



**CITY OF PLACERVILLE PLANNING COMMISSION
STAFF REPORT**

ITEM: 5.1

APPLICATION NUMBER

Site Plan Review (SPR) 08-03,
Variance (VAR) 15-01, VAR15-02,
Environmental Assessment (EA) 08-01

APPLICANT/PROPERTY OWNER

Applicant: Jim Fisher (Representative)
Property Owner: Forni Business Park LLC

PUBLIC HEARING DATE

October 3, 2017

PROPERTY ADDRESS/LOCATION

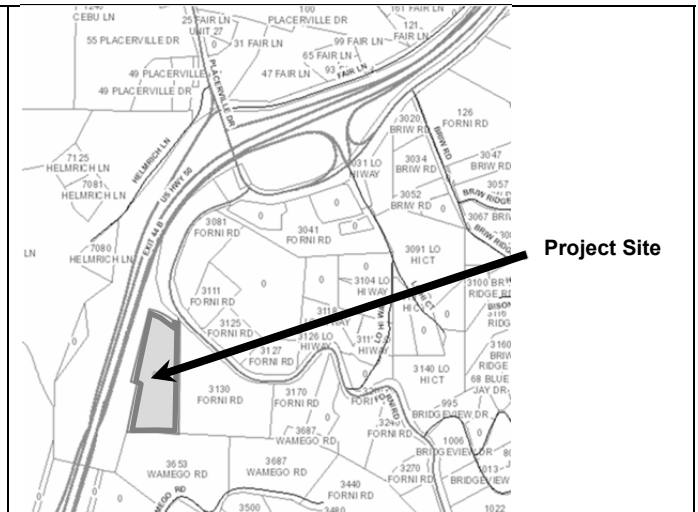
3110 Forni Road, Placerville
APN: 325-230-23

BRIEF SUMMARY OF REQUEST

Request for twelve month entitlement extension to the Planning Commission's May 19, 2015 approval of a major change to the project site plan, a building height variance, and a compact parking space variance, for the construction of a four story, 124 room hotel, onsite parking, exterior lighting, landscaping, sign plan and Forni Road improvements for the Forni Road Hotel project (SPR08-03, VAR15-01, VAR15-02 and EA08-01).

The property owner cited difficulties due to the prolonged economic downturn and obtaining development funding over the twelve month entitlement approval (Attachment A).

A Mitigated Negative Declaration was adopted for the project on January 19, 2010. State Clearinghouse Number 2009012020.



MAP SOURCE:
UGOTNET

EXISTING ZONING

Highway Commercial (HWC)

EXISTING LAND USE

Predominately vacant land

SURROUNDING ZONING & LAND USE

Located north and northeast of the project are parcels within the City. These parcels contain the Forni Road Shopping Center (In-N-Out, Office Max, Chevron / Schlotzskys), interspersed single family residences, and a tentatively approved planned development residential project (Dover Subdivision). The Forni Road Shopping Center has a Highway Commercial land use designation and zoning. The residential parcels have a land use designation of High Density Residential, with zoning designations R2 and R3 (Multi-Family Residential).

SITE IMPROVEMENTS

Two advertising displays (billboard structure and signs) approved by the Planning Commission and constructed under Conditional Use Permit 1997-01, with a height variance (Variance 1997-01) authorizing the construction of the southern billboard in excess of the 40 feet maximum structure height permitted within the HWC Zone.

PROPERTY SIZE

3.3 acres

STAFF RECOMMENDATION

That the Planning Commission conduct a public hearing, and then by minute order approve the twelve month time extension request by the applicant/property owner, effective November 19, 2017, extending these entitlements expiration date to November 19, 2018.

ATTACHMENTS

A. APPLICANT SUBMITTAL PACKAGE

B. EXISTING SPR08-03, VAR15-01 AND VAR15-02 CONDITIONS OF APPROVAL

BACKGROUND

- January 19, 2010: Planning Commission conditionally approved Site Plan Review (SPR) 08-03, a 125 room hotel project including, parking, landscaping, drainage, exterior lighting and a sewer pump station.
- April 8, 2010 Effective date of City Council Ordinance 1637 that automatically extended all unexpired site plan reviews, variance, and conditional use permits, including SPR 08-03, by twenty-four months without the need for a property owner request.
- April 1, 2013 Effective date of Ordinance 1656 that automatically extended all unexpired site plan reviews, variance, and conditional use permits, including SPR 08-03, by twenty-four months without the need for a property owner request.
- May 19, 2015: Planning Commission approved a Major Change to SPR 08-03 that modified conditions of approval involving pedestrian access from the hotel to Placerville Dr., Forni Road width improvement, and removed the City's maintenance of the project's proposed sewer lift station by requiring the property owner/developer to maintain the lift station. The Commission also on May 19, 2015 approved variance requests, VAR 15-01 & VAR 15-02, involving building height and compact parking stalls for the hotel project. The granting of the variances and the Site Plan Review Major Change on May 19, 2015 authorized an eighteen month approval period for these entitlements, the time in which construction permits must be obtained for the authorized work.
- October 18, 2016: Planning Commission granted a twelve-month entitlement extension for SPR 08-03, VAR 15-01 and VAR 15-02 from November 19, 2016 to November 19, 2017.

ANALYSIS

General Plan

The hotel use and associated site development design approved under SPR 08-03, VAR 15-01 and VAR 15-02 was found to be and continues to be consistent with the purposes of the Highway Commercial General Plan Land Use designation, in that they would provide for freeway-oriented overnight accommodation use that is necessary and convenient to the traveling public. No changes to General Plan land use designation of the site has occurred.

Authority for Application

Per Section 10-4-9 of the Placerville Zoning Ordinance, the Planning Commission may consider a request to extend the approval of a site plan review if the applicant makes a request and pays a new fee prior to the expiration. Under this Section, the Commission's role under an extension request does not involve a re-consideration of its previous approvals but must consider any changes to the Placerville City Code or the project when it renders its decision.

