

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**

Agenda of: June 28, 2007

Item No.: 7.a.

Staff: Jonathan Fong

REZONE/PLANNED DEVELOPMENT/SUBDIVISION MAP

FILE NUMBER: Z06-0046/PD06-0032/TM06-1429

This item was continued from the meeting of June 14, 2007.

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REZONE/PLANNED DEVELOPMENT/SUBDIVISION MAP

FILE NUMBER: Z06-0046/PD06-0032/TM06-1429

APPLICANT: Mountains Edge Development

AGENT: Carlton Engineering

REQUEST:

1. Rezone from Limited Multi-family Residential-Design Control-Airport Safety (R2-DC-AA) to Limited Multi-family Residential-Planned Development-Airport Safety (R2-PD-AA);
2. Development plan to convert an existing nine-unit rental apartment complex into nine airspace condominium units with common areas under management of a homeowner's association (HOA); and
3. Tentative subdivision map creating nine airspace condominium units within a 0.44-acre parcel (Exhibit B).

One design waiver has been requested for the following:

1. To reduce the sidewalk improvement from six feet to four feet.

LOCATION: Southwest side of Cimmarron Road, north of the intersection with La Canada Way, in the Cameron Park area, Supervisorial District I (Exhibit A)

APN: 116-311-06

ACREAGE: 0.44 acres

GENERAL PLAN: Multi-Family Residential (MFR) (Exhibit C)

ZONING: Limited Multi-family Residential-Design Control-Airport Safety
(R2-DC-AA) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Categorically Exempt Pursuant to Sections 15305 and
15301(k) of the CEQA Guidelines

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND: The existing apartment complex was approved under building permit 42558, which was finalized on May 23, 1985. The permit was issued on the previous parcel number, Assessor's Parcel Number 103-371-06.

STAFF ANALYSIS: Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the permit requests and issues for Planning Commission consideration are provided in the following sections.

Project Description: The request is for a rezone, planned development, and a subdivision map for a nine unit condominium conversion project. The existing apartments would be converted into condominium units.

Rezone: The rezone request would add the Planned Development (PD) zoning overlay and remove the existing Design Control (DC) overlay. The inclusion of the PD would require the removal of the DC overlay because the level of review of a PD application would exceed that of a DC application.

The zoning would change from Limited Multi-family Residential-Design Control-Airport Safety (R2-DC-AA) to Limited Multi-family Planned Development-Airport Safety (R2-PD-AA). The AA zoning overlay would remain due to the project location within Safety Zone 3 of the Cameron Park Airport.

Planned Development: A planned development (PD) application is requested which would allow flexibility with the creation of airspace units. Because the project would parcelize the existing apartment units into individual airspace lots, zero lot line setbacks would be required. The PD application would allow reductions to the Development Standards within the R2 Zone District.

Additionally, the PD would allow flexibility with the offsite parking requirements. As discussed in the Parking section below, the project site does not currently provide sufficient parking as required by the Zoning Ordinance. The PD application would allow modification of these requirements based on the Planning Commission making the appropriate findings.

As required by General Plan Policy 2.2.3.1, residential planned developments would be required to provide a minimum of 30 percent open space. The project has identified areas on the project site that would be counted as open space. Approximately 38 percent of the site would be dedicated open

space. The open space would be located on the eastern portion of the site primarily within a 30-foot wide drainage easement. A drainage canal is located within the easement which manages storm runoff in the project vicinity. Additional open space is located to the east of the drainage canal and provides a landscape buffer between the project site and Cimarron Road.

Tentative Map: The tentative map would create nine individual parcels for each residential unit and one common lot. The residential parcel sizes would range from 710 square feet to 840 square feet. The common open space lot would be roughly 7,000 square feet and would include an existing drainage canal.

