

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



Agenda of: November 13, 2008
Item No.: 9
Staff: Robert Peters

**REZONE, PLANNED DEVELOPMENT, AND TENTATIVE
PARCEL MAP**

FILE NUMBER: Z08-0009/PD08-0009/P08-0012/Quest Court Commercial Condos

APPLICANT: Pearson & Briggs LP

AGENT: Carlton Engineering, Inc

REQUEST: (1) Rezone a 1.85-acre parcel from General Commercial – Design Control (CG-DC) zone district to General Commercial – Planned Development (CG-PD) zone district; (2) development plan to create 15 air space condominium units ranging in size from 1,634 square feet to 1,770 square feet from two existing commercial buildings; and (3) a tentative parcel map creating 16 lots ranging in size from 1,634 square feet to 1.25 acres (common area).

LOCATION: On the north side of Quest Court approximately 400 feet east of the intersection with Product Drive, in the Barnett Business Park, in the Shingle Springs area, Supervisorial District II (Exhibit A).

APN: 109-402-03 (Exhibit B).

PARCEL SIZE: 1.85 acres

GENERAL PLAN: Commercial (C) (Exhibit C)

ZONING: General Commercial – Design Control (CG-DC) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Categorically Exempt pursuant to Section 15301 (k) of the CEQA Guidelines

RECOMMENDATION:

Staff recommends the Planning Commission recommend the Board of Supervisors take the following actions:

1. Find that the project is Categorically Exempt pursuant to CEQA Guidelines Section 15301 (k); and
2. Approve Rezone Z08-0009, Planned Development PD08-0009 adopting the development plan as the official development plan, and Tentative Parcel Map P08-0012 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

BACKGROUND: The project site is located in the Barnett Business Park. These parcels were formed in March of 1991 when Barnett Estates was split into what is now called The Barnett Business Park. The applicant submitted for design review on November 15, 2001 for construction of two (2) commercial buildings and parking lot, landscaping, and signage improvements which currently exist on-site (see Exhibits E, F, G, and H). The Design Review DR01-0015 was approved administratively on April 16, 2002. The rezone, planned development, and tentative parcel map application was submitted on March 24, 2008. The application was deemed complete on June 6, 2008. The application submittal materials were routed for initial consultation to affected agencies. A Technical Advisory Committee meeting was conducted on July 21, 2008. No comments were submitted to Planning Staff that would preclude further processing of the proposed applications.

STAFF ANALYSIS: Staff has reviewed the project for compliance with the County’s regulations and requirements. An analysis of the rezone, planned development, and tentative parcel map requests and issues for Planning Commission consideration are provided in the following sections.

Project Description: The request is to rezone a 1.85-acre parcel by adding the Planned Development overlay to the General Commercial – Design Control (CG-DC) zone district to create the General Commercial – Planned Development (CG-PD) zone district; a development plan to create 15 air space condominium units ranging in size from 1,634 square feet to 1,770 square feet from two (2) existing commercial buildings; and a tentative parcel map creating 16 lots ranging in size from 1,634 square feet to 1.25 acres (common area)(see Exhibit I). The common area, illustrated as all areas outside of the 15 proposed units, is approximately 1.25 acres and includes two (2) 106.87 square-foot service rooms, previously developed parking, access, signage and landscaping improvements as approved by design review application DR01-0015. No new development is proposed on the subject parcel. The project parcel is currently serviced for domestic water and wastewater by the El Dorado Irrigation District (EID). The proposed lots will continue to utilize EID services.

The following table outlines the lot numbers and sizes for the proposed condominium conversion and the common area:

Parcel Number/Building Number (1-15 Condo Units)	Parcel Size (Area in Sq. Ft.)
Parcel 1 – Building A	1,634
Parcel 2 – Building A	1,770
Parcel 3 – Building A	1,770
Parcel 4 – Building A	1,770

Parcel Number/Building Number (1-15 Condo Units)	Parcel Size (Area in Sq. Ft.)
Parcel 5 – Building A	1,770
Parcel 6 – Building A	1,770
Parcel 7 – Building A	1,770
Parcel 8 – Building A	1,741
Parcel 9 – Building B	1,741
Parcel 10 – Building B	1,770
Parcel 11 – Building B	1,770
Parcel 12 – Building B	1,770
Parcel 13 – Building B	1,770
Parcel 14 – Building B	1,770
Parcel 15 – Building B	1,634
Parcel 16 (Common Lot)	54,450 (1.25 acre common area)

