

**EL DORADO COUNTY DEVELOPMENT SERVICES
STAFF REPORT**



Agenda of: October 25, 2007

Item No.: 8.a.

Staff: Tim Chamberlain

REZONE/PLANNED DEVELOPMENT/PARCEL MAP

FILE NUMBER: Z07-0021/PD07-0015/P07-0019

APPLICANT: Ribeiro-Commerce, LLC

REQUEST: Request of Ribeiro-Commerce, owner/applicant to:

1. Rezone from Research and Development-Design Control (R&D-DC) to Research and Development-Planned Development (R&D-PD).
2. Planned development for the existing office and warehouse facilities to allow for the split of the existing 4.63 acre parcel into parcels smaller than two (2) acres in size in accordance with Section 17.35.030(A) (2) (d) of the Zoning Code; and to allow for zero lot lines for the proposed new parcels.
3. Tentative parcel map creating six (6) parcels ranging from 9,100 to 12,453 square feet and one 3.22 acre parcel for shared parking and access.

LOCATION: On the east side of Golden Foothill Parkway, approximately 300 feet south of the intersection with Suncastr Lane in the El Dorado Hills Business Park, in the El Dorado Hills Area, Supervisorial District II. (Exhibit A)

APN: 117-060-41

ACREAGE: 4.63 acres

GENERAL PLAN: Research & Development (R&D) (Exhibit B)

ZONING: Research & Development-Design Control (R&D-DC) (Exhibit C)

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

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND: The parcel was originally developed through ministerial building permits Nos. 167623, 167625, 167626, 167627, 167628, and 167630. The first three permits were issued on January 23, 2006 while the last three were issued on February 8, 2006. This six (6) building commercial office development has been constructed through building permit approvals through Development Services. All permitted improvements have been built on the project site.

STAFF ANALYSIS: Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the permit requests, and issues for Planning Commission consideration are provided in the following sections.

Project Description: The request is for a Rezone, Planned Development and Tentative Parcel Map for six (6) zero lot line parcels around the existing buildings and one common lot for parking and access. The existing six commercial buildings range in size from 9,100 to 12,453 square feet (Exhibit E). Five buildings are planned for mixed office and warehouse use while one building is planned for mini-storage use. The request for mini-storage in this building is currently being separately processed through Planning Services under Special Use Permit S07-0015. Parcel A, is to be 3.23 acres, and would contain common area consisting of previously developed parking, landscaping and lighting improvements. For details on each of these buildings, reference the table below and the Tentative Parcel Map (Exhibit D).

	Parcel Size	Building Size	Proposed Use
Parcel 1	10,023 Square Feet	10,023 Square Feet	Mixed Office/Warehouse
Parcel 2	9,284 Square Feet	9,284 Square Feet	Mixed Office/Warehouse
Parcel 3	9,100 Square Feet	9,100 Square Feet	Mixed Office/Warehouse
Parcel 4	12,453 Square Feet	12,453 Square Feet	Mixed Office/Warehouse
Parcel 5	9,248 Square Feet	9,248 Square Feet	Mini-Storage
Parcel 6	10,880 Square Feet	10,880 Square Feet	Mixed Office/Warehouse
Parcel A	3.226 Acres	N/A	Common Area, Parking, Landscaping

The rezone request would eliminate the Design Control (DC) zoning overlay and would add the Planned Development (PD) zoning overlay to the project site. A Planned Development is required in the R&D Zone District when a request includes parcels smaller than two acres in size and for the request for zero lot lines.

