



COUNTY OF PLACER
Community Development Resource Agency

John Marin, Agency Director

PLANNING

Michael J. Johnson, AICP
Director of Planning

TO: Board of Supervisors

FROM: Michael Johnson, Planning Director

DATE: May 22, 2007

**SUBJECT: REQUEST TO WITHDRAW LETTER OF APPEAL - VILLAS AT HARBORSIDE
CONDITIONAL USE PERMIT AND VARIANCE (PCPC 2005 0680) /
MITIGATED NEGATIVE DECLARATION/SUBDIVISION MAP
MODIFICATION (PEAQ 2005 0136)**

ACTION REQUESTED

Jane Echlin, who previously filed a letter of appeal regarding the Planning Commission's approval of the Villas at Harborside project, has submitted a letter requesting that the letter of appeal be withdrawn. Staff recommends the Board accept the appellant's request to withdraw the appeal.

BACKGROUND

The Villas at Harborside project was considered by the Planning Commission at its September 22, 2005 meeting. After receiving public testimony, the Planning Commission unanimously approved the Conditional Use Permit, Variance, Map Modification, and Mitigated Negative Declaration for the project, allowing for the development of nine residential fractional time-share units with associated open space and parking.

On October 3, 2005, an appeal of the Planning Commission approval was filed by Jane Echlin.

The appeal was scheduled for Board consideration on several occasions, and each time was continued to allow the Tahoe Regional Planning Agency sufficient time to complete its review of the project. The TRPA considered the proposed project at its April 26, 2007 meeting. After receiving public input, the TRPA Board adopted a motion to approve a reduced-density development plan, allowing for six time-share units instead of the previously approved nine units.

Placer County staff has reviewed the revised project that was approved by the TRPA Board, and staff has concluded that, with a reduction in density that allows for two residential units on each lot (as opposed to the three units per lot that was approved the Planning Commission), the approved project is generally consistent with that previously reviewed and approved by the County. Staff has concluded that no additional review or analysis is required by the County.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (PEAQ 2005 0136) has been prepared for this project and has been finalized pursuant to California Environmental Quality Act (CEQA). On September 22, 2005, the Planning Commission found that the project had satisfied the requirements of CEQA, and approved a Mitigated Negative Declaration in conjunction with the project approval. The withdrawal of this appeal constitutes the final action on the Mitigated Negative Declaration for the purposes of CEQA.

RECOMMENDATION

Staff recommends the Board accept the appellant's request to withdraw the appeal of the Planning Commission's approval of the Villas at Harborside project.

Respectfully submitted,



MICHAEL J. JOHNSON, AICP
Director of Planning

ATTACHMENTS:

Exhibit 1 – Appellant's Request to Withdraw the Appeal

cc: Jane Echlin – Appellant
David Antonucci - Applicant
North Tahoe Regional Advisory Council

Copies sent by Planning:
Sarah Gillmore – Public Works Department
Grant Miller – Environmental Health Services
Brent Backus – Air Pollution Control District
Bob Reiss - Building Department
Bob Martino - Building Department
Christa Darlington– County Counsel
Michael Johnson – Planning Director
Allen Breuch – Supervising Planner
Subject/chrono files
Steve Buelna – Senior Planner
North Tahoe Regional Advisory Council

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March 10, 2006

Honorable Chair Robert Weygandt
and Supervisors
Board of Supervisors
County of Placer
175 Fulweiler Avenue
Auburn, CA 95603

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CLERK OF THE
BOARD OF SUPERVISORS

Re: *Appeal of Planning Commission Approvals of Villas at Harborside*

Dear Chair Weygandt and Supervisors:

We represent Jane Echlin ("Appellant"), who appealed certain approvals granted by the County Planning Commission on September 22, 2005 for the proposed Villas at Harborside timeshare project ("Project"). The appeal is tentatively scheduled for the Board's April 3 Agenda.

Since the filing of the appeal, Appellant's representatives have been in discussions with Project representatives. As a result of those discussions, counsel for the Project proponent addressed Appellant's concerns regarding the Project's parking impacts, as set forth in the attached March 6 letter from Randall M. Faccinto to David H. Blackwell. In that letter, Mr. Faccinto represents that the Project and the adjacent projects owned by the Project owner: will not create any offsite parking impacts; has met all applicable parking requirements on site; and the Project owner has not entered into any parking agreements with nearby properties to reduce overflow parking. Appellant requests that the administrative record for this Project include this letter and attached letter from Mr. Faccinto.

Based upon and as a direct result of these express representations from the Project proponents, Appellant would like to withdraw her appeal. Pursuant to Placer County Code section 17.60.110.D.5, Appellant hereby requests that this Board consent to her withdrawal of her appeal.

Respectfully submitted,

David H. Blackwell

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Allen Matkins Leck Gamble & Mallory LLP
Attorneys at Law

Placer County Board of Supervisors

March 10, 2006

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cc: Jane Echlin
Christiana Darlington, Esq.
Randall M. Faccinto, Esq.

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