Site Description: The 1.85 acre subject parcel lies on the western slope of the central Sierra Nevada Mountains in the Shingle Springs area, on the north side of Quest Court approximately 400 feet east of the intersection with Product Drive, in the Barnett Business Park, at an approximate elevation of 1,420 feet above mean sea level. The parcel contains two (2) existing commercial buildings, 14,400 square feet (Building A) and 12,600 square feet (Building B), comprised of 15 existing units which take access from an existing driveway encroachment onto Quest Court. The existing parking lot contains 44 stalls, including 2 handicapped stalls and on compact stall, all of sufficient dimension. The site contains perimeter and parking lot landscaping which is adequately maintained and an existing monument sign near the project entrance.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	CG-DC	C	Commercial Development, Two (2) Commercial Buildings
North	CG	C	Commercial Development, R.V. Self Storage
South	CG-DC	C	Undeveloped Commercial Lot
East	R1A	MDR	Residential, two (2) single-family residences
West	CG-DC	C	Commercial Development, Elks Lodge

The project site is located in the Barnett Business Park and is currently developed with two (2) commercial buildings containing a number of light industrial, warehousing, office and retail land uses. The project parcel is bounded on the north and west by existing commercial and light industrial land uses, and the parcel to the south is currently an undeveloped commercial parcel (see Exhibit J). East of the project site there are residential land uses consisting of single-family residences. The project proposal would not change the existing commercial character of the project site or in the project vicinity. The proposed project would not create conflicts with the adjacent residential uses because the residential parcels are already adjacent to commercial land uses on the project site. The project allows for subdivision of the existing commercial complex into 15 units allowing for individual ownership.

Project Discussion Items: Discussion items for this project include: approved design review, land use compatibility; wastewater facilities, potable and fire protection water supply, and parking and access. Discussion of each project issue is further discussed in detail below:

Approved Design Review: The two (2) existing commercial buildings and the parking lot, landscaping, lighting, and signage improvements were reviewed and approved under design review application DR01-0015 (see Exhibits E, F, G, and H). The Design Review was approved administratively on April 16, 2002. The Design Review, and any modifications, would become the Development Plan.

Land Use Compatibility: The site's land use designation is Commercial (C) and the property is located within the Shingle Springs Community Region in the Barnett Business Park. The purpose of the Commercial designation is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. The land use designation is considered appropriate within Community Regions such as Shingle Springs. The site is zoned General Commercial-Design Control (CG-DC). As illustrated on the General Plan Land Use Designation and Zoning District Consistency Matrix, Table 2-4, which defines compatible zone districts with the correct land use designation, the CG zone district is consistent with the C designation.

Wastewater Facilities: The proposed project will utilize existing El Dorado Irrigation District (EID) sewer facilities systems. El Dorado County Environmental Management Department—Environmental Health Division reviewed the project and had no applicable comments.

Potable and Fire Protection Water Supply: The proposed project will utilize existing EID public water facilities. El Dorado County Environmental Management Department – Environmental Health Division reviewed the project and had no applicable comments. The El Dorado County Fire Protection District has conditioned the project to require that the fire systems, sprinklers, and alarms are the responsibility of all owners, and that a deed restriction be placed on each parcel to that effect (see Conditions of Approval No. 13, Attachment 1). The rezone would not remove the proposed parcels from within the El Dorado County Fire Protection District boundaries.

Parking and Access: Access to the proposed project will utilize an existing encroachment onto Quest Court. A joint access and parking agreement is to be provided to ensure on-going access and maintenance of the parking to all property owners within the Quest Court Commercial Condos. The approved Design Review DR01-0015 contained 44 total parking spaces, including two (2) handicapped and one (1) compact space. The applicant is proposing to add an additional parking space to the existing parking configuration. The applicant intends to achieve this by re-striping eight (8) standard parking stalls into nine (9) compact parking stalls (see Exhibit I). This reconfiguration will result in a total of 45 parking spaces, ten (10) of which will be compact spaces. County Code Section 17.18.040(A) allows commercial and industrial uses requiring ten (10) or more parking spaces to contain up to 35 percent of the number of parking spaces to be compact. The proposed project would have ten (10) of 45 spaces compact equaling 22 percent of total spaces compact consistent with Section 17.18.040(A). A shared parking and access agreement will be incorporated within the project Conditions, Covenants, and Restrictions (CC&R's)

General Plan: The project is located within the Shingle Springs Community Region. General Plan Policy 2.2.1.2 designates the project site as Commercial (C) land use which *provides a full range of*

commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. This designation is considered appropriate within Community Regions.

