

COUNTY OF CALAVERAS, STATE OF CALIFORNIA
PLANNING COMMISSION

RESOLUTION NO. 2019-018

>>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

BE IT THEREFORE 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.

1. 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.

2. 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.

3. 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 Planning Commission approves the Planned Development 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.


Approved by the Planning Commission of the County of Calaveras, at a regular meeting of the Planning Commission held on July 11, 2019 on a motion by Commissioner Fiorino and seconded by Commissioner Henderson.

AYES: Fiorino, Laddish, Henderson
NOES:
ABSTAIN:
ABSENT: Plotnik, Wooster

ATTEST:



Madeleine Flandreau, Planner II



Chair, Planning Commission

The project files are available for public review in the Planning Department, County of Calaveras, Government Center, 891 Mountain Ranch Road, San Andreas, CA. 95249, between the hours of 8:00 a.m. and 4:00 p.m.