



**COMMUNITY DEVELOPMENT DEPARTMENT
CITY COUNCIL STAFF REPORT**

Agenda Date: October 26, 2010

APPLICATION NO.: Tentative Subdivision Map 08-04;
Environmental Assessment 08-05;
Ray Lawyer Commercial Subdivision

DATE: October 20, 2010

REQUEST: 7-Lot Commercial Tentative Subdivision Map

OWNER / APPLICANT: Capitol Consultants,
1020 Wallace Road, Placerville, CA 95667

AGENT: Cooper Thorne & Associates;
Robert Laurie, Esq.

LOCATION: South of the El Dorado County Jail, Forni Road and east of
the former Southern Pacific Railroad right of way on a
portion Gold Nugget Way.

**ASSESSOR'S
PARCEL NO.:** 325-300-021

**GENERAL PLAN
DESIGNATION:** Commercial

ZONING: C (Commercial)

CURRENT LAND USE: Vacant

**SURROUNDING LAND
USES:** Northwest: El Dorado County Jail; West: commercial;
Southwest, South and East: low density residential
(unincorporated area)

PARCEL AREA: 27.4 acres

**ENVIRONMENTAL
DOCUMENT:** Mitigated Negative Declaration

STAFF CONTACT: Steve Calfee, Community Development Director, Retired

DESCRIPTION OF SITE

The subject 27.4-acre site is best described as foothill oak woodland with digger pine, manzanita and various annual grasses and shrubs. Topography of the site is considered gentle to moderate, with 75% of the site containing slopes of less than 20% and the remaining 25% of the site with slopes between 20% and 30%. There are no known unique soil or geologic conditions which relate to the site.

BACKGROUND

The subject site has maintained Commercial Land Use zoning for well over 20 years. In the mid 1970s, the El Dorado County Board of Supervisors and Placerville City Council adopted an alignment route for the Ray Lawyer Drive extension from the current Ray Lawyer Drive overpass through the El Dorado County Jail site and subject site southeasterly to a point connecting with Highway 49, slightly north of Weber Creek. To this end, El Dorado County has acquired property and rights-of-way in the vicinity of Gold Nugget Way south and southeasterly of the subject site for the future Ray Lawyer Drive extension.

Indirectly related to this is the Western Placerville Interchanges Project. The Western Placerville Interchanges Project involves interchange improvements at the Placerville Drive/Forni Road/Highway 50 intersection as well as interchange improvements to the Ray Lawyer Drive/Highway 50 overcrossing, including east- and westbound on- and offramps. Located westerly and adjacent to the subject site is the former Southern Pacific Railroad right-of-way, which is now owned by the El Dorado/Folsom/Sacramento Joint Powers Authority. A multi-use trail was recently completed along the railroad right-of-way in this area, noting that the trail's terminus near the entrance to the Jail is located in the center of the future Forni Road/Ray Lawyer Drive/Jail entrance four-way intersection.

On July 20, 2010, the City Planning Commission conducted a public hearing of this matter and made a recommendation to City Council to approve the Mitigated Negative Declaration that has been prepared, as amended, for this project, and to approve the project with the findings and conditions as enumerated in the *Conclusion and Recommendation* section below.

Before moving for recommendation to Council, the Commission moved to direct City Staff to assume the responsibility of addressing the objections set forth by Applicants and their Counsel, in Counsel's letter dated July 15, 2010 (**Exhibit I**), to existing project Conditions 24, 28, 38 and 39. Meeting Minutes pertaining to these motions is attached hereto as **Exhibit J**. Staff is prepared to address said objections before the City Council at this hearing.

DESCRIPTION OF REQUEST

This request will create seven (7) commercial lots on the 27.4-acre site, with the parcels ranging from 2.8 to 4.6 acres in area. Access to the site would be by way of the Ray Lawyer Drive extension, which passes through the El Dorado County Jail site to serve

the subject site. There is an existing 50' road and utility easement through the subject site which contains Gold Nugget Way connecting to a substandard intersection at Forni Road. Gold Nugget Way serves approximately 20 single family parcels on Gold Nugget Way and Gold Nugget Court south of the subject site. The Gold Nugget right-of-way and road thereon that traverses the subject site is to be abandoned upon completion of the Ray Lawyer Drive extension.

ANALYSIS

Analysis of this Subdivision Map is based upon on a variety of studies and documents submitted by the applicant, which include a **Tentative Subdivision Map** and **Preliminary Grading Plan**, attached hereto as **Exhibits C and D**, along with a Preliminary Landscaping Plan, Traffic Study, Drainage Study, Archeological Analysis, and Air Quality Mitigation Plan, which studies are available for review in the City of Placerville's Community Development Department.

It is important to note that the entitlements being sought with this application relate *only* to the creation of the seven (7) lots depicted on the Tentative Map, including the roadway and travel aisles, and related easements. This request does *not* include entitlements or approvals for any structures or parking facilities within the 27-acre site. Individual development on each of the lots will be subject to Site Plan Review and environmental documents, both subject to public hearings, review and approvals by the Planning Commission. However, for the purposes of the environmental document, the potential square footage of floor area for some of the proposed future structures is estimated at approximately 210,000.

