

Agenda of: August 25, 2005
Item No.: 7.a.
Staff: Lillian MacLeod

STAFF REPORT - DESIGN REVIEW

FILE NUMBER: DR05-0007

APPLICANTS: Rick Williams/Dave Corder

REQUEST: Design review for the re-imaging of an existing convenience store /trading post/delicatessen to include the addition of a 4-pump gas station, with canopy, and a 22 foot pole sign reflecting the Chevron corporate image. A 1,000 gallon propane dispensing tank will be installed along with air and water dispensers.

LOCATION: On the south side of U.S. Highway 50, approximately 50 feet south of the intersection with Forest Road, in the Pollock Pines area. (Exhibit A)

APN: 009-720-08

ACREAGE: 6 acres

1996 GENERAL PLAN: Commercial/Natural Resource - Platted Land (C/NR-PL) (Exhibit B)

2004 GENERAL PLAN: Commercial/Natural Resource – Platted Land (C/NR-PL) (Exhibit B)

ZONING: Commercial (C) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Negative Declaration prepared

SUMMARY RECOMMENDATION: Conditional approval

BACKGROUND: The project parcel has been utilized as a resting stop for travelers along U.S. Highway 50 since the 1950s pursuant to an archaeological report prepared by Peak and Associates on June 10, 2005. The site has been historically used as a restaurant under various ownerships prior to evidence of ministerial or discretionary permits. The earliest record of development was under Special Use Permit S65-35 which approved a Standard Oil (Chevron) service station to include a

140 square foot pole sign standing 30 feet high. The station and sign were approved June 24, 1965, by the Planning Commission.

The following year a variance was requested to enlarge the existing 110 square foot Fresh Pond Cafeteria sign to add a lighted Greyhound Bus Service sign. As part of the approval by the Planning Commission, a condition was required that permanently removed the flashing mechanism within the arrow graphic. The variance, V66-37, was approved December 8, 1966. The Greyhound Bus Service sign has been subsequently removed.

On March 23, 1983, a demolition permit, #32553, was finalized for the demolition of the Chevron service station.

STAFF ANALYSIS

Project Description: The proposed project consists of the re-imagining of an existing convenience store/trading post/delicatessen to include new siding, colors, roofline, lighting and wall sign. The existing building measures 3,520 square feet. The applicants are proposing to relocate the store entrance under a new canopy that will result in a 50 square foot reduction of the building footprint. The existing delicatessen will be expanded to include a stove unit, grill and deep fryer within the building. Seating will be provided adjacent to the grill area as well as in the proposed 484 square foot outdoor patio area. Total seating will accommodate 15 to 21 people. A dog run and picnic area are proposed for the rear of the project site within the treed area, as well.

The project includes the addition of a 4-pump gas station, with canopy, and a 22 foot pole sign reflecting the Chevron corporate image. The pole sign will have a monument base that provides identification as well as pricing information. A 1,000 gallon propane dispensing tank will be installed along with air and water dispensers to the rear of the canopied pump area. One gas pump will be accessible using a cardlock system that will provide 24 hour fueling for only California Department of Forestry, Highway Patrol and Department of Transportation workers, as well as business travelers who are in the system.

The store will remain open 7 days a week from 5AM until midnight. The cardlock pump will be accessible from 12:01AM until 5AM.

A preliminary landscaping plan has been submitted with the application.

Site Description: The commercially designated, northern portion of the parcel has been previously graded flat. The existing convenience store is situated at the northwestern end of the property adjacent to Forest Road. The proposed gas pump area lies east of the store and consists of grasses, gravel and some of the existing asphalt, which covers the easternmost portion of the commercial site. The existing "Fresh Pond Cafeteria" sign is situated further east of the proposed gas pump area. Dense, pine forest vegetation exists on the southernmost portion of the parcel consistent with the delineated NR land use designation.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	C-PL	C/NR	Convenience store
North	TC	NR	Highway 50
South	RA-20	NR	Undeveloped
East	RA-20	NR	Undeveloped
West	RA-20	NR	Single-family residence

General Plan: The General Plan designates the subject site as a split land use of Commercial–Platted Land (C-PL) on the northern half of the parcel, and Natural Resource on the southern half. The existing store and proposed gas pump facility lie entirely within the commercially designated northern portion of the property. This designation permits *a full range of commercial retail, office and service uses to serve the residents, businesses, and visitors of El Dorado County*. Under Policy 2.2.2.3, the –PL overlay designation is applied to those lands that have been *historically zoned commercial*, as that portion of the project parcel has.

