

## FROM THE PLANNING COMMISSION MINUTES OF FEBRUARY 25, 2016

### AGENDA ITEMS

**5. 15-1409** Hearing to consider a request submitted by Dennis Smith appealing the approval of Design Review DR14-0005-S/Dollar General Georgetown\* to permit a new 9,000 square foot commercial building on property identified by Assessor's Parcel Numbers 061-362-01, 061-362-02, and 061-362-04. The property totals 1.2 acres and is located on the southeast side of Main Street between the intersections with Orleans Street and Harkness Street, in the Georgetown area; and staff recommending the Planning Commission take the following actions: 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; 2) Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines, Section 15074(d), incorporating the Mitigation Measures as presented; and 3) Deny the appeal, thereby upholding the approval of Design Review DR14-0005-S by the Development Services Division Director on October 28, 2015, based on the Findings (Attachment C) and subject to the Conditions of Approval (Attachment D). (Supervisorial District 4) (cont. 01/14/16, Item #2)

Chair Stewart announced that Commissioner Shinault may need to leave early, so requested that any architectural-related issues be addressed first.

County Counsel David Livingston requested the two new Planning Commissioners for District 3 and 4 announce if they have reviewed the item's materials from past hearings and if they felt that they could participate in making a decision on the item. Commissioners Hansen and Williams concurred.

Rob Peters summarized the project's events leading up to today's hearing. He stated that additional public comments had been received, in addition to another response to comments from the applicant. Mr. Peters provided a revised recommendation as stated in the Staff Memo dated February 23, 2016.

Sabrina Teller, applicant's agent, made the following comments:

- Presented 3<sup>rd</sup> design which had substantial input from Commissioner Shinault;
- Spoke on the substantive design changes; and
- New design is still within the historic guidelines.

Commissioner Shinault stated that the applicant had approached him requesting input. He spoke on the architectural design elements that had been addressed.

Commissioner Williams made the following comments:

- Project is located next to an air shaft;
- Downtown Georgetown will shut down certain times of the year for permitted events and questioned if the applicant was ok with that;
- Inquired on if they would be selling alcoholic beverages; and

- If the projected number of jobs created is 8-10, how many of those would be full-time vs part-time.

Ken Presba, 61-year resident, made the following comments:

- Didn't know about the project until he read article in newspaper;
- Deny project;
- Took 3 years for him to do a Boundary Line Adjustment but now this applicant can just merge 3 lots;
- Septic system issues;
- Onsite water issue;
- Air shaft concern;
- Spoke on setback for sewer;
- Too big of a building for a small lot; and
- Bad plan.

Ed Hawkins, resident, made the following comments:

- Comments are on record;
- Staff has done a great job trying to get project to fit in;
- Stormwater system and septic system concerns;
- Site needs an Environmental Impact Report;
- Negative Declarations allow applicants to determine what is or isn't a significant impact; and
- Stated he had a short video on stormwater available for viewing.

Cheryl Langley distributed a handout to the Commission and read it into the record.

Laurel Brent-Bumb, El Dorado County Chamber of Commerce, made the following comments:

- Supports project;
- Met with applicant on several occasions and they appear to be very willing to work together on this;
- Economic development is an advantage for the community; and
- Change is scary for most people.

Sean McDougall stated his background is environmental protection. He said that the size of the building is too huge for a small historic town and spoke on the size of the existing buildings that would be nearby.

Dave Souza made the following comments:

- Provided pictures of Georgetown in 1945;
- Area has historical significance;
- An Environmental Impact Report is needed;
- Requested denial of project and let the Board of Supervisors decide; and
- Put it somewhere else besides Main Street.

Dennis Smith made the following comments:

- Is directly across the street;
- Provided 3 photos of the street crossing area;
- Original appeal was for the safety issues of crossing the street and issue is still not addressed;
- Logging trucks will soon be coming through the downtown area;
- Is a retired Forest Service mineral specialist and spoke on the air shaft;
- Spoke on the aquatic species located in the wetlands;
- ABC law restricts the sale of alcoholic beverages near parks and residences, which this site is located by;
- Main Street is closed 7 times a year and would impact this business; and
- Environmental Impact Report needs to be done to address the concerns.

Leon Alevantis made the following comments:

- Lives across the street from project;
- Issue is the business that is coming to a historic downtown area;
- Box store will take away from the historic area;
- Project will affect the surrounding buildings that may change from residences to commercial, which is what he would consider for his house; and
- Drainage, septic and design need to be looked at.

Chair Stewart closed public comment.

Ms. Teller made the following rebuttal comments:

- Spoke on the wetlands;
- Area is zoned Commercial;
- Project is consistent with County size standards; and
- Would appreciate a vote today.

Fred Sanford/Environmental Management made the following comments:

- Proposed septic system is a concept and that needs to be clear as the system would have to be approved;
- Spoke on the proposed system, which is acceptable to County and State;
- Spoke on the design of the stormwater holding area; and
- Spoke on the required monitoring of the system.

Dave Speigelberg/Transportation spoke on the conceptual design for drainage and stormwater. In response to Chair Stewart's inquiry on the Irrevocable Offer of Dedication, Mr. Speigelberg explained that the intent was to clean up the title to that issue. County Counsel Livingston stated that Condition #14 referenced this.

In response to Commissioner Williams' statement that traffic was not being mitigated, Mr. Speigelberg stated that "mitigation" was the wrong word as they recognize the need for pedestrian services but the width is consistent with County standards.

Mr. Peters read from the ABC's Frequently Asked Questions webpage in response to public comment on restrictions for sale of alcoholic beverages.

Commissioner Williams made the following comments:

- Voiced concern that the Wetland Delineation Report was done in December 2014, which was before the Governor declared a state of emergency due to drought conditions and perhaps the results are now inaccurate;
- Parcel has a lot of environmental challenges and inquired if the applicant would be open to performing further studies;
- Inquired if a Focused Environmental Impact Report would be feasible; and
- Spoke on the air shaft that had water in it.

There was no further discussion.

**Motion: Commissioner Miller moved, seconded by Commissioner Shinault, and carried (4-1), to take the following actions: 1) Adopt the Mitigated Negative Declaration based on the Initial Study prepared by staff; 2) Adopt the Mitigation Monitoring Program in accordance with CEQA Guidelines, Section 15074(d), incorporating the Mitigation Measures as presented; and 3) Deny the appeal, thereby upholding the approval of Design Review DR14-0005-S by the Development Services Division Director on October 28, 2015, based on the Findings and subject to the Conditions of Approval as modified: (a) Include amendments identified in the Staff Memo dated February 23, 2015.**

**AYES: Hansen, Shinault, Miller, Stewart**

**NOES: Williams**

This action is appealable to the Board of Supervisors with 10 business days.