



18-1497  
18-1498  
EDC COB <edc.cob@edcgov.us>

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## Saratoga Retail-Phase 2 Project

1 message

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**Jennifer Rose** <jlrose229@gmail.com>  
To: "edc.cob@edcgov.us" <edc.cob@edcgov.us>

Wed, Oct 3, 2018 at 8:13 PM

October 3, 2018

County of El Dorado Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

Regarding: Design Review Revision DR-R18-0001/Saratoga Retail-Phase 2 Project

It is with great concern that I write this letter in opposition to the inclusion of a drive-thru fast-food restaurant in the above project. Obviously, living next door to a drive-thru fast-food restaurant is not a good thing. It is so obvious, in fact, that county standards and ordinances are in place to control their placement; so obvious, that this project was previously denied because it did not conform to those standards and ordinances. Nothing has changed in this regard. The inclusion of a drive-thru facility that caters to tourist traffic is a clear violation of the county law, both in form and function. And it is clearly inappropriate for a fast-food drive thru to be located in such close proximity to a residential neighborhood. It is disturbing to think that such a project may be pushed through, regardless. If we cannot depend on our county planners and leaders to ensure our county design standards and county ordinances are adhered to, who can we depend on?

I look to our Board of Supervisors to administer the rules and regulation with integrity and to protect the residents of El Dorado County. There are numerous other possibilities for this property that would be in compliance and that would be a far better fit for the neighborhood. I urge you to deny the drive-thru fast food facility within this project.

Sincerely,

Jennifer Rose  
703 Platt Circle  
El Dorado Hills, CA 95762



EDC COB &lt;edc.cob@edcgov.us&gt;

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**Design Review Revision DR-R18-0001/Saratoga Retail-Phase 2 Project**

1 message

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**Douglas Dickinson** <dickinson.rose@sbcglobal.net>  
Reply-To: Douglas Dickinson <dickinson.rose@sbcglobal.net>  
To: edc.cob@edcgov.us

Thu, Oct 4, 2018 at 9:20 AM

October 4, 2018

County of El Dorado Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

Regarding: Design Review Revision DR-R18-0001/Saratoga Retail-Phase 2 Project

Ladies and Gentlemen,

I am opposed to any fast food restaurant being approved in our neighborhood and residential area. This type of business is not appropriate within a residential area. This type of business does not serve the need of the community. This proposed retail business should be within a retail area such as in the Raley's shopping center or Town Center.

In addition, with the upcoming merging of Saratoga Way and Iron Point, and having a fast food restaurant open six days a week, from 6:30am to 10pm; with its' parade of delivery trucks, RV's, buses, big rigs, trailers/boats and vehicles will create enormous traffic issues for the residents of this established neighborhood. The increase in noise, pollution, food odors and security issues; diminishes the quality of life for the local residence.

You'll have big rigs and other large vehicles parking on Saratoga Way, then turning around at Finders Way and/or going thru the neighborhoods to find an exit back to US 50.

Lunch time will be chaotic, especially with the teenage crowd on their school lunch break.

This business doesn't bring anything of value to our neighborhood!

A farm to fork establishment would be something that would be more acceptable than a fast food establishment. The decor should have an upscale aesthetic feel.

**Please, No fast food establishment!!**

Douglas Dickinson  
703 Platt Circle  
El Dorado Hills, CA 95762



EDC COB &lt;edc.cob@edcgov.us&gt;

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**Fwd: October 9th Public Comment RE: DR-R18-0001/Saratoga Retail Phase 2**

2 messages

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**The BOSONE** <bosone@edcgov.us>  
 To: EDC COB <edc.cob@edcgov.us>

Thu, Oct 4, 2018 at 11:19 AM

Kind Regards,

***Cindy Munt***

Assistant to Supervisor John Hidahl, District 1  
 Board of Supervisors, County of El Dorado  
 Phone: (530) 621-5650  
 CLICK HERE to follow Supervisor Hidahl on Facebook  
 CLICK HERE to visit Supervisor Hidahl's web page

----- Forwarded message -----

From: **Kim S - Camom** <CAmom2345@hotmail.com>

Date: Thu, Oct 4, 2018 at 11:00 AM

Subject: October 9th Public Comment RE: DR-R18-0001/Saratoga Retail Phase 2

To: john.hidahl@edcgov.us <john.hidahl@edcgov.us>, shiva.frentzen@edcgov.us <shiva.frentzen@edcgov.us>, brian.veerkamp@edcgov.us <brian.veerkamp@edcgov.us>, michael.ranalli@edcgov.us <michael.ranalli@edcgov.us>, sue.novasel@edcgov.us <sue.novasel@edcgov.us>, bosone@edcgov.us <bosone@edcgov.us>, bostwo@edcgov.us <bostwo@edcgov.us>, bostthree@edcgov.us <bostthree@edcgov.us>, bosfour@edcgov.us <bosfour@edcgov.us>

El Dorado County Board of Supervisors,  
 Please add this to the public comment for the upcoming hearing on October 9, 2018.