No changes are proposed by the applicant. No relevant changes to City Code have occurred since the extension granted in 2016. The property owners submitted its extension request and application fees prior to the expiration date of November 19, 2017.

Zoning Consistency

City Code Section 10-4-9 also stipulates that a site plan review approval shall not be valid for more than five years from the original approval date. The original approval date for SPR 08-03 was January 19, 2010, resulting in an original expiration date of July 19, 2011. However, City Council adopted Ordinance 1637 in 2010 and Ordinance 1656 in 2013 automatically extending all unexpired site plan reviews, variance, and conditional use permits, including SPR 08-03, by twenty-four months in each ordinance without the need for property owner requests. The recalculated expiration date for the project then became July 19, 2015.

In December 2014, the property owner submitted and the City processed the described Major Change to SPR 08-03 and VAR 15-01 and VAR 15-02 that modified conditions of approval involving pedestrian access from the hotel to Placerville Dr., the Forni Road width, City maintenance of project's sewer lift station, and the variance requests involving building height and compact parking stalls for the hotel project. On May 19, 2015, the Planning Commission granted approval. The eighteen month approval period for these entitlements set the expiration date at November 19, 2016. In October 2016, the Planning Commission granted a twelve-month entitlement extension for SPR 08-03, VAR 15-01 and VAR 15-02 from November 19, 2016 to November 19, 2017.

Council's twenty-four months of automatic extensions were not calculated into the current expiration. As stated, the automatic extension extended at those times all un-expired site plan reviews and variances. The requested one year extension would be the fifth year of SPR 08-03 validity of the possible five years as follows:

	January 19, 2010 (Original Planning Commission Approval - 18 months)
	+ May 19, 2015 (Planning Commission Major Change Approval - 18 months)
	+ October 18, 2016 (Planning Commission 12 months Extension)
	+ <u>October 3, 2017 proposed 12 months extension request</u>
Total	60 months (18 months+18 months + 12 months + 12 months = 5 years)

