



Comments on 301 & 339 Main St

1 message

Camille Borba <camille.m.borba@gmail.com>

Sun, Dec 27, 2020 at 6:54 AM

To: pv.planning@gmail.com

Dear Placerville Planning,

I am a Placerville native and over my life I have seen our community drastically change, especially in the last 20 years. Some changes have been good and some are less than ideal.

A good change was the restoration of the Herrick Building at 301 Main Street. I have always love the details of this building. I remember being mesmerized by the ceiling as a child. The process of watching the careful restoration was exciting for myself and many other community members. The Taylors are supporters of the preservation of our community and you can see that in every detail all the way down to the stamped concrete sidewalk.

I was equally excited to hear what their business plan was. It is a wonderful location and it's service would benefit the businesses around it. Look at the draw of community members with this summer's live music. I encourage the granting of the needed special use permit. These business owners have the best interest of our community at heart and this business would bring a beneficial draw to Main Street.

I wish I could say the same about Jing Chen and Wayne Whelan of Therapy Stores. This chain does not belong at 339 Main St. or Main Street at all. Their company views are not ones that are in the best interest of our community or reflect the values of our community. I ask you to deny their permit.

Kindly,

Camille Borba



Fwd: Comment on therapy store conditional use permit for tonights planning commission meeting

Pierre Rivas <privas@cityofplacerville.org>
To: Andrew Painter <apainter@cityofplacerville.org>

Tue, Jan 5, 2021 at 8:01 AM

Andrew - I would assume that the email comments submitted by Chapman for the December 1st PC meeting are included with those comments already. Correct? -Pierre

----- Forwarded message -----

From: **Jennifer Chapman** <jenchapman415@gmail.com>

Date: Mon, Jan 4, 2021 at 4:04 PM

Subject: Re: Comment on therapy store conditional use permit for tonights planning commission meeting

To: Pierre Rivas <privas@cityofplacerville.org>, Lynne Hunter <lhunter@cityofplacerville.org>, Regina O'Connell <roconnell@cityofplacerville.org>

Cc: Cleve Morris <cmorris@cityofplacerville.org>, Michael Saragosa <msaragosa@cityofplacerville.org>, Mark Acuna <macuna@cityofplacerville.org>, Sue Taylor <Sue-Taylor@comcast.net>, Heidi Mayerhofer <hmayerhofer5@gmail.com>, ruthmichelson <ruthmichelson@sbcglobal.net>, Mandi <Mandiskis@yahoo.com>

Please include this previous comment in the package for city council re: the therapy stores appeal. Thank you!

Jennifer

On Tue, Dec 1, 2020, 2:50 PM Jennifer Chapman <jenchapman415@gmail.com> wrote:

Dear pierre,

Please accept this comment on tonights therapy store agenda item.

The combellacks building retains much of its historic fabric. Its fascade could easily be removed and its historic integrity be restored. The combellacks sign is emblematic of the history of the combellack family who contributed significantly to the development of placerville. The new owners should conduct operate a business at this location that does not require alteration of this iconic sign. The city of san rafael designated the litchfields sign to be a historic landmark. Placerville should do tge same with the combellacks sign. The downtoemwm main street corridoe is a historic district by virtue of the concentration of historic resources that are there regardless of the lack of a city ordinance to this effect. This district was evaluated in 2018 by a consultant who did a survey working for friends of historic hangtown. The consultant found supporting evidence for eligibility for the national register of histirc places with significance at the state level. Analysis of The permit issuance must consider effects on this historic district. Changing the sign is a visual, aesthetic effect which detracts from the association and feeling currently present. Likewise, a retail operation that is not one of a kind, will also detract from the tradition of a small family owned and operatwd business being at this location. Your ceqa analysis is incomplete and flawed because it does not address effects on historic resources, specifically on the placerville historic district, the combellack's building, and the combellack's sign.

Thank you for the opportunity to comment on this agenda item.

