

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of: September 19, 2012

Item No.: 4.a.

Staff: Gina Paolini

TENTATIVE PARCEL MAP

FILE NUMBER: P11-0007/DST Realty Parcel Map

APPLICANT: DST Realty

ENGINEER: Warren Land Surveying, Inc.

REQUEST: Tentative Parcel Map creating four commercial parcels comprising of Parcel No. 1- 28.01 acres, Parcel No. 2-10.91 acres, Parcel No. 3-29.98 acres and Parcel No. 4-6.81 acres within the existing DST Output Production Facility.

LOCATION: The property is west, south and east of Robert J. Mathews Parkway approximately 250 feet southeast of the intersection with Investment Boulevard in the El Dorado Hills area, Supervisorial District 2. (Exhibit A).

APN: 117-010-19 (Exhibit B)

ACREAGE: 75.73

GENERAL PLAN: Research and Development (R&D) (Exhibit C)

ZONING: Research and Development (R&D)-Community Design Review (DC) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

DETERMINATION: Staff recommends the Zoning Administrator take the following actions:

1. Adopt the Mitigated Negative Declaration, based on the Initial Study prepared by staff;
2. Approve Tentative Parcel Map P11-0007 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2

BACKGROUND: The DST facility was originally approved under Design Review permit DR88-0045 for the CableData Software Design Research Center on July 21, 1988. Building Permit No. 5919 was issued on October 24, 1988 and was finalized for the facility on October 13, 1989.

The DST Output Production Facility, Output CoGeneration Facility and parking improvements are all contained on one, 75.73-acre site. The applicant submitted a Parcel Map application to subdivide the property on August 11, 2011. The application was deemed incomplete on September 9, 2011, with outstanding information needed for a complete submittal. The requested information was submitted and the application was deemed complete on February 10, 2012.

STAFF ANALYSIS: Staff has reviewed the project for compliance with the County’s regulations and requirements. An analysis of the proposal and issues which were considered is provided in the following sections.

Project Description: The project request is for a Tentative Parcel Map to create four parcels from a 75.73 acre site (Exhibit E). The following table provides parcel details:

Proposed Parcel	Proposed Parcel Size	Improvements
No. 1	28.01 acres	DST Output Production Facility, Output CoGeneration Facility and parking
No. 2	10.91 acres	Vacant office building and parking
No. 3	29.98 acres	Former recreational area
No. 4	6.81 acres	Unimproved land

Street “A” would extend from Robert J. Mathews Parkway through Parcel No. 1 to Parcel No. 2. A future extension of Robert J. Mathews Parkway would be provided at the time of development of Parcel No. 3, with the exact location of road location to be determined when the lot is developed. A 60-foot wide road easement has been provided.

Site Description: The elevation of the project parcel is 532-feet above sea level. The site is developed with a research and development campus, parking areas and associated driveways. Site vegetation outside of the paved and developed areas consists of dense weeds and grasses.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	R&D-DC	R&D	Research and Development/EDH Business Park
North	R&D-DC	R&D	Research and Development/EDH Business Park
South	R&D-DC	R&D	Research and Development/Undeveloped
East	VV-OS	AP-VV	Valley View Specific Plan-Open Space
West	CC-SP	AP-CC	Carson Creek Specific Plan-Undeveloped

The 75.73-acre site is located along the west side of Robert J. Mathews Parkway, wraps around the south end of the parkway and extends to Latrobe Road and the south end of the El Dorado Hills Business Park, within the El Dorado Hills Community Region. The surrounding land uses

include research and development to the north, undeveloped land to the west and south, and open space to the east.

Project Issues: Discussion items for this project include traffic/circulation, greenhouse gases, utilities and noise.

Traffic/Circulation: The project would be accessed by Robert J. Mathews Parkway, a private road. The El Dorado County Department of Transportation (DOT) has reviewed the project. As a Condition of Approval, the DOT recommends that prior to filing of the map; the applicant would be required to record a vehicular access restriction along the entire frontage of Latrobe Road (Condition No. 10). No parcel would have direct access to Latrobe Road.

Street "A" would extend from Robert J. Mathews Parkway through Parcel No. 1 to Parcel No. 2. Parcel No. 4 would gain access through the N.A.P.O.T.S Parcel via a recorded easement (Exhibit F). A future extension of Robert J. Mathews Parkway would be provided at the time of development of Parcel No. 3, with the exact location of road location to be determined when the lot is developed. A 60 foot wide road easement has been provided.

