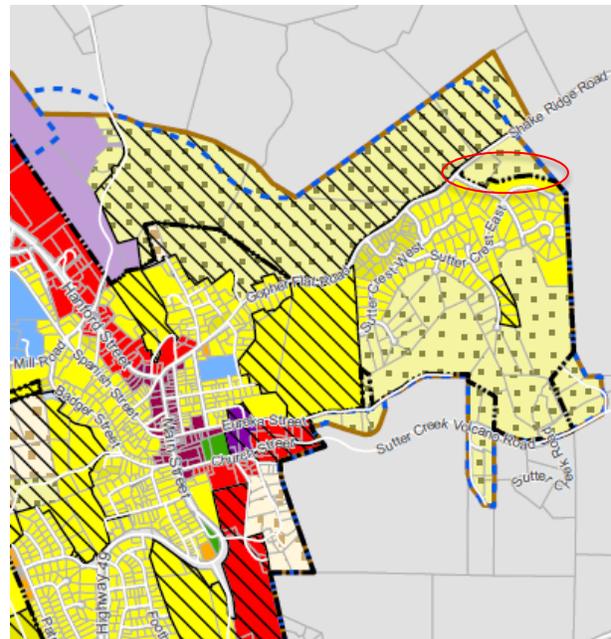
DISCUSSION:

General Plan and Zoning Compliance

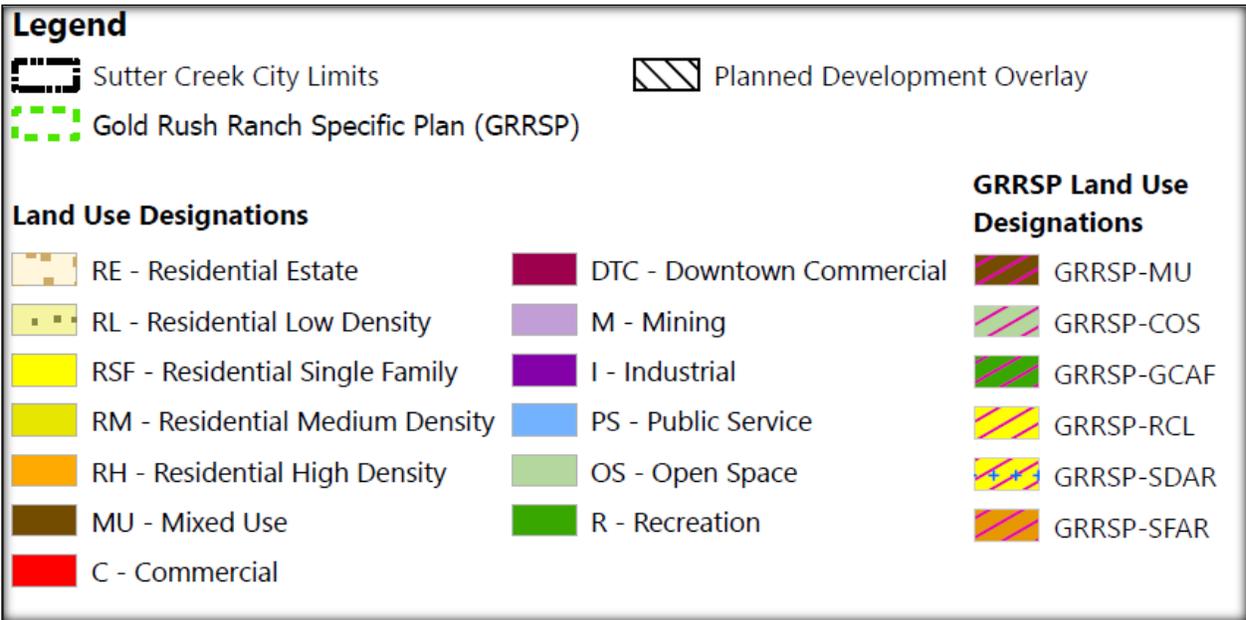
The application proposes an amendment to the General Plan Land Use Designation from RL – Residential Low Density to RSF- Residential Single Family. Staff believes this is acceptable as the other units in the Golden Hills Subdivision are designated RSF.



