



EL DORADO COUNTY PLANNING SERVICES

John Knight..... District I
John MacCready..... District II
Dave Machado..... District III
Chris Chaloupka District IV
Alan Tolhurst..... District V
Jo Ann Brillisour..... Clerk of the Commission

2850 Fairlane Court • Placerville, CA 95667
<http://www.co.el-dorado.ca.us/planning>
Phone: (530) 621-5355
Fax: (530) 642-0508

MINUTES

Regular Meeting of the Planning Commission March 9, 2006 – 8:30 A.M. BUILDING C HEARING ROOM 2850 Fairlane Court, Placerville, CA

1. CALL TO ORDER

Chair Knight called the meeting to order at 8:40 a.m. The following persons were in attendance: Commissioners Mac Cready, Machado, Chaloupka, Tolhurst (after 9:00 a.m.), and Knight; Paula F. Frantz, County Counsel; Peter N. Maurer, Deputy Director of Planning; Roger Trout, Principal Planner; and Jo Ann Brillisour, Clerk to the Planning Commission.

2. ADOPTION OF AGENDA

ON MOTION OF COMMISSIONER CHALOUPKA, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE AGENDA, AS PRESENTED.

3. PLEDGE OF ALLEGIANCE

A Pledge of Allegiance was given by the Commission and those persons in the audience.

4. CONSENT CALENDAR (All items on the Consent Calendar were approved by one motion unless a Commission member requested separate action on a specific item.)

a. Minutes: January 23, 2006

ON MOTION OF COMMISSIONER MACHADO, SECONDED BY COMMISSIONER CHALOUPKA AND UNANIMOUSLY CARRIED, IT WAS MOVED TO APPROVE THE CONSENT CALENDAR.

5. DEPARTMENTAL REPORTS AND COMMUNICATIONS

These items were considered during the day as time permitted.

Peter Maurer informed the Commission of the actions taken by the Board this past Tuesday on the floor area ratio issue. They did not apply the 85 percent maximum impervious surface. Staff will be coming back to the Commission at the next meeting with additional amendments for floor area ratios.

Roger Trout informed the Commission of the actions taken by the Board on planning projects. The Kevin Woodbury application was approved; Blackstone was also approved. There was some discussion the Thompson Hill cell tower appeal. The newest proposal was for a 55-foot high pole painted, with bark. The new proposal was approved.

Commissioner Machado asked if a date has been set for an affordable housing working. Mr. Maurer said a date has not been set; it will not be before May. Commissioner Machado said Sacramento uses inclusionary zoning which he does not believe will occur in El Dorado County. He discussed in-lieu fees that could be used for affordable housing. Mr. Maurer informed the Commission of the group that has been looking at affordable housing.

Mr. Maurer said the more staff looks into the agricultural setback issue, the more confusing it appears. Staff will be bringing back a proposal to amend that portion of the ordinance clarifying the setbacks. It will be taken as a separate action before the update of the Zoning Ordinance.

Mr. Maurer said the Board did approve the update to the Planning fees which will become effective the end of April. Most applications will be considered on a time and materials basis.

6. COMMISSIONERS' REPORTS

Commissioner Machado spoke about the shopping center on Missouri Flat Road, specifically Mac Donald's. The roof design that was submitted was not constructed. Peter Maurer said the building plans that were submitted were approved, and the roofing was not enforced. It was an over site on the part of staff.

Commissioner Machado asked about the oak tree discussion on the Board agenda. Mr. Maurer said that is an issue that staff will work on right away. It is one of staff's top priorities. The direction was to complete this issue in 6 to 12 months with emphasis on the 6 months.

PUBLIC FORUM/PUBLIC COMMENT - None

7. RIVER USE PERMITS

- a. Scott Cleland, Melanie Cleland, and Curtis Gray, dab River and Rock Adventures, LLC (RUP #72) requesting the transfer of permit to Chris Ashton and Robert McGahey.

Dan Bolster, Parks and Recreation, explained the request. There was no one in the audience wishing to give input.

ON MOTION OF COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER CHALOUPKA AND UNANIMOUSLY CARRIED, IT WAS MOVED TO APPROVE THE

REQUEST OF SCOTT CLELAND, MELANIE CLELAND, AND CURTIS GRAY, DBA RIVER AND ROCK ADVENTURES, LLC, TO TRANSFER RIVER USE PERMIT RUP #72 TO CHRIS ASHTON AND ROBERT MCGAHEY.

Findings

1. The application for the transfer of River Use Permit #72 from Scott Cleland, Melanie Cleland, and Curtis Gray, dba River and Rock Adventures, LLC to Chris Ashton and Robert McGahey meets the standards required by River Management Plan Element 6.2.1.4.
2. The application for a Commercial River Use Permit by Chris Ashton and Robert McGahey meets the standards required by the River Management Plan and County Ordinance, Chapter 5.48.070.
 - b. Roger Mogford, owner of River Mountain Action (RUP #22) and River Mountain Broncos (RUP #71) requesting transfer of permits to Nate Rangel, owner of Adventure Connection (RUP #50).
 - c. Nate Rangel requesting consolidation of River Use Permits #50, #22, and #71 into a single River Use Permit #50.

Dan Bolster, Parks and Recreation, presented these items. Chair Knight asked if this will be a single permit. Mr. Bolster replied in the affirmative. It will be a single permit, No. 50

Commissioner Tolhurst said when we started this process there were around 70 permits. Now, in order to make the paperwork easier, permits are being combined and someone who wants to come in and purchase a permit cannot do so. Mr. Bolster said there were 81 permits when the program started. Since that time there has been a process of consolidation. There is the ability to purchase an existing permit or portion of permit. The River Management Plan also allows for a new permit to be established if the necessary requirements and standards can be met.

Commissioner Machado does not believe individuals should only be able to purchase a river use permit from an existing outfitter. They should be able to come to the County and purchase a permit. Nate Rangel said when the River Management Plan was updated in 2001, consolidation was encouraged. He explained how a portion of a permit can be established as a new permit. Paula Frantz, County Counsel, read a portion of the ordinance pertaining to the transfer of a portion of a permit. You can start a new permit, but you cannot exceed the number of trips that were approved. Ms. Frantz explained the transfer process.

Mr. Rangel said this is working the way the system was meant to work.

There was no one in the audience wishing to give input.

ON MOTION OF COMMISSIONER MACHADO, SECONDED BY COMMISSIONER CHALOUPKA AND UNANIMOUSLY CARRIED, IT WAS MOVED TO APPROVE THE

REQUEST OF ROGER MOGFORD, OWNER OF RIVER MOUNTAIN ACTION (RUP #22) AND RIVER MOUNTAIN BRONCOS (RUP #71), TO TRANSFER SAID PERMITS TO NATE RANGEL, ADVENTURE CONNECTION (RUP #50); FURTHER, THE COMMISSION APPROVED THE REQUEST OF NATE RANGEL TO CONSOLIDATE RIVER USE PERMITS #50, #22, AND #71 INTO A SINGLE RIVER USE PERMIT (RUP #50).

Findings

1. The application for the transfer of River Use Permit #22 from River Mountain Action to Adventure Connection, holder of River Use Permit #50, and the transfer of River Mountain Broncos River Use Permit #71 to Adventure Connection, holder of River Use Permit #50, meets the standards required by River Management Plan Element 6.2.1.4.
- d. Nate Rangel, owner of Adventure Connection (RUP #50) requesting transfer of a portion of River Use Permit #50 to W.E.T. River Trips (RUP #8).

Dan Bolster, Parks and Recreation, presented this item. There was no one the audience wishing to give input.

ON MOTION OF COMMISSIONER MACHADO, SECONDED BY COMMISSIONER KNIGHT AND UNANIMOUSLY CARRIED, IT WAS MOVED TO APPROVE THE REQUEST OF NATE RANGEL, OWNER OF ADVENTURE CONNECTION (RUP #50), TO TRANSFER A PORTION OF RIVER USE PERMIT RUP #50 TO W.E.T. RIVER TRIPS (RUP #8).

Findings

1. The application for the transfer of 30 weekend user days and 25 midweek user days from River Use Permit #50 to River Use Permit #08 meets the standards required by River Management Plan Element 6.2.1.4.
- e. Nate Rangel, owner of Adventure Connection (RUP #50) requesting transfer of a portion of River Use Permit #50 to White Water Excitement (RUP #23).

Dan Bolster, Parks and Recreation, presented this item. There will a whitewater media day in June. Invitations will be sent to the Commissioners.

Commissioner Tolhurst asked if staff is checking to see that there are approved put-in and take-out areas. Mr. Bolster said that is being checked.

There was no one in the audience wishing to give input.

ON MOTION OF COMMISSIONER CHALOUPKA, SECONDED BY COMMISSIONER TOLHURST AND UNANIMOUSLY CARRIED, IT WAS MOVED TO APPROVE THE

REQUEST OF NATE RANGEL TO TRANSFER A PORTION OF RIVER USE PERMIT RUP #50 TO WHITE WATER EXCITEMENT (RUP #23).

Findings

1. The application for the transfer of 14 weekend user days from River Use Permit #50 to River Use Permit #23 meets the standards required by Rivet Management Plan Element 6.2.1.4.

8. DESIGN REVIEWS (Public Hearing)

a. **DR01-0014R/Cameron Park East Shopping Center** submitted by SYCAMORE CAMERON PARK, LLC (Agent: Mark Engstrom) replacing two previously approved fast food restaurants with a single 10,400 square foot specialty retail building. The properties, identified by Assessor's Parcel Numbers 109-201-09, -10, -11, -12, -14, -15, and -16, consist of 2.3 acres, are located on the north side of Coach Lane, approximately 1,500 feet west of the intersection with Cameron Park Drive, in the **Cameron Park area**. (Negative declaration prepared)*

Aaron Mount presented this item with a recommendation for conditional approval. One letter of concern was received regarding traffic at the site. There has been a revised traffic study prepared. Commissioner Tolhurst said he was looking at the staff report and the reference to Policy 2.4.1.4. He would like to know the definition of strip commercial and why this is not considered strip commercial. That is one thing the General Plan states we are to avoid. Roger Trout said the definitions in the General Plan are not that clear. This development is unique. This is the old Sam's Town site. Staff assumes it was found consistent at one time and is more consistent with the reduced amount of restaurants. Commissioner Tolhurst suggested that the definition be clarified in the General Plan.

Commissioner Mac Cready would like to see landscaping presented to the Commission with the project as opposed to submitting it with the final building permit approval. He would like to see the landscaping, in general, rather than waiting. Mr. Mount said there was initial mitigation for extra trees along Highway 50. There will be a final landscape plan with the building permit.

Commissioner Machado said the entrance-only location at Food-For-Less is being worked on. Mr. Mount said the applicant has placed another sign and arrow indicating the direction that must be used. Commissioner Machado said we need to come up with something that makes it clear it is an entrance only. Commissioner Machado said originally Pad 6 was not to have parking behind the building, and there is parking there. The parking spaces are highly visible. He believes this new design has some parking issues. It is frustrating that the Commission approves an application, and changes are made by staff without coming back to the Commission.

Mark Engstrom, representing the applicant, said the item before the Commission today is the consolidation of two fast-food restaurants. They had their traffic consultant look at the entrance where there have been problems since the original project was approved. They are going to monitor the changes that have been made for 60 to 90 days. If the current changes do not work, there will be additional striping and signs.

