

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

Planning Commission Staff Report Meeting Date: April 5, 2022

Prepared By: Pierre Rivas, Development Services Director

Case File: Variance (VAR) 22-01

Request: Consider a request to allow a 3.0 foot side-yard setback where 10 feet is required in the Business Professional-Historic (BP-H) Zone District (City Code Section 10-5-8(D)), for the construction of a concrete pad for installation of heating, ventilation, and air conditioning (HVAC) unit.

Summary Recommendation: Staff recommends approval of the request with the findings and conditions of approval herein.

Owner/ Applicant: Marshall Medical Center

Location: 1000 Fowler Way, located at the terminus of Fowler Way, approximately 500 feet northwest of its intersection with Marshall Way (See Attachment 1). Assessor's Parcel Number: 004-051-039, compromising 1.886 acres

Zoning: Business Professional – Historic District (BP – H)

Note: The parcel is partially within the Historic District. The proposed location of the

HVAC unit is not located within the Historic District.

General Plan: Business Professional (BP)

AUTHORITY FOR APPLICATION: New construction encroaching into setback areas requires approval of a variance application by the Planning Commission pursuant to Sections 10-3-1(C) and 10-3-5 of the Zoning Ordinance. With a minimum side yard setback of 10 feet, Planning Commission approval is required to authorize a side yard setback of 3 feet from the property line.

BACKGROUND AND REQUEST:

Yards are generally defined as follows:

Front Yard: Area between any contiguous street right of way and a line drawn parallel thereto at such distance therefrom as specified in this Ordinance for any zone, and extending between side parcel lines.

Rear Yard: Area between the rear parcel line and a line drawn parallel thereto at such

distance therefrom as specified in this Ordinance for any zone and extending

between side parcel lines.

Side Yard: Area between each side parcel line and a line drawn parallel thereto at such

distance therefrom as specified in this Ordinance for any zone.

The current owner, Marshall Medical Center, have submitted a building permit application to the City Building Division to place a 5'-6" wide by 8' long HVAC unit on a concrete pad to serve the new cardiac rehab clinic. The unit is to be located 3' from the property line along the side of the existing building within the side yard. Refer to the Applicant Submittal Package (Attachment 2) that contains a thorough description and exhibits of the property and the request.

Variance approval is necessary for the proposed construction that would encroach into the side yard setback of the parcel. In order to approve any variance, the Planning Commission must make the following findings:

That the granting of the request would not constitute a special privilege not enjoyed by others in the vicinity; the granting will not be detrimental to the public health, safety, convenience and welfare; and, that the granting of the variance would not injure property or improvements in the vicinity of the site.

Based upon the description of this request and exhibits relating thereto, the Commission can make findings to justify the granting of the variance. Among the unusual circumstances that apply to the property include the 30% slope and the multi-story developed nature of the site as shown in the Applicant Submittal Package (Attachment 2). The topography is such that the adjacent property is not accessible at this location and the HVAC unit will not be visible from the street or neighbors. The adjoining use is a parking lot. These circumstances confirm that this request would not be a grant of special use or privilege not enjoyed by others in the vicinity and under the same zoning designation.

ENVIRONMENTAL ASSESSMENT

This request is categorically exempt from environmental review pursuant to Section 15305(a) of the California Quality Act Guidelines, in that it involves minor alterations (set back variance) in land use limitations not resulting in the creation of a new parcel.

CONCLUSION AND RECOMMENDATION

As described above, this request would not create additional impact upon public services, facilities, or any additional impact upon the neighborhood or surrounding uses.

Staff recommends that the Planning Commission take the following action:

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

Item 10.1

II. Make the following findings:

- (a) The project is categorically exempt from environmental review according to Section 15305(a) of the Environmental Quality Act Guidelines, in that the request involves a setback variance not resulting in the creation of a new parcel.
- (b) Due to the existing built nature of the site and surrounding area, as demonstrated in the analysis of staff report and the applicants application, Attachment 2, the granting of this request does not constitute a special privilege not enjoyed by others in the vicinity and zone in which the property is located.
- (c) Due to project site topography, and proximity of proposed construction to neighboring properties that are demonstrated and described in staff's report and attachments, the granting of this request will not be detrimental to the public health, safety, convenience and welfare, nor injurious to properties and improvements in the vicinity of the subject site.