Image 1. Approved SPR08-03 Site Plan

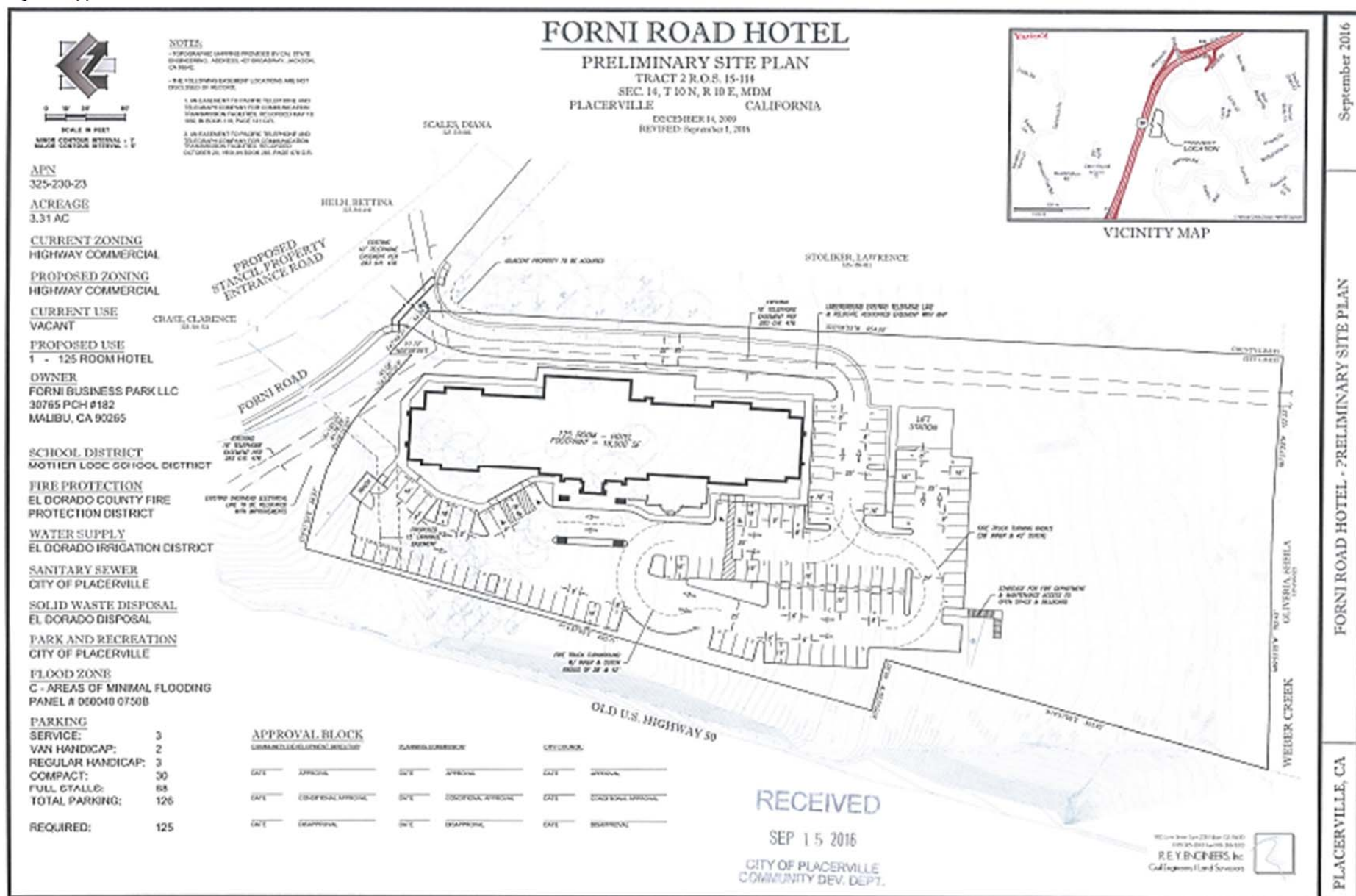
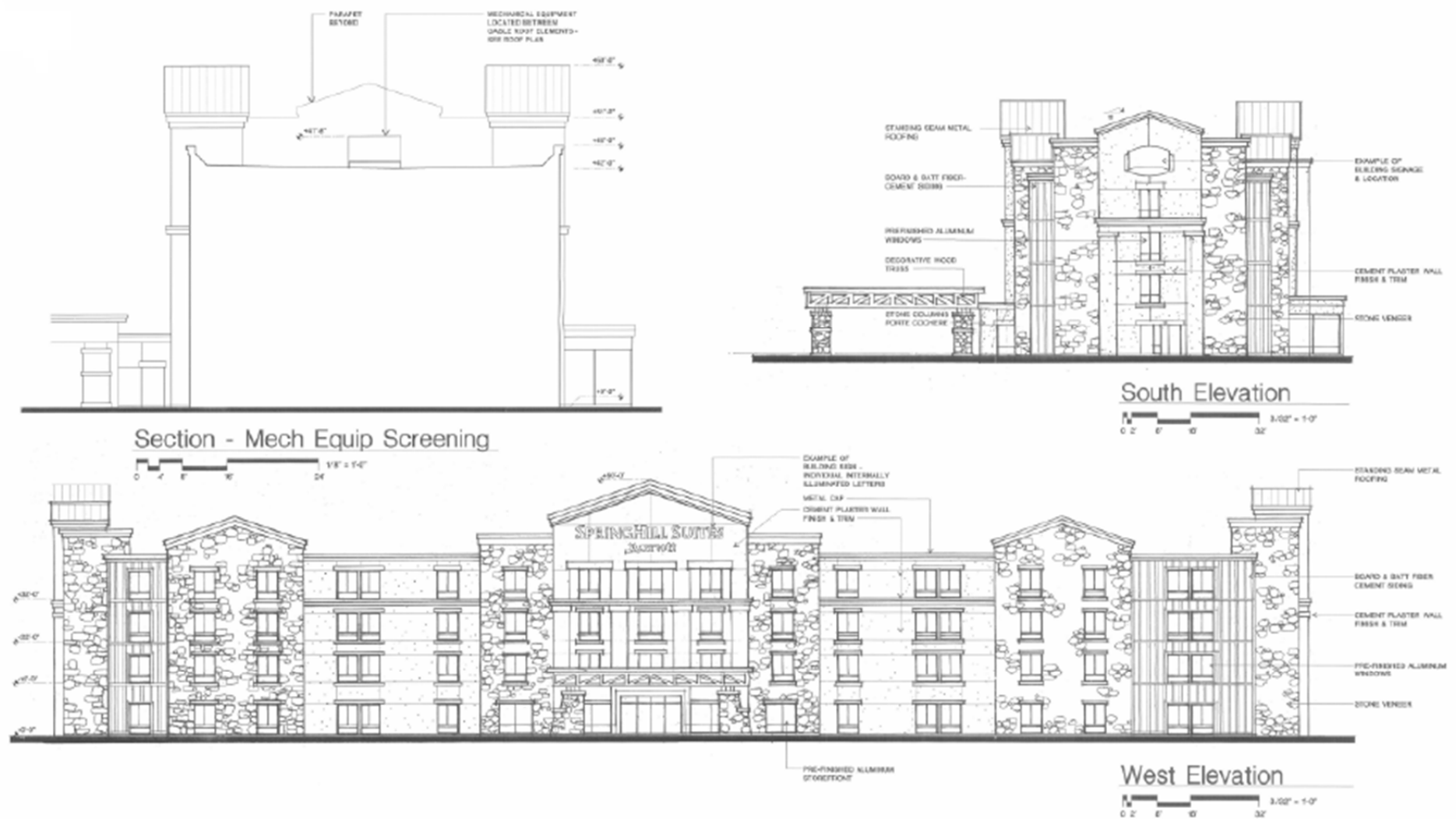


Image 2. Approved Building Height and Elevation



MFDB ARCHITECTS INC.
111 SCRIPPS DRIVE, SACRAMENTO, CA 95825

DEVELOPMENT PLAN REVIEW FORNI ROAD HOTEL

PLACERVILLE, CALIFORNIA

TI BUILDERS, INC.
36705 PACIFIC COAST HIGHWAY #182
MALIBU, CA 90265

ATTACHMENT A

05/02/14

5

Image 3. Approved Landscape Plan



CONDITIONS: All Conditions of Approval approved by the Planning Commission on January 19, 2010 for SPR 08-03, as modified by the Planning Commission on May 19, 2015 in conjunction with the Major Change to SPR 08-03 and VAR 15-01 and VAR 15-02, and the twelve-month extension granted on October 18, 2016, shall remain in effect and shall be included by reference with the twelve month extension request approval. Attachment B contains all existing conditions of approval and environmental mitigation measures under the Mitigated Negative Declaration.

Staff has added a condition to the extension request relative to construction activity within the hotel site. Should construction activity within the hotel site be found to be located within El Dorado County then the property owner must then annex this land into the City prior to issuance of a building permit for the construction activity.

ENVIRONMENTAL REVIEW: A Mitigated Negative Declaration (EA 08-01) was prepared and adopted by the Planning Commission for SPR 08-03 in conjunction with conditional approval of SPR 08-03 on January 19, 2010. In 2015 the Planning Commission found that VAR 15-01 and VAR 15-02 were categorically exempt from environmental review.

PUBLIC NOTICING: Notice of Public Hearing for this project was published, in accordance with legal requirements, on Friday, September 8, 2017, and mailed to the owners of record of properties within 500 feet of the project site on Thursday, September 7, 2017. Notice was also posted on the City's website and Facebook. As of the date of this report staff, no public comments have been received with this request.

