

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



<b>Agenda of:</b>	December 13, 2007
<b>Item No.:</b>	10.
<b>Staff:</b>	Thomas A. Lloyd

**PARCEL MAP**

**FILE NUMBER:** P07-0020

**APPLICANT:** Dale G. Mell and Associates

**AGENT:** Jai Shri Ram Hospitality Group, LLC

**REQUEST:** A tentative parcel map creating two parcels, ranging in size from 14,077 square feet (0.31 acres) to 147,067 square feet (3.36 acres). (Exhibit D)

**LOCATION:** On the east side of Green Leaf Drive, at the intersection with Missouri Flat Road, in the Placerville area, Supervisorial District III. (Exhibit A)

**APN:** 327-140-44 (Exhibit E)

**ACREAGE:** 3.67 acres

**GENERAL PLAN:** Commercial (C) (Exhibit B)

**ZONING:** Commercial (C) (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** Categorically Exempt pursuant to Section 15315 of the CEQA Guidelines

**RECOMMENDATION:**

1. Find the project is Exempt from CEQA pursuant to Section 15315 of the CEQA Guidelines (minor land divisions); and
2. Approve tentative parcel map P07-0020 subject to the Conditions in Attachment 1 and based on the Findings in Attachment 2.

**BACKGROUND:** The subject parcel was created by parcel map recorded in February, 1988 as Parcel 1 of Book 39 of Parcel Maps, Page 59 (Exhibit E). A Design Review (DR87-0031) was preliminarily approved for the parcel by the Planning Department on April 19, 1984. Additionally, Special Use Permits S87-0006, S87-0006-R, and S03-0031 were approved on the site allowing the existing 80-foot high Best Western pole sign.

**STAFF ANALYSIS**

**Project Description:** The tentative parcel map would create two parcels from a 3.67 acre site. The parcels would range in size from approximately 0.31 acres to approximately 3.36 acres. The smaller of the two proposed parcels (Parcel 2) is nearly covered by the footprint of an existing structure, housing the Casa Ramos restaurant. The larger of the two parcels (Parcel 1) is the site of the Best Western Placerville Inn. The proposed parcels are currently, and will continue to be, served by public water and sewage facilities, and through conditions of approval, will continue to share parking, drainage facilities, and access rights.

**Site Description:** The project parcel is located at the intersections of Missouri Flat Road, Mother Lode Drive, and Green Leaf Drive. The site is fully developed with a hotel, restaurant, and parking. The parcel is predominantly paved for access and parking, and is extensively landscaped.

**Adjacent Land Uses:**

	Zoning	General Plan	Land Use/Improvements
Site	C	C	Developed with restaurant and hotel
North	---	---	Missouri Flat Road
South	R1A	MDR	Single family residence
East	R1A	C	Single family residence
West	---	---	Mother Lode Drive

**General Plan:** The General Plan designates the subject site as Commercial (C). Pursuant to *Policy 2.2.1.2*, this designation allows a full range of commercial retail, office, and service uses including, but not limited to, those found on the site.

*Policy 2.2.1.5* provides a maximum allowable floor area to site area ratio of 0.85 on parcels with a Commercial (C) General Plan land use designation.

**Discussion:** With floor area to site area ratios of 0.16 and 0.44 respectively, proposed Parcels One and Two are consistent with *Policy 2.2.1.5*.

**Policies 5.2.3.5** and **5.3.1.2** prohibit the creation of parcels less than 5 acres when the parcels rely on both onsite sewage disposal systems and water wells.

**Discussion:** Both parcels are, and will continue to be, served by both public water and sewer systems.

**Policy 5.7.1.1** directs that applicants demonstrate that adequate emergency water supply, storage, conveyance facilities, and access for fire protection either are or will be provided concurrent with development.

**Discussion:** There are existing El Dorado Irrigation District (EID) water and sewer facilities serving both parcels. As such, no Facility Improvement Letters (FILs) were required or requested. The existing facilities serving the parcels are located within the existing parcel, approximately 23 feet southeast of the restaurant building, and will not be expanded as the uses would not change. The Diamond Springs/El Dorado Fire Protection District reviewed the parcel for fire flow requirements. The required fire flow in a commercial complex or project is 1,500 gallons per minute, for at least two hours. A fire hydrant meets this requirement. The El Dorado County Environmental Management Department has reviewed the current application and had no specific concerns.