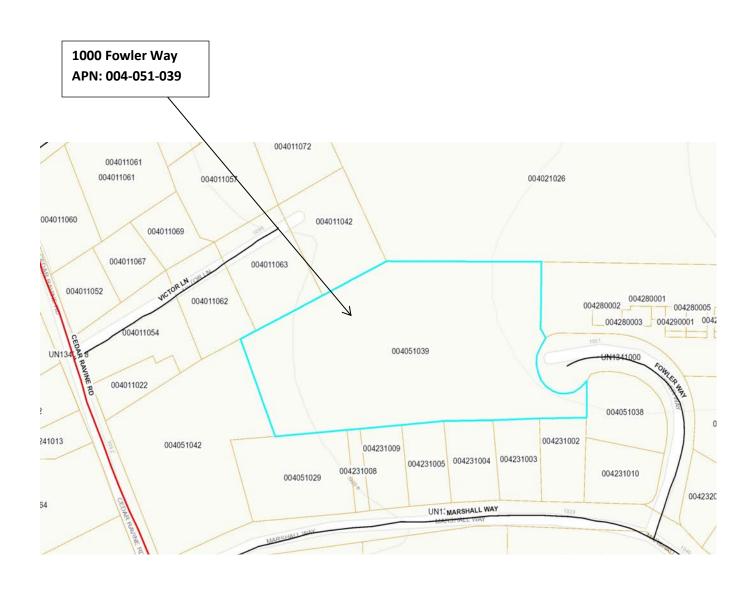
III. Approve Variance 22-01, subject to the following conditions of approval:

- 1. These conditions and requirements shall apply to Variance 22-01, a request by Marshall Medical Center for a setback variance that allows a 3.0 foot side-yard setback where 10 feet is required for the installation of a concrete pad for placement of an HVAC unit.
- 2. Approval is granted for the Variance request described in the application dated March 11, 2022, and staff's report and exhibits dated April 5, 2022, except as modified by the conditions of approval.
- 3. The permit shall apply only to the installation of an HVAC unit at this location at 1000 Fowler Way, Assessor's Parcel Number 004-051-039, regardless of any change of ownership, and may not be transferred to another parcel.
- 4. These conditions of approval shall be binding on the applicant and all successors in interest in the event the project site is sold to another party.
- 5. 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.

Attachments:

- 1. Location Map
- 2. Applicant Submittal Package

ATTACHMENT 1 - LOCATION MAP



ATTACHMENT 2 - Application



CITY OF PLACERVILLE PLANNING APPLICATION

Date: 9-11-22
Zoning: PP GP: BP
File No: VAR 22-01
Filing Fee (PZ) #500-00
Filing Fee (EN)
Receipt No: 6008

REQUEST FOR:	
☐ General Plan Consistency ☐ Historic District Review	ct Report Final Subdivision Map General Plan Amendment cw Landscape Plan Review Map Amendment Merger reliminary Plan Review Sign Package Review / Amendment
DESCRIPTION:	
Installation of HVAC equipment with reduced setbac Due to topography and existing conditions, this varia	ck from property line. Existing zoning requires 10 foot setback. ance request proposes a 3' setback.
**************************************	IS LINE FOR OFFICE USE ONLY ******************************** rge System. In some cases project review will require the services of not perform. In these cases, the applicant shall pay the direct cost of tration.
PROJECT APPLICANT	APPLICANT'S REPRESENTATIVE (if different)
NAME Craig Ganes MAILING ADDRESS 1100 Marshall Way Placerville, CA 95667 PHONE 530-626-2896 EMAIL cganes@marshallmedical.org	NAME
PROPERTY OWNER(S)	
NAME Marshall Medical Center MAILING ADDRESS 1100 Marshall Way, Placerville EMAIL ADDRESS cganes@marshallmedical.org	PHONE 530-626-2896 , CA 95667
SURVEYOR, ENGINEER, ARCHITECT, OR OWNI	ER'S REPRESENTATIVE (If applicable)
NAME	PHONE
I have notified the mortage holder, which is:	
	ook 22, Page 34, Official Records, El Dorado County
STREET ADDRESS 1000 Fowler Way, Place ASSESSOR'S PARCEL NO.(S) 004	cerville, CA I-051-39
Above described property was acquired by owner on	Month April Day 15th Year 2020

