

**REGULAR MEETING MINUTES
PLACERVILLE PLANNING COMMISSION TELECONFERENCE (Virtual Meeting)
TUESDAY, APRIL 6, 2021, 6:00 P.M.**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

Members Present: *Frenn, Gotberg (Vice Chair), Kiehne, Lepper (Chair), List*

Members Absent: *None*

Staff Present: *Planning Commission Staff Liaison / Executive Secretary /City Planner
Painter;
Development Services Director Rivas*

CONSENT CALENDAR

1. Consideration to Approve Agenda

Motion: Member Kiehne, seconded by Member Frenn to approve the Agenda as amended herein.

Action: Motion approved 5-0 by voice vote:

Ayes: Frenn, Gotberg, Kiehne, Lepper, List

Noes: None

2. Consideration to Approve Regular Meeting Minutes – March 16, 2021

Motion: Member Frenn, seconded by Member List to approve the Minutes.

Action: Motion approved 5-0 by voice vote:

Ayes: Frenn, Gotberg, Kiehne, Lepper, List

Noes: None

ITEMS OF INTEREST TO THE PUBLIC

None received.

COMMUNICATIONS

None received.

PUBLIC HEARINGS

4. Zoning Interpretation (ZON) 21-01 – Short-Term Rental Uses in Central Business District Zone (Item continued from March 16, 2021)

Consider the adoption of a Resolution that would define the use, *short-term rental*; deem that a short-term rental use be permitted subject to a special temporary use permit within the Central Business District (CBD), while the City completes the process authorized by City Council under Resolution No. 8530 to establishing regulations of short-term rentals; and, establish that a short-term rental use shall provide a minimum of one parking space, consistent with other transient occupancy uses defined under the Placerville Zoning Code.

City Planner Painter summarized request status. Addressing the Commission was: Celia Lux (applicant); David Ross and Caller #857.

Motion: Member Kiehne, second by Member List to adopt Resolution No. 2021-01 for the following actions:

Section 1: The foregoing recitals are true and correct.

Section 2 A “short-term” or “vacation rental” is defined as a single dwelling unit, containing five or fewer rooms, providing complete living facilities for one or more persons, with permanent provisions for living, sleeping, eating, cooking, and sanitation, which may be rented for transient occupancy for periods of thirty (30) or fewer consecutive nights.

Section 3: In order to process the establishment of the short-term rental as a permitted use within the CBD Zone, short-term rental uses within the CBD Zone are deemed to be within the intent and purpose of the Special Temporary Use Permit provisions under City Code 10-4-7. Such use is added to the uses subject to TUPs under City Code 10-4-7(A).

Section 4: A short-term rental use is similar to other transient lodging defined under Section 10-1-4 of the Zoning Ordinance, such as a rooming or boarding house, motel or hotel, therefore the minimum number of parking spaces for each short-term rental use shall be one (1) parking space. Such use is added to the uses for which parking space is required under Section 10-4-4(E)17, subject to the requirements under Subsections (B) and (C) of Section 10-4-4: Parking and Loading of the Zoning Ordinance for parking spaces.

*Action: Motion approved 5-0 on roll call vote:
Ayes: Frenn, Gotberg, Kiehne, Lepper, List
Noes: None*

5. Zoning Interpretation (ZON) 21-02: Short-Term Rental Uses in the HWC Zone

Consideration of request to render a zoning interpretation decision regarding transient short-term rental (thirty (30) or fewer consecutive nights) uses within the Highway Commercial Zone (HWC) (Zoning Ordinance Section 10-5-17), including property owned by the Applicants David Ross and Amber Ross, located at 3038 Orchard Lane, Placerville.

City Planner Painter presented staff's report. Addressing the Commission was: David and Amber Ross (Applicants); caller #857; Caitlyn Martin; Deanna DePaoli; Ruth Michelson; and, Curtis Crispin.

