

# CONDITIONS OF APPROVAL

## **Design Review Revision DR-R18-0001/Saratoga Retail Phase 2 Planning Commission/August 23, 2018**

(The following are the original conditions of approval. As a result of the revisions, specific conditions have been modified and are shown as strikethroughs (deletions) and underlines are (added text).)

### **Planning Services:**

1. This Design Review approval is based upon and limited to compliance with the project description and following hearing Exhibits:

Exhibit G.....	Site Plan
Exhibit H.....	Site Plan with Color
Exhibit I.....	Overall Site Plan with Phase 1
Exhibit J.....	Grading Plan
Exhibit K.....	Utility Plan
Exhibit L.....	Landscape Plan
Exhibit M.....	Irrigation Plan
Exhibit N.....	Lighting Details
Exhibit O.....	Building 2A Exterior Elevations
Exhibit P.....	Building 2A Floor Plan
Exhibit Q.....	Building 3 Exterior Elevations
Exhibit R.....	Building 3 Exterior Elevations Northwest
Exhibit S.....	Building 3 Exterior Elevations South
Exhibit T.....	Building 3 Patio Area

This Design Review is based upon and limited to compliance with the project description, the Planning Commission exhibits marked ~~DG~~ through ~~NT~~, ~~dated January 22, 2009~~, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

**Project Description:** The applicant requests a Design Review Revision to modify the approved Phase II of DR08-0003/The Shops at El Dorado Hills. The site revision includes changing Building 3 from restaurant to drive-through restaurant and modifying both buildings to a lower total of ~~Design Review request to construct three (3) commercial buildings totaling 30,628~~ 23,721 square feet. Building 1 is already constructed at ~~would be~~ 13,368 square feet. Building 2A includes a proposed retail commercial building of 5,500 square feet. ~~would be 11,539 square feet and~~ Building 3 would decrease its square footage to 4,658 with the change in usage from restaurant to a drive-thru restaurant ~~be 5,775 square feet.~~ Walgreens ~~would~~ includes a 24-hour drive-through pharmacy and an in-store health clinic. The project ~~would be~~ was phased into two phases with Building 1 and its associated parking ~~to be~~ constructed as part of Phase I, and the remainder of the project to be constructed with Phase II. Delivery hours for buildings 2A, & 3 would be limited to the hours of 6 a.m. to 10 a.m., seven days a week. Delivery hours for building 1 would be limited to the hours of 6 a.m. to 10 p.m., seven days a week.

**Access/Road Improvements:** Site access would be provided by ~~three~~ four driveways along Saratoga Way. Two of these driveways already exist and were developed under Phase I of DR08-0003/The Shops at El Dorado Hills. ~~The northern driveway would be right in, right out only while the other two driveways would be full access driveways. A left turn pocket would be constructed on Saratoga Way to provide access to the main entrance (middle driveway).~~ The proposed driveway between building 2A and 3 will be full access, and the southern driveway proposes exit only (right turn) movement.

**Parking:** The project would provide ~~153~~ parking spaces including ~~4~~ handicap spaces. The proposed project is required to provide 36 total parking spaces; however, the project applicants are proposing 63 parking spaces. ~~No~~ Two RV spaces are provided as part of the project. ~~due to the narrow lot configuration.~~ One off-street loading space has been provided for the project for Building 1, ~~no~~ one off-street loading has been provided for Buildings 2A, & 3. ~~Administrative relief findings have been provided in Attachment 2 to address the requested modifications.~~

**Water/Sewer:** Water and sewer would be provided by the El Dorado Irrigation District. Service would be provided by existing mains on and immediately adjacent to the project site. No offsite facility improvements are required as part of project implementation.

**Architecture/Color:** Exterior colors and materials for buildings shall substantially conform to the following color palette in Table 1. All exterior building materials, treatments, and landscaping shall be maintained in good visual repair, at all times.