The project is located within the El Dorado Hills Business Park. General Plan Policy TC-1y requires that development through 2025, within Traffic Analysis Zones 148 and 344, shall be conditioned so that a cap of 10,045 full-time employees is not exceeded, unless it can be demonstrated that a higher number of employees would not violate established level of service standards. To address this policy requirement, the DOT recommends as a Condition of Approval, a Notice of Restriction be placed on the newly created parcels, requiring the submittal of an Employee Impact Analysis for future development of its effects to the El Dorado Hills Business Park to the DOT prior to issuance of building permits to confirm compliance with TC-1y of the General Plan (Condition No. 11).

Greenhouse Gases (GHG): In the CEQA analysis, lead agencies have an important role in insuring that sustainability is considered at the earliest stages. Where feasible, and as appropriate, measures can be included as design features of a project, or imposed as mitigation. The project proposes four commercial parcels, two of which are developed. If the two undeveloped parcels were to be developed in the future, the project would mitigate for GHG emissions by incorporating modern construction and design features that reduce energy consumption to the extent feasible.

A white or light colored roof can reduce surface temperatures by up to 100 degrees, which also reduces the heat transferred into the building below. This can reduce the building's cooling costs, save energy and reduce associated greenhouse gas emission, and extend the life of the roof. Cool roofs can also reduce the temperature of the surrounding areas, which can improve local air quality.

The following Mitigation Measures have been incorporated in the Conditions of Approval.

- MM GG-1.** All new buildings shall install energy efficient lighting (e.g., light emitting diodes (LEDs), heating and cooling systems, appliances, equipment, and control systems

MM GG-2: All new buildings shall install light colored “cool” roofs and cool pavements.

Implementation of these features would help reduce potential GHG emissions resulting from the future development of newly created parcels. In light of these factors, impacts related to the project’s expected contribution to GHG emissions would not be considered significant, either on a project-level or cumulative basis.

Utilities: The project proposes to use metered domestic water supply. No construction is proposed at this time; however, the applicant has demonstrated that the parcels would have the infrastructure to be developed in the future.

A facilities improvement letter (FIL) has been provided by the El Dorado Irrigation District (ECL1011-023) dated October 31, 2011. The FIL stated that the project is within Assessment District No. 3 and currently has an allotment of 148.84 equivalent dwelling units (EDUs) of water service and 94.54 EDUs of sewer service. In terms of water supply, as of January 1, 2011, there were approximately 5,369 EDUs available in the El Dorado Hills Water Supply Region. The project would require 10 EDUs, which could be provided.

The fire flow rate for fire protection was based on 3,875 gallons per minute with a 20 psi residual for a two-hour duration. This flow rate is in addition to the highest maximum daily consumption and is based on the premise that a commercial, retail, fire sprinklered building would be a Type V-B construction and would not exceed 80,000 square feet in size.

The existing system could deliver the required service with the construction of a water line extension connecting to as many of the existing water lines as possible. Given the relatively high fire flow requirements for a potential development, the project would be required to connect to the larger diameter water lines. The preferred points of connection would be determined at the time facility improvement plans would be submitted.

There is a 15-inch gravity sewer main located along the western property boundary of the parcel. There are also 6-inch and 8-inch gravity sewer lines located on or near the parcel to be subdivided. These sewer lines have adequate capacity for the estimated project demands. To receive service from these lines, extension of facilities of adequate size would be required. The applicant has provided a water and sewer utility plan (Exhibit G) demonstrating the required infrastructure can be extended to comply with the requirements.

Noise: The project may generate ground borne vibration or shaking events during project construction. These potential impacts would be limited to project construction. Adherence to the time limitations of construction activities to 7:00 am to 7:00 pm Monday through Friday and 8:00 am to 5:00 pm on weekends and federally recognized holidays would limit the ground shaking effects in the project area. These project construction hours would be implemented at time of construction of any development project.

