

Creekside Plaza

File Nos. Z10-0009/P10-0012/PD10-0005

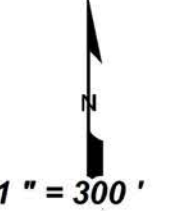


0 0.0375 0.075 0.15 0.225 0.3 Miles

Exhibit A: Location Map

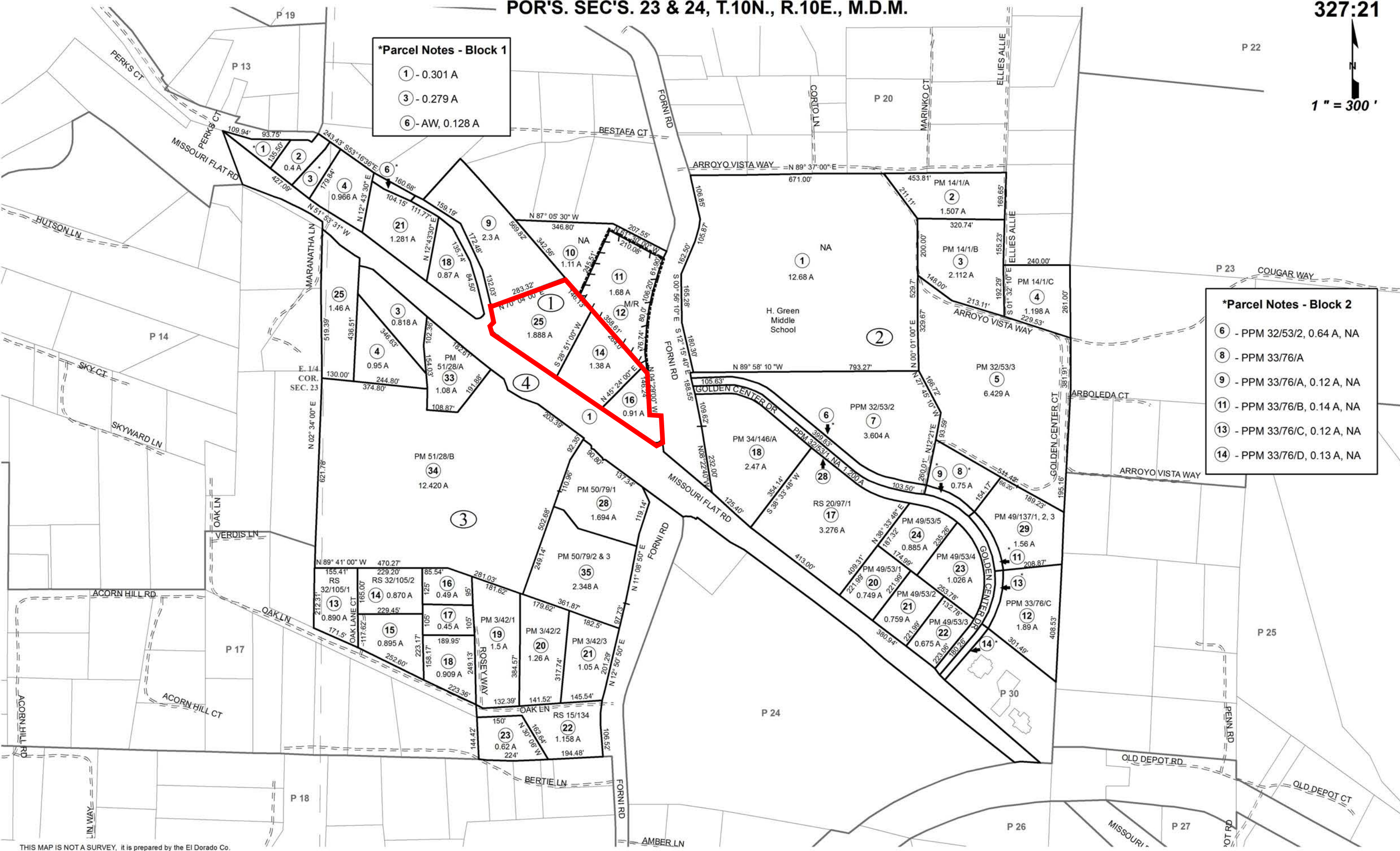
POR'S. SEC'S. 23 & 24, T.10N., R.10E., M.D.M.