On Condition 23, Mr. Engstrom said the Department of Transportation agrees that the plans do not have to go to the Board of Supervisors for approval. He presented draft language to staff for the condition.

Commissioner Machado asked for clarification on the two parking lots that have been deleted. There is a 30-foot wide area outside the electrical unit. Mr. Engstrom said that area will be landscaped. They had problems with cars backing out into traffic. There are also some areas that are rather steep. They cannot have parking behind the building because of ADA standards. They still have the same driveway to the west. The driveway to the east did not change other than the elimination of three or four parking stalls. Commissioner Machado commented there is very little convenient parking for Pad 2 on the west-most driveway. That will cause parking east of Pad 4 and pedestrians crossing the driveway. Mr. Engstrom said the entrance will be on the north side of the building, as with Pad 2. They would expect parking in the islands.

Dan Giffin, representing the applicant, said the actual parking for Pad 4 would be around that building. The parking would be perpendicular to Highway 50 for Pad 2.

Commissioner Machado said parking on Pads 1 and 4 is great. The parking for Pad 2 is only on one side. Mr. Giffin said they would be open to installing a crosswalk to get people from point A to point B. Commissioner Machado said something like would be helpful. Commissioner Tolhurst said parking is better than it was.

There was no one in the audience wishing to give input.

After the motion and before voting, Commissioner Machado said the Redbud Café is a very establishment.

ON MOTION OF COMMISSIONER MACHADO, SECONDED BY COMMISSIONER CHALOUPKA AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT THE NEGATIVE DECLARATION, AS PREPARED, AND APPROVE DR01-0014R BASED ON THE FINDINGS PREPARED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Changes made during the hearing, which were in addition to those in the staff report, are indicated by double underlining for additions.

Findings

1. The proposed project, as conditioned, will not have a significant effect on the environment and a Mitigated 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.

MITIGATION MEASURES

The following mitigation measures are required as a means to reduce potential significant environmental effects to a level of insignificance:

1. The applicant shall provide a minimum 5-foot-wide landscaping strip along the Highway 50 frontage containing shrub or tree species, which will grow vertically in order to provide visual screening of the site from Highway 50. The applicant shall provide a minimum of one 5-gallon or equivalent shrub and one 15-gallon or equivalent tree alternating every 5 feet along the Highway 50 frontage. The size and species of the shrubs and trees shall be approved by the Planning Director prior to occupancy of any of the proposed structures.
2. The proposed project shall comply with any applicable requirements of the El Dorado County Air Pollution Control District Rule 502: General Conformity Rule, which requires compliance with the State and National Ambient Air Quality Standards.
3. The project shall adhere to the provisions of District Rule 223, and the applicant shall submit a Fugitive Dust Prevention and Control Plan to the APCD prior to any grading activities on the site.
4. The project shall adhere to the provisions contained in El Dorado County Ordinance No. 4548. No grading or excavation activities may take place on site until an Asbestos Hazard Dust Mitigation Plan has been submitted to and approved by the El Dorado County Air Pollution Control District.
5. Asphalt surfacing of site access and parking areas shall conform with El Dorado Air Pollution Control Rule 224: Cutback and Emulsified Paving Materials, which prohibits the atmospheric discharge of volatile organic compounds caused by the use, manufacture, mixing, storage, and/or application of cutback or emulsified asphalt.
6. Pursuant to El Dorado County Air Pollution Control District Rule 501.3(A): Authority to Construct, the applicant shall receive authorization for construction (Authority to Construct) from the Air Pollution Control District prior to commencement of grading and construction activities on the site.
7. Pursuant to El Dorado County Air Pollution Control District Rule 501.3(B): Permit to Operate, the project proponent shall obtain a written permit from the Air Pollution Control Officer prior to the issuance of a building permit.
8. In no case shall daily emissions of ROG, NO_x, and PM₁₀ exceed 82 lbs/day during any construction and grading activities on the site.

9. The applicant shall comply with the State of California Title 24 Regulations for Energy Efficient Design to reduce secondary impact emissions.
10. The applicant shall construct a left-turn lane for eastbound traffic on Country Club Drive at the intersection with Cameron Park Drive. The improvements shall be constructed to the specifications of the El Dorado County Department of Transportation and shall be completed prior to issuance of a Certificate of Occupancy on any of the buildings. The design of improvements, including signal modification, shoulder widening, and right-of-way acquisition shall be reviewed and approved by the Department of Transportation.
11. The access driveway located across and offset from Strolling Hills Road shall be constructed to allow right-in access only. The driveway shall be signed as right-in access only and that left-turn movements are prohibited. The El Dorado County Department of Transportation may require the installation of a raised median to prevent left-turns in and out of this driveway.

CONDITIONS

12. The project, as approved, shall substantially conform to Exhibits ~~E~~, F and G ~~and H~~, and shall allow the development of six (6) proposed commercial buildings on seven (7) five (5) parcels as follows: (1) 53,165 square foot retail grocery/food market on a 4.33-acre parcel; (2) 5,600 square foot square foot commercial-retail building on a 0.60-acre parcel; (3) 10,3600 square foot commercial-retail building on two parcels totaling 1.57 acres ~~2,800 square foot commercial building with drive thru window on a 0.68 acre parcel;~~ (4) 2,100 square foot commercial building with drive thru window on a 0.70 acre parcel; and (45) a 6,000 square foot commercial/restaurant building on a .906 acre parcel; (5) 5,664 square foot commercial/restaurant building on a 1.02 acre parcel; (6) a 10,500 square foot commercial-retail building on a 1.543 acre parcel ~~and a 16,800 square foot commereial retail building on a 3.47 acre parcel~~. Minor modifications to the site plan and building design may be approved by the Planning Director. Major modifications to the site plan or building design will require an amendment to the Design Review application.
13. All proposed buildings shall be subject to the issuance of a building permit from the El Dorado County Building Department.
14. The applicant shall comply with all requirements of the Cameron Park Fire District, including, but not limited to fire flow requirements, building accessibility, sprinkler requirements, and building materials. The Cameron Park Fire District shall review and approve all building permits.

15. The applicant / developer shall provide a minimum of ~~457~~ 435 on-site parking spaces. No more than 35 percent of the total parking may be identified as “compact” spaces, and a minimum of ~~18~~ 7 spaces must be designated as “handicap” only parking. All on-site parking shall meet the parking lot design standards contained in Section 17.18.030 of County Code.
16. The applicant shall include provisions for bicycle parking on the site by providing a minimum of 10 bicycle spaces/racks adjacent to the major tenant. In addition, a minimum of two enclosed bicycle storage lockers shall be provided for employees and/or patrons. An additional minimum of 5 bicycle spaces/racks shall be provided adjacent to the 10,360 square foot commercial retail building.

~~6. The following materials and colors shall be used for all proposed buildings:~~

MATERIAL		COLOR
CMU Block — Upper area and contrast stripes	>	Tan color w/pebbly texture
CMU Block — Lower area	>	Dark grey / black w/pebbly texture
Stucco	>	Light tan (Lanyard)
Steel canopy (Top)	>	Light green
Posts / cart covers / glazed block squares	>	Deep onyx
Entry posts (trim and glazed block pyramids)	>	Purple (Shaker village)
Signage and car cover support rods	>	Light yellow
Storefront / windows and sign grid	>	Polished aluminum
Metal canopy underside	>	Unfinished galvanized steel

17. CMU blocks shall remain in their natural state and texture whenever possible. Minor variations in materials and colors may be approved by the Deputy Director of Planning ~~Director~~. Major variations will require an amendment to the approved design review and approval by the Planning Commission.

~~7. The following architectural standards shall be incorporated (if not already) into the building plans prior to the issuance of a building permit:~~

~~a. Building facades shall be altered to provide variation in design. Facades greater than 100 feet in length must incorporate recesses and projections of at least 12 inches or more in depth/width, or columns along a minimum of 20% of the length of the facade.~~

~~b. Variations in roof lines shall be incorporated to reduce the massive scale through the use of at least two of the following: Parapets concealing flat roofs and roof top~~

~~equipment, overhanging eaves, cornices, canopies, sloped roofs, and use of three or more sloped roofs in the plan.~~

- ~~e. Customer entrances shall be clearly defined and highly visible with features such as canopies or porticos, arcades, arches, wing walls, and integral planters.~~
 - ~~d. Predominant exterior materials for the proposed supermarket and all other buildings shall be of high quality. These include brick, wood, sandstone, native stone, and tinted or textured concrete masonry units or blocks. Tilt up concrete panels or pre-fabricated steel panels are prohibited as the predominant exterior building materials.~~
18. All building and parking lot lighting shall be designed so as to direct light downwards (top and side shielded) pursuant to Section 17.14.170 of County Code. Lights shall be placed so that no glare or light spills over onto an adjoining property or established road right-of-way. Light standards shall not exceed 30 feet in height.
19. The following Parking and Landscaping Standards shall be incorporated into the site plan and landscape plan and be approved by the Planning Director prior to issuance of a building permit:
- a. One tree having at least a minimum size of 15 gallons shall be planted for each 6 interior parking spaces exclusive of trees planted around the perimeter of the parking areas. The tree species utilized shall be of a species type that provides the greatest amount of canopy and shade as possible for the species (a minimum area of 50 percent of the parking lot shall be shaded within 15 years of securing the building permit). The final landscape plan shall be modified to reflect this requirement.
 - b. Planters shall utilize live landscape materials, which will ultimately achieve 100% coverage of the planter area. Cobbles, gravel, bark, or other mulches are not acceptable substitutes for living plant materials. Landscape treatments and shrub plantings shall be located and planted so as to not impair the visibility of pedestrians or motorists.
 - c. The project applicant shall provide a minimum of two pedestrian walkways in the parking lot area to allow unimpeded circulation through the parking lot as required in General Plan Policies 3.9.1.6 and 3.11.2.3 prior to issuance of a building permit. In addition, a minimum of 2 painted cross-walks, or paver-stone walkways, shall be provided from the parking lot to the front entrance areas of proposed supermarket and major retail pads. The plans submitted with the building permit application shall be revised to include the provision for the above pedestrian walkways.

- d. A Water Conserving Landscape Plan shall be submitted along with the final landscape plan prior to issuance of building permit as per the standards established under Resolution 69-93.
 - e. All storage, loading, and utility areas as wells as meters, transformers, backflow prevention devices and other equipment shall be screened from view from all public rights-of-way. Acceptable screening shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Acceptable screening may include plant materials, landscape berms, or walls which complement the site's architecture at heights which in no way obstruct the vision of pedestrians or motorists. Chain link fencing with or without slats is not an acceptable screening method.
20. The applicant shall submit a site improvement /grading plan prepared by a professional civil engineer to the department for review and approval. The plan shall be in conformance with the County of El Dorado "Design and Improvements Standards Manual," the "Grading, Erosion, and Sediment Control Ordinance," the "Drainage Manual," the "Off-Street Parking and Loading Ordinance," and the State of California Handicapped Accessibility Standards.
 21. The applicant shall be subject to a grading permit fee commensurate with the scope of the proposed project prior to the commencement of any work.
 22. The project shall be subject to the **Interim 2004 General Plan Traffic Impact Mitigation Fee Program** ~~County Traffic Impact Mitigation~~ (TIM) fee. Pursuant to Resolution ~~292-2005 32-98~~, said fees shall be due upon issuance of a building permit. If prior to the application for a building permit for said project revised fees are established, such revised amounts shall be paid.
 23. Prior to issuance of any grading or building permits for this project, the bid-ready plans and specifications for the Country Club Drive at Cameron Park Drive improvement shall be approved by the Board of Supervisors, or to the satisfaction of the Director of the Department of Transportation.
 - ~~13. The project shall be subject to the State System Infrastructure Traffic Impact Mitigation (TIM) fee. Pursuant to Resolution 31-98, said fees shall be due upon issuance of a building permit. If prior to the application for a building permit for said project revised fees are established, such revised amounts shall be paid.~~
 24. At the time of grading permit application, the applicant shall provide a soils / geotechnical report to the Department of Transportation addressing at a minimum, grading practices, compaction, slope stability of existing and proposed cut and fills, erosion potential and pavement section based on TI and R values.

