



## Legislation Text

**File #:** 12-1084, **Version:** 1

HEARING - Consider the recommendation of the Planning Commission on General Plan Amendment A07-0018/Rezone Z07-0054/Planned Development PD07-0034/Parcel Map P08-0017/Diamond Dorado Retail Center on property identified by APNs 051-250-12, 051-250-46, 051-250-51, and 051-250-54, consisting of 27.61 acres, in the Diamond Springs area, submitted by Leonard Grado/GGV Missouri Flat, LLC; and recommending the Board take the following actions:

- 1) Certify the Environmental Impact Report (EIR) (SCH No. 2008012004) for the proposed Diamond Dorado Retail Center, subject to CEQA Findings and Statement of Overriding Consideration;
- 2) Adopt the Mitigation Monitoring Reporting Program in accordance with CEQA Guidelines Section 15074(d) incorporated as Conditions of Approval listed in Attachment 1 and separated out in the Staff Report as Attachment 3-Exhibit B;
- 3) Approve General Plan Amendment A07-0018 amending the land use designation for APNs 051-250-12, 051-250-46, 051-250-51, and 051-250-54 from Industrial (I) to Commercial (C) based on the Findings listed in Attachment 1;
- 4) Approve Z07-0054 rezoning APNs 051-250-12, 051-250-46, 051-250-51, and 051-250-54 from Industrial (I) to General Commercial-Planned Development (CG-PD) based on the Findings listed in Attachment 1;
- 5) Approve Preliminary Planned Development PD07-0034 *Alternate 5, Existing MRF Access Plan* for the Diamond Dorado Retail Center, based on the Findings, subject to the Mitigation Monitoring Reporting Program and the Conditions of Approval listed in Attachment 1;
- 6) Continue formal action on Tentative Parcel Map P08-0017 off-calendar;
- 7) Adopt Resolution for said General Plan Amendment;
- 8) Adopt Ordinance for said Rezone; and
- 9) Development Services Director recommending revision to Conditions of Approval 16 (Attachment 1), as identified in the Legistar text. (Supervisorial District 3)

### **Background**

Request to consider General Plan Amendment A07-0018/Rezone Z07-0054/Planned Development PD07-0034/Parcel Map P08-0017/Diamond Dorado Retail Center submitted by Leonard Grado/GGV Missouri Flat, LLC for the following: (1) Certification of Environmental Impact Report (EIR SCH 2008012004) for the Diamond Dorado Retail Center; (2) General Plan Amendment amending land use designation from Industrial (I) to Commercial (C); (3) Rezone from Industrial (I) to General Commercial-Planned Development (CG-PD); (4) Preliminary Development Plan for the Diamond Dorado Retail Center based on *Alternative 5: MRF Access Plan*, consisting of seven (7) single-story commercial buildings ranging in size from 3,100 square feet to 160,572 square feet totaling 241,515 square feet; and (5) Tentative Parcel Map subdividing 27.61 acre property creating a total of 11 commercial parcels. The property, identified by Assessor's Parcel Numbers 051-250-12, 051-250-46, 051-250-51, and 051-250-54, consisting of 27.61 acres, is located on the northwest corner area of Highway 49 and Lime Kiln Road, in the Diamond Springs area, Supervisorial District 3. [Project Planner: Mel Pabalinas] (Environmental Impact Report prepared/SCH No. 2008012004)

These applications were considered by the Planning Commission on August 9, 2012 and were recommended for approval (4-0), which also included a recommendation to continue the Parcel Map

application (P08-0017) off-calendar. The minutes from this meeting are attached.

The Planning Commission also made a second recommendation that the Board review and clarify Conditions 16 and 17 regarding traffic signal and intersection improvements. These conditions were discussed and approved by the Planning Commission.

The Department of Transportation (DOT) has reviewed the language within Condition 16 and is recommending the following modification:

16. Signal Coordination: ~~The Project applicant, subject to the determination of the County Engineer, shall provide be responsible for the coordinated signal timings at two (2) intersections, DSP and Throwita Way and DSP and SR 49, as part of the DSP roadway work as part of the work associated and in accordance with Condition 12 "Diamond Springs Parkway Improvements", with the construction Phase at the time of application. The improvements shall be completed to the satisfaction of Caltrans and the County Engineer, or the Project applicant shall obtain an approved improvement agreement with security satisfactory to Caltrans and the County Engineer, prior to the filing of the parcel map. The improvements are not considered eligible for reimbursement.~~

DOT has reviewed the language within Condition 17 and has determined that the language, as written, allows DOT the flexibility to program the necessary mitigation improvements at each intersection within the Capital Improvement Program.

The Development Services Director recommends the revision to Condition 16 be approved by the Board. The revision allows more flexibility in the phasing of improvements and eligibility for reimbursement. The revision does not create any new environmental impacts that are not already addressed in the Environmental Impact Report (EIR).

### **Contact**

Roger Trout (5369)/Peter Maurer (5331)

### **Follow-up for COB**

Send 5 copies of Minute Order, Ordinance, and Resolution to Dept.