

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



Agenda of: June 14, 2012

Item No.: 10

Staff: Aaron Mount

SPECIAL USE PERMIT/PLANNED DEVELOPMENT REVISION

FILE NUMBER: S07-0011-R/PD95-0016-R-4/Kniesel Auto Collision Center

APPLICANT: Kniesel's Auto Collision Centers, Inc.

ENGINEER: Carlton Engineering Inc.

OWNER: Kniesels Properties 3, LLC

REQUEST: Revision to approved Special Use Permit and Development Plan to remove Condition 8 requiring curb, gutter, and sidewalk on Crosswood Drive.

LOCATION: On the north side of Wild Chaparral Drive, approximately ¼ mile west of the intersection with Ponderosa Road, in the Shingle Springs area, Supervisorial District 4. (Exhibit A)

APN: 070-280-64 (Exhibit B)

ACREAGE: 3 acres

GENERAL PLAN: Commercial (C)

ZONING: Commercial-Planned Development (C-PD)

ENVIRONMENTAL DOCUMENT: Previous Negative Declaration pursuant to Section 15162(b) of the CEQA Guidelines.

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

1. Find the project revision is covered by the scope of the previous Negative Declaration and pursuant to Section 15162(b) of the CEQA Guidelines, no further documentation is necessary; and
2. Deny the request to modify Condition 8, but approve the modified Conditions of Approval for Special Use Permit S07-0011-R and Development Plan PD95-0016-R-4 as revised by staff and listed in Attachment 1, based on the Findings listed in Attachment 2.

BACKGROUND: The project site is located within the Shingle Springs Community Region US Highway 50 corridor. The existing 18,320 square foot commercial structure was approved by the Board of Supervisors on April 16, 1996 under application PD95-0016. The current auto collision center was approved by the Board of Supervisors on September 15, 2009 under applications S07-0011 and PD95-0016-R-3. The applications were previously denied by the BOS on April 22, 2008, however the decision was overturned by the courts (Case No. PC20080259) and remanded the applications back to the BOS for reconsideration.

Building permit number 186344, for the conversion of the structure from a sports complex to an auto collision center, was finalized on April 16, 2012.

STAFF ANALYSIS

Condition Modification: The applicant is preparing to open the auto collision business and is working to complete the Conditions of Approval. Through this process, the applicant has determined that Condition 8 would not be possible due to an economic hardship. Condition 8 states the following:

The applicant shall construct a six (6)-foot wide concrete sidewalk and Type 2 vertical curb and gutter along the entire on-site portion of Crosswood Drive and connect to the existing curb, gutter, and sidewalk along Wild Chaparral Drive according to Design and Improvement Standards Manual (DISM), Standard Plan 110. All curb returns, at pedestrian crossing, shall include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp. The applicant shall be subject to an encroachment permit, as determined by the DOT, and these improvements shall be completed prior to occupancy of this project.

The applicant has stated that the project estimate for the new sidewalk, curb, and gutter would be between \$40,000 and \$45,000, therefore they are requesting that Condition 8 should be removed (Exhibit D).

The Department of Transportation's response is as follows (Exhibit E):

The project was conditioned in accordance with the DISM Standard Plan 101A and 101B that require sidewalks along the frontage of commercial properties and within Community Regions regardless of whether the project is on a public or private roadway. DOT reduced the sidewalk width from 8-feet down to 6-feet to match the existing sidewalk width along the frontage. The parcel due west also has 6-foot sidewalk along the frontage of Wild Chaparral Drive and Crosswood Drive. This project has been conditioned with the same improvements as the neighboring parcel.

Analyzing the most recent bid summaries, DOT has estimated the improvement costs at:

6' Sidewalk:

(345 feet)(6.0 feet)(\$7.00/square-foot)	=	\$14,490.42
Vertical Curb & Gutter		
(345 feet)(\$10.00/linear-foot)	=	<u>3,450.10</u>
		\$17,940.52

General Plan: The following General Plan policies apply to this project, as it relates to pedestrian access:

General Plan Policy Tc-4i requires that within Community Regions and Rural Centers, all development shall include pedestrian/bike paths connecting to adjacent development and to schools, parks, commercial areas and other facilities where feasible.

