

Findings

1.0 CEQA FINDING

- 1.1 El Dorado County has considered the negative declaration together with the comments received during the public review process. The 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 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.
- 1.3 This project is not located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourse, native plant life, rare plants, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Game. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,850.00 after approval, but prior to the County filing the Notice of Determination on the project. This fee, less \$50.00 processing fee, is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources. Under the revised statute effective January 1, 2007, a project proponent asserting a project will have no effect on fish and wildlife should contact the CDFG and the CDFG will review the project, make the appropriate determination, and in "no effect" cases, the CDFG will provide the project proponent with documentation of exemption from the filing fee requirement.

2.0 ADMINISTRATIVE FINDINGS

2.1 General Plan

The project is commercial in nature conforming to the commercial land use designation under General Plan Land Use Map. The project was reviewed and verified for conformance with specific land use policies involving building intensities, planned development standards, and rezoning.

2.2 Zoning Code

The project site is zoned Commercial with Design Control (-DC) Overlay. The subject Bel Air Market is within a regional shopping center, Goldorado Shopping Center. The project meets the applicable zoning standards including signs, building setbacks, parking (with requested deviation), and lighting.

2.3 Planned Development

The proposed expansion and modifications to the Bel Air Market and requested deviation from parking has been reviewed pursuant to Chapter 17.02 of the El Dorado Zoning Code (planned development) and verified conformance to applicable standards of the zoning code and General Plan policies. In accordance with Section 17.04.030 of the County Code, a Development Plan cannot be approved unless the Planning Commission can make the following findings:

2.3.2 The Planned Development request is consistent with the General Plan.

As required through the planned development, staff has reviewed the submitted project plans (site, preliminary grading, elevation, and sign) and verified conformance to the standards of the zoning code. Staff also reviewed for consistency with the General Plan Policy 2.2.1.5 and determined that the project would not have significant impacts to the environment.

2.3.3 The proposed development is so designed to provide a desirable environment within its own boundaries.

The project involves an expansion of an existing retail facility within an existing community shopping center (Goldorado Shopping Center). The entire center provides various commercial services and is adequately served by an existing on and off-site circulation network, pedestrian paths, parking, landscaping, and connectivity outside of the its boundaries.

2.3.4 The exceptions to the standard requirements of the zone regulations are justified by the design and existing topography.

The project does not require exceptions to the County Code.

2.3.5 The site is physically suited for the proposed uses.

The proposed expansion and modification of the Bel Air Market is located within the existing Goldorado Shopping Center, which is an established retail facility.

2.3.6 Adequate services are available for the proposed uses, including, but not limited to, water supply, sewage disposal, roads and utilities.

The project site is located within the Goldorado Shopping Center and is adequately served by existing EID's public water and sewer services, El Dorado County drainage system and public road networks, and other local fire protection and emergency services.

2.3.7 The proposed uses do not significantly detract from the natural land and scenic values of the site.

The project is commercial in nature within an existing community shopping center and would not impact any natural land or scenic values of the developed site.

2.4 Design Review

The project is located with the community of Cameron Park, which is designated in an area within the county requiring project review for architectural design, site planning, and safety. The Cameron Park Design Review Committee reviewed the project including the sign elements and exterior details, and recommended approval.

Conditions

Planning Services Division

1. This design review revision, rezone and planned development is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits E-H, dated March 16, 2007, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval would constitute a violation of permit approval.

The project description is as follows:

- Revision to an approved design review for the expansion of the existing Bel Air Market from 50,345 square feet to 60, 122 square feet and minor modifications to the building exterior. The expansion consists of areas in the front and rear mezzanine (storage/mechanical) rooms and offices totaling 1,800 square feet. The expansion to the ground floor area is to be 7,977 square feet and would include areas for coolers, freezers and storage. A new depressed loading dock, measuring 30 feet x 80 feet, would be constructed, one loading dock would be removed, minor re-landscaping would occur in the rear of the building, and a retaining wall shall be constructed along the exterior wall of the expansion. The proposed project would require an additional 39 parking stalls for the entire shopping center; the applicant proposes to re-stripe the parking lot to accommodate the required parking spaces. Modifications to the façade include rebuilding of the wooden trellis, renovation to gable feature, installation of a new automatic sliding door and aluminum framing, and replacement of various attached wall signs.
- Rezone of the property from Commercial (C) to Commercial-Planned Development (C- PD) and Planned Development (PD). The proposed rezone would establish a combination district with the underlying Commercial zoning for the subject property. With a PD overlay, proponents have the opportunity to

utilize specific planning and development techniques in order best implement the project.