Site Description: The project site is located within the El Dorado Hills Community Region inside the El Dorado Hills Business Park. The parcel is graded flat with slopes on-site falling within the 0%-10% range at an approximate elevation of 520 feet. The parcel is currently developed as shown on the site plan (Exhibit D). On-site parking consists of 187 parking spaces, which includes eight (8)

handicap spaces and 2 loading zones. The existing landscaping and lighting are consistent with County Code.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R&D-DC	R&D	Research and Development
North	R&D-DC	R&D	Research and Development
South	R&D-DC	R&D	Research and Development
East	R&D-DC	R&D	Research and Development
West	R&D-DC	R&D	Research and Development

POLICY DISCUSSION

General Plan:

Policy 2.2.1.2 designates the project site as Research and Development (R&D) land use which permits high technology, non-polluting manufacturing plants, research and development facilities, corporate/industrial offices, and support service facilities. This designation is highly appropriate for the office and warehouse at Quail Commerce Center.

Policy 2.2.1.5 provides the Floor Area Ratio (FAR) as shown in Table 2-3 pertaining to the building intensities in each land use designation. The project site is subject to the FAR requirements for the El Dorado Hills Business Park and the R&D land use designation which shall not exceed a .50 ratio. The proposed Tentative Parcel Map would provide for a .30 FAR. The project site is developed. Additional floor area development is not proposed. The request would not intensify the intended use in the El Dorado Business Park.

Policy 2.2.3.1 states that the PD combining district is to be implemented through the Zoning Ordinance, and shall allow 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 project site has been developed and all permitted development improvements have been completed. The project would not impact the density specified for the R& D land use designation; would not impact natural or cultural resources; would not cause additional concern for public health, safety and welfare.

Planned Development:

Zoning: The project site is zoned Research and Development-Design Control (R&D-DC). The existing development on the project site has been built consistent with the development standards of the R&D district. The proposed request is to re-zone the project site to Research and Development-Planned Development (R&D-PD). The Planned Development re-zone is required to allow for the creation of lots less than two acres in size. Within the R&D District, Section 17.35.030(A) (2) (d) of the Zoning Code requires any parcel proposed to be created which is less than two acres in size may only be approved when processed with a Planned Development (PD) application wherein issues of grading, drainage, access and other issues which may affect the neighborhood are addressed. The applicant has requested zero lot lines through the Planned Development in addition to the request for smaller than two acre parcels. A 3.23 acre parcel is being created for common parking and access. The project has been conditioned to require a shared parking and access agreement which would be included in the CC&Rs for this development (Condition 4). Findings for this Planned Development application have been included in Attachment 1.

Signs: The applicant has requested that an entry monument sign be included in the Planned Development Application. This monument sign would be located in the northeast corner of the property, just south of the encroachment onto Golden Foothill Parkway. The sign would be located on a brick wall approximately four to six feet tall (finished grade varies) and 18 feet long. The sign qualifies as an entry monument sign and fits the size requirement pursuant to section 17.35.030 (F). Elevation plans and monument sign details have been attached under Exhibit F. This project has been conditioned so that the entry sign must be consistent with the attached plans and County Code (Condition 5).

Landscaping: The final landscape plan was reviewed and approved by Development Services prior to issuance of building permits for the project. These plans were reviewed for conformance with Zoning Code requirements including drought tolerant species and shade tree requirements.

Parking and Lighting: On-site parking consists of 187 parking spaces, which includes eight (8) handicap spaces and 2 loading zones. Exterior lights have been installed on each of the six (6) existing buildings as well as throughout the parking area. Parking and lighting plans were reviewed for conformance with Zoning Code requirements by Development Services prior to building permit issuance.

Tentative Parcel Map: Section 16.44.030 of the Subdivision Ordinance requires the Planning Commission to make findings prior to approval of a Tentative Parcel Map. A Planned Development permit is requested which would allow for the split of the existing parcel to parcels less than two acres in the R&D Zone District. Section 17.35.030(A)(2)(d) of the Zoning Code requires any parcel proposed to be created less than two acres in size may only be approved when processed with a Planned Development Permit application wherein issues of grading, drainage, access, and other issues which may affect the neighborhood are addressed. The Planning Commission may forward a recommendation of approval to the Board of Supervisors if it can

make all of the required findings listed in the Subdivision ordinance for a Commercial Parcel Map. Discussion of these findings can be found in Attachment Two Section 3.4 – Subdivision Ordinance. Staff is recommending that the Planning Commission make the required findings as described in Attachment 1.

