

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



Agenda of: July 11, 2013
Item No.: 8.c
Staff: Tom Dougherty

PLANNED DEVELOPMENT

FILE NUMBER: PD12-0003/Green Valley Convenience Center

APPLICANT: Strauch Companies

AGENT: Barghausen Consulting Engineers, Inc.

PARCEL OWNER: Cemo Family Properties

REQUEST:

1. Development Plan to allow the construction of a gas station, convenience store, drive-through fast-food restaurant, single-bay self-service carwash; and
2. 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.

LOCATION: Southeast corner of the intersection of Green Valley Road and Sophia Parkway, in the El Dorado Hills area, Supervisorial District 1. (Exhibit A).

APN: 124-301-46 (Exhibit B)

ACREAGE: 2.12 acres

GENERAL PLAN: Commercial (D) (Exhibit C)

ZONING: Commercial-Planned Development (C-PD) (Exhibit E)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

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

1. Adopt the 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 Conditions of Approval and Mitigation Measures in Attachment 1;
3. Approve Planned Development PD12-0003, based on the Findings in Attachment 2 and subject to the Conditions of Approval in Attachment 1; and
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.

STAFF ANALYSIS

Project Description: Development Plan to allow construction of the following:

- a. 4,602 square foot open-sided canopy w/8 self-service fuel pumps;
- b. 2,773 square foot convenience store;
- c. 2,183 square foot fast food restaurant with a drive-through;
- d. 1,196 square foot single-bay self-service carwash;
- e. 171 square foot trash enclosure;
- f. 20'-8.75" tall, 79.9 square-foot monument site identification sign; and
- g. 12-foot tall retaining wall.

Site Description: The 2.12-acre parcel is located between 400 and 420 feet elevation above sea level. The area of the proposed construction is currently a vacant lot with frontage on Green Valley Road to the north and Sophia Parkway to the west. The site is approximately 10 feet below the adjacent roadway grades of Sophia Parkway and Green Valley Road. The parcel contains old piles of soil spoils, with gravel and cobble evident at the surface, and covered primarily with non native grasses and herbaceous plants typical of frequently disturbed (ruderal) sites. There are a few young cottonwood and willow trees which have established themselves among the spoils piles and along the stream, along with blackberry bushes. The site is triangular in shape with an approximate width of 200 feet and length of 600 feet. A 15-foot-wide utility easement runs along the east boundary. The site drains to the intermittent stream that bisects the parcel and flows in an east to west direction. The stream continues westward under Sophia Parkway through a culvert system consisting of three 48-inch-diameter reinforced concrete pipes and headwall and empties into the Mormon Island Wetland Preserve, which is located on the west side of Shadowfax Lane. The Mormon Island Dam, one of the dams containing Folsom Lake, is located approximately 1,400 feet to the northwest across Green Valley Road.

The site contains an existing asphalt drive apron and unsurfaced road at the northeast corner of the site. The project proposes to develop approximately 1.3 acres of the site and will leave the

0.8-acre balance undisturbed. The developed site will add approximately 0.95 acre of impervious surfaces and add approximately 0.39 acre of landscaping.

Parcel Creation: On January 13, 2009 the Board of Supervisors approved a zone change and parcel map (Z07-0034/P07-0033) that changed the zoning from Two-Acre Residential (R2A) to Commercial- Planned Development (C-PD) and created three parcels: one on the east side of Sophia Parkway and two on the west. The subject parcel is Parcel 2 of that Parcel Map (PM50-82), provided in this document as Exhibit C.

Project Issues: The primary issues with this project are aesthetics, air quality, traffic/circulation, drive-thru lane evaluations, and impacts to the intermittent stream. Other discussion items include building elevations/materials, fire protection, grading and drainage; landscaping, land use compatibility, lighting; parking; signs, noise, and sewage disposal and water. The following sections are summaries of the more detailed analysis' contained in the Proposed Mitigated Negative Declaration and Initial Study, included as Attachment Q.

Primary Issues

Aesthetics: The site is surrounded by developed or vacant commercial land except to the east. Two medium density residential lots abut a portion of the property, and high density residential lots are adjacent at the southeast corner. (See Exhibits D and E.) The project design, proposed constructions materials, and colors of the physical elements, were analyzed for consistency with the Community Design Guide and surrounding commercial businesses. With the exception of the height of the proposed monument sign, and signs facing south and east, the project is substantially consistent with the design of other commercial projects that have been approved along Green Valley Road between Salmon Falls Road and the El Dorado/Sacramento county line. Additionally, conditions of approval are recommended to assure the rooftop mechanical equipment would be shielded from views by parapet walls, landscaping meets County standards, and outdoor lighting conforms to proposed plans and County standards (Conditions 10, 12 and 13).

The proposed retaining wall would separate the wetland preserve from the development, and would be buffered from views from the south by the proposed and existing riparian vegetation and landscaping. The project would continue to provide the visual character of the riparian area that currently exists by keeping ten feet north of the streambed high water mark areas and those southward essentially intact post construction. The landscape plan includes evergreen species (deodar cedar, holly oak, ponderosa pine) on the south and east side to buffer views into the project from the east and south sides (Landscape Planting Plan, Sheet L1 of 5, Exhibit I).

Air Quality: An Air Quality Analysis dated December 4, 2012, was submitted for the project. The El Dorado County Guide to Air Quality Assessment (CEQA Guide; El Dorado County 2002) was used to evaluate the proposed commercial development. The Analysis determined that there would be potential short-term impacts during construction and long-term impacts during operations. Three recommended mitigation measures have been included in Attachment 1 to reduce potential impacts to air quality. The El Dorado County Air Quality Management District recommended conditions of approval to ensure AQMD air quality rules are implemented

for the project. With conditions and mitigation measures, the project would be compliant with District standards for air quality. Air Quality is discussed in more detail in the Air Quality section of the draft Mitigated Negative Declaration and Initial Study.

Traffic/Circulation: The project proposes two new encroachments, one each onto Green Valley Road and Sophia Parkway. These encroachments would be right in and right out only due to safety concerns for left turn movements. Access and circulation driveways have been analyzed by the Transportation Division and the El Dorado Hills Fire Department and found by both to be adequate for interior circulation. Encroachment improvements would be designed to meet County standards, and a condition is recommended to modify the corner to accommodate U-turn movements from west-bound Green Valley Road to access the gas station.

The ARCO AM/PM Gas Station Traffic Impact Study, dated May 23, 2013, by KD Anderson & Associates indicated the project would cause an increase in traffic on area roadways and intersections of approximately 1,480 net new daily trips on a weekday basis, with 113 A.M. peak hour trips and 125 P.M. peak hour trips. This project would add to traffic at the Green Valley Road/Francisco Drive, Green Valley Road/El Dorado Hills Blvd., and El Dorado Hills Blvd./Francisco Drive intersections. Policies under General Plan Objective TC-X require that projects that worsen traffic construct or ensure funding is available to construct improvements to maintain level of service (LOS) standards.

