



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

## Planning Commission Staff Report

**Meeting Date:** November 3, 2020

**Prepared By:** Andrew Painter, City Planner

### ITEM 4: 339 MAIN STREET - CUP20-04; SPR20-04 – THERAPY STORES

#### PROJECT INFORMATION SUMMARY

**Request:** Applicants Jing Chen and Wayne Whelan, of the Chen J. and Whelan W. 2004 Trust, acquired the subject property in October 2020, and request approval of Conditional Use Permit 20-04 and Site Plan Review 20-04, to establish and operate a retail formula business use in downtown Placerville within the former Combellack's retail clothing store located at 339 Main Street and within the Central Business District Zone. The proposed commercial business is called *Therapy Stores*. The business owners operate ten California Therapy Stores with locations in Albany, Berkeley, Burlingame, Campbell, Folsom, Livermore, Mountain View, Oakland, Pleasanton, San Francisco, and one store in Portland, Oregon.

Store merchandise of clothing, clothing accessories, gift products and home décor would be displayed and sold within the approximate 2,000 square foot first floor retail space. The second floor of approximately 1,900 square feet of floor area would be used for merchandise storage. The store would have 4 to 6 employees. Hours of operation would be Sunday – Thursday: 10am – 7pm; Friday & Saturday: 10am – 8pm.

The building's exterior colors would be changed with this project request. The stucco false front along the building's Main Street elevation would be repainted with earth-tone greys and red-tone color as illustrated in Detail Number 4 on Sheet A1.1 of the Applicant Submittal Package, and the Paint Palette provided as Exhibit 1. Proposed base and trim colors chosen are Sherwin-Williams Grey: Reflection SW 7661 for the base color, with trim color bands of Dark Grey: Iron Ore SW 7069 and Orange: Raucous Orange SW 6883. The fascia of the marquee above the sidewalk would also be painted with the Orange: Raucous Orange. The rear of the building would be painted Dark Grey: Iron Ore throughout.

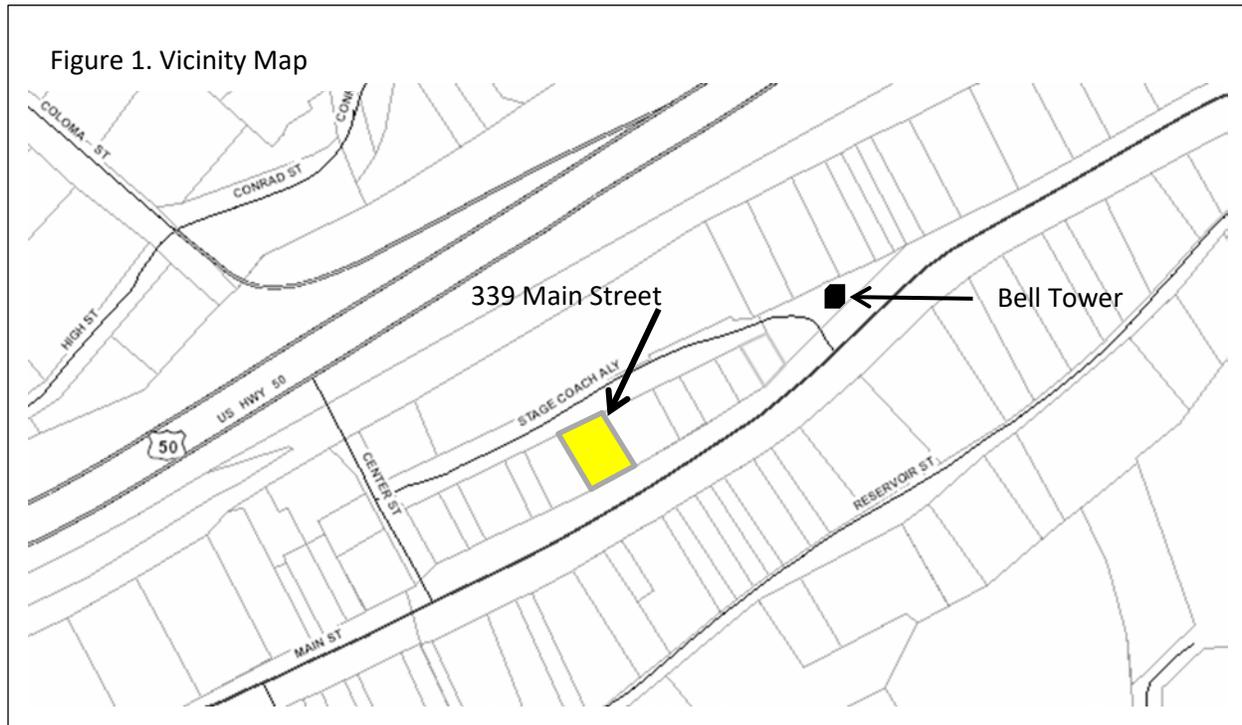
Business identification would consist of a new wall sign for the formula business use. This sign would consist of raised letters with "Therapy Stores Est 1994" sign copy, painted black and would be mounted on the stucco false front along the Main Street elevation (south elevation). Sign dimensions are described in the Applicant Submittal Package as not to exceed the existing 20-foot wide by 3-foot tall Combellack's wall sign.

