Item 7.2
161 Fair Lane – CUP07-02-R2 – SPR 11-05-R
Vintage Transport

"Placerville, a Unique Historical Past Forging into a Golden Future"

Development Services Department Staff Report
September 3, 2019 Planning Commission Regular Meeting
Prepared By: Andrew Painter, City Planner

Item #7.2: 161 Fair Lane - Conditional Use Permit (CUP) 07-02-R2 and Site Plan Review (SPR) 11-05-R – Vintage Transport, Inc.

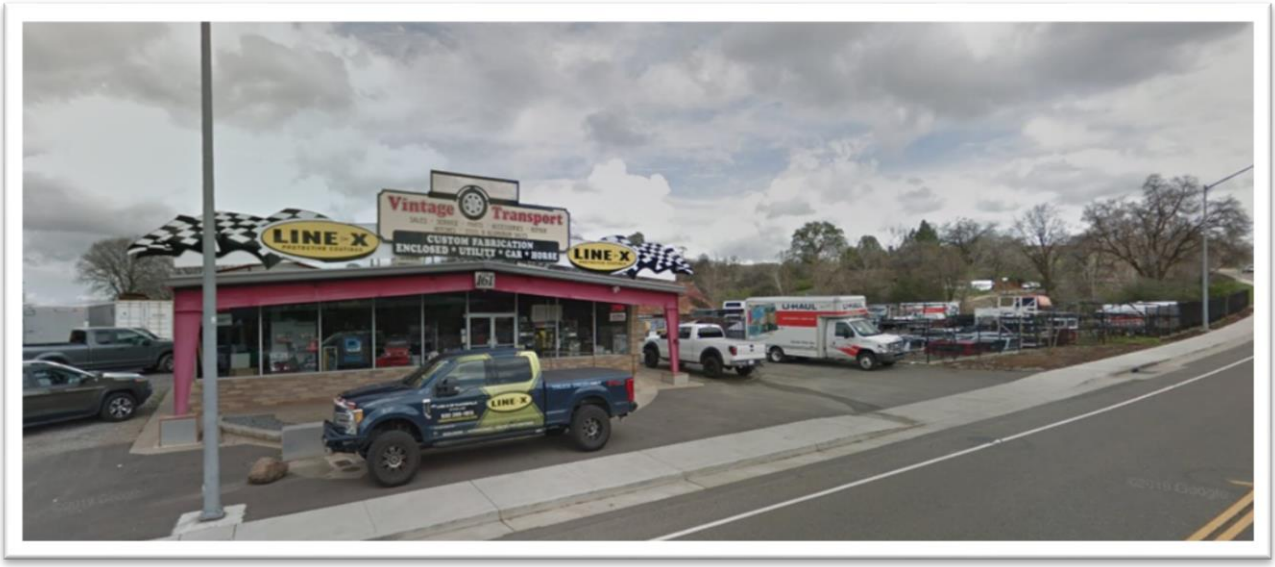
Request: Request to amend CUP 07-02 and SPR11-05 to permit the outdoor display and rental of trailers, equipment and vehicles onsite.