Site Description: The site is relatively flat with slopes onsite falling within the 0 to 10 percent range. The parcel is currently developed as shown on the site plan. The three residential buildings surround the parking lot which provides 16 parking spaces. Along the northern boundary of the parcel is a 30 foot wide drainage canal.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R2-DC-AA	MFR	Multi-family residential
North	R2-PD-AA	MFR	Single-family residential
South	R2-DC-AA	MFR	Multi-family residential
East	R2-AA	MFR	Multi-family residential
West	R2-DC-AA	MFR	Undeveloped residential parcel

The project site is developed with existing multi-family structures. No new development is proposed with the project; therefore, no alterations to the site would result as a part of the project. There would be no conflicts with the existing land uses in the project vicinity.

General Plan: The General Plan designates the subject site as Multifamily Residential (MFR), which permits a residential density range of 5 to 24 dwelling units per acre. The 0.44-acre site has been developed with nine residential units. The overall density onsite is approximately 20 dwelling units per acre which is consistent within the MFR land use designation.

General Plan Policy HO3-g establishes that affordable rental housing is not eligible for condominium conversion for a period of 20 years. At the March 9, 2006, Planning Commission hearing an interpretation was approved by the Planning Commission which established that non-affordable housing multifamily projects would be restricted from condominium conversion for a period of 10 years.

Review of the building permit history for the project determined that the structures were finalized in May of 1985. The proposed condominium conversion would be consistent with Policy HO3-g.

Zoning: The subject site is zoned Limited Multi-family Residential-Design Control-Airport Safety (R2-DC-AA). The existing development is consistent with the development standards of the R2 Zone District. The planned development would not propose any new development which would be inconsistent within the R2 Zone District.

The project would require the parcelizing of the existing multifamily units. The individual residential lots would be inconsistent with the development standards of the R2 Zone District.

Open Space: General Plan Policy 2.2.3.1 requires residential planned developments to provide for a minimum of 30 percent open space. As shown on the site plan, the project has provided for 38 percent open space.

Planned Development Required Open Space

Parcel Size	0.44-acres (approx. 19,000 sq. ft.)
Required Open Space	0.13-acres (approx. 5,800 sq. ft.)
Proposed Open Space	0.17-acres (approx 7,300 sq. ft.)
Percent Open Space Proposed	38 percent

Parking: Section 17.18.060 of the Zoning Ordinance requires condominium development to provide two spaces for each unit. The nine-unit multifamily development would be required to provide 18 spaces. Additionally, one space is required to be handicap accessible. The Zoning Ordinance requires handicap spaces be a minimum of 14 feet in width and 10 feet in depth.

As shown on the site plan, the on-site parking lot provides 16 spaces. The current development is deficient two parking spaces. The inclusion of the handicap-accessible space would likely result in the loss of one additional space due to the required handicap loading space.

The project site is an existing multifamily development. All developable areas of the site have been improved with the apartment structures and the parking lot. The remaining undeveloped areas of the project site are located primarily within a 30 foot drainage easement which runs along the eastern property boundary and could not be improved to provide parking.

Section 17.18.040 D of the Zoning Ordinance allows for decreases in the number of required parking spaces provided the following findings can be made:

- a. The intent of the parking ordinance is preserved;
- b. The parking provided is sufficient to serve the use for which it is intended;
- c. The modification will not be detrimental to the public health or safety.

Due to the inability of additional parking spaces to be located on site and the project would not involve any expansion of the existing structures, modification to the parking requirements would be acceptable. The development has been functioning with substandard parking for over 20 years since the buildings were finished.

Off-site parking is available along the project frontage on Cimarron Road. After the installation of the handicap-accessible space, the project site would be deficient three spaces. Adequate on-street parking would be available to provide the necessary parking spaces.

Modifications to the parking requirements would not be detrimental to the public health or safety in the project vicinity because the site is only deficient two spaces. Furthermore, the project would be required to provide for one handicap space as required by Section 17.18.040 of the Zoning Ordinance. Through the approval of the Planned Development (PD) the Planning Commission can approve the reduction in the off-site parking requirements. The PD allows for reductions in the zoning requirements for the project.

Design Waiver: Under General Plan Policy TC-5a, sidewalks and curbs are required of all residential subdivisions creating lots of 10,000 square feet or less. An existing four foot wide sidewalk has been constructed along the project frontage from the southern boundary to the edge of the 30 foot drainage easement. The Department of Transportation has conditioned the project to extend the sidewalk across the drainage easement to the project boundary.

