

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: November 8, 2007
Item No.: 9
Staff: Aaron Mount

SPECIAL USE PERMIT/DEVELOPMENT PLAN REVISION

FILE NUMBER: S07-0011/PD95-0016-R3/Kniesel's Auto Collision Center

APPLICANT: Richard P. Kniesel

AGENT: Robert A. Laurie, Esq.

REQUEST: Special use permit and development plan revision to allow the conversion of an existing sports complex into an auto body shop with 16 service bays and a maximum of 25-30 employees. Hours of operation are proposed to be 7:30 AM to 5:30 PM. A free standing sign 94.5 square feet in size is proposed.

LOCATION: On the north side of Wild Chaparral Drive, approximately ¼ miles west of the intersection with Ponderosa Road in the Shingle Springs area. (Exhibit A)

APN: 070-280-64

ACREAGE: 3 acres

GENERAL PLAN: Commercial (C) (Exhibit B)

ZONING: Commercial-Planned Development (C-PD) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Negative Declaration

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND: The existing 18,320 square foot sports complex was approved by the Board of Supervisors on April 16, 1996 under PD95-0016. The subject site was developed for a commercial sports complex that provided indoor pitching instruction with batting cages and pitching lanes,

basketball courts, a proshop, video arcade, lockers/showers, and other support facilities. The structure has remained vacant for a few years.

STAFF ANALYSIS

Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the proposal and issues for Planning Commission consideration are provided in the following sections.

Project Description: Request for a special use permit and development plan revision to allow a conversion of an existing sports complex into an auto body shop with 16 service bays and a maximum of 25-30 employees. Hours of operation are proposed to be 7:30 AM to 5:30 PM. Signs include a 94.5 square foot free standing sign and a wall sign. Interior modifications include 16 service bays with equipment including frame measurement machines, alignment racks, and paint booths. Parking and storage of all vehicles that are being serviced will be inside the facility. Exterior modifications to the building include two roll up doors on the west side for vehicle entrance and a covered parts storage area on the east side. An existing enclosure on the south east end off the building will contain air compressors. No changes are proposed to the landscaping and limited changes are proposed to the parking area.

Site Description: The subject parcel is at an average elevation of 1,500 feet above mean sea level and is adjacent to State Highway 50. The developed site consists of a 1,832 square foot commercial structure constructed as a gymnasium, 63 parking spaces, and associated landscaping which are all consistent with the original planned development approval.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	C-PD	C	Gymnasium
North	R1A	MDR	Single Family Residence
South	C	C	Transportation Corridor/HWY 50
East	C-PD	C	Mini-storage
West	C-PD	C	Undeveloped

Discussion: The subject site is an extension of the commercial uses along Wild Chaparral and will be a complementary use to the auto dealerships which are adjacent to the east.

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

Policy 2.2.5.21 states that development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed. The approval of the subject site included conditions to solve incompatibilities with the adjacent residential use. An eight foot high wall was constructed along the northerly property boundary to cancel possible noise levels from crossing property boundaries. A noise analysis was submitted by the applicant that shows conformance with General Plan **Policies 6.5.1.2 and 6.5.1.3**. The change in use has been designed and conditioned in a manner to reduce possible conflicts with the adjacent residential use. Entrance to the structure is on the west side of the structure and all repairs and storage of vehicles is to take place in the existing structure.

As required by **Policy TC-Xd**, the proposal was reviewed to ensure the change in use would not worsen traffic. The change in use from a health/fitness club to an auto care center would result in a reduction of 27 ADT per 1,000 square feet.

Policy TC-4i states that within Community Regions and Rural Centers, all development shall include pedestrian/bike paths connecting to adjacent development and to schools, parks, commercial areas and other facilities. A condition of approval has been added by the Department of Transportation to include a sidewalk connection from the existing development to the adjacent subdivision.

Conclusion: As discussed above, staff finds that the project, as proposed/conditioned, conforms to the General Plan.

Zoning: The proposed use is permitted in the Commercial Zone District by Special Use Permit, pursuant to Section 17.32.020.A. In order to approve the use, the approving authority must find that the use is consistent with the General Plan and would not be detrimental to the public health, safety and welfare nor injurious to the neighborhood. Based on comments received from public agencies, citizens' groups, and impacted neighbors, as discussed below, staff finds that the project would not be detrimental to the public health, safety and welfare and would not be injurious to the neighborhood. The proposed use has been found to have a less than significant impact.

Planned Development: The proposed revised development plan has been reviewed pursuant to Chapter 17.02 of the Zoning Ordinance (Planned Development). The following details the specific components of the project, in accordance with the Planned Development criteria.

Lighting:

The existing lighting has been reviewed for conformance with the Outdoor Lighting Standards under Section 17.14.170 of the Zoning Ordinance. Based on the submitted photometric analysis a majority of the lighting is consistent with the ordinance. The parking lot lighting is full cut-off shielded and does not negatively impact adjacent properties nor does it produce objectionable glare on to U.S. Highway 50.

The canopy and storage yard lighting does not meet the requirements as the fixtures have no shielding or upper hood that prevents light from extending above the 20 degree below horizontal plane. A condition of approval has been included to ensure that all lighting on the site that is not consistent with the lighting ordinance is replaced.