RECOMMENDED ACTION AND FINDINGS: Staff finds the request reasonable. Our recommendation is to make findings then grant the twelve month extension request as conditioned as follows:

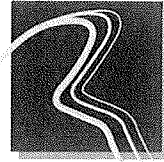
- I. Adopt the Staff Report as part of the public record.
- II. Make the following finding of fact in support of the one year extension for SPR 08-03, VAR 15-01, VAR 15-02 and EA 08-01:
 - A. A Mitigated Negative Declaration (EA 08-01) was prepared and adopted by the Planning Commission for SPR 08-03 in conjunction with conditional approval of SPR 08-03 on January 19, 2010.
 - B. In 2015 the Planning Commission found that VAR 15-01 and VAR 15-02 were categorically exempt from environmental review.
 - C. No changes to Zoning Ordinance have occurred since the 2016 extension request that would have relevance to the project.
 - D. There are no changes proposed by the project proponents.
- III. Grant a one year extension of Site Plan Review 08-03, VAR 15-01, VAR 15-02 and EA 08-01, from November 19, 2017, extending the expiration of these entitlements to November 19, 2018, subject to the following conditions:
 1. Should any construction activity within the subject hotel site take place within the boundaries of El Dorado County, the property owner must annex this land into the City prior to issuance of a building permit for the construction activity.
 2. All Conditions of Approval approved by the Planning Commission on January 19, 2010 for SPR 08-03, as modified by the Planning Commission on May 19, 2015 in conjunction with the Major Change to SPR 08-03 and VAR 15-01 and VAR 15-02, and the twelve-month extension granted on October 18, 2016, shall remain in effect and shall be included by reference with the twelve month extension request approval.

The decision of the Planning Commission is final unless the project or project conditions are appealed to the City Council within ten calendar days.

ATTACHMENT A

SPR 17-04 APPLICANT SUBMITTAL PACKAGE





July 13th, 2017

City of Placerville
3101 Center Street
Placerville, CA 95667

RECEIVED

AUG 30 2017

CITY OF PLACERVILLE
COMMUNITY DEV. DEPT.

Re: Forni Road Hotel: 12 Month Extension

The Forni Road Hotel project has been granted the following entitlements: Site Plan Review 08-03, Environmental Assessment 08-01, VAR 2015-01, VAR 2015-02, and Major Changes to SPR 2008-03. The entitlements are set to expire on November 19, 2017.

Forni Business Park LLC requests a 12 month extension for each entitlement due to the prolonged economic downturn. This is a very expensive site to develop due to onsite constraints and offsite conditions of approval. Progress on the project was not made as originally projected, and economic hardship brought unforeseen difficulties in providing funds for the project. Currently, the economy is stabilizing and has made great strides in recovering from the recession, but additional economic recovery is necessary to create an environment in which this project can become viable again. The extension would provide the time necessary to make progress on the proposed project.

Sincerely,

James Fisher

RECEIVED

AUG 30 2017

CITY OF PLACERVILLE
COMMUNITY DEV. DEPT.

CITY OF PLACERVILLE
PLANNING APPLICATION

Date: 8/30/17
Zoning: HWC GP: _____
File No: SPR08-03; VAR15-01; VAR15-02
Filing Fee (PZ) \$500.00
Filing Fee (EN) _____
Receipt No: 4367

REQUEST FOR:

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

DESCRIPTION:

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 MIKE CIMORELLI
MAILING ADDRESS 500 CAPITOL MALL #2350
SACRAMENTO, CA 95814
PHONE (916) 823-3000
EMAIL MIKEC@TIBUILDERS.BIZ

APPLICANT'S REPRESENTATIVE (if different)

NAME JIM FISHER
MAILING ADDRESS 905 SUTTER ST, SUITE 200
FOLSOM, CA 95630
PHONE (916) 366-3040
EMAIL JFISHER@REYENGINEERS.COM

PROPERTY OWNER(S)

NAME FORNI BUSINESS PARK, LLC PHONE (916) 823-3000
MAILING ADDRESS 500 CAPITOL MALL #2350, SACRAMENTO, CA 95814
EMAIL ADDRESS MIKEC@TIBUILDERS.BIZ

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

NAME JIM FISHER PHONE (916) 366-3040
MAILING ADDRESS 905 SUTTER ST, SUITE 200, FOLSOM, CA 95630
EMAIL ADDRESS JFISHER@REYENGINEERS.COM

I have notified the mortgage holder, which is: _____

DESCRIPTION OF PROPERTY (Attach legal deed description)

STREET ADDRESS _____

ASSESSOR'S PARCEL NO.(S) 325-230-23

Above described property was acquired by owner on MAY 8 2006
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.

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

Jim FISHER
Printed Name of Applicant(s)

7/13/2017
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.

Mike Cimorelli
Signature of Property Owner

Mike Cimorelli
Printed Name of Property Owner

8-23-17
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.

A Notice of Public Hearing and Staff Report will be prepared for applications requiring public hearing(s). Two Wednesdays prior to the hearing date, the Notice of Public Hearing will be sent to the Applicant and Owner; on the Thursday prior to the hearing date, the Staff Report will be sent to the Applicant and Owner. Notices and Staff Reports will be sent via email if addresses have been provided; if not, the documents will be sent to the mailing addresses provided on this form. Please list below any alternate or additional recipients, along with their contact information, or any alternate instructions for sending these materials to the Applicant or Owner.

ATTACHMENT B

EXISTING SPR08-03, VAR15-01, VAR15-02 AND EA08-01 CONDITIONS OF APPROVAL AND MITIGATION MEASURES

Mitigation Measures identified in the Initial Study/Mitigated Negative Declaration (Environmental Assessment 2008-01) dated January 12, 2009.

GEO-1. The applicant or his/her successors, heirs, assigns shall perform all grading activities and placement of fill in accordance with the City's Grading, Erosion and Sediment Control Regulations.