In the upcoming October 9<sup>th</sup> public hearing regarding the two Appeals filed by El Dorado Hills residents regarding the EDC Planning Commissions 2018 approval of Design Review Revision DR-R18-001/ Saratoga Retail Phase 2:

VOTE in FAVOR of the Appeals and against the Developer. Please.

Why?

It is clear that each of you will vote however your county counsel tells you to vote. It is clear that you believe your county counsel is there to protect the county's decisions from potential litigation. I get it.

But what I don't get is how each of you can possibly ignore the extreme negative impacts of parking and traffic that this project will bring to the intersection of Saratoga Road and El Dorado Hills Blvd.

The initial DR08-0003 approval was predicated on this tiny strip of land as not being able to host tourist serving or RV traffic and parking. Why? BECAUSE THAT STRIP IS ADJACENT TO A RESIDENTIAL NEIGHBORHOOD!!

And, BECAUSE THAT INTERSECTION CAN NOT HANDLE THE TRAFFIC GENERATED BY A TOURIST SERVING DRIVE THRU FACILITY, OR THE HUNDREDS OF HUNDREDS OF HOMES BEING BUILT AT THE COUNTY LINE, OR THE TRAFFIC FROM EDH TO FOLSOM WHEN SARATOGA PUNCHES THROUGH!!

**Many of us bought our homes DECADES ago, BEFORE the road was realigned and BEFORE any of this development took shape.**

The county's own DR standards PROHIBIT business with drive thru facilities ingress and egress that face residential neighborhoods. The standards also PROHIBIT stacking cars. The General Plan PROHIBITS projects that generate LOS F traffic situations.

There are many documented legal clauses in the EDC General Plan, Design Review guidelines, EDC Zoning and Ordinances, CEQA and even State Law that preclude you and county counsel from ignorance.

These were presented to the Planning Commission who chose to not to take them into consideration, at all, and are part of the public record that you have access to prior to your decision on October 9th 2018.

You are responsible for reading the body of existing evidence that was presented to the Planning Commission prior to their public hearing on August 23rd, 2018 and quite arguably backs up our claims and defends our position.

All of these impacts were first accepted by the EDC Planning commission early in 2018 and then cast aside a couple of months ago in favor of the developer. Much information was given to you and the PC on behalf of the residents. Information regarding traffic, parking, driveways, home values, etc that at the very least should have generated a proper EIR since the NEW UPDATED DR—R18-001 SUBSTANTIALLY CHANGED FROM THE ORIGINAL DR08-0003/The Shops at El Dorado Hills AND IT'S INTENTIONS FOR NON-TOURIST SERVING FACILITIES.

Section codes:

See attached N-Staff memo:

For your edification:

2. The PC tries to justify the county's ingress and egress "facility" argument by attributing the meaning of the word "facility" to just the drive thru window. REALLY?!! DO YOU REALLY THINK THAT'S A FAIR ARGUMENT THAT WILL HOLD UP?? IT IS HIGHLY SHORT-SIGHTED TO GIVE YOUR OWN MEANING TO SUCH A WORD AND THINK THAT EVERYONE ELSE WILL BE AGREEABLE TO YOUR VERY OWN DEFINITION. RIIIGHT!! Good luck with that.

4. and 6. Stacking lane **SHALL NOT BLOCK ACCESS TO ANY PARKING AREA OR SPACE REQUIRED OF A BUSINESS - I WILL JUST REFER YOU TO THE ATTACHED PHOTOS FOR THIS RIDICULOUS CLAIM THAT STACKING CARS WILL BE PHYSICALLY SEPARATED. Oh sure, after patrons give their orders to the guy with the clip board, WHAT ABOUT WHILE THEY ARE WAITING TO GIVE THIER ORDER!! LOOK AT THE PHOTOS!! THIS IS AGAINST THE ORDINANCE!!**

**7 AND 8 - THE COUNTY IS ARGUABLY VEERING FROM ESTABLISHED CODE:**

**Sec. 130.52.030 - Design Review Permit.**

B. Review Authority, Procedure, and CEQA. The Director shall have the review authority of original jurisdiction for those projects not adjacent to or **visible from designated State Scenic Highway Corridors**. The procedure shall be staff-level with public notice. The Commission shall have the review

authority of original jurisdiction for those projects that are adjacent to or visible **from designated State Scenic Highway Corridors**. The adoption of design standards in accordance with Section 130.27.050.F (Establishment of Community Design Review Areas; Guidelines and Standards) is a discretionary project pursuant to CEQA. The approval of a design review permit is a ministerial project pursuant to CEQA, when in compliance with adopted design standards. **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.