Parking:

The project site currently has 63 parking spaces, including two spaces for handicap parking. The change in use to an auto body shop requires three spaces for each service bay and one space for each 300 square feet of retail space and office area. The proposal includes 16 service bays and 1,280 square feet of office space which will require 52 parking spaces. The proposed 61 parking spaces are more than adequate for the proposed use, including the removal of two spaces for access to the building. California building code requires one handicap parking space for every 25 parking spaces. A condition of approval has been included requiring an additional handicap parking space as only two are shown on the site plan.

Architectural Design:

In accordance with Chapter 17.04 and Section 17.14.130.A of the Zoning Ordinance, the project has been reviewed for conformance with the architectural design standards, suitability, and compatibility within the area. Only minor changes are proposed for the existing structure, including; two roll up doors for vehicle access, an access driveway to the two access doors, and a covered parts storage area. Roof mounted equipment is expected with a change in use to an auto body shop. The proposed additions have been conditioned to be constructed and painted to match the existing buildings materials and colors.

Signs:

Two signs are proposed with this project, a wall sign and a free standing monument sign. The proposed wall sign is consistent with Section 17.16.030 of the Zoning Ordinance in both size and design. The proposed monument sign, approximately 94.5 square feet, is not consistent with the Commercial Zone District size requirement of eighty square feet. A request under the Special Use Permit has been made to allow the larger sign size. A letter, dated May 4, 2007, from the Shingle Springs Neighbors for Quality Living (SSNQL) objects to the size of the monument sign based on the use and location of the proposed auto body shop. The SSNQL suggests that the sign area is excessive for the proposed land use and is more appropriate for a regional level use such as an automotive dealership. The County has adopted their recommendation as the conditioned sign size and height which staff feels is more appropriate for a specialized land use. This includes a sign area of 40 square feet and a maximum height of five feet which will provide sufficient visibility due to the grade above U.S. Highway 50.

The monument sign also includes a proposal for a time and temperature unit which is not consistent with section 17.16.080 of the Zoning Ordinance which prohibits moving signs.

Access and circulation:

Vehicle access to the subject site is not proposed to be changed, however El Dorado County Department of Transportation has conditioned the project to provide pedestrian access to the subdivision adjacent to the subject site. This is an effort to fill in gaps in pedestrian access as projects are submitted or revised.

Special Use Permit: The proposed auto body shop is authorized in the Commercial (C) Zone District by special use permit under Section 17.32.030.A which states "New and used automobile sale and repair, bulk petroleum sale and storage; provided, however, that used automobile sale and repair shall not be deemed to include automobile dismantling, junking or wrecking operation

Public Comments: Early comments from the public and citizens' groups include a letter dated June 25, 2007. The following issues were raised in the submitted letter; noise, parking, odors, and hiring practices. The applicant has submitted a noise analysis stating conformance with General Plan Policies related to noise levels. The project has been designed in conformance with the mitigations recommended by the noise analysis. Parking has been analyzed and found to be consistent with the Zoning Ordinance requirements. The project is conditioned to have all vehicles being repaired to be stored and worked on within the existing structure. The issue of odors is discussed in the Negative Declaration. It was found that the potential for odors could not be found to be significant; however the Air Quality Management District can review the issue if complaints are received. The county does not have authority nor can it condition hiring practices that are governed by the State.

Additional issues may be raised as a result of the public notice of the hearing.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project has a significant effect on the environment. Based on the Initial Study staff has determined that there is no substantial evidence that the proposed project will have a significant effect on the environment, and a Negative Declaration has been prepared.

NOTE: This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,800.⁰⁰ after approval, but prior to the County filing the Notice of Determination on the project. This fee, plus a \$50.⁰⁰ recording fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$1,800.⁰⁰ is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the States fish and wildlife resources

RECOMMENDATION

Staff recommends that that the Planning Commission take the following actions:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the mitigation monitoring program in accordance with CEQA Guidelines, Section 15074(d), incorporated as conditions of approval in Attachment 1;
3. Approve Development Plan Revision PD95-0016-R(3), adopting the development plan as the official development plan, and approve Special Use Permit S07-0011, based on the required findings in Attachment 2 and Conditions of Approval in Attachment 1.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Site Plan
Exhibit E	Floor Plan
Exhibit F	Elevations
Exhibit G	Sign Plan
Exhibit H	Letter from Shingle Springs Neighbors dated 5-4-07
Exhibit I	Agent response letter dated 6-18-07
Exhibit J	Letter from David Koupal dated 5-25-07
Exhibit K	Initial Study

ATTACHMENT 1

CONDITIONS OF APPROVAL

File Number S07-0011/PD95-0016-R3
November 8, 2007 Planning Commission Hearing

CONDITIONS OF APPROVAL

1. This planned development revision and special use permit is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits D-F, approved November 8 2007, and conditions of approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

Request for a special use permit and planned development revision to allow a conversion of an existing 18,320 square foot sports complex into an auto body shop with 16 service bays and a maximum of 25-30 employees. Hours of operation are proposed to be 7:30 AM to 5:30 PM. Interior modifications include 16 service bays with equipment including frame measurement machines, alignment racks, and paint booths. Parking and storage of all vehicles that are being serviced will be inside the facility. Exterior modifications to the building include two roll up doors on the west side for vehicle entrance and a covered parts storage area on the east side. An existing enclosure on the south east end off the building will contain air compressors. A total of 61 parking spaces are proposed, three of which are handicapped.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

El Dorado County Planning Services

2. The proposed free standing pole sign shall be a maximum 40 square feet and a maximum height of 5 feet. No moving signs of any type are allowed.
3. New and existing roof mounted equipment shall be painted to match the existing building colors.