GEO-2. The applicant or his/her successors, heirs, assigns shall provide proof to the City Engineering Division that final grading plans are in compliance with the El Dorado County Resource Conservation District erosion control requirements.

GEO-3. The applicant or his/her successors, heirs, assigns shall comply with Section 402 of the Clean Water Act and National Pollutant Discharge Elimination System (NPDES) standards during and following construction to ensure that dirt, construction materials, pollutants or other human-associated materials are not discharged from the project area. A certification from the Central Valley Regional Water Quality Control Board will be required prior to project construction.

AQ-1. The applicant or his/her successors, heirs, assigns shall submit site improvement plans that include a dust control plan which takes all necessary measures and best management practices to control dust. This plan shall be implemented by the developer during grading as required by the City and complies with the El Dorado County Air Quality Management District's (AQMD) Rule 223.1, regarding Fugitive Dust. A permit from AQMD shall be submitted to the Public Works Department prior to approval of the improvement plans.

TR-1. The project should contribute its fair share to the cost of regional circulation improvements via the existing City Traffic Impact Mitigation (TIM) Fee Program.

TR-2. The access to the Hotel should be redesigned to provide as close a right angle between Forni Road and the driveway. This will result in optimal visibility for motorists leaving the business park. In addition, the grading plan should reflect a pad along the driveway near the elevation of Forni Road. This will provide motorists exiting the site and with full visibility along Forni Road; this will also allow the minimum elevation of an approaching object to be exceeded that will improve visibility for Forni Road traffic approaching the driveway. A further review of sight distance should be undertaken once a grading plan is completed. The grading plan should provide elevations along Forni Road for this sight distance evaluation.

TR-3. If the commercial side of this project (Hotel) is developed they would be responsible for the remaining 99.16% of the cost to improve Fair Lane. Any additional future development, whether commercial or residential, should contribute their fair share to this improvement, with the fair share amount reimbursed back to the commercial (Hotel) element of this project.

TR-4. Should a reduction in intersection operations occur, resulting in increased delays through the intersection, or an increase in accidents, the City may need to restrict full access at the Forni Road/Placerville Drive intersection. Access along northbound Forni Road would be limited to right turns only.

BIO-1. This mitigation measure shall be included on the grading plans prior to grading permit issuance. The breeding/nesting season for raptors is March 1 through August 30. If construction activities take place outside of the breeding/nesting season, no additional measures will be required.

If construction is planned or desired during the breeding season, raptor nest surveys shall be conducted one week prior to tree cutting or grading near mature trees to ensure that active nests are not present. A qualified biologist shall conduct the surveys and prepare a survey report. If no raptor nests are discovered in the trees to be removed, no further mitigation will be required. A written report on the results of the visual surveys shall be submitted to the Planning Division a minimum of 48 hours prior to the beginning of construction activity.

If any active raptor nests are discovered during pre-construction surveys, the biologist shall mark all occupied trees and delineate a no construction activity buffer zone around the nests for the duration of the nesting season in accordance with California Department of Fish and Game guidelines for the applicable raptor species.

The construction contractor shall be responsible for construction scheduling. If construction is planned during the breeding season, the construction contractor shall be responsible for ensuring that a qualified biologist performs the raptor nest surveys within 1 week of planned tree removal. Authorization to proceed with construction activity shall be the discretion of the Planning Department.

N-1. To minimize the potential impact of construction noise within the vicinity of the project site, all construction shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 5:00 p.m. on Saturday. No

construction shall be allowed on Sunday, unless approved by the City's Building, Planning or Engineering Division. The City's Code Enforcement Division of the Department of Community Development shall monitor this mitigation measure for compliance with its stated intent. This mitigation measure shall become effective upon the issuance of a valid Building Permit from the Department of Community Development for the development pursuant to Site Plan Review 2008-03.

PS-1. The project applicant or his/her successors, heirs, assigns shall provide payment of the El Dorado County Fire Protection District Mitigation Impact Fees concurrently to the issuance of a City Construction Permit for each single-family dwelling to reduce this potential impact to the Protection District to a less than significant level.

PS-2. The project applicant or his/her successors, heirs, assigns shall provide payment of the El Dorado County Office of Education Mitigation Impact Fees concurrently to the issuance of a City Construction Permit for each single-family dwelling to reduce this potential impact to a less than significant level.

CR-1. In the unlikely event human remains are discovered during ground-disturbing activities, the applicant or his/her successors, heirs, or assigns, shall comply with Public Resources Code §21083.2 pertaining to the discovery of human remains. This shall include the applicant or his/her successors, heirs, or assigns, contacting the City Planning Department, cease all work on site in the area of the find, and limited adjacent areas as appropriate; the applicant shall contact the El Dorado County Coroner to investigate and determine that no investigation of the cause of death is required. If the Coroner determines the remains are not of Native American origin, the applicant shall contact representatives from the El Dorado County Pioneers Cemetery Commission and the El Dorado County Museum. The applicant shall coordinate re-interment of burial finds with the Pioneers Cemetery Commission. If the Coroner determines the remains are those of a Native American origin, the coroner must contact the California Native American Heritage Commission. Work on the site will cease to allow for an archaeologist, at the expense of the applicant, to evaluate the finds, coordinate with the City of Placerville and the Heritage Commission for mediation.

CR-2. If cultural resources are discovered during construction activities, all project activities within 100 feet of the discovery shall be halted by the applicant until a qualified professional archaeologist can evaluate it, assess its significance and recommend appropriate procedures to further investigate or mitigate adverse impacts to the resources. The applicant shall notify the Planning Division of all cultural resource discoveries within 24-hours.