General Plan policies 2.6.1.1, -1.2, and -1.3, address discretionary review of projects located within a scenic corridor. Under these policies, standards for that portion of U.S. Highway 50 designated as a state scenic corridor are subject to the Scenic Corridor Ordinance that has yet to be prepared and adopted. The project parcel is adjacent to a portion of U.S. Highway 50 that has been designated as a state scenic highway. Under Table 5.3-1 of the 2004 General Plan Draft EIR, the protected scenic views or resources along that portion of U.S. Highway 50 between Placerville and Echo Summit are listed as being Sierra Nevada peaks, the American River canyon, and lower Sierra Nevada ridgelines.

Discussion: The project parcel does not contain or look upon any of these scenic views or resources, nor does the existing or proposed development obscure any of these resources from the public view. The project is located on a commercially zoned and designated piece of property and has been used historically as a restaurant, gas station and bus stop.

The site has been almost completely graded on the commercially designated portion of the parcel that fronts Forest Road. Remnants of the pad for the demolished gas station are still evident. The rear portion of the parcel, designated Natural Resources, has been left in its natural, forested state. The project will not degrade the existing visual character of the site as the proposed development will upgrade and improve what is already there. The re-imaging and added gas pumps will utilize rustic and natural materials of logs and river rock in keeping with the rural area.

Policy 2.7.1.1 states: *The Sign Ordinance shall include design review for signs within the foreground and background of the designated scenic corridors commensurate with the goal of scenic corridor viewshed protection.*

Discussion: The original sign advertising the above uses has existed since 1966 according to permit records, and public recollection dates it back to the 1950s pursuant to the archeological report on file. The report concludes that the sign is of local significance as an historic object and may be eligible for the California Register of Historical Resources. Form DPR-523 will be filed with the North Central Information Center listing the sign as a historical object. The applicant wishes to retain the sign in response to public requests. The sign does not intrude into any protected scenic views or resources as listed under Table 5.3-1 and is not visible until one is directly in front of the project site when traveling on U.S. Highway 50. Staff has proposed a condition of approval that will allow the applicant to retain the sign without significantly intensifying the visual impact from the proposed commercial development.

Conclusion: As discussed above, staff finds that the project is consistent with its historic uses as a gas station, restaurant and store, as well as with development allowed under its C-PL designation. Staff further finds that the proposed project, as conditioned, will have minimal impact on its portion of the U.S. Highway 50 scenic corridor and, as such, conforms to the General Plan.

Zoning: The project parcel is zoned Commercial, which allows by right the proposed convenience store/gas station/restaurant uses on a minimum parcel size of 10,000 square feet. The 6-acre parcel conforms to existing zoning. The proposed project conforms to development standards provided under §17.32.040 for setbacks, lot coverage and building height.

Under §17.32.020 (D), the applicant is allowed 2 signs measuring 50 square feet each or 1 sign measuring 80 square feet advertising the authorized activities on site. The existing sign at 110 square feet exceeds this requirement, but due to its existence prior to establishment of a Planning Department it can be considered a non-conforming use. It consists of the words “Fresh Pond” and “Cafeteria” with an arrow graphic and remains non-illuminated (Exhibit G). The sign identifies the location and describes the food service still provided on site. As such, staff proposes a condition allowing it to remain but requiring a Minor Use Permit for the proposed 22 foot high pole sign displaying the Chevron logo, as the existing sign is all that is allowed by right.