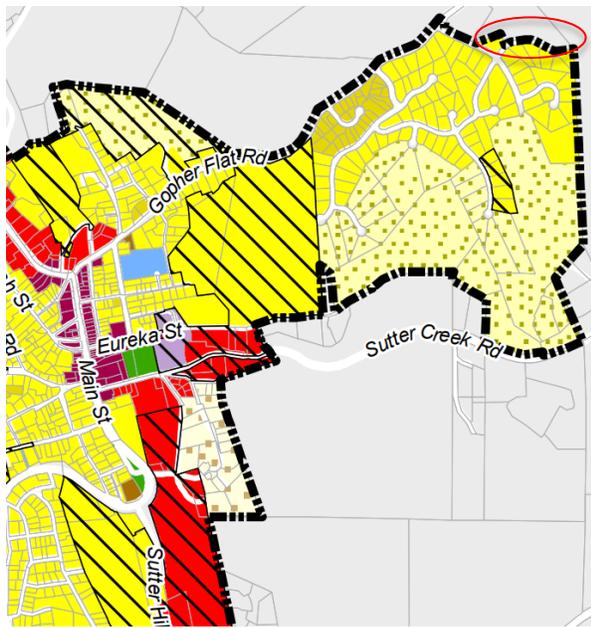
Existing Land Use Map and City Boundary



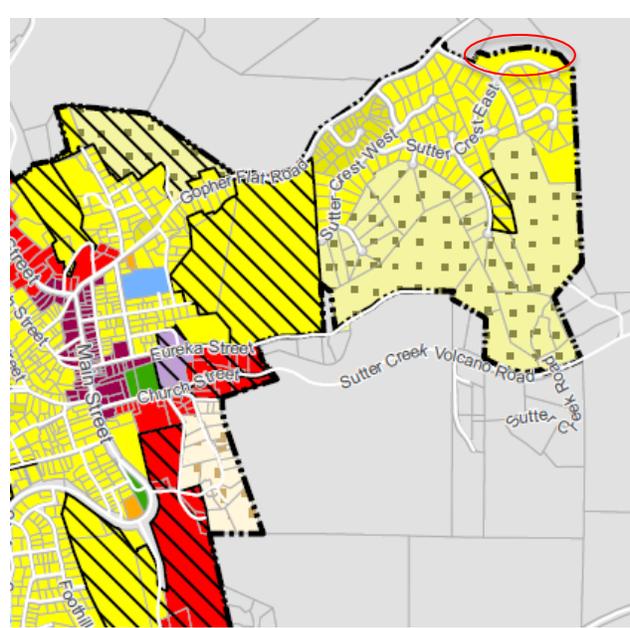
Proposed Land Use Map and City Boundary



As part of the application process the applicants are requesting annexation into the City. Per the Government Code, land once annexed cannot modify zoning for two years. The applicant is requesting the City pre-zone the area of the project outside the City Limits, prior to annexation. They are requesting a pre-zone R-1 which is consistent with the proposed development and the surrounding uses. The minimum parcel or lot size is 7,000 square feet (0.16 acre) for lots within the R-1 zoning. The proposed lots of the subdivision exceed the minimum lot size. The applicants are not asking for any deviation from the Zoning Ordinance. Staff believes this is reasonable.



Existing Zoning Map



Proposed Zoning Map

Legend



Sutter Creek City Limits



Planned Development Overlay



Gold Rush Ranch Specific Plan (GRRSP)



Combining District, 5 ac. min.

