

Staff: Lillian MacLeod

STAFF REPORT - DESIGN REVIEW – Staff Level

FILE NUMBER: DR 05-01-S

APPLICANT: Pacific Oak Development, Inc.

AGENT: Erik Pilegaard

REQUEST: Design Review for a 51,200 square foot general / medical office complex to be known as Palmer Professional Centre. Administrative relief is being requested from the requirement for a dedicated loading zone.

LOCATION: On the north side of Palmer Drive, at the intersection with Gabbert Drive in the Cameron Park area. (Exhibit A)

APN: 083-453-04

ACREAGE: 4.71 acres

1996 & 2004 GENERAL PLAN: Commercial (C) (Exhibit B)

ZONING: Commercial - Design Control (C-DC) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

SUMMARY RECOMMENDATION: Conditional approval.

BACKGROUND: Two temporary stockpiles permits were issued on the project parcel by the Department of Transportation; the first on March 3, 1997 under permit number 104479, and the subsequent reinstatement on May 9, 2002 under building permit 125478, which was finalized on April 10, 2002. The stockpiled material was generated from apartment construction on the adjacent parcel.

A previously approved staff-level design review exists on the project site. The project, DR03-11-S, was for construction of a congregate care center, Alzheimer's facility and club house. The project approval is still valid and will expire on August 6, 2006. The applicant and property owner are currently the same as for the proposed project. The applicant now wishes to construct the proposed office complex on the site instead of the congregate care facility.

A boundary line adjustment was approved between the project parcel and the adjacent 68 acre parcel to the north. Under BLA 05-03, the project parcel received 0.49 acres from APN: 083-350-43,

bringing its total area to 4.71 acres. The boundary line adjustment was approved on January 24, 2005. To date, it has not been recorded.

STAFF ANALYSIS

Project Description: The proposed, two-phased project consists of five buildings to be utilized as a general / medical office center. Four buildings are to be single-story and one building will be two-story for a total of 51,200 square feet. Phase 1 will consist of buildings A and B measuring 8,400 square feet each for a total of 16, 800 square feet. Phase 2 will consist of building C at 8,400 square feet, building D at 6,000 square feet, and building E at 20,000 square feet. Building E will be the two-story building. The buildings will be finished with painted stucco and stone accents, and will be capped with green metal roofs. A monument sign to match the building materials will be located at the corner of Palmer and Gabbert Drives. A shared parking and access agreement was recorded between the applicant and the adjacent multi-residential facilities under the previously approved design review. The applicant is requesting administrative relief from the requirement to have a dedicated loading zone.

Site Description: The project site has been graded flat under the aforementioned temporary stockpile permit number 125478. Manzanita shrubs exist along the perimeter, and four piles of large boulders can be seen on-site. The graded building site lays approximately eight feet above the Palmer Drive roadway.

Adjacent Land Uses:

	Zoning	1996 & 2004 General Plan	Land Use/Improvements
Site	C-DC	C	Undeveloped
North	RE-10	C	Undeveloped
South	C-DC	C	Shopping center
East	C-DC	C	Undeveloped
West	C-DC,R2-DC	C, MFR	Assisted living facility, apartment facility

General Plan: The General Plan designates the subject site as Commercial. This designation permits “a full range of commercial retail, office, and service” uses. The following General Plan policies also apply to this project:

Policy 2.2.1.5: The General Plan shall provide for the following building intensities in each land use designation as shown in Table 2-3:

TABLE 2-3		
BUILDING INTENSITIES		
Land Use Designation	Floor Area	Max. Impervious

	Ratio	Surface (%)
Commercial	0.25	85

Discussion: After recordation of BLA 05-03, the project parcel will measure 4.71 acres in size. The resultant Floor Area Ratio (FAR) from the proposed project equals 0.25, while the maximum impervious surface is measured at 60 percent. Both building intensities are compliant with General Plan policy standards.

