

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



**Agenda of:** December 13, 2012  
**Item No.:** 9.c  
**Staff:** Tom Dougherty

**SPECIAL USE PERMIT REVISION**

**FILE NUMBER:** S83-0044-R-2/Full of Love Preschool and Childcare

**APPLICANT:** Christian Life Center

**AGENTS:** Monica Hobbs/Joshua Reeve

**REQUEST:** Revision to Special Use Permit to modify the use of the existing Christian Life Center church facility, Sunday School building, to add a preschool/childcare use, and to approve two existing free-standing signs.

**LOCATION:** North side of Pony Express Trail, at the intersection with Pony Express Court, in the Pollock Pines area, Supervisorial District 2. (Exhibit A)

**APN:** 101-141-17 (Exhibit B)

**ACREAGE:** 9.79 acres

**GENERAL PLAN:** Low Density Residential (LDR) (Exhibit C)

**ZONING:** Estate Residential Five-Acre (RE-5) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Categorically Exempt pursuant to Sections 15301, and 15311(a) of the CEQA Guidelines

**RECOMMENDATION:** Staff recommends that the Planning Commission take the following actions:

1. Find the project is Exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines (Existing Facilities), and Section 15311(a) (On-site Signs); and

2. Approve Special Use Permit revision S83-0044-R-2 subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

**PROJECT INFORMATION**

**Project Description:** Revision to Special Use Permit S83-0044 to modify the use of the Church facility to allow a preschool/childcare center to the existing 2,046 square-foot Sunday School building. The preschool/childcare center proposes to operate Monday to Friday from 6 am to 6 pm, and the existing classroom uses will operate Sunday and Wednesday evenings from 5 pm to 9 pm . The center proposes to allow up to 30 children ages two to six years old. The request also seeks approval for the two existing free-standing signs (38 and 28 sq. ft.).

**Site Description:** The site is a developed site with existing structures, parking, lighting, and paved roadways to support the church. The structures are located within an area cleared and surrounded by mature conifer trees. The existing building footprint sizes are shown in Exhibit G.

**Background:** Approval of S83-0044 on June 29, 1983, permitted the use of the parcel as a church facility, and included the construction of a 3,960 square-foot church building, a 750 square-foot youth building, and 65 paved parking spaces, and interior driveways.

The Zoning Administrator approval of S88-0044-R on January 18, 1995, permitting the construction of a 2,100 square-foot classroom building located near the existing church and meeting room at the Christian Life Center site. The finished size of the building is 2,046 square feet.

**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	RE-5/R2	LDR/C	Commercial/Church facility
<b>North</b>	TPZ	LDR	Residential/Single-family residence
<b>South</b>	MP/R2/RT	C/MFR	Residential/ Single-family residences, mobile home park
<b>East</b>	R1	HDR	Residential/Single-family residence
<b>West</b>	TPZ	LDR	Residential/Single-family residence

Discussion: The parcel includes a portion that is a strip of land that is the access road (Pony Express Court) to Pony Express Trail. This portion of the parcel is zoned R2 and has a commercial land use designation. However, the main part of the church is located in the RE-5 zoned land and the LDR land use designation. Churches are permitted in the RE-5 zone by special use permit pursuant to Section 17.28.200.C of the County Code.

## STAFF ANALYSIS

**Project Issues:** The primary discussion items for this project include access/circulation/traffic, land use compatibility, noise, and parking.

**Access/circulation/traffic:** The 30 students proposed could result in 30 cars entering and exiting intermittently throughout the day for drop-off and pick-up. These trips would be anticipated to take approximately ten minutes or so each and are not anticipated to create a significant traffic and circulation impact. The intermittent vehicle trips resulting for the additional use of the site were determined by DOT to have to have an insignificant affect on cumulative traffic in the Pollock Pines area.