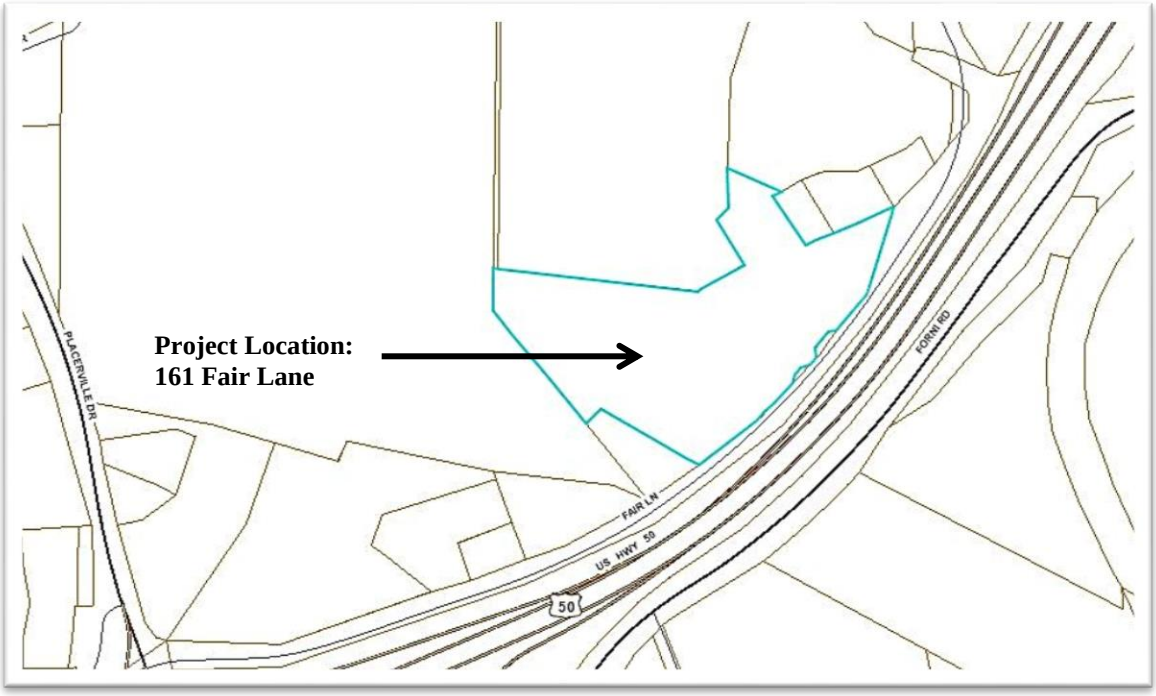
Summary Recommendation: Approve the request with conditions.

Project Data:
Applicants: James & Lisa Nadeau, Vintage Transport, Inc.
Property Owner: Frances E. Forni Survivable Trust & Forni Family Revocable Trust 7/22/1991
Location: 161 Fair Lane. APN: 325-280-034
General Plan Designation: Highway Commercial
Zoning: Highway Commercial Zone (HWC)

Site Description and Surrounding Uses: The site is approximately 6.5 acres in size. It is located along Fair Lane, east of the County Fair Shopping Center and adjacent to the El Dorado County Fairgrounds. US Highway 50 is approximately 150 ft. south of the site. The site has a land use designation and zoning classification of Highway Commercial.

Residential and El Dorado County government uses are located northeast of the project site; north and adjacent to the site is the El Dorado Fairgrounds; south of the site is US 50; properties west of the site are highway commercial uses, including retail, eat and drinking establishments.





Entitlement History:

- In 2007, the Planning Commission granted CUP07-02, allowing the sales of motorcycles on site; and,
- In 2011, the Planning Commission granted an amendment to the CUP07-02 and approved SPR11-05. The CUP amendment allowed the outdoor display and sales of trailers and camper shells located on approximately 2 acres leased by the applicant from the property owners' 6.5 acre site. SPR11-05 authorized the construction of two fully enclosed, detached metal structures that were built to the north and rear of the retail storefront building. The new buildings are used for trailer service, repair and for the application of spray-on bedliner products. SPR11-05 included landscaping and fencing along the Fair Lane frontage, site signage, a trash enclosure, and it specified where the outdoor display of trailers and camper would occur.

City Code Authority For Application:

- Section 10-5-17(C)1: Auto rental is a conditional auto service use within the Highway Commercial Zone;
- Section 10-3-3: Conditional Use Permits (CUP): Certain uses may be permitted in zones in which they are not otherwise outright permitted in the Zoning Ordinance, where such uses are deemed essential or desirable to the public convenience or welfare, are in harmony with the various elements or objectives of the General Plan, and are not detrimental to surrounding property. The Planning Commission is charged with acting on all applications for conditional uses;
- Section 10-3-6: Conditional Use Permit Procedure: requires the submittal of City application, fee, and filing requirements. The request, CUP07-02-R2, involves amending CUP07-02-R to allow outdoor display use and rental trailer, equipment and vehicle rental use onsite; and,

- Section 10-4-9(P): Site Plan Review (SPR) – Major Change. The component request, SPR11-05-R would amend SPR11-05 regarding the outdoor display location for the conditional use request.

