

**COUNTY OF EL DORADO DEVELOPMENT SERVICES
BOARD OF SUPERVISORS
STAFF REPORT**



Agenda of: June 28, 2016

Staff: Mel Pabalinas

SITE PLAN REVIEW

FILE NUMBER: SPR15-0003/Shingle Springs Drive Improvements-Encroachment Permit

APPLICANT: Shingle Springs Band of Miwok Indians

AGENT: Tamara Murray-Guerrero, Chairperson, Board of Directors

ENGINEER: Baker Williams Engineering Group, Inc

REQUEST: Site Plan Review analyzing the impacts from the construction and operation of a 12-inch, 2,400 linear foot water main, a 6-inch, 3,335 linear foot sewer force main pipeline, and a 36 foot x 40 foot paved driveway within the El Dorado County Right Of Way of Shingle Springs Drive.

LOCATION: Shingle Springs Drive between U.S. Highway 50, Exit 39 off-ramp and Buckeye Road, in the Shingle Springs area, Supervisorial District 4. (Exhibit A and Exhibit E)

APN: Shingle Springs Drive Right of Way (Exhibit B)

ACREAGE: 0.85 acre

GENERAL PLAN: County Right of Way with Low Density Residential (LDR) surrounding (Exhibit C)

ZONING: County Right of Way with Residential Estate (RE-5) surrounding (Exhibit D)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

RECOMMENDATION: Staff recommends the Board of Supervisors take the following actions:

1. Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff;
2. Adopt the Mitigation Monitoring Reporting Program in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15074(d); and
3. Approve Site Plan Review SPR15-0003 based on the Findings and subject to the Conditions of Approval as presented.

EXECUTIVE SUMMARY

This Site Plan Review Permit analyzed the environmental impacts of proposed improvements along Shingle Springs Drive to serve the Shingle Springs Band of Miwok Indians (Tribe) proposed fueling station. The improvements are limited to the water, sewer, and driveway access needed to serve the Tribe's proposed Phase 1 commercial development. The analysis concludes that the improvements are consistent with the applicable policies of the General Plan, provisions of the County Codes, and poses less than significant environmental impacts with mitigation measures. Construction of the improvements would be subject to Improvement Plan and Encroachment Permit review and approval by El Dorado Irrigation District and the County.

BACKGROUND

In February 2015, the Shingle Springs Band of Miwok Indians Development Corporation (Tribe) approached El Dorado County and El Dorado Irrigation District (EID) representatives regarding plans for a commercial development on their vacant property identified as APN 319-220-18 located at the southwest corner of US Highway 50 and Shingle Springs Drive. The proposed commercial development would occur in two phases. Phase 1 would consist of a convenience store and carwash totaling 5,012 square feet with a 12 bay fueling station, parking, and landscaping. Additional commercial buildings encompassing a total of 100,000 square feet may be proposed for development in the future as part of Phase 2.

Given that the property is held in trust by the Bureau of Indian Affairs, development of the land is not subject to the County's land use authority. However, construction of a driveway access and extension of water and sewer utility lines, within Shingle Springs Drive requires an encroachment permit from the County. An encroachment permit is subject to environmental review under CEQA pursuant to County Ordinance Section 12.08. The purpose of this Site Plan Review Permit is to analyze the environmental impacts associated with the encroachment permit. This permit is for Phase 1 of the Shingle Springs Village project only. Additional review by the County would be required under a separate or revised Site Plan Review Permit if encroachment onto County ROW is deemed necessary as part of Phase 2.

ANALYSIS

Project Description

The Project for the purposes of County review and approval includes the Shingle Springs Drive

ROW improvements subject to the encroachment permit. Improvements consist of the following: installation and operation of a new 12-inch, 2,400 linear foot PVC water main pipeline, a new 6-inch, 3,335 linear foot PVC sanitary sewer pipeline, and construction of 36-foot by 40-foot driveway access along the tribe property. Exhibit F provides detail of the proposed improvements.

The 12-inch water main would be located on the east side (northbound lane) of Shingle Springs Drive and the pipe would be placed at a minimum of 30-inches beneath the roadway subgrade. Trench width for the water main would be approximately 30 inches (2.5 feet) with a temporary surface disturbance area of approximately five feet. Although the trench and pipe alignment would be located beneath existing roadway pavement, construction movement has the potential to disturb areas immediately adjacent to and within three to five feet of the edge of pavement. The potential disturbance area, which includes paved and unpaved portions of the roadway, is approximately 0.8 acre. The water main would run from the proposed driveway ingress point located at the northwest corner of the ROW and continue south to an existing connection point north of Buckeye Road near Maggie Lane.

The 6-inch sewer force main would be located on the west (southbound lane) side of Shingle Springs Drive. The pipe would be placed a minimum of 51 inches beneath the roadway subgrade and the maximum trench width would be approximately 2 feet. The sewer force main would run south from within the right-turn egress lane along the west side of Shingle Springs Drive to an existing sewer force main at the intersection of Buckeye Road and Shingle Springs Drive. Near Maggie Lane the sewer force main would need to bore under an existing 21-inch water main, placed within a 16-inch steel casing pipe and would also need to bore under the railroad track crossing within a 16-inch steel casing pipe.

The water main and sewer force main would be located beneath the existing roadway pavement. Given the extensive excavations, the affected roadway would need to be re-surfaced with an asphalt overlay upon completion of all utility work. As needed, roadway striping would be repaired following installation of the new pavement. To ensure that the roadway is restored to its previous condition, the applicant shall be conditioned to post an Encroachment Bond prior to issuance of the Encroachment Permit.

