

FROM THE MINUTES OF DECEMBER 14, 2006

12. REZONE/PLANNED DEVELOPMENT/TENTATIVE MAP (Public Hearing)

a. **Z06-0015/PD06-0014/TM06-1415/Knollwood Park Condominiums** submitted by DAVID LONG, MARLON, LTD (Agent: Carlton Engineering) to rezone properties from Limited Multifamily Residential-Design Control (R2-DC) to Limited Multifamily Residential-Planned Development (R2-PD); development plan to convert an existing 25 unit rental apartment complex into 25 airspace condominium units with common areas under management of a homeowners association; and tentative subdivision creating 25 airspace condominium units on two parcels consisting of 1.3 acres. The properties, identified by Assessor's Parcel Numbers 082-401-07 and -08, are located on the east side of Knollwood Drive, approximately 250 feet south of the intersection with Country Club Drive, in the **Cameron Park area**. (Categorically exempt pursuant to Section 15301(k) of the CEQA Guidelines)

Staff: Aaron Mount recommended approval. The Department of Transportation is recommending a four-foot sidewalk instead of five feet (Condition 8). Nancy Hayes, Carlton Engineering, was present and had nothing to add. No public input was received.

MOTION: COMMISSIONER CHALOUPKA, SECONDED BY COMMISSIONER KNIGHT AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS FIND THE PROJECT CATEGORICALLY EXEMPT PURSUANT TO SECTION 15301(k) OF THE CEQA GUIDELINES, APPROVE Z06-0015 REZONING ASSESSOR'S PARCEL NUMBERS 082-401-07 AND -08 FROM LIMITED MULTIFAMILY RESIDENTIAL-DESIGN CONTROL (R2-DC) TO LIMITED MULTIFAMILY RESIDENTIAL-PLANNED DEVELOPMENT (R2-PD), APPROVE PD06-0014 ADOPTING THE DEVELOPMENT PLAN AS THE OFFICIAL DEVELOPMENT PLAN, AND APPROVE TM06-1415, BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA Findings

1.1 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15305 of the CEQA Guidelines stating that "Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which does not result in any changes in land use or density", and 15301(k) that applies to the :Division of existing multiple family or single-family residences into common-interest ownership...where no physical changes occur which are otherwise exempt."

2.0 General Plan Findings

2.1 As proposed, the project is consistent with the Multi-family Residential (MFR) land use designation of the subject site as defined within General Plan Policy 2.2.1.2 as the parcel is located within a community region and the proposed use and development density are consistent with the land use designation as well as the combining zone district.

- 2.2 As proposed and conditioned, the project is consistent with General Plan Policies Ho-3g, TC5a, and 2.2.3.1 concerning affordable housing, pedestrian access, and the Planned Development overlay.

3.0 Administrative Findings

3.1 Tentative Map

- 3.1.1. The proposed tentative map, including design and improvements, is consistent with the General Plan policies and land use map.
- 3.1.2. The proposed tentative map conforms with the applicable standards and requirements of the County's zoning regulations and the Major Land Division Ordinance.
- 3.1.3. The site is physically suitable for the proposed type and density of development.
- 3.1.4. The proposed subdivision is not likely to cause substantial environmental damage.
- 3.1.5. The project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15305 of the CEQA Guidelines stating that "Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which does not result in any changes in land use or density", and 15301(k) that applies to the :Division of existing multiple family or single-family residences into common-interest ownership...where no physical changes occur which are otherwise exempt."

3.2 Planned Development

- 3.2.1. That the planed development request is consistent with the General Plan;

Discussion: The proposed zone change request to rezone the property from Limited Multi-family Residential-Design Control (R2-DC) to Limited Multi-family Residential-Planned Development (R2-PD) is consistent with the land use designation and Policy 2.2.5.3 regarding rezones in general, as the project is an existing development previously approved under discretionary review. Additionally, the General Plan contains several policies pertinent to the project whose consistency is discussed under the General Plan section of these Findings.

- 3.2.2. That the proposed development is so designed to provide a desirable environment within its own boundaries;

Discussion: The development plan is consistent with the existing development.

- 3.2.3. That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;

Discussion: A planned development application is required to facilitate the conversion of the existing residential structure to the proposed condominium units and common area. The request includes exceptions to the standard requirements of zone regulations concerning building setbacks and minimum lot sizes. Staff has determined that the

requested zero-lot lines and reduced lot sizes to accommodate the condominium conversion proposal are justified by the project design.

- 3.2.4. That the site is physically suited for the proposed uses;

Discussion: The site is an existing apartment complex that is located within a high density, commercially and residentially developed, Community Region.

- 3.2.5. That adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities; and

Discussion: The project consists of an existing apartment complex, and as such, all improvements and services exist on site.

- 3.2.6. That the proposed uses do not significantly detract from the natural land and scenic values of the site.

Discussion: The existing development conforms to its multi-family residential and commercial surroundings. The proposed condominium conversion has been determined to be Categorically Exempt from CEQA pursuant to Section 15301(a) of the CEQA Guidelines.

Conditions

1. The subject tentative map and planned development approval is based and limited to compliance with the project description and Conditions of Approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for Conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

The project, as approved, shall consist of the following:

- a. Rezone from Limited Multi-family Residential-Design Control (R2-DC) to Limited Multi-family Residential-Planned Development (R2-PD).
- b. Development plan to convert an existing 25 unit rental apartment complex into 25 airspace condominium units with common areas under management of a homeowners' association (HOA).
- c. A tentative subdivision map creating 25 airspace condominium units on two parcels consisting of 1.3 acres (Exhibit B).

Tentative Map

Planning Services

2. Concurrently with final map recordation, CC&R's with a homeowners' maintenance agreement, to include but not limited to those requirements under §17.28.121 of the County Code, shall be recorded.
3. Prior to final map recordation, a lighting plan shall be submitted in conformance with §17.14.170 of the County Code.
4. The applicant shall be subject to all noticing requirements under the Subdivision Map Act, as outlined in Exhibit F. Prior to final map recordation, proof of legal noticing to all tenants shall be submitted to Planning Services demonstrating compliance.
5. The applicant shall be subject to notification to buyers that the structures pre-date 1994 building code changes in relation to condominium conversions.

Department of Transportation

6. The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to commencement of any improvements on the project facilities.
7. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Major Land Division Ordinance, prior to filing the final map.
8. The developer shall construct a ~~five~~ four-foot wide sidewalk along Knollwood Drive, per Standard Plans 104 and 101B. In addition, a timber barricade, approved by the Department of Transportation, shall be installed at the north end of this proposed sidewalk to prevent inadvertent access to the drainage facility along the northern boundary of this project. This work must be substantially complete, as determined by the Department of Transportation, prior to filing the final map.

Surveyor's Office

9. All survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval, or the developer shall have a surety of work to be done by bond or cash deposit. Verification of set survey monuments, or amount of bond or deposit to be coordinated with the County Surveyors Office.