Environmental Review: Categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301(a) of the CEQA Guidelines, in that the project involves a negligible expansion to an existing retail service business use offerings.

Public Noticing: Written notice for this public hearing was mailed to property owners within five hundred feet (500') of the project site on August 13, 2019. Public notice was also published in the Mountain Democrat on August 14, 2019. No public comments were received as of the date of this report.

Analysis: This request would amend CUP07-02-R and SPR11-05 to authorize the outdoor display and rental of trailers, equipment and vehicles onsite within the approximately 2 acres leased by the applicant from the property owner's 6.5 acre site. The proposed and existing outdoor merchandise display area is shown on the plan provided within the applicant submittal package. The request was determined by staff to be auto related service use. As mentioned, auto service uses are conditional uses under City Code Section 10-5-17(C), the Highway Commercial Zone (HWC). The request is before the Planning Commission due to a code enforcement investigation for operating a vehicle rental business without a conditional use permit.

The retention and expansion of commercial businesses already located in Placerville to meet the needs of residents and visitors is a General Plan goal and policy (Goal C & Policy 3, Land Use Element). This project appears to further this goal and policy, in that if authorized it would expand an existing business's operational offerings to the Placerville area public in a convenient highway oriented and accessible location.

The two (2) acre applicant leased area appears to accommodate the existing outdoor display of trailer and camper shells, the proposed outdoor display of rental equipment, trailers and vehicles, and would not be detrimental to surrounding property. Display locations allow for adequate customer and employee access and circulation within the site, as well as safe entry and exit to/from Fair Lane. Furthermore, the rental display would not impact previously approved SPR11-05 landscaping, fencing or the trash enclosure on the site.

Recommendation: Based on Staff's analysis of the request, its review of applicable General Plan policy, and the City's Zoning Ordinance, staff recommends that the Planning Commission approve CUP07-02-R2 and SPR11-05-R by taking the following actions:

I. Adopt the Staff Report as part of the public record.

II. Make the following findings in support of the CUP07-02-R2 and SPR11-05-R:

   A. The project request involves the negligible expansion to an existing retail service use to allow the outdoor display and the rental of equipment, trailers and vehicles on an existing site, therefore it is categorically exempt from CEQA per Section 15301(a) of the CEQA Guidelines.

B. The request would expand an existing business's operational offerings in a convenient highway oriented and accessible location, desirable for the needs of Placerville area residents and visitors. The request therefore is consistent with Goal C and Policy 3 of the General Plan Land Use Element.

C. The two (2) acre applicant leased area of the overall 6.5 acre site would accommodate both the existing outdoor display of trailer and camper shells and the proposed outdoor display of rental equipment, trailers and vehicles; display locations allow for adequate customer and employee access and circulation within the site, as well as safe entry and exit to/from Fair Lane; the request therefore would not be detrimental to surrounding property.

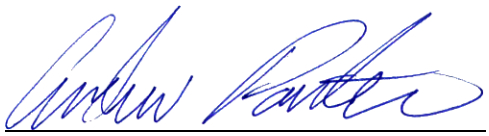
D. The request would not impact previously approved SPR11-05 landscaping, fencing or the trash enclosure on the site where public general welfare is maintained. It is therefore consistent with the purpose and intent of the Site Plan Review Regulations of City Code (Section 10-4-9), in that the project provides for the orderly and harmonious development of the site, while maintaining and protecting public health, welfare and safety.

III. Approve CUP07-02-R2, amending CUP07-02, authorizing the outdoor display and sales of rental equipment, trailers and vehicles located at 161 Fair Lane, subject to the conditions of approval provided as Attachment 1.

IV. Approve SPR11-05-R, amending SPR11-05, involving the outdoor display of rental equipment, trailers and vehicles authorized under CUP07-02-R2, at 161 Fair Lane, in the area shown on the approved site plan, subject to the conditions of approval provided as Attachment 1.

