

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



**Agenda of:** July 8, 2010  
**Item No.:** 9  
**Staff:** Michael C. Baron

**SPECIAL USE PERMIT**

**FILE NUMBER:** S10-0002/Marble Valley School

**APPLICANT:** Marble Valley School

**AGENT:** Dyana Anderly

**PROPERTY OWNER:** Humphrey Enterprises

**REQUEST:** Special Use Permit request to allow a private school for a maximum enrollment of 162 students for pre-school through 8<sup>th</sup> grade students in an existing 21,478 square foot building and grade an adjacent parcel for additional parking, picnic area and ball field.

**LOCATION:** On the east side of Hillsdale Circle, approximately 500 feet north of the intersection with Glenhaven Court in the El Dorado Hills area, Supervisorial District II (Exhibit A).

**APN:** 117-085-22 & 117-085-23 (Exhibit B)

**ACREAGE:** 2.5 acres

**GENERAL PLAN:** Reasearch & Development (R&D) (Exhibit C)

**ZONING:** Research and Development-Design Control (R&D-DC) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Categorically Exempt pursuant to Sections 15301(a) & 15303(a) of the CEQA Guidelines

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Certify that the project is Categorically Exempt from CEQA pursuant to Sections 15301(a) and 15303(a); and
2. Approve Special Use Permit S10-0002 subject to the Conditions of Approval in Attachment 1 and based on the Findings in Attachment 2.

**BACKGROUND:** The Marble Valley School currently operates in the business park in two buildings totaling 23,000 square feet at 5001 and 5003 Windplay Road. The two proposed project parcels were originally one 2.5 acre parcel that was subdivided by PM87-0188 recorded January 17, 1990. The existing 21,478 square foot building on parcel 117-085-22 was constructed for office and warehouse uses in 1990 under ministerial building permits. The El Dorado Hills Business Park only allows five percent of overall development of schools and churches. Approximately two percent of overall space is currently occupied by schools and churches within the business park. There is a total of 44.65 acres (5percent) available for schools and churches within the business park with 15.8 acres being used for schools and churches. The proposed project would use two parcels totaling 2.5 acres. There would be a surplus of 26.35 acres remaining for any newly proposed schools or churches within the business park. Since the proposed development already resides within the business park and is moving to another building there would only be a negligible change in the overall inventory of available acreage for schools and churches. Therefore, no change in inventory would occur if another school or church moved into the existing space where the current special use permit (S02-0027) would remain valid for one year.

**STAFF ANALYSIS:** Staff has reviewed the project for compliance with County regulations and requirements. An analysis of the permit request and issues are provided in the following sections.

**Project Description:** The Special Use Permit request would allow a private school for a maximum enrollment of 162 students for pre-school through 8<sup>th</sup> grade students in an existing 21,478 square foot building and grade an adjacent parcel for additional parking, picnic area and ball field.

Site Improvements: Site improvements would be considered negligible for the proposed school site since the existing building would be used with most improvements to the interior. Minor changes would be made to the parking area to add play areas, landscaping, fencing and improve circulation to previously graded areas. The adjacent parcel would be graded flat to add a ball field, additional parking, landscaping, picnic area and fencing.

Traffic: The proposed use would be an expansion of the existing facility. As determined by the Department of Transportation, the proposed expansion would not result in a significant increase in vehicular traffic in the project area.

Parking: Section 17.18.060 (23) requires 1 1/2 parking spaces per classroom. The site currently has a total of 25 parking stalls available with the proposal to eliminate 3 and add 10 to the adjacent parcel the end result would provide a total of 32 parking spaces for the entire school. The proposed

on-site parking would be sufficient to serve the proposed use. The minimum number of parking spaces required for the operation of the school would be 20 parking spaces.

**Circulation:** The site is currently accessed via an existing encroachment onto Hillsdale Circle. The internal parking area provides one and two-way access throughout the site. The parking plan also allows for a 15 vehicle loading and unloading area. The proposed expansion would not create circulation problems on-site or on the local roadway system.