Motion: Member Frenn, seconded by Member List to adopt Resolution No. 2021-02 for the following actions:

Section 1: The foregoing recitals are true and correct.

Section 2: A short-term or "vacation rental" is defined as a single dwelling unit, comprising one or more rooms, providing complete living facilities for one or more persons, with permanent provisions for living, sleeping, eating, cooking and sanitation, which may be rented for transient occupancy for periods of thirty (30) or fewer consecutive nights.

Section 3: In order to process the establishment of the short-term rental as a permitted use within the HWC Zone, short-term rental uses within the HWC Zone are deemed to be within the intent and purpose of the Special Temporary Use Permit provisions under City Code 10-4-7. Such use is added to the uses subject to TUPs under City Code 10-4-7(A).

Section 4: A short-term rental use is similar to other transient lodging defined under Section 10-1-4 of the Zoning Ordinance, such as a rooming or boarding house, motel or hotel, therefore the minimum number of parking spaces for each short-term rental use shall be one (1) parking space. Such use is added to the uses for which parking space is required under Section 10-4-4(E)17, subject to the requirements under Subsections (B) and (C) of Section 10-4-4: Parking and Loading of the Zoning Ordinance for parking spaces.

*Action: Motion approved 4-1 on roll call vote:
Ayes: Frenn, Kiehne, Lepper, List
Noes: Gotberg*

6. 7553 Green Valley Road – Site Plan Review (SPR) 20-05: Geartooth Alewerks

To consider Site Plan Review (SPR) 20-05 request to remodel, renovate and to change the building occupancy of an existing 3,200 square single-story building from a business occupancy to a brewery and restaurant occupancy (eating and drinking establishment).

Location: 7553 Green Valley Road; approximately 175 westerly of the intersection of Green Valley Road and Placerville Drive, within the Commercial (C) Zone. APN 325-120-057.

City Planner Painter presented staff's report. Addressing the Commission was: Mark Alvarez (Applicant Representative); Jay Ganz; and, caller #857.

Motion: Member Frenn, seconded by Member Gotberg:

- I. The Planning Commission finds as follows in accordance with its authority granted to it under Placerville Zoning Code (PZC) 10-3-1(C) and 10-4-9(C):*
 - A. An application has been received from for consideration of Site Plan Review (SPR)20-05 – Geartooth Alewerks, requesting approval to remodel and to change the building occupancy of an existing 3,200 square single-story building from Business (B) (office and professional services) occupancy to an Assembly (A-2) (taverns and bars) and Industrial F-2 (beverage manufacturing up to and including 16-percent alcohol content) occupancy to support the proposed eating and drinking establishment and beer production; and*
 - B. The notice of Public Hearing for the Planning Commission meeting was sent to adjoining and vicinity property owners and advertised in the manner required by law; and*
 - C. A staff report for the SPR20-05 request was prepared and considered by the Planning Commission prior to its decision regarding the request; and*
 - D. The project site has a General Plan Land Use designation and Zoning of Commercial. The proposed use is classified as a eating and drinking establishment and is a permitted use in the Commercial Zone District per City Code Section 10-5-15(B)8; and*
 - E. This request is exempt from environmental review, in that the project is covered under the California Environmental Quality Act Guidelines §15332 that this project meets all of the in-fill conditions described as follows:*
 - I. The SPR20-05 project request is consistent with the Commercial General Plan Designation and the Zoning Ordinance which permit eating and drinking establishments.*
 - II. The existing building is located within the City limit on APN 325-120-057 with a lot area of less than 5 acres (0.33 acres), surrounded by urban uses.*
 - III. The site has no value as habitat for endangered, rare or threatened species as the site project parcel contains an existing building with 3.200 square feet of floor area, asphalt parking area, with wet and dry utilities serving the site.*
 - IV. The eating and drinking establishment use would not result in any significant effects relating to traffic, noise or air-quality, as the project would result in a net increase of twenty-five (25) PM peak hour traffic trips that would not significantly impact Green Valley Road; noise generated by the facility would be similar to noise generated by vehicles used by patrons, supply deliverers, trash and waste removal and employees for businesses located along Green Valley Road, including the G&O auto body shop.*
 - F. The request would further Goal C and Policy 4 of Goal C of the Land Use Element and be consistent with the purpose of the C Zone, in that the new business, Geartooth Alewerks, would involve the establishment of a new commercial brewery and restaurant in Placerville’s Placerville Drive commercial corridor area recently affected by the closing of a brewery and restaurant along Placerville Drive. Business occupancy will increase the vibrancy of this portion of the corridor through building and site reuse, and broaden the revenue base of the City by attracting area residents, tourists and other visitors to the site and the City at large.*
 - G. This conditioned request as analyzed is consistent with the purpose and intent of the Placerville Zoning Code, including the Site Plan Review Criteria 3.(j), 3.(q), 3.(r), and 4.(f) under PZC 10-4-9(G), and the Parking and Loading regulations under PZC 10-4-4(E) and (F).*
- II. Approve Site Plan Review 20-05, a request to remodel and to change the building occupancy of an existing 3,200 square single-story building from Business (B) (office and professional services) occupancy to an Assembly (A-2) (taverns and bars) and Industrial F-2 (beverage manufacturing up to and including 16-percent alcohol content) occupancy to*