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.

N/A

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.

(BICK TONCS	Craig Ganes	3/8/22
Applicant's Signature	Printed Name of Applicant(s)	Date
	in this request, I have read and understood the comp	lete application and its consequences to
me as a property owner.	Siri Nelson	3/9/22
Signature of Property Owner	Printed Name of Property Owner	Date
Signature of Property Owner	Printed Name of Property Owner	Date
to the issuance of a Certificate of conditions imposed by the Planning	acerville Municipal Code prohibits the occupancy of Occupancy by the Building Division AND the com Commission or City Council UNLESS a satisfactor ompletion. VIOLATIONS may result in prosecution	pletion of all zoning requirements and y performance bond or other acceptable
to the issuance of a Certificate of conditions imposed by the Planning	Occupancy by the Building Division AND the com g Commission or City Council UNLESS a satisfactor	pletion of all zoning requirements and y performance bond or other acceptable

File Number:	Date Filed:
CITY C	F PLACERVILLE
	AL INFORMATION FORM appleted By Applicant)
This form is required to be completed prior to the application for the project in A. GENERAL INFORMATION Project Title or Name: Marshall Medical Center - HVAC Variation	•
City: Placerville	
Name of Owner: Marshall Medical Center Address: 1100 Marshall Way, Placerville, CA	Telephone: 622-1441
Name of Architect, Engineer or Design	
Address: 1117 Windfield Way, Suite 110, ED	H, CA 95762 Telephone: 916-985-1870
Project Location: 1000 Fowler Way, Placen	
Assessor's Parcel Number(s): 004-051-39	
General Plan Designation: BP/H, Zone Ma	***
Zoning: BP/H, Zone Map 3	
Property size	
Gross (sq. ft./acre): 82,150 Sq. Ft. (1.886)	Acres)
Net (sq. ft./acre) (total minus areas of p	public streets and proposed dedications) : Same
	X

Please answer all of the following ques	tions as completely as possible.
B. PROJECT DESCRIPTION	AC Unit installation for existing building
1. Type of project and description: H\	AC Officensialidity for existing building
2. What is the number of units/parcel	
3. What is the gross number of units p4. Site Size: 8' x 6'	er acre? N/A
4. Site Size: • x •	AC on existing building only
5. Square footage of each use: N/A - HV/A6. Number of floors of construction: N	
6. Number of floors of construction: Number of off-street parking provides	
drainage, all existing large trees	ities, existing and proposed contours (grading), (24" in circumference), existing and proposed or buildings, landscape areas, parking areas,

driveways, pedestrian walkways, exterior lighting, trash collection area, sign

10. If residential, include the number of units, schedule of unit sizes, range of sale prices

11. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities: N/A - HVAC on existing building only

locations. N/A - HVAC on existing building only, sketch provided.

