

**REGULAR MEETING MINUTES**  
**PLACERVILLE PLANNING COMMISSION TELECONFERENCE (Virtual Meeting)**  
**TUESDAY, NOVEMBER 17, 2020, 6:00 P.M.**

**CALL TO ORDER**

*Chair List called the Regular Meeting to order at 6:00 P.M.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

*Chair List led the audience in the Pledge of Allegiance to the Flag.*

**ROLL CALL:**

**Members Present:** *Chair List, Vice Chair Lepper, Frenn, Kiehne, Raines*

**Members Absent:** *None*

**Staff Present:** *Development Services Department Director Rivas,  
City Planner Painter*

- 5. 301 Main Street - Conditional Use Permit (CUP) 20-06:** Consideration of Conditional Use Permit to operate a place of entertainment facility with maximum capacity of 100 people within the ground floor of the building located at 301 Main Street, A.P.N.: 001-212-014, within the Central Business District (CBD) Zone.

*City Planner Painter delivered staff report. Addressing the Commission on this item was applicant Sue Taylor. Public members addressing the Commission were: Ruth Michelson; Heidi Meyerhofer; Jennifer Chapman; Kirk Smith; John Clerici; Dennis Thomas and Brian Chase.*

*Motion: Member Kiehne, seconded by Vice Chair Lepper: Send request back to the applicant to prepare a parking study for consideration by the Planning Commission.*

*Action: Motion denied 2-3 on the following roll call vote:*

*Ayes: Vice Chair Lepper, Kiehne*

*Noes: Chair List, Frenn, Raines*

*Motion: Member Frenn, seconded by Member Raines:*

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

*II. Make the following findings of fact in support of the CUP 20-06 request:*

*a) The CUP20-06 request is exempt from the California Environmental Quality Act (CEQA) per CEQA Guideline 15303, which exempts projects involving the conversion of an existing facility from one land use to another when the new use is consistent with the current zoning and General Plan land use designation of the site.*

*b) CUP20-06 is consistent and in harmony with the General Plan and all applicable provisions of the Zoning Code, in that it would be located within an area that is accessible by existing streets, the City's Center Street parking structure; it would not*

*be located in a sensitive area; it would utilize the ground floor of an existing building that dates back to construction during the mid-1800s, with an interior change of occupancy necessary to operate use*

- c) CUP20-06 is desirable for the development of the community, in that it would provide a flexible ground floor space in the downtown allowing assemblies of people for a potential variety of small gatherings (100 or less occupants) as described in the Applicant Submittal Package. These gatherings would bring people to downtown Placerville, with the potential for spill-over economic benefit to other businesses and business service uses within downtown and greater Placerville, therefore the use would not be detrimental to the general welfare of persons residing in the immediate vicinity, the neighborhood or the community at large.*

*III. Approve Conditional Use Permit CUP20-06 located at 301 Main Street, APN 001-212-014, based on the project information and findings included in the Staff Report, and subject to the recommended Conditions of Approval.*

- 1. Approve CUP20-06, involving the operation of a place of entertainment assembly occupancy, within the ground floor of the building located at 301 Main Street, APN 001-212-014, and within the Central Business District Zone (CBD).*

*Approval is based upon the analysis provided in staff's November 17, 2020 report to the Planning Commission, and limited to compliance with the project description, the Applicant Submittal Package set forth below, except were deviated under a separate Condition of Approval, and all other conditions of approval set forth herein:*

- Planning and Conditional Use Permit Application, including narrative, received October 20, 2020; and,*
  - Floor Plan dated October 16, 2020, prepared by Sue Taylor, received October 20, 2020.*
- 2. CUP20-06 shall become effective and be issued eleven (11) days after the Commission granted the permit unless an appeal has been filed, in which case CUP20-06 shall not be issued until the granting of the permit is affirmed on appeal.*

*Operation of the use shall not commence until a construction (building) permit for the change in occupancy from Mercantile (M) to Assembly (A-2) has first been obtained from the Development Services Department by the property owner/applicant, final inspection is completed and approved, and issuance of a Certificate of Occupancy by the Department.*

- 3. CUP20-06 shall expire and become null and void eighteen (18) months after the date of Planning Commission approval unless the authorized use is carried on. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with the Conditions of Approval.*
- 4. CUP20-06 use operation shall take place only within the ground floor of the existing 301 Main Street building.*
- 5. CUP20-06 shall conform to the Conditions herein, all applicable regulations of the Placerville Zoning Ordinance and Placerville Municipal Code.*

6. *CUP20-06 conditions of approval shall be binding on the applicant and all successors in interest in the event the project site is sold to another party.*
7. *All Conditions of Approval shall be in addition to those established under Site Plan Review 12-02 and shall also be incorporated as the Conditions of Approval for CUP20-06 by reference.*
8. *Any proposed future change to the use or modification to the application beyond what is authorized under CUP20-06 shall be submitted to the Development Services Department for a determination of appropriate procedures.*
9. *During all events, the Property Owner /Applicant shall assign a manager on the premises who shall ensure compliance with the terms of this Permit, the City Code, and applicable state and federal laws.*
10. *Maximum occupancy of the facility under CUP20-06 shall be determined by the Development Services Department, Building Division. City authorized occupancy shall be managed by the proprietor to prevent over-crowding.*
11. *No outdoor amplification of sound is permitted. Operation of the facility, regardless of the hours permitted to be open to the public. Interior sound amplification shall be directed away from the principal entrance or directed toward the interior of the facility.*
12. *CUP20-06 shall not constitute a public nuisance as defined under PZC 1-4-3 and PZC 7-8-1.*
13. *CUP20-06 may be revoked, amended or suspended by the Planning Commission under the provisions of PZC 10-3-6(D).*
14. *There must be no pressure washing of the sidewalk, unless approved by City Engineering.*

*Action: Motion approved 3-2 on the following roll call vote:*

*Ayes: Chair List, Frenn, Raines*

*Noes: Vice Chair Lepper, Kiehne*