

MINUTES OF THE SOLANO COUNTY PLANNING COMMISSION

Meeting of February 18, 2010

The regular meeting of the Solano County Planning Commission was called to order at 7:00 p.m. in the Board of Supervisors' Chambers, Fairfield, California.

PRESENT: Commissioners Mahoney, Rhoads-Poston and Chairman Barnes

EXCUSED: Commissioner Boschee

STAFF PRESENT: Mike Yankovich, Planning Program Manager; Jim Leland, Principal Planner; Jim Laughlin, Deputy County Counsel; Stan Schram, County Surveyor; Nick Burton, Civil Engineer; and Kristine Letterman, Planning Commission Clerk

Chairman Barnes introduced and welcomed Kelly Rhoads-Poston as the newest member of the Planning Commission.

Items from the floor - none

The Minutes of the special meeting of January 28, 2010 were continued to the next regularly scheduled meeting.

1. **CONTINUED PUBLIC HEARING** to consider Major Subdivision Application No. S-08-01 and Rezoning Petition No. Z-08-01 for **Woodcreek Subdivision**. The proposed project is a 33 lot, single-family residential subdivision on 33 acres of land. Lots will average ½ acre in size. The project is located west of Suisun Valley Road and South of Rockville Road, Fairfield, in an "RE-1" Residential Estate Zoning District, APN's: 0027-120-030, 0027-160-010 & 020. The Planning Commission will also be considering adoption of a Mitigated Negative Declaration of Environmental Impact as recommended by the Solano County Department of Resource Management. (Project Planner: Jim Leland) **Staff Recommendation:** Approval

Jim Leland gave a brief presentation of staff's written report and provided an overview of the proposed subdivision. He stated that the project is consistent with the 2008 Solano County General Plan. He noted that the project has been reviewed by the Department of Resource Management as well as numerous other county, city, special district, and regional and state agencies. He stated that their requirements have been satisfied and are reflected in the revised tentative map and the proposed conditions of approval.

Mr. Leland explained that the project requires extending municipal type services, including water and sewer, to the proposed subdivision. Since this project lies outside the city limits of the City of Fairfield, the county will be forming a County Service Area (CSA) and an assessment district to provide financing mechanisms to fund the services. In addition, a homeowner's association will be

required to fund the maintenance of private common interest facilities. Mr. Leland noted that photos were submitted by a neighboring property owner showing some flooding in the area.

Commissioner Mahoney inquired about the drainage issues and wanted to know the direction of water flow, as well as what problems are occurring. Mr. Leland noted that the water begins at the intersection of Oakwood Drive and Rockville Road and drains diagonally to the southeast. He noted that there are roadside ditches along Rockville Road and Suisun Valley Road that convey that water.

Nick Burton addressed in detail the drainage improvements and the hydrology study that was submitted by the applicant.

Chairman Barnes mentioned that he recently visited the site, and he noticed standing water at the fence line. He inquired if there has been any contact with the adjacent Tower Mart owner to discuss allowing the water to flow through that area. Mr. Leland stated that the subdivider has acknowledged that there may be the capability of improving drainage north of the subject property. He stated that the county could facilitate the parties getting together to see what opportunities exist. Mr. Leland commented that at this stage the applicant has not been required to do the detailed engineering. He explained that this typically occurs at the time the improvement plans are submitted and the final map is reviewed. Mr. Leland noted that staff has met with the subdivider on a number of occasions to discuss this issue.

Chairman Barnes inquired about the increase in the number of homes to be served by the City of Vallejo for drinking water. Mr. Leland explained that 2 years ago the City of Vallejo indicated that they could serve 26 homes with domestic water. The subdivider asked the Solano Irrigation District (SID) to supply the irrigation water to the subdivision, which they agree to do. The City of Vallejo took the position that if they did not have to supply irrigation water to each of the lots then they would have the capacity to serve the needs for 33 homes rather than the 26 that were initially slated for service.