The construction of the sidewalk would require the extension of the existing culvert beneath Cimarron Road. The culvert connects the drainage channel which runs across the project site to another channel on the opposite side of Cimarron Road. The proposed design waiver would minimize the amount of additional grading and channelizing of the existing drainage channel.

The applicant has requested a design waiver to reduce the sidewalk improvement requirement from six feet to four feet. The Department of Transportation has reviewed the design waiver request and has determined the reduction from six feet to four feet would be acceptable. The required design review findings have been included in Attachment 1 of the staff report.

ENVIRONMENTAL REVIEW

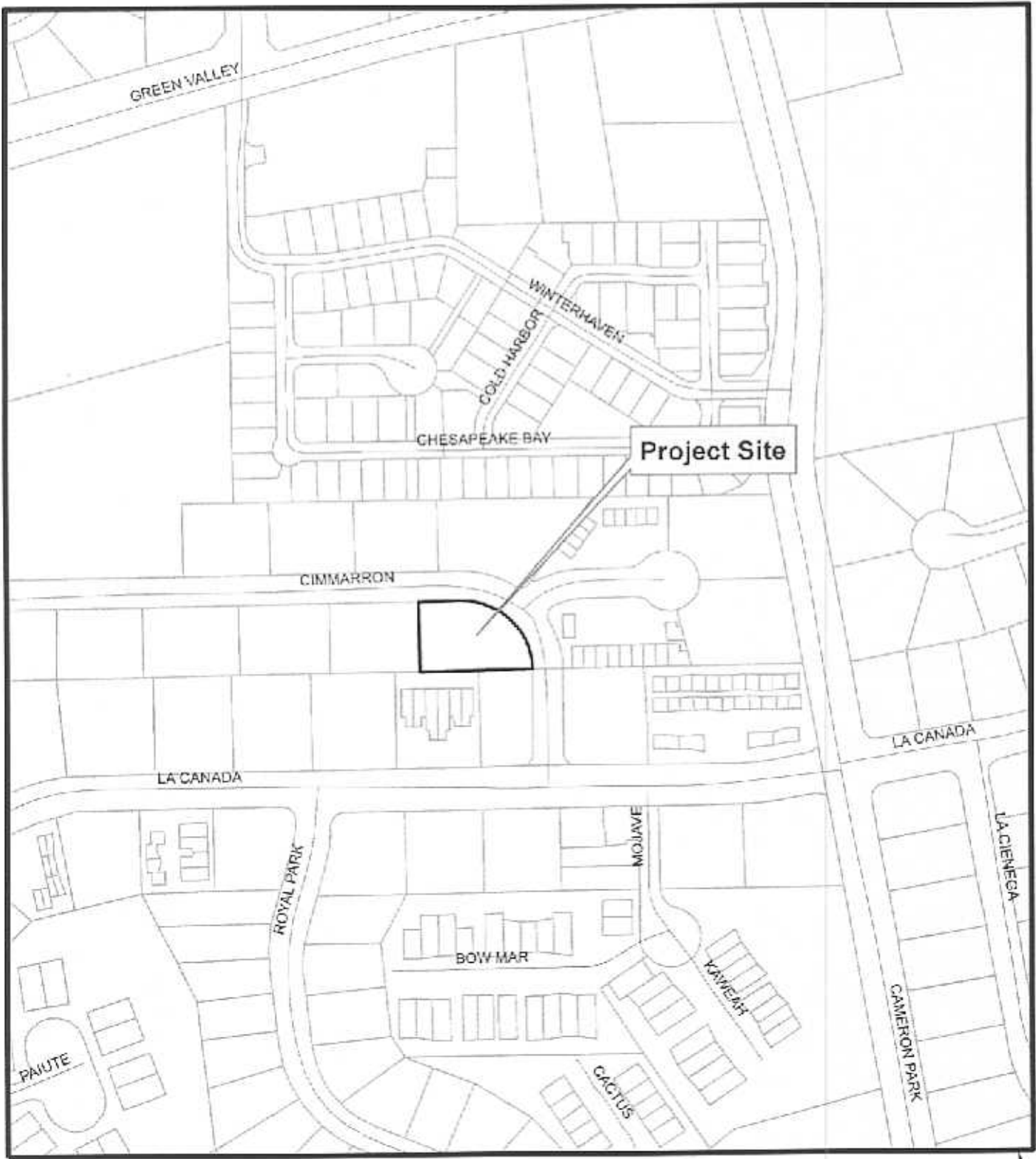
This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15305 of the CEQA Guidelines stating that "Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which does not result in any changes 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." Pursuant to Resolution N. 240-93, a \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption.