9. Proposed scheduling: Propose Construction Spring 2022

or rents, and type of household size expected: N/A

12. If industrial, indicate type, estimated employment per shift, and loading facilities N/A - HVAC on existing building only 13. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project: N/A - HVAC on existing building only 14. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required: Variance - HVAC Setback 15. Provide an analysis of traffic generated by the project and how it will impact existing traffic. N/A - HVAC on existing building only 16. If the project is in a location of known mining activity, a complete geological analysis shall be submitted. N/A - HVAC on existing building only Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary). YES NO 17. Change in existing features of any hills or substantial X alteration of ground contours. 18. Change in scenic views or vistas from existing residential X areas or public lands or roads. X 19. Change in pattern, scale or character of general area of project. 20. Significant amounts of solid waste or litter. X X 21. Change in dust, ash, smoke, fumes or odors in vicinity. 22. Change lake, stream or ground water quality or quantity, or alteration X of existing drainage patters. X 23. Substantial change in existing noise or vibration levels in the vicinity. little to no difference in noise levels from unit install at 10' setback. 24. Site on filled land or on slope of 10 percent or more. X **Existing Development** 25. Use of disposal of potentially hazardous materials, such as toxic X substances, flammables or explosives. 26. Substantial change in demand for municipal services (police, fire, X water, sewage, etc.). X 27. Substantially increase fossil fuel consumption (oil, natural gas, etc.)

28. Is this project part of a larger project or series of projects.

X

ENVIRONMENTAL SETTING

29.	Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted
30.	Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted. Residential, single family. No special plants or animals.
_	
	COLOGY AND SOILS
	Identify the percentage of land in the following slope categories: (The applicant may wish to submit a map showing slopes.) 50 0 to 10%11 to 15%16 to 20%21 to 29%30 to 35%50 Over 35 Have you observed any building or soil settlement, landslides, rock falls mining or
	avalanches on this property or in the nearby surrounding area? No

DRAINAGE AND HYDROLOGY

If yes, please explain:

34. Is the project located within a flood plain? If so, describe and show area subject to flooding on a map. N/A

33. Describe the amount of cut and fill necessary for the project: N/A

- 35. What is the distance to the nearest body of water, stream or year round drainage channel? Name of the water body: 1200 Feet Hangtown Creek
- 36. Will the project result in the direct or indirect discharge of silt or any other particles in noticeable amounts into any streams? No, N/A
- 37. Will the project result in the physical alteration of a natural body of water or drainage way? If so, in what way? No, N/A
- 38. Does the project area contain any wet meadows, marshes or other perennially wet areas? No, N/A If so, delineate this area on Site Plan.

VEGETATION AND WILDLIFE

- 39. What is the predominant vegetative cover on the site (trees, brush, grass, etc.)? Estimate percentage of each: Trees and grasses
- 40. How many trees of 7.5-inch diameter or 20 feet high will be removed when this project is implemented? None, N/A

FIRE PROTECTION
41. What is the nearest emergency source of water for fire protection purposes?
(Hydrant, pond, etc.):
Hydrants, City Water System
42. What is the distance to the nearest fire station? 2,800 feet
43. Will the project create any dead-end roads greater than 300 feet in length? No
44. Will the project involve the burning of any material, including brush, trees and
construction materials? No
NOTOR
NOISE
45. Is the project near a heavy commercial area, industrial area, freeway or major
highway? If so, how far? No
46. What types of noise would be created by the establishment of this land use, both
during and after construction? Typical medical office type noises, HVAC equipment likely the loudest noise to emanate from this area.
AIR QUALITY
47. Would any noticeable amounts of air pollution, such as smoke, dust or odors be
produced by this project? No.
TATA TED CALLA LITY
WATER QUALITY
48. What is the proposed water source: _EID _XCity of Placerville _Well _Other
49. What is the water use? (residential, agricultural, industrial or commercial): Commercial Med. Office
HAZARDS
50. Is the site listed on California Environmental Protection Agency's Hazardous Site
List? No
If yes, what is the regulatory identification number:
Date of list:
AECTHETICS
AESTHETICS

51. Will the project obstruct scenic views from existing residential areas, public lands, public bodies of water or roads? No

ARCHAEOLOGY/HISTORY

52. Do you know of any archaeological or historical areas within the boundaries or adjacent to the project? (example: Indian burial grounds, gold mines, etc.): No