The El Dorado Hills Boulevard/Francisco Drive intersection is presently operating at LOS F and queue lengths currently exceed available lengths at Green Valley Road/El Dorado Hills Blvd. The County has included improvements to the first intersection in its Capital Improvement Program (CIP 71358 Francisco Drive Right-Turn Pocket.) It is planned to be constructed in the 2013-14 fiscal year. CIP 72332, the El Dorado Hills Boulevard/Francisco Drive Intersection Alignment project, is presently unfunded but is included in the 20-year C.I.P. The queuing issue will be resolved with the improvements to Green Valley Road planned with CIP GP159, Green Valley Road Widening from Salmon Falls Road to Deer Valley Road. The project will be required to pay Traffic Impact Mitigation (TIM) fees based on the formula adopted by the County for fuel pumps, a convenience store, fast food restaurant and carwash. Based on the current fee schedule, the fees would be in the range of \$200,000 or more. The payment of fees would be considered their fair share of the impact improvements. Since the road improvements necessary to serve this project are included in the 20-year CIP, the project is consistent with applicable General Plan policies.

Encroachment and frontage improvements and the payment of TIM fees satisfy the General Plan and design requirements to ensure safe ingress and egress and maintain LOS standards at all applicable roadways and intersections.

Drive-thru Lane Evaluations: The Traffic Impact Analysis (TIA) dated May 23, 2013, describes the following details for the drive-thru lane for the restaurant:

The project includes a Quick Service Restaurant (QSR) with drive-through capabilities. A review of internal queuing for the drive-through lane was conducted to determine whether adequate queuing is available without obstructing other movements on site, including ingress and

egress at the driveways. The applicant has indicated that a Schlotzsky's Restaurant will be the operator of the quick service restaurant. Information provided by Schlotzsky's suggested that they require their queuing areas behind the menu board to accommodate at least four vehicles. Figure 14 of the TIA displays the available queue length from the menu board located about 100 feet from the drive-thru entry. Five vehicles can be queued without encroaching into the travel aisle along the west side of the site. The analysis determined that circulation to and from the Sophia Parkway driveway can be completed without blocking vehicle access.

It appears that the drive-thru would be of adequate length to facilitate the potential use by business wishing to use that option. Both DOT and the El Dorado Hills Fire Department have also reviewed both drive-thru proposals for interior vehicular circulation and neither responded with any concerns of the design as proposed.

Intermittent Stream: General Plan Policy 7.3.3.4 requires that intermittent streams have a 50-foot setback. The Policy allows that setback to be modified if information is received that demonstrates a different setback is necessary or would be sufficient to protect the waterway.

The Interim Interpretive Guidelines for General Plan Policy 7.3.3.4 are utilized as the guide to implement the Policy. The Biological and Jurisdictional Delineation Report Updates for the Green Valley Convenience Center, dated May 1, 2013, determined there were no isolated wetlands but that the intermittent stream constituted 0.47 acre of potential jurisdictional wetlands. The applicants submitted a biological report required by the Guidelines to support their request. There has been a U.S. Army Corps verification of the wetland delineation.

A mitigation measure has been added requiring a re-vegetation plan for the riparian area. Both the California Department of Fish and Wildlife and Army Corps have reviewed the recommended mitigation measures for the impacts to the stream. Both have responded that the proposed mitigation measures appear to be adequate to protect the stream. Fish and Wildlife would require review of the final restoration and grading plans to make their final determinations during the 1602 processes.

With the inclusion of mitigation measures BIO-2 to 4, to minimize impacts on the intermittent stream, the project could be found to be consistent with the intent of General Plan Policy 7.3.3.4 and the Interim Interpretive Guidelines for that Policy. The area to be filled north of the stream has historically been disturbed with earth-moving equipment and soil spoils piles. The riparian vegetation is limited north of the stream. The area south of the stream has been determined to have a greater potential for the establishment of a riparian area. The project would be required to fulfill the mitigation measures and Best Management Practices would be included in the grading and restoration processes. The restoration plan would enhance the existing riparian area, and still would allow reasonable use of the 2.12-acre parcel that has been designated by the General plan for commercial uses. The intermittent stream is discussed in more detail in the Biological Resources section of the proposed Mitigated Negative Declaration and Initial Study.

Other Issues

Building Elevations/Materials: The fuel canopy will be a steel, flat-roof structure open on all four sides. The roof will be supported by eight steel interior columns aligned with the fuel pumps. The canopy façade will be aluminum composite panel with ARCO signage.

The Convenience Store and Fast Food Restaurant would be housed in a single 4,956 square foot building. There will be two restrooms located in the building accessed by both functions. The building would have a flat roof with a parapet surround averaging four feet above the roof plane and would be accented with a standing-seam metal pitched roof façade along the sides facing Green Valley Road and Sophia Parkway. The Green Valley Road side would also be accented with two rough-sawn wood supported dormers over the entrances. The exterior walls would be cement stucco painted in earth tones with colored accents and cement stone corner towers and wainscot.

The carwash is a pre-fabricated unit made in Italy with a vision glass wall facing the parking lot, painted cement stucco along the eastern property line, and cement stone accents to match the adjacent building. The roof is an acrylic barrel-vault skylight. The surround trim is an aluminum composite panel to match the canopy graphics.

The trash enclosure would be constructed of concrete masonry units painted to match the adjacent building and would have a steel gate painted to match the enclosure.

The retaining wall along the southern end of the development is anticipated to be constructed of steel "H" piles drilled into the underlying bedrock. The steel piles will be in-filled with timber lagging stained in an earth tone. The retaining wall along the eastern boundary would be constructed of stacked cement modular units stained in an earth tone.

Fire Protection: Policy 5.7.1.1 requires that adequate emergency water supply, storage and conveyance facilities, and access for fire protection either are or would be provided concurrent with development. The El Dorado Hills Fire Department is recommending that the water system provide a minimum fire flow of 1,500 gallons per minute with a minimum residual pressure of 20 psi for a two-hour duration. Additionally, the Fire Department requires that the applicants install two fire hydrants.

Policy 6.2.3.2 requires that adequate access exists, or can be provided for emergency vehicles and private vehicles to access and evacuate the area. The Fire Department requires fire apparatus access to within 150 feet of all portions of the exterior walls of the building. Fire access is required to be capable of supporting fire apparatus weighing at least 40,000 pounds. The project, as designed, meets these requirements.

