

**FROM THE MINUTES OF OCTOBER 25, 2007**

**8. REZONE/PLANNED DEVELOPMENTS/TENTATIVE PARCEL MAPS**

b. **Z06-0023/PD06-0018/P06-0020** submitted by CARSON CREEK BUSINESS PARK, LLC (Agent: Seth Nesbitt/Warren Consulting Engineers) to rezone property from Research and Development (R&D) to Research and Development-Planned Development (R&D-PD); development plan for a commercial condominium development consisting of 11 buildings totaling 152,603 square feet. Buildings would range in size from 8,920 square feet to 14,593 square feet. The tentative parcel map would subdivide each of the buildings into a total of 88 individual parcels ranging in size from 1,250 to 2,057 square feet. One common parcel would be 8.03 acres in size. The property, identified by Assessor's Parcel Number 117-081-05, consisting of 11.03 acres, is located on the south side of Sandstone Court, southwest of the intersection with Golden Foothill Parkway, in the **El Dorado Hills area**, Supervisorial District II. (Negative declaration prepared)\*

Staff: Jonathan Fong recommended approval and proposed modification to Condition 23.

Dan Easter and Seth Nesbitt explained their project. There was no one else in the audience wishing to give input.

Commissioner Machado asked for clarification on the parking. The applicant explained. Commissioner Machado feels this is a good project.

There was no further input.

MOTION: COMMISSIONER MAC CREADY, SECONDED BY COMMISSIONER MACHADO AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FORWARD A RECOMMENDATION THAT THE BOARD OF SUPERVISORS ADOPT THE NEGATIVE DECLARATION AS PREPARED; APPROVE Z06-0023/PD06-0018 REZONING A SESSOR'S PARCEL NUMBER 117-081-05 FROM RESEARCH AND DEVELOPMENT TO RESEARCH AND DEVELOPMENT-PLANNED DEVELOPMENT (R&D-PD), ADOPTING THE DEVELOPMENT PLAN AS THE OFFICIAL DEVELOPMENT PLAN, BASED ON THE FINDINGS PROPOSED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED; AND APPROVE P06-0020, BASED ON THE FINDINGS AND SUBJECT TO THE CONDITIONS AS MODIFIED.

**Findings**

**1.0 CEQA Findings**

1.1 El Dorado County has considered the negative declaration together with the comments received during the public review process. The negative declaration

reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.

- 1.2 No significant impacts to the environment as a result of this project were identified in the initial study.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA.

## **2.0 General Plan Findings**

### **2.1 The project is consistent with the General Plan.**

The project would allow for an office and warehouse development which would be consistent within the Research and Development (R&D) land use designation.

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.**

The proposed land uses are permitted by right within the Research and Development (R&D) zone district. The project would be consistent with the Development Standards of the R&D zone district.

## **4.0 ADMINISTRATIVE FINDINGS**

### **4.1 Planned Development Findings**

#### **4.1.2 The planned development zone request is consistent with the General Plan.**

The PD would allow land uses consistent within the R&D land use designation. The PD would be required to create parcels less than two acres within the R&D zone.

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

The project has been designed to provide adequate landscaping and parking for the site. The buildings have been designed to comply with the architectural requirement within the R&D zone district.

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

The PD is required for the creation of parcels less than two acres in size. No other exceptions to the R&D zone district are required.

**4.1.5 The site is physically suited for the proposed uses.**

The project site is flat and would not require significant alterations to the site for development. The proposed development would be constructed on portions of the site already graded under an approved grading permit. No natural features would be negatively impacted as a result of the development.

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

The project is located within the El Dorado Hills Business Park which has adequate utilities and infrastructure to service the project.

**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.

## **4.2 Parcel Map Findings**

### **4.2.1 The proposed parcel map, including design and improvements, is consistent with the General Plan policies and land use map.**

The proposed office and warehouse uses are consistent within the R&D land use designation. The proposed size of the development would be consistent with the Floor Area Ratio allowed within the R&D land use designation. The project has been designed to comply with applicable General Plan policies.

### **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.**

Through the application of the PD, the project is consistent with the minimum parcel size requirements of the R&D zone district and is consistent with the Development Standards of the zone district. Adequate parking and landscaping would be provided. All roads and encroachments would be consistent with the County Design Manual.

### **4.2.3 The site is physically suitable for the proposed type and density of development.**

The site contains no natural features that would be impacted by the proposed type or density of development. The proposed land uses would not exceed the FAR of the R&D land use designation. The proposed office and warehouse uses would be suitable for the site.

### **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 project site is devoid of natural features. No oak canopy or riparian areas are located onsite. The site has been previously disturbed under an approved grading permit.

### **4.2.5 The design of the parcel map is not likely to cause serious public health hazards.**

The project has been designed to provide adequate circulation through the development. Encroachments onto the County roads are consistent with the Design Manual. The proposed office and warehouse land uses would not be likely to cause public hazards.

## 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 E-K, approved 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:

A rezone, planned development, and parcel map to allow for an office and warehouse development.

Rezone to add the Planned Development overlay to change the parcel zoning from Research and Development (R&D) to Research and Development- Planned Development (R&D- PD).

A total of 11 buildings would be constructed in the development. The buildings would range in size from 8,950 square feet to 14,593 square feet. The buildings would be constructed with interior dividing walls creating a total of 88 units.