General Plan Policy Tc-5b requires that in commercial and research and development subdivisions, curbs and sidewalks shall be required on all roads.

Discussion

General Plan Policies Tc-4i and Tc-5b are mandatory and specific policies requiring pedestrian circulation and infrastructure for all development within Community Regions and commercial and industrial development.

Conclusion

Condition of Approval 8 requiring construction of curb, gutter, and sidewalk along Crosswood Drive was applied to the project in accordance with the General Plan and the Design Improvements Standards Manual. The condition was approved by the Planning Commission and the Board of Supervisors at multiple hearings. Planning recommends that Condition 8 be retained as written and approved.

Other Recommended Condition Modifications:

Staff and the applicant have also identified other corrections to be made to Conditions 1 and 4 related to a revision of the project's building permit. A covered outside parts storage area was proposed by the applicant and approved as part of the project, but is not currently required for the business. The Commercial zone district does not allow outside uncovered storage and the applicant intends to store all parts and materials in the structure for compliance with the zone district and security. These are shown in ~~strikeout~~ and underline in Attachment 1.

ENVIRONMENTAL REVIEW

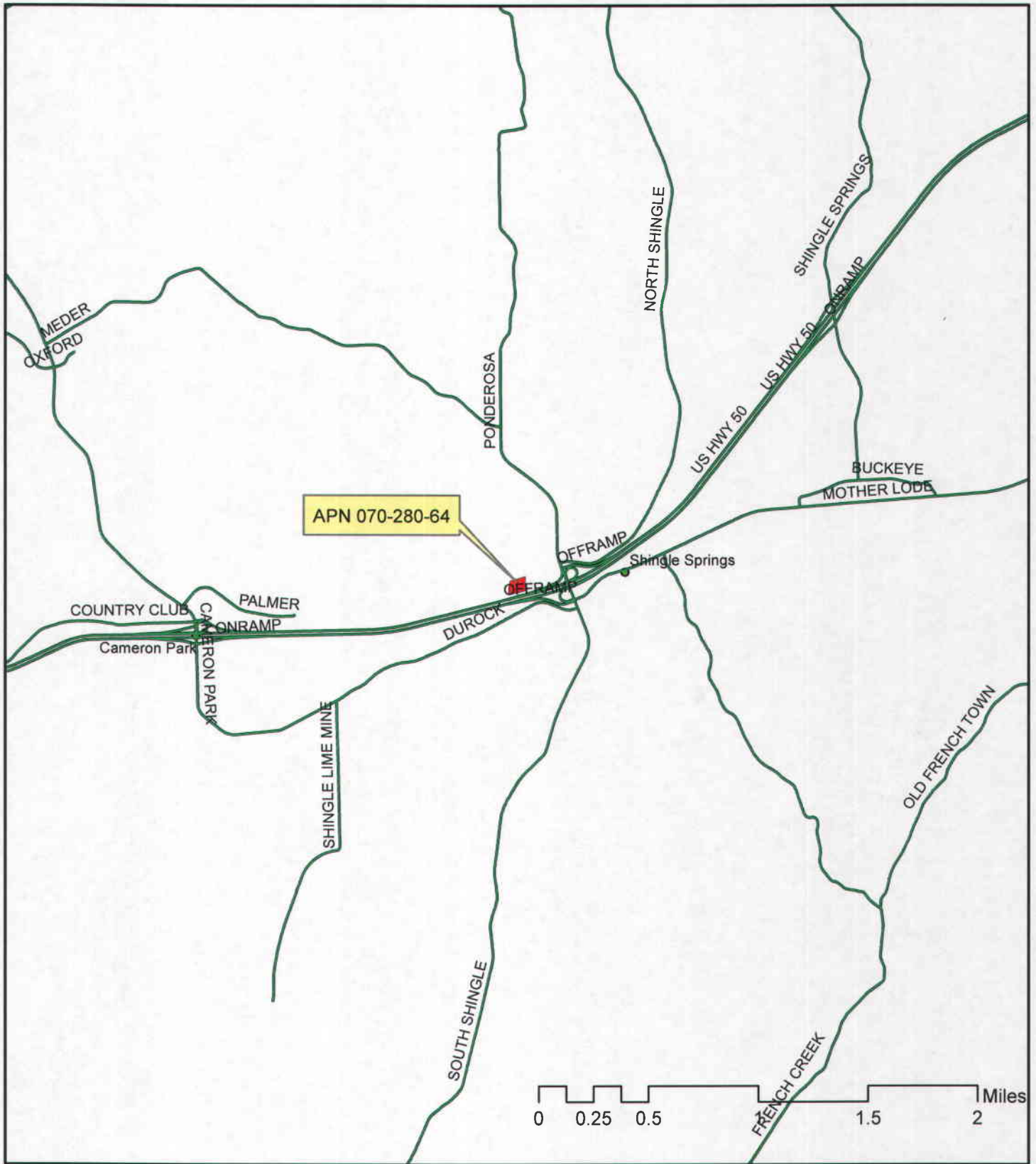
Staff has determined that the project revision is covered by the scope of the previous Negative Declaration prepared for S07-0011/PD95-0016-R-3 and pursuant to Section 15162(b) of the CEQA Guidelines, no further documentation is necessary.