4. The proposed exterior parts storage area and entrance doors shall be constructed of materials and colors that are consistent with the existing materials and colors.
5. All existing lighting shall conform to §17.14.170 of the County Code 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 Planning Services.

El Dorado County Department of Transportation

6. The applicant shall construct a six (6)-foot wide concrete sidewalk and Type 2 vertical curb and gutter along the entire on-site portion of Crosswood Drive and connect to the existing curb, gutter, and sidewalk along Wild Chaparral Drive according to Design and Improvement Standards Manual (DISM), Standard Plan 110. All curb returns, at pedestrian crossing, shall include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp. The applicant shall be subject to an encroachment permit, as determined by the DOT, and these improvements shall be completed prior to occupancy of this project.
7. 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 DISM, 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.
8. The applicant shall irrevocably offer to dedicate the 25 foot wide non-exclusive road and public utility easement for the on-site portion of Crosswood Drive, prior to occupancy of this project. This offer will be rejected by the County.
9. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.

El Dorado County Fire Protection District

10. Site review fee of \$150 shall be paid prior to issuance of building permits.
11. Existing sprinkler system will need to be upgraded for this use prior to finaling of building permits.

12. During the building review process the following plans will need to be submitted: building, alarm, sprinkler, and suppression system (paint booth).
13. The project is required to meet fire flow. Fire flow for this project is 1750 gpm @ 20 psi for two hours, with an approved fire sprinkler system.
14. Show documentation from EID (FIL) that fire flow can be met.

El Dorado County Environmental Management

15. A hazard materials business plan and an air quality plan shall be submitted prior to imitation of the use.

Planned Development (PD95-0016)

1. All structures, signs, parking, operating hours, and other site improvements shall conform to the submitted plans except for those modified herein.
2. A removable steel bollard shall be installed just beyond the trash/propane enclosure at the building's eastern elevation.
3. Wild Chaparral Drive shall be improved on-site to Standard Plan 101A.
4. An 8-foot high block wall shall be constructed along the northerly property line of the project site from the nearest property corner to five-feet short of the drainage swale.
5. The parking area shall be widened an additional 6 feet to enable the space necessary for a pedestrian walk. The pedestrian walk shall be 6-feet wide and bisect the main parking island running in a north/south direction.
6. The access shall be limited to run 50 feet along the east elevation and shall be marked NO PARKING in the area of the trash/propane enclosure.
7. An in-ground bicycle rack with locking devices shall be installed near the front of the building.
8. Any emergencies exists shall be equipped with alarms to preclude uses other than emergency exiting.
9. Landscape plans shall conform with the water conservation landscape standards pursuant to Resolution No. 69-93. Said plans must be submitted, reviewed, and approved by Planning staff prior to issuance of building permits. The plan shall include a minimum of ten, 15-gallon trees to be located along each side of the north and south elevations.

10. ~~Outdoor lighting shall be shielded and directed away from U.S. highway 50 and nearby residences.~~
13. ~~Video games and alcohol beverage sales will not be permitted uses within the building or site.~~
14. ~~The sign shall be illuminated on one side only and shall face Wild Chaparral Drive.~~
15. County standard "No parking" signs shall be installed on Crossword Road.

ATTACHMENT 2

FINDINGS

File Number S07-0011/PD95-0016-R(3)
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Findings

1.0 CEQA Findings

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services-Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 General Plan Findings

- 2.2 The proposed project is consistent with policies 2.2.1.2 regarding the Commercial land use designation, 2.2.5.21 regarding compatibility with adjoining land uses, 6.5.1.2 and 6.5.1.3 regarding noise levels, TC-4i regarding traffic levels, and TC-4i regarding pedestrian access.

3.0 ADMINISTRATIVE FINDINGS

3.1 Special Use Permit S07-0011 Findings

- 3.1.1 *The issuance of the permit is consistent with the general plan.*

The special use permit request is consistent with the General Plan because the application is for a commercial development consistent with the land use designation and is in conformance with the applicable mandatory and specific general plan policies.

- 3.1.2 *The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.*

As examined in the Negative Declaration and staff report no significant impact has been found related to public health, safety, or welfare and as proposed would not be injurious to the neighborhood. .

- 3.1.3 *The proposed use is specifically permitted by special use permit pursuant to this Title.*

The proposed auto body shop is located within the Commercial-Planned Development Zone District, which allows automobile repair through the issuance of a special use permit pursuant to Section 17.32.030.A of the El Dorado County Zoning Ordinance.