

CONDITIONS OF APPROVAL

Design Review Revision DR04-0014-R-3/Food 4 Less Planning Commission/October 9, 2014

1. This Design Review revision is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

Exhibit ESite Plan (Sheets A1.1, A1.2, A3.1)

Exhibit F.....Signage Plan (Sheets 1, 2, 3)

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.

As approved, this project consists of a remodel of the existing grocery store allowing the following uses/improvements:

- a. Addition of an 11x45 foot outdoor seating area at the front entrance, to be partially enclosed with operable bi-fold doors with steel frames and glass panels. The doors can be raised similar to a garage door to allow for open air seating at the exterior tables and chairs;
- b. Cladding of existing arc-glazed “space frame” sign band with cedar siding and replacing signage from “Food 4 Less” to “Fork Lift by Nugget”. Adding one approximately 5 foot x 18 foot wall sign to north elevation to include “Fork Lift” logo, and one approximately 4 foot x 20 foot wall sign to south elevation to include “Fork Lift” logo. Replacing monument signage facing U.S. Highway 50 and Coach Lane from “Food 4 Less” to “Fork Lift” logo;
- c. Addition of an exterior propane BBQ at the front entrance with safety fence;
- d. Addition of two corrugated metal awnings over the two main sliding doors and underneath the main canopy; and
- e. Repaint existing yellow tie rods and brackets to “Covered in Platinum” (silver-blue color).

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 must be submitted for review and approval and shall be implemented as approved by the County.

MITIGATION MEASURES

~~The following mitigation measures are required as a means to reduce potential significant environmental effects to a level of insignificance:~~

2. The applicant shall provide a minimum 5-foot-wide landscaping strip along the U.S. Highway 50 frontage containing shrub ~~or~~ and full or standard-sized tree species, which will grow vertically in order to provide visual screening of the site from U.S. Highway 50. The applicant shall provide a minimum of one 5-gallon or equivalent shrub and one 15-gallon or equivalent tree ~~alternating~~ every 5 feet along the U.S. Highway 50 frontage. The size and species of the shrubs and trees shall be approved by the ~~Planning Director~~ Development Services Director prior to final occupancy of the building permit any of the proposed structures. If required, a Water Conserving Landscape Plan shall be submitted along with the final landscape plan prior to issuance of the building permit.
- ~~3.2.~~ The proposed project shall comply with any applicable requirements of the El Dorado County Air Pollution Control District Rule 502: General Conformity Rule, which requires compliance with the State and National Ambient Air Quality Standards.
- ~~3.~~ ~~The project shall adhere to the provisions of District Rule 223, and the applicant shall submit a Fugitive Dust Prevention and Control Plan to the APCD prior to any grading activities on the site.~~
- ~~4.~~ ~~The project shall adhere to the provisions contained in El Dorado County Ordinance No. 4548. No grading or excavation activities may take place on site until an Asbestos Hazard Dust Mitigation Plan has been submitted to and approved by the El Dorado County Air Pollution Control District.~~
- ~~4.5.~~ Asphalt surfacing of site access and parking areas shall conform with El Dorado Air Pollution Control Rule 224: Cutback and Emulsified Paving Materials, which prohibits the atmospheric discharge of volatile organic compounds caused by the use, manufacture, mixing, storage, and/or application of cutback or emulsified asphalt.
- ~~5.6.~~ Pursuant to El Dorado County Air Pollution Control District Rule 501.3(A): Authority to Construct, the applicant shall receive authorization for construction (Authority to Construct) from the Air Pollution Control District prior to commencement of grading and construction activities on the site.
- ~~6.7.~~ Pursuant to El Dorado County Air Pollution Control District Rule 501.3(B): Permit to Operate, the project proponent shall obtain a written permit from the Air Pollution Control Officer prior to the issuance of a building permit.

- ~~7.8.~~ In no case shall daily emissions of ROG, NOx, and PM10 exceed 82 lbs/day during any construction and grading activities on the site.
- ~~8.9.~~ The applicant shall comply with the State of California Title 24 Regulations for Energy Efficient Design to reduce secondary impact emissions.
- ~~10.~~ ~~The applicant shall construct a left turn lane for eastbound traffic on Country Club Drive at the intersection with Cameron Park Drive. The improvements shall be constructed to the specifications of the El Dorado County Department of Transportation and shall be completed prior to issuance of a Certificate of Occupancy on any of the buildings. The design of improvements, including signal modification, shoulder widening, and right of-way acquisition shall be reviewed and approved by the Department of Transportation.~~
- ~~11.~~ ~~The access driveway located across and offset from Strolling Hills Road shall be constructed to allow right in access only. The driveway shall be signed as right in access only and that left turn movements are prohibited. The El Dorado County Department of Transportation may require the installation of a raised median to prevent left turns in and out of this driveway.~~

