

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

Agenda of: January 22, 2009

Item No.: 8.a

Staff: Patricia Kelly

STAFF REPORT – SPECIAL USE PERMIT

FILE NUMBER: S08-0017 Companion Animal Hospital

APPLICANT: Companion Animal Hospital

AGENT: Chris and Erin Felton

REQUEST: Special Use Permit for a 2,800 square foot animal/veterinary hospital to be located within an existing commercial building. The request includes the placement of wall signs on the north and south side of the building.

LOCATION: On the north side of Coach Lane, approximately 1,500 feet of the intersection with Cameron Park Drive, located at 3275 Coach Lane, Suites F and G, in the Cameron Park area, Supervisorial District III. (Exhibit A)

APN: 109-201-16

ACREAGE: 1.54 acres

GENERAL PLAN: Commercial (C) (Exhibit B)

ZONING: Planned Commercial-Community Design Review (CP-DC), (Exhibit C)

ENVIRONMENTAL DOCUMENT: Categorically Exempt from CEQA pursuant to Section 15301

SUMMARY RECOMMENDATION: Conditional Approval

BACKGROUND: DR01-0014R was approved by the Planning Commission on March 9, 2006 for replacing two previously approved fast food restaurants with a single 10,360 square foot commercial retail building consisting of seven suites. The applicant has requested the use of two existing suites, for an animal/veterinary hospital which would be 2,800 square feet in size.

STAFF ANALYSIS

Project Description: A Special Use Permit for a 2,800 square foot animal/veterinary hospital and placement of wall signs on the north and south side of the building. The services offered would include the use of a small x-ray, centrifuge machines, autoclave, CO2 laser, oxygen, various laboratory equipment, and computers. The proposed times of operation would be Monday through Friday 8:00 a.m. to 6:00 p.m. and Saturday from 8:00 a.m. to 2:00 p.m. The proposed number of employees would include one full-time veterinary and one registered veterinary technician to aide in the daily practice of medicine and cleaning duties.

Site Description: The project site consists of one existing building and parking facilities. The five parcels east of the project site consist of five existing commercial buildings with the major tenant being Food4Less. The project site has no significant topography or native vegetation. All existing trees and landscaping are to remain.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	CP-DC/RE-5	C	Commercial Buildings
North	R1	HDR	Highway 50 / Single Family Residences
South	CP	C	Commercial Buildings
East	CP	C	Commercial Buildings
West	RE-5	LDR	Church / Single Family Residences

Discussion: The subject property is adjacent to commercial uses to the east and to the south across Coach Lane. The nearest residentially zoned parcels are to the south in the Cameron Estates Subdivision and to the north on the north side of Highway 50.

General Plan: The General Plan designates the project site as Commercial (C). The subject property is zoned Planned Commercial District - Design Community (CP-DC). This designation permits commercial retail, office and service uses. Mixed use development of commercial lands within Community Regions and Rural Centers which combine commercial and residential uses shall be permitted provided the commercial activity is the primary and dominant use of the parcel.

Referencing Table 2-4, the General Plan Land Use Designation and Zoning District Consistency Matrix, Planned Commercial (CP) zoning is consistent within the Commercial Land Use Designation.

Additionally, the following General Plan Policies are relative to this project:

Policy 2.2.5.2 states that all applications for discretionary projects or permits, including but not limited to, General Plan amendments, zoning boundary amendments, tentative maps for major and minor land divisions, and special use permits shall be reviewed to determine consistency with the policies of the General Plan. Review of General Plan policies applicable to this Special Use Permit application show that the proposed animal/veterinary hospital business is consistent with the policies of the General Plan related to commercial uses.

Policy 2.5.2.2 states that new commercial development should be located nearby existing commercial facilities to strengthen existing shopping locations and avoid strip commercial. The purpose of the Commercial land use designation is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County. Mixed use development of commercial lands within Community regions and Rural Centers which combine commercial and residential uses shall be permitted provided the commercial activity is the primary and dominant use of the parcel. The project proposes an animal/veterinary hospital within an existing commercial center which can serve the needs of the surrounding area.

Conclusion: As discussed above, staff finds that the project as proposed/conditioned would be consistent with applicable General Plan Policies.

Zoning: The proposed use is permitted by Special Use Permit in the Planned Commercial Zone District, pursuant to **Section 17.32.150** of the County Code. The proposed use would utilize an existing commercial building for an animal/veterinary hospital. The proposed project would be found to be consistent with **Section 17.32.150B**.

The project meets all the applicable development standards contained in **Section 17.32.160** of the County Code which allows for an animal clinic or shelter after approval of a Special Use Permit. Therefore, the proposed animal/veterinary hospital would conform with existing zoning.

Signs: **Section 17.32.150E** of the County Code requires compliance to other sign sizes and applicable general provisions as itemized in **Chapter 17.14, 17.16 and 17.18** of the County Code. **Section 17.16.030** of the County Code includes provisions excepting signs using the wall of a building as the surface or attached to the wall of a building, providing the sign does not project more than twelve inches beyond the exterior face of the wall, providing the wall is a nonprojecting, integral part of the building and providing the aggregate area of the wall sign does not exceed twenty percent of the total area of the wall; and further provided that the signs shall advertise only such general product, or products, and/or service, or services, as is or are actually sold, dispensed or rendered in the premises.