Attachments

1. Conditions of Approval for CUP07-02-R2 and SPR11-05-R
2. Applicant Submittal Package



Andrew Painter, City Planner

August 29, 2019
Prepared Date

Attachment 1

Conditions of Approval for CUP07-02-R2 and SPR11-05-R

1. CUP07-02-R2 and SPR11-05-R shall be granted for the use as approved and conditioned by the Planning Commission. The project shall be in substantial conformance to the Applicant Submittal Package submitted on July 22, 2019 by James Nadeau, including the site plan exhibit prepared by Paul Santacroce, Architect, unless otherwise modified by the Planning Commission. Any proposed future change to the site or modification to the application beyond what is authorized under this permit shall be submitted to the Development Services Department for a determination of appropriate procedures.

2. The permit shall run with the land, i.e. shall apply only to the project site with address of 161 Fair Lane, APN 325-280-034; it may not be transferred to another parcel.

3. All Conditions of Approval shall be in addition to those established under CUP07-02 and SPR-05, and shall be incorporated as the Conditions of Approval for CUP07-02-R2 and SPR11-05-R by reference.

4. CUP07-02-R2 and SPR11-05-R shall become effective eleven (11) days after the Commission granted the permit unless an appeal has been filed, in which case CUP07-02-R2 and SPR11-05-R shall not become effective until the granting of the permit is affirmed on appeal.

Attachment 2

Applicant Submittal Package

CITY OF PLACERVILLE
PLANNING APPLICATION

Date: 7-22-2019
Zoning: HWC GP: HWC
File No: CUP 07-22-XXR2
Filing Fee (PZ) 700.00
Filing Fee (EN) —
Receipt No: 6832

REQUEST FOR:

- [ ] Annexation
- [x] Conditional Use Permit
- [ ] Final Subdivision Map
- [ ] Historic District Review
- [ ] Planned Development Overlay
- [ ] Site Plan Review
- [ ] Tentative Parcel Map
- [ ] Boundary Line Adjustment
- [ ] Environmental Assessment
- [ ] General Plan Amendment
- [ ] Landscape Plan Review
- [ ] Preliminary Plan Review
- [ ] Temporary Commercial Coach
- [ ] Tentative Subdivision Map
- [ ] Certificate of Compliance
- [ ] Environmental Impact Report
- [ ] General Plan Consistency
- [ ] Minor Deviation
- [ ] Sign Package Review / Amendment
- [ ] Temporary Use Permit
- [ ] Variance
- [ ] Zone Change

DESCRIPTION: CONDITIONAL USE PERMIT REQUEST TO DISPLAY OUTDOORS AND RENT U-HAUL EQUIPMENT, TRAILERS AND VEHICLES.

ITEMS ABOVE THIS LINE FOR OFFICE USE ONLY

City Ordinance #1577 established a Fee & Service Charge System. In some cases project review will require the services of specialists under contract to do work that City staff cannot perform. In these cases, the applicant shall pay the direct cost of these services plus fifteen percent (15%) for City Administration.

PROJECT APPLICANT

NAME Vintage Transport, Inc.
MAILING ADDRESS 161 Fair Lane
Placerville, CA 95667
PHONE 530 622-3046
EMAIL vintagetransport@hotmail.com

APPLICANT'S REPRESENTATIVE (if different)

NAME James + Lisa Nadeau
MAILING ADDRESS
PHONE
EMAIL vintagetransport@hotmail.com

PROPERTY OWNER(S)

NAME Frances Forni
PHONE 530 622-3890
MAILING ADDRESS 121 Fair Lane, Placerville, CA 95667
EMAIL ADDRESS

SURVEYOR, ENGINEER, ARCHITECT, OR OWNER'S REPRESENTATIVE (If applicable)

NAME
PHONE
MAILING ADDRESS
EMAIL ADDRESS
I have notified the mortgage holder, which is:

DESCRIPTION OF PROPERTY (Attach legal deed description)

STREET ADDRESS 161 Fair Lane, Placerville, CA 95667
ASSESSOR'S PARCEL NO.(S) 325-280-30-100
Above described property was acquired by owner on
Month Day Year

List or attach any Covenants, Conditions or Restrictions, concerning use of property, of improvements contemplated; as well as yard setback and area or height requirements that were placed on the property by subdivision tract developers. Give date said restrictions expire.