Grading and Drainage: All grading activities exceeding 250 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the provisions contained in the County of El Dorado - Grading, Erosion, and Sediment Control Ordinance. The development plans for the proposed buildings would also be required to implement the Uniform Building Code Seismic construction standards. Fills on the order of about 13 feet (maximum)

are proposed to raise the site above Sophia Parkway and to an elevation equal with Green Valley Road. Approximately 18,000 cubic yards of imported soil is proposed in order to bring the northern portion of the site to street level.

The post-project drainage would be handled by an underground vault system and drainage volumes would be required to be substantially the same pre and post project.

As conditioned for stream restoration, mitigated for compliance with California Water Quality Control Board standards, and with implementation of Best Management Practices during the grading permit process, no adverse increase in the overall runoff and flows are expected. The project would be required to conform to the El Dorado County Grading, Erosion Control and Sediment Ordinance.

Grading and Drainage are discussed in more detail in the Biological Resources, Geology and Soils, Hydrology and Water Quality, and Utilities and Service System sections of the proposed Mitigated Negative Declaration and Initial Study, Exhibit Q.

Landscaping: County Code requires the use of landscaping to buffer commercial parking areas from adjoining streets and as screening from residential land uses. As shown on the landscaping plan in Exhibit I, the project would include landscaping buffers along the perimeters of parking areas and property boundaries. The majority of the proposed plants are listed in the El Dorado County Drought Resistant Plant List. There are evergreen trees proposed along the east and south development area boundaries to buffer views of the project from the residents in those areas. The project biologist and landscape architect coordinated to include willow trees native to the riparian habitat along the southern retaining wall. Valley oaks, also native to this particular riparian area, are proposed to be the street trees for along Sophia Parkway and Green Valley Road.

Land Use Compatibility: Policy 2.2.5.21 directs that development projects shall be located and designed in a manner that avoids incompatibility with adjoining land uses. There are residences located southeast of the project that are higher in elevation than the project parcel that would have views of the project. Mitigation measures are included that require the preservation and enhancement of the southern approximately 1/3rd of the parcel beginning ten feet north of the creek. The existing trees, as well as the required cottonwood and valley oak trees in the restoration would partially buffer those views in the long run. The landscape plan includes evergreen trees along the proposed retaining wall to further buffer those views. The lights would be limited to a height of 16 feet and would be full cutoff fixtures that would prevent sky lighting and trespass horizontally off the parcel. Planning is recommending no signs be permitted on the south and east sides to further soften the commercial look from those residences. The noise analysis has demonstrated that the carwash-related noise would not exceed General Plan noise standards.

The building's architecture, materials, and colors would be consistent with those of other commercial businesses along Green Valley Road between the El Dorado/Sacramento county line and Salmon Falls Road. The design is consistent with the design of the buildings approved in the Green Valley Market Place (the Safeway Shopping Center). This Development Plan is allowing

for a service station, carwash, fast-food restaurant, and a convenience store. As conditioned and mitigated, there are no significant conflicts anticipated with any other existing or proposed commercial uses in the area. The project's potential impacts from noise, lighting, traffic and circulation have been analyzed. That is the purpose of this Planned Development request.

Lighting: Policy 2.8.1.1 directs that excess nighttime light and glare be limited from the parking area lighting, signage and buildings. The Site Lighting Photometric (Sheet ES1.2, Exhibit K), shows the project would include shielded wall lights, recessed canopy lights, and the pole lights would be 12-feet tall with a three-foot concrete base with full cutoff fixtures. The photometric analysis demonstrates that the project would not create significant amounts of light outside of the parcel boundaries. A condition of approval is recommended to assure that the lights are compliant with Section 17.14.170 of the Zoning Ordinance, be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation, and that the pole lights do not exceed 16 feet tall. As proposed, the lighting plan would be compliant with this Policy.

Lighting is discussed in more detail in the Aesthetics section of the proposed Mitigated Negative Declaration and Initial Study.

Parking: Zoning Ordinance Section 17.18.060 requires that the convenience store include one space per 300 square feet of enclosed gross retail sales floor area (2,773/300) or 9.3 spaces. The restaurant is required to have one space for three seats. The restaurant is proposed to have 49 seats so it requires 16.3 spaces. Of those 26 required spaces, two are be required to be accessible and one of those with van accessibility (Table 11B-6, 2010 California Building Code). Of those 26 spaces, 35 percent are permitted to be compact spaces (9). The applicants are proposing 16 standard spaces, eight compact spaces, and two accessible spaces (one of those with van accessibility) which Planning has determined would be adequate for the project.

The project would need to include provisions for bicycle parking on the site by providing bicycle spaces/racks, within the 100 feet each building (five percent of total parking spaces, and pursuant to Section 5.105.4.1 and 2 of the 1020 California Green Building Standards Code), at locations at the discretion of the applicants but convenient from adjoining streets and distributed proportionally. Because 26 total spaces are included, 5.2 bicycle parking spaces are required. The project plans include six spaces.

Section 17.18.080.C requires one 12 foot by 40 foot off-street loading space. The project includes that space, shown on the site plan in the northern portion of the site.

Signage: The C Zone District allows one 80 square-foot free-standing sign or two 50 square-foot signs. The applicants have proposed one monument sign and wall signs on the canopy, store and restaurant building, and car wash (Exhibits J-1 – J-3.) The total square footage of the monument sign is 79.9 square feet. The proposed height is 20 feet, 8.75 inches. The final location will be reviewed by DOT during the Building Permit process for any potential conflict with the required line-of-sight.

Wall signs are permitted by Zoning Ordinance Section 17.16.030, as long as the maximum allowable 20 percent of wall coverage is not exceeded. The wall signs, as well as the monument signs are shown in the colored elevation and site picture exhibits.

Planning has included recommended conditions of approval to reduce the height of the monument sign to 16 feet, consistent with the free standing pole sign for the gas station on the north side of Green Valley Road, approximately 500 feet to the east. (That sign is 15 ft, 6 inches tall and was originally approved by DR98-0017-S in 2004.) Additionally, Planning is recommending restricting signs proposed for the south and east-facing building walls because they are facing residential and commercial areas where there would be no traffic viewing the site.

Sewage Disposal and Water: The applicants propose to connect to existing water and sewer service from EID. The El Dorado Irrigation District Facility Improvement Letter dated December 7, 2012 reported there was adequate capacity in their existing facilities to serve the project, with District-approved extensions. This is discussed in more detail in the Utilities and Service Systems section of the proposed Mitigated Negative Declaration and Initial Study.