GRADING, STORM DRAINAGE AND TREE REMOVAL

The Preliminary Grading Plan indicates that mass pad grading activity is the likely method for future project construction of access roads, parking areas, building pads and utilities. The estimated grading quantities provided by the applicant's agent indicate approximately 225,000 yards of cut material, 122,000 yards of fill material, and a net export of 133,000 cubic yards. A number of retaining walls of vary heights are shown on the grading plan, and are mostly intended to support parking, access and circulation facilities. The extent of the grading activity will modify approximately 85% of the topography of the subject site. The grading activity is subject to the City's Grading, Erosion and Sediment Control Regulations, the El Dorado Soil Conservation Service regulations for grading and erosion control, as well as other State and Federal permits.

A review of the preliminary drainage system indicates that drainage within the upper two-thirds of the site will collect to a centrally-located detention facility located on proposed Lot 1. The system then flows underneath the Ray Lawyer Drive extension to a second detention facility, proposed on Lot 6, where drainage then outfalls to an existing box culvert under the former Southern Pacific Railroad right-of-way. The Drainage Study prepared for this project concludes that the drainage improvements for the project are designed to accommodate a 100-year storm, and are preliminarily designed to provide peak flow mitigation for 10-year and 100-year storm events. The Study also concludes that the downstream drainage facilities will be minimally impacted as a result

of project development and that postdevelopment flows will be equal to or less than predevelopment flows.

Because most of the on-site drainage facilities are proposed on privately-owned lots, easements will be necessary and a Property Owners Association will be needed to assign maintenance responsibilities and the funding thereof.

Mass pad grading activity involving approximately 80 to 85 percent of the site will involve tree and vegetation removal for that portion of the site designated for grading activity. The City of Placerville's Woodland and Forest Conservation Regulations specifically exempt commercial development from the City's canopy retention and replacement criteria. This, however, does not mean that vegetation reestablishment is not a requirement. In fact, compliance with the City's landscaping standards set forth in the Site Plan Review Regulations will be required as each lot develops. In addition, the circulation system within the project area will be required to comply with the City's Streetscape Policy.

TRAFFIC AND CIRCULATION

Access to the subject site in terms of vehicular and pedestrian traffic is limited, as the site is only served by Gold Nugget Way at Forni Road, which is a substandard road at a substandard intersection. Therefore, new on- and off-site improvements will be needed. This project proposes a new roadway connection, shown on the Tentative Map, which corresponds with the Western Placerville Interchanges project for both on- and off-site improvements as well as a four-way signalized intersection at Forni and County Jail access, which corresponds with the preferred alternative for the City's Western Placerville Interchanges Project Report. Preliminary engineering for the aforementioned intersection has been completed and the environmental document therefor has been adopted as well. In essence, the subdivision map must install on- and off-site improvements that have been determined by previous design and actions by decisionmakers.

A Traffic Impact Study was prepared for this project to analyze several traffic scenarios with respect to this project and the surrounding area. Instead of using 210,000 square feet of floor area as stated above, the Traffic Study assumes 265,000 square feet of floor area within the proposed business park. The Traffic Study analyzed four (4) intersections in the vicinity of the project:

- Placerville Drive/Fair Lane/Highway 50 ramps
- Placerville Drive/Forni Road
- Forni Road/Lo-Hi Way/Highway 50 ramps
- Forni Road/Ray Lawyer Drive

With respect to the proposed project trip generation, the Traffic Study assumes that the project will generate 3,600 vehicle trips per day, which results in 372 a.m. peak hour trips and about 370 p.m. peak hour trips.

Table 1 below represents the Traffic Study's findings for "existing traffic conditions" for the aforementioned intersections, indicating that the Level of Service (LOS) for two of the four intersections currently operate at unaccepted levels under the existing condition scenario.

TABLE 1 EXISTING INTERSECTION OPERATIONS			
INTERSECTION	TRAFFIC CONTROL	AM PEAK HOUR LOS	PM PEAK HOUR LOS
Placerville Drive/ Fair Lane/ Highway 50 ramps	Signal	D	F
Placerville Drive/ Forni Road	EB (LT) EB (RT) NB (LT)	C B A	F B A
Forni Road/ Lo-Hi Way/ Highway 50 ramps	4-way Stop	B	B
Forni Road/ Ray Lawyer Drive	3-way Stop	A	A

The Traffic Study also analyzed the scenario of "existing and approved projects" which does not include the Ray Lawyer Business Park and is shown below:

TABLE 2 EXISTING & APPROVED PROJECTS			
INTERSECTION	TRAFFIC CONTROL	AM PEAK HOUR LOS	PM PEAK HOUR LOS
Placerville Drive/ Fair Lane/ Highway 50 ramps	Signal	D	F
Placerville Drive/ Forni Road	EB (LT) EB (RT) NB (LT)	D B A	F B A
Forni Road/ Lo-Hi Way/ Highway 50 ramps	4-way Stop	B	B
Forni Road/ Ray Lawyer Drive	3-way Stop	A	A

This scenario also shows that two intersections continue to operate at LOS F. The Traffic Study for existing traffic, approved projects *and* for the Ray Lawyer Business Park shows the following LOS, noting that an additional intersection is analyzed (the Forni Road/Ray Lawyer Drive extension).

