

**REGULAR MEETING MINUTES  
PLACERVILLE PLANNING COMMISSION TELECONFERENCE (Virtual Meeting)  
TUESDAY, DECEMBER 1, 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*

**CONSENT CALENDAR:**

**1. Consideration to Approve Agenda**

*Action: Commission by voice vote approved Agenda as presented.*

**2. Consideration to Approve Regular Meeting Minutes – November 17, 2020**

*Action: Commission by voice vote approved November 17, 2020 Minutes on a voice vote.*

**ITEMS OF INTEREST TO THE PUBLIC**

*Addressing the Commission were Kirk Smith, regarding public comment during November 17, 2020 Regular Meeting; Sue Taylor, regarding holding meetings on election night; Caller #857, regarding Commission Bylaws, development and traffic, November 17, 2020 proceedings. Member Raines announced she had reviewed the November 17, 2020 meeting video in its entirety.*

**COMMUNICATIONS**

*No communications were received.*

**PRESENTATION:**

**Housing Policy Questionnaire Responses:** *City Planner Painter, using City website, summarized community responses. Item was for information only. No action was taken.*

**PUBLIC HEARING**

**3. 150 Placerville Drive - Site Plan Review (SPR) 90-11-R2 – Kwik Serv:** Consideration of request for a Major Change to the approved SPR90-11, amendment to the signage, building

and canopy color scheme changes, and landscaping for the existing gas station and market located at 150 Placerville Drive. Location: 150 Placerville Drive, Placerville, CA. APN: 325-120-054. Zoning: Commercial (C) Zone.

*City Planner Painter delivered staff report. Addressing the Commission on this item was applicant representative Bobby O'Hara, Sign Development Inc. Public members addressing the Commission were Caller #857 and Ruth Michelson.*

*Motion: Member Frenn, seconded by Chair List:*

- I. Adopt the Staff Report as part of the public record.*
- II. Make the following findings:*
  - A. The request involves the minor alterations to the exterior of an existing commercial facility, and therefore is Categorically Exempt from the California Environmental Quality Act (CEQA), per Section 15301 of the CEQA Guidelines.*
  - B. The SPR90-11-R2 Sign Plan is consistent with Goals A, F, J, and Policy J-1 of the Community Design Element of the General Plan, the Site Plan Review design criteria under PZC 10-4-9(G) 5(a), (G)5(c), (G)5(d) and (G)5(e), and the Sign Regulations under PZC 10-4-17(G)1b, (G)5b and (G)5d, in that signs utilize colors, materials and finishes that have continuity with the color scheme and materials used onsite, are compatible with each other, and enhance and improve the site and the Placerville Drive commercial corridor; signs are designed at a scale appropriate for their wall locations; and, signs are consistent with the Sign Regulations of aggregate and wall sign area, internal illumination, material and colors.*
  - C. The SPR90-11-R2 exterior color scheme contains dark blue and earth tone brown and beige colors for proposed signs, and building and building and canopy fascia color applications. This scheme contrasts dramatically from the bold and bright colors of the trademarked Shell branded facility that formally occupied the site. Proposed colors are well related to each other and are well-integrated and related with the proposed on-premise signs. Proposed colors improve and enhance the Placerville Drive commercial corridor and are therefore consistent with Goals A and F and Policy F-1 of the Community Design Element, along with PZC 10-4-9(G)4(e).*
- III. Conditionally approve SPR90-11-R2 request subject to the following Conditions of Approval:*

*SPR90-11-R2 Conditions of Approval*

- 1. Approve SPR90-11-R2, located at 150 Placerville Drive, APN: 323-120-054, involving changes to the approved Site Plan Review 90-11 for the site.*

*Approval is based upon the analysis provided in staff's December 1, 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 Application and Project Narrative received October 28, 2020; and,*
- *Sign Elevations and Site Plan (Pages 1 through 7), dated October 23, 2020, prepared by Sign Development Inc., received October 28, 2020.*

2. *SPR90-11-R2 authorized activity shall expire and become null and void eighteen (18) months after the date of Planning Commission approval unless a construction permit been issued for activity construction.*
3. *SPR90-11-R2 shall apply only to the address specified, regardless of any change of ownership, but may not be transferred to another parcel.*
4. *SPR90-11-R2 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.*
5. *Permits. The applicant shall obtain a construction permit for the Commission approved scope of work. Two complete copies of plans shall be submitted to the Development Services Department for processing. Plan submittal shall incorporate as a separate page/sheet all Conditions of Approval for SPR90-11-R2.*

*Applicant shall provide with construction permit application the grant deed with legal description of subject property.*

6. *New internally illuminated wall cabinet signs authorized under SPR90-11-R2 shall conform to the City's Regulations for On-Premise Signs (PZC 10-4-17(G)), requiring the sign shall have an opaque background and be designed so that only the lettering or advertising copy is visible at night.*
7. *Project applicant shall prepare a landscape plan for the site, prepared by a licensed landscape professional, to be brought back to the Planning Commission for review and approval no later than sixty (60) days from the Planning Commission's approval of SPR90-11-R2.*
8. *The property owner shall record a Landscaping Maintenance Agreement on a form prepared by Development Services staff no later than ten (10) days following approval by the Planning Commission of the landscape plan, or by staff if directed by the Planning Commission, in accordance with PZC 10-4-9 (G)3(n).*
9. *Under pump canopy lighting shall require a construction permit per Condition 5, and shall conform to the City's Outdoor Lighting Standards (PZC 10-4-16(E)).*