support the proposed eating and drinking establishment and beer production, with the Conditions of Approval as follows:

1. *Approval. Approval of this planning application SPR 20-05: The project is approved as shown in staff's April 6, 2021 staff report to the Planning Commission, and limited to compliance with the project description, the Applicant Submittal Package set forth below, except where deviated under a separate Condition of Approval, and all other conditions of approval set forth herein, and as conditioned or modified below:*
 - *Planning Application, Geartooth Alewerks Project Description, Geartooth Alewerks Business Plan, Menu, and Environmental Information Form;*
 - *Cover Sheet and Index, Sheet G1.0, dated 12-8-2020; Existing Site Plan, Sheet G1.1, Planning Revision dated 3-1-21; and, Supporting Documents, Sheet G1.3, dated 2-8-21, prepared by RWM Architecture & Interiors;*
 - *Existing Landscape Plan, Sheet G1.2, dated 2-8-2021, prepared by Adams Landscape Design and Consulting.*

2. *Project Location. The SPR 20-05 project site is located at 7553 Green Valley Road, approximately 175 westerly of the intersection of Green Valley Road and Placerville Drive. Assessor's Parcel No.: 325-120-057. Approval shall apply only to the project location and cannot be transferred to another parcel.*

3. *Substantial Conformance. The use shall be implemented in substantial conformance to the Site Plan Review as approved by the Planning Commission.*

4. *Permits. The applicant shall obtain all necessary and appropriate permits for the project prior to occupancy, including but not limited to building permits, payment of all required fees, and requirements as follows:*
 - a. *All proposed new construction shall comply with the 2019 California Title 24 Building Codes and the City of Placerville's Building Regulations as applicable.*
 - b. *The applicant shall submit all necessary completed forms and construction documents to the city for review and approval prior to commencing construction.*
 - c. *Applicant shall provide on drawings verification of compliance with 2019 CBC 1028.5 for access to public way or a compliant safe dispersal area.*
 - d. *Applicant shall provide approval sign-off from the following:*
 - *Environmental Health Department;*
 - *El Dorado County Fire District;*
 - *El Dorado Irrigation District; and*
 - *City Engineering Department.*

5. *Prior to the issuance of a construction permit, the owner or designee shall include within the four first pages of the working drawings for a plan check a list of all conditions of approval imposed by the final approval of the project.*

