

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



Agenda of: January 26, 2012

Item No.: 8

Staff: Gina Paolini

DESIGN REVIEW REVISION

FILE NUMBER: DR00-0004-R/Cool 76 Station Re-imaging

AGENT: Sign Development Inc.

OWNER: Sierra Energy

REQUEST: Design Review to re-image the price identification sign, canopy and paint the existing building to reflect a change of the existing Valero gasoline station to a 76 station.

LOCATION: West side of State Route 49, approximately 17 feet west of the intersection with State Route 193, in the Cool area, Supervisorial District 4 (Exhibit A)

APN: 071-080-11 (Exhibit B)

ACREAGE: 3.72 acres

GENERAL PLAN: Commercial (C) (Exhibit C)

ZONING: Commercial-Community Design Review District (C-DC) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Categorically exempt pursuant to Section 15311 of the CEQA Guidelines.

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

1. Certify that the project is exempt from CEQA pursuant to Section 15311 of the CEQA Guidelines; and
2. Approve Design Review Revision DR00-0004-R subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

BACKGROUND:

Building Permit No. 116576 was issued on July 20, 1999 for a gasoline pump canopy. Planning approval was issued in error and subsequent Design Review and Variance applications were submitted.

On July 27, 2000, the Planning Commission approved Design Review permit (DR00-0004) and Variance (V00-0002) to allow the addition of an 800 square foot canopy to cover existing gasoline pumps. The Variance approval allowed for the canopy to encroach within the 10 foot front setback by up to eight feet.

Building Permit No. 137719 reactivated the previous permit to install the gasoline pump canopy. This permit was finalized on April 8, 2002.

Building Permit No. 111397 was issued March 31, 1998 to upgrade three underground storage tanks. Building Permit No. 125515 reactivated this permit which was finalized on May 8, 2002.

Building Permit No. 176685 was issued on October 2, 2006 to replace the fuel island and fuel dispensers. This permit was finalized on October 23, 2006.

The existing Valero station is being converted to a ConocoPhillips 76 gasoline station. A revision to Design Review DR00-004 was submitted on September 27, 2011 to re-image the gasoline station with the corporate logo and colors.

STAFF ANALYSIS

Project Description: The project includes a Design Review request for the re-imaging of the price identification sign, the canopy colors and columns, an update of the building colors and signage and change of pump colors to reflect the 76 corporate image. The following provides details of the changes:

1. **Existing internally illuminated price/identification sign with changeable numbers:**
The existing pole structure is to be utilized. The maximum height of the sign is to be 12 feet 5 inches. The sign area is to be 6.1 feet by 10.4 feet. The sign would have the 76 corporate logo and changeable pricing (Exhibit E-2).
2. **Existing gasoline pump canopy, columns and logo:** The existing 22 foot by 40 foot canopy is to be resurfaced with corporate colors, Oasis silver, Oasis white and Oasis red, as shown on Exhibits E-3, E-4 and E-6. A 33 inch 76 corporate logo is to be placed on the north and south sides of the canopy (Exhibits E-7 and E-8). The columns are to be painted in the corporate colors.
3. **Existing building colors and signage:** The existing blue building with white trim is to be painted Oasis white and would have an Oasis red trim fascia board (Exhibit E-5). A

new 36 inch by 36 inch “Sierra Energy Express” internally illuminated cabinet sign would be installed on the front of the building.

4. **Existing gasoline pumps:** The existing blue and yellow gasoline pumps will be updated with the Oasis red and 76 logo (Exhibit E-9).

Site Description: The project site contains the Valero gasoline station as well as its related parking lot and landscaping (Exhibit E-1). The site is situated on the west side of State Route 49 north of State Route 193 in Cool. The fueling area consists of two fuel pumps beneath an overhead fueling dispensing canopy. The subject property is essentially flat.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	C-DC	C	Commercial/Service station and mini mart
North	C-DC	C	Commercial/Retail Center
South	C-DC	C	Commercial/Retail Center
East	C-DC	C	Commercial/Undeveloped
West	OS	OS	Open Space

Discussion: The re-imaging project would be consistent with the commercial development in the area and would not create visual incompatibilities to the surrounding land uses.