**Table 1. Color Palette: Building 1 (Walgreens)**

BUILDING PORTION	STYLE/COLOR	MATERIAL
ROOF	Tierra Antigua #2311/Sandcast Blend	Redland Clay Tile/Two-piece Mission Sandcast
BUILDING WALLS	Kelly Moore 25 Blanco	Cement Plaster/Smooth Finish
CORNICE, FASCIA, & TRIMS	Kelly Moore 42 Wise Owl	Cement Plaster/Smooth Finish
STOREFRONT	Black	
FABRIC AWNING (COLOR 1)	Mustard & Black Stripes	Fabric
FABRIC AWNING (COLOR 2)	Black	Fabric
PERIMETER WALLS	Coarsed Stone/Santa Barbara	Stone Veneer/El Dorado Stone
TRELLIS	Black	Metal
WALL INSERTS	Spanish Tile	Tile

**Table 2. Color Palette: Building 2A**

BUILDING PORTION	STYLE/COLOR	MATERIAL
ROOF	Junipero 9000 Series Rioja #95111 66.7% Cafe Antigua #9543 33.3%	Redland Clay Tile
BUILDING WALLS/ CORNICE/ WAINSCOT/ RAIN LEADER/ DOOR AND FRAME	Pittsburgh Paints: Enduring Ice 413-1	Cement Plaster/Smooth Finish
CEMENT PLASTER TRIM	Pittsburgh Paints: Wheat Sheaf 415-3 Pony Tail 315-4	Cement Plaster/Smooth Finish
STOREFRONT	Matt Black	
PATIO FENCE/RAIN GUTTER	Pittsburgh Paints: Matt Black	Metal
FENCE AT SITE RETAINING WALL	Pittsburgh Paints: Silver Leaf 406-4	Metal

**Table 3. Color Palette: Building 3**

BUILDING PORTION	STYLE/COLOR	MATERIAL
ROOF	Junipero 9000 Series: Rioja Handmade #95111	Redland Clay Tile
BUILDING WALLS	Sherwin Williams: #SW7541 "Grecian Ivory"	Cement Plaster/Smooth Finish
STONE VENEER	Roughcut "Wheatfield"	El Dorado Stone
METAL AWNING	Black	Metal

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall substantially conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as Landscape Plans) must be submitted for review and approval and shall be implemented as approved by the County.

2. All site improvements shall conform to Exhibits ~~D~~-NG-T.

**Mitigation Measures:**

3. ~~MM-VIS-1: The applicant shall include one landscape island/finger within the parking area associated with Walgreens along Saratoga Way. This planter shall be planted with at least one large shade tree. In order to break up other long uninterrupted rows of parking spaces, the applicant shall plant large shade tree clusters (2-3 trees) every ten parking spaces within the perimeter landscape buffer to break up views of the parking lot as seen from the surrounding residential properties and Saratoga Way.~~

~~*Timing/Implementation: The applicant shall revise all site plans and grading plans to include a landscape island within the parking area associated with Walgreens along Saratoga Way. The landscape plan shall also include large shade tree clusters (2-3 trees) every ten parking spaces within the perimeter landscape buffer.*~~

~~*Enforcement/Monitoring Prior to issuance of construction/grading permits, El Dorado County Planning Services shall review site plans and landscape plans to ensure that these measures have been included.*~~

3. **AQ-1. Basic Construction Emission Control Practices (Best Management Practices).**

During construction of the project, the construction contractor shall implement the following measures as part of the basic dust control procedures best management practices.

- Water all exposed surfaces two times daily. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads.
- Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.
- Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited. v
- Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).
- All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [required by California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

4. ~~MM AQ-1: A Fugitive Dust Plan (FDP) Application with appropriate fees shall be submitted to and approved by the El Dorado County Air Pollution Control District (APCD) with appropriate fees and approved by the AQCD prior to start of project construction.~~

~~Timing/Implementation: Prior to issuance of grading and building permits the applicant shall submit an FDP to the El Dorado County APCD for review and approval.~~

~~Enforcement/Monitoring: El Dorado County Planning Services shall verify that the El Dorado County APCD has approved the FDP prior to issuance of grading and building permits.~~

4. **AQ-2: Documentation of presence or absence of naturally occurring asbestos**

Prior to the issuance of any grading permit the property owner/operator shall submit to the El Dorado County AQMD a report prepared by a California-registered geologist that documents the presence or absence of Naturally Occurring Asbestos (NOA). If El Dorado County AQMD agrees that NOA is not present on-site then no additional avoidance measures are required. If El Dorado County AQMD agrees that NOA is present on-site then the property owner/operator shall prepare and implement an Asbestos Dust Mitigation Plan. The Asbestos Dust Mitigation Plan shall be reviewed and approved by El Dorado County Environmental Management and AQMD prior to the issuance of a grading permit. The Asbestos Dust Mitigation Plan shall include best management practices (BMP) for implementing the asbestos dust control measures identified in the El Dorado County Fugitive Dust Prevention and Control and Contingent Asbestos Hazard Dust Mitigation Plan.

