

This request is not consistent with the improvement plans for the Brace Ranch Subdivision. The lot is a 0.328-acre parcel located at the north-west end of Brace Ranch Court. The property is zoned Single-Family Residential 10,000 sq.ft. lot minimum (RS-10).

RECOMMENDATION: Adopt Resolution #10-01 finding that the revised grading on lot 5 of Brace Ranch Estates is in conformance with the General Plan and the Municipal Code.

PUBLIC COMMENT: *THE TOWN ATTORNEY INFORMED THE COMMISSION THAT THE "TREE MITIGATION CONDITION OF APPROVAL" DISCUSSION COULD NOT TAKE PLACE, AS IT WAS NOT AGENDIZED AS ITS OWN ITEM, PER BROWN ACT. TOWN STAFF SUMMARIZED THE STAFF REPORT REGARDING THE REQUEST.*

CRAIG CHAMBERLAIN (BRACE RANCH ESTATES LOT 5 OWNER) – APOLOGIZED FOR NOT BEING PRESENT AT LAST MONTH'S MEETING. HE AGREED WITH STAFF'S RECOMMENDATION FOR APPROVAL OF THIS PROJECT. REGARDING THE "TREE MITIGATION CONDITION OF APPROVAL", HE STATED THAT NOTHING WITHIN THE TITLE SEARCH (REPORT) REFERENCED ANYTHING REGARDING OUTSTANDING TREE MITIGATION OR ANY SPECIFIC CONDITIONS OF APPROVAL (SHOULD HAVE BEEN LEGALLY RECORDED).

A MOTION TO APPROVE RESOLUTION #10-02, WHILE OMITTING CONDITION #18, WAS MADE BY COMMISSIONER OBRANOVICH AND SECONDED BY COMMISSIONER WILSON AND PASSED BY A UNANIMOUS VOICE VOTE.

4. PROJECT #09-21 – DESIGN REVIEW FOR LOTS 1, 2, 4, 6 & 8 OF THE BRACE RANCH ESTATES SUBDIVISION, LOCATED OFF OF BRACE RANCH COURT, ASSESSOR'S PARCEL NUMBERS 044-360-001, 044-360-002, 044-360-004, 044-360-006, 044-360-008.

Zaur Atnilov, the applicant, is requesting Design Review approval for 5 homes to be located at the above stated parcels.

RECOMMENDATION: Discuss the designs presented in accordance with General Plan, Master Plan, zoning and subdivision conditions, giving consensus direction to staff.

PUBLIC COMMENT: *PLANNING DIRECTOR SUMMARIZED THE STAFF REPORT FOR THE COMMISSION. THE TOWN'S CONSULTING ARCHITECT, PAUL WALSH OF WILLIAMS+PADDON, SPOKE ABOUT THE MEETINGS THE APPLICANTS HAVE HAD WITH STAFF AND HIMSELF, IN WHICH HE ENCOURAGED THE APPLICANT TO MAKE SOME REVISIONS, SPECIFICALLY THE WINDOWS, ROOF LINES, FRONT PORCH AREA, AND ROOF OVERHANG. COMMISSIONER OBRANOVICH THOUGHT THAT THE MOST RECENT DESIGN SUBMITTED BY THE APPLICANT IS CONSISTENT WITH HOUSES WITHIN THE*

HUNTER OAKS SUBDIVISION, AS RECOMMENDED BY STAFF. PAUL WALSH AGREED THAT THE MOST RECENT SUBMITTAL (3RD) HAS PARTS AND PIECES OF HUNTER OAKS HOMES, BUT STILL LACKS BROAD OVERHANGS.

TATYANA LAKEEV (12475 LAKESHOE NORTH, AUBURN, CA) – STATED THAT THE OVERHANGS HAVE BEEN MODIFIED TO 2-FEET. HER FATHER IS AN EXPERIENCED BUILDER AND HAS BUILT DIFFERENT STYLES LOCALLY. THEY WERE TOLD TO DESIGN THEIR HOUSES LIKE THE HOMES IN THE HUNTER OAKS SUBDIVISION, THEN WHEN THEY SUBMITTED, THEY WERE TOLD TO CHANGE TO A MORE CRAFTSMAN STYLE. PORCHES HAVE BEEN ADDED ON 2 OF THE 5 LOTS, GABLE ROOFS ADDED, AND WINDOW STYLE CHANGED. HOMES ARE TRADITIONAL STYLE WITH CRAFTSMAN STYLE ELEMENTS.

THE COMMISSION ASKED WHY FULL ENGINEERING CALCULATIONS WERE DONE WHEN THEY AREN'T REQUIRED AND IF THAT'S TYPICAL WHEN IT COMES TO DESIGN REVIEW. ASKED IF THERE IS ANY WAY TO COMPLY WITH THE TOWN STANDARDS WITHOUT HAVING TO REDO THE ENGINEERING CALCULATIONS? STAFF NOTED THAT LOT COVERAGE IS THE ISSUE IN RE-DOING THE CALCULATIONS.