25. At the time of grading permit application, the applicant shall provide a final drainage report addressing stormwater run-off increases, impacts to downstream facilities and properties in compliance with the *County of El Dorado Drainage Manual*. The report shall also address the design and application of surface water quality facilities (BMP's, such as oil/grease separators, etc.), in accordance with the recommendations of the Storm Water Quality Task Force's *California Storm Water Best Management Practices Handbook* (1993). The drainage report shall also address potential storm water detention on-site to maintain storm drainage flows to pre-project levels. The County has been advised that Caltrans will not accept any additional storm water flows into Caltrans facilities. The applicant shall provide a copy of the final drainage report to Caltrans. The applicant shall also submit an operations and maintenance plan
- ~~26. A boundary line merge shall be recorded for parcels APN 109-201-11 and APN 109-201-12 before issuance of building permits on these parcels.~~
- ~~27. A paver-stone walkway shall be provided from the parking lot to the front entrance of Pad 2.~~
- ~~16. The applicant shall be subject to improving all access encroachments to County Standard Plan 103G.~~
- ~~17. The applicant shall install curb, gutter, and 5 foot wide sidewalks along the project's frontage on Coach Lane and Rodeo Road. The Coach Lane frontage improvements and alignment shall match the existing Coach Lane improvements. Improvement plans shall be reviewed and approved by the Department of Transportation.~~
- ~~18. The applicant shall complete and submit an erosion control plan for approval to the El Dorado County Resource Conservation District.~~

Chair Knight said the action today could be appealed to the Board of Supervisors within ten working days.

9. PLANNED DEVELOPMENTS (Public Hearing)

- a. **PD95-0001R2/Cool Village Shopping Center** submitted by DON ZEBRAK-CORMAN COMMUNITIES, INC. to allow the construction of a 5,600 square-foot retail building on Parcel 2, and a 4,440 square-foot office building on Parcel 5. The properties, identified by Assessor's Parcel Numbers 071-480-02 (Parcel 2) and 071-480-05 (Parcel 5), consist of 0.812 and 0.733 acres respectively, are located on the southeast corner of the intersection of State Route 193 and State Route 49, in the Cool area. (Environmental Impact Report previously adopted)

Tom Dougherty presented this item with a recommendation for conditional approval. Three letters were received in support and two letters in opposition. Mr. Dougherty read the revised recommendation from the addendum to the staff report. Chair Knight said the only reason the Commission is hearing this item is due to Condition 7 on the original development plan. Mr. Dougherty concurred. Paula Frantz, County Counsel, said Phase I received final approval. The

other phases received conceptual approval and were to come back to the Planning Commission for final approval.

Referring to Page 12 of the staff report, starting with the paragraph about sewage disposal, Commissioner Chaloupka said it is a septic system. Following that paragraph, you need to include the waste discharge requirements. The Control Board is the regulating entity on these types of systems. From "A" to "20.e." could be replaced with those requirements. Roger Trout said those requirements are included as Exhibit J1. Mr. Trout further explained the recommendation to amend Conditions 18 through 20.

Commissioner Chaloupka referred to Condition 3, expansive soils being removed from the building footprint. Mr. Dougherty said that is an original mitigation measure for the planned development. On Condition 4, where it refers to non-domestic waste discharge, Commissioner Chaloupka said he assumes that means industrial waste discharge. Mr. Dougherty said that is correct. That is also an original mitigation measure of approval.

Chair Knight said he did meet with the applicant and visited the site at one time. Commissioner Machado also met with the applicant.

Daron Anderson from Corman Leigh, the said this is basically just a design review. They are not changing anything, just trying to get approval on the design and colors. They have been receiving a lot of positive feedback on their project. They will be providing local jobs in the community. There will be taxes staying in El Dorado County. They have spent \$70,000 to improve State Route 49 and 193. They will be providing a park-and-ride in the facility for the community. All grading of Phase I has been done. On Conditions 18, 19, and 20, the Control Board does not provide a letter, so that portion of the condition should be deleted. Regarding environmental review, there are no new impacts. This is just a design review.

Bob Schubert, resident of the area, said the changes made to this project are lovely. It is a very nice addition to the community. They need medical offices, stores, etc. in this area.

Steve Proe said he submitted comments as well as comments from Taxpayers for Quality Growth. For quite some time they have sat back and watched what occurred to this project. He asked for a continuance two days ago, and that has not been addressed. The comments he submitted have not been addressed by either staff or the Commission. This project was taken through with a western outlook. It was not to come in with sound walls in Cool. He has had only four days to review these documents. The staff report is not complete and has changes that need to be made. This has not come before the Cool/Pilot Hill Advisory Committee or the Greenwood Civic Association. He did meet with the applicant, and his comments have been ignored totally as well as comments from other groups. Commissioner Machado said all applications have the same amount of time for review. Mr. Proe is asking for additional time.

Brad Gent said most of the community is here, and they are tired of delays. There are really no changes to this document. They are looking for final approval so they can move forward.

Jean Biersteker said they would love to see this store to be built in Cool. They need more revenue on the Divide. They welcome this store. Trees have been planted. It needs to go forward. If people do not like the growth on the Divide, they should move. They need the growth desperately.

Edward Grout said the residents of Auburn Lake Trails are for the project. It will reduce driving time, provide essential services, and a pharmacy. They ask that the project not be delayed. The delays are not in the best interest of the community.

Marlene Lenz, resident of Cool for five years, said they were told after they moved in that there would be a grocery store. That was four years ago. They do their shopping in Auburn, out of the County. She believes in shopping in your own community and County. Auburn is their closest shopping place, so that is where they go. They are not asking for a WalMart but a grocery store. They would like to see the project go forward. Ms. Lenz asked that the Commission think about the taxpayers and people in the County.

Jerry Stewart, resident of Cool for 35 years and member of the Cool/Pilot Hill Advisory Committee, said at one time the Committee did represent the people of the area. It does not now. They do not represent the people of Cool or the Georgetown Divide. Older people have to leave the community, because they cannot manipulate the roads any more. Ninety-one percent of the people he has spoken to are in favor of this project.

Hy Vitcov said he has seen this project for a long time. It is not a surprise. He is on the Board for the Georgetown Public Utilities District. Every car that goes to this shopping center will be one less car on Highway 49. It is obvious that the people of Cool, Georgetown, and Pilot Hill want this project. There was plenty of time to review the documents. One person's opinion is not what is needed here. You have to consider the needs of the community. He would rather spend his money in Cool than Auburn. This is a positive project for the community. Mr. Vitcov asked for approval of the project.

Debbie Ring said the Cool/Pilot Hill Advisory Committee welcomes the input from the Commission. They would like to see the project go ahead.

Al Hubbard said he has waited nine years for this project to go forward and hopes that the Commission approves it today.

There was no one else wishing to give input.

Regarding the requested continuance, Ms. Frantz said that would be at the discretion of the Commission. The continuance was submitted to staff at the close of business Tuesday. Steve Proe had asked for a continuance of 30 days in order to submit additional comments. Commissioner Dougherty said the Commissioners have copies of Mr. Proe's letter. He was going to bring up the issue of a continuance. The staff report was emailed to Mr. Proe on Friday, March 3. The staff report has been available in the Planning office since February 23. Ms. Franz said a continuance could be requested by any member of the community.

After the motion and before voting, Commissioner Machado said what is in front of the Commission today is a design review. He asked that staff review the reference to the California Water Quality Control Board. Mr. Trout said staff agrees that the Control Board does not provide a letter. Usually, staff tries to get something in the record so they know what the applicant must do in order to comply with the necessary requirements. There is a licensed engineer that is to file these reports. It is up to the Commission. Staff is comfortable with whatever the Commission approves for Conditions 18, 19, and 20. The Commission asked that Dan Hendricks clarify the letter in Conditions 18, 19, and 20. Mr. Hendricks, registered civil engineer, said the wording is unnecessary. It is automatic that the Control Board submit comments to Environmental Health. Mr. Hendricks said he could send a copy of his letter to the Board to the County. Chair Knight said a copy of the letter could be sent to staff.

Mr. Proe said he has sent a letter to the California Water Quality Control Board informing them of the current violations.

ON MOTION OF COMMISSIONER CHALOUPKA, SECONDED BY COMMISSIONER KNIGHT AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FIND THAT THE PROJECT EIR, STATE CLEARINGHOUSE #96032077, DATED OCTOBER 2, 1996, AND THE ADDENDUM TO THE COOL VILLAGE EIR, DATED AUGUST 2003, ARE ADEQUATE FOR APPROVAL OF THIS PROJECT; FURTHER, THE COMMISSION APPROVED PD95-0001R2 BASED ON THE FINDINGS PREPARED BY STAFF, SUBJECT TO THE CONDITIONS AS MODIFIED.

Changes made during the hearing are indicated by double underlining for additions.

Findings

1.0: CEQA FINDING

- 1.1: The Planning Commission has considered the previous Cool Village Final Environmental Impact Report (EIR), Findings of Fact, Statement of Overriding Consideration and Mitigation and Monitoring Program certified by the El Dorado County Board of Supervisors on August 12, 1997, and the Addendum to the Cool Village Final EIR from August 2003, together with the comments received and considered during the public hearing process. The above said documents reflect the independent judgment of the Planning Commission and have been completed in compliance with CEQA, and are adequate for this proposal.
- 1.2: The Planning Commission finds that the proposed project ~~could not have a significant effect on the environment.~~ will not have the potential to cause any impacts that were not already considered and analyzed in the previous Cool Village EIR, State Clearinghouse #96032077.
- 1.3: The documents and other materials which constitute the record of proceedings upon which this decision is base are in the custody of Planning Services at 2850 Fairlane Court, Placerville, CA.

- 1.4: The proposed project will not have a significant effect on the environment, based on the analysis contained in the Environmental Impact Report and the mitigation measures identified therein, and an EIR 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 Legislation (California Fish and Game Code Section 711.4).

2.0: ADMINISTRATIVE FINDINGS

- 2.1: Issuance of Planned Development Permit PD95-0001R2 for construction of a 5,600 square-foot retail building on Parcel 2 on a 0.812-acre parcel and a 4,440 square-foot office building on 0.733-acre Parcel 5 within the General Commercial-Community Design Control-Planned Development (CP-DC- PD) Zone District.

- 2.1.1: The project is for retail and purposes. The design of the interior parking provides the best possible circulation. The project does provide appropriate circulation for pedestrian traffic within the center between the subject parcels.