No signs are proposed for the Stage Coach Alley elevation (north elevation). Existing painted sign for the former Combellack's along Stage Coach Alley are to be painted over. The applicant intends to retain the existing directional sign in its present location for River City Bank. No other changes are proposed to the exterior of the building.

The Applicant Submittal Package, including narrative, floor plans, building elevation, and a portfolio of current Therapy Stores storefronts are provided as Attachment 1.

**Summary Recommendation:** Approve Conditional Use Permit 20-04 and Site Plan Review 20-04, with the Findings and Conditions of Approval stated herein as Attachment 4.

**Site Description and History:** The site consists of two buildings that are each two stories in height. Each building is located on a separate Assessor's Parcel Number. Total parcel area is 2,657 square feet (0.031 acres). Total floor area is nearly 4,000 square feet. The building has frontage along Main Street and Stage Coach Alley.



The buildings were surveyed in 1984 for the City's Historic Resource Inventory (HRI). See Attachment 2. Per the HRI Survey, the two buildings were constructed in 1856 by Ralph Reynolds, a local brick maker and building. Buildings have brick wall construction. Stucco covers bricks along Stage Coach Alley. Twin roof gables with metal roofing materials extend the full depth of the building and are visible along Stage Coach Alley. The gables are obscured along the Main Street building elevation by a stucco false front. A stucco marquee extends across the full width of the Main Street building elevation. Store windows and door entry adorn the Main Street building elevation.

The buildings appear to have had separate addresses of 335 and 339 Main Street. At a time unclear to staff, perhaps accomplished during a permit issued to Robert Combellack in 1964 for a remodel permit at 335 Main Street, the common wall between the buildings was removed creating the current floor space configuration.

Figure 2. Street View: 339 Main Street



Source: Microsoft Streetside, October 2014

**Project Data:**

<i>Applicants:</i>	Jing Chen and Wayne Whelan
<i>Property Owner:</i>	Chen J & Whelan W 2004 Trust
<i>Location:</i>	339 Main Street
<i>APN:</i>	001-212-015, 001-212-016
<i>Total Lot Size:</i>	0.061 acres (≈2,660 square feet)
<i>General Plan Land Use:</i>	Central Business District
<i>Zoning:</i>	Central Business District (CBD)
<i>Adjacent Zoning &amp; Land Use:</i>	CBD Zoning and Land Use

**Background:** Ordinance No. 1597 was adopted by City Council in 2004. This ordinance amended City Code to permit Formula Businesses in the Central Business District with a Conditional Use Permit and Site Plan Review approval by the Planning Commission. A Formula Business was defined under this Ordinance as 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. The Ordinance further amended the Site Plan Review design criteria under Section 10-4-9(G) 2(e) and (G)4(a) and (e) that addressed standardized Formula Business architecture and materials.

