



## Legislation Details (With Text)

**File #:** 09-1018      **Version:** 1

**Type:** Agenda Item      **Status:** Adopted

**File created:** 7/22/2009      **In control:** Board Of Supervisors

**On agenda:** 8/4/2009      **Final action:** 8/4/2009

**Title:** Hearing to consider a request submitted by Dyana Anderly appealing the approval of Design Review DR00-0011/76 Gas Station/Circle K Mini Mart and certification of the Environmental Impact Report (EIR) by the Planning Commission on June 25, 2009, on property identified by APN 090-430-42, consisting of 0.64 acres, in the Shingle Springs area; and Planning Services recommending the Board take the following actions:

- 1) Certify that the Final EIR, as based on the findings in Attachment 3 of the staff report:
  - (a) Has been completed in compliance with California Environmental Quality Act (CEQA);
  - (b) Was presented to the Commission and that the Commission reviewed and considered the information contained in the Final EIR prior to approving the project; and
  - (c) That it reflects Planning Services' independent judgment and analysis;
- 2) Adopt the Mitigation Monitoring and Reporting Program in Attachment 4 of the staff report; and
- 3) Deny the appeal and uphold the conditional approval of the Design Review application DR00-0011 by the Planning Commission on June 25, 2009, subject to the conditions of approval in Attachment 1, based on the findings in Attachments 2 of the staff report. (Supervisory District II)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. DR00-0011A-3 Appeal Form.pdf, 2. DR00-0011A-3 Staff Analysis Memo.pdf, 3. DR00-0011A-3 - Memo 07-27-09 - Optional Mods by Applicant .pdf, 4. DR00-0011 Planning Commission Minutes 06-25-09.pdf, 5. DR00-0011 Planning Commission Minutes 05-14-09.pdf, 6. DR00-0011 Staff Memo 06-08-09.pdf, 7. DR00-0011 Staff Report.pdf, 8. DR00-0011 Attachment 1-Conditions.pdf, 9. DR00-0011 Attachment 2-Findings.pdf, 10. DR00-0011 Attachment 3-CEQA Findings of Fact.pdf, 11. DR00-0011 Attachment 4-Mit Monitoring.pdf, 12. DR00-0011 Attachment 5-Measure Y.pdf, 13. DR00-0011 Staff Report Exhibits.pdf, 14. DR00-0011 Public Comment.pdf, 15. Email from L. Larsen att'd 7-30-09, 16. Email from McDonnell, Coleman, Clark, Reede and Holmes. att'd 8-4-09, 17. Letter from D. Anderly. att'd 9-4-09, 18. Photos from D. Anderly att'd 8-4-09, 19. Email from S. VanDelinder att'd 8-4-09, 20. DR00-0011 Findings Conditions - BOS Approved 080409, 21. Info submitted by staff 8-4-09

Date	Ver.	Action By	Action	Result
8/4/2009	1	Board Of Supervisors	Adopted As Amended	Pass

Hearing to consider a request submitted by Dyana Anderly appealing the approval of Design Review DR00-0011/76 Gas Station/Circle K Mini Mart and certification of the Environmental Impact Report (EIR) by the Planning Commission on June 25, 2009, on property identified by APN 090-430-42, consisting of 0.64 acres, in the Shingle Springs area; and Planning Services recommending the Board take the following actions:

- 1) Certify that the Final EIR, as based on the findings in Attachment 3 of the staff report:
  - (a) Has been completed in compliance with California Environmental Quality Act (CEQA);
  - (b) Was presented to the Commission and that the Commission reviewed and considered the information contained in the Final EIR prior to approving the project; and
  - (c) That it reflects Planning Services' independent judgment and analysis;
- 2) Adopt the Mitigation Monitoring and Reporting Program in Attachment 4 of the staff report; and
- 3) Deny the appeal and uphold the conditional approval of the Design Review application DR00-0011

by the Planning Commission on June 25, 2009, subject to the conditions of approval in Attachment 1, based on the findings in Attachments 2 of the staff report. (Supervisory District II)

Background: Design Review DR00-0011/76 Gas Station/Circle K Mini Mart is a request submitted by CONOCOPHILLIPS (Agent: Griffin Williamson) for a Design Review for a proposed 2,976 square foot Circle K mini-mart and a 76 gas station, with 6 fuel stations, for a total of 12 fueling positions, under a 4,000 square foot canopy. The property, identified by Assessor's Parcel Number 090-430-42, consisting of 0.64 acres, is located on the south side of U.S. Highway 50 at the southeast corner of the intersection of Mother Lode Drive and South Shingle Road in the Shingle Springs area, Supervisory District II. (Environmental Impact Report (EIR) prepared)

This application was considered by the Planning Commission on May 14, 2009, and also on June 25, 2009, when it was approved (4-0). The minutes from these meetings are attached.

Staff's analysis of the submitted appeal is provided in the memorandum to the Board dated July 20, 2009.

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