Site Plan Review 2008-03 Conditions of Approval (Amendments approved on May 19, 2015 by Planning Commission are shown as underline and strikethrough, and where described herein):

Community Development Department

1. Proposed building height exceeds the 40-foot maximum height permitted within the Highway Commercial Zone (HWC). Prior to the issuance of a building permit for site construction, the applicant shall either:
 - a) Secure a variance from the Planning Commission, or
 - b) Revise the hotel building height to comply with the 40-foot maximum height permitted under the HWC Zone. The Planning Division would evaluate any proposed revisions to determine if the revision was a major or minor change to the approved Site Plan Review, as defined under City Code §10-4-9(P).

VAR 2015-02 was conditionally approved by the Planning Commission on May 19, 2015 authorizing a 42-foot building height. See Conditions on Page 12.

2. In the event the proposed sewer lift station will require the construction of an above ground structure, prior to the issuance of a building permit for site construction, the applicant shall submit lift station building elevations to the Planning Commission for review and approval in conjunction with the project's final landscape and irrigation plans.

On May 19, 2015 the Planning Commission approved the sewer lift station building elevations as shown on the Lift Station Exterior Elevations dated 05/02/2014, received by the City on December 23, 2014.

3. Applicant shall submit to the Community Development Department for consideration by the Planning Commission, an exterior lighting plan for the project that is consistent with City Code Section 10-4-16. Said plan shall be approved prior to the issuance of a construction permit for project development activities.
 4. The applicant shall submit to the Community Development Department for consideration by the Planning Commission, a final site, size and species specific landscaping plan for all disturbed and not covered areas that is consistent with the water efficient/drought resistant criteria contained in City Code §10-4-9 (G)(3)(m), for project landscaping prior to the issuance of a construction permit for site improvements.
 5. A Landscape Maintenance Agreement between the property owner and the City is required by Code to be recorded against the property, prior to issuance of a construction permit, to maintain landscaping in a healthy and weed-free condition.
 6. The applicant shall submit to the Community Development Department for consideration by the Planning Commission a Master Sign Plan for the project that is consistent with the submittal requirements of City Code §10-4-17. Said plan shall be approved prior to the issuance of a construction permit for project development activities.
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7. Proposed compact vehicle parking of 40 parking stalls exceeds the 20% maximum percentage of compact stall permitted under City Code. Prior to the issuance of a building permit for site construction, the applicant shall either:
 - a) Secure a variance from the Planning Commission to exceed the 20% maximum percentage of compact stalls permitted under City's Parking Regulations (City Code §10-4-4), or
 - b) Revise the project site plan to be consistent with the City's Parking Regulations and the criteria pertaining to parking areas specified in the Site Plan Review Ordinance (City Code §10-4-9).

VAR 2015-01 was conditionally approved by the Planning Commission on May 19, 2015 authorizing 25% of overall parking may be compact dimension at 8'x17' dimensions.

8. Obtain all necessary permits from the California Division of Forestry for the conversion of land from "forest" to commercial purposes.
9. Install a bike rack on the site. Rack design and location shall be subject to review and approval by the Community Development Division.

Public Works Department/ Engineering Division

10. This Site Development project shall comply with all pertinent City Ordinances and City standard street cross-section details available at the office of the City Engineer. All remaining items, except for sewer and water, shall 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 service will be provided by EID and shall also be constructed to their Design and Construction Standards, dated July 1999.
 11. The Applicant 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.
 12. 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 site plan boundaries. A copy of the written authorization(s) shall be included with the final improvement plan submittal.
 13. All improvements required for this site plan and as described in these conditions of approval shall be shown on construction drawings (the final improvement plans) to be submitted 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 site plan within a public right-of-way.
 14. All Capital and Impact Fees are to be calculated and paid at time of Building Permit issuance.
 15. All improvement plans shall conform to the requirements of these Conditions of approval and shall be signed by the El Dorado County Fire Protection District, El Dorado Irrigation District, the Community Development Director, the Geotechnical Consultant, and the City Engineer.
 16. The Applicant shall submit to the Public Works Department a digital copy of "as-built" plans for public improvements when construction is complete.
 17. All existing easements within the site plan boundaries shall be revised as appropriate to conform to the new site plan layout at the time the improvement plans are approved. Easements to be abandoned shall be abandoned prior to or concurrent with the improvement plan approval. Abandonment shall be in accordance with the Utility's and the City's requirements.
 18. The Applicant shall offer to dedicate to the city all 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. The final improvement plans shall note that said easements "shall be kept free of buildings and obstructions". The City will consent to the offers, but not accept for maintenance.
 19. Where the Applicant is required to make improvements on land, which neither the Applicant nor the City has sufficient title or interest to make such improvements, the Applicant shall make every effort to acquire all necessary land rights prior to the issuance of any permit for grading or construction. If the Applicant is unsuccessful in obtaining those land rights, then, prior to issuance of a permit, the Applicant 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.
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Prior to issuance of the permit, the Applicant 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.

In addition to the agreement, the Applicant 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.

20. All utilities outside of public roadways shall be in 15 foot wide easements centered on the utility. Easements for drainage swales shall be 10 feet wide centered on the swale. All easements shall be shown on the improvement plans, shall be dedicated by separate instrument, and shall be submitted for approval with the final improvement plans. Easements for sewer shall be dedicated to the city and easements for water shall be dedicated to EID.
21. The Applicant shall dedicate additional right of way and slope easements as necessary along Forni Rd at the time of final improvement plan approval.
22. All property corners shall be located or established prior to final acceptance of public improvements by the city.
23. Improvements shall comply with Fire District requirements, including locations and spacing of fire hydrants, building sprinkler requirements, fire flows, and traffic and emergency circulation.
24. The required water system, including all fire hydrants, shall be installed and accepted by EID and the El Dorado County Fire Protection District prior to any combustible building material being placed on site.
25. A meter award letter or similar document from EID shall be provided by the Applicant prior to receiving a building permit.
26. Sewer and water mains and laterals shall have a 10' minimum separation.
27. The proposed sewer lift station shall be publicly privately owned and maintained by the owner, and shall be constructed to EID standards, or as approved by the City Engineer until such time as the City accepts ownership and maintenance of the sewer lift station or a maintenance assessment district is established. Alarms shall be routed to the wastewater treatment plant owner or designated representative and to the Police station. An emergency generator with sound attenuation, security fencing, screening and shielded area light shall be installed. The proposed lift station location is approved. The lift station shall be sized to accommodate all undeveloped parcels per the updated sewer report. The City reserves the right to place additional conditions and requirements at the time of design for this development and all future developments. It is recommended that the Applicant submit a comprehensive preliminary design for review prior to working on the final design details.