## **PUBLIC NOTICING AND COMMENTS**

Written notice for this public hearing was mailed to property owners within five hundred feet (500') of the project site on October 22, 2020. Public notice was also published in the Mountain Democrat on October 23, 2020, and posted to the City website and its Facebook page. Public written comments received as of 5:00 p.m., Wednesday, October 28, 2020 are provided as Attachment 3. Written comments include those in support and those in opposition to the formula business request.

## **PROJECT ANALYSIS**

### **General Plan Land Use Consistency**

The Placerville General Plan Land Use map indicates that the land use designation for the site and surrounding parcels is Central Business District (CBD). Purposes of the CBD designation are as follows:

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

Allowable uses within the CBD Land Use designation per Section I: Land Use of the General Plan Policy Document, include retail sales, eating and drinking establishments, hotels and motels, business and professional offices, institutional uses, government facilities, and similar and compatible uses.

Specific General Plan goals and policies relevant to the request are detailed below.

### Land Use Element

*Goal C: To protect and provide for the expansion of Placerville's commercial services sector to meet the needs of both Placerville area residents and visitors.*

*Policy 1 of Goal C: The City shall promote the development and renewal of the downtown as the commercial center of Placerville.*

*Policy 2 of Goal C: The City shall assist the private sector in maintaining and improving the economic vitality of downtown through the provision of public facilities and services and the enactment of land use policies and decisions supportive of downtown's primary commercial role.*

Community Design Element

*Goal I: To promote architectural quality throughout Placerville.*

*Policy 3 of Goal I: The City shall encourage the restoration and reuse of older structures which contribute to the character and sense of historical and cultural identity.*

*Goal J: To promote development of aesthetic and functional signage and reduce visual clutter.*

*Policy 1 of Goal J: The City shall only allow new signs that are appropriate in design and scale, while making adequate provisions for business identification.*

**Analysis**

This request is made for the business, Therapy Stores, to occupy and to operate a formula retail business at the 339 Main Street address. Staff believes that the request is consistent with the purpose of the City's CBD Land Use designation and relevant General Plan goal and policies regarding commercial uses and downtown Placerville's primary commercial role. The proposed Therapy Stores formula business use would renew and reuse a commercial retail business at this pedestrian-oriented downtown address within a building dating back to the mid-1800s. The retail use would operate similarly to the previous Combella's business that operated on-site for more than 100 years. The project request is a retail sale use and therefore consistent with the purpose of the City's CBD Land Use designation.

Exterior changes to the site for the Therapy Stores formula business use involves removing the existing Combella's wall sign on the Main Street building elevation (south), painting of the front and rear stucco exterior elevations using earth tone greys and red-tone colors, along with the addition of a raised lettered wall sign with black lettering along the building's south elevation. This proposed wall sign that would not exceed the dimension of, would be installed and centered on the wall in the same location as, and have similar raised lettered construction as the existing Combella's wall sign. Sign copy of "Therapy Stores Est 1994" uses a font style that is simple, restrained and uncluttered providing adequate business identification. The request is therefore consistent with and Community Design policies regarding the reuse of older buildings and business identification sign

**Zoning Consistency**

The project site is located within the Central Business District (CBD) zone. Formula business uses are conditionally permitted within this zone upon obtaining a conditional use permit and site plan review approvals. Therapy Stores is considered a Formula Business in that there are more than five business sites (stores) with the same name, business colors and signage design. Per the Therapy Stores website they have 10 store locations in Northern California and one in Oregon, with the closest store to Placerville located in downtown Folsom.

*Conditional Use Permit*

This request includes an application containing a Conditional Use Permit (CUP) 20-04 and Site Plan Review (SPR) 20-04. Per City Code, CUP and SPR approvals are required before a formula business use may begin operation within the Central Business District Zone (CBD). Per City Code 10-3-3, conditional uses may be permitted under a conditional use permit request where such

uses are deemed essential or desirable to the public convenience or welfare, are in harmony with the various elements or objectives of the City's General Plan, and are not detrimental to surrounding property.

