



CALAVERAS COUNTY BOARD OF SUPERVISORS AGENDA SUBMITTAL

Short Name/Subject 2018-048 PD for Continue LP	Board Meeting Date August 13, 2019	Agenda Number 27
Dept: Planning Contact: Peter Maurer Phone: (209) 754-6394	Supervisorial District Number District 4	Regular Agenda
Published Notice Required? Yes Public Hearing Required? Yes		Estimated Time: 15 Minutes
Type of Document? Resolution PowerPoint Presentation Included? Yes Budget Transfer Included (Must be signed by Auditor)? No Complete Agreement Required? No Position Allocation Change? No		

RECOMMENDATION:

Conduct a public hearing and adopt a Resolution approving Planned Development Permit 2018-048 for APN 054-014-019, located at 90 Rock Creek Road, Copperopolis, for Continue LP.

DISCUSSION/SUMMARY:

The applicants are requesting approval of a Zoning Amendment from C2 (General Commercial) to C2-PD (General Commercial – Planned Development Combining Zone), a Planned Development Permit, and a Tentative Parcel Map to allow a condominium conversion of an existing 20,000 square foot commercial structure into a single commercial condominium.

The purpose of the Planned Development Permit is to allow for the approval of a commercial condominium parcel map and to ensure that the current use is meeting the standards of the Planned Development combining zone. A Parking and Landscaping Plan was approved in 2006 which demonstrated compliance with the County’s requirements for square footage, setbacks, parking and landscaping in the C2 zone (Project No. 2006-154 MISC). A 25% reduction in parking was requested and approved with the determination that it met the shared use requirement. Eighty-six (86) parking spaces currently exist on site. Additional parking will be required with additional construction. The existing landscaping approved in 2006 meets the requirements County code Chapter 17.50.060 for the Planned Development permit.

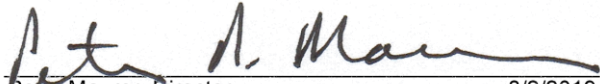
FINANCING:

The applicant has paid the application fee of \$3,653, which covers the cost of processing the requested zoning amendment. There is no impact to the General Fund.

ALTERNATIVES:

The Board can choose to deny the Planned Development Permit or direct staff to modify or revise the current proposal. Denying the permit would result in the parcel retaining its current use as a commercial structure with ten rental units and the inability to convert to a condominium.

APPROVED BY:


Peter Maurer, Director

8/2/2019



Albert Alt, County Administrative Officer

8/2/2019


Julie Moss-Lewis, Deputy County Counsel

8/5/2019



Diane Severud, Deputy Clerk of the Board of Supervisors

8/6/2019

BOARD OF SUPERVISORS, COUNTY OF CALAVERAS
STATE OF CALIFORNIA
August 13, 2019

Resolution
No. (ID # 4681)

**A RESOLUTION APPROVING PLANNED DEVELOPMENT
2018-048 FOR CONTINUE LP CONDOMINIUM
CONVERSION**

WHEREAS, the Planning Department of the County of Calaveras received an application from Continue LP requesting approval of a Zoning Amendment from C2 (General Commercial) to C2-PD (General Commercial – Planned Development Combining Zone), a Planned Development Permit, and a Tentative Parcel Map for a Condominium Conversion for an existing commercial complex; and

WHEREAS, the proposed project is located on real property in the unincorporated portions of the County of Calaveras, more particularly described as APN: 054-014-019, a portion of Lots 1 and 2 of Section 34, T2N, R12E, MDM, located at 90 Rock Creek Road in Copperopolis; and

WHEREAS, a Notice of Exemption was prepared, pursuant to the California Environmental Quality Act, Section 15301(k) Categorical Exemptions, Class 1 Existing Facilities; and

WHEREAS, during a duly noticed public hearing on July 11, 2019, the Planning Commission considered all of the information presented to it, including its staff report, information presented by the project proponent, and public testimony presented in writing and at the meeting; and

NOW THEREFORE BE IT RESOLVED, that the Planning Commission approves the Planned Development based upon the following findings:

1. The proposed Planned Development is exempt from CEQA pursuant to Section 15301(k) of the CEQA Guidelines:

Evidence: Class 1 consists of the operation, repair, maintenance, permitting, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Section 15301 (k) is for the division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings where no physical changes occur which are not otherwise exempt.

2. The proposed development is consistent with the applicable policies of the General Plan.

Evidence: The proposed project is for a condominium conversion of an existing 20,000 square foot metal building. There is no new development proposed.

3. The proposed development is consistent with Calaveras County Zoning Code, Title 17.

Evidence: The property is zoned General Commercial – Planned Development (C2-PD) and permits the commercial structure. The project complies with the applicable performance standards of the PD combining zone. The existing parking lot meets the standard and no additional parking is required. The existing landscaping including natural vegetation, exceeds the required 10% landscaping and no additional landscaping is required.

4. The proposed Planned Development is consistent with neighboring and adjacent land.

Evidence: The subject property is located in an area directly adjacent to Main Street in Copperopolis which sustains agricultural, residential, and commercial uses of the Copperopolis Community Center. The project will not change the current permitted use and no new development is proposed.

BE IT FURTHER RESOLVED, that the Board of Supervisors approves the Planned Development permit based on the following conditions:

I. GENERAL CONDITIONS:

- I-1 The Applicant(s) and Owner(s); and their Heirs, Successors, and Assigns shall abide by all terms of the Indemnification Agreement, dated April 26, 2019 and on file in the Planning Department's records for 2018-048.
- I-2 This permit shall run concurrently with Tentative Parcel Map 2018-048 and shall be valid for 36 months from the date of the Board of Supervisors' approval.

Chair

ATTEST

Rebecca Turner, Ex-Officio Clerk
of the Board of Supervisors, County of Calaveras

Deputy Clerk