

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



Agenda of:	October 11, 2012
Item No.:	8
Staff:	Tom Purciel

DESIGN REVIEW

FILE NUMBER: DR12-0003/Meyers Roadrunner Gas Station

**OWNER/
APPLICANT:** Thomas Sweeney/Sweeney Enterprises

AGENT: L.A. Perks Petroleum Specialists/Keith Perks

REQUEST: Design Review request for a remodel of an existing fueling station facility to include the following structures/improvements:

1. A new 2,200 square foot canopy with four fuel pumps;
2. The re-facing of an existing 2,942 square foot convenience store and gas station office;
3. Removal of an existing 40 square foot freestanding fuel pricing sign;
4. A 100 square foot monument sign containing a 50 square foot fuel pricing display with four static non-moving 10" x 27" LED price panels and station logo; and 50 square feet of retail advertising;
5. The authorization of an existing nonconforming 913 square foot detached retail bike shop and a 320 square foot accessory storage container; and
6. Temporary tent shelters for outdoor bicycle display and service.

LOCATION: On the east side of U.S. Highway 50, approximately 50 feet north of the intersection with Apache Road in the Meyers area, Supervisorial District 5 (Exhibit A).

APNs: 034-270-10, 034-270-16

ACREAGE: 0.98 acre

GENERAL PLAN: Adopted Plan (AP), Tahoe Regional Planning Agency (TRPA) Regional Plan, Meyers Community Plan - Yank's Station District (Exhibit B)

ZONING: Meyers Community Plan – Subarea 1 (MCP-1) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Categorically Exempt pursuant to Section 15303(c) of the CEQA Guidelines

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

1. Find that the project is Categorical Exempt from CEQA pursuant to Section 15303(c) of the CEQA Guidelines; and
2. Approve Design Review DR12-0003 with a reduction of the proposed sign to 48 square feet, subject to the Conditions of Approval in Attachment 1 and based on the Findings in Attachment 2.

Project Description

This project is a Design Review request for a remodel of an existing fueling station facility to include the following uses/improvements:

1. A new 2,200 square foot canopy with four fuel pumps;
2. The re-facing of an existing 2,942 square foot convenience store and gas station office;
3. Removal of an existing 40 square foot freestanding fuel pricing sign;
4. A 100 square foot monument sign containing a 50 square foot fuel pricing display with four static non-moving 10" x 27" LED price panels and Union 76 Logo; and 50 square feet of retail advertising ("Watta Bike");
5. The authorization of an existing nonconforming 913 square foot detached retail bike shop and 320 square foot accessory storage container; and
6. Temporary tent shelters for outdoor bicycle display and service.

For details, see project site plan, Exhibit D.

Site Description

The subject site is approximately 6,320 feet above sea level and gently slopes to the west. The lot is currently developed. Existing improvements include a paved parking lot with 26 off-street parking spaces, fueling station with two fuel pumps and existing underground fuel storage tanks, a 2,942 square foot retail store, a 320 square foot cargo-style storage container, a diesel fuel pump, a 913 square foot retail bicycle shop, a 100 square foot monument sign advertising on-site retail sales ("Watta Bike" and "Roadrunner Mini Market") and an approximately 40 square foot freestanding fuel pricing sign (See project site plan and site photographs, Exhibits D and O).

BACKGROUND:

An automobile service station/convenience store, four fuel pumps, at least one commercial storage structure (approximately 320 square feet) and retail /fuel pricing signs were originally constructed on the project parcels during or just prior to 1960, when County building permits were not required (See County Assessor's comp sheets, Exhibit H). Although the original structures and uses were not subject to County building permits, any structures, uses, modification and/or expansion of existing uses after 1960 would be subject to building, grading and/or site improvement permits, as may be applicable.

According to County permit records, the service station and store building was remodeled in 1973 (Finaled Building Permit No. 8578) and expanded in 1997, without a building permit being issued. Since 1980, permitted work included EVR, electrical and plumbing upgrades and repairs. In addition, new Accessible restrooms have been added to the left (north) side of the retail store building (Building Permit Application No. 198624, issued in 2010). (See permit records, Exhibit I.)

There are no building permit records for any on-premises signs, including the existing 100 square foot monument sign or the existing 40 square foot fuel pricing sign fronting on US Highway 50. Further, County business license records for the project parcel indicate at least 50 square feet of the existing monument sign ("Watta Bike Shop") was added/modified in approximately 2006, the year that the bike shop business license application was approved by the County.