**Policy 6.2.3.2** directs that the applicant must demonstrate adequate access or ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

**Discussion:** Access to the project parcels is via Green Leaf Drive which fronts both proposed parcels to the west/northwest. A secondary access point can be found on the southwesterly corner of the property and also exits to Green Leaf Drive. A permit will be required from the Department of Transportation to improve the sight distance to the maximum extent possible on the southwesterly corner of the primary Green Leaf Drive encroachment prior to filing the parcel map. DOT has also requested a reciprocal access agreement to guarantee access and use of the existing encroachments, on-site access driveways, and parking areas for both proposed parcels prior to the recordation of the map. The requirements of DOT discussed above in the General Plan section, address the potential access problems related to public safety.

**Conclusion:** The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies and it has been determined that the project is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

**Zoning:** The subject site is zoned Commercial (C) which, pursuant to **Section 17.32.040**, permits a minimum parcel size of 5,000 square feet, but not less than 1,000 square feet for each dwelling or rental unit located on the first and second story; and 750 square feet for each dwelling or rental unit located on the third story and above. Further, the Commercial zone district allows a maximum 60 percent building coverage, a minimum lot width of 50 feet, a minimum ten foot front setback, five feet side and rear setback, or zero feet with a fireproof wall and no openings, and a 50 foot maximum building height. At approximately 5,500 square feet, the building located on proposed Parcel 2 (14,077 square feet) constitutes approximately 39 percent coverage. This coverage is less than the sixty percent allowed in the Commercial Zone District.

## **Parking**

Currently, the restaurant building found on proposed parcel 2 has a maximum capacity of 220 seats. The hotel on proposed parcel 1 has 105 rooms, and a conference facility with 50 seats. Pursuant to the off-street parking schedule outlined in *Section 17.18.060* of the County Zoning Ordinance, these uses would require a total of 209 parking stalls, 18 of which could accommodate RVs and five to be reserved for handicapped parking. Currently the site has a total of 183 stalls, 6 of which are for RVs. While not in compliance with today's standards, the use of the facilities is not intensifying. Despite the proposed parcel split, the uses of a restaurant, hotel, and convention facility will remain. *Section 17.18.050* allows this existing non-conformance to continue. As parcel 2 would be created with very few parking stalls, a reciprocal parking arrangement between the two parcels will be required as a condition of approval.

## **Landscaping**

As required for the original Design Review application, a landscaping plan was provided and approved. This landscaping plan included extensive planting of trees and shrubs on the property as part of the development of the hotel and restaurant to soften visual impacts from U.S. Highway 50. There is evidence to suggest that the landscaping of the site was modified when the tenancy of the restaurant changed hands. Mature coast redwood trees and shrubs were removed without a request for modification. The landscaping of the site, specifically at and around the restaurant site (proposed Parcel 2) now consists of "desert-type" plant materials including, but not limited to, various cacti, inconsistent with the approved landscaping plan.

The Planning Commission has the discretion to evaluate the effectiveness of the "new" landscaping and add any additionally landscaping requirements deemed appropriate.

## **ENVIRONMENTAL REVIEW**

This project has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15315 of the CEQA Guidelines. Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.

Pursuant to Resolution No. 240-93, a \$50.<sup>00</sup> processing fee is required by the County Recorder to file the Notice of Exemption.

## SUPPORT INFORMATION

### Attachments to Staff Report:

Attachment 1 .....	Conditions of Approval
Attachment .....	Findings of Approval
Exhibit A .....	Vicinity Map
Exhibit B .....	General Plan Land Use Map
Exhibit C .....	Zoning Map
Exhibit D .....	Tentative Parcel Map
Exhibit E .....	Assessor's Map

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

File Number P07-0020 – Jai Shri Ram/Mell  
Planning Commission, December 13, 2007

### Planning Services

1. This parcel map is based upon and limited to compliance with the project description, the Planning Commission hearing exhibit marked Exhibit D (tentative parcel map) revised May 18, 2007, and the conditions of approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

The tentative parcel map would create two parcels from a 3.67 acre site. The parcels would range in size from approximately 0.31 acres to approximately 3.36 acres. Both proposed parcels are developed and served by public water and sewer. Access to both parcels is via an on-site drive connecting to Green Leaf Drive. No additional construction is proposed or expected.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

2. Prior to filing the parcel map, all Development Services fees shall be paid.
3. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in *Section 66474.9(b)* of the *California Government Code*.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a subdivision, which action is brought within the time period provided for in *Section 66499.37*.