Sincerely, jennifer chapman
2701 clay st. Placerville ca 95567

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[Quoted text hidden]



Re: Appeal of CUP 20-04

1 message

Heidi Mayerhofer <hmayerhofer5@gmail.com>

Mon, Jan 4, 2021 at 7:49 AM

To: pv.planning@gmail.com, msaragosa@cityofplacerville.org, dthomas@cityofplacerville.org, Borellicouncil@sbcglobal.net, jneau@cityofplacerville.org, ktaylor@cityofplacerville.org

Dear City Council Members-

I am writing regarding the Appeal of Conditional Use Permit 20-04 Therapy Store that you will be hearing on January 11, 2021 at your special 3pm meeting. I am submitting this before the January 4th, 2021 3pm deadline in order for this to be included in your packet.

I'd like to call attention to **two City Ordinances; 1487 and 1597**, as are provided in full as attachments, as they are relevant to this hearing.

With **Ordinance 1487**, in 1992, the City created a separate Central Business District (CBD) to "Protect the downtown area from encroachment by unrelated and incompatible uses." And to "Differentiate the downtown area from all other land use designations because of its unique character." (Section (A) Purpose, items 2 and 3)

The City passed **Ordinance 1597** in 2004, and states the CBD is the "**icon of the community**" and the "**cornerstone of the tourist industry**." The Ordinance refers to Community Design Element of the City's General Plan as having policies pertaining to "prospering local and regional business center, and, maintaining the City's Gold Rush heritage."

It was specified in this ordinance that some Formula Businesses "**cannot contribute to the established uniqueness of the Central Business District**." It is also stated that "**the scale and design of improvements.... is an important factor in the overall aesthetic character of the CBD.**"

Title X is amended in item 4 of this **Ordinance 1597** to "achieve harmony and continuity... to maintain the historic foothill small town character, as opposed to suburban patterns of development." This Ordinance protects against formula stores that are encroaching, and are incompatible uses to the unique character and gold rush heritage of the CBD.

The merchant dynamics of our Placerville downtown is that most businesses are very sensitive to being **complimentary** to each other rather than **competitive** in order to get along. Therapy, on the other hand, in order for them to get where they have gotten is competitive by nature.

With these ordinances in place, we need the City leaders to be the stewards to these policies and listen to the majority of the downtown merchants, who understand

the dynamics of the downtown, and who contribute sales tax dollars and draw tourists to the area. Protecting the unique, historical character of the downtown draws visitors and tourists that support our restaurants, hotels, wineries, and event venues for weddings, et cetera. Outside interests need to be secondary to the interests of the hard working local merchants that have been dedicated to bringing back the downtown after being severely hit by big box stores and COVID.

Sincerely,

Heidi Mayerhofer



Virus-free. www.avast.com

2 attachments



1487 City Ordinance_Central Business District_(1-14-1992).pdf
1013K



1597_City Code Formula Business (2-24-2004).pdf
205K

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ORDINANCE NO. 1487

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF PLACERVILLE
AMENDING CHAPTERS 10-2 AND 10-5 OF TITLE 10
OF THE CITY CODE
(NONCONFORMING USES)

THE CITY COUNCIL OF THE CITY OF PLACERVILLE DOES ORDAIN
AS FOLLOWS:

Section 1: Chapters 10-2 and 10-5 of Title 10 of the
City Code is hereby amended as shown on Exhibit A, attached hereto
and made a part hereof.


The above Ordinance was introduced at a regular meeting
of the City Council of the City of Placerville on December 10,
1991, by Councilmember Tustin and it was then read for the first
time. The Ordinance was read for the second time on January 14, 1992,
and was introduced by Councilmember Borelli who moved its
adoption. The motion was seconded by Councilmember Tustin, and
a poll vote was taken which stood as follows:

AYES: Bennett, Borelli, Lishman, Tustin, Bailey

NOES: None

ABSENT: None

The motion having a majority "AYE" vote, the Ordinance was adopted, and it
was so ordered.