SUPPORT INFORMATION

Attachments to Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Location Map
Exhibit B	Assessor's Parcel Map
Exhibit C	Site Plan
Exhibit D	Applicant Letter; February 5, 2012
Exhibit E	Department of Transportation Memo; March 3, 2012

Exhibit A: Location Map

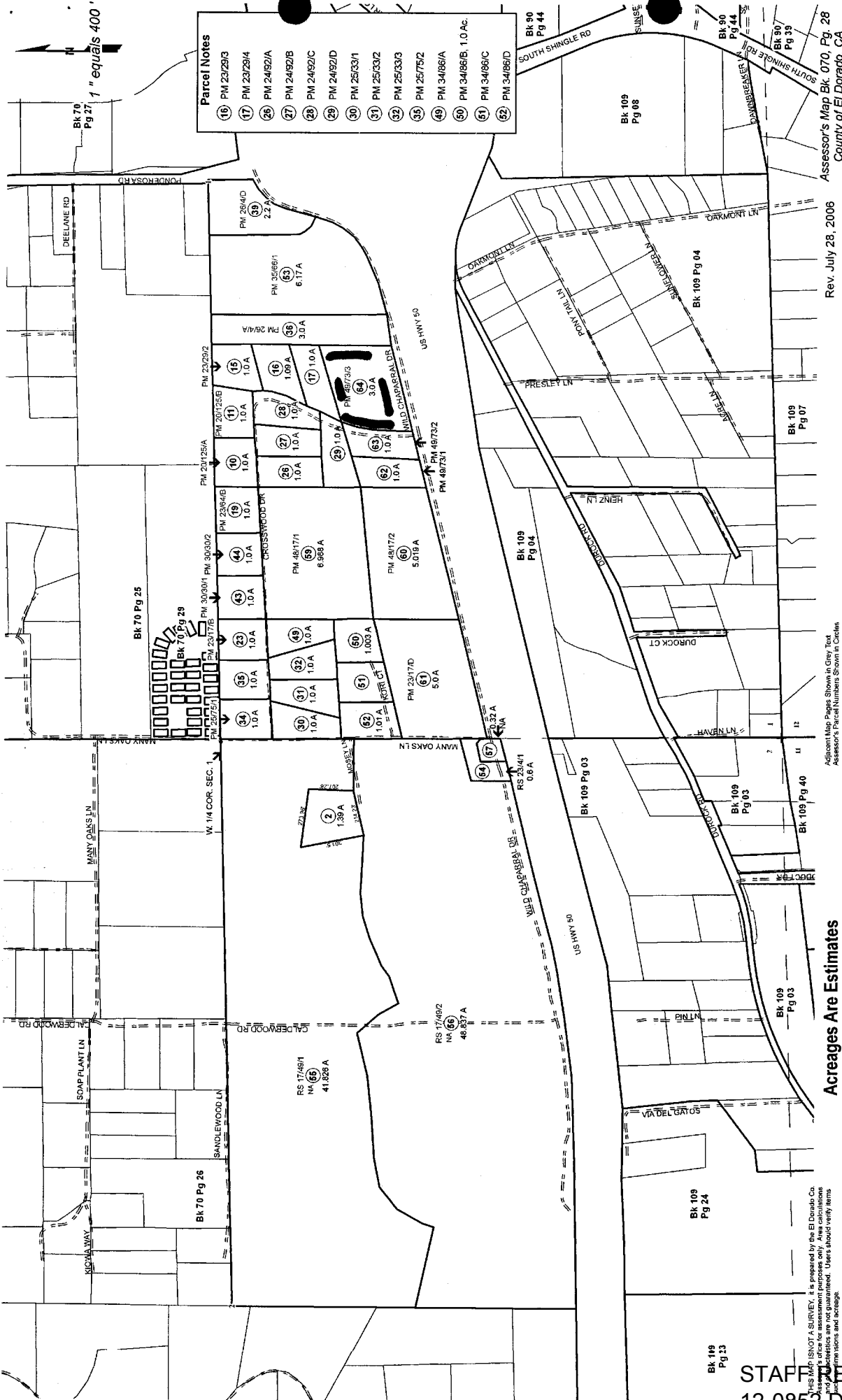


- prclbase selection
- majrds
- PLACENAMES
- major_roads



S07-0011-R/PD95-0016-R-4
Kniesel's Auto Collision Centers, Inc.
Prepared By Aaron Mount

1" equals 400'



Parcel Notes

15	PM 23293
17	PM 23294
26	PM 2492/A
27	PM 2492/B
28	PM 2492/C
29	PM 2492/D
30	PM 2533/1
31	PM 2533/2
32	PM 2533/3
35	PM 2575/2
48	PM 3486/A
50	PM 3486/B, 1.0 AC.
51	PM 3486/C
52	PM 3486/D

Rev. July 28, 2006

Adjacent Map Pages Shown in Gray Text
Assessor's Parcel Numbers Shown in Circles

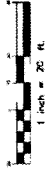
Acresages Are Estimates

THIS MAP IS NOT A SURVEY. It is prepared by the El Dorado Co. Assessor's Office for informational purposes only. Area calculations and acreages are not guaranteed. Users should verify terms and conditions and acreage.

