

**EL DORADO COUNTY DEVELOPMENT SERVICES
STAFF REPORT**



Agenda of: July 13, 2006
Item No.: 12.a.
Staff: Lillian MacLeod

REZONE/PLANNED DEVELOPMENT/ PARCEL MAP

FILE NUMBER: Z05-0005/PD05-0011/P05-0012

APPLICANT: Palmer Professional Centre, LLC

AGENT: Erik Pilegaard

REQUEST:

1. A rezone from Commercial-Design Control (C-DC) and Estate Residential Ten-acre (RE-10) to Commercial-Planned Development (C-PD).
2. A development plan creating five parcels conforming to the five existing building footprints, with a sixth parcel for shared access, parking and common area (Exhibit D).
3. A tentative parcel map creating 6 parcels ranging in size from 0.15 to 3.71 acres on a 4.71-acre site.

LOCATION: On the northeast corner of the intersection of Palmer and Gabbert Drives, in the Cameron Park area. (Exhibit A)

APN: 083-453-04

ACREAGE: 4.71 acres

GENERAL PLAN: Commercial (C) (Exhibit B)

ZONING: Commercial-Design Control / Estate-residential 10 acres (C-DC / RE-10) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Negative Declaration

SUMMARY RECOMMENDATION: Recommend approval

BACKGROUND: A staff-level design review, DR03-0011S, was previously approved on August 6, 2004, for construction of a congregate care center, Alzheimer's facility, and club house on the project parcel.

On January 12, 2005, the applicant submitted a subsequent design review application, DR05-0001S, to construct the existing office complex on the site instead of the congregate care facility. Level of Service (LOS) issues arose as a result due to the project's cumulative impact on the U.S. Highway 50/Cameron Park Drive/Palmer Drive intersection currently operating at LOS F during the PM peak hours. The design review was approved as a two-phased project in order to comply with General Plan Policies TC-Xd, (e) and (f). Phase 1, consisting of Buildings A and B, could move forward as resultant traffic impacts would remain below the thresholds established under Policy TC-Xe. Phase 2, consisting of the remaining buildings, would remain undeveloped until such time as the improvements to the subject intersection were included in the Capital Improvement Program (CIP). The Board of Supervisors subsequently approved the CIP thereby programming and funding the improvements necessary to bring the intersection into compliance with LOS standards under Policy TC-Xd. The approval of DR05-0001S on September 19, 2005, voided DR03-0011S.

A boundary line adjustment was approved between the project parcel and the adjacent 68 acre parcel to the north in order to meet Floor Area Ratio (FAR) requirements for DR05-0001S. Under BLA05-0003, the project parcel received 0.49 acres from Assessor's Parcel Number 083-350-43, bringing its total area to 4.71 acres. The boundary line adjustment was approved on January 24, 2005, and finalized and recorded on April 25, 2006, in Book RS20 Page 021.

Phase I building permits, 170792 and -793, were issued January 18, 2006. Phase 2 building permits, 170784, -787, and -788, were issued May 8, 2006. To date, none have been finalized.

STAFF ANALYSIS

Project Description:

1. A tentative parcel map creating six commercial lots ranging in size from 0.15 to 3.71 acres on the 4.71-acre site.
2. A rezone of the parcel from Commercial-Design Control (C-DC) and Estate Residential Ten-acre (RE-10) to Commercial-Planned Development (C-PD).
3. A development plan creating five commercial parcels conforming to the individual footprints of each existing building, as follows:

Parcel 1 = 10,528 square feet

Parcel 2 = 6,000 square feet

Parcel 3 = 8,400 square feet

Parcel 4 = 8,400 square feet

Parcel 5 = 8,400 square feet

Parcel 6 will comprise the remaining 3.71 acres to be considered as common area. Parcel 6 will consist of parking, access, utilities, and landscaping and will be shared and maintained

under common ownership. A shared parking and access agreement was recorded between the applicant and the adjacent multi-residential facilities to fulfill parking requirements under the previously approved design review. This agreement will be amended to include signatures from all property owners subsequent to final map recordation and sale of the lots. All building materials, colors, signage, lighting, and landscaping will be consistent with that previously approved under DR05-0001S.