- Planned Development evaluating potential impacts associated with the excess in Floor-Area Ratio (FAR) over the 0.25 maximum required under General Plan Policy 2.2.1.5.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as landscape and tree protection plans) must be submitted for review and approval and shall be implemented as approved by the County.

2. Prior to issuance of building permit, the applicant shall remit payment of any outstanding fees as detailed and required in the *Agreement for Payment of Processing Fees* authorized for this project.

*The following are the original approved conditions (in sequence) under Design Review DR09-0031 for the Goldorado Shopping Center. The conditions that are **not** applicable to this project are shown with a ~~strike through~~ while the conditions that are applicable are shown with an underline, and any changes to the condition are shown with a double underline.*

- ~~3.1. At least one area shall be provided for the dropping off and loading of passengers. This area shall consist of a vehicle turnout lane located outside of the normal travel lanes with a minimum dimension of 35 feet in length and 10 feet in width. The passenger loading zone shall be located in an area close to Bel Air and Payless and which provides the passengers with safe access to these buildings.~~
- ~~4. 2. All commercial loading zones shall be created as shown on the revised site plan received 12/20/90. All loading zones shall be a minimum of 12 feet in width and 40 feet in length with a fourteen foot vertical clearance. The double loading zone for Building 3 shall be widened to 24 feet to meet the width requirement.~~
- ~~5. 3. A minimum of seven (7) RV parking spaces shall be delineated within the shopping center parking lot. The location of these RV spaces shall be clearly indicated for the benefit of the customers.~~

~~If the total area leased for restaurant type businesses is increased, the number of RV parking spaces must be increased accordingly, pursuant to Section 17.18.060(16), Off-Street Parking and Loading, of the El Dorado County Code.~~

- ~~6. 4. All parking spaces shall be clearly delineated with white or yellow painting.~~

- ~~7. 5. Drive aisles, approach lanes, commercial loading/unloading zones, passenger drop-off/loading zones, "no parking" zones, pedestrian crossings, RV parking spaces, and traffic controls shall be clearly marked and/or signs shall be installed.~~
- ~~8. 6. Stop signs, crosswalks/pedestrian island, and appropriate pavement markings shall be installed as shown on Exhibits E and F of this staff report. Modifications/removal of the parking spaces shall be made as shown on Exhibit F. A revised site plan shall be submitted which incorporates the modifications delineated on these two exhibits.~~
9. 7. Any roof-mounted equipment shall be completely screened by parapet walls. Planning Services shall review building plans to verify screening prior to issuance of building permit.
10. 8. All ground- or wall-mounted equipment shall be fully enclosed by an architectural feature. Planning Services shall review building plans to verify screening prior to issuance of building permit.
- ~~11. 9. All proposed structures shall conform to the Commercial Zone District's front setback provisions, as prescribed in Section 17.32.040(D), adjacent to all public right of ways.~~
- ~~12.10. All trash enclosures and electrical/transformer equipment shall be screened with landscaping. Planning Services shall review building plans to verify screening prior to issuance of building permit.~~
13. 44. A final landscape plan and irrigation plan (for the replacement landscaping affected by the expansion) shall be submitted with the building permit package. The landscape plan shall identify all landscape materials by common and botanical name, container sizes, quantities of each plant, and location. The irrigation plan must include information on the backflow prevention devices. The plan shall show the location and type of vacuum breaker and its height above grade and above the sprinkler heads.