### **Sec. 130.54.070 - Revision to an Approved Permit or Authorization.**

All structures and uses shall be constructed or otherwise established only as approved by the review authority, and in conformance with all conditions of approval, except as provided herein. Modifications of the conditions of approval provided for in this Chapter, including alteration of the project design, expansion, reduction, or phasing of the development, or further disturbance of the site, may be allowed as follows:

A. An application for a revision to an approved permit or authorization may be submitted to the Department either before or after the commencement of construction or establishment of an approved use. The application shall consist of a written description of the proposed modifications, appropriate supporting documentation, plans, or other information deemed necessary by the Director to evaluate the proposed change.

**B. The Director may approve a minor modification(s) when the findings can be made that the modification(s):**

- 1. Does not involve a feature of the project that was specifically addressed in the conditions of approval, mitigation measures, or findings for approval of the project;**
2. Does not result in an expansion of the project;
3. Does not substantially alter the original approval decision; and
- 4. Does not result in changed or new impacts to the surrounding environment that would necessitate modifications to the CEQA document approved for the project.**

**B. Revisions to a permit or authorization which result in an expansion or substantial alteration of the project, or which may affect a condition of approval, mitigation measure, or finding that was specifically addressed by the review authority, may only be approved by said authority following a public hearing.**

C. Director approval of minor modifications shall be processed using the Staff Review with Notice procedures. If the Director determines that the request requires a public hearing by the review authority of original jurisdiction, notice shall be given in compliance with the same noticing requirements of the original application.

D. The review authority may modify or impose new conditions to the permit revision when necessary to carry out the original permit or when necessary to protect the public health and safety or to comply with provisions of state or federal law.

E. Appeal of a decision on a Revision to an Approved Permit or Authorization shall be processed in compliance with Section 130.52.090 (Appeals).

Have any of you seen that spit of land? Do any of you care at all about the impact on the residents??  
Do you feel comfortably protected by your county counsel??

**HOW ABOUT DOING THE RIGHT THING AND THE LEGAL THING AND NOT ALLOW THE DEVELOPER TO DESTROY A NEIGHBORHOOD WITH TRAFFIC AND PARKING??**

It's almost laughable that you would approve this without even realizing that RV's and all the delivery trucks will be driving on our NON-SIDEWALKED streets and putting our kids, our lives in jeopardy every single day.

If you are worried about anything, anything, you should be worried about how your decision - should you allow the developer to build - will impact an entire neighborhood and the REST OF EL DORADO HILLS.

**YOU WILL BE TURNING THAT INTERSECTION INTO A TRAFFIC NIGHTMARE. DOES THAT COUNT FOR ANYTHING???**

Please vote in favor of the two Appeals and vote to protect our way of life!

**THERE ARE PLENTY OF OTHER PLACES FOR TOURIST SERVING DRIVE THRU'S THIS INTERSECTION IS NOT ONE OF THEM!**

I have attached photos of stacking cars - which as much as the developer would like you to believe does not happen - here is evidence that it DOES.

**BUT AT THE END OF THE DAY THE MAIN REASON WHY YOU NEED TO VOTE NO IS THE TRAFFIC NIGHTMARE YOU WILL BE ALLOWING!!  
MY GOD PEOPLE THINK ABOUT IT!! CREATING A TRAFFIC NIGHTMARE IS THAT REALLY WHAT YOU ARE ALL ABOUT???**

Kim Shultz  
Park Village Resident.

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**2 attachments**



**Chik Fil A - Stacking Cars - Folsom.zip**  
4055K



**N - Staff Memo 08-22-18 (Public Comment).pdf**  
107K

10/4/2018

Edcgov.us Mail - Fwd: October 9th Public Comment RE: DR-R18-0001/Saratoga Retail Phase 2

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**From:** Kim S - Camom

**Sent:** Thursday, October 4, 2018 10:59 AM

**To:** john.hidahl@edcgov.us; shiva.frentzen@edcgov.us; brian.veerkamp@edcgov.us;  
michael.ranalli@edcgov.us; sue.novasel@edcgov.us; bosone@edcgov.us; bostwo@edcgov.us;  
bosthree@edcgov.us; bosfour@edcgov.us


**Subject:** October 9th Public Comment RE: DR-R18-0001/Saratoga Retail Phase 2

[Quoted text hidden]