Site Description: The project parcel is currently under development in accordance with Design Review DR05-0001S. The topography is flat due to previous grading and no trees existed on site.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	C-DC/RE-10	C	General/medical offices
North	RE-10	C	Undeveloped
South	C	C	Bel Air Shopping Center
East	C	C	Undeveloped
West	C/R2	C/MFR	Cameron Park Community Care Phase I

General Plan: The General Plan designates the subject site as Commercial, which permits “a full range of commercial retail, office, and service” uses and is applicable in community regions and rural centers. The project parcel is located in the Cameron Park Community Region, and its development as an office complex is consistent with this designation. Under Table 2-4, that portion of the parcel zoned Estate Residential Ten-acre (RE-10) is not consistent with its Commercial land use designation. The proposed rezone to Commercial-Planned Development (C-PD) will rectify the inconsistency and bring the parcel into conformance with the General Plan.

Policies 7.3.3.4 and 7.4.1.5 concern the protection of intermittent streams and rare plant species on parcels subject to the discretionary review process. Both resources exist within the 0.49 acre portion added through boundary line adjustment. Under DR05-0001S, the applicant proposed to leave this area undisturbed as it was being utilized for floor area ratio (FAR) compliance only. Mitigation measures were added as conditions to protect these resources during construction activities as well as landscaping.

Parcel 2, situated approximately 27 to 30 feet from the edge of the intermittent stream, is the only proposed development that will fall within the interim, 50 foot stream setback established under Policy 7.3.3.4. This standard may be modified if “site- or project-specific conditions . . . demonstrate that a different setback is necessary or would be sufficient to protect the particular riparian area at issue.” Under DR05-0001S, the area was protected from development through construction fencing, prohibitions on fill discharge, and post-construction avoidance. Only native riparian vegetation could be placed within the 50 foot setback area. Staff recommends the re-vegetation restrictions as well as permanent fencing along the parcel boundaries surrounding the

0.49 acre portion are carried over and added to the conditions of approval in order to further insure protection of this area.

Policy 2.2.3.1 states that the Planned Development (-PD) Combining Zone District, implemented through the zoning ordinance, “shall allow commercial and industrial land uses consistent with the density specified by the underlying zoning district with which it is combined.” Review and approval of commercial planned developments shall be accomplished through criteria established in the zoning ordinance.

Five buildings measuring 51,200 square feet are located on the 4.71 acre parcel for a coverage calculation of 24.95 percent, in conformance with FAR under General Plan Table 2-3. However, upon discretionary approval of the parcel map, parcels 1 through 5 will have 100 percent coverage. The (-PD) overlay grants flexibility in density requirements by defining the project as a “single entity”.

Conclusion: As discussed above, staff finds that the project conforms to the General Plan in that the parcel is located within a community region, the proposed use and developmental density are consistent with both land use designation and FAR policy, as well as the combining zone district, and the natural resources on site will be protected pursuant to related policies in the General Plan.

Zoning: The subject site is zoned Commercial-Design Control (C-DC) which permits the proposed use on a minimum parcel size of 5,000 square feet. The 4.71-acre parcel conforms to existing zoning.

Under §17.04-030(B) of the County Code, the establishment of a (-PD) zone cannot be recommended nor a development plan approved by the Planning Commission unless the following findings are made:

1. *That the PD zone request is consistent with the general plan;*

Discussion: The project parcel is already zoned C-DC, so a zone change request to C-PD will not change the base zone district. Further, the rezone request will bring the Estate Residential Ten-acre (RE-10) portion of the parcel into consistency with Table 2-4 of the General Plan.

2. *That the proposed development is so designed to provide a desirable environment within its own boundaries;*

Discussion: The development plan is consistent with the previously approved design review.

3. *That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;*

Discussion: No variances to the Zoning Ordinance have been requested.

4. *That the site is physically suited for the proposed uses;*

Discussion: The topography of the parcel is flat, having been previously graded. No trees were required to be removed for the existing development approved under DR-05-0001S.

5. *That adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities;*

Discussion: The project consists of an existing general/medical office complex, and as such, all improvements and services exist to the site.

6. *That the proposed uses do not significantly detract from the natural land and scenic values of the site.*

Discussion: The project parcel is situated within a commercialized area of Cameron Park. The buildings are compatible with the surrounding development and will provide an agreeable appearance to the site.

The proposed development plan has been analyzed and approved under DR05-0001S as consistent with the zone district development standards. The components of the development plan are as follows:

Elevations: The buildings consist of a blend of Craftsman and Prairie-style architecture. Parcel 1 contains a two-story building with access through a covered main entrance. Three single-door entrances are located in the rear elevation. Parcels 2, 3, 4, and 5 have single-story structures with access through a covered main entrance and double-door entrances at each side elevation.