5. ~~MM AQ-2: Prior to the issuance of any grading permit the property owner/operator shall submit to the El Dorado County AQMD a report prepared by a California-registered geologist that documents the presence or absence of NOA. If El Dorado County AQMD agrees that NOA is not present on-site then no additional avoidance measures are required. If El Dorado County AQMD agrees that NOA is present on-site then the property owner/operator shall prepare and implement an Asbestos Dust Mitigation Plan. The Asbestos Dust Mitigation Plan will be reviewed and approved by El Dorado County Environmental Management and AQMD prior to the issuance of a grading permit. The Asbestos Dust Mitigation Plan shall include BMPs for implementing the asbestos dust control measures identified in the El Dorado County Fugitive Dust Prevention and Control and Contingent Asbestos Hazard Dust Mitigation Plan.~~

~~Timing/Implementation: Prior to issuance of grading and building permits the applicant shall submit the report referenced above for review by the El Dorado County Environmental Management Department and the Air Quality Management District. If NOA is present, the applicant shall prepare and submit an Asbestos Dust Mitigation Plan for review and approval by the Environmental Management Department and the AQMD.~~

~~Enforcement/Monitoring: Environmental Management Department and the AQMD shall approve the Asbestos Dust Mitigation Plan, if necessary, prior to issuance of grading and building permits. El Dorado County Planning Services shall verify that the El Dorado County APCD has approved the FDP prior to issuance of grading and building permits.~~

~~- OR -~~

5. **AQ-3: Known presence of NOA**

If presence of NOA is assumed, then the property owner/operator shall prepare and submit to the El Dorado County Environmental Management and AQMD an Asbestos Dust Mitigation Plan prior to the issuance of a grading permit. The Asbestos Dust Mitigation Plan shall include BMPs for implementing the asbestos dust control measures identified in the El Dorado County Fugitive Dust Prevention and Control and Contingent Asbestos Hazard Dust Mitigation Plan.

Project construction would comply with all applicable El Dorado County AQMD rules during construction including, but not limited to, Rules 215, 223, 223-1, and 224, which are described below.

- Rule 215 Architectural Coatings; defines the quantities of ROGs permitted for use in new construction.
- Rule 223 Fugitive Dust (General) and Rule 223-1 Fugitive Dust (Construction); 223 limits manmade fugitive dust to the property line of the construction site, and Rule 223-1 requires a Fugitive Dust Control Plan be prepared and submitted to the AQMD prior to ground disturbing activities.
- Rule 224 Cutback and Emulsified Asphalt; defines the types of cutback and emulsified asphalts permitted for use in El Dorado County.

6. ~~**MM NOI-1:** Construction activities shall be conducted in accordance with the County noise regulation or limited to the following hours and days: 7:00 a.m. and 7:00 p.m. on any weekday; 8:00 a.m. to 5:00 p.m. on weekends and federally recognized holidays.~~

~~*Timing/Implementation: The applicant shall include this measure as a note on all grading, building, and improvement plans.*~~

~~Enforcement/Monitoring Prior to issuance of construction/grading permits, El Dorado County Planning Services shall verify that this measure is incorporated as a note on the plans.~~

6. **Mitigation Measure CUL-1:** Avoid and minimize impacts to previously unknown historic resources

It is possible that ground-disturbing activities during construction may uncover previously unknown, buried historic resources. In the event that buried historic resources

are discovered during construction, construction operations shall stop within a 100-foot radius of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The project applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The archaeologist shall make recommendations concerning appropriate measures that will be implemented to protect the resources, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Historic resources could consist of, but are not limited to, stone, wood, or shell artifacts, structural remains, privies, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and evaluated for significance in terms of CEQA criteria.

- ~~7. **MM-TRA-1:** The applicant shall post signs on Buildings 2A, 2B & 3 in a conspicuous location that notifies delivery drivers that deliveries are only allowed from 6 a.m. to 10 a.m., seven days a week. The applicant shall post signs on Building 1 in a conspicuous location that notifies delivery drivers that deliveries are only allowed from 6 a.m. to 10 p.m., seven days a week.~~

~~*Timing/Implementation: The applicant shall include this measure as a note on all building, and improvement plans.*~~

~~Enforcement/Monitoring Prior to issuance of building permits, El Dorado County Planning Services shall verify that this measure is incorporated as a note on the plans. Planning Services shall verify that signs have been posted in an acceptable location prior to occupancy clearance.~~

7. **Mitigation Measure CUL-2:** Avoid and minimize impacts to previously unknown archaeological resources

It is possible that ground-disturbing activities during project development may uncover previously unknown archaeological resources. In the event that archaeological resources are discovered during construction, construction operations shall stop within a 100-foot radius of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The project applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The archaeologist shall make recommendations concerning appropriate measures that would be implemented to protect the resources, including but not limited to, excavation and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Archaeological resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and evaluated for significance in terms of CEQA criteria.

