

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



**Agenda of:** May 13, 2010  
**Item No.:** 8.c  
**Staff:** Gina Paolini

**SPECIAL USE PERMIT**

**FILE NUMBER:** S09-0017/Williams

**APPLICANT:** Thomas Williams

**AGENT:** Larry Garrett

**REQUEST:** Special Use Permit request to:

1. Expand an existing retail center to include a used auto dealer with an 11,400 square foot outdoor sales area and 943 square feet of office space;
2. Incorporate a Master Parking Program for the retail center; and
3. Approve a Master Sign Program for the retail center to include the following:
  - a. Approve a freestanding "Sunset Village" identification sign to be 10 feet in height and 4 feet in width; and
  - b. Approve a phased program for parapet wall signs. Parapet wall signs would be 4 feet in height and 8 feet in width.

**LOCATION:** On the north side of Mother Lode Drive approximately ¼ mile east of the intersection with French Creek Road, in the Shingle Springs area, Supervisorial District IV. (Exhibit A)

**APNs:** 090-430-43, 090- 430-44, 090-430-01 (Exhibit B)

**ACREAGE:** 1.64 acres, 0.88 acres, and 0.82 acres respectively (Total: 3.34 acres)

**GENERAL PLAN:** Commercial (C) (Exhibit C)

**ZONING:** Commercial (C) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Categorically Exempt pursuant to Section 15301(a) of the CEQA Guidelines

**RECOMMENDATION:**

Planning Services staff recommends the Planning Commission take the following action:

1. Certify that the project is Categorically Exempt from CEQA pursuant to Section 15301(a); and
2. Approve Special Use Permit S09-0017 subject to the Conditions of Approval in Attachment 1 and based on the Findings in Attachment 2.

**BACKGROUND**

The retail center includes a variety of uses and structures. Special Use Permit S87-0024 for a used automobile sales lot was issued for the site on September 10, 1987. During review of that Special Use Permit, it had been identified that the parking at the site was substandard. Parking was to be upgraded at the site within 2 years of approval of the Special Use Permit. Thirty-four (34) on-site parking spaces were to be provided in compliance with County Code requirements, including asphalt concrete over aggregate base. Many of the Conditions of Approval of that permit were not implemented.

A subsequent Design Review (DR88-0057) was issued for a showroom on August 3, 1988. A Grading Permit (No. 130458) was requested for the subject site in 2001 and expired. In 2004, a Design Review (DR04-0010) was approved to allow the construction of a garage and workshop for the antique store. In October, 2009, the applicant requested a building permit (No. 194885) to install lighting within the proposed sales lot. This permit has been placed on hold pending Special Use Permit approval.

Upon approval, the subject Special Use Permit would supersede Special Use Permit S87-0024.

**STAFF ANALYSIS**

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

**Project Description**

The retail center includes various commercial uses with parking established on two parcels (Exhibit E). Uses currently include Williams Power Tool, Colina Del Oro restaurant, Auto Sense Auto Exchange used car dealership, an office use and an Antique Retailer, with a residential unit above.

The project would expand the center to include a second used car dealer with an 11,400 square foot outdoor sales area and an existing 943 square foot office. The proposed auto dealer office would be staffed by approximately 2 employees, with hours of operation from 9:00AM to 6:00PM. Improvements would include signage, lighting, parking lot striping, wheel stops and landscaping.

This Special Use Permit would incorporate all the uses on the site, and would establish master parking and sign programs for the center.

**Site Description**

The project site is located at the northwest corner of Sunset Lane and Mother Lode Drive within the Shingle Springs area at an elevation of 1,440 feet above mean sea level. Existing uses include retail sales, restaurant, used auto dealership, a single-family residence above an existing antique store, and the Planters House Cemetery. Photograph's of the site have been provided (Exhibit F). No critical biological or riparian features exist on-site. The project fronts US Highway 50 along the northern property boundary.

**Adjacent Land Uses**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	C	C	Commercial & Residential/Parking & Landscaping
<b>North</b>	C	C	US Highway 50
<b>South</b>	C	C	Undeveloped
<b>East</b>	C	C	Undeveloped
<b>West</b>	C	C	Commercial/Parking & Landscaping

**Land Use Compatibility**

The project includes minor exterior modifications including signage, lighting, parking lot modifications and landscaping. The project would not result in an incompatible land use in the surrounding area.