RECOMMENDATION: Recommend approval

SUPPORT INFORMATION

Exhibit A.....Vicinity Map/ APN Map
Exhibit B.....General Plan Land Use Map
Exhibit C.....Zoning Map
Exhibit D.....Tentative Subdivision Map Parcelization Map

Mountains Edge Development
Z06-0046/ PD06-0032/ TM06-1429
Vicinity Map



Map prepared by:
Jonathan Fong
El Dorado County
Planning Services

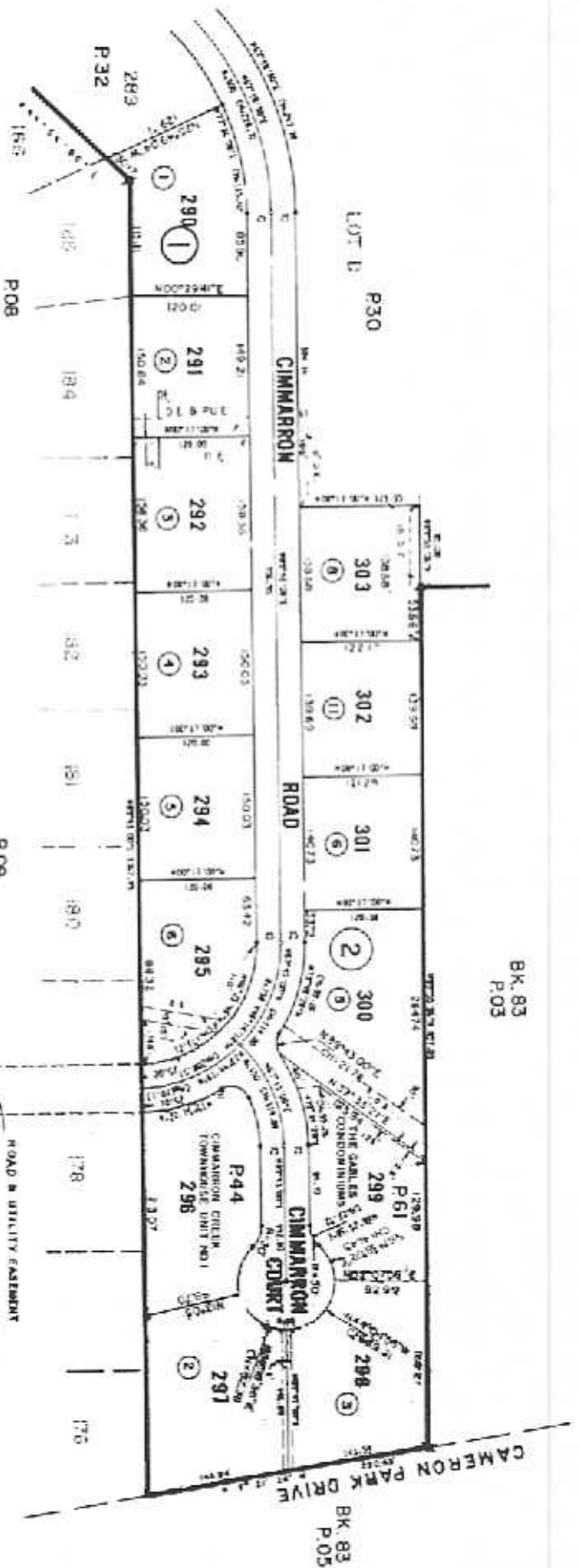
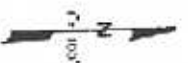
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Exhibit A