8. **Mitigation Measure CUL-03: Avoid and minimize impacts related to accidental discovery of human remains.**

In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code § 5097.94 and § 5097.98 must be followed. If during the course of project development there is accidental discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance within a 100-foot radius of the potentially human remains until the County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in PRC Section 5097.98.
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance:
  - The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being notified by the commission.
  - The descendant identified fails to make a recommendation.
  - The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

9. *M1. Intersection #1, El Dorado Hills Blvd @ Saratoga Way/Park Drive*

This intersection operates at acceptable LOS E during the PM peak-hour without the project, and the project results in LOS F. Consistent with the findings of the previous Saratoga Retail Phase 2 Cumulative (2035) Conditions analysis <sup>1</sup>, the impacts at this intersection can be mitigated by off-site improvements including optimization of the Latrobe Road coordinated signal system and the restriping of the westbound Town Center Boulevard approach to include one left-through lane, and two right-turn lanes, with a permitted-overlap phase for the westbound right-turns. The El Dorado Hills Town Center Apartments project is responsible for, among other things, the lane designation and signal phasing mitigations described above. This mitigation affects an approach on a privately-owned roadway, and therefore, the improvement should be coordinated with the County



and the property owner. As shown in **Table 13**, this mitigation measure result in the intersection operating at LOS D during the PM peak-hour. Therefore, ***this impact is less than significant.***

**Table 13 - Intersection Levels of Service Near-Term (2026) Plus Proposed Project Mitigated Conditions**

ID	Intersection	Control	Peak Hour	Near-Term (2026)		Near-Term (2026) plus Proposed Project		Near-Term (2026) plus Proposed Project Mitigated	
				Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
1	El Dorado Hills Blvd @ Saratoga Way/Park Dr	Signal	AM	33.2	C	36.9	D	37.2	D
			PM	70.4	E	92.7	F	46.5	D
2	El Dorado Hills Blvd @ US-50 WB Ramps/ Park	Signal	AM	33.1	C	33.7	C	35.6	D
			PM	58.0	E	61.7	E	49.3	D
3	Latrobe Rd @ US-50 EB Ramps	Signal	AM	15.4	B	15.1	B	14.9	B
			PM	12.0	B	12.2	B	13.4	B
4	Latrobe Rd @ Town Center Blvd	Signal	AM	22.6	C	21.4	C	20.1	C
			PM	84.6	F	82.5	F	66.4	E
5	Latrobe Rd @ White Rock Rd	Signal	AM	57.4	E	57.6	E	56.5	E
			PM	66.0	E	65.3	E	76.6	E
7	White Rock Rd @ Post St	Signal	AM	86.4	F	92.4	F	93.1	F
			PM	51.5	D	50.7	D	60.7	E

10. M2. Intersection #4, Latrobe Road and Town Center Boulevard

This intersection operates at Los F during the PM peak-hour without the project, and the project contributes more than 10 trips. Consistent with the findings of the previous Saratoga Retail Phase 2 Cumulative (2035) Conditions analysis<sup>1</sup>, the impact at this intersection can be mitigated by optimization of the Latrobe Road coordinated signal system, along with the following improvements: the restriping of the westbound Town Center Boulevard approach to include one left-through lane, and two right-turn lanes, with a permitted-overlap phase for the westbound right-turns. The El Dorado Hills Town Center Apartments project is responsible for, among other things, the lane designation and signal phasing mitigations described above. This mitigation affects an approach on a privately-owned roadway, and therefore, the improvement should be coordinated with the County and the property owner. As shown in **Table 13**, this mitigation measure results in the intersection operating at LOS E during the PM peak-hour. Therefore, ***this impact is less than significant.***