General Plan: The General Plan designates the subject site as Research and Development. General Plan **Policy 2.2.1.2** states the purpose of the *R&D is to provide areas for the location of high technology, nonpolluting manufacturing plants, research and development facilities and corporate/industrial offices, and support service facilities in a rural or campus-like setting which ensures a high quality, aesthetic environment.* R&D can be located in the Community Regions

and Rural Centers. The subject site has been developed with the DST Output Production Facility and Output CoGeneration Facility. Adequate roadways providing primary and secondary access exist at the project site. The applicant is not proposing development at this time; however, future development would be consistent with the policies and objectives of the General Plan.

The following General Plan policies apply to this project:

Building Intensities: **Policy 2.2.1.5** directs Building Intensities in accordance with Table 2-3. *The ratio of allowable floor area (square footage) to site area (square footage) for the Research and Development land use designation is 0.50.*

Discussion: The following table demonstrates that the project parcels, as proposed to be subdivided would comply with the building intensities allowed.

Proposed Parcel	Parcel Size (Acres)	Floor Area (Sq. Feet)	Floor Area Ratio (FAR)
No. 1	28.01	588,000	0.48
No. 2	10.91	52,000	0.10
No. 3	29.98	N/A	N/A
No. 4	6.81	N/A	N/A

Proposed Parcel No.'s 3 and 4 are undeveloped at this time; however, when developed, compliance with the FAR would be required.

Land Use Compatibility: **Policy 2.2.5.21** directs that *development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the project is proposed.*

Discussion: The project involves the creation of four parcels and does not include a development plan. The proposed parcel sizes would be consistent with the R&D development standards. As conditioned, and with adherence to County Code, the project would be consistent with this policy.

Business Park Employee Cap: **Policy TC-1y** requires that *development through 2025, within Traffic Analysis Zones 148 and 344, shall be conditioned so that a cap of 10,045 full-time employees is not exceeded, unless it can be demonstrated that a higher number of employees would not violate established level of service standards.*

Discussion: DOT requires a Condition of Approval on the project for the newly created parcels. A Notice of Restriction would require the submittal of an Employee Impact Analysis prior to issuance of building permits to confirm compliance with Policy TC-1y. This is discussed in detail in the Traffic/Circulation section above. As conditioned, the project would be consistent with this policy.

Level of Service: **Policy 5.1.2.2** requires that *public services to new discretionary development shall not result in a reduction of service below minimum established standards to current users, pursuant to Table 5-1.*

Discussion: The project is located within the El Dorado Hills Community Region. The project has been reviewed by the appropriate agencies. No service would be reduced below the minimum established standard.

Adequate Water Supply: **Policy 5.2.1.2** requires that *adequate quantity and quality of water for all uses, including fire protection be provided with proposed development.*

Discussion: The El Dorado Irrigation District has provided an FIL which states that 10 EDUs, could be provided for the project and that the required fire flow could be complied with.

Public Wastewater Collection: **Policy 5.3.1.1** states that *commercial and industrial projects shall be required to connect to public wastewater collection facilities as a condition of approval except in Rural Centers and areas designated as Platted Lands (-PL).*

Discussion: The project is located with the El Dorado Hills Business Park which has a land use designation of research and development. The site would be served by the El Dorado Irrigation District for wastewater collection.

Fire Protection: **Policy 5.7.1.1** requires the applicant *demonstrate that adequate emergency water supply, storage and conveyance facilities, and access for fire protection either are or would be provided concurrent with development.*

Discussion: EID would provide domestic water and fire-flow service. The Fire Department has reviewed the project and would implement fire protection requirements at time of site construction (Exhibit H). The project would be in compliance with this Policy.

Adequate Access for Emergencies: **Policy 6.2.3.2** directs the applicant to *demonstrate that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area.*

Discussion: The project would comply with the Fire Department minimum Fire Safe standards for access driveway and turnaround capacity at time of site construction. The project would be in compliance with this policy.

Zoning: The parcel is zoned Research and Development–Design Community (R&D-DC). The project has been analyzed in accordance with County Code Section 17.35.030 (Development Standards). The following table demonstrates compliance:

Proposed Parcel	Minimum Lot Area (2< acres) without Planned Development	Parking Standards	Minimum Lot Width (100 Feet)	Front Setback (~30 feet)
No. 1	28.01	Joint Access/on-site parking compliant	Complies	Complies
No. 2	10.91	Joint Access/on-site parking compliant	Complies	Complies
No. 3	29.98	To be determined	Complies	To be determined
No. 4	6.81	To be determined	Complies	To be determined

The existing structures were built with permits and subject to Research and Development guidelines applicable at the time the structures were developed. There are no code compliance issues with the existing structures.