Condition 27 was amended by the Planning Commission on May 19, 2015, as indicated using strikethrough and underline.

28. The preliminary sewer study shall be finalized to include the Stancil Property and this site plan. The force sewer main shall discharge into the existing gravity sewer at Forni Rd/Briw Rd intersection. The private lift station at Lo-Hi Ct/Forni Rd serving retail development in the southwest corner shall be tied into the new force main. Should revisions to the existing public sewer system upstream be required to accommodate this project, those improvements shall be funded by the Applicant. The final location and method of connection to the City system must be reviewed and approved by the City Engineer.
 29. Gravity sewer main shall be designed for future upstream development and installed from a new manhole located at the centerline of Forni Rd. to the proposed sewer lift station.
 30. At minimum, a 10-foot gravel maintenance road shall be constructed and an easement provided along the route of the force main.
 31. All existing overhead utility lines along the frontage and thru the site shall be placed underground. All new utility lines and services shall be constructed underground.
 32. A Final Drainage Plan shall be prepared for review and approval by the City Engineer as part of the final improvement plans. 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. Downstream properties shall be protected from damage from any increase in drainage flow resulting from this Site plan.
 33. The Applicant shall incorporate Best Management Practices (BMP) for the capture of oil and petroleum products or other hazardous materials leaving the on-site paved areas. Treatment shall occur before leaving the site and shall be incorporated into the drainage system plans. A maintenance plan shall also be provided to keep the treatment system(s) operational.
 34. All drainage inlets shall be marked "Do not Dump – Flows to Creek."
 35. Drainage facilities along Forni Rd 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.
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36. Off-site overland drainage escape routes from the project area but not within public right-of-way shall be secured with a drainage easement.
37. Surface drainage, drainage swales or concentrated lot drainage is not allowed to sheet flow across sidewalks or curbs.
38. Public storm drain pipes shall be RCP, HDPE, PVC, or other materials as approved by the City Engineer.
39. Concentrated storm water discharge and any overland drainage escape routes from the developed site to Weber Creek shall be permanently protected from erosion.
40. 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.
41. 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 towards 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 Rd 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 the 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 cities TIM program.
42. Minimum parking lot aisle and driveway width shall be 24 feet wide. Parking and handicap stall widths and turnaround shall comply with City of Placerville Standard Plans.
43. Forni Rd shall be improved from the south curb return of the new site access road up to Placerville Drive with curb, gutter, 4.5-foot sidewalk, 28-feet of AC pavement (16 feet from lip of gutter to centerline, 12 feet on other side of centerline), and drainage swales and guard rails as necessary to include curb, gutter, and 4.5-foot sidewalk on one side of the road; 24-feet of AC pavement (12 feet from lip of gutter to centerline on both sides of centerline); and curb and gutter on the opposite side of the road. If approved by the City Engineer, the curb and gutter on the opposite side of the road to the sidewalk can be replaced with a 2-foot paved shoulder with a drainage swale and guard rail as deemed necessary. Street structural section shall be designed based upon traffic index of 7.0 for collector streets. The existing street section shall be evaluated by the geotechnical engineer and given an AC overlay as recommended to meet this standard.

Condition 43 was amended by the Planning Commission on May 19, 2015, as indicated using strikethrough and underline.

44. Pedestrian access meeting ADA standards, a minimum of 4.5-feet in width, shall be provided from the Forni Road sidewalk and Forni Road improvements required under Condition No. 43 Placerville Drive to the front entrance of the hotel.

Condition 44 was amended by the Planning Commission on May 19, 2015, as indicated using strikethrough and underline.

45. Provide a minimum of 100-foot separation along Forni Rd. between the centerline of the proposed access and the centerline of the approved Stencil Subdivision entrance road.
 46. Access layout shall comply with city standards for access of major commercial/multi-family residential connection to minor collector. Curb returns shall be 25' radius at the site access road entrance.
 47. All striping in public right-of-way shall be thermoplastic.
 48. Install a street light at the site entrance road/Forni Rd intersection. This street light shall be privately owned and maintained, power provide from the electrical service on the Hotel side of the meter, shall be fully shielded to prevent excess glare and light, and shall comply with PG&E standards.
 49. Install handicap ramps at all street intersections where sidewalks are present and at all locations required by ADA.
 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. 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 and at the tops of retaining walls that exceed 30" in height, or 18" in foot traffic areas.
 52. All retaining walls shall be reviewed and approved by the City prior to construction, including material types, colors, and surface finishes. Proposed Keystone retaining wall designs shall be approved by a geotechnical engineer and a structural engineer, including any necessary railings or traffic barriers at the tops of walls. Utility lines running under retaining walls shall be placed in a
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sleeve as approved by the City Engineer.