**Land Use Compatibility:** The church is integrated into the residential community by allowing support services in residential areas by use permit, and because it is located and designed in a manner that avoids incompatibility with adjoining land uses. The use of the site by a church has been ongoing since the original 1983 approval. The additional use of the site for a daycare/preschool facility by children is not anticipated to cause conflicts with the surrounding neighborhood. There are physical barriers such as the existing buildings, vegetation, and solid fencing that will buffer the views into the site. The County has not received any known complaints about the church facility.

**Noise Impacts:** There will be temporary increases in noise during daylight hours resulting from the additional students at the school that will generally be contained inside the classroom, however, any outdoor activities can be anticipated to create additional noise that could affect neighboring residences. The additional intermittent noises should only occur during normal daylight hours and are not expected to be significant. The existing buildings, vegetation, and solid fencing would buffer the sound to levels not anticipated to exceed the noise level standards of General Plan Table 6-2.

**Parking:** The project contains 65 existing paved parking spaces. The use as a childcare/preschool would occur at times when the regular church services and Sunday School classes are not in session. There would be ample parking for the project.

**Signs:** There are two existing free-standing signs located within the project parcel at the primary and secondary access points. They are located as shown on the Plot Plan (Exhibit E), and were constructed as shown in Exhibits H-1 (Sign A, 28 square feet), and H-2 (Sign B, 28 square feet). Section 17.28.200.D allows one unlighted sign not exceeding six square feet of message area and eight feet above ground level advertising authorized activities on the premises. Section 17.28.200.E allows other sign sizes with an approved special use permit.

Sign A has existed at its present location since 1988 and directs people into the church from Pony Express Trail. Sign B was constructed at its location subsequent to 1988 and directs people through the gate to prevent them from turning too soon into a driveway on Pony Express Court that is a private residence.

The Pollock Pines Design Review Committee met on October 11, 2012 to review the project details. They determined the two existing signs meet the requirements for the Pollock Pines area, as long there is no increase in sizes or structures. They also recommended approval of the increased usage of the existing building as a preschool/child care center.

DOT has also reviewed the signs for line-of-sight conflicts and location and has no outstanding concerns. Planning is recommending approval of the signs as proposed.

**ENVIRONMENTAL REVIEW**

This project is found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15301 (Existing Facilities), 15311 (A) (On-site signs) of the CEQA Guidelines. Section 15301 exempts 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 no expansion of use beyond that existing at the time of the lead agency’s determination. Section 15311 (A) exempts the construction, or placement of on-premise signs accessory to (appurtenant to) existing institutional facilities. A \$50.00 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 2.....Findings  
  
Exhibit A.....Location Map  
Exhibit B.....Assessor’s Parcel Number Map  
Exhibit C.....General Plan Land Use Designations Map  
Exhibit D.....Zoning Designations Map  
Exhibit E.....Plot Plan  
Exhibit F.....Site Plan  
Exhibit G.....Building Plan  
Exhibit H-1.....Sign A  
Exhibit H-2.....Sign B  
Exhibit I .....Pollock Pines Design Review Committee Minutes;  
October 11, 2012 meeting

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

**Special Use Permit Revision S83-0044-R-2/Full of Love Preschool and Childcare  
Planning Commission/December 13, 2012**

### Planning Services

1. This Special Use Permit revision is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

Exhibit E .....Plot Plan  
Exhibit F.....Site Plan  
Exhibit G.....Building Plan  
Exhibit H-1.....Sign A  
Exhibit H-2.....Sign B

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.

Approval of S83-0044 on June 29, 1983, permitted the use of the parcel as a church facility, and included the construction of a 3,960 square-foot church building, a 750 square-foot youth building, and 65 paved parking spaces, and interior driveways.

Approval of S88-0044-R on January 18, 1995, allowed the construction of the 2,046 square-foot classroom building located near the existing church and meeting room at the Christian Life Center site.

Approval of S83-0044-R-2 allows the following: 1. Use of the existing 2,046 square-foot classroom building as a preschool/childcare center. In addition to the current use for Sunday school classes on Sunday and Wednesday evenings from 5 pm to 9 pm, the preschool/childcare center will operate Monday to Friday from 6 am to 6 pm. The center will allow up to 30 children ages two to six years old; and 2. Two existing free-standing signs of 28 and 38 square feet.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking, access roads and vehicle turnaround 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 must be submitted for review and approval and shall be implemented as approved by the County.