STAFF ANALYSIS:

General Plan:

The County General Plan designates the subject parcel as Adopted Plan, which refers to the Tahoe Regional Planning Agency's Regional Plan. The parcel is located within TRPA Plan Area Statement (PAS) 125, Meyers Commercial, which refers to the Meyers Community Plan. Within the Meyers Community Plan, the project is located within Special Area #1 (Yank's Station Land Use District), which allows a wide range of retail and service uses. Therefore, the proposed retail and service uses are consistent with the Meyers Community Plan.

The County General Plan provides broad deference to the TRPA Regional Plan, for the implementation of related General Plan policies and for the review of County discretionary projects. With regard to the Tahoe Basin, the primary goal of the County General Plan is to integrate the County's regulations with those of TRPA, to eliminate inconsistencies with the Regional Plan and to simplify the regulatory environment in the Tahoe Basin, as articulated in *Goal 2.10* of the *County General Plan* and its associated policies.

This project is consistent with all applicable policies of the adopted 2004 El Dorado County General Plan. Findings for consistency with the General Plan are provided in Attachment 2.

Zoning:

The subject site is located within subarea No. 1 (MCP-1) of the Meyers Community Plan. As stated under Section 17.58.180.A of the Zoning Ordinance, food and beverage/general merchandise stores and accessory retail storage are all uses permitted by right within the MCP-1 zone district. In addition, although automobile service stations are only allowed by Special Use Permit pursuant to Section 17.58.180, there has historically been an existing four-pump auto fueling station at this site since at least 1960. As the proposed modifications will not constitute an expansion of the existing fueling station, use of the fueling station may be continued as a legal, nonconforming use pursuant to Section 17.20.020 of the Zoning Ordinance.

While the main retail store building, fuel pumps and proposed canopy will comply with the Development Standards contained within Table 17.58.190.A of the Meyers Community Plan, the other existing structures, the 913 square foot “Watta Bike” retail shop and 320 square foot storage container encroach into the 25-foot building setback required from the adjacent residential-zoned (TR1) parcels to the east (Exhibits D and K).

Based on staff’s review of County Assessor’s records (Exhibit H), historic building permits (Exhibit I), historic aerial photographs (Exhibit J) and business license documents (Exhibits L and M), staff has determined that the 913 square foot commercial outbuilding existed in its present location prior to the adoption of the Meyers Community Plan (1993) and also prior to building permit requirements (1960). Therefore, staff finds the 913 square foot commercial building to be a legal, nonconforming structure pursuant to Sections 17.20.020 and 17.20.030 of the Zoning Ordinance. However, any future expansion, enlargement or extension of the current use would be subject to current TRPA and County regulations, including applicable building setbacks required by the Meyers Community Plan. This issue is addressed in project Conditions of Approval, Attachment 1.

In addition, based on review of County Assessor’s records (Exhibit H), historic building permits (Exhibit I) and aerial photographs (Exhibit J), staff has determined that some type of storage shed/structure has continuously existed adjacent to the rear (east) property line since at least 1960, prior to the adoption of the Meyers Community Plan (1993). However, as County records documenting this use are limited, it is unknown when the current 320 square foot storage container replaced older storage structure (s) in this same location. Of note, the existing storage container has been screened from adjacent residential parcels by a 6-foot solid wood fence (Exhibit O).

Therefore, as some type of storage unit/structure has been in this same location since prior to the adoption of the Meyers Community Plan, staff finds that the 320 square foot storage container is a legal, nonconforming structure pursuant to Sections 17.20.020 and 17.20.030 of the Zoning Ordinance and that the existing storage container is consistent with the Meyers Community Plan Design Guidelines for the screening of outdoor storage and service areas. However, any expansion or relocation of the storage structure would be subject to current TRPA and County regulations, including applicable building setbacks and development standards of the Meyers Community Plan. This issue is addressed in project Conditions of Approval, Attachment 1.

The project will also be conditioned to demonstrate consistency with the applicable outdoor lighting, landscaping, and parking development standards contained within the Zoning Ordinance and the Meyers Community Plan. Findings for conditional approval are provided in Attachment 2.

Design Issues:

Staff has reviewed the project for compliance with the applicable sections of the Meyers Community Plan Design Guidelines and provided the following analysis.

Access:

Proposed site access is from two existing paved encroachments onto US Highway 50; one via Apache Road and another via direct encroachment to Highway 50 on the northwest side of the project. There would be no change to either encroachment as part of this project. The State Department of Transportation (Caltrans), the County Department of Transportation (DOT) and the Lake Valley Fire Protection District have reviewed the project plans and determined that existing access would be adequate for the project.