Public Comments: The El Dorado Hills Area Planning Advisory Committee reviewed the project to review this project. APAC voted 6 to 0 for conditional support of the project if their concerns about traffic, circulation, the wetland setback, and signs were addressed (Exhibit N). The Committee recommended the following:

- a. Prohibit left turns into project;
- b. Add an acceleration/deceleration lane on Green Valley Road;
- c. Provide additional mitigation to compensate for the reduced wetland setback;
- d. Revise traffic impact analysis;
- e. Modify on-site circulation to better accommodate drive-through;
- f. Reduce height of sign; and
- g. Design retaining wall to be aesthetically pleasing to residents to the southeast.

Left turns – Left turns will be prohibited and a raised median is required to prevent such turns (Condition 24).

Accel/Decel lane – The Transportation Division reviewed the need to construct an additional lane to serve the project and determined it is unnecessary. The speed of the traffic is controlled by the proximity to the signalized intersection, there are numerous other encroachments onto Green Valley Road without accel/decel lanes, and the volume of traffic does not warrant the lane. The only development that has an accel/decel lane on Green Valley is the Safeway east of Francisco Drive. Traffic speeds are typically higher there because it is further away from the signalized intersection to the east and has a much higher volume of traffic due to its size.

Wetland encroachment – APAC recommended that the car wash and restaurant be eliminated and the applicant is “trying to cram too much onto this site.” This is forcing the need to encroach into the wetland area. As discussed in the intermittent stream section of this report, the applicants have complied with the requirements of the Interim Guidelines for implementation for Policy 7.3.3.4 and the U.S. Army Corps of Engineers. Appropriate permits from the California

Department of Fish and Wildlife are also required as conditions. The project meets the development standards for parking and circulation.

Traffic analysis – The traffic analysis utilized standard protocols for developing a traffic study.

On-site circulation – APAC expressed concerns that queuing for the drive through could block access from Sophia Parkway. Staff reviewed the site plan and there is room for at least six vehicles form the pick-up window. There is an equal amount of space for the car wash. This appears to be sufficient based on a review of other drive-through services.

Sign height – APAC recommended that the sign be reduced in height to 12 feet. Staff is recommending 16 feet, which is a reduction from the original proposal of over 20 feet. The 16 foot height is consistent with the recently approved sign on the north side of the Green Valley Road as discussed in the sign section of this report.

Retaining wall – APAC expressed concerns about the visual impact of the retaining wall along the eastern boarder of the property. The final design of the wall has not been completed however the applicant indicated that the preliminary design is to utilize driven steel with timber. The outside of the wall is heavily landscaped (Exhibit I) which should provide adequate screening for the adjacent residential lots.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit Q) to determine if the project has a significant effect on the environment. Potentially significant effects of the project on the environment have been mitigated by recommended conditions that avoid or lessen the impacts to a point of insignificance; therefore a Mitigated Negative Declaration has been prepared and a Notice of Determination (NOD) will be filed. A \$50.00 filing fee for the NOD is required and the NOD must be filed within five working days from the project approval.

The filing of the NOD begins the statute of limitations time period for when litigation may be filed against the County's action on the project. If the NOD is filed the statute of limitations ends 30 days from its filing. If no NOD is filed, it ends 180 days from the date of final action by the County.

In accordance with California Fish and Game Code Section 711.4, the project is subject to a fee of \$2,156.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus the \$50.00 filing fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,156.25 is forwarded to the State Department of Fish and Wildlife and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	Assessor's Parcel Map
Exhibit C	Parcel Map PM50-82
Exhibit D	General Plan Land Use Designations Map
Exhibit E	Zoning Designations Map
Exhibit F	Cover Sheet, Sheet T.1; April 12, 2013
Exhibit G	Site Plan, Sheet C2.0 of 6; April 12, 2013
Exhibits H-1 to H-5	Building Elevations
Exhibit I	Landscape Planting Plan, Sheet L1 of 5; April 12, 2013
Exhibits J-1 to J-3	Sign Site Plan, Sheets SNA.1 and SNA.2-April 12, 2013; Sheet SNA.3-dated December 6, 2012
Exhibit K	Site Lighting Photometric, Sheet ES1.2; April 12, 2013
Exhibit L	Trash Enclosure, Sheet TE.1; October 12, 2012
Exhibit M	Project Colors
Exhibit N	El Dorado Hills Area Planning Advisory Committee Letter; March 16, 2013, (four pages)
Exhibits O-1 to O-3	Site Visit Photos
Exhibits P-1, P-2	Aerial Photos
Exhibit Q	Proposed Mitigated Negative Declaration and Initial Study

ATTACHMENT 1

CONDITIONS OF APPROVAL

Planned Development PD12-0003/Green Valley Convenience Center Planning Commission/July 11, 2013

1. This Planned Development approval is based upon and limited to compliance with the approved project description, Conditions of Approval set forth below, and the following hearing exhibits:

Exhibit F.....	Cover Sheet, Sheet T.1, dated April 12, 2013
Exhibit G.....	Site Plan, Sheet C2.0 of 6, dated April 12, 2013
Exhibits H-1 to H-5.....	Building Elevations
Exhibit I	Landscape Planting Plan, Sheet L1, dated April 12, 2013
Exhibits J-1 to J-3	Sign Site Plan, Sheets SNA.1 and SNA.2-dated April 12, 2013; Sheet SNA.3 dated December 6, 2012
Exhibit K.....	Site Lighting Photometric, Sheet ES1.2, dated April 12, 2013
Exhibit L	Trash Enclosure, Sheet TE.1, dated October 12, 2012
Exhibit M	Project Colors

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:

Development Plan to allow construction of the following:

- a. 4,602 square foot open-sided canopy w/8 self-service fuel pumps;
- b. 2,773 square foot convenience store;
- c. 2,183 square foot fast food restaurant with a drive-through;
- d. 1,196 square foot single-bay self-service carwash;
- e. 171 square foot trash enclosure;
- f. 16-foot tall, 79.9 square-foot monument site identification sign; and
- g. 12-foot tall retaining wall.

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 attached hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

Conditions from the Mitigated Negative Declaration

The following Mitigation Measures are required as a means to reduce potential significant environmental effects to a level of insignificance:

2. **Air Quality 1:** To ensure compliance with applicable El Dorado County AQMD rules, the bid specifications and construction contract shall stipulate the following:

The Contractor shall adhere to all applicable El Dorado County AQMD rules, including but not necessarily limited to Rules 215, 223, 223-1, and 224. Copies of these rules are available from the El Dorado County AQMD website (www.arb.ca.gov/drdb/ed/cur.htm). The Contractor shall prepare a Fugitive Dust Control Plan for review and approval by the El Dorado County Air Pollution Control Officer pursuant to Rule 223-1 – Fugitive Dust Construction. After construction, the Project shall comply with AQMD Rule 238 “Gasoline Transfer and Dispensing.”

Monitoring Responsibility: Planning Services.