53. A geotechnical engineering study was prepared in May 2006 by Youngdahl & Associates, Inc., for this site when it was proposed for one story office buildings. The study shall be updated as necessary to properly assess this particular hotel site plan. The Geotechnical Engineer shall review and sign off on the final grading and improvement plans for conformance to recommendations contained in these studies.
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.
- 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, disturbances to the ground, such as stockpiling, or excavation result in soil disturbances of at least one acre of total land area, the applicant shall obtain and provide a Notice of Intent (NOI) from the Regional Water Quality Control Board.
- d) Should a NOI be required, Storm Water Pollution Prevention Plan (SWPPP) shall be provided prior to issuing a construction permit. The SWPPP shall have provisions to provide at minimum monthly monitoring reports to the City during wet weather and to 1 year after completion of construction.
- e) Project less than one acre are exempt from obtaining a NOI unless construction activity is expected to create soil disturbances that could cause significant water quality impairment.
- f) The internet site for information and application on the NOI can be found at :
<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 storm water runoff.
55. The improvement plans shall include a dust control plan, which takes all necessary measures to control dust. This plan shall be implemented by the Applicant during grading as required by the City and the El Dorado County Air Quality Management District (AQMD). A permit from AQMD shall be submitted to the Public Works Department prior to approval of the improvement plans.
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. Obtain proper permits prior to demolition or grading of any hazardous materials, underground storage tanks, mines, tunnels, shafts, septic systems, water wells, or other existing underground utilities or unforeseen features. Requirement to obtain additional permits shall be clearly stated on the grading plans.
58. In instances where a grading plan involves import or export, prior to obtaining a grading permit, the applicant shall have obtained approval for the 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. Haul routes on city streets and on-site circulation routes shall be swept daily at a minimum and kept free of dirt and debris from construction activity to the satisfaction of the City Engineer.
60. City restrictions related to noise and work hours shall be clearly stated on the Cover Sheet for the final improvement and/or grading plans.
61. Existing 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.
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Building Division

62. Applicant shall submit plans to the Building Division for review and approval. Any wells, septic tanks or other structures on the property will require a permit for demolition.

El Dorado Fire Protection District

63. Site plan review fee of \$ 150.00.

64. Applicant has not stated building construction type. Fire flow for this project with fire sprinklers is 2500 gpm for 2 hrs. @ 20 psi for fire rated construction; and 3750 gpm for 3 hrs. @ 20 psi for non rated construction. The applicant shall contact the Fire District, providing building construction information so that Fire Flow may be determined.

65. An NFPA 13 fire sprinkler system is required. An NFPA 13R system is not approved.

66. Striping plan does not show red curb. Submit revised plan.

67. Fire Access gradient as shown and single access is accepted with compliance of the following: Limited site access will require increased fire and life safety requirements including a Wild-land Fire Safe Plan, exterior class II standpipes, and increased fire alarm features.

Planning Commission

68. Applicant shall provide adequate surety, as determined by the City, for the restoration of the project site to its pre-work state, should the project not reach fruition.

69. Applicant shall provide an adequate plan, as determined by the City, for the treatment of any HVAC equipment visible on the roof of the structure, in a manner that such fixtures become visually and aesthetically integrated into the rest of the roofscape, so as not to present a distraction or eyesore for passing motorists.

Variance (VAR) 2015-01 (Compact Parking) Conditions of Approval:

1. Project Description: Variance (VAR) 2015-01 is conditionally approved to allow twenty-five percent (25%) of total parking stalls under the Planning Commission approved project known as Site Plan Review (SPR) 08-03 at the compact dimension of seven feet by seventeen feet (7' x 17') or larger. VAR 2015-01 therefore allows a five percent (5%) increase over the twenty percent (20%) maximum compact space standard of total parking stalls for a use per City Code Section 10-4-4(C) 9.

The parking of vehicles shall only occur within those areas designated for parking as shown on the Development Plan Review Forni Road Hotel, revised May 2, 2014, received by the City on December 23, 2014.

2. Project Location: The Project site is located along the south side of the US 50 freeway and on the northwest side of Forni Road in the City of Placerville, at 3110 Forni Road. APN: 325-230-23. VAR 2015-01 shall apply only to the project location and cannot be transferred to another parcel.
3. Revisions: Any proposed change to the Project Description or conditions of approval shall require a new variance application submission for consideration under Section 10-3-6 of the Zoning Ordinance.
4. Condition No. 7 of SPR 08-03 shall be satisfied under approved VAR 2015-01 upon completion of the project description improvements for the SPR 08-03 hotel project.

Variance (VAR) 2015-02 (Building Height) Conditions of Approval:

1. Project Description: Variance (VAR) 2015-02 is conditionally approved to allow a building height of forty-two (42') feet for the new hotel building, two feet greater than the maximum forty feet (40') allowed per City Code Section 10-5-15(D)5 within the HWC (Highway Commercial) Zone, for the Planning Commission approved project known as Site Plan Review (SPR) 08-03.
 2. Project Location: The Project site is located along the south side of the US 50 freeway and on the northwest side of Forni Road in the City of Placerville, at 3110 Forni Road. APN: 325-230-23. VAR 2015-02 shall apply only to the project location and cannot be transferred to another parcel.
 3. Revisions: Any proposed change to the Project Description or conditions of approval shall require a new variance application submission for consideration under Section 10-3-6 of the Zoning Ordinance.
 4. Condition No. 1 of SPR 08-03 shall be satisfied under approved VAR 2015-02 upon completion of the project description improvements for the SPR 08-03 hotel project.
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Planning Commission on October 18, 2016, granted a one year extension of Site Plan Review 08-03, VAR 15-01, VAR 15-02 and EA 08-01, from November 19, 2016, extending the expiration of these entitlements to November 19, 2017, subject to the following conditions:

1. The developer/property owner shall submit landscape and irrigation plans, consistent with the shading and water efficiency requirements under Section 10-4-9 and 10-6-1 to 10-6-17 of the Municipal Code, to the Development Services Department for review and approval prior to issuance of a construction permit for the hotel building.
 2. All Conditions of Approval approved by the Planning Commission on January 19, 2010 for SPR 08-03, and as modified by the Planning Commission on May 19, 2015 in conjunction with the Major Change to SPR 08-03 and VAR 15-01 and VAR 15-02, shall remain in effect and shall be included by reference with the twelve month extension request approval.
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