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**2 attachments**

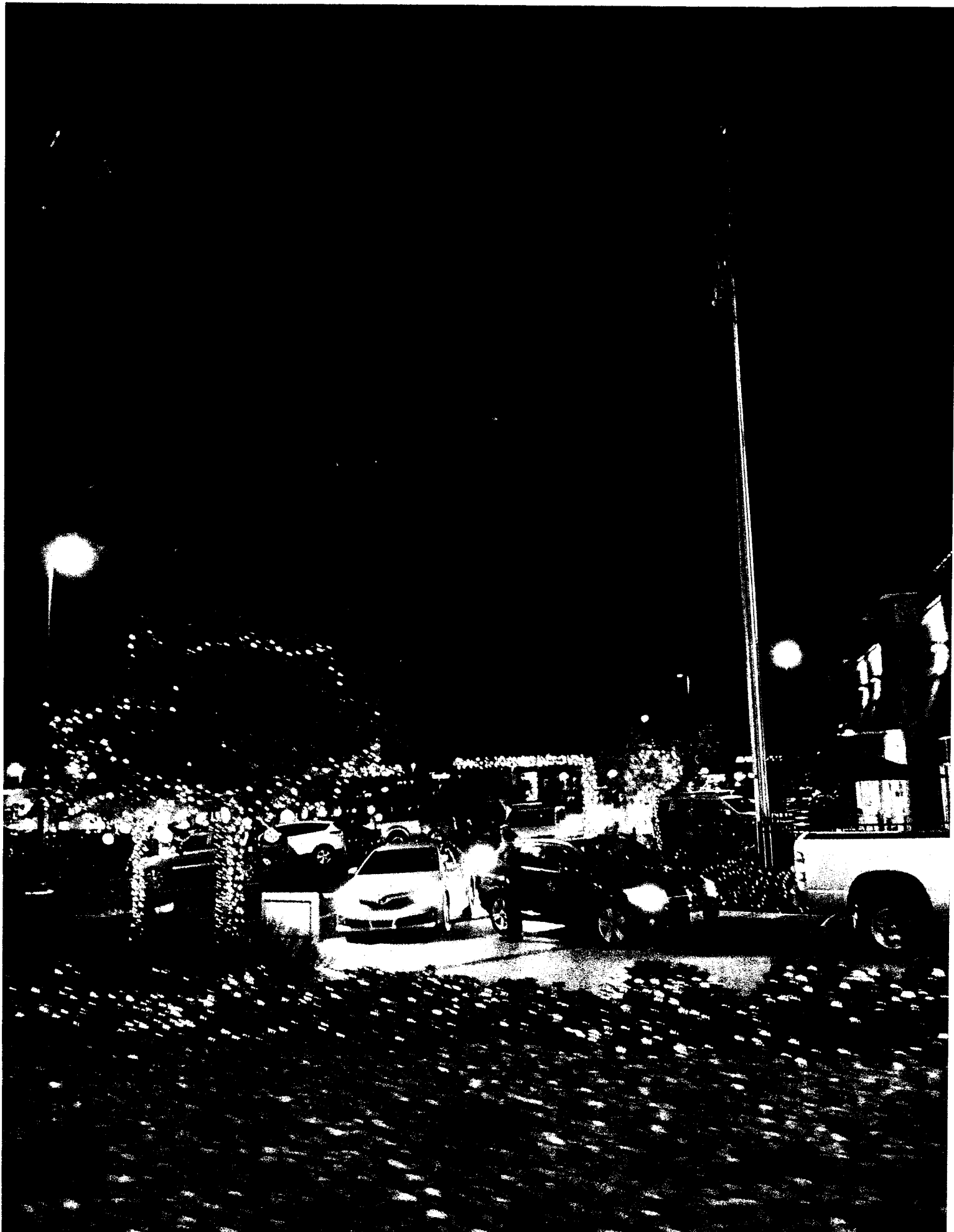
 **Chik Fil A - Stacking Cars - Folsom.zip**  
4055K