6. *Prior to the issuance of a construction permit, the owner shall execute and record a Street Frontage Improvement Agreement (SFIA) for construction of concrete curb, gutter, and sidewalk; agreeing that the property owner will undertake the construction of the required improvements as required by City Code 8-9-4 within ninety (90) days after notice to begin construction of said improvements is sent by the City to the property owner. Said agreement shall further provide that in the event of default in undertaking and completing the required improvements within the time specified, the city may cause such work to be done and the cost thereof to be assessed as a lien against the property. Such agreement shall recite that it creates a covenant running with the land and shall be recorded in order to constitute notice to any prospective buyers or encumbrancers.*

7. *Permit Expiration. The approval of the site plan review shall expire and become null and void eighteen (18) months after the date of approval unless a building permit has been obtained for any building thereon before the date of expiration. Should the building permit expire for any building thereon, then the site plan review approval shall also simultaneously expire. The planning commission may grant a one year*

extension for the project if the applicant makes such a request and pays a new fee prior to the expiration date. The planning commission shall consider any changes to the Zoning code or to the project when granting the extension.

- 8. 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.*
- 9. Runs with the Land. The terms and conditions of approval of SPR20-05 shall run with the land shall be binding upon and be to the benefit of the heirs, legal representatives, successors, and assignees of the property owner.*
- 10. Revisions. Any proposed change to the Project Description or conditions of approval shall submitted to the Development Services Department, Planning Division for determination of either a Major or Minor Change to approved the site plan, per Section 10-4-9(P) of City Code.*
- 11. A Landscape Maintenance Agreement between the property owner and the City is required by Code to be recorded against the property, prior to issuance of a construction permit, to maintain landscaping in a healthy and weed-free condition. Applicant shall provide a copy of the current property deed with legal description to be used in the creation of the agreement by City staff.*
- 12. The applicant and/or property owner provide evidence prior to issuance of any construction permit for the change of building occupancy that a reciprocal parking agreement affecting parcels, APN 325-120-057 (7553 Green Valley Road), APN 325-120-079 (7533 Green Valley Road) and APN 325-120-058 (7559 Green Valley Road), has been executed and recorded; applicant shall remove any gate that prevent the free traverse across parking lot areas at the mentioned properties.*
- 13. A bike rack shall be provided onsite for eating and drinking establishment use patrons. Bike rack design and location onsite shall be approved by Development Services Department staff, and its City approved location shall be shown on construction plans.*
- 14. Spent grains from the onsite brewing process shall be removed no later than 24 hours after extraction from the mash tun (mash out).*
- 15. The applicant shall install "pedestrian-oriented lighting" in the areas of the parking stalls identified as 3 through 21 on construction drawings (Sheet G1.1 Existing Site Plan), subject to review and approval by staff.*

Action: Motion approved 4-1 by roll call vote:

Ayes: Frenn, Gotberg, Kiehne, Lepper

Noes: List

EDUCATIONAL WORKSHOP SESSION (Item reordered with Agenda adoption)

- 3. Video Presentation: April 19, 2011 Planning Commission Workshop: Use and Interpretation of the Secretary of Interior's Standards and Guidelines for the Treatment of Historic Properties: Speaker:** Timothy Brandt, AIA, LEED AP, of the California State Office of Historic Preservation

Motion: Member Frenn, seconded by Member Kiehne to table the item to the next scheduled regular meeting.

Action: Motion approved 5-0 by voice vote:

Ayes: Frenn, Gotberg, Kiehne, Lepper, List

Noes: None

NEW BUSINESS

7. Review / Amendment of Planning Commission Bylaws

Motion: Member Frenn, seconded by Member List to table the item to the next scheduled regular meeting.

Action: Motion approved 5-0 by voice vote:

Ayes: Frenn, Gotberg, Kiehne, Lepper, List

Noes: None

MATTERS FROM COMMISSIONERS AND STAFF

None received.

ADJOURNMENT

Chair Lepper adjourned the meeting at 9:11 p.m.



Andrew Painter, Executive Secretary
Placerville Planning Commission