Policy 7.4.1.5 - Species, habitat, and natural community preservation/conservation strategies shall be prepared to protect special status plant and animal species and natural communities and habitats when discretionary development is proposed on lands with such resources unless it is determined that the resources exist, and either are or can be protected, on public lands or private Natural Resource lands;

Discussion: As part of a biological survey for the boundary line adjustment, BLA05-03, a total of six (6) Pine Hill ceanothus plants were observed on the 0.49 acre section with one Pine Hill ceanothus plant sighted on the subject parcel south of the lot-line adjustment area. A follow-up survey was made on March 7, 2005, during the blooming season, that confirmed as total the number of plants sighted in January. The applicant proposes to leave this added area undisturbed as it is being utilized for floor area ratio (FAR) compliance, only. Since the project parcel lies within Mitigation Area 1 of the El Dorado County Ecological Preserve (17.71), as part of mitigation the applicant will be required to pay commercial/industrial in-lieu fees prior to building permit issuance. In addition, development of the project site may result in harm or loss to these populations, so in order to reduce the project's impact to less than significant, the following mitigation measure will be applied:

Mitigation Measure 1:

The applicant shall contact the California Department of Fish and Game (DFG) at least 10 days prior to ground disturbance on the subject parcel, and as a condition of grading and building permit issuance in order to allow time for salvage of the existing plant. The applicant shall avoid and protect the six populations of Pine Hill ceanothus (*Ceanothus rodericikii*), located within the lot-line adjustment area as delineated in Exhibit 1, attached. Protective measures shall consist of the placement of temporary fencing along the current northwestern property lines adjacent to the existing populations of Pine Hill ceanothus prior to grading and construction. In no case shall disturbance to the populations occur as a result of building, grading or landscaping activities. In addition, the applicant shall pay all commercial/industrial, ecological preserve mitigation fees (Mitigation Area 1) as assessed by the Planning Department before building permit issuance.

Policy 7.3.3.4: . . . Until standards for buffers and special setbacks are established in the Zoning Ordinance, the County shall apply a minimum setback of 100 feet from all perennial streams, rivers, lakes, and 50 feet from intermittent streams and wetlands. These interim

standards may be modified in a particular instance if more detailed information relating to slope, soil stability, vegetation, habitat, or other site- or project-specific conditions supplied as part of the review for a specific project demonstrates that a different setback is necessary or would be sufficient to protect the particular riparian area at issue.

Discussion: The United States Department of the Interior *National Wetlands Inventory Map* was reviewed to determine if any identified wetland or riparian habitat areas exist on or adjacent to the project site. The review indicated evidence of wetlands or riparian habitat areas on the project site. Based on the U.S. Fish and Wildlife Service's Shingle Springs 1995 map, the site has a designation of PUBFh, (Palustrine, Unconsolidated Bottom, Semi-permanently flooded, Diked, impounded) which conforms to the GIS overlay demonstrating a stream running in a southerly direction through the parcel.

The Preliminary Wetland Assessment and Rare Plant Survey, performed for the congregate care facility by ECORP Consulting, Inc., May 13, 2004, determined that no wetlands or other waters of the United States could be identified on the project parcel as it existed at that time. During a reconnaissance survey performed April 23, 2004, an intermittent drainage was observed running in a southeasterly direction along the property line of the adjacent parcel, which is now within the 0.49 acre lot-line adjustment area. The stream diversion was approved by the Department of Transportation on January 9, 1997 under stockpile permit 104479, in concert with allowing the on-site streambed to be filled with stockpiled material. The degree of revegetation along the drainage ditch supports a lengthy time frame from when it was diverted.

An additional biological study performed specifically for the 0.49 acre area (Sycamore Consultants, Inc., January 31, 2005) delineated a seasonal wetland area approximately 10 feet wide by 45 feet long at what is now the man-made bend in the stream. Building D, situated approximately 27-30 feet from the edge of the seasonal wetland is the only proposed development that will fall within the 50 foot setback. The applicant proposes to leave the entire 0.49 acre area undisturbed. The following mitigation will be sufficient in protecting the man-made seasonal wetland and reducing any impacts from project development to less than significant:

Mitigation Measure 2:

Fencing shall be placed along the current northeastern property lines of the project parcel, adjacent to the intermittent stream as delineated in Exhibit 1, attached. In no case shall grading or construction activities result in the discharge of fill material into this protected wetland area. Only native riparian vegetation will be allowed to be placed within the wetland's 50 foot setback area.

