

FROM THE MINUTES OF OCTOBER 25, 2007

8. REZONE/PLANNED DEVELOPMENTS/TENTATIVE PARCEL MAPS
(Public Hearing)

a. **Z07-0021/PD07-0015/P07-0019** submitted by RIBEIRO-COMMERCE, LLC to rezone property from Research and Development-Design Control (R&D-DC) to Research and Development-Planned Development (R&D-PD); development plan for the existing office and warehouse facilities to allow for the split of the existing 4.63 acre parcel into parcels smaller than two acres in size in accordance with Section 17.35.030(A)(2)(d) of the Zoning Code, and to allow for zero lot lines for the proposed new parcels; and tentative parcel map creating six parcels ranging in size from 9,100 to 12,453 square feet and one 3.22 acre parcel for shared parking and access. The property, identified by Assessor's Parcel Number 117-060-41, is located on the east side of Golden Foothill Parkway, approximately 300 feet south of the intersection with Suncastr Lane in the El Dorado Hills Business Park area of **El Dorado Hills**, Supervisorial District II. (Categorically exempt pursuant to Section 15301(k) of the CEQA Guidelines)

Staff: Michael Baron recommended approval.

Joe Oloriz represented the applicant and had nothing to add to the presentation.

Commissioner Mathews asked if they will be selling the individual parcels. Mr. Oloriz replied in the affirmative.

Chair Knight asked the height of the sign. Gina Hunter replied four to six feet. Chair Knight's only concern would be visibility going north on Golden Foothill Parkway. Mr. Oloriz said the Department of Transportation has reviewed the sign, and it is already in place.

Commissioner Machado said the signage for the mini-storage facility was not approved and is on the site plan. Ms. Hunter commented additional signage is covered under Condition 4. Mr. Oloriz said there will be a monument sign, no tenant signs. Commissioner Machado wants to make sure it is noted that the mini-storage signage has not been approved. Ms. Hunter proposed modification to Condition 4.

There was no further input.

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER MATHEWS 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 Z07-0021/PD07-0015 REZONING A SESSOR'S PARCEL NUMBER 117-060-41 FROM RESEARCH AND DEVELOPMENT-DESIGN CONTROL (R&D-DC) TO RESEARCH AND DEVELOPMENT-PLANNED DEVELOPMENT (R&D-PD), ADOPTING THE DEVELOPMENT AS THE OFFICIAL DEVELOPMENT PLAN, BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED; AND APPROVE P07-0019, BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS AS MODIFIED.

Findings

1.0 CEQA

- 1.1 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 LEGISLATIVE FINDINGS

- 2.1 The proposed Zone Change is consistent with the policies in the El Dorado County General Plan as discussed in the General Plan section of this staff report.

The Zone Change would be consistent with the boundary of the project site and establish an appropriate Research and Development land use designation accommodating the proposed professional office facility.

- 2.2 The Zone Change is found to comply with the requirements of Chapter 17.06, and the proposed project is not considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood, based on the conclusions contained in the staff report and the analysis of potential impacts in the Initial Study.

With the establishment of the Research and Development land use designation, the proposed facility has been designed in accordance with the applicable development standards under the El Dorado County Zoning Ordinance and Design and Improvement Standard Manual. Specific project conditions approval have been incorporated ensuring orderly and safe development and operation

- 2.3 The site is physically suitable for commercial development.

The site is adequately sized to accommodate the proposed professional office facility. The facility has been designed in accordance to applicable development

standards, would be accessed off county roads, and receive public water, sewer and drainage services.

3.0 ADMINISTRATIVE FINDINGS

3.1 General Plan

The General Plan Land Use map designates the subject property as Research and Development (R&D). The proposal to six (6) zero lot line parcel around the existing buildings and one (1) common parcel for shared parking and access on a site that has been previously approved for development. The project site has been developed to adequately serve the proposed commercial Tentative Parcel Map request.

3.2 Zoning

The project is consistent with the Research and Development (R&D) zoning district and Planned Development (PD) overlay district. The project is consistent with the Zoning Code pursuant to the Planning Commission 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. New development, other than the addition of a sign, is not proposed on the subject property.

3.3 Planned Development

- 3.3.1 The proposed development is so designed to provide a desirable environment within its own boundaries.

The project has been designed for general office and warehouse use. Parking and circulation around the buildings are suitable, and the 5 outer buildings provide a buffer between the right of way and the proposed mini-warehousing, effectively blocking the roll up doors from public view. The project does provide appropriate circulation for pedestrian traffic within the development.