- 2.1.2: The exceptions to the standard requirements of the zone regulations include relief from the loading zone and RV space requirements. Due to the nature of the businesses within the center, the traditional loading zone or docks have been determined not to be necessary for these two buildings. Deliveries will be received during non-business hours. Relief from the loading requirements has been justified by the hours of deliveries and the variety of tenants that will occupy the center. Relief from the RV reserved spaces is granted because of the nature of the businesses and the fact concrete tire bumpers are not proposed which allows RV and trailer parking in numerous spaces in tandem.

- 2.1.3: The flat, previously graded site lot is suited for the proposed uses. The lot has been cleared and is ready for development.

- 2.1.4: The Georgetown Divide Public Utility District has provided a letter indicating that water can be provided to the site. The El Dorado County Department of Transportation has recommended approval of the Project with proof of road encroachment permits for entrance onto State Route 49 and State Route 193, and compliance with all previous conditions of the original PD95-0001, were asked as the only requirement of this project approval.

- 2.1.5: The project is within the core area of the Cool commercial area. The existing and required landscaping is intended to increase the scenic value of the site as much as a commercial project could potentially be.

2.2: General Plan Consistency

- 2.2.0: The 2004 General Plan designates the subject site as Commercial (C). The purpose of the Commercial land use category is to provided a full range of commercial retail, office, and

service uses to serve the residents, businesses, and visitors of El Dorado County. It can be found through the discretionary planned development permit process that the project is consistent with the specific, fundamental, and mandatory land use development goals, objectives, and policies of the General Plan. Staff finds that the project, as conditioned, will be compatible with the adjacent and surrounding properties, and conforms to the General Plan.

- 2.2.1: The proposed uses are retail and office which can potentially meet certain needs of the Cool-Pilot Hill Rural Center communities in conformance with Policies 2.1.2.1 and 2.1.2.3.
- 2.2.2: The proposed buildings occupy the same footprint conceptually approved by the Planning Commission for PD95-0001. As proposed, the project complies with the 0.25 floor area ratio and the 85 percent maximum impervious surface intensity in conformance with Policy 2.2.1.5.
- 2.2.3: The applicant has a previously approved Planned Development permit, which was conditioned to require Planning Commission approval for all phases of development, with the exception of Parcels 1 and 4. As proposed, and along with the previous Conditions of Approval for PD95-0001 which also govern this revision, in conformance with Policies 2.2.5.5 and 2.2.5.20.
- 2.2.4: The proposed project is consistent with the General Plan Policy 2.5.2.1 because it is oriented to serve the needs of the surrounding area, and incorporates design concepts consistent with the intent of this policy because it provides amenities that include the potential for pedestrian and bike travel between the buildings, limits the types of businesses and types of construction, and addresses the aesthetics of signs, lighting, landscaping, and building exteriors.
- 2.2.5: It can be found that the scenic values and viewsheds on State Route 49 have been addressed with buffering with landscaping of the buildings and lighting, and with design review considerations for color and composition of the buildings in conformance with Policies 2.6.1.1, and 2.6.1.8, Policy 2.7.1.1, and Policy 2.8.1.1.
- 2.2.6: The inclusion of bike racks ~~and lockers~~ will facilitate the potential future inclusion of trails into future phases in conformance with the intent of Policy TC-4i.
- 2.2.7: Discussions and issues of concern about storm drainage have been included in a drainage study for PD95-0001, the EIR and Addendum for Cool Village, and by the California Regional Water Quality Control Board, Central Valley Region Waste Discharge Order R5-2003-0023, and the Revised Monitoring and Reporting Program of the same in conformance with Policy 5.5.1.1.

- 2.2.7: The El Dorado County Fire Protection District has reviewed the project and can provide service to the project site. The District requires final approval of their requirements as a condition of final approval of the building permits and thus the project will be in conformance with Policy 5.7.2.1.
- 2.2.8: An Acoustical Analysis that included these two building proposals was prepared for PD95-0001 in compliance with Policy 6.5.1.2. (The Acoustics and Vibration Group, March 1, 2002). The office uses are within this contour range as proposed and thus will need an analysis of interior noises in conjunction with a building permit. Proposed Condition 2 will implement this requirement in order to ensure conformance with Policy 6.5.1.2.
- 2.2.9: ~~EDCDOT~~ The El Dorado County Department of Transportation has determined that this current proposal will not require a grading permit because only foundation digging and light surface finish grading are proposed. Erosion control measures for all previously approved grading permits are in progress for all current development surrounding the parcels and will be incorporated into the construction of these two building. These measures will ensure the project will be in conformance with Policy 7.3.2.2.
- 2.2.10: The final revised Landscape Plan will meet the General Plan intent on incorporating native plants and be approved by the Planning Services before the building permit can be issued. Applicant will be required to install and maintain landscaping in accordance with the approved final landscaping plan in perpetuity or unless otherwise modified through any future permit. As approved and conditioned the project is in conformance with Policies 7.3.5.1, 7.3.5.2, and 7.4.4.2.
- 2.2.11: An Archeological Survey Report had been previously prepared by Dana Supernowicz for PD95-01 in January of 1992. The study found no evidence of any prehistoric period occupation or use of the pad areas directly involved with this permit, in conformance with Policy 7.5.1.3.
- 2.2.12: Condition 7 requires that bicycle parking and lockers be provided within this development in order to help prepare for the future opportunities (see Exhibit I). Although the project area is not shown on the County's Hiking and Equestrian Trails Master Plan (March 29, 1990 as having a trail, a 15-foot non-vehicular trail easement along Knickerbocker Creek was created as a result of PD95-0001/P95-0001, (Parcel 8 of PM 48-125). Since Phase I of Cool Village has been approved with the 15-foot trail easement on Parcel 8, and that this revision for the two commercial buildings on Parcels 2 and 5, there are no additional requirements for additional trails easements at this time, and thus the project is currently in conformance with Policies 9.1.2.3, 9.1.2.4, 9.1.2.5, and Objective 9.1.3 as they stand at the time of this permit approval.

Conditions

The following is a revised and updated overall project description for PD95-001 as of January 17, 2006:

Pursuant to Cool Village project approvals (PD95-0001, a Final Development Plan for Phase I, Resolution No. 193-97, Tentative Map P95-0002, 7/28/03 Improvement Plans, and the August 2003 Addendum EIR), the project has Final Development Approval for the following:

<u>APN:</u>	<u>Square Feet:</u>	<u>Approved Use/Description:</u>
<u>Parcel 2</u>	<u>5,600</u>	<u>Office/Commercial</u>
<u>Parcel 3</u>	<u>11,900</u>	<u>Service/Retail/Restaurant/In-line Shops</u>
<u>Parcel 4</u>	<u>25,000</u>	<u>Grocery/Market</u>
<u>Parcel 5</u>	<u>4,400</u>	<u>Office/Commercial</u>
<u>Parcel 6</u>	<u>11,300</u>	<u>Office/Commercial</u>

The shopping center has been designed with pop-outs, a tower element and a varying color scheme to add visual relief and interest throughout the center. Each building façade includes a split face concrete masonry unit (CMU) field, with a split face center score CMU band and a split faced fluted CMU parapet band. The Market main entry on the northwest elevation will have a board and batt system, with stone veneer, wood truss accents, wood outriggers, foam shape cornices and cement plaster. The glass/aluminum storefront system will be anodized bronze. The roof will be standing seam metal. The CMU main structure of the Market is 24 feet high. The Market main entry tower element is 32 feet high with additional elements at heights of 26 and 22 feet.

The metal roof element and front façade for the In-line Shops will be wood framed with stucco and stone veneer. The elevation height of the In-line Shop center section is 24 feet high. The elevation height for the side sections is 22 feet high.

The color palette for the Market and In-line Shops have been approved by the County (see PD95-0001R, October 2005) The colors include: Hemlock Green metal roofing, Fog Southern LedgeStone Cultured Stone, Balsam Brown, Gold Promise and Western Pursuit (shades of tannish brown) plaster, Tropical Tan and Cushy Suede trim/accent boards.

The buildings for Parcels 2 and 5 are proposed to follow the architectural theme, design and color palette of the Market and In-line Shops. The maximum height of these structures is 26 feet. No building is proposed at this time for Parcel 6.

Cool Village will provide 235 spaces, including 10 disabled spaces. The total number of parking spaces required is 210. The parking lot is designed to provide 84 spaces where recreational vehicles and vehicles with trailers can be accommodated.

~~The proposed structures are to be slab on grade stucco buildings. The finish is to be plaster with moldings for trim and cornices and stone veneer finish along the store fronts. Fabric and steel awnings are to be used throughout the shopping center. Accent steel features are also proposed. The shopping center has been designed with pop-outs, tower elements and a varying color scheme to add visual relief and interest throughout the center. Shop B has an entry tower element, with a maximum height of 38 feet, and additional elements at heights of 31 feet and 28 feet. Shop C has an entry element with a height of 29 feet. Shop D has an entry element, with a~~

maximum height of 30 feet. Major D has an entry element with a height of 30 feet. Pad F has an entry element with a maximum height of 31 feet.

The color palette for the sites has been proposed. The colors include: Hemlock Green metal roofing, Fog Southern Ledge Stone “Cultured Stone,” Balsam Brown, Gold Promise and Western Pursuit (shades of tannish brown) plaster, Tropical Tan and Cushy Suede trim/accents boards.

The site is to include two, 4,000 square foot restaurant uses, with a maximum seating capacity of 120 seats. Based on the seating capacity, each restaurant would be required 80 regular or compact parking spaces and four recreational parking spaces. Both restaurants also propose drive thru facilities; therefore, parking space credit is given for the stacking lane (each 24 foot length). The remaining 56,079 square foot shopping center is to be retail shopping, with one major pharmacy retailer, which will also have a drive thru facility. The parking required for the retail users is 224 spaces. The total number of parking spaces required is 312 spaces, with six spaces required to be available for the disabled and eight for recreational vehicles. The developer has provided 320 parking spaces, 171 standard parking spaces, 110 compact spaces, 14 disabled spaces, eight recreational vehicle spaces and 17 drive thru stacking lane spaces. The following table provides details on the required and provided on site parking:

PARKING REQUIREMENTS			
Parking Standard	Stall	No. of Spaces Required	No. of Spaces Provided
Standard Space		298	171
Compact Space		35 percent allowed	110
Disabled Space		6	14
Recreational Vehicle Space		8	8
Drive Thru Stacking Space		1 space credit for each 24 feet of stacking lane	17
Loading Zone		3	1 (plus behind Shop E)
Totals		315	320

PARKING REQUIREMENTS For All of Phase 1		
Parking Stall Standard	Number of Spaces Required	Number of Spaces Provided
Standard Space	46,900/250 = 182	225
Compact Space	35 percent allowed	0
Disabled Space	6	10
Recreational Vehicle Space	2 each for Parcels 2 and 5.	0
Totals	190	235

The project has been designed to include one dedicated loading space for the major pharmacy retailer. The loading dock for the pharmacy has been designed to be 14 feet wide and 58 feet long, exceeding the County Standards for loading docks. The developer has not designed truck loading docks for the bulk of the shopping center because it does not necessitate the use of loading docks due to the individual tenant sizes and needs. The drive aisle/service lane behind and to the south of Shops B, C, and D will be utilized for deliveries.