- ~~1.2.~~ The location of structures and uses shall conform with the approved site plan, as revised through this permit and ~~dated January 25, 1995~~ and as shown in Exhibits E and F.
- ~~2.3.~~ The additional ~~building shall be constructed or the process to construct~~ use shall be diligently pursued within one year of the approval of the approval of this use permit. If the use is not commenced or diligently pursued within one year, this permit shall be considered void.
- ~~3.4.~~ This use permit shall incorporate the ~~14~~ following conditions of approval originally approved with S83-44 on June 29, 1994 ~~and attached as Exhibit J:~~
  - a. The exterior lighting, if used, shall be located and designed to prevent glare onto adjoining properties;
  - b. A fire crash gate shall be installed maintained at the end of the most northerly parking lot so as to prevent access to Marjorie Way by passenger vehicles. Such gate will be maintained in a condition that will effectively block the traffic if it is dented in anyway;
  - c. The applicants are not required to pave the access between the northerly parking lot and Marjorie Way;
  - d. The applicants shall maintain obliterateion of the existing dirt road from the area of the parking lots to Marjorie Way in such a way that it cannot be used by licensed motor vehicles; and
  - e. In addition to the fire crash gate, the existing gate at the end of Marjorie Way will be maintained by the property owner and members of the church shall not use the access to Marjorie Way for general access to or from the parking lot.
- ~~4.~~ ~~The use shall be subject to any and all other agencies' approval including, but not necessarily limited to: Air Pollution Control District, Building Department, Fire Department, Environmental Health, Sheriff's Department, and the Tax Collector's Office.~~
- ~~5.5.~~ The conditions imposed therein run with the use of the land and are binding with each owner.
6. Minor modifications may be approved by the Planning Development Services Director; however, any major modifications will require approval through a public hearing by the appropriate approving authority.

7. Children shall be directed to play in designated play areas only; the site plan shall show one play area adjacent to and west of the ~~proposed—new~~ Sunday School/Daycare/Preschool building and the existing main church building; an alternative location may be on the north-west side of the access driveway to the church. The play area shall be fenced in.
8. The parking spaces located between existing small youth/meeting building and the eastern property line, as shown on the approved site plan, shall be blocked off and not used during night meetings.
9. The following ~~additional—fencing shall be shown on the revised site plan and installed prior to occupancy of the proposed classroom building will be authorized~~ maintained permanently:
  - a. ~~A~~ The solid fence ~~shall be constructed—located~~ on the outside arc of the driveway turnaround so the headlights will not shine directly into the residence at 5742 Majorie Way.
  - b. ~~A~~ The solid board on board fence, matching the existing fence located on the eastern property line shall extend said fence southward to the property corner.
  - c. The existing fence on the eastern property line shall be raised or extended upward approximately 18 inches.
  - d. ~~A~~ The solid fence approximately 6 feet high ~~shall be constructed~~ located along the southern property boundary in common with ~~the Rina McCain property (5761 Pony Express Trail, Assessor's Parcel Number 101-141-26).~~
- ~~10. A revised site plan showing all the required fencing locations, height and composition shall be submitted to the Planning Department within 8 days of approval of this permit. The Planning Department must review and approve the revised site plan prior to issuance of any building permits on the Church property.~~
10. County Recorder Fee: The applicant shall submit a \$50.00 administrative processing fee prior to filing the Notice of Determination which may be filed immediately upon approval of the project. The payment is to be submitted to Planning Services and must be made payable to El Dorado County.
11. Conditions Compliance: Prior to commencement of any use authorized by this permit, the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval.
12. Hold Harmless Agreement: 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.

The land owner 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 Special Use Permit.

