



Legislation Details (With Text)

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On agenda: 12/17/2019 **Final action:** 12/17/2019

Title: HEARING - To consider the recommendation of the Planning Commission on the Creekside Plaza project to request a Rezone (Z10-0009), a Tentative Parcel Map (P10-0012), and a Planned Development (PD10-0005) on property identified by Assessor's Parcel Numbers 327-211-014, 327-211-016, and 327-211-025, consisting of 4.39 acres, in the Community Region of Diamond Springs, submitted by Grado Equities VI, LLC; and the Planning Commission recommending the Board take the following actions:

- 1) Adopt Resolution 233-2019 certifying the Environmental Impact Report (Attachment C), subject to California Environmental Quality Act Findings (Attachment D);
- 2) Adopt the Mitigation Monitoring Reporting Program (Attachment E) detailing the recommended Mitigation Measures in the Environmental Impact Report, in compliance with California Environmental Quality Act Guidelines Section 15097(a);
- 3) Approve Z10-0009 rezoning Assessor's Parcel Numbers 327-211-014, 327-211-016, and 327-211-025 from Community Commercial-Design Control to Community Commercial-Planned Development and Open Space-Planned Development based on the Findings (Attachment G) presented;
- 4) Approve Tentative Parcel Map P10-0012 subdividing the project site into four parcels including a 0.22-acre portion of Forni Road Right of Way subject to a General Vacation based on the Findings (Attachment G) and subject to the Conditions of Approval (Attachment H) as presented;
- 5) Approve Planned Development PD10-0005 as the official Development Plan for the proposed Creekside Plaza commercial center containing three buildings totaling 30,560 square feet with on-site parking, lighting, signage, and landscaping based on the Findings (Attachment G) and subject to the Conditions of Approval (Attachment H) as presented; and
- 7) Adopt Ordinance 5118 for said Rezone. (Supervisory District 3) (Est. Time: 30 Min.)

FUNDING: N/A

Sponsors:

Indexes:

Code sections:

Attachments: 1. Public Comment Rcvd 12-17-19 BOS 12-17-19, 2. Public Comment BOS Rcvd 12-17-19 BOS 12-17-19, 3. A - Approved Contract Routing Sheet-Resolution, 4. B - Approved Contract Routing Sheet-Rezone Ordinance, 5. C - Resolution-Certifying Environmental Impact Report, 6. D - Resolution-Exhibit A-CEQA Findings of Fact, 7. D - Revised Resolution-Exhibit A-CEQA Findings of Fact BOS Rcvd 12-16-19, 8. E - Resolution-Exhibit B-Mitigation Monitoring and Reporting Program, 9. E - Revised Resolution-Exhibit B-Mitigation Monitoring and Reporting Program BOS Rcvd 12-16-19, 10. F - Rezone Ordinance, 11. G - Findings, 12. H - Conditions of Approval, 13. I - Planning Commission Minute Order 10-24-19, 14. J - Planning Commission Minute Order 11-14-19, 15. K - Notification Map, 16. L - Proof of Publication-Mountain Democrat, 17. M - Creekside Plaza PDF, 18. Proof of Publication, 19. FINAL Findings, 20. FINAL Conditions of Approval, 21. Executed Ordinance 5118, 22. Executed Resolution 233-2019, 23. APPROVED STAMPED Exhibits, 24. APPROVED STAMPED Map, 25. RECEIPT Notice of Determination, 26. FILED Notice of Determination

Date	Ver.	Action By	Action	Result
12/17/2019	1	Board of Supervisors	Approved	Pass

HEARING - To consider the recommendation of the Planning Commission on the Creekside Plaza project to request a Rezone (Z10-0009), a Tentative Parcel Map (P10-0012), and a Planned

Development (PD10-0005) on property identified by Assessor's Parcel Numbers 327-211-014, 327-211-016, and 327-211-025, consisting of 4.39 acres, in the Community Region of Diamond Springs, submitted by Grado Equities VI, LLC; and the Planning Commission recommending the Board take the following actions:

- 1) Adopt Resolution **233-2019** certifying the Environmental Impact Report (Attachment C), subject to California Environmental Quality Act Findings (Attachment D);
- 2) Adopt the Mitigation Monitoring Reporting Program (Attachment E) detailing the recommended Mitigation Measures in the Environmental Impact Report, in compliance with California Environmental Quality Act Guidelines Section 15097(a);
- 3) Approve Z10-0009 rezoning Assessor's Parcel Numbers 327-211-014, 327-211-016, and 327-211-025 from Community Commercial-Design Control to Community Commercial-Planned Development and Open Space-Planned Development based on the Findings (Attachment G) presented;
- 4) Approve Tentative Parcel Map P10-0012 subdividing the project site into four parcels including a 0.22-acre portion of Forni Road Right of Way subject to a General Vacation based on the Findings (Attachment G) and subject to the Conditions of Approval (Attachment H) as presented;
- 5) Approve Planned Development PD10-0005 as the official Development Plan for the proposed Creekside Plaza commercial center containing three buildings totaling 30,560 square feet with on-site parking, lighting, signage, and landscaping based on the Findings (Attachment G) and subject to the Conditions of Approval (Attachment H) as presented; and
- 7) Adopt Ordinance **5118** for said Rezone. (Supervisorial District 3) (Est. Time: 30 Min.)

FUNDING: N/A

DISCUSSION / BACKGROUND

Request to consider Rezone Z10-0009/Tentative Parcel Map P10-0012/Planned Development PD10-0005/Creekside Plaza submitted by Grado Equities VII, LLC to request the following: (1) Rezone (Z10-0009) from Community Commercial-Design Control to Community Commercial-Planned Development and Open Space-Planned Development; (2) Tentative Parcel Map (P10-0012) subdividing the project site into four parcels, including three buildable commercial parcels and one 1.14-acre open space parcel and the project site includes a 0.22-acre portion of Forni Road Right of Way subject to a General Vacation; and (3) Planned Development (PD10-0005) to establish a Development Plan for the proposed Creekside Plaza commercial center containing three buildings totaling 30,560 square feet with on-site parking, lighting, signage, and landscaping. The property, identified by Assessor's Parcel Numbers 327-211-014, 327-211-016, and 327-211-025, consisting of 4.39 acres, is located at the northwest corner intersection of Missouri Flat Road and Forni Road, in the Community Region of Diamond Springs, Supervisorial District 3. (County Planner: Mel Pabalinas) (Environmental Impact Report prepared; State Clearinghouse No. 2011092017)

ALTERNATIVES

The Board may elect to approve the project with changes to the Conditions of Approval; Continue the item to a date certain for additional information and future action; Continue the item off-calendar, which would require a new public notice for future consideration and action; or Deny the application. A Denial action may need to be continued to a date certain so that staff can prepare Findings for Denial.

PRIOR BOARD ACTION

The project was originally approved by the Board on April 3, 2012 (Item 19, Legistar 12-0224). Following the approval actions, a lawsuit was filed against the County on May 7, 2012, contending the Mitigated Negative Declaration was legally inadequate. On October 23, 2012, following the approval of a Settlement Agreement with the petitioners, the Board unanimously rescinded the

entitlement approvals and adoption of the Mitigated Negative Declaration and approved the reversal of the rezoning (Item 5, Legistar 12-0224).

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

FINANCIAL IMPACT

N/A

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Clerk to obtain the Chair's signature on the original copies of the Resolution and Ordinance.
- 2) Clerk to send one (1) fully executed copy of the Resolution and Ordinance to the Planning and Building Department, attention of Char Tim, Clerk of the Planning Commission.

STRATEGIC PLAN COMPONENT

Good Governance and Economic Development. This project aligns with and promotes specific Economic Development goals of the County's Strategic Plan, including retention of sales tax revenues, stimulating property tax revenues, and generating employment opportunities.

CONTACT

Tiffany Schmid, Director
Planning and Building Department