Other Design Issues :

Elevations: The entrance to the convenience store will be relocated to the northeastern corner of the building. Approximately 50 square feet of floor area will be removed due to the angled reposition of the entrance doors. The roof line will be raised to provide a covered entrance. A covered patio area will be provided to the side and rear of the entrance. Additional windows will be provided (Exhibit E).

Building Materials: The convenience store will have the existing concrete block foundation and T-11 siding replaced with board and batten siding and rock veneer. The wood-shake roof will be replaced with dimensional composition shingles. Columns and rafters consisting of 12 inch diameter logs will be provided at the entrance and patio area. The remaining eave rafters will have sculpted details.

The gas pump canopy columns will be wrapped in wood finish and will have decorative rock veneer applied up to a 12 foot maximum height. The monument pricing sign will have a rock veneer base.

Colors: The convenience store building will be painted with Sherwin-Williams Cape Cod Red stain. The trim color, Sierra Tan, will be applied to the logs and rafters as well as window and door trim. The rock veneer is Aspen Dressed Field Stone. The gas pump area will have gray wood columns faced with the same rock veneer as the building. The roof will consist of brown composition shingles. The canopy fascia is proposed to be blue ACM panels in keeping with the Chevron corporate image; however, under the *Caltrans -State Scenic Highway Guidelines* of July 7, 2005, exterior colors and materials must be compatible with the environment in order to keep their visual intrusion to a minor level. Staff will recommend that the fascia be faced with painted wood to match the columns. The word Chevron in white lettering as well as the corporate logo in red, white and blue will be placed on the canopy as well. The monument sign will have a gray background with the corporate logo next to the gas prices.

Signage: The existing Fresh Pond sign is 110 square feet in size and stands approximately 24 feet high. It was once painted blue but has become weathered to the point of being rundown. Staff will propose a condition that the sign be repainted to match the proposed colors of the building. A monument price sign measuring 39.5 square feet on a 2 foot high rock base is to be located adjacent to Forest Road in the northeast corner of the pump area. It will be situated to face east and westbound traffic. The canopy will have the Chevron logo on the west and east sides, and the word Chevron in white letters on the north side facing Forest Road. Both the logos and the lettering will be illuminated. The convenience store building will have a 21 square foot oval sign suspended from the log poles framing the entrance that will read Fresh Pond. This sign will be counted as a wall sign.

Lighting: Decorative entrance and wall lighting will match the rustic theme of the building (Exhibit H). The gas pump area will have recessed lighting in the canopy. There will be a light over the air and water dispenser as well as the propane tank. During store hours all lighting is to remain on. After closing and during cardlock hours from 12:01AM to 5AM, the applicant proposes to leave two 320-watt bulbs on in the canopy over the subject gas pump as well as two 23-watt bulbs on in the entranceway, one 23-watt bulb over the southeast patio area, and one 175-watt mercury vapor bulb on the west wall. All other lighting will be on motion detectors. All lights must be shielded in conformance with §17.14.170 (C) of the County Code to prevent excess light and glare from shining off the premises.

Landscaping: The site is screened on the westbound U.S. Highway 50 direction by native pine trees. The parking areas are all internal to the parcel so no screening landscaping is required under the ordinance. The applicant proposes decorative landscaping along the frontage of Forest Road as well as around the patio area. The final landscape plans will reflect compliance with the General Plan policy requiring 50 percent native vegetation.

Parking: The convenience store and restaurant together require a total of 17 parking spaces, 10 for the store and small office, and 7 for the maximum proposed fixed seating of the restaurant and patio area. Of these, one is required to be ADA van accessible. The site plan complies with parking requirements by having 18 spaces with one delineated van accessible. Under the Off-street Parking

and Loading Ordinance, the applicant is also required to have one RV parking space, which has been located at the east side of the gas pump area in compliance.