**Master Sign Program**

The project includes a Master Sign Program (Exhibit G). The project site has an existing freestanding sign at the southwest corner of the property and many of the businesses have parapet mounted signs. The Special Use Permit would include a new “Sunset Village” freestanding identification sign to be 10 feet in height and 4 feet in width to be located at the southeast corner of the property. This sign would match the existing freestanding sign. The Program would include two options for parapet mounted signs. Detail A provides locations for parapet signs if an auto dealership were to occupy the site, with four (4) parapet signs proposed. Detail B provides locations for parapet signs if an auto dealership were not to be located at the site, with five (5) parapet signs proposed. All parapet signs would measure four feet in height and 8 feet in width.

**Master Parking Program**

There are a variety of uses at the project site. The following table provides a summary of existing and proposed uses at the site and parking required:

**Table 1- Site Parking**

Use	Square Footage	Minimum Parking Standard	Parking Required
Existing Auto Dealership	9,000	1 space per 500 sq. ft. gross sales area	18 spaces
Restaurant	2,500 (80 seats)	1 space for 3 fixed seats 1 RV space for each 10 parking spaces	27 spaces 1 RV space
Power Tool Retail Store	2,714	1 space for 300 sq. ft. of enclosed gross retail sales	9 spaces
Office	424	1 space for 250 sq. ft. gross floor area	2 spaces
Proposed Auto Dealership	11,400	1 space per 500 sq. ft. gross sales area	23 spaces
Antique Retailer	1,220	1 space for 300 sq. ft. gross floor area	4 spaces
Residence	1,100 (1 unit)	2 spaces per unit	2 spaces
Total Required Spaces			86 spaces

The uses at the site have changed since the approval of the 1987 Special Use Permit, as well as County Code requirements. The applicant has demonstrated that with modifications to existing planter areas, removal of asphalt, installation of wheel stops and landscaping, the parking can be brought into substantial compliance with current County Codes (Exhibits H and I). However, not all parking required can be accommodated.

There are 74 parking spaces at the site, with parking spanning two (2) separate parcels. The site would be deficient 11 parking spaces and one RV parking space. Section 17.18.040 of the County Code allows for adjustments in the parking requirements by granting Administrative Relief where the Planning Commission can find:

- a. The intent of the parking ordinance is preserved;

- b. The parking provided is sufficient to serve the use for which it is intended; and
- c. The modification will not be detrimental to the public health or safety.

With the mix of uses, and varied hours of the uses, it is believed that ample parking would be provided at the site. The restaurant, which has a high parking demand, would primarily have peak parking usage during the evenings and weekends, when the other businesses are closed. The automotive dealers have a high parking demand; however, they do not have a repair related use associated with their business, which tends to impact parking. Findings for Administrative Relief have been provided in Attachment 2.

### **Lighting**

The new outdoor display area would have three (3) new light standards. A photometric plan (Exhibit J) has been provided. Light standards would be full cut-off.

### **Hours of Operation**

As part of the application submittal, the used automotive dealer proposes to be staffed by approximately two (2) employees and would have hours of operation from 9:00 AM to 6:00 PM, daily.

### **Traffic**

A traffic study was not required for the proposed project. The project would generate less than 100 average daily trips; therefore it would not exceed the thresholds within General Plan Policy TC-Xe. Mother Lode Drive and French Creek Road are County maintained roadways. The portion of Sunset Lane fronting the project is a non-county maintained road. Required improvements would include the driveway encroachment onto Sunset Lane to County Design Standard 110.

### **Boundary Line Adjustment**

The project includes the following parcels:

Parcel Number	Parcel Area	Existing Improvements
090-430-43	1.84	Williams Power Tool, Restaurant, Used Auto Dealer, Office
090-430-01	0.82	Antique Retailer, Residential Unit, Planters House Cemetery
090-430-44	0.88	Parking Improvements and Landscaping

The project parking is dependent on both parcels, if one were to be sold separately; it could be problematic for the uses. In particular, the uses located within -43 are dependent on the parking provided within parcels -44 and -01. The project has been conditioned to require the merging of the three (3) parcels into one parcel (Condition No. 6).

### **Williams Power Tool**

The County Environmental Management Department-Hazardous Waste Division inspected the site and provided requirements to remediate conditions at the Williams Power Tool business. Remediation would be required to remove contaminated soils in the former equipment repair area. The Conditions of Approval include requirements for the remediation work. In addition, a trash dumpster and recycling dumpster would be required. Implementation of a hazardous materials business plan may also be required if hazardous materials in quantities exceeding those specified by Environmental Management are stored at the site.

Two (2) portable tents and a storage container have been placed within the lease area of Williams Power Tool. These structures have not been included with the project description for this Special Use Permit or with prior Design Reviews. The Conditions of Approval would require the removal of the structures.