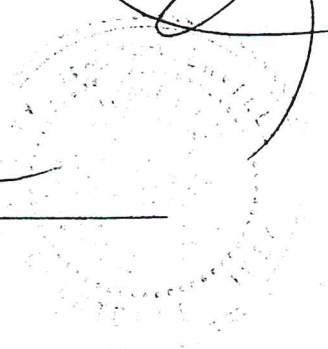


MAYOR

Attest:



Deputy City Clerk



10-5-14: CBD, CENTRAL BUSINESS DISTRICT ZONE:

(A) Purpose: This zone is established in order to:

1. Provide for a broad range of pedestrian-oriented commercial, institutional, and public uses;
2. Protect the downtown area from encroachment by unrelated and incompatible uses;
3. Differentiate the downtown area from all other land use designations because of its unique character.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Retail sales;
2. Eating and drinking establishments;
3. Hotels and motels;
4. Business and professional offices;
5. Institutional uses;
6. Government facilities;
7. One or more multi-family dwellings when above or below the ground floor.
8. Reconstruction of single family dwellings provided that the other regulations of this Title are met.

(C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title:

1. Parking facilities and parking lots;
2. Gasoline service station;
3. Bus or taxi station;
4. Places of entertainment, new and used retail sales and retail service;
5. Uses as stated in Section 10-3-4 of this Title.

(D) General Regulations:

1. Minimum Parcel Area: None;
2. Maximum Building Coverage: 100 percent (100%);
3. Minimum Parcel Width: None;

4. Minimum Yards: None (A marquee, canopy, eaves, unenclosed and uncovered balcony and other similar projections, appendages or overhangs may be allowed to encroach beyond the front yard setback and into the public right of way upon the issuance of an encroachment permit by the Public Works Department and a Building Permit by the Building Division. Signs will be allowed to extend into the front yard setback and into the public right of way, and aid signs shall conform with the provisions of Title 4, Chapter 5 of the City Code);
5. Maximum Building Height: Forty feet (40');
6. Minimum Parcel Frontage: None;
7. Maximum Floor Area Ratio: 3.0.

ORDINANCE NO. 1597

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF PLACERVILLE AMENDING TITLE X OF THE
CITY OF PLACERVILLE CITY CODE ESTABLISHING
ZONING REGULATIONS FOR FORMULA BUSINESSES
WITHIN THE CENTRAL BUSINESS DISTRICT (CBD)

THE CITY COUNCIL OF THE CITY OF PLACERVILLE DOES ORDAIN AS
FOLLOWS:

WHEREAS, the Community Design Element of the City of Placerville's General Plan includes policies pertaining to the quality of life in Placerville by maintaining the City's foothill landscape character, small town rural atmosphere, prospering local and regional business center; and, maintaining the City's Gold Rush heritage. And, further contains policies reinforcing the Central Business District as the icon of the community;

WHEREAS, the City Council finds that these policies are necessary to preserve the unique and historic character of the City's Central Business District, including regulating the aspect of businesses, services and merchandise which reflects the history of the community and which has become a cornerstone of the tourist industry, is an important component of the City's overall economy;

WHEREAS, the City Council further finds that certain Formula Business establishments do not reflect the unique character of the community and the desired aesthetic ambience of the Central Business District in that they offer standardized architecture, use and character identical to similar Formula Businesses located in other communities and, thus, cannot contribute to the established uniqueness of the Central Business District; and,

WHEREAS, the City Council further finds that the scale and design of improvements within the Central Business District is an important factor in the overall aesthetic character of the Central Business District and that refinements to the City of Placerville Zoning Ordinance are necessary to ensure that existing and future Formula

Businesses are compatible and in harmony with the character of the Central Business District.