Zoning Designations



R-R - Residential Ranchette



R-E - Residential Estates



R-L - Residential Low Density



R-1 - One Family Dwelling



R-2 - Two-Family Dwelling



R-3 - Multifamily Dwelling



C-1 - Limited Commercial



C-2 - Commercial



DTC - Downtown Commercial



I-1 - Light Industrial



I-2 - Heavy Industrial



MU - Mixed Use



R - Recreation



OS - Open Space



P - Public



P-S - Public Service

GRRSP Zoning Designations



GRRSP-MU



GRRSP-OS



GRRSP-R



GRRSP-R-1



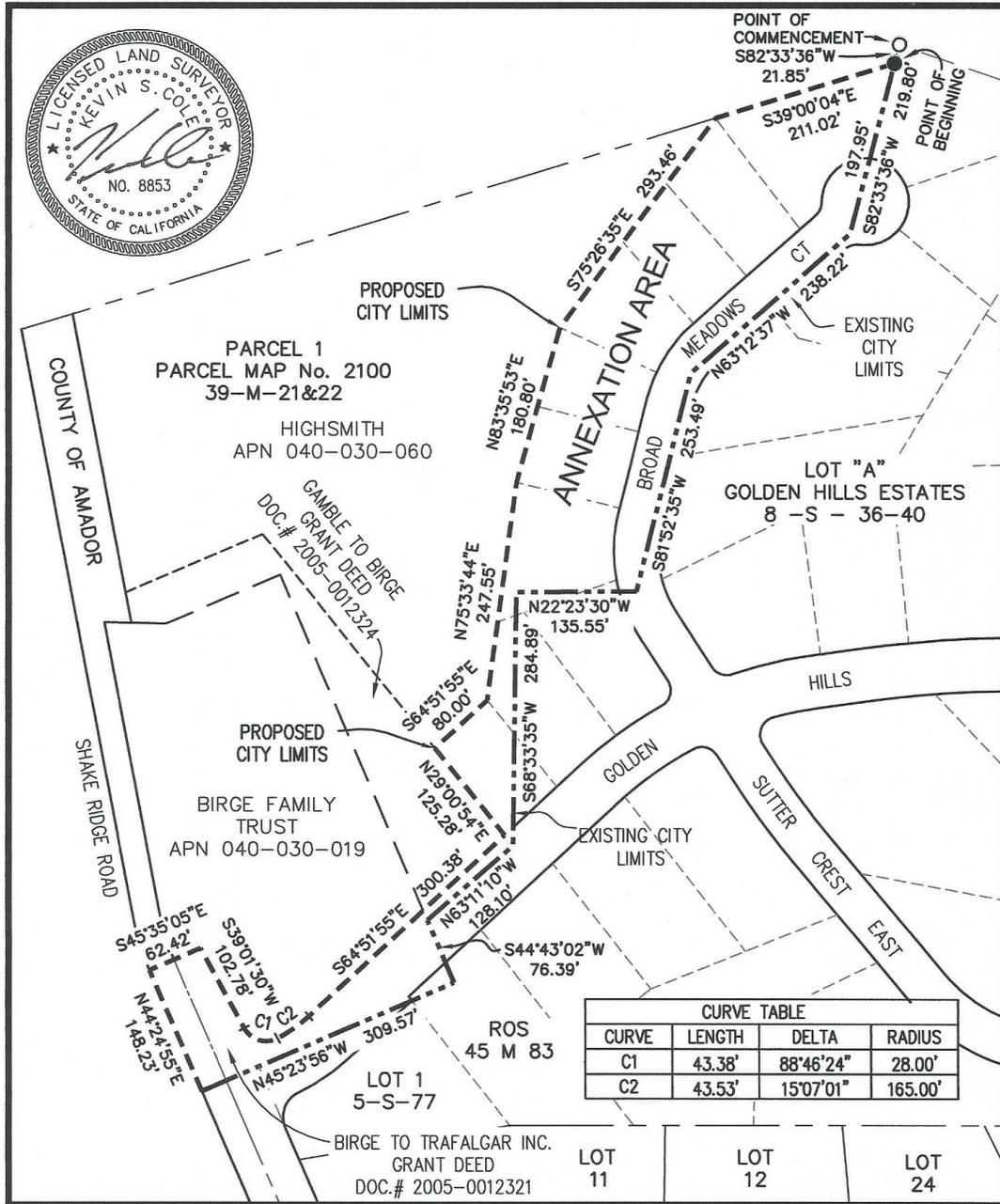
GRRSP-R-1 (PD)



GRRSP-R-4

Annexation

A portion of this project currently is located outside of the City Limits. The applicant is requesting that 2.19 acres (a portion of APN040-030-06) be annexed into the City. The annexation process is handled through LAFCO and must be initiated by the applicant. Once LAFCO has completed their process, the annexation will come back to the City Council for review and approval.



Subdivision Code Compliance

The Planning Commission has approval authority of the Vesting Tentative Subdivision Map. Per the Sutter Creek Municipal Code 17.12.100, the Planning Commission shall determine where the tentative map is in conformity with the General Plan, with the proper standards for lot and street design, with the improvement standards of the City, and with all provisions of the Subdivision Code.