The project includes a proposal for two (2) exterior wall signs measuring 3' x 33' x 5" to be placed on the north and south side of the portion of the commercial building to be used for the animal/veterinary hospital. The face of the two identical proposed signs would be constructed of red acrylic letters with black trim. The logo graphics would consist of 3M pressure-sensitive vinyl

overlays consisting of slate grey 230-1, Kumquat 230-74, pink lavender 230-108 and black 230-22. The signs would consist of internally illuminated individual letters and a soft white neon logo (Exhibit E). The proposed sign as shown on Exhibit E is found to be consistent with **Section 17.16.030** of the County Code.

Conclusion: As discussed above, staff finds that the project, as proposed/conditioned complies with the El Dorado County Zoning Ordinance.

ENVIRONMENTAL REVIEW

This project has been found to be categorically exempt from the requirements of CEQA pursuant to Section 15301 of the CEQA Guidelines stating that the proposed use consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or not expansion of use beyond that existing at the time of the lead agency's determination. Pursuant to Resolution No. 240-93, a \$50.00 processing fee is required by the County Recorder to file the Notice of Exemption.

RECOMMENDATION

1. Certify that the project is categorically exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines; and
2. Approve Special Use Permit S08-0017 subject to the Conditions in Attachment 1, based on the Findings in Attachment 2.

SUPPORT INFORMATION

Attachments To Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Assessor Parcel Map
Exhibit E	Sign Plan
Exhibit F1 & F2.....	Site Plan
Exhibit G.....	Floor Plan
Exhibit H.....	Aerial

ATTACHMENT 1

CONDITIONS OF APPROVAL

FILE NUMBER S08-0017

CONDITIONS OF APPROVAL

El Dorado County Planning Services

1. This special use permit approval is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Planning Commission Exhibit E "Sign Plan" dated January 8, 2009, and 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, as approved, consists of the following:

A Special Use Permit for a 2,800 square foot animal/veterinary hospital and placement of two (2) exterior wall signs measuring 3' x 33' x 5" to be placed on the north and south side of the portion of the commercial building to be used for the animal/veterinary hospital. The face of the two identical proposed signs shall be constructed of red acrylic letters with black trim. The logo graphics shall consist of 3M pressure-sensitive vinyl overlays consisting of slate grey 230-1, Kumquat 230-74, pink lavender 230-108 and black 230-22. The signs shall consist of internally illuminated individual letters and a soft white neon logo wall signs on the north and south side of the building. The services offered shall include the use of a small x-ray, centrifuge machines, autoclave, CO2 laser, oxygen, various laboratory equipment, and computers. The times of operation shall be Monday through Friday 8:00 a.m. to 6:00 p.m. and Saturday from 8:00 a.m. to 2:00 p.m. The number of employees shall include one full-time veterinary and one registered veterinary technician to aide in the daily practice of medicine and cleaning duties.

2. Pursuant to County Code Section 17.22.250, implementation of the project must occur within twenty-four (24) months of approval of this Special Use Permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval.
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.

4. Prior to issuance of any permits, the applicant shall pay all Development Services fees.
5. Prior to issuance of a building permit or commencement of any use authorized by this permit, the applicant shall be responsible for meeting all appropriate fire and building codes and shall obtain sign offs from appropriate agencies.
6. The applicant shall comply with all requirements of the Cameron Park Fire District, including, but not limited to fire flow requirements, building accessibility, sprinkler requirements, and building materials. The Cameron Park Fire District shall review and approve all building permits.

ATTACHMENT 2 FINDINGS

FILE NUMBER S08-0017

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 15301 of the CEQA Guidelines.

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 Division at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

2.1 The proposed use is consistent with the policies in the 2004 El Dorado County General Plan, as discussed in the General Plan Section of this staff report. Specifically, the project as proposed is consistent with General Plan Policies 2.2.5.2 (General Plan consistency), 2.5.2.2 (commercial development near commercial facilities).

2.2 As proposed, the project is consistent with the Commercial (C) land use designation because the Commercial land use designation permits such uses where the character of an area provides a full range of commercial retail, office, and service uses.

3.0 SPECIAL USE PERMIT FINDINGS

3.1 The issuance of the permit is consistent with the General Plan;

The project meets the intent of the General Plan because the proposed animal/veterinary hospital supports the intent of the uses allowed within the Commercial land use designation.

3.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood;

The proposed animal/veterinary hospital will comply with the Development Standards of the CP zoned districts. The proposed Special Use Permit revision has been found to comply with the requirements of Chapter 17.22, Special Use Permits, and the proposed use is not

considered detrimental to the public health, safety and welfare, nor injurious to the neighborhood, based on the conclusions contained in the staff report.

3.3 The proposed use is specifically permitted by special use permit pursuant to this Title.

The proposed use is specifically permitted by Special Use Permit in the CP zone district pursuant to 17.32.150(B) of the El Dorado County Zoning Ordinance as the required findings detailed above may be made by the Planning Commission.

4.0 ADMINISTRATIVE FINDINGS

4.1 The proposed use conforms to the El Dorado County Zoning Ordinance because the project meets all development standards for a storage building within the Planned Commercial-Design Control (CP-DC) Zone District.