Policy 2.2.1.5 provides Floor Area Ratio (FAR) as shown in Table 2-3 pertaining to the building intensities in each land use designation. The subject property is subject to the Commercial requirements for the Commercial land use designation which shall not exceed a 0.85 ratio. The proposed Tentative Parcel Map would provide for a 0.34 FAR. Additional development is not proposed. The request would not intensify the intended use in the Barnett Business Park. Existing parking, facilities and access would adequately serve the proposed request to convert the two (2) existing commercial structures into 15 air space condominium units.

Policy 2.2.3.1 states *The Planned Development (-PD) Combining Zone District, to be implemented through the Zoning Ordinance, shall allow residential, commercial, and industrial land uses consistent with the density specified by the underlying zoning district with which it is combined. Primary emphasis shall be placed on furthering use and/or design that provide a public or common benefit, both on and off-site, by clustering intensive land uses to minimize impacts on various natural resources, avoid cultural resources where feasible, minimize public health concerns, minimize aesthetic concerns, and promote the public health, safety, and welfare.* The subject property has been developed and all permitted development improvements have been completed. The proposal request for converting the two (2) existing commercial structures into 15 air space condominiums and creating a common area would not impact the density specified for the Commercial land use designation; would not impact natural or cultural resources; would not cause additional concern for public health, safety and welfare because no new development is proposed.

General Plan **Policy 2.2.5.3** requires staff to “evaluate future rezoning: (1) To be based on the General Plan’s general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions that would support a higher density or intensity zoning district.” Also, Policy 2.2.5.3 lists 19 specific criteria to be analyzed for rezone requests. Below is an analysis of General Plan Policy 2.2.5.3 and its criteria:

1. *Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;*

The project will utilize existing El Dorado Irrigation District (EID) facilities.

2. *Availability and capacity of public treated water system;*

The project will utilize existing EID facilities.

3. *Availability of public waste water treatment system;*

The project will utilize existing EID facilities.

4. *Distance to and capacity of the serving elementary and high school;*

The project site is located within the Buckeye Union School District. As the project proposes light industrial/commercial land uses within an existing business park, no impacts to elementary and high school enrollment are anticipated. The affected school

district was contacted as part of the initial consultation process, and no specific comments were received.

5. *Response time from nearest fire station handling structure fires;*

The El Dorado County Fire Protection District currently provides fire protection services to the subject parcel. As such, the District has reviewed the proposal and indicated that adherence to the applicable Federal, CA State and local Fire District regulations, as well as a deed restriction regarding responsibility of all owners for fire systems, sprinklers, and alarms, will satisfactorily address all fire related safety issues. No response time concerns are present.

6. *Distance to nearest Community Region or Rural Center;*

The project is located within the Shingle Springs Community Region.

7. *Erosion Hazard;*

As stated in the *Soil Survey of El Dorado Area, California, 1974*, the soils on the project site are primarily comprised of Rescue sandy loam, two (2) to nine (9) percent slopes (ReB) and Rescue very stony sandy loam, three (3) to 15 percent slopes (RfC). Both soils have moderately slow permeability, slow to medium surface runoff, and slight to moderate erosion hazard. The project is not located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project.

8. *Septic and leach field capability;*

The project will utilize existing EID facilities.

9. *Groundwater capability to support wells;*

The project will utilize existing EID facilities.

10. *Critical flora or fauna habitat areas;*

Conversion of the existing commercial structures at the project site to condominiums will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

11. *Important timber production areas;*

The project site is not associated with any important timber production area, timber harvest plan, nor is the site designated Natural Resources (NR) by the General Plan map which includes areas that contain economically viable natural resources such as forested areas and seeks to protect the economic viability of those resources.

12. *Important agricultural areas;*

The General Plan Land Use Designation for the project site is Commercial and the site is presently General Commercial-Design Control (GC-DC). There are no active agricultural pursuits within the immediate vicinity and the site is currently developed with two commercial structures within a commercial/industrial business park. Thus the site is not considered, nor will the project affect an important agricultural area.

13. *Important mineral resources areas;*

The project site is not mapped as being within a Mineral Resource Zone (MRZ) by the State of California Division of Mines and Geology nor is the site designated Natural Resources (NR) by the General Plan map which includes areas that contain economically viable natural resources such as mineral resources and seeks to protect the economic viability of those resources.