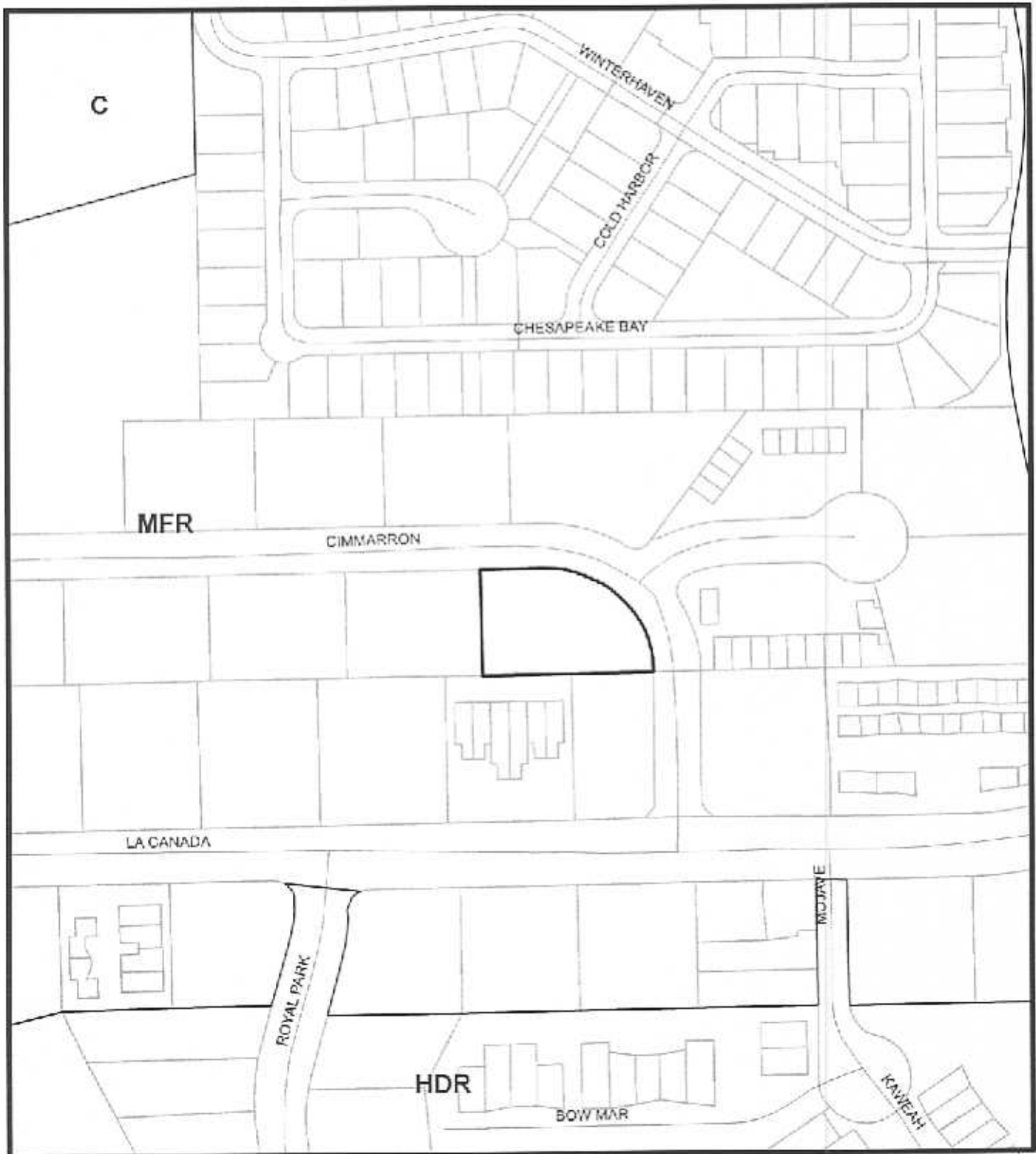


CAMERON PARK UNIT NO. 12
 P.O.R. SECS. 28 & 29 T.10N., R.9E., M.D.M.