### **Planter's House Cemetery**

In 2004, Design Review DR04-0010 was processed for the construction of a 760 square foot two-car garage/workshop adjacent to the Planter's House Cemetery. A Notice of Restriction was filed in 2005 to ensure public use of the existing parking lot to access the cemetery. Subsequently, a fence was placed around the perimeter of an existing parking lot and the garage blocking access to the historic cemetery. Conditions have been included with the project to ensure access to the Planter's House Cemetery.

### **General Plan**

The General Plan designation of the project is Commercial (C). The purpose of this land use designation is to provide areas for the location of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. This designation is highly appropriate for the proposed used auto dealership. Lands designated as Commercial can be located in Community Regions and in Rural Centers. The following General Plan policies would apply to this project:

**Policy 2.2.5.2** directs that all applications for discretionary projects or permits including, but not limited to, General Plan Amendments, Zoning Boundary Amendments, Tentative Maps for major and minor land divisions, and Special Use Permits shall be reviewed to determine consistency with the policies of the General Plan.

Discussion: Approval of a Special Use Permit would authorize the establishment of the used auto dealership, master sign program and parking program within the Commercial land use designation; therefore, the development would be consistent with land use.

**Policy 2.2.5.21** directs that new development be compatible with the surrounding neighborhood.

Discussion: The project would not result in additional noise or traffic in the surrounding area. The proposed project would be compatible with the surrounding land uses pursuant to General Plan Policy 2.2.5.21.

**Policy 6.2.3.2** directs that the applicant demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Discussion: As conditioned, and discussed within the Traffic Section above, the project would provide the required access pursuant to General Plan Policy 6.2.3.2.

**Conclusion:** The project has been reviewed in accordance with the General Plan and it has been determined that the project would be consistent with the applicable policies. Findings of Consistency with the General Plan have been provided in Attachment 2.

### **Zoning**

The subject site is zoned Commercial-Design Control (C-DC). The project site design meets all applicable development standards as specified in Section 17.18 of the County Code. Specifically, the existing off-street parking is to be brought into conformance with parking and landscape buffer standards, subject to approval of the Special Use Permit.

### **Other Departments/Agencies**

Environmental Management Department: The Hazardous Waste Division has required site remediation at the Williams Power Tool business, including a hazardous waste business plan, if warranted for the site. The Department provided Conditions of Approval that would be included with the project.

### **ENVIRONMENTAL REVIEW**

This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15301(a) of the CEQA Guidelines which apply to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. A \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption.

## SUPPORT INFORMATION

### Attachments:

Attachment 1 .....	Conditions of Approval
Attachment 2 .....	Findings
Exhibit A .....	Location Map
Exhibit B .....	Assessors Parcel Map
Exhibit C .....	General Plan Land Use Map
Exhibit D .....	Zoning Map
Exhibit E .....	Site Plan
Exhibit F .....	Pictures of Existing Buildings
Exhibit G .....	Master Sign Program
Exhibit H .....	Parking Plan
Exhibit I .....	Landscape Plan (large scale map only)
Exhibit J .....	Photometric Plan

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

### Special Use Permit S09-0017/Williams May 13, 2010 Planning Commission Hearing

#### Conditions of Approval:

1. The project, as approved, consists of the following:

This Special Use Permit is based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits E through J 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.

This Special Use Permit supersedes Special Use Permit S87-0024 which is hereby rescinded.

#### Project Description:

The following table provides details of existing uses and details of the project. The Special Use Permit would incorporate the new use and all existing uses, as specified below:

Use	Square Footage
Existing Auto Dealership	9,000
Existing Restaurant	2,500 (80 seats)
Power Tool Retailer	2,714
Office	424
Proposed Auto Dealership	11,400
Antique Retailer	1,220
Residence	1,100 (1 unit)

**Used Auto Dealer:** The project shall include a used auto dealer with an 11,400 square foot outdoor sales area and 943 square feet of office space. The facility shall operate 9:00 AM to 6:00 PM daily with approximately 2 employees.

**Master Parking Program:** The project site shall provide 74 parking spaces for the mixed use development. Parking lot striping, landscape buffers, irrigation, and wheel stops shall be provided in accordance with the approved Parking Plan and Landscape Plan.

**Master Sign Program:** The project shall include two (2) freestanding "Sunset Village" identification signs to be 10 feet in height and 4 feet in width, one sign is currently existing at the southwest corner of the property. The project shall include parapet wall signs that

would be four feet in height and 8 feet in width. Two details for sign locations are provided for the program, in accordance with the approved Master Sign Program.