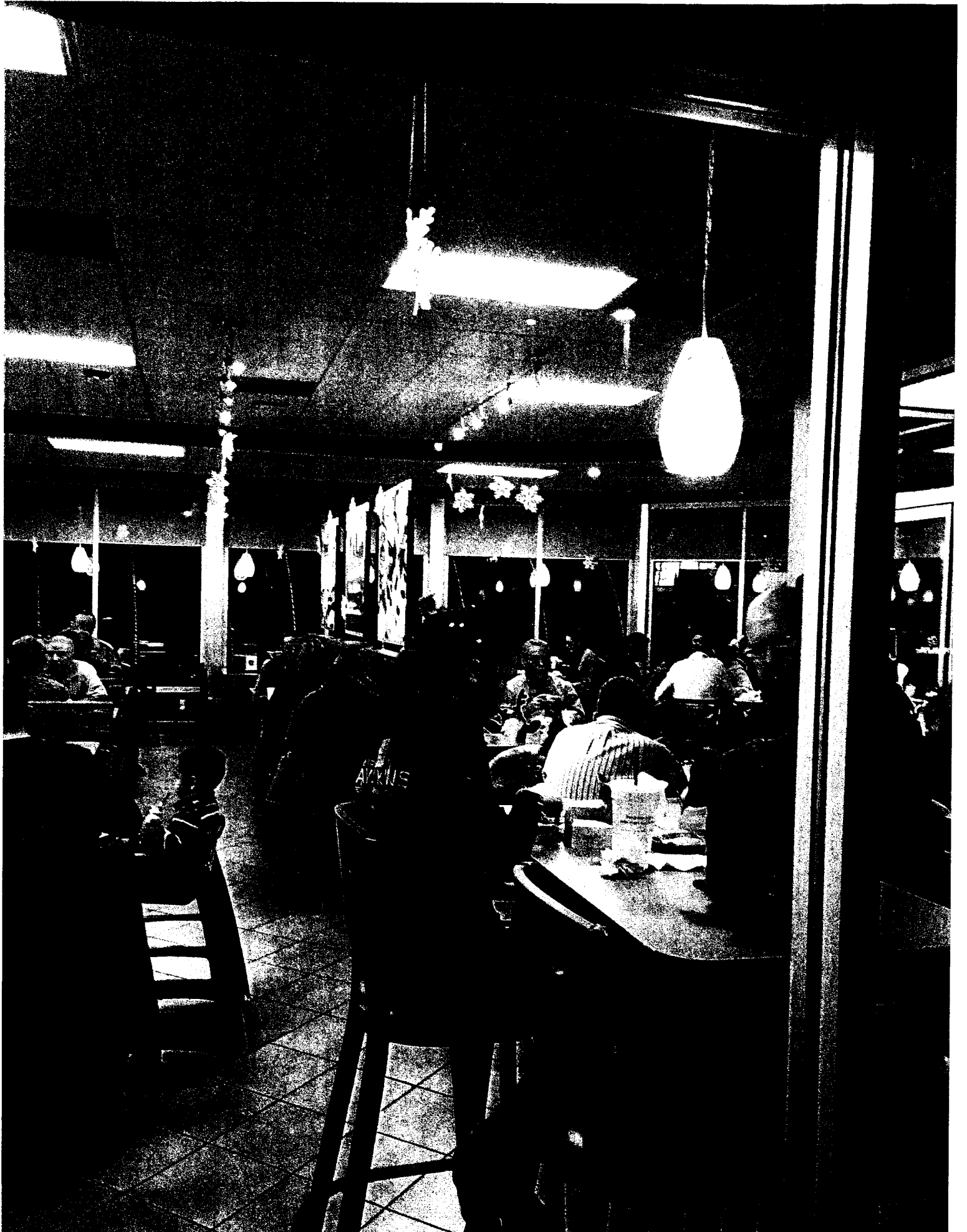
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