The final landscape plan shall include a new suggestion for the type of vine to be used on the retaining wall. The selection may be made from the El Dorado Landscape Business Association list. The selection must be suitable for Zone 7. All trees shall be provided in 15 gallon container sized or larger. Planning Services shall review and verify landscape plans prior to issuance of building permit.
- ~~14. 12. The recycling center shall be relocated to the southeast corner of Parcel 2, as indication on the revised site plan received on 12/20/90.~~
15. 43. The sign criteria, as approved by the Cameron Park Design Review Committee and subject to the Chapter 17.16 of the El Dorado County Zoning Code, proposed for Parcels 5 and 7 shall be revised to restrict the letter height for major tenants for signs on the fronts of the buildings to 36 inches. The letter height for all other tenants for signs on the fronts of the buildings shall be restricted to 18 inches. All signs on the sides and rears of the buildings shall be restricted to an 18-inch letter height. The style and color requirements shall conform to the

approved sign criteria for CPDR87-13 which is applicable to all other buildings within the shopping center for this project is as follows:

Sign	Sign Area	Material/ Lighting
Bel Air	4 feet x 23 inches	Acrylite#207-0 GP Red Plexiglas; ¾” Red trimcap retainers; 5” returns painted red; illuminated with flexible LED
Bel Air Logo “B”	5 feet 7 ¼ inches x 7 feet ¾ inches	Aluminum reverse pan channel letter; brushed Gold Finish Returns; stud mounted to fascia; halo backlit with amber flexible LED
Fresh Market	2 feet x 22 feet 3inches	Acrylite #207 Red acrylic face; ¾” gold trimcap retainers; 5” gold returns; illuminated with flexible LED
U.S.P.S	3 feet 6 inches x 5 feet 3inches	Acrylite #207 Red acrylic face; ¾” gold trimcap retainers; 5” gold returns; illuminated with flexible LED
Pharmacy	22 feet x 19 feet 5 inches	Acrylite #207 Red acrylic face; ¾” gold trimcap retainers; 5” gold returns; illuminated with flexible LED
Peete’s Coffee and Tea	2 feet 5 inches x 10 feet	8” Return (dark brown); aluminum face
Future Bank	2 feet x 13 feet	To be determined

16. ~~14. Building permits shall be obtained prior to the commencement of construction of any structures, including the retaining wall, on Parcels 5 and 7.~~
17. ~~15. Final grading and drainage plans shall be submitted to the Department of Transportation for review and approval prior to the issuance of building permits.~~
18. ~~16. Verification of suitable access to the rear of Building 7-B shall be provided to the Department of Transportation prior to the issuance of building permits.~~
19. ~~17. Verification of the adequacy of the turning radius, for commercial delivery vehicles, at the north corner of Parcel 5 shall be provided to the Department of Transportation prior to the issuance of building permits. If the turning radius is too short, the configuration of the curb shall be reconstructed to accommodate said vehicle types.~~
20. ~~18. Subject to the review within six (6) months of the installation of the modifications to the parking lot to determine the affect of these modifications on the traffic circulation/flow. Additional modifications may be required if it is determined that the effect of the traffic controls is either insufficient or has resulted in a negative impact.~~
21. ~~19. An encroachment permit shall be obtained from the Department of Transportation prior to the commencement of any roadway modifications in the area of Palmer Drive. Said modifications shall include the restriping Palmer Drive to accommodate left turns into the parking lot at the access road between Parcels 6 and 7; the restriping of Palmer Drive at its intersection with Cameron Park Drive to provide an additional left turn pocket for~~

~~turning movements onto southbound Cameron Park Drive; and the installation of a loop detector for the left turn pocket onto Cameron Park Drive.~~

22. ~~20.~~ Materials to be used on the exterior of the proposed expansion buildings are: ~~(1) Splitfaced concrete block: Angelus Integral Color #202; (2) Aluminum Dark Bronze #40 Anodized; (3) Exterior cement plaster: La Habra X-53 Pure Ivory; (4) Olympic Weather Screen #712; and (5) Cedar Siding: Olympic Stain Stonehedge.~~