327:21



- *Parcel Notes - Block 1**
- ① - 0.301 A
 - ③ - 0.279 A
 - ⑥ - AW, 0.128 A

- *Parcel Notes - Block 2**
- ⑥ - PPM 32/53/2, 0.64 A, NA
 - ⑧ - PPM 33/76/A
 - ⑨ - PPM 33/76/A, 0.12 A, NA
 - ⑪ - PPM 33/76/B, 0.14 A, NA
 - ⑬ - PPM 33/76/C, 0.12 A, NA
 - ⑭ - PPM 33/76/D, 0.13 A, NA



THIS MAP IS NOT A SURVEY, it is prepared by the El Dorado Co. Assessor's office for assessment purposes only. Area calculations and characteristics are not guaranteed. Users should verify items such as dimensions and acreage.

Acreages Are Estimates

EXHIBIT B

Adjacent Map Pages Shown in Grey Text
 Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles

Rev. FEB 3, 2016

Creekside Plaza
File Nos. Z10-0009/P10-0012/PD10-0005

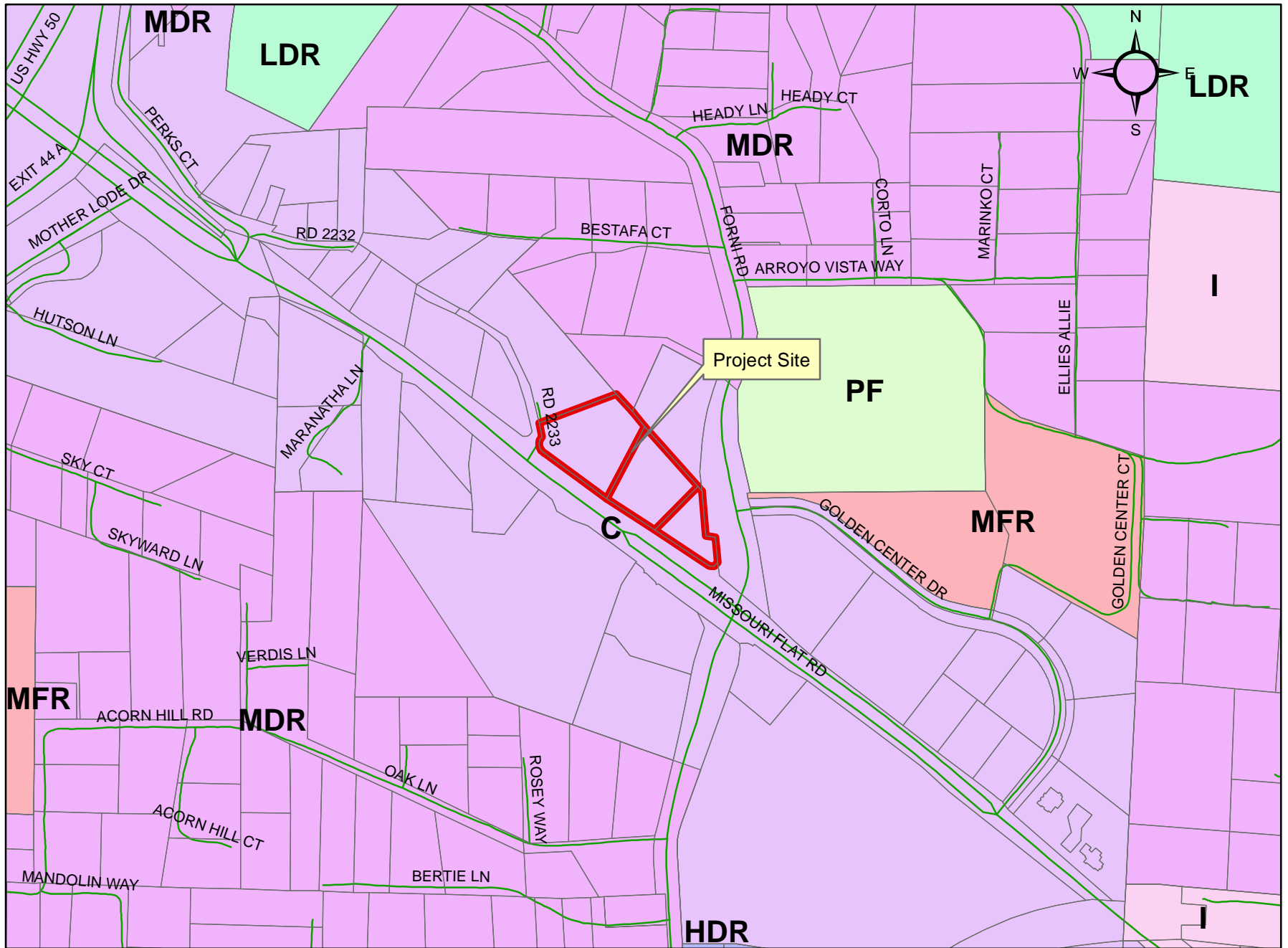


Exhibit C: General Plan Land Use Map

Creekside Plaza

File Nos. Z10-0009/P10-0012/PD10-0005

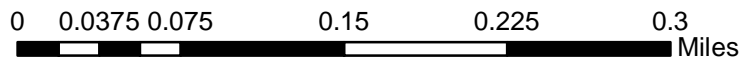
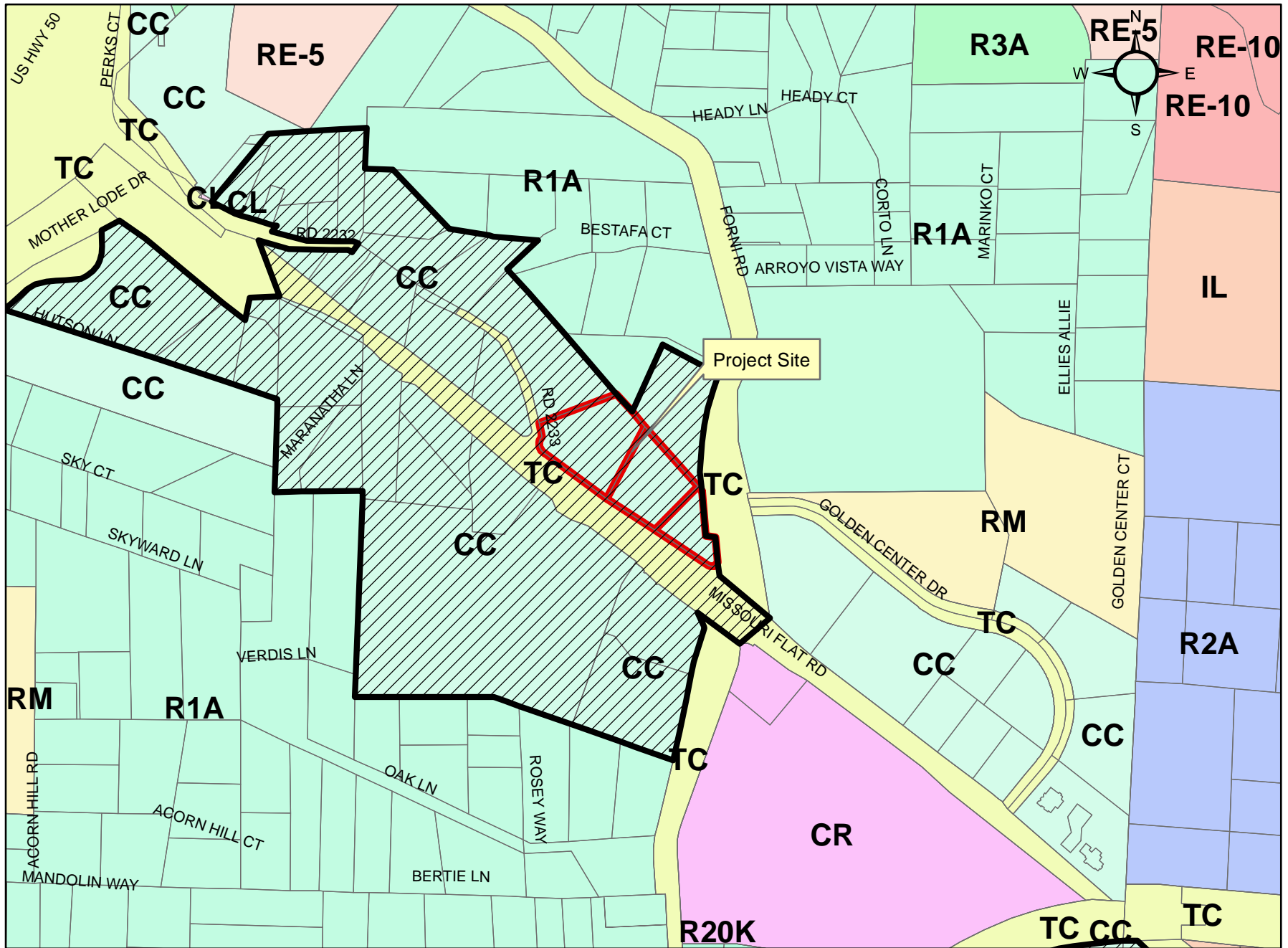


