

FROM THE PLANNING COMMISSION MINUTES OF AUGUST 13, 2015

AGENDA ITEMS

9. 15-0222 Hearing to consider the Tunnel Electric revision project [Special Use Permit Revision S78-0016-R]** to allow expansion of a home occupation to include three employees in addition to the property owner. If Special Use Permit S78-0016 is revoked, this request for a revision to the permit would be considered moot. The property, identified by Assessor's Parcel Number 070-250-45, consisting of 2.96 acres, is located in the Shingle Springs area, submitted by Erik Martin; and staff recommending the Planning Commission take the following actions:

- 1) Find that the project is Categorical Exempt pursuant to CEQA Section 15301; and
- 2) Approve Special Use Permit Revision S78-0016-R based on the Findings and subject to the Conditions of Approval as presented. (Supervisory District 4)

Aaron Mount presented the item to the Commission with a recommendation of approval and referenced Condition #7.

Commissioner Pratt stated that at the last hearing, there had been discussion on limiting large size delivery trucks and he would like to have more conversation on this.

Erik Martin, applicant, stated that he supports the Conditions of Approval with the exception of the requirement that employees must reside on the property (Condition #1.g).

Discussion ensued on large truck deliveries and hours/days of operation.

Nick Avdis, applicant's agent, stated that Conditions #1.d and #6 were inconsistent.

County Counsel David Livingston read into the record clarifying language for Condition #1.d.

Carol Lewis made the following comments:

- Has been a small business owner;
- The County allows residential areas to have businesses and not all of them are good neighbors; and
- When current neighbors sell or can't sell their property due to this project, then there will be a problem.

Mike Yorba stated that people need to do their own research when buying property.

Efren Hernandez stated there is one truck every 2 weeks and the trucks have no issues entering/exiting the area.

Kendra Martin said there isn't a lot of noise, even on the weekends as they live there and they have a small child.

Chair Stewart closed public comment.

Commissioner Pratt questioned if more clarity was achieved with the revised Special Use Permit than the original one. If the permit does runs with the ownership of the land, then it's important on the hours of operation and truck size restriction to avoid what happened in the last agenda item.

Chair Stewart felt strongly on only a Monday-Friday operation.

Mr. Mount provided clarification on the building size and spoke on the building location.

Lillian MacLeod suggested deleting Condition #1.h since the building size was unknown and would still need to comply with Condition #5. She also recommended adding a new condition requiring the posting of the business license on-site.

There was no further discussion.

Motion: Commissioner Heflin moved, seconded by Commissioner Miller, and carried (4-1), to take the following actions: 1) Find that the project is Categorical Exempt pursuant to CEQA Section 15301; and 2) Approve Special Use Permit Revision S78-0016-R based on the Findings and subject to the Conditions of Approval as modified: (a) Amend Condition #1.d as identified; (b) Amend Condition #1.g as identified; (c) Delete Condition #1.h; (d) Amend Condition #3 (old Condition #2) to clarify hours/days of operation; and (e) Add new condition requiring posting of business license on-site.

AYES: Pratt, Shinault, Miller, Heflin

NOES: Stewart

This action can be appealed to the Board of Supervisors within 10 working days.