

**COUNTY OF EL DORADO  
PLANNING AND BUILDING DEPARTMENT  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** May 13, 2021

**Staff:** Evan Mattes

**DESIGN REVIEW**

**FILE NUMBER:** DR19-0006/Cool General Retail

**APPLICANT/AGENT:** Woodcrest REV (Agent: Steve Powell)

**OWNER:** Cool Time, LLC

**REQUEST:** Design Review Permit for the proposed construction and operation of a 9,100 square foot commercial retail building and associated driveway, parking lot, utilities, signage, and landscaping improvements.

**LOCATION:** East side of California State Highway 49 south of the intersection with Northside Drive in the Cool Rural Center, Supervisorial District 4 (Exhibit A).

**APN:** 071-500-037-000 (Exhibit B)

**ACREAGE:** 1.69 acres

**GENERAL PLAN:** Commercial (C) (Exhibit C)

**ZONING:** General Commercial-Design Control (CG-DC) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Environmental Impact Report (State Clearinghouse No. 2020049050)

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

1. Adopt the Environmental Impact Report (EIR) (SCH No. 2020049050) for the Cool General Retail Project, subject to California Environmental Quality Act (CEQA) Findings;
2. Adopt the Mitigation Monitoring and Reporting Program (MMRP) in accordance with the CEQA Guidelines Section 15074(d), incorporated as Conditions of Approval; and

3. Approve Design Review Permit DR19-0006, based on the Findings and subject to the Conditions of Approval as presented.

### **EXECUTIVE SUMMARY**

The project applicant proposes to construct a 9,100 sq. ft. commercial retail building (Dollar General) on a 1.69 acre site. The single-story building would have a maximum height of 33 feet. The building would be located in the southerly half of the project site, facing the intersection of Highway 49 and Northside Drive. The project design is in the style of new traditional, Western false front architecture. The building has parapet walls extending along the building facade. The project would include parking for 31 vehicles, a refuse enclosure for solid waste, landscaping, an on-site septic system, and on-site stormwater treatment. The project is proposed on a General Commercial-Design Control (CG-DC) zoned parcel (Exhibit D) consistent with the Commercial (C) General Plan Land Use Designation (Exhibit C). Staff has determined that the proposed project is consistent with the applicable El Dorado County General Plan policies and Zoning Ordinance requirements, as discussed in the Findings.

### **PRE-APPLICATION**

A pre-application was filed for the project under PA19-0006 on June 27, 2019. The pre-application is utilized to identify any preliminary issues/comments (Exhibit O). During the pre-application it was determined that the standard Planning Director approval authority would be inappropriate for this design review project. The Planning Director offered direction that approval authority would be ceded to the Planning Commission.

### **PROJECT HISTORY**

The Planning Commission originally approved the project on May 28, 2020. Within ten working days of the approval, an appeal of the project approval was filed by the Divide Preservation Society (DR-A20-0001) (legistar #20-0866) and the Cool-Pilot Hill Advisory Committee (DR-A20-0002) (legistar #20-0866). The grounds for the independently filed appeals are identical asserting that the County's reliance on a Mitigated Negative declaration violates the CEQA and that the project may have a significant impact to traffic and circulation, aesthetics, cultural resources, drainage, urban decay, and cumulative impacts. On July 14, 2020, the Board of Supervisors' considered whether to approve the appeal, reversing the Planning Commission's approval of the project or deny the appeal, upholding the Planning Commission's approval. The Board of Supervisors' did not approve or deny the appeal, but directed that the project prepare a focused Environmental Impact Report (EIR) analyzing traffic and public safety risks. Since the Board of Supervisors' actions on July 14<sup>th</sup> the project applicant resumed processing of the project with a full EIR.

## **PROJECT INFORMATION**

**Site Description:** The 1.69-acre project site is vacant and is located at approximately 1,550 feet above mean sea level (Exhibit E). Drainage within the subject property generally flows to the southeast. The site is bordered by properties with existing commercial development to the north, east, and west, and a vacant commercial property to the south. Most of the vegetation on the site consists of moderate amounts of annual weeds/grasses, along with small to large trees, consisting of native oak trees and grey pines, scattered throughout the subject site. The nearest residence is located approximately 775 feet to the east on a parcel zoned General Commercial-Design Control (CG-DC). The nearest residentially zoned parcel is located approximately 700 feet to the northeast zoned Multiunit Residential (RM), with a single family home situated on it, located approximately 1,000 feet north east of the proposed project.