**Planning Services**

8. ~~All signage shall conform to Zoning Ordinance Chapter Section 130.16 17.32.140 (D). Proposed signage plans shall be revised to reduce the display area of the monument sign to 80 square feet. LED readerboards are prohibited. All future signage shall conform to Chapter 130.16 17.16 and Chapter 17.34 of the County Code.~~

11. Signage is not approved with this application. Future signs shall be reviewed and approved under a separate sign permit application and shall comply with the development standards for signs in effect at the time of submittal.
- ~~9.12.~~ Building design and colors, building placement, and parking lot improvements shall be completed in conformance with the plans submitted and in conformance with the conditions of approval herein (Exhibits ~~D-OF-M~~). Minor variations are allowed, however, any major changes in the design of buildings, location of buildings, access ways, and parking shall require Planning Services review and approval.
- ~~12.13.~~ The project must be started or diligently pursued within one year of approval, or the Design Review approval becomes null and void. Pursuant to County Code Section 130.54.060, implementation of the project must occur within twenty-four (24) months of approval of this permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval.
- ~~11.14.~~ A water meter award letter or similar assurance form the water purveyor, guaranteeing water service upon demand to the project, shall be submitted prior to issuance of a building permit.
- ~~12.15.~~ Prior to issuance of a building permit or commencement of any use authorized by this permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval.
- ~~13.16.~~ The applicant shall schedule an inspection by Planning Services prior to issuance of a building permit for verification of compliance with applicable conditions of approval.
- ~~14.17.~~ Prior to issuance of any building permits, all Development Services fees shall be paid.
- ~~15.18.~~ In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval by El Dorado County.

County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

- ~~16.19.~~ 19. The final landscape plan shall meet Zoning Ordinance Chapter ~~17.18.090~~ 130.33 and Community Design Standards: Landscaping and Irrigation Standards. The applicant shall revise the proposed landscape plan consistent with recommendations in Condition #3. The applicant shall submit the revised landscape plan for review and approval by El Dorado County Planning Services and the El Dorado Community Services District prior to issuance of grading and building permits. The property owner shall maintain landscaping for the life of the project.
- ~~17.20.~~ 20. All outdoor lighting shall conform to Sections ~~17.14.170~~ 130.34, Community Design Standards: Outdoor Lighting Standards, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. In addition, the following apply:
- a. External lights used to illuminate a sign or side of a building or wall shall be shielded in order to prevent light from shining off the surface to be illuminated.
- Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.
- ~~18.21.~~ 21. The applicant shall include provisions for bicycle parking on the site by providing a minimum of ~~one two~~ two bicycle spaces/racks within the project. The bike racks shall be installed prior to ~~finaling~~ finalizing of the building permit.
- ~~19.22.~~ 22. Parking shall be improved consistent with Chapter ~~17.18~~ 130.35 of the County Code, including the April 14, 1993 California Accessibility Regulations. The uses will be evaluated during the tenant improvement/building permit process prior to issuance of a building permit to ensure that parking will be available for each use that had been authorized by this approval and to be sure the initial proposed uses were not subjected to a change. Parking shall conform to the approved site plan. Any tenant improvement use that causes the total approved number of parking spaces to be exceeded, beyond the approved ~~153~~ 125 off-street spaces, shall not be approved until such time as additional parking is legally created, reviewed, and then approved by Deputy Planning Director or designee.
- ~~20.23.~~ 23. In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission. Planning Services shall review and approve the grading plans prior to the issuance of a grading permit.

## El Dorado County Department of Transportation

### *Project Specific Conditions*

- ~~21.~~24. **Encroachment Permit:** The applicant shall obtain an encroachment permit from DOT and shall construct the driveway encroachments from the proposed project onto Saratoga Way to the provisions of County Design Std **110**, or as required by the approved traffic study. The improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to issuance of a building permit.
- ~~22.~~25. **Sidewalks:** The applicant shall construct 5-foot sidewalk, curb, and gutter per DISM 101A in accordance with Policy TC-5 of the County of El Dorado General Plan along the Saratoga Way frontage. This sidewalk/pedestrian route may diverge from the edge of Saratoga Way and meander through the project site due to grade changes and setback requirements. The project shall provide a minimum 5-foot wide sidewalk/ pedestrian route continuously extending from the southwestern edge of the property to the crosswalk at the intersection of Saratoga Way and El Dorado Hills Blvd.
- ~~23.~~ **Left Turn Pocket:** ~~The applicant shall design and construct a 14 foot wide left turn pocket at the primary entrance, according to the provisions of the Caltrans Highway Design Manual and/or AASHTO. The improvements shall be completed to the approval of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to issuance of a building permit.~~
- ~~24.~~26. **Signalization:** Due to the proximity of the existing signalized intersection of Saratoga Way and El Dorado Hills Blvd and the future signalized intersection of Saratoga Way and Arrowhead Drive, no additional signalization shall be allowed at any of the proposed project driveways. The final improvement plans shall indicate that no additional signalization is to be installed at any of the project driveways onto Saratoga Way.