Building Materials: The exterior finish materials consist of stucco walls with rock veneer pilasters flanking storefront windows. The roof will be metal with timber corbel accents.

Colors: The stucco walls will be painted in Frazee Paint's "Harvest Tan" with the covered entrances painted "Baked Apple" in contrast. The corbels will be painted "Timber Trail", a dark brown, and the pilasters will be faced in Eldorado Stone's "Yukon". The metal roof will be Western Metal's "Spring Green" with the eaves painted "Rose Pueblo" in contrast. The storefront windows will be a medium bronze.

Signage: Two, illuminated monument signs are to be located on each corner facing Palmer Drive. The signs will consist of "Harvest Tan" stucco with name and address identification in bronze lettering. Each sign will sit on a capped, rock-veneered base that resembles the building pilasters. The base will measure approximately 18 feet in length. The signs, as previously conditioned will measure 50 square feet each.

Three directory signs will be sited adjacent to Parcels 2, 3, and 5 near each entranceway and will be compatible with the proposed building materials and colors. The signs are to be internally illuminated and limited to six square feet of sign face.

Parking: The project requirement is for 293 spaces under Chapter 17.18 of the Ordinance. A Reciprocal Parking Agreement was recorded August 29, 1994, between the project parcel and the two adjacent parcels to the west and north. Between the three parcels, a total of 466 parking spaces are required and are available through the agreement.

For the total shared parking needs, California Building Code (CBC) §1129B requires a minimum of 9 ADA parking spaces, of which 2 must be van accessible. The project has 12 ADA compliant spaces with 2 designated van accessible. The adjacent parcels have 4 additional ADA compliant spaces for a shared parking total of 16 ADA spaces exceeding CBC requirements.

Landscaping: Preliminary landscape plans demonstrated substantial compliance with §17.18.090. Final landscape plans had to demonstrate that a minimum of 50 percent of proposed landscaping was consistent with the predominant plant community and fit the natural vegetation native to the area. Only native riparian vegetation is allowed to be placed within the 50 foot setback of the intermittent drainage channel.

Lighting: Recessed, soffit lighting is installed under the building eaves. Pole lighting in the parking area measures 20 feet in height. The standard condition for full shielding of all exterior lighting was placed on the project.

Utilities: The trash receptacle is situated in the northwest corner of the parking lot and was required to be fully enclosed behind a concrete wall and metal gates, which will be further conditioned to remain closed at all times when not in use. The enclosure was required to be compatible in design and materials with the existing building. A propane tank for the utilization of the office park is located adjacent to Parcel 5 and was required to be screened from view behind landscaping. No roof-mounted equipment was proposed.

Other Issues:

Administrative Relief Request – Off-street Loading Zone: The request for administrative relief from an off-street loading zone, measuring 12 feet by 40 feet, is subject to special circumstances as defined under §17.18.080 (D). The special circumstances are based on types of use, project design and site dimensions, impact to surrounding properties, and public safety. Under DR05-0001S, the applicant requested to waive loading zone requirements, which was approved by staff due to the following:

1. The specific nature of the proposed use as general/medical offices would require product deliveries to the site; however deliveries would be minimal in size and quantities.
2. The size of the proposed buildings relative to site dimensions and parking availability limited placement of a discrete loading zone; however, this was not adequate justification to waive the loading zone requirement.
3. Impact of a loading zone on surrounding properties was a non-issue due to the commercial development of the area. Required landscaping and building placement would screen loading zone activities to some degree.

4. Deliveries to the buildings will be handled by small delivery trucks or vans, which can utilize existing parking space, as this activity is usually of short duration. Delivery activities that require utilization of a larger vehicle were conditioned to occur before and after business hours in order to prevent problems with emergency access and customer circulation. Staff recommends this condition carry over onto the proposed development plan.

Conclusion: The proposed parcel map, creating individual lots from an as-built professional office center, is consistent with development within the commercial area of Cameron Park, and addresses manner of ownership, only. The accompanying rezone and development plan conform to zoning ordinance requirements for these applications. The proposed development plan has been found compliant with zoning standards for access, parking, and landscaping among other requirements under DR05-0001S, and is currently under construction subject to those conditions of approval. As a result, only conditions that are still applicable to the proposed project will be carried over into the subject conditions of approval. Further conditions will be added, as well, to insure that the project will not be detrimental to the public health, safety and welfare, or injurious to the surrounding area. The conditions of approval under DR05-0001S will be attached as Exhibit K and will be superseded with approval of the proposed project.