**Project Description:** The project applicant proposes to construct and operate a 9,100 sq. ft. commercial retail store (Dollar General) on a 1.69 acre site (Exhibit F). The single-story building would have a maximum height of 33 feet. The building would be located in the southerly half of the project site, facing the intersection of Highway 49 and Northside Drive. The building has a gabled central entrance, and parapet walls extending along the building façade (Exhibit H). The project design is based upon community input as there are no specific community design standards that would apply to the project. In lieu of having adopted community design standards for this project, the project uses the adopted El Dorado County Community Design Guidelines for direction of design review consistency. The project would include parking for 31 vehicles, six, bicycle parking spaces, a concrete delivery pad, a refuse and recycle enclosure for solid waste, landscaping, an on-site septic system, and on-site stormwater treatment.

Dollar General hours of operation are Monday thru Sunday 8am to 10pm. Typically, there would be 3 employees during a normal shift and 4-5 customers at a time during peak hours.

A 50 square foot, 10 foot high monument sign would be located at the northwest corner of the project, near the corner of State Route 49 and Northside Drive. The proposed monument sign would be constructed of wood or steel of like size, and would be painted brown with illuminated yellow lettering (Exhibit F). An externally illuminated wall sign of approximately 50 square feet is proposed along the building frontage facing State Route 49. The wall sign would consist of yellow lettering similar to the proposed monument sign. Project lighting includes at least one parking lot fixture, and building mounted lighting (“gooseneck” or similar downward lighting fixtures).

**Grading & Drainage:** The project would connect to the existing stormwater collection system, and would include an on-site retention area, to the east of the parking lot. No new off-site stormwater facilities would be required. The project would utilize a four foot high retaining wall along the northwestern portion of the parking lot and building pad to accommodate the 9,100 square foot structure (Exhibit G). All grading activities exceeding 250 cubic yards of graded material or grading completed for the purpose of supporting a structure must meet the provisions contained in the County of El Dorado Grading, Erosion, and Sediment Control Ordinance, County Code Section 110.14. All drainage facilities would be required to be constructed in compliance with standards contained in the County of EI Dorado Drainage Manual

**Landscaping:** Project landscaping would include tree plantings in the parking lot, and a variety of shrubs and ground cover around the parking lot and building (Exhibit I). The two mature oak trees at the northwest corner of the property would be preserved, and the area around them left in a natural state. The eastern end of the property would also be left as natural open space, and would also be used for stormwater detention.

**Utilities:** The project would require connection into Georgetown Public Utility District's (GPUD) water facilities existing in the immediate area. GPUD has identified that the existing lines have adequate capacity to support the project and deliver required fire flow (Exhibit H). A meter award letter will be required prior to issuance of final occupancy permit for the project. A power pole and overhead line and easement traverse the property. The easement would need to be abandoned and reestablished north of the proposed structure. The power pole and line would be relocated within the new easement. The project proposes an onsite septic system. An Onsite Wastewater Report (Exhibit J) was prepared for the project, which demonstrates that the proposed wastewater disposal can accommodate the highest possible demand of the project. The project site currently contains a fire hydrant located at the corner of Northside Drive and California State Highway 49.

**Circulation:** The project proposes access off of Northside Drive, which connects to California State Highway 49, with a 31 space parking lot consisting of 35 foot wide drive aisles and a 256 square foot concrete delivery pad (Exhibit F). The project is anticipated to have a low building loading bay demand, with full sized trucks delivering to the site bi-weekly. No secondary access is being proposed. Project improvements, as conditioned, would include the construction of an eight-foot wide Class 2 Bike Lane along the shoulder of California State Route 49 and the widening and improvement of Northside Drive to a consistent minimum of 24-foot width. With the approval of the project, a design exception through the Department of Transportation would be issued for the reduction of the road width for Northside drive from the County Standard 101A width of 40 feet, with curb, gutter and sidewalk, to a 24 foot wide private commercial roadway. The existing roadway was constructed with the post office project adjacent to the north. Existing utilities, drainage facilities and physical site constraints make large improvements difficult. Additionally, the road serves a total of six lots, including the subject parcel. At present, the post office, an outdoor boat/RV storage lot, and access to a cell tower are the only uses utilizing this road. As determined by the Department of Transportation full application of requirement of the construction of the typical Standard Plan 101A improvements would be out of character for the area.

A traffic report was prepared for the proposed project by KD Anderson & Associates (Exhibit K). The study area includes roadways State Route 49, Northside Drive, and State Route 193. Study intersections include State Route 49 / St. Florian Court, State Route 49 / Northside Drive, State Route 49 / commercial Driveway, State Route 49 / State Route 193, and Northside Drive / UPS Driveway.