MATERIAL	MANUFACTURER	STYLE/COLOR
Foamed Shaped Cornice/Cement Plaster	Kelly Moore Paints	231 Spanish Sand
Cement Plaster	Kelly Moore Paints	KM3980-2 Western Wear
Metal Coping	Kelly Moore Paints	KM4182-3 Lescamela Vanilla
Foamed Shaped Cornice/Cement Plaster	Kelly Moore Paints	212 Saltillo
Rake Trim	Kelly Moore Paints	196 Villita
Trellis	Kelly Moore Paints	AC249-5 Rare Earth
Existing Concrete Tile Roof (To Remain)	Lifetile	California Mission Blend
Existing Split Face Block (To Remain)	Existing	Existing

23. ~~21.~~ The retaining wall shall be constructed using Splitfaced concrete block: Angelus Integral Color #202. Planning Services shall review building plans to verify retaining wall details prior to issuance of building permit.

Department of Transportation

Project Specific Conditions

24. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department for review and approval, prior to the issuance of any building permit for this project. 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.
25. The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete.

Department of Transportation Standard Conditions

26. The applicant shall provide a soils report at time of grading permit application addressing, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water and pavement section based on TI and R values. The report shall include recommended design criteria for any retaining walls. Any export to be deposited within El Dorado County shall require an additional grading permit.

27. The applicant shall provide a drainage report at time of 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 Department of Transportation.
28. Any import or export to be borrowed or deposited within El Dorado County shall require an additional grading permit for that offsite grading.
29. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer would provide a CD to the Department of Transportation with the approved drainage and geotechnical reports in PDF format and the approved record drawings in TIF format.

El Dorado County Environmental Management

Air Quality Management District (AQMD)

30. The project construction would involve grading and excavation operations, which would result in a temporary negative impact on air quality with regard to the release of particulate matter (PM₁₀) in the form of dust. Current county records indicate that this property is not located within the Asbestos Review Area. Therefore, District Rules 223 and 223-1 which addresses the regulations and mitigation measures for fugitive dust emissions shall be adhered to during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rules 223 and 223-1. In addition, a Fugitive Dust Plan Application shall be submitted long with the appropriate fees to and approved by the District prior to start of project construction.
31. Project construction may involve road development and should adhere to District Rule 224 Cutback and Emulsified Asphalt Paving Materials.
32. Burning of wastes that result from “Land Development Clearing” must be permitted through the District. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).
33. The project construction would involve the application of architectural coating, which shall adhere to District Rule 215 Architectural Coatings.
34. The District goal is to strive to achieve and maintain the ambient air quality standards established by the U.S. Environmental Protection Agency and the California Air Resources Board and to minimize public exposure to toxic or hazardous air pollutants and air pollutants that create unpleasant odors. The following measures used to reduce impacts on air quality impacts from equipment exhaust emissions:

Heavy Equipment and Mobile Source Mitigation Measures

- Use low-emission on-site mobile construction equipment
 - Maintain equipment in tune per manufacturer specifications
 - Retard diesel engine injection timing by two to four degrees
 - Use electricity from power poles rather than temporary gasoline or diesel generators
 - Use re-formulated low-emission diesel fuel
 - Use catalytic converters on gasoline-powered equipment
 - Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible
 - Do not leave inactive construction equipment idling for prolonged periods (i.e. more than two minutes)
 - Schedule construction activities and material hauls that affect traffic flow to off-peak hours
 - Configure construction parking to minimize traffic interference
35. Prior to construction/installation of any new point source emission units or non-permitted emission units (gasoline dispensing facility, boilers internal combustion engines, emergency generators) authority to construct applications shall be submitted to the District. Submittal of applications shall include facility diagrams, equipment specifications and emission factors.

Environmental Health

36. Plans for the modification of the Bel air building shall be reviewed by Environmental Health Division, Consumer Protection Program prior to any construction or modification of the food facility.
37. Prior to occupancy/issuance 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. The applicant shall also schedule an inspection by Planning Services prior to occupancy/issuance of a building permit for verification of compliance with applicable conditions of approval.
38. The following shall be incorporated as note on all construction plans:

In the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission.

39. The planned development shall expire within two years from the approval of the project. Any amendments to the approved project shall require an application for revision subject to review and consideration by the original approving body.