### *Standard Conditions*

- ~~25.~~27. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
- ~~26.~~28. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, etc. as required by the Department of Transportation prior to issuance of a building permit. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
- ~~27.~~29. **Vehicular Access Restriction:** Prior to issuance of a building permit, the applicant shall record a vehicular access restriction along the entire frontage of El Dorado Hills Boulevard.

- ~~28.~~30. **Sidewalks:** Sidewalks may be located outside the right-of-way and meander as a means to provide interest and variety in alignment. The alignment and design of the sidewalks shall be reviewed and approved by the Department of Transportation prior to issuance of building permits. Pedestrian easements shall be provided where necessary. Final lane configurations, including the need for additional rights-of-way, shall be subject to review and approval of the Department of Transportation prior to improvement plan approval.
- ~~29.~~31. **Curb Returns:** All curb returns, at pedestrian crossing, will need to include a pedestrian ramp with truncated domes per Caltrans Standard A88A and four feet of sidewalk/landing at the back of the ramp.
- ~~30.~~32. **Maintenance Entity:** The proposed project must form an entity for the maintenance of any shared or common: parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to issuance of a building permit.
- ~~31.~~33. **Common Fence/Wall Maintenance:** The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
- ~~32.~~34. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
- ~~33.~~35. **DISM Consistency:** The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to issuance of a building permit.
- ~~34.~~36. **Road Improvement Agreement & Security:** The developer shall enter into a Road Improvement Agreement (RIA) with the Department of Transportation for all roadway, frontage, and intersection improvements. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the RIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to issuance of a building permit.
- ~~35.~~37. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.

- ~~36.~~38. **Grading Permit / Plan:** A commercial grading permit is required for the project. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado “*Design and Improvement Standards Manual*”, the “*Grading, Erosion and Sediment Control Ordinance*”, the “*Drainage Manual*”, the “*Off-Street Parking and Loading Ordinance*”, and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT and/or Development Services (whichever is applicable) prior to occupancy clearance.
- ~~37.~~39. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation or Development Services (whichever is applicable). The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
- ~~38.~~40. **RCD Coordination:** The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation or Development Services (whichever is applicable) shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
- ~~39.~~41. **Soils Report:** At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation or Development Services (whichever is applicable). Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.
- ~~40.~~42. **Drainage Study / SWMP Compliance:** The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff

increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation or Development Services (whichever is applicable).

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- The site can be adequately drained;
- The development of the site will not cause problems to nearby properties, particularly downstream sites;
- The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. The improvements shall be completed to the approval of the Department of Transportation or Development Services (whichever is applicable), prior to occupancy permits or the applicant shall obtain an approved improvement agreement with security.

**41-43. Drainage, Cross-Lot:** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to issuance of a building permit.

**42-44.** Drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans.

**43-45. NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the

County, prior to building permit issuance, and by state law must be done prior to commencing construction.

- ~~44.46.~~ **Electronic Documentation:** Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
- ~~45.47.~~ **TIM Fees:** The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.

### **El Dorado Hills Fire Department**

- ~~46.48.~~ The required fire flow for the fire protection of the proposed referenced project is 1500 gallons per minute with a 20 psi residual for a two hour duration. This flow rating is in addition to the highest maximum daily consumption and is based on the premise that a fire sprinklered commercial building is to be of Type V-B, wood frame construction and shall not exceed 13,400 square feet in size for a single building.
- ~~47.49.~~ There shall be an unobstructed 20-foot wide access on the east side of Building 1, Walgreens.
- ~~48.50.~~ This development shall install Mueller Dry Barrel Fire hydrants conforming to the El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 300 feet. The location specified on the submitted plans meets this requirement.
- ~~49.51.~~ To enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department and the Fire Safe Regulations.
- ~~50.52.~~ In order to provide the development with adequate fire and emergency medical response during construction, all access roadways and fire hydrant systems shall be installed and in service prior to framing of any combustible members as specified by the El Dorado Hills Fire Department Standard 103.
- ~~51.53.~~ This development shall be prohibited from installing any type of traffic calming devices that utilize a raised bump or a lower dip section of roadway.
- ~~52.54.~~ Each building shall be addressed in accordance with the Fire Department requirements. The location of the address on the buildings shall be approved at the time of building plan check. More than one address may need to be installed on each building depending on the relation of the building to the path of emergency response.



