

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



Date: December 8, 2021
Staff: Matthew Aselage

DESIGN REVIEW PERMIT

FILE NUMBER: DR20-0009/The Bean Barn

APPLICANT: Angela Copeland

PROPERTY OWNER: Wayne Swart

REQUEST: Design Review Permit for the proposed construction and operation of a 360-square-foot commercial building with standard site improvements for the operation of a drive-thru coffee shop.

LOCATION: The Southeast corner of the intersection between Cameron Park Drive and Mira Loma Drive in the Cameron Park area, Supervisorial District 4 (Exhibit A).

APN: 083-132-001 (Exhibit B)

ACREAGE: 0.61-acre

GENERAL PLAN: Commercial (C) (Exhibit C)

ZONING: Limited Commercial (CL), Community/Design Review, Community (CL-DC) (Exhibit D)

ENVIRONMENTAL DOCUMENT: This project has been found to be Categorical Exempt pursuant to Section 15303, New Construction or Conversion of Small Structures, of the California Environmental Quality Act (CEQA) Guidelines.

RECOMMENDATION: Staff recommends the Planning Director take the following actions:

1. Find the project to be Categorical Exempt pursuant to Section 15303, New Construction or Conversion of Small Structures, of CEQA.
2. Approve Design Review Permit DR20-0009, based on the Findings and subject to the Conditions of Approval as presented.

EXECUTIVE SUMMARY

Approval of this Design Review Permit would allow the construction of a 360-square-foot commercial structure to be used as a drive-thru coffee shop on a currently vacant commercial property. The site is adjacent to commercially developed properties to the south, east and west with undeveloped commercially zoned parcels to the north. The coffee shop structure will be a rectangular building only accessible by employees. The proposed structure will be constructed on the southern portion of the property alongside drive-thru and parking lot improvements. New landscaping is proposed around the southern and western perimeter of the proposed pavement and continuing around the eastern property line to screen a garbage and storage enclosure. No additional landscaping is proposed along the northeastern property lines due to currently existing large oak trees. No protected or rare plant species will be removed or impacted as a result of this project. There will be grading associated with this project which is expected to result in 33-cubic-yards of fill and 516-cubic-yards cut for a total of 483-cubic-yards of soil exported from the site. The project proposes connection to public utility service including El Dorado Irrigation District (EID) for water and sanitation and PG&E for electric service. This project, as proposed, is consistent with all applicable development standards and General Plan policies.

EXISTING CONDITIONS/SITE CHARACTERISTICS

The 0.61-acre site is a corner lot located on the southeast corner of Cameron Park Drive and Mira Loma Drive, in the Cameron Park area. The site is bordered on all sides by Commercially Zoned parcels including vacant parcels across Mira Loma Drive. The site has been previously graded, leaving a narrow band of vegetation five to ten-feet wide along the eastern property boundary and a 30-inch diameter-at-breast-height (dbh) valley oak near the northern border of the site. The eastern property boundary is on average over ten-feet higher than the center of the site, which is consistent with the adjacent property to the south, both as a result of the parcel having been previously levelled. To help support the higher ground south of the property and to keep it from slumping into the property of concern, the western half of the southern site boundary is shored up with a block retaining wall and the northern half with a wood retaining wall. The site is within the El Dorado County Rare Plant Mitigation Area One, which may include areas of gabbro soils that may support Pine Hill plants. None of the eight Pine Hill plant species were found on site (Exhibit E).

PROJECT DESCRIPTION

The application is a request for a Design Review Permit for the construction of a 360-square-foot commercial structure to be used as a drive-thru coffee shop on a currently vacant commercial property. The coffee shop will be open for business between the hours of 5am to 7pm Monday through Friday, 6am to 7pm on Saturdays, and 7am to 7pm on Sundays. There will be up to two employees working within the facility at any given time. The coffee shop structure will be a rectangular building to include brown lap siding, white trim board, and tan board and batten siding on all sides of the exterior. There will be a metal canopy installed above the drive-thru window on the western elevation of the coffee shop structure. On both sides of the drive-thru window, there will be either a company art piece or a menu board. Entry to the coffee shop structure is along the northern elevation.

The proposed structure will be constructed on the southern portion of the property alongside drive-thru and parking lot improvements. The drive-thru will be constructed to reasonably handle seven stacked cars. Proposed parking includes ten parking stalls, of which one is Americans with Disabilities Act (ADA) compliant. Included within the parking lot is a 400-square-foot loading area. This loading area is located on the north corner of the coffee shop structure. An additional 116-square-foot storage shed will be situated next to the enclosed garbage collection dumpster. This storage shed will be finished to match the drive-thru coffee shop structure. New landscaping is proposed around the southern and western perimeter of the proposed pavement and continuing around the eastern property line to screen a garbage and storage enclosure. Landscaping will make use of low and very low water usage plants including Western Redbud and Catawba Crape Myrtle trees and five species of shrubs interspersed between the tree plantings. No new landscaping is proposed along the northern property boundary due to the existing large oak trees which provide natural screening of the site.