Compliance with setbacks, building coverage, building height, landscaping and parking development standards would be reviewed at time of building permit application submittal for proposed Parcel No's. 3 and 4. In addition, a joint access agreement would be required for all parcels.

Agency and Public Comments: Appropriate conditions from each reviewing agency are included in Attachment 2. The following agencies provided comments and/or conditions for this project:

El Dorado County Department of Transportation
El Dorado County Environmental Management Department
El Dorado County Air Quality Management District
El Dorado County Resource Conservation District
Office of the County Surveyor

ENVIRONMENTAL REVIEW: Staff has prepared an Initial Study, (Environmental Checklist Form and Discussion of Impacts, included in the attached as Exhibit F). Based on the Initial Study, conditions have been added to the project to avoid or mitigate to a point of insignificance the potentially significant effects of the project. Staff has determined that there is no substantial evidence that the proposed project, as conditioned, would have a significant effect on the environment, and a Mitigated Negative Declaration has been prepared.

This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.). In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,101.50 after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.00 administration fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,101.50 is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings of Approval
Exhibit A	Location Map
Exhibit B	Assessors Map
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map
Exhibit E	Tentative Parcel Map
Exhibit F	Access Easement
Exhibit G	Water and Sewer Utility Plan
Exhibit H	El Dorado Hills Fire Department Letter-May 1, 2012
Exhibit I	Mitigated Negative Declaration and Initial Study

ATTACHMENT 1

CONDITIONS OF APPROVAL

P11-0007/DST Realty Parcel Map September 19, 2012 Zoning Administrator Hearing

1. This Tentative Parcel Map is based upon and limited to compliance with the project description, the hearing exhibits marked,

Exhibit ETentative Parcel Map

Exhibit F.....Water and Sewer Utility Plan

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:

The project allows the creation of four parcels from a 75.73-acre site identified by Assessor's Parcel Number 117-010-19, as shown in Exhibit B. The approval includes the following:

Parcel Number	Gross Area	Improvements
1	28.01	DST Output Production Facility, Output CoGeneration Facility and parking improvements
2	10.91	Office building and parking improvements
3	29.98	Unimproved land
4	6.81	Unimproved land

Parcels 3 and 4 could be developed in the future in compliance with County Code.

The development, use, and maintenance of the property, the size, shape 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.

Conditions of Approval from the Mitigated Negative Declaration

The following mitigation measures are required as a means to reduce potential significant environmental effects to a level of insignificance

2. **Greenhouse Gas and Energy Efficiency:** The applicant shall record a Notice of Restriction (NOR) prior to filing the map which shall state that all new buildings shall install energy efficient lighting (e.g., light emitting diodes (LEDs), heating and cooling

systems, appliances, equipment, and control systems. The NOR shall be submitted to Planning Services for review, and subsequent approval, prior to filing of the Parcel Map.

***Timing/Implementation:** The applicant shall provide Planning Services with energy efficiency information for all new lighting (e.g., light emitting diodes (LEDs), heating and cooling systems, appliances, equipment, and control systems prior to issuance of a building permit.*

3. **Greenhouse Gas and “Cool” roofs:** The applicant shall record a Notice of Restriction (NOR) prior to filing the map which shall state all new buildings shall install light colored “cool” roofs and cool pavements. The NOR shall be submitted to Planning Services for review, and subsequent approval, prior to filing of the Parcel Map.

***Timing/Implementation:** The applicant shall provide Planning Services with roof and pavement information in accordance with the California Energy Commission, Consumer Energy Center, Cool Roofs (www.consumerenergycenter.org/coolroof/.) prior to issuance of a building permit.*

Planning Services

4. **Payment of Processing Fees-Development Services:** The applicant shall make the actual and full payment of Planning and Building Services processing fees for the Parcel Map and Building Permits prior to filing the Parcel Map.
5. **Archeological Resources:** In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner shall contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. Planning Services shall confirm the inclusion of this requirement on the grading plans prior to issuance of a grading permit.
6. **Permit Time Limits:** This Tentative Parcel Map shall expire within 36 months from the date of approval unless a timely extension has been filed.
7. **Fish and Game Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,101.50 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued or final map filed until said fees are paid.
8. **Joint Access:** A joint access agreement shall be provided to insure on-going access and maintenance of the parking for all properties. A copy of said agreement shall be provided to Planning Services for review and approval, and the approved agreement shall then be recorded concurrently with the filing of the Parcel Map. A note shall be made on the Parcel Map that there is a recorded Joint Access Agreement.