CONDITIONS

- ~~9.12.~~ The following structures were previously approved by DR01-0014-R: The project, as approved, shall substantially conform to Exhibits ~~H F and G E and F~~ and shall allow the development of six (6) proposed commercial buildings on seven (7) parcels as follows: (1) 53,165 square foot retail grocery/food market on a 4.33 acre parcel; (2) 5,600 square foot square foot commercial retail building on a 0.60 acre parcel; (3) 10,3600 square foot commercial retail building on two parcels totaling 1.57 acres; (4) a 6,000 square foot commercial/restaurant building on a .906 acre parcel; (5) 5,664 square foot commercial/restaurant building on a 1.02 acre parcel; and (6) a 10,500 square foot commercial retail building on a 1.543 acre parcel. Minor modifications to the site plan and building design may be approved by the Planning Director Development Services Director. Major modifications to the site plan or building design will require an amendment to the Design Review application.
- ~~10.13.~~ All proposed buildings shall be subject to the issuance of a building permit from the El Dorado County Building Department.
- ~~11.14.~~ The applicant shall comply with all requirements of the Cameron Park Fire District, including, but not limited to fire flow requirements, building accessibility, sprinkler requirements, and building materials. The Cameron Park Fire District shall review and approve all building permits.

- ~~15. The applicant / developer shall provide a minimum of 457 on-site parking spaces. No more than 35 percent of the total parking may be identified as “compact” spaces, and a minimum of 18 spaces must be designated as “handicap” only parking. All on-site parking shall meet the parking lot design standards contained in Section 17.18.030 of County Code.~~
- ~~16. The applicant shall include provisions for bicycle parking on the site by providing a minimum of 10 bicycle spaces/racks adjacent to the major tenant. In addition, a minimum of two enclosed bicycle storage lockers shall be provided for employees and/or patrons. An additional minimum of 5 bicycle spaces/racks shall be provided adjacent to the 10,360 square foot commercial retail building.~~
- 12.17. CMU blocks shall remain in their natural state and texture whenever possible. Minor variations in materials and colors may be approved by the Deputy Development Services Division Director of Planning. Major variations will require an amendment to the approved design review and approval by the Planning Commission.
- 13.18. All building and parking lot lighting shall be designed so as to direct light downwards (top and side shielded) pursuant to Section 17.14.170 of County Code. Lights shall be placed so that no glare or light spills over onto an adjoining property or established road right-of-way. Light standards shall not exceed 30 feet in height.
- ~~19. The following Parking and Landscaping Standards shall be incorporated into the site plan and landscape plan and be approved by the Planning Development Services Director prior to issuance of a building permit:~~
- ~~a. One tree having at least a minimum size of 15 gallons shall be planted for each 6 interior parking spaces exclusive of trees planted around the perimeter of the parking areas. The tree species utilized shall be of a species type that provides the greatest amount of canopy and shade as possible for the species (a minimum area of 50 percent of the parking lot shall be shaded within 15 years of securing the building permit). The final landscape plan shall be modified to reflect this requirement.~~
- ~~b. Planters shall utilize live landscape materials, which will ultimately achieve 100% coverage of the planter area. Cobbles, gravel, bark, or other mulches are not acceptable substitutes for living plant materials. Landscape treatments and shrub plantings shall be located and planted so as to not impair the visibility of pedestrians or motorists.~~
- ~~c. The project applicant shall provide a minimum of two pedestrian walkways in the parking lot area to allow unimpeded circulation through the parking lot as required in General Plan Policies 3.9.1.6 and 3.11.2.3 prior to issuance of a building permit. In addition, a minimum of 2 painted cross walks, or paver stone walkways, shall be provided from the parking lot to the front entrance areas of~~

~~proposed supermarket and major retail pads. The plans submitted with the building permit application shall be revised to include the provision for the above pedestrian walkways.~~

- ~~d. A Water Conserving Landscape Plan shall be submitted along with the final landscape plan prior to issuance of building permit as per the standards established under Resolution 69-93.~~
- ~~e. All storage, loading, and utility areas as wells as meters, transformers, backflow prevention devices and other equipment shall be screened from view from all public rights of way. Acceptable screening shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Acceptable screening may include plant materials, landscape berms, or walls which complement the site's architecture at heights which in no way obstruct the vision of pedestrians or motorists. Chain link fencing with or without slats is not an acceptable screening method.~~

~~14.10.~~ Prior to issuance of a building permit or commencement of any use authorized by this permit the applicant shall provide a written description to Planning Services, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval.

~~11. Modifications to the approved project shall be subject to review and approval by the Development Services Director. Should the Director find that additional modifications of the use or facilities would significantly change what was approved, the Director shall decide if the changes can be approved administratively or will be reviewed by the Zoning Administrator or the Planning Commission through an amendment to this Special Use Permit. This review shall always occur prior to any approved project modifications.~~

~~15.12.~~ The property owners are responsible for complying with all conditions of approval contained in this Design Review. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the property owners.

~~16.13.~~ A \$50.00 administration fee is required by the County Recorder to file the Notice of Exemption. This fee shall be made payable to El Dorado County and shall be submitted to Planning Development Services immediately following the hearing project approval.

~~17.14.~~ 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 developer and land owner 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 of El Dorado County concerning a Special Use Permit.

The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.