



EL DORADO COUNTY

PLANNING & BUILDING DEPARTMENT

2850 Fairlane Court, Placerville, CA 95667
Phone (530) 621-5355, Fax (530) 642-0508

Date: January 7, 2022

To: Honorable Board of Supervisors

From: Bianca Dinkler, Associate Planner

Subject: PD-A21-0001/Appeal Filed of Planning Commission Approval of Planned Development Permit Revision, PD-R20-0009 (Grocery Outlet at Green Valley Station, Phase II)

Recommendation

Based on the analysis of Planned Development Permit Revision, PD-R20-0009, staff recommends the Board of Supervisors deny the appeal and uphold the approval of Planned Development Permit Revision PD-R20-0009, based on the Findings and subject to the Conditions of Approval as approved by the Planning Commission or as modified by the Board of Supervisors, adopt the Mitigated Negative Declaration, and adopt the Mitigation Monitoring Reporting Program in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15074 (d), incorporated as Conditions of Approval.

Alternative Action

Grant the appeal by Law Offices of Robert M. Bone on behalf of Residents for a Safe Cameron Park (PD-A21-0001), deny Planned Development Permit Revision, PD-R20-0009, and instruct staff to return with Findings for Denial.

Background

A Planned Development Permit Revision, PD-R20-0009, was submitted on November 13, 2020 for a request to allow for the construction and operation of a 16,061-square foot Grocery Outlet. The project includes associated improvements for landscaping, lighting, parking, signage, and utilities. The property, identified by Assessor's Parcel Number (APN) 116-301-012, consists of a 2.0-acre portion of an undeveloped 5.37-acre parcel, in the Cameron Park Community Region. The property is zoned Commercial Community within a Planned Development and Airport Safety Combining Zones (CC-PD-AA), with a General Plan Land Use Designation of Commercial.

In accordance with CEQA staff prepared an Initial Study - Mitigated Negative Declaration (IS-MND) analyzing potential environmental effects resulting from the implementation of the project.

The document was circulated for public review from September 3, 2021 to September 23, 2021. For all categories (except biological resources, cultural resources, noise, and tribal cultural resources which have incorporated Mitigation Measures MM BIO-01, MM BIO-02, MM CUL-01, MM NOI-01, MM NOI-02, MM NOI-03, and MM TCR-01), a determination of either less than significant impacts or no impacts would be anticipated.

The project was originally scheduled for the October 28, 2021 Planning Commission hearing however due to an error in the Zoom link, a date specific continuance was scheduled to December 9, 2021. The project was approved by the Planning Commission on December 9, 2021.

Appeal Filed

On December 22, 2021, Appeal PD-A21-0001 was submitted in a timely manner by Law Offices of Robert M. Bone on behalf of Residents for a Safe Cameron Park appealing the Planning Commission's approval of Planned Development Permit Revision, PD-R20-0009, Grocery Outlet at Green Valley Station, Phase II (attached). As stated in their letter, the appellant is specifically concerned about the potential impacts associated with Air Quality, Green House Gas (GHG) Emissions, and Traffic.

Staff Response

Prior to the Planning Commission's approval of the project on December 9, 2021, a Public Comment was submitted to Planning Services on October 27, 2021, which was submitted in a timely manner from Attorney Robert M. Bone, regarding concerns about the proposed project and potential impacts to Air Quality, GHG Emissions, and Traffic. Staff prepared a response Memo to the Planning Commission dated November 24, 2021 for the Planning Commission's consideration (Exhibit B). The project was approved by the Planning Commission on December 9, 2021. The appeal filed on December 22, 2021 provided the same letter dated October 27, 2021. Below is a summary of staff's response to the concerns stated in the public comment, and the subsequent appeal.

Air Quality and Greenhouse Gas Emissions:

On November 4, 2021, Planning Services conducted a meeting with the project applicants, the applicant's air quality consultant Raney Planning & Management, and the County Air Quality Management District (AQMD) to discuss the concerns raised by the Public Comment.

On November 5, 2021, AQMD provided a formal response which states "the El Dorado County Air Quality Management District (AQMD) responded to Public Comments made regarding the subject project's MND. The response included the statement that the standard condition number one addressed the Naturally Occurring Asbestos (NOA) concern expressed in the public comment. APN 116-301-012, the parcel where the proposed project is located, is not in an Area More Likely to Contain NOA, and therefore the Fugitive Dust Plan standard condition from the previous comment letter dated July 6, 2021 applies. If NOA is found during construction, the Asbestos Dust condition would apply beginning at the time of discovery." Further, the criteria pollutant emissions for the proposed project were determined to be below the thresholds of significance and the GHG

emissions are below thresholds as adopted by the Sacramento Metropolitan Air Quality Management District which is what the County’s AQMD bases significance findings on. Planning Services concurs with the response provided by AQMD. Complete analysis of Air Quality and Greenhouse Gas Emissions is discussed and included as Attachments 15 and 18 within the IS-MND.

For additional consideration, Raney Planning and Management prepared a memo dated January 6, 2022 with responses to the appellant’s comment letter (Exhibit D). Raney Planning and Management’s initial memo, dated September 27, 2021, with responses to Mr. Bone’s original comment letter was included as a public comment with the materials available in Legistar prior to the October 28, 2021 Planning Commission hearing (Exhibit E).

Traffic:

On November 23, 2021, Planning Services received a response from County Department of Transportation (DOT) stating that, “the project is consistent with the General Plan and the Zoning Ordinance, therefore it is considered to have been assumed in the General Cumulative analysis. The cumulative analysis for the General Plan did not identify a capacity deficiency for Green Valley Road in this area.” Planning Services concurs with the response provided by DOT. Complete analysis of traffic is discussed and included as Attachments 13, 14, and 16 within the IS-MND.

For additional consideration, DOT prepared a response dated January 5, 2022 to the appellant’s comment letter (Exhibit C).

Staff Conclusion

Based on the above staff analysis of the appeal request, staff recommends the Board of Supervisors deny the appeal and uphold the approval of Planned Development Permit Revision PD-R20-0009, based on the Findings and subject to the Conditions of Approval as approved by the Planning Commission or as modified by the Board of Supervisors, adopt the Mitigated Negative Declaration, and adopt the Mitigation Monitoring Reporting Program in accordance with the CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval.

Attachments

- Exhibit AAppeal Form, PD-A21-0001
- Exhibit BStaff Memo to PC, November 24, 2021
- Exhibit CDOT Response to Appeal
- Exhibit DRaney Planning & Management Response to Appeal
- Exhibit ERaney Response to Public Comment