Policy TC-Xf: *Prior to occupancy for development that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the developer shall do one of the following: (1) construct all road improvements necessary to regional and local roads needed to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element; or (2) ensure adequate funding is identified and available for the*

necessary road improvements and those projects are programmed. The determination of compliance with this requirement shall be based on existing traffic plus traffic generated from the project and from other reasonable foreseeable projects.

Discussion: General Plan Policy TC-Xd states that “Level of Service (LOS) for County-maintained roads and state highways within the unincorporated areas of the county shall not be worse than LOS E in the Community Regions.” Currently, the level-of-service (LOS) at the US 50 / Palmer Drive / Cameron Park Drive intersections are LOS F in the PM peak hour. Under Policy TC-Xe “‘worsen’ is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- “(A) A 2 percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily, or
- (B) The addition of 100 or more daily trips, or
- (C) The addition of 10 or more trips during the a.m. peak hour or the p.m. peak hour.”

The current Traffic Impact Analysis performed by KDAnderson on February 7, 2005 concludes that 154 additional PM-peak hour trips will be added to the Cameron Park Drive / Palmer Drive intersection with full build-out of the office center, worsening what is already LOS F. Under the 2004 General Plan Policy TC-Xf, development that worsens or triggers Policy TC-Xe [A] or [B] or [C] above cannot move forward until the developer either:

- “(1) Construct all road improvements necessary to regional and local roads needed to maintain or attain Level of Service standards detailed in this Transportation and Circulation Element; or
- (2) Ensure adequate funding is identified and available for the necessary road improvements and those projects are programmed. The determination of compliance with this requirement shall be based on existing traffic plus traffic generated from the project and from other reasonably foreseeable projects.”

The intersections in question were not included in the current Capital Improvement Program (CIP) so that the improvements required to attain LOS E or better have not been identified. Without knowing the scope of improvements, a mitigation measure cannot be crafted that would reduce traffic impacts from the fully built project to less than significant. The existing design review, DR03-11-S, was approved based on the 1996 General Plan policies. The traffic impacts from the project, as determined under the *Traffic Impact Assessment* prepared by KD Anderson Transportation Engineers (January 13, 2004), were allowed and are still valid.

Phase I development will include those traffic counts already allowed under DR03-11-S, (256 daily trips, 19 PM peak hour trips), as well as the additional, project related ADT that falls under the trigger points of Policy TC-Xe-(C). The square footage necessary to generate the total combined ADT has been calculated by the applicant's traffic engineer, and reviewed and approved by the Department of Transportation. Based on those calculations, the development threshold of Phase 1 is a maximum of 60% of medical office. Phase 1 development will equal 16,800 square feet (buildings A and B) and will be restricted to 10,080 square feet of medical office and 6,720 square feet of general office uses. After subsequent re-review, the Department of Transportation has determined that *peak hour* ADT should be limited to 29 trips, or 10 over what was previously approved. This calculation would limit medical office use to 2,000 square feet.

In order for the applicant to move forward with 10,080 square feet of medical office or greater in Phase 1, or with Phase 2 development he would need to either determine the design concept and scope of improvements that will attain LOS E or better, submit a bid-ready package for their construction to the Department of Transportation, who will subject them to CEQA review, or wait until the CIP addressing those intersections is funded and programmed by the County. The proposed, phased project can be approved subject to the following mitigation measure:

Mitigation Measure 3:

The construction of Phase 1 shall be limited to Buildings A and B consisting of 16,800 square feet to be utilized as 2,000 square feet of medical office and 14,800 square feet of general office use. If the applicant wishes to develop Phase 1 with a higher ratio of medical office to general office use, then prior to final occupancy of Buildings A and B the applicant shall submit a bid-ready package to the Department of Transportation that addresses the design concept and scope of improvements necessary to attain LOS E or better during the p.m. peak hour for the Cameron Park Drive / Palmer Drive / Highway 50 interchange to the satisfaction of the Director of the Department of Transportation.

If the applicant wishes to commence construction of Buildings C, D, and E, considered Phase 2 of the proposed project, then prior to building permit issuance the applicant shall submit a bid-ready package as defined in the paragraph above to the Department of Transportation.