10. *Other Applicable Requirements. The project approval is subject to all applicable requirements of the Federal, State, City of Placerville and any other affected governmental agencies.*
11. *Substantial Conformance. The use shall be implemented in substantial conformance to the Site Plan Review as approved by the Planning Commission. Any proposed future change to the site or modification to the application beyond what is authorized under this permit shall be submitted to the Development Services Department for a determination of appropriate procedures.*
12. *Construction Hours. All exterior construction shall be limited to the daylight hours between 7:00 am to 7:00 pm on any weekday, and 8:00 am to 5:00 pm on weekends and state and federal recognized holidays.*
13. *All temporary signs shall be removed within 10-days after the installation of City approved and inspected signs under SPR90-11-R2.*
14. *Conditions a, b and c, approved in 1991 under SPR90-11, and Conditions 1, 2, 3 and 4 that were approved in 2004, are eliminated as analyzed in Attachment "B" of Staff's December 1, 2020 report to the Planning Commission.*

*Action: Motion approved 5-0 on the following roll call vote:*

*Ayes: Chair List, Vice Chair Lepper, Frenn, Kiehne, Raines*

*Noes: None*

#### **CONTINUED ITEM**

4. **339 Main Street - Therapy Stores** – Planning Applications Conditional Use Permit (CUP) 20-04 & Site Plan Review (SPR) 20-04: Consideration of request to operate a retail formula business land use, Therapy Stores, within the Central Business District (CBD) Zone. Location: 339 Main Street, Placerville, CA. APN: 001-212-005; 001-212-006.

*Member Kiehne, having recused herself from the proceedings on November 17, 2020, left the meeting. Chair List informed the Commission that the public hearing concluded on November 17, 2020 and opened project for Commission discussion and action.*

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

- 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 also 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, along with painting the exterior using earth tone colors. The proposed use involves no negligible or no expansion of an existing use;*
- C. *This requested activity is also 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;*
- D. *This requested activity is exempt from CEQA per Guidelines Section 15311(a) (Class 11- On-Premise Sign), in that the proposed conditional use request includes the placement of a minor accessory wall sign that is appurtenant to the commercial retail use.*
- E. *The comments submitted by Philip G. King, PhD., do not provide credible or reliable factual and/or applicable information for consideration of this project and the Commission rejects said comments with respect to identification of a potential significant environmental impact resulting from the project.*
- F. *The categorical exemptions are appropriate based on the facts in the record and the findings that the exemptions are not negated by an exception pursuant to CEQA Guidelines, Section 15300.2. (a though f):*
  - a. *The project site is not environmentally sensitive as defined by the project's location. A project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. The Therapy Stores is a retail business proposing to locate in an existing retail building. There is no new construction except a new sign and exterior painting. These activities are insignificant in an established urban environment such as downtown Placerville.*
  - b. *The project and successive projects of the same type in the same place will not result in cumulative impacts: This project is a retail business which in and of itself has no cumulative impact as a retail business to the environment. There are no physical changes in the environment except for a change in signage and exterior painting. There is no substantial evidence in the record that these changes or any*

*other characteristic of the proposed project could result in significant adverse cumulative effects.*

- c. There are no "unusual circumstances" present with respect the proposed use or setting that would result in any significant environmental effects: There is nothing unusual about a retail establishment moving into an existing retail store building in an established urban environment like downtown Placerville.*

*The re-occupancy of by a retail tenant in an existing, commercially zoned space with a similar type of use as is prevalent throughout the CBD is not unusual, nor is the setting of a small historic downtown with frequent business closings and re-openings. The situation of the pandemic is not unusual in that every jurisdiction in California is currently confronted with the same economic challenges.*

- d. The project will not result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock, outcroppings, or similar resources, within an officially designated scenic highway: The installation of a new sign and the painting of the exterior of the building will not cause damage to any of these resources.*
- e. The project is not located on a site that the Department of Toxic Substances Control and the Secretary of the Environmental Protection have identified, pursuant to Government Code section 65962.5, as being affected by hazardous wastes or clean-up problems: This subject property is not on an identified site burdened by toxic waste.*
- f. The project will not cause a substantial adverse change in the significance of an historical resource. Nothing has been identified in the record to show that a substantial adverse change in the significance of an historical resource would occur with this project.*

*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. *Painting of the exterior of the existing retail location would occur with the request, using grays and reddish orange colors.*
- F. *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.*
- G. *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 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.*
- H. *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 Combellack's commercial retail business that operated on-site for more than 100 years. The comments submitted by Philip G. King, PhD., do not provide credible or reliable factual and/or applicable information for consideration of this project and the Commission rejects said comments with respect to identification of materially detrimental impacts to the public health, safety and general welfare or injurious to the property or improvements in the vicinity and zone in which the site is located. Dr. King's comments provide only speculation and unfounded assumptions about worst-case hypothetical scenarios, not substantial evidence of any likely adverse economic effects so severe and pervasive that they could result in any significant physical impacts under CEQA.*
- I. *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 of staff's November 3, 2020 staff report.

Action: Motion approved 4-0-1, on the following roll call vote:

Ayes: Chair List, Vice Chair Lepper, Frenn, Raines

Noes: None

Recused: Kiehne

#### **MATTERS OF COMMISSION AND STAFF**

Members Frenn and Kiehne addressed Commission regarding historic property evaluations.

Public members addressing the Commission was Caller #857 regarding future agenda items; Jen C. regarding house demolition on Cedar Ravine Road; and Steve Neau regarding City regulations and procedures.

#### **ADJOURNMENT**



Andrew Painter, Executive Secretary  
Placerville Planning Commission