NICOLAI FEITSER (OWNER OF HARVEST LAND COMPANY, LOTS 1, 2, 4, 6, 8) – CALCULATIONS WERE DONE BECAUSE HE WAS UNDER THE IMPRESSION THAT THERE WERE NO ISSUES AFTER HE SPOKE WITH ASSISTANT PLANNER RYAN WUNSCH. HE WAS TOLD TO LOOK AT THE HOMES WITHIN HUNTER OAKS. EVERYTHING WAS OKAY UNTIL THE TOWN ARCHITECT REVIEWED THE SUBMITTAL AND HIS COMMENTS WERE RECEIVED. HE ALREADY HAS A DEVELOPMENT LOAN AND WOULD LIKE HELP IN GETTING THROUGH THIS SITUATION. THEIR DESIGNS LOOK LIKE THE HOUSES ACROSS THE STREET (HUNTER OAKS SUBDIVISION).

COMMISSIONER OBRANOVICH SAID THAT THE REQUESTED CHANGES, PER TOWN CONSULTING ARCHITECT, DON'T SEEM THAT DIFFICULT. LOT COVERAGE IS AN ISSUE AND MORE DETAILED WORK IS NEEDED. CHAIRMAN THEW STATED THAT SHE THINKS THE DESIGNS ARE CLOSE ENOUGH TO SEND THIS BACK TO STAFF TO WORK WITH THE OWNER AND ARCHITECT TO FINISH THE DESIGN REVIEW. COMMISSIONER ARISMAN WANTS TO SEE THE PLANS GO FORWARD WITH THE ARCHITECT RECOMMENDATIONS.

A MOTION TO APPROVE RESOLUTION #10-03, WITH MINOR MODIFICATIONS PENDING DISCUSSIONS WITH TOWN STAFF & ARCHITECT WITH FINAL APPROVAL TO BE BY THE PLANNING DIRECTOR, WAS MADE BY COMMISSIONER OBRANOVICH AND SECONDED BY COMMISSIONER ARISMAN AND PASSED BY A UNANIMOUS VOICE VOTE.

BUSINESS

5. Tree Ordinance Discussion

RECOMMENDATION: Continue to March 16, 2010

PUBLIC COMMENT: *A MOTION TO CONTINUE THIS ITEM TO THE MARCH 16, 2010 PLANNING COMMISSION MEETING WAS MADE BY COMMISSIONER ARISMAN AND SECONDED BY COMMISSIONER WILSON AND PASSED BY A UNANIMOUS VOICE VOTE.*

6. Referral of Solar Ordinance Discussion to Planning Commission from Town Council for any comments

RECOMMENDATION: Consider Town Council comments

PUBLIC COMMENT: *THE TOWN ATTORNEY EXPLAINED WHY TOWN COUNCIL REFERRED IT BACK TO THE COMMISSION FOR COMMENT AND DISCUSSED AREAS OF THE CALIFORNIA SOLAR SHADE ACT. COMMISSIONER FETTKE FELT STRONGLY THAT THE TOWN NEEDS TO PROMOTE SOLAR AND THAT THEIR RECOMMENDATION INCORPORATED OTHER JURISDICTION'S REGULATIONS.*

ROGER SMITH (6755 WELLS AVE., LOOMIS) – UNFORTUNATELY, STATE LAW DOES NOT ALLOW CONSIDERATION FOR AESTHETICS. HE COULD LIVE WITH A 10-FOOT MAX HEIGHT. HE'S NOT SURE THAT REQUIRING A 6-FOOT SOLID FENCE, AS THE COUNCIL HAD DISCUSSED, IS THE WAY TO GO. STATED THAT IN NO CASE SHOULD AN OWNERS SOLAR COLLECTOR BE CLOSER TO A NEIGHBORS HOUSE THAN THEIR OWN. WANTS NEIGHBORS VISUAL RIGHTS PROTECTED.

THE COMMISSION DISCUSSED THAT A 6-FOOT MAX HEIGHT IS NOT TALL ENOUGH AND WENT BACK AND FORTH ON THEIR INITIAL RECOMMENDATION OF A 15-FOOT MAX HEIGHT (AN ACCESSORY STRUCTURE'S MAX HEIGHT ALLOWED BY THE ZONING ORDINANCE) AND THE 10-FOOT MINIMUM HEIGHT THAT THE SOLAR ACT STATES. OTHER ISSUES BROUGHT UP INCLUDED SLOPED LOTS THAT MAY REQUIRE A TALLER SOLAR COLLECTOR THAN 6-FFET. CHAIRMAN THEW WANTS TO ENCOURAGE NEW SUBDIVISIONS TO ORIENT THEIR ROOF TOPS TO FACE TOWARD THE SUN TO PROMOTE ROOF-MOUNT SOLAR COLLECTORS.

THE COMMISSION DECIDED TO STAY WITH THEIR INITIAL RECOMMENDATION OF A 15-FOOT MAX HEIGHT FOR SOLAR COLLECTORS.

ADJOURN: *MEETING ADJOURNED AT 10:15 PM*

Janet Thew, Chairman

Matt Lopez, Planning Tech.