# **DEVELOPMENT SERVICES DEPARTMENT**

County of EL DORADO

http://www.co.el-dorado.ca.us/devservices

PLANNING SERVICES



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# **MEMORANDUM**

**DATE:** May 24, 2006 Agenda of: June 22, 2006

**TO:** Planning Commission Item #: 8.a.

**FROM:** Lillian MacLeod, Senior Planner

**SUBJECT:** S89-14-R, Autotronics Signs

**Background:** The original special use permit, S89-0014, was approved by the Planning Commission on June 8, 1989, allowing a quick-lube and light automotive repair facility on the project parcel adjacent to U.S. Highway 50.

A revision to the special use permit was filed in February 1995, requesting the addition of a 3,360 square foot structure to serve as a discount tire center. The revision was approved by the Planning Commission on May 25, 1995. The structure is now in use by the applicant as Autotronics Automotive Repair.

On August 26, 2004, Code Enforcement file 159214 was opened on a complaint of "electric sign installed without permit." Besides being in violation of building codes, the sign in question, as well as an unpermitted monument sign, were also in violation of the Zoning Ordinance and conditions of approval. A special use permit revision was required to address the violations, which was heard before the Planning Commission on September 22, 2005. The original conditions of approval were amended to include the signs, referenced under Conditions 1b and 1c, and the Commission approved the revision on that date (Exhibit A).

Condition 2 of the approved revision required the applicant to obtain a building permit for the pole and monument signs within 60 days from the end of the appeal period. A memorandum dated October 25, 2005, and faxed to the applicant at his request, set a compliance date of December 8, 2005, for the sign permits (Exhibit B). Compliance with Condition 4 regarding illumination intensity was also addressed in the memorandum, and a copy of the Design Review Committee's comments that the condition was based on was faxed to the applicant at his request. After a follow up call by staff, the memorandum was re-faxed on November 18, 2005, as the applicant indicated he never received it.

A follow-up letter was again sent to the applicant, dated February 22, 2006 (Exhibit C). In early March, staff received a phone call from the applicant indicating he would designate an agent to handle the building permit process. On April 4, 2006, staff placed a call to the agent to discuss the status of the permit. The agent stated he needed to talk to the applicants as they submitted plans that were not adequate for building permit approval. Follow-up telephone calls made to the agent May 4<sup>th</sup> and 23<sup>rd</sup>, 2006 have not been returned.

A letter from the applicant to the Design Review Committee demonstrating compliance with Condition 4 was submitted to Planning Services on April 18, 2006 (Exhibit D).

<u>Discussion:</u> Condition 2, in requiring building permit approval for the signs, allowed for a written request for a time extension if (a) no changes occurred that would be grounds for denying the application, (b) the applicant has been diligently pursuing implementation of the permit, or (c) the condition has been modified to reflect current standards or requirements where the required condition would no longer apply. A written time extension has never been requested directly of staff by the applicant, however, staff has worked with the applicant as if one had. Realistically, the applicant has had since September 22, 2005, or nine months, to satisfy the condition to permit the existing signs and has failed to comply.

## **Recommendation:**

Staff recommends the Planning Commission take the following action:

- 1. Adopt the attached Resolution of Intention, and
- 2. Direct staff to set a hearing before the Planning Commission to consider revocation of Special Use Permit, S89-0014R, regarding Conditions 1b and 1c. Approval of the revocation would result in removal of the existing pole and monument signs.

## **ATTACHMENTS**

Exhibit B
Exhibit CLetter of February 22, 2006
Exhibit DLetter of March 3, 2006
Exhibit 1Vicinity Map
Exhibit 2General Plan Map
Exhibit 3Zoning Map

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## **RESOLUTION OF INTENTION 2006-0003**

BE IT HEREBY RESOLVED that the El Dorado County Planning Commission will set a public hearing to consider revocation of Special Use Permit 89-0014R due to non-compliance with the Conditions of Approval. The subject permit and Conditions of Approval are listed as Exhibit A.

BE IT FURTHER RESOLVED, pursuant to Section 17.22.260 Revocation, Subsection B of the El Dorado County Code, it is the intention of the Planning Commission to consider the above hearing.

FURTHERMORE, the Planning Commission hereby authorizes Planning Services to proceed with the preparation of the above said hearing.

PASSED AND ADOPTED by the El Dorado County Planning Commission, at a regular meeting of said Commission held June 22, 2006.

ATTEST:		
Jo Ann Brillisour,	John Knight, Chairman	
Clerk to the Planning Commission	Planning Commission	