General Plan Lawsuit/Writ: Pursuant to paragraph 5, the proposed design review is not subject to the Writ of Mandate as determined under sub-paragraph 3 constituting an approval for non-residential development that meets the following criteria: *(i) the property is currently zoned for the proposed use.*

Besides specific findings applicable to the design review which are enumerated under Findings, all projects approved under paragraph 5 within the Final Writ requires that the County make additional findings set forth under sub-paragraph 8 as follows:

1. *The approval or project will not significantly impair the County's ability to adopt and implement a new General Plan after complying with CEQA.*

Discussion: There will be no increase in density due to the project, nor will the increased intensity of use, as conditioned, impact or impair the County's ability to adopt and implement a new General Plan.

2. *The approval or project complies with all other requirements of law;*

Discussion: The proposed design review conforms to the criteria and policies set forth in the General Plan and the Zoning Ordinance regarding these applications.

3. *The approval or project is consistent with the text and maps of the 1996 General Plan as amended through February 4, 1999.*

Discussion: The Commercial – Platted Lands/Natural Resource land use designations are consistent with the text and maps of the 1996 General Plan Public Review Draft as amended through February 4, 1999.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project may have a significant effect on the environment. 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 will have a significant effect on the environment, and a Negative Declaration has been prepared.

This project is found to be de minimis (having no effect on fish and game resources). Pursuant to Resolution No. 240-93, a \$35.⁰⁰ processing fee is required by the County Recorder to file the Notice of Determination and Certificate of Fee Exemption with the State in accordance with State Legislation (California Fish and Game Code Section 711.4).

RECOMMENDATION

1. Adopt the Negative Declaration based on the Initial Study prepared by staff.
2. Approve Design Review DR05-0007 as the required findings can be made as noted in Attachment 2 based on the analysis in the staff report and the modification of the project to include conditions itemized 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.....	Site Plan
Exhibit E	Building Elevations
Exhibit F	Gas Pump Elevations and Signage
Exhibit G.....	Fresh Pond Sign
Exhibit H.....	Lighting Plans
Exhibit I	Preliminary Landscape Plan
Exhibit J	Assessor's Parcel Map
Exhibit K.....	Environmental Checklist and Discussion of Impacts

ATTACHMENT 1
CONDITIONS OF APPROVAL

FILE NUMBER DR 05-0007

This design review approval is based upon and limited to compliance with the project description, dated August 25, 2005, 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 conditions and/or further environmental review.

CONDITIONS OF APPROVAL

1. The project, as approved, consists of the re-imaging of the existing commercial building resulting in a reduction in building footprint of 50 square feet. A 4-pump gas station will be constructed east of the existing store and will include a 1,000 gallon propane dispensing tank adjacent to the air and water dispensers. The gas pump area will have recessed lighting in the canopy. There will be a light over the air and water dispenser as well as the propane tank. During store hours all lighting is to remain on. After closing and during cardlock hours from 12:01AM to 5AM, two 320-watt bulbs will remain lit in the canopy over the subject gas pump, as well as two 23-watt bulbs in the entranceway, one 23-watt fluorescent pendant in the southeast patio area, and one 175-watt mercury vapor bulb on the west wall. All other lighting shall be on motion detectors. All modifications and additions to the site shall conform to Exhibits D, E, F, G, and H with the following exceptions:
 - (a) Lighting shall conform to § 17.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of the Planning Department.
 - (b) The canopy fascia shall be faced in wood and painted to match either the proposed column or building colors.
 - (c) The proposed, 22 foot high pole sign will not be approved as a part of this application. The applicant shall be required to submit a separate Minor Use Permit application for this sign.
2. The existing Fresh Pond sign shall have all paintable surfaces repainted to match either the canopy or building colors, and will remain unlit.
3. As part of the building permit process, the applicant shall submit for approval a final landscape plan in substantial compliance with the preliminary plan including compliance with the County water conserving landscape standards, if applicable. Final landscape plans

shall demonstrate that a minimum of 50 percent of proposed landscaping is consistent with the predominant plant community and fits the natural vegetation native to the area, in compliance with General Plan Policy 7.4.5.2.

4. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer as part of any grading permit application. The plan shall be in conformance with the County of El Dorado *Design and Improvement Standards Manual*, the *Grading, Erosion and Sediment Control Ordinance*, the *Drainage Manual*, the *Storm Water Management Plan*, the *Off-Street Parking and Loading Ordinance*, and the State of California Handicapped Accessibility Standards.
5. The applicant shall be subject to an encroachment permit, Std. Plan 103C for the encroachments proposed onto Forest Road.
6. The applicant shall be subject to a grading permit fee related to application and issuance of a Grading Permit commensurate with the scope of the proposed project prior to commencement of any work performed.
7. The applicant shall be subject to the County traffic impact mitigation fee program. Said fees shall be due upon the issuance of a building permit. The amount of fees shall be those in effect at the time of building permit application.
8. The applicant shall provide a drainage report at time of grading permit application consistent with the *Drainage Manual* and the *Storm Water Management Plan*, which addresses storm water runoff increases, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation and Environmental Management Hazardous Materials Division.
9. The applicant shall prepare and submit a hazardous materials business/hazardous waste generator management plan for the site to include hazardous materials and hazardous waste handling and storage. The plan shall be submitted to Environmental Management and all applicable fees paid.
10. The commercial kitchen shall meet the requirements of the California Health and Safety Code – California Uniform Retail Food Facilities Law (CURFEL). Prior to building permit issuance, commercial kitchen plans and a permit application must be submitted to Environmental Health for review and approval.
11. The septic system design shall be reviewed and approved by Environmental Health prior to building permit issuance.
12. A solid waste disposal plan shall be submitted to the Environmental Management Department for review and approval prior to building permit issuance. All waste disposal containers shall be required to have a one-foot clearance around all sides.

13. The applicant shall comply with all requirements of the El Dorado County Fire Protection District to include but not be limited to:
 - (a) A NFPA 72 Fire Alarm System shall be provided within the existing building.
 - (b) Fire flow shall be maintained at a minimum of 1500 gallons per minute for 2 hours duration at 20 psi.
 - (c) On site access shall meet fire safe standards for vertical clearance and shall be capable of support of a 40,000 pound emergency vehicle. The applicant shall provide a minimum 20 foot wide, all weather access way to within 150 feet of all exterior portions of the structures. Turning radii shall be provided at a minimum of 25 feet.
 - (d) The applicant shall provide high-priority “Knox” access with keys for emergency access to the building and low-priority “Knox” padlocks on all gates, if applicable.

14. A Facility Improvement Letter and easements will be required of the El Dorado Irrigation District (EID) prior to building permit issuance if an extension of district facilities is needed in order to maintain fire flow requirements. If an extension is not required, then a Meter Award Letter must be obtained prior to building permit issuance.

ATTACHMENT 2 **FINDINGS**

FILE NUMBER DR 05-0007

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

FINDINGS FOR APPROVAL

1. The proposed project, as conditioned, will not have a significant effect on the environment and a Negative Declaration has been filed. Further, the project will not affect wetlands, watercourses, riparian lands, unique plant or animal life and habitats, or other terrestrial matters under the jurisdiction of the State Department of Fish and Game. Therefore, the project has a de minimis impact on the environment and a Certificate of Fee Exemption (DFG 753.5-5/91) is applicable.
2. The proposed use and design conforms to the General Plan and Zoning Ordinance.
3. The proposed use and design will not be detrimental to the public health, safety, and welfare, nor injurious to the neighborhood.
4. Pursuant to paragraph 5, the proposed design review is not subject to the Writ of Mandate as determined under sub-paragraph 3 constituting an approval of non-residential development that meets the following criteria: *(i) the property is currently zoned for the proposed use.*

Besides specific findings applicable to the design review which are enumerated under "Findings", all projects approved under paragraph 5 within the Final Writ requires that the County make additional findings set forth under sub-paragraph 8 as follows:

- a. The approval or project will not significantly impair the County's ability to adopt and implement a new General Plan after complying with CEQA.
- b. The approval or project complies with all other requirements of law;
- c. The approval or project is consistent with the text and maps of the 1996 General Plan as amended through February 4, 1999.