Monitoring Requirement: The applicant shall provide proof to Planning Services that this mitigation measure was included on the specifications and construction contract for the contractor, and is included on all grading and building permits, prior to issuance of any grading and/or building permit.

3. **Air Quality 2:** The bid specifications and construction contract shall stipulate the following: On any given day during construction, the contractor shall ensure that all equipment used during that day (off-road vehicles and auxiliary handheld equipment) does not exceed the fuel usage limit (diesel and regular gasoline) established in the CEQA Guide. The maximum amount of fuel that can be used is based on the year that the equipment was built. The maximum amount of fuel that can be used in one day if all equipment used is 1995 model year or older is 337 gallons. The maximum amount of fuel that can be used in one day if all equipment used is 1996 model year or newer is 402 gallons. If a combination of 1995 and older and 1996 and newer equipment is used, then divide the number of 1996 and newer equipment by the total number of equipment used. Multiply that number by 65. Add that number to 337. The sum is the maximum number of gallons of fuel permitted for use on that day.

The equation to determine the maximum daily fuel usage is expressed:

Daily maximum fuel usage (diesel and regular gasoline) = $X(65) + 337$, where X equals the number of 1996 and later equipment divided by the total number of equipment used (off-road vehicles and auxiliary handheld equipment). For example, if 10 pieces of equipment are used and 3 are 1995 and older and 7 are 1996 and newer, then the ratio of newer equipment to all equipment used is 0.7 ($7/10 = 0.7$). The project is allowed to use a maximum total of 383 gallons of fuel on that day ($0.7(65) + 337 = 383$). If all the equipment is 1996 or newer, then 402 gallons is the maximum number of gallons allowed.

Monitoring Responsibility: Planning Services.

Monitoring Requirement: The applicant shall provide proof to Planning Services that this mitigation measure was included on the specifications and construction contract for the contractor, prior to issuance of any grading and/or building permit, and is included on all grading and building permits, prior to issuance of any grading and/or building permit.

4. **Air Quality 3:** The bid specifications and construction contract shall stipulate the following: For the duration of construction, the contractor shall ensure that all diesel-powered equipment used does not exceed the diesel fuel usage limit established in the CEQA Guide. The maximum amount of diesel fuel that can be used is based on the year that the equipment was built. The maximum amount of diesel fuel that can be used during the project if all equipment used is 1995 model year or older is 3,700 gallons. The maximum amount of diesel fuel that can be used during the project if all equipment used is 1996 model year or newer is 37,000 gallons. If a combination of 1995 and older and 1996 and newer equipment is used, then divide the number of 1996 and newer equipment in the fleet by the total number of equipment in the fleet. Multiply that number by 33,300. Add that number to 3,700. The sum is the maximum number of gallons of diesel fuel use permitted.

The equation to determine the maximum project diesel fuel usage is expressed:

Maximum project diesel fuel usage = $X(33,300) + 3,700$, where X equals the number of 1996 and later equipment divided by the total number of equipment in the fleet. For example, if 10 pieces of equipment are used and 3 are 1995 and older and 7 are 1996 and newer, then the ratio of newer equipment to all equipment used is 0.7 ($7/10 = 0.7$). The project is allowed to use a maximum total of 27,010 gallons of fuel for the life of construction ($0.7(33,300) + 3,700 = 27,010$ gallons). If all the equipment is 1996 or newer, then 37,000 gallons is the maximum number of gallons of diesel fuel use allowed for the project.

Monitoring Responsibility: Planning Services.

Monitoring Requirement: The applicant shall provide proof to Planning Services that this mitigation measure was included on the specifications and construction contract for the contractor, prior to issuance of any grading and/or building permit, and is included on all grading and building permits, prior to issuance of any grading and/or building permit.

5. **BIO-1:** If construction begins outside the 1 February to 31 August breeding season, there will be no need to conduct a preconstruction survey for active nests. If construction is scheduled to begin between 1 February and 31 August then a qualified biologist shall conduct a preconstruction survey for active nests at the construction site. In order to avoid take (FGC § 86) of protected birds and raptors (FGC § 3503, 3503.5, 3511, and 3513), a pre-construction bird and raptor nest survey shall be conducted within 10 days prior to the beginning of construction activities by a California Department of Fish and Wildlife (CDFW) approved biologist in order to identify active nests in the project site vicinity. The results of the survey shall be submitted to CDFW. If active raptor nests are found, a quarter-mile (1320 feet) initial temporary nest disturbance buffer shall be established. If active passerine nests are found, a two hundred foot (500 feet for special status species) initial temporary nest disturbance buffer shall be established. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then an on-site biologist/monitor experienced with the species' behavior shall be retained by the project proponent to monitor the nest, and shall along with the project proponent, consult with the CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed to proceed within the temporary nest disturbance buffer if birds/raptors are not exhibiting agitated behavior such as defensive flights at intruders, getting up from a brooding position, or flying off the nest. The designated on-site biologist/monitor shall be on-site daily if necessary while construction related activities are taking place and shall have the authority to stop work if birds/raptors are exhibiting agitated behavior. In consultation with the CDFW and depending on the behavior of the birds/raptors, over time it may be determined that the on-site biologist/monitor may no longer be necessary due to the birds/raptors' acclimation to construction related activities.

Monitoring Responsibility: Planning Services.

Monitoring Requirement: The applicant shall conduct all construction activities outside the nesting season or perform a pre-construction survey and obtain all necessary permits prior to initiation of construction activities. This requirement shall be placed on all grading plans. Planning Services shall review the surveys prior to issuance of a grading permit and/or removal of any trees within the entire project parcel.

6. **BIO-2:** Intermittent Stream: The applicant is required to submit a re-vegetation plan which shall include the following:
 - a. Best Management Practices that conform with the County's California Stormwater Pollution Prevention Plan, issued by the State Water Resources Control Board for erosion and sediment control, shall be incorporated into the

- project development plans and implemented as approved by Building Services during the grading permit process.
- b. No equipment shall be allowed within the water channel.
 - c. Construction fencing shall be installed at the ten-foot setback line defined by the Biological and Jurisdictional Delineation Report Updates for the Green Valley Convenience Center dated May 1, 2013 to prevent and avoid accidental fill and/or equipment entering the setback and creek. The fencing shall be installed prior to initiation of any grading; and
 - d. The re-vegetation/restoration plan for that area shall include planting no fewer than 18 native riparian trees consisting of a combination of willows of the species *Salix lasiolepis*, *S. gooddingii*, or *S. exigua*; Fremont cottonwoods (*Populus fremontii ssp. fremontii*), and valley oaks (*Quercus lobata*) but must include at least six cottonwoods and three willows in the southern portion of the parcel outside of the project footprint. The cottonwoods shall be planted at least 60 feet away from the project footprint and Sophia Parkway. The planting shall occur within one year of the initiation of project construction. The success criterion shall be the survival of the 18 riparian trees two years after planting.