Chairman Barnes asked staff to address the concerns of the City of Fairfield which involve air quality, water and sewer connections, cultural impacts, and traffic. He also wanted to know how these concerns will be mitigated. With regard to air quality, Mr. Leland stated that mitigation measures have been imposed by dealing with construction activity generated from diesel engines and for dust control. For water and sewer, he stated that a condition has been included that the subdivider will need an encroachment permit from the City of Fairfield. Mitigation has also been imposed which require the developer to stop project construction if an archeological find is made, contact the appropriate tribal representative to make an assessment, and then arrange for any work that might need to be done. Mr. Leland stated that staff has reviewed the traffic situation and has concluded that no improvements are required on Rockville Road.

With regard to air quality, Chairman Barnes stated that he would hope that when the homes are built in the future that the fireplaces will have gas connections.

Jim Grossi, civil engineer, 45 Leveroni Court, Novato, spoke on behalf of the applicant. He stated that they have been working on this project for about 5 years, and have looked at a number of plans and approaches to this development. Mr. Grossi commented that over the past two years they have had community and neighborhood meetings on four separate occasions. He noted that they have

also been meeting with the City of Vallejo, SID, City of Fairfield, Fairfield-Suisun Sewer District, LAFCO, and county staff. He indicated that the project is consistent with the General Plan. He stated that they are asking for the change in zoning from 1 acre to ½ acre so that they can provide open space and trails, and deal with the drainage issues. He said drainage seems to be the main concern among the community. He said that they plan to deal with the drainage with the use of bio-swales and detention basins. He said that they are also proposing to put in a new ditch along Rockville Road, widen the existing SID drain area, and increase the size of the culverts under Suisun Valley Road.

Mr. Grossi stated that the applicant has prepared all of the necessary studies for the project, including an extensive hydrology study. He said they are looking at the possibility of solving other drainage problems off site and are currently working with Tower Mart representatives. He stated that they plan to extend the sewer lines through the project and down Oakwood Drive so that service will be available to landowners in the future. He stated that SID will provide irrigation water and the City of Vallejo will provide domestic water and water for fire. Mr. Grossi noted that they will be working with other environmental agencies as they move forward with the project.

Chairman Barnes opened the public hearing.

Jerry Moore, 4129 Oakwood, Suisun, voiced his concern with the increase in traffic at Rockville Road and Oakwood Drive. He stated that the driving situation in that area is already very dangerous.

Scott Bierfreund, 3324 Butler Court, Fairfield, stated that his concerns and objections are with aesthetics, quality of life, and respect for the rural character of the upper Suisun Valley. He stated that at a time when there are ongoing efforts to preserve this rural character and attract agricultural based tourism to the valley, the county should not be considering building another subdivision in a place that should be park land or agriculture. Mr. Bierfreund stated that Suisun Valley is beautiful and should be protected at all costs.

Michael McKown, 4147 Oakwood Drive, Fairfield, circulated a photo to the commission that was taken from the intersection of Rockville Road and Oakwood Drive to the west. He stated that the intersection is dangerous due to the speed of traffic. Mr. McKown stated that the county will not gain through permits and tax revenue due to services required to maintain an upscale development, plus the loss of revenue from the existing residents when the area is annexed by the City of Fairfield.

Mr. McKown stated that the project does not comply with Chapter 2 of the General Plan that states the county will continue to provide properly timed residential development. He stated that based on real estate sales there is currently a four year supply of homes. He commented that the county's Housing Need Assessment gives the allotment of above moderate homes through 2014 as 39, and that this project would bring that allotment over the limit. He stated that by building 33 upscale homes in Rockville does not fit the intent of Land Use Goal 1 in the General Plan. He stated that this project also does not meet Land Use Goal 2, and will destroy the existing community. He said the project will change the Rockville area from a semi-rural area to suburbia.

Mr. McKown stated that he also did not believe the project meets General Plan Land Use Policy 1; Policy 14, or Policy 16. He stated that it has not been specified as to what is going to happen to the

existing water supply. He said the residents are being pulled into a CSA without a vote. He stated that he did not believe this development in any way complies with the intent of the General Plan. John Silva, 4089 Oakwood Drive, Fairfield, stated that the area has a rural feel to it. He said that looking out from Rockville Hills Park on one side are valleys and on the other is the East Ridge subdivision which is not very attractive. He stated that this development also will not look very attractive. Mr. Silva stated that although the property has been zoned for 1 acre parcels for many years, it does not mean that it should be developed. He stated that the drainage can not be changed because the area is a valley. He also spoke to the flooding issues. Mr. Silva said that he would like to see the area stay in open space.