Exhibit D: Zone Map

Creekside Plaza

File Nos. Z10-0009/P10-0012/PD10-0005



	Zoning	General Plan	Land Use/Improvements
Site	Community Commercial-Design Control (CC-DC)	Commercial (C)	Vacant
North	Community Commercial-Design Control (CC-DC)/ One-Acre Residential (R1A)	Commercial (C)/Medium Density Residential (MDR)	Existing Residences
South	Community Commercial-Design Control (CC-DC)	Commercial (C)	Commercial Uses
East	Community Commercial-Design Control (CC-DC)	Commercial (C)	Commercial Uses
West	Community Commercial-Design Control (CC-DC)	Commercial (C)	Existing Residences

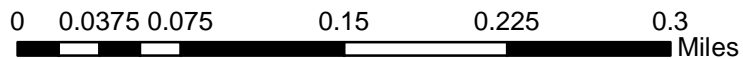


Exhibit E: Aerial Map



ORDINANCE No. 4977

**THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES
ORDAIN AS FOLLOWS:**

**RELATED TO REZONING IN THE PLACERVILLE AREA
PETITIONED BY GRADO EQUITIES VII, LLC**

Section 1. The Official Zoning Map for the Placerville Area is hereby amended to rezone the following described land from One-Acre Residential (R1A) to General Commercial-Planned Development (CG-PD) and Open Space-Planned Development (OS-PD) zone:

Placerville Area

Assessor's Parcel Nos. 327-211-14, 327-211-16 and 327-211-25, being described as being a portion of Section 24, Township 10 North, Range 10 East, MDM, consisting of 4.1 acres.

Section 2. This ordinance shall take effect and shall become effective thirty (30) days following the adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 3rd day of April, 2012, by the following vote of said Board:

ATTEST
SUZANNE ALLEN DE SANCHEZ
Clerk of the Board of Supervisors

By Suzanne Allen De Sanchez
Deputy Clerk

Ayes: James R. Sweeney, Raymond J. Nutting
John R. Knight, Ron Briggs, Norma Santiago
Nos: None
Absent: None

John R. Knight
Chairman, Board of Supervisors

APPROVED AS TO FORM
LOUIS B. GREEN
COUNTY COUNSEL

By Paula F. Frantz
Paula F. Frantz
Deputy County Counsel

I CERTIFY THAT:

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE

Date _____

ATTEST: SUZANNE ALLEN DE SANCHEZ, Clerk of the Board of Supervisors
of the County of El Dorado, State of California.

By _____
Deputy Clerk

LAW OFFICES OF DONALD B. MOONEY

DONALD B. MOONEY

129 C Street, Suite 2
Davis, California 95616
Telephone (530) 758-2377
Facsimile (530) 758-7169
dbmooney@dcn.org

May 3, 2012

VIA FEDERAL EXPRESS
and Facsimile: (530) 622-3645

Terri Daly
El Dorado County Clerk of the Board
330 Fair Lane
Placerville, CA 95667

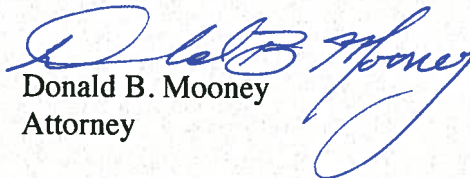
Re: NOTICE OF INTENT TO FILE CEQA PETITION

Dear Ms. Daly:

Please take notice, under Public Resources Code section 21167.5, that Petitioner Friends of the Herbert Green Middle School Neighborhood intends to file a Petition for Writ of Mandate in El Dorado County Superior Court under the provisions of the California Environmental Quality Act ("CEQA"), Public Resources Code, section 21000 *et seq.* against the County of El Dorado and the El Dorado County Board of Supervisors challenging the April 3, 2012, approval of the Creekside Plaza Project.

The Petition for Writ of Mandate will request that the court direct the County and the Board of Supervisors to vacate and rescind all Project approvals and direct the County to comply with CEQA. Additionally, the Petition will seek Petitioners' costs and attorney's fees associated with this action.

Very truly yours,


Donald B. Mooney
Attorney

2012 MAY -7 PM 2:05
BOARD OF SUPERVISORS
EL DORADO COUNTY

**COPY SENT TO BOARD MEMBERS
FOR THEIR INFORMATION**

DATE 5-7-12
Dist 1-5 CAO + co. co.
File 12-0224
4/3/12

EXHIBIT G



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530-621-5390
FAX 530-622-3645
www.edcgov.us/bos

Minute Order Board of Supervisors

John R. Knight, Chair, District I
Ron Briggs, First Vice Chair, District IV
Norma Santiago, Second Vice Chair, District V
Ray Nutting, District II
James R. Sweeney, District III

Terri Daly, Acting Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer Louis B. Green, County Counsel

