

**EL DORADO COUNTY DEVELOPMENT SERVICES
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of: June 20, 2007
Item No.: 4. b.
Staff: Patricia A. Kelly

SPECIAL USE PERMIT

FILE NUMBER: S07-0005

APPLICANT: Wichert-Marcon Properties, LLC. (Keith Eide)

REQUEST: Request of Wichert-Marcon Properties, LLC, owner/applicant for approval of a special use permit, to allow a car dealer that would inventory up to ten (10) high-end luxury automobiles inside the premises. Primary sales would be via the Internet, with automobiles being shipped via auto transporter to various cities across the country.

LOCATION: On the east side of Greenwood Lane at 2558 Greenwood Lane, Suites D&E, north of the intersection with Merrychase drive in the Cameron Park area, Supervisorial District I. (Exhibit A)

APN: 082-412-04

ACREAGE: 0.73 acre

GENERAL PLAN: Commercial (C)

ZONING: Planned Commercial District-Design Community (CP-DC)

ENVIRONMENTAL DOCUMENT: Categorically Exempt from CEQA pursuant to Section 15303C

SUMMARY RECOMMENDATION: Conditional Approval

STAFF ANALYSIS

Project Description: Special use permit to allow the establishment of a small resale car dealer that would sell most inventory over the internet. Inventory would be displayed from inside the existing building only. The inventory at the premises would not exceed ten (10) vehicles. Modifications to

the building would be to the interior. A sign is proposed on the building exterior which is to be attached to the front fascia of the building over the breezeway directly above the business. The sign would be approximately 3' x 6' x 1" and oval in shape (Exhibit D).

Limited resale of vehicles is the only service allowed on the premises. Repair of vehicles and detailing of vehicles would not occur at the site.

Site Description: The property is located at an approximate elevation of 1,200 feet above sea level surrounded by existing commercial buildings and improved roadways. The parcel is 0.73 acres consisting of a small commercial development. Existing improvements include two (2) commercial buildings and parking. One existing building is 6,700 square feet and the other is 10,000 square feet. This applicant proposes to lease 2,900 square feet of the 6,700 square foot building. A portion of the building area is presently being leased to a business offering physical fitness training and the remainder portion is vacant.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	CP-DC	C	Retail
North	R2-DC	MFR	Multi-family residential
South	C-DC	C	Retail
East	CPO-DC	C	Retail
West	R2-DC	MFR	Multi-family residential

POLICY DISCUSSION

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* in 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 2.5.2.2 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 a resale car business within an existing commercial center which can serve the needs of the surrounding area.

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 car resale dealer is consistent with the policies of the General Plan related to commercial uses.

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

Zoning: The project meets all the applicable development standards contained in *Section 17.32.160* of the *El Dorado County Code* which allows for used automobile sales only after approval of a special use permit. Therefore, the proposed resale car dealer conforms to existing zoning.

The proposed use is permitted by special use permit in the Planned Commercial Zone District, pursuant to *Section 17.32.150 El Dorado County Code*. The proposed use utilizes an existing commercial site for the resale of cars, which would be sold via the Internet. The proposed project is found to be consistent with *Section 17.32.150A*.

The project includes a proposal for an exterior sign measuring 3'x 6'x 1" (Exhibit D). *Section 17.32.150E* of the *El Dorado County Code* requires compliance to other sign sizes and applicable general provisions as itemized in *Chapter 17.14, 17.16* and *17.18*. *Section 17.16.030 Exception-Wall signs* includes provisions excepting signs using the wall of a building as the surface or attached to the wall of a building, providing the signs do 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 proposed sign as shown on Exhibit D is found to be consistent with *Section 17.16.030*.

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 15303C* of the *CEQA Guidelines* stating that the construction and location of limited numbers of new, small facilities or structures where only minor modifications are made in the

exterior of the structure. 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 15303C* of the *CEQA Guidelines*; and
2. Approve Special Use Permit S07-0001 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 Map
Exhibit C	Zoning Map
Exhibit D	Proposed Sign Photograph
Exhibit E	Assessor's Map

ATTACHMENT 1

CONDITIONS OF APPROVAL

File Number S07-000 – Wichert-Marcon Properties, LLC
June 20, 2007 Zoning Administrator Hearing

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, Zoning Administrator hearing Exhibits A-E, 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 would constitute a violation of permit approval.

A request for a special use permit to allow use of the interior of a commercial building for the establishment of a small car resale dealer that would inventory up to ten (10) high-end luxury automobiles inside the premises and placement of a sign attached to the front fascia of the building over the breezeway directly above the business. The sign would be approximately 3'x 6'x 1" and oval in shape.

The use and maintenance of the property, the size, shape, arrangement, and location of structures, existing 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 must be submitted for review and approval and shall be implemented as approved by the County.

2. All inventory of vehicles available for resale, shall be stored inside the building located at 2558 Greenwood Lane, Suites D&E, Cameron Park, CA. No inventory shall be on displayed on the exterior of the site.
3. Placement of *For Sale* signs on inventory at the subject property is prohibited.
4. Other vehicle services, such as, but not limited to, washing and detailing vehicles is prohibited.
5. Parking for the proposed resale car dealer would be provided by use of the existing designated parking area available on the project site.
6. The applicant shall obtain a building permit for all exterior signage prior to installing the business sign.

ATTACHMENT 2

FINDINGS

File Number S07-0005 – Wichert-Marcon Properties, LLC June 20, 2007 Zoning Administrator Hearing

1.0 CEQA Finding

- 1.1 This project has been found to categorically exempt from the requirements of CEQA pursuant to *Section 15303C* of the *CEQA Guidelines* stating that the construction and location of limited numbers of new, small facilities or structures where only minor modifications are made in the exterior of the structure.
- 1.2 The Zoning Administrator finds that the project could not have a significant effect on the environment.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of Planning Services at 2850 Fairlane Court., Placerville, CA 95667.

2.0 General Plan Findings

- 2.1 The proposed use is consistent with applicable *Policies* in the *2004 El Dorado County General Plan*, as discussed in the *General Plan* section of this staff report.

3.0 Special Use Permit Findings

- 3.1 The issuance of the permit is consistent with the General Plan.
- 3.2 The proposed use would not be detrimental to the public health, safety, and welfare, or injurious to the neighborhood.

With the specific conditions placed on the project, as recommended by Planning Services the proposed special use permit would not be detrimental to the public health, safety and welfare.

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

The proposed used car dealership is located within the Planned Commercial – Design Community (CP-DC) Zone District, which allows the use through the issuance of a special use permit pursuant to *Section 17.58.070* of the *El Dorado County Code*.