In either case the bid-ready package shall be subject to further environmental review by DOT that would also include public review. If, however, a Capital Improvement Program (CIP) that includes the subject interchange is funded and programmed prior to the applicant's submission of a bid-ready package, both Phases 1 and 2 can be constructed unrestricted by square footage restraints on medical/office uses.

Conclusion: As discussed above, staff finds that the project, as mitigated and conditioned, conforms to the General Plan in that it is compliant with building intensities listed under Table 2-

3, environmental policies regarding special status plant species and wetlands, as well as traffic impacts based on levels of service.

In addition, Community Design Guidelines prepared by the Planning Department in November 1981 are applied to projects within the Cameron Park area under Policy 2.4.1.2. The project was submitted to the Cameron Park Design Review Committee for review and consistency with the design guidelines. Specific design criteria relative to the site, building, landscaping, signs, parking and other features were reviewed and will be addressed under the Zoning section of this staff report. The applicant shall submit for approval a final landscape plan in substantial compliance with the preliminary plan prior to final occupancy. Final landscape plans will be required to 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.

Zoning: The subject site is zoned C-DC which permits the proposed use on a minimum parcel size of 5,000 square feet. Therefore, the existing 4.71-acre parcel conforms to existing zoning.

Administrative Relief Request – Off-street Loading Zone: The request for administrative relief from an off-street loading zone, measuring 12 feet by 40 feet, is subject to special circumstances as defined under §17.18.080 (D). The special circumstances are based on types of use, project design and site dimensions, impact to surrounding properties, and public safety. As such, the request to waive loading zone requirements can be approved by staff due to the following:

1. The specific nature of the proposed use, general / medical offices, would require product deliveries be made to the site, however deliveries would be minimal in size and quantities.
2. The size of the proposed buildings relative to site dimensions and parking availability limit placement of a discrete loading zone, however this is not adequate justification to waive the loading zone requirement.
3. Impact of a loading zone on surrounding properties is a non-issue due to the commercial development of the area. Required landscaping and building placement will screen loading zone activities to some degree.
4. Deliveries to the buildings will be handled by small delivery trucks or vans, which can utilize existing parking space, as this activity is usually of short duration. Delivery activities that require utilization of a larger vehicle will be conditioned to occur before and after business hours in order to prevent problems with emergency access and customer circulation.

Other Design Issues :

Elevations: The buildings consist of a blend of Craftsman and Prairie-style architecture. Buildings A, B, C, and D are single-story structures with access through a covered main entrance and double-

door entrances at each side elevation. Building E is double-storied with access through a two-story covered front entrance. Three single-door entrances are located in the rear elevation.

Building Materials: The exterior finish materials consist of stucco walls with rock veneer pilasters flanking storefront windows. The roof will be metal with timber corbel accents.

Colors: The stucco walls will be painted in Frazee Paint's "Harvest Tan" with the covered entrances painted "Baked Apple" in contrast. The corbels will be painted "Timber Trail", a dark brown, and the pilasters will be faced in Eldorado Stone's "Yukon". The metal roof will be Western Metal's "Spring Green" with the eaves painted "Rose Pueblo" in contrast. The storefront windows will be a medium bronze.

Signage: Two, illuminated monument signs are to be located on each corner facing Palmer Drive. The signs will consist of "Harvest Tan" stucco with name and address identification in bronze lettering. Each sign will sit on a capped, rock-veneered base that resembles the building pilasters. The base will measure approximately 18 feet in length. The signs, as proposed, will measure 6 feet in height by 10 feet in length, however under §17.32.020 (D) only two signs measuring a maximum of 50 square feet are allowed without a special use permit. The project will be conditioned accordingly.

Three directory signs will be sited adjacent to Buildings A, C and D near each entranceway, and will be compatible with the proposed building materials and colors. The signs are to be internally illuminated and limited to 6 square feet of sign face.

Community Design Guidelines: Applicable criteria shall be reviewed against Zoning Ordinance provisions, as follows:

***Suiting the site** – a designer should try to fit a project to the existing site, rather than alter the site to accommodate a stock plan. Preserve topography, the natural grade and vegetation. Avoid excessive cuts and fills.*

The proposed building meets the Commercial district development standards for setbacks and maximum coverage. The project parcel has a flat grade with no trees on site. A commercial grading permit will be required to insure compliance with the *Grading, Erosion and Sediment Control Ordinance*.