Bicycle Racks:

As required within the Meyers Community Plan Design Guidelines, the applicant would install at least one bike rack at the project site. This issue is addressed within the project's Conditions of Approval in Attachment 1.

Building Design:

The architectural theme and form of the main retail building/gas station office and replacement fuel canopy is overall consistent with the building design recommendations within the Meyers Community Plan Design Guidelines ("Guidelines"). However, in order to maintain a consistent architectural theme as required by the Guidelines, staff recommends that the exterior of the retail bike shop building be painted to match the color scheme of the main retail building/gas station office. This issue is addressed within the project Conditions of Approval in Attachment 1.

Building Material/Colors:

As shown on the project elevations and the material/color board on file with Planning Services (Exhibits F and G), the proposed stone veneer, treated cedar siding, dark brown roof materials and earthtone canopy colors and materials are consistent with the recommended building materials and colors outlined in the Meyers Community Plan Design Guidelines. In addition, the secondary retail building (bike shop) will be conditioned to be painted/textured such that its appearance remains consistent with the main gas station building.

Landscaping:

Existing landscaping (primarily native shrubs, grasses and boulders) is identified on the project site plan, Exhibit D. Staff has reviewed existing site conditions and the applicant's submitted site plan and determined that, although existing landscaping will satisfy the requirements of Section

17.18.090 of the Zoning Ordinance (Parking Lot Landscaping and Buffering), existing landscaping is not consistent with the Meyers Community Plan Guidelines for Highway Landscape Buffers. Specifically, the Yank's Station Land Use District Landscaping Guidelines recommend the installation of landscape buffers with "large deciduous trees and evergreen shrubs" on all projects fronting US Highway 50. Therefore, a condition is recommended to require an appropriate landscaping buffer along said frontage with US Highway 50. The applicant shall consult with the TRPA, County and Caltrans (if applicable) to determine the size and scope of landscaping that will be appropriate for this project. Final site landscaping shall utilize plants native to the Tahoe Basin as defined in the Tahoe Regional Planning Agency's plant species list and shall be consistent with the goals of the Meyers Community Plan.

Parking:

Sections **17.18.030, 17.18.060, 17.18.040(B) and 17.18.080(C)** of the County Zoning Ordinance and the parking guidelines of the Meyers Community Plan require 16 off-street parking spaces be situated to minimize negative visual impacts, be designed to accommodate proposed use(s) and comply with State Accessibility requirements and zoning Development Standards. 26 parking spaces exist which satisfy these requirements.

Lighting:

Staff has reviewed existing and proposed project lighting and has determined that it is in compliance with the County's Outdoor Lighting Ordinance (Section 17.14.170) and Meyers Community Plan Design Guidelines. Building and fuel canopy lighting will be directed downward, not cast light off the property and be fully shielded pursuant to the Illumination Engineering Society of North America (IESNA) full cut-off designation. Planning Services will verify compliance of all existing and proposed light fixtures prior to final inspection(s) of project-related building permit(s). If any lighting fixtures should be found to be non-compliant, those fixtures shall be replaced and re-inspected by Planning Services as may be necessary.

Signage:

Staff reviewed proposed project signage, including the proposed 100 square foot monument/fuel pricing sign and existing wall signs, for consistency with applicable signage regulations including the Meyers Community Plan Design Guidelines Sign Specifications (“Meyers Sign Specifications”), Meyers Substitute Sign Standards, and Chapter 38 of the TRPA Code of Ordinances. While proposed wall signs were found consistent with the above standards, staff has determined that the size of the proposed monument sign exceeds the allowable sign area as shown on Table 38.8.2 of the TRPA Code of Ordinances (Maximum Allowable Sign Area for Freestanding Signs in Commercial/Public Service and Tourist Accomodation Plan Areas) and also for fuel price signage (Section 38.10 of the TRPA Code of Ordinances, “Fuel Price Signs”). Further, even considering the 20 percent additional sign area allowed by the Meyers Community Plan Substitute Sign Standards (for free standing signs visible from highways with a posted speed limit of 40 miles per hour or greater) the proposed combination sign still exceeds the maximum allowable area.

Also, the design of the proposed monument sign is inconsistent with the Meyers Sign Specifications. Specifically, the Meyers Sign Specifications require freestanding signs to be set on a monument base with either natural stone or a natural stone veneer. Applicable signage standards and proposed signage are compared in Table 2 (Meyers Sign Standards) below.

