



PLANNING COMMISSION STAFF REPORT

January 27, 2015 Meeting

#14-10 Monsef Minor Land Division

3595 Bankhead Road, APNs 044-051-007

REQUEST

Mike Izadjou, the applicant, requests approval of a Minor Land Division (MLD) to divide a 5.1-acre residential parcel located at 3595 Bankhead Road, APN: 044-051-007, into two (2) parcels. Proposed Parcel 1 would be 2.55 acres and proposed Parcel 2 would be 2.55 acres. in size. The property is zoned Residential Estate – 2.3 acre lot minimum (RE) and designated "Residential Estate-2.3 acres/du" in the General Plan. The proposed project is consistent with the General Plan and Zoning Ordinance. This project is Categorically Exempt under CEQA Section 15315, Minor Land Divisions, Class 15.

BACKGROUND

There is currently a single-family dwelling on proposed Parcel 1.

PROJECT DESCRIPTION

Site: The site is located on a 5.1-acre lot on the east side of Bankhead Road with a zoning designation of RE.

Existing Use: Single-Family Residential. The existing residence will be located on the 2.55-acre proposed Parcel 1 lot.

Proposed Parcels: The proposed parcels meet the minimum lot size, width, depth and setback standard requirements for the RE zoning district.

Future Development on Proposed Parcel 2: The applicant is not proposing any construction on proposed Parcel 2. Any future development would be subject to Town standards.

Access: Vehicular access to the existing home's garage (proposed Parcel 1) is located off of Bankhead Road. Access to proposed Parcel 2 will also be Bankhead Road.

Surrounding Uses and Zoning: Surrounding uses are as follows:

North – Existing Single Family Residential (RE zoning)
East – Existing Single Family Residential (RE zoning)
South -- Existing Single Family Residential (RE zoning)
West – Existing Single Family Residential (RE zoning)

Improvements/Utilities/Service Systems:

No roadway or sidewalk improvements are necessary for this proposed project. All public services are located along Bankhead Road.

Sewer: South Placer Municipal Utility District (SPMUD) provides service to the existing single family residence; proposed new Parcel 2 is eligible for sewer service.

Water: Placer County Water Agency (PCWA) provides service to the single family residence and potable water can be made available to the proposed new Parcel 2.

Gas/Electric: Pacific Gas & Electric (PG&E) provides service to the single family residence and gas and electric service can be made available to the proposed new Parcel 2.

Trees: No trees will be removed in association with the proposed Minor Land Division.

Environmental Review:

The project is Categorically Exempt under the California Environmental Quality Act, Section 15315 Minor Land Divisions, Class 15, which consists of the division of the property into four or fewer parcels in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope of greater than 20 percent. If the Planning Commission approves the project, a Notice of Exemption will be filed with the Placer County Clerk.

RECOMMENDATION: That the Planning Commission review the staff report, ask questions of staff and/or the applicant, take public testimony, and approve Resolution #15-XX approving #14-10 Monsef Minor Land Division with the recommended findings in Exhibit A and the recommended conditions of approval in Exhibit B.

ATTACHMENTS:

1. Draft resolution, findings, and conditions of approval
2. Notice of Exemption
3. Application #14-10
4. Tentative Parcel Map dated and received September 10, 2014

NOTE:

Notice published in paper and mailed 1/15/15.

RESOLUTION NO. 15-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS APPROVING #14-10 MONSEF MINOR LAND DIVISION AT 3595 BANKHEAD ROAD, APN: 044-051-007, TO DIVIDE A 5.1-ACRE RESIDENTIAL PARCEL INTO TWO (2) RESIDENTIAL PARCELS.

WHEREAS, Mike Izadjou, the applicant, has proposed to divide a 5.1-acre parcel into two (2) parcels (Parcel 1: 2.55 acres; Parcel 2: 2.55 acres) at 3595 Bankhead Road, APN 044-051-007, such application being identified as #14-10 Monsef Minor Land Division; and

WHEREAS, on January 27, 2015, the Planning Commission conducted a public hearing of the application, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the staff report relating to said application, the plans, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

WHEREAS, the Planning Commission of the Town of Loomis hereby makes the findings attached herein as Exhibit A in connection with #14-10 Monsef Minor Land Division; and

NOW THEREFORE, based upon the findings set forth hereinabove, the Planning Commission of the Town of Loomis, at its meeting of January 27, 2015, did resolve as follows:

1. The proposed Project is consistent with the goals, policies and land uses in the Town of Loomis General Plan and Zoning Ordinance.
2. The project is Categorically Exempt under CEQA, Section 15, Minor Land Divisions, Class 15, and has directed that a Notice of Exemption be filed with the County Clerk.
3. The #14-10 Monsef Minor Land Division application is hereby approved per the findings set forth in Exhibit A and the conditions set forth in Exhibit B.

ADOPTED this 27th day of January, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Michael Hogan, Chairman

Amanda Rose, Planner

**EXHIBIT A
FINDINGS
#14-10 MONSEF MINOR LAND DIVISION
PLANNING COMMISSION 1/27/2015**

FINDINGS:

Notice of Exemption- Minor Land Division

The project consists of the division of a 5.1-acre parcel with an existing residence into two residential parcels. Parcel 1 will consist of 2.55 acres and Parcel 2 will be 2.55 acres. The project is Categorically Exempt under CEQA Section 15315 Minor Land Divisions, Class 15.