Preliminary Site Plan

Kaiser's Office Collection Center *Jeffrey-01-07*
 BEING PARCEL D OF P.A. 20-205, A
 PORTION OF S.W. 1/4 OF SECTION 1,
 T. 9 N., R. 9 E., M. 24
 COUNTY OF EL DORADO, STATE OF CALIFORNIA
 SHEET 1 OF 1

DATE PREPARED: MARCH 2007
 CARLTON ENGINEERING INC.
 1001 W. 10TH STREET, SUITE 100, DENVER, CO 80202



BASIS OF BEARINGS
 THE BEARINGS OF THIS SURVEY IS IDENTICAL TO THE MESSIAH OF P.A.
 20-205 AS DETERMINED BY FOUND MONUMENTS.

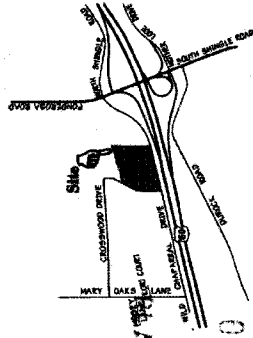
REFERENCES
 PARCEL D P.A. 20-205
 PARCEL A P.A. 20-205

ASSESSOR'S PARCEL NUMBERS
 P.A. 20-205

SURVEYOR'S STATEMENT
 THIS PLAN IS BASED UPON THE PARCEL MAP FILED IN BOOK
 2004-2005-41

ABBREVIATIONS
 CMF CONCRETE METAL PIPE
 EFW ELECTRICAL FEED W/OUT
 FWH FLOOR W/OUT
 FWHI FLOOR W/OUT INSULATION
 FWHI FLOOR W/OUT INSULATION
 FWHI FLOOR W/OUT INSULATION
 FWHI FLOOR W/OUT INSULATION
 FWHI FLOOR W/OUT INSULATION
 FWHI FLOOR W/OUT INSULATION