The Parcel Map would create 88 parcels from the units within the buildings. Additionally, one, 8.03-acre common parcel would be created. The common parcel would include the common access and parking areas and the exterior of the buildings, stairways, and landscaped areas. These common features would be controlled by a maintenance association created for the development as shown on the Site Plan.

The project would construct a total of 318 spaces. A total of 102 compact spaces would be provided and 11 handicap accessible spaces. The project would install the required five loading spaces throughout the development. The loading spaces shall be 12 feet wide by 40 feet long and shall be installed as shown on the Site Plan.

The colors and materials shall be as follows:

### **Exterior Plaster/ Paint:**

Base Color 1: Omega Akroflex- Chocolate (9048)

Base Color 2: Omega Akroflex- Moonshine (9206)

Accent Color: Omega Akroflex- Yucca (9204)

**Masonry/ Stonework:**

Masonry: Basalite- D375 Smooth Face

Stone Veneer: Cultured Stone- Southern LedgeStone Chardonnay

**Exterior Metal Panel:**

Insulated Metal Panel: Galvamet- Sandstone

**Exterior Windows/ Doors:**

Storefront frame: Bronze

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. 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 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 the Lighting Plan on file with Planning Services and §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 J. 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.

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 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.
8. All Development Services fees shall be paid prior to clearance by Development Services of the parcel map.
9. 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, and employees from any claim, action, or proceeding 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.

### **El Dorado Hills Fire Department**

10. The potable water system for the purpose of fire protection for this commercial development shall provide a minimum fire flow of 1,500 gpm with a minimum residual pressure of 20 psi for a two hour duration. This fire flow shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of the system shall be supplied to the Fire Department for review and approval.
11. This development shall install Mueller Dry Barrel Fire hydrants conforming to the El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 300 feet. The exact location of each hydrant and all fire protection system devices shall be determined by the Fire Department.
12. To enhance the nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations.

13. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by the El Dorado Hills Fire Department Standard 103.
14. This development shall be prohibited from installing any type of traffic calming devices that utilize a raised bump or a lower dip section of roadway.
15. Each building shall be addressed in accordance with the Fire Department requirements.
16. The applicant shall provide the Fire Department with a CD that contains all the CAD files for the project.
17. The fire access roadways servicing all buildings shall be designed to accommodate a 40 foot inside and a 56 foot outside turn radius.
18. All buildings shall be fire sprinklered in accordance with NFPA-13, 2007 edition, and the Fire Department requirements.
19. This development shall provide a minimum of two unobstructed access roadways during the construction of any building.
20. All trash enclosures shall be located a minimum of 5 feet from a building wall.
21. The minimum ingress and egress width for emergency response vehicles shall be 20 feet.
22. A KNOX box shall be installed on each building to contain the master key to open all exterior doors.

### **El Dorado County Department of Transportation**

#### ***Standard Conditions***

23. The applicant shall obtain or verify encroachment permits for driveways onto Sandstone Drive and Golden Foothill Parkway and shall construct said encroachments per DISM Standard Plan 103C. The improvements shall be substantially completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the recordation of the parcel map.
24. A drainage study must be submitted at the time of improvement plans that shall demonstrate the subject property had adequate existing and proposed storm



drainage facilities in accordance with criteria as designed in the County Drainage manual. At the minimum, plans and calculations shall demonstrate the following:

- The site can be adequately drained;
- The development of the site will not cause problems to nearby properties, particularly downstream sites;
- The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. The ultimate drainage outfall of the project.

25. The applicant shall pay the traffic impact fees prior to recordation of parcel map.

***Standard Conditions***

26. The developer shall enter into an Improvement Agreement with the County and provide security to guarantee performance of the Improvement Agreement as set forth within the County of El Dorado Subdivision Ordinance, prior to the recordation of the Parcel Map.

27. If site improvements are to be made, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado "Design and Improvement Standards Manual", the "Grading, Erosion and Sediment Control Ordinance", the "Drainage Manual", the "Off-Street Parking and Loading Ordinance", and the State of California Handicapped Accessibility Standards.

28. The applicant shall provide a soils report at time of improvement plan or grading permit application addressing, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.

29. Any import, or export to be deposited within El Dorado County, shall require an additional grading permit for that offsite grading.

30. The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.

31. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the

- approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.
32. The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.
  33. All on and off-site road improvement requirements required as conditions of approval and/or mitigation measures shall be analyzed in the environmental document for this development project to the appropriate extent under CEQA . Any improvements that are not thoroughly analyzed shall include a discussion and justification under that particular impact analysis within the CEQA document as to the circumstances preventing such analysis along with a method and time frame for any future analysis.
  34. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to Sacramento County Standard Drawing 11-10. All stamps shall be approved by the El Dorado County inspector prior to being used.
  35. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
  36. The applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations.
  37. Grading plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. The County shall issue no building permits until the Department of Transportation approves the final grading and erosion control plans and the grading is completed.
  38. The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The

- Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
39. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer shall provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
  40. Projects that disturb more than one acre of land area (43,560 square feet). The Developer shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the State of California. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the SWRCB, with a duplicate copy submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction

#### **El Dorado County Surveyor**

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