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

### **Hazardous Materials and Solid Waste Division**

13. The applicant shall provide sufficient space for both trash and recycling dumpsters. All solid waste, including animal waste must be stored in trash containers with tight fitting lids and hauled from the site at least once every seven days for proper disposal. Any and all infectious medical waste and sharps must be properly handled, stored, transported and disposed of in accordance with the California Medical Waste Management Act.

### **Office of County Surveyor**

14. Prior to initiation of any use allowed by this Special Use Permit, applicant shall apply for a change of address at the County Surveyor's Office, pay the applicable fee and post the corrected address as required.

### **El Dorado County Fire Protection District**

15. The applicant shall install a fire alarm system in the daycare facilities as follows:
- a. 907.2.3 Group E. A manual and automatic fire alarm system shall be installed in Group E occupancies with an occupant load of 50 or more persons or containing more than one classroom or one or more rooms used for day-care purposes;
  - b. 907.2.3.9.1 An automatic fire alarm system shall be provided in all buildings used as or containing a Group E day-care;
  - c. Exception: Automatic detection devices are not required where an approved automatic sprinkler system is installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate on sprinkler water flow and manual activation is provided from a normally occupied location.
16. A floor plan shall be submitted to El Dorado County Fire Protection District for review to determine occupancy requirements.
17. The Fire Alarm plans shall be provided to El Dorado County Fire Protection District for review – if required.
18. Emergency lighting shall be provided to illuminate means of egress, if not already in place. Said lighting shall be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation.

19. Smoke detectors shall be installed in every room used for sleeping or napping.
20. A 2A10:BC rated fire extinguisher shall be mounted at a location approved by the Fire District.

## **ATTACHMENT 2**

### **FINDINGS**

#### **Special Use Permit Revision S83-0044-R-2/Full of Love Preschool and Childcare Planning Commission/December 13, 2012**

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:

#### **1.0 CEQA FINDINGS**

- 1.1 The preschool/daycare is Categorical Exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines which exempts 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 no expansion of use beyond that existing at the time of the lead agency's determination. The 28 and 38 square-foot, free-standing signs are also Categorical Exempt from CEQA pursuant to Section 15311 (A) which exempts the construction, or placement of on-premise signs accessory to (appurtenant to) existing institutional facilities.
- 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, 95667.

#### **2.0 GENERAL PLAN FINDINGS**

- 2.1 The project is consistent with the following General Plan policies:
  - a. Policy 2.2.5.9 which allows support services in residential areas by use permit, provided that they do not have an adverse effect on surrounding properties; and 2.2.5.21 (compatibility with surroundings) because as conditioned, it would be compatible with surrounding uses, have minimal impacts on visual resources, emergency response access and times, and traffic, and will create noises at insignificant levels. There are adequate services to facilitate the site, such as water, power and telephone communication facilities.
  - b. 6.5.1.7 (noise exposure) because the addition of the preschool/childcare use will not increase noise levels above standards set forth in Table 6.2 in the General Plan. The existing buildings, vegetation, and solid fencing will buffer the sound to levels anticipated to be insignificant.

### **3.0 SPECIAL USE PERMIT FINDINGS**

#### **3.1 The issuance of the permit is consistent with the General Plan.**

The proposed use is consistent with the policies and requirements of the General Plan, as set forth in Finding 2.1.

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

The use will not conflict with the adjacent uses as the use will not create hazards that would be detrimental to the public health, safety, and welfare, or injurious to the neighborhood based on the data and conclusions contained in the staff report. The traffic, emergency response and ingress/egress capabilities have been fully considered by DOT and the El Dorado County Fire Protection District and were found to be adequate. The intermittent noise impacts have been considered and will be buffered adequately by the existing buildings, vegetation, and solid fencing.

#### **3.3 The proposed use is specifically permitted by Special Use Permit.**

Church and daycare facilities in the RE-5 Zone District are permitted by County Code Section 17.28.200.C (special use permit required for the RE-5 Zone District. The two free-standing, on-site signs (28 and 38 square feet) are permitted by Section 17.28.200.E (other sign sizes with an approved special use permit).