Monitoring Responsibility: Planning Services and Building Services

Monitoring Requirement: The applicant shall include mitigations a-d above on the grading permit plans. Planning Services shall review the grading permit plans to ensure their inclusion prior to issuance of a grading permit. The Building Services field inspector shall verify compliance with said mitigations upon site inspection for the grading permit. Planning Services shall make a field inspection of the planted area prior to finaling the grading permit.

7. **BIO-3:** Streambed Alteration Agreement: A Streambed Alteration Agreement, pursuant to Fish and Wildlife Code 1602, shall be obtained by the applicant from the California Department of Fish and Wildlife, if applicable, for each stream crossing and any other activities affecting the bed, bank, or associated riparian vegetation of any stream on the site. Authorization prior to placement of any fill is required from the U.S. Army Corps of Engineers if any impacts are proposed to jurisdictional riparian habitat. This authorization may require mitigation as deemed necessary by the Corps of Engineers. The Agreement shall address the following to the satisfaction of the Department of Fish and Wildlife, if determined to be applicable after review of the development plans for that area:

The applicant will provide an approved restoration plan for riparian planting. Elements of that plan will include:

- a. A map of locations and species for the plants installed in the restoration area;
- b. A discussion of performance standards stating that 80 percent of the planted trees will be alive at the end of the five-year monitoring;
- c. The method for determining whether plantings are alive at the end of each

- monitoring year (that is, each tree will be counted and determined to be dead or alive; dead trees will be replanted);
- d. A discussion of contingency measures that could be used in the event that the restoration plantings fail. These measures could include, but are not limited to, making additional plantings and extending the monitoring period or purchasing additional credits in an acceptable fund or mitigation bank;
 - e. Submission of annual reports for the restoration project to the Department of Fish and Wildlife; and
 - f. This plan must be approved by the Department of Fish and Wildlife before County permits are issued.

Monitoring Responsibility: Planning Services

Monitoring Requirement: The applicant shall provide a copy of the 1602 Streambed Alteration Agreement to Planning Services prior to issuance of the grading permit. If it has been determined by Fish and Wildlife that said permit does not apply after their review of the development plans, the applicant shall provide Planning Services with verification from Fish and Wildlife that no Agreement is needed for the project, prior to issuance of a grading permit for the intermittent stream riparian habitat area.

8. **BIO-4: Water Quality Certification:** A Water Quality Certification, Section 401 permit, if applicable, shall be obtained by the applicant from the California Central Valley Regional Water Quality Control Board for applicable project improvements prior to issuance of a grading permit. The Certification shall include (subject to CVRWQCB approval):
 - a. The applicant will prepare a Storm Water Pollution Prevention Plan for approval. That plan will describe methods for ensuring downstream water quality during grading and/or restoration and will be implemented during those processes.
 - b. Work areas will be separated by buffers and orange construction fencing to delineate the preserved riparian areas. No grading will be allowed within the fenced-off buffer zones.
 - c. Waste and construction materials will be placed where they will not run off into the stream, or they will immediately be removed off-site.

Monitoring Responsibility: Planning Services/Building Services

Monitoring Requirement: The applicant shall provide a copy of the Section 401 permit to Planning Services prior to issuance of the grading permit. The Storm Water Pollution Prevention Plan shall be reviewed and approved by Building Services prior to issuance of a grading permit. If it has been determined by the California Regional Water Quality Control Board that said permit does not apply after their review of the development plans for the grading permit, the applicant shall provide Planning Services with confirmation from the RWQCB of that determination prior to issuance of the grading permit.

Development Services Division (Planning)

- 9. **Outdoor Display:** Outdoor vending machines, kiosks, etc. shall not be permitted.
- 10. **Roof Mounted Equipment:** The roof-mounted equipment shall be located inside a roof parapet wall and shall not be visible from ground level.
- 11. **Noise:** Noise levels shall not exceed those prescribed in Table 6-2 of the El Dorado County General Plan as outlined below:

	Daytime (7am-7pm)	Evening (7pm-10pm)	Night (10pm-7am)
Hourly dB	55	50	45
Max. dB	70	60	55

- 12. **Landscaping:** The final landscape plan shall be consistent with Exhibit I and comply with Zoning Code Chapter 17.18.090 and General Plan Policies 7.3.5.1 and 7.3.5.2; and be approved by Planning Services prior to issuance of a building permit. The following additional information shall be submitted prior to final inspection of installed landscaping:
 - a. Completed, signed Model Water Efficient Landscape documents consistent with the new County Model Water Efficient Landscape Ordinance.
 - b. A filed copy of an irrigation audit report or survey approved by El Dorado Irrigation District with the Certificate of Completion.

The applicant shall install and maintain the landscaping in accordance with the approved final landscaping plan in perpetuity.

- 13. **Lighting:** All outdoor lighting shall conform to the Exhibit K, and Section 17.14.170 of the Zoning Ordinance, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Any light fixture shown on Exhibit J that does not have a specification sheet submitted with the building permit that specifically states that fixture meets the full cutoff standards, shall require a fixture substitution that meets that requirement. 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. Any lighting for outdoor display areas shall be turned off within 30 minutes after the closing of the business. No more than 50 percent of the parking lot lighting may remain on during hours of non-operation. Any security lighting on the buildings shall be designed with motion-sensor activation.

c. No pole light shall exceed 16-feet in height measured from ground level.

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.

14. **Signs:** All signage installed as part of the project shall be consistent with Exhibits J-1 to J-3 for location, materials, sizes and colors. One monument sign is approved and shall not exceed 16 feet in height measured from ground level. The total square footage of that sign area is 79.9 square feet. The sign shall be located where it will not conflict with the required site distance in any direction at the intersection of Green Valley Road and Sophia Parkway. There shall be no wall signs permitted on the south and east sides of the buildings.
15. **Parking:** Parking shall be improved consistent with Chapter 17.18 of the County Code, including the April 14, 1993 California Accessibility Regulations. Parking shall conform to Exhibits F and G and include 16 standard spaces, eight compact spaces, and 2 accessible spaces that are constructed in accordance with Title 24 of the current Building Code. There shall be one, 12 foot by 40-foot loading zone. There shall be six bicycle parking spaces, consistent with Section 5.105.4.1 and 2 of the 1020 California Green Building Standards Code, at locations at the discretion of the applicants.
16. **Permit Implementation:** Implementation and approval of the project conditions must occur within 12 months of approval of this Planned Development or as otherwise required by the conditions of approval.. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval. If all project related conditions are not completed within that time frame, the project will be scheduled for revocation and commencement of the Code Compliance action.
17. **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.
18. **Processing Fees:** Prior to final approval of the grading and building permits, Development Services shall verify that all Development Services Department fees have been paid.
19. **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.