Table 2. Meyers Sign Standards				
Proposed Sign	Proposed Size	Maximum Size Allowed	Applicable Code Section(s)	Consistent/not consistent
Union 76 Fuel Pricing Sign	50 Square Feet; Height: 11 feet, 10 inches	18 Square Feet; Maximum Height: 10 Feet (Mounted on Rock Base)	Chapters 38.10.1 and 38.8.2 of the TRPA Code of Ordinances, Meyers Comm. Plan Substitute Sign Standards	Inconsistent
Bike Shop Retail Sign	50 Square Feet; Height: 9 feet, 10 inches	30 Square Feet (48 Square Feet total area allowed less 18 Square Feet for Fuel Pricing Sign); Maximum Height: 12 Feet (Mounted on Rock Base)	Chapter 38.8.2 of the TRPA Code of Ordinances, Meyers Comm. Plan Substitute Sign Standards	Inconsistent
Bike Shop Wall	Approximately 20 Square Feet; Height: 15 feet	22 Square Feet; Maximum Height: 15 Feet	Chapter 38.8.1 TRPA Code of Ordinances	Consistent
Convenience Store Front Wall	Approximately 24 Square Feet; Height: 15 Feet	40 Square Feet; Maximum Height: 15 Feet	Chapter 38.8.1 TRPA Code of Ordinances	Consistent
Convenience Store Side Wall	Approximately 24 Square Feet; Height: 7 Feet	35 Square Feet; Maximum Height: 15 Feet	Chapter 38.8.1 TRPA Code of Ordinances	Consistent

In summary, as the proposed monument sign is inconsistent with applicable signage regulations of the Meyers Community Plan and associated sections of the TRPA Code of Ordinances, staff recommends that the proposed monument sign be redesigned to conform to all applicable regulations and that revised sign plans be approved by Planning Services prior to issuance if a building permit. Sign issues are addressed in project Conditions of Approval, Attachment 1.

Screening Outdoor Service Areas:

The existing trash enclosure area is partially visible from US Highway 50 (See staff photographs taken from across US Highway 50, Exhibit O). In order to visually screen the trash enclosure consistent with the requirements of the Meyers Community Plan Design Guidelines, the existing chain link fence with vinyl slats should be replaced with a solid wood fence no greater than six feet in height, painted to match the existing building color. Planning Services will verify adequate screening prior to final building inspection of the new fuel canopy. This requirement has been incorporated into project Conditions of Approval, Attachment 1.

OTHER ISSUES:

Lake Valley Fire Protection District:

The Lake Valley Fire Protection District reviewed the proposed project and recommends conditional approval based on the recommended conditions of approval in Attachment 1. Conditions of approval address issues related to the routine and safe handling of combustible materials.

Meyers Community Roundtable:

The Meyers Community Roundtable reviewed the project on April 18, 2012, and was pleased with the project's concept and design as presented by the applicant. No significant concerns were expressed by the group.

Tahoe Regional Planning Agency (TRPA):

TRPA Approval is also required for the project. Accordingly, the applicant has independently obtained a TRPA permit (Exhibit L) for proposed construction and site improvements.

ENVIRONMENTAL REVIEW

The proposed structure and facilities fall well within the developmental limits allowed under the Section 15303(c) exemption, both for maximum square footage and 'significant' hazardous substances, as this project consists of minor new structures (fuel canopy and small wood fences) and minor exterior alterations to existing structures with no change of use. A \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1Conditions of Approval
Attachment 2.....Findings

Exhibit A.....Location Map
Exhibit B.....General Plan Land Use Map
Exhibit C.....Zoning Map
Exhibit D.....Site Plan
Exhibit E.....Sign Plan
Exhibit F.....Exterior Building and Canopy Elevations
Exhibit G.....Project Color Board
Exhibit H.....Assessor’s Comp. Sheets
Exhibit I.....Permit Records, APN 034-270-10, 034-270-16
Exhibit J.....1969 Historic Aerial Photo
Exhibit K.....2012 Aerial Photo
Exhibit L.....Email Correspondence from Station Owner
Regarding Historic Use of Existing Bike Shop;
August 28, 2012
Exhibit M.....Approved County Business License Application,
“Watta Bike Shop”
Exhibit N.....TRPA Permit for Roadrunner Gas Station Canopy
and Improvements
Exhibit O.....Site Photographs

ATTACHMENT 1

CONDITIONS OF APPROVAL

Design Review DR12-0003/Meyers Roadrunner Gas Station Planning Commission/October 11, 2012