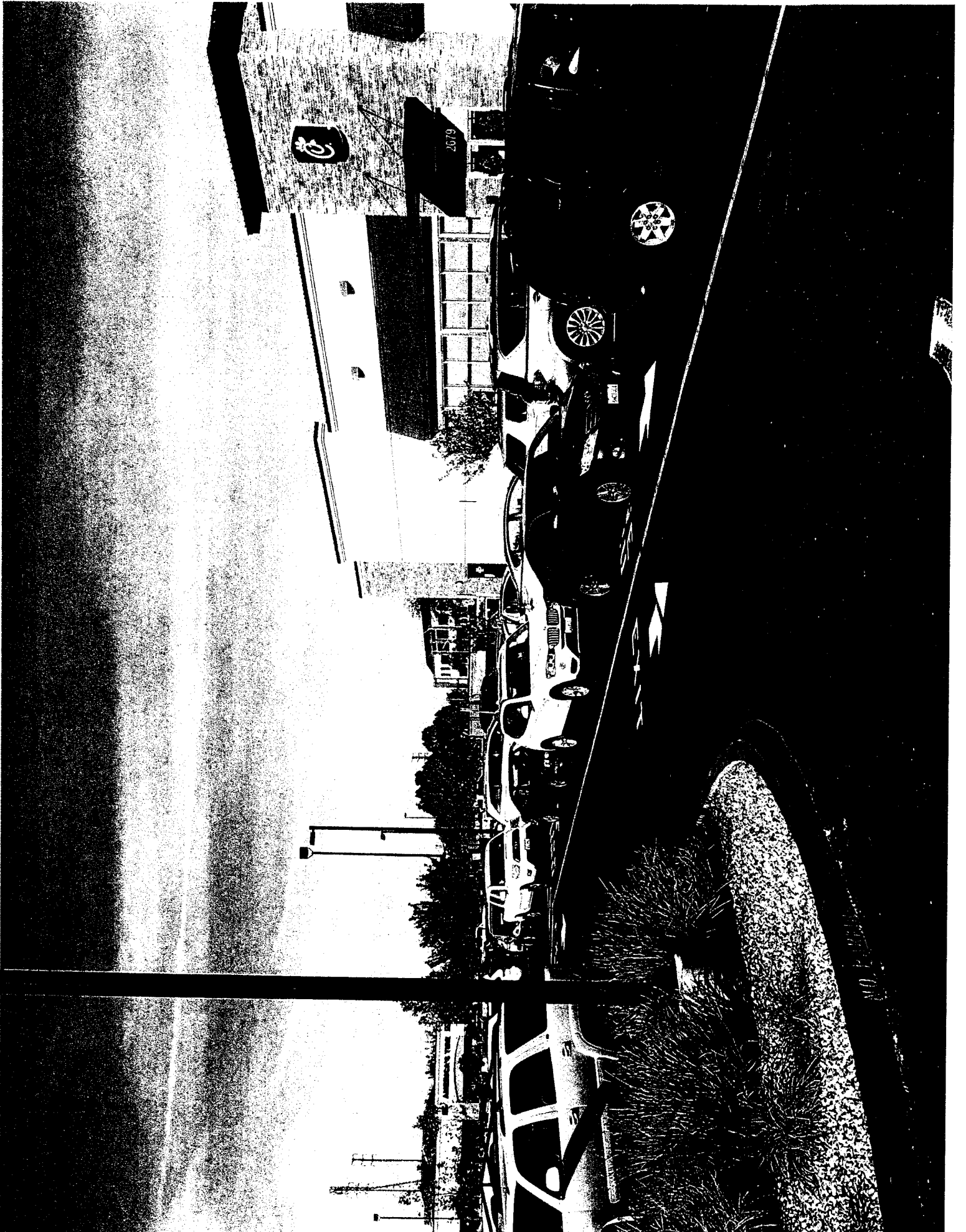


