

FROM THE MINUTES OF APRIL 12, 2007

9. ZONE CHANGE/PLANNED DEVELOPMENT/PARCEL MAP (Public Hearing)

Z06-0044/PD06-0003/P06-0045/Durock Business Park submitted by DUROCK ROAD, LLC to change the zoning from Commercial (C) to Commercial-Planned Development (C-PD); planned development for a 17 unit commercial condominium within two building and one common area parcel; and tentative parcel map proposing to subdivide the property into 17 parcels ranging in size from 810 to 4,058 square feet and one common area parcel of approximately 96,067 square feet. The property, identified by Assessor's Parcel Number 109-040-68, consisting of 2.97 acres, is located on the south side of Durock Road, approximately 0.25 mile west of the intersection with South Shingle Road, in the **Shingle Springs area**. (Categorically exempt pursuant to Section 15301(a) of the CEQA Guidelines)

Staff: Tom Dougherty proposed the Commission forward a recommendation of approval to the Board of Supervisors.

Nello Olivo said they have CC&Rs developed for the project. They will not allow uses that cause noise (i.e., automobile facility). A lot of oak trees have been left along the border. There is a lot of vegetation along the southern boundary.

There was no further input.

Commissioner Mathews feels this is a nice looking project. Commissioner Machado said there is no problem with parking in this project. He feels this is a great project and is what the business community needs.

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER MACHADO AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS FIND THE PROJECT CATEGORICALLY EXEMPT PURSUANT TO SECTION 15301(a) OF THE CEQA GUIDELINES AND APPROVE Z06-0044 REZONING ASSESSOR'S PARCEL NUMBER 109-040-68 FROM COMMERCIAL (C) TO COMMERCIAL-PLANNED DEVELOPMENT (C-PD), BASED ON THE FINDINGS PROPOSED BY STAFF; APPROVE PD06-0003, ADOPTING THE DEVELOPMENT PLAN AS THE OFFICIAL DEVELOPMENT PLAN, BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS PROPOSED BY STAFF; AND APPROVE P06-0045, BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS PROPOSED BY STAFF.

Findings

1.0 CEQA Findings

1.1 El Dorado County has determined that the project is exempt from the requirements of CEQA pursuant to Section 15301 (K) of the CEQA Guidelines because it involves

splitting an approved commercial project into condominium parcels and involves negligible or no expansion of an approved use.

- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of the Development Services-Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 General Plan Findings

- 2.1 As proposed, the project is consistent with the Commercial land use designation of the subject site as defined by General Plan Policy 2.2.1.2, because the Commercial land use designation includes retail/office/services as compatible uses.
- 2.2 The proposal is consistent with the intent of General Plan Policies 2.2.1.5, 2.2.3.1, 2.8.1.1, TC-Xf, TC-5b, 5.1.2.1, 7.3.5.1, 7.3.5.2, 7.4.4.2, 9.1.2.4, and 9.1.2.8 concerning the requirement for a planned development request, the floor/area ratio, lighting glare, traffic impacts, landscaping, and the inclusions of provisions that promote non-vehicular travel. Because of the project's provisions of adequate access, site design, and attention to architectural design features that fit within the context of the surrounding uses, it is consistent with the General Plan policies identified above.

3.0 Zoning Findings

- 3.1 The project is consistent with the El Dorado County Zoning Ordinance designation of Commercial because the proposed project provides areas for office/warehouse, retail, and various other uses pursuant to section 17.32.020 of the Zoning Code.
- 3.2 The project, as proposed and conditioned, along with the zone change to Commercial-Planned Development, is consistent with the El Dorado County Zoning Ordinance Development Standards because the 17 parcels ranging in size from 810 to 4,058 square feet along with one 96,067.53 square-foot parcel to be used as a common area for the 17 parcels are being addressed with a planned development application, and the proposed buildings meet the development standards pursuant to section 17.32.

4.0 ADMINISTRATIVE FINDINGS

4.1 Planned Development PD06-0030 Findings

- 4.1.2 **The planned development zone request is consistent with the General Plan.** The planned development request is consistent with the General Plan because the application is for a commercial development, being developed to serve the residents, businesses and visitors, consistent with the Commercial land use designation, and is consistent with applicable policies as outlined in Finding 2.2.
- 4.1.3 **The proposed development is so designed to provide a desirable environment within its own boundaries.** The proposed development provides landscaping, lighting,

pedestrian traffic, and subdued design features which will enhance the environment for the tenants within the Business Park.

- 4.1.4 **Any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography.** Except for minimum parcel sizes for the individual units, the project is being developed or conditioned to comply with all County Code requirements.
- 4.1.5 **The site is physically suited for the proposed uses.** The site is physically suited for the proposed uses since it is located within a business, commercial environment.
- 4.1.6 **Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.** All required utilities are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads, and utilities.
- 4.1.7 **The proposed uses do not significantly detract from the natural land and scenic values of the site.** The proposed uses do not significantly detract from the natural land and scenic values of the site since it is devoid of native trees and shrubs except for those along the south and west parcel boundaries and has previously been mass graded, and the proposal will provide the required landscaping, enhancing the natural environment.