VICINITY MAP



DAVISLAR
 PARCEL A
 P.A. 20-205-4
 DOC # 2005-2005-7

PARKING TABULATION

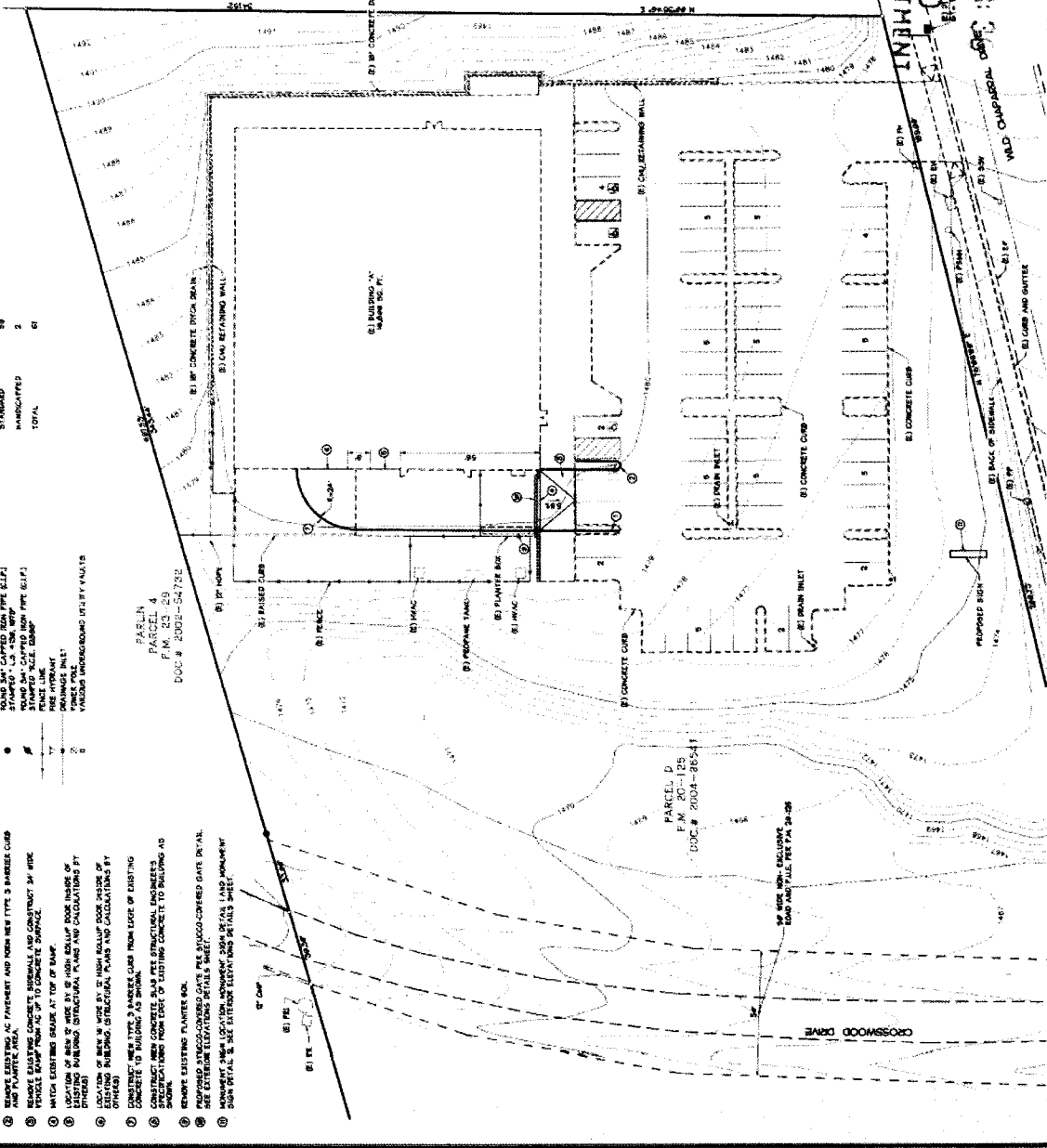
STANDARD	34
HANDICAPPED	3
TOTAL	37

LEGEND

- 0 DIMENSION POINT MARKING (INDICATE OR SET)
- 1 ROUND END CAPPED IRON PIPE (6.125")
- 2 ROUND END CAPPED IRON PIPE (6.125")
- 3 STAMPED SCHEDULE 40 PIPE (6.125")
- 4 IRON PIPE
- 5 DRAINAGE INLET
- 6 MANHOLE
- 7 MANHOLE UNDERGROUND UTILITY VAULTS

NOTES

- 1) CUT EXISTING CURB BACK TO PROVIDE 30" DRIVE ANGLE INTO BUILDING AND PLANTER AREA.
- 2) REMOVE EXISTING AC PAVEMENT AND FORM NEW TYPE 3 BARRELED CURB AND PLANTER AREA.
- 3) MATCH EXISTING GRADE AT TOP OF RAMP.
- 4) CONSTRUCT NEW CONCRETE SLAB PER STRUCTURAL ENGINEER'S EXISTING BUILDING STRUCTURAL PLANS AND CALCULATIONS BY OTHERS.
- 5) LOCATION OF NEW 2" WIDE BY 2" HIGH ROLLUP DOOR INSIDE OF EXISTING BUILDING STRUCTURAL PLANS AND CALCULATIONS BY OTHERS.
- 6) CONSTRUCT NEW CONCRETE SLAB PER STRUCTURAL ENGINEER'S EXISTING BUILDING STRUCTURAL PLANS AND CALCULATIONS BY OTHERS.
- 7) REMOVE EXISTING PLANTER BOX.
- 8) REFORM STAMPO-COVERED GATE PER STAMPO-COVERED GATE DETAIL SEE EXISTING DETAILS SHEET.
- 9) NEW DETAIL SEE EXISTING DETAILS SHEET AND DETAILS SHEET.



RECEIVED
 PLANNING DEPARTMENT
 07 MAR - 8 PM 3:30
 1001 W. 10TH STREET, SUITE 100, DENVER, CO 80202

EXHIBIT D



12 FEB 13 PM 12:42
RECEIVED
PLANNING DEPARTMENT

CITRUS HEIGHTS

NATOMAS

ROCKLIN

February 5, 2012

County of El Dorado
2850 Fairlane Court, Building C
Placerville, CA 95667

Subject: El Dorado County Grading Permit #198391 - Appeal to Original Condition of Approval #8 to install a sidewalk, curb and gutter on Crosswood Drive (Private Road) in Shingle Springs.

Dear El Dorado County:

My name is Robert Kniesel & I am the owner of Kniesel's Collision Center. We are currently in the construction phase of converting an existing 18,000 square foot building into an auto body shop located at 4031 Wild Chaparral Drive. I am writing to share with you that we are nearing completion on those renovations and to request relief from one of the conditions which is causing a sizable burden on our project.

In September, 2009 the County granted approval for construction, but included several conditions. Of specific concern to us is the El Dorado County Department of Transportation's condition (condition #8) for us to construct a six foot wide sidewalk and type 2 vertical curb and gutter along the entire onsite portion of Crosswood Drive (approximately 350 feet long). As a business owner trying to secure our conditional approval and achieve consent to begin construction for our new business, initially I did not contest this condition even though I did not agree with it. In light of the ongoing, recessed economy and the extensive initial costs for design and construction, money is now extremely tight and we are trying to find ways to save in order to get our new business open.