Approval of a tentative or final map shall be approved unless one or more of the following findings are made:

- A. The proposed subdivision is not consistent with the general plan, any applicable specific, special or community plan, or the city subdivision ordinance; or
- B. The subject property is not physically suitable for the type of development proposed; or
- C. The design of the proposed subdivision or its proposed improvements is likely to cause serious public health problems; or
- D. The design of the proposed subdivision or its improvements is likely to cause substantial environmental damage or substantially and avoidable injury to fish or wildlife in their habitat; or
- E. The design of the proposed subdivision or the type of improvements will conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The local agency may approve a map if it finds that alternative easements for access or for use will be substantially equivalent to those previously acquired by the public. This subsection shall apply only to easements of record, or to easements established by judgment of a court of competent jurisdiction; or
- F. The discharge of liquid or solid waste into a sewer or individual sewage disposal system would result in violation or add to a violation of existing requirements prescribed by the local health officer or the Central Valley Regional Water Quality Control Board; or
- G. The proposed subdivision does not provide, to the extent feasible, for future passive or natural heating or cooling opportunities for the proposed new parcels. "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

Once a map has been approved it is valid for twenty- four months. The applicant will have an opportunity to apply for an extension of time if needed.

Staff believes that the proposed subdivision, Broadmeadows Estates Map No. 182 (Figure 3), with conditions, meets all the findings of the Subdivision Ordinance and recommends approval.

ENVIRONMENTAL:

A Mitigated Negative Declaration (MND) has been prepared and circulated as part of the review of this project. The MND was circulated for 30 days, starting October 23, 2023.

The required Mitigation Measures are as follows:

Mitigation Measure BM 3-1: The Applicant shall implement dust control measures as delineated in Amador Air District Rule 218.

Mitigation Measure BM 5-2: Should unknown buried resources or human remains become inadvertently uncovered during grading or other earth disturbing activities, construction is required to stop within 50 feet of the find and the City of Sutter Creek is to be notified.

Mitigation Measure BM 5-3: If human remains are uncovered, the Amador County Coroner will be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) shall be followed.

Mitigation Measure BM 7-4: Erosion control measures shall be in place by September 15th and include the following:

- Seed bare soils and cover with 2 to 4-inches of straw;
- Place straw rolls (waddles) at the bottom of slopes and around drainage devices; and
- Protect storm drainage inlets with gravel bags.

Mitigation Measure BM 10-5: The Applicant shall obtain a NPDES Construction General Permit, as well as development and implementation of a Storm Water Pollution Prevention Program prior to beginning any stormwater-related construction activity.

Mitigation Measure BM 19-6 After approval of the Broadmeadows Tentative Subdivision Map by the Planning Commission, the Applicant shall apply to the Amador Water Agency for a 'Will Serve' Letter for 10 EDU's.

Mitigation Measure BM 20-7: All Broadmeadows Estates property owners shall receive a copy of the City Emergency Evacuation Plan.

The Mitigated Negative Declaration can be found as an exhibit to Planning Commission Resolution 2024-2025-* recommending the City Council Certify the Initial Study/Mitigation Negative Declaration (SCH# 2023100658) for the Broadmeadows Estates Subdivision (Project) and approving Vesting Tentative Subdivision Map No. 182

Tribal Consult

Local Tribes were consulted as part of the review of this project. Letters were sent in October 2023 to five local Tribes. No requests for additional consultations were received. It is the City's practice to keep Tribes informed of development and addition Mitigation Measures (BM 5-2 and BM 5-3) have been incorporated to ensure all Cultural Resources are preserved accordingly.

REFERRALS:

The application package was referred to City staff and affected agencies for review. Comments received back from the affected agencies have been addressed and/or incorporated into the Conditions of Approval.

NEXT STEPS:

This is a multistep, multi approval application. The Planning Commission is the approving authority for the Vesting Tentative Subdivision Map. Once all conditions of the Subdivision Map have been met, the City Council shall review and accept the Final Map (SCMC 17.20.050).

The Planning Commission shall make a recommendation to the City Council on the following actions:

1. Certify the Initial Study/Mitigation Negative Declaration (SCH# 2023100658) for the Broadmeadows Estates Subdivision
2. General Plan Amendment from Residential Low Density (RL) to Residential Single Family (RSF);
3. Pre-zone the parcels outside the City limits to R-1

Once the Planning Commission has made their recommendations to the City Council, the City Council shall consider the following:

1. Certify the Initial Study/Mitigation Negative Declaration (SCH# 2023100658) for the Broadmeadows Estates Subdivision
2. General Plan Amendment from Residential Low Density (RL) to Residential Single Family (RSF);
3. Pre-zone the parcels outside the City limits to R-1

Then the applicant is responsible for initiating annexation through LAFCO.