1. This proposed minor land division, together with the provisions for its design and improvement, is consistent with the Town of Loomis General Plan and the Zoning Ordinance *in that* the property is in a residential area zoned for residential use. The division is into four or fewer parcels, the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access are available to the proposed parcels and meet Town standards, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

Minor Land Division

Pursuant to Section 66474 of the Subdivision Map Act, the Planning Commission hereby finds and determines as follows:

1. The proposed map is consistent with the Town's General Plan and Zoning Ordinance.
2. The design and improvement of the proposed division are consistent with the General Plan because adequate infrastructure and services are currently in the direct frontage of the property, and will be available to serve the demand for services generated by the division, including water, sanitary sewer, and roadways.
3. The site is physically suitable for this type of development in that the site meets the size requirements for one additional single family residence and there are no environmental constraints.
4. The site is physically suitable for the proposed density of development in that the addition of a single family residence is consistent with the allowed zoning density.
5. The design of the division or the proposed improvements will not cause substantial environmental damage, or injure fish or wildlife, or their habitat, in that the division is of an existing residential parcel which has already been developed with a residence and yard.
6. The design of the division or improvements will not cause serious public health problems since water, sewer, sheriff, fire, and solid waste services will be adequately provided to the project.
7. The design of the project or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed project.

EXHIBIT B
CONDITIONS OF APPROVAL
#14-10 MONSEF MINOR LAND DIVISION
PLANNING COMMISSION 1/27/2015

#14-10 Monsef Minor Land Division is approved for the division of a 5.1-acre parcel, APN 044-051-007, located at 3595 Bankhead Road, per the following conditions. The owner has two (2) years in which to record the Final Parcel Map. The approval expires on January 27, 2017, unless extended by the Planning Commission.

GENERAL CONDITIONS

1. _____ Owner shall comply with all provisions of the Town of Loomis Municipal Code.

2. _____ The project shall proceed only in accordance with approved plans on file in the Planning Department, the conditions contained herein and the Town of Loomis Municipal Code. Approval of this project, subject to said plans, conditions and Code(s), shall not be interpreted as the Town having waived compliance with any sections of the Town of Loomis Municipal Code (Zoning, Building Codes, etc.), Loomis General Plan, or applicable Plans.

3. _____ Development shall be substantially in accordance with the plans entitled "Tentative Parcel Map Monsef Map", as prepared by Ralph Miller LS3639, consisting of one (1) sheet, dated and received "September 10, 2014", except as may be modified by the conditions stated herein.

4. _____ When submitting for Plan Check, the owner must provide to the Planning Department a copy of the final conditions of approval with a cover letter specifying how and where the revised plans address each of the conditions. Plan Check by the Planning Department and Town Engineer will not be initiated without compliance with this condition. All plans shall be consistent with that approved by the Planning Department. The owner shall be responsible for correcting any inconsistency which may occur through error or omission during plan preparation or construction.

5. _____ The owner (sub-divider) shall defend, indemnify, and hold harmless the Town of Loomis and its agents, officers and employees from any claim, action or proceeding against the Town, or its agents, officers and employees to attach, set aside, void, or annul, an approval of the Planning Commission, or Town Council concerning the subdivision that is the subject of this application and which is brought within the time period specified in Section 66499.37 of the Subdivision Map Act.

6. _____ The conditions of approval of the application shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, which may or may not be shown on the map or improvement plans.

IMPROVEMENTS (ROADWAY, DRAINAGE, GRADING)

- 7. _____ Any and all grading shall conform to the Town Grading Ordinance (Municipal Code Section 12.04) with prior review and approval by the Town Engineer. A Grading Permit shall be obtained, if applicable, prior to building permit issuance for Parcel 2.
- 8. _____ The owner shall dedicate additional right-of-way on Bankhead Road to provide a 30 foot wide street section from the centerline of the roadway to the property line.
- 9. _____ Existing public facilities, and real and personal property, damaged during the course of construction shall be repaired by the owner at his sole expense, to the reasonable satisfaction of the Town Engineer.
- 10. _____ On-site detention shall be provided on each project, for which a building permit is issued, for the increased runoff rate caused by project development in accordance with the Placer County Flood control District Storm Water Management Manual and the Loomis Land Development Manual.

GENERAL PLANNING

- 11. _____ The property owner shall be responsible to ensure all conditions to this permit are binding on all successors-in-interest (e.g. by incorporating into the standard provisions of any sale, lease and/or rental agreements, etc.).
- 12. _____ The owner will be responsible for taking reasonable actions to abate nuisances caused by this project in the project area which are under the owner's control.
- 13. _____ No request for a Parcel Map, pursuant to this map, shall be approved until all conditions are completed and accepted by the Town, acceptable to the Town Attorney, for those conditions not completed, as has been submitted.

AGENCIES

- 13. _____ The owner shall provide will-serve letters from all applicable utilities, the franchised refuse collector, the post office, and the fire department (including extension of the zone of benefit for the Fire District) for the review and approval of Town staff prior to any building permit issuance. The owner shall complete all requirements or conditions imposed upon the project by these agencies to the satisfaction of the Town and the agencies prior to any building permits being issued.
- 14. _____ All utility facilities shall be placed underground in accordance with the Loomis Municipal Code.
- 15. _____ The property owner shall coordinate with PG&E on any future development plans which occur within PG&E easements.

FEES

16. _____ The owner shall pay the development fees (e.g. road circulation fees, drainage fees, community facilities fee, master plan, Placer County, open space and parks, and fire fees, etc.) in effect at the time of building permit issuance.