One driveway access would be constructed along the northwestern perimeter of the tribe property providing access to the tribe's Phase 1 commercial development. The access would include installation of a new 24-inch corrugated metal pipe culvert underneath the pavement parallel to the roadway.

An easement area measuring approximately 20 feet by 30 feet (600 square feet) would be located on the tribe property. The easement would house EID facilities that includes a backflow prevention device and meter for the 1-inch irrigation line (if ultimately determined necessary) and a 12-inch gate valve, reducer, 8-inch water meter, and an 8-inch gate valve between the meter and 8-inch backflow prevention device on the water line.

All identified improvements activities would be verified for conformance with applicable Transportation Division and EID standards subject to review and approval of Improvement Plans and Encroachment Permit. Construction is anticipated to occur over a two month period during

daylight working hours between 6 AM and 7 PM Monday through Friday. If construction should occur on Saturday, activities would be limited to between 9 AM and 6 PM.

General Plan

There is no specific General Plan policy that regulates the construction and operation of utility infrastructure and improvements. However, elements of the proposed facility are subject to consistency determination with applicable development policies in the General Plan.

The proposed facilities are located and allowed within County road ROW and as well as on surrounding land uses. The facilities are compatible with the surrounding area and are not within the County-designated scenic corridor.

To provide adequate water, sewer, and storm drainage services, the facilities would be constructed in accordance with EID and County standards. The driveway is a permitted use within the ROW and meets the dimensional requirements. Anticipated traffic impacts have been sufficiently analyzed and mitigated.

Construction and operation noise generated by the facility would be minimal given facility design, location, and use, and would not exceed limits, subject to identified mitigation measures. Site development would not require significant removal of oak trees, and would be in compliance with General Plan Policy 7.4.4.4 as the affected canopy is less than one acre with less than 10 percent canopy coverage.

Zoning

Section 130.40.250 (Public Utility Infrastructure) of the Zoning Ordinance regulates the construction and operation of public utility infrastructure. Under this section, the proposed project is considered a minor, by-right use and, as analyzed in this Site Plan Review, would not create safety and health hazards to adjacent property owners subject to specific conditions of approval and mitigation measures. An Encroachment Permit would be required prior to construction of the improvements.

The utility extension and encroachment project is found to be consistent with the applicable General Plan policies and provisions of the Zoning Code as fully articulated in the Findings section of the staff report.

Agency Review

The El Dorado Irrigation District and the applicable County Departments reviewed the Site Plan Review Permit and related analyses. Improvement Plans and an Encroachment Permit shall be required prior to construction, subject to the conditions of approval and mitigation measures applied to the Site Plan Review Permit.

ENVIRONMENTAL REVIEW

In accordance with CEQA, an Initial Study was prepared to analyze the potential impacts of the ROW improvements on the environment (Exhibit G). The analysis included technical reports

such as a Traffic Impact Study and Drainage Calculations, determination of impact significance, and identified applicable mitigation measures that would minimize significant impacts to less than significant level. The analysis identified specific impacts associated with Biological Resources (Raptor/Migratory Bird and Bat Protection), Hydrology (Future 2-way Left Turn Lane Drainage and associated NPDES compliance), Construction Noise (24-hour Tunneling Noise Reduction) and Traffic (Turn Lane and Future Conditions) that require mitigation measures to minimize the identified environmental effects to a less than significant level. Based on this Initial Study, a Mitigated Negative Declaration has been prepared and concludes that the project would not have significant environmental impacts with application of proposed mitigation measures. A summary of impacts and corresponding measures are detailed in the table below.

Shingle Springs Drive ROW Impacts and Mitigation Measures Summary

Impacts	Mitigation Measures
Traffic	MM Traffic-1: Application of Payment of Traffic Impact Mitigation Fee MM Traffic-2: Improvement of Project Access MM Traffic-3: Application of Proportional Share of Obligation for Impacts to the Shingle Springs Drive/Buckeye Road Intersection (2025 Plus Project Conditions) MM Traffic-4: Application of Proportional Share of Obligation for Impacts to the Mother Lode Drive/Buckeye Road/Holiday Lake Drive Intersection (2035 Plus Project (Phase I) Conditions Mitigation Measures) MM Traffic-5: Roadway Resurfacing MM Traffic-6: Lane Closure Limitations
Biological Resource	MM BIO-1: Avoiding Disturbance of Nesting Raptors and Songbirds or Destruction of Active Nests MM BIO-2: Avoiding Disturbance of Protected Bats
Noise	MM NOISE-1: Implementation of Noise Reduction During 24-hour Construction Operations
Hydrology	HYDRO-1: Construction of a two-way Left Turn Lane Design and Drainage Calculations HYDRO-2: Adherence to NPDES General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4) Order #2013-0001-DWQ

This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, and native plant life). In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$2,210.25 after approval, but prior to the County filing the Notice of Determination on the project. This fee plus a \$50.00 administration fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The \$2,210.25 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:

Findings
Conditions of Approval

Exhibit A.....Location Map
Exhibit B.....Assessor’s Parcel Map
Exhibit C.....General Plan Land Use Map
Exhibit D.....Zoning Map
Exhibit E.....Aerial View of Project Area
Exhibit F.....Improvement Plans for Shingle Springs
Sewer Main and Water Extension
Exhibit G.....Proposed Mitigated Negative Declaration
and Initial Study