4.2 Parcel Map P06-0045 Findings

- 4.2.1 **The proposed parcel map, including design and improvements, is consistent with the General Plan policies and land use map.** The parcel map request is consistent with the General Plan, because the application is for a commercial development being developed to serve the residents, businesses and visitors, consistent with the Commercial land use designation, and is consistent with applicable policies as outlined in Finding 2.2.
- 4.2.2 **The proposed parcel map does conform to the applicable standards and requirements of the County's zoning regulations and the Minor Land Division Ordinance.** The proposed parcel map conforms to the applicable standards and requirements of the County's zoning regulations except for minimum parcel size for each unit and the Minor Land Division Ordinance, because the project site has been evaluated in accordance with the Commercial development regulations, and it has been found that the project complies with the minimum design standards, as conditioned.
- 4.2.3 **The site is physically suitable for the proposed type and density of development.** The site is physically suitable for the proposed type and density of development because the site is located within a commercial district, and it can be found that the site is suited for the retail/office/warehouse development.
- 4.2.4 **The proposed parcel map is not likely to cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.** The proposed parcel map will not cause substantial environmental damage or substantial and avoidable

injury to fish or wildlife or their habitat. The parcel map is an administrative document to allow the individual ownership of buildings within the development. No environmental impacts will be created by the parcel map.

- 4.2.5 **The design of the parcel map is not likely to cause serious public health hazards.** The design of the parcel map is not likely to cause serious public health hazards. The proposed parcel map would not create an undue negative impact upon the Business Park. It can be found that the improvements would not be detrimental to the public health, safety and welfare or injurious to the Business Park because the surrounding infrastructure is in place that can support it.

Conditions

1. This rezone, parcel map and planned development is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits A-17, approved April 12, 2007, 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 description is as follows:

Zone change from Commercial (C) to Commercial-Planned Development (C-PD) and a planned development for a 17 unit commercial condominium within two buildings and one common area parcel. The commercial parcel map is proposed to subdivide the 2.97-acre parcel into 17 parcels ranging in size from 810 to 4,058 square feet along with one 96,067.53 square-foot parcel to be used as a common area for the 17 parcels.

The buildings are proposed to provide offices for various professions. The project includes two concrete tilt-up buildings surrounded by landscaping. The eighteenth parcel includes the parking spaces, driveways, landscaping areas, and two electrical utility rooms which will be shared with a common maintenance agreement between each parcel owner.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Planning Services

Planned Development Conditions:

2. The final landscape plan shall meet Zoning Code Chapter 17.18.090 and General Plan Policies 7.3.5.1, 7.3.5.2, and 7.4.4.4 and be approved by the Deputy Planning Director or designee the prior to installation. The applicant shall install and maintain landscaping in accordance with the approved final landscaping plan in perpetuity.
3. All outdoor lighting shall conform to §17.14.170 and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. In addition, the following apply:
 - a. External lights used to illuminate a sign or side of a building or wall shall be shielded in order to prevent light from shining off the surface to be illuminated.
 - b. Lighting for outdoor display areas shall be turned off within 30 minutes after the closing of the business. No more than 50 percent of the parking lot lighting may remain on during hours of non-operation. Security lighting shall be designed with motion-sensor activation.

Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.

4. All signs must comply with all applicable conditions of the "Sign Program" attached as Exhibit I2. Any signage subsequent to the approval of this permit shall conform to Chapter 17.32.140 (D) and Chapter 17.16 of the El Dorado County Zoning Ordinance and shall be provided to, and approved by, the Deputy Director of Planning or designee prior to issuance of a building permit.
5. Parking shall be improved consistent with Chapter 17.18 of the County Code, including the April 14, 1993 California Accessibility Regulations. The uses will be evaluated during the tenant improvement/building permit process prior to issuance of a building permit to ensure that parking will be available for each use that had been authorized by the approval of building permits 173496 and 173498 and to be sure the initial proposed uses were not subjected to a change. Parking shall conform to the site plan approved by building permits 173496 and 173498. Any tenant improvement use that causes the total approved number of parking spaces to be exceeded shall not be approved until such time as additional parking is legally created, reviewed, and then approved by Deputy Planning Director or designee.

Parcel Map Conditions:

6. The applicant shall include provisions for bicycle parking on the site by providing a minimum of four bicycle spaces/racks, not necessarily all together, within the project

where they can be shared by all parcels. Maintenance of the bike rack and access shall be included in the joint access and parking agreement. The bike racks shall be installed prior to recording of the parcel map.

7. A joint access and parking agreement shall be provided to ensure on-going access and maintenance of the parking to all property owners within the Durock Business Park. A copy of said agreement shall be provided to Planning Services for review and approval, and the approved agreement shall then be recorded and a copy shall be provided to Planning Services prior to filing of the final parcel map.
8. All Development Services fees shall be paid prior to clearance by Development Services of the parcel map.

El Dorado County Fire Protection District

9. All installation, maintenance, and repair of all portions of the fire system sprinkler and alarm systems shall be shared equally by all parcel owners subject of this permit application. The final version of the Declaration of Covenants, Conditions and Restrictions and Reservation of easements for Durock Road Business Owner's Association shall be reviewed and approved by El Dorado County Fire Protection District for the inclusion of this requirement prior to recordation and prior to filing of the final parcel map.

El Dorado County Surveyor

10. All survey monuments shall be set prior to filing and recording the parcel map.
11. Prior to filing the parcel map, a letter to the County Surveyor shall be required from all agencies that have conditions place on the map. The letter shall state that all conditions placed on the map by that agency have been met.