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TABLE 3 EXISTING & APPROVED & BUSINESS PARK			
INTERSECTION	TRAFFIC CONTROL	AM PEAK HOUR LOS	PM PEAK HOUR LOS
Placerville Drive/ Fair Lane/ Highway 50 ramps	Signal	E	F
Placerville Drive/ Forni Road	EB (LT) EB (RT) NB (LT)	D B A	F B A
Forni Road/ Lo-Hi Way/ Highway 50 ramps	4-way Stop	C	B
Forni Road/ Ray Lawyer Drive	3-way Stop	A	A
Forni Road/ Ray Lawyer Drive Extension	NB (LT)	C	B

The above table shows that the Placerville Drive/Fair Lane/Highway 50 westbound ramps and the Placerville Drive/Forni Road eastbound left turn approach will operate at LOS E and F.

The planned future improvements associated with the Placerville Interchanges Project will greatly improve traffic conditions once implemented. The improvements, however, are 5 to 10 years away from implementation, if not more; interim measures to mitigate project impacts are therefore appropriate.

The Traffic Study identifies the following impacts and proposed mitigation thereof, and does so for the existing and approved project traffic conditions which *include* the business park.

The intersection of Placerville Drive/Fair Lane/Highway 50 ramp will operate at LOS E during the a.m. peak hour and LOS F through the p.m. peak hour. Mitigation consists of the following:

- The project applicant shall make a fair-share contribution toward the installation of an exclusive westbound left turn lane on Fair Lane at the intersection of Placerville Drive/Fair Lane/Highway 50 ramps. This left turn lane would be consistent with improvements proposed in the Western Placerville Interchanges Project Report/Environmental Document (PR/ED).

Under the same scenario the northeast-bound left turn approach near the In-N-Out exit at the intersection of Placerville Drive/Forni Road would operate LOS F during the p.m. peak hour. Mitigation offered for this impact is as follows:

- The Project Applicant and the City shall implement improvements that include the prohibition of eastbound left turn movements from Forni Road onto Placerville Drive and make provisions for an eastbound u-turn at the intersection of Forni Road/Lo-Hi Way/Highway 50 eastbound ramps.

The southern terminus of the proposed Ray Lawyer Drive transitions to Gold Nugget Way and Gold Nugget Court lies approximately 180' north of the site's southerly boundary; the gate and transition (shown on **Exhibit A**) was the result of negotiations between the Applicant and Gold Nugget residents.

The proposed RLD extension roadway section shows 12' travel lanes, 8' parking on each side, bike lanes on each side and concrete curb, gutter and sidewalk on each side. The above represents the City Collector Street Standard. The road section is shown on the Tentative Map.

The section of the El Dorado Trail between Missouri Flat and Forni Road was recently completed and is located adjacent to the western flank of the project. The Trail's eastern terminus is located in, and conflicts with, the previously-approved WPIP intersection of Forni Road/Ray Lawyer Drive/County Jail entrance. Therefore, the Trail's eastern terminus will be required to be relocated westerly of the aforementioned intersection by either the Applicant or by construction of the intersection by others—whomever undertakes construction first.

RECENT MAP AMENDMENTS

Two 11"x17" exhibits (attached hereto as **Exhibits A** and **B**) accompany the Tentative Map, which reflect a change in conceptual parking in the southerly area of the project site. One exhibit shows parking that has been shifted from the southerly area of the site to the northwesterly area of lot 6. This then creates a 55' foot natural landscape buffer along the southerly boundary (shown on the **Exhibit A**) to mitigate potential site development impacts upon neighbors.

ENVIRONMENTAL DOCUMENT

An Initial Study/Mitigated Negative Declaration has been prepared for this project (**Exhibit E**). The environmental document has been legally noticed and circulated to the State Clearinghouse and applicable agencies. The document concludes that no significant inmitigable impacts will occur from project development. The document discusses environmental issues relating to:

- Geology
- Drainage
- Air Quality
- Aesthetics
- Biological Resources
- Hazards
- Noise
- Transportation/Circulation
- Cultural Resources
- Mandatory Findings of Significance

During the public review period for the IS/MND, Staff received a letter from the law firm Kenyon Yeates LLP reiterating the concerns of the residents of the Gold Nugget neighborhood. After review of the aforementioned letter, Staff found it appropriate to augment the initial MND with additional discussion and mitigation measures most directly related to biological concerns, tree removal, noise and air quality issues. After the amendments to the MND, Staff was not of the opinion that the environmental

document needed to be recirculated to the State Clearinghouse. Shortly thereafter, Staff received a second letter from Kenyon Yeates which challenged the City's decision to not recirculate the MND. In response, Staff recirculated the IS/MND to the State Clearinghouse on September 9, 2010. A letter was submitted by the California Department of Transportation, reiterating the comments made by DOT in response to the 2009 IS/MND circulation (**Exhibit F**), however no new comments were received as a result of the 2010 recirculation.

Mitigation measures have been incorporated into the environmental document to reduce impacts to a less than significant level and said mitigation measures are required conditions of approval.