### **El Dorado County Planning Services**

2. **Site Plan:** All site improvements shall conform to the approved Site Plan, Exhibit E. Planning Services shall verify the site improvements prior to final issuance of a building permit.
3. **Parking:** The parking lot shall comply with the construction standards specified in Section 17.18.070 of the County Code. Planning Services shall verify that 74 on-site parking spaces have been provided, along with striping and wheel stops prior to final building inspection, in conformance with the approved Parking Plan, Exhibit H.
4. **Landscape Improvements:** Parking lot landscaping and buffering shall be provided in accordance with Section 17.18.090 of the County Code. A Water Conservation Landscape Statement shall be submitted to Development Services for review and approval prior to issuance of a building permit. The applicant shall install and maintain landscaping in accordance with the approved Landscaping Plan in perpetuity or unless otherwise modified through any future permit.
5. **Site Lighting:** Lighting shall be substantially compliant with Exhibit J and shall conform to Section 17.14.170 requiring full shielding pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation.
  - a. 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.

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 Development Services Director or his designee. In addition, the following shall apply: Development Services shall review and approve the final lighting plan prior to issuance of a building permit.
6. **Boundary Line Adjustment:** The property owner shall process a Boundary Line Adjustment application to merge the three (3) parcels into one parcel to include all improvements, including driveway, parking lots, landscaping, etc. Development Services shall verify that the Boundary Line Adjustment is recorded with the County Surveyor prior to issuance of a building permit for the property.
7. **Archeological Resources:** In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place and determine its significance. If the find is

determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after the appropriate measures are taken or the site is determined not to be of significance.

In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

8. **Condition Compliance:** Prior to issuance of certificate of occupancy of a building permit or commencement of any use authorized by this permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services prior to occupancy or issuance of a building permit for verification of compliance with applicable conditions of approval.
9. **Processing Fees:** Planning Services shall verify that all Development Services and Noticing fees have been paid prior to issuance of any permits.
10. **Hold Harmless Agreement:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval by El Dorado County.

County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

11. **Portable Structures/Containers:** The project site shall not have tents, portable containers or others structures not previously approved. Development Services shall verify that all portable tents and containers are removed from the site prior to final building inspection.
12. **Changes to an Approved Project.** The project shall be implemented or constructed in conformance with all Conditions of Approval, except where changes to the project are approved as set forth as follows:

- a. The Development Services Director may approve minor modifications to an approved project where it may be found that the change:
  1. Is consistent with all applicable provisions of the Zoning Ordinance;
  2. Does not involve a feature of the project that was specifically addressed in the Conditions of Approval, or Findings for Approval of the project;
  3. Does not result in an expansion of the project; and
  4. Does not substantially alter the original approval action.
- b. Changes to a project which result in an expansion or substantial alteration of the project, or which may affect a Condition of Approval or finding that was specifically addressed by the Planning Commission may only be approved by the Planning Commission pursuant to the requirements for submittal of a new permit.

### **El Dorado County Department of Transportation**

13. **Encroachment:** The applicant shall construct the driveway encroachment(s) onto Sunset Lane to the provisions of County Design Standard 110. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to issuance of a permit from Building Services.
14. **Planter's House Cemetery Access:** The property owner shall relocate the fence on the west end of the garage which is blocking access to the Historic Planter's House Cemetery on to the retaining wall and attach it to the garage thus allowing access to the cemetery prior to issuance of a Certificate of Occupancy by the Building Department.
15. **Planter's House Stairs:** The property owner shall install a concrete staircase at least three feet wide to access the cemetery. Stairs shall be installed at the retaining wall outside of the new fence to allow access to the upper slope of the hill behind the garage. The Department shall verify installation of the stairs prior to issuance of a Certificate of Occupancy by the Building Department.
16. **Planter's House Walkway:** A defined walk shall be constructed with a gradual incline up to the cemetery along the back of the garage prior to issuance of a Certificate of Occupancy by the Building Department.
17. **Unencumbered Access:** The Department shall verify that all trees, shrubs and landscaping shall be trimmed or moved to allow unencumbered access along the designated walkway to the cemetery prior to issuance of a Certificate of Occupancy by the Building Department.
18. **Gate:** Applicant shall install a gate at the top of the existing staircase that may remain locked prior to issuance of a Certificate of Occupancy by the Building Department.

### **DOT STANDARD CONDITIONS**

19. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
20. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
21. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (as may be modified by these Conditions of Approval or by approved Design Waivers) from the County Department of Transportation, and pay all applicable fees prior to issuance of any building permits.
22. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees at issuance of building permit.