ENVIRONMENTAL REVIEW

This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15301(k) of the CEQA Guidelines stating that “ subdivision of existing commercial or industrial buildings, where no physical changes occur which are otherwise exempt.”

Pursuant to Resolution No. 240-93, a \$50.00 processing fee is required by the County recorder to file the Notice of Exemption.

RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation to the Board of Supervisors to:

1. Certify that the project is Categorical Exempt from CEQA pursuant to Section 15301(k) of the CEQA Guidelines; and
2. Approve Parcel Map P07-0019, Planned Development PD07-0015, and Zone Change Z07-0021, based on the findings in Attachment 2 and subject to the conditions 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.....	Developed Site Plan
Exhibit F.....	Monument Sign Details

ATTACHMENT 1

CONDITIONS OF APPROVAL

File Number Z07-0021/PD07-0015/P07-0019
October 25, 2007 Planning Commission Hearing

CONDITIONS OF APPROVAL

Planning Services

1. This Parcel Map is based upon and limited compliance with the project description, the Planning Commission hearing exhibits marked Exhibit D, E, and F dated 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

The request is for a Rezone, Planned Development and commercial Tentative Parcel Map for a six (6) zero lot line parcels around the existing building and one (1) common lot for parking and access. The existing six commercial buildings range in size from 9,100 to 12,453 square feet (Exhibit E). The five exterior buildings are planned for mixed office and warehouse use while the building in the middle of the parcel is planned for mini-storage. The common area, as shown on the Tentative Parcel Map as Parcel A, would be 3.23 acres and would contain common area consisting of previously developed parking, landscaping and lighting improvements.

	Parcel Size	Building Size	Proposed Use
Parcel 1	10,023 Square Feet	10,023 Square Feet	Mixed Office/Warehouse
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Parcel 6	10,880 Square Feet	10,880 Square Feet	Mixed Office/Warehouse
Parcel A	3.226 Acres	N/A	Common Area, Parking, Landscaping

The only request for new development on the property is for the addition of an entry monument sign at the northwest corner of the subject parcel, just south of the entrance from Golden Foothill Parkway. The sign would be located on the face of a brick wall approximately six feet tall by 18 feet long.

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. Prior to recordation of the Final Map all Development Services fees shall be paid.
3. The applicant shall provide a copy of the recorded Covenants, Conditions, and Restrictions (CC&Rs) for this development to Planning Services prior to recordation of the final map. A shared parking, access, and maintenance agreement shall be included in the CC&Rs.
4. The proposed entry monument sign shall be reviewed by Development Services at Building Permit stage for consistency with the approved Monument Sign Detail (Exhibit F) and El Dorado County Code. Additional signage shall be reviewed through the building permit process for consistency with Zoning Code policies.
5. 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, or employees from any claim, action, or proceedings 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.

Surveyor's Office

6. All survey monuments must be set prior to filing the Parcel Map.
7. Prior to filing the Parcel map, a letter will be required from all agencies that have placed conditions of the map. The letter will state that **“all conditions placed on P07-0019 by [agency] have been satisfied.”** The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.

ATTACHMENT 2 FINDINGS

File Number Z07-0015/PD07-0011/P07-0005
October 25, 2007 Planning Commission Hearing

1.0 CEQA

- 1.1 This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15301(k) of the CEQA Guidelines stating that “subdivision of existing commercial or industrial buildings, where no physical changes occur which are otherwise exempt.”

2.0 LEGISLATIVE FINDINGS

- 2.1 The proposed Zone Change is consistent with the policies in the El Dorado County General Plan as discussed in the General Plan section of this staff report.