14. *Capacity of the transportation system serving the area;*

The project site has been previously developed. The El Dorado County Department of Transportation reviewed the project and had no applicable conditions.

15. *Existing land use pattern;*

The project site is bounded on the north, south and west by commercial and industrial uses and undeveloped commercial and industrial lands, and is located within the Barnett Business Park. Several single-family homes are also located near the subject site. Impacts to the residential are not anticipated as the project site is already developed with two (2) commercial buildings. Staff has determined that the proposed project is consistent with existing land use patterns in the area.

16. *Proximity to perennial water course;*

The project site does not contain, is not adjacent to a known perennial water course.

17. *Important historical/archeological sites;*

Two (2) commercial buildings are currently located at the subject site. The proposed conversion of these structures into 15 air space condominium units will not result in significant earth disturbances affecting important historical/archaeological sites.

18. *Seismic hazards and presence of active faults; and*

According to the Fault Activity Map of California and Adjacent Areas (Jennings, 1994) and the Peak Acceleration from Maximum Credible Earthquakes in California (CDMG, 1992), no active faults or Earthquake Fault Zones (Special Studies Zones) are located on the project site. The impacts from fault ruptures, seismically induced ground shaking, or seismic ground failure or liquefaction are considered to be less than significant. Any

potential impact caused by locating structures in the project area would be offset by the compliance with the Uniform Building Code earthquake standards.

19. *Consistency with existing Conditions, Covenants, and Restrictions.*

CC&R's are effective within the project area for the Barnett Business Park. Review of existing CC&R's has not identified compliance issues relating to the project proposal. Prior to filing the parcel map, project CC& R's shall be provided to Planning Services Review for the maintenance of the private and common roadway, parking, and drainage facilities and provide for a shared parking agreement for the site.

It has been determined that the project is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

Zoning/Planned Development: The subject property is zoned General Commercial-Design Control (CG-DC). The existing development on the subject property has been built consistent with the development standards of the CG zone district and the Design Review standards outlined in County Code Sections 17.74.040 and 17.74.115. The proposed request includes rezoning the subject site property to General Commercial-Planned Development (CG-PD). The Planned Development rezone is required because the parcels being created are less than 10,000 square feet as prescribed in County Code Section 17.32.200. Also, County Code Section 17.02.030(E) requires a planned development to regulate condominium conversions. The proposed rezone would remove the Design Control zone district from the parcel. The approved Design Review components (i.e. building elevations, sign plan, landscaping, etc.) would become the Development Plan.

The development plan would allow for a variety of warehouse, light industrial, office and retail land uses as prescribed in the CG zone district. The project site currently attracts and occupies a number of small businesses. Most of the current occupants are a mixture of the listed land uses often containing, for example, a commercial or light industrial use with an office or small retail component. The applicant has submitted a "Parking and Land Use Discussion" attached as Exhibits K. The applicant proposes to utilize the proposed parking lot configuration (discussed in the parking and access section above) to meet the parking demands for the project. Table 1 illustrates the required parking spaces for the proposed land uses pursuant to County Code Section 17.18.60.

TABLE 1: Parking Requirements Pursuant to County Code Section 17.18.60		
Use Category	Proposed Use	Minimum Off-Street Parking Required
Commercial	Offices (general)	1 space per 250 square feet of gross floor area
Commercial	Retail (general merchandise not in a shopping center)	1 space per 300 square feet of gross floor area
Industrial	Light and limited industrial manufacturing	1 space per 400 square feet of gross area devoted to manufacturing
Industrial	Warehousing (general)	1 space plus 1 space per each 2000 square feet of floor area.

A shared parking, access and maintenance agreement would be incorporated into CC&R's for the project. Any future uses will be evaluated during the tenant improvement/building permit process

prior to issuance of a building permit to ensure that parking will be available for each proposed use and for all existing uses. The proposed uses will further be analyzed, and a tally shall be provided by the applicant of all existing and proposed parking and will be kept by Planning Services Permit Center staff to be sure the proposed use combinations will not result in a change that requires more parking than the 45 allowed spaces under the planned development approval (see Condition of Approval No. 8, Attachment 1). Should, at any time, the subsequent tenant improvements be for uses that create the need for more parking than what has been approved, that tenant improvement use that causes the need for additional parking would not be approved by Planning Services staff unless additional parking can be demonstrated for the project site.

County Code Section 17.04.030(B) requires that the Planning Commission make specific findings prior to establishment of a PD zone. Findings for approval are provided in Attachment 2.