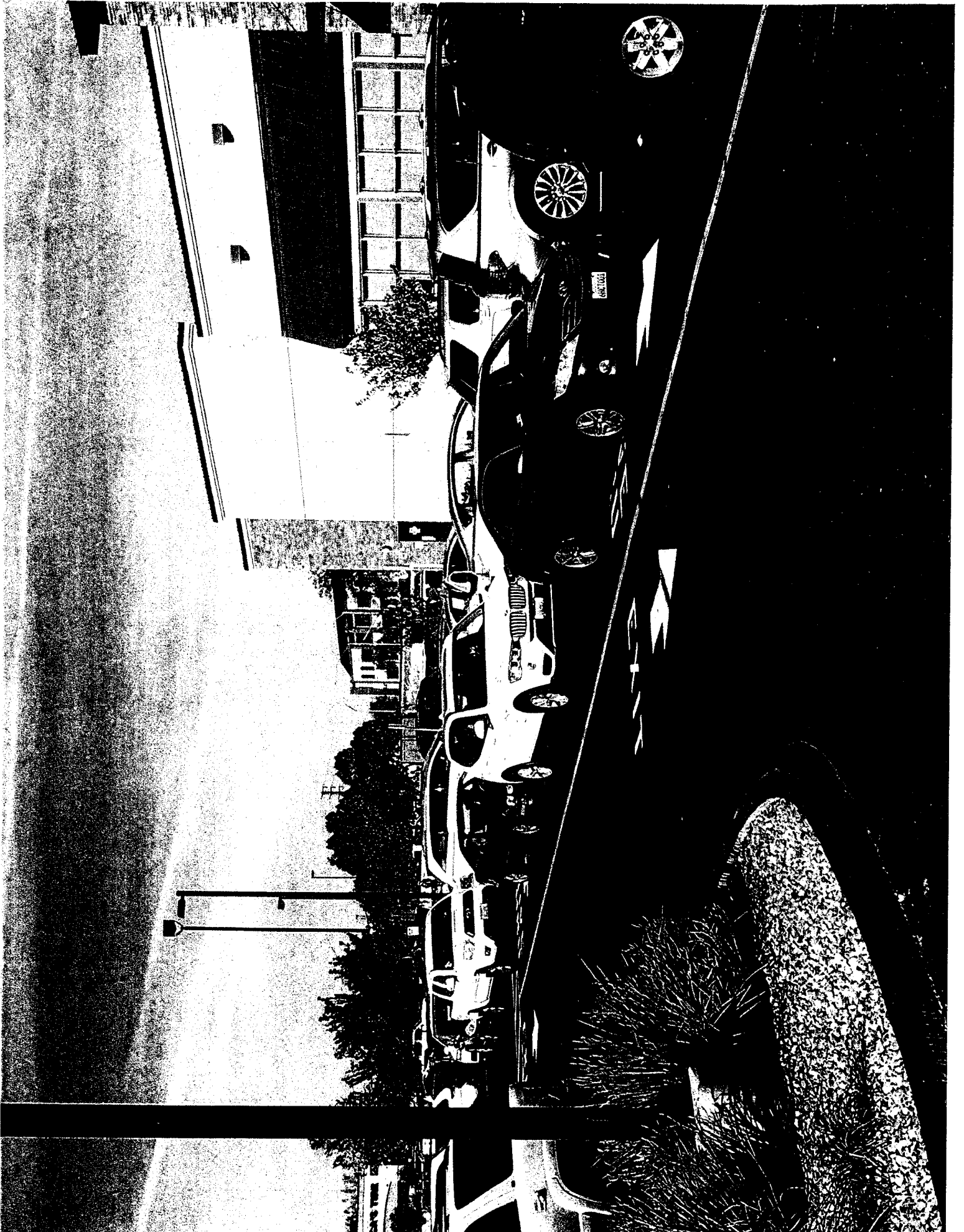














(Distributed at hearing)

# COMMUNITY DEVELOPMENT SERVICES

## PLANNING AND BUILDING DEPARTMENT

PC 8-23-18  
Item #7  
(3 pages)

<http://www.planning.building@edcgov.us>

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**LAKE TAHOE OFFICE:**

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South Lake Tahoe, CA 96150  
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(530) 542-9082 Fax  
[tahoebuild@edcgov.us](mailto:tahoebuild@edcgov.us)

TO: Planning Commission  
FROM: Efren Sanchez, Assistant Planner  
DATE: August 22, 2018  
RE: Public Comments Received; DR-R18-0001/Saratoga Retail Phase 2

Agenda of: August 23, 2018  
Item No.: 7

Discussion:

As of Wednesday August 22, 2018, Planning Staff has received 27 written public comments regarding DR-R18-0001/ Saratoga Retail Phase 2. A Design Review Revision proposing to reduce the square footage by 6,883 square feet, and revise building 3 to include a drive-through aisle to DR08-0003/The Shops at El Dorado Hills, which was approved by the Planning Commission on January 22, 2009. Of the 27 public comments, received 3 comments were in support of the project, while 24 comments were opposed. The 3 positive public comments focused on how the project site is a vacant commercial zoned lot in a convenient location that would benefit the County as a whole, and a 182 signature petition in support of the project was attached.

The 24 public comments that were opposed to the project focused on a variety of topics ranging from drive-thru use, impacts to traffic, noise, air quality, negative impacts to the neighborhood, recreational vehicles, community design standards: drive-thru facilities, "Tourist Serving Facilities," real-estate values, requests for further studies, more mitigation measures, and requests for an EIR. The comments in opposition were ubiquitous; therefore, this memo was crafted to help summarize and sort them. This memo sorts the comments into two types, which include comments within the scope of the design review application and comments outside the scope of the project. Overall, 19 of the 24 public comments in opposition related to the drive-thru use and future tenant.

Only 5 out of the 24 public comments in opposition were within the scope of the Design Review Application. The design review topics discussed included the dimensions of the proposed RV spaces, Community Design Standards: Drive-thru facilities (see Attachment 1), and the Saratoga Retail Supplemental Traffic Analysis.

Many of these comments were responded to in the Staff Report, Findings, Conditions of Approval, or Initial Study Mitigated Negative Declaration. Planning Staff, County Agencies, and the Applicant team are presented and the designated experts who can further respond to public comments and your questions during the public hearing.

We have the following handouts for your review:

Attachment 1: Community Design Standards Analysis for Saratoga Retail Phase 2: DR-R18-0001

**Attachment 1: Community Design Standards Analysis for Saratoga Retail Phase 2/DR-R18-0001**

**H. Drive-through Facilities. Sites containing these facilities shall be in compliance with the following circulation and traffic control standards:**

**1. A drive-through facility shall be located at the rear or side of a commercial structure and not within any front setback area.**

The proposed drive-through facility is located behind building three, which are closest to both the rear and side of the structure and not within any front setback area.