Carol Herzig, 4094 Oakwood Drive, Fairfield, spoke on behalf of herself and her brother Charles Sweeney. She stated that her brother has concerns regarding aesthetics and water well contamination. Ms. Herzig stated that her concerns are with regard to the General Plan's Land Use Policy 8 where it states that annexation of urbanized unincorporated communities within municipal service areas is encouraged as long as annexation is not contrary to the wishes of a majority of the affected residents. She stated that in talking with her neighbors she has found that a good majority of the residents are not in favor of this project. Ms. Herzig referred to staff's report where it states that the viewshed will be eliminated. She noted that this impact has been ignored. She said the environmental study is incomplete or very general with regard to issues present on the property.

Ms. Herzig inquired if being placed within a CSA will now mean an increase in taxes. She also wanted to know if the county is going to pay for the CSA until new development is full or if the existing residents will have to foot the bill. She referred to the mention of a fee for services and wanted to know who will pay these rates and what will determine the rate. If the residents do have to foot the bill, she wanted to know what will determine the rate each individual homeowner will be responsible for. With regard to the cultural resource study, Ms. Herzig mentioned that hundreds of remains were found not too long ago on the adjacent property.

Norman Smith, 4059 Suisun Valley Road, Fairfield, stated that this area has been zoned for 1 acre parcels for many years. He stated that he owns property adjacent to the city limits which includes a 7.8 acre parcel and a 5 acre parcel. He stated that property owners should have the right to subdivide their property. He stated that he feels there should be a commitment to rezone the entire area and treat it as a package rather than accept the fact that there will be hit or miss, piece-by-piece rezoning.

Sharon Strathaus, 2254 Rockville Road, Fairfield, stated that drainage and traffic are big concerns. She stated that she is extremely worried about the danger of adding more traffic to the roads. She commented that her husband was almost killed on Rockville Road after an altercation with a motorist when trying to turn into their driveway. She stated that they have horses on their property and are concerned that neighbors may start to complain. She voiced concern about water. She said that SID told them that they can not guarantee this development will not hurt the quality of their water. She commented that they do not have a well on their property and that SID is their sole source of water.

Lawrence Herzig, 4094 Oakwood Drive, Fairfield, submitted photos to the commission depicting water run off in the area. He stated that runoff is a deep concern. He explained that the property to the south and east of the development gets most of the run off. He said there is no guarantee that there is not going to be groundwater contamination. He said that when he reviewed parts of the

plan it appeared the language was very minimal with regard to cultural finds. Mr. Herzig voiced his concern with aesthetics saying that this development is out of place. He was concerned about the wildlife. He stated that he could not find any environmental impact study and requested tabling this application until a study could be done. Mr. Herzig commented that the properties adjacent to the subdivision do not represent the entire community of Rockville and everyone on that road were not notified. He stated that there are senior citizens who live in the area on fixed incomes who probably can not afford whatever tax increases will occur with the CSA or assessment district, and this would adversely affect those people.

Mark Strathaus, 2254 Rockville Road, Fairfield, stated that he was involved in a road rage accident that happened right outside of his home because he lives on a dangerous blind corner. He stated that they have had a traffic problem since they have lived on their property. He noted that they contacted the county and the Highway Patrol, but no one is willing to help. He said that adding more traffic to that road is ridiculous. He also commended that flooding is a problem. Mr. Strathaus stated that an adjacent landowner who just purchased the property is under the idea that he is going to split the 1 acre lot in half. Mr. Strathaus stated that allowing ½ acre lots in this area is going to set a precedent.

Jim Kimberly, 4084 Oakwood Drive, Fairfield, stated that this is the wrong development for this area. He stated that the Green Valley, Rockville Road, and Suisun Valley corridors are jewels. He stated that this development is bad business and is bad for Fairfield. Mr. Kimberly said that Oakwood Road is dangerous and that the drainage issue needs to be studied.

Since there were no further speakers, Chairman Barnes closed the public hearing.

Commissioner Mahoney inquired as to why this project does not require an environmental impact report (EIR). Mr. Leland explained that when staff evaluated the Initial Study and looked at the potential significant impacts, mitigation measures were found that could be incorporated into the project that reduced all of those potentially significant effects to less than significant. He stated that this is the test for whether or not an EIR is required.