Mitigation Measures

The following mitigation measures are required as a means to reduce potentially significant environmental effects to a less than significant level:

1. Project facilities shall be designed in accordance with the County building codes which incorporate the seismic design for Zone 3 provisions of the 1994 Uniform Building Code.

Building contents in all proposed commercial, office, and light industrial facilities shall be secured to the extent feasible. All shelving shall be secured to structural elements of the floor, wall, or ceiling. Heavy display items and merchandise shall be placed on lower shelves and secured to building elements where possible.

2. Prior to issuance of a grading permit, an erosion control, landscaping, and revegetation plan shall be prepared for review and approval by the El Dorado Resource Conservation District and the El Dorado County Department of Transportation. The landscaping and revegetation plans shall incorporate plant species that are compatible with the soils and growing conditions found at the project site to ensure healthy growth of all planted materials. A letter stating approval by said agency shall be submitted to the Surveyor's Office prior to recording the parcel map.

All grading and erosion control, including driveway construction, shall be conducted in compliance with the requirements of Chapter 15.14 of the El Dorado County Code, Grading, Erosion, and Sediment Control Ordinance. A letter stating approval by the El Dorado County Department of Transportation shall be submitted to the Surveyor's Office prior to recording the parcel map.

3. All expansive soils shall be removed from the building footprint prior to construction, and appropriate soil mixtures shall be used for building and pavement foundations. All fill materials shall be free of organic material, and rocks larger than six inches shall be removed. Fill placed within 30 inches of slab subgrades shall have low expansion potential. Soil stabilizers or lime treatment shall be used where necessary to reduce the shrink-swell potential of native soils or imported material used for low-expansion fill. Compliance with this measure shall be verified by a geologist in a letter to the Planning Department prior to issuance of a building permit.

4. Prior to the approval of a specific use on the project site, the project applicant shall submit to the County Environmental Health Division a sewage disposal plan that includes estimated wastewater flows, disposal area location and size, average percolation rate and

depth to groundwater at the proposed disposal site, any special designs being utilized, and details regarding operation and maintenance of the system. The County Environmental Health Division will be responsible for reviewing and approving the sewage disposal plan prior to the approval of a proposed use at the project site. Project-level grading plans shall also be submitted to the County Department of Environmental Health prior to approval to ensure that soils within proposed septic disposal areas are protected from disturbance and that all required setbacks are maintained.

Wastewater discharges for proposed uses may not exceed the calculated capacity of the proposed wastewater disposal system. If the projected wastewater discharges for a specific use are higher than what can be accommodated within the sewage disposal area, the disposal area may be enlarged provided that a corresponding reduction in another septic disposal area is made. In order to maintain the viability of designated septic disposal areas for future commercial use, no septic disposal area (with the exception of the disposal areas designated for parcels 2 and 14) may be reduced below a minimum capacity of 300 gallons per day.

The County Environmental Health Division shall review each sewage disposal plan to identify any proposed non-domestic waste discharges. If non-domestic waste discharges are proposed by a project applicant, the County shall require the applicant to obtain a letter from the Regional Board indicating whether the Regional Board will regulate such discharges, and, if so, obtain and comply with Regional Board waste discharge requirements, including any special provisions requiring that a financially responsible entity operate and maintain the facility.

5. The project applicant shall contract to have all parking and loading areas cleaned with a vacuum truck on a weekly basis.

The project applicant shall develop a plan and implement practices to reduce discharges of petroleum products into the storm drainage system. Practices considered by the project applicant shall include installation of containment facilities around petroleum product storage areas and installation of County approved facilities for the removal of petroleum products from storm water runoff.

The project applicant shall retain a qualified erosion and sediment control specialist to prepare a project Storm Water Pollution Prevention Plan (SWPPP) which emphasizes storm water best management practices (BMPs). The SWPPP is required by the State Water Resources NPDES General Construction Activity Storm Water Permit (Appendix B, page 5 of the Draft EIR). The objectives of the SWPPP are to identify the sources of sediment and other pollutants that affect the quality of storm water discharges and to describe and ensure the implementation of practices to reduce sediment and other pollutants in storm water discharges. A copy of the General Construction Activity Stormwater Permit shall be filed with the Department of Transportation prior to issuance of a grading permit. The SWPPP shall include the following elements:

- Grading and earthwork shall be limited to the dry season (April through October) to the extent feasible to minimize soil exposure.
 - New cut and fill slopes and soil stockpiles shall be revegetated, mulched, or otherwise protected immediately upon completion of permanent or temporary winter slopes.
 - Runoff shall be diverted away from construction areas that have been denuded or otherwise disturbed.
 - Sediment shall be retained on-site by the proper use of silt fences, hay bales, sedimentation basins, or other structures.
 - All erosion and sediment control facilities shall be inspected routinely by the County Department of Transportation and maintained by the applicant until the newly-disturbed ground surfaces are stabilized.
6. The project applicant shall provide the GDPUD with estimated demand requirements for each specific use proposed at the project site.

The project applicant shall be required to install all on-site and off-site improvements necessary to serve the proposed use with adequate water for commercial and fire protection purposes.

Water meters shall be installed by the Georgetown Divide Public Utilities District upon proper application and payment of the appropriate charges.

A water meter award letter or similar assurance from the water purveyor, guaranteeing water service upon demand to the property shall be submitted to the Planning Department prior to approval of the final map or issuance of any building permits, whichever occurs first.

7. The applicant shall grade the site such that all finished floor elevations are at least 1 foot higher than the 100-year flood elevation that would result if the project is developed as proposed, subject to Department of Transportation approval.
8. The applicant shall retain a qualified native revegetation specialist to review and provide recommendations on the native revegetation component of the landscaping plan proposed by the project applicant (identified as Natural Areas on the landscape plan). Recommended changes and modifications shall be reviewed by the El Dorado County Planning Department and incorporated into the plan as determined to be appropriate, prior to the issuance of a grading permit. The revised landscape plan shall, at a minimum, incorporate the following revisions:

If the project applicant is not able to maintain at least 90 percent of the existing tree canopy cover, then a revegetation plan shall be prepared which provides for replacement of all oak trees with a DBH greater than 8 inches at a 3:1 ratio;

Revegetation materials shall be limited to species that currently exist on the project site or in oak-dominated plant communities in similar ecological settings in the project region;

The percentage of planted oaks in relation to all other planted trees in this area shall be no less than 50 percent (Policy 7.4.5.2 of the El Dorado County General Plan);

Exotic or introduced plant species not consistent with the blue oak woodland community present on the project site shall be excluded;

Trees shall be planted in clusters within irregular, naturalistic spacing;

Oak plantings shall utilize material grown in leach tube (supercell) and/or deep pot oak liners, or other suitable liners generally recognized by native revegetation specialists as appropriate for use with native oaks;

Drip irrigation shall be installed for all native plantings, and irrigation shall be applied through the end of May during the first spring season and periodically as needed during the second spring season; and

Screening or the use of “super tubes” shall be required in conjunction with smaller plantings if more than 20 percent of these plantings are damaged by herbivores during the first year after planting.

The project applicant shall guarantee a 90 percent survival rate for all replacement trees by signed contract with a qualified landscape professional or by posting a performance bond. Trees shall be replanted as necessary to meet this performance standard.

In accordance with the County of El Dorado Design and Improvement Standards Manual, the following measures to protect existing oak trees (in situations where construction activity is proposed within 50 feet of the tree) shall be implemented:

Place a six-foot-tall temporary fence around the protected area prior to any construction activity;

Prohibit grading activities in areas within protected areas unless specifically indicated in plans;

Prohibit trenching within the protected area. If such trenching is necessary to install underground utilities, the trench shall be hand dug so as not to cut any roots over 2 inches in diameter;

Allow only a licensed arborist to remove dead, weakened, diseased, or dangerous branches. Any roots 2 inches in diameter or greater that must be cut shall be cleanly cut with pruning shears and not excavation equipment;

Hose off all dust from foliage of oak trees once every week during construction of the project;

Leach field lines shall be placed outside the dripline of all oak trees (DBH. greater than 8 inches) when feasible. If avoidance cannot be attained, then replacement mitigation (as described previously) shall be implemented; and

Oak trees (d.b.h. greater than 8 inches) with leach lines installed within 10 feet of the dripline shall be monitored by a licensed arborist annually for a period of ten years to ensure survival. Oak trees lost within this 10-year period as a result of root disturbance and excessive subterranean moisture associated with leach field lines shall be replaced at a 3:1 ratio.

9. A qualified wildlife biologist shall be retained to conduct a Site Assessment for California red-legged frog between June and November. The Site Assessment shall follow the USFWS, February 1997 guidelines (Guidance on Site Assessment and Field Surveys for California red-legged frog). The protocol describes two separate phases for assessing potential impacts to California red-legged frog in the vicinity of a project site: 1) a Site Assessment, and 2) Field Surveys. The focus of the Site Assessment shall be a portion of the Knickerbocker Creek drainage within the project site boundaries. A copy of the completed Site Assessment report shall be submitted to the El Dorado County Planning Department and the USFWS. The project applicant has established a 100-foot buffer between project activities and perennial waters.

Field Surveys shall be conducted if required or requested by the USFWS. Field Surveys require four separate field days to complete, and require the preparation of a report. The completed Field Survey report shall be submitted to El Dorado County Planning Department and the USFWS. If California red-legged frog is found to occur in Knickerbocker Creek, the project applicant shall initiate an informal consultation with the USFWS. Depending on the potential for "take" of habitat or loss of individual red-legged frogs, the USFWS may request that a formal Section 7 or 10(a) consultation, as appropriate, be conducted. If required by USFWS, the applicant shall prepare a mitigation and monitoring plan that will address potential impacts and mitigation measures.

10. If California red-legged frog is found to occur in Knickerbocker Creek, the project applicant, based on consultation with the U.S. Fish and Wildlife Service (USFWS), shall be required to develop and implement mitigation measures that would achieve a no-net-loss of California red-legged frogs, prior to construction of project facilities (buildings or infrastructure) within any parcel located adjacent to Knickerbocker Creek.
11. Raptor nesting surveys (March or April) by a qualified wildlife biologist shall be conducted each year that grading or construction will occur to locate and map all active raptor nests that are within 500 feet of proposed construction activity.

If active raptor nests are located on or within 500 feet of an active or scheduled construction site, then appropriate buffer zones shall be established in consultation with the California Department of Fish and Game, and construction activities shall be prohibited within this buffer zone until the end of the nesting season (April-July) or until the young have fledged (i.e., have attained the power of flight). A qualified wildlife biologist shall monitor the nest to determine when the young have fledged and submit weekly reports to the CDFG and the El Dorado County Planning Department throughout the nesting season.

Nest trees may only be removed prior to the onset of the raptor nesting season (March) or after young have fledged (July).

12. A qualified botanist shall be retained to conduct focused plant surveys, sometime between April and June, on each of the parcels associated with Phases II through IV prior to the approval of a final development plan for the affected parcels. The survey shall focus on plant species designated as rare, threatened, or endangered at the time of the survey and that have potentially suitable habitat at the project site.

If special-status plants are located during the surveys, the population sites shall be avoided to the extent feasible through modification of the proposed site design and placement of protective exclusion zones. If a special-status plant population cannot be avoided, appropriate salvage and relocation measures shall be required, as determined in consultation with the California Department of Fish and Game, to achieve a no-net-loss standard for special-status plants.