116:31



Mountains Edge Development
Z06-0046/ PD06-0032/ TM06-1429
General Plan Land Use Map



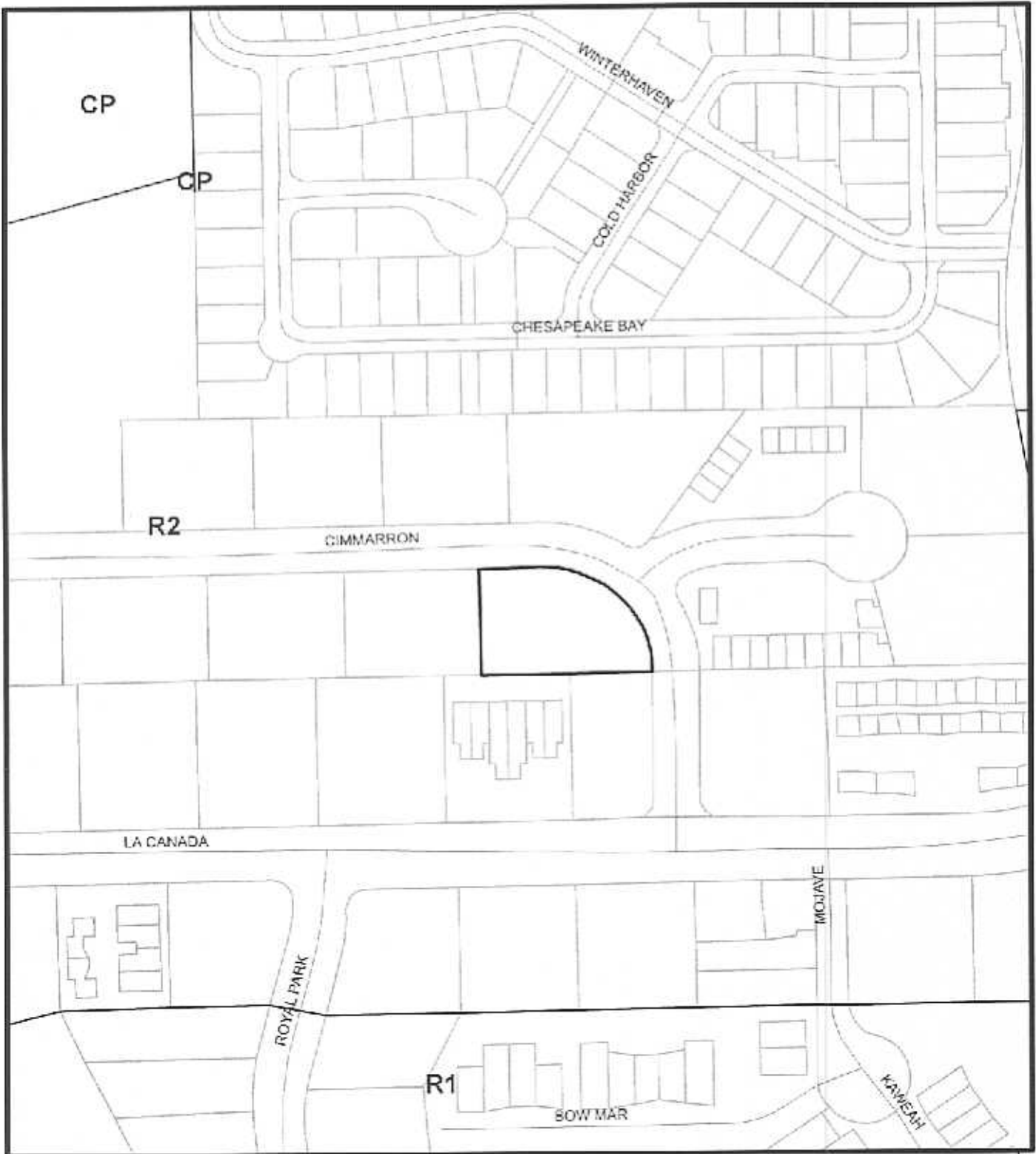
Map prepared by:
Jonathan Fong
El Dorado County
Planning Services