***Parking areas** – screen parking areas from public ways and divide them up with landscaping, walls, fences, berms and other means.*

The applicant is proposing to use a recorded parking agreement with the adjacent parcels as a means of meeting the *Off-street Parking and Loading Ordinance* requirement for 293 spaces. A Reciprocal Parking Agreement was recorded August 29, 1994 between the project parcel and the two adjacent parcels to the west and north. Between the three parcels a total of 466 parking spaces are required

For the total shared parking needs, California Building Code (CBC) §1129B requires a minimum of 9 ADA parking spaces of which 2 must be van accessible. The project proposes 12 ADA compliant

spaces with 2 designated van accessible. The adjacent parcels have 4 additional ADA compliant spaces for a shared parking total of 16 ADA spaces in conformance with CBC requirements.

Phase I development will require 95 spaces based on 60 percent medical office versus 40 percent general office use. Four spaces are required to be ADA compliant with 1 van accessible. The applicant will demonstrate compliance with these requirements prior to building permit issuance.

Preliminary landscape plans demonstrate substantial compliance with §17.18.090 of the Ordinance. The project will receive the standard condition regarding final landscape plans.

Lighting – exterior lighting should be subdued and avoid creating a glare for occupants or neighboring properties. Lighting should enhance the building design and landscaping as well as providing for safety and security.

The applicant is proposing recessed, soffit lighting to be installed under the building eaves. Pole lighting will be installed within the parking area and measure 20 feet in height. The project will receive the standard condition for full shielding of all exterior lighting.

Trash and other service areas – locate trash containers and loading docks away from public streets and store entrances and screen them. Screening should be durable and an integral part of the overall structural design.

The trash receptacle will be sited in the northwest corner of the parking lot, and will be fully enclosed behind a concrete wall and metal gates. The enclosure will be required to be compatible in design and materials with the existing building.

Mechanical equipment and utilities – design service equipment, including meter boxes, as part of the structure and provide screening for them.

No roof-mounted equipment is being proposed. A propane tank for the utilization of the office park will be located adjacent to Building A, and will be required to be screened from view behind landscaping.

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; provided that such approvals, permits, or entitlements comply with subparagraph (8) below, where applicable in accordance with the terms of that subparagraph, and the property on which such development is proposed meets any one of 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 from what was intended under its commercial land use designation, 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 special use permit 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 land use designation is consistent with the text and maps of the 1996 General Plan 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.

NOTE: 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.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,285.⁰⁰ after approval, but prior to the County filing the Notice of Determination on the project. This fee, less \$35.⁰⁰ processing fee, 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.

RECOMMENDATION

1. Adopt the **Mitigated** Negative Declaration based on the Initial Study prepared by staff, and
2. Approve the design review 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 and mitigation measures itemized in Attachment 1.

SUPPORT INFORMATION

Attachments To Staff Report:

Attachment 1	Conditions of Approval
Attachment 2.....	Findings
Exhibit A.....	Vicinity Map
Exhibit B	1996 & 2004 General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D.....	Site Plan
Exhibit E	Elevations and Sign Plan
Exhibit F	Color Plans
Exhibit G.....	Preliminary Landscape Plan
Exhibit H.....	Directory Sign Plans
Exhibit I	Reciprocal Parking and Maintenance Agreement
Exhibit J	Assessor's Parcel Map
Exhibit K.....	Environmental Checklist and Discussion of Impacts