13. To the fullest extent possible, project facilities shall be located in areas that would avoid wetland fill.

The project applicant shall reapply for a Nationwide Permit 26 for any wetland fill above 0.95 acre or fill that will occur after January 21, 1998. If deemed necessary by the Corps, another wetland delineation shall be performed.

Pursuant to General Plan Policy interpretation, if wetlands above 1/3 acre of fill cannot be avoided and no significant habitat is involved, an appropriate wetlands mitigation and monitoring plan shall be prepared in consultation with the Corps of Engineers. The project applicant shall either create new wetlands at a 1:1 ratio or restore wetlands at a 2:1 ratio for each acre of proposed wetland fill. Note that a 1:1 ratio will only be allowed by the Corps in situations where wetlands have been successfully created prior to project-related disturbances. If wetlands creation occurs after project-related disturbance, a 1.5:1 mitigation ratio may be required. Creation of new wetlands is possible through: 1) building and reconstructing wetlands in areas where they previously have not occurred or have been historically eliminated; or 2) participating in a wetlands mitigation program. Restoration involves the re-establishment of biological and/or physical function in sites where some portion of wetlands still remain intact, although in a highly degraded state.

The mitigation and monitoring plan shall include a description of the wetland mitigation area, basis for replacement/restoration ratio, specific monitoring actions, and criteria for determining wetland mitigation success.

The wetlands mitigation and monitoring plan will also identify a suitable financing mechanism for the long-term maintenance of wetlands preserved on-site, as well as the recordation of deed restrictions which would maintain on-site avoidance, preservation, and buffer areas as wetland preserves and wildlife habitat in perpetuity (as required in the January 5, 1996, Nationwide Permit Number 26 conditions).

To ensure success of the creation or restoration of wetlands, post-construction monitoring shall be conducted by a qualified restoration scientist annually for five years. Annual reports shall be submitted to the CDFG, Corps, and USFWS. If mitigation appears to be failing at any time during the five-year monitoring period, the El Dorado County Planning Department will ensure that the non-effective elements of the mitigation program are corrected or replaced by the project applicant.

The project applicant shall secure a Stream Bed Alteration Agreement prior to any construction activities that may occur within an area subject to Section 1601 of the California Fish and Game Code.

14. In the event that buried cultural resources are discovered during the course of project grading or construction activities, operations shall immediately stop in the vicinity of the find, and a qualified archaeologist who fulfills the Secretary of the Interior standards shall be notified immediately to evaluate the find and to determine the proper procedure for dealing with the resource. Cultural resources could consist of, but not be limited to, artifacts of stone, bone, wood, shell, or other materials, or features, including hearths, structural remains, or dumps. If it is not possible to avoid the resource by project redesign, a research design should be prepared that outlines the recording and evaluation procedures to be followed. If necessary, a data recovery plan should be prepared in order to guide any subsurface testing and/or excavation required to mitigate impacts to the resource.

Grading and/or excavation on Parcel 16 shall be monitored by a qualified archaeologist to determine if a significant archaeological component exists below ground.

If human burials are encountered anywhere on the project site, all work in the area shall stop immediately and the County Coroner's Office shall be notified within 48 hours. If the remains are determined to be Native American in origin, both the Native American Heritage Commission and any identified descendants must be notified and recommendations for treatment solicited (CEQA [Appendix K]; Health and Safety Code Section 7050.5; Public Resources Code Section 5097.89). The procedures set forth in Supplemental Document J, Section VIII of the CEQA Guidelines concerning treatment of remains shall be followed.

15. In order to reduce impacts to the Threlkel House from conversion activities, renovation of the structure shall follow the guidelines presented in the California State Historical Building Code (California Health and Safety Code Sections 18950 through 18961), and the El Dorado General Plan Policies 7.5.2.1 through 7.5.2.6.
16. The parcels involved with Phases II, III, and IV shall be resurveyed for cultural resources (since the original 1991 survey will have occurred over five years before), and those resources fully recorded and evaluated prior to the commencement of construction activities. Evaluation shall include archival/background research to develop the historic contexts necessary for the determination of resource significance and possible inclusion in the California Register of Historic Places.
17. The project applicant shall comply with General Plan Policy 3.11.1. Road improvement plans shall incorporate and include the proposed County Arterial Route Bikeway along State Route 193 and the proposed Trans-County Route Bikeway along State Route 49.
18. The project applicant shall relocate the existing park-and-ride lot to Caltrans standards. The park-and-ride lot could be located in approximately the same location if shifted to the south of its present location. The existing number of spaces shall not be reduced.
19. The applicant shall contribute a portion of the cost for the westbound left-turn lane (along with the addition of the traffic signal discussed in Mitigation Condition 20) on a fair share cost basis.

The applicant shall comply with the following General Plan Goals and Objectives (and associated Policies):

Transportation Demand Management (TDM)

Goal 3.9: Reduce the level of demand on County roads through the implementation of policies and programs that minimize congestion, improve level of service, conserve energy, and minimize air pollution.

Objective 3.9.1: Policy 3.9.1.6.

20. The County shall require project applicants for future phases of development at the Cool Village Project site (Phases II through IV) to conduct a project-level traffic analysis which identifies the existing plus project LOS based on current traffic counts. If the existing plus project LOS falls within the standards established by General Plan policy, the project will have a less-than-significant impact and may be approved. If the existing plus project LOS exceeds the standards established by General Plan Policies 3.5.1.1, 3.5.1.6 and 3.5.1.7, the project will have a significant impact; and in order to comply with General Plan policy, the project will have to be denied or mitigated to a level that achieves compliance with the General Plan LOS standards.

21. The applicant shall construct a traffic signal at the intersection of State Route 49 and State Route 193. During the review of Phases II, III, and IV, a traffic study will be required to determine when the improvement is required as a result of that phase. When the traffic study indicates that the improvements listed in this mitigation measure are necessary, then the applicant shall construct the improvement and may be entitled to a credit and/or reimbursement for improvements made beyond the project's fair share, as described in an agreement with the County. The State Highway Traffic Impact Fee Program may reimburse the applicant the difference between the cost of the improvement and the applicant's "fair-share" portion.
22. Comply with APCD Rule 223-Fugitive Dust, Rule 224-Cutback and Emulsified Asphalt Paving Materials, and Rule 502-General Conformity.

In addition, the following on-site mitigation measures shall be implemented for the duration of grading, excavation, and construction activities to control dust:

- Construction site watering. All grading and construction contracts shall require that exposed soils at active construction sites be watered at least twice daily. A fully operational water truck shall be on-site at all times during grading and excavation, when soils are exposed. Special attention shall be given to areas upwind of residences adjacent to the site. The frequency of watering shall be increased when average wind speeds are above 15 miles per hour.
- Unpaved surfaces. All unpaved roads, parking areas, and staging areas shall be watered at least three times daily or treated with non-toxic soil stabilizers.
- Soil stockpiling. All soil stockpiles or other materials that can be blown by wind shall be enclosed, covered, watered at least twice daily, or treated with non-toxic soil binders.
- Restrict traffic speeds. Traffic speeds on all unpaved surfaces at the site shall be limited to 15 miles per hour.
- Sweep roads and parking areas. All paved access roads, parking areas, and staging areas shall be swept at least once daily (preferably with water sweepers).
- Suspend grading activities. Grading and/or excavation activities shall be suspended when winds exceed 25 miles per hour.
- Erosion Control. Sandbags or other erosion control measures shall be used to prevent silt runoff to public roadways.
- Dust suppressants. Approved chemical soil stabilizers shall be applied to all inactive construction areas, in accordance with manufacturers' specifications. Alternatively, inactive construction areas may be hydro seeded.

- Pave and revegetate surfaces. Ground cover shall be replaced with pavement or vegetation as quickly as possible and no more than 30 days after the completion of grading and site stabilization activities.

The following off-site mitigation measures shall be implemented for the duration of grading, excavation, and construction activities to control dust:

- Cover haul loads. Trucks hauling dirt or other loose materials shall be covered.
- Mud removal. All trucks and equipment shall be washed off prior to leaving the site.
- Sweep off-site roads. Street sweeping shall be conducted (preferably with water sweepers) at least once daily where visible soil material is carried onto adjacent public streets.
- Pave access roads. The primary access road to the site shall be paved for at least 100 feet onto the site from the main road. The paved on-site portion of the road shall be watered at least twice daily.

The following mitigation measures shall be implemented for the duration of grading, excavation, and construction activities to control equipment and truck exhaust emissions:

- Equipment maintenance. Construction equipment shall be maintained and tuned at the interval recommended by the manufacturers to minimize exhaust emissions.
 - Limit equipment idling. Equipment idling shall be kept to a minimum when equipment is not in use. No piece of equipment shall be left to idle in one place for more than 30 minutes.
 - Limiting truck trips. Construction truck trips for trucks using nearby roadways shall be scheduled during non-peak traffic hours so as not to cause additional traffic congestion.
23. Use the appropriate Best Available Control Technology for controlling air pollutant emissions to the extent practicable for each industry located on the project site.

After land development, prohibit any open burning and require mandatory garbage collection.

To mitigate carbon monoxide emissions, require wood burning stoves to be EPA-approved and require fireplaces to have EPA-approved inserts.

24. Parking lots shall be located more than 160 feet from existing residences. As an alternative, sound barriers shall be constructed to attenuate noise levels.

A detailed analysis of potential noise impacts associated with loading dock activities shall be conducted when specific information on the locations of loading docks and the number of delivery trucks to the project site is available. Noise control measures such as use of setbacks or sound barriers shall be required as necessary to ensure that noise levels do not exceed 50 dB Ldn at existing residences.

A detailed analysis of noise levels shall be conducted when specific information on the mechanical equipment to be used at the project site is available. Noise control measures such as enclosures, barriers, or roof line parapets shall be required as necessary to ensure that noise levels do not exceed 50 dB Ldn at existing residences.

25. Office uses shall be sited outside the 65 dB Ldn contour, whenever possible, using the following distances based on the year 2015 traffic noise levels:
- State Route 49: 84 feet; and
 - State Route 193: 81 feet.

An analysis of interior noise levels shall be conducted when building plans and floor plans have been completed for any office use proposed within the 65 dB Ldn contour. If it is determined that interior noise levels would exceed 45 dB Leq, improvements to the building shall be required as necessary to reduce interior noise levels to below 45 dB Leq.

26. The landscaping plan shall include additional tree plantings along the eastern boundary of Parcel 15 to ensure that lighting associated with parking areas would be screened.
27. Hazardous Waste. Surface soil samples shall be collected in the area east of Road D prior to the issuance of a grading permit and analyzed for chlorinated pesticides and arsenic by a Cal/EPA Environmental Laboratory Accreditation Program (ELAP) certified laboratory using EPA approved analytical methods. Results shall be compared to regional background soil concentrations (for arsenic) and to the EPA's preliminary remediation goals for soil (for both arsenic and chlorinated pesticides) to determine if chemical residues present a potential human health risk to construction workers or future site occupants.

