



## EL DORADO COUNTY PLANNING & BUILDING DEPARTMENT

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

Date: March 8, 2022  
To: Honorable Board of Supervisors  
From: Matthew Aselage, Assistant Planner  
Subject: **DR-A22-0001/Appeal Filed of Planning Commission Denial of Design Review Permit, DR20-0009 (Bean Barn Drive-Thru Coffee Shop)**

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### Recommendation

Based on the analysis of Design Review Permit, DR20-0009, staff recommends the Board of Supervisors uphold the appeal and approve the Staff Level approval of Design Review Permit DR20-0009, based on the Findings and subject to the Conditions of Approval as approved by Staff, or as modified by the Board of Supervisors, and find the project consistent with the Categorical Exemption pursuant to CEQA Section 15303 regarding new construction or conversion of small structures.

### Alternative Actions

1. Deny the appeal by Angela Copeland (DR-A22-0001), thereby denying Design Review Permit, DR20-0009, and instruct staff to return with Findings for Denial.
2. Remand the project to the Planning Commission for further consideration.

### Background

A Design Review Permit, DR20-0009, was submitted on December 14, 2020 for a request to allow the construction and operation of a new 360-square-foot commercial structure to be used as a drive-thru Bean Barn coffee shop on a currently vacant property zoned for commercial use. The project includes a garbage and storage enclosure and associated improvements for landscaping, lighting, and parking. The 0.61-acre property is located on the southeast corner at the intersection of Cameron Park Drive and Mira Loma Drive in the Cameron Park Community Region. The parcel is identified as Assessor's Parcel Number (APN) 083-132-001, has a Zoning Designation of Limited Commercial within the Design Review Community Combining Zone (CL-DC), and a General Plan land use designation of Commercial (C).

In accordance with the California Environmental Quality Act (CEQA) Guidelines, the project was found to be Categorically Exempt from CEQA pursuant to Section 15303 (New Construction or Conversion of Small Structures).

The project was processed in accordance with the authorizations of the El Dorado County Zoning Code Section 130.52.030 (Design Review Permit), and tentatively approved, subject to the

standards found in Title 130, Article 5, Section 130.50.040 (General Review Procedure), as a Staff Level Review with Public Notice. As stated in the DR20-0009 Public Notice, the decision to approve the project could be appealed to the Planning Commission by filing an appeal application and applicable fees to the County of El Dorado Planning and Building Department within the 10-working-day appeal period; starting on date of approval December 8, 2021 and ending at 5pm on December 22, 2021.

On December 22, 2021 an appeal to the Planning Commission was timely filed by Jim Dillingham. Pursuant to Zoning Code 130.52.090 - Appeals, a Planning Director-Staff Level decision is appealable to the Planning Commission. The appeal, DR-A21-0004, was heard at the January 27, 2022 Planning Commission meeting. The Planning Commission approved the appeal, thereby denying the project, on the grounds that the project did not include on-site pedestrian walkways as required in Zoning Ordinance Section 130.40.140 (4). Additional topics which were deliberated at the Planning Commission hearing include traffic impacts and off-site pedestrian improvements along Cameron Park Drive and Mira Loma. As stated in the DR-A21-0004 Public Notice, the decision to deny the project may be appealed to the Board of Supervisors by filing an appeal application and applicable fees to the County of El Dorado Planning and Building Department within the 10-working-day appeal period; starting on date of denial January 27, 2022 ending at 5pm on February 10, 2022.

### **Appeal Filed**

On February 10, 2022, Appeal DR-A22-0001 to the Board of Supervisors was timely filed by Angela Copeland on behalf of the Bean Barn. Materials submitted by Ms. Copeland include an update to the project development plans which denotes compliance to Zoning Ordinance Section 130.40.140 (4) regarding Pedestrian Access and Crossings at Drive-Through Facilities. Pursuant to Zoning Code 130.52.090 – Appeals, a Planning Director-Staff Level decision is appealable to the Planning Commission and then to the Board of Supervisors.

### **Staff Response**

The project site plan has been updated to include a continuous on-site four-foot-wide delineated walkway from each abutting street to the primary entrance of the Bean Barn structure. This walkway provides access along the edge of the vehicular access drive at Mira Loma Drive and loops around the edge of the proposed parking lot pavement which ends at a connecting point to future sidewalk developments along Cameron Park Drive. American's with Disabilities Act (ADA) compliant ramps are included within the on-site crosswalk plans.

As confirmed by county DOT, future offsite improvements include asphalt concrete dike on Mira Loma Drive and portland cement concrete curb, gutter, and sidewalk on Cameron Park Drive. A definite date for these improvements has not yet been set. The Planning Commission concluded that the project complied with offsite traffic and circulation requirements as prescribed by county ordinance.

### **Staff Conclusion**

Based on the above staff analysis of the appeal request, staff recommends the Board of Supervisors uphold the appeal and approve the approval of Design Review Permit DR20-0009, based on the Findings and subject to the Conditions of Approval as approved by Staff or as modified by the Board of Supervisors, find the project exempt from CEQA pursuant to CEQA

Section 15303 regarding new construction or conversion of small structures. Planning staff reviewed the application for a Design Review Permit (DR20-0009) and determined it to be in conformance with established County regulations and Design Review considerations including driveway facility development standards. The Planning Commission disagreed with staff regarding the application of driveway facility development standards, particularly the inclusion of on-site walkways. However, the updated project site plans include on-site walkways as required pursuant to Zoning Ordinance Section 130.40.140 (4). The project has been sufficiently reviewed pursuant to the County's Design Review Permit requirements, and CEQA, and has been conditioned to conform to various agency and departmental requirements.

Attachments

- Exhibit A.....Appeal Form, DR-A22-0001
- Exhibit B.....Updated Site Plan
- Exhibit C.....Updated Grading and Drainage Plan