No protected plant species will be removed or impacted as a result of this project. Further, none of the trees on site are expected to be impacted by the proposed developments. There will be grading associated with this project which is expected to result in 33-cubic-yards of fill and 516-cubic-yards cut for a total of 483-cubic-yards of soil exported from the site. Site grading includes the development of an eight-inch retaining wall which wraps around the eastern corner of the site.

An existing concrete drainage ditch runs along the southwestern lot line adjacent to Cameron Park Drive. A 25-linear-foot concrete lined ditch will be constructed at the western corner of the site to connect the parking lot drainage flows to the existing concrete drainage ditch. There is an additional existing drainage ditch existing along the northwestern lot line adjacent to Missouri Flat Road. The driveway encroachment at the northern corner of the site proposes a 40-linear-foot drainage trench to maintain current drainage flows after site development. The project proposes to connect to public utilities including EID for water and sanitation and PG&E for electric service. The eastern corner of the site may be part of a future commercial development proposal. If future development will occur on site, a Design Review Revision application will be required to review all potential impacts associated with any future development.

The project has been conditioned to pay into a deferred frontage agreement for the fair-share cost of future frontage improvements along Cameron Park Drive and Mira Loma Drive. This agreement will be created between the project proponent and County's Department of Transportation (DOT), and must be agreed to and approved by DOT prior to building permit approval.

STAFF ANALYSIS

Staff has reviewed the project for compliance with the County's regulations and requirements. An analysis of the proposal and issues are provided in the following sections.

There are no outstanding project specific issues for the proposed project that have not been adequately analyzed below.

GENERAL PLAN

The project is consistent with all applicable General Plan policies including policy 2.2.1.2 (Commercial Land Use Designation), Policy 2.2.5.2 (General Plan Consistency), Policy 2.2.5.21 (Compatibility with Adjoining Land Uses), Policy 5.1.2.1 (Adequacy of Public Services and Utilities), Policy 5.2.1.2 (Adequate Quantity and Quality of Water for all Uses, Including Fire Protection), Policy 6.2.3.2 (Adequate Access for Emergencies), Policy 7.4.4.4 (Oak Resources Impacts), TC-Xa (Indefinite Transportation and Circulation Policies), Policy TC-Xb (Available Roadway Capacity), Policy TC-Xc (Developer Traffic Impact Fees), Policy TC-Xd (Level of Service), Policy TC-Xe (Impact of Increased Project Trips), Policy TC-Xf (Conditions for Worsened Circulation Impacts), Policy TC-Xh (Traffic Impact Fees), and Policy TC-Xi (U.S. Highway 50 Capacity). Additional discussion is provided in the Findings below.

ZONING

The project site is zoned Limited Commercial-Design Review, Community (CL-DC). Section 130.22.010 states that the CL Zone designates areas suitable for lower intensity retail sales, office and service needs of the surrounding area while minimizing conflicts with the residential uses and outside traffic into the area. The proposed drive-thru coffee shop use is permitted by right within the CL Zone. The DC Combining Zone requires that a Design Review Permit be approved prior to development.

Section 130.22.030 of the Zoning Ordinance establishes development standards for projects within the Limited Commercial (CL) Zone, including use, setbacks, maximum building height, and development density. As proposed, the project would be consistent with the development standards of the CL Zone District.

STAFF ANALYSIS CONCLUSION

Planning Staff has analyzed the proposed Design Review Permit and determined it to be consistent with the General Plan policies, Zoning Ordinance codes, with the Final Findings and Conditions of Approval (COA) as discussed below.

Furthermore, the project is consistent with the El Dorado County Community Design Guide adopted by the Board of Supervisors on April 24, 2018 by Resolution 071-2018, in accordance with Section 130.27.050.F of the Zoning Ordinance.

AGENCY/PUBLIC COMMENTS

The project was distributed to and reviewed by the El Dorado County Air Quality Management District, the Cameron Park Airport, DOT, El Dorado County Environmental Management Department (EMD), El Dorado County Storm Water Division, Surveyor's Office, EID, Pacific Gas & Electric, and the Cameron Park Design Review Committee (CPDRC). Comments were received from each of the agencies listed above- with the exception of EID- which have been incorporated into the conditions of approval below.

El Dorado County Air Quality Management District

Comments were received on February 24, 2021. Standard conditions concerning fugitive dust, paving, painting/coating, open burning, construction emissions, new point source(s), portable equipment, and non-residential electrical vehicle charging. These comments have been incorporated into the project as found in the COA's below.

Cameron Park Airport

Comments were received on February 17, 2021. Standard conditions concerning obstruction heights, temporary obstructions, solar glare, and an avigation easement have been included in the COA's below. Additionally, it was suggested, but not required to construct a crosswalk across Cameron Park Drive at the south end of Cameron Park Drive and Mira Loma Drive has been included in the COA's below.