Tuesday, October 16, 2012

8:00 AM

Board of Supervisors Meeting Room

45. 12-0224

Hearing to consider rescinding all actions the Board took on April 3, 2012 on Creekside Plaza (Rezone Z10-0009/Planned Development PD10-0005/Parcel Map P10-0012), on property identified by APNs 327-211-14, 327-211-16, and 327-211-25, consisting of 4.1 acres, in the Placerville area, submitted by Grado Equities VII, LLC; and Development Services and County Counsel recommending the Board take the following actions without prejudice:

- 1) Adopt Resolution **149-2012** rescinding actions taken by the Board on April 3, 2012, agenda item 19, approving Creekside Plaza project (Rezone Z10-0009/Planned Development PD10-0005/Parcel Map P10-0012); and
- 2) Consider the Introduction (First Reading) of Ordinance **4985** rescinding Ordinance 4977 rezoning APNs 327-211-14, 327-211-16, and 327-211-25 from One-Acre Residential (R1A) to General Commercial-Planned Development (CG-PD) and Open Space-Planned Development (OS-PD). (Supervisory District 3) (Refer, 4/3/12, Item 19) (Est. Time 20 Min.)

A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, as follows:

- 1) Adopt Resolution 149-2012; and
- 2) Approve the Introduction of Ordinance 4985 rescinding Ordinance 4977, waived reading and read by title only; and
- 3) Set adoption (Second Reading) of said Ordinance for Tuesday, October 23, 2012.

Yes: 5 - Knight, Nutting, Sweeney, Briggs and Santiago

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.
Attest: Terri Daly, Acting Clerk of the Board of Supervisors of the County of El Dorado, State of California

By: *Marcie MacFarland* Date: *Nov. 2, 2012*



RESOLUTION NO. 149-2012

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, on April 3, 2012, the Board of Supervisors took the following actions, approving Rezone Z10-0009, Planned Development PD10-0005, and Parcel Map P10-0012 (Creekside Plaza):

1. Adopted the Revised Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopted the Mitigation Monitoring Program in accordance with CEQA Guidelines Section 15074(d) incorporating the Mitigation Measures into the Conditions of Approval;
3. Approved Z10-0009 rezoning APNs 327-211-14, 327-211-16, and 327-211-25 from One-Acre Residential (R1A) to General Commercial-Planned Development (CG-PD) and Open Space-Planned Development (OS-PD), and adopted Ordinance 4977 for said rezone;
4. Approved Planned Development PD10-0005, as conditioned;
5. Approved Tentative Parcel Map P10-0012, as conditioned;
6. Found the project consistent with General Plan Policy 7.1.2.1 to allow development and disturbance on slopes of 30 percent or greater gradient;
7. Found the project consistent with General Plan Policy 7.3.3.4 to allow a reduction of the wetland setback from 50 feet to zero, with a portion of the development area within the required setback; and
8. Acknowledged the Planning Commission Finding that the General Vacation of portions of the Forni Road Right-of-Way is consistent with the General Plan in accordance with Government Code Section 65402(a).

WHEREAS, as a result of litigation and the subsequent settlement agreement, on August 23, 2012, the applicant, Grado Equities VII, LLC requested the Board of Supervisors rescind all actions to approve the above referenced project, "Creekside Plaza"; and

WHEREAS, under Zoning Ordinance Section 17.10.050, a one year time limit is required from the date of final decision by the Board of Supervisors before the applicant can resubmit the application; and

WHEREAS, the applicant has agreed to resubmit the application and fund the cost of preparation of an Environmental Impact Report, the Board will waive the one year limitation of Section 17.10.050.

NOW, THEREFORE, BE IT RESOLVED that the County of El Dorado Board of Supervisors hereby takes the following actions, without prejudice:

1. Rescinds the Revised Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Rescinds the Mitigation Monitoring Program in accordance with CEQA Guidelines Section 15074(d) incorporating the Mitigation Measures into the Conditions of Approval;
3. Rescinds approval of Z10-0009 rezoning APNs 327-211-14, 327-211-16, and 327-211-25 from One-Acre Residential (R1A) to General Commercial-Planned Development (CG-PD) and Open Space-Planned Development (OS-PD), and adoption of Ordinance 4977 for said rezone;
4. Rescinds the Planned Development PD10-0005, as conditioned;
5. Rescinds the Tentative Parcel Map P10-0012, as conditioned;
6. Rescinds the finding of consistency with General Plan Policy 7.1.2.1 to allow development and disturbance on slopes of 30 percent or greater gradient;