CONCLUSION AND RECOMMENDATION

The subject site has maintained a General Plan Land Use and Zoning Map designation for commercial uses on the site for well over 20 years. The proposed Tentative Map and future commercial/business uses are permitted under the General Plan and Zoning Code. The project is consistent with the general alignment of the Ray Lawyer Drive extension, adopted in the 1970s and included in the City's General Plan Transportation Element. The dangerous and substandard Gold Nugget Way will be abandoned through the site in favor of Ray Lawyer Drive, once reconstructed. Lastly, perhaps over a 20 year period, the project could provide a type of employment facility that is relatively void in this community. Staff respectfully requests that the City Council accept the Planning Commission's recommendation to:

1. Adopt the staff report as part of the public record.
2. Receive, approve and file the Mitigated Negative Declaration prepared for this project, dated August 5, 2009 (as amended); mitigation measures contained therein are conditions of project approval.
3. Make the following General Plan Findings of Consistency:
 - A. This request is consistent with Land Use Element, Goal A which states "to provide for orderly development within well defined urban boundaries" and Land Use Policy 1 which states "the City shall give infill development of vacant lands within the City limits priority over development in areas to be annexed whenever feasible."
 - B. This request is consistent with the purpose of the commercial General Plan land use designation in that it will provide commercial opportunities to serve the residents of the community, is designated in a well-defined and well designated area and will create conditions conducive to convenient and desirable environments for customers and employees.

- C. This request is consistent with Land Use Element, Goal C which states “to protect and provide for the expansion of Placerville’s commercial services sector to meet the needs of both Placerville area residents and visitors” and Policy 4 therein which states “the City shall encourage the establishment of new commercial businesses in Placerville that provide services currently not being provided in the Placerville area, create jobs appropriate to the skills of the local labor force, and broaden the revenue base of the City of Placerville.”
4. Make the following findings with respect to Tentative Subdivision Map 08-04:
- A. The design of the subdivision and proposed improvements will not cause significant environmental impacts as evidenced in the Mitigated Negative Declaration attached hereto.
 - B. The design of the subdivision will not cause serious health, safety and welfare impacts in that the subdivision is designed to meet City design and safety standards.
 - C. The Proposed Subdivision map is consistent with the City of Placerville General Plan.
5. Approve Tentative Subdivision Map 08-04 and Environmental Assessment 08-05 with the following conditions of approval:

ENGINEERING

General

1. This Subdivision (Development) project shall comply with all pertinent City Ordinances and City standard street cross-section details available at the office of the City Engineer, except as may otherwise be imposed as conditions of this project. All remaining Public Works items, except for sewer and water, will be designed in accordance with: the County of El Dorado Design and Improvement Standards Manual, as revised May 18, 1990; the County of El Dorado Drainage Manual, dated March 14, 1995; and the State of California Department of Transportation (Caltrans) Standard Plans and Standard Specifications, dated May 2006. Sewer service will be provided by the City and shall be designed and constructed in accordance with El Dorado Irrigation District (EID) Design and Construction Standards, dated July 1999, except when otherwise directed by the City Engineer. Water distribution is within the EID service area and shall comply with their standards and Conditions of Approval.
2. The Developer shall reimburse the City for associated project costs incurred by the City for any outside consultants, City Staff time, and other expenses for special design needs above and beyond normal items covered by the City’s fee

schedule, after being notified and advised that these additional items are needed.

3. The Developer shall be responsible for maintenance and upkeep of all slopes, landscaped areas and irrigation systems within the Development until such time as those operations are the responsibility of the individual property owners, a Property Owners Association, or any other successor-in-interest.
4. Appropriate land rights shall be obtained from the affected property owners as necessary to allow any required grading and/or facilities to be installed outside the Development boundaries. A copy of the written authorization(s) shall be submitted to the City Engineer prior to construction or with the Final Map, whichever occurs first.
5. All improvements required for this Development and as described in these Conditions of Approval shall be shown on construction drawings (the final improvement plans) to be submitted along with the Final Map to the City Engineer for review and approval. An encroachment permit shall be obtained from the City Engineer prior to beginning any work on this Development within a public right-of-way or easement.
6. All Capital and Impact Fees are to be calculated and paid at time of Building Permit issuance unless otherwise provided for in these Conditions.
7. All onsite rough grading, drainage, and utility improvements could be broken into two phases, one below Ray Lawyer Drive (lots 5 and 6) and one above Ray Lawyer Drive (lots 1, 2, 3, 4, and 7). Finish grading, roadway improvements, and pedestrian circulation improvements to provide access to all lots within each of these two phases shall also be constructed with each phase. Phasing of finish grading and parking lot improvements serving individual lots may be phased as approved by the City Engineer.

Map

8. All existing easements within the Development boundaries shall be revised as appropriate to conform to the new Development layout at the time the Final Map is recorded. Easements to be abandoned shall be abandoned prior to or concurrently with the recordation of the Final Map. Abandonment shall be in accordance with the City's requirements.
9. All commonly-shared private improvements shall exist within non-exclusive private easements. The easements shall also grant the right to enter thereon to the personnel, agents, and equipment of the City, EID, Fire District, and all required utilities.
10. The Final Map shall show all onsite drainage easements for improvements such as, but not limited to, drainage swales, ditches, pipelines, etc., consistent

with the County of El Dorado Drainage Manual, the Final Drainage Plan, and the final improvement plans, and shall be offered for dedication to the City. The Final Map shall note that said easements “shall be kept free of buildings and obstructions.” The City will consent to the offer, but not accept for maintenance. An Owners Association or other entity approved by the City shall assume maintenance obligations for the onsite drainage, except for such that is within the Ray Lawyer Drive right-of-way.