County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

### **Department of Transportation**

4. The applicant shall obtain an encroachment permit from the Department of Transportation for the southwesterly driveway encroachment onto Green Leaf Drive to improve the sight distance to the maximum extent possible. This shall be achieved through grading and vegetation removal, according to the provisions of County Standard Plan 103G, prior to the recordation of the map.
5. The applicant shall provide a reciprocal access and parking agreement, guaranteeing access and use of the existing encroachments, on-site access driveways, and parking areas for both proposed parcels, prior to the recordation of the map.

### **Diamond Springs-El Dorado Fire Protection District**

6. Prior to recording the parcel map, the project shall meet the requirements of the California Fire Code, including, but not limited to, minimum fire flow requirements. For this project, minimum fire flow shall be verified at 1,500 gallons per minute for two hours at a minimum of 20 pounds per square inch.

### **Surveyor's Office**

7. All survey monuments must be set prior to filing the parcel map.
8. Prior to recording the parcel map, a letter to the County Surveyor will be required from all agencies that have conditions placed on the map. The letter will state that "all conditions on P07-0020 by (that agency) have been satisfied." The letter is to be sent to the County Surveyor and copied to the agent and the applicant.

## ATTACHMENT 2

### FINDINGS

#### **File Number P07-0020 – Jai Shri Ram/Mell Planning Commission, December 13, 2007**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

#### **FINDINGS FOR APPROVAL**

##### **1.0 CEQA FINDING**

- 1.1 The Planning Commission has determined that the proposed project will have no significant impact on the environment and is exempt from CEQA pursuant to Section 15315 of the CEQA Guidelines. Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department – Planning Services at 2850 Fairlane Court, Placerville, CA.

##### **2.0 ADMINISTRATIVE FINDINGS**

##### **2.1 The proposed parcel map conforms to the El Dorado County General Plan;**

The proposed tentative map is consistent with the Commercial (C) General Plan land use designation.

The proposal, as conditioned, is consistent with the applicable policies of the General Plan, including **2.2.1.2**, **2.2.1.5**, **5.2.3.5**, **5.3.1.2**, **5.7.1.1**, and **6.2.3.2** because the division would be compatible with the base land use designation, the ratio of floor area to parcel size area of both developed parcels are within established guidelines, there are adequate roadways, utilities, and other public service infrastructure available, the project fits in with the dominant pattern of development in the direct project vicinity, and no parcels less than 5 acres which rely on both onsite sewage disposal systems and water wells will be created.

**2.2 The parcel map conforms to the El Dorado County Zoning Ordinance;**

The parcel map will create parcels which will be consistent with the minimum parcel size requirements and the development standards of the Commercial (C) Zone District, pursuant to *Section 17.32.040* of the County Zoning Ordinance.

**3.0 TENTATIVE MAP FINDINGS**

**3.1 The proposal conforms to the County’s zoning regulations and Minor Land Division Ordinance;**

The proposed parcels are consistent with applicable General Plan Policies and the development standards of the Commercial Zone District.

**3.2 The site is physically suitable for the proposed type and density of development;**

The project will create parcels consistent with both the El Dorado County General Plan and the Zoning Ordinance. The project will be served by public water and wastewater treatment facilities. As the parcels are fully developed, the use will not be changed or intensified.

**3.3 The design of the division is not likely to cause substantial environmental damage nor substantial and avoidable injury to fish or wildlife or their habitat;**

The project will not have a significant impact on the environment. It has been found categorically exempt from CEQA pursuant to Section 15315 of the CEQA Guidelines.