If chemicals are present at hazardous concentrations, as defined by Title 22 CCR 66261.24, excavated soil shall be handled in compliance with applicable local, state, and federal regulations and/or guidelines for hazardous waste. Remediation and/or disposal of all materials deemed to be hazardous shall be conducted following applicable regulatory agency regulations and/or guidelines. All evaluations, remediation, treatment, and/or disposal of hazardous waste shall be supervised and documented by qualified hazardous waste personnel.

Asbestos-containing Serpentine Materials. A preconstruction soil/rock survey shall be conducted by a California Registered Geologist to identify any suspected asbestos-containing serpentine materials. If areas containing serpentine rock or soils are detected in the preconstruction survey, such areas shall be avoided during construction to the maximum extent possible. If avoidance is not possible, the areas shall be sampled and tested to determine whether concentrations of asbestos exceed one percent (pursuant to Title 22 CCR 66261.24). If asbestos is detected at or above this level in the samples, engineering controls shall be implemented to protect workers and downwind receptors during on-site construction activities that may disturb the asbestos-containing serpentine materials. These controls are similar to those required to reduce dust emissions as described in Section 3.7, Air Quality.

- Excavated serpentine material shall be wetted to minimize potential for asbestos-containing dust emissions. Excess watering shall be avoided to prevent erosion and washing of asbestos particles into watercourses.
 - Excavated materials identified as asbestos-containing serpentine shall be isolated from exposure by daily covering.
 - Personnel respiratory protection and training shall be provided to workers as required by Cal/OSHA.
28. The project applicant shall contract with an independent septic service and coordinate the scheduling of septage treatment and disposal with the El Dorado County Environmental Management Department - Septic Services Division to ensure that the 10,000 gallon daily limit for treatment is not exceeded.
29. The project applicant will be required to pay an agreed upon amount to fund for additional staffing of law enforcement, fire protection, and emergency service personnel as a conditional of project approval. Such payment and/or agreement shall be made prior to building permit issuance.
30. Prior to issuance of any building permits for any phase, the project applicant shall provide PG&E with an application, specific project site plans, and improvement plans. A letter from PG & E, verifying the receipt of such application, shall be sent to the Planning Department prior to building permit issuance.

Conditions - PD95-0001R2

Underlining and ~~strike out~~ in this section indicate recommended changes pursuant to PD95-0001R2. Double underlining indicates modifications made during this hearing.

1. **The project description is as follows:**

Approval of a Planned Development PD95-0001R2 to allow the construction of a 5,600 square-foot retail building on Parcel 2 and 4,440 square-foot office building on Parcel 5. (Modified by R2; 2006).

The location and all roads, structures, and other site improvements shall conform to the approved development plan for lots 1 and 4, and Parcels (lots) 2 and 5 of Phase I. This planned development permit approval and all resulting site improvements are based upon and limited to compliance with the Site Plans, dated September 21, 2005 (Exhibit D1) and January 2004 (Exhibit D2), the Elevations dated September 21, 2005 (Exhibit E) and Conditions of Approval set forth below. Adjustments to the location of parcel boundary lines, interior driveways, and minor streets to accommodate the site plan require approval by the Department of Transportation and Planning Director prior to submittal of the final map to the Board of Supervisors.

A Sign Programs was approved by Planning Services December 9, 2003, for the shopping center and is provided as Exhibit F and includes updated elevations of the monument/pylon signs. A preliminary landscape plan for Parcels 2 and 5 has been provided as Exhibit G. (Modified by R2; 2006).

2. An analysis of interior noise levels shall be included when Tenant Improvement building plans and floor plans are submitted for the buildings proposed for Parcels 2 and 5. If it is determined that interior noise levels would exceed 45 dB Leq, improvements to the building shall be required as necessary to reduce interior noise levels to below 45 dB Leq. Planning Services approval of the noise mitigations is required before final occupancy for the two buildings is granted. (Modified by R2; 2006).

2.3. All additional landscaping for Parcels 2 and 5 is required to meet Zoning Code Chapter 17.18.090, and General Plan Policies 7.3.5.1, 7.3.5.2 and 7.4.4.4. The final revised Landscape Plan shall meet the intent of the General Plan to incorporate El Dorado County native plants and shall provide for the planting of five gallon interior live oaks (*Quercus wislizenii*) which shall be planted all along the western and southern boundaries of Parcels 5 in groups of three at the top of the embankment. A final set of landscape, lighting, and irrigation plans and specifications for Parcels 2 and 5 shall be submitted to the Planning Services for evaluation and approval prior to issuance of any building permit and shall include the following shrubs: California coffeeberry (*Rhamnus californica*) holly-leaf redberry (*Rhamnus crocea* var. *ilicifolia*), toyon, California Christmasberry (*Heteromeles arbutifolia*). All planting areas shall be irrigated with low precipitation drip irrigation and bubblers with no overhead sprinklers. A final set of landscape, lighting, and irrigation plans and specifications for Phase I, following the County Water Conserving Landscaping Standards., shall be submitted to the Planning Department for evaluation and approval prior to issuance of any building permit. (Modified by R2; 2006).

4. All outdoor 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, including the following: (Modified by R2; 2006).
 - a. Parking lot and any outdoors security lighting shall be side and top shielded to prevent any light or glare from leaking onto adjacent properties or roadways (street lights for illumination of public roads are excluded from this provision).
 - b. External lights used to illuminate a sign or side of a building or wall shall be shielded in order to prevent light from shining off the surface to be illuminated.
 - c. No outdoor floodlights shall project above 20 degrees below the horizontal plane.
 - d. Lighting for outdoor display areas shall be turned off within 30 minutes after the closing of the business. No more than 50 percent of the parking lot lighting may remain on during hours of non-operation. Security lighting shall be designed with motion-sensor activation.
3. 5. A complete signing program shall be submitted and approved by the Planning Director prior to the issuance of any occupancy permits for the tenant spaces, and parcels 2, 5, and 8 of Phase I. All signs must comply with all applicable conditions of the "Sign Program" approved by Planning staff for DR01-0017 on December 9, 2003. Any signage subsequent to the approval of this permit shall conform to Chapter 17.32.140 (D) and Chapter 17.16 of the El Dorado County Zoning Ordinance and shall be provided to, and then approved by, the Deputy Director of Planning prior to issuance of a Tenant Improvement building permit. (Modified by R2; 2006).
4. 6. Parking shall be improved consistent with Chapter 17.18 of the County Code, including the April 14, 1993 California Accessibility Regulations. The requirement for a dedicated loading zone under §17.18.080 is waived for Parcels 2 and 5. 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. The requirement for dedicated RV spaces under §17.18.060 numbers 16 and 17 is waived as long as concrete tire stops are not installed in the areas with facing parking spaces. (Modified by R2; 2006).
7. The applicant shall include provisions for bicycle parking on the site by providing a minimum of 2 bicycle spaces/racks each within Parcels 2 and 5. The bike racks shall be installed prior to final occupancy. It is recommended, but not required that a minimum of 4 bicycle spaces/racks be located adjacent to the major tenant. (Added by R2; 2006).

- ~~5.~~ Provide ~~2 recreational vehicle parking stalls each for building pads within parcels 3 and 5 of Phase I.~~ (Deleted by R2; 2006).
- ~~6.~~8. Subject to compliance with all applicable conditions of approval of tentative parcel map P95-02. (Number modified by R2; 2006).
- ~~7.~~9. Final development plans, pursuant to Section 17.04.030, shall be submitted for Planning Commission review for all phases of development with the exception of lots 1 and 4 of Phase I. (Number only modified by R2; 2006).
- ~~8.~~10. All phases will provide for the placement of commercial dumpsters and truck maneuvering areas to service the dumpsters. Each dumpster area shall be landscaped and screened from public view. (Number only modified by R 2; 2006).
- ~~9.~~11. The development plan for PD95-0001 consists of the following exhibits that are attached to that prior approved staff report: (Modified by R2; 2006).

Exhibit E - Preliminary Site Plan Sheet A1
Exhibit E1 - Preliminary Site Plan Sheet A2
Exhibit F - Preliminary Grading Plan Sheet G1.1
Exhibit F - Preliminary Grading Plan Sheet C1
Exhibit F2 - Preliminary Grading Plan Sheet C2
Exhibit G - Building Elevations Sheet A5.1
Exhibit G1 - Building Elevations Sheet A5.2
Exhibit H - Tree Preservation Plan
Exhibit J - Preliminary Landscape Plan Phase I
Exhibit J1 - Preliminary Landscape Plan/Project Site/Sheet 1
Exhibit J2 - Preliminary Landscape Plan/Project Site/Sheet 2
Exhibit K - Lighting Plan Sheet A1.1
Exhibit L - Pole Lighting Exhibit
Exhibit M - Free-Standing Plaza Tenant Sign
Exhibit N - Cool Plaza Material Sample Board

- ~~12.~~ The prior staff approved development plan for PD95-0001R1 consists of the following condition which is listed as Condition 2 in that staff report: (Modified by R2; 2006).

All site improvements shall conform to the elevations dated August 18, 2005, the color rendering dated August 19, 2005, and with the color and materials board dated September 6, 2005.

- ~~10.~~13. Pursuant to General Plan Policy 10.2.1.5, a public facilities and services financing plan shall be submitted to the Planning Department when the total approved phasing would exceed 20 acres or 100,000 square feet of gross floor area, whichever occurs first. (Number only modified by R2; 2006).

- ~~14.~~ 14. The Mitigation Monitoring Program shall be reviewed annually. (Number only Modified by R2; 2006).

Air Quality Management District

15. An Asbestos Dust Mitigation Plan (ADMP) Application shall be submitted to and approved by the District prior to issuance of a Building Permit or Grading Permit. (Added by R2; 2006).

El Dorado County Department of Transportation

16. The applicant shall provide copies of the Caltrans encroachment permits for SR 49 and SR 193 to the Department of Transportation. (Added by R2; 2006).

El Dorado County Environmental Management Department-Environmental Health Division

17. All wastewater generated from the development of this project shall be compliant with Order No. R5-2003-0023, California Regional Water Quality Control Board. (Added by R2; 2006).

18. The discharge of wastewater to the Waste Water Treatment and Disposal Facility (WWTF) shall be prohibited until the Discharger has submitted, and the Executive Officer has approved, documentation that either (a) a public entity has accepted the ownership and operation of the WWTF or (b) a private entity has been created with adequate long-term financial resources and expertise to operate and maintain the WWTF in compliance with this Order. A copy of the letter from the project's engineer to the California Regional Water Quality Control Board showing proof of compliance with the above mentioned requirements shall be received by Planning Services prior to the discharge of waste. (Added by R2; 2006).

19. At least 30 days prior to use, the Discharger shall submit a report certifying that the WWTF has been constructed in accordance with. Order No. R5-2003-0023, a copy of the letter of compliance from the project's engineer to the California Regional Water Quality Control Board, Central Valley Region shall be submitted to Planning Services. (Added by R2; 2006).

20. At least 30 days prior to use, the Discharger shall submit and implement an Operation and Maintenance (O&M) Plan for the WWTF and leachfield in accordance with. Order No. R5-2003-0023. A copy of the letter of compliance from the project's engineer to the California Regional Water Quality Control Board, Central Valley Region shall be submitted to Planning. (Added by R2; 2006).

