



"Placerville, a Unique Historical Past Forging into a Golden Future"

DEVELOPMENT SERVICES DEPARTMENT MEMORANDUM

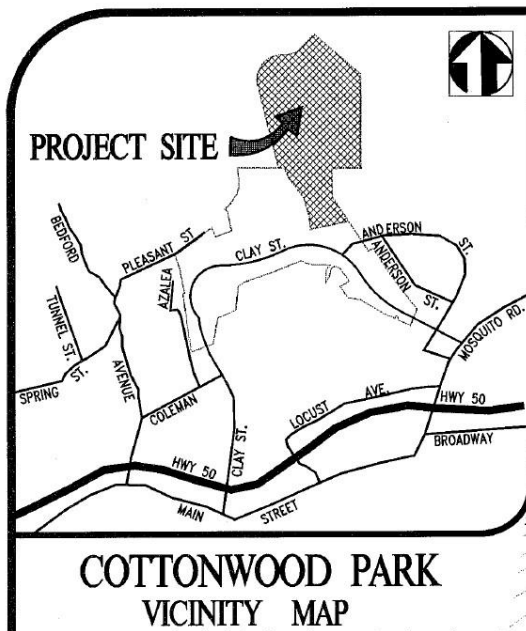
To: Planning Commission Meeting Date: October 4, 2022

From: Pierre Rivas, Development Services Director

Subject: Tentative Subdivision Map TSM 05-01-E5 – Cottonwood Park Phase 4 & 6
Review of draft Covenants, Conditions, Restrictions (CC&Rs)
Applicant: Doug Veerkamp, Representative: Eric Wunschel
APNs: 002-051-027, 002-071-033 and 002-071-034

BACKGROUND:

Tentative Subdivision Map TSM 05-01, Phase 4 and 6 of Cottonwood Park, was approved by the City Council on October 29, 2010. Cottonwood Park Phase 4 & 6 is a phased 39 parcel single-family residential planned development project consisting of three parcels totaling approximately 6.2 acres: Phase 4 would contain 19 single-family residential parcels, and Phase 6 would contain 20 single-family residential parcels. This subdivision is generally located north of Clay Street, east of the Cottonwood Park Apartments. More specifically, at the northern end of Constellation Avenue, approximately 100 feet north from its intersection with Clay Street; adjacent and south of Roddan Court and Poverty Hill Drive.



The tentative map has received five map extensions, the last (TSM 05-01-E5) which extended the life of the tentative map to April 26, 2024. Condition of Approval 27 requires that the CC&Rs be submitted and approved by the Planning Commission. Condition of Approval 27 is provided below:

- 27. Conditions, Covenants and Restrictions (CC&Rs), which must be recorded with the Final Map, must be submitted and approved by Planning Commission. CC&Rs must conform to development requirements as approved in previous phases of this project. Include restriction of any future development of open space areas.*
- A. Phases 4 & 6 shall be included in the existing Cottonwood Lighting and Landscaping Maintenance District and said District shall be formed concurrent with the filing of the Final Map.*

The City is working with the developer to establish a Community Facilities District (CFD) for maintenance and services of the lighting, drainage facilities, etc., within the subdivision.

DISCUSSION:

Staff reviewed the CC&Rs and provided a modified version (Attachment 1) showing the proposed CC&Rs as modified with underline and ~~strikeout~~ and highlighted.

Staff's review table (Attachment 2) shows the relevant conditions of approval and corresponding section in the CC&Rs. The recommended changes are summarized as follows:

1. Page 1, Section E, Recitals: Remove the reference to retaining walls to recognize that the retaining walls are located within individual private lots and not within common areas.
2. Page 2, Section 1.7: Remove the reference to retaining walls to recognize that the retaining walls are located within individual private lots and not within common areas.
3. Page 15, Section 5.8: Add the reference to the Engineering Department that will perform the review of the pumping system specifications.
4. Page 21, Section 7.1(a): Add the responsibility of "maintenance" of the drainage easements and add the reference to detention ponds.
5. Page 21, Section 7.1(b): Delete subsection (iv) referencing retaining walls to recognize that the retaining walls are located within individual private lots and not within common areas.

The conditions of approval are provided in Attachment 3 for reference.

RECOMMENDATION:

Staff recommends that the Planning Commission approve the Conditions, Covenants, and Restrictions, as amended, in Attachment 1.

Attachments:

1. [Draft CC&Rs as modified by staff](#)
2. [Staff Review COA-CC&Rs Comparison Table](#)
3. [Cottonwood 4 & 6 Tentative Map Conditions of Approval](#)
4. [Engineering Department Comments](#)
5. [Tentative Map](#)