11. The Owner's Statement on the Final Map shall irrevocably offer to dedicate Ray Lawyer Drive as a public roadway, irrevocably offer to dedicate a 20-foot landscape and Public Utilities Easement along all lot frontages on Ray Lawyer Drive, irrevocably offer to dedicate a Public Utilities Easement and non-exclusive access to the public across the 24-foot main driveway aisles through lots 1, 2, 5, 6 and 7, and dedicate a 30-foot non-exclusive access and Public Utilities Easement centered on the centerline alignment of the proposed north/south access road through lots 4, 3 and 7, running from Ray Lawyer Drive to existing Gold Nugget Way at the north edge of the Development.
12. Developer shall complete the process to formally vacate existing Gold Nugget Way where it crosses the project, prior to or concurrently with the recordation of the Final Map. This process shall include provisions to continuously provide all existing property owners with equal or better roadway access and utility easement rights to their property.
13. All utilities outside of public roadways shall be in 15-foot-minimum-width easements centered on the utility. Easements for drainage swales shall be 10 feet wide centered on the swale. All easements within the development shall be dedicated on the Final Map or by separate instrument. All easements outside of the Development boundaries shall be submitted for approval prior to commencement of construction or the recordation of the Final Map, whichever comes first.
14. Where the Developer is required to make improvements on land for which neither the Developer nor the City has sufficient title or interest to make such improvements, the Developer shall make every effort to acquire all necessary land rights prior to the filing of the Final Map. If the Developer is unsuccessful in obtaining those land rights, then, prior to filing of the Final Map, the Developer shall submit to the City Engineer for approval:
 - A. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements.
 - B. Improvement plans prepared by a civil engineer of the required off-site improvements.
 - C. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.

15. Prior to the filing of the Final Map, the Developer shall enter into an agreement pursuant to government code Section 66462.5 to complete the required off-site improvements, including the full costs of acquiring any real property interests necessary to complete the required improvements.
16. In addition to the agreement, the Developer shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs, including legal costs subject to the approval of the City Attorney.
17. One third-order survey control point will be required to be located within the subdivision. The control point shall be located within the paved roadway section and set in a Type D monument per Caltrans Standard Plans A74, or as directed by the City Engineer. All calculations for said monumentation shall be provided to and approved by the County Surveyor prior to the recording of the Final Map, or as agreed upon in the subdivision agreement.

Property Owners, CC&Rs, Agreements, and Districts

18. The Developer shall establish a mechanism for perpetual operation and maintenance of private infrastructure, including curbs, gutters, sidewalks, streets, parking lots, street and parking lot lighting, storm water drainage facilities, retaining walls, pedestrian paths, open-space vegetation, grading, slopes and related drainage swales, and similar improvements. Formation of a Property Owners Association ("Association") with Covenants, Conditions and Restrictions (CC&Rs) or other entities with the power of assessment shall be created and recorded with the Final Map to implement this requirement and the Association would be required to execute agreements with the City to operate and maintain private improvements as stated above. Said documents will include provisions for architectural review.

Water System

19. Developer shall obtain a current Facility Improvement letter from EID prior to submittal of the improvement plans and comply with EID Conditions of Approval for providing water service to each lot. Improvement plans shall show existing and proposed water mains on street, parking lot, and easement plan and profiles together with all other underground utilities. The front sheet of the final improvement plans shall include the appropriate signature block for EID approval.
20. A meter award letter or similar document from EID shall be provided to the City by the Developer prior to filing the Final Map for any phase, verifying that water service is available to each of the lots within that phase.
21. The required water system, including all fire hydrants, for any individual phase shall be installed and accepted by EID and the El Dorado County Fire

Protection District prior to any combustible building material being placed on an individual lot.

22. Improvements must comply with Fire District requirements, including location and spacing of fire hydrants, building sprinkler requirements, fire flows, and traffic and emergency circulation. The front sheet of the final improvement plans shall include the appropriate signature block for Fire District approval.

Sewer Facilities

23. Sewer and water laterals shall have a 10-foot minimum separation from connections at their respective mains to the point of connection with the structure.
24. Developer shall install sewer mains and manholes as shown on the Tentative Map or as may be modified by the City Engineer. Sewer mains shall end at a manhole. The City will maintain all sewer mains and manholes along the sewer main. Easements will be required along all sewer main installation. The sewer main serving lot 3 shall be extended to a manhole located in the drive aisle where the proposed 20-foot PUE and EVA easement intersects that drive aisle. This drive aisle from said PUE/EVA north to the existing Gold Nugget Way at the north edge of lot 7 shall also be designated as a sanitary sewer easement, allowing the City to extend sewer service in the future to serve properties to the north and east which lie within the City's current sphere of influence. Developer shall also designate the area between this north/south sanitary sewer easement and the easterly boundary of the property as a PUE to allow for potential future connections from the east. The Developer may request that the City set up a reimbursement agreement in accordance with City Code section 7-4-16 to recover a portion of this sewer line extension cost.
25. Developer shall install and all-weather access road to each manhole along the sanitary sewer main line that is not within a paved roadway or parking lot as necessary, to the satisfaction of the City Engineer.
26. A sewer service lateral shall be provided to each pad. Each service lateral shall connect to the City main line at a manhole. Each individual lot owner shall be responsible for ongoing maintenance of their service lateral from its respective manhole to the building. A City-approved grease interceptor is required on any lateral serving a building with food preparation facilities.
27. Where the finished floor elevation of a building is less than 6 inches above the upstream manhole lid elevation, provide backwater valve installation per EID standards or protect with other method as approved by the City Engineer. Installation shall be maintained by the property owner.