- ~~53.55.~~ The applicant shall provide the Fire Department with a CD that contains all the CAD files for this project.
- ~~54.56.~~ The fire access roadways servicing all building shall be designed to accommodate a 40-foot inside and a 56-foot outside turning radius. Submitted plans meet this standard.
- ~~55.57.~~ All buildings shall be sprinklered in accordance with NFPA-13, 2007 edition, and the Fire Department requirements.
- ~~56.58.~~ This development shall provide a minimum of two unobstructed access roadways during construction of any building.
- ~~57.59.~~ All trash enclosures shall be located a minimum of 5 feet from a building wall.
- ~~58.60.~~ A KNOX box shall be installed on each building. The KNOX box shall contain the master key to open all exterior doors. The location is to be approved prior to installation.
- ~~59.61.~~ Any driveway that is less than 30 feet in width shall have no parking, fire lane signs installed on each side or have the curbs painted red and stenciled "fire lane no parking" on each side.

### **Air Quality Management District**

- ~~60.62.~~ Asbestos Dust: Current county records indicate this subject property is located within the Asbestos Review Area. The applicant currently has an active Asbestos Dust Mitigation Plan (ADMP), no new plan is required. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions asbestos hazard mitigation during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223 and 223.2.
- ~~61.63.~~ Paving: Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
- ~~62.64.~~ Painting/Coating: The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
- ~~63.65.~~ Open Burning: Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only dry vegetative waste materials originating from the property may be disposed of using an open outdoor fire (Rule 300 Open Burning).
- ~~64.66.~~ Construction Emissions: During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website here:

<http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm> An applicability flow chart can be found here: 1-866-634-3735. ARB is responsible for enforcement of this regulation. [http://www.arb.ca.gov/msprog/ordiesel/faq/applicability\\_flow\\_chart.pdf](http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf) Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.

- 65-67. New Point Source: Prior to construction/installation of any new point source emissions units (e.g., gasoline dispensing facility, emergency standby engine, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors. (Rule 501 and 523)
- 66-68. Portable Equipment: All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with the California Air Resources Board (CARB). A copy of the current portable equipment registration shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.
- 67-69. Electric Vehicle Charging – Non-Residential: The commercial portion of the project shall comply with the Non-Residential Mandatory Measures identified in the 2016 Cal Green Building Code §5.106.5.3 concerning installation of electric vehicle supply equipment (EVSE). Plans shall include; the location(s) and type of EVSE, a listed raceway capable of accommodating a 208/240-volt dedicated branch circuit originating at a service panel with sufficient capacity to accommodate a minimum 40A dedicated circuit, and terminating in a suitable enclosure in close proximity to the proposed location of the charging equipment. Plans shall include wiring schematics and electrical calculations to verify the electrical system has sufficient capacity to simultaneously charge electric vehicles at their full rated amperage (Level 2 EVSE). Raceways shall be installed from the electrical service panel to the designated parking areas at the time of initial construction. Please refer to Cal Green Building Stds Code §5.106.5.3 for specific requirements:  
[http://www.edc.gov.us/Government/Building/California Building Standards in Effect.aspx](http://www.edc.gov.us/Government/Building/California_Building_Standards_in_Effect.aspx)

### **Environmental Management Department**

- 68-70. The applicant shall adhere to all standard Air Quality Management District rules and conditions during project construction, prior to issuance of any permits associated with this project.

#### *Hazardous Materials*

- 69-71. If any commercial, industrial, agricultural, mining or any other hazardous materials handling activities have taken place on the property in the past, the applicant must

conduct a Phase I Environmental Site Assessment (ESA). The Phase I must be conducted in accordance with ASTM standard E 1527-00. All information developed in the Phase I process must be submitted to the Hazardous Materials Division (HMD) for review. If upon review of the Phase I information, HMD determines the property is a potentially impacted site, the applicant must apply for a permit, submit a workplan and conduct a Phase II ESA and any required site remediation activities prior to developing property.