RECOMMENDATIONS:

Staff recommends that the Planning Commission take the following actions:

- Conduct a public hearing to receive public input;
- Adopt Resolution 2024-2025-* recommending the City Council Certify the Initial Study/Mitigation Negative Declaration (SCH# 2023100658) for the Broadmeadows Estates Subdivision (Project) and approving Vesting Tentative Subdivision Map No. 182 with the following conditions:

CONDITIONS OF APPROVAL FOR THE VESTING TENTATIVE SUBDIVISION MAP # 182 FOR THE BROADMEADOWS ESTATES SUBDIVISION

GENERAL CONDITIONS:

1. Upon approval of the Planning Commission, a Subdivision Map for not more than 10 residential lots shall be prepared and processed in accordance with City Code Chapter 17.22 "Subdivision Maps." No phasing will be allowed.
2. The Subdivider shall meet all the requirements of the City Code unless otherwise

specifically superseded by these Conditions of Approval.

3. The Vesting Tentative Subdivision Map is valid for an initial period of 24-months from the date of approval, with extension requests filed prior to the expiration of the map. The final map shall be filed with the Amador County recorder within twenty-four (24) months of planning commission approval of the Tentative Map.
4. The ordinance requirements of the Amador Fire Protection District shall be met by participation in the annexation to the County's Community Facilities District No. 2006-1 for fire protection services.
5. All improvements shall be completed prior to recording of the Final Map, unless a Subdivision Improvement Agreement is executed in accordance with City Code. All Improvements shall be made to City Improvement Standards.
6. Any structural development on the parcels shall comply with the CBC and Title 24 regulations, as well as demonstrate defensible space.
7. All easements of record shall be noted on the Subdivision Map.
8. Prior to submittal of the final map, the Subdivider shall provide the City a copy of any proposed covenants, conditions, and restrictions (CC&R's) which shall be applicable to the subdivision.
9. Prior to recordation of the final map, the project limits shall be annex into the County of Amador Community Facilities District No. 2006-1 to fund additional costs associated with fire protection services for subdivision development in accordance with City of Sutter Creek Resolutions.
10. Prior to recordation of the final map, subdivider shall form a Community Facilities District (CFD), or other financing district or will provide a similar funding mechanism acceptable to the City of Sutter Creek to fund subdivisions fair share of ongoing maintenance ongoing for: concrete drainage swales, and storm drain inlet biofilters, to be replaced as needed. CFD can be simple to minimize costs of formation.
11. Prior to recordation of the final map, the subdivider shall annex into the City limits.
12. Prior to recordation of the final map, all City fees associated with the development shall be paid in full. City fees shall be those in effect at the time building permits are issued.

WATER AND SEWER:

13. Subdivider shall meet requirements of the City Sewer Standards and Title 14 of the City Code and provide verification each proposed parcel has adequate wastewater collection facilities constructed in accordance with City Standards. Applicant shall provide the City with CCTV video and reports for the condition for any of the existing laterals and sewer main connections.
14. Applicant shall provide City a copy of "will serve letter" and certification that water services to the 10 lots have been installed to AWA standards.
15. Fire hydrant locations shall be adequate to serve subdivision and placed at locations approved by the Sutter Creek Fire District.

16. The ability to serve sanitary sewer service to the development will expire with the Approved Tentative Subdivision Map or failure to get the Tentative Subdivision Map approved.

MISCELLANEOUS CONDITIONS:

17. Sidewalk shall be constructed to City Standards along frontage of all lots.
 18. All sidewalks, sanitary sewer, storm drain work within street right of ways shall be completed in accordance with the improvement plans prepared, reviewed and approved in accordance City Improvement Standards. A drainage study shall also be completed in accordance with the City Improvement Standards and reviewed and approved by the City Engineer, prior to any improvements are constructed. Plans shall reference applicable provisions of the mitigation measures BM 3-1, 5-2, 5-3, 7-4, and 10-5.
 19. Limits of Broadmeadows Drive's existing paved surface shall be resurfaced with a Type II slurry seal as approved by City Engineer.
 20. Those Mitigation Measures contained within the Broadmeadows Estates Initial Study Mitigated Negative Declaration shall be implemented during the building permit/construction phase. (See Mitigation Measures on the previous pages)
- Adopt Resolution 2023-2024-* recommending to the City Council a General Plan Amendment from Residential Low Density (RL) to Residential Single Family (RSF);
 - Adopt Resolution 2023-2024-* recommending to the City Council pre-zone the parcels outside the City limits to R-1;