NOW, THEREFORE, the City Council of the City of Placerville hereby amends Title X as follows:

1. The following definition is hereby added to Section 10-1-4 of Title X:
FORMULA BUSINESS: Any business with a proposed or existing exterior design (appearance, colors, signage) that is essentially identical to five (5) or more other business sites using the same or similar name or identity.
2. Section 10-4-9(C) is hereby amended as follows:
~~Building Permit~~—Site Plan Review Required: The Planning Commission shall review each application for a building permit in the following land use categories:
3. Section 10-4-9(C)(10) is hereby deleted in its entirety and replaced with the following:
 10. New Formula Businesses and major exterior modifications to existing Formula Businesses within the Central Business District (CBD) zone. Major modifications are those defined in Section 10-4-9(P) herein.
4. Section 10-4-9(G)(1)(a) is hereby amended as follows:
The site shall be planned to achieve harmony and continuity between new and existing neighborhoods and commercial areas to maintain the historic foothill small town character, as opposed to suburban patterns of development.
5. Section 10-4-9(G)(2)(e) is hereby added as follows:
“Standardized” corporate architecture which involves the use of materials, textures, facades, colors, roof lines, siding and other materials and features is contrary to the City’s historic small town character. In lieu of standardized corporate architecture, Formula Businesses shall use the following: natural and manufactured wood siding; large timbers; varied roof lines, openings and façade treatments; brick, brick veneer and rock treatments; gridded windows; and, earth tone and pastel colors in lieu of bright, glossy or reflective colors.

6. Section 10-4-9(G)(4)(a) is hereby amended as follows:

Evaluation of appearance of a project shall be based on the quality of its design and relationship to surroundings. Inappropriate, incompatible, bizarre, and exotic designs and standardized corporate architecture, other than registered trademarks, shall be avoided.

7. Section 10-4-9(G)(4)(e) is hereby amended as follows:

Colors shall be harmonious to site and surrounding area. The use of standardized bright, bold, glossy non-earth tone colors is discouraged, as they generally do not project the historic foothill character of the community.

8. Section 10-4-9(L) is hereby amended as follows:

~~Building Permit; Disapproval; Notice:~~ If the Planning Commission disapproves an application for a ~~building permit~~ Site Plan Review, it shall state its findings and judgment in specific detail so that the applicant is informed precisely as to the basis for the Commission's disapproval.

9. Section 10-4-9(P) is hereby amended as follows:

Application to change an approved Site Plan must be made in writing and filed with the secretary of the Planning Commission accompanied by a Site Plan (if applicable) and description of the modifications proposed.

Proposed changes to an approved Site Plan shall be classified as either minor or major by the Community Development Director or his duly appointed representative. Minor changes shall not in any way change the appearance, character or intent of the approved Site Plan nor modify the exterior building elevations of an existing Formula Business in the Central Business District (CBD) zone.

Major changes will generally be any change that would alter the appearance, character or intent of the approved Site Plan. Examples of Major Changes include, but are not limited to, changes in: building façade and roof line; wall and roof materials; window and door openings; sign modifications; building illumination and exterior lighting; new mechanical equipment visible from a public way; exterior colors which deviate from existing colors or which propose colors other than earth tone or pastel colors,

such as 'bone white', 'canary yellow', or 'fire engine red'. Any proposed change, which does not clearly fit into one of the classifications, minor or major, shall be considered as a major change.

10. Section 10-5-14(C) is hereby amended as follows:

Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title:

1. Parking facilities and parking lots.
2. Gasoline service stations.
3. Bus or taxi station.
4. Places of entertainment.
5. Formula Businesses.
6. Uses as stated in Section 10-3-4 of this Title.