20. **Fish and Game Fee:** The applicant shall submit to Planning Services a \$50.00 recording fee and a \$2,156.25 Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No permits shall be issued until said fees are paid.
21. **Archeological Resources:** The following shall be incorporated as a note on the grading/improvement plans:

In the event archeological resources are 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. If the find is determined to be a “unique archaeological resource”, contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archaeological mitigation takes place.

If the find is determined to be a “unique archeological resource”, the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a “nonunique archeological resource”.

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

22. **Human Remains:** The following shall be incorporated as a note on the grading/improvement plans:

In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

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

Transportation Division

23. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the roadway encroachments from the access roadway onto Green Valley Road and Sophia Parkway to the provisions of County Design Standard 110. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved improvement agreement with security, prior to the issuance of a building permit.
24. **Extended Median on Green Valley Road:** The applicant shall install a raised median strip on Green Valley Road to restrict left turns. The length shall be 350 feet. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved improvement agreement with security, prior to the issuance of a building permit.
25. **Delivery Trucks:** All delivery vehicles shall approach the site from either Green Valley Road west of Sophia Parkway or north along Sophia Parkway.
26. **Signal Modification Green Valley Road and Sophia Parkway:** The applicant shall design and construct the signal modification plans for the southeast corner of the Green Valley Road/Sophia Parkway intersection. Improvements must match exhibit received by transportation staff on March 15, 2013. The improvements shall be completed to the satisfaction of the Transportation Division or the applicant shall obtain an approved improvement agreement with security, prior to the issuance of a building permit.

27. **Truck Turning Exhibit:** The applicant shall provide a truck turning exhibit with the improvement plans to demonstrate how fuel trucks can enter and exit correctly. This exhibit is to be filed with the improvement plans prior to issuance of a building permit.
28. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Transportation Division for all roadway, frontage, and intersection improvements within the County right-of-way. The developer shall complete the improvements to the satisfaction of the Transportation Division or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to the issuance of a building permit.

Transportation Division Standard Conditions

29. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
30. **Sidewalks:** Sidewalks may be located outside the right-of-way and meander as a means to provide interest and variety in alignment. The alignment and design of the sidewalks shall be reviewed and approved by the Transportation Division prior to issuance of building permits. Pedestrian easements shall be provided where necessary. Final lane configurations, including the need for additional rights-of-way, shall be subject to review and approval of the Transportation Division prior to improvement plan approval.
31. **Curb Returns:** All curb returns, at pedestrian crossing, will need to include a pedestrian ramp with truncated domes per Caltrans Standard A88A and 4 feet of sidewalk/landing at the back of the ramp.
32. **Signage:** The applicant shall install all necessary signage such as U-turn, and bike lane signs as required by the Transportation Division prior to the issuance of a building permit. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
33. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
34. **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.
35. **DISM Consistency:** The developer shall obtain approval (as modified by these conditions herein) of project improvement plans and cost estimates consistent with the

Subdivision Design and Improvement Standards Manual (dated May 1986, revised May 1990), from the County Department of Transportation, and pay all applicable fees prior to the issuance of a building permit.

36. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
37. **Grading Permit / Plan:** If more than 250 cubic yards of earth movement are required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Transportation Division for review and approval. The plan shall be in conformance with the County of El Dorado “Design and Improvement Standards Manual”, the “Grading, Erosion and Sediment Control Ordinance”, the “Drainage Manual”, the “Off-Street Parking and Loading Ordinance”, and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of Transportation Division prior to occupancy clearance.
38. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Transportation Division. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Transportation Division shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
39. **RCD Coordination:** The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Transportation Division. The Transportation Division shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
40. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the Transportation Division. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills,

erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.

41. **Drainage Study / SWMP Compliance:** The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Transportation Division.

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- a. The site can be adequately drained;
- b. The development of the site will not cause problems to nearby properties, particularly downstream sites;
- c. The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- d. The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. A Scoping Meeting for the required drainage study between County staff and the engineer shall occur prior to the first submittal of improvement plans. The engineer shall bring a watershed map and any other existing drainage system information to the Scoping Meeting. The improvements shall be completed to the approval of the Transportation Division prior to the issuance of a building permit or the applicant shall obtain an approved improvement agreement with security.

42. **Drainage Easements:** Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and / or on the final map.
43. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.

44. **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
45. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

Air Quality Management District

46. **Fugitive Dust:** 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. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions during the construction process. 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. (Rules 223 and 223.1)
47. **Paving:** Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
48. **Open Burning:** Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).
49. **Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Architectural Coatings AQMD (Rule 215).
50. **Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. An applicability flow chart can be found here: http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf. Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.
51. **New Point Source:** Prior to construction/installation of any new point source emissions units or non-permitted emission units (i.e., gasoline dispensing facility, emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors. (Rule 501 and 523)

52. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be under permit from the California Air Resources Board (CARB). A copy of the current portable equipment permit shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.

Environmental Management-Environmental Health Division

53. **Service Request:** Upon approval of the Development Plan, the applicant shall submit a Service Request form along with two sets of plans and manufacturer's specification sheets for the proposed equipment to be installed in order to verify compliance with the California Retail Food Code. An annual Health Permit shall be obtained prior to operation.

Environmental Management-Solid Waste & Hazardous Materials Division

54. **Construction Waste:** The applicant shall comply with CALGreen Section: 5.408. 1 Construction waste management. Recycle and/or salvage for reuse a minimum of 50 percent of the non-hazardous construction waste in accordance with Section 5.408.1.1, 5.408.1.2 or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent.
55. **Solid Waste:** The applicant shall provide sufficient space for both trash and recycling dumpsters. 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.
56. **Underground Storage Tanks:** The applicant shall submit an application for a permit for New Installation of Underground Storage Tanks (UST) prior to beginning any work pertaining to the installation of the USTs. Upon completion of UST installation, additional documents pertaining to USTs, and a Hazardous Materials Business Plan, must be submitted using the California Electronic Reporting System (CERS) and approved prior to operation of the fueling system.

El Dorado Hills Fire Department

57. **Water System Requirements:** The potable water system with the purpose of fire protection for this commercial development shall provide a minimum fire flow of 1,500 gallons per minute with a minimum residual pressure of 20 psi for a two-hour duration. This requirement is based on a structure 11,300 square feet or less in size, Type V-B construction. All structures shall be fire sprinklered in accordance with NFPA 13 and Fire Department requirements. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the

fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.

