

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: August 13, 2015

Staff: Aaron Mount

**SPECIAL USE PERMIT REVISION/
PLANNED DEVELOPMENT REVISION**

FILE NUMBER: S07-0011-R-2/PD95-0016-R-5/Kniesel Auto Collision Center

APPLICANT: Kniesel's Auto Collision Centers, Inc.

AGENT: David Becker

REQUEST: Revision to approved Special Use Permit and Development Plan to amend the hours of operation from 7:30 AM to 5:30 PM Monday through Friday to 7:00 AM to 7:00 PM Monday through Friday and 8:00 AM to 3:00 PM on Saturday.

LOCATION: On the north side of Wild Chaparral Drive, approximately 0.25 mile west of the intersection with Ponderosa Road, in the Shingle Springs area, Supervisorial District 4. (Exhibit A)

APN: 070-280-64

ACREAGE: 3 acres

GENERAL PLAN: Commercial (C) (Exhibit B)

ZONING: Commercial-Planned Development (C-PD) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Addendum to the previously adopted Negative Declaration in accordance with CEQA Section 15164(a).

SUMMARY RECOMMENDATION: Staff recommending the Planning Commission take the following actions:

1. Adopt the Addendum to the previously approved Negative Declaration prepared by staff; and
2. Approve Special Use Permit Revision S07-0011-R-2 and Planned Development Revision PD95-0016-R-5 based on the Findings and subject to the Conditions of Approval as presented.

BACKGROUND: The existing 18,320 square foot commercial structure was approved by the Board of Supervisors (Board) on April 16, 1996 under application PD95-0016 as an indoor recreation facility. The recreation facility closed and the building was vacant for many years. Kniesels Auto Collision Center applied for a special use permit to convert the building to an auto body repair facility. The Board approved the auto repair facility on September 15, 2009. A revision was approved on July 24, 2012 which removed a condition requiring curb, gutter, and sidewalk on Crosswood Drive and made minor modifications to the site plan.

CODE ENFORCEMENT/COMPLAINTS: Complaints have been received from a property owner that the operation of the facility has violated special use permit conditions of approval. The specific complaints were about the use of machinery outside of the building, employees working on vehicles before the hours of operation, and parking of cars in disrepair outside of the building. As detailed in Exhibit F the owner of the business investigated the complaints and determined that no outside machinery has been used at the project site. The manager of the facility said there was a one-time event where a contractor not aware of the conditions of approval used a power washer outside of the structure. The owner is aware of the existing (and proposed) hours of operation and has agreed to a new condition of approval (condition of approval #2) to ensure that employees are not working on vehicles outside of the hours of operation. Parking of vehicles in disrepair is allowed by the conditions of approval with the restriction that they are moved to a staging area or within the building as soon as possible. The owner acknowledges this condition and will ensure that it is met. The County has not found any violations that would warrant revocation of this special use permit. However, the applicant has chosen to request a revision to the special use permit to allow changes to the hours of operation.

STAFF ANALYSIS

Condition Modification: The applicant is requesting a revision to the existing entitlements to amend the hours of operation from 7:30 AM to 5:30 PM (seven days a week) to 7:00 AM to 7:00 PM Monday through Friday and 8:00 AM to 3:00 PM on Saturday, closed on Sundays. The extended hours of operation are being requested to allow customers to conduct business at the site outside of their normal hours of work. The request for expanded hours would not increase the uses at the site but would expand the time frame of when those uses are allowed to occur.

Noise Impacts: Potential noise effects of the business onto the adjacent residential uses were analyzed in the *Environmental Noise Assessment Kniesels Auto Collision Center* (J.C. Brennan & Associates, October 2014) (Exhibit G). The County has received multiple complaints about noise

issues from adjacent residential uses and therefore an acoustical analysis was required to analyze any potential impacts the expanded hours of operation may have. The proposed project is not predicted to generate noise levels which are higher than the measured ambient noise levels.

Traffic Noise Impacts: The primary source noise at the project site would be associated with the traffic along US Highway 50. Analysis indicated that noise levels at the adjacent residence currently exceed the daytime and nighttime noise level standards because of this traffic related noise. Measured maximum noise levels were generally due to motorcycle passbys, truck passbys, and aircraft overflights.

Stationary Noise Sources: The assessment analyzed potential noise impacts from the project site and how they affected the adjacent residential uses. Noise levels did not exceed the daytime maximum consistent with noise standards of 70 dB between 7 AM and 7 PM. Conditions have been recommended that establish the hours of operation and to keep the rollup doors closed except for movement of parts and vehicles.

Conclusion

With recommended conditions of approval numbers 1, 2, and 3, the expanded hours of operation would have no additional noise impacts on adjacent residential uses. The measured sound levels would be consistent with General Plan Policy 6.5.1.7, as the sound levels would not exceed those in General Plan Table 6-2.

Other Recommended Condition Modifications:

Multiple conditions have been removed as the building permits pertaining to the current use have received final approval. These are shown in strikeout in the Conditions of Approval. Additional building permits may be applied for and they would have to be consistent with the project description and approved site plan.

ENVIRONMENTAL REVIEW

The project is a minor revision to expand the hours of operation. An addendum to the Negative Declaration has been prepared evaluating the proposed hours of operation as it pertains to CEQA Section 15164(a). The addendum concludes that no new impacts are anticipated with the expanded hours of operation.

SUPPORT INFORMATION

Attachments to Staff Report:

Conditions of Approval
Findings

Exhibit A.....Location Map
Exhibit B.....General Plan Map
Exhibit C.....Zone District Map
Exhibit D.....Site Airphoto
Exhibit E.....Site Plan
Exhibit F.....Applicant Letter; February 20, 2015
Exhibit G.....Environmental Noise Assessment; October 28, 2014
Exhibit H.....Addendum to the Negative Declaration