SEWAGE

53. What is the proposed method of sewage disposal? N/A
_Septic System XCity Sewer _Other:
54. Would the project require a change in sewage disposal methods from thos
currently used in the vicinity? <u>No</u>

TRANSPORTATION

- 55. Will the project create any traffic problems or change any existing roads, highways, or existing traffic patterns? No HVAC installation on existing building only.
- 56. Will the project reduce or restrict access to public lands, parks or any public facilities? No
- 57. Will the project change the L.O.S. on any existing roads? No

GROWTH INDUCING IMPACTS

- 58. Will the project result in the introduction of activities not currently found within the community? No
- 59. Could the project serve to encourage development of presently undeveloped areas, or increases in development intensity of already developed areas (examples: include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)? No, HVAC work on existing facility only
- 60. Will the project require the extension of existing public utility lines? <u>No</u> If So, identify and give distances:

GENERAL

- 61. Will the project involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances or radioactive material? No, HVAC work on existing facility only
- 62. Will the proposed project result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, trees, minerals or top soil)? No
- 63. Could the project create new, or aggravate existing health problems (including, but not limited to flies, mosquitoes, rodents and other disease vectors)? No
- 64. Will the project displace any community residents? No

Discuss any yes answers to the previous questions, use additional sheets if necessary.

MITIGATION MEASURES

Proposed mitigation measures for any of the above questions where there will be an adverse impact, use additional sheets if necessary: N/A

CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

3822	
Date	Signature \(\square \)
CD-021-P	For
3/15	

CITY OF PLACERVILLE, CALIFORNIA APPLICATION FOR VARIANCE

To: Planning Commission and for City Council	Variance No
	Date:
	Date: Hearing Date:
I hereby request a Variance from the provisions of the Zonin information:	ng Ordinance, and submit the following
Applicant: Craig Ganes Telephone: 530-626-26 Mailing Address: 1100 Marshall Way, Placerville, CA 95667	896 Email: cganes @marshallmedical.org
I am: the recorded owner of the subject property agent authorized by the owner	purchasing the property lessee of the property
Request Permission to: Place a mechanical equipment pad 3' from	Marshall Medical Center's property line.
on land situated at 1000 Fowler Way, Placerville, CA 95667	
(address) located on the X north south east west side of	said street hetween Marshall Wav
located on the Manifest South Cast West side of	(cross street)
and Thompson Way in the Business Profess	sional zone.
(cross street)	Lot 1 as shown in parcel map, book 22,
(cross street) Assessor's Parcel No: 004-051-39 The description of the	(Lot and Tract)
State justification for request, to include the following:(attac	h additional sheets if needed)
(1) What are the special circumstances applicable to the propretopography, location or surroundings which cause the strength deprive such property of privileges enjoyed by other propretopographical circumstance requirement of 100 to the building was constructed to the minimum distance requirement of 100 to the minimum distan	rict application of the zoning ordinance to perty in the vicinity and under identical
permission to place a 5'-6" wide by 8' long mechnical pad within 3' of the	property line for placement of an HVAC unit to service the
new cardiac rehab clinic. The topogragphy is such that the adjacent prop	perty is not accessable at this location and the mechanical
equipment will not be visible from the street or neighbors.	
(2) Why is the requested variance necessary for the preservaright of the applicant, which right is possessed by other pasame vicinity and zone: The neighboring immediate adjacent property to the north is not accessary.	property owners under like conditions in the
uses of that property	