Commissioner Mahoney spoke with regard to water wells. He stated that there is no need to worry about well water contamination due to the quality of the well drilling and well casing. He stated that as long as the casing and quality of the well is in tact there will not be a problem with pollutants getting into the well. He commented that he is very knowledgeable about wells due to his experience, and stated that he has dealt with livestock and biosolids on his property and has never had a contamination issue. Mr. Mahoney stated that this area is zoned for 1 acre development and has been general planned for that kind of development for many years. He said the cluster development that is being proposed is not new, and the county has discussed this before in various projects throughout the county. He stated that this does not mean that 1 acre zoning will automatically domino into ½ acre zoning. He said it simply means that the homes were clustered together for aesthetic reasons and for flood control. He noted that in other areas where this type of development has been seen it has been done mainly for aesthetic reasons.

Commissioner Mahoney wanted to know if a turn lane is planned for the intersection.

Stan Schram stated that the road information was supplied by the applicant's engineer after they analyzed the traffic impact study that was done for the Rockville Trails Estates project. He stated

that in conjunction with this 33 lot subdivision the intersections would still operate at a Level of Service of between A and Level of Service B, which is more than adequate for the traffic impact that this project would have. He stated that the width of the lanes at the Oakwood Drive/Rockville Road intersection are 13 feet wide which is an extra foot wider than the standard 12 feet. He said there are also 8 foot paved shoulders on both sides of Rockville Road which is 6 feet wider than the minimum. Mr. Schram stated that the 900 foot radius allows for over 500 feet in sight distance which allows for a 55 mile an hour design speed. He noted that the design is adequate for the subdivision and that speeding is an enforcement issue.

Commissioner Mahoney stated that unfortunately the quality of the road creates a situation where drivers are going to go faster than the speed limit. He wanted to know if there is anyway that speed bumps could be required to be placed on both sides of the intersection. Mr. Mahoney stated that there will be an increase in traffic in that location and there is no question that it is going to be more dangerous.

Stan Schram stated that adding any kind of traffic calming device such as speed bumps would increase the safety risk at a 55 mph speed limit. He suggested perhaps some type of visual warning such as road striping.

Commissioner Mahoney stated that he would like to recommend that some type of posting be done to make people aware that there is a left turn lane approaching.

Jim Leland addressed resident concerns with regard to an assessment fee. He stated that there are two districts being proposed, the CSA and the assessment district. He explained that the CSA is voluntary for existing residents. He said residents do not have to elect to be in the district and do not have to elect to subscribe to the services; if they want the water or sanitary services they would pay a connection fee and a monthly charge. He explained that the assessment district is for the residents of the proposed 33 lots. He said the district will fund the maintenance of the public streets within the subdivision, public drainage facilities, and the like, but it is only charged to the new residents if the subdivision is approved and the homes are built. He reiterated that there is not a district being formed that will impose an automatic tax on the existing residents.

Commissioner Rhoads-Poston stated that she believes something needs to be done on Rockville Road with regard to safety. She said that people do speed and it is important to heighten awareness. She stated that while she emphasizes with the area residents, this property has always been zoned for 1 acre parcels and it fits within the confines of the county general plan.

Chairman Barnes inquired if the speed limit in that area could be reduced. Mr. Schram stated that any change in the speed limit would have to be analyzed by the Transportation Division. He doubted that the department would want to make a change given the fact that it is an enhanced width roadway and was designed as that back in the 70's. He commented that it was expected there would be much more growth in the area and that is why it was built so wide.

A motion was made by Commissioner Mahoney and seconded by Commissioner Rhoads-Poston to adopt a resolution recommending adoption by the Board of Supervisors of a Recirculated Mitigated Negative Declaration, and approval of Rezoning Petition No. Z-08-01 and Tentative Subdivision Map No. S-08-01, based on the recommended Findings and subject to the recommended Conditions of Approval. The motion passed unanimously. (Resolution Nos. 4527 and 4528)

2. **ANNOUNCEMENTS and REPORTS**

There were no announcements or reports.

3. Since there was no further business, the meeting was **adjourned**.