Planning Services

1. This design review permit is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits D and E, 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:

As approved, this project consists of a remodel of an existing fueling station facility allowing the following uses/improvements:

1. A new 2,200 square foot canopy with four fuel pumps;
2. The re-facing of an existing 2,942 square foot convenience store and gas station office;
3. Removal of an existing 40 square foot freestanding fuel pricing sign;
4. A 48 square foot monument sign containing: 18 square feet of fuel pricing display (including station logo) with four static non-moving LED price panels, and 30 square feet of advertising for on site retail services;
5. An existing 913 square foot retail bike shop and 320 square foot accessory storage container;
6. Temporary tent shelters for outdoor bicycle display and service.

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 above and 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 project-related plans (such as Landscape Plans, Grading Plans, Building Permit Plans) must be submitted for review and approval and shall be implemented as approved by the County.

2. Developer shall defend, indemnify and hold harmless the County or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of

the Design Review Permit. In the event that the County fails promptly to notify the applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

3. Prior to issuance of any building permits related to this project, the applicant shall provide a written description, together with appropriate documentation, demonstrating conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services staff prior to final building inspection (s) for verification of compliance with applicable conditions of approval.
4. The proposed free standing monument sign for fuel pricing and on-site retail sales shall be reduced from the requested 100 square feet to a maximum of 48 square feet of total sign area (per side), not to exceed 18 square feet for fuel pricing (including station logo) and 30 square feet for retail signage. Said sign shall be mounted on a monument base consisting of either natural stone or a natural stone veneer and not exceed 12 feet in height. A revised sign plan shall be reviewed and approved by Planning Services prior to issuance of a building permit for the fuel canopy.
5. A building permit shall be required for a 1,160 square foot unpermitted expansion to the main retail store and station office completed about 1997 (Building Permit Application No. 104530 was allowed to expire without being issued). No new building permits shall be finalized (including canopy permits, sign permits, etc.) until a permit is finalized for the above work.
6. Building Permit Application No. 198624 (Accessible restrooms) shall be finalized prior to final of any new building permits (canopy permits, sign permits, etc.) on the project parcels.
7. A landscaped buffer shall be installed along the project frontage with US Highway 50 consistent with the Highway Landscape Buffers/Yank's Station Land Use District Guidelines of the Meyers Community Plan Design Guidelines. Landscaping shall be consistent with the goals of the Meyers Community Plan and shall contain a combination of large deciduous trees and shrubs native to the Tahoe Basin as defined in the Tahoe Regional Planning Agency's plant species list. The applicant shall submit a landscape plan consistent with the above regulations to Planning Services for review and approval prior to issuance of a building permit for the new canopy. Installation of required landscaping will be verified by Planning Services prior to final inspection of the new fuel canopy.
8. Prior to final building occupancy of the fuel canopy and convenience store, all outdoor lighting shall conform to Section 17.14.170 of the County Code and be fully shielded pursuant to the Illumination Engineering Society of North America (IESNA) full cut-off designation. Planning Services shall verify lighting compliance prior to final building inspection (s) of the new fuel canopy and the convenience store expansion.

9. The applicant shall install at least one bicycle rack at the project site. The location of bicycle rack (s) shall be reviewed and approved by Planning Services prior to final building inspection(s) of the fuel canopy.
10. The existing 913 square foot commercial building (bike shop) shall not be expanded, enlarged or extended within the required 25-foot rear building setback from the east property line. Any future expansion, enlargement or extension of said use will be subject to current TRPA and County regulations.
11. The existing 320 square foot storage container shall not be expanded, enlarged or extended within the required 25-foot rear building setback from the east property line. Any future expansion, enlargement, extension or relocation of this use will be subject to current TRPA and County regulations.
12. The secondary retail building (bike shop) shall be painted such that its appearance is architecturally consistent with the station store/office building. Planning Services shall verify compliance prior to final building inspection(s) of the fuel canopy.
13. The existing trash enclosure adjacent to the south side of the convenience store shall be replaced with a solid wood fence no greater than six feet in height and shall be painted to match the existing building color. Planning Services will verify compliance prior to final inspection of the new fuel canopy.
14. Prior to issuance of a building permit for the new fuel canopy, the pending parcel merge between APN 034-270-10 and APN 034-270-16 (Boundary Line Adjustment Application BLA 12-0017) shall be recorded, and documentation of same (i.e. Certificate of Merge, etc.) shall be submitted to Planning Services.
15. In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist shall make recommendations on the measures to be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds, in accordance with § 15064.5 of the CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.
16. If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98).