Other Utilities

28. Any existing and all new electric, telephone, and cable television lines, including any fiber-optic lines, shall be placed underground within the subdivision boundaries and from where connections are made to existing facilities.

Drainage Facilities

29. A Final Drainage Plan shall be prepared for review and approval by the City Engineer prior to submittal of the final improvement plans. The Drainage Study dated February 2008 for this Development indicates that post-development flows will be reduced to less than pre-development flows through the use of onsite detention systems. Developer shall provide the necessary additional details and calculations of this detention plan proposal with the Final Drainage Plan. Drainage facilities shall be designed and included in the final improvement plan submittal consistent with the Final Drainage Plan. Changes to historical and existing drainage patterns will not be allowed without specific City approval. All areas of concentrated drainage flow shall be contained in a pipeline or improved channel to a City-approved discharge point.
30. Interceptor ditches are required at the top of all slopes and retaining walls or as directed by the City Engineer, and all interceptor ditches shall be connected to an approved drainage system.
31. All drainage inlets shall be marked "Do Not Dump - Flows to Creek."
32. Drainage facilities within the subdivision shall be designed to accommodate flows from a 10-year storm with no static head, and to accommodate 100-year flows while still leaving a minimum of 12 feet of unobstructed roadway travel width through all roadways and parking lot travel aisles. Facilities within Ray Lawyer Drive shall accommodate 100-year flows within the gutter and parking area.
33. On-site overland drainage escape routes shall be provided and shall be secured by drainage easements where not on public property.
34. Drainage from public rights-of-way across private lots must be in a permanent drainage ditch or pipeline as approved by the City Engineer, offered for dedication to the City in a drainage easement.
35. Surface drainage of drainage swales or concentrated lot drainage across sidewalks shall not be allowed.

Roadways

36. Public roadways shall be constructed to the following standards:

Ray Lawyer Dr. (RLD) Collector St.
44' AC plus C, G, & SW in 64' ROW

RLD shall have a 6-foot sidewalk both sides, except that the sidewalk on the westerly side of offsite RLD may be omitted if pedestrian access between the existing bike trail and the sidewalk along that side of RLD is provided to the satisfaction of the City Engineer. RLD shall be constructed full-width from Forni Road to the south boundary line of the opposing commercial driveways at the most southerly north/south access road. At this point full RLD improvements shall be terminated and continued as Gold Nugget Way as discussed in item 43 below. RLD shall be fully designed to the southern property line and right-of-way shall be offered for dedication as necessary to construct this portion of RLD in the future when it is extended to the south. A commercial driveway shall be installed at all access points to RLD in lieu of the street type connections shown on the tentative plan. Driveways along this planned future state highway route shall be located in accordance with El Dorado County DOT access standards for driveways serving this level of traffic along two-lane collector streets, including sight distance standards and separation standards. The Developer will receive traffic impact fee credits and future reimbursement for construction of RLD as described in the City's adopted TIM program.

37. This Development proposes a new connection to Forni Road, which connection is shown on the Tentative Map and corresponds with the future Ray Lawyer Drive extension shown on the City's Western Placerville Interchanges Project Report Alternative D, which is the preferred alternative chosen from the project's approved environmental document. This Development shall construct the full intersection improvements at this location in accordance with those documents, with improvements along Forni Road and the County Jail access road constructed as far as necessary to tie back into the existing roadway improvements and as necessary to provide the necessary approach widths for turning movements at the intersection. All work shall be in conformance with the latest plans developed for this intersection area by the City. The Developer will receive traffic impact fee credits and future reimbursement for work at this intersection and its approaches as described in the City's adopted TIM program.
38. Applicant shall construct widening, striping, and related improvements on the Fair Lane approach to the Fair Lane/Placerville Drive intersection to mitigate their projects impacts at that intersection. Impacts are as determined by the applicant's traffic study and as approved by Caltrans. This is a Caltrans-controlled intersection, and they will be the reviewing agency for design criteria, plan review, and inspection of this improvement.
39. In lieu of the improvement described in the above Condition for Fair Lane/Placerville Drive intersection mitigation, and with Caltrans concurrence,

the City will accept a contribution equal to the estimated amount to complete this Condition toward a Western Placerville Interchanges (WPI) Phase 1A project. WPI Phase 1A consists of constructing a westbound on-ramp from Ray Lawyer Drive, an auxiliary freeway lane from this ramp to the existing Forni Road westbound off-ramp, and all necessary related improvements including realignment of portions of Fair Lane. Construction of this project will offer an alternative route from County offices, thus reducing congestion on Fair Lane approaching Placerville Drive and mitigating the project impacts to the Fair Lane/Placerville Drive intersection. The Developer's contribution would be eligible for future reimbursement of Traffic Impact Mitigation (TIM) fees paid under the City's TIM program.