**Lighting:** No additional lighting has been proposed as part of the project. A standard condition of approval will be included requiring that any outdoor lighting comply with section 17.14.170 (C) of the Zoning Ordinance.

**Site Description:** The project site is located within the El Dorado Hills Business Park. There is an existing 21,478 square foot office/warehouse building, landscaping and parking improvements on Assessors parcel number 117-085-22. Parcel 117-085-23 is vacant, containing non-native annual grasslands and no trees. The sites lie at an approximate elevation of 540 feet above mean sea level. Soil type is Auburn very rocky silt loam (AxD) which can be characterized by well drained soils with 2 to 70 percent slopes.

**Adjacent Land Uses:**

	Zoning	General Plan	Land Use/Improvements
Site	R&D-DC	R&D	Office/warehouse/vacant
North	R&D-DC	R&D	Office/Light Manufacturing
South	R&D-DC	R&D	Vacant
East	R&D-DC	R&D	Office/Light Manufacturing
West	R&D-DC	R&D	Office/Warehouse

**Discussion:** The project parcels are surrounded by combination of existing office, warehouse and light manufacturing buildings of similar construction as well as vacant R&D parcels. The Carson Creek Specific Plan Area is beyond the project area to the west and R&D extending to the north, south and east.

**General Plan**

The project site is designated Research and Development (R&D) and defined by General Plan Policy 2.2.1.2 which provides areas for the location of high technology, non-polluting manufacturing plants, research and development facilities, corporate/industrial offices, and support service facilities in a rural or campus-like setting which ensures a high quality, aesthetic environment.

Policy 2.2.5.2 states, “All applications for discretionary projects or permits including, but not limited to, General Plan amendments, zoning boundary amendments, tentative maps, maps for major and

minor land divisions, and special use permits shall be reviewed to determine consistency with the policies of the General Plan. No approval shall be granted unless a finding is made that the project or permit is consistent with the General Plan.

Policy TC-5c requires that roads adjacent to schools or parks shall have curbs and sidewalks. The proposed private school would be located inside an existing building within the El Dorado Hills Business Park, which was being developed prior to the adoption of the 2004 General Plan. To add sidewalks to the proposed development would not encourage or provide safe, continuous, and accessible pedestrian facilities as viable alternative transportation modes because there are no sidewalks on the adjacent existing development to the north and the parcel to the south of the ball field undeveloped. In this case, the topography and existing landscaping does not lend itself to sidewalks along the frontage of the existing building. Constructing sidewalks would require additional retaining structures along the frontage that would not be accessible to schoolchildren being dropped off in front of the building on the street. The applicant would provide a minimum 15 car drop-off area within the interior access road/parking area. The applicant also indicated to Planning Staff that different grades would have different drop off times to avoid excessive parking lot traffic.

**Discussion:** The proposed use of the property to allow a private school is consistent with the types of uses encouraged by this policy.

### **Zoning**

The project site is zoned Research and Development-Design Control (R&D-DC), which provides for the location of high technology, non-polluting manufacturing plants, and related facilities in a campus like setting. During review of the Special Use Permit request, Planning Services determined that the use would be consistent with the R&D Zone District and could be approved through a Special Use Permit pursuant to Zoning Ordinance Section 17.35.025 (B), which allows for schools in Research and Development Zoned parcels subject to specific development standards.

Section 17.32.040 of the County Code establishes Development Standards within the R&D Zone District. With the exception of the adjacent ball field, play areas and parking, no additional development would be proposed as part of the application. The existing building is in conformance with the Development Standards of the R&D Zone District.

Section 17.22.540 of the County Code requires the approving authority make specific Findings of Approval prior to approving a Special Use Permit. As discussed above, the project would be consistent with the Development Standards of the R&D Zone District. Therefore, staff finds that the Special Use Permit request would be consistent with the Zoning Ordinance and Findings of Approval have been included in Attachment 2.

### **Other Departments/Agencies Comments:**

The Department of Transportation and El Dorado Hills Fire District provided conditions of approval, which are provided in Attachment 1. No other departments or agencies provided additional comments.