ATTACHMENT 1
CONDITIONS OF APPROVAL

FILE NUMBER DR05-01-S

CONDITIONS OF APPROVAL

1. The applicant shall contact the California Department of Fish and Game (DFG) at least 10 days prior to ground disturbance on the subject parcel, and as a condition of grading and building permit issuance in order to allow time for salvage of the existing plant. The applicant shall avoid and protect the six populations of Pine Hill ceanothus (*Ceanothus rodericikii*), located within the lot-line adjustment area as delineated in Exhibit 1, attached. Protective measures shall consist of the placement of temporary fencing along the current northwestern property lines adjacent to the existing populations of Pine Hill ceanothus prior to grading and construction. In no case shall disturbance to the populations occur as a result of building, grading or landscaping activities. In addition, the applicant shall pay all commercial/industrial, ecological preserve mitigation fees (Mitigation Area 1) as assessed by the Planning Department before building permit issuance.
2. Fencing shall be placed along the current northeastern property lines of the project parcel, adjacent to the intermittent stream as delineated in Exhibit 1, attached. In no case shall grading or construction activities result in the discharge of fill material into this protected wetland area. Only native riparian vegetation will be allowed to be placed within the wetland's 50 foot setback area.
3. The construction of Phase 1 shall be limited to Buildings A and B consisting of 16,800 square feet to be utilized as 2,000 square feet of medical office and 14,800 square feet of general office use. If the applicant wishes to develop Phase 1 with a higher ratio of medical office to general office use, then prior to final occupancy of Buildings A and B the applicant shall submit a bid-ready package to the Department of Transportation that addresses the design concept and scope of improvements necessary to attain LOS E or better during the PM peak hour for the Cameron Park Drive / Palmer Drive / Highway 50 interchange to the satisfaction of the Director of the Department of Transportation.

If the applicant wishes to commence construction of Buildings C, D, and E, considered Phase 2 of the proposed project, then prior to building permit issuance the applicant shall submit a bid-ready package, as defined in the paragraph above, to the Department of Transportation.

In either case the bid-ready package shall be subject to further environmental review by DOT that would also include public review. If, however, a Capital Improvement Program (CIP) that includes the subject interchange is funded and programmed prior to

the applicant's submission of a bid-ready package, both Phases 1 and 2 can be constructed unrestricted by square footage restraints on medical/office uses.

4. The project, as approved, consists of:
 - a. Building A - 8,400 square feet, single-story construction.
 - b. Building B - 8,400 square feet, single-story construction.
 - c. Building C - 8,400 square feet, single-story construction.
 - d. Building D - 6,000 square feet, single-story construction.
 - e. Building E - 20,000 square feet, 2-story construction.
 - f. Three encroachments: two providing access off of Gabbert Drive, and one providing access from the shared parking area northwest of the project parcel.
 - g. Two illuminated monument signs at each corner of Palmer Drive measuring no more than 50 square feet in area, to be framed on either side by matching rock pilasters, and supported by a rock veneer base. The sign area will be composed of stucco finish, painted to match the buildings.
 - h. Three, internally illuminated directory signs sited adjacent to Buildings A, C and D near each entranceway. Signs shall be no larger than 6 square feet and will be consistent with the proposed monument sign in materials and colors.
 - i. One trash receptacle fully enclosed by masonry blocks and metal gate, colored to match the buildings.
5. The project shall conform to Exhibits D, E, F and H.
6. Boundary line adjustment, BLA 05-03, shall be recorded prior to the first building permit being issued for Phase 2 development.
7. All exterior building, signage, and parking lot lighting shall be designed so as to conform to 17.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Lights shall be placed so that no glare or light spills over onto an adjoining property or established road right-of-way. Lighting shall conform to Exhibit D for the parking lot area. Soffit lighting shall be used for the buildings.
8. Prior to building permit issuance, the applicant shall submit for approval a final landscape plan in substantial compliance with the preliminary plan (Exhibit G) including compliance with the County water conserving landscape standards, as well as a maintenance plan. 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.

9. The parking requirements contained in Section 17.18.070 and in Section 17.18.080 shall be met subject to the Reciprocal Parking and Access Easements recorded August 29, 1994, as submitted to and approved by the Planning Department.
10. The requirement for a dedicated loading zone under §17.18.080 is waived. Deliveries to the buildings shall be handled by small delivery trucks or vans, which can utilize existing parking space, as this activity is usually of short duration. Delivery activities that require utilization of a larger vehicle requiring larger parking space shall occur before and/or after business hours.
11. The propane tank and air conditioning units shall be fully screened by fencing and/or landscaping. No roof-mounted equipment shall be allowed.
12. During all grading and construction activities in the project area, an archaeologist or Historian approved by the Planning Director shall be on-call. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent shall ensure that all such activities cease within 50 feet of the discovery until the on-call archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after appropriate measures are taken or the site is determined not to be of significance. The project grading plans shall include this mitigation on the plans. The Planning Department shall review the grading plans prior to issuance of a grading permit.
13. In the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified pursuant to §7050.5 of the Health and Safety Code and §5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must 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. The project grading plans shall include this mitigation on the plans. The Planning Department shall review the grading plans prior to issuance of a grading permit.
14. The applicant shall be subject to an encroachment permit, STD. Plan 103G, for the proposed two encroachments onto Gabbert Drive. Any modifications to the standards must be reviewed and approved by the Department of Transportation.
15. 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.