Agency and Public Comments: The following agencies provided comments on this application. Copies of their written comments are available at the Planning Services office. From these comments, the following issues were raised:

Department of Transportation: Conditions from DR05-0001S regarding sidewalk and handicapped ramp requirements will be carried over and applied to the subject project, as the existing development has not received final occupancy to date.

These agencies had no specific concerns regarding the proposed special use permit:

**Air Quality Management District
Resource Conservation District
El Dorado County Transit Authority
PG&E**

At the time of the preparation of this report, staff had not received any comments from the public. New issues may arise as a result of the public notice of the hearing which will be discussed at that time.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project may have a significant effect on the environment. Staff has determined that there is no substantial evidence that the proposed project as conditioned will have a significant effect on the environment, and a Negative Declaration has been prepared.

This project is found to be de minimis (having no effect on fish and game resources). Pursuant to Resolution No. 240-93, a \$35.⁰⁰ processing fee is required by the County Recorder to file the Notice

of Determination and Certificate of Fee Exemption with the State in accordance with State Legislation (California Fish and Game Code Section 711.4).

RECOMMENDATION

Staff recommends that the Planning Commission forward the following recommendations to the Board of Supervisors:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff;
2. Approve Z05-0005 rezoning Assessor's Parcel Number 083-453-04 from Commercial–Design Control/Estate-Residential Ten-acre (C-DC/RE-10) to Commercial–Planned Development (C-PD), based on the findings in Attachment 2.
3. Approve the development plan, PD05-0011, as the required findings can be made as noted in Attachment 2 based on the analysis in the staff report to include conditions itemized in Attachment 1.
4. Approve the parcel map, P05-0012, as the required findings can be made as noted in Attachment 2 based on the analysis in the staff report to include conditions itemized in Attachment 1.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Tentative Parcel Map
Exhibit E	Site Plan
Exhibit F	Elevations and Sign Plan
Exhibit G	Color Plans
Exhibit H	Preliminary Landscape Plan
Exhibit I	Sign Plans
Exhibit J	BLA05-03
Exhibit K	DR05-01-S Letter of Approval
Exhibit L	Assessor's Parcel Map
Exhibit M	Environmental Checklist and Discussion of Impacts

ATTACHMENT 1 CONDITIONS OF APPROVAL

FILE NUMBER PD05-0011, P05-0012, Z05-0005

Conditions of Approval

1. The subject parcel map and planned development approval is based upon and limited to compliance with the project description, dated July 13, 2006, 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, as approved, shall consist of the following:

- a. A tentative parcel map creating six commercial lots ranging in size from 0.15 to 3.71 acres on the 4.71-acre site consistent with Exhibit D.
- b. A rezone of the parcel from Commercial-Design Control (C-DC) and Estate Residential Ten-acre (RE-10) to Commercial-Planned Development (C-PD).
- c. A development plan creating five commercial parcels conforming to the individual footprints of each existing building, as follows:

Parcel 1 = 10,528 square feet
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Parcel 4 = 8,400 square feet
Parcel 5 = 8,400 square feet

Parcel 6 will comprise the remaining 3.71 acres to be considered as common area. Parcel 6 will consist of parking, access, utilities, and landscaping and will be shared and maintained under common ownership.

PLANNED DEVELOPMENT

2. All site improvements shall conform to Exhibits E, F, G, H, and I. All building materials, colors, signage, lighting and landscaping will be consistent with that previously approved under DR05-0001S.
3. The Reciprocal Parking Agreement shall be amended to include the names and signatures of each subsequent property owner of the proposed parcels.
4. The requirement for a dedicated loading zone under §17.18.080 is waived. Deliveries to the buildings shall be handled by small delivery trucks or vans, which can utilize existing

parking space, as this activity is usually of short duration. Delivery activities that require utilization of a larger vehicle requiring larger parking space shall occur before and/or after business hours.

5. The propane tank and air conditioning units shall be fully screened by fencing and/or landscaping. No roof-mounted equipment shall be allowed.
6. The gates to the trash receptacle enclosure shall remain closed at all times when not in use.
7. The applicant shall construct a six foot wide concrete sidewalk along the frontage of Palmer Drive subject to an encroachment permit. The improvement plans for this work shall be submitted with the application for on-site grading/improvement plans, and construction shall be substantially complete, as determined by the Department of Transportation, prior to occupancy of the project.
8. The applicant shall be responsible for reconstruction of the handicapped ramp, to current ADA standards, at the adjacent curb return at Palmer Drive and Gabbert Drive, subject to an encroachment permit. The improvement plans for this work shall be submitted with the application for on-site grading/improvement plans, and construction shall be substantially complete, as determined by the Department of Transportation, prior to occupancy of the project.
9. The applicable requirements of the Medical Waste Management Act for the handling, storage, treatment and disposal of medical waste generated at the site shall be complied with.
10. The applicable requirements of Chapter 6.5 through 6.95 of the California Health and Safety Code for the handling, storage and disposal of hazardous waste at the site shall be complied with through the submittal and approval of the appropriate medical waste and hazardous materials reporting forms to the Solid Waste/Hazardous Materials Division of the Environmental Management Department.