The Zone Change would be consistent with the boundary of the project site and establish an appropriate Research and Development land use designation accommodating the proposed professional office facility.

- 2.2 The Zone Change is found to comply with the requirements of Chapter 17.06, and the proposed project is not considered detrimental to the public health, safety, and welfare, or injurious to the neighborhood, based on the conclusions contained in the staff report and the analysis of potential impacts in the Initial Study.

With the establishment of the Research and Development land use designation, the proposed facility has been designed in accordance with the applicable development standards under the El Dorado County Zoning Ordinance and Design and Improvement Standard Manual. Specific project conditions approval have been incorporated ensuring orderly and safe development and operation

- 2.3 The site is physically suitable for commercial development.

The site is adequately sized to accommodate the proposed professional office facility. The facility has been designed in accordance to applicable development standards, would be accessed off county roads, and receive public water, sewer and drainage services.

3.0 ADMINISTRATIVE FINDINGS

3.1 General Plan

The General Plan Land Use map designates the subject property as Research and Development (R&D). The proposal to six (6) zero lot line parcel around the existing buildings and one (1) common parcel for shared parking and access on a site that has been previously approved for development. The project site has been developed to adequately serve the proposed commercial Tentative Parcel Map request.

3.2 Zoning

The project is consistent with the Research and Development (R&D) zoning district and Planned Development (PD) overlay district. The project is consistent with the Zoning Code pursuant to the Planning Commission making findings for approval of a Planned Development zone because the subject property is physically suited for the proposed use. The subject property has previously been graded and developed under prior approvals. New development, other than the addition of a sign, is not proposed on the subject property.

3.3 Planned Development

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

The project has been designed for general office and warehouse use. Parking and circulation around the buildings are suitable, and the 5 outer buildings provide a buffer between the right of way and the proposed mini-warehousing, effectively blocking the roll up doors from public view. The project does provide appropriate circulation for pedestrian traffic within the development.

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

The applicant has requested smaller than two-acre parcels and zero lot line parcels around the existing buildings. Conditions for shared access and parking have been required and the requested exceptions would not create a conflict with the General Plan policy. The zero lot line construction allows the applicant to separate each building onto its own parcel while maintaining a common parking and landscaped area to be maintained by all future owners.

- 3.3.3 The site is physically suited for the proposed uses.

This lot is suited for the proposed uses. The El Dorado Hills Business Park is a desirable location for an office and warehouse development.

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

The development has already been approved through ministerial building permit and was reviewed by Development Services to ensure that adequate services are available.

- 3.3.5 The proposed uses do not significantly detract from the natural land and scenic values of the site.

The project is not within a scenic corridor and is surrounded by land zoned for Research and Development. Adequate landscaping was required with the building permits to increase the scenic value of the site.

3.4 Subdivision Ordinance

- 3.4.1 The proposed parcel map, including design and improvements, is consistent with the General Plan policies and land use map.

The subject application is to split a general office and warehouse development by Tentative Parcel Map within the R&D Zone District. The development has been designed in compliance with the zone district regulations, and complies with the minimum parcel size based on the required review of a Planned Development application for the project. It can be found that the parcel map is consistent with the General Plan policies and land use map.

- 3.4.2 The proposed parcel map does conform to the applicable standards and requirements of the County's zoning regulations and the Minor Land Division Ordinance.

The project site has been evaluated in accordance with the R&D development regulations, and it has been found that the project complies with the minimum design standards, as conditioned.

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

The site is located within the El Dorado Hills Business Park, and it can be found that the site is suited for the general office and warehouse development.

- 3.4.4 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 Parcel Map would allow the individual ownership of buildings within the development. As the development is already constructed, the project is found to be Categorical Exempt from CEQA Review and is found to have a less than significant impact on fish or wildlife or their habitat from the project.

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

The proposed Parcel Map would not create an undue negative impact upon the project site. It can be found that the improvements would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.