**Analysis**

It is the opinion of staff that the requested formula business use would be desirable, convenient and beneficial to the public, in that it would be located in pedestrian oriented downtown, it would serve local residents and visitors to Placerville. The formula business would operate similarly to the former Combellack's commercial retail business that operated on-site for more than 100-years, therefore would not be detrimental to surrounding property. Business signage and exterior paint colors are the limited exterior representation of the proposed Therapy Stores formula business. As analyzed in the staff report, the request is consistent with the intent of the Central Business District land use designation, as well as applicable land use goals and policies of the General Plan. Findings necessary to support the request, per City Code Section 10-3-3, can be made.

**Site Plan Review Criteria**

The Commission's authority under Sections 10-4-9 (Site Plan Review) of the Zoning Ordinance is to make determinations regarding site plan review requests. Before the Planning Commission may approve, approve with conditions, or disapprove a Site Plan Review application they must consider whether Site Plan Review design criteria are met.

As mentioned in the "Background" section of this staff report, amendments were made to City Code in 2004 regarding Site Plan Review Criteria (Section 10-4-9(G)) involving formula business uses and the CBD zone, as follows:

*(G) 2. Relationship of Building and Site to Surrounding Area:*

*(e) "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 colors in lieu of bright, glossy or reflective colors.*

*(G) 4. Building Design:*

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

*(e) 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.*

*(G) 5. Signs:*

- (a) Wall signs shall be accomplished in continuity with the architectural concept. Size, color, lettering, location and arrangement shall be harmonious with the building design, and shall be compatible with approved signs on adjoining buildings. Signs shall have good proportions.*
- (c) Materials used in signs shall have good architectural character and be harmonious with building design and surrounding landscape. Wherever possible, signs shall be incorporated within the building components such as fascias, and/or eaves.*
- (d) Every sign shall have good scale in its design and in its visual relationship to buildings and surroundings.*
- (e) Colors shall be harmonious and used with restraint. Lighting shall be harmonious with the design. If external spot or floodlighting is used, it shall be arranged so that the light source is shielded from view.*

**Analysis**

The request is consistent with the above Site Plan Review Criteria. No architectural changes are proposed to the buildings. Proposed greys and red colors are earth tone variants, are not bright, bold or glossy and appear compatible with adjacent buildings. One wall sign is proposed for the business. The raised lettered sign with black letters would replace the existing raised lettered Combellack's wall sign at its current location, centered along the building's south elevation. This new sign would be no larger than the current Combellack's sign dimension. Sign font and style are simple, restrained and uncluttered. The request is consistent with the Site Plan Review Criteria under City Code 10-4-9(G).

**Sign Regulations**

As mentioned, one wall sign is proposed with the requested use. City Code Section 10-4-17(G) contains City regulations for various sign types. Applicable wall sign regulations to consider are as follows:

- (G)5.b. The area of a wall sign or combination of wall signs shall not exceed two (2) square feet of sign area for each one (1) lineal foot of business frontage for businesses that have up to fifty (50) feet of business frontage and an additional sixty-seven (.67) hundredths of a square foot for businesses with street frontage greater than fifty (50) feet, not to exceed a total aggregate area of two hundred (200) square feet.*
- (G)5.d. Internally illuminated wall signs shall have an opaque background and shall be designed so that only the lettering or advertising copy is visible at night. Externally illuminated signs shall utilize light fixtures which are fully shielded and designed to focus light only on the sign surface.*

**Analysis**

The proposed non-illuminated wall sign is well within the maximum sign area of the City's Sign Regulations (City Code 10-4-17(G)). Business frontage for the 339 Main Street location is the building's east elevation that faces Main Street. This lineal front footage is 45.90'. Per regulation (G)5.b., the maximum wall sign area for a business with 45.90' of business frontage is 91.80 square feet (45.90 x 2= 91.80). Proposed wall sign dimensions would be no greater than the existing 23 feet wide by 3 feet tall, with 69 square feet of sign area, Combella's wall sign. The request therefore is consistent with the City's Sign Regulations under City Code 10-4-17(G).

**City of Placerville Development Guide Consistency**

Chapter XIII of the Development Guide contains guidelines for the planning and design of signage within Placerville. The following Development Guide guidelines for signage relevant to the request are detailed below.

