

Findings

1.0 CEQA FINDINGS

This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15301(k) of the CEQA Guidelines stating that “ subdivision of existing commercial or industrial buildings, where no physical changes occur which are otherwise exempt.”

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with the General Plan

The General Plan Land Use map designates the subject property as Research & Development (R&D). The proposal to create five (5) air space condominiums and common area on a site that has been previously approved and constructed under ministerial building permits in the mid 1980’s. The subject property has been developed to adequately serve the proposed request to convert the existing building into condominium (air space) units and common area.

3.0 REZONE FINDINGS

3.1 The project is consistent with the Zoning Ordinance

The project is consistent with the Research & Development (R&D) Zone District and Planned Development (PD) overlay district which would allow the flexibility with the creation of air space condominium units and common area on parcels less than 10,000 square feet.

The project is consistent with the Zoning Code pursuant to the County making findings for approval of a Planned Development zone because the subject property is physically suited for the proposed use. The subject property has previously been graded and developed under prior approvals. No new development has been proposed as part of the current request.

4.0 PLANNED DEVELOPMENT FINDINGS

4.1 That the Planned Development request is consistent with the General Plan;

The proposed request to rezone the property from Research and Development-Design Control (R&D-DC) to Research & Development-Planned Development (R&D-PD) is

consistent with the land use designation. The proposed Development Plan is consistent with applicable General Plan policies.

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

The proposed project would subdivide the existing structure and does not propose new development other than negligible site improvements for additional parking and circulation on previously disturbed soils. The proposed request is designed to provide a desirable environment within its own boundaries because adequate parking, lighting and landscaping has been provided on the subject property.

4.3 That any exception to the standard requirements of the zone regulations are justified by the design or existing topography;

A Planned Development application is required to facilitate the conversion of the existing structure to the proposed air space condominium units and common area to allow for individual ownership. The request includes exceptions to the standard requirements for zone regulations pertaining to minimum lot size, lot width, parking standards, loading zones, and building coverage. Staff has determined that the request to accommodate the air space condominium conversion and common space proposal is justified by the project design because it would not impact existing on-site development. The existing site improvements would accommodate individual ownership and only negligible site improvements are proposed for additional parking and circulation within previously disturbed areas. Smaller loading zones would accommodate additional parking.

4.4 That the site is physically suited for the proposed uses.

The project site is an existing building located in the El Dorado Hills Business Park which is within the R&D Zone District designed for high technology non-polluting manufacturing plants, and related facilities in a campus-like setting. Conversion of an existing structure to air space condominium units and common area is physically suited for the potential uses.

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

The project site is currently served by EID public water and sewer services. No alteration or intensification would occur that would require additional services or road improvements.

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

The existing development is compatible with the surrounding land use improvements. The subject property is developed and does not negatively impact any natural or scenic features of the site. Only negligible onsite improvements are proposed as part of this application for additional parking and circulation within previously disturbed areas.

5.0 TENTATIVE PARCEL MAP FINDINGS

5.1 That the proposed map is consistent with applicable general and specific plans;

The proposed Parcel Map would create parcels utilizing the existing approved development on the project site which was previously permitted and is consistent with the General Plan.

5.2 That the design or improvement of the proposed division is consistent with applicable general and specific plans;

The proposed Parcel Map has been designed in conformance with the Research & Development Zone District (R&D) Development Standards. The PD would allow for flexibility in the Development Standards of the Research & Development Zone District, including the minimum lot size, building coverage, and lot width.

5.3 That the site is physically suitable for the type and density of development;

The Parcel Map would not increase the density on the project site. The project would make use of the existing previously permitted structure and existing exterior site improvements and would not allow additional improvements to the site.

5.4 The design of the division would not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat.

The project site is developed with an existing 8,698 square foot building including parking, landscaping and lighting. The design of the division would not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The proposed subdividing of the property does not propose any new development and site improvements other than a negligible amount of grading for additional parking and circulation within previously disturbed areas. This project is consistent with the finding based on issuance of the categorical exemption.

5.5 The design of the division or the type of improvements is not likely to cause serious public health hazards;

The project site is developed with an existing 45,420 square foot building including parking, landscaping and lighting site improvements. The proposed subdivision is not likely to cause serious public health hazards. Only a negligible amount of improvements are proposed for additional parking and circulation within previously disturbed areas.

Conditions of Approval

Planning Services

1. This Zone Change, Parcel Map and Development Plan is based upon and limited compliance with the project description, the hearing exhibits marked Exhibits E, F, & G 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:

The Rezone request would eliminate the Design Control (DC) overlay and would add the Planned Development (PD) overlay to the 3.79-acre parcel.