The granting of this variance will be benefectal to the public health, allowing I	placement of a mechnical unit required for the relocation of a cardiac rehab clinic to a new
	al to public safety, convenience, or welfare, nor injurious to property improvements in the vici
s the topography in the location of the variance request is not accessable for use for any other purpose.	
General Plan:	contrary to the objectives of the zoning ordinance and the ce and General Plan by allowing the use of land that isn't accessable for other uses to clinic into a new space more suitable for patient care.
Any variance granted shall be subject to such con	ditions as will assume that the adjustment themely.
Any variance granted shall be subject to such con authorized shall not constitute a grant of special p properties in the vicinity and zone in which such	privileges inconsistent with the limitations upon other
The variance shall become effective and be issued	d eleven (11) calendar days after the Planning
	has been filed, in which case the variance shall not be
issued until the granting of the permit is affirmed	
true and correctly represented and that I have read (Variances) of the Placerville Zoning Ordinance.	and understood Title 10, Chapter 10, Section 5
Chican	July Son
Cologanes	(signature of Property Owner)
(Signature of Applicant)	(signature of Property Owner) Siri Nelson
(Signature of Applicant) Craig Ganes	
(Signature of Applicant) Craig Ganes Applicant Name (print)	Siri Nelson
(Signature of Applicant)	Siri Nelson Property Owner's Name (print):
(Signature of Applicant) Craig Ganes Applicant Name (print) Address: 1100 Marshall Way, Placerville, CA 95667	Siri Nelson Property Owner's Name (print):
(Signature of Applicant) Craig Ganes Applicant Name (print) Address: 1100 Marshall Way, Placerville, CA 95667	Siri Nelson Property Owner's Name (print):
(Signature of Applicant) Craig Ganes Applicant Name (print) Address: 1100 Marshall Way, Placerville, CA 95667 DO NOT WRITE BELOW THIS LINE	Siri Nelson Property Owner's Name (print):