40. If slope easements for Ray Lawyer Drive encroach into the former railroad right-of-way now owned by the Joint Powers Authority (JPA), Developer shall obtain necessary land rights from El Dorado County and the JPA.
41. Street structural sections shall be designed based upon a traffic index of 8.0 for Ray Lawyer Drive. The private roadways and traffic aisles shall be designed based upon a traffic index of 6.0.
42. Onsite private north-south roadway from Ray Lawyer Drive to Gold Nugget Way shall have a minimum pavement width of 24-feet-plus-barrier-curb on the uphill side and curb, gutter and sidewalk on the downhill side, and shall be signed for "No Parking." All other parking lot areas shall be constructed to City standards, with a minimum drive aisle width of 24 feet.
43. The existing Gold Nugget Way private roadway easement serving properties to the south shall be connected to Ray Lawyer Drive just past the opposing commercial driveways. At this point, Ray Lawyer Drive full improvements shall be terminated and Gold Nugget Way, constructed as a two-lane private roadway similar to its existing construction. The four-way intersection of the two new commercial driveways, Gold Nugget Way extension, and RLD shall be a four-way stop. Signage and barricades shall be provided to designate the change from public to private, dead-end roadway. Access to these Gold Nugget Way private properties shall be maintained at all times during project construction.
44. Install City-standard street lights at all access points on Ray Lawyer Drive. All street lighting shall be fully shielded to prevent excess glare and light, and shall comply with PG&E standards. Developer shall form a lighting and landscape assessment district to fund ongoing operation and maintenance of onsite public street lighting.
45. All striping in public right-of-way and public roadway easements shall be thermoplastic. Signing and striping shall be provided as required by the City Engineer.

46. Where roadway earthwork extends beyond the street rights-of-way, additional slope easements shall be provided to a point five (5) feet beyond the catch point.
47. Provide sub-drains on all roadways subject to seasonal wet areas as required by the Geotechnical Engineer. Outlet sub-drains to approved drainage locations.
48. Provide a pedestrian circulation plan for walkways and sidewalks that will connect buildings and parking areas throughout the campus for review and approval by the City Engineer. This plan shall also show locations where crosswalks will be installed across public or private roadways.
49. Install handicapped-accessible ramps at all street intersections where sidewalks are present and at all locations required by ADA.

Grading

50. All grading shall conform to the City Grading Ordinance and to all other relevant laws, rules, and regulations governing grading in the City of Placerville, to the satisfaction of the City Engineer. Prior to commencing any grading which includes 50 or more cubic yards, the Applicant shall obtain a grading permit from the Public Works Department.
51. Install minimum 42-inch height permanent fencing at the top of all bluffs or cut-and-fill slopes exceeding 10 feet in height, and greater than 2:1 slope.
52. All retaining walls shall be reviewed and approved by the City prior to construction, including material types, colors, and surface finishes.
53. A preliminary geotechnical study has not been submitted for this Development. A letter report labeled Geotechnical Stability Assessment Visual Observations, dated April 2004, has been submitted by Youngdahl Consulting Group, Inc. Developer shall submit a final geotechnical report for this Development for review and approval prior to submittal of final improvement plans, with recommendations for the construction of building pads, utilities, retaining walls and roadways. Final geotechnical report shall also address issues raised in the letter report relating to former mining ponds and colluvial soils on sloping bedrock surfaces.
54. The improvement plans shall include an erosion and sediment control plan, which incorporates standard erosion control practices and best management practices, subject to the approval of the City Engineer and Resource Conservation District. The plan shall be prepared by a Registered Civil Engineer or Certified Professional Hydrologist in accordance with the High Sierra Resource Conservation and Development Council Guidelines for Erosion and Sediment Control, and shall be included in an agreement with the

construction contractor prior to the issuance of a grading permit. The following measures shall be included:

- A. Any mass grading shall be restricted to dry weather periods between April 1 and October 31, unless otherwise approved by the City Engineer.
 - B. If other grading activity is to be undertaken in wet-weather months, permanent erosion and sediment controls shall be in place by October 15, and construction shall be limited to areas as approved by the City Engineer. A winterization plan must be submitted by September 15 and implemented by October 15.
 - C. In the event construction activity including clearing, grading or disturbances to the ground such as stockpiling or excavation result in soil disturbances of at least one acre of total land area, Applicant shall obtain and provide a Notice of Intent (NOI) from the Regional Water Quality Control Board.
 - D. Should an NOI be required, a Storm Water Pollution Prevention Plan (SWPPP) shall be provided prior to issuing a construction permit. The SWPPP shall have provisions for, at minimum, monthly monitoring reports to the City during wet weather and to City's receipt of Notice of Termination from the state.
 - E. Projects less than one acre are exempt from obtaining an NOI unless construction activity is expected to create soil disturbances that could cause significant water quality impairment.
 - F. The URL where information and application on the NOI is:
<http://www.waterboards.ca.gov/stormwtr/docs/finalconstpermit.pdf>
 - G. Sedimentation basins, traps, or similar BMP controls shall be installed prior to the start of grading.
 - H. Mulching, hydro seeding, or other suitable revegetation measures shall be implemented. Planting shall also occur on areas of cut and fill to reduce erosion and stabilize exposed areas of later construction phases. All disturbed areas with a slope greater than 5% shall receive erosion control.
 - I. Excavated materials shall not be deposited or stored where the materials could be washed away by stormwater runoff.
55. The Developer shall submit a fugitive dust control plan to the El Dorado County Air Quality Management District (AQMD) for approval as part of the improvement plan approval process. A permit from AQMD shall be

submitted to the Public Works Department prior to approval of the improvement plans. This plan shall be implemented by the Developer during grading as required by the City and AQMD.