El Dorado County Department of Transportation

Comments were received on March 4, 2021. Standard conditions concerning consistency with county codes and standards, storm water management, geotechnical reports, water quality stamp, regulatory permits and documents, and electronic documentation have been incorporated into the COA section below. Additional project specific comments including the waiver of direct access rights to Cameron Park Drive and entering into a deferred frontage improvement agreement for improvements along Cameron Park Drive and Mira Loma Drive. Both of these project specific conditions have been incorporated into the COA section below.

El Dorado County Environmental Management Department

Comments were received on March 4, 2021. The project will be required to submit a service request to EMD prior to construction permit approval. Standard conditions concerning the California Retail Food Code, annual health permits, and non-residential recycling have been applied to this project as found in the COA section below.

El Dorado County Storm Water Division

Comments were received on February 23, 2021. A standard condition concerning the State of California Phase II MS4 Permit and the county's post construction water quality requirements has been incorporated into the COA section below.

El Dorado County Surveyor's Office

Comments were received on March 8, 2021. Standard conditions concerning project addressing a replacement of monumentation bonds have been incorporated into the COA section below.

Pacific Gas & Electric

Comments were received on March 5, 2021. PG&E confirmed that no PG&E facilities or easement rights will be impacted by this project. No conditions have been applied per PG&E.

Cameron Park Design Review Committee

The project is located within the jurisdiction of the CPDRC, which requires review of the project per the El Dorado County Community Design Guide adopted by the Board of Supervisors on April 24, 2018 by resolution 071-2018, in accordance with Section 130.27.050.F of the Zoning Ordinance. The CPDRC considered the project during its February 22, 2021 meeting. During their review, the CPDRC provided comments regarding improving the aesthetic appearance of the proposed storage structure and trash enclosure, improvements to the landscaping plan, and the provision of additional information for review including a sign plan and color board. The CPDRC found that both the primary structure and the storage structure be of similar design, with earth-tone colors and brick or other natural materials used around the base of the buildings, as a wainscot, to be more in keeping with a rural setting and nearby commercial structures. It is recommended to combine the shed and trash enclosure to reduce a “disjointed” appearance of the project. Additionally, landscaping along property lines should be at least ten-feet in depth and cover all portions of the property where not needed for structures, parking, and vehicular access ways. Landscaping, such as shrubs that grow to about four-feet high, should be installed along Cameron Park Drive to shield vehicles queueing to get coffee. In addition, trees should be planted along Cameron Park Drive and Mira Loma as well as within the interior of the project. Any exterior lighting must be adequate to illuminate the property while not exceeding 20-feet in height to minimize glare onto adjacent properties. Landscaped end caps should be installed to separate parking from the travel ways. Additional improvements discussed include the suggested provision of public seating space rather than paving for a potential future commercial structure and clarity on roof mounted equipment and exterior lighting development standards. In response, the applicant ensured there will be no roof mounted equipment. Further, the applicant stated that the storage structure will be designed in the same style as the trash enclosure and will be sited to appear as one structure with the trash enclosure. However, the applicant wants to keep the northeastern corner of the site available for a potential future additional commercial space. Several CPDRC comments have been included as conditions to the project, as provided in the COA section below (Exhibit J).

PUBLIC NOTICE

Pending Director Approval of this Design Review Permit, Notice of Decision letters regarding this project shall be distributed to all adjacent property owners in accordance with the procedures set forth in Zoning Ordinance Section 130.50.040 B. – Staff Level Review with Public Notice.

ENVIRONMENTAL REVIEW

The proposed project will not have a substantial impact on the environment. This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to section 15303, New Construction of Small Structures. This section states that Class Three consists, “of

construction and location of limited numbers of new, small facilities or structures including, but not limited to: “(c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500-square-feet in floor area.” Approval of the Design Review Permit would allow for the construction of a new 360-square-foot, single story barn structure to be used a drive-thru only coffee shop on a site which is currently vacant in the Cameron Park Community Area. This development falls within the classification of being a similar structure to the food and beverage retail sales and the drive-through facility usage. This structure is not a typical restaurant in that the only commodity served at this location will be coffee and small pastries; however, this use is similar to a restaurant in its impact to the site. As proposed, the structure is eligible for this exemption.

Pursuant to Resolution No. 240-93, a \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption. The filing of the Notice of Exemption is optional; however, not filing the Notice extends the statute of limitations for legal challenges to the project from 30-days to 180-days.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings

Conditions of Approval

Exhibit A	Location/Vicinity Map
Exhibit B	Assessor’s Parcel Map
Exhibit C	General Plan Land Use Designation Map
Exhibit D	Zoning Map
Exhibit E	Existing Site Aerial Map
Exhibit F.....	Site Plan
Exhibit G	Grading and Drainage Plan
Exhibit H.....	Exterior Elevations and Interior Floor Plans
Exhibit I	Stacking Lane Site Plan
Exhibit J	Cameron Park Design Review Committee Comments