## **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. Also, for grading the adjacent ball field, the project has been found Categorical Exempt from the requirements of CEQA pursuant to Section 15304 (a) of the CEQA Guidelines stating that, grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or in officially mapped areas of severe geologic hazard such as an Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist.

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 .....	Assessor's Parcel Map
Exhibit C .....	General Plan Land Use Map
Exhibit D .....	Zoning Map
Exhibit E .....	Site Plan
Exhibit F .....	Landscape Plan

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

### SPECIAL USE PERMIT

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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 exhibits marked E & F and conditions of approval set forth below for APN's 117-085-22 & 117-085-23. 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.

**Project Description:** This Special Use Permit shall allow a private school for a maximum enrollment of 162 students for pre-school through 8<sup>th</sup> grade students in an existing 21,478 square foot building and grade an adjacent parcel for additional parking, picnic area and ball field.

#### Planning Services

2. All site improvements shall conform to Exhibits E & F.
3. 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 developer and land owner 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 of El Dorado County concerning a Special Use Permit.

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

4. Prior to issuance of any permits, the applicant shall pay all Development Service fees.
5. Prior to issuance 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 issuance of a building permit for verification of compliance with applicable conditions of approval.

6. The applicant shall merge APN's 117-085-22 & 117-085-23 prior to final occupancy of the building.
7. 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. In addition, the following apply:
  - 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.
  - b. 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.
  - c. Pole lights shall not exceed fifteen (15) feet in height from finished grade to the top of the pole.

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 Hills Fire Protection District**

8. The facility shall have an approved fire sprinkler system in accordance with NFPA-13, 2007 edition, and Fire Department requirements.
9. A fire alarm system shall be installed per NFPA 72, 2007 edition, and the Fire Department requirements.
10. This development shall install and or verify Mueller Dry Barrel fire hydrants conforming to the El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 300 feet. The exact location of each hydrant and all fire protection system devices shall be determined by the Fire Department.
11. To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the fire Safe Regulations.
12. In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be accessible.

13. This development shall be prohibited from installing any type of traffic calming devices that utilize a raised bump of a lower dip section of roadway as these delay emergency response and cause excessive wear and damage to emergency equipment.
14. The applicant shall provide the Fire Department with a CD that contains all the CAD files for this project.
15. Egress and ingress are of great concern with an educational facility of this size. The fire access roadways servicing buildings shall be designed to accommodate a 40 foot inside and a 56 foot outside turning radius and loads of 75,000 pounds. A hammerhead turnaround will meet the same practical effect.
16. All trash enclosures shall be a minimum of 5 feet from a building wall.
17. Vehicle gate shown in plans as number 17 shall be a minimum of 20 feet ingress and egress width for emergency response vehicles.
18. Knox Box shall be provided for external entry ways and any onsite gates.

**Department of Transportation**

19. The applicant shall obtain an encroachment permit from DOT and shall construct the driveway encroachments onto Hillsdale Circle to the provisions of County Design Std 103G or approved DOT equivalent. 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 initiation of any use permitted by the approval of the special use permit.

## **ATTACHMENT 2**

### **FINDINGS FOR APPROVAL**

#### **SPECIAL USE PERMIT**

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#### **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. Also, for the adjacent ball field 15304 (a) Grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or in officially mapped areas of severe geologic hazard such as an Alquist-Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist.
- 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;**

As proposed, the project would be consistent with the R&D General Plan Land Use Designation as defined by Policy 2.2.1.2 because the R&D Land Use Designation permits such uses where the character of an area is maintained in a campus like setting.

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

The proposed private school and ball-field would not generate excessive noise levels or other impacts that would be detrimental to the neighborhood. Hours of operation have been established and there are no residentially zoned parcels adjacent to the project area or within the immediate vicinity.

##### **2.3 The proposed use is specifically permitted by special use permit pursuant to this Title.**

The R&D Zone District permits schools of this type through approval of a Special Use Permit pursuant to County Code Section 17.35.025(B).