16. The applicant shall construct a six foot wide concrete sidewalk along the frontage of Palmer Drive subject to an encroachment permit. The improvement plans for this work shall be submitted with the application for on-site grading/improvement plans, and construction shall be substantially complete, as determined by the Department of Transportation, prior to occupancy of the project.
17. The applicant shall be responsible for reconstruction of the handicapped ramp, to current ADA standards, at the adjacent curb return at Palmer Drive and Gabbert Drive, subject to an encroachment permit. The improvement plans for this work shall be submitted with the application for on-site grading/improvement plans, and construction shall be substantially complete, as determined by the Department of Transportation, prior to occupancy of the project.
18. The applicable requirements of the Medical Waste Management Act for the handling, storage, treatment and disposal of medical waste generated at the site shall be complied with.
19. The applicable requirements of Chapter 6.5 through 6.95 of the California Health and Safety Code for the handling, storage and disposal of hazardous waste at the site shall be complied with through the submittal and approval of the appropriate medical waste and hazardous materials reporting forms to the Solid Waste/Hazardous Materials Division of the Environmental Management Department.
20. If the project includes the disturbance of 20 cubic yards or more of earth the applicant shall comply with Air Quality Management District (AQMD) Rule 223-2 Fugitive Dust-Asbestos Hazard Mitigation, which includes an asbestos dust mitigation plan submittal, fugitive dust prevention, speed limits, warning signs, track out prevention, excavated soil management and post-construction mitigation. This information must be submitted to the Air Quality Management District for review and approval prior to issuance of a grading permit.

Alternately, the applicant may have a California Professional Geologist inspect the project site and provide the AQMD with a report demonstrating there is no Naturally Occurring Asbestos on the project site. This evaluation must be submitted to the AQMD with the current review fee.

If there is no naturally occurring asbestos or less than 20 cubic yards of earth is disturbed, the applicant must still comply with AQMD Rule 223-1 Fugitive Dust-Construction Activities. If a County grading permit is required, the applicant will be required to submit a Fugitive Dust Plan to the AQMD prior to issuance of a grading permit.

21. The applicant shall insure that an approved water supply capable of supplying the required fire flow for fire protection shall be provided to all building(s) on-site prior to building permit issuance. Additionally, the applicant shall meet all other U.F.C. requirements.

22. The design review shall be null and void if project implementation does not occur within 24 months from the date of approval. This time limit will be waived if one of the following has occurred:
- a. A building permit has been issued and at least one inspection has occurred.
 - b. An extension of time has been granted by one of the following methods:
 - (1) The Planning Director finds that substantial progress has been made in implementing the permit, and not more than twelve (12) months will be necessary to comply with the requirements of subsection (a) listed above.
 - (2) A written request for an extension of time has been approved by the issuing authority, provided that no change in conditions or circumstances has occurred that would have been grounds for denying the original application, the applicant has been diligently pursuing implementation of the permit, and modified conditions have been imposed as necessary which update the permit to reflect current adopted standards and ordinance requirements.
23. The Planning Director may approve minor modifications to an approved project where he finds the change:
- a. Is consistent with all applicable provisions of Title 17;
 - b. Does not involve a feature of the project that was specifically addressed in the conditions of approval, mitigation measures, or findings for approval of the project;
 - c. Does not result in an expansion of the project; and
 - d. Does not substantially alter the original approval action.

ATTACHMENT 2 **FINDINGS**

FILE NUMBER DR05-01-S

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 **Mitigated** Negative Declaration has been filed. A de minimis finding on the project's effect on fish and wildlife resources cannot be found and the project is therefore subject to the payment of State Fish and Game fees pursuant to State Legislature (California Fish and Game Code Section 711.4).
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.