9. **Indemnity:** 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.

The developer and land owner 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 Parcel Map.

The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

El Dorado County-Department of Transportation

10. **Vehicular Access Restriction:** Concurrently with the Parcel Map, the applicant shall record a vehicular access restriction along the entire frontage of Latrobe Road.
11. **Business Park Employee Cap:** A Notice of Restriction shall be applied to the parcels requiring the submittal of an Employee Impact Analysis for future development, of its effects to the El Dorado Hills Business Park, to Department of Transportation for review prior to issuance of building permits to confirm compliance with Policy TC-1y of the General Plan.
12. **Easements:** All applicable existing and proposed easements shall be shown on the Parcel Map.
13. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees at issuance of building permit.

County of El Dorado Office of County Surveyor

14. **Survey Monuments:** All survey monuments shall be set prior to filing the Parcel Map.
15. **Road Name Petition:** Any roads serving the development shall be named by filing a completed Road Name Petition, with the County Surveyors Office. Proof of any signage required by the Surveyor's Office shall be provided to prior to filing the Parcel Map.
16. **Conditions of Approval:** Prior to filing the Parcel Map, a letter shall be required from all agencies that have placed conditions on the map. The letter shall state that "all conditions place on P11-0007 by (that agency) have been satisfied." The letter shall be sent to the County Surveyor and copied to the Consultant and the Applicant.

ATTACHMENT 2

FINDINGS

P11-0007/DST Realty Parcel Map September 19, 2012 Zoning Administrator Hearing

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.3 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 Research and Development (R&D) land use designation of the subject site as defined by General Plan Policy 2.2.1.2, because the R& D land use designation provides areas for high technology, research and development facilities and corporate/industrial offices such as the DST Output Production Facility and Output CoGeneration Facility that has been developed at the site. The Parcel Map would subdivide the property allowing further development to occur consistent with the intent of the R&D land use.
- 2.2 The proposal is consistent with the intent of General Plan Policies 2.2.1.2 (research and development uses), 2.2.1.5 (building intensities), 2.2.5.21 (compatibility with surroundings), TC-ly ((Business Park Employee Cap) 5.1.2.2 (Level of Service) 5.2.1.2 (adequate water supply), 5.3.1.1 (public wastewater collection), 5.7.1.1 (fire protection) and 6.2.3.2 (adequate access). The project is consistent with the General Plan because the project has been developed in accordance with the design criteria established for the R&D district. Future development on the newly created parcels would not impact water resources, as the El Dorado Irrigation District has stated that adequate water and sewer would be available for new development at the site. Adequate access would be provided in accordance with the requirements provided by the Department of Transportation and the El Dorado Hills Fire Department.

3.0 Zoning Findings

- 3.1 The project, as proposed and conditioned is consistent with the Zoning Ordinance Development Standards because the existing buildings comply with the development standards pursuant to Section 17.35.030 of the County Code for setbacks, building coverage, lot width, minimum setbacks and buffers, side and rear setbacks and building heights. The parcel sizes are greater than two acres in size therefore a Planned Development application is not required.

4.0 PARCEL MAP FINDINGS

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

All necessary improvements for fire flow, water supply, sewer service, and infrastructure improvements can be accommodated as required by the reviewing and conditioning agencies consistent with the policies of the General Plan.

- 4.2 **The proposed Parcel Map conforms to the applicable standards and requirements of the County's zoning regulations and Minor Land Division Ordinance**

The parcels have been analyzed in accordance with Section 17.35.030 of the County Code (Development Standards) and would comply with the required minimum lot area, minimum lot width, parking standards and front setback requirements. As proposed and conditioned, the Parcel Map conforms to the development standards within the R&D zone district and the Minor Land Division Ordinance.

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

The proposed development meets the density and minimum parcel sizes allowed in the General Plan R&D land use designation and conforms to the minimum parcel size and development standards of the R&D zone district.

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

The project impacts have been analyzed in the Mitigated Negative Declaration and applicable mitigation measures have been applied to reduce potential impacts and the project would not cause substantial environmental damage.