



# COMMUNITY DEVELOPMENT AGENCY

## DEVELOPMENT SERVICES DIVISION

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TO: Planning Commission Agenda of: September 12, 2013

FROM: Tom Dougherty, Project Planner Item No.: 11

DATE: August 7, 2013

RE: **PD12-0003/Green Valley Convenience Center; Alternative Exhibits/Design Waiver Request (Revised Findings and Conditions of Approval)**

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The Planning Commission heard the project on July 11, 2013. A number of issues were raised, including noise, aesthetics, traffic, and potential impacts to the intermittent stream. The applicant has proposed alternative designs to address some of these issues, as well as completed a supplemental noise study. The submitted alternatives are summarized as follows:

- Green Valley Road Encroachment: The “Proposed Curb Line Adjustment Plan” shows a design that increases the length of the tapers. A Design Waiver request to allow that deviation from Standard Plan 103-D is included.
- The AM/PM and Schlotzsky’s buildings: Alternative material colors have been proposed.
- Fuel Canopy: An alternative design sketch has been submitted that includes a metal gabled roof.
- Carwash: An alternative design sketch has been submitted that includes a metal roof with stone, and stucco walls.
- Trash Enclosure: A new design that includes a roof, as well as an alternative location.
- Signage: An alternative design for the site identification monument sign, showing it at 16-feet tall reducing it to 76.6 square feet, and adding wood and stone features.
- Driveway Trellis: A new trellis design for the drive-through driveway area.

Additionally, three schematic color renderings of the project were submitted.

On August 1, 2013, staff received a supplemental noise study for the Green Valley Convenience Center, entitled “Environmental Noise Analysis ARCO AM/PM Car Wash at Green Valley Road & Sophia Parkway”, dated July 18, 2013, prepared by Bollard Acoustical Consultants, Inc. This study was conducted to address concerns that not all nearby noise receptors were considered in the original noise analysis. The study identified a new potentially significant impact from noise generated by the car wash

during the evening and nighttime. The predicted noise would exceed the standards set forth in the General Plan. An additional mitigation measure, requiring doors on the car wash, was recommended.

Section 15073.5 of the Guidelines sets forth the requirements for when recirculation of a negative declaration is required. One of these is when “a new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance.” Staff has revised the proposed mitigated negative declaration to address this issue, has added the proposed new mitigation measure, and it has been re-circulated for the required 30-day review through the State Clearinghouse. The Proposed Mitigated Negative Declaration and Initial Study (Exhibit Q of the staff report), will be replaced with this revised version which is included as Attachment 4 of this memo.

The alternative encroachment design “Proposed Curblin Adjustment, sheet C4.0 of 6, includes a Design Waiver request from Standard Plan 103-D to allow a longer taper for the encroachment. Findings for approval of the Design Waiver are included in the Revised Attachment 2.

The applicant is requesting consideration of the original proposal but has offered the alternative design if the Commission find that these modifications address concerns of the Commission. Planning staff finds that the alternatives improve the aesthetic design of the project and is, therefore, recommending the Planning Commission approve the project with these modifications. None of the changes increase potential environmental impacts.

Should the Commission find the original submission is sufficient to meet County standards and satisfy the required findings for approval of the Planned Development, the original conditions and findings contained in the July 11, 2013 staff report may be used, with the addition of the new Mitigation Measure to address noise from the car wash.

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

1. Adopt the Revised Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines, Section 15074(d), as incorporated in the Revised Conditions of Approval and Mitigation Measures in Attachment 1;
3. Conditionally approve Planned Development PD12-0003, based on the Revised Findings in Attachment 2 and subject to the Revised Conditions of Approval in Attachment 1;
4. Approve the Finding of Consistency with General Plan Policy 7.3.3.4 to allow a reduction of the wetland setback from 50 feet to 10 feet based on the Revised Findings in Attachment 2; and
5. Approve the request for a Design Waiver to allow the deviation from Standard Plan 103-D to allow a longer taper for the encroachment onto Green Valley Road based on the Revised Findings in Attachment 2.

ATTACHMENTS

- Attachment 1.....Revised Conditions of Approval; Planning Commission/September 12, 2013
- Attachment 2.....Revised Findings; Planning Commission/September 12, 2013
- Attachment 3.....Applicant’s “Design Submission”; July 31, 2013
- Attachment 4.....Revised Mitigated Negative Declaration (Revised Exhibit Q)