56. Graded slopes shall be limited to a maximum steepness ratio of 2:1 (horizontal to vertical) unless otherwise approved by the geotechnical engineer.
57. Developer shall obtain proper permits prior to demolition or grading of any hazardous materials, underground storage tanks, mines, tunnels, shafts, septic systems, water wells, graves, or other existing underground utilities or unforeseen features. Requirement to obtain additional permits shall be clearly stated on the grading plans.
58. The application materials for this project show 225,000 cubic yards (CY) of cut material and 122,000 CY of fill material, resulting in export material of 103,000 CY. Prior to obtaining a grading permit, Applicant shall have obtained approval for any import/export location from the City Engineer. If an Environmental Assessment, prior to issuing a grading permit, did not previously approve that location, a Grading Environmental Assessment shall be submitted to the Planning Department for review, comment, and approval. Haul routes utilizing City streets shall be submitted to the City Engineer for review and approval, and may require an assessment of existing street conditions and additional protection measures.
59. City restrictions related to noise and work hours shall be clearly stated on the Cover Sheet for the final improvement and/or grading plans.
60. The trees to be protected and the protection measures to be installed or observed during site grading and trenching operations shall be clearly delineated on the final improvement plans.

DEPARTMENT OF TRANSPORTATION

61. The slope easements may encroach upon the former railroad right-of-way now owned by the Joint Powers Authority (JPA). A JPA easement agreement with the County of El Dorado is needed, to the satisfaction of the County Department of Transportation. Per the easement agreement, Applicant understands and agrees that the County of El Dorado or the California Public Utilities Commission (CPUC) may require the applicant to provide (but not be limited to providing) the following improvements: a) lights, b) crossing barricades, c) signs, d) tire rumble strips, etc. Applicant shall be responsible for the cost of designing, constructing, and maintaining any such improvements and shall be responsible for obtaining any required approvals from the CPUC prior to construction of the crossing. No gate or fence shall be erected that blocks or interferes with the use of said easement.

62. The onsite portion of the Ray Lawyer Drive extension must connect to the existing adopted route for the ultimate alignment approved with this project.
63. Ray Lawyer Drive is considered a Collector Road within the County. Road widths should be consistent with Collector Road Standards through the proposed Development as well.

PLANNING DIVISION

64. Developer shall be responsible for the relocation and reconstruction of the trailhead currently located in the adopted alignment for the Forni Road/Ray Lawyer Drive/Jail entrance four-way intersection. Said reconstruction shall occur concurrently with the construction of the aforementioned intersection and shall be subject to the approval of the Folsom/El Dorado County/Sacramento Joint Powers Authority.
65. Developer shall provide a landscape buffer of at least 100 feet (half of which is natural) along the property line bordering parcel 325-360-310 (3306 Gold Nugget Court) and the proposed project on parcel 325-300-020. This buffer would serve as a screen, utilizing the existing natural plants and trees to establish a clear boundary between future commercial development (buildings, lighting fixtures, parking lots, etc.) and neighboring residential areas.
66. Developer shall terminate the Ray Lawyer Drive extension at least 100 feet north of the property line bordering parcel 325-360-310 (3306 Gold Nugget Court) and the proposed project on parcel 325-300-020, at the entrance to the parking lots servicing proposed buildings 4, 5 and 6.
67. Developer shall connect the terminus, as discussed in Condition 68 herein, of the proposed Ray Lawyer Drive extension to the portion of Gold Nugget Way that remains after the elimination of a portion of the existing Gold Nugget Way, which elimination will result from the proposed project construction.
68. Developer shall install electronically-controlled gate access for Gold Nugget Way residents at a point near the project at the proposed Ray Lawyer Drive extension when the need therefor is established and reviewed through public hearing conducted by the appropriate City or County authorities. The design of the gate system shall be approved prior to installation by the residents of Gold Nugget Way, who shall be responsible thereafter for the gate system's maintenance.

PLANNING COMMISSION

69. Staff shall explore the possibility of access to Gold Nugget Way being achieved from Excalibar Road, via a new connector road. Said possibility shall be reviewed with appropriate fire safety authorities.

70. Onsite project materials shall be recycled and reused within the project wherever possible.

Steve Calfee
Community Development Director, Retired

Exhibits:

- A – Landscape Buffer Map
- B – Parking Exhibit
- C – Tentative Map
- D – Preliminary Grading Plan
- E – IS/MND, including documentation relating to the 2009 and 2010 document circulations
- F – October 13, 2010 CalTrans correspondence
- G – Mitigation Monitoring Plan
- H – July 20, 2010 / October 20, 2010 Staff Response to Gold Nugget Neighborhood Comment
(Comments Attached)
- I – Correspondence from Robert Laurie dated July 15, 2010
- J – Minutes of the Planning Commission Meeting of July 20, 2010
- K – Public Comment Received (6)

Additional project documentation, including Slope and Utility Plans, is available for review upon request.

All exhibits and other project documentation are available for review upon request. Please contact the City of Placerville Planning Department at (530) 642-5252 or pv.planning@gmail.com and arrangements will be made. Thank you.