General Plan:

The General Plan designates the subject site as Commercial (C). The purpose of the Commercial land use designation is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. The existing use is consistent with the General Plan.

The following General Plan policy applies 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: Service stations are permitted by right within the C zone district; however because the property fronts a state highway, Design Review is required for design control. Approval of the Design Review would authorize the re-imaging of the facility. With the proposed conditions, the project would be consistent with the General Plan.

Policy 2.2.5.21 requires development projects to 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.

Discussion: The re-imaging would be consistent with other similar commercial projects within the vicinity, and would not create a visual incompatibility along State Route 49.

Zoning:

The subject site is zoned Commercial-Community Design Review District (C-DC). The use is permitted in the Commercial Zone District pursuant to Section 17.32.020.B.

Section 17.74 of the County Code establishes Design Review Districts. The subject site is within the Community Design Review District and pursuant to Section 17.14.130 (Architectural Supervision) of the County Code, where a structure or building faces on a state highway; the application shall be accompanied by architectural drawings or sketches showing the elevations of the proposed building or structure. The drawings or sketches shall be considered by the Planning Commission in an endeavor to provide that the architectural and general appearance of the buildings and structures be in keeping with the character of the neighborhood, and such as not to be detrimental to the orderly and harmonious development of the County, or to impair the desirability of investment or occupation in the neighborhood.

Discussion: The applicant has provided elevations of the existing site and the proposed changes to update the site with new colors reflecting the 76 corporate image. The Cool Feed and Ranch Supply is located at the rear of the property and has wood siding painted a barn red. To the north of the project is a commercial strip development with a western theme design, which includes the Cool Deli. The façade of this strip center has been painted various colors, depending on the use of retail space. There are various wall signs and color schemes throughout the commercial area. Based on an evaluation of the surrounding area, the re-imaging would be consistent with the area and would not be detrimental to the development of the commercial area.

Other Design Issues:

Signage:

Section 17.32.020.D of the County Code allows for two signs not exceeding fifty square feet in total area of any one display surface, or one sign not exceeding eighty square feet in area. The maximum height of structures within the C zone district is 50 feet.

The project proposes the following signage:

Proposed Fuel Pricing Sign	Signage Dimensions	Zoning Ordinance Requirements
Height:	12.5 feet	50 feet
Sign Face Area:	62 square feet	80 square feet for one sign
Proposed Wall sign	Signage Dimensions	Zoning Ordinance Requirements
Sign Face Area:	9 square feet	20 percent of wall area
Two Canopy Logos	Signage Dimensions	Zoning Ordinance Requirements
Sign Face Area:	5 square feet for each sign	20 percent of wall area

The wall sign and canopy logos would be in compliance with Section 17.16.030 of the County Code. The fuel pricing sign would be in compliance with Section 17.32.020.D of the County Code.

California Business and Professions Code Section 13531 states that every person offering for sale or selling any motor vehicle fuel to the public from any place of business shall display on the premises an advertising medium which complies with the requirements of this article and which advertises the prices of the three major grades of motor vehicle fuel offered for sale. The advertising medium shall be clearly visible from the street or highway adjacent to the premises. When the place of business is situated at an intersection, the advertising medium shall be clearly visible from each street of the intersection. California Business and Professions Code Section 13531 specifies the display requirements.

The site currently has two fuel price signs. The project would be conditioned to require compliance with the California Business and Professions Code, and require elimination of the movable price sign (Condition No. 7).

Mini marts and gasoline stations have a tendency to have a proliferation of temporary signs. The project site is being conditioned to prohibit the use of temporary signs (Condition No. 6).

Off-Street Parking and Loading (including Landscaping and Buffering):

No changes to the off-street parking or existing landscaping would be proposed with this project.

Outdoor Lighting:

Section 17.14.170 of the County Code establishes criteria for outdoor lighting standards. The proposed project would modify the canopy lighting and would be required to conform to County standards. Confirmation that the proposed lighting would be compliant with these standards would occur during building permit review of the approved project (Condition No. 3).