Conditions - P95-0002

1. A comprehensive traffic study, identifying the LOS and any roadway and intersection improvements needed to mitigate the adverse impacts of the project will be required at

locations recommended by El Dorado County DOT and Caltrans. All impacts to State Route (SR) 49 and 193 are subject to Caltrans requirements. Access points (and control) along both State highways will need to be identified and approved by Caltrans. Future right-of-way dedication shall be as required by Caltrans.

2. Subject to the applicable traffic impact mitigation (TIM) fee as adopted in Resolution No. 258-91. If a revised fee is adopted prior to the proponent's attainment of a building permit for the subject project, then the revised TIM fee shall be applied.
3. Subject to improving the on-site road easements to Standard Plan 101A. Pavement design shall be based upon the traffic index for a 20-year design life, and on-site R-values.
4. The access road connections to State Route 49 and State Route 193 shall comply with State standards and be constructed under an Encroachment Permit from Caltrans.
5. A deeded restriction for vehicular access onto State Route 49 and State Route 193 shall be shown for all parcels adjacent to them, except for Caltrans approved accesses.
6. Improvement plans for on-site road improvements shall be prepared by a registered engineer and shall be subject to County Department of Transportation approval.
7. A construction permit shall be obtained from the Department of Transportation prior to commencement of any road construction.
8. Street signs, in conformance with Standard Plan 105 (B-1), shall be installed at all intersections.
9. Stop signs, per Standard Plan 105-A, shall be installed at the following intersections:
 - a. Road A at State Route 49 and Road D
 - b. Road C at State Route 193 and at Road A
 - c. Road D at State Route 193
 - d. Road B at Road A
10. A final drainage plan shall be prepared by the developer which mitigates those impacts identified by the Drainage Study completed for the Cool Village EIR. Said study and plan shall be subject to the review of and approval by the Department of Transportation.

At the discretion of the developer and with approval by the County, the drainage plan may be limited to on-site mitigation measures. On-site mitigation shall reduce downstream impacts from this project to less than significant. Peak runoff rates shall be controlled to pre-development quantities. The developer shall demonstrate that on-site mitigation measures will not aggravate flooding problems downstream of the project site during design storm or other return period events. The developer shall install drainage

facilities as shown on said plan. These requirements shall be satisfied with each phase of development.

At the discretion of the developer and with approval by the County, the drainage plan may include or be completely comprised of downstream mitigation measures. Said measures shall be designed to accommodate build-out of the entire tributary catchment assuming ultimate build-out densities designated within the General Plan and currently adopted upstream specific plans. Said plan shall extend to a point downstream identified within the drainage study as being subject to no significant, adverse impact from the future development of the entire catchment. The developer shall install all drainage facilities as shown on said plan with the proposed Phase I development of this project. The developer shall establish a reimbursement agreement for drainage infrastructure improvement costs expended which exceed the pro rata share of this project as defined within the drainage study.

11. An irrevocable offer of dedication of the roadways, public utility and drainage easements shall be made on the parcel map with rejection by the County. A property owners' association shall be established for the maintenance of these facilities.
12. A northbound right-turn lane on State Route 49 shall be constructed for the proposed driveway to parcel 2. The driveway connection shall be constructed to Caltrans public road approach standards. A continuous 12-foot median lane will be required on State Route 49 between the new driveway and State Route 49/193 intersection.
13. During Phase I, access to Parcel 1 may be provided from Parcel 2 if the existing driveway on State Route 193 to Parcel 1 is eliminated as determined necessary by Caltrans. This driveway must be closed if access to Parcel 1 is taken from Parcel 2.
14. Provide left-turn channelization on State Route 193 at Road C along with an additional 12-foot of pavement plus shoulders between Road C and the State Route 49/193 intersection.
15. Development of Parcel 8 prior to construction of Road A will require left-turn channelization on State Route 193 at the future intersection of Road A, along with the construction of a commercial road approach to Parcel 8.
16. Pedestrian and/or bicycle facilities shall be provided within State right-of-way. Any additional right-of-way needed, as determined by Caltrans upon review of the traffic study, will be dedicated to the County.
17. All work within, next to, or that may encroach within Caltrans right-of-way, including utilities, road improvements and drainage work, must receive an encroachment permit from Caltrans.
18. Subject to compliance with all applicable conditions of approval of development plan PD95-01.

19. The subdivider shall provide to the County for review by County Counsel and Planning, prior to recordation of a final map, the Covenant, Conditions and Restrictions (CC&Rs) which are to be recorded against the subject property. The CC&Rs shall provide master guidelines and restrictions regulating the uses, architectural theme and control, signs, maintenance of common areas and facilities and the formation of any necessary property owners' association to implement and enforce the CC&Rs. Upon approval and recordation, the Master CC&Rs shall be deemed part of the planned development for the parcels shown on the tentative map.
20. Subject to Environmental Health approval of the on-site sewage disposal systems as required by Chapter 15.12 of the County Code.
21. Comply with APCD Rule 223-Fugitive Dust, Rule 224-Cutback and Emulsified Asphalt Paving Materials, and Rule 502-General Conformity.
22. Fire hydrant(s) shall be installed, in compliance with the provisions of the Uniform Fire Code, Section 10.301, in locations acceptable to the El Dorado County Fire Protection District. A letter of compliance with the condition shall be submitted by the fire district to the Planning Department prior to issuance of building permits.
23. A fuel modification plan shall be provided to meet fire safe regulations as required by Public Resources Code Sections 4126, 4127, and 4291. Additional precautions including, but not limited to, emergency access, signing and building numbering, and water supply shall be required as determined by the fire chief.
24. A 15-foot-wide non-vehicular pedestrian trail easement shall be provided within and contiguous to the required 100 foot setback along the easterly side of Knickerbocker Creek within the project boundary. The easement shall extend from Cherry Acre Road to the southwest corner of the applicant's property and be recorded on the final parcel map.

Chair Knight said the action today could be appealed to the Board of Supervisors within ten working days.

10. SPECIAL USE PERMITS (Public Hearing)

- a. **S03-0035R** - Adoption of findings for the deletion of Condition 18 (requirement for the construction of a sidewalk on Windfield Way) which was approved by the Commission on February 9, 2006. The properties, identified by Assessor's Parcel Numbers 108-040-49 and 108-500-03, consisting of 11.315 and 6.64 acres respectively, are located on the south side of White Rock Road, approximately one mile west of the intersection with Latrobe Road, in the **El Dorado Hills area**. Applicant: ROLLING HILLS CHRISTIAN CHURCH (Agent: Pete Bernardoni).

Roger Trout explained this item. There was no one in the audience wishing to give input. The applicant was not present.

ON MOTION OF COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO ADOPT FINDINGS PREPARED BY STAFF FOR SPECIAL USE PERMIT S05-0035R.

Findings

1. The project has been found to be Categorically Exempt from CEQA pursuant to Section 15301 stating that “Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structure . . . involving little or no expansion of use beyond that existing at the time of the lead agency’s determination . . . Examples include but are not limited to: (c) . . . sidewalks.”
2. There are special conditions or circumstances peculiar to the property proposed to be divided which would justify the adjustment or revision. The parking lot is located within the boundaries of the El Dorado Hills Business Park and is zoned Research and Development (R&D). The lot was approved as accessory to the church development, as the proposed use, by itself, is not allowed in the R&D Zone District either by right or with a special use permit. Previous development within the Business Park did not require sidewalks; so elimination of condition 18 would be consistent with the existing development pattern.
3. Strict application of the previously approved County design and improvement standard requirement would cause extraordinary and unnecessary hardship in developing the property as the applicant cites costly adjustments to the existing utility infrastructures in order to accommodate the sidewalk.
4. The adjustment or revision would not be injurious to adjacent properties or detrimental to the health, safety, and welfare of the public as it involves eliminating the safety feature of the sidewalk only as it fronts the subject parcel and does not connect to a pedestrian circulation system within the Business Park.

Chair Knight said the action today could be appealed to the Board of Supervisors within ten working days.

11. INTERPRETATION

- a. General Plan Policy HO-3g: Discussion of Policy HO-3g and adoption of Resolution of Intention modifying Policy HO-3g limiting conversions of rental housing to condominiums and to further conserve the County’s stock of affordable housing.

Peter Maurer presented this item.

Commissioner Mac Cready asked if the 120 percent would catch all the low cost housing. Mr. Maurer explained the percentages. Paula Frantz, County Counsel, said the definition of the percentages has never changed.

Commissioner Machado asked the definition of multifamily. Mr. Maurer said at this time a duplex is multifamily. Ms. Frantz said the attachment to the Resolution of Intention makes it clear duplexes are included.

Ms. Frantz commented that if you build a unit for income restricted, you could only rent or sell to income restricted.

Referring to Attachment 2, Commissioner Machado said it states other multifamily rental housing. Mr. Maurer said there is a catch-all for other multifamily. This is a draft proposal for the basic concept and can be modified.

Commissioner Machado said during the General Plan hearings he thought they were discussing some type of government funding that allowed a project to get built. The draft amendment would also cover market-rate housing.

Kathy Russell, El Dorado County Business Alliance, believes the Alliance supported five years during the General Plan hearings. She asked if the Department of Housing and Community Development is instrumental on the conversion of a project. Ms. Frantz said HCD is concerned about providing a range of housing. Mrs. Russell said her concern is with 10 years. The condominium gives people the opportunity to get into a unit and build equity. If you are able to convert, you tailor according to the market.

Mr. Maurer said this item will come back to the Commission and go to the Board as a General Plan amendment. This would not prohibit a condominium project from coming in.

Commissioner Mac Cready asked Mrs. Russell her thoughts on a time limit. Mrs. Russell would like to see the five years.

Doug Roecca represented an individual with an apartment complex that would like to convert. His applicant has been told he can proceed with his application and does not want to see something done today that would prohibit his submittal. They do agree with Mr. Maurer's interpretation of affordable; however, they do not agree with the interpretation of new.

Commissioner Mac Cready asked when this would go into effect. Mr. Maurer said it would be when they submit their application for conversion.

Chair Knight said the only thing he sees is whether it should be five or ten years. He is inclined to go with the market. From a practical standpoint, most people like to do it after ten years because of the warranties, etc.

Condominiums to Commissioner Machado mean division of air space. A duplex does not seem to be the same. Ms. Frantz said a duplex is considered a condominium.

David Long said the five-year rule is a better rule. It would be a better incentive for the builder.

Bill Vandergrift owns a duplex in Cameron Park and was told he could not do a parcel map to split the property for 20 years, which is 2007. What we have today is a step in the right direction. Five years would be good, because there is a need for affordable housing.

Commissioner Machado said the Commission should stay with the ten. Commissioner Tolhurst commented he agrees unless there is more input. Mr. Maurer will check with other jurisdictions and HCD.

There was no further input.

ON MOTION OF COMMISSIONER TOLHURST, SECONDED BY COMMISSIONER CHALOUPKA AND CARRIED BY THE FOLLOWING VOTE: AYES – COMMISSIONERS MAC CREADY, CHALOUPKA, TOLHRUST, AND KNIGHT; NOES – COMMISSIONER MACHADO, IT WAS MOVED TO ADOPT RESOLUTION OF INTENTION 2006-02.

12. **DEPARTMENT OF TRANSPORTATION** - None

13. **COUNTY COUNSEL’S REPORTS** - None

14. **DIRECTOR’S REPORTS** - None

15. **ADJOURNMENT**

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION
Authenticated and Certified:

John Knight, Chair