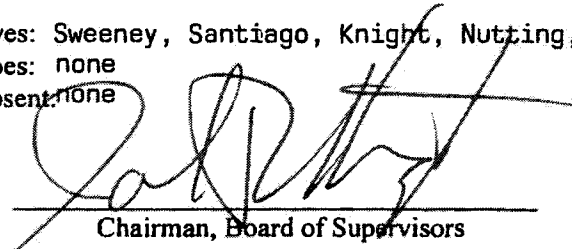
7. Rescinds the finding of consistency with General Plan Policy 7.3.3.4 to allow a reduction of the wetland setback from 50 feet to zero, with a portion of the development area within the required setback;
8. Rescinds acknowledgement of the Planning Commission Finding that the General Vacation of portions of the Forni Road Right-of-Way is consistent with the General Plan in accordance with Government Code Section 65402(a); and
9. Approves Ordinance No. 4985 rezoning APNs 327-211-14, 327-211-16, and 327-211-25 from General Commercial-Planned Development (CG-PD) and Open Space-Planned Development (OS-PD) to One-Acre Residential (RIA).

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 16 day of October, 2012, by the following vote of said Board:

Attest:
Terri Daly
Acting Clerk of the Board of Supervisors

By: 
Deputy Clerk

Ayes: Sweeney, Santiago, Knight, Nutting, Briggs
Noes: none
Absent: none


Chairman, Board of Supervisors

John R. Knight



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530-621-5390
FAX 530-622-3645
www.edcgov.us/bos

Minute Order Board of Supervisors

John R. Knight, Chair, District I
Ron Briggs, First Vice Chair, District IV
Norma Santiago, Second Vice Chair, District V
Ray Nutting, District II
James R. Sweeney, District III

Terri Daly, Acting Clerk of the Board of Supervisors
Terri Daly, Chief Administrative Officer Louis B. Green, County Counsel

Tuesday, October 23, 2012

8:00 AM

Board of Supervisors Meeting Room

5. 12-0224

Development Services and County Counsel recommending the Board consider adoption (second reading) of Ordinance 4985 rescinding Ordinance 4977 rezoning APNs 327-211-14, 327-211-16, and 327-211-25 from One-Acre Residential (R1A) to General Commercial-Planned Development (CG-PD) and Open Space-Planned Development (OS-PD). (Supervisory District 3) (Cont'd 10/16/12, Item 45)

Ordinance 4985 was adopted upon approval of the consent calendar.

THE ATTACHED INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE

10-24-12

ATTEST: *Terri Daly* Clerk of the Board of Supervisors
of the County of El Dorado, State of California.

By

Terri Daly
Deputy Clerk



ORDINANCE NO. 4985

WHEREAS, on April 3, 2012, the Board of Supervisors (“Board”) approved Z10-0009 rezoning APNs 327-211-14, 327-211-16, and 327-211-25 from One-Acre Residential (R1A) to General Commercial-Planned Development (CG-PD) and Open Space-Planned Development (OS-PD);

WHEREAS, there was a legal challenge to the adequacy of the Mitigated Negative Declaration certified for the project;

WHEREAS, the property owner has agreed to settle the legal challenge by requesting the rescission of the project approvals in order to submit a new application for the project subject to an Environmental Impact Report.

THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

RELATED TO REZONING IN THE PLACERVILLE AREA PETITIONED BY GRADO EQUITIES VII, LLC

Section 1. The Official Zoning Map for the Placerville Area is hereby amended to rezone the following described land from General Commercial-Planned Development (CG-PD) and Open Space-Planned Development (OS-PD) to One-Acre Residential (R1A) zone.

Placerville Area

Assessor’s Parcel Nos. 327-211-14, 327-211-16, and 327-211-25, being described as being a portion of Section 24, Township 10 North, Range 10 East, MDM, consisting of 4.1 acres.

Section 2. This ordinance shall take effect and shall become effective thirty (30) days following the adoption hereof.

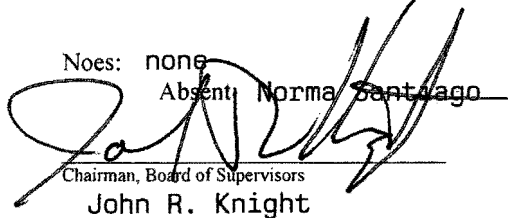
PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 23 day of October, 2012, by the following vote of said Board:

Ayes: Ron Briggs, James R. Sweeney, John R. Knight, Raymond J. Nutting

ATTEST
THERESA DALY
Acting Clerk of the Board of Supervisors

By 
Deputy Clerk

Noes: none
Absent: Norma Santiago


Chairman, Board of Supervisors
John R. Knight

APPROVED AS TO FORM
LOUIS B. GREEN
COUNTY COUNSEL

By 
Deputy County Counsel

I CERTIFY THAT:

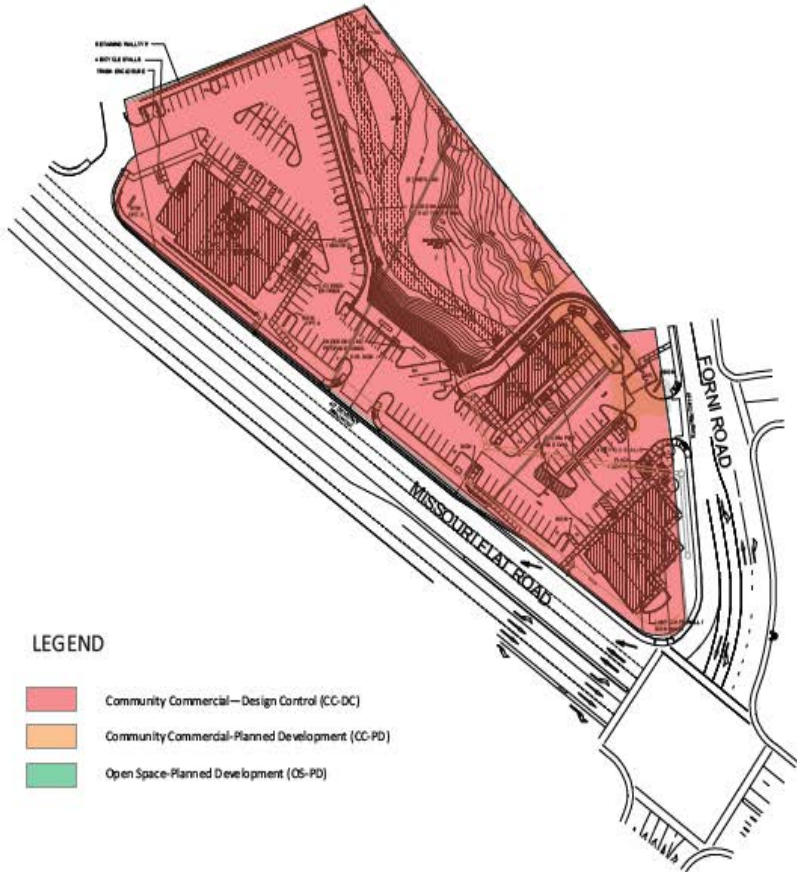
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE

Date _____

ATTEST: THERESA DALY, Acting Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By _____
Deputy Clerk