17. Temporary tent shelters for bicycle sales and service shall be located adjacent to the associated retail bike shop and shall not obstruct required parking or on-site traffic circulation. The temporary shelters shall be removed no later than October 30 of each calendar year. If the associated retail use (bike shop) should cease, all tent shelters shall be permanently removed from the premises.

Environmental Management Department

18. Prior to issuance of any required building permits, construction plans shall be submitted to the Environmental Management Department for review and approval.

Air Quality Management District

19. The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM₁₀) in the form of dust. AQMD Rules 223 and 223.1, which address the regulations and mitigation measures for fugitive dust emissions mitigation, shall be adhered to during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223 and 223.1. In addition, a **Fugitive Dust Mitigation Plan (DMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction.**
20. The project construction may involve the application of architectural coating, which shall adhere to **AQMD Rule 215 Architectural Coatings.**
21. Prior to construction/installation of the new gasoline dispensers, or any new point source emissions units or non-permitted emission units (i.e., emergency standby engine, etc.), an Authority to Construct application shall be submitted to the AQMD. Submittal of application shall include facility diagram(s), equipment specifications and emission factors. (Rule 501.3.A).
22. All portable combustion engine equipment with a rating of 50 horsepower or greater shall be permitted by the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment. The applicant shall submit a complete list of heavy-duty diesel-fueled equipment to be used on this project to the AQMD including the make, model, year of equipment and daily hours of operation for each piece of equipment.

Lake Valley Fire Protection District

23. The diesel dispensing station, as indicated on page F-2, shall be removed prior to final inspection by the Lake Valley Fire Protection District.
24. Prior to final inspection by Lake Valley Fire, the existing fuel storage tanks and STP Sump's are to be repaired and retested to certify. The test shall be performed by a California

licensed contractor and test results shall be submitted to the Lake Valley Fire Protection District for approval.

25. Prior to final inspection by the Lake Valley Fire District, the site shall demonstrate consistency with all applicable fire regulations including but not limited to the 2010 California Fire Code, Electrical Code, California Code of Regulations, Building Code and Mechanical Code to the satisfaction of the District.

ATTACHMENT 2

FINDINGS

Design Review DR12-0003/Meyers Roadrunner Gas Station Planning Commission/October 11, 2012

FINDINGS FOR APPROVAL

1.0 CEQA FINDINGS

- 1.1 The proposed structure and facilities fall within the developmental limits allowed under the Section 15303(c) exemption, both for maximum square footage and 'significant' hazardous substances, as this project consists of minor new structures (fuel canopy and small wood fences) and minor exterior alterations to existing structures with no change of use.
- 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 at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 As proposed, the project is consistent with the adopted plan (AP) land use designation of the subject site as defined within General Plan Policy 2.2.1.2 because the County General Plan designates the subject parcel as Adopted Plan, which refers to the Tahoe Regional Planning Agency's Regional Plan. The parcel is located within TRPA Plan Area Statement (PAS) 125, Meyers Commercial, which refers to the Meyers Community Plan. The proposed retail use is consistent with the Meyers Community Plan. The conditional approval of this design review application, therefore, conforms to the Adopted Plan land use designation.
- 2.2 The project is consistent with all applicable sections of the Meyers Community Plan Design Guidelines including access, bicycle racks, building design, building materials/colors, landscaping, lighting, parking, signage, and the screening of outdoor service areas.

3.0 ZONING FINDINGS

- 3.1 The proposed retail uses are permitted by design review permit within subarea 1 (MCP-1) of the Meyers Community Plan, pursuant to Section 17.58.180.A.
- 3.2 As proposed and conditioned, the fuel canopy and monument sign meet all applicable development standards contained within the El Dorado County Zoning Ordinance. The proposed fuel canopy and sign are also consistent with the development standards contained within Table 17.58.190.A.

3.3 The existing 913 square foot retail shop and 320 square foot storage container can be considered “nonconforming uses” pursuant to Sections 17.20.020 and 17.20.030 of the Zoning Ordinance and therefore, use of the above structures may be allowed to continue, subject to the limitations found in Section 17.20.040.

4.0 DESIGN REVIEW FINDINGS

4.1 The architectural style, site layout and improvements for this project are consistent with the Meyers Community Plan Design Guidelines. Further, the Meyers Round Table (Community Advisory Committee) reviewed the project and recommended approval as the proposed design would be consistent with regional architecture and the character of the neighborhood.