Outdoor Sales/Display:

In recent years there has become a proliferation of outdoor vending machines in the commercial areas. The C zone district requires all retail sales to be fully enclosed within a building unless a Special Use Permit is authorized in accordance with Section 17.32.030.D of the County Code. There are several items being displayed for sale in front of the mini mart. As a Condition of Approval the project would be required to remove all newspaper racks, FedEx Machine, and other miscellaneous items from the front of the store, except for the ice machine and the propane cylinder exchange facility which would be specifically authorized under this Design Review (Condition No. 5).

Trash/Recycle Containers:

The site has existing trash/recycle containers that are unenclosed facing State Route 49. Staff has evaluated the overall site and would require with this revision that the trash/recycle containers be relocated to the rear of the building and that an approved enclosure be built to house the containers (Exhibit F). The project has been conditioned to require the enclosure (Condition No. 8).

Agency Comments

Environmental Management

The Department has reviewed the project and has indicated that the facility is currently regulated under the hazardous material CUPA and leaking underground storage tank local oversight programs LOP. Under the CUPA programs a minor violation was noted during the most recent site inspection. The Department would require Conditions of Approval with the revision.

Caltrans

The Department had no comments.

El Dorado County Department of Transportation

The Department had no comments.

ENVIRONMENTAL REVIEW

This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15311 of the CEQA Guidelines stating that Class 11 *consists of construction, or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to: (a) on-premise signs.* A \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	Assessor's Parcel Maps
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map
Exhibit E-1	Site Plan
Exhibit E-2	Price ID Sign
Exhibit E-3	Canopy Elevations (north and south)
Exhibit E-4	Canopy Elevations (east and west)
Exhibit E-5	Building Elevations and cabinet sign
Exhibit E-6	Canopy Fascia Detail with logo
Exhibit E-7	Logo Sign Lamp/Cabinet Detail
Exhibit E-8	Logo Sign Face
Exhibit E-9	Pump Detail
Exhibit F	Trash Enclosure Detail

ATTACHMENT 1

CONDITIONS OF APPROVAL

Design Review Revision DR00-0004-R/Cool 76 Station Re-imaging
Planning Commission/January 26, 2012

CONDITIONS OF APPROVAL

El Dorado County Planning Services:

1. This Design Review revision is based upon and limited to compliance with the project description, the exhibits:

Exhibit E-1	Site Plan
Exhibit E -2	Price ID Sign
Exhibit E -3	Canopy Elevations (north and south)
Exhibit E -4	Canopy Elevations (east and west)
Exhibit E -5	Building Elevations and cabinet sign
Exhibit E -6	Canopy Fascia Detail with logo
Exhibit E-7	Logo Sign Lamp/Cabinet Detail
Exhibit E-8	Logo Sign Face
Exhibit E-9	Pump Detail

and Conditions of Approval set forth below. Further, any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval.

The project, as approved, consists of the following:

Approval of Design Review DR00-0004-R for the re-imaging of the price identification sign, the canopy colors and columns, an update of the building colors and signage and change of pump colors to reflect the 76 corporate image for the gasoline station located at Assessor's Parcel Number 071-080-11. The following re-image shall be permitted:

- a. **Internally illuminated price/identification sign with changeable numbers:**
The existing pole structure shall be utilized for the price/identification sign. The maximum height of the sign shall be 12 feet 5 inches. The sign area shall be 6.1 feet by 10.4 feet. The sign would have the 76 corporate logo and changeable pricing. The text, design materials, and colors shall conform to Exhibit E-2.
- b. **Gasoline pump canopy, columns and logo:** The existing 22 foot by 40 foot canopy shall be painted with corporate colors, Oasis silver, Oasis white and Oasis red. A 33 inch 76 corporate logo shall be placed on the north and south sides of

the canopy. The columns shall be painted in the corporate colors. The text, design materials, and colors shall conform to Exhibit E-3, E-4, E-6, E-7 and E-8.