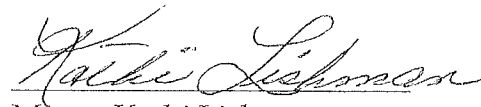
The above ordinance was introduced at a regular meeting of the City Council of the City of Placerville on February 10, 2004, by Councilmember Washburn, and it was read for the first time. The Ordinance was read for the second time on February 24, 2004 and introduced by Councilmember Colvin who moved its adoption. The motion was seconded by Councilmember Rivas. A poll vote was taken which stood as follows:

AYES: Colvin, Lishman, Rivas, Salazar

NOES: None

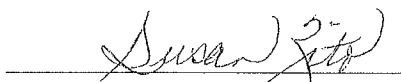
ABSENT: Washburn

ABSTAIN: None



Mayor Kathi Lishman

ATTEST:



City Clerk Susan Zito



CUP 20-04, Therapy Store Appeal to City Council

1 message

Ruth Michelson <ruthmichelson@sbcglobal.net>
To: Placerville Planning Department <pv.planning@gmail.com>

Thu, Dec 31, 2020 at 4:02 PM

Planning Department- Please let me know that you've received this email. Thank you.- Ruth Michelson

I am writing regarding **Conditional Use Permit 20-04 Appeal, Therapy Stores, 339 Main Street, Placerville.**

Dear City Council Members;

When this **CUP 20-04** came up before the Planning Commission I think there were some misunderstandings I'd like to address here.

***A formula store is a formula store by definition**, if there are 5 or more of them. It doesn't matter if some nice people started in their garage and built from there into having 11 stores. This is how many businesses begin. We are happy for the applicant to have succeeded, but even if they don't think they have a formula store, and others don't think they have a formula store, they do.

***So what if they are a formula store?** Formula stores, by nature, can buy in bulk for all of their stores. Buying in bulk is buying at a lower price, which theoretically gets passed onto the customer. Mom and Pop stores don't have this advantage. Plus, this store's products replicate what we already have on Main; by and large we merchants work cooperatively to not duplicate each others products.

***What about that good old American work ethic for success?** So, someone else is selling what you do, but for less. Well, in the Planning Commission meeting, it was said "just apply some hard work and ingenuity." Stay open later, bring in new products, they said. Many Mom & Pop stores are sole proprietor.. already open from 10am- 5 or 6pm. Now you want that person to stay there for 11 hours, to stay open late? And, diversifying product lines is complex, and not an issue of waiving some magic wand to have them appear.

***Who cares if the Central Business District has a formula store?** The merchants know why they get the sales that they do, their customers tell them every day. People come to Placerville because it is quaint and charming. They have an experience that is joyful, and out of the ordinary. For tourists, it is unlike their hometown. Once we lose that charm, once we become like their hometown, we lose our brand, we lose our unique offerings... and those of us who have worked hard to create what we have may lose our livelihood. Please, please, please... listen to the merchants who are here, who know, who understand.

***Doesn't it seem like we're being unwelcoming?** This was brought up during the Planning Commission hearing. We are not being unwelcoming. The applicant can have other kinds of businesses in their building that don't require a CUP. Or, they can go to a part of town that's not the Central Business District if they want to have a Therapy Store here. It is a ploy on emotions to make this into a welcoming vs. unwelcoming issue. It is up the applicant to secure permits before investing, or to take the risk that has been taken and accept the outcome.

***But what about the applicant's ties to this area and the Gold Rush?** While this is heartwarming, and a story to be honored, it is truly not a part of the CUP process. Once we start making decisions based on emotional stories, we've lost our our focus on making business decisions based on guidelines set forth in our General Plan, ordinances, and implementation guidelines. Please review specific relevant ordinances.

***What's this talk of Urban Decay?-** Back to the problem with formula stores, buying in bulk, selling for less. The current stores can't compete. Stores will close. There will be vacancies. This has happened to downtowns across the nation. Your Planning Department Director can tell you. Plus, formula stores, when they rent space, drive up the price of rent and small independent stores can't succeed with those elevated rents. This has also happened across the nation, and has begun in our town.

Thank you for consideration of the information I've provided.

Ruth Michelson
[352 Main Street, Placerville, CA](#)