**A. General Guidelines**

2. *All signs should be of professional quality, utilizing materials and finishes and trim elements that complement those used in the adjacent architecture and site design.*
4. *Signs for individual tenants should be well designed with a consistent theme and should be logically placed on the building face.*

**B. Main Street Historic Area****(A) General Design Characteristics**

1. *Signs in this area in particular should respect the character of the architectural design and respond to the proportion and style of details and ornamentation.*
2. *Signage programs should minimize signs and avoid clutter. One well designed, well placed sign on the face of the building is preferred. Free-standing pole mounted signs are not allowed in the historic area.*
3. *Color selection should demonstrate harmony and continuity with the colors of the building.*
4. *Quality materials and professional fabrication are essential for signs of any sort in the historic area.*
5. *Signs that re-create traditional approaches are encouraged, such as wall-painted signage, flush wall-mounted signs, or signs hanging from the interior against the window.*

*(B) Placement: Signage should be installed in appropriate “sign areas” as defined by the existing architecture of the façade.*

- 1. Placement or location should not obscure or cover a vertical architectural element such as a column or pilaster.*
- 2. Signage should fit entirely within horizontal divisions (e.g. sign band).*
- 4. Sign should not cover the entire width of any façade.*

*(C) Material: Sign materials should be consistent with the traditional character of the Main Street Historic Area.*

*Appropriate materials are: Metal (Iron, Steel, brass, copper, aluminum and other natural finishes)*

### **Analysis**

The single wall sign proposed is consistent with the Development Guide’s sign design characteristics, sign placement and sign color guidelines. Black colored sign copy text with raised lettering and grey base color for the wall background is compatible and is in harmony with each other. Sign placement would be centered along the building’s false front, the appropriate location for a wall sign. Proposed sign would not cover the entire width of this building’s façade.

### **ENVIRONMENTAL ASSESSMENT**

This requested activity is exempt from CEQA per Guidelines Section 15061(a)(3), in that it can be seen with certainty that there is no possibility that the formula retail use, along with the addition of one on premise wall sign, painted with dimensions no greater than, and that would replace an existing wall sign in the same location, would have a significant effect on the environment. This requested activity is exempt from CEQA per Guidelines Section 15301 (Class 1- Existing Facilities), in that the proposed use will utilize an existing building with no change or alterations to the building with the exception of the change in the existing sign. The proposed use involves no negligible or no expansion of an existing use. This requested activity is exempt from CEQA per Guidelines Section 15332 (Class 32 – In-fill development projects), in that the proposed project is consistent with the General Plan designation and applicable policies and applicable zoning district and its regulations; and the project is replacing a like kind business within a developed urban area with no value for wildlife habitat.

### **RECOMMENDED ACTION:**

- I. Adopt the Staff Report and make it a part of the public record.
- II. Make the following California Environmental Quality Act exemption findings for CUP20-04 and SPR20-04:
  - A. This requested activity is exempt from CEQA per Guidelines Section 15061(a)(3), in that it can be seen with certainty that there is no possibility that the formula

- business retail use, along with the addition of one on-premise wall sign that would replace an existing wall sign in the same location, and the painting of the exterior of the site with grays and reddish orange colors would have a significant effect on the environment;
- B. This requested activity is exempt from CEQA per Guidelines Section 15301 (Class 1- Existing Facilities), in that the proposed use will utilize an existing building with no change or alterations to the building with the exception of the change in the existing sign. The proposed use involves no negligible or no expansion of an existing use, and
  - C. This requested activity is exempt from CEQA per Guidelines Section 15332 (Class 32 – In-fill development projects), in that the proposed project is consistent with the General Plan designation and applicable policies and applicable zoning district and its regulations; and the project is replacing a like kind business within a developed urban area with no value for wildlife habitat.