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Exhibit B



Mountains Edge Development
Z06-0046/ PD06-0032/ TM06-1429
Zoning Map



Map prepared by:
Jonathan Fong
El Dorado County
Planning Services

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Exhibit C



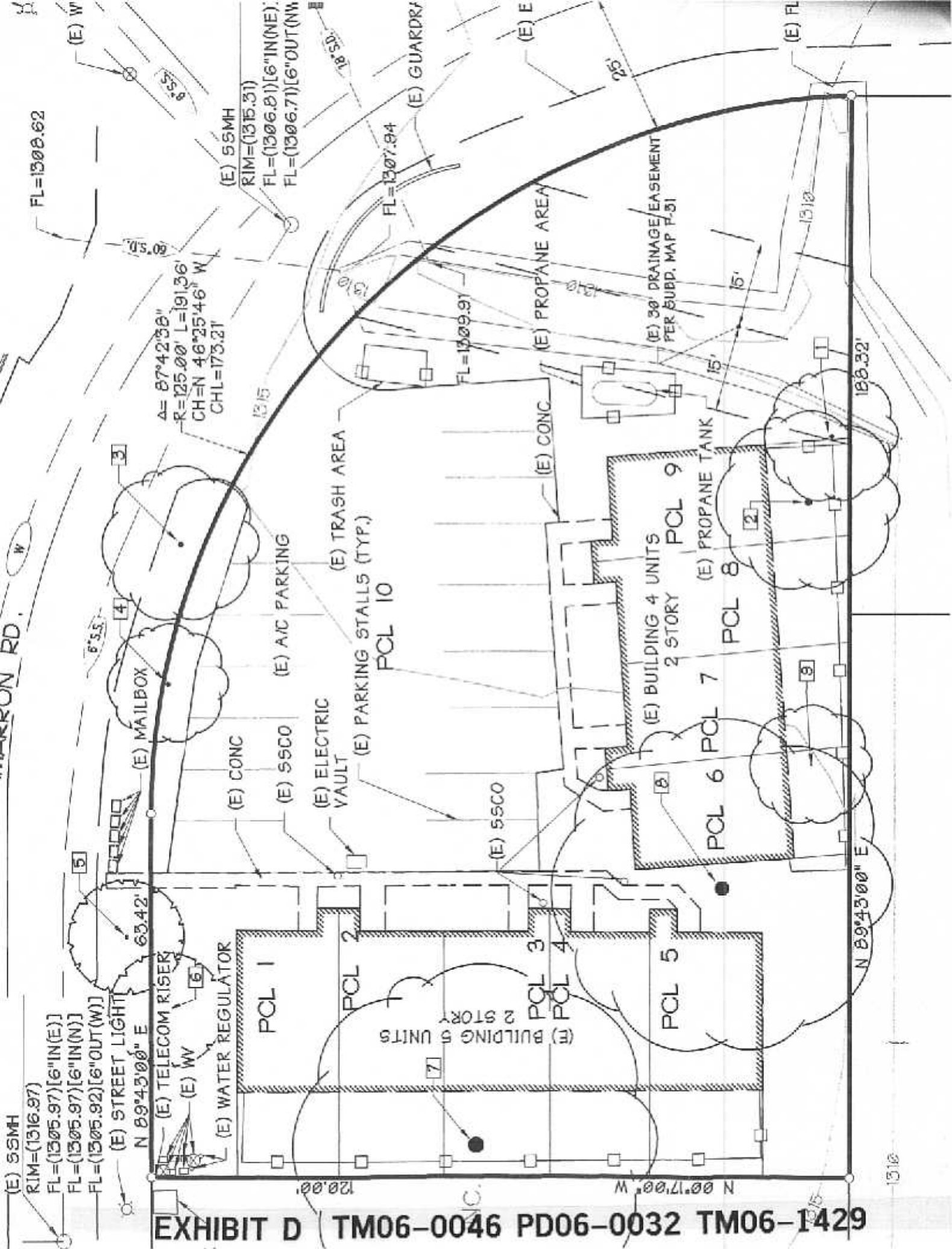


EXHIBIT D (TM06-0046 PD06-0032 TM06-1429