As analyzed, the project is expected to generate a total of 578 daily trips, with roughly 11% or 62 trips during the p.m. peak hour. After discounting for pass-by trips already occurring on SR 49 adjacent to the site, the project is projected to generate 42 new trips in the weekday p.m. peak hours. Development of the project (Existing Plus Project Condition) does not result in an

unacceptable Level of Service (LOS) based on the criteria adopted by El Dorado County. Satisfactory operations are currently experienced at the study intersections and no changes to existing LOS are projected with development of the site. Peak hour traffic signal warrants are met with and without the project at the SR 49/ SR 193 intersection. The existing LOS at the SR49/SR 193 intersection is LOS C with or without the project. The volume of traffic associated with the project does not result in conditions that warrant a separate left turn lane on Northside Drive.

An update to the traffic study addendum was prepared September 16, 2020 (Exhibit L) summarizing a supplemental analysis to address summer weekend conditions with the project. To assess traffic effects, new Saturday summer traffic counts were made and adjusted to account for the effects of COVID-19 on regional travel. Auburn State Recreation Area including the “confluence” was open to the public while the traffic count was being conducted. Comparison of 2019 and 2020 data indicated 2019 average volumes were roughly 8% greater than those developed for 2020. To provide an estimate for the 2020 Saturday peak hour counts were increased by 10% to approximate regular conditions. As the amount of traffic project to be generated by the project is relatively low, the addition of project traffic would not appreciably increase the length of delays already occurring, additionally the volume of traffic is too small to have an appreciable effect on the performance of roadway segments.

**Agency Review:** The project was distributed for agency review including, but not limited to, El Dorado County Fire Protection District (EDCFPD) (Exhibit K), Environmental Management Department (EMD), Department of Transportation (DOT), Sherriff’s Department and Air Quality Management District (AQMD). Comments received were incorporated as conditions of approval and included road improvements along Northside Drive, commercial recycling requirements and addressing.

## **CONSISTENCY**

**General Plan Consistency:** The project is located within the Cool Rural Center with the General Plan designating the project site as Commercial (C) (Exhibit C). As proposed, the project would be consistent with the standards established by the C land use designation. Staff has determined the proposed project is consistent with the applicable policies and requirements of the El Dorado County General Plan, such as discussed below in Section 2.0 of the Findings.

**Zoning Ordinance Consistency:** The project site is zoned General Commercial-Design Control (CG-DC) (Exhibit D). Section 130.24.030 of the Zoning Ordinance establishes development standards for project within the CG-DC zone, including minimum setbacks, maximum building height, parking, lighting and signage. As proposed, the project would be consistent with the development standards of the CG zone district. Staff has determined the proposed project is consistent with the applicable policies and requirements of the El Dorado County Zoning Ordinance as discussed below in Section 3.0 of the findings.

**Table 1. Zoning Development Standards and Proposed Dollar General**

<b>Development Attribute</b>	<b>CG Development Standards</b>	<b>Proposed Project</b>
Setbacks		
Front and secondary front	10 feet	100 feet
Sides and Rear	5 feet	15 feet
Maximum Building Height	50 feet	33 feet
Floor Area Ratio	.85	.12
Parking (General Retail) 1 per 300 sf. of AUA; plus 1 per 600 sf. of storage area	29 spaces requires	31 spaces proposed

**Design Guideline Consistency:** The project is within a Design Review Community (-DC) Combining Zone and is subject to approval of a Design Review permit under Subsection 130.27.050.C. Under Subsection 130.52.030.B, issuance of a Design Review permit is a ministerial approval only if Design Standards for the particular community have been adopted under Subsection 130.27.050.5. Design Standards for the project area have not been adopted, thus issuance of the Design Review permit is a discretionary approval. Pursuant to Subsection 130.52.030.B, “The Design Review process shall be limited to consideration of compliance with established standards, provided that the use proposed for the project site is an allowed use within the zone.”

Pursuant to El Dorado County Code Subsection 130.27.050.F.5, if community design guidelines have not yet been adopted, design review is subject to the adopted County Community or Historic Design Guides, as applicable. As this project is not located in a Historic Combining Zone, the Historic Design Guide is not applicable and the relevant design standards are set forth in the Community Design Guide (Exhibit P), which was originally prepared in November 1981 and adopted as reformatted by the Board of Supervisors on April 24, 2018 (Resolution 071-2018). Though the Community Design Guide provides direction for Design Review projects, it is not a required finding for approval as it is not a standard and the Design Review process shall be limited to consideration of compliance with established standards.