Existing Zoning Designations



Proposed Zoning Designations

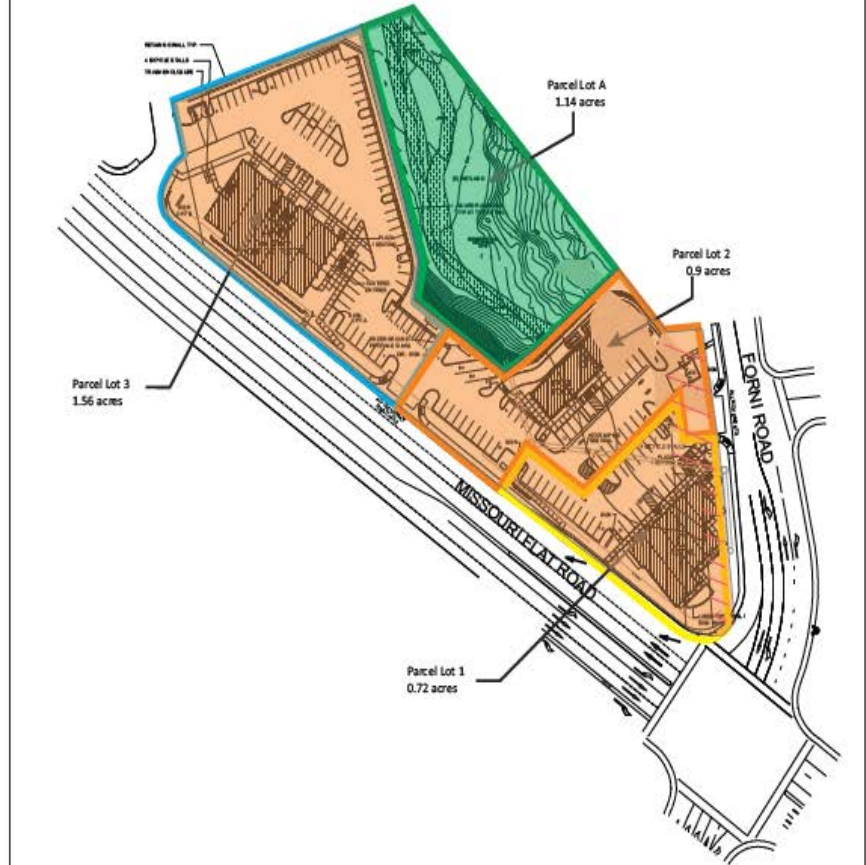


EXHIBIT J: Rezone Exhibit

Parcel Overview

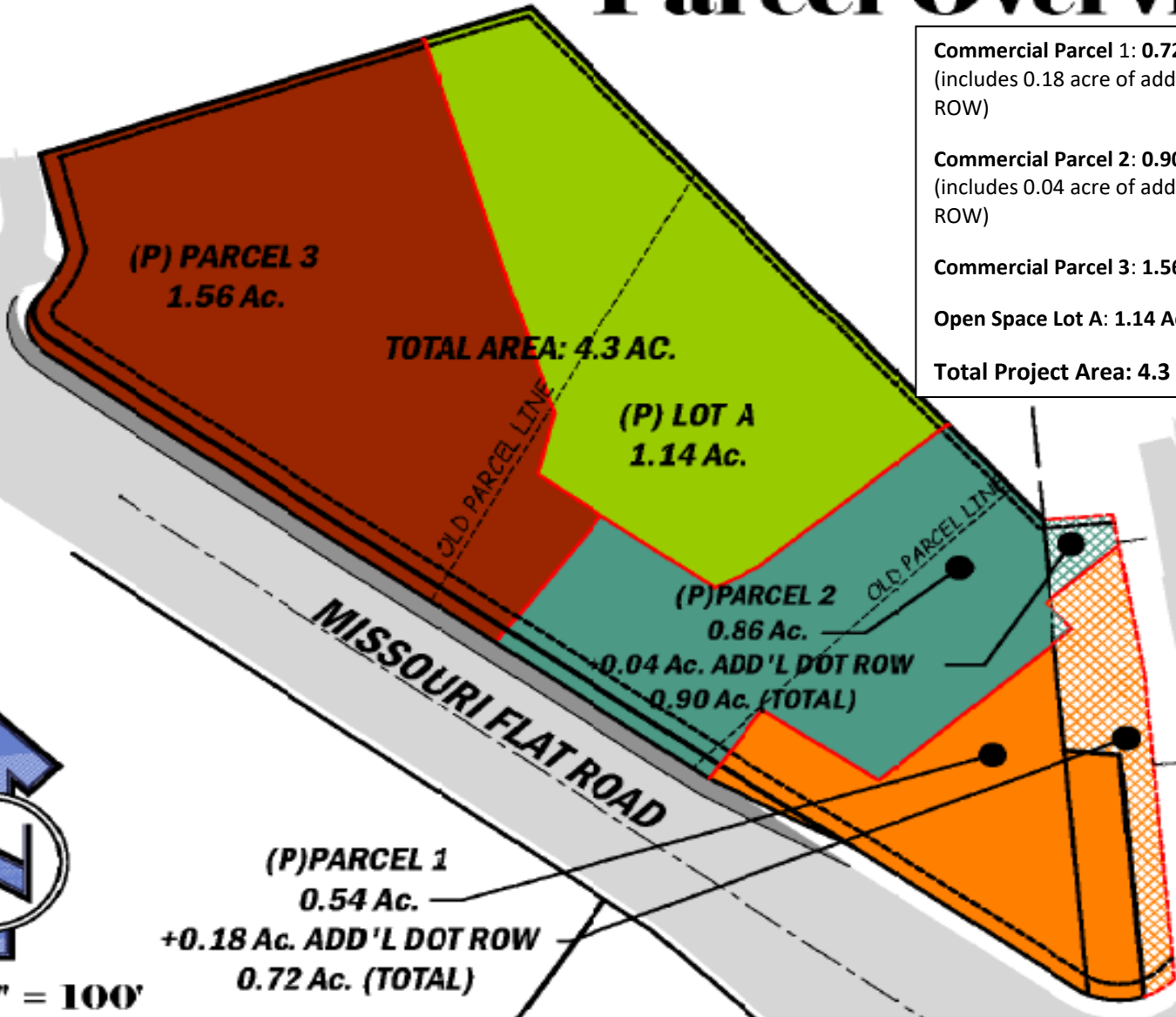
Commercial Parcel 1: 0.72 acres
(includes 0.18 acre of additional DOT ROW)

Commercial Parcel 2: 0.90 acres
(includes 0.04 acre of additional DOT ROW)

Commercial Parcel 3: 1.56 acres

Open Space Lot A: 1.14 Acres

Total Project Area: 4.3 Acres



Scale: 1" = 100'

EXHIBIT K