Before filling out application please read

"REQUIREMENTS FOR FILING APPLICATION FOR CONDITIONAL USE PERMIT"

(A) REQUEST: The Applicant requests a CONDITIONAL USE PERMIT to USE the above described property for the following purposes: (Use this space ONLY to state exactly what is intended to be done on, or with, the property which does not conform with existing zoning regulations. IF a building is involved, a sketch of plan with photographic or other suitable description may accompany this application.)

We request amendment of our current conditional use permit to include sales and rental of U-Haul, equipment, and vehicles.

State fully wherein your case conforms to the following requirements:

1. That such use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the City's Municipal Code, and is not detrimental to existing uses or uses specifically permitted in the zone in which the proposed use is to be located.

We have been informed that we are the only location, within the city limits, that is amenabee to providing this type of service to the community.

2. That the site for the intended use is adequate in size and shape to accommodate such use and all the yards, setbacks, walls or fences, landscaping, and other features required in order to adjust such use to those existing or permitted future uses on land in the neighborhood.

We have been conducting business for (7) seven years in this location without issue.

3. That the granting of such Conditional Use Permit and the proposed use of the subject property will not increase traffic in the area beyond the capacity of existing streets and highways.

We have been conducting business for (7) seven years at this location without negative impact to traffic.

4. That the granting of such Conditional Use Permit will not be materially detrimental to the public health, safety and general welfare, or injurious to the property or improvements in such vicinity and zone in which the property is located.

We are providing a service to the community that is not detrimental to public health, safety or welfare. And, is in-line with the original use permit.

I, James Nadeau, hereby acknowledge that the above information is true and correct.

Signature — 7/19/2019 Date

Signature — 7-19-19 Date

I hereby certify that the statements and information contained in this application, including the attached drawings and the required findings of fact, are in all respects true and correct. I understand that all property lines must be shown on the drawings and be visible upon site inspection. In the event that the lines and monuments are not shown or their location found to be incorrect, the owner assumes full responsibility.

I further understand that if this request is subsequently contested, the burden will be on me to establish: that I produced sufficient factual evidence at the hearing to support this request; that the evidence adequately justifies the granting of the request; that the findings of fact furnished by me are adequate, and further that all structures or improvements are properly located on the ground. Failure in this regard may result in the request being set aside, and structures being built in reliance thereon being required to be removed at my expense.

PROPERTY OWNER agrees to and shall hold the CITY, its officers, agents, employees and representatives harmless from liability for damage or claims for damage for personal injury, including death, and claims for property damage which may arise from the direct or indirect operations of the PROPERTY OWNER or those of his contractor, subcontractor, agent, employee or other person acting on his behalf which relate to this project. PROPERTY OWNER agrees to and shall defend the CITY and its officers, agents, employees and representatives from actions for damages caused or alleged to have been caused by reason of the PROPERTY OWNER'S activities in connection with the project. This hold harmless agreement applies to all damages and claims for damages suffered or alleged to have been suffered by reason of the operations referred to in this paragraph, regardless of whether or not the CITY prepared, supplies or approved plans or specifications or both for the project.

PROPERTY OWNER further agrees to indemnify, hold harmless, pay all costs and provide a defense for CITY in any action challenging the validity of PROPERTY OWNER'S project.