Tentative Parcel Map: The tentative parcel map (Exhibit E) proposes to create 16 lots ranging in size from 1,634 square feet to an approximate 51,590.11 square foot common area including two (2) service rooms. In accordance with County Code Section 16.44 of the Minor Land Division Ordinance, specific finding must be made to approve the tentative parcel map. Findings for approval are provided in Attachment 2.

ENVIRONMENTAL REVIEW

This project has been found to be Categorically Exempt from the requirements of California Environmental Quality Act (CEQA) pursuant to *Section 15301(k)* that allows subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt. The project proposes to create 15 air space condominium units and one common area where no physical changes would occur. No further environmental analysis is necessary. Pursuant to Resolution No. 240-93, a \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1Conditions of Approval

Attachment 2.....Findings

Exhibit A.....Vicinity Map

Exhibit B.....Assessor’s Map

Exhibit C.....General Plan Land Use Map

Exhibit D.....Zoning Map

Exhibit E.....Development Plans For Building A, DR01-0015

Exhibit F.....Development Plans For Building B, DR01-0015

Exhibit G.....Landscaping Plan

Exhibit H.....Monument Sign Exhibits

Exhibit I.....Tentative Parcel Map

Exhibit J.....Aerial Photo

Exhibit K.....Parking and Land Use Discussion

ATTACHMENT 1

CONDITIONS OF APPROVAL

Rezone, Planned Development, and Tentative Parcel Map File Numbers Z08-0009/PD08-0009/P08-0012-Quest Court Commercial Condos Planning Commission/November 13, 2008

I. PROJECT DESCRIPTION

1. This rezone, planned development, and parcel map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibit A through K dated November 13, 2008, 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 would constitute a violation of permit approval.

The project description is as follows:

Rezone the 1.85-acre parcel identified as Assessor's Parcel Number 109-402-03 from General Commercial – Design Control (CG-DC) zone district to General Commercial – Planned Development (CG-PD) zone district; a planned development to create 15 air space condominium units ranging in size from 1,634 square feet to 1,770 square feet from two (2) existing commercial buildings; and a tentative parcel map creating 16 lots ranging in size from 1,634 square feet to 1.25 acres (common area)(see Exhibit I). The common area, illustrated as all areas outside of the 15 proposed units, is approximately 1.25 acres and includes two (2) 106.87 square-foot service rooms, previously developed parking, access, signage, and landscaping improvements as approved by design review application DR01-0015. No new development is to be conducted on the subject parcel. The project parcel is currently serviced for domestic water and wastewater by the El Dorado Irrigation District (EID). The proposed lots shall continue to utilize EID services.

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 must be submitted for review and approval and shall be implemented as approved by the County.

II. PROJECT CONDITIONS OF APPROVAL

Planning Services

2. This tentative parcel map shall expire within 36 months from date of approval unless a timely extension has been filed.
3. All Development Services fees shall be paid prior to filing the Parcel Map.
4. The applicant shall submit to Planning Services a \$50.00 recording fee. No permits shall be issued or final map filed until said fees are paid.
5. All outdoor lighting shall conform to County Code Section 17.14.170 and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Should 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.
6. 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 *Government Code*.

The subdivider 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 subdivider of any claim, action, or proceeding and County will cooperate fully in the defense.

7. Prior to filing the parcel map, project CC&R's shall be submitted for review by Planning Services for the subject site that provide for the maintenance of the private and common roads, access, parking facilities, utilities, landscaping, signs, and drainage facilities, and a joint access and shared parking agreement.
8. Prior to issuance of a tenant improvement/building permit, the applicant shall provide a parking tally of all existing and proposed parking which shall be kept by Planning Services Permit Center staff to ensure the proposed use combinations will not result in a change that requires more parking than the 45 allowed spaces under the planned development approval.
9. Prior to issuance of a building permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval.
10. All lots/units shall be served by individual water meters. Use of master meters/sub meters

may be used subject to the approval of EID. Master meters shall be located on a common lot. Owner/tenant agreements for billing and maintenance purposes shall be required subject to approval of EID.