TENTATIVE MAP:

Planning Services

11. Domestic water shall be supplied by a public entity with a minimum six-inch water line to the property being divided, and a water meter award letter or similar assurance from the water purveyor, guaranteeing water service upon demand to each of the parcels created, shall be submitted to the County Surveyor at the time of filing the parcel map.
12. A non-building easement on the 0.49 acre area added under Boundary Line Adjustment BLA05-0003 shall be recorded with the final map. Within the easement itself, only native riparian vegetation shall be planted within the wetland's 50 foot setback area.

13. Permanent fencing around the outer perimeter of the non-building easement shall be installed prior to final map recordation. Fencing material shall be compatible with the approved development, subject to review and approval of Planning Services.

County Surveyor

14. Prior to the filing of a parcel map, if the subject property is subject to liens for assessment or bonds, pursuant to the provisions of Government Code Section 66493, the owner or subdivider shall do one of the following: (a) Pay the assessment or bond in full; (b) File security with the Clerk of the Board of Supervisors; or (c) File with the Clerk of the Board of Supervisors the necessary certificate indicating that provisions have been made for the segregation of bond assessment responsibility, pursuant to Government Code Section 66493(d).
15. All survey monuments must be set prior to filing the Parcel Map.
16. Prior to filing the parcel map, a letter to the County Surveyor will be required from all agencies that have conditions placed on the map. The letter will state that all conditions placed on the map by that agency have been met.

FINDINGS

FILE NUMBER Z05-0005, PD05-0011, P05-0012

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 can be made:

FINDINGS FOR APPROVAL

Development Plan

1. The proposed project, as conditioned, will not have a significant effect on the environment and a Negative Declaration has been filed. Further, the project will not affect wetlands, watercourses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters under the jurisdiction of the State Department of Fish and Game. Therefore, the project has a de minimis impact on the environment and a Certificate of Fee Exemption (DFG 753.5-5/91 is applicable).
2. The proposed use and design conforms to the General Plan in that the parcel is located within a community region, the proposed use and developmental density are consistent with both land use designation and floor area ratio (FAR) policy, as well as the combining zone district, and the natural resources on site will be protected pursuant to related policies in the General Plan.
3. The proposed use and development plan conforms to the Zoning Ordinance as follows:
 - a. *That the PD zone request is consistent with the general plan;*

The project parcel is already zoned Commercial-Design Control (C-DC), so a zone change request to Commercial-Planned Development (C-PD) will not change the base zone district. Further, the rezone request will bring the Estate Residential Ten-acre (RE-10) portion of the parcel into consistency with Table 2-4 of the General Plan.
 - b. *That the proposed development is so designed to provide a desirable environment within its own boundaries;*

The development plan is consistent with the previously approved design review, DR05-0001S.
 - c. *That any exceptions to the standard requirements of the zone regulations are justified by the design or existing topography;*

No variances to the Zoning Ordinance have been requested.

- d. That the site is physically suited for the proposed uses;*

The topography of the parcel is flat, having been previously graded. No trees were required to be removed for the existing development approved under DR-05-0001S.

- e. That adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities;*

The project consists of an existing general/medical office complex, and as such, all improvements and services exist to the site.

- f. That the proposed uses do not significantly detract from the natural land and scenic values of the site.*

The project parcel is situated within a commercialized area of Cameron Park. The buildings are compatible with the surrounding development and will provide an agreeable appearance to the site.

4. The proposed use and design will not be detrimental to the public health, safety, and welfare, nor injurious to the neighborhood.

Tentative Map

1. The proposed tentative map, including design and improvements, is consistent with the General Plan policies and land use map.
2. The proposed tentative map does conform with the applicable standards and requirements of the County's zoning regulations and the Minor Land Division Ordinance.
3. The site is physically suitable for the proposed type and density of development.
4. The proposed tentative map is not likely to cause substantial environmental damage, as it is a commercial parcel map for an existing development.