While the Community Design Guide (Exhibit P) includes pictures, it states: “The photographs in this guide illustrate good design in buildings, sites, and landscaping of existing projects in this County. This guide is not intended to exemplify a particular style of architecture to which developments must conform.” Therefore, design review was completed by comparing the project to the design of the commercial buildings nearest to the project because those buildings provide the best example of the design and architecture in the relevant community more than the pictures in the Community Design Guide of existing projects that exist throughout the County. The Community Design Guide further states: “This does not mean the County is dictating a particular style of architecture for design review districts. Variety is preferred, not uniformity. But it does mean the County is seeking higher standards of architecture.”

## **PUBLIC OUTREACH**

**Public Notification:** The project is a Design Review which typically has is a staff level review with notification. The Planning Director has the authority to defer original approval authority on staff-level projects to the Planning Commission. For this project the Planning Director has chosen to defer original approval authority to the Planning Commission. As a Design Review this project would have a notification radius of one mile from the subject property, with a notice in the Mountain Democrat and the Georgetown Gazette.

**Applicant Outreach:** The project applicant, at the suggestion of Planning Staff, hosted three public outreach meetings within the Cool Community. This public input resulted in several changes and versions of the proposed development (Exhibit Q). The original project proposal featured darker colors with a steep gable roof. Through public input the design was changed to a gentler gable roof, to the current design featuring parapet “gold rush” architectural features similar to the commercial development across State Route 49. The Cool-Pilot Hill Advisory Committee (CPHAC) was reinstated after being defunct for a number of years after application submittal. On March 16, 2020 the CPHAC provided a comment letter to Planning Services with concerns including traffic/congestion at the State Route 49 and 193 intersection, grading and fill, stormwater, septic percolation, economic impacts to surrounding businesses and historical degradation (Exhibit N). On January 28, 2020, during the public review period, a public workshop was conducted at the Planning Commission. One public comment was raised, along with Planning Commissioner discussion. Planning staff has found that these concerns have either been addressed in the findings and Final Environmental Impact Report (FEIR) (Exhibit S), or are not applicable for use that is allowed by right undergoing a design review.

## **ENVIRONMENTAL REVIEW**

An EIR has been prepared to determine if the project may have a significant effect on the environment. The Cool General Retail Project EIR consisting of the Draft EIR (DEIR) (Exhibit R) and FEIR (Exhibit S) did not identify significant impacts that could not be mitigated to a less than significant level. The DEIR public review period was extended to accommodate the inclusion of the Traffic Impact Analysis revised March 9, 2020. As a result of the environmental analysis for the project, the County determined that impacts associated with air quality, biological, resources, geology and soils, hazardous materials, hydrology and water quality, noise, and transportation and circulation were projected to have potentially significant impacts, but implementation of mitigation measures would reduce the impact to less than significant levels. A MMRP (Exhibit T) has been prepared and agreed to by the applicant. As such, CEQA Findings of Fact (Exhibit U) stating that the project would not have any significant and unavoidable impacts is required to certify the EIR.

This project is located within or adjacent to an area which has wildlife resources (riparian lands, wetlands, watercourses, native plant life, threatened and endangered plants or animals, etc.), and was referred to the California Department of Fish and Wildlife. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to their current fee after approval, but prior to the County filing the Notice of Determination of the project. This fee, plus a \$50 processing fee, is forwarded to the State Department of Fish and Wildlife and is

used to help defray the cost of managing and protecting the State’s fish and wildlife resources.

## SUPPORT INFORMATION

Findings

Conditions of Approval

### Attachments to Staff Report

Exhibit A .....	Location Map
Exhibit B .....	Assessors Map
Exhibit C .....	General Plan Land Use Designation Map
Exhibit D .....	Zoning Designation Map
Exhibit E .....	Aerial Map
Exhibit F.....	Site Plan, Floor Plans and Elevations, Sign Plan
Exhibit G.....	Preliminary Grading, Drainage Plan
Exhibit H.....	Architectural Renderings
Exhibit I .....	Landscape Plan
Exhibit J .....	On-site Wastewater Report
Exhibit K.....	Traffic Impact Analysis Revised March 9, 2020
Exhibit L .....	Traffic Impact Analysis Addendum Dated September 16, 2020
Exhibit M .....	Oak Resources Technical Report
Exhibit N.....	Cool-Pilot Hill Advisory Committee Letter
Exhibit O.....	Pre-Application Worksheet
Exhibit P.....	El Dorado County Community Design Guide
Exhibit Q.....	Previously Proposed Architectural Plans
Exhibit R .....	Draft Environmental Impact Report; January 2021
Exhibit S.....	Final Environmental Impact Report; April 2021
Exhibit T .....	Mitigation Monitoring and Reporting Program
Exhibit U.....	Findings of Fact