### **Environmental Management-Hazardous Waste Division**

23. Applicant/property owner shall apply for a site remediation permit from the Environmental Management Department Hazardous Materials/Solid Waste Division to remove contaminated soils in the former equipment repair area at the Williams Power Tool retail business site. Permit must include work plan to be reviewed and approved by staff Geologist. All remediation work shall be conducted in accordance with approved work plan. Contaminated soils shall be transported by licensed hauler and disposed of at permitted facility. A follow up report including evidence of proper disposal shall be submitted to the Department prior to final building inspection.
24. If the commercial facilities will store reportable quantities of hazardous materials (55 gallons) or generate hazardous waste, prior to commencing operations the owner/operator shall:
  - a. Prepare, submit and implement a hazardous materials business plan and pay appropriate fees.
  - b. Obtain a hazardous waste generator identification number from the California Department of Toxic Substances Control.
  - c. Train all employees to properly handle hazardous materials and wastes.
  - d. Implement proper hazardous materials and hazardous waste storage methods in accordance with the Uniform Fire Code and Uniform Building Code.
  - e. Install secondary containment for hazardous waste stored outdoors.
25. The applicant/property owner shall provide a trash dumpster and a recycling dumpster for the site. All solid waste, including animal waste must be stored in trash containers with tight

fitting lids and hauled from the site at least once every seven days for proper disposal. Any and all infectious medical waste and sharps must be properly handled, stored, transported and disposed of in accordance with the California Medical Waste Management Act. The trash enclosure for the dumpster and recycle dumpster shall be provided at the site prior to final building inspection.

## **ATTACHMENT 2**

### **FINDINGS FOR APPROVAL**

#### **Special Use Permit S09-0017/Williams May 13, 2010 Planning Commission Hearing**

#### **1.0 CEQA FINDINGS**

- 1.1** This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15301(a) of the CEQA Guidelines which apply to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
- 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 Department, Planning Services Division at 2850 Fairlane Court, Placerville, CA.

#### **2.0 SPECIAL USE PERMIT FINDINGS**

##### **2.1 The issuance of the permit is consistent with the General Plan;**

The proposed project has been analyzed for consistency with General Plan Policies 2.2.5.2 (General Plan Consistency), 2.2.5.21 (Consistency with surrounding land uses), The proposed project is consistent with the Commercial General Plan Land Use Designation which provides areas for commercial retail, office, and service users for residents, businesses and tourists within the County. The project would require site improvements, lighting, landscaping, signage, and parking lot striping. Site improvements would not violate applicable policies of the General Plan or objectives of the Commercial Land Use Designation.

##### **2.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood;**

The proposed project will comply with the Development Standards of the Commercial Zone District. The proposed Special Use Permit has been found to comply with the requirements of Chapter 17.22, Special Use Permits, and the proposed use is not considered detrimental to the public health, safety and welfare, nor injurious to the neighborhood, based on the conclusions contained in the staff report.

##### **2.3 The proposed use is specifically permitted by Special Use Permit pursuant to this Title.**

The proposed use is specifically permitted by Special Use Permit in the Commercial Zone District pursuant to 17.32.030 (A) of the El Dorado County Zoning Ordinance.

### **3.0 ADMINISTRATIVE RELIEF FINDINGS**

#### **3.1 The intent of the parking ordinance is preserved.**

The retail center includes a variety of uses, that include Williams Power Tool retail store, Colina Del Oro restaurant, Auto Sense Auto Exchange uses car dealership, an office use and an Antique Retailer, with a residential unit above. The applicant has demonstrated that with modifications to existing planter areas, removal of asphalt, installation of wheel stops and landscaping, the parking can be brought into substantial compliance with current County Codes. The site requires 85 parking spaces, and 1 RV space. The applicant has demonstrated that 74 on-site parking spaces can be accommodated. The site would be deficient 11 parking spaces and 1 RV parking space. With the mix of uses, and varied hours of the uses, it is believed that ample parking will be provided at the site. The restaurant, which has a high parking demand, would primarily have peak parking usage during the evenings and weekends, when the other businesses are closed. The automotive dealers have a high parking demand; however, they do not have a repair related use associated with their business, which tends to impact parking. It is believed that sufficient parking would be provided at the site and the intent of the parking ordinance would be preserved.

#### **3.2 The parking provided is sufficient to serve the use for which it is intended.**

The 74 on-site parking spaces will be sufficient to serve the needs of the composition and number of tenants at the site during peak use times.

#### **3.3 The modification will not be detrimental to the public health or safety.**

Parking will not overflow into roadways, easements or adjacent properties, as it has been determined that the 74 on-site parking spaces will be sufficient for the number of tenants at the site.