Applicant's Signature	JAMES NADEAU Printed Name of Applicant(s)	7/9/2019 Date

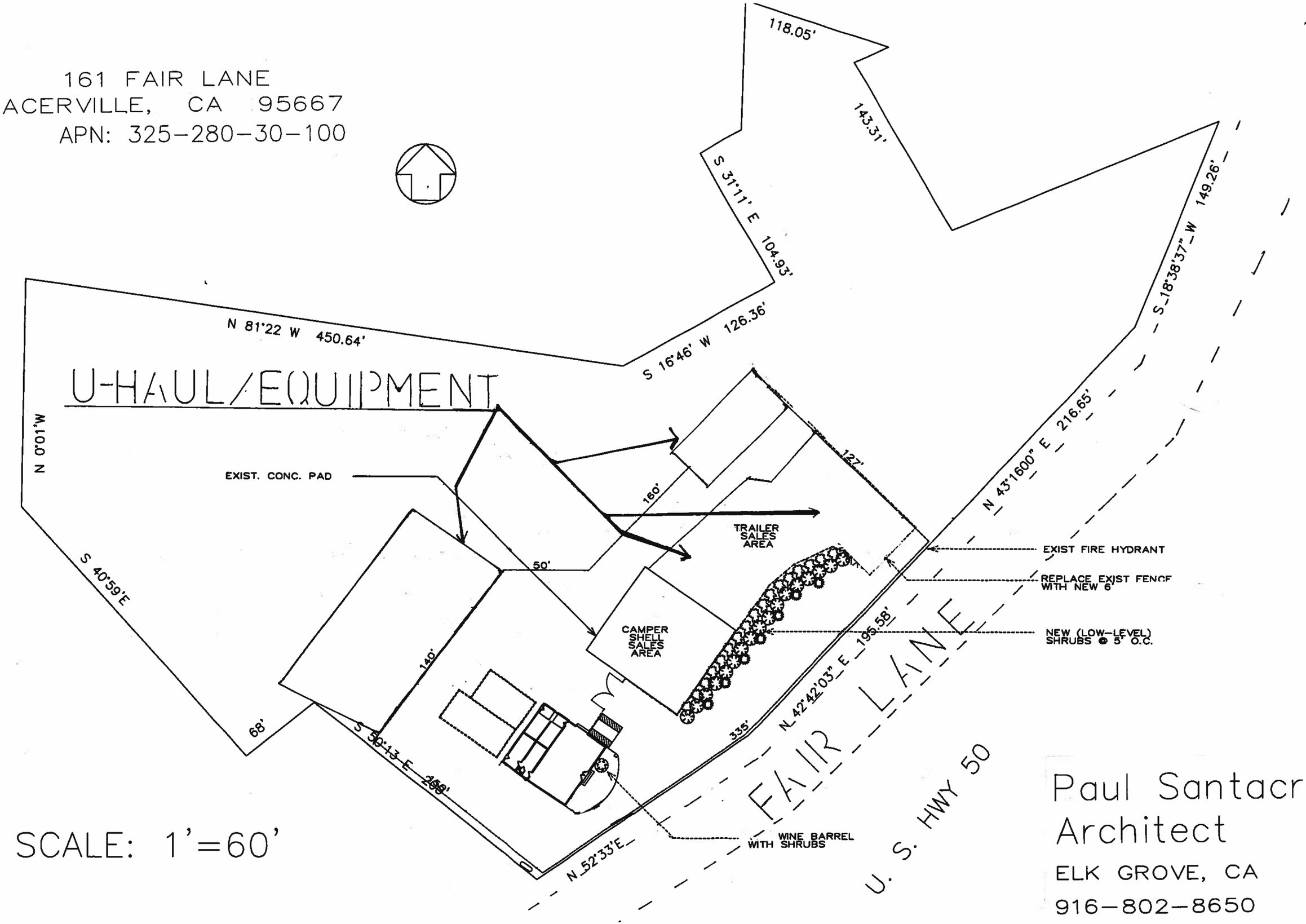
As owner of the property involved in this request, I have read and understood the complete application and its consequences to me as a property owner.

Signature of Property Owner	FRANCES E FORNI Printed Name of Property Owner	7-19-2019 Date
Signature of Property Owner	Printed Name of Property Owner	Date

NOTICE: Section 10-3-9 of the Placerville Municipal Code prohibits the occupancy of a building or a release of utilities prior to the issuance of a Certificate of Occupancy by the Building Division AND the completion of all zoning requirements and conditions imposed by the Planning Commission or City Council UNLESS a satisfactory performance bond or other acceptable security has been posted to insure completion. VIOLATIONS may result in prosecution and/or disconnection of utilities.

* * * \

161 FAIR LANE
PLACERVILLE, CA 95667
APN: 325-280-30-100



SCALE: 1'=60'

Paul Santacroce
Architect
ELK GROVE, CA
916-802-8650