**2. Ingress to and egress from a drive-through facility shall be prohibited from driveway(s) directly facing a residential zone.**

The ingress to the drive-through facility will have vehicles facing El Dorado Hills Boulevard and commercial development across this street. The egress from the drive-through facility will have exiting vehicles facing proposed building 2 and the existing Walgreens. The headlights from the vehicles using the drive-through facility will not be facing residential zones.

**3. A drive-through facility, including stacking areas for vehicles awaiting service, shall be a minimum of 50 feet from the nearest property line of any residentially zoned lot.**

The proposed drive-through entrance for building 3 is approximately 135 feet from the property line of the nearest residential zoned lot and this exceeds the minimum 50 feet prescribed standard. Also, Saratoga Way, road easement, and sound wall act as a buffer within the approximate distance of 135 feet.

**4. Stacking lane(s) shall be physically separated from other traffic circulation on the site by concrete or asphalt curbing. The stacking lane(s) shall accommodate a minimum of four cars per drive-through window in addition to the car receiving service. The lanes shall be a minimum width of ten feet.**

The stacking lanes are behind the restaurant and are separated from the other traffic circulation in the parking lot. The requirements for drive-through queuing spaces are four cars per drive-through window in addition to the car receiving service. Building 3 has the capacity of accommodating the maximum drive-through queue without spillback into the adjacent drive aisle and avoids impeding on-site pedestrian movement. This drive through facility exceeds the queuing standard with queuing space for 15 vehicles. It is worth mentioning that with the 15-vehicle capacity, it exceeds the queuing capacity for comparable drive-throughs in the region, including the queuing capacity of the City of Folsom's Chick-Fil-A drive-through of 13 vehicle max capacity as indicated by the Saratoga Retail Supplemental Traffic Analysis (Staff Report Exhibit Z).

**5. Signage shall be provided to indicate the entrance, exit, and one-way path of drive through lanes in compliance with Chapter 17.37 (Signs).**

The preliminary signage package for building 3 indicates directional signage to help vehicles maneuver the drive-through aisle.

**6. Stacking areas shall not block access to any parking area or space required of a business. Lane striping to separate drive-through traffic from parking areas shall be provided from the nearest point of site access, as feasible, to the stacking lane(s).**

The stacking areas do not block access to any parking areas or space required for business. The proposed drive-through stacking lane has the capacity of accommodating the maximum drive-through queue of 15-vehicles without spillback into the adjacent drive aisle and avoids impeding on-site pedestrian movement.

**7. Where a facility exceeds the standards of Paragraphs 1 through 6 above, and is not located within a development that is subject to a discretionary permit, such as a Conditional Use, Design Review, or Development Plan Permit, a Conditional Use Permit shall be required.**

The facility does not exceed the standards of paragraphs 1 through 6 above and is otherwise subject to a discretionary permit in the form of a Design Review, therefore, the need for a conditional use permit is not required. The application for design review is the sufficient amount of discretionary review needed in making sure that these community design standards are followed. Although the discretionary permit process provides a mechanism for deviations from the standards of Paragraph 1 through 6 above, the Applicant has not requested any exceptions to the subject design standards.

**8. When a drive-through facility requires a Conditional Use Permit or is within a development that is subject to a discretionary permit, the review authority may impose a greater setback than is required under Paragraph 3 above, when it is determined necessary to mitigate impacts from noise, air pollution, lights, or other land use conflicts. The review authority may deny any application for a drive through facility if it finds that the facility will add to the cumulative air quality impacts for a specified pollutant and the County is found to be in non-attainment status of either federal or state air quality standards for that pollutant.**

Although this provision provides authority for the County to impose a greater setback than required under Paragraph 3, the Initial Study: Mitigated Negative Declaration did not reveal information indicating that imposition of a greater setback is necessary to mitigate impacts from noise, air pollution, lights, or other land use conflicts.

**Public Comment: Resubmittal Less than 12 months after a denial is improper**

The decision was made by the Planning Commission to deny without prejudice based on the staff memo that cites zoning ordinance section 130.54.080(A). This zoning ordinance section makes an exception to the 12-month rule, when “new evidence or proof of changed circumstances warrants further consideration.” The submitted application (DR-R18-0001: Saratoga Retail Phase 2) made substantial changes and provides new evidence from the denied project in the areas of design, site plan re-configuration, RV parking, loading, air quality, noise, aesthetics, a new traffic study that analyzed near-term traffic impacts, and public outreach. All of these were changes and new information were in direct response to the staff memo findings for denial outlined at the January 11, 2018 public hearing.