58. **Fire Hydrants:** This development shall install two (2) Mueller Dry Barrel fire hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The exact location of the hydrant shall be determined by the Fire Department; and shall be located within 150 feet of the building (per El Dorado County Water District Ordinance 35). One hydrant will be located near the driveway entrance off Sophia Parkway and the other hydrant will be located near the driveway off Green Valley Road.
59. **Hydrant Appearance:** In order 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 State Fire Safe Regulations.
60. **Water Connection:** Any fire department connection to the sprinkler system shall be positioned so as not to be obstructed by a parked vehicle.
61. **Fencing:** All fencing that backs up to wildland open space shall be required to use non-combustible type fencing.
62. **Access Roads:** All fire apparatus access roads shall be an asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 40,000 pounds.
63. **Fire Alarm:** Any building greater than 500 square feet shall be equipped with an approved fire alarm/detection system (per El Dorado County Water District Ordinance 35).
64. **Knox Box:** A Knox Box is required for nighttime and afterhours access to the alarmed buildings.
65. **Addressing:** Addressing is required as described in the in accordance with the El Dorado Hills Fire Department Addressing of Buildings Standard B-001.
66. **Traffic Calming:** This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway.
67. **No Parking:** No parking will be allowed on the west side of the convenience store with the exception of the designated parking stalls. The curb on the west side of the convenience store shall be painted red with white letters indicating “No Parking Fire Lane.”

68. **Plan Copies:** A PDF electronic copy of all plans shall be provided to the fire department for electronic storage and use for engine company pre-fire planning. Please send the electronic copy to mlilienthal@edhfire.com.
69. **Fire Protection Systems**
- a. Installation of all on-site fire protection systems shall be in accordance with NFPA 24 and Fire Department Standards;
 - b. All on-site fire protection systems shall be tested in accordance with the requirements of NFPA 24 and shall be witnessed by the Fire Department;
 - c. The installing contractor, or sub-contractor, for all on-site fire protection systems shall notify the Fire Department at least 24 hours in advance of requesting a date and time for inspections;
 - d. If plastic pipe is installed for fire protection systems, the pipe used shall be C-900 Class 200;
 - e. After installation, rods, nuts, bolts, washers, clamps, and other restraining devices, except truss blocks, used on-site fire protection systems shall be cleaned and thoroughly coated with an acceptable corrosion –retarding material; and
 - f. The section of private fire service piping within five feet of the building foundation and the fire sprinkler riser shall be ductile iron piping.

ATTACHMENT 2

FINDINGS

Planned Development PD12-0003/Green Valley Convenience Center Planning Commission/July 11, 2013

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 pursuant to Section 66472.1 of the California Government Code:

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received during the public review process. The proposed project, as conditioned, will not have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 Through feasible conditions and mitigation placed upon the project, impacts on the environment have been eliminated or substantially mitigated.
- 1.3 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with the corresponding permit monitoring requirement, is hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.4 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-Planning Services at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

- 2.1 The project is consistent with the Commercial (C) land use designation of the subject site as defined by General Plan Policy 2.2.1.2. The project consists of a service station, carwash, fast-food restaurant, and a convenience store, which is consistent with the allowed uses for the C Zone District with an approved Development Plan.
- 2.2 As conditioned, mitigated and with adherence to County Code, the project is consistent with all applicable Policies of the General Plan, including:

- 2.2.1 2.2.5.21 (compatibility with surroundings) because the project concentrates the commercial activities adjacent to a commercial parcel, and limits the traffic and interior circulation and potential noise within that area;
- 2.2.2 TC-Xf (road improvements) because encroachment and frontage improvements and the payment of TIM fees satisfy the General Plan and design requirements to ensure safe ingress and egress and maintain LOS standards at all applicable roadways and intersections.
- 2.2.3 5.1.2.1 (adequate utilities and public services), 5.2.1.2 (water for emergency), 5.2.1.4 (available domestic water), 5.7.1.1 (adequate emergency water and related facilities), because the project will connect to EID for water and sewer service;
- 2.2.4 6.2.3.2 (adequate emergency vehicle ingress/egress) because conditions have been added as recommended by the El Dorado Hills Fire Department to assure adequate emergency vehicle ingress/egress; and
- 2.2.5 7.3.3.4 (impacts to wetlands) because mitigation measures BIO-1 to 3 have been included to reduce impacts to the unnamed intermittent stream.

3.0 ZONING FINDINGS

- 3.1 With an approved Development Plan, the project is consistent with the El Dorado County Zoning Ordinance designation of Commercial-Planned Development because the proposed project provides areas for retail sales and service station use pursuant to Section 17.32.020.B of the Zoning Code.
- 3.2 The project is consistent with the El Dorado County Zoning Ordinance Development Standards because the existing buildings meet the development standards pursuant to Section 17.32.040 of County Code.

4.1 PLANNED DEVELOPMENT FINDINGS

- 4.1.1 The planned development request is consistent with the General Plan because the application is for a commercial development, being developed to serve the residents, businesses and visitors, consistent with the Commercial land use designation, and is consistent with applicable policies as outlined in Finding 2.2.
- 4.1.2 The proposed development is mitigated and conditioned to provide a desirable environment within its own boundaries. As conditioned, the proposed development provides landscaping, lighting, parking and interior circulation, and design features which will fit within the local commercial district.
- 4.1.3 The project is being developed or conditioned to comply with all County Code requirements.

- 4.1.4 The site is physically suited for the proposed uses since it is located within a business, commercial environment and the development area is concentrated along the existing roads, allowing for preservation of the existing intermittent stream as dictated by the U.S. Army Corps of Engineers regulations.
- 4.1.5 As conditioned, adequate services and utilities are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.
- 4.1.6 The proposed uses do not significantly detract from the natural land and scenic values of the site since it will provide the required landscaping and restore the riparian habitat, enhancing the natural environment.

5.0 FINDINGS OF CONSISTENCT WITH GENERAL PLAN POLICY 7.3.3.4

- 5.1 The alternative setback is consistent with the General Plan. The Interim Interpretive Guidelines for El Dorado County General Plan Policy 7.3.3.4 requires a 50 foot non-development setback from intermittent streams and the project is proposing to install a retaining wall, a parking area, a driveway and, a building within the required setback. The Interim Interpretive Guidelines allows an alternative setback when the applicant demonstrates that the alternative setback will still provide sufficient protection of the biological resources and avoids or minimizes impacts as required by the General Plan. A Wetland Delineation Report has been verified and confirmed by the U.S. Army Corps of Engineers and analyzed in the Initial Study-Environmental Checklist. Impacts have been reduced to a less than significant level by incorporation of Mitigation Measures, Conditions of Approval, and with required adherence to County Code. As such, this project is found to be consistent with Policy 7.3.3.4.