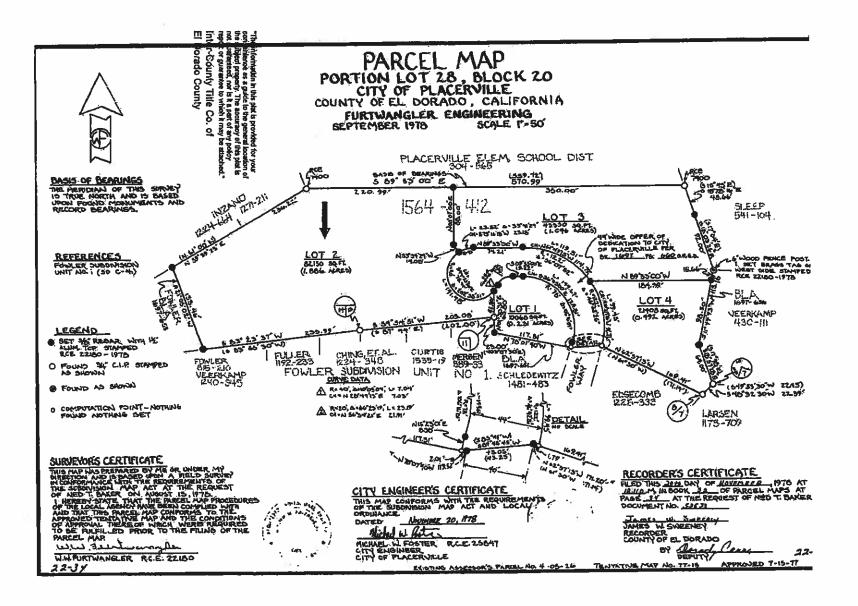
PV-229497-CI

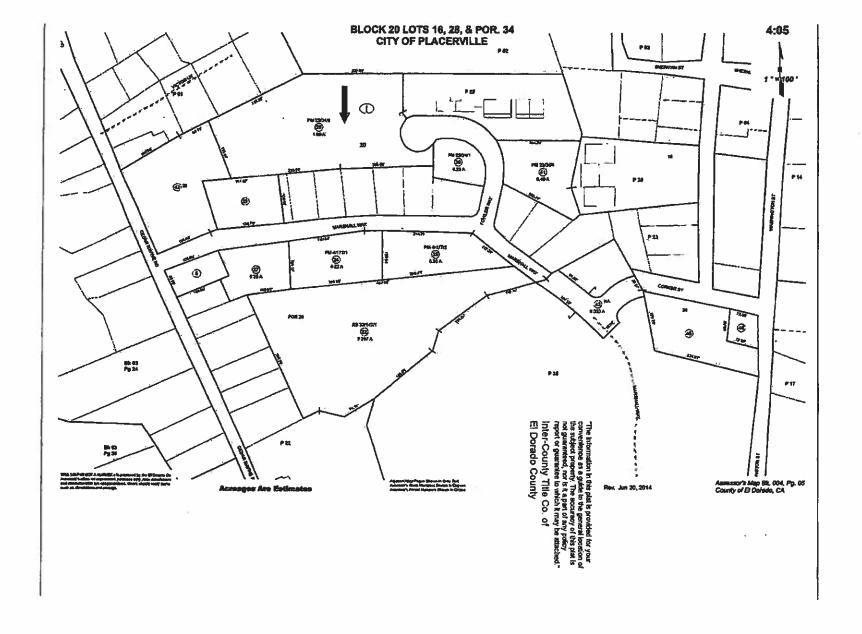
DESCRIPTION

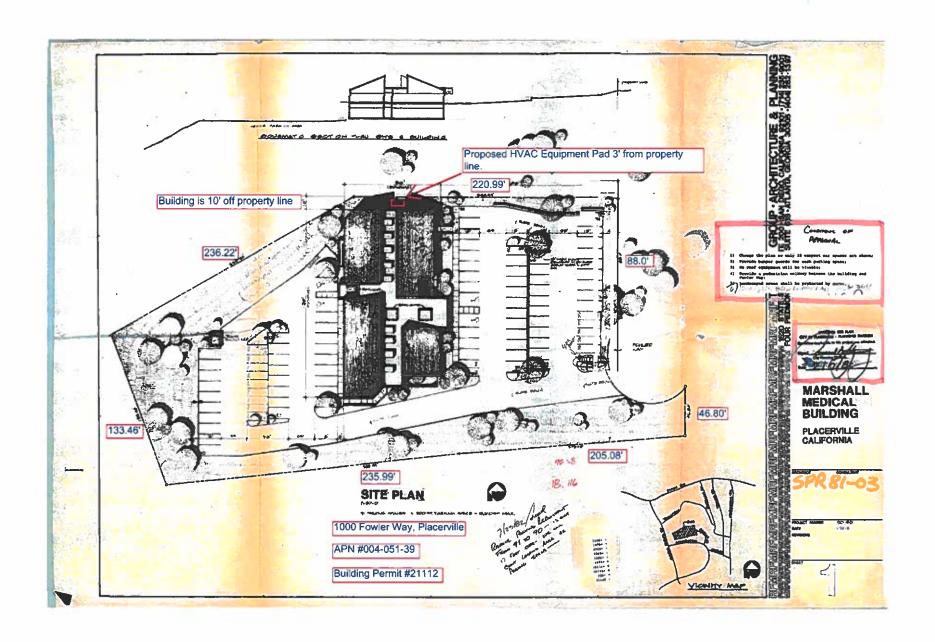
All that certain real property situated in the City of Placerville, County of El Dorado, State of California, more particularly described as follows:

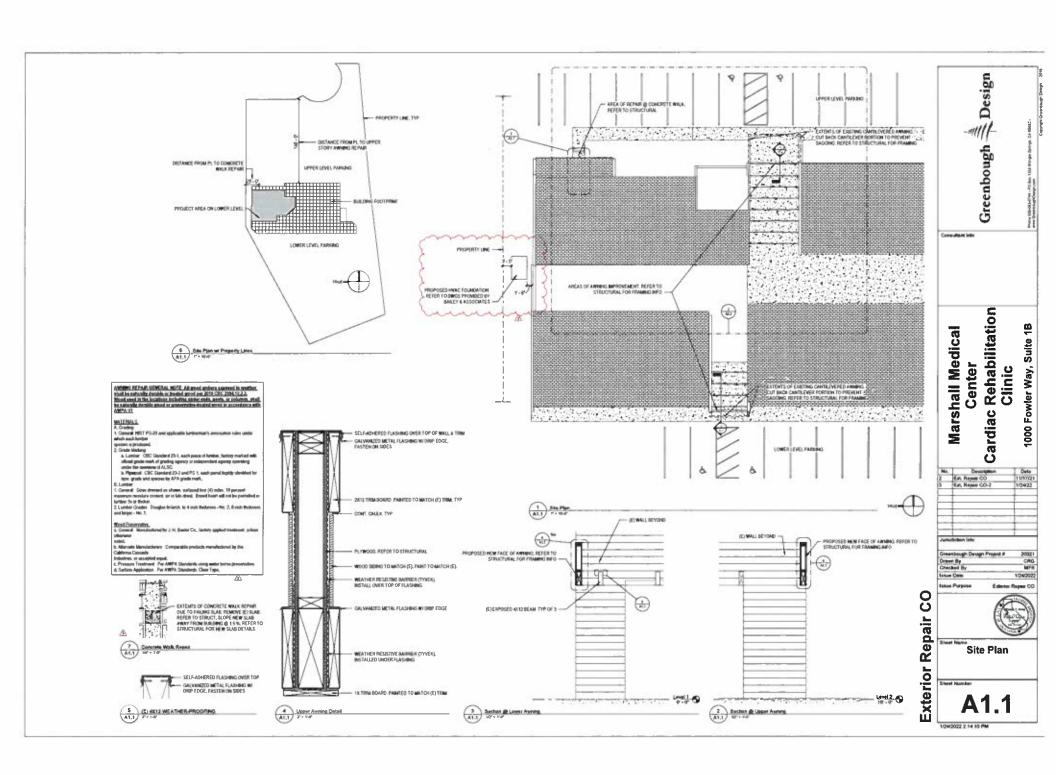
Lot 2, as shown on that certain Parcel Map filed November 20, 1978 in the office of the County Recorder of said County in Book 22 of Parcel Maps, Page 34.

Assessor's Parcel No. 004-051-039-000





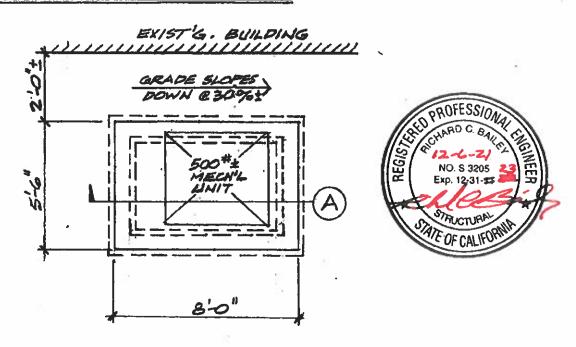




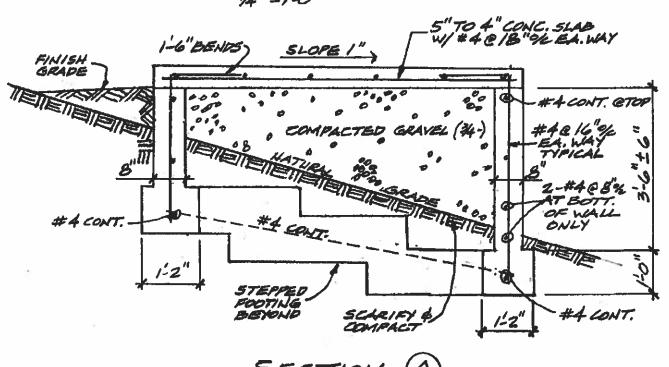
BAILEY & ASSOC. STRUCTURAL ENGINEERS P.O. BOX 305 - GARDEN VALLEY, CA 95633 - (530)333-1444

attention of the contract of t	UU-236
PROJECT MECHANICAL EQUIPMENT PAD SHEET /	or 2
LOCATION 1000 FOWLER WAY PLACERVILLE CA. REV. 12-6-21	+792020

MECHANICAL EQUIPMENT PAD



PLAN FOR EQUIPMENT PAD



SECTION (A)