With all due respect, I strongly disagree with the condition to install this curb, gutter and sidewalk along Crosswood Drive and now wish to appeal this Condition of Approval. Please consider the following reasons as to why I believe that this curb, gutter, and sidewalk are unnecessary:

1. The new sidewalk, curb and gutter would be located on a private road (Crosswood Drive) that is not maintained by the County, and has very minimal pedestrian traffic.
2. There is already a complete sidewalk, curb, and gutter on the west side of Crossroad Drive directly across from where the new sidewalk would be installed.
3. Crosswood Drive accesses only about fifteen to twenty residential homes on small acreages and is not an access point for our business. A road with sidewalks on both sides does not lend itself to the rural surroundings and would intrude on the existing natural creek bed.
4. Installation of the new sidewalk would not extend accessibility limits for disabled people because of the already existing sidewalk on the west side of the road.
5. I was able to find no language within El Dorado County ordinances that would support the ability for the County to force a Business Owner/Developer to install a new sidewalk, curb, and gutter on a private road that is not maintained by the County.

Please note that the estimated cost of the new sidewalk, curb and gutter is between \$40,000 and \$45,000. As a business owner struggling to start a business in this recessed economy, and in light of the expensive & protracted legal proceedings we've incurred in the approval process this dismissal would be greatly appreciated. I ask that the County of El Dorado would please consider removing this condition and I would welcome any conversation on this topic. Please feel free to contact me at (916) 847-0100 to discuss further.

Sincerely,

Robert Kniesel - Owner

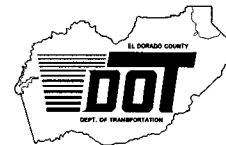
Tel: 916-419-4555 • Fax: 916-419-8555 • www.kniesels.com

1200 Del Paso Road, Ste #140 • Sacramento, CA 95834

STAFF REPORT
S07-0011 R/PD 95-0016 R4



**COUNTY OF EL DORADO
DEPARTMENT OF TRANSPORTATION**



INTEROFFICE MEMORANDUM

Date: March 3, 2012

To: Aaron Mount

From: Eileen Crawford

Project: S 07-0011 R(2)/PD 95-0016 R(4) Kniesel's Auto Collision Center
Appeal

Location: Wild Chaparral Drive, 0.25 miles west of the Ponderosa Road intersection in
the Shingle Springs area

APN: 070-280-64

The Department of Transportation (DOT) has reviewed the subject project to convert an existing sports facility to an auto collision repair center on Wild Chaparral Drive, in the Shingle Springs Community Region area.

The applicant submitted an appeal on February 12, 2012, regarding the Condition of Approval for the addition of the curb gutter and 6-foot sidewalk along the project frontage at Crosswood Drive. The project frontage along Wild Chaparral Drive has an existing 6-foot sidewalk and ADA ramp at the corner of Wild Chaparral Drive and Crosswood Drive.

The Condition being appealed reads:

The applicant shall construct a six (6)-foot wide concrete sidewalk and Type 2 vertical curb and gutter along the entire on-site portion of Crosswood Drive and connect to the existing curb, gutter, and sidewalk along Wild Chaparral Drive according to Design and Improvement Standards Manual (DISM), Standard Plan 110. All curb returns, at pedestrian crossing, shall include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp. The applicant shall be subject to an encroachment permit, as determined by the DOT, and these improvements shall be completed prior to occupancy of this project.

The project was conditioned in accordance with the DISM Standard Plan 101A and 101B that require sidewalks along the frontage of commercial properties and within Community Regions regardless of whether the project is on a public or private roadway. DOT reduced the sidewalk width from 8-feet down to 6-feet to match the existing sidewalk width along the frontage. The parcel due west also has 6-feet sidewalk along

S07-0011 R Appeal
March 3, 2012
Kniesel Autobody

the frontage of Wild Chaparral Drive and Crosswood Drive. This project has been conditioned with the same improvements as the neighboring parcel.

Analyzing the most recent bid summaries, DOT has estimated the improvement costs at:

6' Sidewalk:

(345 feet)(6.0 feet)(\$7.00/square-foot)	=	\$14,490.42
Vertical Curb & Gutter		
(345 feet)(\$10.00/linear-foot)	=	<u>3,450.10</u>
		\$17,940.52

This project has been conditioned in accordance with General Plan Policy TC-5b: *In commercial and research and development subdivisions, curbs and sidewalks shall be required on all roads. Sidewalks in industrial subdivisions may be required as appropriate.*

DOT has conditioned this project in accordance with the policies and standard plans in use at this time and has uniformly applied those standards to all projects in the County.