Development Plan to create 5 air space condominium units ranging in size from 5,490 square feet to 19,300 square feet from one existing 45,420 square foot office/warehouse building. The Development Plan (Exhibits E, F, & G) would allow flexibility in the Development Standards of the Research & Development Zone District. The adopted Development Plan would only allow professional office type uses.

The Parcel Map would create five parcels and one common parcel. The parcel lot sizes shall correspond to the table below:

Lot Number	Area (sf)
Lot 1	19,300
Lot 2	7,570
Lot 3	7,570
Lot 4	5,490
Lot 5	5,490
Common Lot 'A'	119,790

The subject 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.

2. All landscaping improvements, building locations, building orientations, building elevations, and materials shall comply with the approved plans. The approved plans shall consist of Exhibits E, F, & G attached. All buildings on the site shall be architecturally consistent. Changes not to exceed 10 percent of the square footage of buildings, minor location changes, and architectural feature changes may be approved by the Planning Director or designee. Major changes in building sizes or features will require an amendment or revision to the approved Development Plan.
3. Prior to issuance of a tenant improvement/building permit, the applicant shall provide a parking tally of all existing and proposed parking which shall be kept by Planning Services to ensure the proposed use combinations will not result in a change that requires more parking than the 182 allowed spaces under the approved Development Plan.
4. Any re-allocation of floor area from professional office to other more intensive uses shall require a re-calculation by Planning Services which may require additional on-site parking or a revision of the Development Plan.
5. All outdoor lighting shall conform to Section 17.14.170 of the County Code and be fully shielded pursuant to the Illumination Engineering Society of North America (IESNA) full cut-off designation.
6. Prior to filing of the parcel map all Development Services fees shall be paid. Planning Services shall verify payment of all fees prior to filing the Parcel Map.
7. Landscaping is required to meet Zoning Code Chapter 17.18.090. All landscaping shall be maintained for the life of the project.
8. A \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.
9. A joint access and parking agreement shall be provided to ensure continued access and maintenance of the parking to all property owners within the development. 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 Parcel Map.
10. Wall-mounted signage may be administratively approved by the Development Services Director meeting the standards of the R&D Zone District. Any free-standing signage shall be subject to a Revision to the Development Plan.

11. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, or employees from any claim, action, or proceedings against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in Section 66499.37.

County shall notify the applicant of any claim, action, or proceeding and County shall cooperate fully in the defense.

12. The map shall remain in effect for three years from the date of approval. If the map has not been recorded within this timeframe, an extension may be requested prior to expiration of the map. Appropriate fees shall be paid to process the time extension.

El Dorado Hills Fire Department

13. The applicant shall pay a \$500.00 annexation fee to the El Dorado Hills County Water District (El Dorado Hills Fire Department) for each additional parcel created in accordance with the recorded agreement between the El Dorado Hills Business Park property owners and the El Dorado Hills Fire Department, prior to filing the Parcel Map
14. An agreement shall be formed by the condominium owners to jointly maintain all fire hydrant, fire sprinkler, and fire alarm systems within the occupied buildings, prior to filing the Parcel Map.
15. This development shall be prohibited from installing any type of traffic calming devices that utilize a raised bump of a lower dip section of roadway.
16. The speed bumps that are currently installed shall be removed prior to filing the Parcel Map.
17. Each building shall be addressed in accordance with fire department requirements, which includes posting 16 in tall addresses on the building as well as address posting onto Golden Foothills Parkway, prior to filing the Parcel Map.
18. A KNOX Box shall be installed on each building to contain the master key to open all exterior doors, prior to filing the Parcel Map.

19. All existing fire hydrants, post indicator valves and fire department connections shall be painted safety white with a blue reflective marker installed adjacent to the each fire hydrant, prior to filing the Parcel Map.
20. The potential southern egress shall provide a 56 foot outside and a 40 foot inside turning radius with a minimum width of the access consisting of a 20 foot paved all weather surface.

El Dorado County Department of Transportation:

21. Reciprocal Access Agreement: The applicant shall provide a reciprocal access agreement that guarantees access for all parcels involved in this Parcel Map to use the contiguous parking lots for access between Golden Foothill Parkway and Hawk's Flight Court, prior to filing the Parcel map.
22. Maintenance Entity: The proposed project must form an entity for the maintenance of any shared or common" private roads, parking facilities, landscaping, signs, and drainage facilities. If there is an existing entity, the property owner shall modify the document if the document does not sufficiently address the maintenance of the roads, parking facilities, landscaping, signs and drainage facilities of the project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the Parcel Map.

Surveyor's Office

23. All survey monuments must be set prior to filing the Parcel Map.
24. Prior to filing the Parcel map, a letter to the County Surveyor will be required from all agencies that have conditions placed on the map. The letter will state that all conditions placed on the Parcel Map by that agency have been met.