III. Make the following Findings for CUP20-04 and SPR20-04:

- A. The project site has a Central Business District General Plan Land Use and Zoning designation.
- B. The project location is an existing retail location at 339 Main Street, previously occupied by Combellack’s Clothing.
- C. No changes are proposed to the physical characteristics (massing, floor area, windows, roofing or exterior stucco textures) of the buildings with the CUP20-04 and SPR20-04 Formula Business use request.
- D. One non-illuminated, raised lettered wall sign would be installed on the building’s south elevation false front, centered above the marquee; the wall sign would replace in the same location and be no larger than an existing non-illuminated, raised lettered Combellack’s wall sign with the CUP20-04 and SPR20-04 Formula Business use request.
- E. The CUP20-04 and SPR20-04 Formula Business use request is desirable, convenient and beneficial to the public, in that it would be located in pedestrian oriented downtown; it would offer a combination of clothing, clothing accessories, gift products and home décor store merchandise for retail sale to serve local residents and visitors to Placerville.
- F. The CUP20-04 and SPR20-04 Formula Business use request is in harmony with the purposes of the Central Business District General Plan designation and the goals and policies of the General Plan Land Use and Community Design Elements, in that the use would renew a commercial retail business within a building constructed in the mid-1800s; it would support downtown’s primary role as a commercial area for the City; the proposed sign is consistent with City Sign

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Regulations for sign area; and the proposed sign is consistent with signage guidelines of design characteristics, sign placement and sign material of the City of Placerville Development Guide.

- G. The CUP20-04 and SPR20-04 Formula Business use request would not be materially detrimental to the public health, safety and general welfare nor injurious to the property or improvements in the vicinity and zone in which the site is located, in that the formula business would operate similarly to the former Combella's commercial retail business that operated on-site for more than 100 years.
  - H. Based on the above findings and the analysis provided in staff's report dated November 3, 2020, the CUP20-04 and SPR20-04 Formula Business use request is consistent with General Plan goals and policies and the regulations and design criteria of City Code.
- IV. Based on the foregoing findings, approve CUP20-04 and SPR20-04, a request to operate a formula commercial retail business located at 339 Main Street, subject to the Conditions of Approval provided as Attachment 4.

**Attachments:**

1. [Applicant Submittal Package](#)
2. [339 Main Street, Historic Resources Inventory Survey prepared by Betty Laarveld and Charles Stephens, May 30, 1984](#)
3. [Written Public Comments Received](#)
4. [CUP20-04 and SPR20-04 Conditions of Approval](#)

**Exhibit 1. Therapy Stores Paint Palette – CUP20-04 SPR20-04**

**Main Street Building Elevation (south) – False Front**

*Base:*

SW 7661  
**Reflection**  
Interior / Exterior  
Location Number: 233-C1

*Accent and trim:*

SW 7069  
**Iron Ore**  
Interior / Exterior  
Location Number: 251-C7

SW 6883  
**Raucous Orange**  
Interior / Exterior  
Location Number: 120-C7

**Stage Coach Alley Elevation (north)**

SW 7069  
**Iron Ore**  
Interior / Exterior  
Location Number: 251-C7

**Attachment 1**

**Applicant Submittal Package**

**Plans**

**Attachment 2**

[339 Main Street, Historic Resources Inventory Survey  
prepared by Betty Laarveld and Charles Stephens, May 30, 1984](#)

**Attachment 3**

**Written Public Comments Received**

**Attachment 4**

**Conditions of Approval  
Conditional Use Permit (CUP) 20-04 and Site Plan Review (SPR) 20-04**

1. These Conditions shall apply to CUP20-04 and SPR20-04, a request made by Jing Chen and Wayne Whelan, Therapy Stores Inc., to establish a Formula Business in the Central Business District located at 339 Main Street. APN 001-212-005 and 001-212-006. Any proposed future change to the site or modification of the application beyond what is authorized under this permit shall be submitted to the Development Services Department for determination of appropriate procedures under City Code Section 10-4-9(P) Site Plan Changes, Major and Minor.
2. The CUP20-04 and SPR20-04 shall expire and become null and void eighteen (18) months after the date of granting the conditional use permit, unless the authorized use is carried on and a construction permit has been obtained for any construction activity relative to the operation of the conditional use prior to the date of expiration.
3. The property owner, his/her successors, heirs, or assigns shall maintain and operate the formula business in conformance with all conditions of approval.
4. A construction permit is required for the business sign and any interior alterations to the 339 Main Street address. Applicant shall submit three copies of plans to the Development Services Department, Building Division for plan check and permit processing.