- c. **Building colors and signage:** The mini mart building shall be painted Oasis white and shall have an Oasis red trim fascia board. A new 36 inch by 36 inch “Sierra Energy Express” internally illuminated cabinet sign shall be installed on the front of the building. The text, design materials, and colors shall conform to Exhibit E-5.
- d. **Existing gasoline pumps:** The gasoline pumps shall be updated with Oasis red and the 76 logo. The text, design materials, and colors shall conform to Exhibit E-9.

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.

2. The project shall be started or diligently pursued within twenty-four (24) months of approval, or the Design Review approval shall become null and void.
3. The canopy lighting shall be retrofitted to conform to Section 17.14.170 design standards of the Zoning Code and be fully shielded pursuant to the Illumination Engineering Society of North America (IESNA) full cut-off designation. Lighting plans shall be submitted for review and approval by Planning Services prior to issuance of a building permit.
4. Prior to issuance of a building permit or commencement of any use authorized by this permit the applicant shall provide a written description to Planning Services, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval.
5. All outdoor retail displays, with the exception of the ice machine and the propane cylinder exchange facility shall be removed from the exterior of the building. Planning Services shall verify the removal of the outdoor retail displays prior to final building inspection.
6. No additional advertising sign copy or temporary signs shall be permitted at the project site.

7. The moveable, freestanding fuel price sign shall be removed from the site prior to issuance of a building permit. The applicant shall provide Planning Services with verification that the sign has been removed prior to issuance of the permit.
8. The unenclosed trash recycle containers shall be relocated to the rear of the property and a trash/recycle enclosure shall be constructed in compliance with the MSW & Recyclable Container Enclosure Plan provided by the local waste hauler provider. Planning Services shall review the location of the enclosure and the local service provider shall verify compliance prior to issuance of a building permit.
9. Prior to issuance of any Building Permit, all Development Services fees shall be paid.
10. A \$50.00 administrative processing fee is required by the County Recorder to file the Notice of Exemption. This fee must be delivered to the El Dorado County Planning Services prior to the issuance of any development permit being issued on the project parcel.
11. 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.

- ~~1. The project, as approved, shall conform to Exhibits E and Sheets 1 through 5 of Exhibit F.~~
- ~~2. No signs are approved on the canopy through this Design Review application.~~

El Dorado County Department of Environmental Management-Solid Waste & Hazardous Material

12. The operator shall make the necessary upgrades to the leak prevention system. Because the UST system has 90% overfill audible/visual alarms with direct bury spill buckets, the owner/operator shall install either fill tube flapper valves or secondary containment around the straight drop tubes (fill sumps). The operator shall make the necessary upgrades prior to final building inspection.

13. Under the LOP program, the operator shall continue with the contaminated site remediation and reporting activities. Activities are to include periodic the high vacuum extraction events in accordance with the schedule prescribed in the correspondence from the El Dorado County Environmental Management Department dated April 5, 2011.

ATTACHMENT 2

FINDINGS

Design Review Revision DR00-0004-R/Cool 76 Station Re-imaging Planning Commission/January 26, 2012

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

1.0 CEQA FINDINGS

- 1.1 This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15311 of the CEQA Guidelines. Class 11 exemptions include the construction, or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities including but not limited to on-premise signs.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of Planning Services at 2850 Fairlane Court, Placerville, CA 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the Commercial (C) land use designation as defined within General Plan Policy 2.2.1.2 because the land use designation provides for areas for service uses to serve the residents, businesses and visitors of the County. The mini mart/gasoline station provides a service to the community and would be consistent with the General Plan land use.
- 2.2 The proposal is consistent with General Plan policies 2.2.5.2 (General Plan consistency) and 2.2.5.21 (land use compatibility). It has been determined that the project is consistent with the General Plan because the re-imaging would not create visual incompatibility with similar commercial projects in the vicinity.

3.0 ZONING FINDINGS

- 3.1 *The proposed use is consistent with Title 17.*

The Zoning Ordinance designates the site as Commercial within the Community Design Review District Overlay (C-DC). The proposed design and use of the structure is consistent with the development standards of the Commercial Zone District.