County Surveyor's Office

11. All survey monuments shall be set prior to filing the Parcel Map.
12. Prior to filing the Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that "all conditions placed on P08-0012 by (that agency) have been satisfied." The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant

El Dorado County Fire Protection District

13. Applicant shall submit a review fee of \$120.00
14. Fire systems, sprinklers and alarms, shall be the responsibility of all owners and shall be recorded as a deed restriction on each created parcel.
15. Property as rezoned shall remain within the El Dorado County Fire Protection District boundaries.
16. The property is subject to all Federal, CA state and local Fire District regulations.
17. Future development of the property for residential, commercial, or special use permit, will require Fire District Approval

ATTACHMENT 2

FINDINGS

Rezone, Planned Development, and Tentative Parcel Map File Numbers Z08-0009/PD08-0009/P08-0012-Quest Court Commercial Condos Planning Commission/November 13, 2008

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings should be made:

FINDINGS FOR APPROVAL

1.0 CEQA FINDINGS

- 1.1 The project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15301(k) that allows subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt. The project proposes to create 15 air space condominium units and one common area where no physical changes would occur.
- 1.2 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, 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the Commercial (C) land use designation of the subject site as defined within General Plan Policy 2.2.1.2 because the Commercial land use designation allows for a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. The project site is located within the Shingle Springs Community Region. The Commercial land use designation is considered appropriate within Community Regions such as Shingle Springs.
- 2.2 The proposal is consistent with General Plan policies, including 2.2.1.5 (Floor Area Ratio), 2.2.3.1 (Planned Development Combining Zone District), and 2.2.5.3 (Future Rezoning). It has been determined that the project is consistent with the General Plan. Because of the project's provision of adequate floor area ratio, providing innovative planning and development techniques through the use of the Planned Development Combining Zone District, consistency with criteria for evaluation future rezoning, and efforts to fit within the context of the surroundings land uses, it is consistent with the General Plan policies identified above.

3.0 ZONING CHANGE FINDINGS

- 3.1 The project is consistent with the El Dorado County Zoning Ordinance designation of General Commercial because the proposed project allows for warehouse, light industrial, office and retail uses pursuant to Section 17.32.180 of the Zoning Ordinance.
- 3.2 The project, as proposed and conditioned, along with the zone change adding the Planned Development overlay to the General Commercial zone district to create the General Commercial – Planned Development (CG-PD) zoned district, is consistent with the El Dorado County Zoning Ordinance because the application has been processed in accordance with Section 17.02 (Planned Developments - General Provisions), Section 17.04 (Planned Developments - Procedure), Section 17.18 (Off-Street Parking and Loading), and Sections 17.32.170 through 17.32.220 (General Commercial Districts).

4.0 PLANNED DEVELOPMENT FINDINGS

- 4.1 *The Planned Development zone request is consistent with the General Plan.*

The planned development will allow for a range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County consistent with the General Plan Commercial Land Use Designation.

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

The project was originally reviewed and approved under a design review application DR 01-0015 and has been constructed in accordance with that approval. No modifications to the aesthetics of the site have been proposed.

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

Except for minimum parcel sizes and lot widths for the individual units, the project complies with development standards of the General Commercial zoning district and applicable regulations of the El Dorado County Zoning Ordinance. A planned development application is required to facilitate the conversion of an existing commercial structure into air space condominium units and individual ownership.

- 4.4 *The site is physically suited for the proposed uses.*

The project would not create any additional development on a previously permitted and constructed commercial development containing existing structures, landscaping, signage, parking and access improvements. The site currently has 15 suites which will be converted to condominium suites for individual ownership so no change in density would occur.

- 4.5 *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 Barnett Business Park and has adequate utilities and infrastructure to service the project.

- 4.6 *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 the site is previously developed and no additional development is proposed.

5.0 PARCEL MAP FINDINGS

- 5.1 *The proposed tentative map, including design and improvements, is consistent with the General Plan.*

The proposed warehousing, light industrial, office, and retail land uses are consistent with the Commercial General Plan land use designation, and is consistent with applicable policies as outlined in Finding 2.2 above.

- 5.2 *The proposed tentative map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance.*

As proposed and conditioned, the tentative parcel map conforms to the development standards within the General Commercial zone district, with the exception of minimum parcel size and lot width for proposed condominium units, and the Minor Land Division Ordinance.

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

The site is physically suitable for the proposed type and density of development as discussed in Finding 4.4 above.

- 5.4 *The proposed subdivision is not likely to cause substantial environmental damage.*

The proposed parcel map is not likely to cause substantial environmental damage as determined in the categorical exemption pursuant to CEQA guidelines 15301 (k) as discussed in Finding 1.1 above.

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

The proposed parcel map is not likely to cause serious public health hazards as the site is already approved and constructed pursuant to an approved design review DR01-0015, and adequate utilities and infrastructure exist to service the project.