- 3.3.2 Any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography.

The applicant has requested smaller than two-acre parcels and zero lot line parcels around the existing buildings. Conditions for shared access and parking have been required and the requested exceptions would not create a conflict with the General Plan policy. The zero lot line construction allows the applicant to separate each building onto its own parcel while maintaining a common parking and landscaped area to be maintained by all future owners.

- 3.3.3 The site is physically suited for the proposed uses.

This lot is suited for the proposed uses. The El Dorado Hills Business Park is a desirable location for an office and warehouse development.

- 3.3.4 Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.

The development has already been approved through ministerial building permit and was reviewed by Development Services to ensure that adequate services are available.

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

The project is not within a scenic corridor and is surrounded by land zoned for Research and Development. Adequate landscaping was required with the building permits to increase the scenic value of the site.

3.4 Subdivision Ordinance

- 3.4.1 The proposed parcel map, including design and improvements, is consistent with the General Plan policies and land use map.

The subject application is to split a general office and warehouse development by Tentative Parcel Map within the R&D Zone District. The development has been designed in compliance with the zone district regulations, and complies with the minimum parcel size based on the required review of a Planned Development application for the project. It can be found that the parcel map is consistent with the General Plan policies and land use map.

- 3.4.2 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 project site has been evaluated in accordance with the R&D development regulations, and it has been found that the project complies with the minimum design standards, as conditioned.

- 3.4.3 The site is physically suitable for the proposed type and density of development.

The site is located within the El Dorado Hills Business Park, and it can be found that the site is suited for the general office and warehouse development.

- 3.4.4 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 Parcel Map would allow the individual ownership of buildings within the development. As the development is already constructed, the project is found to be Categorical Exempt from CEQA Review and is found to have a less than significant impact on fish or wildlife or their habitat from the project.

3.4.5 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 project site. It can be found that the improvements would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.

Conditions

Planning Services

1. This Parcel Map is based upon and limited compliance with the project description, the Planning Commission hearing exhibits marked Exhibit D, E, and F dated October 25, 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

The request is for a rezone, planned development and commercial tentative parcel map for a six (6) zero lot line parcels around the existing building and one (1) common lot for parking and access. The existing six commercial buildings range in size from 9,100 to 12,453 square feet (Exhibit E). The five exterior buildings are planned for mixed office and warehouse use while the building in the middle of the parcel is planned for mini-storage. The common area, as shown on the tentative parcel map as Parcel A, would be 3.23 acres and would contain common area consisting of previously developed parking, landscaping and lighting improvements.

	Parcel Size	Building Size	Proposed Use
Parcel 1	10,023 Square Feet	10,023 Square Feet	Mixed Office/Warehouse
Parcel 2	9,284 Square Feet	9,284 Square Feet	Mixed Office/Warehouse
Parcel 3	9,100 Square Feet	9,100 Square Feet	Mixed Office/Warehouse
Parcel 4	12,453 Square Feet	12,453 Square Feet	Mixed Office/Warehouse
Parcel 5	9,248 Square Feet	9,248 Square Feet	Mini-Storage
Parcel 6	10,880 Square Feet	10,880 Square Feet	Mixed Office/Warehouse
Parcel A	3.226 Acres	N/A	Common Area, Parking, Landscaping

The only request for new development on the property is for the addition of an entry monument sign at the northwest corner of the subject parcel, just south of the entrance from Golden Foothill Parkway. The sign would be located on the face of a brick wall approximately six feet tall by 18 feet long.

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.

2. Prior to recordation of the Final Map all Development Services fees shall be paid.
3. The applicant shall provide a copy of the recorded Covenants, Conditions, and Restrictions (CC&Rs) for this development to Planning Services prior to recordation of the final map. A shared parking, access, and maintenance agreement shall be included in the CC&Rs.
4. The proposed entry monument sign shall be reviewed by Development Services at Building Permit stage for consistency with the approved Monument Sign Detail (Exhibit F) and El Dorado County Code. The mini-storage sign shown on the site plan shall not be approved with this permit. Additional signage shall be reviewed through the building permit process for consistency with Zoning Code policies.
5. 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 will cooperate fully in the defense.

Surveyor's Office

6. All survey monuments must be set prior to filing the Parcel Map.
7. Prior to filing the Parcel map, a letter will be required from all agencies that have placed conditions of the map. The letter will state that "all conditions placed on P07-0019 by [agency] have been satisfied." The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.